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OF THE

SECOND SESSION

OF THE

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PROCEEDINGS AND DEBATES OF THE SIXTY-FIFTH CONGRESS
SECOND SESSION.

SENATE.

MONDAY, *January 21, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek by prayer and supplication to fit ourselves for the solemn responsibilities and duties of this day. As we draw from Thee the inspiration and strength we shall measure up to the duties that are now upon us. Give us the Divine guidance that we may have gentleness and grace of spirit, understanding of the great issues of the day, and an appreciation of the responsibilities of this hour, that we may do all things according to Thy will for the peace and happiness of a great Nation. For Christ's sake. Amen.

The Journal of the proceedings of Friday last was read and approved.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	James	Norris	Smith, Mich.
Calder	Johnson, Cal.	Overman	Smoot
Chamberlain	Johnson, S. D.	Owen	Sterling
Colt	Kellogg	Penrose	Stone
Culberson	King	Phelan	Swanson
Curtis	Kirby	Poindexter	Thomas
Dillingham	Knox	Robinson	Tillman
Fernald	Lewis	Shafroth	Trammell
Fletcher	McCumber	Sheppard	Wadsworth
France	McKellar	Sherman	Warren
Frelinghuysen	McLean	Shields	Watson
Gallinger	McNary	Simmons	Williams
Gronna	Martin	Smith, Ariz.	Wolcott
Hale	Nelson	Smith, Ga.	
Hitchcock	New	Smith, Md.	

Mr. WOLCOTT. I wish to announce that my colleague [Mr. SAULSBURY] is detained at home by illness. I wish that this announcement may stand for the day.

Mr. LEWIS. I announce the absence of the Senator from Missouri [Mr. REED], the Senator from Mississippi [Mr. VARDAMAN], the Senator from New Mexico [Mr. JONES], and the Senator from Massachusetts [Mr. LODGE], detained on official business in the Committee on Manufactures. I also announce that the Senator from Kansas [Mr. THOMPSON] is detained on important public business.

The PRESIDING OFFICER (Mr. SWANSON in the chair). Fifty-eight Senators have answered to their names. There is a quorum present. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 195) providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla.

The message also announced that the House disagrees to the amendments of the Senate to the joint resolution (H. J. Res. 174) for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CHARLES B. SMITH, Mr. CROSSER, and Mr. NOLAN managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 7697. An act to authorize the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes; and

H. R. 6176. An act extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va.

PETITIONS AND MEMORIALS.

Mr. STERLING. I send to the desk a resolution adopted by the Farmers' Equity Union of South Dakota, relative to a survey of the power possibilities of the Missouri River, which I ask may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD as follows:

Resolved, That we urgently request the South Dakota delegation in Congress to use its best efforts to secure provision from the present Congress for the comprehensive survey of the power possibilities of the Missouri River between the forty-third and forty-seventh degrees of north latitude.

Mr. KNOX presented a memorial of the Select and Common Councils of Philadelphia, Pa., remonstrating against the abolishment of the pneumatic mail tubes in that city, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Rotary Club, of Chester, Pa., praying for the enactment of legislation providing for universal military training, which was referred to the Committee on Military Affairs.

He also presented a petition of Erie Chapter, No. 253, American Insurance Union, of Erie, Pa., praying for the enactment of legislation for the repair, preservation, care, and future maintenance of the restored naval brig *Niagara*, Commodore Oliver Hazard Perry's flagship in the Battle of Lake Erie, which was referred to the Committee on Naval Affairs.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Oregon praying for the enactment of legislation authorizing the return to this country and burial here of the bodies of our soldier dead, which was referred to the Committee on Military Affairs.

Mr. CURTIS presented a petition of the Commercial Club of Hutchinson, Kans., praying for the enactment of legislation providing for universal military training, which was referred to the Committee on Military Affairs.

Mr. WARREN presented a memorial of the Upper Green River Valley Cattle Growers' Association, of Cora, Wyo., remonstrating against the proposed extension of the Yellowstone National Park, which was referred to the Committee on Public Lands.

He also presented a petition of the Garrison Army and Navy Union, of Cheyenne, Wyo., praying for the repair, preservation, and care of the naval brig *Niagara*, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Wyoming State Council of National Defense, praying for the enactment of legislation granting the franking privilege to State councils of defense, which was referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented resolutions adopted by the Board of Supervisors of Orange County, Cal., favoring the formulation of a plan for flood control and the conservation of water upon the Santa Ana River and its tributaries, which were referred to the Committee on Commerce.

He also presented a petition of the Santa Barbara County Chamber of Commerce, of California, praying for the construction of the proposed military highway from Blaine, Wash., to San Diego, Cal., which was referred to the Committee on Military Affairs.

Mr. JONES of Washington presented a petition of the Pacific County Council of Defense of the State of Washington, praying for the enactment of legislation relative to the drafting of alien foreigners, etc., which was referred to the Committee on Foreign Relations.

LOCAL HOUSING SITUATION.

Mr. THOMAS. Mr. President, on Friday last I took occasion, when the bill in charge of the Senator from Florida [Mr. FLETCHER] was under consideration, to say something about the local conditions in the city of Washington and to suggest that appropriate legislation seemed to me to be very desirable regarding those subjects. Since then I have received some interesting and vigorous correspondence. I send to the desk and ask that the Secretary may read the following letter.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

CITY RENTAL BUREAU,
Washington, D. C., January 19, 1918.

Senator CHARLES SPALDING THOMAS,
United States Senate, Washington, D. C.

DEAR SIR: This afternoon's Star quotes you as saying that "great unscrupulousness, avarice, and extortion seem to be a common practice in this city, with here and there a few honorable exceptions," etc., etc.

As a citizen of the District of Columbia of 30 years' standing, I regret to say to you that you seem to belong to the plain, ordinary garden variety of damn fools. The charges that you have made in the Senate against the people of Washington are grossly false, grossly libelous, and I am unable to find in the English language sufficient adjectives to express my opinion of a United States Senator who would deliberately and willfully make such charges.

You evidently know no more about what you are talking than your party knows about the handling of the coal situation or shipping situation, or any situation which has become confusion worse confounded by the stupid muddling imbecility of the Democratic Party.

When you say that the people of the city of Washington are unscrupulous, you lie. When you say that avarice and extortion are a common practice in this city, you lie again.

I notice by the Congressional Directory that your term of office does not expire until March 3, 1921, and by that time, thank God, you and your party will be relegated to the obscurity of which you and they belong.

If you know of any cases of extortion and avarice, why don't you act like a man and mention the cases, and not indict the people of an entire city as you, in your ignorance, have done.

I have the honor to be, sir,

Very truly, yours, E. W. PIERCE, *Manager.*

Mr. THOMAS. Mr. President, the letter just read is dispassionate, impersonal, and nonpartisan, but it is not convincing.

Mr. GALLINGER. Will the Senator first let us know what this man manages?

Mr. THOMAS. He manages, I think, what is called the City Rental Bureau. I am disposed to conclude from the somewhat perverted character of this gentleman's English that he is one of the hit birds that flutters, and if so, my remarks were not entirely devoid of results. He very properly, however, inquires if I know of any specific instances of extortion why they are not furnished. There are so many of them which have come to my attention that it is impossible to do so at this time.

It may be that I have subjected myself to a part, at least, of this gentleman's rather vigorous criticism in that I confined what I had to say very largely to the people of the District of Columbia. My personal information is that wherever there is an undue congestion of people caused by this war in any part of the United States the resultant conditions are practically what they are here, and consequently the indictment, if I may so term it, which, in a general way, I made the other day was greatly circumscribed by applying it merely to the city of Washington.

I have, on the other hand, Mr. President, received a large number of letters commendatory of the information or the remarks in which I indulged the other day, and with the permission of the Senate I will read two of the shorter ones. One is from a young officer in the United States Army. He says:

DEAR SENATOR: I wish to take the liberty of expressing an appreciation of the stand you are taking in the local housing situation. Young Army officers on the lowest salaried commissions are being compelled to spend $20 to $40 per month for a room in which to live. The writer has come here at some personal sacrifice, of course, to help. Efforts to find a respectable room are without result at any price, except at the hotels, where usual rates prevail.

I am afraid he has not been to some of the hotels—

The Government is making a great mistake in taking over apartment houses for office purposes. They are needed for housing the very men working in these offices. Certainly some rough, temporary buildings, like the Ordnance Building, should be constructed at once, with rooms at not over $12 per month. This is perfectly practical. While it is now perhaps too late to change the system—like much that has been done—it would be better to build temporary offices and use, so far as possible, the apartments for what they were designed to be used for.

Very respectfully, yours,

V. A. MATTESON.

The other is dated January 19, and is from one of the Government employees living in the city:

MY DEAR SIR: I am pleased to note from this morning's paper that it is your intention to secure some legislation regarding the housing and living problem in the District. It seems to me there is more reason for a rise in the price of foods than in living quarters, and the real estate people and residents have become the worst of leeches.

I again say, Mr. President, that there are some honorable exceptions—

For instance, last evening one woman was telling of another woman, friend of hers, who had rented an apartment for $65. She was subletting it for $250 without furnishing any linens. A cousin of hers was renting all her rooms and then letting the first or basement floor for $45 to some Army officers, and they were furnishing their own cots. Another instance I know of personally: Four girls who had come here to work for the Government and were receiving salaries ranging from $900 to $1,200 had rented a furnished four-room apartment and were getting their own meals in order to cut expenses; they were paying $70 for the apartment. The person they were renting from came to them and said her friends had told her she was crazy to rent her apartment so cheap, and she would have to have $100 for it; they pleaded with her to allow them to keep it, and she finally agreed to let them remain for $80 per month, but three days after told them she would have to have the apartment, as she was going to rent it for $150.

The District people are not doing their patriotic duty in trying to help the war workers, but it seems they all feel they are entitled to live off the Government because they live in the District, and if all the family haven't Government jobs they feel entitled to take it away from the Government clerks. Only last week two girls told me they had had their rent raised $10 per month, and the owner told them that Congress was going to raise their salary. They begin taking "their share" before we even get ours. We were given a 5 per cent increase this year, and I am now paying $10 per month more for board than I paid last year, which is twice as much as the increase I received.

The real estate men—one company I know of—raised the price of all the two-room apartments a lady had who is making her living keeping boarders, while the families living in the same apartment they raised one with a four-room apartment $2.50 per month, while the woman I refer to he raised $7.50 on the same size apartment; on the two-room apartment he raised her $5, and a man and his wife who had one two-room apartment they did not raise at all. He told the woman who was keeping boarders to "take her slice while everyone else was," and expected her to raise her boarders accordingly, and, of course, he knew most of her people were working for the Government.

It seems to me that if a law was passed allowing people to charge no more than 15 per cent to 25 per cent on the amount they had invested in a house, in addition to the rent they pay would be fair compensation. No one expects to replace their furniture every four years, and at 25 per cent the cost of the furniture would be paid for in four years. As it is, some of them are making from 150 to 600 or 700 per cent. What other business could they do it in? One thing that has made it so hard for Government clerks is the fact that so many people of means have come here, some from necessity, others "just to be here," and are willing to pay any kind of price for things they want, and other people hearing of the exorbitant prices "their friends" are getting, immediately begin to boost their prices. I think when a number of the present Government clerks return home it will be with the idea that Washington has made enough out of them to pay their own taxes for some time to come.

Please pardon this long letter, but I only wanted to add a few facts to those you already have and wish for you success in a just cause.

(Miss) ELLA UNDERWOOD.

I shall not take up the time of the Senate any further this morning, Mr. President, in regard to this subject except to say that the insistent needs of the average wage earner here and those of the officers and soldiers of the United States Army—the officers particularly—make it impossible for them to meet existing conditions of living in the District. As a consequence, it behooves the Congress of the United States, in self-defense, as it were, to enact, if possible, some legislation which will cover this difficulty without at the same time inflicting undue injustice.

Mr. PHELAN. Mr. President, I am disposed to move to expunge that very offensive letter from the RECORD because it is an unwarranted reflection upon the Senator from Colorado [Mr. THOMAS] and on the Senate itself. At this time, if the Chair will permit me, while the country is at war and there has been such a magnificent spirit shown by the men of the country in volunteering their services, it is well to comment not only upon those who are engaged in profiteering, but also upon those who are volunteering their services gratuitously. I have in my hand a letter dated San Francisco and addressed to the Secretary of the Navy, which I shall read in order that it may be spread upon the RECORD. It is as follows:

SAN FRANCISCO BAR PILOTS,
San Francisco, Cal., November 28, 1917.

Hon. JOSEPHUS DANIELS,
Secretary of the Navy, Washington, D. C.

SIR: The undersigned San Francisco bar pilots have since the commencement of the war with the Imperial German Government furnished their services to vessels of the United States Navy free of charge. At the beginning of the war we verbally volunteered to render such services during its continuance. It is our impression that there is no formal record in your department of this volunteering of our services, and we take this occasion to renew in writing the tender previously made. Whatever skill and experience and service we can give you are freely subject to your direction.

We are attaching a copy of the letter from the State board of pilot commissioners ratifying our action in the above connection.

Very faithfully submitted,

SAN FRANCISCO BAR PILOTS.

STATE BOARD OF PILOT COMMISSIONERS,
San Francisco, Cal., December 3, 1917.

Capt. JOHN W. WALLACE,
Port Agent, Bar Pilots, San Francisco, Cal.

DEAR SIR: At a regular meeting of the State board of pilot commissioners, Monday, November 5, 1917, it was resolved that the action of the San Francisco bar pilots since the war between the United States and central powers in giving free pilotage to vessels of the United States Navy Department meets with our approval. It is noted with pleasure

that the bar pilots inform the board that it is their intention to give free pilotage to the vessels of the United States Navy so long as the war continues.

Very truly, yours,

HUGH M. BURKE, *Secretary.*

In contrast, therefore, to what has been done in the city of Washington, I think it is timely that a record of this kind be made.

The PRESIDING OFFICER. Does the Senator make a motion to expunge from the RECORD the letter which has been submitted by the Senator from Colorado?

Mr. PHELAN. I make that motion.

Mr. THOMAS. I offered the letter, and I have no desire to have it expunged from the RECORD.

Mr. PHELAN. If the Senator has no desire to have the letter expunged, but simply does not accept the sentiments uttered by the writer—for he has already answered them—I withdraw the motion.

Mr. THOMAS. I am not in the situation of offering this letter for the RECORD and then asking to have it expunged.

Mr. PHELAN. I thought I would save the Senator, on account of any delicacy which he might feel, from asking that the letter be expunged after he had informed the Senate of its contents. If there be no disposition to press it, I withdraw the motion.

Mr. PENROSE. Mr. President——

Mr. THOMAS. I appreciate the motive which actuates my friend the Senator from California [Mr. PHELAN], but I do not want the letter expunged.

Mr. PENROSE. Mr. President, I only want to observe that in the reading of the elegant epistle which was read at the request of the Senator from Colorado [Mr. THOMAS] I did not notice any reflection on the Senate, but the criticism seems to be devoted to the Democratic majority in the Senate.

Mr. THOMAS. Exactly so, Mr. President; and I am the only sinner.

ORDER OF FUEL ADMINISTRATOR.

Mr. McKELLAR. I present certain telegrams, which I ask to have printed in the RECORD without reading.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CHICAGO, ILL., *January 17, 1918.*

Senator K. D. McKELLAR,
Washington, D. C.:

Fuel Administrator Garfield is certainly making a serious blunder in shutting down all industry on such short notice. It will bring intense demoralization and wide protest. By cutting off fuel supplies from all places of amusement and others not necessary to heat, shutting off half of the passenger-train service, and perhaps closing department stores at noon, great majority of industries can keep going. In all events, industries ought to be allowed to run as long as their present supply of coal lasts, and, if necessary, all fuel supplies consigned to factories can be diverted by Fuel Administrator for one week. I hope the Senate will insist upon deferring operation of the order for more mature consideration.

A. H. WOOD.

—

MEMPHIS, TENN., *January 17, 1918.*

Hon. K. D. McKELLAR,
United States Senate, Washington, D. C.:

If the order of Fuel Administrator for closing of industrial plants applies to laundries and becomes effective to-morrow will work a severe hardship not only to all concerns engaged in the laundry business but also to their thousands of employees. Laundries could not afford to pay their employees for practically a week's enforced idleness, and these thousands of men and women are necessarily dependent upon their week's wages for support. The hardship would also extend to the public in general whose bed and table linen and wearing apparel are now in the laundries in an unfinished state and which is impossible to assemble and return until completed. If the laundries are compelled to cease operation to-morrow, they will be unable to complete and return what they now have on hand and which, as you can well understand, is necessarily needed by their respective owners who could neither acquire new goods under the order nor could they afford to do so. This applies to individual families, soldiers encamped at aviation fields and cantonments, eleemosynary institutions such as the Y. M. C. A., asylums and hospitals, hotels and restaurants, and institutions in general dependent upon the public laundries. If the laundries are to be included in the order of Fuel Administrator, a modified order applying to them, beginning on next Monday and continuing in force on every Monday of each week thereafter for 10 weeks would help the situation. Is it possible for you to advise us definitely as to how this order applies to laundry industries?

LOEB'S LAUNDRY.

—

LOUISVILLE, KY., *January 18, 1918.*

Senator KENNETH McKELLAR,
Washington, D. C.:

Garfield's order, like taking over railroads, was sudden and drastic and will work some hardships, but production is now largely in excess of transportation and this order, in addition to conserving coal, will aid transportation both rail and ocean, and, in my opinion, should be loyally supported and observed by everyone; furthermore the President was given this authority by law and should be supported in his use of it while this law is in existence.

R. L. McKELLAR.

CHATTANOOGA, TENN., *January 19, 1918.*

Hon. K. D. McKELLAR,
United States Senate, Washington, D. C.:

Suggest change fuel order to allow six days business seven hours each for five days except Saturday.

W. F. FISHER & BROS. Co.

—

To the Hon. K. D. McKELLAR:

In order that the hands and the hearts of America's women may be freed from the fight against political inequality and devoted without reserve to war service, we respectfully and earnestly ask that you support the Federal suffrage amendment by your vote and your influence, and thus bring a speedy end to the more than 70 years of struggle.

H. C. TOLMAN AND OTHERS.

Mr. OVERMAN. I rarely ever ask for the publication of a telegram in the RECORD, but prompted by the nature of the telegrams that I hold in my hand, showing the spirit of my people with regard to the order issued by the Fuel Administrator, I send them to the desk and ask that they be read and printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Secretary read the telegrams, as follows:

DURHAM, N. C., *January 19, 1918.*

Hon. LEE S. OVERMAN,
Washington, D. C.:

The Durham Hosiery Mills Corporation, constituting a chain of 10 mills, 3 operated by steam and 7 by hydroelectric power, employing 3,500 hands, have shut down all of our plants, and paying our employees in full while the mills are standing patriotically complying with the request of the Fuel Administrator.

GEN. JULIAN S. CARR.

—

SCOTLAND NECK, N. C., *January 19, 1918.*

Hon. LEE S. OVERMAN,
Washington, D. C.:

We stand squarely behind administration and favor heartily Garfield's order; no sacrifice too great now.

CHARLES J. SHIELDS.

Mr. GALLINGER. I present two very important telegrams relating to the fuel order and its disastrous effects upon the workingmen of New Hampshire. I will not ask to have them read, but simply ask that they be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

MANCHESTER, N. H., *January 18, 1918.*

Hon. JACOB H. GALLINGER,
United States Senate, Washington, D. C.

DEAR SIR: We all appreciate your efforts to have the drastic order of the Fuel Administration modified. This morning's papers announce that the General Electric Co. at Lynn are to be allowed to run because they have large war orders to fill and have an abundant supply of fuel. The Amoskeag Co. is in exactly the same position, with the additional fact that our fuel consists largely of fine culm and screenings, which can only be burned in specially fitted furnaces, and is, so far as I know, of no use to anyone else in New Hampshire. We have 16,000 horsepower of water running to waste while we are shut down. We can no more utilize this with the steam plant stopped than we could run an automobile on two wheels. Consequently we are practically running 80 tons of coal a day down the river during this enforced stopping. I suppose many other concerns are similarly situated. Can not something be done to check this enormous useless loss and waste caused by this order at a time when all our resources should be conserved if possible?

Respectfully, yours,

H. F. STRAW,
Agent Amoskeag Manufacturing Co.

—

NASHUA, N. H., *January 18, 1918.*

Hon. JACOB H. GALLINGER,
United States Senate, Washington, D. C.:

Resolved by the New Hampshire Manufacturers' Association, at a special meeting held this day at Nashua, at which all the leading industries were represented by executive officers, that the drastic order of the Federal Fuel Administrator is a most serious injury to the State and should be immediately rescinded or modified, unless national conditions forbid, so that all industries should be permitted to resume regular operations next Monday morning.

NEW HAMPSHIRE MANUFACTURERS' ASSOCIATION,
W. L. CARTER, *Chairman.*

Mr. SHERMAN. I have received a very large number of telegrams, four of which I have selected, and which I ask to have printed in the RECORD without reading.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CHICAGO, ILL., *January 17, 1918.*

Hon. L. Y. SHERMAN,
Senate Chamber, Washington, D. C.:

In our opinion order of Fuel Administrator Garfield is a national calamity. It stops wages of hundreds of thousands of workmen, wastes millions of capital, and stops and disarranges production. Production only can win this war. Chicago dealers expressed opinion that majority of Chicago industries could have been kept running if left free hand.

R. R. DONELLEY & SONS CO.

—

SPRINGFIELD, ILL., *January 17, 1918.*

Senator LAWRENCE Y. SHERMAN,
Washington, D. C.:

Hundreds of miners in Illinois coal fields are either working short time or not at all on account of lack of coal cars. Authorities estimate capacity of Springfield mines has been curtailed average of 1,000 tons a day account of shortage of cars. In face of this deplorable situation Garfield's order inflicts further industrial chaos. Operation of every

industry in Illinois coal fields to limit of their capacity would not delay shipment of a single car of coal. If the theory is that everyone is to be made to suffer alike, why exempt everything west of Mississippi River and those using water power. Our suggestion is that railroad transportation be limited to coal and necessary commodities and that passenger traffic be limited to necessary purposes. Release of a few million box and flat cars and many locomotives for coal carrying purposes ought to furnish immediate fuel relief. We respectfully urge your support of any movement, first, to abrogate Garfield's order unless demonstrated clearly necessary; second, to permit use of fuel where supplied exclusively by wagon delivery from the mines; third, for postponement of Garfield order until business can adjust itself to the prospect.

THOMAS REES,
The Illinois State Register.
J. DAVID STERN,
Springfield News-Record.
LEWIS R. MINER,
Illinois State Journal.

—

SPRINGFIELD, ILL., *January 17, 1918.*

Hon. LAWRENCE Y. SHERMAN,
Washington, D. C.:

At a meeting held this morning of members of the Commercial Association, representing the leading coal mines, manufacturers, and other industrial interests of the city, it was unanimously agreed that all present would endeavor to carry out in the fullest possible measure the fuel order issued to-day by the National Fuel Administration, and a resolution was passed and will be published in the daily papers urging all citizens of the county to do likewise. The commercial association desires, however, to go on record as protesting most emphatically against the discrimination shown of limiting this fuel conservation order to that part of the United States east of the Mississippi River. It seems to us only fair that the order should be extended to the entire continental United States. Your support in this position is earnestly requested.

THE SPRINGFIELD COMMERCIAL ASSOCIATION.
J. H. MCCREERY, *President.*

Attest:

W. H. CONKLING, *Secretary.*

—

CHICAGO, ILL., *January 17, 1918.*

Hon. LAWRENCE Y. SHERMAN,
Washington, D. C.:

The subjoined telegram was sent to President Wilson to-day:

To the PRESIDENT:

The directors of the Illinois Manufacturers' Association in meeting assembled respectfully urge that you so modify the order of the Fuel Administrator, effective January 18, 1918, as to permit the operation of all industries affected to 50 per cent of their normal capacity during the five days named in the order. Such a modification will enable the plant owner to maintain his organization and will reduce by one-half the pecuniary loss of the wage earners. We urge also immediate action to increase production at the mines and the clearing of the transportation lines by an embargo on all shipments except food and fuel for a week, if necessary. Suppression of energy, curtailment of all manufacturing industry, and prevention of opportunity arbitrarily will work incalculable injury.

Illinois Manufacturers' Association; D. E. Felt, first vice president; Wm. Nelson Pelouze, second vice president; Paul Schulz; Geo. R. Meyercord; S. M. Hastings, director; Herman H. Hettler, director; P. S. Theurer, treasurer; Colin C. H. Fyffe, general counsel; John M. Glenn, secretary.

Mr. SMITH of Georgia. I send to the desk certain telegrams that I desire to have read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

JACKSONVILLE, FLA., *January 17, 1918.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.:

Referring to Fuel Administrator's order that industries will not be allowed to use fuel January 18 to 22, inclusive, and each Monday thereafter until March 25, Florida Fuel Administrator construes this order applies to sawmills and wood-working plants that use waste material for fuel, and unless modified they will not be allowed to continue to operate during that period. This ruling will undoubtedly be made by Fuel Administrator in Georgia as well and manufacturers in your State, who are members of this association, will be seriously inconvenienced. We submit that there will be not only no conservation of fuel by forcing sawmills and woodworking plants that use their own waste for fuel to shut down, but fuel supply will be reduced by closing these plants if order is to apply to sawmills and woodworking plants. Please have modified. Will appreciate immediate reply at our expense.

GEORGIA-FLORIDA SAWMILL ASSOCIATION,
By E. C. HARRELL, *Secretary.*

Mr. SMITH of Georgia. Mr. President, before the other telegrams are read, I desire to state that I was compelled to advise this association that Fuel Administrator Garfield only excepted from his order those sawmill plants, the list of which was given by the Shipping Board, as being mills furnishing lumber for ship manufacturing.

The PRESIDING OFFICER. The three other telegrams presented by the Senator from Georgia will be read.

The Secretary read the telegrams, as follows:

WAYCROSS, GA., *January 18, 1918.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.:

Does Fuel Administrator's ruling apply to our plant? We use sawdust and waste accumulated at our plant for fuel to make power. In fact, we give away and sell wood to the public. We use no coal at all. Answer.

ENTERPRISE LUMBER CO.

BAINBRIDGE, GA., *January 18, 1918.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.:

Get ruling and wire, our expense, if will have to close mill. Manufacturing fruit and vegetable packages, also Government quartermaster boxes. Using refuse waste, sawdust, shavings, and bark from manufactured product. We do not buy, use, or burn any coal. Foodstuff will be lost if we close mill.

ELBERTA CRATE CO.

—

MARIETTA, GA., *January 18, 1918.*

Hon. HOKE SMITH,
Washington, D. C.:

Is there no way by which we can get exempted from Fuel Administrator's instruction? Reason for exemption is we produce more fuel when running than we consume. Closing down increases coal consumption 6 or 8 tons per day. Can get no satisfaction from parties here. Please wire.

BRUMBY CHAIR CO.,
Per T. M. BRUMBY, Jr.

Mr. SMITH of Georgia. Mr. President, I wish to express the hope that even yet enterprises such as are described in the telegrams I have had read may not be interfered with by the fuel order where they produce more fuel than they consume or where they use no coal, and where their by-product in many instances furnishes the fuel for the community. We know we need lumber; we know we have been short of lumber; we know that in providing for our troops we have been forced to use duck and tents, instead of lumber and houses. While I sympathize thoroughly with the desire to furnish coal where it is needed, it is the universality of the order, its failure to discriminate, that causes me to hope that further exceptions will be made.

Mr. FLETCHER. Mr. President, I have a number of telegrams practically to the same effect as those submitted by the Senator from Georgia [Mr. SMITH]. I will not ask to have them read into the RECORD, as they present the same or similar questions.

I think perhaps one reason why the order has been made to apply to such plants is not because they consume coal or coke—and undoubtedly beyond that the order is rather advisory than mandatory—but the main question is the question of transportation.

The suggestion is further made by a number of people in that portion of the country that this order arises by reason of congestion principally in the Northeast and in north Atlantic ports, and that that difficulty might have been avoided and might still be relieved very extensively if the deep-water ports of the south Atlantic and Gulf were made use of. The terminals in that portion of the country are not congested; they are not overcrowded; they are not used to the extent to which they might be used, and if those facilities were made use of it would undoubtedly have a tendency to relieve the congestion in the Northeast and in the north Atlantic ports. There are ample terminals and facilities at deep-water ports on the south Atlantic and no congestion. If they were availed of and traffic routed in that direction, it would undoubtedly tend to a solution of the transportation problem.

I will say further in regard to the telegrams from the Georgia and Florida Saw Mill Association and other telegrams of like nature that there is scarcely a sawmill, practically, that is not cutting material for shipbuilding purposes. It has been estimated, for instance, that the entire output of the mills is more than contracted for by the Emergency Fleet Corporation up to this time or is about to be contracted for, so that very likely that situation will relieve itself to a considerable extent. These mills undoubtedly are engaged in supplying material for the building of ships, and for that reason they will not likely be interfered with.

Mr. SMITH of Georgia. Mr. President, will the Senator let me ask him a question?

Mr. FLETCHER. Certainly.

Mr. SMITH of Georgia. Has the Senator been able to get a list of those establishments that have been notified they are relieved from the order? I am getting telegrams from mills which have been sawing lumber for the Government, but have been able to obtain no notice that they were relieved. A list has been made up of those sawmills which were to be relieved, but I have found none who have had notice their mills were on the list, some have probably been omitted inadventently. I feel almost authorized to telegraph them, "Go ahead, if you are doing Government work; for, if they have not relieved you, they mean to do so"; and yet I have hesitated, because I feel that whether we like or do not like an order issued at this time from an administrative agency, whether we approve or do not approve, as loyal soldiers we should obey the command while the command stands.

Mr. FLETCHER. I think the Senator's reply indicated in his statement regarding the first telegram presented by him perhaps fully covered the situation; that is to say, where the

mills are cutting material for the building of ships they would be exempt. I have not the list. The plan was to have what is known as the Yellow Pine Emergency Bureau enter into agreement with the Emergency Fleet Corporation to supply this lumber. The members of that bureau include the Southern Pine Lumber Association and the Georgia-Florida Sawmill Association; and the members of these associations, I take it, are all included in the list of mills that are furnishing material for shipbuilding purposes The detailed list, I take it, can be furnished by the Emergency Fleet Corporation; but I believe that those two associations and others known as independents are centered in what is called the Yellow Pine Emergency Bureau, and the contracts are made with the Emergency Fleet Corporation by that bureau. There are mills not members of any association which have contracts for shipbuilding material and they would be exempted on application to the Emergency Fleet Corporation.

I agree with the Senator that the disposition, I think, will be found there, as it ought to be, in my judgment, throughout the country, to obey the orders that are issued. We are all soldiers, everyone of us, individually and collectively, and the first duty of a soldier is to obey orders. That spirit must prevail if we are to win this war; and that is our chief business now.

Mr. TILLMAN. Mr. President——

The VICE PRESIDENT. The Senator from South Carolina.

Mr. TILLMAN. I merely want to suggest to the Senator from Florida and the Senator from Georgia that it would be wise for Mr. Garfield, or somebody in authority, instead of picking this, that, and the other sawmill or plant and allowing it to run by special permit to issue a general order covering individual cases, and we would not then have the trouble of trying to telegraph to our constituents that they might run their plants. Let him establish a general rule covering classes, and then each owner of a plant could determine for himself whether to shut down or run.

Mr. SMITH of Georgia. Mr. President, just a word. Really none of these sawmills ought to be interfered with; there is no justification for it. They create fuel; they consume no fuel. We know that our country needs their product to conduct the war properly; we need more lumber, much more than is within reach, and it is a hindrance rather than a help to our preparedness to stop sawmills from operating.

I wish to say further that surely the fact that so many exceptions have been made and so many more ought to be made to the Garfield order is sufficient proof of the wisdom of the Senate in requesting that this order should be postponed for five days, so that the exceptions might be carefully studied and many of the plants that have been interfered with eliminated from its operation before the order went into effect.

Mr. TILLMAN. By a general rule.

Mr. SMITH of Georgia. I do not think we have any reason to feel that our advice was not wise advice.

COST OF OFFICERS' UNIFORMS.

Mr. JONES of Washington. Mr. President, I have received several letters in the nature of petitions with reference to the bill that I introduced a few days ago relating to officers' uniforms. I see that the chairman of the Military Affairs Committee is present, and I want to call to his attention and have inserted in the RECORD a few statements with reference to this matter.

I read just a brief extract from one letter from an officer who says:

When I went to Plattsburg I had a modest bank account, which I now have not. I have already spent about $500, and after about one month in camp and repeated embarrassment, account of short equipment, I find that an expenditure of about $300 more is necessary. The officer who succeeded in keeping the figure at $500 was a very shrewd buyer, or bought poor stuff. My salary as a second lieutenant for the next three months is spent in advance.

Then I have a letter from the father of two sons who are officers in the Army, and he says this:

I have two sons who are officers in the Army, one a captain and the other a lieutenant, and their salaries will not meet their requirements on this account.

Then he gives some facts which I ask to put in the RECORD without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Clothing that officers have had to buy here and at Camp Bowie, near Fort Worth, must have been at two or three times its worth or cost price from the manufacturer. Overcoats, I am told, that are furnished by the Government to privates at a cost of $9 have been sold by merchants at $49; and a first-class officer's overcoat, I am told, costs $90, when it should not cost over $35 or $40, if that much, even if made by a local tailor.

Mr. JONES of Washington. I have here a letter from an officer in charge of one of the quartermaster depots of the Army, a man high in rank and of splendid character, and I want to read what he says. Of course I can not give his name, but this is what he says:

Overcoats which the Government makes for enlisted men can be purchased for $12.50. They are in every way satisfactory for most officers, yet dealers would charge from $55 to $60 for an overcoat no more suitable. Other articles are proportionately higher.

This has been a great hardship on many young officers. Under instructions from the War Department, quartermasters were forbidden to sell them these overcoats.

I would not be at all surprised, if the matter was investigated, it would be found that dealers handling these goods have a lobby in Washington.

At the present time overcoats are plentiful in the Army.

This morning I received another letter from this same official, in which he says:

I am sending you herewith list of clothing, showing prices fixed by the Government and those for which the same articles can be purchased from retailers.

I will say, in justice to the retailers of Washington City, that this does not refer to them. It relates to another place where these headquarters are located.

Several retailers were visited by a man I sent out for the purpose. The prices at each place were practically the same, showing collusion amongst them. There is undoubtedly an association of retailers of military goods. Some of these prices have come down in the last two or three weeks. Overcoats were as high as $60, but as nearly all of the new officers have been obliged to buy one from them instead of being allowed to purchase from the Government, the demand being less, the price also is less. An order was received in this office yesterday which authorizes the sale of the articles shown on the list herewith to officers under orders for over-seas duties, except woolen uniforms. This relieves the situation somewhat, but the harm has already been done to a great extent. However, there will be a large number of new officers coming in in about two months. They should be supplied if possible.

Mr. President, this officer attaches to his letter a list showing the prices at which the different articles will be furnished by the Quartermaster Department and the prices asked by these retailers, which I ask may be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

List prices of clothing.

	Government.	Retailers
Belts, waist	$0.17	$0.50
Gloves, horsehide, yellow	1.25	3.50
Gloves, riding	1.75	5.00
Gloves, woolen, olive drab	.41	1.50
Cotton olive-drab uniforms:		
Breeches	1.19	4.00–5.00
Coats	1.65	10.00
Cotton and woolen underwear:		
Drawers, jean, summer	.30	1.50
Drawers, canton flannel, winter	.37	2.00
Drawers, wool, knit	1.03	2.50
Undershirts, cotton, summer	.35	.50
Undershirts, woolen, winter	1.00	2.50
Undershirts, woolen, light-weight	.56	2.00
Stockings, cotton	.10	.25
Stockings, woolen, heavy	.35	.50
Stockings, woolen, light	.25	.50
Shoes, russet	4.50	7.00–12.50
Shoes, field	3.69	7.50–12.50
Shirts, flannel, olive drab	3.03	5.00
Slickers	3.85	7.50
Overcoats, long	12.50	45.00
Olive-drab woolen uniforms: Breeches, Coats	7.69	35.00

Mr. JONES of Washington. Then I have a letter from another man who says:

Am glad some one is looking after the officers' end of the uniform business, as we are certainly robbed. Why do they give a naval officer an allowance and not any other?—

I do not know whether that is correct or not. I understand that in the Navy they are given an allowance for uniforms—

Here is the way I stand after three months out:
Three months' pay, $425.
Three months' mess, $97.
Uniforms and equipment, $325.
Payments on liberty bonds, $60.
One month's insurance, $6.50 per month.
Incidental expenses, $25.

As I figure that up it totals $513.50, or he is out over $100 more than he is receiving.

Then I have another extract from a letter from a captain in the Army. I ask that I may insert the part that I have indicated here without reading.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

I have just read of your proposed bill regarding the uniforms of Army officers, with the contemplated control of such in respect to quality, value, and supply. Let me please say that the passage of any

such bill would be a godsend to the officers of our Army of to-day, who it seems are made a mark for increased prices everywhere.

Immediately after the War Department ordered the Quartermaster Department to stop selling clothing and equipment to all officers this act of the War Department became a signal for all private concerns to increase, and in many cases double, their prices on articles needed by such officers.

With the cessation of all opportunity to purchase from the Quartermaster there was no accompanying lowering of the requirements regarding such necessities as an officer must continually have, thus making it a necessity for the officer to buy wherever and whatever price at which he can.

There never has been any such injustice done to the officers of our Army as resulted from depriving them of the privilege of purchasing from the Quartermaster and using the Quartermaster's prices as competition against private dealers' prices.

Is there any reason why the cost of uniforms has hardly increased at all in England and Canada after nearly four years of war, while in this country the cost has nearly doubled and the quality of the cloth is only half what it was formerly?

Again, is there any reason why the Government can not acquire clothing and equipment in such quantities as will allow officers to have the privilege once more of purchasing from the Quartermaster and thus prevent this highway robbery by private dealers? Private dealers seem to have neither trouble nor delay in acquiring such articles and stocks of military goods as they desire, and then sell them for whatever prices they wish to put on. Can not the Government either take over the supply and thus see that officers have a fair show, or so regulate the sale as to assure a fair price being asked?

Mr. JONES of Washington. Then I have here an article by Russell Fox, of Detroit, Mich. I ask to have the marked parts inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

The list of stuff which these men have to buy is appalling. The War Department makes no provision for an economical purchase, has nothing to do with it whatsoever, furnishes nothing, even to a revolver or a binocular. They are forced in the open market to buy their entire outfits, a great variety and duplication, wherever they can find them. They have such a limited time to do it they are obviously a prey of all the stores within reaching distance.

I know of 10 cases where it has cost them from $600 to $1,200, an average of $800, for equipments inferior to those in the English Army, due to the fact that they can not even get the high quality of cloth into their uniforms that the service demands. One of my men has used up a uniform in 10 days on some artillery work at which he was set, as the cloth was a dress serge, and no other was obtainable.

Mr. JONES of Washington. I want to read one section of this article, to get your special attention to it.

It seems that some of these retail dealers, after having gotten the accounts of these officers, in order to enforce collection threaten these officers with calling their delinquency, if it may be called delinquency, to the attention of the department. Here is an extract that Mr. Fox gives from a letter that one of these merchants had written to a young officer to enforce one of these claims:

There are, as you know, several courses which we may pursue—

This relates to the unpaid account—

one of them, according to Army Regulations, that we may notify the War Department. We are not certain what effect this would have on a man's chances for a commission but have been assured by officers long in the service that it would operate against him.

We do not wish to notify your superiors of our account with you and shall not do so if you show any disposition to make arrangements for its payment. However, if you do not make such arrangements at once, we shall be forced to the conclusion that it would be better for the War Department to know that, so far as paying his bills is concerned, the reputation of one of their prospective officers is not of the best. We would ask you to spare us the necessity for taking such steps.

Mr. President, I hope that the Military Affairs Committee will give this matter consideration at as early a date as possible. I know that that committee is very busy; I know that it has had a great many important measures and that it has others of great importance before it; but I conceive this to be a very important matter not only to the officers who are to be commissioned but to the esprit de corps among these officers. As some men have expressed it, "Our experience in the Army has dampened our patriotism very much." Experiences like this are bound to do it, and I hope that the committee will find it possible to act upon this matter in the very near future.

LANDS IN MONTANA.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 935) for the relief of settlers on certain railroad lands in Montana, reported it with an amendment and submitted a report (No. 208) thereon.

UNITED STATES DISTRICT ATTORNEY FOR RHODE ISLAND.

Mr. OVERMAN. From the Committee on the Judiciary I report back favorably a bill (S. 2116) for which, in the absense of the junior Senator from Rhode Island [Mr. GERRY], who is very anxious to have it passed, I ask present consideration. The bill has once passed the Senate and has been unanimously reported by the committee.

Mr. GALLINGER. Let the bill be read for the information of the Senate.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

Be it enacted, etc., That from and after the passage of this act the salary of the United States district attorney for the district of Rhode Island shall be at the rate of $5,000 a year.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill? The Chair hears none. The amendment proposed by the committee will be reported.

Mr. SMOOT. What is the amendment, Mr. President?

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On line 5 it is proposed to strike out "$5,000" where it appears and to insert in lieu thereof "$3,500."

Mr. OVERMAN. Mr. President, I want to say that the district attorney for Rhode Island now gets only $2,500, which, I believe, is less than is paid any of the other district attorneys of the United States. The salaries range from $3,500 to $5,000. I think in this case it would be an act of justice.

Mr. GALLINGER. Mr. President, I will ask the Senator if he has compared this salary with the salaries paid to the district attorneys in any of the other New England States?

Mr. OVERMAN. Yes. I think there may be one other State where it is $2,500, but as a rule $3,500 is the smallest salary. They go up to $5,000 and $6,000. This man is getting only $2,500, and we concluded that we would put him on a par with similar positions in other States.

Mr. GALLINGER. Mr. President, until I can ascertain whether $3,500 is the minimum salary paid in New England, particularly, I will ask that the bill go over.

Mr. OVERMAN. I want to state that we have a bill before our committee fixing the salaries of all the district attorneys of the United States, which we will endeavor to report in the near future. I will ask the Senator from New Hampshire if he has any objection to this bill?

Mr. GALLINGER. If the Senator from North Carolina can assure me that $3,500 is the minimum salary paid in the other New England States, I will not object.

Mr. OVERMAN. The junior Senator from Rhode Island is not in his seat, and therefore I ask unanimous consent that the bill go over.

The VICE PRESIDENT. The bill will go to the calendar.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from North Carolina whether his measure proposing to equalize the salaries of district attorneys applies also to marshals?

Mr. OVERMAN. It applies to deputy marshals of the United States, and there is also a measure pending to fix the salaries of clerks. It has been recommended by the President and others; but as to the district attorneys and marshals there is a bill pending, too.

Mr. SMITH of Michigan. May I ask the Senator whether there is a prospect of the bill being reported to the Senate before very long?

Mr. OVERMAN. I think so; at this session, probably.

Mr. SMITH of Michigan. "Probably"—the Senator qualifies his statement.

Mr. OVERMAN. I want to say that we have tried time and time again to get up this question. It is contained in a judicial code that we have before us containing about 3,000 pages, but it has not been so that we could get it up. It will all come in together.

Mr. SMITH of Michigan. Is this a part of that measure?

Mr. OVERMAN. No; this is a separate bill.

Mr. SMITH of Michigan. I know, but is the equalization of salaries part of the code?

Mr. OVERMAN. Yes; it is part of a new code that we are preparing, and that will be reported to the Senate.

Mr. SMITH of Michigan. I hope the Senator will get it before the Senate.

Mr. OVERMAN. I hope we will be able to do so.

Mr. SMITH of Michigan. There are a great many inequalities in the present system.

Mr. OVERMAN. There is no question about that, and the salaries ought to be equalized all over the United States. Some are getting larger salaries than they ought to have, and some are below what they ought to get.

The VICE PRESIDENT. The bill will be placed on the calendar.

ADDRESS BY HON. JULIUS A. COLLER (S. DOC. NO. 164).

Mr. SMITH of Arizona. From the Committee on Printing I submit a resolution and ask unanimous consent for its present consideration. The Senator from Minnesota [Mr. NELSON]

requested the printing of a speech delivered by State Senator Julius A. Coller, of Minnesota, inasmuch as it is his desire to have it given some circulation in certain parts of the country. I therefore submit the resolution and ask for its present consideration.

The resolution (S. Res. 188) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the manuscripts submitted by the Senator from Minnesota [Mr. NELSON] on January 4, 1918, entitled "An address by Hon. Julius A. Coller," delivered at Jordan, Minn., November 10, 1917, be printed as a Senate document.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 3584) granting an increase of pension to Franz Nibler (with accompanying papers); and

A bill (S. 3585) granting a pension to James Phillips (with accompanying papers); to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 3587) to establish the Denver National Park in the State of Colorado, and for other purposes; to the Committee on Public Lands.

By Mr. TOWNSEND:

A bill (S. 3588) to amend an act entitled "An act for the relief of the Saginaw, Swan Creek, and Black River Band of Chippewa Indians, in the State of Michigan, and for other purposes," approved June 25, 1910; to the Committee on Indian Affairs.

By Mr. STERLING:

A bill (S. 3589) to reinstate Clarence W. Alger as a second lieutenant in the United States Marine Corps (with accompanying papers); to the Committee on Naval Affairs.

By Mr. McKELLAR:

A bill (S. 3590) granting an increase of pension to William H. Hart; to the Committee on Pensions.

By Mr. JAMES (for Mr. HUGHES):

A bill (S. 3591) granting an increase of pension to Laura C. Slack (with accompanying paper);

A bill (S. 3592) granting an increase of pension to George Crawford (with accompanying papers); and

A bill (S. 3593) granting an increase of pension to Lulu M. Joseph (with accompanying papers); to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 3594) to provide for the purchase of land to increase facilities at naval ammunition depot, Fort Mifflin, Pa. (with accompanying papers);

A bill (S. 3595) to provide for the purchase of land to increase facilities at naval ammunition depot, Lake Denmark, N. J. (with accompanying papers); and

A bill (S. 3596) to authorize the Secretary of the Navy to increase the facilities for the proof and test of ordnance material, and for other purposes (with accompanying papers); to the Committee on Naval Affairs.

By Mr. MARTIN:

A bill (S. 3597) authorizing the sale of a tract of land lying below the original high-water line of the Potomac River in what is known as Battery Cove, at Alexandria, Va.; to the Committee on Military Affairs.

A bill (S. 3598) granting a pension to Lottie J. Miller (with accompanying papers); to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 3599) granting a pension to Bernard Reuben (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 3600) for the relief of William Thomas Winstanley;

A bill (S. 3601) for the relief of Christian M. Otto; and

A bill (S. 3602) for the relief of John L. O'Mara; to the Committee on Military Affairs.

A bill (S. 3603) granting a pension to Elizabeth Cole;

A bill (S. 3604) granting an increase of pension to Joseph Langenberger; and

A bill (S. 3605) granting an increase of pension to Joseph Keener; to the Committee on Pensions.

By Mr. SWANSON:

A bill (S. 3606) for the relief of the Parksley Lumber Co. (with accompanying papers); and

A bill (S. 3607) for the relief of J. W. Hogg (with accompanying papers); to the Committee on Claims.

A bill (S. 3608) granting a pension to James W. Weaver (with accompanying papers);

A bill (S. 3609) granting a pension to David Malley (with accompanying papers);

A bill (S. 3610) granting a pension to Mrs. Arthur M. Whitton;

A bill (S. 3611) for the relief of the estate of Antonia Sousa, deceased;

A bill (S. 3612) granting an increase of pension to Ella Brooke Perry;

A bill (S. 3613) granting an increase of pension to Murray Pierce;

A bill (S. 3614) granting an increase of pension to Thomas Cheek; and

A bill (S. 3615) granting a pension to A. M. Mead; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 3616) granting an increase of pension to William C. Campbell;

A bill (S. 3617) granting a pension to Charlotte Ann Ury;

A bill (S. 3618) granting a pension to Melvina Roberson (with accompanying papers);

A bill (S. 3619) granting an increase of pension to Miner N. King (with accompanying papers);

A bill (S. 3620) granting an increase of pension to Lorenzo H. Green (with accompanying papers);

A bill (S. 3621) granting an increase of pension to Elmer Y. Morris (with accompanying papers);

A bill (S. 3622) granting an increase of pension to William L. Kessler (with accompanying papers);

A bill (S. 3623) granting an increase of pension to Alexander D. Tanyer (with accompanying papers);

A bill (S. 3624) granting an increase of pension to Alfred Helm (with accompanying papers);

A bill (S. 3625) granting an increase of pension to Arthur W. Brittingham (with accompanying papers);

A bill (S. 3626) granting a pension to Martha J. Thomas (with accompanying papers);

A bill (S. 3627) granting an increase of pension to Samuel M. Huey (with accompanying papers); and

A bill (S. 3628) granting an increase of pension to W. Lafayette League (with accompanying papers); to the Committee on Pensions.

By Mr. GORE:

A joint resolution (S. J. Res. 126) to amend an act entitled "An act to regulate commerce," approved February 4, 1887; to the Committee on Interstate Commerce.

WAR CABINET.

Mr. CHAMBERLAIN. I introduce a bill and ask that it may be read.

The VICE PRESIDENT. The Secretary will read the bill.

The bill (S. 3583) to establish a war cabinet and to define the jurisdiction and authority thereof was read, as follows:

Be it enacted, etc., That there is hereby created a war cabinet, to be composed of three distinguished citizens of demonstrated executive ability, to be appointed by the President, by and with the advice and consent of the Senate, through which war cabinet the President may exercise such of the powers conferred on him by the Constitution and the laws of the United States as are hereinafter mentioned and described.

SEC. 2. That said war cabinet shall have jurisdiction and authority as follows:

(a) To consider, devise, and formulate plans and policies, general and special, for the effectual conduct and vigorous prosecution of the existing war, and, in the manner hereinafter prescribed, to direct and procure the execution of the same.

(b) To supervise, coordinate, direct, and control the functions and activities of all executive departments, officials, and agencies of the Government in so far as, in the judgment of the war cabinet, it may be necessary or advisable so to do for the effectual conduct and vigorous prosecution of the existing war.

(c) To consider and determine, upon its own motion or upon submission to it, subject to review by the President, all differences and questions relating to the conduct and prosecution of the war that may arise between any such departments, officials, and agencies of the Government.

(d) To require information from, and utilize the services of, any or all executive departments and executive officers or agents of the United States and of the several States and Territories and the District of Columbia necessary or helpful in the proper performance of the duties of said war cabinet.

(e) In the exercise of the jurisdiction and authority hereby conferred to make, subject to review by the President, the necessary orders to any such department, bureau, official, or agency of the Government, and such decisions as the matters under consideration may require or warrant.

(f) To make rules and regulations governing its own procedure; and said war cabinet shall, upon completion of its membership, immediately organize and thereupon and thereafter proceed to an expeditious disposition of all matters coming before it.

SEC. 3. That the Secretary of War and the Secretary of the Navy, respectively, shall assign to duty with the war cabinet such commissioned officers as said war cabinet may request; and said war cabinet shall employ all clerical and other employees required for service with it; and in addition to the officers assigned thereto as herein provided the President may appoint for duty with said war cabinet such officers

as the war cabinet may determine to be necessary, who shall receive, until otherwise prescribed by law, such compensation as the war cabinet shall deem just and reasonable.

SEC. 4. That the salary of each member of the war cabinet shall be $12,000 per annum, payable monthly; and for all salaries, compensations, and other expenses, including necessary offices, incurred in the maintenance and administration of the war cabinet and authorized under the provisions of this act, there is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $500,000 for the fiscal year ending June 30, 1918.

SEC. 5. That at the end of six months after the termination of the present war, or at such earlier date after the termination of the war as the President may designate, the war cabinet hereby created shall cease to exist, and the funds, records, and other public property pertaining thereto or under its control shall be transferred to such executive departments as the President may designate.

SEC. 6. That all laws and parts of laws and all regulations, orders, rules, and decisions of any executive department, bureau, official, or agency of the Government are hereby repealed in so far as the same may be inconsistent with the provisions of this act; and on all questions of construction of the provisions of this act and of any act making appropriations to carry out any of the provisions thereof the decision of the war cabinet shall, subject to the revision of the President, be final.

Mr. LEWIS. Mr. President, a parliamentary inquiry.

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. The Senator from Illinois will state his inquiry.

Mr. LEWIS. Is there a request that there be immediate consideration of this bill?

Mr. CHAMBERLAIN. Oh, no.

Mr. LEWIS. I desire to object to it if there is.

Mr. CHAMBERLAIN. Oh, no, Mr. President.

The VICE PRESIDENT. This is the first reading of the bill, as the Chair understands.

Mr. SWANSON. Mr. President, I should like to ask the Senator from Oregon a question. This bill and another bill, introduced by the Military Affairs Committee, propose to reorganize entirely the Navy Department. The measure is applicable alike to the War Department and to the Navy Department. We of the Naval Affairs Committee are very well satisfied with the efficiency of the Navy Department and with what it has accomplished. It is efficient in food, in clothing, in munitions, and in guns, and we do not think the Navy should be reorganized by a bill reported from the Military Affairs Committee. We think this bill should be considered by both committees before it comes to the Senate for final disposition.

I should like to ask if the Senator from Oregon does not think it would be well for both the Naval Affairs Committee and the Military Affairs Committee to examine this measure and make a joint report that is applicable to both?

Mr. CHAMBERLAIN. In reply to the Senator, permit me to say that I have not asked either to take up this bill or the one to increase and expedite the supply of munitions of war, which is on the calendar. I suppose it will be in order to take them up, if the Senate sees fit, after they have been placed on the calendar. The present bill is one which was prepared by the Military Affairs Committee in committee; it is really a committee bill and is not a bill of first impression introduced by me. I was instructed by the committee to present the bill and at the same time to report it back and ask that it go to the calendar, which I now do.

The VICE PRESIDENT. That can not be done if there is any objection. The bill has had its first reading.

Mr. SWANSON. I was asking about the reference because it is a bill to reorganize both the Army and the Navy. The Naval Committee is not willing nor should it be expected to give up its right regarding the reorganization of the Navy to the Military Committee.

Mr. CHAMBERLAIN. This bill does not reorganize anything. It creates a war cabinet.

Mr. SWANSON. It creates an entirely different system for the Navy and puts a whole lot of red tape around the Navy. It puts in the hands of a cabinet of three the munitions regarding the Navy, and disorganizes it, and uses a lot of red tape to obtrude itself into the Navy. We are satisfied with the efficiency of the Navy; it has measured up in this war. We see no occasion for the Navy or the Navy Department to be reorganized. The Naval Committee should have an opportunity to see to what extent it needs reorganization to be made more efficient.

The VICE PRESIDENT. This is just the first reading of the bill. If there is objection to the second reading, it can not go to the committee, but must lie on the table. That is all there is to it. Is there any objection to the second reading of the bill?

Mr. SWANSON. I would prefer to have it go over. I object.

The VICE PRESIDENT. Then it lies on the table until to-morrow for a second reading.

Mr. CHAMBERLAIN. All right.

WAR WITH GERMANY.

Mr. MCCUMBER. I introduce a bill, and I call the attention of the senior Senator from Colorado [Mr. THOMAS] to it, as it deals partially with the subject he has been discussing this morning. As to the first portion of the bill, it may be those gentlemen think it is not necessary to-day, but I am certain it will be necessary before we get through with the war. I ask that the bill may be read by title and referred to the Committee on Military Affairs.

The bill (S. 3586) to draft into the military service of the United States all male citizens over 18 and under 62 years of age as a reserve army, to call into service any unit or division of such reserve army for service in transportation, shipbuilding, production of munitions of war and other war supplies as may be necessary, and to commandeer and take possession of in any city or village in the United States any room or rooms used for rooming purposes and other rooms in private homes for quarters of soldiers and other employees, if necessary, and to pay for the use thereof just and reasonable compensation, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PENROSE submitted an amendment authorizing the Postmaster General to expend $100,000 for the installation of experimental mail-distributing machines, intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. CURTIS submitted an amendment proposing that hereafter it shall be the duty of the Commissioner of Indian Affairs to segregate the funds of any tribe of Indians susceptible of segregation, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

FEDERAL CONTROL OF RAILROADS.

Mr. GORE submitted an amendment intended to be proposed by him to the bill (S. 3385) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes, which was referred to the Committee on Interstate Commerce and ordered to be printed.

WITHDRAWAL OF PAPERS—ELIZA J. MOSHER.

On motion of Mr. CUMMINS, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying S. 1628, Sixty-fifth Congress, first session, a bill granting a pension to Eliza J. Mosher, no adverse report having been made thereon.

VALUE AND RELATIVE VALUE.

Mr. SHAFROTH submitted the following concurrent resolution (S. Con. Res. 16), which was referred to the Committee on Standards, Weights, and Measures:

Senate concurrent resolution 16.

Whereas the lack of uniformity in determining value or relative value results at once in general confusion and inequality in taxation burdens; and

Whereas a scientific study of the subject by some recognized bureau of the General Government would be helpful; and

Whereas the Bureau of Standards, already established, would seem to be best fitted for such research and service: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Bureau of Standards be, and it hereby is, empowered and directed to assign to the special study and investigation of the subject of value and relative value men of scientific and practical attainments, with the view of making early and comprehensive report on the subject to the Congress.

Resolved further, That in addition to suggesting and recommending a plan whereby value and relative value of all things shall be determined the bureau shall recommend the manner in which it is believed the standard determined upon may be made of uniform application in the several States and the lesser political subdivisions, all that inequalities in valuations made for revenue, as well as for all other purposes, may be reduced to the minimum or altogether eliminated.

Resolved further, That the Bureau of Standards and the men assigned to the investigation of the subject of this resolution shall give to Dr. Napoleon Wagner, of Denver, Colo., and other students of relative value as they shall offer to submit the result of their studies, reasonable opportunity in the premises, and, moreover, may ask men of the bureau's selection to appear and present orally or submit in writing that which they believe would be helpful in the solution of the world-wide important question of relative value.

Resolved further, That the expenditure of the sum of $25,000 in furtherance of the investigation contemplated herein is hereby authorized, to be paid from funds not otherwise appropriated.

AMENDMENT OF THE RULES.

Mr. JONES of Washington. I desire to give notice that in accordance with the rules I intend to propose an amendment to Rule XXV in regard to the committees of the Senate. I ask that it be printed in the RECORD.

The notice was ordered to be printed in the RECORD, as follows:

NOTICE OF AMENDMENT TO THE RULES.

I hereby give notice that on a following legislative day I shall propose the following resolution providing for an amendment of Rule XXV of the standing rules of the Senate, to wit:

Resolved, That beginning with the Sixty-sixth Congress, Rule XXV of the standing rules of the Senate be amended to read as follows:

"Rule XXV. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

"A Committee on Appropriations.
"A Committee on Commerce.
"A Committee on Finance.
"A Committee on Foreign Relations.
"A Committee on Interstate Commerce.
"A Committee on the Judiciary.
"A Committee on Banking and Currency.
"A Committee on Public Lands.
"A Committee on Agriculture and Forestry.
"A Committee on the District of Columbia.
"A Committee on Rules.
"A Committee on the Census.
"A Committee on Civil Service and Retrenchment.
"A Committee on Claims.
"A Committee on Education and Labor.
"A Committee on Insular Affairs.
"A Committee on Indian Affairs.
"A Committee on Immigration.
"A Committee on Military Affairs.
"A Committee on Naval Affairs.
"A Committee on Pensions.
"A Committee on Post Offices and Post Roads.
"A Committee on Printing, which shall have power to act jointly with the same committee of the House of Representatives.
"A Committee on Enrolled Bills, which shall have power to act jointly with a similar committee of the House of Representatives, and which, or some member of which, shall examine all bills or joint resolutions which shall have passed the Senate or both Houses to see that the same are correctly engrossed or enrolled, and, when signed by the Speaker of the House and the President of the Senate, shall present the same forthwith, when they shall have originated in the Senate, to the President of the United States in person and report the fact and date of such presentation to the Senate.
"A Committee on Public Buildings and Grounds, which shall have power to act jointly with a similar committee of the House of Representatives.
"A Committee to Audit and Control the Contingent Expenses of the Senate, to which shall be referred all resolutions directly the payment of money out of the contingent fund of the Senate or creating a charge upon the same."

The foregoing committees shall consist of not to exceed 15 members.

"SEC. 2. That the aforesaid committees shall continue and have the power to act until their successors are appointed."

ADDRESS BY SENATOR THOMPSON.

Mr. SHEPPARD. Mr. President, I ask that an address by the senior Senator from Kansas [Mr. THOMPSON] at the dedication exercises of the Kansas recreation building at Camp Funston, Kans., January 15, 1918, may be published in the RECORD in brevier type.

The VICE PRESIDENT. Without objection, it is so ordered.

The address referred to is as follows:

ADDRESS OF SENATOR WILLIAM H. THOMPSON AT DEDICATION EXERCISES OF KANSAS RECREATION BUILDING AT CAMP FUNSTON, KANS., JANUARY 15, 1918.

AMERICA IN THE WAR.

"It is a high honor to be invited to speak on this occasion, and I thank your distinguished commanding officers for the opportunity they have given me to come from Washington to participate in these dedication ceremonies. I have contributed to many worthy things incident to carrying on the war, but there is no contribution I am prouder of than the one for the construction of the building you are dedicating to-day. It is a fitting tribute to the brave, courageous, and patriotic Kansas soldier boys, and I know that with their characteristic hospitality the benefits they will receive from it will be shared with their worthy comrades.

"I am glad that this building is located at Camp Funston. It will serve not only as a place of comfort and pleasure for yourselves but also as a monument to that greatest of all Kansas soldiers, Gen. Funston, whose untimely death resulted in such great loss to Kansas, our Nation, and the world. May each of you young men emulate his illustrious example and bring as much fame and honor to your names as the military history of our State records for him.

"We are passing through the greatest epoch in the history of the world. Never before was there such military opportunity offered the young men of our country. It is indeed a high honor to actively participate in this greatest of all wars, and I congratulate you upon being chosen for this great work. Each of you will receive your just reward. It may not come in military honors, but it will surely come in a better and more lasting way when the war is over through the appreciation of a grateful people and in the enjoyment of peace, liberty, and happiness for ourselves and all posterity.

"In times past some question has arisen as to the causes of the war, and without discussing them in detail you can put it down as a settled fact that if there ever were just causes for war they existed in more aggravated form for this war than in any other recorded in history. Let us not permit ourselves to be deceived or misled concerning the original and present purpose of the Imperial German Government. The time for mincing words has passed. It is President Wilson against the Kaiser. It is patriot against traitor. We have got to be either for America or for Germany. There is no middle ground, and we can not straddle. There is no excuse for the conduct of the German Government. They have no defense before God or man for their willful, wicked, contemptible, and most damnable crimes committed against this country not only but against all of the law-abiding and liberty-loving people of the world. They have violated every law—divine, moral, national, and international—and every sacred obligation they owe to God or man, and have broken every solemn pledge and promise made to this country and every other country on the globe. The primary object of the Kaiser and his leaders is simply destruction and death for all those who refuse to submit to his will. The Kaiser professes faith in God, but is so blasphemous as to claim His guiding hand in all his oppressions, murders, and atrocious crimes, and for that sacrilegious profession and criminal conduct God will strike him dead some day, and perhaps by the aid of the American Army. With all his pretended faith in Divine Providence, yet it is not sufficient for him to permit himself to be exposed to gun fire. Instead of being a Christian he has proven himself to be the most sacrilegious fiend and scoundrel who ever lived. He has Nero out-Neroed. It is clearly proven beyond all question of doubt that the Kaiser and his followers are responsible for the present world disaster. He has not been a figurehead, as is sometimes contended, but a prime mover in the events of this horrible upheaval of murder and destruction, as is clearly indicated by his acts, as well as in his own words in speeches delivered to his army, when he said:

"When you meet your foe give him no quarter and take no prisoners. Let none be at your mercy. Make yourselves more frightful than the Huns under Attila. See that for a thousand years no enemy mentions the name of Germany without a shudder.

"The German Army has attempted literally to carry out his barbaric and criminal instructions, as is clearly shown by the awful inhuman atrocities of which it has been guilty. There was never before committed by any people, savage or civilized, such pillage and wanton destruction of towns, cities, and sacred places and such low-down, fiendish massacres of people and crimes against the aged and helpless women and children.

"After the German retreat there were in some cities so many amputated hands of little children in the streets as to make it impossible to walk along without stepping on them. Many little boys and girls were nailed by the hands and feet to the doors and sides of buildings, some being left alive when the crimes were committed. No girl or woman, no matter how old or how young, is safe in the hands of an unrestrained German soldier. The military forces of the Kaiser have destroyed religious edifices, crucified priests and nuns, ravished women, blinded innocent infant babies, butchered children, bombarded hospitals, sunk hospital ships and ships bearing wounded soldiers and carrying supplies for starving noncombatants and inmates of hospitals, murdered prisoners of war, deported populations, and subjected millions of helpless men, women, and children to low, degrading, and most cruel servitude at the point of the bayonet.

"I have talked personally with members of Congress and others who have been to the front, as well as the representatives of various missions coming to this country, and I can positively say that all these accusations and many more too horrible to mention and too foul to print are true beyond a question of a doubt.

"With such a record of crimes and atrocities against the Kaiser and his army, the time has passed for parleying over the causes of the terrible cataclysm. The Kaiser's situation is reflected in the picture and little poem by Paul Hayden appearing in the Christmas number of Leslie's Weekly. There is a double-page picture of the ocean washing ashore the dead bodies of men, women, and children, and the Kaiser stands with a drawn sword striking at a beautiful young woman with waving hair and arms outstretched pleading for mercy, and whose left hand has caught the blow from the Kaiser's sword, which is sending the blood trickling down her arm and body. With this awful picture in mind the author wrote:

"I saw the Kaiser standing
In the tides of human dead.
I asked:
'Do these not daunt you?
In the nighttime do they haunt you?'
And I thought the Kaiser said:
'It's not the rise of the tide
Nor the surge of the sea
But the undertow I dread.'

"I saw the Kaiser battling
In the world-wide sea of red.
I asked:
'Does this not fright you?
Nor the endless carnage blight you?'
And I thought the Kaiser said:
'It's not the surge of the sea
Nor the rise of the tide
But the undertow I dread.'"

"All these crimes shall be avenged by Uncle Sam in our fight for humanity and liberty, and you boys will have the honor and glory of helping to administer the deserved punishment.

"The Bible says, 'If your enemy smites you on the right cheek, turn your left cheek also,' but it nowhere says what you shall do after you have been struck on your left cheek. The Kaiser struck Uncle Sam on his right cheek and he turned his left cheek, which the Kaiser struck with his mailed fist, and for that crime we will lick the life out of him and his followers. In the language of Billy Sunday, 'We will bury the Kaiser and his hot-dog gang so deep that they will not hear the toot of Gabriel's horn on resurrection morn.'

"The Kaiser's whole aim is and has been for more than a quarter of a century to conquer, oppress, and rule the world. He had it all systematically planned and carefully figured out, but his foot slipped in the very outset when he jumped onto little Belgium. He has never recovered, and never will recover, from the blows administered by that brave and unconquerable little nation of heroes. It was his purpose to conquer Europe first, and then, with the combined navies of Germany, England, France, and Russia, to bombard the coast cities of the United States and to land armies on our shores and bring his unholy and inhuman warfare to our beloved land. But he will find that he has jumped onto the wrong fellow this time. He has taken in too much territory. It is like the story of the drunken fellow who first said that he could lick anybody in the town, and nobody took him up; and then he said he could lick anybody in the State, and nobody took him up; and finally he said he could lick anybody in the United States; and then a little bantum-weight, sawed-off fellow jumped onto him and knocked him down and kicked him into the street. The drunken man got up and, brushing himself off, said, 'Stranger, I don't know who you are or where you come from, but I do know the trouble with me is I took in too much territory.' That is exactly what the Kaiser has done.

"This is a war that we do not have to offer any apologies for our part in it, and living up to our high standards and ideals we never will have to, for our cause is just and right, and victory alone will be the inevitable result. Then the world will be safe for democracy, and a safe place for peaceable people to live. It is argued that we have no right to tell Germany what kind of a government she shall have; but we do have the right to tell her what kind of a government she shall not have, not only for the good of her own people but for the good of the rest of the world. When her Government has become a menace to the people of the world, the United States has the right to say, and shall insist to the end upon that right, that that form of government shall not exist anywhere on earth. Kaiserism and militarism must and will be destroyed.

"About 300 years ago the oppressed people of Europe threw off the yoke of autocracy, left their homes, their relatives, and friends, braved the dangers of the sea and the savages of the land, and crossed the pathless ocean to the shores of a new world. Here they set up a government of their own, founded upon a new principle—that all men are created equal and endowed by their Creator with certain inalienable rights, which are life, liberty, and the pursuit of happiness. They recognized the principle that all governments derive their just powers from the consent of the governed, and that no power exists anywhere for any man to set himself up as the ruler of men and guide their destinies according to his own sweet will. They breathed the breath of liberty and it was good—liberty, the richest blessing that can come to a people. The atmosphere of freedom was so pure, so sweet, and so exhilarating that they were willing to fight and die for it; and they did fight for it. Their feeling culminated in the sentiment expressed by that great patriot, the immortal Patrick Henry, in his famous liberty address, when he us life gave us liberty at the same time.'

"They were forced then to fight for liberty for themselves. We are forced now to fight not only to perpetuate that liberty for ourselves but for all the liberty-loving people of the world. Oh, is it not a just cause? Jefferson said, 'The God who gave us life gave us liberty at the same time.'

"In the language of the poet:

"'Tis liberty alone that gives the flower
Of fleeting life its luster and perfume;
And we are weeds without it.
* * * * * * *
A day, an hour of virtuous liberty
Is worth a whole eternity in bondage.

"The entrance of the United States into the war was the most important factor in favor of the allies since its beginning. It insures ultimate success, and beyond everything else an earnest participation by the United States in the terms of peace, which will mean so much for the entire world. When peace does come America will do more than any other country in framing that treaty, and it will not be signed until victory is complete and the dethronement of the Hohenzollerns and the destruction of autocracy and militarism is an accomplished fact; and what is more important, exact justice will be done every nation, no matter how small or how great, and no pains will be spared to make it an everlasting peace. The President on January 8 last, in one of his greatest papers, one which will perhaps live the longest and the effects of which reach the farthest, told the Congress and the world in unmistakable language what the terms of peace should be. The participation of the United States in this war has raised our country to the highest pinnacle ever attained by any nation since the foundation of the world, and it is your good fortune to help carry the Stars and Stripes and extend the high American ideals for which they stand to the remotest corners of the earth. Bear in mind at all times that the people and the Congress of the United States are behind you. Congress at the last session created the foundation for an Army of millions of men and appropriated $21,000,000,000 toward carrying on this conflict, and it will unhesitatingly give you everything necessary in the way of money, comrades, supplies, munitions, and anything else within its power to accomplish the desired end.

"The United States in this great crisis appears to the people of the world as that bright and shining star of the west which appeared in the heavens at the most critical time in all history, shining forth in radiant light the words of the Savior of the world in such brilliancy that they may be seen the world over by all future generations, 'Peace on earth, good will toward men.'

"May God speed you on your way. Remember always you take with you the best wishes of 100,000,000 American people, whose constant prayer will be for your safety, comfort, and success, and who hope for your early safe return to receive the crown of victory from the hands of millions of grateful people of the world."

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on the 18th instant approved and signed the act (S. 3235) amending section 32, Federal farm-loan act, approved July 17, 1916.

REPORT OF FUEL ADMINISTRATOR (H. DOC. NO. 837).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, ordered to lie on the table and be printed:

To the Senate and House of Representatives:

In compliance with the provisions of section 21 of the act of August 10, 1917, entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel, I transmit herewith the annual report of the Fuel Administrator for the year 1917.

WOODROW WILSON.

THE WHITE HOUSE, *18 January, 1918.*

REPORT OF UNITED STATES FOOD ADMINISTRATION (H. DOC. NO. 837).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, ordered to lie on the table and be printed:

To the Senate and House of Representatives:

In compliance with the provisions of section 21 of the act of August 10, 1917, entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," I transmit herewith the report of the United States Food Administration for the year 1917.

WOODROW WILSON.

THE WHITE HOUSE, *18 January, 1918.*

AGRICULTURAL LANDS IN PORTO RICO (S. DOC. NO. 165).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed:

To the Senate and House of Representatives:

Section 39 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," contains the following provision:

That the Governor of Porto Rico shall cause to have made and submitted to Congress at the session beginning the first Monday in December, 1917, a report of all the real estate used for the purposes of agriculture and held either directly or indirectly by corporations, partnerships, or individuals in holdings in excess of 500 acres.

In accordance with this provision, there is submitted herewith a report prepared under the direction of the Governor of Porto Rico.

As will be noted, this report covers all real estate used for the purposes of agriculture and held either directly or indirectly by corporations, partnerships, or individuals in holdings in excess of 500 acres.

Very respectfully,

WOODROW WILSON.

THE WHITE HOUSE, *18 January, 1918.*

LAWS OF ALASKA (H. DOC. 838).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on Territories, and ordered to be printed:

To the Senate and House of Representatives:

In compliance with the provisions of section 20 of the act of August 24, 1912, entitled "An act to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes," I transmit herewith the Session Laws of Alaska for 1917, containing the acts, resolutions, and memorials passed at the third regular session of the Territorial Legislature of the Territory of Alaska, which convened at Juneau, the capital, on the 5th day of March, 1917, and adjourned the 3d day of May, 1917.

WOODROW WILSON.

THE WHITE HOUSE, *18 January, 1918.*

REPORT OF ALIEN PROPERTY CUSTODIAN (H. DOC. 840).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, ordered to lie on the table, and be printed:

To the Senate and House of Representatives:

In compliance with the provisions of section 6 of the act of October 6, 1917, entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," I transmit herewith the report of the alien-property custodian of all proceedings had under said act during the year 1917 on the part of the alien-property custodian.

WOODROW WILSON.

THE WHITE HOUSE, *18 January, 1918.*

STANDARDIZATION OF WAGES.

The VICE PRESIDENT. Is there further morning business?

Mr. KING. I move that the Senate proceed to the consideration of Senate resolution 174, which is lying on the table. When the resolution is taken up I desire to yield to the Senator from Missouri [Mr. STONE].

The VICE PRESIDENT. The question is on the motion of the Senator from Utah that the Senate proceed to the consideration of Senate resolution 174, heretofore submitted by him.

The motion was agreed to.

The VICE PRESIDENT. The Chair lays the resolution before the Senate.

Mr. KING. I do not ask that it be read. I shall not ask for action upon it to-day.

Mr. STONE. Mr. President, it is not my purpose to discuss with particularity the exact question or questions presented in the pending resolution of the Senator from Utah. Later on I may refer more directly to this resolution, but for the present my purpose is to discuss especially some regrettable things more or less intimately associated with the various congressional investigations into our war activities which have been authorized and are now in progress. I wish to speak in general terms especially of the current congressional investigations as a whole, and of other things related thereto.

Mr. President, the course of at least many of our colleagues on the other side of this Chamber, although quite adroitly directed, has developed a situation about which, as a member of the party in power, I feel constrained to speak in protest. The recent tendency of many, not all, but of many Republican Senators, acting here in this body in manifest concert with dominant Republican leaders throughout the country, to make politics out of the war has become too evident to be longer passed in silence. I am genuinely sorry that constantly recurring events make the necessity for speaking of these things mandatory. But I think the time has come, right now, to strike a final blow, if that be possible, against partisan activity in the conduct of the war. It is evident that the spirit of partisanship is thrusting itself upon the conduct of our national part in this great and bloody international drama overshadowing the world, and I think this spirit of partisanship *should be struck dead at once.*

I have observed, as all of you must have observed, the significant fact that following the adjournment in October of the extraordinary session of this Congress and immediately following the reassembling in December a lot of resolutions were offered in the Senate directing investigations into practically all of our war activities. All these resolutions, suddenly showered upon us, were offered by Republican Senators, save only the resolution now under consideration offered by the Senator from Utah, and which is really of a character that does not open it to my criticism. The significant fact that these resolutions originated with Republican Senators, standing alone, stamps these proceedings with a suspicion of partisan purpose.

Mr. President, there is no need for us to be overfastidious about this or to try to fool each other or to fool the country. Republican leaders in and out of Congress are undoubtedly seeking to make politics out of the war. This may not be true of all, I am disposed to exempt some from this charge, but it is true of at least many of the most powerful men of that party.

Mr. President, there is to be an election next fall. A new House of Representatives and one-third of the Senate are to be chosen. Two years later a new President, a new House, and again one-third of the Senate are to be elected. Here is presented a chance to the dominating Republican politicians of the country—some of them, perhaps not more than one of them, seeking to promote his immediate personal glorification, and others, acting on a larger scale, let it be said, to promote a party advantage—to strike hard to turn down this administration and take the Government over into their own hands. That fight is on. Let no man deceive himself about that. That movement is on right now, and it is being played out before our very eyes. I see this partisan movement as an ever-thickening cloud on the horizon, spreading more and more every day over the sky. If there be one who does not see this, he is blind. Rising out of this cloud is the abhorrent figure of a political hag, stirring the cauldron of domestic partisanship to disturb even in this hour of national peril the sympathetic unity of the American people. That presents a grave question of national moment at this time. The fact that political partisanship is thus thrusting itself upon the country is too plain to be ignored or denied, and it is a menace to national unity. We are even now in something more than the initial stage of a partisan attack on the administration. I can not suppress the conviction that these various resolutions of investigation, coming in substantial effect wholly from the Republican side, are partisan in purpose and intended to promote a partisan advantage. It is a shrewd movement—to plant the mine and get some simple-hearted—I will not say simple-minded—Democrat to fire it off.

In what way might they promote a partisan advantage. Let us see. We all know there are various elements of discontent in the country, each more or less potential. Some of these elemental influences you may denounce and some of you do denounce them, but you know they exist and their potentiality as political equations is recognized by all. It may be well surmised that the natural disposition of these discontented elements will be to strike blindly, although unwisely, at the party in power. Therefore, in a way, working for the accomplishment of a common end, to wit, the defeat of the Democratic Party, Republicans ally themselves with these discordant elements of unrest and discontent. But beyond and on top of all that, the thing I especially protest against and denounce is the effort put forward in the name and under the guise of patriotism to disparage this Congress and the present administration, and to excite a wider feeling of discontent and lack of confidence, and to spread the poison of this impression broadcast among the really patriotic masses of the people. Plainly this sort of movement is afoot. The plan, the purpose, the propaganda are all evident. The veil thrown over the movement is too thin to obscure or deceive; the mask does not hide the face under it. If you can persuade or convince the people that this Congress and the Wilson administration have been incompetent, weak, inefficient in supplying the Army and Navy with things necessary for their support and for the proper and vigorous prosecution of the war, as well also to convince them that even with respect to the broader financial and constructive policies we have undertaken, we have been lacking in sagacity and sound judgment, you will have laid the basis for a popular attack to undermine the administration. Upon this questionable pro-

gram the shrewdest politicians on the other side of this Chamber and shrewd Republican politicians throughout the country have set their hearts. So I believe and declare.

THE PROOF.

Mr. President, I have not said these things without deliberation. Rather am I speaking, after deliberation, regretfully. It is plain that powerful men of the Republican Party are for political reasons bent on exploiting what they denounce as administrative blunders committed in the prosecution of the war. That is what they chiefly harp upon. Seemingly they are staking their political fortunes upon that. And here I feel constrained to express the fear that we have on this side been misled into doing unwise things, or permitting them to be done, which are being exploited now not only to our party detriment but, what is a thousandfold worse, are being exploited out of partisan zeal by Republicans, even to the serious detriment of the national cause itself. The mighty ambitious men of the Republican Party—at least, the reputed mighty men of that party—are up in arms to fight this Congress and the Wilson administration and to discredit both. Do you ask what proof I have for this charge, which it would be almost criminal to make without definite proof? In proof I present two or three witnesses—the foremost men of the Republican Party—and out of the mouths of these witnesses I accuse. The number of witnesses I might offer to prove what I say could be multiplied, but when I submit the testimony of these two or three it is enough.

PENROSE.

First, I present the Hon. BOIES PENROSE, long the head of the Republican Party of the great State of Pennsylvania, which State is confessedly the keystone in the arch of Republican Party strength, and who as the great party leader of this foremost Republican State in all the Union very properly occupies a front seat in the Republican national Sanhedrin. Where would I go to find one bearing a higher commission to authoritatively voice the sentiment, thought, and policy of the Republican Party? There is but one other over him, and a little later I will make him my chief witness. But first I deal with the Senator from Pennsylvania.

I quote from the New York Times of December 21, 1917, as follows:

Reorganization of the Republican national and congressional committees in preparation for the congressional election next November is now being seriously discussed by Republican leaders, *who see in the present developments before the congressional committees issues that can be effectively used against the Democrats.*

In the last 10 days groups of Republican national committeemen have come here (to Washington) to discuss the advisability of beginning without delay the plan of campaign which will be used to capture the next House. These leaders did not receive much encouragement for an early campaign until last week, when the exposes followed one after another. As the result of the delays in the War Department and other alleged deficiencies in the conduct of the war, these Republicans decided that prompt preparation and an educational campaign should be started. Accordingly a meeting of the Republican National Committee has been called to assemble in St. Louis the middle of February.

WHAT PENROSE SAYS.

"The issues are here in great numbers," said Senator PENROSE, Republican national committeeman from Pennsylvania, after a talk with other national committeemen. "The conditions of the War Department, the neglect of the camps and cantonments, and the failure to supply sufficient arms are matters which the American public will charge to the majority party.

"Politics of the worst sort has appeared in the conduct of the war. Politicians were named by Democratic Senators and committeemen for one of the most important places, that of explosive inspectors. I know of three instances where political debts were paid and men appointed who will never be able to enforce the explosive law. The Democratic State chairman from Indiana appointed the superintendent of his farm. In my State a groceryman was selected.

"I wrote to the Chief of the Bureau of Mines and informed him that the State of Pennsylvania wanted a first-class man for this job, one experienced in such matters, and suggested that he confer with the State bureau of mines. He wrote me, saying that the Secretary of the Interior was taking his recommendations from Democratic Senators and committeemen.

"And while these political appointees draw their salaries, explosions and destruction continue."

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER (Mr. JAMES in the chair). Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. STONE (continuing):

"The Republicans have not been partisan in this war, but the time has come when they must be consulted and men of experience and ability placed in places of responsibility. Another evidence of politics which I complain of is the sending of Col. House to represent this Government. It was an insult to other Governments, who sent their premiers. If President Wilson did not wish to send his Secretary of State I think some other man versed in big problems and international usages should have been sent.

"As a party the Republicans have loyally supported the Government, but we are now going to ask for an accounting and propose to carry our fight to the people in the next congressional elections."

Now I yield to the Senator from Pennsylvania.

Mr. PENROSE. Mr. President, I do not want to interrupt the Senator by an inquiry at this juncture. All of his references to me are literally true, and I am astounded at my own moderation. [Laughter.] What I want to ask the Senator particularly, however, is, Does he state that any person other than a partisan dyed-in-the-wool Democrat was appointed inspector of explosives in any one of the 48 States in the Union? Does the Senator claim that any but notorious Democrats were appointed to those 48 places?

Mr. STONE. Mr. President, I do not know the exact fact, but I will take the Senator's word for it. I hope the Senator is not wholly mistaken. [Laughter.]

Mr. PENROSE. And yet the Senator claims the administration is not partisan.

Mr. STONE. Oh, well, I am not going to go into that at this moment, but later.

Mr. President, this convincing testimony of the Pennsylvania Senator might well be left without comment. It proves what I have said about partisanship. But there are one or two things in this bold partisan proclamation to which I feel obliged to refer especially. As a justification of this partisan outburst—the Senator complains that a Democratic groceryman in Pennsylvania and a Democratic farmer in Indiana have been appointed by the Government as explosive inspectors. I am puzzled to know how to adjust the scales so as to determine where the heavier weight of the Senator's objection lies as between the politics and the businesses of these two men. Of course, I have long known the Senator's political distaste of Democrats, but I was not previously aware of his prejudice against farmers and grocerymen. I did not previously know that my distinguished friend and his party had thrown these two classes into the discard.

The Senator says "politics of the worst sort has appeared in the conduct of the war," and in proof he cites the appointment of these explosive inspectors. Mr. President, I affirm that never in our history has a national administration shown a less spirit of partisanship—never has one reached out and drawn to its support officially a greater number of men opposed to it—than this administration since our entrance into the war. Personally I am not bragging about that, but I state it as a fact.

By way of contrast let me impress upon the memory of the Senator what he seems to have forgotten, some facts about the action of his own well-beloved governor with respect to appointments made under authority of law of the war agencies of Pennsylvania to work in conjunction with the war agencies of the National Government. Here I present a table revealing the impartial, nonpartisan spirit in which war appointments have been made by or directly on the recommendation of the governor of Pennsylvania, an official of the Senator's own creation:

	Republicans.	Democrats.
Committee on public safety	265	5
Exemption appeal boards	36	9
Federal food administrator	1	.....
Federal fuel administrator	1	.....
Federal director of employment	1	.....
State war board	5	.....
Total	309	14

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. STONE. I do.

Mr. PENROSE. I ought to state to the Senator, by way of explanation to the Senate, that nearly all the Democrats in Pennsylvania are holding Federal office. [Laughter.]

Mr. STONE. That may be; but these are in a large sense Federal offices.

Mr. PENROSE. Not remunerative, however.

Mr. STONE. They all are remunerative; and if it be true that there are some Democrats in Pennsylvania holding Federal appointments, after the long period of absolute deprivation to which they have been subjected, I can not see why the Senator from Pennsylvania should seriously object. But I am not talking politics; I am talking against politics. [Laughter.]

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New Hampshire?

Mr. STONE. I do.

Mr. GALLINGER. It must be the first time in the Senator's life that he has done an act of that kind. [Laughter.]

Mr. STONE. No; not by any manner of means. The Senator is too prone to judge others by his own standards.

To this table there is nothing to be added. It is beyond comment. But, Mr. President, I have other data of like kind from other States which show in striking contrast the difference in action between Republican and Democratic governors, and I shall ask leave to print at least some of these at the close of my remarks for the information of the Senate and for the especial delectation of the Senator from Pennsylvania.

I ask that leave.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair hears none.

CHAIRMAN WILCOX.

Mr. STONE. Mr. President, before I introduce my star witness I conclude, on reflection, that it would not be amiss to support the testimony of the Senator from Pennsylvania, himself a member of the Republican national committee—not that it needs support, but only to emphasize it—by quoting a statement made to the press by the chairman of that committee on January 9 of the present year, and published broadcast. From that statement I quote the following:

The importance of the economic questions that will come up for solution at the close of the war or even before can not be overstated. The history of the Nation in the last 60 years shows that the Democratic Party has never shown competence, particularly in a crisis, in dealing with the great economic questions of the country. The importance, therefore, of the coming congressional election can not be overestimated.

Accordingly, Chairman Wilcox has issued a call for his committee to meet at St. Louis on February 12, to inaugurate a winter campaign to be continued with increasing ferocity up to November, for the election of Republican Senators and Representatives; and St. Louis newspapers report that Col. Roosevelt has engaged a hall in St. Louis to make a war speech the day before the committee meeting. The kind of campaign this is to be thus opened is sufficiently forecast in the statements I have quoted from the two leading members of the national committee.

WASHINGTON POST.

At this juncture I will also further break away from my direct line of thought to call attention to a clipping taken from Sunday's Washington Post of this week, which I refer to merely as further showing the direction in which the wind blows. I quote:

Republicans in Congress are beginning the perfection of their organization for the coming congressional elections. House Republicans will hold a caucus this week, at which time it is understood that they will make an issue out of the refusal of President Wilson and Secretary Baker to agree to the creation of a new department of munitions.

They also expect to make political capital out of the opposition by President Wilson to the creation of a joint committee of Congress on war expenditures.

WILL REORGANIZE COMMITTEE.

Extravagance, waste, and inefficiency in the administration of the war program will be important features of the political warfare they are to make.

THEODORE ROOSEVELT.

Mr. President, I now introduce my star witness, Theodore Roosevelt himself, whom I characterize as the most seditious man of consequence in America. The heart of this man is aflame with ambition, and he runs amuck. On my responsibility as a Senator I charge that since our entrance into the war Roosevelt has been a menace and obstruction to the successful prosecution of the war. His chief thought has not been to help the Government solve the mighty problems they have had to solve but always his chief thought has been of Roosevelt. Almost every day this man speaks in bitter and contemptuous disparagement of the President and of the majority Members of this Congress. Every week for a long time he has been and still is publishing under contract for a money consideration—think of it, for money—villainous screeds in the Kansas City Star, which paper has a wide circulation in several States, attacking the President and the Government. By some syndicated arrangement these Roosevelt contributions to the editorial columns of the Star are reproduced in numerous important newspapers published throughout the country.

Whatever may be said of the papers reproducing these disloyal utterances, the Kansas City Star, in whose editorial offices these emanations originate, is chiefly responsible.

What shall I say of the Kansas City Star? I will let the Kansas City Post, a local contemporary of the Star, speaking through one of the most fluent editorial writers of the Middle West, answer that question. I quote two editorials from the Post of December 27, 1917, and December 30, 1917, in the order of their publication.

1. The editorial of December 27:

At last Col. Theodore Roosevelt is out in the open, all his camouflage torn away, all his fervid protests of patriotism swept away by his desire to implant in the hearts of the people of the United States a distrust of President Wilson.

In to-day's issue of the Kansas City Star, which he chose months ago as the instrument through which he would begin his campaign for the Presidency, he, for the first time, accuses President Wilson of being responsible for a condition in Army and training camps which, if true, were well calculated to plant fear in the heart of every mother and father who has a son in khaki and to arouse in every cantonment a spirit of unrest and rebellion.

By suggestion he would have the people believe that every camp is a pestilential spot, every youth stricken with the seeds of disease, every soldier unclothed, every soldier unarmed.

That Col. Roosevelt chooses for the organ of distribution of his propaganda of distrust of the President, of disruption of national spirit, of disorganization of the Nation's loyalty, *a paper whose general manager was so lately a subject of the Kaiser that the ink is scarcely dry upon his naturalization papers may or may not be significant.*

The cold fact remains. Col. Roosevelt can not forgive President Wilson for being President. He can not forgive the people for electing Wilson. He can not refrain in this hour of crisis from attempting to divide the people in their loyalty and their war purpose in order that he may again become the President. That this daily diatribe is circulated from this city is a matter of shame to a city that has stood foremost in every patriotic movement, first in its undivided support to the war, to liberty loans, to the Red Cross, to the volunteer forces.

For certain it is that were the Kaiser himself given free editorial rein in this country, were Bernstorff back with his plottings and his subsidy of newspapers, they would pen to-day the very articles which Col. Theodore Roosevelt sends broadcast through the Kansas City Star.

2. The editorial of December 30:

"A pro-German is a man who, by private or public utterance, stands in the way of a whole-hearted prosecution of this war and the defeat of the German will to conquer. He may do it by finding fault with the conduct of the war."

This is the definition of Herbert Quick, a publicist whose patriotism is preeminent, at present farm-loan commissioner, chosen because of the fact that he is trusted and known by more farmers in this Nation than any other citizen.

He might well have pointed the finger of accusation at Col. Theodore Roosevelt and the Kansas City Star, for whatever may be the excuse for Roosevelt's friends for his attitude, the most kindly of which is that he is possessed of an overwhelming egotism and desire to again be President, the facts point to a different conclusion as to the motive of those who exploit his daily carping at the President.

Read the record and reflect:

Shortly before April 6, the date on which war was declared, August Seested, the general manager of the Star, made affidavit that he was then a subject of Kaiser Wilhelm.

Shortly after April 6, in a semiprivate hearing, when the law regarding the internment of alien enemies threatened to enmesh all those who favored or helped the Kaiser, Seested was made a citizen of the United States.

Almost the first act of the former subject of the Kaiser, who is legally responsible for every line printed in the Star, and who is held forth as the director of its policies and acts, was to engage Theodore Roosevelt as a writer.

Every article which has appeared under his name has been a covert or open attack upon the President.

Every article has been cunningly devised to disrupt the morale of the people, to divide them into quarreling camps, to frighten the mothers and fathers of the Nation for the safety of their sons, to inspire discontent and rebellion in the ranks of the boys in the cantonments.

Seested, who as early as the date of war swore that he was a subject of the Kaiser, prints them.

That Roosevelt, as President, did nothing to cure the "red-tape" evil of which he writes; that he threw his influence against the shipping bill at a time when that measure, asked by the President, would have enabled this country to buy and build a great fleet of merchant ships in preparation for any crisis, military or commercial; that he was so urgent in this that in March he telegraphed his protest to the Senate and held in line his old friend LODGE. These things are history and may be remembered or not, as you choose.

The big fact stands out boldly and should be known and understood: Roosevelt, whatever his purpose, is doing more to help the Kaiser by his propaganda of disruption and distrust than have all the pacifists and I. W. W. and Bernstorff's spies.

And the man who prints them says that he was from birth a subject of the Kaiser, who would crush a world that he may rule.

The people must know. Then they will perhaps not be misled by the poison that is poured out for them to read, may still have faith in our Government, may retain that splendid enthusiasm for liberty and democracy which has led this city to give generously of its youth, its money, and its labor for the great cause.

Mr. President, supplementing this excoriation by the Post, I quote confirmatory editorial expressions from the Toledo (Ohio) News-Bee, written under the name of its editor, as follows:

Mr. Roosevelt's general attitude seems patriotic, but he can not conceal his bitterness toward President Wilson. There is always the discordant note. It seems that he can not forgive Wilson for being elected President, or the people for having elected him. The moment a congressional investigation showed that this Nation had not fully equipped itself for war within much less than a year Col. Roosevelt cuts loose with the attack on the administration he had been holding back until opportunity offered.

And the attack was just what he had been preparing for in his public speeches and published editorials. It was tuned to that one discordant note. He attempts to stir up a bitter feeling toward President Wilson and his administration, and puts more pep into that than he does in any effort to stir up feeling against Prussian autocracy.

I charge that Theodore Roosevelt is playing politics with the war, and that he is starting now the congressional campaign of 1918 and his own presidential campaign of 1920.

STRANGE CONTRASTS.

Mr. President, strange things happen nowadays. For example, Roosevelt denounces the President and the Government in terms that should, as I believe they do, excite wide indignation—denounces in terms that would subject almost any other citizen to arrest—yet his utterances, which I say would be denounced

as treasonable if made by others—are widely published without even official protest.

Mr. PENROSE. Will the Senator permit me?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. STONE. Yes; I yield.

Mr. PENROSE. Does the Senator deliberately advance the extraordinary doctrine here that every American citizen has not the right to say what he thinks of Mr. Wilson without going to jail?

Mr. STONE. Is that the question?

Mr. PENROSE. Yes; that is the question.

Mr. STONE. I answer no.

Mr. PENROSE. Does the Senator mean to say that an American citizen has not the right freely to express his views regarding Mr. Wilson if he be difficult to see, hidden away, and in his opinion surrounded by an incompetent personnel which has delayed preparedness for this war almost to a point of scandal? Does the Senator mean to say there is any statute or any principle of law that forbids such a citizen to express his views?

Mr. STONE. No.

Mr. PENROSE. That is the most extraordinary doctrine I have ever heard advanced.

Mr. STONE. I have not advanced it.

Mr. PENROSE. No; but the Senator came pretty near advancing it.

Mr. STONE. No; I did not, and I disclaim it.

Mr. PENROSE. The Senator practically stated that anyone who criticized Mr. Wilson ought to go to jail.

Mr. STONE. No; I did not say anything of that kind.

Mr. PENROSE. I should be glad if the Senator would explain it, because it is a rather important point.

Mr. STONE. I shall not explain something I did not say. I am now, for the edification of the Senator from Pennsylvania, drawing a contrast between Roosevelt and the plain citizen. I will give a specific instance or two to emphasize the contrast.

Let me quote some things Roosevelt has said under his own name:

Moreover, and this is the vital point, we now have the time to prepare only because the English and French fleets and armies protect us.

Again—

Our troops in France have received thousands of coffins, but an insufficient number of shoes. * * * Not more than one-tenth of our soldiers, taken altogether, are fit to go to battle, nine-tenths of our gallant and fine-spirited men are still without training, arms, and equipment that would permit them to meet any trained foe.

Again—

The administration now officially and complacently announces that the policy which at this very moment has proved disastrous is to be persevered in for the future. It therefore assumes complete responsibility for every blunder and delay and for all the misconduct, and announces that these blunders and delays and all this misconduct have taught us nothing and that we are to amble onward in the same futile path until disaster overtakes. Mr. Wilson's administration officially declares that we shall persist in our own folly until we are brayed in the mortar of dreadful calamity.

Again, published under the headline of "A Betrayal of Democracy," Mr. Roosevelt says:

When President Wilson says "We do not wish in any way to rearrange the Austria-Hungarian Empire; it is no affair of ours what they do," he is engaged in the betrayal of democracy, and if his present words are to be taken seriously, then his declaration about making the world safe for democracy was false and empty rhetoric. Either one statement or the other must be unsparingly condemned by all honest men. * * *

The President's proposal represents three separate betrayals. It is the betrayal of the Slavs of Austria, to whose cause our allies have pledged themselves and who form a democratic population oppressed by a militaristic autocracy.

It is the betrayal of democracy, because we abandon the majority, who are our friends, into the hands of a minority, who despise and hate us. It is the betrayal of free people everywhere to Germany, for Germany is now a world menace, chiefly because Austria and Turkey are her subject allies, and President Wilson's proposal is to leave them undisturbed.

Again—

It will be quite impossible to get at all the facts of our unpreparedness. Most officers will be very reluctant to testify to the whole truth. They know they will suffer if they do so, because they have seen the punishment inflicted by the administration on Maj. Gen. Wood for the sole reason that he dared to tell the truth about our shortcomings and dared to advocate preparedness in advance. * * *

For this reason I am not at liberty to quote the generals, colonels, captains, and lieutenants of the Artillery, Infantry, Medical Corps, and Quartermaster Corps who have told me of their troubles with unheated hospitals, insufficient drugs, summer underclothes in winter weather, lack of overcoats, of shoes, of rifles, of ammunition, of cannon. But in the camps I visited I saw some things so evident that no harm can come to any officer from my speaking of them.

I might go on quoting this sort of stuff ad nauseum, and all these things were written deliberately—not spoken on impulse, but written deliberately—by Mr. Roosevelt. These words, and others of like import—which I charge to be in substance and effect false words—have been spread broadcast throughout this Nation and throughout the world. The only possible effect of these widely published utterances of this man has been, as they were designed to be, to discredit and bring the present Government into public disfavor and weaken its hold on popular confidence. That seems to be the Rooseveltian standard of patriotism.

Mr. President, can we forget, should we forget, that the present Government is charged with the mighty responsibility of managing the tremendous affairs connected with the conduct of this war? This Government has been charged by the people with this responsibility. Does not patriotism require—aye, absolutely demand—that in this time of war every man should stand behind this Government and support it?

Mr. President, I have quoted these utterances of Roosevelt for a double purpose. First, to show that his vaunted claim, self-advertised, of a superior brand of patriotism is empty; and, secondly, to inquire—now I come to the contrast I promised the Senator from Pennsylvania—why Roosevelt may say things with impunity which a citizen of lesser consequence dare not even repeat without danger of indictment for disloyalty.

I bring to you the case of a plain citizen without special note or influence. I give you this particular case as one selected out of many for the sake of comparison. On December 21 last John D. Shanks, a traveling salesman, was coming into St. Louis on the Frisco Railroad. In a conversation on the train he was reported as making a certain statement to several gentlemen with whom he was conversing. I quote the exact words of that statement as reported in all—not in one, but in all—the St. Louis papers, and which I have had officially verified. The statement is as follows:

Wilson kept us out of war; like hell he did. It's a shame the way our soldiers are being treated in the concentration camps. They are not properly clothed, and the sanitary conditions are poor. Hoover's sugar plan is a big joke, too.

For saying this Mr. Shanks was taken from the train while in transit by policemen summoned by wire before he reached his destination, and, I am informed by the United States district attorney at St. Louis answering my personal inquiry, that Mr. Shanks is now under bond awaiting the action of a Federal grand jury for the crime charged against him for saying what I have quoted.

Mr. PENROSE. Will the Senator permit me to interrupt him for a moment?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. STONE. I do.

Mr. PENROSE. The Senator said the man was taken from the train by policemen. Do I understand that he was taken from the train by the municipal police of St. Louis or by Federal agents of the Department of Justice?

Mr. STONE. That is a mere detail.

Mr. PENROSE. It is important.

Mr. STONE. If the Senator thinks so——

Mr. PENROSE. I assume the man was arrested by Federal agents of the Department of Justice appointed by Mr. Wilson or his Attorney General, and in my opinion his arrest was illegal, unjustifiable, and he can not be convicted.

Mr. STONE. As to that I express no opinion.

Mr. PENROSE. The Senator is giving a most impressive illustration of the high-handed methods of the present administration.

Mr. STONE. Mr. President, this commercial traveler—I do not even know him—merely repeated in conversation and in a minor degree what Theodore Roosevelt had said editorially in the Kansas City Star, and which editorial utterances had been reproduced in many of the important papers of America. This commercial traveler, coming into St. Louis on the Frisco Railroad, traveled through a section which is within the shining radius of the Kansas City Star. Therefore it follows that he must have read and pondered the antiadministration propaganda emitted by Roosevelt—the Star's special guide, philosopher, and friend.

What I wish to know is why Shanks should have been arrested for repeating what Roosevelt said, while Roosevelt goes free? Why should we make fish of one and fowl of the other?

Mr. PENROSE. Mr. President, I do not want to interrupt the Senator if it is disagreeable to him.

Mr. STONE. It is not.

Mr. PENROSE. I only thought that I could help to elucidate the Senator's argument. I consider that the instance the Senator has recited is outrageous, and I should like him to permit me——

Mr. STONE. The average man would think so.

Mr. PENROSE. I should like, if the Senator will permit me—it will give him an opportunity to rest for a minute—to

call the attention of the Senator to another equally outrageous case, if the Senator has no objection.

Mr. STONE. I have no objection.

Mr. PENROSE. It is a case that occurred in Louisville, Ky. One Ernest L. Schneider, a private at Camp Zachary Taylor, the new National Army cantonment near there, has been sentenced to 10 years at hard labor in the Federal prison at Atlanta, forfeiture of all Army pay, and to be dishonorably discharged. Stripped of its technicalities, Schneider was charged with vilifying the President of the United States and voicing objections to the draft law.

Announcement that the War Department had approved the findings of the general court-martial which tried Schneider was made to-day, says the dispatch from Louisville, published in the press.

I want to say, Mr. President, that there is nothing occurring in Russia or any other country in Europe that presents a case of greater outrage than the conviction of this young man and a sentence for a period of 10 years.

Mr. STONE. But what I wish to know, Mr. President, is why Shanks and Schneider should have been arrested for repeating what Roosevelt said, and why Roosevelt goes free? I am speaking of the leader of your party.

Here is presented a contrast that might make men doubt the impartial and discriminating justice of our Government. Nevertheless, I have confidence in the high purpose of the Government to do justice to all men, although now and then cases do arise like this that would seem to challenge confidence in this behalf. But what is to be said of Roosevelt, who thus leads or misleads his fellow citizens?

Of all men, Roosevelt is himself most responsible for many of the things he denounces. He does his work artfully. In the front of his propaganda he throws a deceptive glamour—a sort of political-patriotic camouflage. I charge that Theodore Roosevelt, whether willingly or out of sheer madness is unimportant, is in effect the most potent agent the Kaiser has in America. I can not escape the belief that this exceptional colonel, who has played so many games of questionable politics, is now playing another game of his peculiar brand for a very great stake.

Mr. President, on this proof alone showing Republican partisanship, and without further extending it as I might, I am willing to rest the case and submit it to the country.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. STONE. I do.

Mr. BORAH. Is the Senator going to present any proof that Col. Roosevelt is a Republican? [Laughter on the floor and in the galleries.]

The PRESIDING OFFICER. The occupants of the galleries must be in order.

Mr. STONE. He says he is. He worked with you. I do not know that he works with the Senator from Idaho just now. He used to, but now I think he works with the Senator from Pennsylvania. [Laughter.]

Mr. PENROSE. If it would not be treason for me to say it, Mr. President, if the Senator will permit me, perhaps Mr. Wilson at his first election was under great obligation to Mr. Roosevelt.

Mr. STONE. If that be treason, we shall all of us have to make the most of it.

A PRENATAL DEFENSE.

In the Washington Post of Friday last a gentleman who writes for that publication under the name of George Rothwell Brown—one of the daily dope dispensers of the Post—in criticizing in advance the speech I am making to-day, undertook, in anticipation, to make a passionate defense of the Republican political attitude. He criticized the speech before it was born. I quote from his article:

> The facts are that Republicans believe that if anything is to be said touching on and appertaining to politics in the war they have a prior right in the premises.
>
> The Republican attitude is that the ablest members of the Republican Party are being deprived of an opportunity to serve the country as a result of political prejudice and for political reasons. * * *
>
> If Senator STONE forces the issue of politics in the war in the Senate he will be answered by the charge that for political reasons Roosevelt and Wood, as well as Taft, Hughes, and Root, are not being used by the Government.

I assume Mr. Brown speaks with some degree of authority after discussing the subject with his friends about the Senate.

Mr. Brown, presumably speaking for the Post, complains that the President has not brought into intimate relationship with his administrative work certain noted Republicans—namely, Roosevelt, Wood, Taft, Hughes, and Root.

Just a word or two about this to make the facts clear. Gen. Wood, for whom I have a high personal regard, has from the beginning of the war been in positions of high responsibility. His services and usefulness have not been ignored. It only so happened that the President and the War Department did not see proper to put Gen. Wood in supreme command of our forces in the field. That is the substance of the criticism. I believe Gen. Wood to be a strong man, but also I believe there are others just as strong as he in the Army. I believe Gen. Pershing is his equal—and here I may add that Gen. Pershing ought by education and experience to be a better-trained soldier than Gen. Wood. I do not disparage Gen. Wood, I could only praise him, but I have full faith in Pershing, and Pershing is a Republican as well as Wood. My faith in Pershing is not due to his politics, although I do not in such a case consider that of the slightest importance and refer to it only to show that Gen. Wood was not discriminated against on political grounds by the appointment of Gen. Pershing, if by the furthest stretch it could be said he was discriminated against at all, which I deny.

Mr. Brown complains that the services of Mr. Elihu Root have not been utilized. Mr. Brown, like others I know of, evidently regards Mr. Root as a sort of Jove sitting on Mount Olympus. I do not estimate him so highly as that, although I do esteem him as a man of most excellent and superior ability. He is a lawyer of renown and has behind him a most creditable official record. Mr. Brown is mistaken in his supposition that the President has ignored Mr. Root. My understanding is that Mr. Root has been frequently consulted by both the President and Secretary of State. Moreover, the President sent Mr. Root at the head, at least practically so, of a great mission to Russia. While he was at Petrograd and Moscow we read cabled columns of glowing description of the mighty work he was doing there. We were led to believe that he had settled for the good of this country and the allies the whole Russian situation, so as to leave little doubt as to the sympathetic attitude of the great Republic new born in northern Europe. I would not say anything to discount this patriotic service undertaken in the face of great difficulties, but evidently these descriptions were overdrawn. However, the fact remains that in this instance of incalculable public concern Mr. Root was called by the President into a service of the highest moment and which put his capacity for great achievement to the test. The result speaks for itself. Plainly, Mr. Root has not been neglected.

As to Mr. Roosevelt I have already spoken. Mr. Taft and Mr. Hughes I pass by with respectful silence, without comment on Mr. Brown's suggestion as to them. Mr. Brown, speaking through the Post, supposedly with its approval, seems to favor a bipartisan management of the war and a bipartisan organization of the executive department. Mr. President, the executive department is at least nonpartisan now, and so far I do not see that any particular good has come of that. Here it is apropos to refer to the fact that on Friday last Mr. William R. Willcox, up to that date chairman of the Republican National Committee, was appointed on an important commission by Mr. McAdoo, the Director General of Railroads. This appointment was made notwithstanding the very recent political utterances and activities of Mr. Willcox to which I have referred. Mr. Willcox was made chairman of the Republican National Committee by Mr. Hughes. He is the bosom friend and a political adviser of Mr. Hughes. It might well be said that in a political sense he represents Mr. Hughes. This appointment does not look as if the administration was discriminating against Republicans in general or Mr. Hughes in particular on account of politics.

CONGRESSIONAL INVESTIGATIONS.

Mr. President, passing now to the consideration of a somewhat different line of thought, I wish to say a few words on the subject of congressional investigations. Investigation has apparently become a passion with the Congress. I desire to say a word or two on general lines about this business.

Mr. President, I hope no sane man is so squeamish as to deny to the Congress their constitutional right of inquiry into any question of grave public importance, or who would clothe the head of a bureau with a power above the Congress of the United States. Nowhere else has any effort been made to thus suppress parliamentary power. It has not been attempted in England, France, Italy, or even in Germany. Let it not be said that parliamentary power in the United States is to be regarded as of less moment than in Europe.

But, Mr. President, there are investigations and investigations ad libitum, if not ad nauseum. I disclaim any desire to be hypercritical, but I beg to express the opinion modestly that investigations which concern especially our Military and Naval Establishments, and which concern the development of our shipping facilities, and other actual war activities—activities which directly concern the conduct of those war affairs in which the whole world is interested—should be guarded against undue pub-

licity. I do not mean to say that even matters of world-wide consequence should not be made the subject of inquiry by the authorized agencies of the Senate and House of Representatives. I have no such thought. But as to matters of the kind I especially refer to—essentially war matters—I can not but feel that it is unwise to make them the subject of public or even semipublic exploitation. I can not believe that a world-wide advertisement of alleged deficiencies in our war activities, even if ultimately found to be true in whole or part, whatever the facts may be, is necessary to bring about such administrative reforms, as the circumstances demand. Therefore I can not but doubt the wisdom of the program we have adopted of wide-open investigations into almost everything that might be made the subject of criticism of the administration since our entrance into the war nine months ago. Do not understand me as meaning—for I do not mean that—that administrative errors, whether of omission or commission, should be concealed from our people; far from that. I have in mind only the proper occasion and the proper method of doing things of this sort. Of course mistakes have been made by the Government—doubtless many and grave mistakes. In the circumstances that was inevitable. But is it necessary for us to stand on the housetops or hilltops and proclaim these mistakes with a loud voice to the whole world? Considering the stupendous and almost unsolvable problems suddenly confronting the administration when the Congress declared for war in April last, and in view of all the difficult circumstances of the environment into which we thrust ourselves when we plunged into this world war, I take the liberty of declaring it as my matured belief that the achievements of this Congress and of the administration, accomplished amid unprecedented conditions, signalize a degree of marked success without parallel in the world's history. Of course mistakes have been made. The Congress have made mistakes; may I not venture to say that even the Senate has not been infallible; and almost inevitably the various military, naval, and civil executive departments, including even the President himself, upon whom, altogether, the chief burden of preparation has fallen, have made mistakes in the gigantic preparatory work so suddenly thrust upon them.

THE SPANISH WAR.

Why, Mr. President, even during the Spanish War, when the Republican Party was supreme, mistakes were made by our high Government officials, no doubt for the most part inevitable mistakes. We plunged as suddenly into that war as into this one, and with the same general lack of preparation. A Volunteer Army was raised and gathered together in various concentration camps, ready to be sent to Cuba or the front as the need therefor should arise. In a way we had then the same difficulty in supplying our soldiers with adequate equipment as we are now experiencing on a larger scale; even in a more pronounced degree we then encountered the same difficulty we are now encountering about sanitation and sickness in the concentration camps, some of the camps at that time becoming so bad that they were abandoned; then, also, the Government was showered with complaints of public corruption, inefficiency, and waste far beyond anything of that kind we have so far had to deal with in this war of incalculably vaster proportions; and we then had complaints, which, fortunately, we have so far escaped in this war, not only of insufficient food but of unsound food furnished our soldiers. It is too early yet to forget the scandals about embalmed beef. I am not indicting or censuring the officials of that day; they did their best, and did well, and I believe that the scandalous stories circulated at that time were grossly exaggerated. What I seek to impress by this reference to the Spanish War is that mistakes were made, inevitably made, even during the short period of that skirmish we had with Spain. I say "the skirmish we had with Spain," but I do not say that in disparagement of the brave and splendid men engaged in that memorable war, but that is all it amounted to as compared with the tremendous task upon which we are now engaged. Of course, mistakes have been made during the last nine months, but I reaffirm what I stated a moment since, that, all things considered, the achievements of the administration have been characterized by an extraordinary degree of success, and the marvel is that so few mistakes of particular importance have occurred.

But why should we flaunt our mistakes, whatever they are, great or small, before the world? Should we not rather deal with them as our exclusive business, without undue present publicity? There are times for doing things and ways of doing things, but, as I see it, the right way of doing these things of which I speak was to do them so as at least not to unduly advertise our weaknesses to the enemy. The value of a bold front is a mighty factor in the equation of war. And hence I have thought that if there be faults and weaknesses in the administration, let them be flaunted to the world hereafter—hereafter, when the time for harm in flaunting them has passed—but not now. We are now in the depths of a desperate war, and this is the time, above all times, for universal national sympathy, cohesion, and solidarity.

Mr. President, I merely give voice to the vision of things as they appear to me. My appeal now is first and especially to my colleagues on this side of the Chamber to stand firmly against influences calculated to mislead us, and then, secondly, I appeal to my colleagues on the other side of the Chamber to thrust back the evident rising tide of partisanship which threatens to sweep them off their feet. I have so spoken of the rising tide of partisanship on the other side with reluctance and without bad feeling, and have spoken of it only because I feel I should speak of it in the public interest. I wonder if Senators seriously reflect upon what it is they are starting in to do. What indeed is it they are trying to do? If we are to judge by what we see going on and by what Republican leaders are saying in disparagement of the President and the majority in Congress there should be little trouble in the public mind to determine what they are up to. Their purpose is to elect a Congress which would be out of harmony and unsympathetic with the President. What would happen to the Wilson administration if the Republican Party should have control of the next Congress? If I were adept in the use of Billy Sunday classics I should say the President would have "a hell of a time." [Laughter.]

Mr. President, partisanship and politics must be kept out of the war. There are most vital questions now demanding grave consideration and discussion, and other questions of far-reaching moment to our national life will arise in the immediate future, and I hold, Mr. President, that the highest considerations of patriotism demand that all these questions should be met, considered, and determined with an eye single to the national honor and welfare, divorced from all thought of partisan advantage. Any other course would be intolerable. Let us wait until the war is over and the world sane again before we renew too fiercely our old-time conflict for party supremacy. During this period of national stress and world horror through which we are passing we must place country above party.

Mr. President, I asked and think I obtained leave to print in the RECORD certain data showing the appointments made by different governors of their war agencies. If I have not obtained leave to print these in the RECORD, I now ask permission to print them.

The PRESIDING OFFICER (Mr. KING in the chair). Without objection, the request of the Senator from Missouri is granted.

The matter referred to is as follows:

1. BY REPUBLICAN GOVERNORS.

CALIFORNIA.

Republican governor. State council of defense: Republicans, 29; Democrats, 4. Executive committee of State council of defense: Republicans, 11; Democrats, none. Women's committee, State council of defense: Republicans, 19; politics unknown, 4. Federal food administrator: Republican. Federal fuel administrator: Democrat. Special agent, War-Trade Board: Republican. Chairman of the committee of four-minute men: Republican. Total Republicans, 63; Democrats, 4; politics unknown, 4.

CONNECTICUT.

Republican governor. State council of defense: Republicans, 8; Democrats, 2; Progressive, 1. Chairman county organizations: Republicans, 8. Chairmen of subcommittees of State council: Republicans, 9; Progressive, 1. The personnel of subcommittees of State council and county committees overwhelmingly Republican. Federal food administrator: Republican. Federal fuel administrator: Republican.

DELAWARE.

Republican governor. State council of defense: Republicans, 6; Democrats, 4. Federal food administrator: Vacant. Federal fuel administrator: Republican. Federal fuel administration, vice chairman: Republican. Federal fuel administration, member for Sussex County: Republican. District draft board: Republicans, 3; Democrats, 2. War savings stamp committee: Republicans, 3; Democrats, none. State food council: Republicans, 6; Democrats, none.

ILLINOIS.

Republican governor. State council of defense: Republicans, 12; Democrats, 3. Federal food administrator: Republican. Federal fuel administrator: Republican. All other war-service positions, except a few members of exemption boards, held by Republicans.

INDIANA.

Republican governor. State council of defense: Republicans, 11; Democrats, 8 (chairman of State council is Will H. Hayes, chairman of Republican State committee, who continues political activity through his committee). Supervisory officials, under State council: All Republicans. State conscription agent: Republican. State food administrator: Republican. State fuel administrator: Democrat (not appointed upon recommendation of State council, which recommended a Republican; see Cincinnati Enquirer report).

IOWA.

Republican governor. State council of defense: Republicans, 17; Democrats, 4. Federal food administrator: Republican. Federal fuel administrator: Republican. State fuel administration: Republicans, 6; Democrats, 2. War-savings-stamp committee representatives, Republican.

KANSAS.

Republican governor. State council of defense: Republicans, 39; Democrats, none. Independents, 2. State food administrator: Republican. State fuel administrator: Republican. Red Cross work: Republican. State conscription agent: Republican.

MAINE.

Republican governor. Committee on public safety: Republicans, 10; Democrats, none. Associate members: Republicans, 70; Democrats, none. Federal food administrator: Republican. State committee on food production and conservation: Republicans, 8; Democrats, none. Seed-saving committee: Republicans, 5; Democrats, none. Head of food-conservation campaign: Republican. Live-stock committee: Republicans, 4; Democrats, 1. Marketing committee: Republicans, 8; Democrats, 2. Exemption boards, first district: Republicans, 3; Democrats, 2; second district, Republicans, 4; Democrats, 1. Maine representative, Red Cross: Republican. Liberty-loan commissioners: Republicans, 3; Democrats, none.

MINNESOTA.

Republican governor. Public-safety commission: Republicans, 6; Democrats, 1. Federal food administrator: Republican. Director of milling division: Republican. Northwestern representative United States Wheat Corporation: Republican. National head, United States Wheat Corporation: Republican. Federal fuel administrator: Republican. War-savings-certificate committee headed by a Republican.

NEW HAMPSHIRE.

Republican governor. State council of defense (committee on public safety, executive committee): Republicans, 9; Democrats, 4. Seventy-five per cent of the chairmen of subcommittees appointed by State committee are Republicans. Officers, State Defense League: President, Republican; honorary president, Republican; secretary, Republican; treasurer, Republican. Chairman, Red Cross work: Republican. Federal food administrator: Republican. Federal fuel administrator: Republican.

NEW JERSEY.

Republican governor. State council of defense, executive committee: Republicans, 6; Democrats, 1.

NEW YORK.

Republican governor. State council of defense: Republicans, 5; vacancies, 2. (These vacancies represent places authorized by the act but which have never been filled by the governor.) State food supply commission: Republicans, 4. State food control commissioners: Republicans, 2; Independent, 1. State council of farms and markets: Republicans, 11. Exemption boards (up-State): Northern district, division 1, Republicans 5; division 2, Republicans 5; division 3, Republicans 5; western district, division 1, Republicans 4, Democrats 1; division 2, Republicans 5; division 3, Republicans 5; southern district, Republicans 5; eastern district, Republicans 5. New York City boards: Republicans, 28 (headed by Charles E. Hughes); Democrats, 2. Total, Republicans 82, Democrats 3, Independent 1.

OREGON.

Republican governor. State council of defense: Republicans, 8. Federal food administrator: Republican. Northwest manager, grain division: Republican. Pacific coast manager, milling division: Republican. Four-minute men committee: Republicans. Pacific coast agent, War Department training-camp activities: Republican. Oregon manager, Fleet Corporation: Republican. Director of work, spruce-production manager, etc.: Republican. Liberty-loan-sale board: Republicans, 6. Federal fuel administrator: Democrat.

One Democrat out of the bunch.

RHODE ISLAND.

Republican governor. State council of defense: Republicans, 11; Independent, 1. Federal food administrator: Republican. Federal fuel administrator: Republican.

SOUTH DAKOTA.

Republican governor. State council of defense: Republicans, 13; Democrats, 0. Federal food administrator: Republican. Federal fuel administrator: Republican. Director, war-savings-stamp sales: Republican.

Another clean sweep.

VERMONT.

Republican governor. Public-safety committee: Republicans, 43; Democrats, 11. Federal food administrator: Republican. Federal fuel administrator: Republican. Head of war-savings-stamps committee: Republican. District exemption board: Republicans, 5; Democrat, 1. Appointed judge advocate: Republicans, 2.

WISCONSIN.

Republican governor. State council of defense: Republicans, 13; Democrats, none; Socialist, 1. Federal food administrator: Republican. Federal fuel administrator: Republican. No Democrat has been appointed to the coffice of county food or fuel administrator in any of the counties of Wisconsin. Examination boards and district appeal boards will average 90 per cent Republicans and Socialists.

2. BY DEMOCRATIC GOVERNORS.

COLORADO.

Democratic governor. State council of defense: Republicans, 14; Democrats, 7. Food administrator: Republican. Fuel administrator: Democrat. Chairman Red Cross work, mountain division: Republican. Chairman liberty-loan campaign: Republican. Liberty loan, women's committee, chairman: Republican. Liberty loan, women's advisory committee, chaiman: Republican; members, 35 Republicans. Liberty loan, committee on finance, chairman: Republican; members, 6 Republicans. War-savings committee headed by a Republican.

IDAHO.

Democratic governor. State council of defense: Republicans, 15; Democrats, 10. Federal food administrator: Republican. Federal fuel administrator: Republican. Chairman Red Cross work: Republican. Chairman State liberty loan committee: Republican.

MISSOURI.

Democratic governor State council of defense: Democrats, 12; Republicans, 9; Independent, 1. Federal food administrator: Democrat. Federal fuel administrator: Democrat.

MONTANA.

Democratic governor. State council of defense: At large—Republicans 3, Democrats 4, Independent 1, Farmers' Equity Society 1; county representatives—Republicans 75, Democrats 54; chairmen county councils of defense—Republicans 27, Democrats 16. Federal food administrator: Republican. Food campaign manager: Progressive Republican. Federal fuel administrator: Democrat. Executive secretary, fuel administration: Republican. County fuel committees: Republicans, 64; Democrats, 65. Chairmen county fuel committees: Republicans, 26; Democrats, 17.

NEVADA.

Democratic governor. State council of defense: Republicans, 4; Democrats, 7 State food administrator: Republican. Assistants to food administrator: Republicans, 11. State fuel administrator: Democrat.

OHIO.

Democratic governor. State council of defense: Republicans, 18; Democrats, 10. District exemption boards of appeal: Sixty per cent Republicans. Every major appointment of war positions in Ohio made by the Federal Government, Republican. Ninety per cent of commissions issued to civilians in noncombatant arms and three-quarters of commissions in fighting arms of military service were issued to Republicans. Federal food administrator: Democrat. Federal fuel administrator: Republican.

UTAH.

Democratic governor. State council of defense: Republicans, 20; Democrats, 17. Federal food administrator: Democrat. Executive secretary, food administration: Republican. Federal fuel administrator: Democrat. Executive secretary, fuel administration: Republican. Director war-savings-stamps sales: Republican. Chairman executive committee, liberty-loan campaign: Republican.

WASHINGTON.

Democratic governor. State council of defense: Republicans, 11; Democrats, 3. Federal food administrator: Republican. Federal fuel administrator: Republican. District manager Shipping Board: Republican. Representatives War Trade Board: Republican.

It is hard to believe that this governor is a Democrat.

WEST VIRGINIA.

Democratic governor. State council of defense: Republicans, 6; Democrats, 8; secretary of council and assistant, Republicans. Federal food administrator: Republican. Federal fuel administrator: Democrat. Director war-savings-stamps sales: Republican. Exemption-appeal boards, northern district: Republicans, 4; Democrats, 1; southern district, Republicans, 2; Democrats, 3.

WYOMING.

Democratic governor. State council of defense: Republicans, 4; Democrats, 5. Federal food administrator: Democrat. Federal fuel administrator: Republican. Director war-savings committee: Republican.

Mr. LODGE. Mr. President, nothing during this war has been so profoundly gratifying to me as the fact that since last April there have been no political lines drawn in the Congress of the United States. There have been until to-day no political speeches which I have heard; there has been no political voting; both branches have labored together with the common desire to prosecute the war to the quickest possible conclusion. To-day the Senator from Missouri, greatly to my regret, has made a distinctly political speech. I do not propose to imitate his example by assailing Senators or Representatives of an opposite political faith from mine, but I must say a few words to repel his misrepresentations as to the Republican Party.

I can quite understand, Mr. President, that the Senator from Missouri finds it personally desirable to make such a speech as that to which the Senate has listened, but it is also a time when our personal desires should be made subordinate to the public interest and when we should not deliberately strive to revive party feeling. I can only hope that the speech will be as grateful in the quarters where he desires it to be grateful, as he expects.

Mr. President, the Republicans of the House and of the Senate have voted for all the great measures necessary for the war. They have voted for all the money asked, for all the loans authorized, for all the great powers to be given. There have been measures, Mr. President, desired by the administration which might have failed, which would have failed in one House, at least, without the Republican vote. The Republicans have, to my knowledge, cast no party vote since the 2d of last April, and they will continue to avoid casting party votes while the war is in progress.

Mr. President, if there has been partisanship anywhere since the war began it has not been in the Congress of the United States. Party politics have been pretty obvious, however, to everybody, to the most casual looker-on, elsewhere. While we were organizing all the industries and all the resources of the United States, as we needed to do in order to win this war, it has seemed to me at times as if it might be well to organize and use all the ability of the country. The parties of this country are pretty evenly divided, and to confine one party to the right to give their lives, their sons, their brothers, their husbands, to the armies and navies seemed to me not altogether best. I think it would have been better if they had been more largely called upon for work, and that we needed all our ability, not half of it, in the general service of the United States. I have found no fault, however, with this attitude. The only fault I

have ever found is that the administration has failed to take the best from its own party.

There has been a marked admiration shown for what have been called the dwellers in the twilight zone; a keen desire to appoint men, few in number, who have wandered from one party to another until some irreverent people have referred to them as "the mavericks of politics." These "mavericks," some pro-German before last April, usually pacifists, have been taken wherever possible, without regard, so far as one can see, to anything except their somewhat varied political record, and have been put in places of great importance. I have observed also that these wanderers generally permit themselves to be branded easily by some one who is able to admit them to green pastures and to comfortable stalls. The fault I find is in the administration's failure to call out the best ability in the Democratic Party, if Government service outside the Army must be confined to one-half of the people of the country. There are too many men exercising large powers at this moment, vested with great authority, who seem to the observer to have nothing to commend them except an insignificance which makes them solely dependent on the Executive pleasure. My criticism has never run on party lines and does not now.

Mr. President, the Senator has referred to investigations. I introduced one of the resolutions of investigation. The portion of the country from which I come was suffering very grievously from a shortage of sugar, amounting almost to a famine, and from a shortage of coal, and it seemed to me that it was an obvious duty for Congress to try to discover whether there was anything wrong in the policy which had been adopted and whether there was not some remedy that could be furnished. The resolution I offered was adopted by the Senate. The investigation has been carried out without one thought of partisanship or party lines, so far as I could see, in the subcommittee charged with the investigation, and headed by the colleague of the Senator from Missouri [Mr. REED]. In that subcommittee, as it has been throughout the Senate, there have been divisions of opinion, but they have not run along the party boundary.

As to the investigation being carried on by the Committee on Military Affairs, in my humble opinion no greater service has ever been rendered to the country by any committee of Congress than that committee has rendered in the last six weeks. Investigations censured! Is this Congress to stand by in silence while blunders and delays and needless losses go pouring past, and to be accused of treason if it tries to tell the truth and to make conditions better?

The Senator has referred to the Spanish War, which lasted three months. We were unprepared then, as we were unprepared last April, and mistakes were made then, even in that short time; but it will be remembered that at that time without congressional investigation the President changed his Secretary of War.

Mr. President, the Senator has spoken about these investigations being of assistance to the enemy in what they reveal. Certainly in the Committee on Military Affairs they reveal to the people of the United States many things which cry for remedy. They reveal very little, in my opinion, that the enemy does not know. But when you speak of the effect of these investigations, what do you think was the effect on our allies and our enemies alike when this Government, not yet fully immersed in war, deliberately closed down for five days all the industries of the country? What impression do you think will be given by that act? What will be the impression upon the German mind when they read of that order of the Fuel Administration?

I am not going into this point in detail. I have been passing a great many hours in considering it, and I shall have something to say about it later. But it is not well to speak of these investigations as having a bad effect and being hostile to the country when such an exhibition of impotence and failure has been made as is shown in that fuel order.

The Senator devoted a good deal of attention to Col. Roosevelt. I do not think it is necessary for me to enter upon any defense of Col. Roosevelt. He has been President of the United States. His life is an open book. Whatever mistakes may be charged against him, there is one thing that is certainly true. He never has had any secrets from the American people. They are capable of judging him, and they will judge him. He offered himself for service in the war. He was anxious to go into the Army in any capacity, and he was refused.

The Senator has attacked Col. Roosevelt for criticizing the President. He supported the President, at least, in trying to have the merchantmen armed and in the declaration of war. He is supporting the war in every way he can. His four sons are all in the war. Three are on the Flanders front at this moment. A disloyal man does not make such sacrifices as that.

I think Col. Roosevelt was against the Shipping Board. I was. I did all I could to beat it in the protracted filibuster that ended in its defeat; and the main reason why it was defeated, in fact the dominant reason, was that at that time one great purpose of the act was to buy the German ships and give to Germany thirty or forty million dollars, perhaps more. Amendments to exclude them were voted down. That is why the bill failed, and it is well that it did fail.

The Senator says that Col. Roosevelt has been guilty of treason, because he has written certain articles which the Senator has read here. Is it treason to say that our lack of preparation has cost thousands and thousands of lives of our allies, hundreds of lives already of our own men, and uncounted millions of money? That is the hard, naked truth. Is it treason to say that? Is it treason to point to those camps? Then, Gen. Gorgas, the Surgeon General of the Army, ought to be court-martialed, for he was the first to call attention to the insanitary condition of those hapless camps.

Mr. President, it may be difficult for the Senator from Missouri to understand, but it is quite true, that there are men all over this country—and Col. Roosevelt is one of them—whose one dominant idea is to win this war, who are ready to make every sacrifice to do it, who are making every sacrifice in their power to do it, who forget their party in their effort to reach victory, who forget everything but their great, mastering purpose. But there is one thing those men will not do: They will not sit silent and accept mistakes and delays which they think may cause us to lose the war.

If it is their duty to support the administration as they have done, they will do it. If they think it is their duty to endeavor to improve conditions so as to help win the war, even at the expense of criticizing those in power in the administration, that criticism they will make. The Senator need not worry about the rising tide of partisanship. It will never rise as high here, on this side as it has risen in his own breast. We shall stand by the war and the administration, as we have always stood; but because somebody chooses to call us partisans we shall not withhold the truth, as we see it, from the American people.

The Senator says the utterances of Col. Roosevelt are treasonable; and he brings up——

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Missouri?

Mr. LODGE. Certainly.

Mr. STONE. I beg the Senator's pardon. I did not say they were treasonable.

Mr. LODGE. I understood the Senator to say that in substance. He said men had been arrested and prosecuted for less; and he read the case of a man who made a remark in the cars, I believe, for which certainly he ought not to have been prosecuted, and yet he is being prosecuted by the officials of this administration. If they think Col. Roosevelt deserves prosecution as much as that man, why do they not prosecute him? He is visible; he can be found. He is also audible, and—this is what makes his crime—he is also readable. [Laughter.]

Ah, Mr. President, the Senator undertakes to put criticism and disloyalty on the same basis. We all owe to the President of the United States, who is charged with these terrible responsibilities, all the support we can give him, and we have given it ever since the 2d of April. But our highest allegiance is not to the President. Our highest allegiance is to greater things than presidents or governments. Our highest allegiance is to the country and the cause; and if we see things going wrong we shall call the attention of the country to them if we can. We shall vote the President all powers, all money, as we have in the past; but if the money is wasted and the war delayed, if the powers are ineffective in the hands to which they are entrusted, we should be traitors, indeed, if we sat silent and allowed the country to drift to disaster because we were afraid that somebody filled with the exuberant patriotism of recently acquired appointed office would call us treasonable.

Mr. PENROSE. Mr. President, I do not intend to detain the Senate by any lengthy address.

I listened carefully to the remarks of the Senator from Missouri, and was greatly surprised to find that they were not more formidable than they were. When I read in the newspapers during my absence from Washington last week that in some way I was to be challenged by the Senator from Missouri, I wondered what offense I had committed that the statute of limitations did not fully cover. [Laughter.] My relations with him were so pleasant and agreeable during the framing of the revenue law, when we sat together for six or seven months looking at each other across the table, that I was greatly concerned.

The article in the paper which I read said that "Senator Stone, a prominent politician from Missouri"—I have the

article here in my desk—" has assailed the Senator from Pennsylvania in connection with a speech that he is about to make, entitled 'Politics in the War'"; and I was somewhat concerned. But after hearing what the Senator has said, and realizing what a disinterested political character he always has been during his long career, I am surprised at my own moderation, and I plead guilty to everything he has said.

I say candidly that I do not think political parties ought to be abolished or submerged simply because the country is at war. So far as I can ascertain it is the general consensus of opinion that a bipartisan administration of the war, such as we witness in England, has not been a success. I am entirely willing to see the Democratic Party go on with the conduct of the war, and I am still more earnestly willing that the Republican Party shall maintain its organization and its integrity, to support the administration in every patriotic and laudable way, and at the same time to act as a party of just criticism.

Mr. President, I consider criticism by the minority party a patriotic duty; for how else are we to remedy inefficiency and abuses such as we all know to have prevailed unless we call attention to them? It is not likely that the Cabinet officers and the heads of the bureaus and departments who are guilty of these inefficiencies will themselves call attention to them; and if there have been notorious instances of delay in our preparedness due to inefficiency, I, for one, consider that I am performing a patriotic duty in calling the attention of Congress and the country to them and urging the removal of those officials who do not seem to be able to administer the trying duties of their positions. That, Mr. President, I say I consider my individual patriotic duty, under my oath of office as a Senator, and primarily the patriotic duty of the minority Senators in this body.

Of course I favor the restoration of the Republican Party to power in the Nation. I have been sufficiently impressed with the inefficiency in administration which has existed during the past year to be fully persuaded. So far as I am concerned, that a better administration, possessing to a greater degree the confidence of the business people of the country and of the great mass of the citizens of the country, would be given under a Republican régime; and I certainly have the right, without being open to a charge of disloyalty, to do all I can not only to carry Pennsylvania—as it will be carried next November by an overwhelming majority—for the Republican candidates, but any other State where a Republican Senator can be gained; and I consider that in so doing I am promoting the cause of efficient government and of legitimate party government, which is the only kind of government that can prevail in a free democracy.

I do not see, Mr. President, that there is any divine anointment upon the head of Mr. Wilson. The Senator from Missouri talks as if he were the Government; as if, in some way or other, notwithstanding all the blunders that are committed in his name and under his auspices, it were treason and disloyalty to criticize him. I am greatly in doubt as to how long the Senator thinks this policy of silence should prevail. Is Mr. Wilson to remain in power forever? Is there never to be another person in the presidential chair to succeed him, in the interminable years that are ahead of us during the war and during the complicated processes of peace settlement after the war? Why, Mr. President, the life of the Republic is to criticize Mr. Wilson or any other official along legitimate lines; and if this administration is inefficient or has not the confidence of the people—and I do not think it has the confidence of the American people—let us have legitimate party discussion between the two parties.

There are many things that could be mentioned by way of criticism of the present administration that, in my opinion, would bring vastly beneficial results to the country during the present war crisis; but I have kept scrupulously silent in this body, not wanting to embarrass the administration in any way, and, with one or two exceptions, voting for every measure that was submitted by the various departments, in most cases against my judgment and my private opinion, simply to give them every opportunity to succeed, and fully realizing that sooner or later the hour of reaction would come and the door of criticism would be wide open and the country would know what it has for some time been entitled to know.

Were I disposed to take a malicious advantage of the opportunity afforded by the speech of the Senator from Missouri, I might proceed now—for he has invited it—to make indictment of the present administration in many aspects of its inefficiency, and present startling facts which I have known for a long time; but at this late hour in the day, not having had any advance notice of the contents of the Senator's speech, I shall not go into this phase of the matter at any length. It is sufficient to say, however, Mr. President, that the Senator's action here to-day has deliberately invited the minority to proceed with this criticism; and the ill-advised and radical action of Mr. Garfield, the Fuel Administrator, operating under an act of Congress, which I am glad to say I voted against, has afforded the occasion and the opportunity for criticism and investigation which from this time on I hope will proceed with unabated vigor.

I have often admired the statesmen in England during this war, Mr. President. They have never hesitated to speak bluntly and plainly on the floor of Parliament. If there has been mismanagement in a military maneuver or an expeditionary force in any theater of the war, they have not hesitated to take the public into their confidence, to remove the general or the executive who was at fault, to reorganize, and go ahead.

The Senator has referred to my criticism of Col. House. I am glad of this opportunity, Mr. President, to state that I was shocked at the time to hear of the make-up of the American delegation to the allied war council in Paris. I will not go into the details of who Col. House is. I will confine myself simply to stating how he is described in a newspaper. This article is entitled:

First Full Roster of Delegates to Allied Paris War Council—Col. E. M. House, Personal Representative of President Wilson.

Then the rest of the names are given, including such notable international statesmen as Oscar T. Crosby and Thomas Nelson Perkins. Then a list is given of the delegates from other nations.

Great Britain: David Lloyd-George, premier; Arthur James Balfour, secretary of foreign affairs; Sir Francis Bertie, ambassador to France; Sir Eric Campbell Geddes, first lord of the admiralty; Gen. Sir William Robertson, chief of the imperial staff at army headquarters; Admiral Sir John Jellicoe, chief of the naval staff; Sir Maurice Hankey, secretary to the committee on imperial defense.

France: Her foremost statesman, George Clemenceau, premier and minister of war; Stephen Pinchon, minister of foreign affairs; Louis Klotz, minister of finance; George Leygues, minister of marine; Etienne Clementel, minister of commerce; Louis Loucher, minister of munitions; Victor Boret, minister of provisions; M. Lebrun, minister of blockade and invaded region; Andre Tardieu, high commissioner to the United States; Jules Cambon, general secretary to the foreign office; M. de Margarie, director of the ministry of foreign affairs.

Italy sent her foremost statesman, Prof. Vittorio Orlando, premier and minister of interior; Baron Sonnino, foreign minister; Francesco S. Nitti, minister of the treasury; Count Bonin-Longare, ambassador; Signor Bianchi, minister of transports; Gen. Alfredo Dallolio, minister of munitions.

Japan: Viscount Chinda, ambassador to Great Britain.

Belgium: Baron Charles de Broqueville, foreign minister; Baron de Gaiffier d'Hestroy, minister to France; Gen. Rucquoy, chief of the general staff.

Serbia: Nikola P. Pachitch, premier and minister of foreign affairs; Dr. M. R. Vesnitch.

Roumania: V. Antonesco, minister; Gen. Iliesou, chief of the general staff.

Greece; Eliptherios Constantine Venizelos, premier and minister of war; Athos Romanos, minister to France; Alexandre Diomede, former minister of finance; M. Agyropoulos, governor of Macedonia; Col. Frantzis; M. Rottassis, naval attaché.

Portugal: Dr. Affonso Costa, premier and minister of finance; Augusto Soares, minister of foreign affairs.

Montenegro: Eugene Popovitch, premier and minister of foreign affairs.

Brazil: Antonio Clynthe de Magalhaes, minister at Paris.

Cuba: Gen. Carlos Garcia y Velez, minister at London.

Russia: Mathieu Sevastopoulo, councilor of the embassy at Paris; M. Maklakoff, ambassador to France (by special invitation and not officially, as he has not yet presented his letters).

Siam: M. Charoon, minister at Paris.

China does not appear in the list as given out officially.

All were represented by their prime ministers and America by Col. House, the personal representative of President Wilson.

Mr. President, it is strange doctrine that we have personal government in the United States, that Mr. Wilson is represented personally and not the American Nation or the American people. That certainly does put a most novel phase upon the diplomatic amenities and methods of the present war, which, I think, are most profitable for discussion. Under ordinary conditions, had it not been for the earnest desire of the foreign nations in their great agony to secure the help of this enormously rich and resourceful Nation, it is likely that they would have refused to admit Col. House and the distinguished statesmen I referred to, Oscar T. Crosby and his associates. They would hardly have sat down to confer with men who were not officially their peers. What must these foreign nations think with their trained statesmen when we conduct negotiations in

such a cheap manner through personal representatives of President Wilson? Wilson is not the American Government. This Senate is a part of the American Government. The House of Representatives is a part of the American Government. Mr. Wilson simply represents the executive branch of the American Government, and very frequently by no means the most important branch of it.

Mr. STONE. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Missouri?

Mr. PENROSE. Certainly.

Mr. STONE. The Senator is seemingly very much disturbed by the fact that the President selected Col. House as the head of the mission appointed.

Mr. PENROSE. I complain about the violation of all the amenities of diplomacy in sending a Texas politician as the personal representative of President Wilson to a conference of high officials. He should have sent the Secretary of State. I would not expect him to send a Republican.

Mr. STONE. I understood the Senator's attitude; but if the President was called upon, as he was, to select a man who would go to this great meeting in Paris to lay before that meeting the view of this Government as the President understood it, who should select that man—the President or some one else? Of course, if the Senator from Pennsylvania had selected him it would have been some one else; but the President selected Col. House, and according to the reports in the papers that have been cabled over here, and from what we have heard since Col. House returned, his service was a valuable one and a capable one and an exceptional one.

Mr. PENROSE. The humblest consular officer has to be confirmed by the Senate. He goes forth to foreign lands representing the great American Republic. I have never heard in the history of America of a President of the United States sending a personal representative. I have heard of czars and kaisers and kings doing it, but we are supposed to be in a world-wide contest for democracy, and these are not good democratic methods.

Mr. STONE. But the Senator——

Mr. PENROSE. Will the Senator let me finish, and then I will let the Senator take all the time he wants?

The PRESIDING OFFICER. The Senator from Pennsylvania declines to yield.

Mr. PENROSE. I maintain that the Secretary of State should have been sent to that important conference. I maintain that Col. House, so far as I know, is under no obligation of office. He holds no office. He is some kind of a mysterious traveler, with his expenses paid from a contingent fund, and has no official relation to the American people, and it was a violation of every propriety to have him thus unofficially sent to this conference and was calculated to make us lose standing and character before the peoples of civilized Europe.

Mr. STONE. May I interrupt the Senator now?

Mr. PENROSE. I will yield for an inquiry, but not for any long statement.

Mr. STONE. Well, as far as the Senator will indulge me. He complains that Col. House was a personal representative of the President. I ask the Senator if he is not catching on some newspaper story——

Mr. PENROSE. Every paper in the United States discussed his status.

Mr. STONE. The Senator is giving newspaper representations or characterizations of Col. House as the personal representative of the President. I venture to say his commission did not read in that way. I venture to say it read just like that of Mr. Crosby and Gen. Bliss and Admiral Benson.

Mr. PENROSE. They were not at the head of the commission; they were side lights.

Mr. STONE. No; he was named as the head of the commission, I assume, but not as the personal representative of the President. However, it is common talk around that Col. House is the personal representative of the President.

Mr. PENROSE. Can the Senator inform me who he is and what he does represent?

Mr. STONE. Yes; I can tell you.

Mr. PENROSE. If the Senator knows him very well, I would like to have a little sidelight on the colonel. [Laughter on the floor and in the galleries.]

The PRESIDING OFFICER. The occupants of the galleries must preserve order.

Mr. STONE. Col. House is a prosperous and successful——

The PRESIDING OFFICER. The Senator from Missouri will suspend for a moment. The occupants of the galleries must preserve order or the Sergeant at Arms will be instructed to remove visitors from the galleries.

Mr. LEWIS. Mr. President, I rise to request that the Presiding Officer shall inform the occupants of the galleries that the rule of the Senate is contrary to that of the House, that where the House allows displays we have no such rule in this body.

The PRESIDING OFFICER. I think the occupants of the galleries have been so advised.

The PENROSE. They have been advised for the last 130 years, Mr. President.

Mr. STONE. And without result.

Mr. PENROSE. Without effect, and they will be advised for another 130 years to the same effect.

The PRESIDING OFFICER. The Senator from Missouri is recognized for an interruption.

Mr. STONE. The Senator from Pennsylvania asked me to give him a little side light on Col. House. If I thought it necessary, I should indulge him with that performance, but I do not think it is necessary to say more than a word or two.

Col. House was a very successful business man in Texas, and it is to his credit to say that he wrought out a great career in the great State of Texas. He was a success as a business man. He accumulated sufficient of the world's goods to live in leisure if he desired to do so. He is a friend of the President. The President knows him. The President esteems him as a man of exceptional ability. He has sent him on various missions. They are intimate friends. The President thinks that here and there on important occasions he is the best man he can designate to perform an important public service.

Mr. PENROSE. Where did he get his military title?

Mr. STONE. I do not know.

Mr. PENROSE. I am curious to know. I want to get his full pedigree.

Mr. STONE. I do not know. In Missouri and elsewhere I meet so many men who are called colonel——

Mr. PENROSE. They are numerous in some of the Southern States.

Mr. STONE. They are very numerous.

Mr. LEWIS. If the Senator will allow me, if the Senator is serious in his inquiry and the information is at all important, the Senator may be advised that the title of "colonel" is that which was granted him by the governor of Texas, serving on the staff of the governor of Texas in the office of colonel. And, Mr. President, if the Senator will still allow, I beg to suggest at this time that that title as applied to many eminent gentlemen in every State of the Union is never used with disdain nor contempt when it has been obtained in that honorable manner.

Mr. PENROSE. I thank the Senator from Illinois for his interesting contribution to the discussion.

Mr. LEWIS. Let it be added, and also an informing contribution.

Mr. PENROSE. Yes, informing. I have no doubt if Col. House had an opportunity to display his military genius he would equal Napoleon or Cæsar, but doing a peculiar line of inquiry in Europe as the personal representative of the President and keeping under cover seems to be more in his line instead of going over the top. But I do not criticize the colonel's private life, his ancestral pedigree, or his business career. I object to the method of the transaction. I would not care who it is. I think the person sent by this great Republic in the hour of the agony of those nations to join in that conference should, at least, have been a man who had taken the oath of office to support the Constitution of the United States, and who had had some public career that inspired confidence on the part of the American public——

Mr. STONE. May I again——

Mr. PENROSE. And not a lobbyist from Texas, as I am informed the colonel was.

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield?

Mr. LEWIS. That statement of the Senator, Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Missouri?

Mr. PENROSE. I am always glad to yield to the Senator from Missouri.

Mr. STONE. The Senator thinks that there ought to have been appointed to the head of this mission some one who had at least taken an oath of allegiance to the United States?

Mr. PENROSE. Yes, sir.

Mr. STONE. Mr. Root was appointed at the head of another mission of equal importance, and he did not take any oath, and I did not hear any complaint of that, nor did any member of the commission accompanying him take any oath.

Mr. PENROSE. Mr. President, Mr. Root was appointed on a mission to Russia and went over there to investigate. Here is an official sent to meet 10 or 15 delegations from nations, all of whom were represented by their prime ministers and our great Republic by a Texas colonel who made a liberal contribution to the Wilson campaign committee. He may be a

very fine man, but we are under the observation of the civilized world to-day and are subject to a considerable amount of criticism, and I have no doubt of the secret contempt on the part of some foreign diplomats. When a cheap thing like this is done, I think it is a patriotic duty to call attention to it, so that our diplomacy shall not still retain the brand of the chautauqua lecturer or a Texas colonel.

Mr. President, I was the author of one of the resolutions last summer to which the Senator from Missouri has referred. The so-called public information bureau gave out ridiculous and bombastical accounts of some terrible battle in mid-ocean with a submarine which turned out to be largely a figment of the imagination of the head of the bureau, and at the request of nearly all the members of the press gallery of this Chamber I took my life in my hands and offered a resolution to ascertain the names of the employees of the Creel Public Information Bureau. That resolution still is on the calendar, and I can not get it up. It seems that the enemy might get valuable information if some of the high salaries paid in the Creel Publication Bureau should be disclosed, and whenever the resolution is reached on the calendar some Senator on the Democratic side gets up and objects. I fail to persuade myself that the list of the names and salaries of the high-class literary artists and dope distributors, as the Senator from Missouri would describe them, sent to the Senate would give any valuable information to the enemy, and I hope I will be discharged from the suspicion of treason by reason of having offered that humble little resolution.

The Senator has invited this discussion, and I could make myself very disagreeable if I wanted to. It is currently reported in the public prints that he made his speech contrary to the urgent request of many of his colleagues, and so far does that opinion prevail on his side that one of his Democratic associates actually charged me this afternoon with having instigated the Senator from Missouri to make the speech, as being in some kind of collusion with him, all of which I want emphatically to deny.

But the Senator took me to task for criticizing the character of men appointed as inspectors of explosives. That might seem like a minor matter, Mr. President, when we have just been discussing Paris conferences and international matters, yet often we can learn a lesson from a little thing.

The law requires the appointment of an inspector of explosives, one in each State of the Union, at a salary of $2,400 and expenses, to be confirmed by the Senate. It is a place of some importance else why was it created? It was not necessary to have Col. House confirmed, yet it seemed important to have the explosive inspectors confirmed, and their duties, as I ascertained from reading the law, seem very important in States where there are any explosives. Of course there are some States, like North Dakota, where there are no explosives in the State, but in Pennsylvania, which is a mass of explosives from the head of the Ohio to the Delaware, it looked like a proposition where the office was of some importance, particularly as it is not unusual to have an alien enemy engaged in the attempt to blow up some plant. One of the duties after an explosion is for the inspector to visit the works and ascertain the cause and travel around the State generally at the expense of the Government.

I have refrained from making any recommendations to the present administration, realizing that as a member of the Republican minority I have no status, but I did undertake a civil inquiry for information, not with any desire to get an inspector of explosives appointed, but merely to ascertain the situation so that I might be able to advise a very large number of manufacturers who kept writing to me as to what was going to be done. I called up the Bureau of Mines and asked them how these appointments were to be made, whether by a civil-service examination or from graduates of a technical college or from men experienced in the manufacture of these articles. I was told in cold-blood by some gentleman at the other end of the telephone, and I have two witnesses to the conversation who were there, my secretary was one of them, that these men were to be appointed in States where there were two Democratic Senators, upon the recommendation of those two Senators; in States where there was one Democrat and one Republican Senator, on the recommendation of the Democratic Senator; and in States where both Senators were Republicans, upon the recommendation of the chairman of the Democratic State committee. That does not seem exactly to chime in with the views of the Senator from Missouri about a nonpartisan war.

Still I did not make any objection to the information; I let it go at that; but my curiosity led me still further, and I hope I was not guilty of treason nor disloyal to the Wilson Government in being curious. I believe that ought to be the proper name to term it now, the Wilson Government, not the American. I had curiosity to find out who had been appointed, and I discovered in Pennsylvania that a gentleman who had been engaged in the honorable occupation of selling Hire's root beer at retail was the inspector of explosives, and admitted that he did not know a thing about it, but if there was any hard work connected with it he would not take it. The Senator from Arizona was extremely solicitous to have his inspector acted upon immediately, and I discovered from several hundred letters from the State of Arizona that he was a cigar maker. My colleague from Connecticut will bear me out, I expect, in the statement that the inspector of explosives in Connecticut, which is full of ammunition plants, is an ex-saloon keeper, showing that while temperance rules in Pennsylvania rum is not an objection in Connecticut. In Indiana the chairman of the Democratic Party appointed the superintendent of his farm as an explosives inspector.

Can the Senator from Missouri blame me for introducing politics into the war when I express my opinion about the scandalous character of appointments made to these important offices, 48 altogether, all Democrats, all cheap and small Democratic workers in their various villages and towns without one vestige of qualification, and not on the recommendation of the duly elected and accredited people in the legislative branch of the Government, all of us supporting the war patriotically and disinterestedly, but upon the recommendation of Democratic politicians in Republican States. The Senator has queer ideas about politics in the war if he can overlook things like that.

I intend later on, Mr. President, for I have had it in my mind for a long while to address the Senate on the mistakes and inefficiency in the conduct of war, but I have not wanted to do it before it was necessary. I shall do it at a comparatively early date. I can not do it this afternoon; the subject is too vast, but there is no question about it. Why disguise anything from the country? It is known to the enemy that the inefficiency has been deplorable. While 25,000 or more men were killed every day and $50,000,000 or $100,000,000 have been spent in shrapnel and the expenditure of other munitions of war, the Secretary of the Navy, it is well known, would take papers home every night for three months at a time, delaying the decision of questions with his pettifogging economies. While this enormous expenditure of life and money was going on, I venture the assertion, without fear of contradiction, that his ignorance of business conditions and infirmity of purpose led him thus to procrastinate about what could have been settled in three days by any half dozen business men in the United States, whether Democratic or Republican business men.

That is one of the causes of this unpreparedness, and why disguise it? I hope to show this situation in detail later on in the winter, with a view to correction.

The Secretary of the Navy has been educated at the expense of the Government for six years, at a cost of many hundred million dollars. It may be that the Navy is getting along a little better now than the War Department, but the inefficiencies in the Navy Department are equally notable. When conditions in the cantonments are shown to the Senate and House it will not be a commendation of efficiency of the War Department. I am told on good information, upon which I entirely rely, that the outbreak of pneumonia is wholly due to the inability of the volunteer surgeons here in Washington to persuade the Government officials to use the ordinary modern methods of preventing pneumonia.

Now, we have this final disastrous outbreak—this fuel order. Who is the fuel controller, Mr. President? A college president who never saw a coal mine, probably, in his life and knows no more about coal than when he sees it burn in the stove. His appointment was not calculated to inspire confidence among the business men of America, particularly the coal operators. Certainly technical knowledge is of some importance to the Government. Mr. Garfield may be an admirable scholar, conversant with the classics in Latin and Greek and ancient history, but he is decidedly short on his knowledge of coal. He makes an order overnight. Without taking the public into his confidence, without giving them any notice, without discussing the matter, contrary to the advice of the Senate, he addresses an order which is more radical and unsparing than any edict of the most despotic government in the world.

In the great State which I represent the greatest confusion and resentment prevail on every side, and men wonder to what deplorable depths of inefficiency the American Government has got and what effect this radical action will have when it is known in Germany and in other nations. Certainly criticism of this order is not going to give the enemy any more information than he has.

I am not going into the coal situation at this time, but, in my opinion, there has been no necessity at any period for a shortage of coal in the United States. Last summer the coal operators met here in Washington from some 33 States producing bitumi-

nous coal, and they met the Secretary of the Interior, Mr. Lane. After three days' conference Mr. Lane suggested a rate of $3 a ton. The operators agreed to it, and never in the history of the Government were a body of men addressed in terms of greater eulogy in commendation of their patriotism and of their liberal spirit than were these men by Mr. Lane.

But hardly was the ink dry on the agreement when Mr. Daniels and Mr. Baker came in and upset the whole arrangement. The situation was reduced to hopeless confusion. The operators went home disgusted and demoralized and hopeless; profiteering and high prices again prevailed on every side, and the situation seemed to be incapable of correction. Congress passed the control bill, and the Government fixed prices for coal which, in many of the States, reduced the maximum of production. Coal became scarcer and scarcer, because the price was such that it could not be produced. Later on, of course, the railroad system of the country became broken down completely, and the transportation complications followed.

Mr. President, I want to say here that I do not think, in the few months we have been in this war, we have ever reached the point where it was necessary to interrupt the ordinary normal currents of commerce, trade, and industry; but somehow or other we have become obsessed with fads, and everything we read of having occurred in some much smaller country abroad is copied and brought to the Capitol by some bureau clerk, and we pass it without question. I think the time has come when that should stop; and there will be no politics injected in the war when I, as I have no doubt others will, challenge any further such legislation.

We fought the Civil War, which certainly tore the Nation to the very vitals, without all these things, and we are in no such situation to-day We are not invaded; our people are not plunged into the agony and the peril of France and Belgium up to the present time. Perhaps in many respects the war has been of benefit in a strictly selfish financial way from the point of view of enormous orders from foreign Governments to our industrial establishments, and from the fact that we perhaps will get a merchant marine, a Navy, and a National Army, such as we never would have got if we had not had the prompting and the necessity of the war. When the Civil War began the North had no navy; but within one year we had flotillas covering the Atlantic seaboard, the Mississippi River, and the Great Lakes.

If we had resorted to all the complicated shipping boards and diverse authorities and complicated crossing of wires that exist to-day, making "confusion worse confounded," we would not have had that Navy at the end of a year. I believe we could have got along very well up to the present time by letting things proceed in the normal way; to have invited bids for steel products and coal and other commodities; to have awarded them at prices which would have kept up the maximum of production and which would have insured promptness of delivery; and then, if the profits had been too great, to have reached out with the strong arm of the taxgatherer and taken them back. When your house is on fire promptness of action and maximum of production in the way of water or anything necessary to put out the fire is what you want. A saving of a few hundred million dollars, if, forsooth, for the sake of argument, that amount were saved, would be no economy when it meant delay and reduction in maximum production while these enormous expenditures in treasure and in life were going on every day.

I certainly think that it is to the benefit of the American Government and a patriotic duty to call attention to these things. So far as I am concerned, I am making a careful study of them and getting ready to call attention to them very fully. If, later on, the exposure of some of these things will lead to their correction, I shall feel that the task has not been in vain, and if at a later period it means a change of administration I shall not, perhaps, shed a tear.

I am at a loss to know what the Senator from Missouri has had in his mind in inviting this discussion. It would seem to indicate that the Senate really has no important legislative business before it just now, owing to the condition of business in the other House, and that perhaps we might as well adjourn over until the end of the week.

Mr. LEWIS. Mr. President, I beg to impose upon the Senate but for a moment, that I may correct impressions that have been left by the Senator from Pennsylvania [Mr. PENROSE] in the speech he has just concluded.

Mr. President, I have no purpose to enter into anything that may be called a partisan discussion. There is no one on this floor more than myself who has sought to avoid anything that could be colored with the charge of partisan prejudice. As I shall not enter upon it, I shall not invite it; but if it is put upon us, I will not shrink meeting it with such humble capacity as I might offer to oppose it; or if, sir, it shall be injected into the form of unjust indictment, and what I must term partisan and malicious impeachment, unjustified by facts, I shall denounce it and to the extent of my capacity vanquish it. If I am unable to serve with success in that respect, I can at least expose to the public such facts as from which the public itself can at least learn the truth and be just—that to others it may do justice.

At first, Mr. President, I desire to invite the attention of the Senator from Pennsylvania to his professions of cooperation in the Government service and to ask him, while he boasts, with a literary satire envied by the less gifted of nonpartisanship in the discussion he presents upon the officials of the Government, and while he acclaims a desire to aid the Government in upholding its officials, to consider of the reflections he has cast upon the Government envoy, Col. E. M. House. Will the able Senator not recognize that nothing can so much frustrate the real object for which Col. House went abroad or make unprofitable the service he rendered as the criticism from a United States Senator—from an honorable Senator from so eminent a State as Pennsylvania—holding him up as a man unworthy of the respect of this body, unentitled to the confidence of his country, and unfitted in mental stature to the dignity which the President has given him? What is more calculated to destroy the very object which he went to serve, to take from it the dignity which the Senator claims it should possess, and wrest from it completely all results, than the attitude of the eminent Senator from Pennsylvania in his voluntary assault upon a man who is so situated that he can not speak for himself in this Chamber, and who, I dare say, has in no wise ever inflicted the slightest affront or even discourtesy upon the eminent Senator from Pennsylvania.

Mr. PENROSE rose.

Mr. LEWIS. The Senator rises assumably to interrupt me. I now yield to him.

Mr. PENROSE. The Senator from Illinois was not stating my position correctly as I have stated it. If he prefers, however, I shall wait until he has concluded. Otherwise I shall try to correct him in a few words.

Mr. LEWIS. I shall be pleased to have the Senator interject anything at this time which he thinks essential or that might correct me if I am in error. I will say to him it may be now that I have betrayed to him the way that his attitude really appears, and that if he did not intend to present it in that way, and will gather from my presentation the way his arraignment will address itself to the country; if he has a new construction of his conduct, let him impart it to the country. I do not need correction to understand him.

Mr. PENROSE. The Senator does not quite yet understand me. I want to say, Mr. President, that I can hardly think Col. House is such a delicate piece of bric-a-brac that he must be kept under a glass case, protected from the contamination of criticism. All strong characters thrive on criticism, and it is not going to jeopardize his standing in the circles in Europe because I have called attention to what I consider a diplomatic irregularity in sending over as the head of a mission to meet the prime ministers of every other country, not the representative of the American Government but Mr. Wilson's emissary, his personal representative, without his even being under an oath of office or holding any office that I know of except to have his traveling expenses paid out of some contingent fund. I said nothing against Col. House personally.

Mr. LEWIS. Mr. President, I can readily appreciate how the distinguished Senator must, upon second thought, realize that his attitude calls for defense, and out of a charity of friendship long existing between us, if it were in my power, I would erase from his record that which he has performed to-day, knowing that he will at some time confront it with an honest character quailing as before a guilty thing.

Mr. President, I invite the Senator to recall what he did say. If this man House had been before the Senate on confirmation for some position before he had entered upon his task, the Senator would have been justified in expressing rumor or gossip, but when Col. House had served the Nation abroad—had finished his mission—then, to have the eminent Senator refer to him as a "Texas lobbyist" and say that he has been given information that such was his character, stamps him before the world in that category ever reprehensible, indeed contemptible, before the mind of modern statesmanship. It addresses statesmen of an exalted altitude, and informs them, as from the Senator, that it was such an obnoxious character that the President of the United States chose as his personal representative in matters of gravest world concern.

Mr. President, I now demand of the Senator, sir, what proof has he to justify himself on his honor in this place to have

justified that impeachment against an honorable citizen and upon which he asserts that accusation against a public representative of this Government?

Mr. PENROSE. Mr. President, the Senator from Illinois takes the matter entirely too seriously. It seems to me I touched lightly on a few phases of Col. House, more with a view of endeavoring to discover his training in diplomacy through his life than for any other reason. I thought perhaps his service on the staff of the governor of Texas might have given him a diplomatic training, and hence those inquiries. It may be that contact with the Texas Legislature developed his powers of discernment and ability to influence other men for purposes of his own. It was more in a light vein that I touched on that. The main thought I had in mind must be obvious to every Senator, that when we send a man over to meet the prime ministers of other countries they should meet their peer officially, and he should be a man not representing Mr. Wilson or any other individual member of the American Government but the whole American Government.

Mr. LEWIS. Mr. President, I have listened to the Senator from Pennsylvania in his deliberate delivery with patience—partly with admiration for adroitness, some amusement at the ridiculous, and a great deal of regret upon his conclusion, but I have not heard him say that he could offer any evidence to justify the charge that Col. House, who had been commissioned by this Government, was a "Texas lobbyist." If the Senator meant that casually, and if it is the habit of the Senator to insinuate insults upon any gentleman merely because he might serve a Democratic administration, he should confess that slandering a man was to him but playfulness, he owes it to the man or he owes it to this body to withdraw the charge and apologize for uttering it. If the Senator does not withdraw it, then he stands still asserting it without proof, without information, without justification, and in contempt of the honor that he owes a gentleman.

Mr. PENROSE. Mr. President, the term "lobbyist" is not necessarily one of opprobium. In many of the States now they license lobbyists. Doubtless in Texas they recognize lobbying as a regular profession, like lawyers who come here to appear before committees; they are not exactly lobbyists, they are lawyers. I am not very familiar with the technical definition of the word "lobbyist," but I have been told frequently by a number of gentlemen in whom I have great confidence that Col. House had a mysterious, hypnotic influence over the Texas Legislature.

Mr. LEWIS. Mr. President, when the distinguished Senator from Pennsylvania, the Hon. BOIES PENROSE, makes the confession that he is not advised as to the meaning of the word "lobbyist," he indulges in more humor than has heretofore characterized what has generally been regarded a most humorous performance, to wit, a PENROSE speech on the floor of the Senate. [Laughter.] The eminent Senator can not hope to have me accept that modest confession. It is because I know that there is no man in public life who is so well informed as to the meaning of the word "lobbyist" and who understands better the opprobrium it conveys than the Senator that I draw him to account and ask him if he will not withdraw the impeachment, knowing, as he must know, from all forms of experience, personal and political, the criminal character that that word invariably gives to any man to whom it is appended? I now, therefore, say that the eminent Senator should not have made such accusation. When he now admits, by his silence, that he has no proof of it, and then tells the Senate that from common, current rumor somewhere, some place, or from some man, whose name he does not give, he was willing to make such a characterization, he but impresses us of how true is the sentiment expressed by the great bard:

> No might nor greatness in mortality
> Can censure 'scape; back-wounding calumny
> The whitest virtue strikes. What king so strong
> Can tie the gall up in the slanderous tongue?

Mr. President, the Senator asserts upon a statement which he said he read in the newspapers that this gentleman, Mr. House, was sent as a "personal representative" of the President. I do not know in what particular capacity Col. House was commissioned. I, sir, have not been advised as to the wording of the commission of the delegation which he headed. I take it, as the Senator from Missouri has said, that possibly they were all commissioned to the same extent of authority. But, Mr. President, it does appear that from time to time Col. House was designated to certain, I might say confidential, undertakings, and that before the matter to which the Senator from Pennsylvania now refers had arisen, this gentleman had gone abroad upon errands in behalf of the Government of important nature. This was at the behest of President Wilson.

Now, I say to the Senator from Pennsylvania—and I ask of him most considerate attention—when he announces to the world from this great place and from his splendid elevation that this act on the part of the President was without precedent and in violation of the rules of Government, so much so that he would impeach it as unworthy the credit of his country, I invite him to the history of his land, and I recite for his information a few appropriate details: First, when Abraham Lincoln, the President of the United States, a Republican, had occasion to confer and consult with a set of gentlemen coming from abroad, who emboldened themselves to enter into the affairs of this Government to suggest matters of peace, did he name a member of his Cabinet, did he name an official of the Government? On the contrary, he chose as his personal representative his personal friend, a distinguished lawyer of the American bar, who had up to that time never held official position or station in America. President Lincoln not only did this in that instance, but afterwards, when that distinguished President was called upon to deal with a foreign affair of great and vital concern to America, he chose another private individual, by the name of Judd, of the city of Chicago, whose only entrance into politics previous to that was as Lincoln's personal friend and sponsor. Subsequently that gentleman was made minister to Prussia, as the Senator may recall in history.

I now invite the Senator's attention to the fact that when Grover Cleveland called a man named Blount, from the State of Georgia, and gave him what was called "paramount" authority and sent him to Hawaii to adjust the concerns of that island, an assault was made upon the appointment upon the floor of the Senate upon the ground that no such power to so do was in the President. Then partisan prejudice charged that Cleveland had committed an offense to Government in not sending the name to the Senate for confirmation. A committee of the Senate investigated the subject. At the head of that committee was no less a person than the eminent dead statesman and eminent lawyer, Senator Hoar, of Massachusetts. To the Senate a report was made. That report is extant and accessible to the distinguished Senator. That report sets out the justification for the act of Mr. Cleveland, citing the act of Mr. Lincoln, and referring, I may say to the distinguished Senator, to 11 consecutive instances in the history of this Government where just such an agency had been availed of as that employed by President Wilson in the matter of Mr. House. The reason for this course is to allow the President of the United States to choose a person in whom he has such confidence and of whom he has such knowledge that he can convey to him in a confidential way difficulties and matters of public concern which it might not be wise, or at least profitable, to betray at the time to the public mind. When the eminent Senator from Pennsylvania seeks to leave the impression upon the European world, hearkening to his utterance, at this critical hour that we had done something which to the American public was without precedent—an insult to diplomacy, an affront to the history of our Government—I appeal to him that he study the history of the diplomacy of America, that he again recur to the pages of the records of legislation, and inform himself on these things before he feels emboldened to make indictments without evidence and without information.

Mr. President, so far as I am concerned, I am not defending Col. House, the man. He needs no defense as citizen and man. I have but a kindly acquaintance with the gentleman, in no wise a confidential relation. I am speaking of Col. House, the appointee of the President, that it may not be held up again by any one nor by the Senator from Pennsylvania—charged again that the President of the United States did that which historically was not justified or that he honored a gentleman who in himself was not wholly worthy.

Mr. PENROSE. Mr. President, will the Senator permit a further correction?

Mr. LEWIS. I yield to the Senator from Pennsylvania. I wish to do him no injustice, and, if it appears that I have misquoted him, I prefer a correction.

Mr. PENROSE. There is a great difference, Mr. President, between sending a commissioner to some island to perform a certain mission—although I share the opinion with others that in the case referred to the proceeding was irregular and should not be repeated often—and sending a man or a delegation headed by that man to meet 10 or 15 distinguished representatives of foreign governments. If, for instance, the French Parliament should send some of the employees of that body to meet the Committee on Foreign Relations of the Senate, they would doubtless exclaim that they were entitled to meet the members of the French Parliament who were on a similar committee. I do not say this in any way to the detriment of the employees of the legislative body; they are often more useful

than some of the actual legislators, but they are not legislators. I claim that the dignity of the American Government and the decency of diplomacy required that a duly constituted commission, not these other gentlemen, should have represented America.

Mr. LEWIS. Mr. President, of course each time the Senator makes explanation it is in the form of an apology for his previous utterances, which, apparently, he will not admit as an apology, but is willing to have the country understand that he wishes to withdraw his previous assertion by correcting it with a second. His apology in this respect I do not interfere with nor would I prevent, but this much I will have him understand, that the able Senator seems to misapprehend the mission of which Col. House was the head. It was a mission to aid in concentrating the different agencies having to do with the expenditures of the allied countries in Europe and those of the United States. I advise the learned Senator that Mr. House, having previously been abroad serving the Government, was the one man in all America who had the personal acquaintance of these eminent foreigners to whom the Senator has referred and whose names he has read. By these men Col. House had been received upon two separate occasions. He had been a guest at their homes; by these he had been received in official station. He knows them intimately; they knew the trend of his mind; they knew the course of his thought; they knew the habit of his silence; they knew the security of conversation with him; they knew more—that he carried with him the mark of approval of the President of the United States. What man more appropriate than one who had been so trained, as he had in previous undertakings, and so tried, and so personally known to them, could the President have named? It was because of these claims of superior fitness on the part of Col. House that he was named. What Senator now will impeach the selection?

Now as to Mr. Crosby. I do not know Mr. Crosby personally. I think he is a Virginian of very high standing. I understand he is a gentleman of learning; that he has been long an officer of the Army, has been stationed abroad. He is a linguist. He has held several offices abroad and at home, and at present in the Government is Assistant Secretary of the Treasury. Surely the eminent Senator will recognize that in that particular position he was most fit to make an expression as to expenditures of the Treasury, which was the object of that gathering.

But I shall not enter at this time, sir, upon any defense of the gentlemen who made up the commission. My only purpose was to give the able Senator to understand that he had fallen into a very grievous error in his wrongful misrepresentation of the President, as well as of his envoy, Mr. House.

Mr. President, I will not trespass upon the time of the Senate longer, except to say that the Senator from Pennsylvania promises the Senate that at a future early day he will enter generally upon an indictment as to all the matters which he feels are the shortcomings of the administration, particularly as to the conduct of the war. When that time arrives I take it there will be Senators on both sides of this Chamber who will see that justice is done to those to whom an injustice may be done, if such shall be, by the Senator from Pennsylvania. But, Mr. President——

Mr. PENROSE. Mr. President, will the Senator, as a part of that program, help me to get through a little resolution I have offered requesting the names of the gentlemen and lady employees of the Creel Literary Bureau?

Mr. LEWIS. Mr. President, I can understand from the Senator's——

Mr. PENROSE. Will the Senator help me get that resolution through?

Mr. LEWIS. I can understand from the Senator's general social habit that his desire to get the names of the lady members might be personal. [Laughter.]

Mr. PENROSE. If I were capable of exciting the admiration of the fair sex like the Senator from Illinois, I would be rejoiced; but the day would not be long enough nor would I be skillful enough or have the artistic temperament to adorn myself like the Senator from Illinois so as to attract the fair sex. [Laughter.]

The VICE PRESIDENT. The galleries must remember that there is a rule of the Senate to the effect that neither approval nor disapproval can be manifested in the galleries, and that it is the duty of the Chair to clear the galleries if it does not cease. That order will be enforced on repetition of any manifestation in the galleries.

Mr. LEWIS. Mr. President, amidst the uproarious acclaim of the Senator from Pennsylvania in the galleries—a source to which he usually appeals by his speech, and seldom to the reason or wisdom of the lower floor—I lost much of his animadversion; but I take it that the last part of his remark was that he could not compete with me touching progress toward the lady members of the Creel cabinet for lack of ability of self-adornment, or adornment of himself by himself, or something of the kind. Let the Senator understand that if it is a matter of adornment that is attractive, I, poor me, would have to apply that to myself. He can lay the unction to his soul that nature has been so generous to him as to give him those courtly proportions that need only present themselves to the sight of a lady to have her succumb to immediate surrender. [Laughter.]

The VICE PRESIDENT. The Sergeant at Arms will clear the galleries if the outbreak of laughter and applause is repeated. The Senator from Illinois will proceed.

Mr. LEWIS. Now, Mr. President, I come to the Senator's observation of some moments ago. I will say to him, touching his resolution, that I really am not on the committee that has charge of it. I do not know what committee has jurisdiction of his resolution. I would aid him in any way to get out any resolution or any undertaking that he felt was important.

Mr. PENROSE. It is on the calendar.

Mr. LEWIS. And I trust that any resolution he may have hereafter will be one to be exactly fair, made personally to himself, and just to mankind.

Mr. President, I heard the Senator from Massachusetts [Mr. LODGE], who preceded the Senator from Pennsylvania, advert to the claim—and the charge will go out to the country through the enterprise of the American press—that the President of the United States had made appointments of persons whom the Senator from Massachusetts designated as incompetents, and referred to them as lacking the character of any form of capacity, and as being distinctively partisan. I fear, Mr. President, the eminent Senator from Massachusetts did not recall the roll of appointees. It is most unfair to leave upon the country the impression that President Wilson has made partisan appointments connected with the control of the Army or the execution of the law. Surely, sir, the Senator from Massachusetts might recall with satisfaction to himself that the very first officer named that the President had the right to designate was Gen. Pershing, in supreme charge of the Army in France, an eminent Republican, who made very free his opposition to the policy of this administration on the Mexican question, where he had a right to do so. That immediately afterwards the President named Gen. Bliss, of whom it must be said, from his frank statement, aside from voting for Grover Cleveland, that there has been no exhibition that he was a Democrat in any way whatever. And in this connection, sir, it will not be overlooked that Gen. Goethals has received two different appointments—an eminent Republican, a distinguished soldier, who in no wise is a Democrat. When we sent the commission to Russia we put at the head of it ex-Senator Root, former Republican Secretary of State, former Republican Senator, a gentleman eminent in letters and in the law. We sent Col. John F. Stevens, the appointee of President Taft in connection with the Panama Canal Commission, and who also held his honors under President Roosevelt. These were not Democrats.

Mr. President, it will not be forgotten also that in naming Mr. Hoover at the head of the Food Commission the President appointed a man who was not a Democrat, who was not a member of the Democratic Party, and who can not be said to be such.

Dr. Garfield was a Republican. He is the head of the Fuel Administration. He ran for Congress, was his party's candidate, and was from time to time presented by that honorable party.

The eminent Senator surely, as to these gentlemen, can not turn upon us and say: "These eminent gentlemen represent the Democratic Party." They can not be said to be Democrats nor partisans, nor can it be said that the President named them as incompetents or "nomads of politics," as the eminent Senator from Massachusetts would have us understand.

Then, sir, on the financial board there is Mr. Julius Rosenwald, of Chicago, who was the head of the finance committee of Mr. Taft's campaign. With him, sir, is Mr. Shaw, of the Economy Commission, the chairman of the Taft business men's finance campaign. Then, sir, comes Mr. Davison, of Morgan & Co., of New York, a Republican; and Mr. Vanderlip, who was the treasurer and practically the head of the financial resources of the Republican campaign in three different campaigns, apart from being an officer of what I may term the Republican machinery of the State of New York. Surely these gentlemen can not be said to be Democratic appointees.

Mr. PENROSE. Mr. President, will the Senator permit an observation on that point for the purpose of elucidating his statement?

Mr. LEWIS. Certainly. I yield to the Senator.

Mr. PENROSE. Those gentlemen are the salvation of the situation. They are here as volunteers—what are known as dollar-a-year men. They are devoting their time, at the sacrifice

of their business, to the welfare of the country. If they were not here, and the officeholders alone were here, a very different story would be told.

Mr. LEWIS. Mr. President, as far as I am concerned, I would not detract from any glory of these gentlemen if I could. I am delighted that they enjoy it justly. I am pleased that my Government can obtain the benefit of their services, of whatever nature they may be. But I can not permit in one breath the Senator from Massachusetts to make the charge that we have named no man of consequence or fitness from among Republicans and that nothing has been shown but incompetency, while on the other hand the Senator from Pennsylvania takes credit to his party because of the creditable character of the men we have named to the public service who are Republicans. The inconsistency is too glaring.

Mr. PENROSE. Mr. President, if the Senator will permit a further observation——

Mr. LEWIS. I yield to the Senator.

Mr. PENROSE. What the Senator from Massachusetts meant, I take it, was that during this war the administration has appointed to office—using the word "office" in the technical sense—no one who was not a Democrat or a so-called Republican who voted for Wilson, and that the situation has been saved from utter breakdown and demoralization by these so-called volunteer boards, through which some of the greatest men in America have come here to try to help the administration out of the holes in which it found itself.

Mr. LEWIS. Mr. President, as an indication that he is in error, the Senator probably has overlooked the fact that the chairman of the campaign committee seeking to elect Judge Hughes, his candidate, for President, was lately named to a very responsible place on the railroad board with the direction of the President of the United States. I refer to Chairman Willcox.

Mr. President, the Senator would draw a distinction between men who draw salaries and men who are named to office for great responsibilities and receive no pay. Before the Senator departs, as I see him moving as to the door, may I——

Mr. PENROSE. I am going to stay here.

Mr. LEWIS. The Senator's back is attractive, but his face is sometimes alluring. [Laughter.] He was retreating face forward.

Mr. PENROSE. I did not hear the Senator.

Mr. LEWIS. I see the Senator went over to confer with his colleague. I do not wish to disturb the counsel the senior Senator from Pennsylvania expects to obtain from his colleague, the junior Senator from Pennsylvania [Mr. KNOX], knowing how capable the junior Senator from Pennsylvania is to impart to any man refuge from a severe situation.

Mr. PENROSE. I was conferring with the Senator from California [Mr. JOHNSON].

Mr. LEWIS. But I will ask the Senator from Pennsylvania, when he says that the positions to which he refers were not offices in the technical sense; that the statement of the eminent Senator from Massachusetts did not comprehend these voluntary appointments; but referred to an absence of offices that paid. Do I understand that the Senator's test of an office is that it shall pay?

Mr. PENROSE. My definition of an office, Mr. President, is that it is sanctioned by law, created by law, is accompanied by the taking of an oath of office, and that its great attraction is the emoluments to most people who aspire to it, particularly under a Democratic administration. I do not know whether Mr. Willcox gets any salary or not; but surely membership in a commission of arbitration composed of civilians, taking no oath of loyalty to the Government, having no office created by law, is not an office in the strict nature of the term, but it is part of the grand scheme of cooperation of every American patriot to help the Government.

Mr. LEWIS. Mr. President, the Senator says that his standard of an office is one that is recognized by law and pays emoluments. I should greatly regret to feel that a Republican measured his devotion at this time only by the emoluments he might get from the office. I deplore to confess that there have been some of that name, called Republicans, who have developed in these investigations to which the Senator refers as having been the only ones who obtained the emoluments at this time of war, confessing their willingness to fatten upon the misery of their country. But for myself I exempt that great body of Republicans, patriotic citizens who are here in service, in high office, from the charge that the emoluments of the office are the only inducement and the only inviting thing to them to occupy a place of honor—service in the Government. I must differ from the Senator, and point out that among these very eminent Republicans who are holding high office in this city and in the administration of this Government there is a denial of the partisanship charged by the eminent Senator from Massachusetts and the able Senator from Pennsylvania.

Now, sir, lest I take up too much time in a catalogue, one other word.

What do the Senator from Pennsylvania and the Senator from Massachusetts imply when they refer to what they say is the "inefficiency" and "incompetency" of the War Department? What does the Senator mean when he speaks of these Democratic appointees of the War Department? Surely the Senators will be just. Both Senators, I am sure, will be truthful. Every war official of the War Department, who appeared before the committee holding an office under the Army regulations was appointed by a Republican President. They were named by Republican administrations. They are officeholders by virtue of Republican commissions. They are serving in the very same form of action that was transmitted to us, the Democratic administration. Not one of them was ever named by President Wilson. There is not one but that was named by a Republican President, and not one, sir, but that is executing his duties according to the laws and customs we found here in process and in administration when we took control of this Government. Will the Senator deny that?

Mr. PENROSE. Mr. President, I will not only admit it, but I will state without fear of contradiction, and every gentleman knows it, that many of these military and naval officers are most bitter in their denunciation in private conversation of the inefficiency of the heads that Mr. Wilson has put over them.

Mr. LEWIS. Mr. President, the Senator gives us the information that in private conversation these officials of the War Department are bitter in their denunciation of the officials put over them.

Mr. PENROSE. The inefficiency of the officials put over them.

Mr. LEWIS. The inefficiency of the officials put over them. Mr. President, I would gather from that, then, that this is the kind of men who are holding these offices, who seek out the Republican Senator from Pennsylvania, a distinctive partisan, the leader of a partisan conflict, and pour out to him their ingratitude for being kept in office by President Wilson by condemning their superior officers instead of taking the course that their manly nature should adopt, and their military discipline should have suggested, of going to their superior officers, making known the deficiencies in order that they may be remedied. Then, all the more proof, sir, of what we endure in our desire to keep men in their position lest we be charged with removing them on the ground of partisanship, as has ever been the charge every time we had to make a change.

But, sir, I can not believe that all of them have done this thing. Those who have gone before the Military Affairs Committee and upon whose heads criticism has been so leveled, surely, sir, are men seeking to perform their duty; and if, sir, they are so circumscribed that they can not perform their duty it is because of the laws that have been passed. Those laws were passed by a Senate which was Republican and by a House which was Republican; and, while it may be that they should be remedied now—as I admit, sir, they should be—and, if found to be deficient, should be repealed, and, if inefficient, should be overthrown, what I wish to speak to the country upon is that it is an unfair thing, little less than slander, to have go out from the Senate the assertion that these men were partisan appointees of President Wilson. This statement on the part of the distinguished Senator is error, and such an error ought not to be inflicted at this time upon the country or upon the administration.

Mr. President, we want only what is just. We ask no favor. We not only ask no favor, but we ask no unusual consideration.

I have but one other observation to make. I regret that I am impelled to make it out of the necessities of the situation.

The eminent Senator from Massachusetts and the able Senator from Pennsylvania, following the charge that from time to time has echoed throughout this country, charge us with having no preparation. Mr. President, we were precipitated into this war unexpectedly and, God knows, against the prayers of all of those in control of this administration. When necessity forced it we were compelled to adopt it, and if, Mr. President, this Government found itself unprepared to defend, if anyone should be held responsible, whom should it be? For 16 long years, under the leadership of the eminent Senators who have just addressed this body, the great Republican Party was in power. It voted $3,000,000,000 of the American money to put the country in a state of preparation; and yet when this administration came into power, by the confessions of Republican Senators, the Government was not in a condition even to defend itself against an invasion of the American border by Mexican peons.

We Democrats have never before the American public, in any rostrum or any place of power, charged this upon the Republicans. We have withheld the fact. We have sought no partisan favor from it. But if now we are to be held up before the world as those who should suffer the penalty of this lack of preparation, let the Nation know the truth—that it was brought upon us by the administrations preceding us, which had expended this vast sum of money without results to the Nation—and without account for the expenditure—and leaving us weak and naked to the enemy, forcing us in the little while we had to gather ourselves together the best we might, hoping to veil from the world the indefensible position in which we had been left by these our honorable predecessors.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from New Hampshire?

Mr. LEWIS. I gladly yield to the courteous Senator from New Hampshire; yes.

Mr. GALLINGER. If I understood the Senator correctly, he said that the Republican Party had expended $3,000,000,000 for the War and Navy Establishments. Can the Senator tell how long a period that covered?

Mr. LEWIS. I said, Mr. President, that during the 16 years previous to the coming in of the present administration these billions of dollars were expended, and that when we came into power, notwithstanding the expenditure, we found ourselves confessedly, by the admission of the Republican leaders, without Army and without Navy.

Mr. GALLINGER. Yes; and did not the President on several occasions tell us that there was no danger of war?

Mr. LEWIS. Yes; the President of the United States from time to time—if the Senator means the Democratic President—sought to avoid war. He did all he could to avoid war, and told the Congress from time to time that in his judgment this Nation would be able to avoid war; and with that in his mind and in his heart, of course he would take no steps to burden this country with heavy military expenditures that were not apparently necessary. But the fact remains that when we are impeached on the floor by these eminent Senators for unpreparedness, the country must know that it should not be borne only by the present administration, which believed in peace, prayed against war, and did everything to avoid it, but it should likewise understand the condition of preceding administrations, which for 16 years, with all the facts in the world before them, had left us in the same state of unpreparedness. Shall the Senators forget that which now the country must know, that President Roosevelt submitted his message to this body in which he asked as to the Navy only ship for ship, and in his latest message, in 1906, with the heavy shadows of the difficulties of the Orient upon us, he was content with this program, knowing that the feeling of the country was against heavy armaments and expenditures? He, too, but yielded to the conviction of his Nation—opposed to war and opposed to preparation for any war. And then, sir, will it be forgotten that Secretary of War Root, under the administration of President Roosevelt, withdrew the Army from out of the Philippines, reduced and dismembered and disbanded it, lessening our fighting force, because of his honest belief that a military armament and military establishment ought not to be kept up in America beyond the real needs of the situation, and because the country was crying against it.

This was the honest conviction on the part of all America. It was an error. I had in many places opposed it. Yet, if it was an honest error under Republican administrations, what right have any gentlemen to say that under ours it is dishonest to have indulged the same hope of peace and friendship with nations which left us unprepared for war's conflict of arms?

Mr. GALLINGER. Mr. President——

Mr. LEWIS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I will venture to ask the distinguished Senator from Illinois if it is not historically a fact that while the Republican Party was contending for a large increase of the Navy from year to year the Democratic Party in the other House particularly, and to some extent in the Senate of the United States, was combatting that idea and voting for a smaller number of ships than the Republican Party wanted? Roosevelt asked for four, and how many did he get?

Mr. LEWIS. Mr. President, I answer the Senator that at the time President Roosevelt asked for four and got two the House was Republican; it was a Republican House; the Committee on Naval Affairs was Republican; it had a Republican chairman. These gentlemen who failed to comply with that request were Republicans, and they failed to comply, not because they were Republicans but because, inheriting the sentiment of the communities which they represented, they sincerely believed that it was not necessary to put upon the country that expenditure at that time, when the very skies were clear of a cloud of threat or alarm.

Mr. GALLINGER. Mr. President, will my friend kindly inform me how many Democrats in the House of Representatives were in favor of more than two ships at that time? In other words, were they not a solid, compact body, opposed to the program, and needing only a few Republican votes to defeat it?

Mr. LEWIS. Mr. President, I am unable to reply to the able Senator from New Hampshire as to the exact number of Democrats on the committee of the House at that time who supported the Republican measure; but I do know, sir, that when the time comes when we shall be before the people in the coming elections, when the Republican minority, or a certain set of them, will be out indicting this administration, they will not be found saying that because Republicans voted for a measure therefore it is exempt from their criticism. They will say that the Government was in our hands; it was our Government; and we were responsible for its accomplishments, its achievements, its faults, and its failures. So, too, the eminent Senator from New Hampshire can not escape the clear conclusion that these failures of a Republican Congress, with a Republican Naval Committee, under a Republican President, can not be charged to a mere minority of Democrats who might have agreed with the Republican majority.

Mr. CALDER. Mr. President, will the Senator yield?

Mr. LEWIS. I yield to the Senator from New York.

Mr. CALDER. Does not the Senator know that under the leadership of the Democratic Committee on Military Affairs of the House of Representatives in 1912 the military appropriation bill was put through the Congress with an actual reduction of five cavalry regiments, and that the Army would have been reduced to that extent but for the veto of President Taft?

Mr. LEWIS. Mr. President, it may be that in the House the Military Affairs Committee may have recommended and that the House may have passed a bill providing for the number to which the Senator alludes. I have no knowledge on the subject. I did not come into this body until 1913. But this much may be said, sir: If it did, it merely followed the direction given by the Republican Secretary of War, Secretary Root, and was merely carrying out the program of retrenchment, that for the purpose of saving expenditures on the part of the Government there was no necessity of a big Military Establishment, and because the very heart and spirit of our people seemed averse to it—they were merely obedient to public opinion.

Mr. JAMES. Mr. President——

Mr. LEWIS. I yield to the Senator from Kentucky.

Mr. JAMES. I should like to suggest to the Senator that it would be interesting to inquire how that bill got through a Republican Senate, so that it had to be vetoed by President Taft. The Senator says that a Democratic House passed it. The Republicans were in control of the Senate; so that it must have passed here before it got to the President, who was a Republican. The Senator might study that out.

Mr. CALDER. If the Senator makes the inquiry from me, I will say that while I was not a Member of this body then, either, as I recall the matter, the Republican conferees on that military bill were compelled to yield in order to pass the military bill.

Mr. JAMES. Yes; I have often noticed how the poor Republican conferees in the Senate are intimidated by the Democratic conferees in the House and forced to yield. That frequently occurs.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from New Hampshire?

Mr. LEWIS. Certainly.

Mr. GALLINGER. If the Senator will pardon me, they frequently yield upon the threat that unless they do yield no bill will be passed.

Mr. JAMES. They ought to send some people here that are not afraid, then, and put them on the Republican side.

Mr. LEWIS. Mr. President, of course to past history, before I was honored with a seat here, I can not refer; but I may be permitted to pause to express my sympathy for a nature so supine, so gentle, so weak, and so withering that it has been compelled to surrender to the mere suggestion that it was wrong and that a Democratic minority, or any other minority, could have so dragooned a majority, to surrender national defense—taking the statement of the Senator from New York, with their country in danger, if they so saw that the land needed defense; if they so saw it that they were yet willing to surrender it rather than to contest against a minority—I join with the Senator from Kentucky, and suggest that some little more strength of

character, some little more firmness of nature contributed to Republican legislators, would probably long since have remedied that unhappy end.

Mr. GALLINGER. Mr. President, I apprehend that the Senator from Illinois has not served on many conference committees of Congress, or he would know that during the closing days of the session no minority party or majority party will take the responsibility of defeating a measure that is absolutely demanded by the welfare of the country in the matter of a conference report, and that very frequently both the Democratic and Republican members of a conference committee have yielded their convictions for the sake of permitting a bill to pass that was essential to the welfare of the country. That is exactly what happened on that occasion.

Mr. LEWIS. Mr. President, I must say, having no knowledge of those matters, I could not offer my word against the Senator.

Mr. President, I rose to reply merely that I might set the record fairly and justly before the American people.

Mr. President, I ask for no judgment against the Republican Party. I ask, sir, that our failure of unpreparedness, wherever it did exist, should not be charged to them. I demand, sir, that it equally should not be charged to the Democratic Party. I ask that our distinguished colleagues here, as I appeal to the country, recognize that these conditions were the result of the sentiment of our Nation, filtering through their representatives, and expressed by them in their official course. Sir, subsequent events have made necessary a change in this course. We must admit that both parties, all people, failed to appreciate or prepare for the necessity. But it will not justify any one party to attempt to put upon the other the whole responsibility under a misrepresentation of truth.

Mr. President, I have concluded, in bringing to the attention of the Senate, as I assume to do, wherein it had done an injustice first, sir, to the President's representative, then to the President, and then to the Senate, then to the Democratic Party, and to the country. It is true, sir, and I delight to admit it, that as to legislation on the principal war measures there has been no dissension; there has been no political issue; there has been on both sides complete harmony to the patriotic object. I know it will continue. All will now reunite in the support of the President of the United States and in his noble undertaking to win this great war of liberty and justice. I assert to the country that we will have the cooperation of our noble opponents because of the patriotism they truly possess and readily extend. But at this particular time, when they were willing to give evidence to the country of holding up the officers who execute these powers as being wholly unworthy, how in heaven's name do they expect to invite the common citizen to cooperation and enthusiasm when they themselves from their high station impugn the officials as unworthy of the approval of the Senate or the confidence of the country? I beg them, sir, to reconsider the influence on the land of such a course, as it is true that they even joined with us and in every provision of national defense at the outset, when our Nation was first put in peril by murderous Prussia. So may they continue, all as one, and we all as a Nation's noble sons responding to the call of our mother, "To the breach, dear sons; not for self, but country; not for the political profit of the hour, but for the liberty of the Republic for all time." I thank the Senate.

Mr. NEW. Mr. President, the Senator from Missouri sought and obtained, as I understand it, permission to print in the RECORD certain tables which he did not read to the Senate. I have on my desk one of those tables as it has been given to the press, and which I therefore assume will appear in the newspapers of to-morrow as a part of the Senator's remarks.

In the course of this printed article I find reference to Indiana and to the State council of defense in that State. It is not my purpose, Mr. President, to detain the Senate by prolonging this discussion, but I can not forego the impulse to say a word or two concerning Indiana and the part that has been played there by a Republican State administration in carrying on this war in view of the reference made by the Senator from Missouri, which is clearly intended to show to its disadvantage.

Mr. President, it is true that a wisely discriminating and highly intelligent electorate returned a Republican State administration in Indiana in the election of 1916. It sent to this body two Republican Senators and it sent to the House of Representatives 9 of 13 Members of Congress, all of whom have at every stage voted for every single war measure that has been presented by this administration or in the name of the administration.

Upon the Republican governor of Indiana reflection is rather cast, as I take it, for the appointment of Will H. Hayes, chairman of the Republican State committee of Indiana, and the statement is made in this printed article that Mr. Hayes is carrying on his political activities through this committee.

Mr. President, I utterly deny that charge. It is entirely without foundation. Mr. Hayes was appointed chairman of the State council of national defense because of all the many good men the State contained who were competent and willing to assume the duties of that position he was clearly and confessedly the most capable, a fact which is attested first by a letter written and published publicly acknowledging it by Hon. Thomas Taggart.

Mr. STONE. Mr. President——

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Missouri?

Mr. NEW. I do.

Mr. STONE. The Senator from Indiana made a statement with reference to Mr. Hayes, from which it will appear in the RECORD that he utterly denied the charge. I will not undertake to repeat the statement in detail. The Senator does not deny the charge that Mr. Hayes at the time of his appointment was the chairman of the Republican State central committee.

Mr. NEW. No, sir; I do not. It is true, I am happy to say. No more do I deny the fact that Mr. Charles A. Greathouse, the chairman of the Democratic State central committee of Indiana, is at this moment a member of the national committee for vocational education by appointment of President Wilson. Of that the Senator has nothing to say, but he speaks of Mr. Hayes as having been nominated by the governor for the position he occupies.

Just a word, Mr. President, as to the character of that committee and its competency. Besides Mr. Hayes, we find the name of Hon. Thomas Taggart, late chairman of the Democratic national committee, for many years the chairman of the Democratic State committee, a very capable man, my personal friend, but certainly a very ardent Democrat. We find the names of Mr. Evans Woollen and Mr. Meredith Nicholson, who were the two electors from the State at large on the Democratic ticket in Indiana in 1916.

Mr. STONE. Will the Senator allow me?

Mr. NEW. Certainly.

Mr. STONE. What position did the Senator says that Mr. Thomas Taggart occupied?

Mr. NEW. On the State council of defense.

Mr. STONE. The State council?

Mr. NEW. Yes, sir; of which Mr. Will H. Hayes, referred to in this article, is chairman.

Mr. STONE. The Senator is right. I was looking at the wrong list.

Mr. NEW. These gentlemen were not referred to in the Senator's remarks.

Mr. STONE. The Senator is correct. As furnished to me, Mr. Thomas Taggart is named, but he was unable to serve because of ill health.

Mr. NEW. He is a member of the committee. So are Mr. Evans Woollen, as I have said, and Mr. Meredith Nicholson, who are the two Democratic electors on the ticket from that State. So is Mr. Frank C. Daily, who was appointed by President Wilson as district attorney for Indiana. So is Mr. George Harney, a member of the Democratic Editorial Association, who is also the publicity man, giving out all the news that emanates from that committee.

The statement is made here that there are 13 Republicans and 9 Democrats. That is the statement made by the Senator from Missouri. That is somewhat incorrect, because, as a matter of fact, the committee is made up of 10 Republicans and 9 Democrats appointed by the Republican governor.

Now, Mr. President, a word as to what that State council of national defense has aided in doing. Under the work of that council, and under the work of the Republican administration, Indiana has furnished by voluntary enlistment 16,581 soldiers for this war, independent of the Navy or the Marine Corps, its quota being 5,400. It looks as though there had been some effective work done by the State administration and by the council, and that the State may be looked upon as a fairly patriotic one.

It is true, Mr. President, that when the governor of Iowa was here a short time ago and went to the National Council for advice as to where to go for observation of the most competent and capable State council of defense, Mr. Winterbottom, one of its members and secretaries, directed him to go to Indiana, because he said that the council there is preeminently the best and in a class all by itself, and they went to Indiana to pattern by that State council of defense.

Mr. President, if politics has played any part in Indiana with reference to the war activities it has not been brought in by the

Republican Party. When it became the duty of the Republican governor to appoint a State fuel administrator, the man to whom he went was a Democrat, Mr. Evans Woollen, one of the gentlemen on this Council of National Defense. Mr. Woollen declined the offer. He then went to another, a very eminent Republican business man of the State and tendered it to him. This gentleman said that he would accept, but for five weeks the nomination of a fuel commissioner in Indiana was held up, notwithstanding the active demand for hasty and active operation of the coal mines. The confirmation was held up while the Democratic member of the national committee and the State Democratic chairman combed the State of Indiana to find a Democrat who would serve in that place rather than confirm that Republican. The Democrat was not found until finally the governor was again appealed to and the gentleman to whom he had originally offered it, Mr. Woollen, a Democrat and a most capable man and gentleman, was prevailed upon to take the place. But five weeks of time were lost there while an effort was made to find a Democrat who would fill the place. So it is not becoming of anyone to reflect upon Indiana or its council of defense for anything that it has or has not done during the progress of this war.

Mr. President, the Republicans of Indiana demand and will not be denied their right to participate actively in all the preparations for and the vigorous prosecution of this war.

Mr. KIRBY. Mr. President, I rise with some diffidence at this point in the discussion. I think some matters that have been charged here this afternoon should be answered. I think they ought to have been answered by the chairman of the Military Affairs Committee, or by some ranking member of that committee.

I do not believe the American people are interested at this time in the success of the Democratic Party or in a Republican success but in military success upon the field of battle. That is the question that ought to move the Senate here, it seems to me, and I believe that the discussion we have had to-day is not conducive to military success anywhere. On that account I do not approve of most of the things that have been said. I do not think it makes any difference about existing conditions whether the Republicans have been derelict heretofore or not. I do not believe that is an answer if one is needed. I do not believe it exists, the conditions charged by the Senator from Pennsylvania, and the testimony before our Military Affairs Committee has tended to show that it does not.

Senators speak of incompetence and inefficiency, charging it has characterized our war preparations. I am no apologist for incompetence and inefficiency anywhere in government under any conditions, but I say to you I have sat with the Committee on Military Affairs, I have listened to the investigation for four or five weeks, and in the examination and in carrying on and conducting that investigation I have not seen manifested this partisan spirit that has been said to exist. I have seen there pictures of the development of the war activities. It has been brought out before the committee, and I tell you to-day that I believe the condition of the Army is as good as it could have been made under the circumstances but for one or two things that have not been done that ought to have been done, and there is no use to alarm the country unduly about the existing conditions unless the facts justify it, and I do not believe they do, and the investigation has not shown that they do.

I mention one committee or board that has been active, acting as a voluntary board, if you please, and there was no other way that this service might be done under the law. This board, with the assistance of the Army officers, just to illustrate, they have contracted for and expended in the purchase of goods, supplies, ordnance, and munitions $800,000,000 in eight months. They have had 4,500 transactions. They have given out on an average 200 orders daily, requiring an expenditure of $4,000,000. They have sent 80,000 letters and communications and 10,000 telegrams. The result has been that every soldier is now in uniform, every soldier is properly clothed be he upon the field of battle in France or in cantonments in the United States. That is the condition that exists relative to the clothing of the soldiers, and all who have need of and who are expected to use rifles have rifles in their hands to-day. That part of the Army that has gone abroad is fully equipped, as I understand it, and as the testimony has shown before the investigation committee down here. Certain training equipment for the camps in this country has not yet been fully supplied, but it is being done rapidly, and as fast as the soldiers can be sent on to Europe they are fully equipped.

Under those conditions why should we have this other discussion? It seems to me that what we want to do is to win the war, and we can not do it by discussions that divide us and by a crimination and recrimination policy here and there. It may be that I am giving some gratuitious advice, but this is the way the thing appeals to me.

Mr. PENROSE. Will the Senator permit a suggestion at that point?

Mr. KIRBY. Yes, sir.

Mr. PENROSE. One of the leading lights in his own party in this Chamber invited this discussion.

Mr. KIRBY. I am not justifying any man's position here. I am merely stating what it appears to me ought to be done in the United States Senate and in Congress.

Mr. PENROSE. So far as this splendid equipment is concerned, it is a notorious fact that the allies in Europe have had to furnish a large amount of it.

Mr. KIRBY. That is true; we could not manufacture the equipment in time, and could purchase it from our allies, who could supply it. We purchased it with good American money that was put at the disposal of the Government, and we acquired the needed equipment that it was possible to acquire most speedily.

I have heard the testimony of those great men who have been successful in business affairs. I have heard their criticism, especially invited by different members of the Military Committee, as to the condition existing; how it might be improved; and I have heard some of these men state that the organization as it has now been developed could carry on the war successfully with the machinery and agencies we already have. What are the conditions that had to be met? We have expanded our Military Establishment from 50,000 to a million and a half men in eight months, and we have supplied and equipped them. Not only that, but great men who have been successful in business affairs have said this about the organization that has been built up, and they have said it under oath in the Military Affairs Committee: They stated also that twice as much had been accomplished with the agencies we used as could have been accomplished without them, and at one-half the cost to the Government that would otherwise have been required.

Mr. PENROSE. I should like to address an inquiry to the Senator, who is a member of that committee. How does he explain it that the chairman of the committee, the Senator from Oregon [Mr. CHAMBERLAIN], has felt compelled to introduce a bill providing for a board of three distinguished citizens, whatever that term may mean, and expressly excluding the Secretary of War and the Secretary of the Navy?

Mr. KIRBY. Mr. President, I do not propose to be responsible for any views that may be held by the chairman of the Military Affairs Committee. We have in that committee recommended the passage of a bill to create a director of munitions. All the men who are supposed to have made a survey of conditions, who have been in contact with the actual development of conditions in the War and Navy Departments as they are now constituted, have said the greatest objection that they have found to present conditions and to obtaining speedy action was in a case of this kind: The Navy, say, wants a certain sort of supplies, the Army must have a certain amount of the same kind of supplies, and there must be given to some of the other activities the same kind of supplies. Suppose our manufacturing capacity is short, for instance, suppose the country has a manufacturing capacity of duck of 3,000,000 yards a year; that that was the manufacturing capacity of the country, and we needed 89,000,000 yards under existing conditions, which has been supplied. The sources of supply in the manufacturing have to be developed. It was said, if the Navy goes out and competes in the market with these other agencies of the Army, shipping, and aircraft boards, you will have five buying agencies, and nobody to see which department is in the most urgent need and where the material should be first supplied. There is a lack of authority in the last resort in one center to determine which of the branches of our war machine shall have certain supplies and equipment when there is not enough for all. It was thought by the Secretary of War and by some others of the war council, since each member of the council had authority in his particular department, that by adjustment, by agreement, and by conference the council might supply the needed authority. Others said, "No; create a director of munitions, who can say which is the more urgent demand and where the supplies shall go."

I agree that that might be well, and I recommended, so far as I was concerned, that that sort of a position be created. I do not believe that any other cabinet is needed, nor that conditions as developed indicate that there should be another one. I do not know what has been done about recommending a new war cabinet. I understand the bill has been introduced, but it has not been brought before any meeting of the committee when I have been present for any approval by the members of the committee.

I have referred briefly to the conditions. I think we ought to devote our attention to the things that are before us right now, with a view to improving them, and I do not believe that some of the discussion here will ever tend to improve anything. I do not care to say anything else about it, but I did think that somebody ought to say this much, and I believe it ought to have come from some member of the Military Affairs Committee who was conversant with conditions as developed by the sworn testimony.

EXECUTIVE SESSION.

Mr. BANKHEAD. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session, the doors were reopened.

ADJOURNMENT TO THURSDAY.

Mr. MARTIN. I move that when the Senate adjourns to-day it be to meet on Thursday next at 12 o'clock noon.

The motion was agreed to.

ADJOURNMENT.

Mr. KING. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until Thursday, January 24, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 21, 1918.

ASSISTANT TREASURER OF THE UNITED STATES.

Martin Vogel, of New York, N. Y., to be Assistant Treasurer of the United States at New York, N. Y. (Reappointment.)

COLLECTORS OF CUSTOMS.

Edmund Billings, of Boston, Mass., to be collector of customs for customs collection district No. 4, with headquarters at Boston, Mass. (Reappointment.)

William H. Berry, of Philadelphia, Pa., to be collector of customs for customs collection district No. 11, with headquarters at Philadelphia, Pa. (Reappointment.)

NAVAL OFFICERS OF CUSTOMS.

H. Otto Wittpenn, of Jersey City, N. J., to be naval officer of customs in customs collection district No. 10, with headquarters at New York, N. Y. (Reappointment.)

William M. Croll, of Philadelphia, Pa., to be naval officer of customs in customs collection district No. 11, with headquarters at Philadelphia, Pa. (Reappointment.)

SURVEYOR OF CUSTOMS.

Joseph A. Maynard, of Boston, Mass., to be surveyor of customs in customs collection district No. 4, with headquarters at Boston, Mass. (Reappointment.)

Charles R. Kurtz, of Philadelphia, Pa., to be surveyor of customs in customs collection district No. 11, with headquarters at Philadelphia, Pa. (Reappointment.)

CONSULS.

CLASS 8.

Austin C. Brady, of Santa Fe, N. Mex., to be a consul of class 8 of the United States of America.

Parker W. Buhrman, of Gala, Va., to be a consul of class 8 of the United States of America.

Lloyd Burlingham, of Olean, N. Y., to be a consul of class 8 of the United States of America.

Leonard G. Dawson, of Staunton, Va., to be a consul of class 8 of the United States of America.

Shelby F. Strother, of Louisville, Ky., to be a consul of class 8 of the United States of America.

Harry L. Walsh, of Baltimore, Md., to be a consul of class 8 of the United States of America.

Romeyn Wormuth, of Syracuse, N. Y., to be a consul of class 8 of the United States of America.

PROMOTION IN THE COAST GUARD.

Third Lieut. of Engineers Paul Revere Smith to be second lieutenant of Engineers in the Coast Guard of the United States, to rank as such from March 27, 1917, in place of Second Lieut. of Engineers Albert F. Patterson, promoted.

RECEIVERS OF PUBLIC MONEYS.

Joseph Allen, of California, to be receiver of public moneys at Visalia, Cal., his present term expiring January 26, 1918. (Reappointment.)

Ashley G. Dawley, of Nevada, to be receiver of public moneys at Elko, Nev., his term having expired. (Reappointment.)

REGISTERS OF THE LAND OFFICE.

Frank T. Woods, of Billings, Mont., to be register of the land office at Billings, Mont., vice Fred H. Foster, deceased.

John E. Robbins, of Nevada, to be register of the land office at Elko, Nev., his term having expired. (Reappointment.)

MEDICAL CORPS.

To be first lieutenants.

First Lieut. Charles August Stammel, jr., Medical Reserve Corps, from January 2, 1918.

First Lieut. Albert Gordon Bower, Medical Reserve Corps, from January 3, 1918.

First Lieut. Arthur Russell Porter, jr., Medical Reserve Corps, from January 4, 1918.

First Lieut. Virgil Heath Cornell, Medical Reserve Corps, from January 5, 1918.

First Lieut. Everett Le Compte Cook, Medical Reserve Corps, from January 6, 1918.

First Lieut. Ralph Leslie Cudlipp, Medical Reserve Corps, from January 7, 1918.

First Lieut. James Brent Anderson, Medical Reserve Corps, from January 8, 1918.

First Lieut. George Perry Ross, Medical Reserve Corps, from January 9, 1918.

First Lieut. Ebner Holmes Inmon, Medical Reserve Corps, from January 10, 1918.

First Lieut. William Alger Shaw, Medical Reserve Corps, from January 11, 1918.

First Lieut. Theo. Wallace O'Brien, Medical Reserve Corps, from January 12, 1918.

DENTAL CORPS.

To be first lieutenants.

First Lieut. John Godfrey Urban, Dental Reserve Corps, from December 15, 1917.

Carl Stevenson Emmert, of Indiana, from December 16, 1917.

First Lieut. William Henry Siefert, Dental Reserve Corps, from December 17, 1917.

Samuel J. Lewis, of Michigan, from December 18, 1917.

First Lieut. James Henry O'Reilly, Dental Reserve Corps, from December 19, 1917.

Frederick Werner Miller, of Missouri, from December 20, 1917.

James Alfred Curtis, jr., of Georgia, from December 21, 1917.

First Lieut. James Jay Weeks, Dental Reserve Corps, from December 22, 1917.

John Nelson White, of Kentucky, from December 23, 1917.

First Lieut. Homer Lash Sams, Dental Reserve Corps, from December 24, 1917.

George Magnor Krough, of Minnesota, from December 25, 1917.

First Lieut. Wayne W. Woolley, Dental Reserve Corps, from December 26, 1917.

First Lieut. Edward Wallace Barr, Dental Reserve Corps, from December 27, 1917.

First Lieut. Fernando Emilio Rodriguez, Dental Reserve Corps, from December 28, 1917.

First Lieut. John Leigh Davis, Dental Reserve Corps, from December 29, 1917.

First Lieut. Joseph Henry Jaffer, Dental Reserve Corps, from December 30, 1917.

Adolph August Meyer, of California, from December 31, 1917.

First Lieut. Howard Clayton Feyler, Dental Reserve Corps, from January 1, 1918.

William Ferdinand Scheumann, of Indiana, from January 2, 1918.

First Lieut. Alonzo Gooch McCue, jr., Dental Reserve Corps, from January 3, 1918.

Campbell Hopson Glascock, of Missouri, from January 4, 1918.

First Lieut. Austin Freeman Roberts, Dental Reserve Corps, from January 5, 1918.

William Frederic Wieck, of Texas, from January 6, 1918.

Thomas Herbert Veale, of Massachusetts, from January 7, 1918.

First Lieut. Lawrence Joseph Dunn, Dental Reserve Corps, from January 8, 1918.

Carl Reuben Oman, of Washington, from January 9, 1918.

First Lieut. Leslie Albert Gould, Dental Reserve Corps, from January 10, 1918.

Harold Avery Curtis, of New York, from January 11, 1918.

PROVISIONAL APPOINTMENTS IN THE ARMY.

FIELD ARTILLERY ARM.

Second Lieut. Leon C. Swager, Field Artillery, Officers' Reserve Corps, to be second lieutenant of Field Artillery, with rank from October 26, 1917.

CAVALRY ARM.

Second Lieut. Ralston Dean Livingston, Infantry, National Guard, to be a second lieutenant from October 24, 1917, to fill an existing vacancy.

COAST ARTILLERY CORPS.

Band Sergt. Leon J. Walrath, Headquarters Company, One hundred and sixth Field Artillery, National Guard, to be second lieutenant in the Coast Artillery Corps, with rank from date of appointment.

PROVISIONAL APPOINTMENT, BY TRANSFER, IN THE ARMY.

CAVALRY ARM.

To be second lieutenants with rank from October 26, 1917.

Second Lieut. Leonard Over, Coast Artillery Corps.
Second Lieut. Carlton B. Rettig, Field Artillery.
Second Lieut. Samuel O. Taylor, Field Artillery.
Second Lieut. John S. McCloy, Infantry.
Second Lieut. Robert Driscoll, Field Artillery.
Second Lieut. George S. Warren, Infantry.

FIELD ARTILLERY ARM.

To be second lieutenants with rank from October 26, 1917.

Second Lieut. Edward Reese Roberts, Infantry.
Second Lieut. George Wesley Norrick, Coast Artillery Corps.
Second Lieut. Lynn Helm, jr., Infantry.
Second Lieut. Fred P. Clark, Cavalry.
Second Lieut. Frank Starr Pope, Cavalry.
Second Lieut. Alfred G. Ford, Cavalry.

COAST ARTILLERY CORPS.

To be second lieutenants with rank from October 26, 1917.

Second Lieut. Harry Lee Campbell, Field Artillery.
Second Lieut. Lawrence W. Fox, jr., Cavalry.

INFANTRY ARM.

To be second lieutenants with rank from October 26, 1917.

Second Lieut. Walter A. Stover, Cavalry.
Second Lieut. James R. Lowry, jr., Cavalry.

PROMOTION IN THE ARMY.

MEDICAL CORPS.

Maj. William H. Tefft, Medical Corps, to be lieutenant colonel from December 21, 1917, subject to examination required by law, vice Lieut. Col. Samuel M. De Loffre, retired from active service December 20, 1917.

TEMPORARY PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

To be colonels with rank from August 5, 1917.

Lieut. Col. Charles Keller, Corps of Engineers, vice Col. Edward Burr, appointed brigadier general in the National Army.

Lieut. Col. Spencer Cosby, Corps of Engineers, vice Col. Henry Jervey, appointed brigadier general in the National Army.

Lieut. Col. James F. McIndoe, Corps of Engineers, vice Col. William C. Langfitt, appointed brigadier general in the National Army.

Lieut. Col. Jay J. Morrow, Corps of Engineers, vice Col. Harry Taylor, appointed brigadier general in the National Army.

Lieut. Col. George P. Howell, Corps of Engineers, vice Col. Mason M. Patrick, appointed brigadier general in the National Army.

Lieut. Col. Frederick W. Altstaetter, Corps of Engineers, vice Col. Charles H. McKinstry, appointed brigadier general in the National Army.

Lieut. Col. Lewis H. Rand, Corps of Engineers, vice Col. William V. Judson, appointed brigadier general in the National Army.

Lieut. Col. Thomas H. Jackson, Corps of Engineers, vice Col. E. Eveleth Winslow, appointed brigadier general in the National Army.

Lieut. Col. Gustave R. Lukesh, Corps of Engineers, vice Col. Frederic V. Abbott, appointed brigadier general in the National Army.

To be lieutenant colonel with rank from July 9, 1917.

Maj. Lewis H. Rand, Corps of Engineers, vice Lieut Col. Edgar Jadwin, appointed colonel in the National Army.

To be lieutenant colonels with rank from July 13, 1917.

Maj. Edward M. Markham, Corps of Engineers, vice Lieut. Col. Herbert Deakyne, appointed colonel in the National Army.

Maj. Thomas H. Jackson, Corps of Engineers, vice Lieut. Col. William P. Wooten, appointed colonel in the National Army.

To be lieutenant colonel with rank from July 14, 1917.

Maj. George B. Pillsbury, Corps of Engineers, vice Lieut. Col. Harry Burgess, appointed colonel in the National Army.

To be lieutenant colonel with rank from July 18, 1917.

Maj. Gustave R. Lukesh, Corps of Engineers, vice Lieut. Col. James B. Cavanaugh, appointed colonel in the National Army.

To be lieutenant colonels with rank from August 5, 1917.

Maj. John R. Slattery, Corps of Engineers, vice Lieut. Col. William Kelly, appointed colonel in the National Army.

Maj. Albert E. Waldron, Corps of Engineers, vice Lieut. Col. Edward H. Schulz, appointed colonel in the National Army.

Maj. Francis A. Pope, Corps of Engineers, vice Lieut. Col. John C. Oakes, appointed colonel in the National Army.

Maj. Gilbert A. Youngberg, Corps of Engineers, vice Lieut. Col. Sherwood A. Cheney, appointed colonel in the National Army.

Maj. Edward N. Johnston, Corps of Engineers, vice Lieut Col. Frank C. Boggs, appointed colonel in the National Army.

Maj. Clarence O. Sherrill, Corps of Engineers, vice Lieut. Col. George B. Pillsbury, appointed colonel in the National Army.

Maj. Ernest D. Peek, Corps of Engineers, vice Lieut. Col. Lytle Brown, appointed colonel in the National Army.

Maj. George R. Spalding, Corps of Engineers, vice Lieut. Col. Harley B. Ferguson, appointed colonel in the National Army.

Maj. Elliott J. Dent, Corps of Engineers, vice Lieut. Col. James A. Woodruff, appointed colonel in the National Army.

Maj. William P. Stokey, Corps of Engineers, vice Lieut. Col. John R. Slattery, appointed colonel in the National Army.

Maj. Wildurr Willing, Corps of Engineers, vice Lieut. Col. Clarence O. Sherrill, appointed colonel in the National Army.

Maj. William A. Mitchell, Corps of Engineers, vice Lieut. Col. George R. Spalding, appointed colonel in the National Army.

Maj. Mark Brooke, Corps of Engineers, vice Lieut. Col. William J. Barden, appointed colonel in the National Army.

Maj. Laurence V. Frazier, Corps of Engineers, vice Lieut. Col. Edward M. Markham, appointed colonel in the National Army.

Maj. James F. Bell, Corps of Engineers, vice Lieut. Col. Francis A. Pope, appointed colonel in the National Army.

Maj. Harold C. Fiske, Corps of Engineers, vice Lieut. Col. Robert R. Raymond, appointed colonel in the National Army.

Maj. Max C. Tyler, Corps of Engineers, vice Lieut. Col. Earl I. Brown, appointed colonel in the National Army.

Maj. Ulysses S. Grant, 3d, Corps of Engineers (General Staff Corps), vice Lieut. Col. James P. Jervey, appointed colonel in the National Army.

Maj. Julian L. Schley, Corps of Engineers, vice Lieut. Col. Ulysses S. Grant, 3d, retained in the General Staff Corps.

Maj. William H. Rose, Corps of Engineers, vice Lieut. Col. Charles Keller, promoted.

Maj. Richard C. Moore, Corps of Engineers, vice Lieut. Col. Meriwether L. Walker, appointed colonel in the National Army.

Maj. Lewis M. Adams, Corps of Engineers, vice Lieut. Col. William B. Ladue, appointed colonel in the National Army.

Maj. Charles R. Pettis, Corps of Engineers, vice Lieut. Col. Clarke S. Smith, appointed colonel in the National Army.

Maj. William D'A. Anderson, Corps of Engineers, vice Lieut. Col. Spencer Cosby, promoted.

Maj. Ralph T. Ward, Corps of Engineers, vice Lieut. Col. William D. Connor, appointed colonel in the National Army.

Maj. Robert P. Howell, Corps of Engineers, vice Lieut. Col. George M. Hoffman, appointed colonel in the National Army.

Maj. Joseph H. Earle, Corps of Engineers, vice Lieut. Col. James F. McIndoe, promoted.

Maj. Thomas M. Robins, Corps of Engineers, vice Lieut. Col. Jay J. Morrow, promoted.

Maj. Roger D. Black, Corps of Engineers, vice Lieut. Col. George P. Powell, promoted.

Maj. Theodore H. Dillon, Corps of Engineers, vice Lieut. Col. Frederick W. Altstaetter, promoted.

Maj. De Witt C. Jones, Corps of Engineers, vice Lieut. Col. Lewis H. Rand, promoted.

Maj. Ernest Graves, Corps of Engineers, vice Lieut. Col. Ernest D. Peek, appointed colonel in the National Army.

Maj. Francis B. Wilby, Corps of Engineers, vice Lieut. Col. Elliott J. Dent, appointed colonel in the National Army.

Maj. Clarence S. Ridley, Corps of Engineers, vice Lieut. Col. Wildurr Willing, appointed colonel in the National Army.

Maj. Alvin B. Barber, Corps of Engineers, vice Lieut. Col. William A. Mitchell, appointed colonel in the National Army.

Maj. Jarvis J. Bain, Corps of Engineers, vice Lieut. Col. Edward N. Johnston, appointed colonel in the National Army.

Maj. Thomas H. Emerson, Corps of Engineers, vice Lieut. Col. Amos W. Fries, appointed colonel in the National Army.

Maj. Roger G. Powell, Corps of Engineers, vice Lieut. Col. Charles W. Kutz, appointed colonel in the National Army.

Maj. John N. Hodges, Corps of Engineers, vice Lieut. Col. Albert E. Waldron, appointed colonel in the National Army.
Maj. James J. Loving, Corps of Engineers, vice Lieut. Col. Thomas H. Jackson, promoted.
Maj. Edward D. Ardery, Corps of Engineers, vice Lieut. Col. Gustave R. Lukesh, promoted.

To be major with rank from July 9, 1917.

Capt. Clarence L. Sturdevant, Corps of Engineers, vice Maj. Lewis H. Rand, promoted.

To be majors with rank from July 13, 1917.

Capt. Earl J. Atkisson, Corps of Engineers, vice Maj. Edward M. Markham, promoted.
Capt. Richard T. Coiner, Corps of Engineers, vice Maj. Thomas H. Jackson, promoted.

To be major with rank from July 14, 1917.

Capt. Robert S. A. Dougherty, Corps of Engineers, vice Maj. George B. Pillsbury, promoted.

To be major with rank from July 18, 1917.

Capt. Stuart C. Godfrey, Corps of Engineers, vice Maj. Gustave R. Lukesh, promoted.

To be majors with rank from August 5, 1917.

Capt. Francis C. Harrington, Corps of Engineers, vice Maj. John R. Slattery, promoted.
Capt. Cleveland C. Gee, Corps of Engineers, vice Maj. Elbert E. Waldron, promoted.
Capt. John M. Wright, Corps of Engineers, vice Maj. Francis A. Pope, promoted.
Capt. John R. D. Matheson, Corps of Engineers, vice Maj. Gilbert A. Youngberg, promoted.
Capt. William H. Sage, jr., Corps of Engineers, vice Maj. Edward N. Johnston, promoted.
Capt. Charles J. Taylor, Corps of Engineers, vice Maj. Clarence O. Sherrill, promoted.
Capt. Edwin H. Marks, Corps of Engineers, vice Maj. Michael J. McDonough, appointed colonel in the National Army.
Capt. Earl North, Corps of Engineers, vice Maj. Curtis W. Otwell, appointed colonel in the National Army.
Capt. Albert H. Acher, Corps of Engineers, vice Maj. Ernest D. Peek, promoted.
Capt. Gilbert Van B. Wilkes, Corps of Engineers, vice Maj. George R. Spalding, promoted.
Capt. John C. H. Lee, Corps of Engineers, vice Maj. Paul S. Bond, appointed colonel in the National Army.
Capt. Frank S. Besson, Corps of Engineers, vice Maj. Elliott J. Dent, promoted.
Capt. Lindsay C. Herkness, Corps of Engineers, vice Maj. William L. Guthrie, appointed colonel in the National Army.
Capt. Albert K. B. Lyman, Corps of Engineers, vice Maj. William P. Stokey, promoted.
Capt. Frederick S. Strong, jr., Corps of Engineers, vice Maj. Wildurr Willing, promoted.
Capt. Daniel D. Pullen, Corps of Engineers, vice Maj. William A. Mitchell, promoted.
Capt. Carey H. Brown, Corps of Engineers, vice Maj. Mark Brooke, promoted.
Capt. Oscar N. Solbert, Corps of Engineers, vice Maj. Laurence V. Frazier, promoted.
Capt. Beverly C. Dunn, Corps of Engineers, vice Maj. James F. Bell, promoted.
Capt. Donald H. Connolly, Corps of Engineers, vice Maj. Warren T. Hannum, appointed colonel in the National Army.
Capt. Raymond F. Fowler, Corps of Engineers, vice Maj. Robert R. Ralston, appointed colonel in the National Army.
Capt. David McCoach, jr., Corps of Engineers (General Staff Corps), vice Maj. Harold C. Fiske, promoted.
Capt. James G. B. Lampert, Corps of Engineers, vice Maj. David McCoach, jr., retained in the General Staff Corps.
Capt. Philip B. Fleming, Corps of Engineers, vice Maj. Max C. Tyler, promoted.
Capt. John W. Stewart, Corps of Engineers, vice Maj. Julian L. Schley, promoted.
Capt. Joseph C. Mehaffey, Corps of Engineers, vice Maj. William H. Rose, promoted.
Capt. Paul S. Reinecke, Corps of Engineers, vice Maj. Richard C. Moore, promoted.
Capt. Raymond A. Wheeler, Corps of Engineers, vice Maj. Lewis M. Adams, promoted.
Capt. W. Morris Chubb, Corps of Engineers, vice Maj. Charles R. Pettis, promoted.
Capt. Howard S. Bennion, Corps of Engineers, vice Maj. W. Goff Caples, appointed colonel in the National Army.
Capt. William C. Sherman, Corps of Engineers, vice Maj. William D'A. Anderson, promoted.
Capt. Rudolph C. Kuldell, Corps of Engineers, vice Maj. Ralph T. Ward, promoted.
Capt. Roscoe C. Crawford, Corps of Engineers, vice Maj. Henry C. Jewett, appointed colonel in the National Army.
Capt. Earl G. Paules, Corps of Engineers, vice Maj. Robert P. Howell, promoted.
Capt. Bradford G. Chynoweth, Corps of Engineers, vice Maj. Arthur R. Ehrnbeck, appointed lieutenant colonel in the National Army.
Capt. Milo P. Fox, Corps of Engineers, vice Maj. Joseph H. Earle, promoted.
Capt. John C. Gotwals, Corps of Engineers, vice Maj. Thomas M. Robins, promoted.
Capt. Francis K. Newcomer, Corps of Engineers, vice Maj. Roger D. Black, promoted.
Capt. Charles F. Williams, Corps of Engineers, vice Maj. Theodore H. Dillon, promoted.
Capt. Gordon R. Young, Corps of Engineers, vice Maj. De Witt C. Jones, promoted.
Capt. Richard U. Nicholas, Corps of Engineers, vice Maj. Ernest Graves, promoted.
Capt. James A. Dorst, Corps of Engineers, vice Maj. Francis B. Wilby, promoted.
Capt. Rufus W. Putnam, Corps of Engineers, vice Maj. Clarence S. Ridley, promoted.
Capt. Lunsford E. Oliver, Corps of Engineers, vice Maj. Alvin B. Barber, promoted.
Capt. William H. Holcombe, Corps of Engineers, vice Maj. Jarvis J. Bain, promoted.
Capt. James B. Cress, Corps of Engineers, vice Maj. Thomas H. Emerson, promoted.
Capt. Charles P. Gross, Corps of Engineers, vice Maj. Roger G. Powell, promoted.
Capt. Bernard A. Miller, Corps of Engineers, vice Maj. Robert S. Thomas, appointed lieutenant colonel in the National Army.
Capt. Peter C. Bullard, Corps of Engineers, vice Maj. Harold S. Hetrick, appointed lieutenant colonel in the National Army.
Capt. Brehon B. Somervell, Corps of Engineers, vice Maj. William A. Johnson, appointed lieutenant colonel in the National Army.
Capt. Xenophon H. Price, Corps of Engineers, vice Maj. Frederick B. Downing, appointed lieutenant colonel in the National Army.
Capt. Robert W. Crawford, Corps of Engineers, vice Maj. Edmund L. Daley, appointed lieutenant colonel in the National Army.
Capt. Frederick S. Skinner, Corps of Engineers, vice Maj. Henry A. Finch, appointed lieutenant colonel in the National Army.
Capt. Dabney O. Elliott, Corps of Engineers, vice Maj. John N. Hodges, promoted.
Capt. Allen P. Cowgill, Corps of Engineers, vice Maj. James J. Loving, promoted.
Capt. George F. Lewis, Corps of Engineers, vice Maj. Edward D. Ardery, promoted.

To be captains from August 30, 1917.

First Lieut. Edmond H. Levy, Corps of Engineers, vice Capt. George R. Goethals, promoted.
First Lieut. Thomas D. Stamps, Corps of Engineers, vice Capt. John W. N. Schulz, promoted.
First Lieut. Bartley M. Harloe, Corps of Engineers, vice Capt. Clarence L. Sturdevant, promoted.
First Lieut. Starr C. Wardrop, Corps of Engineers, vice Capt. Earl J. Atkisson, promoted.
First Lieut. Girard B. Troland, Corps of Engineers, vice Capt. Richard T. Coiner, promoted.
First Lieut. Llewellyn M. Griffith, Corps of Engineers, vice Capt. Robert S. A. Dougherty, promoted.

COAST ARTILLERY CORPS.

To be colonels with rank from August 5, 1917.

Lieut. Col. Louis R. Burgess, Coast Artillery Corps, vice Col. Charles L. Phillips, appointed brigadier general, National Army.
Lieut. Col. James A. Shipton, Coast Artillery Corps, vice Col. Clint C. Hearn, appointed brigadier general, National Army.
Lieut. Col. William Chamberlaine, Coast Artillery Corps, vice Col. Ira A. Haynes, appointed brigadier general, National Army.
Lieut. Col. George H. McManus, Coast Artillery Corps, vice Col. William G. Haan, appointed brigadier general, National Army.
Lieut. Col. Edward J. Timberlake, Coast Artillery Corps (Quartermaster Corps), vice Col. Henry D. Todd, jr., appointed bridagier general, National Army.

Lieut. Col. James M. Williams, Coast Artillery Corps, vice Col. Edward J. Timberlake, retained in the Quartermaster Corps.

Lieut. Col. Alston Hamilton, Coast Artillery Corps, vice Col. Frank G. Mauldin, appointed brigadier general, National Army.

Lieut. Col. John C. Gilmore, jr., Coast Artillery Corps, vice Col. Andrew Hero, jr., appointed brigadier general, National Army.

Lieut. Col. Joseph L. Knowlton, Coast Artillery Corps (Quartermaster Corps), vice Col. Stephen M. Foote, appointed brigadier general, National Army.

Lieut. Col. Joseph Wheeler, jr., Coast Artillery Corps, vice Col. Joseph L. Knowlton, retained in the Quartermaster Corps.

Lieut. Col. Robert E. Callan, Coast Artillery Corps (General Staff), vice Col. Richard P. Davis, appointed brigadier general, National Army.

Lieut. Col. Edwin Landon, Coast Artillery Corps (Adjutant General's Department), vice Col. Robert E. Callan, retained in the General Staff.

Lieut. Col. Clarence H. McNeil, Coast Artillery Corps (Quartermaster Corps), vice Col. Edwin Landon, retained in the Adjutant General's Department.

Lieut. Col. Joseph P. Tracy, Coast Artillery Corps (Adjutant General's Department), vice Col. Clarence H. McNeil, retained in the Quartermaster Corps.

Lieut. Col. Percy M. Kessler, Coast Artillery Corps (Ammunition Train), vice Col. Joseph P. Tracy, retained in the Adjutant General's Department.

Lieut. Col. Johnson Hagood, Coast Artillery Corps, vice Col. John L. Hayden, appointed brigadier general, National Army.

Lieut. Col. George T. Patterson, Coast Artillery Corps, vice Col. William R. Smith, appointed brigadier general, National Army.

Lieut. Col. Frank K. Fergusson, Coast Artillery Corps, vice Col. Frank W. Coe, appointed brigadier general, National Army.

Lieut. Col. William E. Cole, Coast Artillery Corps (Adjutant General's Department), vice Col. James A. Shipton, appointed brigadier general, National Army.

Lieut. Col. Marcellus G. Spinks, Coast Artillery Corps (Inspector General's Department), vice Col. William E. Cole, retained in The Adjutant General's Department.

Lieut. Col. Jacob C. Johnson, Coast Artillery Corps (Inspector General's Department), vice Col. Marcellus G. Spinks, retained in the Inspector General's Department.

Lieut. Col. Robert E. Wyllie, Coast Artillery Corps (General's Staff), vice Col. Jacob C. Johnson, retained in the Inspector General's Department.

Lieut. Col. William Forse, Coast Artillery Corps (Adjutant General's Department), vice Col. Robert E. Wyllie, retained in the General Staff.

Lieut. Col. Malcolm Young, Coast Artillery Corps (National Army), vice Col. William Forse, retained in the Adjutant General's Department.

Lieut. Col. Laurence C. Brown, Coast Artillery Corps (Signal Corps), vice Col. Frank E. Harris, detailed in the Adjutant General's Department.

Lieut. Col. Harry L. Steele, Coast Artillery Corps (Quartermaster Corps), vice Col. Laurence C. Brown, retained in the Signal Corps.

Lieut. Col. Thomas F. Dwyer, Coast Artillery Corps (Quartermaster Corps), vice Col. Harry L. Steele, retained in the Quartermaster Corps.

Lieut. Col. James B. Mitchell, Coast Artillery Corps (Inspector General's Department), vice Col. Thomas F. Dwyer, retained in the Quartermaster Corps.

Lieut. Col. Alfred S. Morgan, Coast Artillery Corps (Adjutant General's Department), vice Col. James B. Mitchell, retained in the Inspector General's Department.

Lieut. Col. Charles H. Hilton, Coast Artillery Corps (General Staff), vice Col. Alfred S. Morgan, retained in the Adjutant General's Department.

Lieut. Col. Edward L. Glasgow, Coast Artillery Corps (Adjutant General's Department), vice Charles H. Hilton, retained in the General Staff.

Lieut. Col. Percy Willis, Coast Artillery Corps (Ammunition Train), vice Col. Edward L. Glasgow, retained in the Adjutant General's Department.

To be colonels with rank from December 29, 1917.

Lieut. Col. Joseph B. Douglas, Coast Artillery Corps (Signal Corps), vice Col. Percy Willis, retained in Ammunition Train.

Lieut. Col. John R. Procter, Coast Artillery Corps (Adjutant General's Department), vice Joseph B. Douglas, retained in the Signal Corps.

Lieut. Col. John B. Christian, Coast Artillery Corps (Signal Corps), vice Col. John R. Proctor, retained in the Adjutant General's Department.

Lieut. Col. Frederick W. Phisterer, Coast Artillery Corps, vice Col. John B. Christian, retained in the Signal Corps.

COAST ARTILLERY ARM.

To be lieutenant colonels with rank from August 5, 1917.

Maj. Malcolm Young, Coast Artillery Corps, vice Lieut. Col. Lawrence S. Miller, appointed colonel in the National Army.

Maj. Laurence C. Brown, Coast Artillery Corps (Signal Corps), vice Lieut. Col. Earle D'A. Pearce, appointed colonel in the National Army.

Maj. Harry L. Steele, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. Laurence C. Brown, retained in the Signal Corps.

Maj. Thomas F. Dwyer, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. Harry L. Steele, retained in the Quartermaster Corps.

Maj. James B. Mitchell, Coast Artillery Corps (Inspector General's Department), vice Lieut. Col. Thomas F. Dwyer, retained in the Quartermaster Corps.

Maj. Alfred S. Morgan, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. James B. Mitchell, retained in the Inspector General's Department.

Maj. Charles H. Hilton, Coast Artillery Corps (General Staff Corps), vice Lieut. Col. Alfred S. Morgan, retained in The Adjutant General's Department.

Maj. Edward L. Glasgow, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. Charles H. Hilton, retained in the General Staff Corps.

Maj. Percy Willis, Coast Artillery Corps, vice Lieut. Col. Edward L. Glasgow, retained in the Quartermaster Corps.

Maj. William F. Stewart, jr., Coast Artillery Corps, vice Lieut. Col. Sam F. Bottoms, appointed colonel in the National Army.

Maj. Joseph B. Douglas, Coast Artillery Corps (Signal Corps), vice Lieut. Col. Edwin O. Sarratt, appointed colonel in the National Army.

Maj. Hudson T. Patten, Coast Artillery Corps, vice Lieut. Col. Joseph B. Douglas, retained in the Signal Corps.

Maj. Edward Kimmell, Coast Artillery Corps, vice Lieut. Col. Frederick E. Johnston, appointed colonel in the National Army.

Maj. John R. Procter, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. Arthur S. Conklin, appointed colonel in the National Army.

Maj. John B. Christian, Coast Artillery Corps (Signal Corps), vice Lieut. Col. John R. Procter, retained in the Adjutant General's Department.

Maj. Frederick W. Phisterer, Coast Artillery Corps, vice Lieut. Col. John B. Christian, retained in the Signal Corps.

Maj. Robert H. C. Kelton, Coast Artillery Corps, vice Lieut. Col. James F. Brady, appointed colonel in the National Army.

Maj. Percy P. Bishop, Coast Artillery Corps (General Staff Corps), vice Lieut. Col. Thomas Q. Ashburn, appointed colonel in the National Army.

Maj. Henry J. Hatch, Coast Artillery Corps, vice Lieut. Col. Robert S. Abernethy, appointed colonel in the National Army.

Maj. William F. Hase, Coast Artillery Corps, vice Lieut. Col. Harold E. Cloke, appointed colonel in the National Army.

Maj. William R. Doores, Coast Artillery Corps, vice Lieut. Col. Philip R. Ward, appointed colonel in the National Army.

Maj. James F. Howell, Coast Artillery Corps, vice Lieut. Col. Samuel A. Kephart, promoted.

Maj. Jesse C. Nicholls, Coast Artillery Corps (Ordnance Department), vice Lieut. Col. William Forse, promoted.

Maj. Henry W. Schull, Coast Artillery Corps (Ordnance Department), vice Lieut. Col. Jesse C. Nicholls, retained in the Ordnance Department.

Maj. Clifton C. Carter, Coast Artillery Corps, vice Lieut. Col. Henry W. Schull, retained in the Ordnance Department.

Maj. Stanley D. Embick, Coast Artillery Corps (General Staff Corps), vice Lieut. Col. Louis R. Burgess, promoted.

Maj. William H. Monroe, Coast Artillery Corps (Ammunition Train), vice Lieut. Col. Stanley D. Embick, retained in the General Staff Corps.

Maj. Leonard T. Waldron, Coast Artillery Corps, vice Lieut. Col. William H. Monroe, retained in Ammunition Train.

Maj. Ernest A. Greenough, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. James A. Shipton, promoted.

Maj. Alexander Greig, jr., Coast Artillery Corps, vice Lieut. Col. Ernest A. Greenough, retained in the Quartermaster Corps.

Maj. James A. Ruggles, Coast Artillery Corps, vice Lieut. Col. William Chamberlaine, promoted.

Maj. Terence E. Murphy, Coast Artillery Corps, vice Lieut. Col. Gordon G. Heiner, appointed brigadier general in the National Army.

Maj. Harry W. Newton, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. George H. McManus, promoted.

Maj. Allen D. Raymond, Coast Artillery Corps, vice Lieut. Col. Harry W. Newton, retained in the Quartermaster Corps.

Maj. James R. Pourie, Coast Artillery Corps, vice Lieut. Col. James M. Williams, promoted.

Maj. John L. Hughes, Coast Artillery Corps, vice Lieut. Col. Alston Hamilton, promoted.

Maj. John W. C. Abbott, Coast Artillery Corps, vice Lieut. Col. John C. Gilmore, jr., promoted.

Maj. Harry T. Matthews, Coast Artillery Corps (Inspector General's Department), vice Lieut. Col. Mervyn C. Buckey, appointed colonel in the National Army.

Maj. Harry C. Barnes, Coast Artillery Corps, vice Lieut. Col. Harry T. Matthews, retained in the Inspector General's Department.

Maj. Stephen H. Mould, Coast Artillery Corps, vice Lieut. Col. Joseph Wheeler, jr., promoted.

Maj. Louis S. Chappelear, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. Johnson Hagood, promoted.

Maj. Granville Sevier, Coast Artillery Corps, vice Lieut. Col. Louis S. Chappelear, retained in the Adjutant General's Department.

Maj. Robert F. Woods, Coast Artillery Corps, vice Lieut. Col. George T. Patterson, promoted.

Maj. Albert C. Thompson, Coast Artillery Corps, vice Lieut. Col. Percy M. Kessler, promoted.

Maj. Ellison L. Gilmer, Coast Artillery Corps, vice Lieut. Col. Frank K. Fergusson, promoted.

Maj. John McBride, jr., Coast Artillery Corps, vice Lieut. Col. Malcolm Young, promoted.

Maj. Richard K. Cravens, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. Clifton C. Carter, appointed professor in the United States Military Academy.

Maj. George O. Hubbard, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. Richard K. Cravens, retained in the Adjutant General's Department.

Maj. James M. Wheeler, Coast Artillery Corps, vice Lieut. Col. George O. Hubbard, retained in the Quartermaster Corps.

Maj. Harrison S. Kerrick, Coast Artillery Corps, vice Lieut. Col. Stanley D. Embick, appointed colonel in the Signal Corps.

Maj. Frank J. Miller, Coast Artillery Corps, vice Lieut. Col. Marcellus G. Spinks, detailed in the Inspector General's Department.

Maj. Philip S. Golderman, Coast Artillery Corps, vice Lieut. Col. Percy Willis, promoted.

Maj. Charles L. Lanham, Coast Artillery Corps, vice Lieut. Col. Percy P. Bishop, detailed in the General Staff Corps.

Maj. George F. Connolly, Coast Artillery Corps, vice Lieut. Col. William E. Cole, appointed colonel in the National Army.

To be lieutenant colonels with rank from December 26, 1917.

Maj. John S. Johnston, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. William F. Stewart, jr., appointed colonel in the National Army.

Maj. Joseph S. Hardin, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. John S. Johnston, retained in The Adjutant General's Department.

Maj. Louis E. Bennett, Coast Artillery Corps, vice Lieut. Col. Joseph S. Hardin, retained in the Quartermaster Corps.

To be lieutenant colonels with rank from December 29, 1917.

Maj. George L. Hicks, jr., Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. Frederick W. Phisterer, promoted.

Maj. Lynn S. Edwards, Coast Artillery Corps, vice Lieut. Col. George L. Hicks, jr., retained in The Adjutant General's Department.

FIELD ARTILLERY ARM.

To be colonels with rank from August 5, 1917.

Lieut. Col. John E. Stephens, Field Artillery (General Staff Corps), vice Col. William J. Snow, appointed brigadier general in the National Army.

Lieut. Col. Thomas E. Merrill, Field Artillery, vice Col. John E. Stephens, retained in the General Staff Corps.

Lieut. Col. Fox Conner, Field Artillery (Inspector General's Department), vice Col. LeRoy S. Lyon, appointed brigadier general in the National Army.

Lieut. Col. Henry W. Butner, Field Artillery, vice Col. Fox Conner, retained in the Inspector General's Department.

Lieut. Col. Henry L. Newbold, Field Artillery, vice Col. George G. Gatley, appointed brigadier general in the National Army.

Lieut. Col. Ernest D. Scott, Field Artillery, vice Col. Charles P. Summerall, appointed brigadier general in the National Army.

Lieut. Col. Lucius R. Holbrook, Field Artillery, vice Col. John E. McMahon, appointed brigadier general in the National Army.

Lieut. Col. Harrison Hall, Field Artillery, vice Col. Edward F. McGlachlin, jr., appointed brigadier general in the National Army.

Lieut. Col. Wright Smith, Field Artillery, vice Col. George Le R. Irwin, appointed brigadier general in the National Army.

Lieut. Col. Alfred A. Starbird, Field Artillery (Inspector General's Department), vice Col. Charles T. Menoher, appointed brigadier general in the National Army.

Lieut. Col. Charles R. Lloyd, Field Artillery, vice Col. Alfred A. Starbird, retained in the Inspector General's Department.

Lieut. Col. Oliver L. Spaulding, jr., Field Artillery, vice Col. William L. Kenly, appointed brigadier general in the National Army.

Lieut. Col. Conrad H. Lanza, Field Artillery, vice Col. William Lassiter, appointed brigadier general in the National Army.

Lieut. Col. Lewis S. Ryan, Field Artillery, vice Col. William S. McNair, appointed brigadier general in the National Army.

Lieut. Col. Howard L. Landers, Field Artillery, vice Col. Lucien G. Berry, appointed brigadier general in the National Army.

To be colonel with rank from January 2, 1918.

Lieut. Col. William H. Burt, Field Artillery, vice Col. Harrison Hall, detailed in ammunition train.

To be lieutenant colonels with rank from August 5, 1917.

Maj. Lewis S. Ryan, Field Artillery, vice Lieut. Col. Robert C. Foy, appointed colonel in the National Army.

Maj. Howard L. Landers, Field Artillery, vice Lieut. Col. Henry B. Farrar, appointed colonel in the National Army.

Maj. William H. Burt, Field Artillery, vice Lieut. Col. Charles M. Bundel, appointed colonel in the National Army.

Maj. Clarence N. Jones, Field Artillery, vice Lieut. Col. Charles D. Herron, appointed colonel in the National Army.

Maj. Frederick B. Hennessy, Field Artillery, vice Lieut. Col. William McK. Lambdin, appointed colonel in the National Army.

Maj. Laurin L. Lawson, Field Artillery, vice Lieut. Col. Frank E. Hopkins, appointed colonel in the National Army.

Maj. Morris E. Locke, Field Artillery (General Staff Corps), vice Lieut. Col. Fred T. Austin, appointed colonel in the National Army.

Maj. John W. Kilbreth, Field Artillery, vice Lieut. Col. Morris E. Locke, retained in the General Staff Corps.

Maj. James H. Bryson, Field Artillery, vice Lieut. Col. John E. Stephens, promoted.

Maj. Roger O. Mason, Field Artillery, vice Lieut. Col. Thomas E. Merrill, promoted.

Maj. William S. Browning, Field Artillery (General Staff Corps), vice Lieut. Col. Henry W. Butner, promoted.

Maj. Joseph F. Barnes, Field Artillery, vice Lieut. Col. Charles C. Pulis, appointed colonel in the National Army.

Maj. William P. Ennis, Field Artillery, vice Lieut. Col. George V. H. Moseley, appointed colonel in the National Army.

Maj. Dennis H. Currie, Field Artillery (General Staff Corps), vice Lieut. Col. Louis T. Boiseau, appointed colonel in the National Army.

Maj. Beverly F. Browne, Field Artillery, vice Lieut. Col. Henry L. Newbold, promoted.

Maj. Raymond S. Pratt, Field Artillery, vice Lieut. Col. Ernest D. Scott, promoted.

Maj. Alden F. Brewster, Field Artillery, vice Lieut. Col. Lucius R. Holbrook, promoted.

Maj. Norton E. Wood, Field Artillery, vice Lieut. Col. Harrison Hall, promoted.

Maj. Albert S. Fuger, Field Artillery, vice Lieut. Col. Wright Smith, promoted.

Maj. William N. Michel, Field Artillery, vice Lieut. Col. Charles R. Lloyd, promoted.

Maj. Ernest S. Wheeler, Field Artillery, vice Lieut. Col. Oliver L. Spaulding, jr., promoted.

Maj. Lesley J. McNair, Field Artillery (General Staff Corps), vice Lieut. Col. Conrad H. Lanza, promoted.

Maj. Walter D. Smith, Field Artillery, vice Lieut. Col. Lesley J. McNair, retained in the General Staff Corps.

Maj. Creed F. Cox, Field Artillery, vice Lieut. Col. Lewis S. Ryan, promoted.

Maj. Leo P. Quinn, Field Artillery, vice Lieut. Col. Howard L. Landers, promoted.

Maj. Walter H. Smith, Field Artillery (Quartermaster Corps), vice Lieut. Col. William S. Browning, detailed in the General Staff Corps.

Maj. Albert T. Bishop, Field Artillery, vice Lieut. Col. Walter H. Smith, retained in the Quartermaster Corps.

Maj. Harold W. Huntley, Field Artillery, vice Lieut. Col. Dennis H. Currie, detailed in the General Staff Corps.

To be lieutenant colonel with rank from January 2, 1918.

Maj. Edwin De L. Smith, Field Artillery, vice Lieut. Col. William H. Burt, promoted.

To be majors with rank from August 5, 1917.

Capt. Charles J. Ferris, Field Artillery, vice Maj. Marion W. Howze, appointed lieutenant colonel, National Army.

Capt. Walter D. Smith, Field Artillery, vice Maj. Lewis S. Ryan, promoted.

Capt. Creed F. Cox, Field Artillery, vice Maj. Clarence Deems, jr., appointed colonel, National Army.

Capt. Leo P. Quinn, Field Artillery, vice Maj. Francis W. Griffin, appointed colonel, National Army.

Capt. Walter H. Smith, Field Artillery, vice Maj. Robert S. Welsh, appointed colonel, National Army.

Capt. John S. Hammond, Field Artillery, vice Maj. Howard L. Landers, promoted.

Capt. Albert T. Bishop, Field Artillery, vice Maj. William H. Burt, promoted.

Capt. Harold W. Huntley, Field Artillery, vice Maj. Clarence N. Jones, promoted.

Capt. Edwin De L. Smith, Field Artillery, vice Maj. Frederick B. Hennessy, promoted.

Capt. Ralph McT. Pennell, Field Artillery, vice Maj. George M. Brooke, appointed colonel, National Army.

Capt. Walter S. Sturgill, Field Artillery, vice Maj. Harry C. Williams, appointed colonel, National Army.

Capt. Sherman Miles, Field Artillery (General Staff), vice Maj. Edgar H. Yule, appointed colonel, National Army.

Capt. Cortlandt Parker, Field Artillery, vice Maj. Sherman Miles, retained in the General Staff Corps.

Capt. Richard C. Burleson, Field Artillery, vice Maj. George R. Greene, appointed colonel, National Army.

Capt. Joseph R. Davis, Field Artillery, vice Maj. Charles M. Bunker, appointed colonel, National Army.

Capt. John R. Starkey, Field Artillery, vice Maj. Laurin L. Lawson, promoted.

Capt. Rene E. De R. Hoyle, Field Artillery, vice Maj. William F. Jones, appointed lieutenant colonel, National Army.

Capt. Dawson Olmstead, Field Artillery, vice Maj. Charles G. Mortimer, appointed lieutenant colonel, National Army.

Capt. John C. Maul, Field Artillery, vice Maj. William I. Westervelt, appointed colonel, National Army.

Capt. Albert L. Hall, Field Artillery, vice Maj. John B. W. Corey, appointed lieutenant colonel, National Army.

Capt. George H. Paine, Field Artillery, vice Maj. Joseph E. Myers, appointed lieutenant colonel, National Army.

Capt. Leroy P. Collins, Field Artillery, vice Maj. William S. Wood, appointed lieutenant colonel, National Army.

Capt. Ballard Lyerly, Field Artillery, vice Maj. Samuel Frankenberger, appointed lieutenant colonel, National Army.

Capt. Robert H. Lewis, Field Artillery, vice Maj. Henry S. Kilbourne, jr., appointed lieutenant colonel, National Army.

Capt. Phillip W. Booker, Field Artillery, vice Maj. Charles J. Ferris, appointed lieutenant colonel, National Army.

Capt. Fred T. Cruse, Field Artillery (General Staff), vice Maj. George M. Apple, appointed colonel, National Army.

Capt. James P. Marley, Field Artillery (Inspector General's Department), vice Maj. Fred T. Cruse, retained in the General Staff Corps.

Capt. Waldo C. Potter, Field Artillery, vice Maj. John W. Kilbreth, promoted.

Capt. John W. Downer, Field Artillery, vice Maj. James H. Bryson, promoted.

Capt. Benj. M. Bailey, Field Artillery, vice Maj. Roger O. Mason, promoted.

Capt. William F. Sharp, Field Artillery, vice Maj. Ned B. Rehkopf, appointed lieutenant colonel, National Army.

Capt. Frank Thorp, jr., Field Artillery, vice Maj. William S. Browning, promoted.

Capt. E. R. Warner McCabe, Field Artillery, vice Maj. Joseph F. Barnes, promoted.

Capt. Donald C. McDonald, Field Artillery, vice Maj. James P. Robinson, appointed colonel, National Army.

Capt. John G. Tyndall, Field Artillery, vice Maj. William P. Ennis, promoted.

Capt. Otto L. Brunzell, Field Artillery, vice Maj. Dennis H. Currie, promoted.

Capt. Clifford L. Corbin, Field Artillery, vice Maj. Beverly F. Browne, promoted.

Capt. Pierre V. Kieffer, Field Artillery, vice Maj. Marlborough Churchill, appointed lieutenant colonel, National Army.

Capt. Charles T. Harris, jr., Field Artillery (Ordnance Department), vice Maj. Albert U. Faulkner, appointed colonel, National Army.

Capt. Maxwell Murray, Field Artillery, vice Maj. Charles T. Harris, jr., retained in the Odnance Depatment.

Capt. Alfed L. P. Sands, Field Artillery, vice Maj. Raymond S. Pratt, promoted.

Capt. Henry H. Pfeil, Field Artillery, vice Maj. Robert Davis, appointed lieutenant colonel, National Army.

Capt. Charles P. George, Field Artillery, vice Maj. Pelham D. Glassford, appointed lieutenant colonel, National Army.

Capt. Charles W. Harlow, Field Artillery, vice Maj. Alden F. Brewster, promoted.

Capt. William H. Rucker, Field Artillery, vice Maj. Norton E. Wood, promoted.

Capt. William H. Shepherd, Field Artillery, vice Maj. Albert S. Fuger, promoted.

Capt. Marshall G. Randol, Field Artillery, vice Maj. William F. Morrison, appointed lieutenant colonel, National Army.

Capt. John N. Greely, Field Artillery, vice Maj. John R. Kelly, appointed lieutenant colonel, National Army.

Capt. Webster A. Capron, Field Artillery, vice Maj. William N. Michel, promoted.

Capt. John E. Mort, Field Artillery, vice Maj. Ernest S. Wheeler, promoted.

Capt. James H. Burns, Field Artillery (Ordnance Department), vice Maj. Walter D. Smith, promoted.

Capt. Everett S. Hughes, Field Artillery (Ordnance Department), vice Maj. James H. Burns, retained in the Ordnance Department.

Capt. Thomas J. Smith, Field Artillery (Ordnance Department), vice Maj. Everett S. Hughes, retained in the Ordnance Department.

Capt. Roger S. Parrott, Field Artillery (General Staff), vice Maj. Thomas J. Smith, retained in the Ordnance Department.

Capt. Thurman H. Bane, Field Artillery (Signal Corps), vice Maj. Creed F. Cox, promoted.

Capt. Thomas D. Sloan, Field Artillery, vice Maj. Thurman H. Bane, retained in the Signal Corps.

Capt. Harold Geiger, Field Artillery (Signal Corps), vice Maj. Augustine McIntyre, appointed colonel, National Army.

Capt. Claude B. Thummell, Field Artillery (Ordnance Department), vice Maj. George R. Allin, appointed lieutenant colonel, National Army.

Capt. Edwin M. Watson, Field Artillery, vice Maj. Claude B. Thummell, retained in the Ordnance Department.

Capt. Harold E. Miner, Field Artillery, vice Maj. Thomas W. Hollyday, appointed lieutenant colonel, National Army.

Capt. Joseph A. Rogers, Field Artillery, vice Maj. Leo P. Quinn, promoted.

Capt. Charles T. Griffith, Field Artillery, vice Major John S. Hammond, appointed lieutenant colonel, National Army.

Capt. Ronald D. Johnson, Field Artillery, vice Maj. Harold Geiger, appointed major in the Signal Corps.

Capt. Jacob E. Devers, Field Artillery, vice Maj. Albert T. Bishop, promoted.

Capt. Lucien H. Taliaferro, Field Artillery, vice Maj. Harold W. Huntley, promoted.

To be major with rank from November 5, 1917.

Capt. Harold H. Bateman, Field Artillery, vice Maj. Ralph McT. Pennell, appointed lieutenant colonel, National Army.

To be majors with rank from November 13, 1917.

Capt. Frank A. Turner, Field Artillery, vice Maj. Dawson Olmstead, detailed in the Inspector General's Department.

Capt. George G. Seaman, Field Artillery, vice Maj. Roger S. Parrott, detailed in the General Staff.

To be majors with rank from December 5, 1917.

Capt. Franz A. Doniat, Field Artillery (General Staff), vice Maj. James P. Marley, detailed in the Inspector General's Department.

Capt. Carl A. Baehr, Field Artillery, vice Maj. Franz A. Doniat, retained in the General Staff.

To be major with rank from January 2, 1918.

Capt. Robert S. Donaldson, Field Artillery, vice Maj. Edwin De L. Smith, promoted.

CAVALRY ARM.

To be colonels with rank from August 5, 1917.

Lieut. Col. Frank M. Caldwell, Cavalry (Inspector General's Department), vice Col. Robert A. Brown, appointed brigadier general in the National Army.

Lieut. Col. James J. Hornbrook, Cavalry, vice Col. Frank M. Caldwell, retained in the Inspector General's Department.

Lieut. Col. William F. Clark, Cavalry (Quartermaster Corps), vice Col. Grote Hutcheson, appointed brigadier general in the National Army.

Lieut. Col. Samuel G. Jones, Cavalry, vice Col. William F. Clark, retained in the Quartermaster Corps.

Lieut. Col. Melvin W. Rowell, Cavalry, vice Col. Wilber E. Wilder, appointed brigadier general in the National Army.

Lieut. Col. Lawrence J. Fleming, Cavalry, vice Col. Lloyd M. Brett, appointed brigadier general in the National Army.

Lieut. Col. Oren B. Meyer, Cavalry, vice Col. James B. Erwin, appointed brigadier general in the National Army.

Lieut. Col. Charles J. Symmonds, Cavalry, vice Col. Joseph A. Gaston, appointed brigadier general in the National Army.

Lieut. Col. Alexander M. Miller, Cavalry, vice Col. John M. Jenkins, detailed in ammunition train.

Lieut. Col. Charles B. Drake, Cavalry (Quartermaster Corps), vice Col. Alexander L. Dade, appointed brigadier general in the Signal Corps.

Lieut. Col. Harry O. Williard, Cavalry, vice Col. Charles B. Drake, retained in the Quartermaster Corps.

Lieut. Col. John P. Wade, Cavalry (Adjutant General's Department), vice Col. William H. Hay, appointed brigadier general in the National Army.

Lieut. Col. Ola W. Bell, Cavalry (Adjutant General's Department), vice Col. John P. Wade, retained in The Adjutant General's Department.

Lieut. Col. Abraham G. Lott, Cavalry (Adjutant General's Department), vice Col. Ola W. Bell, retained in The Adjutant General's Department.

Lieut. Col. Samuel F. Dallam, Cavalry (Quartermaster Corps), vice Col. Abraham G. Lott, retained in The Adjutant General's Department.

Lieut. Col. William Kelly, jr., Cavalry (Adjutant General's Department), vice Col. Samuel F. Dallam, retained in the Quartermaster Corps.

Lieut. Col. Alfred E. Kennington, Cavalry, vice Col. William Kelly, Jr., retained in The Adjutant General's Department.

Lieut. Col. Edward P. Orton, Cavalry (Quartermaster Corps), vice Col. Jesse McI. Carter, appointed brigadier general in the National Army.

Lieut. Col. Robert B. Powers, Cavalry (Quartermaster Corps), vice Col. Edward P. Orton, retained in the Quartermaster Corps.

Lieut. Col. Francis H. Pope, Cavalry (Quartermaster Corps), vice Col. Robert B. Powers, retained in the Quartermaster Corps.

Lieut. Col. Herman A. Sievert, Cavalry (ammunition train), vice Col. Francis H. Pope, retained in the Quartermaster Corps.

Lieut. Col. Pierce A. Murphy, Cavalry (ammunition train), vice Col. Herman A. Sievert, retained in ammunition train.

Lieut. Col. Frederick T. Arnold, Cavalry, vice Col. Pierce A. Murphy, retained in ammunition train.

Lieut. Col. Charles W. Fenton, Cavalry, since deceased, vice Col. George H. Cameron, appointed brigadier general in the National Army.

Lieut. Col. Edward D. Anderson, Cavalry (General Staff Corps), vice Col. Willard A. Holbrook, appointed brigadier general in the National Army.

Lieut. Col. George P. White, Cavalry, vice Col. Edward D. Anderson, retained in the General Staff Corps.

Lieut. Col. Louis C. Scherer, Cavalry (Quartermaster Corps), vice Col. William D. Beach, appointed brigadier general in the National Army.

Lieut. Col. Robert J. Fleming, Cavalry, vice Col. Louis C. Scherer, retained in the Quartermaster Corps.

Lieut. Col. Edwin B. Winans, Cavalry, vice Col. Robert D. Walsh, appointed brigadier general in the National Army.

Lieut. Col. William T. Johnston, Cavalry (Adjutant General's Department), vice Col. Peter E. Traub, appointed brigadier general in the National Army.

Lieut. Col. Harold P. Howard, Cavalry (Quartermaster Corps), vice Col. William T. Johnston, retained in The Adjutant General's Department.

Lieut. Col. Elmer Lindsley, Cavalry (Quartermaster Corps), vice Col. Harold P. Howard, retained in the Quartermaster Corps.

Lieut. Col. William J. Glasgow, Cavalry, vice Col. Elmer Lindsley, retained in the Quartermaster Corps.

Lieut. Col. Frank S. Armstrong, Cavalry, vice Col. Guy Carleton, appointed brigadier general in the National Army.

Lieut. Col. James G. Harbord, Cavalry, vice Col. Thomas B. Dugan, appointed brigadier general in the National Army.

Lieut. Col. Samuel D. Rockenbach, Cavalry (Quartermaster Corps), vice Col. James G. Harbord, appointed brigadier general in the National Army.

Lieut. Col. Kirby Walker, Cavalry, vice Col. Samuel D. Rockenbach, retained in the Quartermaster Corps.

To be lieutenant colonels with rank from August 5, 1917.

Maj. Alexander M. Miller, Cavalry, vice Lieut. Col. John O'Shea, appointed in the National Army.

Maj. Charles B. Drake (Quartermaster Corps), vice Lieut. Col. Frank Tompkins, appointed in the National Army.

Maj. Harry O. Williard, Cavalry, vice Lieut. Col. Charles B. Drake, retained in the Quartermaster Corps.

Maj. John P. Wade, Cavalry (Adjutant General's Department), vice Lieut. Col. Robert C. Williams, appointed in the National Army.

Maj. Ola W. Bell, Cavalry (Adjutant General's Department), vice Lieut. Col. James H. Reeves, appointed in the National Army.

Maj. Abraham G. Lott, Cavalry (Adjutant General's Department), vice Lieut. Col. Claude B. Sweezey, appointed in the National Army.

Maj. Samuel F. Dallam, Cavalry (Quartermaster Corps), vice Lieut. Col. Julian R. Lindsey, appointed in the National Army.

Maj. William Kelly, jr., Cavalry (Adjutant General's Department), vice Lieut. Col. Samuel F. Dallam, retained in the Quartermaster Corps.

Maj. Henry C. Whitehead, Cavalry (Signal Corps), vice Lieut. Col. Samuel B. Arnold, appointed in the National Army.

Maj. William D. Chitty, Cavalry (Signal Corps), vice Lieut. Col. Joseph E. Cusack, appointed in the National Army.

Maj. Alfred E. Kennington, Cavalry, vice Lieut. Col. Herbert B. Crosby, appointed in the National Army.

Maj. Edward P. Orton, Cavalry (Quartermaster Corps), vice Lieut. Col. Harry H. Pattison, appointed in the National Army.

Maj. Robert B. Powers, Cavalry (Quartermaster Corps), vice Lieut. Col. Edward P. Orton, retained in the Quartermaster Corps.

Maj. Francis H. Pope, Cavalry (Quartermaster Corps), vice Lieut. Col. Robert B. Powers, retained in the Quartermaster Corps.

Maj. Herman H. Sievert, Cavalry (ammunition train), vice Lieut. Col. Francis H. Pope, retained in the Quartermaster Corps.

Maj. George E. Mitchell, Cavalry (Signal Corps), vice Lieut. Col. George F. Hamilton, appointed in the National Army.

Maj. Pierce A. Murphy, Cavalry (ammunition train), vice Lieut. Col. George E. Mitchell, retained in the Signal Corps.

Maj. Frederick T. Arnold, Cavalry, vice Lieut. Col. John W. Craig, appointed in the National Army.

Maj. James N. Munro, Cavalry (Quartermaster Corps), vice Lieut. Col. Casper H. Conrad, jr., appointed in the National Army.

Maj. William S. Valentine, Cavalry (Quartermaster Corps), vice Lieut. Col. James N. Munro, retained in the Quartermaster Corps.

Maj. Henry C. Smither, Cavalry (Signal Corps), vice Lieut. Col. William S. Valentine, retained in the Quartermaster Corps.

Maj. Roy B. Harper, Cavalry (Adjutant General's Department), vice Lieut. Col. Nathan K. Averill, appointed in the National Army.

Maj. Thomas A. Roberts, Cavalry, vice Lieut. Col. Harry LaT. Cavenaugh, appointed in the National Army.

Maj. Edgar A. Sirmyer, Cavalry, vice Lieut. Col. Walter C. Short, appointed in the National Army.

Maj. Frank R. McCoy, Cavalry, vice Lieut. Col. Sterling P. Adams, appointed colonel in the National Army.

Maj. Clarence R. Day, Cavalry (Signal Corps), vice Lieut. Col. Edmund R. Leary, appointed colonel in the National Army.

Maj. Willard H. McCornack, Cavalry (Signal Corps), vice Lieut. Col. Cornelius C. Smith, appointed colonel in the National Army.

Maj. Guy V. Henry, Cavalry, vice Lieut. Col. Hugh D. Berkeley, appointed colonel in the National Army.

Maj. Wallace B. Scales, Cavalry, vice Lieut. Col. Andrew E. Williams, appointed colonel in the National Army.

Maj. Conrad S. Babcock, Cavalry, vice Lieut. Col. Benjamin B. Hyer, appointed colonel in the National Army.

Maj. Charles C. Farmer, jr., Cavalry, vice Lieut. Col. William H. Paine, appointed colonel in the National Army.

Maj. Grayson V. Heidt, Cavalry (Quartermaster Corps), vice Lieut. Col. Abraham G. Lott, detailed in The Adjutant General's Department.

Maj. Albert N. McClure, Cavalry, vice Lieut. Col. Grayson Heidt, retained in the Quartermaster Corps.

Maj. Holland Rubottom, Cavalry (Signal Corps), vice Lieut. Col. Mathew C. Smith, appointed colonel in the National Army.

Maj. Aubrey Lippincott, Cavalry (Signal Corps), vice Lieut. Col. Frank Parker, appointed colonel in the National Army.

Maj. Henry W. Parker, Cavalry, vice Lieut. Col. Aubrey Lippincott, retained in the Signal Corps.

Maj. William H. Winters, Cavalry (Quartermaster Corps), vice Lieut. Col. James J. Hornbrook, promoted.

Maj. Douglas McCaskey, Cavalry (General Staff Corps), vice Lieut. Col. William H. Winters, retained in the Quartermaster Corps.

Maj. Samuel B. Pearson, Cavalry (Quartermaster Corps), vice Lieut. Col. George W. Kirkpatrick, appointed colonel in the National Army.

Maj. Freeborn P. Holcomb, Cavalry (Quartermaster Corps), vice Lieut. Col. Samuel B. Pearson, retained in the Quartermaster Corps.

Maj. Albert A. King, Cavalry, vice Lieut. Col. Freeborn P. Holcomb, retained in the Quartermaster Corps.

Maj. Daniel Van Voorhis, Cavalry (General Staff Corps), vice Lieut. Col. Samuel G. Jones. promoted.

Maj. Julien E. Gaujot, Cavalry, vice Lieut. Col. Julius T. Conrad, appointed colonel in the National Army.

Maj. Delphey T. E. Casteel, Cavalry, vice Lieut. Col. Howard R. Hickok, appointed colonel in the National Army.

Maj. Joseph R. McAndrews, Cavalry (General Staff), vice Lieut. Col. Lincoln C. Andrews, appointed colonel in the National Army.

Maj. George E. Lovell, Cavalry, vice Lieut. Col. Melvin W. Rowell, promoted.

Maj. Frank L. Case, Cavalry (Quartermaster Corps), vice Lieut. Col. Laurence J. Fleming, promoted.

Maj. John H. Lewis, Cavalry, vice Lieut. Col. Frank L. Case, retained in the Quartermaster Corps.

Maj. Harry N. Cootes, Cavalry (General Staff Corps), vice Lieut. Col. Oren B. Meyer, promoted.

Maj. Charles W. Van Way, Cavalry (Signal Corps), vice Lieut. Col. Harry N. Cootes, retained in the General Staff Corps.

Maj. Wilson G. Heaton, Cavalry, vice Lieut. Col. Charles J. Symmonds, promoted.

Maj. Edward Davis, Cavalry, vice Lieut. Col. Charles W. Fenton, promoted.

Maj. James M. Burroughs, Cavalry (Quartermaster Corps), vice Lieut. Col. George P. White, promoted.

Maj. Dorsey Cullen, Cavalry, vice Lieut. Col. James M. Burroughs, retained in the Quartermaster Corps.

Maj. Charles H. Boice, Cavalry, vice Lieut. Col. Robert J. Fleming, promoted.

Maj. Daniel H. Gienty, Cavalry (Quartermaster Corps), vice Lieut. Col. Edwin B. Winans, promoted.

Maj. William J. Kendrick, Cavalry (Signal Corps), vice Lieut. Col. Daniel H. Gienty, retained in the Quartermaster Corps.

Maj. George T. Bowman, Cavalry (General Staff Corps), vice Lieut. Col. William J. Glasgow, promoted.

Maj. John S. Fair, Cavalry (Quartermaster Corps), vice Lieut. Col. George T. Bowman, retained in the General Staff Corps.

Maj. Robert J. Reaney, Cavalry (Quartermaster Corps), vice Lieut. Col. John S. Fair, retained in the Quartermaster Corps.

Maj. Sherrard Coleman, Cavalry (Quartermaster Corps), vice Lieut. Col. Robert J. Reaney, retained in the Quartermaster Corps.

Maj. William F. Herringshaw, Cavalry (ammunition train), vice Lieut. Col. Sherrad Coleman, retained in the Quartermaster Corps.

Maj. Joseph A. Baer, Cavalry (Inspector General's Department), vice Lieut. Col. William R. Smedberg, appointed colonel in the National Army.

Maj. Charles F. Martin, Cavalry, vice Lieut. Col. Frank S. Armstrong, promoted.

Maj. Willis V. Morris, Cavalry, vice Lieut. Col. James G. Harbord, promoted.

Maj. Walter S. Grant, Cavalry (General Staff Corps, vice Lieut. Col. John P. Wade, detailed in The Adjutant General's Department.

Maj. Charles M. Wesson, Cavalry (Ordnance Department), vice Lieut. Col. Walter S. Grant, retained in the General Staff Corps.

Maj. Morton C. Mumma, Cavalry (General Staff Corps), vice Lieut. Col. Charles M. Wesson, retained in the Ordnance Department.

Maj. Frank P. Amos, Cavalry, vice Lieut. Col. Henry C. Whitehead, appointed colonel in the Signal Corps.

Maj. Julian A. Benjamin, Cavalry (Quartermaster Corps), vice Lieut. Col. William D. Chitty, appointed colonel in the Signal Corps.

Maj. James Goethe, Cavalry, vice Lieut. Col. Julian A. Benjamin, retained in the Quartermaster Corps.

Maj. Varien. D. Dixon, Cavalry, vice Lieut. Col. Clarence R. Day, appointed colonel in the Signal Corps.

Maj. Verne La S. Rockwell, Cavalry (Signal Corps), vice Lieut. Col. Charles W. Van Way, appointed colonel in the Signal Corps.

Maj. George B. Comly, Cavalry (Adjutant General's Department), vice Lieut. Col. Verne La S. Rockwell, retained in the Signal Corps.

Maj. Charles G. Harvey, Cavalry, vice Lieut. Col. Ervin L. Phillips, appointed colonel in the National Army.

Maj. Richard M. Thomas, Cavalry, vice Lieut. Col. Willard H. McCornack, appointed lieutenant colonel in the Signal Corps.

Maj. George B. Rodney, Cavalry, vice Lieut. Col. Pierce A. Murphy, detailed in Ammunition Train.

Maj. Alexander H. Davidson, Cavalry (Quartermaster Corps), vice Lieut. Col. Ola W. Bell, detailed in The Adjutant General's Department.

Maj. Christian A. Bach, Cavalry, vice Lieut. Col. Alexander H. Davidson, retain in Quartermaster Corps.

Maj. David H. Biddle, Cavalry, vice Lieut. Col. Roy B. Harper, detailed in The Adjutant General's Department.

Maj. William F. H. Godson, Cavalry, vice Lieut. Col. Kirby Walker, promoted.

Maj. George W. Winterburn, Cavalry (Quartermaster Corps), vice Lieut. Col. Herman A. Sievert, detailed in Ammunition Train.

Maj. Lewis Foerster, Cavalry, vice Lieut. Col. George W. Winterburn, retained in Quartermaster Corps.

Maj. William P. Moffet, vice Lieut. Col. Alexander M. Miller, promoted.

Maj. Archibald F. Commiskey, Cavalry, vice Lieut. Col. Henry C. Smither, appointed colonel in the Singal Corps.

Maj. William A. Cornell, Cavalry, vice Lieut. Col. Douglas McCaskey, detailed in the General Staff Corps.

Maj. George J. Oden, Cavalry, vice Lieut. Col. Joseph R. McAndrews, detailed in the General Staff Corps.

Maj. James E. Shelley, Cavalry (General Staff Corps), vice Lieut. Col. Joseph A. Baer, detailed in the Inspector General's Department.

Maj. Edward Calvert, Cavalry, vice Lieut. Col. James E. Shelley, retained in the General Staff Corps.

Maj. Edmund S. Sayer, Cavalry, vice Lieut. Col. Daniel Van Voorhis, detailed in the General Staff Corps.

Maj. Bruce Palmer, Cavalry (Signal Corps), vice Lieut. Col. Morton O. Mumma, detailed in the General Staff Corps.

Maj. James E. Fechet, Cavalry (Signal Corps), vice Lieut. Col. Bruce Palmer, retained in the Signal Corps.

Maj. Philip W. Corbusier, Cavalry (Quartermaster Corps), vice Lieut. Col. James E. Fechet, retained in the Signal Corps.

Maj. Frederick M. Jones, Cavalry (Signal Corps), vice Lieut. Col. Philip W. Corbusier, retained in the Quartermaster Corps.

Maj. John A. Wagner, Cavalry, vice Lieut. Col. Frederick M. Jones, retained in the Signal Corps.

Maj. Archie Miller, Cavalry (Signal Corps), vice Lieut. Col. Harry O. Williard, promoted.

Maj. William S. Wells, Cavalry, vice Lieut. Col. Archie Miller, retained in the Signal Corps.

To be lieutenant colonels with rank from November 5, 1917.

Maj. William H. Clopton, jr., Cavalry (Quartermaster Corps), vice Lieut. Col. Alfred E. Kennington, promoted.

Maj. Robert M. Nolan, Cavalry, vice Lieut. Col. William H. Clopton, jr., retained in the Quartermaster Corps.

To be lieutenant colonels with rank from November 7, 1917.

Maj. William O. Reed, Cavalry (General Staff Corps), vice Lieut. Col. Holland Rubottom, detailed in the Signal Corps.

Maj. Henry Gibbins, Cavalry, vice Lieut. Col. William O. Reed, retained in the General Staff Corps.

To be lieutenant colonels with rank from November 13, 1917.

Maj. Charles O. Thomas, jr., Cavalry (Quartermaster Corps), vice Lieut. Col. William J. Kendrick, detailed in the Signal Corps.

Maj. Edmond R. Tompkins, Cavalry (Quartermaster Corps), vice Lieut. Col. Charles O. Thomas, jr., retained in the Quartermaster Corps.

Maj. Arthur Poillon, Cavalry, vice Lieut. Col. Edmond R. Tompkins, retained in the Quartermaster Corps.

To be lieutenant colonels with rank from November 23, 1917.

Maj. George A. Purington, Cavalry (ammunition train), vice Lieut. Col. Frederick T. Arnold, promoted.

Maj. George W. Biegler, Cavalry, vice Lieut. Col. William Kelly, jr., detailed in The Adjutant General's Department.

To be lieutenant colonel with rank from December 11, 1917.

Maj. Francis W. Glover, Cavalry, vice Lieut. Col. George B. Comly, detailed in The Adjutant General's Department.

To be lieutenant colonels with rank from December 22, 1917.

Maj. Laurence S. Carson, Cavalry (Quartermaster Corps), vice Lieut. Col. George A. Purington, detailed in ammunition train.

Maj. Alexander B. Coxe, Cavalry (General Staff Corps), vice Lieut. Col. Laurence S. Carson, retained in the Quartermaster Corps.

Maj. Timothy M. Coughlan, Cavalry, vice Lieut. Col. Alexander B. Coxe, retained in the General Staff Corps.

To be lieutenant colonel with rank from December 29, 1917.

Maj. James Huston, Cavalry, vice Lieut. Col. William J. Herringshaw, detailed in ammunition train.

To be majors with rank from August 5, 1917.

Capt. Charles F. Martin, Cavalry, vice Maj. William G. Sills, detailed in the Inspector General's Department.

Capt. Willis V. Morris, Cavalry, vice Maj. Alexander M. Miller, promoted.

Capt. Walter S. Grant, Cavalry (Signal Corps), vice Maj. Harry O. Williard, promoted.

Capt. Charles M. Wesson, Cavalry (Ordnance Department), vice Maj. Walter S. Grant, retained in the Signal Corps.

Capt. Morton C. Mumma, Cavalry (General Staff Corps), vice Maj. Charles M. Wesson, retained in the Ordnance Department.

Capt. Frank P. Amos, Cavalry, vice Maj. Morton C. Mumma, retained in the General Staff Corps.

Capt. Julian A. Benjamin, Cavalry (Quartermaster Corps), vice Maj. John P. Wade, promoted.

Capt. James Goethe, Cavalry, vice Maj. Julian A. Benjamin, retained in the Quartermaster Corps.

Capt. Varien D. Dixon, Cavalry, vice Maj. Ola W. Bell, promoted.

Capt. Verne La S. Rockwell, Cavalry (Signal Corps), vice Maj. Abraham G. Lott, promoted.

Capt. George B. Comly, Cavalry, vice Maj. William Kelly, jr., promoted.

Capt. Charles G. Harvey, Cavalry, vice Maj. Henry C. Whitehead, promoted.

Capt. Richard M. Thomas, Cavalry, vice Maj. William D. Chitty, promoted.

Capt. George B. Rodney, Cavalry, vice Maj. Alfred E. Kennington, promoted.

Capt. Alexander H. Davidson, Cavalry (Quartermaster Corps), vice Maj. Herman H. Sievert, promoted.

Capt. Christian A. Bach, Cavalry, vice Maj. Alexander H. Davidson, retained in the Quartermaster Corps.

Capt. David H. Biddle, Cavalry, vice Maj. Pierce A. Murphy, promoted.

Capt. William F. H. Godson, Cavalry, vice Maj. Frederick T. Arnold, promoted.

Capt. George W. Winterburn, Cavalry, vice Maj. Henry C. Smither, promoted.

Capt. Lewis Foerster, Cavalry, vice Maj. Roy B. Harper, promoted.

Capt. William P. Moffet, Cavalry, vice Maj. Thomas A. Roberts, promoted.

Capt. Archibald F. Commiskey, Cavalry, vice Maj. August P. Nissen, appointed colonel in the National Army.

Capt. William A. Cornell, Cavalry, vice Maj. James S. Parker, appointed colonel in the National Army.

Capt. George J. Oden, Cavalry, vice Maj. Joseph S. Herron, appointed colonel in the National Army.

Capt. James E. Shelley, Cavalry (General Staff Corps), vice Maj. Alvord Van P. Anderson, appointed colonel in the National Army.

Capt. Edward Calvert, Cavalry, vice Maj. James E. Shelley, retained in the General Staff Corps.

Capt. Edmund S. Sayer, Cavalry, vice Maj. George W. Moses, appointed colonel in the National Army.

Capt. Bruce Palmer, Cavalry (Signal Corps), vice Maj. Charles E. Stodter, appointed colonel in the National Army.

Capt. James E. Fechet, Cavalry (Signal Corps), vice Maj. Edgar A. Sirmyer, promoted.

Capt. Philip W. Corbusier, Cavalry (Quartermaster Corps), vice Maj. Frank R. McCoy, promoted.

Capt. Frederick N. Jones, Cavalry (Signal Corps), vice Maj. Philip W. Corbusier, retained in the Quartermaster Corps.

Capt. John A. Wagner, Cavalry, vice Maj. Clarence R. Day, promoted.

Capt. Archie Miller, Cavalry (Signal Corps), vice Maj. Guy V. Henry, promoted.

Capt. William S. Wells, Cavalry, vice Maj. Roger S. Fitch, appointed lieutenant colonel in the National Army.

Capt. William H. Clopton, jr., Cavalry (Quartermaster Corps), vice Maj. Mortimer O. Bigelow, appointed colonel in the National Army.

Capt. Robert M. Nolan, Cavalry, vice Maj. William H. Clopton, jr., retained in the Quartermaster Corps.

Capt. William O. Reed, Cavalry (General Staff Corps), vice Maj. George B. Pritchard, appointed colonel in the National Army.

Capt. Henry Gibbins, Cavalry, vice Maj. William O. Reed, retained in the General Staff Corps.

Capt. Charles O. Thomas, jr., Cavalry (Quartermaster Corps), vice Maj. Wallace B. Scales, promoted.

Capt. Edmond R. Tompkins, Cavalry (Quartermaster Corps), vice Maj. Charles O. Thomas, jr., retained in the Quartermaster Corps.

Capt. Arthur Poillon, Cavalry, vice Maj. Edmond R. Tompkins, retained in the Quartermaster Corps.

Capt. George A. Purington, Cavalry, vice Maj. Conrad S. Babcock, promoted.

Capt. George W. Biegler, Cavalry, vice Maj. Charles C. Farmer, jr., promoted.

Capt. Francis W. Glover, Cavalry, vice Maj. Albert N. McClure, promoted.

Capt. Lawrence S. Carson, Cavalry (Quartermaster Corps), vice Maj. Holland Rubottom, promoted.

Capt. Alexander B. Coxe, Cavalry (General Staff Corps), vice Maj. Lawrence S. Carson, retained in the Quartermaster Corps.

Capt. Timothy M. Coughlan, Cavalry, vice Maj. Alexander B. Coxe, retained in the General Staff Corps.

Capt. James Huston, Cavalry, vice Maj. Le Roy Eltinge, appointed colonel in the National Army.

Capt. Leonard L. Deitrick, Cavalry (Quartermaster Corps), vice Maj. Percy W. Arnold, appointed lieutenant colonel in the National Army.

Capt. Richard B. Going, Cavalry, vice Maj. Leonard L. Deitrick, retained in the Quartermaster Corps.

Capt. Hamilton Bowie, Cavalry, vice Maj. Rush S. Wells, appointed lieutenant colonel in the National Army.

Capt. Frederick J. Herman, Cavalry (Quartermaster Corps), vice Maj. Robert R. Wallach, appointed lieutenant colonel in the National Army.

Capt. Ben Lear, jr., Cavalry (General Staff Corps), vice Maj. Frederick J. Herman, retained in the Quartermaster Corps.

Capt. George P. Tyner, Cavalry (General Staff Corps), vice Maj. Ben Lear, jr., retained in the General Staff Corps.

Capt. William A. Austin, Cavalry (Quartermaster Corps), vice Maj. George P. Tyner, retained in the General Staff Corps.

Capt. Consuelo A. Seoane, Cavalry (Signal Corps), vice Maj. William A. Austin, retained in the Quartermaster Corps.

Capt. Emory S. West, vice Consuelo A. Seoane, retained in the Signal Corps.

Capt. Eben Swift, jr., Cavalry (Quartermaster Corps), vice Maj. George Williams, appointed lieutenant colonel in the National Army.

Capt. Albert E. Phillips, Cavalry, vice Maj. Eben Swift, jr., retained in the Quartermaster Corps.

Capt. John Alden Degen, Cavalry (Quartermaster Corps), vice Maj. John J. Boniface, appointed lieutenant colonel in the National Army.

Capt. George F. Bailey, Cavalry (Quartermaster Corps), vice Maj. John Alden Degen, retained in the Quartermaster Corps.

Capt. Clarence C. Culver, Cavalry (Aviation Section, Signal Corps), vice Maj. George F. Bailey, retained in the Quartermaster Corps.

Capt. Benjamin O. Davis, Cavalry, vice Maj. Clarence C. Culver, retained in the Aviation Section, Signal Corps.

Capt. Edward C. Wells, Cavalry, vice Maj. Fitzhugh Lee, appointed lieutenant colonel in the National Army.

Capt. Harry B. Jordan, Cavalry (Ordnance Department), vice Maj. James J. McKinley, appointed lieutenant colonel in the National Army.

Capt. Frank P. Lahm, Cavalry (Aviation Section, Signal Corps), vice Maj. Harry B. Jordan, retained in the Ordnance Department.

Capt. Kerr T. Riggs, Cavalry, vice Maj. Frank P. Lahm, retained in the Aviation Section, Signal Corps.

Capt. John A. Pearson, Cavalry, vice Maj. Evan H. Humphrey, appointed lieutenant colonel in the National Army.

Capt. William G. Meade, Cavalry, vice Maj. Charles S. Haight, appointed lieutenant colonel in the National Army.

Capt. Guy Kent, Cavalry, vice Maj. Reginald E. McNally, appointed lieutenant colonel in the National Army.

Capt. Frederick Mears, Cavalry, vice Maj. Frederick C. Johnson, appointed lieutenant colonel in the National Army.

Capt. Alden M. Graham, Cavalry (Quartermaster Corps), vice Maj. James D. Tilford, appointed lieutenant colonel in the National Army.

Capt. Eugene J. Ely, Cavalry, vice Maj. Alden M. Graham, retained in the Quartermaster Corps.

Capt. C. Emery Hathaway, Cavalry (Quartermaster Corps), vice Maj. Hu B. Myers, appointed lieutenant colonel in the National Army.

Capt. Arthur G. Fisher, Cavalry, vice Maj. C. Emery Hathaway, retained in the Quartermaster Corps.

Capt. Matt C. Bristol, Cavalry (Signal Corps), vice Maj. Henry R. Richmond, appointed lieutenant colonel in the National Army.

Capt. Horace N. Munro, Cavalry, vice Maj. John J. Ryan, appointed lieutenant colonel in the National Army.

Capt. Seth W. Cook, Cavalry (Aviation Section, Signal Corps), vice Maj. Osmun Latrobe, jr., appointed lieutenant colonel in the National Army.

Capt. David L. Roscoe, Cavalry (Aviation Section, Signal Corps), vice Maj. Seth W. Cook, retained in the Aviation Section, Signal Corps.

Capt. Herbert E. Mann, Cavalry (Quartermaster Corps), vice Maj. David L. Roscoe, retained in the Aviation Section, Signal Corps.

Capt. Henry T. Bull, Cavalry (Signal Corps), vice Maj. Herbert E. Mann, retained in the Quartermaster Corps.

Capt. Frank E. Davis, Cavalry (Quartermaster Corps), vice Maj. Theodore B. Taylor, appointed lieutenant colonel in the National Army.

Capt. John C. Pegram, Cavalry (Quartermaster Corps), vice Maj. Frank E. Davis, retained in the Quartermaster Corps.

Capt. Henry E. Mitchell, Cavalry (Quartermaster Corps), vice Maj. John C. Pegram, retained in the Quartermaster Corps.

Capt. William H. Cowles, Cavalry (Inspector General's Department), vice Maj. Henry E. Mitchell, retained in the Quartermaster Corps.

Capt. John K. Herr, Cavalry, vice Maj. Theodore Schultz, appointed lieutenant colonel in the National Army.

Capt. Philip H. Sheridan, Cavalry (General Staff Corps), vice Maj. Alvan C. Gillem, appointed lieutenant colonel in the National Army.

Capt. Joseph F. Taulbee, Cavalry, vice Maj. Philip H. Sheridan, retained in the General Staff Corps.

Capt. Andrew W. Smith, Cavalry, vice Maj. William B. Cowin, appointed lieutenant colonel in the National Army.

Capt. William W. Edwards, Cavalry, vice Maj. Henry W. Parker, promoted.

Capt. John A. Barry, Cavalry, vice Maj. Douglas McCaskey, promoted

Capt. William W. Gordon, Cavalry, vice Maj. William M. Connell, appointed lieutenant colonel in the National Army.

Capt. Harold B. Johnson, Cavalry, vice Maj. Albert A. King, promoted.

Capt. James P. Castleman, Cavalry (Quartermaster Corps), vice Maj. John D. Long, appointed lieutenant colonel in the National Army.

Capt. Albert H. Mueller, Cavalry, vice Maj. James P. Castleman, retained in the Quartermaster Corps.

Capt. Allan F. McLean, Cavalry, vice Maj. James Longstreet, appointed lieutenant colonel in the National Army.

Capt. Herman S. Dilworth, Cavalry, vice Maj. Stuart Heintzelman, appointed lieutenant colonel in the National Army.

Capt. Frank B. Kobes, Cavalry, vice Maj. Warren Dean, appointed lieutenant colonel in the National Army.

Capt. John V. Spring, jr., Cavalry, vice Maj. Daniel Van Voorhis, promoted.

Capt. Norman H. Davis, Cavalry, vice Maj. Julien E. Gaujot, promoted.

Capt. Charles Telford, Cavalry, vice Maj. Delphey T. E. Casteel, promoted.

Capt. Olan C. Aleshire, Cavalry (Signal Corps), vice Maj. Joseph R. McAndrews, promoted.

Capt. Emil P. Laurson, Cavalry (Signal Corps), vice Maj. William D. Forsyth, appointed lieutenant colonel in the National Army.

Capt. Frederick E. Shnyder, Cavalry, vice Maj. George E. Lovell, promoted.

Capt. Thomas F. Van Natta, jr., Cavalry, vice Maj. John H. Lewis, promoted.

Capt. James A. Mars, Cavalry, vice Maj. Charles W. Van Way, promoted.

Capt. John C. Montgomery, Cavalry (ammunition train), vice Maj. Wilson G. Heaton, promoted.

Capt. Dorsey R. Rodney, Cavalry (Quartermaster Corps), vice Maj. Edward Davis, promoted.

Capt. Alexander M. Milton, Cavalry (Quartermaster Corps), vice Maj. Dorsey R. Rodney, retained in the Quartermaster Corps.

Capt. Carl Boyd, Cavalry, vice Maj. Alexander M. Milton, retained in the Quartermaster Corps.

Capt. Stephen W. Winfree, Cavalry, vice Maj. Dorsey Cullen, promoted.

Capt. George E. Nelson, Cavalry (Signal Corps), vice Maj. William L. Luhn, appointed lieutenant colonel in the National Army.

Capt. Thomas L. Sherburne, Cavalry (Signal Corps), vice Maj. Charles H. Boice, promoted.

Capt. Emil Engel, Cavalry (Signal Corps), vice Maj. William J. Kendrick, promoted.

Capt. Emmet Addis, Cavalry, vice Maj. William F. Herringshaw, promoted.

Capt. Harry L. King, Cavalry, vice Maj. Joseph A. Baer, promoted.

Capt. Arthur G. Hixson, Cavalry (ammunition train), vice Maj. Charles F. Martin, promoted.

Capt. Walton Goodwin, jr., Cavalry, vice Maj. Arthur G. Hixson, retained in ammunition train.

Capt. David H. Scott, Cavalry, vice Maj. Willis V. Morris, promoted.

Capt. Robert C. Richardson, Cavalry, vice Maj. Morton C. Mumma, promoted.

Capt. Robert M. Campbell, Cavalry, vice Maj. Leslie A. I. Chapman, appointed lieutenant colonel in the National Army.

Capt. George B. Hunter, Cavalry (Signal Corps), vice Maj. Guy Cushman, appointed lieutenant colonel in the National Army.

Capt. Stanley Koch, Cavalry (Quartermaster Corps), vice Maj. George B. Hunter, retained in the Signal Corps.

Capt. Stephen C. Reynolds, Cavalry, vice Maj. Stanley Koch, retained in the Quartermaster Corps.

Capt. William V. Carter, Cavalry, vice Maj. Guy S. Norvell, appointed lieutenant colonel in the National Army.

Capt. Henry C. Pratt, Cavalry (Signal Corps), vice Maj. Edwin A. Hickman, appointed lieutenant colonel in the National Army.

Capt. Charles B. Amory, jr., Cavalry, vice Maj. Henry C. Pratt, retained in the Signal Corps.

Capt. Kinzie B. Edmunds, Cavalry, vice Maj. Verne La S. Rockwell, appointed lieutenant colonel in the Signal Corps.

Capt. Charles S. Hoyt, Cavalry, vice Maj. Frank P. Amos, promoted.

Capt. James J. O'Hara, Cavalry, vice Maj. James Goethe, promoted.

Capt. Roy W. Holderness, Cavalry, vice Maj. Henry T. Bull, appointed major in the Signal Corps.

Capt. James S. Greene, Cavalry, vice Maj. Varien D. Dixon, promoted.

Capt. Gerald C. Brant, Cavalry (Signal Corps), vice Maj. George E. Nelson, appointed major in the Signal Corps.

Capt. George C. Lawrason, Cavalry, vice Maj. Matt C. Bristol, appointed lieutenant colonel in the Signal Corps.

Capt. Arthur H. Wilson, Cavalry, vice Maj. Frederick N. Jones, appointed lieutenant colonel in the Signal Corps.

Capt. William C. F. Nicholson, Cavalry, vice Maj. James E. Fechet, appointed lieutenant colonel in the Signal Corps.

Capt. George Dillman, Cavalry, vice Maj. Llewellyn W. Oliver, appointed lieutenant colonel in the National Army.

Capt. Philip J. R. Kiehl, Cavalry, vice Maj. George B. Comly, promoted.

Capt. Charles L. Scott, Cavalry (Quartermaster Corps), vice Maj. Charles G. Harvey, promoted.

Capt. James H. Dickey, Cavalry (Quartermaster Corps), vice Maj. Charles L. Scott, retained in the Quartermaster Corps.

Capt. Ralph Talbot, jr., Cavalry (Quartermaster Corps), vice Maj. James H. Dickey, retained in the Quartermaster Corps.

Capt. William N. Hensley, jr., Cavalry (Signal Corps), vice Maj. Ralph Talbot, jr., retained in the Quartermaster Corps.

Capt. Berkeley T. Merchant, Cavalry (Signal Corps), vice Maj. William N. Hensley, jr., retained in the Signal Corps.
Capt. Hugh H. Broadhurst, Cavalry, vice Maj. Richard M. Thomas, promoted.
Capt. Arthur W. Holderness, Cavalry, vice Maj. George B. Rodney, promoted.
Capt. Louis A. O'Donnell, Cavalry, vice Maj. Archie Miller, appointed lieutenant colonel in the Signal Corps.
Capt. William W. West, jr., Cavalry (Quartermaster Corps), vice Maj. Christian A. Bach, promoted.
Capt. Reynold F. Migdalski, Cavalry (Quartermaster Corps), vice Maj. William W. West, jr., retained in the Quartermaster Corps.
Capt. Henry R. Smalley, Cavalry, vice Maj. Reynold F. Migdalski, retained in the Quartermaster Corps.
Capt. Robert Blaine, Cavalry (Quartermaster Corps), vice Maj. David H. Biddle, promoted.
Capt. Frederick T. Dickman, Cavalry (Signal Corps), vice Maj. Robert Blaine, retained in the Quartermaster Corps.
Capt. George W. De Armond, Cavalry (Signal Corps), vice Maj. Frederick T. Dickman, retained in the Signal Corps.
Capt. John G. Quekemeyer, Cavalry, vice Maj. George W. De Armond, retained in the Signal Corps.
Capt. Frank M. Andrews, Cavalry (Signal Corps), vice Maj. William F. H. Godson, promoted.
Capt. Joseph C. King, Cavalry, vice Maj. Frank M. Andrews, retained in the Signal Corps.
Capt. George L. Converse, jr., Cavalry, vice Maj. Lewis Foerster, promoted.
Capt. Donald A. Robinson, Cavalry, vice Maj. Bruce Palmer, appointed lieutenant colonel in the Signal Corps.
Capt. Bruce L. Burch, Cavalry, vice Maj. William P. Moffet, promoted.
Capt. Edgar M. Whiting, Cavalry, vice Maj. Archibald F. Commiskey, promoted.
Capt. Edward G. Elliott, Cavalry, vice Maj. William A. Cornell, promoted.
Capt. Guy H. Wyman, Cavalry (Quartermaster Corps), vice Maj. George J. Oden, promoted.
Capt. Verne R. Bell, Cavalry, vice Maj. Guy H. Wyman, retained in the Quartermaster Corps.
Capt. Henry W. Baird, Cavalry, vice Maj. Edward Calvert, promoted.
Capt. Alexander H. Jones, Cavalry (Quartermaster Corps), vice Maj. Edmund S. Sayer, promoted.
Capt. Charles L. Stevenson, Cavalry (Quartermaster Corps), vice Maj. Alexander H. Jones, retained in the Quartermaster Corps.
Capt. Frank K. Chapin, Cavalry (Signal Corps), vice Maj. Charles L. Stevenson, retained in the Quartermaster Corps.
Capt. Henry L. Watson, Cavalry (Signal Corps), vice Maj. Frank K. Chapin, retained in the Signal Corps.
Capt. Murray B. Rush, Cavalry, vice Maj. Henry L. Watson, retained in the Signal Corps.
Capt. Augustine M. Robins, Cavalry (Signal Corps), vice Maj. John A. Wagner, promoted.
Capt. William D. Geary, Cavalry, vice Maj. Augustine M. Robins, retained in the Signal Corps.
Capt. Clark P. Chandler, Cavalry (Quartermaster Corps), vice Maj. William H. Cowles, detailed in the Inspector General's Department.
Capt. Richard H. Kimball, Cavalry, vice Maj. Clark P. Chandler, retained in the Quartermaster Corps.
Capt. Abbott Boone, Cavalry (Signal Corps), vice Maj. William S. Wells, promoted.
Capt. William L. Moose, Cavalry (Signal Corps), vice Maj. Abbott Boone, retained in the Signal Corps.
Capt. Frederick S. Snyder, Cavalry, vice Maj. William L. Moose, retained in the Signal Corps.
Capt. William C. Christy, Cavalry (Quartermaster Corps), vice Maj. Emil P. Laurson, appointed major in the Signal Corps.
Capt. Sloan Doak, Cavalry, vice Maj. William C. Christy, retained in the Quartermaster Corps.

To be majors with rank from November 7, 1917.

Capt. Leland Wadsworth, jr., Cavalry, vice Maj. Henry Gibbins, promoted.
Capt. Seth W. Scofield, Cavalry (Quartermaster Corps), vice Maj. Robert M. Nolan, promoted.
Capt. William C. McChord, Cavalry (Signal Corps), vice Maj. Seth W. Scofield, retained in the Quartermaster Corps.
Capt. William R. Henry, Cavalry, vice Maj. William C. McChord, retained in the Signal Corps.
Capt. George F. Patten, Cavalry, vice Maj. Olan C. Aleshire, appointed major in the Signal Corps.

To be major with rank from November 13, 1917.

Capt. Robert M. Cheney, Cavalry, vice Maj. Arthur Poillon, promoted.

To be majors with rank from November 17, 1917.

Capt. Lawrence W. McIntosh, Cavalry (Signal Corps), vice Maj. Gerald C. Brant, appointed major in the Signal Corps.
Capt. Richard E. Cummins, Cavalry, vice Maj. Lawrence W. McIntosh, retained in the Signal Corps.

To be majors with rank from November 23, 1917.

Capt. Alexander L. James, jr., Cavalry, vice Maj. George A. Purington, promoted.
Capt. Robert C. Rodgers, Cavalry (Quartermaster Corps), vice Maj. George W. Biegler, promoted.
Capt. Philip Gordon, Cavalry, vice Maj. Robert C. Rodgers, retained in the Quartermaster Corps.

To be majors with rank from November 29, 1917.

Capt. Horace M. Hickam, Cavalry (Signal Corps), vice Maj. Berkeley T. Merchant, appointed major in the Signal Corps.
Capt. Homer M. Groninger, Cavalry, vice Maj. Horace M. Hickam, retained in the Signal Corps.

To be majors with rank from December 11, 1917.

Capt. Stewart O. Elting, Cavalry (Quartermaster Corps), vice Maj. Francis W. Glover, promoted.
Capt. John K. Brown, Cavalry, vice Maj. Stewart O. Elting, retained in the Quartermaster Corps.

To be major with rank from December 22, 1917.

Capt. Richard D. Newman, Cavalry, vice Maj. Timothy M. Coughlan, promoted.

To be majors with rank from December 28, 1917.

Capt. William H. Garrison, jr. (Signal Corps), vice Maj. Emil Engel, appointed major in the Signal Corps.
Capt. Sumner M. Williams, Cavalry, vice Maj. William H. Garrison, jr., retained in the Signal Corps.

To be majors with rank from December 29, 1917.

Capt. Henry W. Hall, Cavalry (Signal Corps), vice Maj. James Huston, promoted.
Capt. Edwin V. Sumner, jr., Cavalry (Signal Corps), vice Maj. Henry W. Hall, retained in the Signal Corps.
Capt. Arthur E. Wilbourn, Cavalry (Signal Corps), vice Maj. Edwin V. Sumner, jr., retained in the Signal Corps.
Capt. Ernest G. Cullum, Cavalry, vice Maj. Arthur E. Wilbourn, retained in the Signal Corps.
Capt. William W. Erwin, Cavalry, vice Maj. John C. Montgomery, detailed in ammunition train.

INFANTRY ARM.

To be colonel with rank from August 5, 1917.

Lieut. Col. Robert C. Williams, Infantry, additional officer, the date on which he would have been promoted to fill a vacancy had he not been retired from active service.

To be colonels with rank from August 5, 1917.

Lieut. Col. Robert Alexander, Infantry (detached officers' list), vice Col. George W. McIver, appointed brigadier general in the National Army.
Lieut. Col. William O. Johnson, Infantry, vice Col. Charles H. Barth, appointed brigadier general in the National Army.
Lieut. Col. James R. Lindsay, Infantry, vice Col. James A. Irons, appointed brigadier general in the National Army.
Lieut. Col. Fred W. Sladen, Infantry, vice Col. Edward M. Lewis, appointed brigadier general in the National Army.
Lieut. Col. Henry T. Ferguson, Infantry, vice Col. Charles S. Farnsworth, appointed brigadier general in the National Army.
Lieut. Col. Henry G. Learnard, Infantry (Adjutant General's Department), vice Col. John S. Mallory, appointed brigadier general in the National Army.
Lieut. Col. Peter Murray, Infantry, vice Col. Henry G. Learned, retained in The Adjutant General's Department on promotion.
Lieut. Col. Paul A. Wolf, Infantry (detached officers' list), vice Col. Charles H. Muir, appointed brigadier general in the National Army.
Lieut. Col. George D. Moore, Infantry (Inspector General's Department), vice Col. Evan M. Johnson, appointed brigadier general in the National Army.
Lieut. Col. Willis Uline, Infantry, vice Col. George D. Moore, retained in the Inspector General's Department.
Lieut. Col. Charles C. Clark, Infantry (Quartermaster Corps), vice Col. Frank L. Winn, appointed brigadier general in the National Army.
Lieut. Col. Vernon A. Caldwell, Infantry, vice Col. Charles C. Clark, retained in the Quartermaster Corps.

Lieut. Col. Edmund L. Butts, Infantry (detached officers' list), vice Col. Edmund Wittenmyer, appointed brigadier general in the National Army.

Lieut. Col. Henry J. Hunt, Infantry, vice Col. Herman Hall, appointed brigadier general in the National Army.

Lieut. Col. Charles Miller, Infantry, vice Col. Mark L. Hersey, appointed brigadier general in the National Army.

Lieut. Col. Truman O. Murphy, Infantry (Adjutant General's Department), vice Col. Samuel W. Miller, appointed brigadier general in the National Army.

Lieut. Col. William H. Bertsch, Infantry (Quartermaster Corps), vice Col. Truman O. Murphy, retained in The Adjutant General's Department.

Lieut. Col. Ross L. Bush, Infantry, vice William H. Bertsch, retained in the Quartermaster Corps.

Lieut. Col. John B. Bennet, Infantry (detached officers' list), vice Col. Wilds P. Richardson, appointed brigadier general in the National Army.

Lieut. Col. Melville S. Jarvis, Infantry, vice Col. Everard E. Hatch, appointed brigadier general in the National Army.

Lieut. Col. John W. Heavey, Infantry, vice Col. Frederick Perkins, appointed brigadier general in the National Army.

Lieut. Col. Harry J. Hirsch, Infantry (Quartermaster Corps), vice Col. Joseph P. O'Neil, appointed brigadier general in the National Army.

Lieut. Col. La Roy S. Upton, Infantry, vice Col. Harry J. Hirsch, retained in the Quartermaster Corps.

Lieut. Col. Harry A. Smith, Infantry (General Staff), vice Col. Benjamin C. Morse, appointed brigadier general in the National Army.

Lieut. Col. George C. Saffarrans, Infantry, vice Col. Harry A. Smith, retained in the General Staff.

Lieut. Col. Palmer E. Pierce, Infantry (General Staff), vice Col. Daniel B. Devore, appointed brigadier general in the National Army.

Lieut. Col. Charles G. French, Infantry, vice Col. Palmer E. Pierce, retained in the General Staff.

Lieut. Col. Lutz Wahl, Infantry, vice Col. Michael J. Lenihan, appointed brigadier general in the National Army.

Lieut. Col. William P. Jackson, Infantry, vice Col. Robert N. Getty, appointed brigadier general in the National Army.

Lieut. Col. John L. Hines, Infantry (Adjutant General's Department), vice Col. Samson L. Faison, appointed brigadier general in the National Army.

Lieut. Col. Matthias Crowley, Infantry, vice Col. John L. Hines, retained in The Adjutant General's Department.

Lieut. Col. John J. Bradley, Infantry, vice Col. Henry D. Styer, appointed brigadier general in the National Army.

Lieut. Col. Douglas Settle, Infantry (detached officers' list), vice Col. Julius A. Penn, appointed brigadier general in the National Army.

Lieut. Col. John S. Switzer, Infantry (Adjutant General's Department), vice Col. Marcus D. Cronin, appointed brigadier general in the National Army.

Lieut. Col. Herbert O. Williams, Infantry (Inspector General's Department), vice Col. John S. Switzer, retained in The Adjutant General's Department.

Lieut. Col. George Guyer, Infantry (Quartermaster Corps), vice Col. Herbert O. Williams, retained in the Inspector General's Department.

Lieut. Col. William F. Grote, Infantry (Quartermaster Corps), vice Col. George D. Guyer, retained in the Quartermaster Corps.

Lieut. Col. Isaac C. Jenks, Infantry, vice Col. William F. Grote, retained in the Quartermaster Corps.

Lieut. Col. Hanson E. Ely, Infantry (General Staff), vice Col. Frank H. Albright, appointed brigadier general in the National Army.

Lieut. Col. Lewis S. Sorley, Infantry, vice Col. Hanson E. Ely, retained in the General Staff.

Lieut. Col. William M. Morrow, Infantry, vice Col. William H. Allaire, appointed brigadier general in the National Army.

Lieut. Col. Benjamin F. Hardaway, Infantry, vice Col. Walter H. Gordon, appointed brigadier general in the National Army.

Lieut. Col. Albert C. Dalton, Infantry (Quartermaster Corps), vice Col. Charles H. Martin, appointed brigadier general in the National Army.

Lieut. Col. Joseph C. Castner, Infantry, vice Col. Albert C. Dalton, retained in the Quartermaster Corps.

Lieut. Col. Edward Sigerfoos, Infantry, vice Col. Charles C. Ballou, appointed brigadier general in the National Army.

Lieut. Col. Ralph H. Van Deman, Infantry (General Staff), vice Col. Lyman W. V. Kennon, appointed brigadier general in the National Army.

Lieut. Col. John F. Madden, Infantry (General Staff), vice Col. Ralph H. Van Deman, retained in the General Staff.

Lieut. Col. John McA. Palmer, Infantry (General Staff), vice Col. John F. Madden, retained in the General Staff.

Lieut. Col. Paul B. Malone, Infantry, vice Col. John McA. Palmer, retained in the General Staff.

Lieut. Col. Oliver Edwards, Infantry (General Staff), vice Col. George B. Duncan, appointed brigadier general in the National Army.

Lieut. Col. Hugh D. Wise, Infantry (Quartermaster Corps), vice Col. Oliver Edwards, retained in the General Staff.

Lieut. Col. William F. Creary, Infantry, vice Col. Hugh D. Wise, retained in the Quartermaster Corps.

Lieut. Col. Harry F. Rethers, Infantry (Quartermaster Corps), vice Col. William P. Burnham, appointed brigadier general in the National Army.

Lieut. Col. Herschel Tupes, Infantry, vice Col. Harry F. Rethers, retained in the Quartermaster Corps.

Lieut. Col. George H. Shelton, Infantry (General Staff), vice Col. Beaumont B. Buck, appointed brigadier general in the National Army.

Lieut. Col. Isaac Newell, Infantry, vice Col. George H. Shelton, retained in the General Staff.

Lieut. Col. Lawrence B. Simonds, Infantry, vice Col. Benjamin A. Poore, appointed brigadier general in the National Army.

Lieut. Col. Frederick W. Lewis, Infantry, vice Col. William Weigel, appointed brigadier general in the National Army.

Lieut. Col. Dennis E. Nolan, Infantry (General Staff), vice Col. Frederick W. Lewis, detailed in The Adjutant General's Department.

Lieut. Col. James N. Pickering, Infantry, vice Col. Dennis E. Nolan, retained in the General Staff.

Lieut. Col. William A. Burnside, Infantry, vice Col. Fred W. Sladen, detailed in the General Staff.

Lieut. Col. Reynolds J. Burt, Infantry (Quartermaster Corps), vice Col. Vernon A. Caldwell, resigned commission as temporary colonel.

Lieut. Col. Russell C. Langdon, Infantry, vice Col. Reynolds J. Burt, retained in the Quartermaster Corps.

Lieut. Col. Harry H. Tebbetts, Infantry (General Staff), vice Col. William P. Jackson, resigned commission as temporary colonel.

Lieut. Col. Frank C. Bolles, Infantry, vice Col. Harry H. Tebbetts, retained in the General Staff.

Lieut. Col. James W. Clinton, Infantry, vice Col. Isaac C. Jenks, resigned commission as temporary colonel.

To be colonels with rank from November 5, 1917.

Lieut. Col. Alexander T. Ovenshine, Infantry (Inspector General's Department), vice Col. Ross L. Bush, resigned commission as temporary colonel.

Lieut. Col. Henry E. Eames, Infantry, vice Col. Alexander T. Ovenshine, retained in the Inspector General's Department.

To be colonel with rank from November 16, 1917.

Lieut. Col. Carroll F. Armistead, Infantry, vice Col. John J. Bradley, detailed in the General Staff.

To be lieutenant colonels with rank from August 5, 1917.

Maj. Oliver Edwards, Infantry (General Staff), vice Lieut. Col. Edward A. Shuttleworth, appointed colonel in the National Army.

Maj. Hugh D. Wise, Infantry (Quartermaster Corps), vice Lieut. Col. Oliver Edwards, retained in the General Staff.

Maj. James A. Moss, Infantry (Adjutant General's Department), vice Lieut. Col. Hugh D. Wise, retained in the Quartermaster Corps.

Maj. Benjamin T. Simmons, Infantry (Inspector General's Department), vice Lieut. Col. James A. Moss, retained in The Adjutant General's Department.

Maj. Thomas A. Pearce, Infantry (Inspector General's Department), vice Lieut. Col. Benjamin T. Simmons, retained in the Inspector General's Department.

Maj. William F. Creary, Infantry, vice Lieut. Col. Thomas A. Pearce, retained in the Inspector General's Department.

Maj. Harry F. Rethers, Infantry (Quartermaster Corps), vice Lieut. Col. John Howard, appointed colonel in the National Army.

Maj. Herschel Tupes, Infantry, vice Lieut. Col. Harry F. Rethers, retained in the Quartermaster Corps.

Maj. George H. Shelton, Infantry (General Staff), vice Lieut. Col. William Brook, appointed colonel in the National Army.

Maj. Isaac Newell, Infantry, detached officers' list, vice Lieut. Col. George H. Shelton, retained in the General Staff.

Maj. Lawrence B. Simonds, Infantry, vice Lieut. Col. Hansford L. Threlkeld, appointed colonel in the National Army.

Maj. Frederick W. Lewis, Infantry, vice Lieut. Col. Marcus B. Stokes, appointed colonel in the National Army.

Maj. Dennis E. Nolan, Infantry (General Staff), vice Lieut. Col. William D. Davis, appointed colonel in the National Army.

Maj. James N. Pickering, Infantry, vice Lieut. Col. Dennis E. Nolan, retained in the General Staff.

Maj. William A. Burnside, Infantry, vice Lieut. Col. George H. McMaster, appointed colonel in the National Army.

Maj. Reynolds J. Burt, Infantry (Quartermaster Corps), vice Lieut. Col. Robert W. Mearns, appointed colonel in the National Army.

Maj. Russell C. Langdon, Infantry, detached officers' list, vice Lieut. Col. Reynolds J. Burt, retained in the Quartermaster Corps.

Maj. Harry H. Tebbetts, Infantry, vice Lieut. Col. Howard L. Laubach, appointed colonel in the National Army.

Maj. Frank C. Bolles, Infantry, detached officers' list, vice Lieut. Col. Howard R. Perry, appointed colonel in the National Army.

Maj. James W. Clinton, Infantry, vice Lieut. Col. Edward C. Carey, appointed colonel in the National Army.

Maj. Alexander T. Ovenshine, Infantry, vice Lieut. Col. Fredrik L. Knudsen, appointed colonel in the National Army.

Maj. Henry E. Eames, Infantry, detached officers' list, vice Lieut. Col. Charles W. Castle, appointed colonel in the National Army.

Maj. Carroll F. Armistead, Infantry, detached officers' list, vice Lieut. Col. S. J. Bayard Schindel, appointed colonel in the National Army.

Maj. Paul Giddings, Infantry, vice Lieut. Col. John F. Preston, appointed colonel in the National Army.

Maj. Edward S. Walton, Infantry (Quartermaster Corps), vice Lieut. Col. Charles F. Crain, appointed colonel in the National Army.

Maj. Alfred T. Smith, Infantry, detached officers' list, vice Lieut. Col. Edward S. Walton, retained in the Quartermaster Corps.

Maj. Fred L. Munson, Infantry (Quartermaster Corps), vice Lieut. Col. Harry H. Bandholtz, appointed colonel in the National Army.

Maj. Thomas M. Anderson, jr., Infantry, detached officers' list, vice Lieut. Col. Fred L. Munson, retained in the Quartermaster Corps.

Maj. John E. Hunt, Infantry, vice Lieut. Col. Harrison J. Price, appointed colonel in the National Army.

Maj. Claude H. Miller, Infantry, vice Lieut. Col. William Wallace, appointed colonel in the National Army.

Maj. Harold B. Fiske, Infantry (Adjutant General's Department), vice Lieut. Col. William Newman, appointed colonel in the National Army.

Maj. John H. Hughes, Infantry, vice Lieut. Col. Harold B. Fiske, retained in The Adjutant General's Department.

Maj. George W. Helms, Infantry (Signal Corps), vice Lieut. Col. Isaac Erwin, appointed colonel in the National Army.

Maj. Rufus E. Longan, Infantry, vice Lieut. Col. George W. Helms, retained in the Signal Corps.

Maj. Edward A. Roche, Infantry, vice Lieut. Col. George E. Houle, appointed colonel in the National Army.

Maj. Henry M. Dichmann, Infantry, detached officers' list, vice Lieut. Col. Mathew A. Saville, appointed colonel in the National Army.

Maj. Halstead Dorey, Infantry, detached officers' list, vice Lieut. Col. Guy G. Palmer, appointed colonel in the National Army.

Maj. Edgar T. Conley, Infantry, vice Lieut. Col. Hunter B. Nelson, appointed colonel in the National Army.

Maj. Charles H. Bridges, Infantry (Inspector General's Department), vice Lieut. Col. Frank A. Wilcox, appointed colonel in the National Army.

Maj. John Robertson, Infantry, vice Lieut. Col. Charles H. Bridges, retained in the Inspector General's Department.

Maj. James V. Heidt, Infantry, detached officers' list, vice Lieut. Col. John H. Parker, appointed colonel in the National Army.

Maj. Patrick H. Mullay, Infantry, vice Lieut. Col. Edgar T. Conley, detailed in The Adjutant General's Department.

Maj. Monroe C. Kerth, Infantry (General Staff) vice Lieut. Col. William C. Rogers, appointed colonel in the National Army.

Maj. Lambert W. Jordan, jr., Infantry, vice Lieut. Col. Monroe C. Kerth, retained in the General Staff.

Maj. Harvey W. Miller, Infantry, vice Lieut. Col. Robert Alexander, promoted colonel.

Maj. Daniel G. Berry, Infantry, vice Lieut. Col. William O. Johnson, promoted colonel.

Maj. Ralph E. Ingram, Infantry, detached officers' list, vice Lieut. Col. Samuel V. Ham, appointed colonel in the National Army.

Maj. Robert C. Davis, Infantry (Adjutant General's Department), vice Lieut. Col. Lincoln F. Kilbourne, appointed colonel in the National Army.

Maj. Joseph F. Janda, Infantry (Adjutant General's Department), vice Lieut. Col. Robert C. Davis, retained in The Adjutant General's Department.

Maj. Alvan C. Read, Infantry, vice Lieut. Col. Joseph F. Janda, retained in The Adjutant General's Department.

Maj. William A. Phillips, Infantry (Ordnance Department), vice Lieut. Col. James R. Lindsay, promoted colonel.

Maj. Ira C. Welborn, Infantry, vice Lieut. Col. William A. Phillips, retained in the Ordnance Department.

Maj. Alexander E. Williams, Infantry (Quartermaster Corps), vice Lieut. Col. Fred W. Sladen, promoted colonel.

Maj. Charles W. Exton, Infantry, vice Lieut. Col. Alexander E. Williams, retained in the Quartermaster Corps.

Maj. Edgar Ridenour, Infantry, vice Lieut. Col. Henry T. Ferguson, promoted colonel.

Maj. Chauncey B. Humphrey, Infantry, vice Lieut. Col. Ferdinand W. Kobbe, appointed colonel in the National Army.

Maj. G. Maury Cralle, Infantry (Quartermaster Corps), vice Lieut. Col. Frank E. Bamford, appointed colonel in the National Army.

Maj. Joseph F. Gohn, Infantry, vice Lieut. Col. G. Maury Cralle, retained in the Quartermaster Corps.

Maj. James H. Bradford, jr., Infantry, vice Lieut. Col. Sydney A. Cloman, appointed colonel in the National Army.

Maj. David L. Stone, Infantry (Quartermaster Corps), vice Lieut. Col. Peter Murray, promoted colonel.

Maj. Patrick A. Connolly, Infantry, detached officers' list, vice Lieut. Col. David L. Stone, retained in the Quartermaster Corps.

Maj. John B. Schoeffel, Infantry, detached officers' list, vice Lieut. Col. Paul A. Wolf, promoted colonel.

Maj. Walter T. Bates, Infantry (Adjutant General's Department), vice Lieut. Col. Willis Uline, promoted colonel.

Maj. Englebert G. Ovenshine, Infantry, detached officers' list, vice Lieut. Col. Walter T. Bates, retained in The Adjutant General's Department.

Maj. Robert J. Maxey, Infantry, detached officers' list, vice Lieut. Col. Vernon A. Caldwell, promoted colonel.

Maj. George N. Bomford, Infantry, vice Lieut. Col. Edmund L. Butts, promoted colonel.

Maj. Benjamin P. Nicklin, Infantry, detached officers' list, vice Lieut. Col. Henry J. Hunt, promoted colonel.

Maj. John W. French, Infantry, detached officers' list, vice Lieut. Col. Charles Miller, promoted colonel.

Maj. Cromwell Stacey, Infantry, detached officers' list, vice Lieut. Col. John K. Miller, appointed colonel in the National Army.

Maj. Campbell King, Infantry (Adjutant General's Department), vice Lieut. Col. Ross L. Bush, promoted colonel.

Maj. Robert O. Van Horn, Infantry, vice Lieut. Col. Campbell King, retained in The Adjutant General's Department.

Maj. Hanson B. Black, Infantry (Signal Corps), vice Lieut. Col. John B. Bennet, promoted colonel.

Maj. Joseph L. Gilbreth, Infantry (Quartermaster Corps), vice Lieut. Col. Hanson B. Black, retained in the Signal Corps.

Maj. Irving J. Carr, Infantry (Signal Corps), vice Lieut. Col. Joseph L. Gilbreth, retained in the Quartermaster Corps.

Maj. Theodore A. Baldwin, Infantry (Signal Corps), vice Lieut. Col. Irving J. Carr, retained in the Signal Corps.

Maj. Eleutheros H. Cooke, Infantry, detached officers' list, vice Lieut. Col. Theodore A. Baldwin, retained in the Signal Corps.

Maj. Arthur L. Conger, Infantry (General Staff), vice Lieut. Col. Melville S. Jarvis, promoted colonel.

Maj. Hugh A. Drum, Infantry (General Staff), vice Lieut. Col. Arthur L. Conger, retained in the General Staff.

Maj. James B. Allison, Infantry (Signal Corps), vice Lieut. Col. Hugh A. Drum, retained in the General Staff.

Maj. Halsey E. Yates, Infantry, vice Lieut. Col. James B. Allison, retained in the Signal Corps.

Maj. Wilson B. Burtt, Infantry, vice Lieut. Col. John W. Heavey, promoted colonel.

Maj. Oliver S. Eskridge, Infantry, vice Lieut. Col. La Ray S. Upton, promoted colonel.

Maj. James W. Furlow, Infantry (Quartermaster Corps), vice Lieut. Col. George C. Saffarrans, promoted colonel.

Maj. George D. Freeman, jr., vice Lieut. Col. James W. Furlow, retained in the Quartermaster Corps.

Maj. Harry A. Hegeman, Infantry (Quartermaster Corps), vice Lieut. Col. Charles G. French, promoted colonel.

Maj. William B. Gracie, Infantry (Quartermaster Corps), vice Lieut. Col. Harry A. Hegeman, retained in the Quartermaster Corps.

Maj. John L. Jordan, Infantry, vice Lieut. Col. William B. Gracie, retained in the Quartermaster Corps.

Maj. Lindsey P. Rucker, Infantry (Quartermaster Corps), vice Lieut. Col. Lutz Wahl, promoted colonel.

Maj. William G. Fleischhauer, Infantry (Quartermaster Corps), vice Lieut. Col. Lindsey P. Rucker, retained in the Quartermaster Corps.

Maj. Samuel A. Price, Infantry, vice Lieut. Col. William G. Fleischhauer, retained in the Quartermaster Corps.

Maj. Perrin L. Smith, Infantry (Quartermaster Corps), vice Lieut. Col. Amos H. Martin, appointed colonel in the National Army.

Maj. Charles L. Willard, Infantry (Quartermaster Corps), vice Lieut. Col. Perrin L. Smith, retained in the Quartermaster Corps.

Maj. Rufus B. Clark, Infantry (Quartermaster Corps), vice Lieut. Col. Charles L. Willard, retained in the Quartermaster Corps.

Maj. William A. Carleton, Infantry (Quartermaster Corps), vice Lieut. Col. Rufus B. Clark, retained in the Quartermaster Corps.

Maj. Lochlin W. Caffey, Infantry, vice Lieut. Col. William A. Carleton, retained in the Quartermaster Corps.

Maj. William S. Faulkner, Infantry, vice Lieut. Col. William P. Jackson, promoted colonel.

Maj. Ernest H. Agnew, Infantry, vice Lieut. Col. Matthias Crowley, promoted colonel.

Maj. Robert O. Ragsdale, Infantry, vice Lieut. Col. John J. Bradley, promoted colonel.

Maj. Austin A. Parker, Infantry, vice Lieut. Col. Douglas Settle, promoted colonel

Maj. Charles M. Gordon, jr., Infantry, vice Lieut. Col. Isaac C. Jenks, promoted colonel.

Maj. Fred Van S. Chamberlain, Infantry, vice Lieut. Col. Hanson E. Ely, promoted colonel.

Maj. William N. Hughes, jr., Infantry (General Staff), vice Lieut. Col. Lewis S. Sorley, promoted colonel.

Maj. Sylvester Bonnaffon, 3d, Infantry, vice Lieut. Col. William N. Hughes, jr., retained in the General Staff.

Maj. Robert C. Humber, Infantry (Quartermaster Corps), vice Lieut. Col. William M. Morrow, promoted colonel.

Maj. Joseph C. Brady, Infantry, vice Lieut. Col. Robert C. Humber, retained in the Quartermaster Corps.

Maj. John H. Page, jr., Infantry, vice Lieut. Col. Benjamin F. Hardaway, promoted colonel.

Maj. Parker Hitt, Infantry, vice Lieut. Col. Joseph C. Castner, promoted colonel.

Maj. Paul W. Beck, Infantry, vice Lieut. Col. Edward Sigerfoos, promoted colonel.

Maj. Robert I. Rees, Infantry (General Staff), vice Lieut. Col. Henry L. Kinnison, appointed colonel in the National Army.

Maj. John J. Miller, Infantry, vice Lieut. Col. Robert I. Rees, retained in the General Staff.

Maj. Jesse M. Cullison, Infantry, vice Lieut. Col. Paul B. Malone, promoted to colonel.

Maj. William H. Noble, Infantry (Quartermaster Corps), vice Lieut. Col. William F. Creary, promoted to colonel.

Maj. Wilbur A. McDaniel, Infantry, vice Lieut. Col. William H. Noble, retained in the Quartermaster Corps.

Maj. Evert R. Wilson, Infantry, vice Lieut. Col. Herschel Tupes, promoted to colonel.

Maj. Philip Powers, Infantry, vice Lieut. Col. Isaac Newell, promoted to colonel.

Maj. Clenard McLaughlin, Infantry, vice Lieut. Col. Robert O. Van Horn, detailed in the Signal Corps.

Maj. Edward B. Mitchell, Infantry, vice Lieut. Col. James B. Allison, detailed in Signal Corps.

Maj. James H. Como, Infantry (Quartermaster Corps), vice Lieut. Col. John L. Jordan, retired.

Maj. Harol D. Coburn, Infantry, vice Lieut. Col. James H. Como, retained in the Quartermaster Corps.

Maj. Allen J. Greer, Infantry (General Staff), vice Lieut. Col. Lawrence B. Simonds, promoted to colonel.

Maj. Robert Whitfield, Infantry, vice Lieut. Col. Allen J. Greer, retained in the General Staff.

Maj. Abraham U. Loeb, Infantry, vice Lieut. Col. Frederick W. Lewis, promoted to colonel.

Maj. Constant Cordier, Infantry (General Staff), vice Lieut. Col. Frederick G. Lawton, appointed colonel in the National Army.

Maj. James M. Loud, Infantry, vice Lieut. Col. Constant Cordier, retained in the General Staff.

Maj. J. DeCamp Hall, Infantry, vice Lieut. Col. Parker Hitt, detailed in the Signal Corps.

Maj. Davis C. Anderson, Infantry, vice Lieut. Col. Wilson B. Burtt, detailed in the Signal Corps.

Maj. Robert D. Carter, Infantry, vice Lieut. Col. Claude H. Miller, detailed in the Inspector General's Department.

Maj. Douglas Potts, Infantry, vice Lieut. Col. John H. Hughes, detailed in the Inspector General's Department.

Maj. Vincent M. Elmore, Infantry, vice Lieut. Col. Alexander T. Ovenshine, detailed in the Inspector General's Department.

Maj. Benjamin R. Wade, Infantry, vice Lieut. Col. George N. Bomford, detailed in the Signal Corps.

Maj. George E. Goodrich, Infantry, vice Lieut. Col. Oliver S. Eskridge, detailed in the Signal Corps.

Maj. Edwin S. Hartshorn, Infantry, vice Lieut. Col. Paul Giddings, detailed in The Adjutant General's Department.

Maj. Clark R. Elliott, Infantry, vice Lieut. Col. James N. Pickering, promoted to colonel.

Maj. Ralph B. Lister, Infantry, vice Lieut. Col. Eleuthêros H. Cooke, retired.

Maj. Harry E. Comstock, Infantry, vice Lieut. Col. Harvey W. Miller, detailed in the General Staff.

Maj. William R. Standiford, Infantry (General Staff), vice Lieut. Col. Harry H. Tebbetts, detailed in The Adjutant General's Department.

Maj. Frederick S. Young, Infantry (General Staff), vice Lieut. Col. William R. Standiford, retained in the General Staff.

Maj. Thomas S. Moorman, Infantry (Quartermaster Corps), vice Lieut. Col. Frederick S. Young, retained in the General Staff.

Maj. Charles H. Morrow, Infantry, vice Lieut. Col. Thomas S. Moorman, retained in the Quartermaster Corps.

Maj. Brady G. Ruttencutter, Infantry, vice Lieut. Col. Edwin S. Hartshorn, detailed in the General Staff.

Maj. Jennings B. Wilson, Infantry, vice Lieut. Col. William A. Burnside, promoted colonel.

Maj. William O. Smith, Infantry (Quartermaster Corps), vice Lieut. Col. Russell C. Langdon, promoted colonel.

Maj. Clarence K. La Motte, Infantry, vice Lieut. Col. William O. Smith, retained in the Quartermaster Corps.

Maj. George M. Holley, Infantry, vice Lieut. Col. Frank C. Bolles, promoted colonel.

Maj. Edgar S. Stayer, Infantry (Quartermaster Corps), vice Lieut. Col. James W. Clinton, promoted colonel.

Maj. Charles H. Errington, Infantry (Quartermaster Corps), vice Lieut. Col. Edgar S. Stayer, retained in the Quartermaster Corps.

Maj. George C. Shaw, Infantry (Inspector General's Department), vice Lieut. Col. Charles H. Errington, retained in the Quartermaster Corps.

Maj. Charles E. Reese, Infantry, vice Lieut. Col. George C. Shaw, retained in the Inspector General's Department.

Maj. Robert S. Knox, Infantry, vice Lieut. Col. Vincent M. Elmore, detailed in the Inspector General's Department.

To be lieutenant colonels with rank from November 5, 1917,

Maj. William A. Castle, Infantry (General Staff), vice Lieut. Col. Henry E. Eames, promoted colonel.

Maj. Harry D. Blasland, Infantry, vice Lieut. Col. William A. Castle, retained in the General Staff.

To be lieutenant colonels with rank from November 16, 1917.

Maj. Edward H. Andres, Infantry (Quartermaster Corps), vice Lieut. Col. Carroll F. Armistead, promoted colonel.

Maj. Thomas J. Rogers, Infantry, vice Lieut. Col. Edward H. Andres, retained in the Quartermaster Corps.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

The following-named medical inspectors to be medical directors in the Navy, for temporary service, from the 15th day of October, 1917:

Charles E. Riggs,
Ammen Farenholt, and
Charles P. Kindleberger.

Surg. Joseph C. Thompson to be a medical inspector in the Navy, for temporary service, from the 23d day of May, 1917.

The following-named surgeons to be medical inspectors in the Navy, for temporary service, from the 15th day of October, 1917:

Karl Ohnesorg,
William Seaman,

Archibald M. Fauntleroy,
Robert E. Hoyt,
Joseph P. Traynor,
John F. Murphy,
Jesse W. Backus, and
John L. Neilson.

Pay Inspector Joseph J. Cheatham to be a pay director in the Navy, for temporary service, from the 1st day of July, 1917.

Paymaster George P. Dyer to be a pay inspector in the Navy, for temporary service, from the 23d day of May, 1917.

The following-named paymasters to be pay inspectors in the Navy, for temporary service, from the 1st day of July, 1917:

William A. Merritt,
Frederick K. Perkins,
Grey Skipwith,
McGill R. Goldsborough, and
Eugene C. Tobey.

The following-named officers to be ensigns in the Navy, for temporary service, from the 1st day of January, 1918:

Jesse E. Walter,
Harry Waterhouse,
Oscar E. Harris,
Percy S. Hogarth,
Doile Greenwell,
Earl H. Knee,
Thomas F. Cullen,
Thomas S. Beard,
Henry A. Beaman,
Arthur L. Karns,
George J. Wolf,
Frank W. Crilley,
Jesse M. Acuff, and
Lincoln B. Walker.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 1st day of January, 1918:

George Hurst,
William Smith,
Caleb A. Holbrook,
John M. Morrison,
George M. Donovan,
James F. Mullin,
Edward Van Pelt,
George T. Rolfes,
Ernest A. Broms,
Edward G. Evans,
John H. Rider,
Carlisle J. Christman,
William T. Murray,
Christian Bauer,
Charles A. Pilant,
John W. Cunningham,
Michael T. Minihan,
Charles Keenan,
James T. Brien,
Robert J. Denny,
Thomas A. Patterson,
Walter E. Holden, and
Howard Keane.

The following-named officers of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 1st day of January, 1918:

John Black, jr.,
Thomas H. Laine, and
Ludwig G. Hoefling.

The following-named pay inspectors to be pay directors in the Navy, for temporary service, from the 31st day of August, 1917:

George G. Seibels, and
Edmund W. Bonnaffon.

Pay Inspector Joseph Fyffe to be a pay director in the Navy, for temporary service, from the 15th day of October, 1917.

The following-named paymasters to be pay inspectors in the Navy, for temporary service, from the 31st day of August, 1917:

Franklin P. Sackett,
David M. Addison,
Victor S. Jackson,
John R. Sanford,
Herbert E. Stevens,
Charles R. O'Leary, and
Charles W. Eliason.

The following-named paymasters to be pay inspectors in the Navy, for temporary service, from the 15th day of October, 1917:

Cuthbert J. Cleborne, and
John D. Robnett.

Paymaster George W. Pigman, jr., to be a pay inspector in the Navy, for temporary service, from the 11th day of December, 1917.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 21, 1918.

COMMISSIONER FOR THE DISTRICT OF COLUMBIA.

Louis Brownlow to be a Commissioner for the District of Columbia.

RECEIVER OF PUBLIC MONEYS.

Fred A. King to be receiver of public moneys at Cass Lake, Minn.

REGISTERS OF THE LAND OFFICE.

Alvah G. Swindlehurst to be register of the land office at Cass Lake, Minn.

John T. Cogan to be register of the land office at Pierre, S. Dak.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 21, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, we thank Thee for the simple yet sublime truths expressed in the familiar hymn, the basis upon which all true religions have their foundation:

How gentle God's commands!
How kind His precepts are!
Come, cast your burdens on the Lord,
And trust his constant care.

His goodness stands approved,
Unchanged from day to day;
I'll drop my burden at His feet
And bear a song away.

Hasten the day, we beseech Thee, when all mankind shall accept and live these truths in the common daily activities of life; that the demons which so easily beset us—greed, avarice, hate, revenge, unholy ambitions, and selfishness—may be cast out, and the world become a better and saner place to dwell in, after the manner of the Lord Jesus Christ. Amen.

The Journal of the proceedings of Saturday was read and approved.

LEAVE OF ABSENCE.

Mr. LAZARO. Mr. Speaker, I ask unanimous consent for the leave of absence of my colleague, Mr. WILSON, indefinitely, on account of sickness.

The SPEAKER. The gentleman from Louisiana asks unanimous consent for indefinite leave of absence for his colleague, Mr. WILSON, on account of sickness. Is there objection?

There was no objection.

The SPEAKER. The Chair wishes to announce once more that the easiest and best way to obtain leave of absence is to make out a slip and present it to the Clerk.

Mr. LONDON. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from New York makes the point of order that no quorum is present, and evidently there is not.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed, and the Sergeant at Arms was ordered to notify the absentees.

The Clerk called the roll, and the following Members failed to answer to their names:

Bacharach	Dewalt	Greene, Mass.	Miller, Wash.
Bowers	Dooling	Griest	Montague
Brodbeck	Doremus	Hamill	Mudd
Buchanan	Drukker	Hamilton, N. Y.	Neely
Byrns, Tenn.	Eagan	Hrrrison, Miss.	Nichols, Mich.
Caldwell	Eagle	Harrison, Va.	Nolan
Campbell, Pa.	Edmonds	Haskell	O'Shaunessy
Cannon	Esch	Helm	Paige
Capstick	Estopinal	Helvering	Parker, N. J.
Carew	Evans	Hood	Parker, N. Y.
Carlin	Fairchild, G. W.	Husted	Porter
Church	Flynn	Johnson, S. Dak.	Price
Clark, Fla.	Focht	Kahn	Ragsdale
Costello	Francis	Kennedy, R. I.	Ramsey
Crago	Fuller, Mass.	LaGuardia	Reed
Currie, Mich.	Garland	Lesher	Riordan
Curry, Cal.	Godwin, N. C.	Lobeck	Rowe
Dale, N. Y.	Good	McClintic	Rowland
Dale, Vt.	Goodall	McCulloch	Sanders, La.
Darrow	Gould	McLaughlin, Pa.	Scott, Pa.
Davidson	Graham, Ill.	Maher	Scully
Decker	Graham, Pa.	Mann	Sherley
Dempsey	Gray, N. J.	Mansfield	Siegel

Sims	Stephens, Nebr.	Templeton	Wilson, La.
Slemp	Sullivan	Van Dyke	Winslow
Small	Swift	Vare	Wood, Ind.
Snook	Tague	Venable	Woodyard

The SPEAKER. On this roll call 319 Members, a quorum, have answered to their names.

Mr. CARTER of Oklahoma. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 107. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3387. An act to authorize and empower the President to create military zones around shipyards where vessels are under construction for the United States; and

S. 3389. An act to authorize and empower the United States Shipping Board Emergency Fleet Corporation, to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes.

The message also announced that the Vice President, in accordance with the act of August 29, 1916, had appointed as members of the Board of Visitors to the Naval Academy, at Annapolis, on the part of the Senate, Mr. SWANSON (ex officio chairman), Mr. SMITH of Maryland, Mr. PENROSE, and Mr. LODGE.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3389. An act to authorize and empower the United States Shipping Board Emergency Fleet Corporation, to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

S. 3387. An act to authorize and empower the President to create military zones around shipyards where vessels are under construction for the United States; to the Committe on the Merchant Marine and Fisheries.

S. J. Res. 107. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury; to the Committee on the Library.

COMMITTEE ON EXPENDITURES IN THE NAVY DEPARTMENT.

Mr. HARDY. Mr. Speaker, I ask unanimous consent to present a resolution authorizing the Committee on Expenditures in the Navy to send for persons and papers.

The SPEAKER. The gentleman from Texas asks unanimous consent for the present consideration of the resolution authorizing the Committee on Expenditures in the Navy Department to send for persons and papers.

Mr. HARDY. We want to get to work is the reason, and if it will take any time I will withdraw it.

The SPEAKER. Is there objection?

Mr. GILLETT. Let us have it reported.

The Clerk read as follows:

House resolution 202.

Resolved, That the Committee on Expenditures in the Navy Department, in making the investigation required by the rules of the House, be authorized to send for persons and papers.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, this seems to be a novel resolution for any expenditure committee, even for a standing committee of the House, to be authorized to send for persons and papers. Usually in the administration of committee affairs a mere request to officials of the department—if they are the persons the gentleman has in mind—brings them voluntarily, and it is not necessary to have any special authorization.

Mr. HARDY. What the gentleman says is exactly true, but it has been held that these committees have no authority to compel the attendance of witnesses without special resolutions.

I do not apprehend that any member of the administration or that any member of any department will need any subpœna, but we might have a necessity to summon others.

Mr. STAFFORD. Has the gentleman attempted to obtain the department officials, and have they declined to respond to the invitation?

Mr. HARDY. Not at all. We do not intend to use it for any department.

Mr. STAFFORD. It is anticipating a condition that may never happen?

Mr. HARDY. It is anticipating sending for other witnesses, not departmental.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask the gentleman from Texas to withdraw this resolution for the present. The gentleman does not seem to have met any conditions which warrant action on this resolution up to this time. If he had I would not object to it.

Mr. STAFFORD. Is the purpose of the resolution to send for persons outside of the departments?

Mr. HARDY. That is the purpose of it.

Mr. STAFFORD. Of course, that is a different condition. If that is so, I shall not object.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, is it the intention to bring witnesses in from all over the country?

Mr. HARDY. We may.

Mr. FOSTER. That would require an expenditure.

Mr. HARDY. We may want to send for some witnesses. We promised the Committee on Accounts that we would make investigations, and if we need to have the witnesses we ought to have the authority to get them.

Mr. FOSTER. This would give the gentleman no authority to pay their expenses. I wish the gentleman would withdraw it for this morning, until we can see further about it.

Mr. HARDY. Mr. Speaker, rather than take up further time, I withdraw the resolution.

COAL AND ASPHALT DEPOSITS, CHOCTAW AND CHICKASAW NATIONS.

The SPEAKER laid before the House the bill (H. R. 195) providing for the sale of the coal and asphalt deposits in the segregated mineral lands in the Choctaw and Chickasaw Nations, Okla., with Senate amendments thereto.

The Senate amendments were read.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. I wish to inquire whether the amendment in the Senate striking out the description of the property that could be used by the State of Oklahoma and substituting therefor the phraseology limiting it only to that which has been purchased by the State penitentiary purposes is identic in purpose?

Mr. CARTER of Oklahoma. The item which carried the preferential right for the State to purchase these lands carried a description in full, which was furnished me by the governor of the State of Oklahoma. I afterwards found from the warden of the State penitentiary that that description was an error and contains land outside the penitentiary grounds which the State did not desire to purchase, and the warden of the penitentiary said it was not the purpose of himself nor the governor nor any other State official to purchase land other than that under the State penitentiary lands, and when this was explained at the Senate end of the Capitol the amendment was made to conform to what was actually sought to be done.

Mr. STAFFORD. So the Senate amendment restricts the quantity of land?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. And carries out the original purpose of the House bill?

Mr. CARTER of Oklahoma. Yes. I had no way of knowing whether or not the description carried in the original bill was correct, for the reason that I did not have by me any detailed description of the lands embraced in the surface grant to the penitentiary.

Mr. STAFFORD. I have directed the gentleman's attention to an error in the amendment that was offered by myself, a mere formal amendment, when the bill was under consideration, striking out the word "apply" and substituting therefor the words "as applied," and I find in the bill as it is before us the amendment carries the past tense "applied." I believe the gentleman agrees that should be "apply," and he intended later to offer a concurrent resolution directing the engrossing clerk in the engrossed copy to change the word "applied" to the word "apply."

Mr. CARTER of Oklahoma. That is a typographical error. In the original bill the word was "applied," and when our attention was called to that by the gentleman from Wisconsin the change was made on the floor of the House.

Mr. STAFFORD. The other amendments of the Senate are minor.

Mr. CARTER of Oklahoma. Except in one particular.

Mr. STAFFORD. What is the amendment that the gentleman says is of more than minor importance?

Mr. CARTER of Oklahoma. It is the one at the end of line 2 on page 5, after the word "twelve" to insert:

Provided further, That no person or corporation shall be permitted to acquire more than four tracts of 960 acres each, except where such person, firm, or corporation has such tracts under existing valid lease.

Mr. STAFFORD. And that is for the best interest of the people of Oklahoma, the gentleman thinks?

Mr. CARTER of Oklahoma. Yes.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. WINGO. I gathered from the reading of the Senate amendments that there is an amendment in there covering the question of convict labor.

Mr. CARTER of Oklahoma. Yes.

Mr. WINGO. That amendment was arrived at by consulting with the interested parties and the Senators from Oklahoma and the governor of that State?

Mr. CARTER of Oklahoma. I will read the amendment for the gentleman's benefit:

Page 5, line 16, strike out all after "Oklahoma," down to and including "east," line 5, page 6, and insert "for the grounds of the State penitentiary: *Provided,* That said coal deposit under said land shall not be mined by convict labor for the purpose of sale to any private agencies, individual person, or corporation, or to be sold for private or commercial purposes."

I will state, further, that this amendment was suggested by the governor of Oklahoma himself. This complied with the governor's statement to me in transmitting the item to be introduced, which was to the effect that he had no purpose of attempting to mine coal from the deposits purchased in competition with free labor.

Mr. WINGO. The object of that amendment is to restrict the use of the mines and the convict-mined coal to the penitentiary where the convicts are?

Mr. CARTER of Oklahoma. Yes.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8696) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919.

The motion was agred to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8696, the Indian appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the purpose of the consideration of the bill, the title of which the clerk will report.

The Clerk read as follows:

A bill (H. R. 8696) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919.

The CHAIRMAN. The Chair's information is that when the committee arose on Saturday the question pending before the committee was a point of order made by the gentleman from Wisconsin [Mr. STAFFORD]. Does the gentleman insist upon his point of order?

Mr. STAFFORD. May we have an understanding that this item be passed over temporarily? The gentleman from Arizona this morning met me on my way to the committee room of the Committee on Appropriations where I had an important hearing and could not present the matter that he wished. Yesterday I took occasion to look over everything that referred to this project in the hearing but he had some further data to present.

Mr. CARTER of Oklahoma. Does the gentleman just want to pass this item over without prejudice?

Mr. STAFFORD. Yes.

Mr. CARTER of Oklahoma. I will be glad to do so.

The CHAIRMAN. Without objection, the paragraph on page 17, down to line 10, page 18, will be passed for the present. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

To enable the Secretary of the Interior to carry into effect the provisions of the sixth article of the treaty of June 1, 1868, between the United States and the Navajo Nation or tribe of Indians, proclaimed August 12, 1868, whereby the United States agrees to provide school facilities for the children of the Navajo tribe of Indians, $100,000: *Provided,* That the said Secretary may expend said funds, in his discretion, in establishing or enlarging day or industrial schools.

Mr. CAMPBELL of Kansas. Mr. Chairman, I would like to know what is being done with this $100,000. I think the committee should know just what is being done with it.

Mr. HAYDEN. Mr. Chairman, I can say to the gentleman from Kansas that excellent use is made of this money in the operation of day and boarding schools on the Navajo Indian Reservation.

Mr. CAMPBELL of Kansas. Do we establish day schools by annual appropriations every year? How many schools have been established and how many are maintained, and how many pupils attend them?

Mr. HAYDEN. The hearings show that last year a dormitory was completed at the Leupp Indian School on this reservation; also a dairy barn at Navajo. The equipment made necessary by the enlargement of Pueblo Bonito and Western Navajo schools was supplied and a new schoolhouse with a capacity of 300 pupils has been constructed at Tohatchi. The hearings show that at present there are school buildings on the Navajo Reservation with a capacity for 2,072 children and there are 6,642 Navajo Indian children without school facilities at this time.

Mr. CAMPBELL of Kansas. How much money was used last year in the construction of these schools for the benefit of these children?

Mr. HAYDEN. The hearings show an expenditure of $47,777.

Mr. CAMPBELL of Kansas. Does that include the construction of buildings?

Mr. HAYDEN. Yes.

Mr. CAMPBELL of Kansas. Why is it necessary to have $100,000 this year, the buildings having been constructed?

Mr. HAYDEN. I know that the Indian Service expects to complete the construction of several additional buildings at Keams Canyon and other places. Until we provide school facilities, schoolhouses on the reservation where the Indian children can attend, we should not stop appropriating money. There are over 6,000 children on the Navajo Reservation for whom there are no school facilities at the present time. There are over 24,000 Navajo Indians in Arizona, comprising one of the largest Indian tribes in the United States.

Mr. CAMPBELL of Kansas. I am aware of that, and they are good Indians. They have been getting along splendidly without any sort of aid or supervision from the Government. They are among the best self-sustaining Indians we have, and I am fearful that they, having been among the good Indians who have been taking care of themselves, will begin to rely largely on the Government and finally the Government will be called upon to send a lot of white men out there, spend a lot of money on them with more benefit to the white men who are employed than to the Indians in whose behalf it is alleged the money is spent.

Mr. HAYDEN. Notwithstanding, the gentleman will admit that it is the policy of this Government to furnish educational opportunities for Indian children?

Mr. CAMPBELL of Kansas. What has been the method of providing for the Navajos in the past in respect to education?

Mr. HAYDEN. They have not been educated.

Mr. CAMPBELL of Kansas. Have they grown up without any schools at all?

Mr. HAYDEN. Yes, sir; the great majority of the Navajos are illiterate and very few of them can even speak the English language.

Mr. CAMPBELL of Kansas. Notwithstanding, they are mighty good Indians.

Mr. HAYDEN. There is no question about the Navajo being a good Indian.

Mr. CARTER of Oklahoma. May I call the attention of the gentleman from Kansas to the fact that this is a treaty item, anyway.

Mr. CAMPBELL of Kansas. Even so, the money should not be wasted——

Mr. CARTER of Oklahoma. That is right.

Mr. CAMPBELL of Kansas. Even where a treaty of years and years ago provided for it. We will come later on to some treaty items that provide for an annual waste of money. Conditions that existed in Indian tribes 30 years ago which made a treaty item necessary do not necessarily exist to-day, and I think we should bring the Indian Service down to date.

Mr. CARTER of Oklahoma. Well, the gentleman from Kansas well knows that there is only one way by which the treaty item can be disposed of fairly and in good morals to the Indians, and that is the capitalization of the amount.

And that has always been the policy of the Government. In order to comply with treaties, all treaty items must be pro-

vided for the Indians, and the only legitimate way to dispense with them is by capitalization of such treaty item at the ratio of 10 to 1.

Mr. CAMPBELL of Kansas. This is alleged to be under the sixth article of the treaty of June 1, 1868. Well, when did we begin to take notice that that treaty existed?

Mr. CARTER of Oklahoma. I am not prepared to give the gentleman information about that. I have not kept up with this item. I agree with the gentleman fully that these matters ought to be looked into very carefully to see that the money is expended properly.

Mr. CAMPBELL of Kansas Does not the gentleman from Oklahoma think they ought to be looked into carefully before the money is spent rather than afterwards?

Mr. CARTER of Oklahoma. Decidedly so. That has always been my position.

Mr. CAMPBELL of Kansas. There is $100,000 under the old treaty item that was dug up from 1868, when for all these years we have been running along without doing anything for these Indians.

Mr. HAYDEN. This appropriation originated in the Senate about five years ago as the result of an investigation which disclosed that the Government had not kept the agreement made with these Indians in 1868 and provided educational facilities for their children. I think the appropriation should be continued until we have school facilities for every Indian in the Navajo country. As it stands to-day there are 7,844 children of school age on the reservation. There are 6,642 Indian children that could not go to school if they wanted to do so.

Mr. CAMPBELL of Kansas. Is it not true that everybody who knows anything about Indians knows the Navajo Indians are the best Indians per individual that are to be found anywhere out in the mountain countries and that they have been taking care of themselves? They are self-supporting Indians.

Mr. HAYDEN. But would it be any detriment to the Indian, in the gentleman's judgment, if he learned to speak the English language and to read and write it?

Mr. CAMPBELL of Kansas. It will be a detriment to the Navajo Indian to come under the control of the Indian Office or an Indian control that has devitalized other Indian tribes while this tribe, without control, is a vital, manly, and womanly set of people.

Mr. HAYDEN. I agree with the gentleman in all that he says in praise of the Navajo Indians.

Mr. CAMPBELL of Kansas. They are self-supporting and self-respecting and composed of a high-grade type of men and women, as everybody knows who knows anything about Indians.

Mr. HAYDEN. I am in thorough accord with the gentleman that, so far as the property of these Indians is concerned, the Government should keep its hands off and let them attend to their flocks and herds and sell their blankets, as they do now; but I can not see for the life of me how it would injure an Indian child any more than a white child to send it to school.

Mr. CAMPBELL of Kansas. Is it not true that the Navajo Indians attend our Indian schools? Can not a Navajo come to Haskell or to Chilocco or any other of the Indian schools and be educated at the expense of the Government?

Mr. HAYDEN. We all agree that sending the children away to boarding schools is not the best system of educating the Indians.

Mr. CAMPBELL of Kansas. It has not proved so for the Navajos.

Mr. HAYDEN. The kind of education that we shall provide is by establishing day schools and boarding schools in proximity to the reservations. Day schools shall be encouraged in preference to boarding schools, so that the Indian children may go home to their parents at night, as white children do. It was by that system that the American people became educated. The hot-housing system that is pursued in some of the boarding schools results in but little permanent benefit to the Indians.

Mr. CAMPBELL of Kansas. I think it is an unwise policy to take up Indians that are self-respecting and self-supporting, that have produced high-grade men and women, such as the Navajos have produced, without any sort of aid or assistance from the Government, or supervision from the Indian Office, and then pick up an old treaty somewhere, at this late day, a treaty agreed to in 1868, in order to foist a supervision or control over those Indians. I think it is very unwise to do it, and I do not think that this appropriation of $100,000 ought to be made in this lump sum. If anything is to be done, a school ought to be provided at a certain place for so many dollars and at a certain other place for so many dollars, rather than to give a lump sum here to be used as is provided in this bill.

Mr. HAYDEN. I am in accord with the gentleman's last suggestion, and so far as I am concerned this appropriation will not again be made without specifying the schools where the funds are to be expended.

Mr. CAMPBELL of Kansas. It ought not to occur now. Let us pass this item and get it in shape. It ought not to go in in this way. It is simply against the policy of the Committee on Indian Affairs, a policy that has been adopted with respect to other matters. I do not see why we should put it in this item in this way.

Mr. HAYDEN. Will the gentleman consent to pass the item, so that we may ask the Indian Office to submit an itemized estimate?

Mr. CAMPBELL of Kansas. I will ask that the item be passed and ask the gentleman from Arizona [Mr. HAYDEN], in whose section of the country this money is to be spent, to take the matter up with the Indian Office.

Mr. HAYDEN. I will be glad to do that. I ask unanimous consent that the paragraph be passed over.

The CHAIRMAN. The gentleman from Arizona [Mr. HAYDEN] asks unanimous consent to pass the paragraph on page 18, beginning with line 10 and ending with line 19, inclusive. Is there objection? [After a pause.] The Chair hears none; and the Clerk will read.

The Clerk read as follows:

For continuing the development of a water supply for the Navajo and Hopi Indians on the Navajo, Moqui, Pueblo, San Juan, and Western Navajo Reservation, $25,000, to be immediately available, reimbursable out of any funds of said Indians now or hereafter available.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. HAYDEN. Mr. Chairman, I move to amend the paragraph, on line 22, by making the word "Reservation" plural, so that it will read "Reservations."

The CHAIRMAN. Does the gentleman from Wisconsin withdraw his point of order?

Mr. STAFFORD. I wish to make an inquiry about this change of phraseology before withdrawing the point of order. Is it the purpose to extend this project in any way except to extend the privileges to different Indians on the same reservation?

Mr. HAYDEN. When this appropriation was made last year and in prior years it said, "the Navajo Indians on the Navajo Indian Reservation." As a matter of fact, the Navajo jurisdiction has been divided into these various reservations, and the Indian Office advised the committee that a strict interpretation of the law would compel this appropriation to be expended on one small part of the Navajo country rather than on the various reservations, as it ought to be. As I happened to know that the Hopi Indians also lived in that Territory, I had the word "Hopi" inserted so that the Hopi Indians would also have the benefit of the development of an additional water supply.

Mr. STAFFORD. Do they live on the Navajo Reservation?

Mr. HAYDEN. They live on the Moqui Reservation, together with the Navajos. The Moqui Reservation is surrounded by the Navajo Reservation.

Mr. STAFFORD. Together with the Pueblos, Moquis, and others?

Mr. HAYDEN. Yes; they occupy a part of the Navajo country. These reservations were created by Executive order at different dates.

Mr. STAFFORD. The amendment does not propose to create a new project to carry out more specifically what was intended by the general language in last year's bill?

Mr. HAYDEN. That is it exactly.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman withdraws the point of order. The Clerk will report the amendment offered by the gentleman from Arizona.

The Clerk read as follows:

Amend, page 18, line 22, by striking out the word "Reservation" and inserting in lieu thereof the word "Reservations."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For completing the construction by the Indian Service of a dam with a bridge superstructure and the necessary controlling works for diverting water from the Gila River for the irrigation of Indian land and Indian allotment on the Gila River Indian Reservation, Ariz., as recommended by the Board of Engineers of the United States Army in paragraph 217 of its report to the Secretary of War of February 14, 1914 (H. Doc. No. 791), $50,000, to be immediately available and to remain available until expended, reimbursable as provided in section 2 of the act of August 24, 1912 (37 Stat. L., 522): *Provided*, That the limit of cost of the said dam and bridge fixed by the act of May 18, 1916 (39 Stat. L., 130), is hereby changed from $200,000 to $250,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. What is the occasion of increasing the limit of cost on this project from $200,000 to $250,000?

Mr. HAYDEN. The occasion for this increase is the great flood that came down Gila River, which widened the channel at the place where this dam is to be constructed so that it can not be built for the money appropriated. That and the increased cost of labor and material necessary for its construction occasioned this increase.

Mr. STAFFORD. This dam also is to be utilized for bridge purposes, is it?

Mr. HAYDEN. Yes, sir.

Mr. STAFFORD. And the river has been widened considerably at this point by reason of the flood that the gentleman refers to?

Mr. HAYDEN. Yes, sir.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman from Wisconsin withdraws the reservation of a point of order; and the Clerk will read.

The Clerk read as follows:

For the construction of a fence along the international boundary line between Mexico and the Papago Indian Reservation, in Arizona, created by Executive order of January 14, 1916, under such rules and regulations as the Secretary of the Interior may prescribe, $10,000, to be immediately available and to remain available until expended.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. I wish to inquire whether this item was included by the department in their estimates?

Mr. HAYDEN. Yes, sir. You will find the item and the justification on page 133 of the hearings. The department very strongly urges this appropriation by reason of the fact that owing to the unsettled conditions in Mexico a considerable number of cattle belonging to the Papago Indians have drifted across the international boundary, where they have been killed and consumed by the Mexicans. It is therefore necessary to keep the stock of the Indians on this side of the line. If the conditions in Mexico were more settled, there would be less urgency for the construction of this fence.

Mr. STAFFORD. Is this an ordinary range fence to surround the cattle ranch to keep them in the corral?

Mr. HAYDEN. No. It is what is called a "drift fence," which will cross a valley along the international boundary line between this reservation and old Mexico.

Mr. STAFFORD. The gentleman uses a term in connection with the fence that I am not familiar with. What does he mean by a "drift fence"?

Mr. HAYDEN. A "drift fence" is a fence to prevent cattle from drifting or wandering across the country. Drift fences are constructed all along the international boundary line to prevent the cattle from drifting over into Mexico. The Mexicans are hungry these days and do not hesitate to eat any meat animal that they can catch.

Mr. STAFFORD. Do these fences have any effect in preventing the Mexicans from coming over into this country in their raids?

Mr. HAYDEN. The boundary fence near Columbus, N. Mex., did not stop Villa when he made his raid. The raiders cut the fence about 2 miles from a gate where the picket of American soldiers was stationed that night.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman from Wisconsin withdraws the reservation. The Clerk will read.

The Clerk read as follows:

That the unexpended balance of $6,715 appropriated by the Indian appropriation act approved May 18, 1916, for the proportionate share of the amount required to construct a wagon road or highway through the Kaibab Reservation in Utah is hereby made available upon the same terms, except that any labor may be used upon the construction of such road or highway, giving preference to Indian labor.

Mr. HAYDEN. Mr. Chairman, I move to amend, on line 5, by striking out the words "in Utah" and inserting the word "Indian" after the word "Kaibab."

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HAYDEN: Page 22, line 5, after the word "Kaibab," insert the word "Indian," and after the word "Reservation," strike out the words "in Utah."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CALIFORNIA.

SEC. 3. For support and civilization of Indians in California, including pay of employees, $42,000.

Mr. CAMPBELL of Kansas. Mr. Chairman, I move to strike out the last word for the purpose of finding out what this $42,000 is used for. The hearings show that for last year about $30,000 was expended in order to get about $9,000 worth of goods to the Indians. The money was expended last year as follows: Seventeen thousand dollars for regular employees. Now, can you imagine how it would be necessary to employ $17,000 worth of employees to spend $40,000 in any service on earth except the Indian Service? Those are the regular employees. Now, here are irregular employees, $746. Then, traveling expenses, $2,459; transportation of supplies, $673; stationery and printing, school supplies, $29.50. An enormous amount of this $42,000 for school supplies! Twenty-nine dollars and fifty cents. Telegraphing and telephoning, $426; light, heat, and power, including fuel, $3,375. I assume that that was to keep the employees warm. So far we have not done a thing for the Indian except to get him $29 worth of school supplies. Now, here are $9,713 worth of dry goods, subsistence, forage, medical supplies, and so forth. I do not know just how these supplies were distributed, but I want to know if it takes $3,000 to get $1,000 worth of goods distributed to a few Indians.

Mr. CARTER of Oklahoma. Mr. Chairman, this is the regular——

Mr. CAMPBELL of Kansas. That does not make it right. even if it is regular. It is just that much worse.

Mr. CARTER of Oklahoma. I should be glad to finish my sentence, or I will wait until the gentleman finishes. I did not say anything was right. I undertook to say that this is the regular agency appropriation. Agency appropriations as a rule are used for employees, as the gentleman well knows, to administer the affairs of the Indians. Certainly if we are going to continue to administer the affairs of the Indians we will have to make appropriations, and the money will have to be spent for employees. If we are going to stop administering the affairs of the Indians, then all these expenses can be stopped. I do not know how they can be stopped otherwise. It might be that if we had an investigation of the matter, and had time to go out through the reservations, we could dispense with a great number of employees; but until that is done the Committee on Indian Affairs, of which the gentleman is a member, has no way of getting that information except through the Indian Bureau. As the gentleman well knows, the only source of information we have is through the Commissioner of Indian Affairs himself. Just what good for the Indians has been done by this appropriation it is impossible for me to say. Whether a man working for a salary of $1,000 and expenses $500 renders a $1,500 service to the Indians I am unable to say, and I do not think any man could undertake to say, unless an investigation were made and he went on the reservation to look in a thorough manner into the work that these employees were doing. The gentleman may be right in his statement that there are a great many useless employees in the Indian Service. I do not know any way to intelligently dispense with them, unless we can have some kind of an investigation to show which ones are unnecessary and which are necessary.

Mr. CAMPBELL of Kansas. Does not the gentleman from Oklahoma also agree that we have a number of useless agencies?

Mr. CARTER of Oklahoma. The gentleman may be right about that.

Mr. CAMPBELL of Kansas. And that this is probably one of them, as the analysis of the expenditures shows.

Mr. CARTER of Oklahoma. As the gentleman knows, these appropriations are not used to give money or supplies to the Indians as a rule, but usually are used for the purpose of paying farmers, matrons, and different employees of the service to go among the Indians.

Mr. CAMPBELL of Kansas. I went to one of those agencies at Mayetta, Kans., last spring and found just such an organization as that, and the only thing that agency did was to acknowledge leases for farm purposes made by Indian farmers who had the ability and the energy to run farms and occasionally leased their lands to a neighboring farmer. This agency cost the Government $21,000, and the only service it rendered could have been performed by a notary public in a near-by village for about $18.

Mr. CARTER of Oklahoma. Was that the Kickapoo Agency in Kansas?

Mr. CAMPBELL of Kansas. Yes; on the reservation.

Mr. CARTER of Oklahoma. There was also a school in connection with that, was there not?

Mr. CAMPBELL of Kansas. They say so. I did not locate it near the agency.

Mr. CARTER of Oklahoma. A camouflage school!

Mr. CAMPBELL of Kansas. That item that the gentleman refers to will go back into the bill. I am now talking about these items as they come up here to impress this House with the fact that the time has come to get a pruning knife and go after these agencies and cut them out. It can not be done in one instance alone. It does not start the matter to take out one agency.

Mr. CARTER of Oklahoma. I shall be very glad to join the gentleman in cutting down the expenses to the lowest possible amount, and in taking away from the Indian any supervision that he does not need; but the gentleman will agree that we must undertake that in an intelligent manner. We can not just arbitrarily wipe out an agency here and there without knowing what we are doing.

Mr. CAMPBELL of Kansas. How do these Indians in California live—in teepees, wearing blankets, in an Indian village?

Mr. CARTER of Oklahoma. Some of them live in villages and some scattered over the reservation. I have been over one reservation in California. These Indians are taken care of by this agency.

Mr. CAMPBELL of Kansas. How do they make a living?

Mr. CARTER of Oklahoma. Some of them farm and do different things. I think some of them have a few sheep. Some of them do very little, if anything.

Mr. CAMPBELL of Kansas. What on earth does the agent do for them?

Mr. CARTER of Oklahoma. Just about what he does at any other place.

Mr. CAMPBELL of Kansas. What does the farmer do?

Mr. CARTER of Oklahoma. I did not get into communication with the farmer, but the gentleman knows what the duties of an agency farmer are. I do not know how well he performs his duties.

Mr. CAMPBELL of Kansas. I know the kind of farmer he is, and I know about the value of the service he renders for them. It is as valueless as the service that the agent renders.

Mr. CARTER of Oklahoma. Perhaps the gentleman is right about that. I know there are 9,329 Indians on the reservation to be taken care of by this agency.

Mr. CAMPBELL of Kansas. About $1 apiece——

Mr. CARTER of Oklahoma. More than that.

Mr. CAMPBELL of Kansas. Out of this appropriation of $40,000 about a dollar apiece would reach the Indians, and the rest of it goes to maintain the households of the employees.

Mr. CARTER of Oklahoma. Mr. Chairman, the purpose of this appropriation, as the gentleman knows, is not to deliver money to the Indians, but it is to supervise and teach the Indian, to bring him up until he can get up to self-sustaining citizenship. Whether that is being done the gentleman is better informed with reference to this particular agency than I am. I do not think it is being done to such an extent as it should be in some of these agencies of which I am advised.

Mr. CAMPBELL of Kansas. May I ask the gentleman if it is his observation and experience that these Indian agents really advance the civilization of the Indians, if they really render a beneficial service to the Indians?

Mr. CARTER of Oklahoma. Yes; I will say to the gentleman that the superintendent at Muskogee renders very valuable service, and there is a class of local agents in Oklahoma who are now rendering beneficial service to the Indians. There the probate attorneys render valuable service to the Indians.

Mr. CAMPBELL of Kansas. I do not mean that class, I am referring to the agents such as are provided for in this bill for agencies in California, Kansas, Minnesota, and other States where the Indian agent surrounds himself with a doctor and a few employees, while the Government furnishes fuel and somebody to start the fires, where the agent sits around, and when a few Indians come in once in a while the agent is very much bored if he has to go out and see the Indians.

Mr. CARTER of Oklahoma. I think some agencies in Oklahoma have really done some good. It may be, I think, in some instances they have not. I am willing to go with the gentleman and cut out the unnecessary ones. I am willing to make any cut that I know will not injure the service.

Mr. CAMPBELL of Kansas. I want to compare the Navajo Indians in Arizona with other Indians in that section of the country. These Navajos have been largely free from agencies and the influence of agents, and they are high-grade Indians; I venture to say much higher grade than these in California that have been under the supervision of this agency. I withdraw the pro forma motion.

The CHAIRMAN. The pro forma motion is withdrawn, and the Clerk will read.

The Clerk read as follows:

For beginning the enlargement and improvement of the irrigation project upon the Torres Indian Reservation, California, for the irrigation of approximately 3,000 acres of Indian land in accordance with the plans and estimates submitted by the Chief Engineer in the Indian Service and approved by the Secretary of the Interior, $25,000, to remain available until expended and to be reimbursed to the United States in accordance with such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That the total cost of said irrigation project shall not exceed $150,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. An examination of the hearings on this item discloses that this appropriation is for the purpose of sinking some large wells on a sparsely settled Indian reservation in the southern part of California for the ostensible purpose of helping the Indians. The estimated cost, if this is successfully undertaken, is $55 per acre, a rather large price for irrigation work on arid lands.

There have been some wells sunk on this reservation in the past, wells not of the same diameter as those contemplated in this new project. It is something new in a way to us from the East to cultivate lands by sinking various pipe wells and then establishing pumping stations in connection with those wells to get the water from below to the surface.

For the benefit of whom? In this case primarily for the benefit of the Indians. The Indians are not pressingly seeking this relief. There are only a few of them, and those few to-day have sufficient accommodations for tilling the land. This irrigation project is located where alternate sections have been heretofore granted to the railroads under the land-grant concessions, and these alternate sections are owned in private ownership. The major argument on the part of the department in favor of this project is that the private owners are sinking wells and tapping the water supply, and it is necessary to come to the rescue and relief of the Indians by establishing a large system.

Mr. MONDELL. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. MONDELL. On the point of cost—I know nothing about this project—but the gentleman referred to the cost of this project, $55 an acre, as rather high. I will say to the gentleman that irrigated lands in that section would easily stand a much larger construction charge than that. Some of the irrigation projects under the national irrigation law are costing considerably more than that per acre in regions where the acre production is much smaller than it would be in this section of California. I know nothing about the merits of this project, but I do know that the cost of $55 is not at all excessive. I should say it was quite reasonable.

Mr. STAFFORD. There are cases where under irrigation projects the cost of large tracts is as low as $20 or $25 an acre. Since the gentleman arose I have refreshed my memory and find that the value of the acreage will be $200 per acre. But even if there was just reason, as a business proposition, to go ahead with this well-sinking project, nevertheless when there are only 266 Indians on this reservation with a total area of 25,870 acres, you can not, particularly if we are going to protect the Treasury, have even a scintilla of regard for the Treasury or the taxpayers when we launch this project at an expense, according to the estimates, of about $23,000,000.

Mr. HAYDEN. Oh, no.

Mr. STAFFORD. I can not read it on account of the fine print. Is it $23,000,000?

Mr. HAYDEN. Twenty three thousand two hundred and three dollars and nine cents.

Mr. STAFFORD. Oh, yes; that is the cost of the present plant. Then that argument falls, because my eyes were seeing double what is printed in the hearings. As suggested by the gentleman, it is not unusual in these times to read billions or millions for thousands. As a matter of fact, in the Committee on Appropriations I have heard nothing but billions and millions, so I must be excused if I read millions for thousands. [Laughter.]

I certainly believe that if this project is adopted the cost will be more than the estimated amount, $150,000. I regret that my eyes will not permit me to read this fine print which I scanned last evening, but the idea that I obtained from reading the report of the department was that at this time, so far as the welfare of the Indian is concerned, you could not justify this new project of digging large wells for the accommodation of 266 Indians. I suppose that estimate of 266 Indians includes minors, women, and all other kinds of Indians, full blood and half blood, and all other relationships of blood.

Mr. HAYDEN. It is the practice of the Indian Service to provide 10 acres of irrigated land for each man, woman, and child; and if this project is carried out to the usual extent, they would have to provide 2,660 acres of land to take care of the entire tribe. As a matter of fact, they really propose to irri-

gate under this project, when it is completed, a much less area than that, due to the limited water supply available there. If the gentleman remembers the last time he traveled to California, if he went on the southern route, he passed through the Imperial Valley and then up the Coachella Valley and over the mountains into California.

Mr. STAFFORD. I am afraid I passed over that particular portion in the nighttime, and I was sound asleep in my berth, I remember traveling over the Mohave Desert.

Mr. HAYDEN. It is a fertile country, in which irrigated crops can be grown 365 days in a year. In this valley they produce the earliest cantaloupes raised anywhere in the United States. Irrigation is being extended all over the Coachella Valley. Unless a water supply is developed for the Indian lands all the underground water will be appropriated and the Indians never can irrigate their lands. Furthermore, if this work is undertaken it will bring immediate returns in the way of crops.

Mr. STAFFORD. The argument the gentleman advances was suggested in the hearing, and it is printed in large type in the copy of the hearings, which I was able to read last evening. As I recall, the gentleman raised the question then as to whether prior rights did not give the Indian the right to a certain supply of water, just as in the case of oil, when abstracted from the ground; whether prior usage would not permit the Indians or the representative of the Indians to go into court and restrain any other person from draining the water supply underneath the ground, so that their supply would not be impaired. As they have wells at present, if that is the case, what is the need of launching upon this new project?

Mr. ROBBINS. Mr. Chairman, the doctrine of the common law is that they can use water for commercial and domestic purposes that flows on the surface, even to exhaustion. The proposition the gentleman puts forth is that if an Indian has 26 acres of land and puts down a well and establishes a water right that an adjoining owner could not acquire title and put down a well and establish a use of water underground from this substrata and bring it to the surface and use it because the Indian on the adjoining portiton has a prior right to it. That is not the common-law doctrine at all.

Mr. STAFFORD. That was the proposal advanced by the gentleman from Arizona in the committee, and I am relying upon his assertion of that rule of law.

Mr. HAYDEN. There have been cases in the courts of California involving an appropriation of underground water made prior to the establishment of another well in the vicinity which lowered the water supply in the first well, and the courts have enjoined the pumping of water from the second well.

Mr. ROBBINS. That is contrary to the common-law doctrine.

Mr. HAYDEN. The common-law doctrine in regard to appropriations of water does not apply in the West.

Mr. ROBBINS. You must have statutory enactment to establish any such law as that.

Mr. HAYDEN. Therefore, it is necessary, particularly where a reservation is divided up into alternate sections as this one is, that the Indians proceed with due diligence to establish their pumping plant and get the water on their ground. If they do not do it, all of the underground flow in the Coachella Valley will be appropriated and the Indians never can irrigate their lands.

Mr. ROBBINS. Is this substrata in which they find water so limited that a few wells will exhaust it?

Mr. HAYDEN. Yes. Water-bearing area is at the bottom of the valley and is limited in quantity.

Mr. ROBBINS. How about the railroads and the public utilities established in that vicinity? Would they not have the right to exhaust the water entirely, and hence your project would fail?

Mr. HAYDEN. The railroads obtain their supply from over the mountains in other parts of California where water is more plentiful.

Mr. STAFFORD. Is this near Death Valley?

Mr. KETTNER. No; Death Valley adjoins the State of Nevada.

Mr. STAFFORD. Is this a dry country or a wet country?

Mr. KETTNER. It is very dry. Mr. Chairman, I will state that southern California is what may be called a man-made land. All water there must be developed. All of southern California is practically a desert, and water must be developed; and this land in the Coachella Valley is similar to the land in the Imperial Valley. A year ago I had the pleasure of passing over this land with the gentleman from Missouri, Mr. RUBEY, and several other Members of the House. We stopped at a ranch where they were very much surprised to learn that 47 carloads of lettuce had been shipped from that ranch to the eastern market. This was in March. At another place they had shipped something like 43 carloads of asparagus. That was on the 17th day of March, and, as the gentleman from Arizona has well stated, this land can be cultivated every day in the year, and it brings food to the market when they need it. The gentleman from Pennsylvania, Mr. BUTLER, was also in the party, and I think he will tell the Members what he saw in the Imperial Valley, and this is similar land to that——

Mr. BUTLER. If the gentleman will permit me——

Mr. KETTNER. I will.

Mr. BUTLER. How much produce was shipped from the Imperial Valley last year?

Mr. KETTNER. Thirty million dollars' worth.

Mr. BUTLER. How much was shipped 17 years ago?

Mr. KETTNER. Seventeen years ago? Not a dollar's worth.

Mr. BUTLER. Not a dollar's worth; it all comes from irrigation?

Mr. KETTNER. All from irrigation.

Mr. BUTLER. There is nothing more beautiful in the wide world, and I suppose there is no place in the United States that produces as much material as is produced in the Imperial Valley with irrigation. Is that still developing?

Mr. KETTNER. It is still developing.

Mr. STAFFORD. Are these lands in the Imperial Valley developed by means of wells with the aid of pumps?

Mr. KETTNER. Mostly from the Colorado River.

Mr. STAFFORD. That is a different project entirely. We all recognize that lands that are irrigated by means of water supply furnish large returns, but here is a pumping——

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to speak for 5 minutes, so as to allow the gentleman from Oklahoma [Mr. FERRIS] to ask me a question.

The CHAIRMAN. Is there objection? [After a pause]. The Chair hears none.

Mr. STAFFORD. I first yield to the gentleman from California.

Mr. KETTNER. Mr. Chairman, I will state, for the benefit of the gentleman from Wisconsin, that these lands can be very readily irrigated by pumping. The water there is very close to the surface, something like 6 or 8 feet, and, as has been stated, every other section of the land is railroad land, and by developing this water at the present time, in my opinion, it will make these Indians self-supporting.

Mr. STAFFORD. Will the gentleman yield?

Mr. KETTNER. I will.

Mr. STAFFORD. Why will not the present wells bring forth sufficient water so as to irrigate the land? What is the need of these enlarged wells and new pumping facilities?

Mr. KETTNER. All that part of the desert is practically new; it has only come under cultivation in the last 17 years.

Mr. STAFFORD. The report says that the present wells are inadequate by reason of the white settlers on alternate sections having tapped the water supply beneath. Now, it seems, from the argument here, there is a race on between the white settlers and the Indian Office as to which shall bore the largest well, so as to appropriate the water which is only 6 feet, the gentleman says, beneath the surface.

Mr. KETTNER. At some places. I will state that it was the white settler that has reclaimed some of this territory, and the Indian Department, I think, after seeing what the white settler can do, are now trying to make the Indians take care of themselves.

Mr. STAFFORD. That is very difficult, it seems to me, as has been illustrated in many instances throughout the country.

Mr. KETTNER. They have the land, and they surely can raise everything if we give them the water.

Mr. FERRIS. Mr. Chairman, I want to appeal to the gentleman from Wisconsin that whatever should be said should be said according to its adaptability to these Indians, and it is necessary that everybody should do that. There are 266 Indians. They are now cultivating 200 acres of land, which is less than an acre apiece.

Mr. STAFFORD. Will the gentleman permit me there? These 266 Indians are not 266 of majority?

Mr. FERRIS. I understand that.

Mr. STAFFORD. I assume only 40 or less.

Mr. FERRIS. Probably that is true; but that would only be 5 acres per capita, which is wholly inadequate. This is on a desert, and if it is not watered it is as bald and useless for crop purposes as the top of that table. Now, by giving them this project it will make about 10 acres apiece for these Indians, and it is reimbursable. You get the money back from the land, and you have relieved them and the Government from their support. They become self-supporting. The Treas-

ury will get its money back, and a barren waste will be converted into a habitable settlement there.

Mr. STAFFORD. I do not understand these Indians have any money to their credit.

Mr. FERRIS. It is reimbursable, because the Interior Department holds their land, and when this land is sold it can not be sold until the irrigation item has been reimbursed to the Government; so whatever is expended will come back to the Treasury. The gentleman knows that with water on the land they can raise anything on earth, and without water it is bald and without a blade of grass, and I think it is common sense to do this.

Mr. STAFFORD. I understand there is a competition between the white and the red man here.

The white men are there. There is a limited quantity of water supply that is being exhausted by the sinking of those wells. They are going to utilize that water supply. The hearings show that there is only a limited amount.

Now, there is a race on. I do not have that faith in the Indians, perhaps, that the gentleman has, although perhaps the Oklahoma Indian is different from the northern Wisconsin and Michigan Indian with whom I am acquainted. You can not make those Indians up north work except in rare instances.

Mr. FERRIS. That is a bad Indian.

Mr. STAFFORD. They are not bad Indians. They are shiftless Indians. Out on the Menominee Indian Reservation we used $3,000,000 of trust funds of the Indians and sunk it in a lumber mill up there, and it has been of no direct value to the Indians because they will not work. They have to get white men in there. Take it out on these arid lands and the Indians are nowise different. They have 1 acre for every person, including babies, minors, sisters, and their aunts, and their other relatives, and they themselves say that 4 acres of land is sufficient to support an Indian family.

Mr. FERRIS. I am not a member of the Indian Committee, but I remember this project when I was on that committee and was giving more attention to it than I do now. They were struggling for this 8 or 10 years ago before the Indian Committee.

Mr. STAFFORD. Why did they not have it?

Mr. FERRIS. I assume some one probably handled it as the gentleman contemplates now, and knocked it out. They have been bandied around from pillar to post, and it ought not to be so any longer, because they have a right in that fertile land. It has been demonstrated precisely what the water will do on land that is located right next to this. And it is not a case of some logging scheme that will not pan out, but it is a case of putting water on land that they know will be productive.

I hope the gentleman will not raise the point of order on it.

Mr. BUTLER. Mr. Chairman——

Mr. STAFFORD. I yield to the gentleman from Pennsylvania.

Mr. BUTLER. Mr. Chairman, I hope the gentleman from Wisconsin [Mr. STAFFORD] will not insist upon his point of order. I understand the purpose of this proposed appropriation is to enable these Indians and those interested in them to develop this country, to find some place in which to grow something.

The gentleman from California [Mr. KETTNER], who knows what he is talking about, says that this land is similar to the land that we find in the Imperial Valley, and that water run upon this land will have the same result that they have had by irrigation in the Imperial Valley. I understand the gentleman from Wisconsin [Mr. STAFFORD] makes his point of order against this item on the ground that it is not in order on this bill. I assume he is right—he usually is—and if he insists upon the point of order the item will go out of the bill and these Indians will not have advantage of this small amount of money for the purpose of improving their property.

I have never seen anywhere, I have not been able to see anything, that would size up to the productiveness found in the Imperial Valley, the pride of our good friend WILLIAM KETTNER. I went over into this land of promise as his guest about a year ago, and it is almost impossible to speak of its possibilities without exaggeration. The temptation is to be untruthful when one speaks of what will grow in the Imperial Valley if given the proper attention. There is no water there. I would not give the end of nothing for the whole of Imperial Valley if water had not been brought to it—by the enterprise of the people there—from the Colorado River. I will restrain myself and endeavor to be accurate when I tell you that I saw cattle pasturing upon alfalfa fields from which 5 to 7 tons of alfalfa per year are taken. If the production from this valley, properly watered, could be brought into this section of the country, it would feed us all.

Mr. FERRIS. And that land is similar in character to the land we are asking this appropriation for.

Mr. BUTLER. Because it is similar to the land that I saw, I venture to ask the gentleman from Wisconsin not to press his point of order, but let the trial be made here. They are the most fertile fields, the greenest that I ever saw, and everything that man or beast can eat will grow upon these barren plains when watered.

I had heard of the improvements and developments made in the Imperial Valley, and I thought that they were not truthfully spoken of but idle talk not worthy of storage in man's memory, but when I made the visit with Mr. KETTNER I found that the statement had been underdrawn, that more will grow there than I had ever seen or heard of. Hay, alfalfa, beans, cotton—yes, everything, that soil will send forth to sustain life—can be grown without one bit of expense or attention except that given to the irrigation ditches.

I have had but one concern since I left those people, and that is that we are leaving them way behind and seemingly alone. This Government should help them in some way to bring water to their land other than as they are now getting it, which is, as I understand, through Mexico. If those great channels should be interrupted and the water was taken from them the people might starve to death. If water will improve this great valley, why will it not improve the country we are talking about? I do hope that my friend will not press his point of order against this item. [Applause.]

Mr. FRENCH. Mr. Chairman, just a word further on this.

As it has been suggested here that there seemed to be something of a race between the white settlers and the Indians, let us suppose it to be the case. The Goverament stands in the relation of trustee to the Indians and it surely would be the duty of the Government to protect their rights. However, that particular point is not now before us, because it was brought out before the committee that it is believed these lands for the Indians can be irrigated at this time through wells without in any way interfering with the rights of white settlers who now are taking water and putting it upon their land. At a later date there may not be. I submit, then, that it is the part of wisdom, before the time shall come when there may be a possibility of sharp competition, with possible injustice, we ought to settle this question as trustees of the Indians so that their rights will be protected.

Mr. STAFFORD. Mr. Chairman, I appreciate all the arguments that have been advanced in favor of this project, and yet here we are launching on a new one, amounting to $150,000. If I thought that the Indians were in that condition, that they were without means of support, necessarily I would have to surrender my position. But here they have at present on these lands wells where, by means of pumping, they are able to supply themselves, as I take it, with water to irrigate the lands now being cultivated. At least, the hearings so disclose. I feel compelled, Mr. Chairman, to make the point of order.

The CHAIRMAN (Mr. FOSTER). The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For beginning the construction of a road from Hoopa to Weitchpec, on the Hoopa Valley Reservation, in Humboldt County, Cal., in conformity with plans approved by the Secretary of the Interior, $10,000, to be immediately available and to remain available until expended, and to be reimbursed out of any funds of the Indians of said reservation now or hereafter placed to their credit in the Treasury of the United States: *Provided*, That the proper authorities of the county of Humboldt, Cal., agree to furnish, at their own expense, a competent engineer satisfactory to the Secretary of the Interior to supervise the construction of said road; to provide the use of such tools and implements as the said Secretary may deem to be justly required of them; and to maintain said road in good condition: *Provided further*, That the total cost of said road shall not exceed $30,500.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

I wish to inquire of some member of the committee or of the gentleman from California whether this item was recommended by the department, and if so, on what page of the hearings it is to be found? I have not been able to locate the item in the hearings.

Mr. LEA of California. It was recommended by the department, but it is not in the hearings, as I understand. This matter was presented to the committee toward the conclusion of their hearings, and I believe it is not embodied in their regular report.

Mr. STAFFORD. Is it included in the hearings at all?

Mr. LEA of California. I think it is not published in the hearings. The hearings with reference to this particular item were not published, as I understand.

Mr. CARTER of Oklahoma. I think the hearings on this particular item were had after we had sent the main hearings

to the Public Printer, and the hearings on these items were not inserted in the manuscript.

Mr. STAFFORD. That is the occasion of my rising—the fact that there were no hearings published which would give information on this item. I yield to the gentleman from California to give the necessary information which he probably gave to the committee, and which probably induced them to make this recommendation.

Mr. LEA of California. The reservation here in question is about 30 miles long, extending up the Klamath River to the Trinity River, and then up the Trinity River to Hoopa. The Indians number 1,299, and 464 of those Indians are in that part of the reservation where Hoopa is located, Hoopa being the administrative center of the Hoopa Valley Reservation, where there is an Indian school. Twenty-five thousand dollars of the funds of the Indians down the Klamath River are being used to construct a road and trail up the Klamath River to Weitchpec, and the road proposed here is to connect Weitchpec with the center of the reservation at Hoopa. In other words, this road is necessary to connect the two ends of the reservation. The pupils are required to go over this road; otherwise they would have to travel a distance of 75 or 100 miles to go by a road. It also gives an outlet for the products of the Hoopa Valley, where there are about 1,750 acres of arable land.

Mr. STAFFORD. Is there any road there at present?

Mr. LEA of California. No; there is not.

Mr. STAFFORD. It is a new project, then?

Mr. LEA of California. The only road now is a trail over the mountains such as the cattle could follow.

Mr. STAFFORD. One of the conditions of the paragraph is that the county of Humboldt should maintain the road after it is established?

Mr. LEA of California. Yes.

Mr. STAFFORD. What assurance can the gentleman give that the county will do that if the appropriation is made?

Mr. LEA of California. According to the language of the section, as I understand it, the road will not be built unless the county gives that assurance. That assurance would be required to be given by the supervisors of Humboldt County.

Mr. STAFFORD. Has the matter been taken up with the authorities of Humboldt County?

Mr. LEA of California. Yes; it has.

Mr. MONDELL. The road is on the reservation, is it?

Mr. LEA of California. Yes; the reservation is in Humboldt County. Humboldt County has already expended about $50,000 to connect that road with the other road. Through some mistake Humboldt County was given to understand that the Government would construct this road, and for that reason Humboldt County has expended $50,000 to construct a road to connect with this road and a bridge across the Klamath River. Several thousand dollars was spent to construct that bridge, which has been standing unused for two years past, and it will remain unused unless this road is connected with it.

Mr. STAFFORD. Has a declaration been made by the supervisors of Humboldt County that they would maintain the road if it is established?

Mr. LEA of California. There has not been an authoritative declaration to that effect, but there is no doubt, in my judgment, but that the county will do so.

Mr. STAFFORD. Mr. Chairman, the gentleman has made out a good case, and I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

For the repair and extension of a bridge across the San Jacinto River, near the Soboba Indian Reservation, Cal., $4,000, to be expended under the direction of the Secretary of the Interior, and to be reimbursable from any funds now or hereafter placed in the Treasury to the credit of said Indians: *Provided*, That no part of the money herein appropriated shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of California, or the county of Riverside, satisfactory guaranties of the payment by the said State of California, or by the county of Riverside, of at least one-half of the cost of repair and extension of said bridge, and that the proper authorities of the said State of California, or the said county of Riverside, shall assume full responsibility for, and will at all times maintain and repair, said bridge and the approaches thereto: *And provided further*, That any and all expenses above the amount herein named in connection with the repair and extension of said bridge shall be borne either by the said State of California or the said county of Riverside.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. I believe that this item and that for the construction of a bridge in North Carolina, later on provided, make provision for bridges off the reservations. It has not been the policy of the Government heretofore to carry appropriations for the construction of bridges when they are off the reservations, even though the bridges might be of some service to the reservations near by.

Mr. HAYDEN. I do not believe that any such rule has been adopted. I happen to know of a number of bridges constructed partly out of Indian funds, as in this case, that were not on reservations.

Mr. STAFFORD. It is not to be constructed out of Indian funds, but out of Government funds belonging to the United States.

Mr. HAYDEN. It would be reimbursable from any funds that the Indians may have.

Mr. STAFFORD. The gentleman should take the facts as they are. The Indians have no funds in this case and the money is to be appropriated out of the Treasury of the United States for the benefit of the locality. Am I in error as to that?

Mr. HAYDEN. The gentleman is mistaken about that. Whenever the trust period expires and the lands are sold, the money derived therefrom must be used to reimburse the United States.

Mr. STAFFORD. We will be a long time dead when that condition occurs, so that the burden is falling upon the United States for a local improvement.

Mr. CARTER of Oklahoma. Mr. Chairman, may I ask the gentleman, Has he read the evidence that has been presented to the committee in this case?

Mr. STAFFORD. Yes. I read the evidence as presented, including the very strong presentation of the case from the local standpoint made by the distinguished Representative from California, who is now on the floor; but it seems that this bridge for which this appropriation is sought should be erected by the local county authorities. It is true that the Indians on this reservation may get some benefit, but there are also some white people living nearby who would be benefited. As far as I recall the testimony, this river is as dry as the Imperial Valley for a good portion of the year. Now, I am not so much in sympathy with this idea of establishing bridges across dry streams in order to make it easier for Indians to get into a wet country. [Laughter.] Really, in all seriousness, I think this burden should be borne by the local authorities, and you are attempting by this means to place that charge upon the National Government. I call upon the members of the committee to cite any instance where we have done this heretofore. If we adopt this precedent we will have innumerable instances, perhaps stronger than this, perhaps not as strong, where the National Government will be called upon to erect bridges off reservations for some incidental benefit to the Indians on the reservation nearby, but principally for the benefit of the white people.

Mr. KETTNER. Mr. Chairman, I think the gentleman is in error in regard to this case. While there are a few white people living at the foot of the mountain, more than 90 per cent of the Indians live on that side of the river. In wintertime it is impossible for them to get to San Jacinto or to attend school. It is almost impossible in summer, when it is dry, for them to cross the river with any load or with a wagon. An automobile can not cross it. This is in the interest of the Sobaba Indian Reservation, and I feel certain that the gentleman has not read the evidence, because the Commissioner of Indian Affairs strongly recommends it. The Indian superintendent stationed there strongly recommends it, and has appealed to the Indian Department for the last two years to build this bridge. It is impossible for the Indians to bring to market at San Jacinto what they raise on their farms. It is a dry community. The county of Riverside is dry, so I hope the gentleman will not insinuate that the Indians are going into wet territory. I do know that this bridge is needed by the Indians, and I hope the gentleman will read the hearings again, because I know his idea of fairness——

Mr. NORTON. Does the gentleman think that his dry argument will appeal to the gentleman from Wisconsin?

Mr. STAFFORD. If there was any wet territory near by, I do not imagine you could keep the Indians on this arid place very long.

Mr. KETTNER. There is no wet territory near by, and I hope the gentleman will read the evidence again before he makes the point of order, because this appropriation is surely in the interest of the Indians.

Mr. STAFFORD. The hearings disclose the fact that there was a bridge constructed there in 1890.

Mr. KETTNER. Yes.

Mr. STAFFORD. That bridge was washed away by a flood.

Mr. KETTNER. Yes.

Mr. STAFFORD. That bridge was originally constructed by the county authorities.

Mr. KETTNER. Yes.

Mr. STAFFORD. The Indian reservation was there at that time. No more Indians have come onto that reservation since that time. More white people have come into that territory since that time.

Mr. KETTNER. Not on that side of the river.

Mr. STAFFORD. There are no less white people on that side of the river than there were when that bridge was first established, and we find the chairman of the committee addressing himself to the distinguished gentleman at the hearing as follows:

The CHAIRMAN. Mr. KETTNER, of course I have explained to you in the past the policy of the committee and of the House about building bridges on Indian reservations. It has always been the policy of the committee, since I have been here, not to build any bridges except out of Indian funds. Have any of these Indians any funds?

Mr. KETTNER. I can not say, Mr. Chairman.

The CHAIRMAN. Have they any lands?

Mr. KETTNER. I do not believe so. The Indians of California are very poor.

Mr. CARTER of Oklahoma. Will the gentleman permit me right there? Evidently there is a misprint there. It has been the policy of the committee to build bridges out of tribal funds only or to make them reimbursable where we could see tribal funds available in the future.

Mr. STAFFORD. But the gentleman could not see any tribal funds whatever out of which this expenditure could be paid, even with his fine inspection and far sight.

Mr. KETTNER. I hope the gentleman from Wisconsin will not make a point of order on this item.

Mr. STAFFORD. Mr. Chairman, it is not the amount, but a question of principle is involved. The sum of $4,000 is a mere bagatelle in these days when we are voting billions, but if we are going to launch on to this policy there will be no limit to it. I think there is good ground for maintaining the policy as in the past, not to provide funds out of the National Treasury for the building of bridges outside of reservations.

Mr. KETTNER. Will the gentleman yield?

Mr. STAFFORD. I am always glad to yield to the gentleman.

Mr. KETTNER. The evidence shows that they have tried for the last two years to get the supervisors to build this bridge, and they will not build it, as they claim the bridge would be used almost exclusively by the Sobaba Indians, and the Government should build the bridge.

Mr. STAFFORD. Of course there is no question that the supervisors are trying to have this money furnished by the National Government. That is natural. The supervisors in every county in the country would throw the burden on the National Government if they thought the National Government would sustain it.

Mr. KETTNER. I hope the gentleman will not make that assertion, because the supervisors would build this bridge if there were white people over there or if they thought it was their duty to build it. It is needed by the Indians.

Mr. STAFFORD. They thought it was their duty in 1890. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The clerk read as follows:

FLORIDA.

SEC. 4. For relief of distress among the Seminole Indians in Florida, and for purposes of their civilization and education, $10,000.

IDAHO.

SEC. 5. For support and civilization of Indians on the Fort Hall Reservation in Idaho, including pay of employees, $30,000.

Mr. MILLER of Minnesota. Mr. Chairman, I want to make an inquiry respecting Florida, if I may be allowed to revert to that. I ask unanimous consent that we may return to the item for Florida.

Mr. HARRISON of Mississippi. I want to reserve a point of order on the paragraph just read touching Idaho.

Mr. MILLER of Minnesota. We have not finished reading that.

Mr. HARRISON of Mississippi. I do not want to lose the right.

Mr. MONDELL. The gentleman's reservation of the point of order comes too late if it relates to the Florida item.

Mr. HARRISON of Mississippi. The Idaho item.

The CHAIRMAN. The Chair begs to state that the Clerk read the item relating to Florida and started to read Idaho, and read the first three lines, but the gentleman from Minnesota addressed the Chair, and asked to return to section 4, Florida.

Mr. MILLER of Minnesota. That is correct.

The CHAIRMAN. And the gentleman from Mississippi, as the Chair understands, desires to reserve a point of order on the Idaho item, section 5.

Mr. HARRISON of Mississippi. I do not want to lose my right to reserve a point of order on the Idaho item.

The CHAIRMAN. The gentleman has that right. Is there objection to returning to section 4?

There was no objection.

Mr. MILLER of Minnesota. This item of $10,000 for the relief of the Seminole Indians in Florida is an old friend of the House. It has been a matter of extreme interest to me to know the progress made by the Indian Office in relieving distress among the Seminole Indians, and consequently in expending this $10,000 which they yearly get. I think this makes nine successive years that this $10,000 has been appropriated. The total amount contributed would be $90,000. I imagine that is about a thousand dollars apiece to all the Seminole Indians yet rounded up. There are a lot in the Everglades that have not come in and will not come in. There was a time, three or four years ago, when it was thought advisable to have a committee go and make an investigation and see what progress was made in relieving the distress of the Seminole Indians. I understand that some agents of the department, fearing that Congress might discontinue the appropriation, have at various times gone down there and held dangling from the trees, under the mosses and the mistletoe, some of those beautiful American bank notes elegantly engraved, and said, "Brother Seminoles, please come to your white brothers and take the fruit that you see before you"; and the Seminole says, "We have tasted the white man's fruit too often, and so have our ancestors"; and they will not come in. I do not know but that some better work has taken place lately, and therefore I make this extended inquiry that I may get the latest information. Tell us how the brother Seminoles are getting on and how much they have been allowed to enjoy the wonderful blessings of civilization that comes from the annual expenditure of $10,000. [Laughter.]

Mr. SEARS. Is the gentleman through.

Mr. MILLER of Minnesota. Temporarily.

Mr. SEARS. Mr. Chairman, the distinguished and learned gentleman, my colleague from Minnesota, having been raised in that cold, frozen, bleak, and barren north, evidently does not understand Florida, that sun-kissed garden spot and heaven on earth. [Laughter.] We do not have to dangle anything down there from the limbs of the trees to have people come to our land and enjoy our climate. I am surprised that he should undertake to misquote what has been done by Congress for the Seminoles. I am sure it is because he is uninformed.

The first appropriation was only $5,000, if I recollect correctly, and there has only been two of $8,000, and now for the first time it is raised to $10,000.

Mr. Chairman, I do not care at this time to go into the defense of the Seminoles. I will only say that if there is a band of Indians that needs assistance, and to whom assistance is owed by the Government, it is the Seminole Indians. This great country of ours took from them that beautiful State, where I now live, without giving to them one dollar in compensation. This is the only tribe of Indians that I know of who for all their lives have lived in Florida or any State, and still are full-blooded Seminoles. They have not mixed or mingled with the whites. They feel that they have simply been robbed of what really belongs to them, and that the white men have taken it from them. This is a small pittance given to them for the purpose of educating them and repairing in a small degree the injury we did to them in violation of the treaty that we made with them years ago.

Mr. LOBECK. How many Seminoles are there?

Mr. SEARS. There are 635 Seminoles. Let me say that Florida, while she feels that the National Government should do more for the Seminoles, and while we feel it will do more if you study the question, I am assured by the Commissioner of Indian Affairs that he is thoroughly investigating conditions, and for the first time will make a personal visit to Florida for further investigation, and he assures me something will be done for them. I have been getting appropriations for the Seminole Indians and, as I stated to the Commissioner of Indian Affairs over the phone, there was no need of my securing appropriations unless the appropriations were spent to help the Seminoles.

At the last session of the Legislature of Florida a bill was passed giving to the Seminoles 100,000 acres of land. I ask unanimous consent to insert that bill in the RECORD in order to show the good things that Florida has done for them. For my part, as I said to the Indian Committee, if they would assist in educating the Seminoles, Florida could be depended upon to do her part.

Mr. MILLER of Minnesota. About how many feet of water is the 100,000 acres of land under?

Mr. SEARS. If it was under 10 feet of water, it would be more pleasant to live on than under 10 feet of snow. [Laughter.] But be that as it may, these Indians, rather than move to Oklahoma from Florida, which was their first home in the

United States and of which they are all proud, resisted our troops and we were never able to take the Seminoles to that State.

Mr. MILLER of Minnesota. Any Indian in the Everglades of Florida who will not go to sun and moon kissed land of Oklahoma manifests such a low degree of intelligence that he ought to be an object of our solicitude and paternal care. [Laughter.]

Mr. SEARS. Perhaps the gentleman would say that is one reason why so many of his constituents are moving to my State; but I doubt it, as they show the highest degree of intelligence, and I am glad to count them among my closest friends. [Laughter.]

Mr. MILLER of Minnesota. We have so many of the good that we are willing to spare a few to help the State of Florida.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER of Minnesota. Mr. Chairman, most of my time has been taken up by the gentleman from Florida, and I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Now, Mr. Chairman, I would like some information about this matter, and I ask the chairman of the committee, the gentleman from Oklahoma, if he will tell me how much of this $10,000 was expended last year?

Mr. CAMPBELL of Kansas. If the gentleman from Oklahoma has not the data, I think I can give the information. I was the father, originally, of this item. The last year there was expended $1,725.26.

Mr. MILLER of Minnesota. For what purpose?

Mr. CAMPBELL of Kansas. For this purpose: Regular employees—I do not understand why gentlemen all over this crowded Chamber should grin and smile and laugh when I say "regular employees." Regular employees, $889.33; traveling expenses, $455.25; stationery, printing, and schoolroom supplies, $6.45 [laughter]; equipment, $3; miscellaneous, $143.65.

Mr. SEARS. Mr. Chairman, the citizens of Fort Lauderdale have permitted five Indians to go to a white school without charge, and notwithstanding the appropriations I have secured through the generosity of the Members of this House, the good ladies of Fort Lauderdale have made provision for the Indian girls to go to school, and have also made their clothing without any charge.

We could not get the money appropriated spent. I have been doing my level best. I am still working away, and I hope some day to get the department interested, so it will not be necessary for the good, charitable people of Fort Lauderdale to longer carry the burden. With this sentiment I know my colleagues are in hearty accord.

Mr. CAMPBELL of Kansas. What were those, regular employees?

Mr. SEARS. They only have one, and for six months out of last year he did not draw any salary, I presume. I understand he did not. He was in Texas with the Florida troops. He was the chaplain of the Florida regiment. Therefore, they had no supervision during about six months.

Mr. CAMPBELL of Kansas. What is the name of this employee?

Mr. SEARS. Dean Spencer.

Mr. CAMPBELL of Kansas. Had he not gone as chaplain, I presume the expenditure instead of being $800 would have been one thousand five hundred and odd dollars?

Mr. SEARS. I presume so.

Mr. MILLER of Minnesota. Mr. Chairman, I think the State of Florida is to be congratulated in having done something for these five Seminole children. The American Congress has appropriated $90,000, and has not yet had a child in school or a dress on a child's back.

Mr. SEARS. Oh, Mr. Chairman, the gentleman does not want to make an erroneous statement.

Mr. MILLER of Minnesota. Oh, the gentleman can have more time later of his own. I understand when a subcommittee of the Committee on Indian Affairs went down to see these Indians runners were sent out through the Everglades; they went out in canoes into the bayous, among the crocodiles and alligators, and now and then did catch sight of an Indian, but before they could bring him in he had escaped into the fastnesses of the Everglades of Florida. Four or five, however, they found asleep, and those they captured and brought before the committee, led by a distinguished member of the tribe, who passes under the beautiful sobriquet of "Shirt Tail Charlie." He has acquired this distinction because he is the only member of the tribe who has ever yet had the satisfaction of wearing a shirt. Manifestly he is the object of our solicitude and concern, and fills us with great pride. After 10 years and an expenditure of $90,000 we have one shirt on the back of one Seminole Indian. This should fill us with great pride. Let us not be weary in well-doing; let us keep up the good work. In another 10 years we may have another Seminole with a shirt on his back, and 10 years later still another. Pause, my friends, and contemplate the result of our 30 years' effort in behalf of the Seminoles. Three of them with shirts on their backs! At this rate of progress, just how much can we expect will be accomplished in the next hundred years? Oh, I think it is a matter that should concern us deeply, and upon which we should lavish our fondest thoughts and dreams, and a century from now it may be that we will see not only one man with a shirt on his back, but possibly a dozen children clothed and in school. Wonderful progress among the Seminoles! I am glad to see that we have spent $1,700 another year in going through the motion of aiding the Seminoles in Florida. A few years ago we expended $2,400 or $2,500 a year in going through the motions of aiding the Seminoles in Florida.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Mr. Chairman, when I was a member of the Committee on Indian Affairs it was with much hesitancy that we included this item year after year, and I remember four years ago it was decided that if the department did not make a better showing, did not really do something, we would cut it out. I am not going to make any motion to strike this out, but if something is not done next year I trust the committee itself will strike it out. What is the use of spending hundreds of dollars out of the Treasury of the United States in salary and traveling expenses and equipment, in doing nothing—absolutely nothing? I do not want to cast any slight upon the good State of Florida. I think it is splendid that it has appropriated 100,000 acres of land. It would be still better if the State could have appropriated an additional amount to drain the water off the land so that the Indians could have a place to put their feet; but if any of these 100,000 acres is good land, it ought to take care of a few hundred Indians. I think the gentleman from Florida, active as he always is, interesting as he could not help but be, zealous for his State right up to the border line of that which is exactly right, has stated the number of Indians a little high. Nobody knows how many there are. The probabilities are there are somewhere around two or three hundred, and it may be there are five or six hundred down there, lying among the crocodiles. But nobody has seen them.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. KNUTSON. About how many gallons would these 100,000 acres make?

Mr. MILLER of Minnesota. I do not know; but it is a pertinent subject of inquiry, and I am glad that the gentleman has put it into the RECORD. Very likely this gentleman who is drawing a salary as an employee will turn his distinguished attention to that subject as soon as he is no longer a chaplain in the Army. It is a great loss to these Seminoles, especially to "Shirt Tail Charlie," that their friend and benefactor has left them in the swamps of Florida and gone to war. It is a serious moment in his life and that of his colleagues and friends down there, and I really hope that we will try our best to alleviate their suffering and sorrow by not sending anybody else down there who will try any more of this work.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. JUUL. I want to ask the gentleman if when he gets over on page 27, where the State of Minnesota is concerned, he will speak with equal humor of the $185,000 that Minnesota wants? If we can get, proportionately, as much humor out of that as we have now gotten out of $10,000, we ought to get considerable. [Laughter.]

Mr. MILLER of Minnesota. If my friend from Illinois, Mr. JUUL, who has just propounded this query, remains here on the floor, which he usually does, one man who is almost always here, when we arrive at the point he may be delighted by some remarks of the gentleman from Minnesota who is now speaking, but I will say for his information now that this $10,000 in this item comes out of the Treasury of the United States. The $185,000 in the Minnesota item comes out of the money of the Indians, and the State of Minnesota is the only State in this Union the Indians of which do not now receive one penny out of the Treasury of the United States for their education, support, or maintenance.

Mr. JUUL. One more question.

Mr. VENABLE. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes; I know what the gentleman is going to ask, and I want him to ask it.

Mr. VENABLE. Have not the Indians of Minnesota received gratuities in various Indian bills introduced from time to time?

Mr. MILLER of Minnesota. They have not, except in the fulfillment of a few treaty agreements——

Mr. VENABLE. They have received no gratuity?

Mr. MILLER of Minnesota. None whatever.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. MILLER of Minnesota. I will.

Mr. JOHNSON of Washington. Do not the Indians of northern Minnesota receive a bonus for giving some sort of war dance once a year?

Mr. MILLER of Minnesota. Now, I am surprised that the gentleman from the State of Washington, as quick and ready with his questions as he is handsome of countenance, should stand up here after having been in this House so many years and ask that question. Why, these Indians take a thousand dollars of their own money, not out of the Treasury of the United States but out of their own pockets and have a little affair of their own.

Mr. JOHNSON of Washington. Do not they ask the Treasury to add another thousand dollars to it?

Mr. MILLER of Minnesota. No, sir; they never have, and they never will. [Applause.]

Mr. JUUL. I want to ask the gentleman now——

Mr. MILLER of Minnesota. They are not children, or babes in the woods. Out in Minnesota there is a healthy atmosphere, and whether these Indians are walking in the summer time through the trees or standing on their feet in snow drifts——

Mr. HARRISON of Mississsippi. Or dancing.

Mr. MILLER of Minnesota (continuing). They are standing upright, and they are battling their way to civilization and success. If they were down in the Everglades of Florida I suppose they would be lying down with the crocodiles and praying the Indian Committee to send a man at $1,700 a year to give one of the bunch a shirt once in a while.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NORTON. Mr. Chairman, I desire——

Mr. SEARS. Mr. Chairman——

Mr. NORTON. I will yield to the gentleman.

Mr. SEARS. Mr. Chairman, I ask unanimous consent to proceed not exceeding five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SEARS. Mr. Chairman, I thought the distinguished and learned gentleman from Minnesota was proceeding in a jocular way. I assure you when I referred to Minnesota I was speaking in that vein, because it is a great State and ably represented; but from the energy and vehemence he puts in his voice when he refers to crocodiles and "the Everglades of Florida," evidently the gentleman's ignorance as to conditions in my State is more dense even than I would dare presume. [Laughter and applause.] I want to say to the gentleman that the State of Florida has spent $4,000,000 draining the Everglades, and we will spend an additional $4,000,000 if necessary to make good our promise. We have drained thousands and thousands of acres of it, and when we shall have finished draining it it will be the garden spot of this country. There is no richer section in the country than the Everglades, but it takes time, and we are going to complete the task. You can not keep Florida down by referring to a small strip which is the Everglades and call the whole State the Everglades. As a matter of fact there is not a single crocodile in Florida, and the gentleman should study his zoology again, because we have but a few alligators existing down there, and those will not bite anybody from the State of Minnesota, not even a man who happens to be in Congress. So he can come down and visit or live with us with perfect safety. The gentleman has repeatedly stated that $90,000 has been spent on the Seminoles——

Mr. MILLER of Minnesota. Appropriated, not spent.

Mr. SEARS. No such sum has been appropriated and no such sum has been spent. He said that sometimes perhaps in my enthusiasm fighting for my State I might go too far. If he will read the hearings before the Indian Affairs Committee, he will find I stated emphatically that if the Indian Commissioner would not spend some money on these poor Indians there was no need of any more appropriations; that it is useless to go on and let the money lie there and let those people suffer. It may be unfortunate that this Shirt Tail Charlie he refers to lives very close to nature, but it might be more fortunate if more Members of Congress would get nearer back to nature so that they could see and understand what the Everglades are. Now, I am speaking——

Mr. MILLER of Minnesota. Will the gentleman permit me to put a serious inquiry?

Mr. SEARS. Both having been evidently so jocular, I would like to have a serious question from the gentleman.

Mr. MILLER of Minnesota. That is what I desire to propound. Can not the gentleman suggest something practical?

Mr. SEARS. I have suggested something practical, and I think it ought to be worked out——

Mr. MILLER of Minnesota. Certainly the gentleman does not approve of what has been going on year after year, spending $1,700 or $2,700 for nothing whatever except for clerk hire and traveling expenses?

Mr. SEARS. They do not expend all——

Mr. MILLER of Minnesota. They expend that much.

Mr. SEARS. My suggestion was that a Seminole Indian, if possible one who had been educated in some college, should be sent down to deal with these Indians——

Mr. MILLER of Minnesota. The truth is, they will have nothing to do with the whites?

Mr. SEARS. They will not. And the reason the Indian Committee could not find these Indians, as long as it has been since that war, was because a Miami daily paper published an article in which it was stated the Indian Committee was coming down there for the purpose of investigating whether or not it was advisable to take the Seminoles to Oklahoma. And the Indians went back into the Everglades, out into the interior, where the committee could not find them. This was solely because they did not wish to go to Oklahoma even yet.

I think a school should be established and that these young Indians should be taught how to farm and make a modern living, because the white people have encroached on them until they can not make a living in the usual way, to wit, by hunting and fishing. The Everglades are being drained and the water supply is therefore limited, so that it lessens the opportunity for their hunting and fishing. They must be educated and taught and reformed, or soon they will be wards of the Government. I do not want this Government to make of them the same kind of Indians that it has made of some, I am afraid, out in the West; that is, looking entirely to the Government for maintenance and support. We want them to rely on their own efforts. The following is a copy of the bill passed by the legislature of my State and which permission was granted to have incorporated as a part of my remarks:

Chapter 7310 (No. 52).

An act providing for and setting aside certain lands to the Seminole Indians as a reservation, providing for trustees, in whom the title to said lands shall be vested for the use and benefit of said Indians.

Be it enacted by the Legislature of the State of Florida:

SECTION 1. The following-described lands in the county of Monroe, State of Florida be, and the same are hereby, set aside and given to the Seminole Indians of Florida as a reservation, to wit:

All of the lands now belonging to the State of Florida in township 56 south of range 32 east, being all of sections 7 to 15, inclusive, and 17 to 36, inclusive, containing 18,560 acres, more or less.

Also all of sections 1 to 4, inclusive, 10 to 15, inclusive; 22 to 24, inclusive; and sections 35 and 36, in township 57 south of range 32 east, containing 9,600 acres, more or less.

Also all of sections 1 to 3, inclusive; 10 to 14, inclusive; 24, 25, 35, and 36, of township 58 south of range 32 east, containing 7,680 acres, more or less.

Also all of sections 7 to 15, inclusive, and 17 to 36, inclusive, of township 56 south of range 33 east, containing 18,560 acres, more or less.

Also all of sections 1 to 15, inclusive, and 17 to 36, inclusive, of township 57 south of range 33 east, containing 22,400 acres, more or less.

Also all of sections 1 to 15, inclusive, and 17 to 36, inclusive, of township 58 south of range 33 east, containing 22,400 acres, more or less.

SEC. 2. The trustees of the internal improvement fund are hereby directed to convey to the board of commissioners of State institutions the title to said described lands, in trust, however, for the perpetual use and benefit of the Indians aforesaid and as a reservation for them.

SEC. 3. This act shall become effective upon its approval by the governor.

Approved May 9, 1917.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

Mr. NORTON. Mr. Chairman, I move to strike out the last word.

I desire to say that several members of the Committee on Indian Affairs visited Florida last spring and endeavored to see what is being done and what ought to be done for the education and civilization of the Seminole Indians. We found a surprising condition among these Indians in Florida. I think we had rather expected to find, in that sun-kissed southern land, the Seminole Indians, who are so closely connected with the earlier history of this country, among the most civilized and most enlightened and progressive Indians in the United States. But what we found there was just the opposite of that. Nowhere in this wide land of ours are there Indians so uncivilized, so lacking in education, so lacking in progress, so lacking in all the

elements of modern civilization and advancement as these Indians that we were able to see or hear of in Florida.

We went to Fort Lauderdale, and we saw there a Seminole Indian camp probably a quarter or a half a mile from the town. We were told that that was one of the best camps of the Seminole Indians in Florida. As I recall it now, it comprised three little thatched huts. The Indians there lived in huts not inclosed but merely consisting of four poles holding up a roof made of palm leaves woven together so as to keep out the rain.

The one Seminole Indian of whom all Florida seemed to be most proud was at this particular camp. He is spoken of in the hearings and is known by the name of Tony Tommy. In that camp was the distinguished Seminole to whom the gentleman from Minnesota [Mr. MILLER] referred. The boy Tony Tommy is a lad of about 16 years old. He knew how to read and write and had been to school. He had been encouraged to go to school through the work of a Mr. and Mrs. Stranahan. Mr. Stranahan is engaged in the mercantile business in Fort Lauderdale and seemed to take a great deal of interest in the Seminole Indians. He has lived in Fort Lauderdale for many years and has been engaged in trading with the Indians, and is, as we were told, better acquainted with the Seminole Indians in Florida than probably any other man in the State. He told me, personally, that the condition of the Seminole Indians in Florida was growing worse from year to year. From my own observation I do not think that conditions could possibly be worse than we saw them in this camp. These Indians made their living by fishing, trapping, and by doing odd jobs for white and colored citizens. They lived mostly upon fruits, bulbs, fish, turtles, and alligators. Some of their time was spent in working for white people in and around Fort Lauderdale at truck gardening. They showed no particular desire for education. They did not seem to have any desire or willingness to mingle much with the white people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NORTON. Mr. Chairman, I ask unanimous consent to continue for five minutes more.

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask unanimous consent that the debate on this paragraph and all amendments thereto close in eight minutes, and that I have three minutes after the gentleman from North Dakota has concluded.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that debate on this paragraph and all amendments thereto close in eight minutes. Is there objection?

There was no objection.

Mr. NORTON. The only place this camp had for getting water was a little hole a few feet deep that had been scraped out of the ground. It was filthy. It was such a watering place that in no other place in which I had ever been would a respectable farmer want to have his hogs take water from it. We were told that camp was one of the oldest Seminole camps in that section of the country; that for many, many years the Seminoles had camped there; but that now they were soon to be driven away from there, for the title to the land had been acquired by some white men, and they were to be obliged to go farther into the interior. It occurred to me, as a member of the committee, if anything could be done of real value for the education and civilization of the Seminole Indians it could best be done by the people of Florida. It amazed me to find that the people of Florida had so neglected those Indians for the last 100 years.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. NORTON. Certainly.

Mr. LITTLE. What is the condition of those people as to their health and strength?

Mr. NORTON. They seem to be healthy and seem to be vigorous and active. They are given to taking up the ways of the white man. It was not surprising that the Bureau of Indian Affairs had not accomplished anything for these Indians, because I had seen elsewhere like failure on the part of the bureau. The money that has been expended by the department in Florida during the past 10 years, and considerable has been expended, I could not find had been used to any real good down there excepting whatever good it may have been to the man or men who receive it in salaries from the Government.

We met a Government inspector at Fort Lauderdale who was sent there, it appeared, by the Bureau of Indian Affairs to meet the committee. He had a great many theories that he put forward in regard to the Seminole Indians and what he was planning to do for them. He told what had been planned to be done for them by the Bureau of Indian Affairs; but it was all talk and theory. There was no substance or no real action, no real work, that would warrant the glib statements that he made.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. NORTON. Certainly.

Mr. FAIRFIELD. I would like to know how many Seminoles are yet living. What is the number of the Seminoles?

Mr. NORTON. There are supposed to be 600 in Florida. I can tell the gentleman that the members of the committee did not see to exceed eight or nine Seminole Indians during the week we spent in Florida.

Mr. FAIRFIELD. I understand that 50 years ago a special commissioner was sent to look up this whole question and make a report to the department.

Mr. NORTON. Yes. Gen. H. M. Creel, of Devils Lake, N. Dak., a graduate of West Point, and for many years connected with the United States Army, made that investigation and made a report to the Indian Bureau. Gen. Creel really did try to have something done for the Indians down there. However, owing to his activity in the Indian Service, and owing to his endeavor to really do something for the Indians, he was apparently let out of the service and relegated to private life during this administration.

The CHAIRMAN. The time of the gentleman from North Dakota has again expired.

Mr. NORTON. Mr. Chairman, I ask unanimous consent that I may continue for five minutes more.

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent to continue for five minutes more. The time has already been limited, the Chair will inform the gentleman.

Mr. CARTER of Oklahoma. Mr. Chairman, I do not object to my friend from North Dakota having five minutes more, but I do want to make progress with the consideration of the bill. I do not want to run on indefinitely on this item. I understand the gentleman from Kansas [Mr. CAMPBELL] also desires to address the House. How much time does the gentleman want?

Mr. CAMPBELL of Kansas. I would like five minutes. I managed only to interject a question.

Mr. CARTER of Oklahoma. I ask unanimous consent, Mr. Chairman, that the debate on this item close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. NORTON. Mr. Chairman, as I was saying relative to the Seminole Indians, I want to state to the committee that I believe from the observations I made in Florida last spring that the main reason why the Indian Bureau has not been able to do anything for the Indians in Florida is the same reason for the failure of the Indian Bureau in other sections of the country to do something beneficial for the Indians, and that is they have not had men in the employ of the Indian Bureau down there who had at heart the interest of the Indians and who really attempted to do something for them. I tried to make inquiry of the representatives of the Government in Florida concerning this agent, Dean Spencer, as to what he actually knew about the Seminole Indians. I could not find that he knew much about the Seminole Indians. He was a fine, intelligent appearing gentleman, but so far as I could learn from him he had not spent much time among the Indians or in trying to learn the condition of the Seminole Indians. He had not been out to mingle with them or to actually help them. That was true likewise with the Indian inspector or special agent the committee met and talked with at Fort Lauderdale.

The Seminole Indians of Florida were supposed to have a large tract of land reserved for them in Florida by the Government, but no representative of the Government, so far as we could find down there, knew anything definite about it or where this land was located. The Indians knew nothing definitely about it.

Since the House committee was down there last spring the Legislative Assembly of Florida has given 100,000 acres of land to the Seminole Indians of Florida. This 100,000 acres that has been given to the Indians was part of the Indian land that was ceded by the Government to the State of Florida some years ago. It occurred to me that a real, live man who wanted to do something for the Indians could go down there and use a part of that 100,000-acre tract, or a part of the tract that the Government has down there already—something more than 20,000 acres—and really help these Indians to provide for themselves. But if, as in the past, the representatives of the Indian Bureau are going down to Florida to help these Indians by living at Miami or Palm Beach or Fort Lauderdale or St. Augustine, instead of going out among the Indians, we can not expect anything else but the same condition that has existed down there for many years.

The condition of those Indians is pitiful. Something should be done for them, and it seems to me it is no credit—and I say that in all kindness of spirit and with no desire to condemn the people of Florida or to impugn their motives or their methods—it is no credit to the people of Florida or the State of Florida that these Seminole Indians are in the condition that they are found to be in to-day.

Mr. TILLMAN. Mr. Chairman, will the gentleman yield for a short question?

Mr. NORTON. Certainly.

Mr. TILLMAN. I am very much interested in what the gentleman says. Is it not true, as evidence of the fact, that these people are capable of learning rapidly; that this boy, Tony Tommy, a direct descendant of Osceola, to whom the gentleman refers, was the brightest boy in his grade at the public school?

Mr. NORTON. That is true; and that is evidence that something can be done for them, if they are approached properly. I think the suggestion of the gentleman from Florida [Mr. SEARS], that some educated Seminole Indian from Oklahoma or some other State that really has a heart interest be sent down to work for them, should be followed. [Applause.]

The CHAIRMAN. The time of the gentleman from North Dakota has again expired.

Mr. CAMPBELL of Kansas. Mr. Chairman, some years ago I happened to visit Miami and saw some of the Seminole Indians. I made inquiry about them. They are a very interesting type of Indian. They are the handsomest Indians I have seen. The men and women dress alike in the gayest kind of colors. They wear a sort of long shirt made of red and blue and yellow and all the brighter and more beautiful colors. They are as wild as partridges.

I inquired how many there were of them. Nobody knew. I wanted to know how they made a living. Nobody helped them; that is, the State of Florida did nothing for them, and the Government did nothing for them. They did chores or gardening or hunting or fishing or something of that sort. Nobody seemed to think that they are unhealthy. When the next Indian appropriation bill was under consideration I asked that an appropriation be made to take a census of those Indians and to make a report to Congress as to what could be done toward maintaining them where they could make a living. I was told that the Everglades were being drained, and that ultimately the Seminoles would be without a place where they could pitch a tent or set up a tepee. The report called for in that appropriation has never yet been made. There is an estimate that there are some 600 Indians.

But a report as to what ought to be done or what can be done for their creature necessities has never been made. I was not interested in starting a school for them. They will not go to school. But the encroachments of the white men upon them seemed to be crowding right in upon them until they were getting into such a small space that they must evidently starve if some provision was not made. I was told then that probably the State of Florida would cede them some land. I am glad that has been done. I think that solves the Seminole problem. I do not think the Indian Department can ever render them 15 cents' worth of good from now on. If you can send a good missionary interested in them to start a school among them and get a few of them interested in it, and have a few of them educated and let them go out among their own people, and let the Indians teach themselves, it seems to me that is the better thing to do. A man does not need to know very much about arithmetic or grammar in order to kill an alligator or catch a string of fish or raise a head of lettuce. That is what they are doing, that is what they want to do, that is what they can do. I was interested in them sufficiently to get this item for a report as to how many there were and what could be done. We have had as yet no suggestion from the department as to what can be done for them, but the State of Florida has solved the problem by giving them land.

Mr. CARTER of Oklahoma. Mr. Chairman, the Committee on Indian Affairs, which was authorized by the last Indian appropriation act to visit different Indian tribes and reservations, spent two days in the State of Florida, beginning at Fort Lauderdale, and then on down to Miami and back up to St. Augustine and then to Jacksonville, at all of which places hearings were had which have been printed. By the time the committee reached Jacksonville on its return, I found that the usual had happened in the State of Florida, to wit, the people of the State had begun to think, as soon as a committee of investigation came to their State, that a big lot of money was to be turned loose by the Federal Government for the Florida Indians; or, to be more specific, that the investigating committee had come preparatory to having land purchased and supplies furnished to the Seminole Indians of Florida. That sentiment was so strong, or that notion seemed to be so prevalent, that I thought something ought to be done to counteract it. So before I left Jacksonville I gave to the newspapers the following statement:

I do not want the people of Florida to misunderstand the purpose of the visit of our committee to this State. We came here under a general provision carried in the Indian appropriation bill authorizing investigation of Indian affairs in any community or State. We were not directed by Congress to come to your State, but came only at the earnest and importunate solicitation of Congressman W. J. SEARS, who is a member of the committee.

He had introduced a bill for relief of the Florida Seminoles and urged its passage to such an extent that we felt the need of at least looking into conditions of the tribesmen.

I am not sure that the Congress will take any further interest in the matter and I doubt seriously if in these days of pressure for economy in administration of the Nation's affairs the Government can be induced to look seriously upon the proposition to purchase a reservation for the Seminoles.

I am inclined to the view that since the Seminoles once owned the entire peninsula of Florida and the public lands within the State have been given to them by the Federal Government, the Washington authorities will look upon the proposition more as a question of State problem than as one for the Federal Government.

I have no authority to speak for other members of the committee, much less the entire Congress. I am not even attempting to express my own feelings in the matter, but simply trying to give my idea of the way I think the Washington authorities will look upon the problem.

From what I have seen of the Seminoles of Florida they are a people of inherent strength of character, and under proper opportunity should make as valuable citizens of your State as their fellow tribesmen in the Seminoles of Oklahoma. If, however, they are not given some opportunity they will gradually become paupers and a burden for the citizenship of your State to take care of. I sincerely hope something may be done to save them from pauperism and extinction.

Mr. Chairman, that expresses my views about as fully as I could place them before the committee with reference to the Florida Seminoles. They are a people of inherent strength of character. They have lived right up against the white man for generations and generations, and yet have taken on not one iota of his civilization. Their strength of character has been sufficient so that although surrounded and outnumbered by large numbers of white people they have steadfastly hurled back and refused to accept his civilization. It takes strength of character to perform such an act as that, and I believe if the Seminoles are given an opportunity they will make as good citizens as exist in Florida or any other State of the Union. After our trip to Florida I had a letter from a Mrs. Wilson, of Kissimee, who asked me if I would not write a letter over my own signature verifying the interview that had been published, in order that she might use it with the Florida Legislature in order to persuade them that the Federal Government would not do anything in the way of purchasing land for the Florida Seminole Indians, and that if they were taken care of it was necessary for the State to do it. I sent the letter, and she stated afterwards that lands had been ceded to these Indians to the amount of 100,000 acres. Now, a word as to the character of the lands. These lands are in the Everglades.

The Clerk read as follows:

SEC. 6. For support and education of 750 Indian pupils at the Indian school, Haskell Institute, Lawrence, Kans., and for pay of superintendent, $141,350; for general repairs and improvements, $15,000; in all, $156,350.

Mr. ANTHONY. I offer an amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ANTHONY: Page 26, line 15, insert as a new paragraph the following:

"For support and education of 80 Indian pupils at the Indian school, Kickapoo Reservation, Kans., including pay of superintendent, $17,400; for general repairs and improvements, $4,000; in all, $21,400."

Mr. CARTER of Oklahoma. Let me ask the gentleman before reserving a point of order if this is the same school that was carried in the bill originally? If so, I do not think it is subject to a point of order.

Mr. ANTHONY. Yes; it is the same item that was in the bill last year.

Mr. CARTER of Oklahoma. And was recommended by the estimates for this year?

Mr. ANTHONY. Yes.

Mr. CARTER of Oklahoma. I do not think it is subject to a point of order.

Mr. ANTHONY. Mr. Chairman, as the chairman of the committee has indicated, this is the same item that was in the bill for a number of years. It was in the bill last year, but for some reason was left out of the bill this year. It is for the school on the Kickapoo Reservation, Kans., where there are 80 Indian pupils. I understand that the Commissioner of Indian Affairs desires the school continued. The school is doing a good work; and while in the near future there might be some ground for the discontinuance of the school, as the pupils are gradually absorbed by other schools, yet the information I get

is that that time has not yet arrived; and I ask that the item be restored to the bill, as the department desires.

Mr. MILLER of Minnesota. Mr. Chairman——

Mr. CARTER of Oklahoma. Mr. Chairman, does the gentleman from Minnesota desire to take the floor?

Mr. MILLER of Minnesota. I was going to ask a question. I would rather have the gentleman from Oklahoma discuss the question of the advisability of incorporating this paragraph.

Mr. CARTER of Oklahoma. I was under the impression that the gentleman from Kansas [Mr. ANTHONY] had yielded.

Mr. ANTHONY. I will yield the floor now.

Mr. CARTER of Oklahoma. Then I will take the floor in my own right. Mr. Chairman, this school was estimated for by the department and a justification presented at the hearing, but when the subcommittee came to take action in the premises the committee were advised by a member of the subcommittee that he had visited this school, that the pupils could all be taken care of in another Indian school, that there was no necessity whatever for this school, and, there being no dispute of that fact before our subcommittee, we felt that the school should be eliminated, and it was eliminated.

I now yield to the gentleman from Kansas [Mr. CAMPBELL]

Mr. CAMPBELL of Kansas. Mr. Chairman, last spring I went out among others to the Kickapoo Agency, at Mayetta, Kans., and looked over the matter there. I decided that as far as the work being done was concerned that they had altogether too much of an organization. However, that applies in California, in Idaho, Montana, Oklahoma, and every State in the Union where there are Indians, and I think the matter of eliminating these agencies from the Indian Service should be taken up as a whole program rather than one at a time. This is the only one that has been stricken out. It was done on my motion, because I thought it was absolutely unnecessary; but it is in a class with many others, and I think the subject should be taken up and a general elimination made.

Mr. MILLER of Minnesota. Is this school on a reservation or on no reservation?

Mr. CAMPBELL of Kansas. It is on a reservation. You would not know that there was a school there.

Mr. MILLER of Minnesota. How many Kickapoo Indians are there in Kansas? I thought the most of them were in Mexico.

Mr. CAMPBELL of Kansas. There are not many of them there. The fact is that there are no tepees and no blanket Indians. The Indians live in severalty. They are as good farmers as their white neighbors. They are bringing up their children in their own homes. They have five, seven, and nine room houses, and some of them have steam heat. They have as fine farms as lay out of doors.

Mr. MILLER of Minnesota. Are the white schools maintained in their locality where they live?

Mr. CAMPBELL of Kansas. Yes.

Mr. MILLER of Minnesota. And the Indian children allowed to attend the white schools?

Mr. CAMPBELL of Kansas. Yes; if they wish. These Indians ought to be taxed, however, and made to pay their share of the expenses of sending their children to school as other people do.

Mr. MILLER of Minnesota. Can the gentleman state how much per capita it costs?

Mr. CAMPBELL of Kansas. I think this one probably cost $175.

Mr. MILLER of Minnesota. As a matter of fact, it cost $212. I mean, what is the average cost in the State of Kansas of sending white children to school?

Mr. CAMPBELL of Kansas. I do not know.

Mr. ANTHONY. The gentleman from Minnesota is talking about public schools, while this is a boarding school, and you can not compare the cost of a boarding school with that of a public school.

Mr. MILLER of Minnesota. This is a boarding school where they give soup for dinner and they go home at night? It is a sort of soup kitchen maintained for children, is it?

Mr. CAMPBELL of Kansas. I do not object to this item being put back in the bill, but I now give notice to every man interested in these agencies that they had better get ready to defend their agencies next year. Unless the agency does something more than spend the money for salaries, for telegrams, and traveling expenses it ought not to be longer maintained. [Applause.]

Mr. MILLER of Minnesota. Mr. Chairman, I would like to come to the aid, relief, and support of the Committee on Indian Affairs and to the aid and support of the Treasury of the United States and to the aid and support of the people of the United States. The statement just made by the gentleman from Kansas [Mr. CAMPBELL] is sufficient to compel every man in this House to vote against the amendment offered by his colleague from Kansas. Apparently here is a group of Indians in Kansas who have breathed the air and imbibed the industry prevalent in that great State. They are not Indians any more except by name. They are living an industrious life in comfortable homes, in the midst of their white brethren. The proper place for their children is the public schools. There is not an atom of sense in having them go to this Indian school.

Mr. JOHNSON of Washington. Do these Kickapoo Indians have to pay taxes for the support of the school?

Mr. MILLER of Minnesota. I do not know and I do not care whether they do or not. If the parents do not pay taxes and these children go to white schools, the gentleman from Kansas should offer an amendment that there shall be taken out of the Treasury of the United States a sufficient sum to pay their pro rata share in the white schools, and if the gentleman will do that I will support it.

Mr. CAMPBELL of Kansas. Mr. Chairman, may I suggest this to my friend from Minnesota: Some provision ought to be made in all these cases, and I confess now that I left the item out of the bill in order to call the attention of the House and the Indian Office to the abuse that there is in maintaining many of these agencies and schools. Let this item be restored and provisions made to dispose of all Indian property of this character. There is about $50,000 worth of Indian agency property at Mayette, Kans., and some disposition ought to be made of that at the time that the agency is disposed of.

Mr. MILLER of Minnesota. How many Indian children are there?

Mr. CAMPBELL of Kansas. It is claimed about 82.

Mr. MILLER of Minnesota. What is the average attendance?

Mr. CAMPBELL of Kansas. Eighty, I understand; a very large percentage.

Mr. HAYDEN. Mr. Chairman, last year we passed a general authorization which permitted school buildings, where they were no longer used, to be sold, so that there is no necessity of any special legislation in order to sell these buildings.

Mr. CAMPBELL of Kansas. The Indian Office should know that Congress contemplates the abolition of these agencies, so that it can be prepared to defend them.

Mr. MILLER of Minnesota. I trust that the gentleman from Kansas [Mr. ANTHONY] will rewrite his amendment, if he urges it, to provide that a sufficient sum may be taken out of the Treasury of the United States to pay for the schooling of these children in white schools. If he will do that, I think he will find that it will cost about one-fifth of the sum asked for.

Mr. ANTHONY. Mr. Chairman, I have no objection to a policy of economy being inaugurated by the Committee on Indian Affairs, and I believe, with my colleague from Kansas [Mr. CAMPBELL] and the gentleman from Minnesota [Mr. MILLER], that useless Indian schools should be abolished; but I do object to the committee, and especially to my colleague from Kansas, coming into my district and picking out at random some one Indian school out of the whole number of schools in the United States and holding it up as a horrible object lesson to Congress of the extravagant maintenance of these Indian schools, and especially because of the fact that if we wipe out this school you leave 80 young Indians not without means of obtaining an education, because, while it would be a great inconvenience to many, they could perhaps go to the public schools located near by the reservation.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. MILLER of Minnesota. We have usually carried in this bill a lump-sum appropriation of $1,000,000, or something like that, for the education of Indians generally. It is out of that sum that the department now, without any further legislation, can pay for the tuition of these Indians in the white public schools.

Mr. ANTHONY. The Committee on Indian Affairs proposes to take these 80 pupils at the Kickapoo school and transfer them to the Haskell Institute, 75 miles away. The per capita cost of maintaining the 80 at the Kickapoo school is $47 less than at Haskell, so if the recommendations of the gentleman from Minnesota and of the Indian Committee are adopted you will stick the Government for eighty times $47.

I think the best thing to do is to follow the recommendations of Mr. Meritt, whom I called up on the telephone yesterday. He said that the department desires that this school shall be maintained, that it will interfere with the present plans of the department if the Kickapoo Indians are deprived of this school. He says perhaps the time will come when it should be abolished, and perhaps next year they may be able to do that, but he suggested that the appropriation be continued this year with a

proviso that the department bring in a special report as to the advisability of closing the school.

Mr. HARRISON of Mississippi. How many teachers are employed at this school.

Mr. ANTHONY. Four or five.

Mr. HARRISON of Mississippi. How many students attend?

Mr. ANTHONY. Eighty.

Mr. HARRISON of Mississippi. And the school has been continued for a long while?

Mr. ANTHONY. It has been continued for a long time. It is not a school for ordinary instruction, but there is a farm there for instruction in agriculture, and they are instructed in farming and in trades.

Mr. HARRISON of Mississippi. Is this the only school in the United States carried in this bill that has been abolished?

Mr. ANTHONY. It is the only one that has been abolished, so my colleague from Kansas tells me.

Mr. HARRISON of Mississippi. And the Indian Office did not recommend its abolishment at all?

Mr. ANTHONY. It did not.

Mr. CARTER of Oklahoma. Mr. Chairman, the gentleman from Kansas [Mr. ANTHONY] and myself have always been the very best of friends since I have been a Member of Congress. I think I have been able always to call on him for anything that is reasonable, and I am the last man in the House who would undertake to do his district an injustice. I knew nothing whatever of the conditions at this school or the necessity or the lack of necessity for it until our attention was called to it by his colleague, the gentleman from Kansas [Mr. CAMPBELL]. I may have been mistaken, but I got the understanding that this school was in the district represented by the gentleman from Kansas [Mr. CAMPBELL]; and when a Member of Congress comes to me and tells me of an institution in his own district that is unnecessary and ought not to be carried I certainly feel I ought to assist him in relieving the Government of the expense.

Mr. CAMPBELL of Kansas. I hope I did not leave the impression on the gentleman that this agency was in my district.

Mr. CARTER of Oklahoma. I could not say positively that the gentleman told me that, but that was the impression I received.

Mr. CAMPBELL of Kansas. It is in my State, but not in my district.

Mr. CARTER of Oklahoma. If I had know the school was in the district of the gentleman from Kansas [Mr. ANTHONY], I would have consulted the gentleman before my approval was given to knocking the school out; but, Mr. Chairman, I still believe the report of your committee should be sustained. The gentleman from Kansas [Mr. CAMPBELL] told us on the floor of the House again earlier in the day that this institution was unnecessary and that this item should not be carried in the bill. The report of a committee should have some standing on the floor of the House, but that can not be possible so long as committee members request that things be done in committee and reverse their attitude when the bill reaches this Chamber. No reason has as yet been given why this school should be continued. The pupils have been provided for at Haskell school, a short distance away. No damage can be done the service by the discontinuance of the school and considerable expense might be saved.

Having supported the provision in the bill and reported it to the House, I feel that I ought to vote against the amendment offered by the gentleman from Kansas unless some good reason is given for contrary action.

Mr. ANTHONY. Mr. Chairman, I call attention to the fact that if he does not make provision for this school, he not only abolishes the school but wipes out the superintendent for the Kickapoos, whose salary is also provided for in the appropriation for this school, so that when the committee drops out the appropriation for the school it drops out the appropriation for the superintendent.

Mr. CARTER of Oklahoma. That is what the gentleman from Kansas [Mr. CAMPBELL] told us ought to be done.

Mr. CAMPBELL of Kansas. I want to provide for the school, but the agent ought to be abolished.

Mr. MILLER of Minnesota. What does the agent do?

Mr. CAMPBELL of Kansas. Nothing.

Mr. ANTHONY. He does do something. I will state to the gentleman that while he has called attention to the great progress that those Indians have made in civilization, speaking about their steam-heated houses, that but a very small minority of the Indians have made any progress. They do not farm their own farms. Two-third of the land on the reservation is rented to white men. The superintendent performs very valuable service to the Indians in preparing these farm leases and seeing that the Indians do not get swindled, and if you wipe out that superintendent there you turn the Indians over absolutely to the mercy of the white men who speculate on the lands; so if you want to leave them helpless and powerless, wipe out the agency and the school.

Mr. HARRISON of Mississippi. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, I am highly in favor of this amendment. I think the Indians all over the country ought to be looked after. I can not understand why the committee should disregard the conditions that gentlemen say exist out there in Kansas. The department does not recommend it; the conditions certainly require the maintenance of the school, and I think the conditions in other parts of the United States are quite like those in Kansas. Now, in the State of Mississippi there is a condition also existing. I got a letter the other day from a good woman down there who is taking on herself the burden of attempting to educate these poor, unfortunate children without getting a cent of salary. She is teaching school there five days in a week, and I hope this amendment will prevail. In the course of a little while we will offer an amendment touching the unfortunates of Mississippi, which I hope also will prevail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The question was taken, and the amendment was agreed to.

Mr. HAYDEN. Mr. Chairman, before we leave the Kansas items, permit me to suggest to the gentleman from Kansas that we allowed the number of pupils at the Haskell Institute to remain at 750 upon the theory that 80 students were to be transferred from the Kickapoo school to Haskell.

Mr. CAMPBELL of Kansas. Oh, no. That was not the intention.

Mr. HAYDEN. At the Haskell Institute the average attendance was 628, enrollment 711, and we are now appropriating for 750 pupils.

Mr. CAMPBELL of Kansas. I am sure the gentleman from Arizona is in error when he assumes these children were to go there. What I said to the committee with respect to this was that the children would be provided for in the neighborhood schools.

Mr. HAYDEN. I understood that the pupils at Kickapoo were to be transferred to the Haskell Institute.

Mr. CAMPBELL of Kansas. Oh, no; the increase at the Haskell school was from other sources rather than from this agency.

Mr. HAYDEN. We are increasing the per capita at the Haskell Institute from $167 to $185 and allowing the number of pupils to remain at 750, which makes the total increase at that school $13,600 over the amount allowed last year. We allowed no such increase in any other school where the average enrollment or attendance was so far below the number specified in the current law.

Mr. CAMPBELL of Kansas. I am sure the estimate of the Indian Office was not made with a view to the abolishment of the Kickapoo Indians.

Mr. CARTER of Oklahoma. We did not give the Indian Bureau's estimate in any of these, I will say to the gentleman from Kansas.

Mr. CAMPBELL of Kansas. I think the Haskell estimate should remain as it is in the bill.

Mr. HAYDEN. It would not have remained undisturbed if we had known the Kickapoo school was to be appropriated for in this bill.

Mr. MILLER of Minnesota. If the committee had absolutely stood up to their bill, the amendment just adopted would hardly have been adopted. There was just one vote against it, and that was my own.

Mr. CARTER of Oklahoma. I will state to the gentleman that here is one gentleman who stood by the bill——

Mr. MILLER of Minnesota. But the gentleman spoke so feebly that I did not hear——

Mr. CARTER of Oklahoma. I am surprised at the gentleman from Minnesota——

The CHAIRMAN. Both gentlemen are out of order, and the Clerk will read.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of $185,000 or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the act of January 14, 1889, entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," and to use the same for the purpose of promoting civilization and self-support among the said Indians in manner and for purposes provided for in said act.

Mr. KNUTSON. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. KNUTSON: Page 27, strike out all of lines 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14.

Mr. CARTER of Oklahoma. Mr. Chairman, I reserve the point of order.

The CHAIRMAN. The gentleman merely makes a motion to strike out, but does not insert anything.

Mr. CARTER of Oklahoma. I thought the gentleman had something to insert.

The CHAIRMAN. No; the gentleman merely moves to strike out.

Mr. KNUTSON. Mr. Chairman, I understand this item has been in each Indian appropriation bill for the last 15 or 20 years. The Chippewa Indians have, through their attorney, Mr. Ballinger, introduced a suit in the District Supreme Court to prohibit the Government from spending this money, which is taken from the principal now held in trust for the Chippewas of Minnesota. The District Supreme Court overruled the contention of the Chippewas and the case was appealed to the Court of Appeals of the District, and this court decided that the Government did not have the right under the statute to make this appropriation. The Indian Department thereupon appealed the case to the United States Supreme Court, and I understand it will be several years before it can be reached. Now, it would seem to me, Mr. Chairman, in the face of the decision made by the court of appeals, that Congress should not make this appropriation; hence the amendment.

The CHAIRMAN. The question is on the amendment.

Mr. MILLER of Minnesota. Mr. Chairman, I would like to hear from the committee on this.

Mr. CARTER of Oklahoma. What does the gentleman want to hear? The committee is opposed to the gentleman's amendment to strike out.

Mr. MILLER of Minnesota. I would like to hear upon what ground. I am looking for information.

Mr. CARTER of Oklahoma. Of course the gentleman from Minnesota is very familiar with this item, and he knows it was precipitated——

Mr. HAUGEN. Mr. Chairman, may we have the amendment again reported?

Mr. CARTER of Oklahoma. The amendment is simply to strike out the item.

The CHAIRMAN. The Chair will state to the gentleman from Minnesota that the amendment strikes out the paragraph on page 27, lines 4 to 14, inclusive.

Mr. CARTER of Oklahoma. Mr. Chairman, the gentleman from Minnesota [Mr. MILLER] well knows that this item has always been the subject of considerable discussion, and I had hoped that it might be straightened out at this session of Congress for the satisfaction of the interested parties. But we found, when we went into the item, that there was a case now pending in court with reference to this matter which goes to the point whether the Federal Government had a right to expend these funds in this manner. The case being in court, our committee thought that the regular rule that we had always followed in the past had better be followed now; that we should not attempt to interfere with a matter that was in process of settlement by the court, but consider the appropriation we were carrying until the case was settled. Now, when that case is settled, I am sure the Committee on Indian Affairs will be glad to go into the matter in full and find out just what ought to be done with the Chippewas in Minnesota. It is a very complicated question. I do not understand myself, I admit, whether the Government has the right to take these funds or not, but the court will decide that question, and when that is decided we can then make some proper adjustment of the matter. And I do not believe we can do it until the court renders a decision.

Mr. SHERWOOD. In what court is it now?

Mr. CARTER of Oklahoma. In the Supreme Court of the United States.

Mr. SHERWOOD. I thought it had already been decided.

Mr. CARTER of Oklahoma. By the district court of appeals, but it has been appealed to the Supreme Court of the United States.

Mr. JOHNSON of Washington. Was this same sum, or approximate sum, withdrawn from the Chippewa funds last year?

Mr. CARTER of Oklahoma. Yes.

Mr. KNUTSON. For about 20 years.

Mr. JOHNSON of Washington. There is also an appropriation of $4,000 mentioned in lines 1, 2, and 3.

Mr. MILLER of Minnesota. Those items are for the fulfillment of treaty obligations.

Mr. CARTER of Oklahoma. That is a treaty item.

Mr. KNUTSON. If I may say to the chairman of the committee, for whom I have the highest regard, I dislike very much to disagree with any committee, but I was requested to make this objection by the committee representing the Chippewas who appeared before the gentleman's committee. I have an amendment here that I would like to offer to the second item, which will specifically restrict the Indian Department in the spending of the $4,000.

Mr. CARTER of Oklahoma. Let me ask the gentleman if this matter is not in the process of settlement by the court? There is a case now pending——

Mr. KNUTSON. The last decision was rendered by the district court of appeals, which said that the Government had not the right to spend this money, which was being taken from the principal sum. And I might add that had the Chippewa funds been administered as they should have been they would have $18,000,000 or $20,000,000, whereas now they have only between $5,000,000 and $6,000,000.

Mr. CARTER of Oklahoma. The gentleman may be correct about that, but so long as the matter is in process of settlement by the courts I do not think that Congress should attempt to make any change in this item.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. CARTER of Oklahoma. I yield.

Mr. STAFFORD. I understand that the higher court, the district court of appeals, has reversed the decision of the lower court, the supreme court of the district, and has decided in favor of the contention of the Indians that this——

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. STAFFORD. The court has decided in favor of the contention of the Indians, that the Government has no right to use these funds, which were regulated by treaty arrangement, for the purposes as stated in this bill. If that is the fact, why should not the committee take the last decision of the court, which is in favor of the Indians, as the expression of the law until that is reversed by a higher court?

Mr. CARTER of Oklahoma. Because the gentleman knows as well as I know that it has never been the policy of Congress to interfere in any matter that is in process of settlement in the court. We have a matter here which has been appealed to the Supreme Court of the United States. We might put some provision in here that would conflict with that decision. Now, then, why not let it go? It has run on all these years. Why could it not go on for this short time, until the Supreme Court of the United States could decide it and give Congress some definite basis on which to stand in the future?

Mr. STAFFORD. The committees of Congress have always acted on the decision of the court as last stated. These are trust funds of the Indians, and the Indians say they are not being properly used. The highest court to which this question has been appealed has confirmed that contention; and, in spite of the decision of the appellate court, you go contrary to that, and say the funds shall continue to be misappropriated, against the contention of the highest court to which this has been submitted.

Mr. CARTER of Oklahoma. Just a moment. The gentleman from Wisconsin [Mr. STAFFORD] has been here longer than I and ought to know procedure. I do not understand that the position of Congress in the past has been that Congress would legislate in reference to any matter that was pending in the court and on which there had not been a final decision. If I am wrong in that I am wrong in this. Take, for instance, the 30,000 land-suit cases from Oklahoma. We sought relief in some cases before the Committee on Appropriations, and they refused to consider our matter because they said "these matters that have been decided in your favor are in process of settlement by the court, and as long as they are on appeal we will not legislate on them." Then we brought the matter to the floor of the House, and the RECORD shows that exactly the same statement was made on the floor.

Now, I am simply following out what I thought the will of Congress has been in the past. I have no feeling in the premises. I would just as lief do it in one way as another, except that I think that Congress ought to be consistent about these matters and follow out the rule it has always followed in the past, and that has been not to permit interference with any proposition which the courts had in hand until a final decision had been rendered by a court of last resort, or at least until evident that no further appeal would be pursued.

Mr. STAFFORD. I will remind the gentleman that this was a decision of an appellate court on an appeal.

Mr. CARTER of Oklahoma. So was our case, and it was then pending in the Supreme Court of the United States.

Mr. FERRIS. Mr. Chairman, will my colleague yield?

Mr. CARTER of Oklahoma. Yes.

Mr. FERRIS. Is it admitted that practically all of this $180,000 is expended for salaries and none of it gets to the Indians at all? That has been charged, I know.

Mr. CARTER of Oklahoma. From the hearings, that appears to be largely so. The gentleman from Minnesota [Mr. KNUTSON] can give you more information about that than I can. I think that there is little doubt but that most of this money is expended for the administration of the affairs of the Chippewas.

Mr. KNUTSON. That is true.

Mr. JOHNSON of Washington. It is for salaries in schools with as low as six pupils in daily attendance.

Mr. FERRIS. I was just wondering if it would not be a good idea to choke off some of those employees up there. [Laughter.]

Mr. KNUTSON. Yes; you are right. [Laughter.]

Mr. MILLER of Minnesota. It is a good State, and it is a very important State, and it is very well worth the attention of such a distinguished statesman as the gentleman from Oklahoma, although I understand he has not been up there.

Mr. FERRIS. I regret I have not been up there. I know I would be delighted to go there. But I want to say, Mr. Chairman, that a committee of these Indians came to my office representing the Indian tribes, and they told me, with a great deal of emphasis, that $185,000 purporting to be for the support of education was really all paid out in salaries. It is a fact that there is a case pending in court to shut this thing off.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. CARTER] has again expired.

Mr. FERRIS. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The motion pending now is to strike out the paragraph.

Mr. FERRIS. I want to speak in favor of it. If that will not get me time, I will speak against it. What I want to do is to find out what is going on up there.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. FERRIS. Mr. Chairman, perhaps the committee in charge of this bill is doing what is right about this matter, but a committee from the White Earth Reservation came to my office and stated to me very positively that practically all of this $185,000 was being paid out in salaries, and none of it is actually distributed among the Indians.

I want to say that we have had too much of that going on everywhere, having items carried on here as education and support items, but when you come to figure it out it is simply paying out money in salaries. The Indians who came from the White Earth Reservation seemed to be well informed on their affairs. They were well informed. They are very intelligent people.

I simply wanted to make that statement. I do not know enough about it to urge any particular action in the matter. I simply think it ought to be given careful attention.

Mr. MILLER of Minnesota. Mr. Chairman, it seems to me the opinion of the distinguished chairman of the committee, the gentleman from Oklahoma [Mr. CARTER], is that this item should remain in the bill, pending the decision of the court. That decision of the court simply goes to the question of whether or not Congress has the legal right to make the appropriation.

But there is another question that to me is deeper and more important than that. It is this: That if Congress has the power, ought it to make the appropriation? My judgment—and you can take it for what it is worth—is that Congress has the power to make the appropriation. Why? Because in the Treasury of the United States are the funds belonging to those Indians. Whether it is good law or bad law, it is the law, as decided by our Supreme Court many, many times, that Congress has plenary power to do almost anything it pleases with the wealth and property of the Indians in the United States under the control of the United States Government.

But let us just forget that for a moment, and direct our attention to the question whether or not Congress ought to exercise the authority if it possesses it. Two years ago, when this item was before the committee, I took occasion, as the result of some investigation, extending over two or three years, to direct the attention of the committee to the question of whether or not this item should not be excluded from the bill. I did not make any definite recommendation, nor did I make a motion, but did presume to address myself to the propriety of retaining in the bill an item of this character.

Some of these Indians are in my district. Some of them are in the district of the gentleman who made the motion [Mr. KNUTSON]. Most of them are in the district represented so ably in this House by my colleague [Mr. STEENERSON]. We are all interested. The opinions of all are worth considering in the case, and I shall be glad to hear from every one of them. I am telling you now the result of my own experience. I think the appropriation a few years ago was $145,000, was it not?

Mr. KNUTSON. I think so.

Mr. MILLER of Minnesota. I ask my colleague, Mr. STEENERSON. Then it became desirable to build a hospital or something, and we increased the amount so as to take care of that. Then the next year it was found desirable to do something more, and we increased the amount then, and it was finally got up to $185,000.

This is an illustration of that principle that prevails here so often, that when you increase an appropriation for any purpose it seems you can never cut it down again; you can never reduce it when once it is raised. And this appropriation, starting at $145,000 some years ago, has gradually crept up until it is now $185,000.

Mr. KNUTSON. Mr. Chairman, will my colleague yield?

Mr. MILLER of Minnesota. Certainly.

Mr. KNUTSON. There is no assurance that this will not creep up to $225,000 before we get through with it?

Mr. MILLER of Minnesota. None whatever.

Mr. GANDY. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. I yield to the gentleman.

Mr. GANDY. What will be the effect if this item is stricken out of the bill?

Mr. MILLER of Minnesota. I will get to that in a moment. What is this item expended for? The answer is quick and immediate. It is expended for everything in connection with the management of Indian affairs in that State. It is expended for employees—employees whose duties are exclusively those of administration, representing the Government of the United States. The biggest part of it goes for that purpose. Some of it is expended in the maintenance of schools and school-teachers. Some of it is probably expended for essential purposes, while quite a lot of it—or at least some of it—is perhaps improperly expended. I called attention once before on the floor of this House to the fact that at one Indian school they had six farmers as instructors, and there was not enough work for one man. At least one good man would have done all that the six did, and a lot more. The Indian Office thereupon, having had that brought to their attention, discontinued all but one.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. I ask for one minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield for a question?

Mr. MILLER of Minnesota. Certainly.

Mr. JOHNSON of Washington. I wanted to ask the gentleman if an opportunity is offered in Minnesota for these Chippewas to attend the public schools?

Mr. MILLER of Minnesota. Yes.

Mr. JOHNSON of Washington. Do these Chippewas pay anything toward the taxes for the support and maintenance of the public schools?

Mr. MILLER of Minnesota. They do not, because their property is in the same situation as that of the Indians in other States.

Mr. VENABLE. Will the gentleman yield?

Mr. MILLER of Minnesota. Certainly.

Mr. VENABLE. I understand from what the gentleman says that a good portion of this $185,000 is properly expended for schools, is it not?

Mr. MILLER of Minnesota. Yes.

Mr. VENABLE. What is the purpose of knocking it out completely? Is it to discontinue these schools? And, if so, where do these people expect to get the funds to continue the enterprises?

Mr. MILLER of Minnesota. It is not intended to knock out the schools by knocking out this paragraph, although the inquiry is a most pertinent one. I will come to that in just a moment, if the gentleman will permit.

The $185,000 is being expended for the purpose which I have indicated and for some additional purposes. There are a great many employees up there in the State of Minnesota who are not doing anything of any value to the Indians. There has

grown up a complex system of administration, and there is no way to check it up. I tried for two years to find out how this $185,000 was expended, and when I got through at the end of two years I gave it up. I could not find out—that is, in any detailed way.

Mr. MADDEN. Will the gentleman from Minnesota yield?

Mr. MILLER of Minnesota. Certainly.

Mr. MADDEN. Does the gentleman from Minnesota mean to insinuate that the executive branch of the Government has refused to give the detailed information as to the expenditure?

Mr. MILLER of Minnesota. No; they did not refuse. They kept giving it repeatedly in a way satisfactory to them, but in a way that I could not understand. I wanted to find out just who was getting the money and what kind of service the man was performing, and I could not find out. They told me they did not have a clerical force and a bookkeeping system that would enable them to furnish me with this information.

Mr. MADDEN. So it was rather a system of camouflage which the gentleman got instead of real information?

Mr. MILLER of Minnesota. I did not know it by that name at that time, but I know now that that is exactly what it was.

Mr. MADDEN. In other words, it was a system of deceit.

Mr. MILLER of Minnesota. Well, I would not quite use that language.

Now, of course, not all the work that the Indian Office is doing in Minnesota could be described as improper, but the Chippewa Indians of Minnesota are not like the Seminole Indians of whom we have heard so much this afternoon. There are practically no full-blood Chippewas in the State. They are nearly all of mixed blood. Of the 11,000 Indians accredited to the State, I presume 9,000 of them at least are capable of handling their own affairs to a greater or less extent. There may be some who are not. But the great majority of these Indians are of mixed blood, and are performing their daily duties and handling their business enterprises just like their white neighbors. Personally I am in favor of the Indian children and the white children going to the same school, being taught by the same teachers, with the same flag over the building, and the same instruction for them both.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Certainly.

Mr. JOHNSON of Washington. The figures here seem to show that out of a total of 1,576 Chippewa children, 954, or practically two-thirds do go to the public schools, and that 205 attend these mission and private schools and 411 nonreservation boarding schools, and with this money there are maintained 9 day schools and 6 boarding schools for that limited number of children.

Mr. MILLER of Minnesota. That is correct.

Mr. JOHNSON of Washington. Only two places here showing more pupils than the place in Kansas that had 80 pupils, that the gentleman himself voted to abolish.

Mr. MILLER of Minnesota. Certainly; and I will vote to abolish any of the character the gentleman describes, and I am going to vote for it in just one minute, and I hope the gentleman will vote with me.

Mr. JOHNSON of Washington. And such schools ought to be abolished.

Mr. VENABLE. Will the gentleman yield again?

Mr. MILLER of Minnesota. Certainly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VENABLE. I ask unanimous consent that the gentleman may have one minute more.

Mr. MILLER of Minnesota. I want three minutes, because there is another item I want to speak about.

Mr. CARTER of Oklahoma. Reserving the right to object, I ask unanimous consent that all debate on this item be closed in 10 minutes.

Mr. STEENERSON. Mr. Chairman, I desire 10 minutes. Can not the gentleman make it 15? Most of these Indians are in my district.

Mr. CARTER of Oklahoma. Does the gentleman from Minnesota want three minutes?

Mr. MILLER of Minnesota. Yes.

Mr. CARTER of Oklahoma. Then, make it 15 minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that all debate on this paragraph and amendments thereto close in 15 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota [Mr. MILLER] is recognized for three minutes.

Mr. MILLER of Minnesota. What should be done is exactly this——

Mr. VENABLE. Will the gentleman yield for a question?

Mr. MILLER of Minnesota. I hope the gentleman will make his question short.

Mr. VENABLE. This $185,000 provided for in this appropriation is money that belongs to the Indians, taken out of the Indian fund?

Mr. MILLER of Minnesota. Yes.

Mr. VENABLE. If this is stricken out, is it the purpose to have these schools that the gentleman has mentioned maintained by general appropriation out of the Treasury of the United States?

Mr. MILLER of Minnesota. I will say "no" emphatically. What should be done is this: Some money should unquestionably be appropriated for the administration and maintenance of schools, but I would have specific items enumerated definitely with the purpose stated, and the amount; and there is just one way to get at that, and that is to wipe out this entire lump sum, to strike it out of the law and compel the Indian Office to make an estimate in detail, and the appropriate committee of Congress can then go over this itemized list. The Indians of the State who are paying the bill, and who have sufficient intelligence to form an accurate judgment thereon, can then know that for which it is proposed to expend their money. They can criticize it, they can give suggestions, and cooperating with the committees of Congress you can get a legitimate expenditure for legitimate purposes, and the amount will probably be greatly less than this; and very likely before the bill becomes a law a sufficient appropriation for specific purposes will be made to take care of the needful part of the administration and the schools.

Mr. HASTINGS. Will the gentleman yield?

Mr. MILLER of Minnesota. Certainly, if I have the time.

Mr. HASTINGS. I want to ask the gentleman if he himself has read the decision of the court of appeals, to which reference has been made both by himself and his colleagues?

Mr. MILLER of Minnesota. I have not.

Mr. HASTINGS. I want to say that a committee came before the subcommittee that had the preparation of this bill in charge, and a brief was filed, and an excerpt given, taken from this opinion, but the full opinion was not filed. Now, as the gentleman has made reference to it, and as his colleague [Mr. KNUTSON] from Minnesota has also referred to it, I was wondering if either of them had read the opinion, and if they were prepared to say that the court had decided against the contention of the Government?

Mr. MILLER of Minnesota. I do not know.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEENERSON. I ask unanimous consent to proceed for 10 minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] asks unanimous consent to proceed for 10 minutes out of the 15 minutes which have been allowed. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Chairman, I can not entirely agree with my colleague, Mr. KNUTSON, to strike out this item, although I admit that on the face of the bill there seems to be some merit in the proposition. I have not read the whole decision referred to, but I think I understand what the purport of it is. This $185,000 is a part of the permanent fund to the credit of the Indians, upon which they are drawing 5 per cent interest. The treaty with the Indians authorizing the sale of their lands with the timber thereon had a provision that authorized Congress to set apart such an amount of the principal as it might deem proper for the "relief, civilization, and self-support of the Indians." Now, the contention is that "civilization and self-support" of the Indians did not have for its object the paying of the ordinary expenses of the agents, the superintendent, and the civil-service employees, and such use of this money, which was their patrimony placed to their credit, is a diversion of the funds from the purposes specified in the treaty. The representatives of the Chippewa Indians make this claim against the Interior Department.

The treaty provided that at the end of 50 years the whole fund might be distributed to them per capita. If you will look at the language of this appropriation, you will see that it reads "to use the same for the purpose of promoting civilization and self-support among the said Indians in manner and for purposes provided for in said act." That is the act of January 14, 1889, which is a part of the treaty.

The claim of the department is that by paying and maintaining the superintendent and all of these employees of the service to the number of 127 in the whole State they are carrying out the objects of the treaty; that they are thereby promoting civilization and self-support among the Indians.

The question raised by this lawsuit was whether that was a diversion of the fund, and the Court of Appeals decided that it was. If that decision is sustained by the Supreme Court of the United States the Indians would have a good cause of action against the United States for the recovery of two or three million dollars appropriated in a similar way heretofore.

Of course, the result would be that the Government would have to pay it out of the Treasury. The Supreme Court has already decided that under that treaty the United States is the trustee of an express trust and is bound to use the money derived from the lands for the purpose therein mentioned. If the maintenance of the Indian Service, the superintendents, teachers, doctors, farmers, and nurses and hospitals is a diversion, if it is not for the relief, civilization, and self-support, as contemplated by the treaty, the United States would be liable to refund and restore the amount diverted to the principal sum in the Treasury.

The alternative would be that if we strike out the appropriation at this time the Indian Bureau would have no other appropriation with which to pay for the Indian service in Minnesota. There are a large number of incompetent full bloods unable to take care of themselves, and there are many sick, especially old people, many of whom are blind from the ravages of trachoma, and many consumptives, who are in hospitals. It would be unjust and wrong to deprive them of the Indian service, which now administers to their wants.

Mr. KNUTSON. Does the gentleman mean to contend that money heretofore appropriated has been for the purpose provided for in the treaty?

Mr. STEENERSON. I was trying to make it plain that that question was before the court—whether it was a violation of the trust. The result would be, as I say, that if the Supreme Court of the United States sustains the contention of the Indians, then the Indian tribes could recover from the United States the whole amount, not only what has been diverted in the past but this appropriation.

On the other hand, if we strike it out and the Supreme Court decides the other way, then the Indian Bureau would be deprived of funds with which to pay for the Indian Service. It is a very sudden proposition to spring upon us at this time, because it might be disastrous to take away the Indian Service in Minnesota without notice. It does seem to me that to leave it in will not be a great injury to the Indians. If they are right in their contention, they are bound to get it back. When this was brought before the committee the chairman of the Indian Committee indicated that it would recommend authority be given to bring the question up in an appropriate action in the court. If the use of this money as proposed is a violation of the treaty, it is a diversion, and therefore by taking the money out wrongfully we would be obligated to put it back again. On the other hand, if it is a proper use of the fund, as indicated by the treaty, then the taking away of this appropriation—striking it out—would leave the Indian Service without any employees. There are many full bloods and incompetents on the reservation in my district—probably a thousand that need the care of an Indian agent It seems to me that the safe thing to do at this session would be to let the appropriation go as the committee recommended, and if the Supreme Court decides as the lower court has, then, of course, we would have to appropriate the money out of the Treasury of the United States. In that case the Indians would not suffer, for they would get the care and assistance they need, and the money also.

Mr. KNUTSON. Is it the gentleman's opinion that the item should be stricken out?

Mr. STEENERSON. I doubt the wisdom of striking it out. I do not think I shall vote to strike it out now. If by striking it out you destroy the Indian Service in Minnesota it would be a great calamity.

Mr. KNUTSON. I think it better for the Indians that it be left out of the bill.

Mr. CARTER of Oklahoma. Mr. Chairman, I have looked through the hearings for the court decision but do not find any statement of it. I find what some gentleman said about it, but no quotation in the hearings except a short one which does not touch upon the point at issue.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. CARTER of Oklahoma. Yes; for a short question.

Mr. KNUTSON. Does not Mr. Meritt, the Assistant Commissioner, admit in the hearings that the court of appeals——

Mr. CARTER of Oklahoma. I understand that, but what I say is no quoting has been made of any court decision. What the Commissioner of Indian Affairs or anyone else says is nothing more nor less than hearsay testimony. All this is hearsay testimony. I agree with my friend that perhaps these Indians may be mistreated, but the court is the remedy. The matter is in the court and when the court decides it Congress can legislate intelligently, but until then I think it is better for Congress to pursue the course it has pursued in the past and let this item go in the bill just as it was in the last year and the year before.

Mr. VENABLE. If this item is stricken out has the gentleman's committee any specific information as to what will be substituted for it?

Mr. CARTER of Oklahoma. The agency will have to be taken care of and that means an appropriation from the funds of the Treasury.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. CARTER of Oklahoma. I only have two minutes left.

Mr. MILLER of Minnesota. The gentleman can get more time.

Mr. CARTER of Oklahoma. We have had the time closed.

Mr. MILLER of Minnesota. My idea is that the Indian Office will be compelled to bring in an itemized statement of the necessities, which the Senate committee can go over and allow as much as they see fit, and it will come back to the House and we will then have an opportunity to vote upon it.

Mr. CARTER of Oklahoma. The gentleman knows that that would not give the House proper consideration of it.

Mr. MILLER of Minnesota. I confess that it is a weakness.

Mr. CARTER of Oklahoma. We do not have itemized consideration of a conference report. I think the item ought to go into the bill as it is.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division (demanded by Mr. KNUTSON) there were—ayes 23, noes 29.

Mr. JOHNSON of Washington. Mr. Chairman, I demand a division.

Mr. KNUTSON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. KNUTSON——

Mr. JOHNSON of Washington. Mr. Chairman, I ask for tellers.

The CHAIRMAN. Is not the gentleman a little late? An amendment has already been sent up to the desk. Did the gentleman mean to ask for tellers when he demanded a division?

Mr. JOHNSON of Washington. Yes.

Mr. KNUTSON. Mr. Chairman, I am not very conversant with parliamentary usage; I intended to use every expedient to protect my interests.

The CHAIRMAN. The gentleman from Washington demands tellers. All in favor of taking the vote by tellers will rise and stand until counted. [After counting.] A sufficient number and tellers are ordered.

Mr. CARTER and Mr. KNUTSON were appointed to act as tellers.

The committee again divided; and the tellers reported—ayes 33, noes 28.

So the amendment was agreed to.

The CHAIRMAN. Does the gentleman from Minnesota desire to offer the amendment which he has sent to the desk.

Mr. KNUTSON. Mr. Chairman, I now desire to withdraw that amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to advance to the executive committee of the White Earth Band of Chippewa Indians in Minnesota the sum of $1,000, or so much thereof as may be necessary, to be expended in the annual celebration of said band to be held June 14, 1918, out of the funds belonging to said band.

Mr. KNUTSON. Mr. Chairman, I offer the following amendment as a new paragraph, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 27, at the end of line 21, insert as a new paragraph the following:

"That of the unexpended appropriation of $5,000 authorized to be taken out of the tribal funds of the Chippewa Indians of Minnesota for the construction of a bridge across the Mississippi River on the Cass Lake Reservation by the act entitled 'An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes,' for the fiscal year ending June 30, 1918, $4,000 be, and the same is hereby, authorized to be expended for improving the road between the Cass Lake Indian school and village, a distance of 6 miles, upon the condition that the counties of Cass and Beltrami, in the State of Minnesota, shall file with the Secretary of the Interior a written agreement to reimburse the Government within five years to the extent of one-half of the amount expended upon said road."

Mr. CARTER of Oklahoma. Mr. Chairman, on that I reserve the point of order.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the point of order? It is evidently subject to the point of order.

Mr. KNUTSON. Mr. Chairman, I ask the chairman of the committee to withhold his point of order for a moment.

Mr. CARTER of Oklahoma. Very well; I reserve it.

Mr. KNUTSON. Mr. Chairman, the road between the Indian school at Cass Lake and the village of Cass Lake, a distance of about 7 miles, has been repaired by Cass County up to the reservation line. This proposed amendment has for its purpose appropriating $4,000 for the improvement of the road on the reservation which passes over a section of the country that in the summer time is practically impassable by reason of sloughs and bogs, and we would like to get it into shape so that the Indians who travel over that road will not have so much difficulty in getting to town. Horses frequently mire on this piece of road and vehicles break down.

Mr. STEENERSON. This item, I believe, is recommended by the Secretary of the Interior.

Mr. KNUTSON. Yes.

Mr. STEENERSON. It is not a new appropriation; it is a reappropriation of an old appropriation, an unexpended balance.

Mr. KNUTSON. The item is recommended by the Indian Department, but we did not get around to it in time to get it into the original bill. I have a letter here from the Indian Department, under date of January 10, indorsing this appropriation.

Mr. CARTER of Oklahoma. The item has not had any consideration by the committee, and on behalf of the committee, who have not had an opportunity to consider it, I should feel obliged to make the point of order.

Mr. MILLER of Minnesota. I trust the gentleman will withhold that for a moment, as I would like to develop this matter somewhat.

Mr. STEENERSON. The money has already been appropriated.

Mr. MILLER of Minnesota. This is a reappropriation of $5,000.

Mr. KNUTSON. $4,000.

Mr. MILLER of Minnesota. Appropriating $4,000 of $5,000. As I recall, we appropriated $5,000 a year or so ago to build a bridge across the river.

Mr. KNUTSON. Yes.

Mr. MILLER of Minnesota. Why was not the bridge constructed?

Mr. KNUTSON. For the reason that the place stated in the bill for the site of the bridge was afterwards found to be off the reservation.

Mr. MILLER of Minnesota. May I inquire what arrangements are being made to construct a bridge over that river?

Mr. KNUTSON. I will state to my colleague the bridge is being built by, I think, the counties of Cass, Itasca, Beltrami, and the State of Minnesota.

Mr. MILLER of Minnesota. I think the three counties of Cass, Beltrami, and Itasca. Is my colleague sure of that?

Mr. KNUTSON. That is my impression.

Mr. MILLER of Minnesota. They have received authority recently from Congress to construct two bridges across the Mississippi River in that region, and is one of these bridges to take the place of this one?

Mr. KNUTSON. Yes; I believe so.

Mr. MILLER of Minnesota. Is my colleague sure of that?

Mr. KNUTSON. The money appropriated by the Sixty-fourth Congress for that bridge can not be used.

Mr. CARTER of Oklahoma. I think bridges, I am not sure, come under the same rule as buildings and other construction work. In the construction of buildings the amount appropriated is available for three years, and after that time the contract expires therefor.

Mr. MILLER of Minnesota. It is of the utmost importance that a bridge be constructed across the Mississippi River in this region. Now, if it be taken care of by the three counties, all right; I heartily indorse the amendment which my colleague offers.

Mr. STEENERSON. Let me suggest, while the gentleman withholds the point of order, that the letter from the Interior Department be read recommending this.

Mr. KNUTSON. If the gentleman has no objection, I send the letter to the Clerk's desk and ask that it be read.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 10, 1918.

Hon. HAROLD KNUTSON,
House of Representatives.

DEAR MR. KNUTSON: I have your letter of December 21, 1917, in regard to the $5,000 made available by the Indian act for the fiscal year 1918, from the tribal funds of the Chippewa Indians of Minnesota, as a contribution toward the construction of a bridge across the Mississippi River near Cass Lake. None of this money has been expended, and the suggestion has been made that $4,000 thereof be made available for improving the road between the Cass Lake School and village, a distance of 6 miles, and $1,000 for improving the school grounds and building roads thereon.

In this connection I may say that the greater portion of this road is on the opened part of the reservation in Cass and Beltrami Counties, which, it is understood, have already spent some money on the road, but from lack of funds are unable to do anything further at present. While it is true that the road is used by several hundred Indians living north of Cass Lake in going to and from the village, and also for the freighting of supplies to the school, at the same time, as that part of the reservation has been opened and is interspersed with white settlers who also use the road, I feel that the two counties should be willing to defray at least half the expense of repairing it. However, as they have not the necessary funds at this time, I would have no objection to the utilization of $4,000, or as much thereof as may be necessary, of tribal funds for this purpose, on condition that the counties agree to reimburse the Government to the extent of one-half the amount expended on the road, in proportion to that part of the road in each county, when those funds become available, but in any event within five years. Should an amendment to the Indian bill to this effect be referred to the department for report I will give it friendly consideration.

So far as concerns the expenditure of $1,000 for improving the Cass Lake School grounds and building roads thereon, I do not think it advisable to recommend this in view of the war situation, the heavy demand upon the Treasury for funds, and the fact that the improvement of the school grounds can be deferred without serious harm to the interests of the service.

Sincerely, yours,

CATO SELLS, *Commissioner.*

Mr. STEENERSON. As I understand the amendment sent up it complies exactly with this recommendation and leaves out $1,000.

Mr. KNUTSON. Yes.

The CHAIRMAN. Does the gentleman from Oklahoma make the point of order?

Mr. CARTER of Oklahoma. Mr. Chairman, I dislike very much to disoblige the gentleman from Minnesota, but this amendment has not had any consideration by the committee, there is not a member of the committee who knows anything about it, and I feel obliged to insist on the point of order.

The CHAIRMAN. The gentleman insists upon the point of order, and the point of order is sustained.

Mr. MILLER of Minnesota. Mr. Chairman, I desire recognition before we leave the subject of Minnesota, just to make a unanimous-consent request, and that is to file some remarks in the RECORD.

The CHAIRMAN. The gentleman will state his request.

Mr. MILLER of Minnesota. The Indian committee representing all the Indians of our State have compiled a somewhat elaborate statement setting forth their views relative to their needs and the expenditures of their funds, and as the subject is one of interest I would like for the membership of the House to have an opportunity of reading it, and, therefore, I ask unanimous consent to extend my remarks in the RECORD for the purpose of printing this.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

WASHINGTON, D. C., *January 2, 1917.*

The COMMISSIONER BUREAU OF INDIAN AFFAIRS,
Department of the Interior, Washington, D. C.

DEAR SIR: In response to the request of the commissioner that the legislative committee of the general council of the Chippewa Indians, of Minnesota, submit to the bureau a detailed statement of the particular matters pertaining to their tribal affairs that necessitate its members coming to Washington and remaining during the present session of Congress, we present the following statement:

Prior to 1889 the United States dealt with the various bands of the great Chippewa Tribe of Indians by treaty or otherwise as separate and distinct tribes. Many of the promises made by the United States in its previous treaties with the separate bands had been ignored, disregarded, or broken, and in 1889 remained unfulfilled. In that year the Congress of the United States passed a law commonly known as the Nelson Act, approved January 14, 1889 (25 Stat., 642).

The object and purpose of the act of 1889 was to bring all the various bands or tribes located in Minnesota together and deal with them as one tribe; to compose the differences existing between said bands over the ownership of the lands to be ceded and to be allotted, and the differences existing between the various bands and the United States relating thereto, and to dismember the consolidated tribe and distribute the tribal property among the individual members and their issue share and share alike. To effectuate this purpose Congress dealt with the Indians by agreement and not in the exercise of its plenary power over their property, in contradistinction to the manner in which it dealt with the Kiowas, Comanches, and Apaches (Lone Wolf *v.* Hitchcock, 187 U. S., 553, 564, 568) and with the Cherokees (Cherokee Nation *v.* Hitchcock, 187 U. S., 294, 307, 445, 448), as held by the Supreme Court of the United States in United States *v.* Mille Lac Chippewas (229 U. S., 458, 509–510).

Section 1 of the act of 1889 authorized the President of the United States, through a commission to be appointed by him "to negotiate with all the different bands or tribes of Chippewa Indians in the State of Minnesota for the complete cession and relinquishment in writing of all their title and interest in and to all the reservations of said Indians in the State of Minnesota except the White Earth and Red Lake Reservations, and to all and so much of these two reservations as in the judgment of said commission is not required to make and fill the allotments required by this and existing acts, and shall not have been reserved by the commissioners for said purposes, for the purposes and upon the terms hereinafter stated."

The same section then prescribed the manner in which the assent of the Indians to the taking of allotments and the cession of the residue of their lands to the Government should be ascertained and determined. Sections 1 and 3 made provision for allotments of land in severalty to each and every member of the consolidated tribe. Sections 4, 5, and 6 made provision for the survey of the lands and the disposition of the timber on, as well as the lands ceded, which latter amounted in the aggregate to nearly 7,000,000,000 acres. Section 7 provided that all money accruing from the disposal of the ceded lands and timber should, after deducting all the expenses of making the census, of obtaining the cession and relinquishment, of making the removal and allotments, and of completing the surveys and appraisals, "be placed in the Treasury of the United States to the credit of the Chippewa Indians in the State of Minnesota as a permanent fund, which shall draw interest at the rate of 5 per cent per annum, payable annually for the period of 50 years, after the allotments provided for in said act have been made, and which interest and permanent fund should be expended for the benefit of the Indians in manner following." Then followed express provisions for the distribution of the interest money and the final disposition of the principal fund, which we will hereinafter deal with in detail.

The members of the separate bands residing in Minnesota at first refused to negotiate with the commissioners appointed by the President under the act of January 14, 1889, for the stated reason that the United States had not lived up to its treaty agreements, and while those agreements remained unfulfilled the Indians declined to have further dealings with the United States. Upon the solemn assurance of the commissioners representing the United States that if the Chippewa Indians would enter into an agreement with the United States in accordance with the terms and provisions of the act of January 14, 1889, the United States would faithfully and honestly discharge its duties and obligations thereunder and would make restitution for its failure to carry out its previous treaty agreements, the Chippewa Indians reluctantly ratified the act of 1889, consented to the allotments to be made thereunder, and ceded to the United States in trust their excess lands and timber thereon. This is referred to in the message of President Harrison to the Senate of the United States, dated March 4, 1890 (H. R. Ex. Doc. 247, 51st Cong., 1st sess.), accompanying which message the President transmitted the record of the negotiations and cessions, and in which message (p. 1) President Harrison says:

"The commissioners did not escape the embarrassment which unfortunately too often attends our negotiations with the Indians, viz, an indisposition to treat with the Government for further concessions while its obligations incurred under former agreements are unkept. I am sure it will be the disposition of Congress to consider promptly, and in a just and friendly spirit, the claims presented by these Indians through our commissioners, which have been formulated in the draft of a bill prepared by the Secretary of the Interior and submitted herewith."

The draft of the bill transmitted by President Harrison, appearing on pages 12 and 13 of the same document, was never enacted into law, and the broken treaty promises then recognized by the United States to-day remain unfulfilled, notwithstanding 28 years have come and gone.

Placing reliance and confidence in the representations of the commissioners, the Chippewa Indians ratified said act and consented to the allotment of a part of the land in severalty and the cession of the remaining, about 7,000,000 acres, to the United States in trust, to be sold and disposed of as provided by section 7 of said act. Not a single provision of that act, affecting the property of the Indians, has been carried into effect by the administrative officers of the United States as the agreement directed. In order that there may be no misunderstanding as to our position we herewith set out in detail the violations by the administrative officers of the Government of our property and civil rights secured to us by the agreement of 1889:

1. The illegal diversion of our school funds.

Section 7 of the act of 1889 provided: "And the remaining one-fourth of said interest shall, during the said period of 50 years, under the direction of the Secretary of the Interior, be devoted exclusively to the establishment and maintenance of a system of free schools among said Indians, in their midst, and for their benefit."

About 25 per cent of this money is now and has been for years used in paying the salaries of the Indian superintendents who perform no work in connection with our school service, and whose entire time is consumed in the administration of the general laws of Congress relating to the Indians. This is not using our school fund "exclusively for the establishment and maintenance of a system of free schools" as the law requires, and is an illegal diversion of our fund. The greater portion of the remaining school fund is now and has for years been wasted in the payment of salaries of useless employees. According to the annual report of the Commissioner of Indian Affairs for the year ending June 30, 1916, there were 113 employees at 9 day and 6 boarding schools who received in salaries that year $71,870. The average attendance at the 9 day schools was 141.6 and at the 6 boarding schools 324.5. After paying these salaries there was about $2,000 of our school funds left and the deficiency was in part made up by illegally taking a part of our principal trust fund and using it for the support of "the school system." The system of boarding schools maintained is in violation of the agreement of 1889. That agreement contemplated an equal division of the property and equal school facilities and opportunities to all children of our tribe. Under the boarding-school system maintained only a small percentage of the Chippewa children can be accommodated. Those admitted are clothed, fed, educated, and cared for while in school wholly at the expense of the tribe, while the parents of a great majority of our children must educate their children at their own expense, which is a gross inequality. The children of these Indians who are subservient to the Government agents are freely admitted to these boarding schools and brought within the favored class, while the children of many of those members of our tribe who are men and women, unwilling to "bend the pregnant hinges of the knee, that thrift may follow fawning," are excluded. A "free-school system" as used in the agreement of 1889 never contemplated a system of "boarding schools" for the exclusive benefit of a few of our children, but contemplated the establishment and maintenance of a system of free schools among our people holding forth equal opportunities and benefits to all without fear or favor. Fifty per cent of our people are compelled to educate their children at their own personal expense in public schools, bearing their share with the white citizens of the State in taxation and the share of the tribal school funds to which their children are entitled is arbitrarily taken and used for the education of the children within the favored class. A complete change in the school system as at present conducted is imperatively demanded, and we insist that our trust funds shall, first, be used exclusively for the support of our schools as the law directs, and, second, that they shall be economically and wisely expended so that all our Indian children will receive full benefits and equal rights.

2. The illegal diversion of our principal trust fund.

Section 7 of the act of 1889 contained this provision:

"*Provided*, That Congress may, in its discretion, from time to time during the said period of 50 years appropriate for the purpose of promoting civilization and self-support among the said Indians, a portion of said principal sum, not exceeding 5 per cent thereof."

The commissioners, when negotiating with our people for the cessions of lands under the act of 1889, construed, interpreted, and explained this provision to mean that Congress would only encroach upon our principal trust fund in the event of "failure of crops or any other unforeseen misfortune" (H. R. Ex. Doc. 247, 51st Cong., 1st sess., pp. 88, 164). The agreements of cession (id. 38) recite that—

"After such explanation and understanding" the Indians consent to the cession—

"For the purpose and upon the terms stated in said act." In Minnesota *v.* Hitchcock (185 U. S. at p. 402) the court construing the agreement of 1889 held:

"In construing provisions designed for their education and civilization as fully, if not more than in construing provisions for their material wants, it is a duty to secure to the Indians all that by any fair construction of treaty or statute can be held to have been understood by them or intended by Congress."

Upon the pretext that funds were needed for the support and civilization of our people, the department has for years applied to Congress for annual appropriations ranging from $150,000 to $205,000 out of our principal trust funds, and notwithstanding Congress has in every authorization limited the expenditure of the money appropriated to "the purpose of promoting civilization and self-support among the said Indians in manner and for purposes provided for in said act" of January 14, 1889, the department has withdrawn the money from the principal fund and illegally expended it in the payment of the salaries and expenses of the Indian Service of the United States. True probably the entire amount has been expended in paying the salaries and expenses of the United States employees in the Indian Service stationed in Minnesota, but by using our trust funds for this purpose it enabled the department to expend the entire lump-sum appropriations carried in the Indian appropriation bills for the entire service exclusively on the service among the other Indian tribes, and thus the entire Indian Service—not the Chippewas of Minnesota—was the beneficiary of the unlawful diversion of our trust funds. In some instances in years past Congress made specific appropriations out of the public funds for the support of the Indian Service at the White Earth and Leech Lake Agencies, and the money thus appropriated was diverted and expended at agencies not located in the State of Minnesota and our trust funds used to pay the governmental expenses at the White Earth and Leech Lake Agencies, for which Congress had made specific appropriations out of public funds.

In this way more than $3,000,000 of our principal trust fund has been illegally diverted and expended, notwthstanding the prohibition contained in section 2097, United States Revised Statutes.

3. Trust funds appropriated and used for other illegal purposes.

Large amounts of our principal trust funds have been appropriated from time to time for drainage, building roads, construction of buildings, dams, etc., without our consent or approval, contrary to the express provisions of section 7 of the agreement of 1889.

4. The illegal taking of more than 400,000 acres of our land.

Section 3 of the agreement of 1889 provided that allotments of land should be made to all the Indians "in conformity with the act of February 8, 1887," commonly known as the general allotment act. The general allotment act provided for the allotment of lands, as follows:

"To each head of a family, one-quarter of a section; to each single person over 18 years of age, one-eighth of a section; to each orphan child under 18 years of age, one-eighth of a section; and to each other single person under 18 years * * * one-sixteenth of a section."

No allotments were made in conformity with the agreement of 1889, except to a limited number of our people on the Fond du Lac Reservation. By the act of February 28, 1891 (26 Stat., 794), the general allotment act of 1887 was amended to read as follows:

"That in all cases where any tribe or band of Indians has been or shall hereafter be located upon any reservation created for their use, either by treaty stipulation or by virtue of an act of Congress or Executive order setting apart the same for their use, the President of the United States be, and he hereby is, authorized, whenever in his opinion any reservation, or any part thereof, of such Indians is advantageous for agricultural or grazing purposes, to cause said reservation, or any part thereof, to be surveyed, or resurveyed, if necessary, and to allot to each Indian located thereon one-eighth of a section of land."

The commission erroneously held that the allotments should be made in conformity with the act of 1887 as amended by the act of 1891 and proceeded to allot to all Chippewa Indians not theretofore allotted on the Fond du Lac Reservation 80 acres of land. Upon the recommendation of the department, and without consulting the Chippewa Indians other than possibly a few of those on the White Earth Reservation, Congress passed the act of April 28, 1904 (33 Stat., 538), by which the President was authorized to allot to each Chippewa Indian then legally residing on the White Earth Reservation and to those Indians who might thereafter remove to said reservation additional allotments of 80 acres. Under this act of Congress, which was in disregard of the agreement of 1889, about 5,000 allotments of 80 acres each were made to those Indians residing on the White Earth Reservation. By the agreement of 1889 all lands not necessary to make and fill the allotments provided for therein were ceded to the United States in trust, to be sold by the United States and the proceeds placed in the principal fund, and in which principal fund all the members of the tribe had an interest. Thus, instead of selling the land not necessary to make and fill the allotments authorized by the agreement of 1889, Congress arbitrarily took about 400,000 acres of our trust estate and gave the land thus illegally taken to certain members of our tribe. This was done upon the recommendation of the department, was in violation of the terms of our agreement of 1889, and we insist the United States is liable therefor in money damages to the tribe.

5. The losses sustained by failure to dispose of timber as agreed.

The failure of the United States to dispose of the timber on the ceded lands in conformity with the agreement of 1889 has resulted in great loss to our people. The selection and appointment of incompetent or corrupt men to survey, cruise, cut, and sell our timber and the thefts and corruption practiced upon us under their administration became so notorious that in 1898 a part of our people rose in rebellion against the Government authorities. The congressional and departmental investigations that followed disclosed a loss to our people of large quantities of timber and waste of our funds. Practically all the work theretofore done at our expense in the scaling, appraising, and surveying of the timber and timberlands was discarded, and under the act of June 27,

1902, the work that should have been done in the first instance was done again at our expense. There was no substantial restitution for the timber stolen or given away and no restitution for our funds expended by the previous corrupt and incompetent officials who were in charge of the work. We insist that this matter should be adjusted.

6. The illegal patenting of our lands to the State of Minnesota.

The United States, contrary to the agreement of 1889, has patented to the State of Minnesota large quantities of our lands upon the erroneous theory that the State acquired title thereto under the swamp-land act. For these lands thus erroneously taken by the United States and patented to the State of Minnesota our people have received no consideration.

7. Lands illegally taken and given away or used for purposes not authorized by the agreement of 1889.

Large tracts of our lands have been arbitrarily taken by the United States and either given away or used for purposes not authorized by the agreement of 1889. As an illustration, by the act of June 21, 1906 (34 Stat., at p. 352), large tracts of our lands ceded under the agreement of 1889 were arbitrarily taken by the United States and given to the State of Minnesota to "be used as a State forest reserve or public park." Other large tracts of our lands have been taken. For these lands we have never received a dollar of compensation. All the lands thus arbitrarily taken since 1889 were within the terms of the agreement of that year. We insist that the United States should compensate us for the losses we have sustained as the result of these illegal acts.

8. Large tracts of our lands improperly classified and disposed of to our loss.

Large tracts of our lands ceded under the agreement of 1889 covered with heavy stands of white pine and other valuable timber, were erroneously classified as "agricultural lands" and were entered by homesteaders under the homestead laws and the timber sold to timber companies. For these lands and the great quantities of timber thereon we have received nothing, contrary to the agreement of 1889. This matter was, in about 1897, investigated and reported upon by J. George Wright, and his official report thereon is one file in the department, to which we refer for greater particularity.

9. No allotments made to the Red Lakes.

Notwithstanding the plain provisions of the act of 1889, no allotments have been made to about 1,100 Indians residing on the Red Lake Reservation. This will be further referred to in a subsequent paragraph.

10. The illegal conversion of the lands on the Red Lake Reservation.

In 1902 the department, contrary to the agreement of 1889, sent a representative to the Red Lake Reservation to negotiate with the Red Lake Indians for the cession of a part of the lands on that reservation which were embraced within the agreement of 1889. On March 17, 1902 (33 Stat., 48), a pretended inchoate agreement was finally signed with the Red Lake Indians by which it was attempted to confer the absolute ownership of all the lands on the Red Lake Reservation on the Red Lake Indians, in disregard of the agreement of 1889 and the cessions thereunder. In order to induce the Red Lake Indians to sign the agreement the United States agreed to pay the Red Lake Indians for the 256,152 acres of lands ceded $1,000,000, to be paid to them in per capita payments in cash. The Red Lakes—notwithstanding they did not own the lands to be ceded, but merely had an interest therein, the same as all other Chippewa Indians who were parties to the agreement of 1889—accepted the terms offered by the Government and signed the agreement. This inchoate agreement was never ratified by Congress, but in lieu thereof Congress passed the act of February 20, 1904 (33 Stat., 48), in which it was attempted to effectuate the purposes for which the alleged agreement was negotiated. Practically the entire amount received from the sale of said 256,152 acres of lands, which belonged to all the Chippewas of Minnesota, was paid to about 1,100 Red Lake Indians exclusively and all the remaining Chippewas denied any participation therein. There were then less than 1,100 Indians on the Red Lake Reservation entitled to allotments of 80 acres each. Less than 88,000 of the 256,152 acres taken would have made allotments to all of them equal to those received by the remainder of our people under the agreement of 1889. Thus by that transaction alone the United States took from all our people nearly three times enough land to allot all the Indians on the Red Lake Reservation and gave the entire proceeds to the Red Lakes, and those proceeds have been spent and the Red Lake Indians are without allotments to-day. The United States, we insist, is liable for this illegal diversion.

11. The illegal inclusion of the ceded lands in forest reserves.

The illegal cutting and theft of our timber upon the lands ceded by the agreement of 1889 resulted in 1898 in a part of our people rising in rebellion against the United States authorities. This was followed by investigations by both the department and Congress, and to prevent recurrences of the violations found to exist the act of June 27, 1902 (32 Stat., 400), was passed. In that act, at the instance of the department, and without the consent of our people and contrary to the terms of the agreement of 1889, the following provision was inserted at page 402:

"*Provided further*, That in cutting the timber on 200,000 acres of the pine lands, to be selected as soon as practicable by the Forester of the Department of Agriculture, with the approval of the Secretary of the Interior, on the following reservations, to wit, Chippewas of the Mississippi, Leech Lake, Cass Lake, and Winnebigoshish, which said lands so selected shall be known and hereinafter described as 'forestry lands,' the purchaser shall be required to leave standing 5 per cent of the pine timber thereon for the purpose of reforestation, as hereinafter provided, said 5 per cent to be selected and reserved in such manner and under such rules and regulations as may be prescribed by the Forester of the Department of Agriculture and approved by the Secretary of the Interior: *Provided further*, That there shall be reserved from sale or settlement the timber and land on the islands in Cass Lake and in Leech Lake, and not less than 160 acres at the extremity of Sugar Point, on Leech Lake, and the peninsula known as Pine Point, on which the new Leech Lake Agency is now located, which peninsula approximates 7,000 acres, and in addition thereto 10 sections in area on said reservations last aforesaid, to be selected by the Forester of the Department of Agriculture, with the approval of the Secretary of the Interior, in lots not less than 320 acres each in contiguous areas, and nothing herein contained shall interfere with the allotments to the Indians heretofore and hereafter made. The islands in Cass and Leech Lakes and the land reserved at Sugar Point and Pine Point Peninsula shall remain as Indian land under the control of the Department of the Interior."

The department thereupon established a forest reserve embracing therein great tracts of our lands ceded under the act of 1889 and which were to have been sold and the proceeds placed in our trust fund. By the act of May 18, 1916, another forest reserve was created on the Red Lake Reservation, to be administered under the direction of the Secretary of the Interior, the net proceeds derived from the sale of the timber to be placed in the Treasury of the United States to the credit of the Red Lake Indians. The act also authorized the sale of the timber on the lands not included in the forest reserve, the funds derived therefrom to be placed in the Treasury of the United States to the credit of the Red Lake Indians. The act also authorized the allotment of agricultural lands not covered with standing merchantable timber to individual Red Lake Indians. All of the things provided for in the act of May 18, 1916, were in disregard of the plain terms and provisions of the agreement of 1889 and we insist are illegal. The evil effect of this legislation is threefold: (a) It is a gross injustice to the Chippewas of Minnesota not members of the Red Lake band, who are deprived of lawful property rights in and to the property on the Red Lake Reservation secured under the agreement of 1889; (b) it deprived the Red Lake Indians of allotments of timber lands to which they were entitled under the agreement of 1889, and which allotments and timber thereon were to be owned by them in severalty, and compels the Red Lake Indians to take 80 acres of land, denuded of the timber, which is worth only a fractional part of what the land with the timber thereon would be worth; and (c) both acts attempted to confer rights which the United States could not legally confer. Under the agreement of 1889 all these lands were to have been sold and the proceeds placed in the Treasury of the United States to the credit of all the Chippewa Indians. The fund was to bear interest at the rate of 5 per cent per annum. Every 20 years the accrued interest aggregated the amount of the principal fund. Twenty-eight years have passed since the agreement of 1889 was entered into and neither the allotments provided for in that act have been made to the Red Lakes or the ceded property sold, but, on the contrary, the proceeds derived from the 256,152 acres sold have been illegally diverted; the proceeds derived from the sale of the timber under the latter act illegally diverted, and the remainder of the land locked up in forest reserves, contrary to the agreement of 1889 and to our loss and detriment. If this property now locked up in forest reserves contrary to our agreement had been sold, as the act of 1889 provided, the interest derived from the fund would have aggregated more than the principal. Under the plan provided for in the act of May 18, 1916, the Red Lake Indians will be left virtually paupers, as the allotments that will be made to them will have practically no value. The proceeds derived from the 256,152 acres illegally taken by the Government under the act of February 20, 1904, have been spent, and unless the funds belonging to all the Chippewas of Minnesota are used for the support of the Indians on the Red Lake Reservation, contrary to the agreement of 1889, those Indians will be left practically penniless. All the timber on the forest reserve should be cut and sold, but the proceeds should go into the Chippewa principal fund and not to the credit of the Red Lakes alone.

12. New-born children being denied lawful rights.

Section 7 of the act of January 14, 1889, provided that "at the expiration of the said 50 years the said permanent fund shall be divided and paid to all of said Chippewa Indians and their issue then living in cash in equal shares." The words "said Chippewa Indians" relate and refer to those persons whose names appear on the census rolls prepared by the commission and who have been allotted or who are entitled to allotments. The words "their issue" relate and refer to the "descendants" of those persons who were enrolled by the commission, and was used advisedly to denote an indefinite succession of lineal descendants who are to take by inheritance. The agents of the department have for years maintained rolls of new-born children as a basis for interest payments and the distribution of the principal fund, but have refused to inscribe thereon the names of the children of enrolled and allotted Indians who have been born or who reside outside of the territory within which allotments were taken, and by refusing to enroll these children have denied them any participation in the annual interest, other and final payments. These children are as much entitled to share in the interest and other payments as the new-born children born to parents residing on their allotments, as the act of 1889 made no distinction. The very object and purpose of the act of 1889 was to dismember the tribe, divide, or make provision for the division of all the tribal property in severalty, to make men and women endowed with all the rights, privileges, and immunities of other citizens of the United States out of our people, who had previously been held in a state of dependency and tutilage. The policy adopted by the department, through its agents, of refusing to enroll the new-born children of Indians who leave the country formerly within the reservation is the greatest impediment to the progress of our people, as it is a deceptive notice to them by the administrative officers that if they leave their allotments or the territory formerly included within the several reservations their children and their children's children will be denied any participation in either the interest payments or the final distribution of the principal fund. It is a deceptive notice to them that if they continue the habits of the former tribal Indian and remain in the Indian country they will be rewarded therefor. This is detrimental to our people, impedes their development and progress, and is in open violation of rights secured to them by the agreement of 1889.

13. Indians who have been denied allotments.

A limited number of our people, some of whom are on the rolls prepared by the commission, and some of whom are clearly entitled to be on said rolls, have not been allotted lands. Some of these people are full-bloods, and their right to allotments and participation in the disposition of the tribal property is conceded and acknowledged by all our people. We insist that they should be protected.

14. There is no necessity for the elaborate administrative machinery maintained among the Chippewas.

The allotments to our people commenced in the early nineties, and by 1900 had been practically completed. Indians born after about April, 1900, as we understand it, were not allotted. Therefore the great majority of our people who received allotments are adults, there being a comparatively small percentage of minors. Practically all the allottees, being adults, are fully capable of managing their property. This has been recognized by Congress in removing the restrictions upon all allotments made to mixed-blood adults on the White Earth Reservation and upon the allotments to all mixed-blood minors as they thereafter become of age. This embraces a large majority of the allottees on the White Earth Reservation, numbering between five and six thousand, and the Indians allotted off the White Earth Reservation are possessed of an equal degree of intelligence and business capacity to those allotted on the White Earth Reservation. These people do not need governmental supervision and control. Surely if they are capable of managing and controlling their lands they are certainly capable of handling the few dollars paid to them annually in interest money and the shares they will receive when the principal fund is divided. Under the agreement of 1889 the department has no control over the annual interest payments other than to make the same to the "heads of families" and "guardians of minor orphan children" and to all others entitled to receive the same, and said payments under the law must be made to them in cash. The principal fund is to be dis-

tributed in cash in equal shares. Therefore there is no necessity for governmental supervision over the money and no authority of law for such supervision. The 25-year restrictive period upon all allotments will shortly expire. The only necessity, if necessity at all exists, for the continuation of governmental agencies among the Chippewas of Minnesota is to look after the allotments made to old and indigent Indians, the allotments of those full bloods who are not capable of looking after their property, the allotments to the few persons who are minors, and then only during the period of their minority, and to make the payments to all Indians which the law directs. All funds belonging to other classes should be immediately paid out and the accounts with more than 10,000 of our people closed. Many of the full bloods are capable of handling their property, and they should be given it without further delay. As stated by the Supreme Court in Johnson *v.* Gearlds (234 U. S., 443), the tribal organization has been continued among the Chippewa Indians of Minnesota since 1889 for the purposes "of disposing of annuities under the Nelson Act"—the agreement of 1889. Notwithstanding such is our condition, according to the report of the Secretary of the Interior dated December 3, 1917 (H. Doc. No. 399, 65th Cong., 2d sess.), the cost of administration among the Chippewa Indians of Minnesota during the fiscal year ending June 30, 1917, amounted to $504,475.70, more than $475,000 of which was taken from our trust funds, from which we derived only incidental benefits, and the great majority of which was spent for purposes prohibited by law and which were an actual detriment to our people.

When the agreement of 1889 was entered into Congress recognized the fact that we were no longer uncivilized tribal Indians, but were, in fact, ready to assume the duties and obligations of citizenship. When we took our allotments pursuant to the agreement of 1889, under the general allotment act of 1887, we became, by the express provisions of the latter act, "entitled to all the rights, privileges, and immunities" of all other citizens of the United States. But the administrative officers of the United States, instead of relaxing their rigid and arbitrary control over our personal and property rights as tribal Indians, have used every effort to make more rigid and arbitrary their control over the person and property of our people since Congress made us citizens of the United States. Our people are held as "incompetents" and thus placed at a disadvantage in all business pursuits. Although fully capable of competing with the whites, the business public looks upon our men and women as "incompetents" because of their designation and treatment as such by the administrative officers of the United States, and they are thereby deprived of equal opportunities in the struggle for life. They can obtain employment only in the more menial positions and are refused employment in positions requiring ability solely because of the arbitrary action of the administrative officers in holding them as "incompetents." While they are held as "incompetents" by the Interior Department, they are held to be "competents" by the War Department, and when the life of this Nation is at stake they are compelled to serve, the same as the competent white citizen, in the military service. The "incompetent" whites are exempt from military service; the "incompetent" Indian is compelled to serve. We have been despoiled of our property and civil rights, contrary to our agreements and treaties, by the administrative officers who have, in order to hold us in a state of subjugation as "savages" and to thereby build up a great army of officers and employees among us, ostensibly for our civilization and protection, denied us the right to use a dollar of our funds for the employment of an attorney to protect our interests, notwithstanding Congress has expressly given us that right. When we have sought to employ an attorney to protect us the administrative officers have so restricted and limited the compensation to be paid that we could not obtain the service of a man of ability and standing in his profession to represent us. We have reluctantly been forced to the conclusion that the administrative officers do not intend that we shall have an attorney capable of protecting our interests, but that if we are allowed an attorney he shall be a man of departmental selection and one who will not protect our interest if in so doing it becomes necessary to disclose the shortcomings of the administrative officers whose illegal acts are responsible for the condition against which we complain.

This condition became so intolerable that in 1913 our people, for their protection, organized our general council, which has been since repeatedly recognized by Congress. Our people, at great individual sacrifice, have taken the preliminary steps to put an end to the despoliation of their property and civil rights, and to bring to an end the insults and indignities heretofore heaped upon our people by administrative officers of the United States. We are determined that this condition shall end; that our treaties and agreements shall no longer be treated as "mere scraps of paper" by the United States and its officers; that our tribal property shall be administered as the Government of the United States agreed that it would be, and that restitution shall be made for the previous wrongs to our property and civil rights heretofore inflicted upon our people by the administrative officers of the United States.

We insist that our people should be appointed to all positions of trust and confidence in the Indian Service among the Chippewas of Minnesota. The bad condition existing with reference to our tribal affairs is directly attributable to the incompetent white officers and agents who have been sent among our people and clothed with official position and power. Most of these officials have been strangers to us. They do not know our people and make no attempt to acquaint themselves with our rights under the law. In many instances they are brutal and insulting to our people and are a serious detriment to the progress and development of the Chippewa Indians of Minnesota. We ask the privilege of having our own people appointed to all positions of trust and confidence in the service among the Chippewas of Minnesota, in order that we may secure to our own race that degree of assistance and protection which the law contemplates, and relieve them from further vexatious annoyance, insults, and denial of lawful rights to which they have been subjected in the past.

As the time is rapidly approaching when our tribal status will become extinct it is necessary that we should secure an adjustment of our tribal affairs with the United States Government without further delay. The above are some of the matters we insist should be adjusted at an early day, and are the principal matters which necessitate our coming to Washington and remaining here during the present and future sessions of Congress until they are adjusted. In our effort to adjust our affairs with the Government in accordance with its agreements and in order that justice may be done our people we ask the cooperation of your office.

Approved by the entire legislative committee.

Very respectfully,

JOHN W. CARL, *Chairman.*
B. L. FAIRBANK.
HENRY W. WARREN.
J. G. MORRISON, Jr.

Mr. VENABLE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. VENABLE: Page 27, line 22, after the word "band," insert a new paragraph as follows:

"Mississippi: For the relief of distress among the Choctaw Indians of Mississippi and for the purpose of their civilization and education, including the purchase of land, to be expended under such rules, regulations, and conditions as the Secretary of the Interior may decide, $150,000, to be immediately available."

Mr. CARTER of Oklahoma. Mr. Chairman, I reserve the point of order against it, and pending that I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 8696, the Indian appropriation bill, and had come to no resolution thereon.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, by direction of the Committee on Agriculture I present the Agricultural appropriation bill with the report (H. Rept. 249) of the committee thereon.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919.

Mr. MONDELL and Mr. MADDEN. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. Two or three of the gentlemen reserve all points of order on the bill, and the bill is referred to the Committee of the Whole House on the state of the Union and ordered printed.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8696.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8696, the Indian appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8696, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 8696) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919.

The CHAIRMAN. The gentleman from Oklahoma reserves the point of order on the amendment offered by the gentleman from Mississippi. The gentleman from Mississippi [Mr. VENABLE] is recognized.

Mr. VENABLE. Mr. Chairman, about a year ago, pursuant to an item in the Indian appropriation bill, $1,000 was appropriated to investigate the conditions of the Choctaw Indians in Mississippi. And, pursuant to that appropriation, a commissioner of the Indian Office did make an investigation and filed his recommendation. This amendment that I have offered incorporates the recommendation of the Indian Office, based on facts and conditions as found by that special commissioner. As I understand it, the chief objection to giving any relief to the Mississippi Choctaw full-blood Indian has been based upon the suggestion that it was wrong to take over the supervision of any more Indians or Indian tribes in the United States, on the ground—a hardly logical one, I think—that it was erroneous to extend the activities of the Indian Bureau any further. No objection is made, as I understand it, on the ground that the condition of these Indians is not as depicted or that they are not worthy objects of aid. But the objection that I have mentioned seems to be the only one that has been seriously presented, at least on the floor of this House.

Mr. BORLAND. Will the gentleman yield?

Mr. VENABLE. I will.

Mr. BORLAND. As I recollect the history of these Mississippi Choctaws, the Government made a treaty with the Choctaw Tribe by which a large percentage of them should be removed to the Indian Territory.

Mr. VENABLE. That is true.

Mr. BORLAND. And given a grant of land in exchange for their land east of the river.

Mr. VENABLE. That is true.

Mr. BORLAND. And a certain small fragment of them declined to enter into that treaty, but preferred to take their chances of becoming citizens of Mississippi, and those who remained in Mississippi did so with the idea of becoming citizens of Mississippi. Is not that the situation?

Mr. VENABLE. Yes, sir. Coupled with this further fact, that every commissioner that has been sent to Mississippi to acquaint the Indian with his legal rights under the treaties has been a scoundrel and blackleg, and, as a matter of fact, has deprived the Indians of Mississippi of all opportunity, as far as the facts are concerned, of availing themselves of their rights under the various treaties.

Mr. BORLAND. The gentleman is not seeking to put the Indian under that kind of management, is he—of scoundrels and blacklegs?

Mr. VENABLE. I said these commissioners who had been sent down there, if the gentleman is familiar with the history of the Mississippi Choctaws.

Mr. BORLAND. The gentleman means back to 1830?

Mr. VENABLE. Yes, sir.

Mr. BORLAND. The Dancing Rabbit treaty——

Mr. VENABLE. I have only five minutes, and I wish to make one point, and that is all; otherwise I would be very glad to yield to the gentleman.

Mr. BORLAND. I wanted to get some light on the subject.

Mr. VENABLE. Now, then, it is argued that because the Federal Government has done certain things for the Indians in the past, or given them opportunities, it should preclude them. Now, if there be any logic in that position, it precludes 99 per cent of all the Indians of the United States from receiving any gratuity from the Government at all, and this Indian bill, as every Indian bill reported out by the committee for years past, consists principally of gratuities, pure gifts by the Government to the Indians, not based on any legal demand, not based on any legal equity, and, as a matter of fact, not based on anything except the idea that these people, having once owned this country and having been badly treated and defrauded in many instances by the white people of this country, there is a moral obligation to take care of them, as it were, as wards of the Nation. For that reason and on that principle, the fact that every Indian in the United States has received something from the Government under treaty and has been paid what the treaty called for, a complete discharge of governmental treaty obligation does not preclude him from receiving other things at the hands of the Government in further discharge of the moral obligation that lies upon the people of the United States. And within that category and on that basis, the full-blooded Indian of Mississippi—I am not talking about the so-called Indian claimants; that is another matter—on that theory and on that principle the Indian of Mississippi, the Choctaw Indian of Mississippi, or the Indian of Kansas, if he needs it, the Indian of Florida, and the Indian of Louisiana, is entitled to such aid on the part of the Government of the United States as will make him self-supporting.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CAMPBELL of Kansas. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the gentleman from Mississippi may proceed for five minutes more. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. How many full-blooded Choctaws are in Mississippi, if the gentleman knows?

Mr. VENABLE. About a thousand, according to this report. Their condition, according to this report, is pitiable. The subcommittee which went there to investigate the condition of these Indians, I think, had sufficient testimony, and the hearings are printed, I understand, to show that their condition is pitiable.

Mr. LITTLE. Will the gentleman yield?

Mr. VENABLE. Yes.

Mr. LITTLE. I would like to ask whether they live in one body or in scattered bodies?

Mr. VENABLE. They are all scattered in a radius of about 50 miles from the little town of Union, Miss.

Mr. LITTLE. May I ask just what they do? How are they occupied?

Mr. VENABLE. Well, they are engaged as farm hands—some of them. They do little odd jobs around.

Mr. LITTLE. Do they speak Indian or English?

Mr. VENABLE. Indian. A great many of them can not speak English at all.

Mr. BRUMBAUGH. Mr. Chairman, will the gentleman yield for a question?

Mr. VENABLE. Yes, sir.

Mr. BRUMBAUGH. Do they own any property, or does the law of the State of Mississippi prevent them from acquiring title to property?

Mr. VENABLE. Oh, no. A few of them, as shown by this report, own property, or have owned property in the past—poor land, piney-woods land, the soil being very thin.

Mr. BRUMBAUGH. Do any of them own their own homes?

Mr. VENABLE. I should say a few of them; but they are ignorant and improvident, and do not understand the English language very well. They have mortgaged their lands. Some of them now hold equities in certain lands, but as a matter of fact they will lose them. The value has been used up in advances from merchants and others.

Mr. BRUMBAUGH. One further question.

Mr. VENABLE. Yes.

Mr. BRUMBAUGH. Does the gentleman think they will have an equal opportunity to earn a living or acquire property as the foreigner unable to speak English would have in that locality?

Mr. VENABLE. No, sir; so far as rules or laws are concerned, they would; but they would never have the same opportunity, because the Indian is an Indian and the foreigner is a white man.

Mr. BRUMBAUGH. Is there race prejudice against these Indians?

Mr. VENABLE. Oh, no. There is the greatest sympathy for these Indians there. As a matter of fact, I think a great many of them would have starved to death if the white people had not taken care of them.

Mr. BRUMBAUGH. No one refuses to employ them because of the fact that they are Indians?

Mr. VENABLE. No. There is no prejudice against them at all.

I am in hearty accord with any movement that looks to devising some scheme by which the Indian in America can be given an opportunity within a reasonable time to become competent, and then to turn all his property over to him and bid him Godspeed, thus getting rid of the problem. I do also think that, regardless of where the Indian lives and regardless of whether he has received anything under treaties from the Government or not, provision should be made that the young Indian—because the old Indian can not be reached very well—be given an opportunity to acquire enough practical knowledge of farming and things of that character to enable him, if he takes advantage of his opportunities, to become self-supporting. If he does not, the Government has discharged its obligation to him and is under no further obligation to play nurse to him through the next hundreds of years. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MADDEN. One minute. Has the gentleman ever taken this matter before the Committee on Indian Affairs?

Mr. VENABLE. Yes. They recommended last year that I offer it as a separate bill.

Mr. MADDEN. They did not give it consideration in committee at all?

Mr. VENABLE. I think the question has been considered by members of the committee. In fact, several members of the committee went down there and investigated the conditions at first hand.

Mr. CARTER of Oklahoma. The status of the matter, I will say, is this——

Mr. VENABLE. And report was made by the committee to the Indian Office and to the Indian Commissioner, and all the facts are before the committee.

Mr. CARTER of Oklahoma. Mr. Chairman, I would state this, if the gentleman will permit: The gentleman spoke about this while we were considering the Indian appropriation bill last year, he then being a member of the Committee on Indian Affairs.

Mr. VENABLE. Yes.

Mr. CARTER of Oklahoma. And the suggestion we made was that he prepare a separate bill and refer it to the committee and we would endeavor to dispose of the matter.

Mr. MADDEN. Has that been done?

Mr. CARTER of Oklahoma. No; it has not been done.

The CHAIRMAN. The time of the gentleman from Mississippi has expired. Does the gentleman from Oklahoma reserve a point of order?

Mr. CARTER of Oklahoma. Yes.

Mr. HARRISON of Mississippi. Mr. Chairman, of course we have had the Choctaw——

Mr. CARTER of Oklahoma. One moment. How much time has the gentleman?

The CHAIRMAN. The gentleman can cut off debate at any time he desires, because this is on a point of order.

Mr. CARTER of Oklahoma. I wanted to fix the time so that everybody could be heard.

The CHAIRMAN. The gentleman from Mississippi will proceed.

Mr. HARRISON of Mississippi. Mr. Chairman, this Choctaw question has been before the committee for quite a long time. There is an item carried further on for a per capita payment to the Oklahoma Choctaws that precludes the Mississippi Choctaws from taking any part of it. I think that is wrong. I think the action of the committee in that regard should be condemned. I do not think that this House every year ought to appropriate this money for those Oklahoma Indians without caring for those in Mississippi. I have stated on the floor that I would not ask for money to come to Mississippi Choctaws out of the Treasury of the United States. I have never thought it ought to come out of the Treasury of the United States. I have thought that relief should come to those unfortunate people out of the tribal funds. But this House has passed on the question of whether or not the Mississippi Choctaws shall participate in the fund of those tribes three or four times. I have made myself probably obnoxious to Members of this House by trying to convince the House of the justice of the claims of the Mississippi Choctaws.

Item after item is carried in this appropriation bill for the support, civilization, and education of Indians in the various States of the United States. Every one of these paragraphs is subject to a point of order. Now we are placed in the attitude that a report comes in, made by some gentleman in the commissioner's office who has investigated the condition of the Mississippi Choctaws, made at the instance of this Congress by express appropriation and provision. It can not be doubted as to what the condition of the Mississippi Choctaw is. A subcommittee of the House Commitee on Indian Affairs visited Mississippi last year. They saw the plight that these Indians were in. I want to read to you this report that was filed in the Interior Department by Mr. W. H. Ketcham on December 1.

Mr. MADDEN. Who is he?

Mr. HARRISON of Mississippi. Mr. Ketcham is a man appointed by the Indian Office to go there and make this investigation. His report is as follows:

DECEMBER 1, 1917.

Hon. GEORGE VAUX,
Chairman Board of Indian Commissioners.

SIR: I have the honor to report that I visited the Choctaw Indians of Tucker, Neshoba County, Miss., September 30 to October 9 and two settlements in Leake County October 10 and 11, 1917.

The bulk of the Mississippi Choctaws live adjacent to the towns of Tucker, Stratton, and Union, in Neshoba and Newton Counties; in fact, practically one-half live in Neshoba County. A number live in Leake, Scott, Kemper, and Attala Counties, and there are families scattered over various other portions of the State. It is claimed by some that there are to-day in the States of Mississippi and Louisiana about 1,700 full-blood Choctaw Indians. This claim may be very nearly correct. There can scarcely be less and there may be more than 1,000 full-blood Choctaws in Mississippi. Mr. John R. S. Reeves, special supervisor of the Indian Office, Washington, D. C., has made a valuable report on the Choctaws in Mississippi, particularly as regards their numbers and their land holdings. (See H. R. Doc. No. 1464.)

During my stay at Tucker I met a great many Indians, three to four hundred, most of them from the immediate neighborhood and from Stratton and Union and some from Scott and Leake and other counties. I had an opportunity to observe them closely and to make careful inquiry into their condition. I visited a number of homes in the vicinity of Tucker, which, despite extreme poverty, did not appear to be uncomfortable. They were clean and the occupants seemed to have the bare necessaries of life, such as one might find in the cabins of very poor white people. The grounds around the houses were well kept, and in some instances flowers were growing in profusion and there were evidences of gardening and farming on a small scale.

In Leake County I visited a number of families, some in the cotton patches, where they were at work, and others in the homes. The few houses visited were clean and well kept, and would correspond to the homes of cleanly white people in very poor circumstances. Wherever I went I found Indians suffering from tuberculosis. I am convinced that these Indians, generally speaking, do not have sufficient food and that their meals are very irregular and by no means frequent.

GENERAL CONDITIONS.

I had visited Tucker the year before, and since that visit it seemed to me I could see an improvement in the dress of the men, particularly the young men. The majority were neat and made a good appearance; as for the women, they, generally speaking, were neatly but poorly clad. It is evident, however, that in many instances they do not have sufficient clothing to keep them comfortable during the cold weather.

The number of those who own land is so small that the question of land holding may be omitted from any survey made of these people.

They are in urgent need of medical attention and medicines. Very often the physician will not visit a sick Indian until an exorbitant fee has been paid or made secure in advance. The result is that those who are ill rarely have more than one visit of a physician and many can have no attention whatever. This condition applies to the druggist and medicines required by the sick. The sick usually have to depend on the uncertain charity of white people for proper food, medicines, and medical attention.

The Choctaws of Mississippi have a very good name as regards honesty, truthfulness, cleanliness, and general morality. They are, in a sense, industrious, yet inconstant and unthrifty.

In many instances they still marry according to Indian custom, and the old ideas concerning marriage are much in evidence. Man and wife frequently separate and contract new relations. The fee for the marriage license required by the State of Mississippi is partially responsible for marriages in Indian fashion, but there are a number of Indians who have not accepted Christianity and who still prefer the old customs. Although the Christian Indians are well informed on Christian ideas concerning marriage, they now and then fall into the habits of their non-Christian relatives and friends. Apart from this, probably, as regards morals, the Mississippi Choctaws are superior to many Indian tribes and to many white people.

INDIANS ENGAGED IN FARMING.

The Mississippi Choctaws realize that they must earn their bread by the sweat of the brow. They seem willing to work, and there are certain things they can do particularly well. They are adepts with the shovel and ax and understand the growing of cotton; the women appear to be capable of doing well the work that women are accustomed to do. The chief fault of the men is that they too easily take a day off and permit trifles to interrupt them in their work. For this reason they are not successful as day laborers for concerns that require their employees to begin work at a certain hour and to put in a fixed number of hours a day and a fixed number of days per week.

For the work they are accustomed to do they receive very small compensation, and they are practically helpless in the event that their employer chooses to cheat them or to impose on them. This holds true in the growing of crops on shares; in fact, in everything they do. It is the white man who keeps the accounts and who dictates the settlements; and some white men are honest and some are not; and because of his nature and the conditions of society in which he lives, the Indian is practically without any redress and has no one to whom to appeal when he is browbeaten and cheated; hence he is practically a peon in the make-up of Mississippi society.

Whatever the Indian needs for farming must be supplied by the landlord and on the landlord's terms. If he could remain on his farm and work it properly; if he could be assured a square deal on the part of the landlord; and, finally, if he could break away from Indian custom so far as to refuse to divide with the improvident what he lays up over and above his needs of the moment, he could make a living and take care of himself. Usually, however, he has to neglect his farm, now and then, to get a day's labor somewhere in order to earn the necessary cash for a few days' actual living expenses, and such interruptions account largely for his failure to reap a normal harvest. Hence (a) he needs some one to stand between him and the unscrupulous employer; (b) he should receive aid from the Government for one or two years; and (c) means must be devised to educate him up to the point of ignoring such Indian customs as result in the indolent living off the thrift of the industrious.

LACK OF EDUCATIONAL FACILITIES.

As to education, most Mississippi Choctaws do not appear to have even the rudiments of an English education and yet, remarkable as it may seem, a great many can read and write the Choctaw language. All, without exception, speak the Choctaw language, and while a number of the older people speak English after a fashion and understand it for ordinary purposes, the majority, particularly the women, seem loath to make use of it—the result, no doubt, of bashfulness and a certain indolence, it being easier to use the language that comes to them naturally than to exert themselves to master the white man's speech.

As for schools, while it is true that they have not many opportunities in this regard, it is just as true that they fail to make use of the opportunities they have. The Mississippi Choctaws would not wish to send their children away from home to boarding schools and they do not send them regularly to the day schools. In the day school conducted by the Catholic Church at Tucker there is an enrollment of 40 and an average attendance of 10. It is a matter of note that in Oklahoma the removed Mississippi Choctaws are loath to send their children to boarding schools and are irregular in sending them to the day schools.

In fact, it is a question as to whether it would be advisable for these children to be educated in a boarding school. In the boarding school they would learn more and be better cared for, but they would become accustomed to conditions and to comforts they can never enjoy when they return home, and this would tend to make them dissatisfied and unfit them for life amid conditions they must necessarily face. Mississippi offers few or no opportunities for an educated Indian. Such an Indian probably could find no suitable employment of any kind. In Mississippi, if the Indian does not wish to associate with the negro (and experience proves that he does not) he must live exclusively with his own people. There are certain kinds of manual work open to him, but, generally speaking, it is on the farm that he must earn his daily bread.

BOARDING SCHOOL UNDESIRABLE.

Having talked this matter over very carefully with well-meaning people and with the older Indians, I advise strongly against the establishing of a boarding school for these people. If there are certain individuals found here and there who desire a higher education they can be sent to Carlisle or other similar schools and later they may be able to make use of their education somewhere in the North or West, or they might go back to their people as teachers. I am not prepared, however, to advocate a measure which, if it prove a success, must necessarily mean that the Indian will have to leave his native country (and the Choctaw is religiously attached to his native Mississippi) and become an exile among strangers.

As for attendance at day school, this should be compulsory if it be possible to make it so, but it should not be compulsory so long as the child and the parent are underfed and not comfortably clothed, and so long as parents at times really have need of the services of their children at home; so long, in fact, as the problem of supplying a half-starved people with sufficient food remains unsolved and adequate means for the conservation of their health are unprovided.

Everyone with whom I talked on the subject at once said that it would be folly to distribute cash payments among these Indians; that in two days every cent would be in the hands of the whites.

If the Indian were given land probably he would not be able to maintain his ownership of it unless trained to this by some sort of supervision. The question of taxpaying seems to have been the bane of the Mississippi Choctaw. An old Indian said to me that formerly he owned a number of horses, but that the white authorities took all his horses away from him and he found out afterwards this was done because the State had placed a tax on horses. I asked another Indian if he would like for the Government to give him a team of mules, and he said no, he would have to pay tax on the mules and he would lose

them, and, also, that the mules would have to be fed and this would be an additional expense to him. He thought he could make out better by farming with a hoe, because the hoe did not eat and would not be taxed.

RECOMMENDATIONS.

I am not prepared to advocate a reservation for these people, because the day of the reservation would seem to have passed. The reservation, in the course of time, would be broken up and allotted, and 25 or 30 years from now the Indians would be in the same condition they are at present Under the circumstances, I think the best that can be done for them is to help them get on their feet and guide their steps until they can walk alone.

I therefore recommend—

1. A special agent for the Indians living within the boundaries of the State of Mississippi, with headquarters at Tucker or Stratton or Union, whose duty it will be to visit the Indians throughout the State, inquire into their needs, advise them, and stand between them and the rapacity of the white man. The agent should supervise their agreements with individual whites, procure employment for them, and see that they receive their wages.

2. A doctor, located at one of the above-mentioned places, who could be relied on to visit the Indians gratis in case of need. Medicines should be supplied gratis.

3. A field matron, located at one of the above-mentioned villages, to look after the sick, to visit the homes, and give advice to the women in all matters pertaining to cleanliness and health. The agent, doctor, and matron should be supplied with facilities for transportation.

4. Under the supervision of the agent the Indians should lease farming lands and the Government should supply them with implements, necessary stock, and means of subsistence for one or two years. The Indians should not be allowed to give away, sell, or mortgage anything that has been furnished them by the Government. They will need subsistence so that they can devote their entire attention to the growing of their crops. Probably at the beginning of the second or third year they may be able to sustain themselves and provide their own seed. Whenever it is feasible and advisable to do so, the agent should make arrangements for individuals to purchase, on easy yearly payments, the lands they occupy. Under his careful supervision the Indians might be able, in the course of time, to acquire title to the lands they occupy, and if they thus succeed in purchasing their lands it is possible that in the future they will understand how to meet the obligation of taxpaying.

5. As for schools, for the present the Government should assist the day schools that are now in operation and provide new ones in localities where a sufficient number of families is located. The agent and the field matron may devise some plan whereby the Indians will be induced to send their children to school regularly.

6. It would be good policy for the Government to establish an experimental farm near the center of Indian population.

7. It would be advisable, as a matter of economy, that a physician be appointed as the first special agent and the office of agent and physician united. It is not at all unlikely that, within a couple of years, an active, conscientious agent will be able to induce the majority of the scattered Indians to remove nearer the center of the Indian population. This would simplify the work and reduce expenses.

In conclusion, while the treatment the Indians of Mississippi have received at the hands of certain unscrupulous persons can not be too severely condemned, it is only just to say that many citizens of the State take a very kindly interest in the Choctaws, and but for the assistance that has been rendered them year after year by many white people the race long since would have perished entirely.

Respectfully submitted.

(Signed) W. H. KETCHAM,
Member Board of Indian Commissioners.

Approved for transmission December 15, 1917.
GEORGE VAUX, Jr., *Chairman.*

I may say that the only school for these Indians was established by a woman who has taken great interest in them. She has a number of them now at school. She has given her time and this whole work out of the goodness of her heart, and they are getting along well.

Mr. MADDEN. How much money would it take to do what the gentleman thinks ought to be done?

Mr. HARRISON of Mississippi. I discussed that question informally with the Indian Office, and we thought it best to put this item at $150,000.

Mr. MADDEN. Will it take that much each year?

Mr. HARRISON of Mississippi. I should not think it would take that much after awhile. To begin with, to lease some lands for them and start them out—it will take more than it will afterwards.

Mr. MADDEN. It seems to me that the Government can do no more charitable work than this, and it ought to be done.

Mr. HARRISON of Mississippi. I thank the gentleman.

Mr. MONDELL. These so-called Indians are citizens of the State of Mississippi?

Mr. HARRISON of Mississippi. Yes; they are citizens.

Mr. MONDELL. They always have been, and their fathers before them for many generations?

Mr. HARRISON of Mississippi. Oh, yes; the Choctaws of Oklahoma went from Mississippi to Oklahoma.

Mr. MONDELL. Are there any more poor folks down in Mississippi?

Mr. HARRISON of Mississippi. Yes.

Mr. MONDELL. Any who you think ought to be provided for by the National Treasury?

Mr. HARRISON of Mississippi. I am sure that the gentleman would not want to discriminate against the Indians of Mississippi in favor of the Indians of some other State?

Mr. MONDELL. No; but I think we had better make up our minds that at some time or other the Federal Government be relieved from the care of the citizens of the States, even though there may be a dilution of Indian blood in their veins.

Mr. VENABLE. Will the gentleman yield?

Mr. HARRISON of Mississippi. I yield to the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NORTON. Mr. Chairman, during the past five years I have heard a great deal on the floor of this House about the Indians in Mississippi. The very able, brilliant, and admirable gentleman from Mississippi [Mr. HARRISON], who has just spoken, has time and again elucidated the question to the House and has presented it in the most forceful, attractive, and convincing way that anyone could possibly present it.

Last spring I had the pleasure of visiting Mississippi and meeting a large number of the Indians in Mississippi, and comparing their condition with conditions of white and colored citizens in that State.

Mr. Chairman, there is a very great difference between giving a gratuity to the Indians in Mississippi, who have dwelt among civilized people for the last hundred years or more, and giving a gratuity to Indians in the Northwestern States, in Montana, in the Dakotas, and in Wyoming, who have but ceased to use the scalping knife and to travel the warpath within the last 30 years; who have held to all their tribal relations and customs up to within a very few years; and many of whom, up to within the last two decades, had not been touched by the influences of modern civilization or education.

I believe that the time is long past when the Government should extend a gratuity to the Indians in Mississippi. When I saw the Indians in Mississippi last spring they were in not much poorer condition than the average white man in that particular section of the State around Union, where they live. For the most part they were a great deal more prosperous and more successful than the average colored man in that section of the State.

I went to Mississippi without any prejudice against the Indians there, and, after hearing their case from themselves, I was forced to the conclusion that a great harm had been done to the Indians there by holding out to them the hope that some day the Great White Father at Washington would come down with a cornucopia filled to overflowing with food, clothing, silver, and gold, and all of the good things desired by the most vivid Indian imagination, and empty it into their hands; and by holding out to them the hope that there is no particular need for them to be frugal, saving, and building up permanent homes for themselves. I came to the conclusion that there had been a great harm done to the Indians there by those who have for years preached to them and encouraged them to believe that the Federal Government owes them some large amount of money, and that it is certain that this great amount of money will some day come to them from the Government, and that they can then recoup their fortunes and for the remainder of their lives live in contentment, happiness, luxury, and ease.

Mr. QUIN. Will the gentleman yield?

Mr. NORTON. Certainly.

Mr. QUIN. Does not the gentleman think that the Government does owe something to the Mississippi Choctaws?

Mr. NORTON. No; I do not think the Federal Government owes them a single nickel or a single cent.

Mr. VENABLE. Will the gentleman yield?

Mr. NORTON. Certainly.

Mr. VENABLE. What is the difference, if the gentleman will be kind enough to state, between giving gratuities out of the Treasury of the United States to the Indians all over the country because we have given them gratuities in the past and giving a different set of Indians a gratuity for the first time.

Mr. NORTON. I have just tried to make clear the difference. These Indians have lived among white people for more than a hundred years. They have been surrounded by and have been in touch with white people and with the influence of civilization for many generations. They have been independent and self-supporting for nearly a hundred years. I consider it a mighty poor policy for the Government to now take such a backward step as to begin to hand out gratuities through large or small appropriations to Indians such as these.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. NORTON. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NORTON. On the other hand, I consider it a proper policy for the Government to take supervision of Indians who are in an uncivilized state and who have been within a very short time on the warpath, and to help them to understand the benefits of civilization and the white man's ways.

Mr. VENABLE. Does the gentleman mean to say that the Indians we are giving gratuities to every year are in an uncivilized state and have not been in contact with the white man and civilization for years and years?

Mr. NORTON. Most of them have not. I would say to the gentleman that as far as I know those to whom gratuities are now being given, except the sun-kissed, everglades-dwelling Indians of Florida, have not been in contact with white people and the influence of white civilization for but a very few years.

Mr. BRUMBAUGH. Mr. Chairman, will the gentleman yield?

Mr. NORTON. Has the gentleman from Mississippi [Mr. VENABLE] a further question?

Mr. VENABLE. That is a pure question of fact.

Mr. NORTON. Does the gentleman contradict it?

Mr. VENABLE. Yes; I do not think that is an accurate statement.

Mr. NORTON. Will the gentleman specify any Indians who are receiving gratuities and who are in any condition comparable with the Indians in Mississippi?

Mr. VENABLE. Are the Oklahoma Indians receiving gratuities?

Mr. NORTON. Some of them are; yes.

Mr. VENABLE. Have they not been in contact with civilization as long as the Mississippi Choctaws?

Mr. NORTON. No; I would not say they had been.

Mr. VENABLE. A great many of them came from there.

Mr. HARRISON of Mississippi. Let me ask the gentleman about the Turtle Mountain Band of Indians.

Mr. NORTON. They were on the warpath within the last 30 years. Outbreaks occurred among these Indians on the Turtle Mountain Indian Reservation within the last 30 years.

Mr. HARRISON of Mississippi. Are we not spending some money in educating those Indians?

Mr. NORTON. At the present time?

Mr. HARRISON of Mississippi. Yes.

Mr. NORTON. I think about $13,000 is appropriated for the agency there.

Mr. HARRISON of Mississippi. You have $32,600 here for the Indian school at Bismarck, N. Dak. Are not those Turtle Mountain Indians?

Mr. NORTON. No. They belong, for the most part, to the Standing Rock Indian Reservation. They belong to the Sioux Tribe of Indians.

Mr. HARRISON of Mississippi. How about the Fort Berthold Reservation?

Mr. NORTON. The Indians on that reservation belong to the Arikara, Gros Ventre, and Mandon Tribes.

Mr. HARRISON of Mississippi. Are they on the warpath?

Mr. NORTON. They are a very intelligent class of Indians, although they have not been under the influence of white civilization but for about 30 years.

Mr. VENABLE. Does the gentleman suggest that our Indians go on the warpath in order to qualify for relief?

Mr. NORTON. I would say if they had not been under the influence of white civilization but for a short time and were only semicivilized, to give them Federal Government assistance.

Mr. HARRISON of Mississippi. I admire the gentleman's candor, but does he not think that something ought to be done for those Indians in Mississippi?

Mr. NORTON. Yes; I think so.

The CHAIRMAN. The time of the gentleman from North Dakota has again expired.

Mr. NORTON. Mr. Chairman, I ask unanimous consent for two minutes more. Answering the question of the gentleman from Mississippi [Mr. HARRISON], I would say I believe that the Government and others should give these Indians to clearly understand that there is nothing due or coming to them from the Government, and that it is up to them to maintain and provide fully for themselves for all time in the future.

The CHAIRMAN. The time of the gentleman from North Dakota has again expired.

Mr. NORTON. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BRUMBAUGH. Mr. Chairman, will the gentleman yield for a question?

Mr. NORTON. Certainly.

Mr. BRUMBAUGH. Does the gentleman not think it would be a splendid thing to give the Indians all over the United States to understand the very thing he says these Indians ought to be be given to understand, that in about 10 years from now this Government would withdraw gratuities and put it on them to enter the race of life and make their own living?

Mr. NORTON. I believe that the Government should withdraw gratuities just as rapidly as practicable. The sooner the Indians are placed on their own resources and required to depend upon themselves for their own support the better it will be for them, in the East, in the West, in the North, and in the South.

Mr. DUPRÉ. Are not the gentleman's remarks an incitement to the Indians to continue these uprisings, so that they may hereafter have the aid of the Government?

Mr. NORTON. The gentleman's deep sense of humor and his facetiousness may cause him to believe that.

Mr. DUPRÉ. I invite the attention of the House to the gentleman's argument.

Mr. FERRIS. Mr. Chairman, the gentleman from Mississippi [Mr. VENABLE] has just offered an amendment providing for the creation and establishment of a small Government agency to preside over and serve as a protectorate over some 1,100 Choctaw Indians living in Mississippi. This presents a new phase of it; it deserves attention.

The Choctaw question is not a new one in this House. It has been debated and voted upon many times. In a word, the contention of the Mississippi delegation has always been in the past that they were entitled to share in the funds of the Oklahoma Indians, although they refused to move west and take up residence with them, and still so refuse.

I have always opposed the adoption of the latter course and oppose it to-day. No one, either in law, equity, or good morals, I think, can justly advocate such a course.

More than 90 years ago the Choctaw Tribe of Indians resided in the State of Mississippi. They then owned approximately 15,000,000 acres of land in Mississippi.

By the treaty of 1820 they traded 4,000,000 acres of that land for what now comprises the Choctaw and Chickasaw Nation in the State of Oklahoma, an area in the treaty described by metes and bounds which originally comprised what was then the Indian Territory, now a part of Oklahoma. The treaty contained a provision which provided for the removal of the Choctaws from the State of Mississippi west, leaving 10,000,000 acres of their land behind in Mississippi.

Ten years later, in 1830, an additional treaty was entered into between the Choctaw Indians and the Federal Government, which treaty intended to more effectually carry out the provisions of the treaty of 1820, and which contains the fourteenth article, which has always been the bone of contention, and is and can be the only basis of the pretended claims of these Mississippi Indians to share in the estate of the Indians that moved west.

The total number of Choctaws in 1830 was 18,200. Of these, 15,000 removed as per the terms of the treaty, and approximately 4,000 of them remained behind in Mississippi, refusing to abide by the treaty. These 4,000 Indians that remained in Mississippi from 1830 to 1842 had the right to take up residence and be allotted land on the 10,000,000 acres in Mississippi, and, as fast as they could be identified, were allotted and given allotments from this land.

Only 143 families were induced to take lands from the 10,000,000 acres in Mississippi, while 3,885 for some cause refused to take allotments during the 12-year period. These 3,885 Indians who had refused to accept allotments were by the Federal Government later given land scrip to the amount of 640 acres for each and every head of the family, 320 acres for every child from 10 years of age, and 160 acres for every child under 10 years of age, one half to be delivered to them in Mississippi by the Federal Government and the other half after they removed from Mississippi to the then Indian Territory.

The records of the Indian Office show conclusively, without any question of doubt, that this scrip was actually delivered to them and that they actually received the benefits under it.

It can be had by consulting House Document 898, Sixty-second Congress, second session.

The last half, or remainder, of the scrip was capitalized at $1.25 per acre and paid to these Choctaw Indians in person by the Indian agent for the Federal Government. (See muster rolls of the Indian Office and vouchers, which show precisely that the Indians first received the land and, second, the money.) The total amount of money paid to the Indians was $872,000, which was in lieu of the last half of the scrip, which they had up to that time been unwilling to accept.

Thus it will be observed that these Indians have received more land and more money than the Indians who obeyed the treaties, removed west, and suffered the hardships and outrages committed by the wild western tribes of Indians who then lived upon the prairies.

In addition to this, four Secretaries of the Interior have held that they had no rights to the Indian estate in Oklahoma and that they had had their patrimony, had disposed of it, and were without any claim whatever upon the Oklahoma Indians. Four Secretaries of the Interior shared this view. The Dawes Com-

mission shared this view. The Federal courts in the Jack Amos case adopted this view. This House has four times passed on the matter by an affirmative vote, and each time denied that they had any rights. Both House and Senate Indian Committees have repeatedly passed on it, and always held they had no rights.

If there ever was a case of res adjudicata, this is one of them, and I assume that the Mississippi delegation have at last adopted the correct theory. However, in the face of all this, it is true that there are some 1,100 dependent Indians in the State of Mississippi without homes, without education, without employment, and without proper attention. To me there can be no great wrong in having the Federal Government, not as a matter of right but as a matter of charity, establish this agency, adopt the gentleman's amendment, and do for these dependent, helpless Indians what we are doing for other tribes in a similar condition in other States.

There will be good men who will disagree with me about this proposition, both in and out of the Congress of the United States, both on and off the Indian Committee, but for me and mine I have always felt that the Federal Government should not allow the original occupant of the land—I mean the American soil—to go in want, his own improvidence notwithstanding.

Mr. QUIN. Mr. Chairman, I appreciate very much what the gentleman from Oklahoma [Mr. FERRIS] had to say. His heart is in the right place and he has spoken to the point. He stated that the Government owes it to itself to protect these Indians down in Mississippi and Louisiana. In answer to the gentleman from North Dakota who said that the Government did not owe it to the Indians, I say the Government owes it to its self-respect, to the white citizenship who compose the great majority of the population of this Republic, at least, to grant this little request in the shape of this amendment relating to the penniless Indians of Mississippi.

The gentlemen have argued that because some Indians were on the warpath in the last 10, 15, 20, or 30 years it is justification for certain funds being contributed out of the Federal Treasury to them, and that the reason why the Mississippi Choctaws should not have any money out of the Treasury is because they have been surrounded by white people and civilization, and have been peaceful and dutiful citizens for all of these years. What process of ratiocination causes them to reach such a conclusion as that, because the Mississippi Choctaws have been good and peaceful citizens and peaceful Indians, they should not have anything out of the Treasury to compensate them for their patrimony which was taken from them many years ago?

I can not understand why the gentleman from Wyoming [Mr. MONDELL] or why the gentleman from North Dakota [Mr. NORTON] should have all these years had funds out of the Treasury to protect, and properly so, the Indians of that territory, and then, forsooth, when these Indians down in Mississippi call for a little bit of the rights which have been long deprived them, should object and set up these fabrications and excuses here why they should not have it.

The gentleman from Oklahoma [Mr. FERRIS], in a magnanimous spirit, having seen these Indians, and knowing what they have gone through, having in a measure observed the pennilessness and absolute poverty of them, their needs, and the ignorant condition in which they are, confesses the righteousness of this amendment.

Mr. MONDELL. Will the gentleman yield?

Mr. QUIN. I have not time to yield.

The gentleman knows that this relief is just, honest, and right. The chairman of this committee, the gentleman from Oklahoma [Mr. CARTER] even went down there on this commission and talked Choctaw with these Indians, and in response to my friend from Wyoming, who said they might have a fragment of Indian blood in their veins, I ask no better witness than the chairman of this committee, who has the honor of having some Indian blood in his veins, and who talked with these people down there in the Choctaw language. So that ought to be sufficient to relieve the gentleman from Wyoming——

Mr. MONDELL. Will the gentleman yield?

Mr. QUIN. I have not time right now. It seems to me the gentleman from Wyoming ought to appreciate the fact that the chairman of this committee would not have made the report back, and that that commission would not have made the report that they did make under the laws of this Congress unless the conditions warranted it.

Mr. MONDELL. Will the gentleman yield at that point?

Mr. QUIN. I will yield. [After a pause.] I will not proceed to yield to the gentleman any further when he requires so much of my time to ask me a question. It strikes me that out of their munificent hearts the gentleman from Wyoming and the other gentlemen on that side ought to support this measure. They ought to do the right thing by the poverty-stricken people that have been denied their rights all of these long years.

Mr. BORLAND. Mr. Chairman, the other day, after considerable debate here, the chairman of the Appropriations Committee defeated a measure providing for $50,000 appropriation for investigating into the subject of old-age pensions and other disabilities of poor white people among the 100,000,000 people of this country. Now, here is a proposition for $150,000, three times as much money, to be expended on about 1,000 Indians, or about $150 an Indian.

Now, when this matter has been fought over three or four times before in this House the gentleman from Mississippi, with his wonderful burning eloquence, almost convinced some of us that this money ought to be paid out of the tribal funds of the Oklahoma Indians, and the gentleman from Oklahoma, with his overpowering eloquence, has completely upset that opinion and convinced us that these Mississippi Choctaws did not have any claim, legal or equitable, on anybody; that they had long since severed their tribal relations, receiving their money under the Dancing Rabbit treaty, and became citizens of Mississippi 90 years ago, and that there was not a man left among them who had not been born a citizen of Mississippi. Now, the gentleman from Oklahoma completely convinced me of those facts. He also convinced me of the fact that there was not anybody back of this thing except a firm of grafting lawyers that had gotten a lot of powers of attorney from these Indians to prosecute some kind of a claim somewhere against somebody for some money. He even read the contracts and told the plot in detail.

Mr. FERRIS. Will the gentleman yield?

Mr. BORLAND. I can not yield, I am sorry to say. He even got up here and told in detail about the operations of this grafting firm of lawyers that he described in such burning language.

Now, the trouble with these gentlemen is that they protest too much. They protested both sides out of any possible case for these Choctaws.

Mr. VENABLE. Will the gentleman yield?

Mr. BORLAND. I can not yield to my eloquent friend. We find to-day that both of these gentlemen are here together demanding this appropriation. Why? They fought vigorously once, but the fight at that time was to take this money out of the Choctaw tribal funds; to-day both are banded together on the proposition of taking it out of the Federal Treasury—$150,000 they propose to saddle on the Government this year.

Mr. VENABLE. Mr. Chairman, will the gentleman permit a short question?

Mr. BORLAND. How much more that is going to lead to in the future nobody has discovered.

Mr. VENABLE. Will the gentleman yield?

Mr. BORLAND. No; I can not yield to my friend.

The CHAIRMAN. The gentleman declines to yield.

Mr. BORLAND. It is assumed that this money is going to be spent to civilize these Indians. They lived in Mississippi prior to 1830, because in 1830, under the Dancing Rabbit treaty, the large majority of the Choctaw Tribe were settled in Oklahoma, and those who did not go to Oklahoma received a gratuity in money. There is not a man among them living in Mississippi to-day who claimed to be a member of the Choctaw Tribe in 1830. Every one of these men was born a citizen of Mississippi, and for 90 years these Indians have lived as citizens of Mississippi. If they are not civilized now, what can the State of Mississippi do for people who live for 90 years in that vicinity? [Laughter.] Why, if they can not be civilized among the splendid influences of the State represented by my friend HARRISON and my friend VENABLE, how can they be civilized by a few agents sent down there from the department in Washington? [Laughter.] They have had the most magnificent opportunities for education that any of us have enjoyed, and yet they are coming in here and asking for an appropriation of $150,000 to civilize and educate them. The thing is absurd. The chairman of the Committee on Indian Affairs ought to make the point of order. I think the thing ought to be quickly killed. If he does not do it, it falls to the duty of some member of the Committee on Appropriations to make it, and I make it for that purpose.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CARTER of Oklahoma rose.

The CHAIRMAN. Does the gentleman from Oklahoma desire to speak on the point of order?

Mr. CARTER of Oklahoma. Yes.

Mr. Chairman, I have no objection whatever to the gentlemen from Mississippi coming before the Committee on Indian Affairs with a bill and giving the bill proper consideration.

It was my privilege to make a visit to the State of Mississippi last year with our committee, and upon that visit we found several hundred Choctaws in Mississippi. They seemed to be getting along somewhat like the poorer class of white people do in most of the States. Perhaps some of them were in a little bit worse condition. They were intelligent and seemed to be a trustworthy class of people.

The Government has taken the position repeatedly in the past that it should not take any of the funds of the Choctaws and Chickasaws in Oklahoma and divide it among the Choctaws of Mississippi. The courts on two occasions have held the same thing. Two commissions have decided the matter, and three Secretaries of the Interior, and two Presidents of the United States, and Congress has on four different occasions settled that proposition.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. CARTER of Oklahoma. Yes; I yield.

Mr. MONDELL. What did your committee find to be the condition of those Indians compared with the colored people of that section?

Mr. CARTER of Oklahoma. We saw little of the colored people in the State of Mississippi.

Mr. MONDELL. You were in Mississippi and saw no colored people?

Mr. CARTER of Oklahoma. Not at the town of Union. I do not think we saw a dozen colored people at the town of Union while we were there, and that is the only place where we held an investigation.

Mr. SISSON. There are very few negroes where the Indians are down there.

Mr. CARTER of Oklahoma. I do not know what the condition of the negroes was. Perhaps the gentleman from Mississippi can tell you that. But the condition of these Indians was not in some instances just what a man would hope his condition to be. But be that as it may, Mr. Chairman, any measure contemplating the appropriation of $150,000 out of the Treasury ought to come before some committee of this House and have careful consideration.

I had hoped at first that I might withdraw this point of order and submit this matter to a vote, but upon consultation with some members of the Committee and some Members of the House it was thought better that the point of order should be made.

Mr. SISSON. Mr. Chairman, will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. SISSON. Will the gentleman withhold his point of order? I would like to make a statement about the matter. I do not know that I differ from the gentleman from Oklahoma at all.

Mr. CARTER of Oklahoma. I will yield to the gentleman to make a statement.

Mr. SISSON. Mr. Chairman, with the permission of the gentleman from Oklahoma [Mr. CARTER], I want to take the time to make just this statement: I am in entire sympathy with the proposition to pay the Mississippi Choctaws any fair sum of money. They occupy an entirely different relation to the Government from that of any other people. They are the wards of the Government, and while the Government on several occasions made an effort, as the gentleman in charge of this bill knows, to get the Mississippi Choctaws properly enrolled, so as to be carried to Oklahoma and given their lands in Oklahoma, yet here are the facts: The more intelligent of the Indians are the ones who would keep up with the course of events and know what was going on, and they were enrolled; but the unfortunate Indians who needed the guardianship of the Government the most in every case have been almost abandoned by the Government in Mississippi.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. MONDELL. I do not know what the gentleman meant when he referred to these Indians as being "wards of the Government." I have understood that for generations they have been citizens of the State of Mississippi. Surely no citizen of the State of Mississippi could be a ward of the United States Government.

Mr. SISSON. As a matter of fact they are wards of the Government; and the fact that the State of Mississippi, or any State, has given citizenship in the State to an individual who is a ward of the Government does not relieve the Government of the pledge it is under or of its treaty obligations to the individual. Now, I made an effort here on two occasions to get these 1,100 full-blooded Choctaws enrolled so that they might get their pro rata share of the funds arising from the lands of the Choctaws in Oklahoma, but the Representatives from the State of Oklahoma were unwilling that the rolls should be opened. I am not blaming the Representatives of the State of Oklahoma at all. But the result has been that between the opposition of the Oklahoma delegation and the condition in which the Choctaws find themselves, it is utterly impossible without legislation for the Government to do justice to these people. I want to appeal to the justice of every man here, and I believe that you men want to be just. I believe every Member of Congress desires to be just.

Practically none of these Indians are in my district—only a very few in the southern portion. Most of the Indians are in the district represented by my colleague [Mr. VENABLE], formerly represented by Mr. Bird. Now, if the Government is going to be just and fair to the Indians it must do one of two things. Either it must give to the Indians that to which they are entitled in the Choctaw Nation in Oklahoma, or, failing to do its duty to these unfortunate Indians, then, in order to carry out the contract that it made when it assumed control of the Indians, the Government should see to it that they at least get some land.

What I rose to say was this: I agree with the chairman of the committee that this money should be properly safeguarded, so that the head of each family may get 40 or 80 acres of land, and that the land should then be turned over to the Indians and held by them near enough together so that they can have their schools maintained by State taxation, but that the land should be inalienable for a certain number of years or generations, until these Indians can be properly educated to take care of themselves. For that reason I have no serious objection to the understanding that I feel we have with the Oklahoma delegation and with the chairman of the committee that the matter will be given consideration by the Committee on Indian Affairs, and that they will bring in a well-considered bill taking care of these Indians, to see that this money is properly invested, so that the Indians may be dealt with justly and fairly, and that is all we ask. [Applause.]

Mr. GANDY. Mr. Chairman, there is one statement in this discussion of the Mississippi Choctaw situation that I can not permit to go unchallenged. That is the linking of the dependency of the Choctaws of Mississippi with that of the Indians of North and South Dakota and other Northwestern States.

I was a member of the committee that visited Union, Miss., about 10 months ago. We did find Indians in real dependency, Indians in squalor and poverty, but Indians whose claim on the United States was long ago extinguished, except that obligation that this Government generally owes to its citizenship. It is true that this bill appropriates money for the civilization and support and care of the Indians of the Northwest, but I would remind you that those appropriations are made pursuant to certain agreements between this Government and those Indians of the Northwest when land was ceded by the Indians to the Government. If you will read the agreements and treaties that were made, you will be convinced that even yet, with all of the appropriations that have been made and the schools that have been provided, this Government has not carried out its agreements with the Indians of the Northwest in return for the great areas of land which were ceded by those Indians to the Government; so that the matter of dependency is not the same at all.

I agree with the gentleman from Mississippi [Mr. SISSON] that some provision at some time ought to be made as a general governmental proposition to take care of the conditions of distress that exist among the Choctaw Indians of Mississippi; but they are not on a par in any way with the Indians of the Northwest, who have given in lands, time and time over again, a return for every particle of support that has been meted out to them. [Applause.]

Mr. MONDELL. Mr. Chairman, I rise as a defender and champion of the original American, the real native American, the only man in the world who can beyond question call himself a true American—the man of Indian blood; and I would protect him and his children against those who would make him, to the end and limit of time, a professional and official pauper. [Applause.] Great heavens, is the time ever going to come when the red man, becoming a citizen, caring for himself, with independent thought and feeling, is to be safe from these misguided friends of his who would drag him from a splendid station of independent, self-supporting citizenship to chain him to the miserable condition of a ward and dependent of the Federal Government? A century ago, nearly, certain red men in Mississippi made their choice, decided their status, and for generations they have been citizens of that great State. If I were a citizen of Mississippi I should resent the thought or suggestion that men who had thus been citizens of my State with all of its magnificent opportunities and advantages for nigh a century were in such a condition that it was necessary to unload them on the doubtful charity of the Federal Government.

Is the time ever going to come when a red man, having separated himself from the public crib and become an independent, self-respecting citizen, is to be safe from those who would hunt

him out from the Everglades of Florida, the mountains of California, and the fertile lands of Mississippi, and drag him back to a state of dependency and perpetual pauperism? Those who propose these things are not the friends of the Indian; they are not the friends of their country.

We have Indians in our country. We bought great estates from them, and they are being paid for those estates and assisted to become self-supporting; but I hope the time will never come when I shall be tempted to advocate that any of these men after they have separated themselves from the Government tutelage, ceased to be wards, shall again become the objects of Federal appropriations.

The great State of Mississippi, if she has men of white blood or black or red who are not progressing as they should, citizens of her communities for a century, it is the duty of that great State to make such provision for such citizens as may be necessary or for their good, and if the goodly influence of Christian enlightenment and intelligence in Mississippi, the association and example of their fellow citizens, can not bring these men to a self-supporting, self-respecting, and self-sustaining condition, the charity of the Federal Government and the doubtful benefactions of Federal agents will never accomplish it, never so long as time runs. [Applause.]

Mr. HARRISON of Mississippi. Mr. Chairman, I ask for five minutes.

Mr. STAFFORD. I would like to ask the chairman of the committee if he has any intention as to when the committee will rise?

Mr. CARTER of Oklahoma. I have had no understanding, but I expect to make a point of order on this matter as soon as the gentleman from Mississippi consumes his five minutes.

Mr. HARRISON of Mississippi. Mr. Chairman, I did not think of speaking again upon this matter, but I am surprised at the gentleman from Wyoming [Mr. MONDELL]. When I look through this bill I see that Wyoming has more appropriations given to the Indians in that State out of the Federal Treasury than any other State except Oklahoma. I see appropriations for the support and civilization of this tribe and that tribe, and not only that, but for the education of tribe after tribe in that State, and then they appropriate money to irrigate the lands of that State. Now, the people of my State have been good to these Indians. They have taken care of them when the Federal Government refused to do it.

Mr. VENABLE. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. VENABLE. Is it the gentleman's understanding that the position of the gentleman from Wyoming [Mr. MONDELL] is that he wants all the appropriations for Indians in his State withdrawn in order that the Indians in his State may enjoy full, free citizenship?

Mr. HARRISON of Mississippi. That would seem to be the result of his argument. Now, in 1830 a solemn agreement was entered into between the Mississippi Choctaws and the Government that if these Indians wanted to remain in Mississippi they could do so and not lose any rights as Mississippi Choctaws, but it was the commissioners that went from this Government there and perpetrated fraud after fraud on the Indians which prevented them from a proper enrollment and securing their rights under the treaty.

Mr. MONDELL. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. MONDELL. If the Government owes the Mississippi Choctaws or any other Indians or white men or black men anything, the Government ought to pay. What I protest against is the pauperizing of men by bringing them under Federal control.

Mr. HARRISON of Mississippi. I understand the gentleman; the gentleman objects to pauperizing the Indians in other States after the Government has pauperized the Indians in his State time after time.

Mr. MONDELL. Let me correct the gentleman. No Indian in my State has ever secured anything from the Federal Government for many years except as he has received it out of his fund, except we are carrying items for his education in this general western country.

Mr. HARRISON of Mississippi. Mr. Chairman, in 1898 this Congress passed a law at the instance of the Dawes Commission that went to Oklahoma in respect to the rights of these Mississippi Choctaws, in which it was provided that a commission should be appointed to go to Mississippi and identify every Mississippi Choctaw. They identified about 2,500 of them, full blood Mississippi Choctaw Indians, and 1,100 of those men who thought they had every right under the law are to-day kept from those rolls and denied their legal and just rights. They have rights under law and equity, and I submit that they should be permitted to share in the funds of the Choctaw Tribe. I have never thought that the Treasury of the United States ought to pay the money to them, that it ought to come out of the tribe; but this House has voted me down time after time. I tried to impress that on the House. I remember that the leader of the minority in the last discussion of this proposition told the committee that if they voted down my amendment, the time would come when the Treasury of the United States would have to respond to the Mississippi Choctaws.

Mr. MONDELL. Does the gentleman know why the leader on this side said that? He realized the persistence and the persuasive powers of the gentleman from Mississippi. He did not believe it was proper.

Mr. HARRISON of Mississippi. I will be glad now to see the House appropriate the money out of the tribal funds rather than out of the Treasury, and I dare say the gentlemen will vote a little later on for $200 per capita payment to these Indians in Oklahoma, when our Indians will not get one cent. Let me refer to the fact that a case was tried in 1872, the Choctaw Nation versus The United States, wherein the Indians of Oklahoma sued the United States for rights that the Indians in Mississippi had for injuries and outrages committed on them and obtained judgment in the Supreme Court of the United States for $8,000,000, and that went to the Oklahoma Choctaws. Not one cent to the Mississippi Choctaws for injuries committed, but to the Choctaws in Oklahoma. I submit that they have rights that should be given them by the Congress, that the people of Mississippi have treated them fairly, and that they should not be discriminated against.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CARTER of Oklahoma. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

MONTANA.

SEC. 9. For support and civilization of the Indians at Fort Belknap Agency, Mont., including pay of employees, $20,000.

Mr. HARRISON of Mississippi. Mr. Chairman, I want to say that I realize that this item for the support and civilization of the Indians at Fort Belknap Agency, Mont., is subject to a point of order. The next item is subject to the point of order, and there are at least a hundred items in the bill that are subject to the point of order, but we are going to deal with our friends and their friends a little more justly than they have been dealing with us and are not going to make the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For continuing construction of the irrigation systems on the Flathead Indian Reservation in Montana, $750,000 (reimbursable), which shall be immediately available and remain available until expended.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 8696, the Indian appropriation bill, and had come to no resolution thereon.

COAL AND ASPHALT DEPOSITS, CHOCTAW AND CHICKASAW NATIONS.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

House concurrent resolution 34.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 195) entitled "An act providing for the sale of coal and asphalt deposits in the segregated mineral lands in the Choctaw and Chickasaw Nations, Okla.," the Clerk be, and he is hereby, authorized and directed to strike out the word "applied," on page 5, line 13, and insert in lieu thereof the word "apply."

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the concurrent resolution.

The resolution was agreed to.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 29 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 22, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting a supplemental estimate of appropriation required by the Navy Department to complete the purchase of land for the naval operating base, Hampton Roads, Va., for the fiscal year 1918 (H. Doc. No. 843); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture submitting a supplemental estimate of appropriation required for the Department of Agriculture for the fiscal year 1919 (H. Doc. No. 844); to the Committee on Agriculture and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a proposed clause of legislation for inclusion in the urgent deficiency bill (H. Doc. No. 845); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Public Printer submitting supplemental estimates of appropriation required by the Public Printer for the fiscal year 1918 (H. Doc. No. 846); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Navy, transmitting tentative draft of a bill to increase temporarily the enlisted strength of the Navy, and for other purposes (H. Doc. No. 847); to the Committee on Naval Affairs and ordered to be printed.

6. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Red River, and its tributaries in Texas, Arkansas, Oklahoma, and Louisiana with a view to devising plans for flood protection and determining the extent to which the United States should cooperate with the States (H. Doc. No. 848); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Petaluma Creek, Cal. (H. Doc. No. 849); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAWLEY: A bill (H. R. 9047) authorizing the Coos Bay, Umpqua, and Siuslaw Tribes of Indians, in the State of Oregon, to submit claims to the Court of Claims; to the Committee on Claims.

Also, a bill (H. R. 9048) authorizing and directing the Postmaster General to prepare cancellation stamps for certain post offices; to the Committee on the Post Office and Post Roads.

By Mr. GILLETT: A bill (H. R. 9049) to regulate the sale of gasoline; to the Committee on the Judiciary.

By Mr. STEPHENS of Mississippi: A bill (H. R. 9050) to authorize the Secretary of War to grant furloughs without pay and allowance to enlisted men of the Army of the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 9051) authorizing the Secretary of the Interior to pay and to distribute the balance now in the Treasury to the credit of the Alsea and other Indians on the Siletz Reservation; to the Committee on Indian Affairs.

By Mr. GANDY: A bill (H. R. 9052) to provide that service in the Mexican border service, in the precautionary-measures service, and in the present war prior to the date of the proclamation of the President drafting National Guard into the Federal service by officers of the National Guard shall be counted in determining relative rank as between commissioned officers in the Army of the United States; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 9053) to survey, acquire, construct, and maintain a system of national defense and military highways and post roads in the States of Washington, Oregon, and California, to protect the Pacific coast of the United States from invasion by any alien enemy with laterals, and for other purposes; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919; committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

By Mr. MORGAN: A bill (H. R. 9055) authorizing the Ponca Tribe of Indians, residing in Oklahoma and Nebraska, to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. CARY: A joint resolution (H. J. Res. 220) for the purpose of promoting efficiency, for the utilization of the resources and the water power of the United States, for lessening the expenses of the war, for the saving of fuel and providing for the employment of the power of the Great Falls of the Potomac River above Washington, D. C., and to make possible the utilization thereof; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 9056) granting an increase of pension to Lewis C. Crowl; to the Committee on Invalid Pensions.

By Mr. VENABLE: A bill (H. R. 9057) granting an increase of pension to James E. Upham; to the Committee on Invalid Pensions.

By Mr. BROWNE: A bill (H. R. 9058) granting an increase of pension to Austin A. Bierce; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 9059) granting an increase of pension to George Tanner; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 9060) granting a pension to John Iverson; to the Committee on Pensions.

By Mr. CLASSON: A bill (H. R. 9061) for the relief of Jonas Archiquette; to the Committee on Claims.

By Mr. CURRY of California: A bill (H. R. 9062) granting a pension to James Gould; to the Committee on Pensions.

By Mr. DILLON: A bill (H. R. 9063) granting an increase of pension to Thomas McAndrews; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 9064) granting an increase of pension to Melville C. Sullivan; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 9065) granting an increase of pension to Sarah J. Creighton; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 9066) for the relief of Marion H. Henderson; to the Committee on Claims.

By Mr. KRAUS: A bill (H. R. 9067) granting an increase of pension to Paul L. Bahr; to the Committee on Pensions.

Also, a bill (H. R. 9068) granting a pension to Guido Geiser; to the Committee on Pensions.

Also, a bill (H. R. 9069) granting authority, on certain conditions, to the Secretary of the Navy to reinstate Armour Simpson Heffley in the Marine Corps; to the Committee on Naval Affairs.

By Mr. LITTLEPAGE: A bill (H. R. 9070) granting an increase of pension to Charles A. Young; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 9071) to correct the military record of Adam B. Ackerman; to the Committee on Military Affairs.

Also, a bill (H. R. 9072) to correct the military record of William Mullally, and for an honorable discharge, and to remove the charge of desertion; to the Committee on Military Affairs.

By Mr. NICHOLS of Michigan: A bill (H. R. 9073) granting an increase of pension to E. Anna McGrath; to the Committee on Pensions.

Also, a bill (H. R. 9074) granting a pension to John A. Falvey; to the Committee on Pensions.

By Mr. REED: A bill (H. R. 9075) granting a pension to Arzanna Nesbitt; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9076) granting an increase of pension to John M. Pearson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9077) for the relief of Rufus J. Hoke; to the Committee on Military Affairs.

By Mr. SHOUSE: A bill (H. R. 9078) granting a pension to Maggie A. Skinner; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 9079) for the relief of Jabez Lumbert; to the Committee on Military Affairs.

By Mr. STEPHENS of Nebraska: A bill (H. R. 9080) granting an increase of pension to George D. Mayes; to the Committee on Pensions.

Also, a bill (H. R. 9081) granting an increase of pension to Eugene B. Justice; to the Committee on Pensions.

Also, a bill (H. R. 9082) granting a pension to Mary Hamilton; to the Committee on Pensions.

Also, a bill (H. R. 9083) granting a pension to William Wilson; to the Committee on Pensions.

Also, a bill (H. R. 9084) granting a pension to Harry N. Gates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9085) to grant a gold medal to Burlington Cunningham for conspicuous bravery; to the Committee on Military Affairs.

By Mr. VENABLE: A bill (H. R. 9086) granting an increase of pension to Peter L. Chapman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9087) granting an increase of pension to W. R. Tingley; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 9088) granting an increase of pension to John P. Belt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9089) granting an increase of pension to John W. Harvey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9090) granting an increase of pension to Jesse M. Reed; to the Committee on Pensions.

Also, a bill (H. R. 9091) granting a pension to Thomas J. Krutsinger; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Resolution of the Federal Employees' Union, No. 2, protesting against the proposed repeal of the act of August 24, 1912, giving employees of the Postal Department the right to organize unions in affiliation with other like organizations; to the Committee on the Post Office and Post Roads.

Also, petition of I. T. Cross, Seattle, Wash., asking for an increase of pensions to those veterans of the Civil War not in Soldiers' Homes to $50 per month; to the Committee on Invalid Pensions.

Also, petition of G. T. Vermillion and Bruce Whitney, of Milwaukee, Wis., objecting to the wording of the section of the war-revenue bill relating to insurance, and suggesting an amendment; to the Committee on Ways and Means.

Also, petition of R. N. Hickman desiring a bill passed allowing him the right to operate motor omnibuses over certain streets and highways in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CLARK of Pennsylvania: Petition of John Walsh, James Bennett, Lester Shannon, and 19 other citizens of Erie, Pa., praying for the passage of H. R. 7995, for the preservation of the *Niagara*, Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. CURRY of California: Resolution of the consolidated Chamber of Commerce of Sacramento, Cal., denouncing disloyalty to the United States and sabotage; to the Committee on the Judiciary.

Also, resolution of the Napa County (Cal.) Farm Bureau, regarding the importation of and protesting against Chinese coolie farm labor in the United States; to the Committee on Immigration and Naturalization.

By Mr. ESCH: Resolution of the National Council of the Sons and Daughters of Liberty, favoring House bill 5667, to provide for the deportation of certain aliens, and for other purposes; to the Committee on Immigration and Naturalization.

Also, resolution of the Farmers' Education and Cooperative Union of America, adopted at its annual meeting at Jonesboro, Ark., protesting against any form of universal military training; to the Committee on Military Affairs.

Also, resolution of the board of representatives of Federal Employees' Union No. 2, protesting against the repeal of the law giving postal employees the right to organize; to the Committee on the Post Office and Post Roads.

Also, resolution of the faculty of the University of Wisconsin, pledging unswerving and enthusiastic support to President Wilson's program for securing world peace and for establishing the rights of nations, great and small; to the Committee on Foreign Affairs.

By Mr. HILLIARD: Petitions of Louis A. Zeitlin and nine others, all of Denver, Colo., urging the passage of the Keating bill granting increases of pay to Government employees; to the Committee on Appropriations.

Also, memorial of the Denver Trades and Labor Assembly, of Denver, Colo., opposing legislation removing restrictions from the employment of child labor; to the Committee on Labor.

By Mr. STINESS: Petition of the Rotary Club of Providence, R. I., favoring the Chamberlain universal military service bill; to the Committee on Military Affairs.

By Mr. TIMBERLAKE: Resolution adopted by the United Presbyterian Church at Fort Morgan, Colo., protesting against the increase of postal rates on periodicals; to the Committee on Ways and Means.

By Mr. VARE: Petition of members of Federal Employees Union in Bureau of Animal Industry, Philadelphia, Pa., supporting the Keating bill for increase of salaries; to the Committee on Appropriations.

By Mr. YOUNG of North Dakota: Resolution of the campaign and financial appeals committee of Minot, N. Dak., recommending that the recreation of the men in camps and cantonments be placed under military control and that the mental and moral needs of the men be as carefully looked after as the physical; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 22, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father of life and light and love; Dispenser of every good gift; let Thy blessing descend upon us, to clarify our minds, mellow our hearts and make us strong for the duties before us.

That we may control our passions, especially that unruly member, the tongue; that we give no offense to our brethren, striving to do unto others, as we would be done by; that we may possess our souls in patience and in peace. In the Spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. STEVENSON was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of House bill 11188, Sixty-fourth Congress, for the relief of heirs of J. H. and Angie Taylor, no adverse report having been made thereon.

CHANGE OF REFERENCE.

Mr. SULZER. Mr. Speaker, House bill 8419, introduced January 7, providing for the extension of the provisions and benefits of the Federal farm-loan act to the Territory of Alaska, was referred to the Committee on Territories. Agreeable to the chairman of that committee, I ask unanimous consent that this bill be rereferred to the Committee on Banking and Currency.

The SPEAKER. What is it about?

Mr. SULZER. It provides for the extension of the Federal farm-loan act to the Territory of Alaska.

The SPEAKER. Without objection, it will be so rereferred. There was no objection.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8696, the Indian appropriation bill.

Mr. LONDON. Mr. Speaker, I make the point of order—I was on my feet to make the point of order——

The SPEAKER. There is no earthly objection to the gentleman making the point of order. What has the gentleman to say?

Mr. LONDON. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present, and there is none. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on the House going into the Committee of the Whole House on the state of the Union.

The question was taken; and there were—yeas 344, nays 0, not voting 83, as follows:

YEAS—344.

Alexander	Blanton	Candler, Miss.	Cooper, W. Va.
Almon	Booher	Cantrill	Cooper, Wis.
Anderson	Borland	Caraway	Copley
Ashbrook	Bowers	Carew	Cox
Aswell	Brand	Carter, Mass.	Cramton
Austin	Britten	Carter, Okla.	Crisp
Ayres	Brodbeck	Cary	Crosser
Bacharach	Browne	Chandler, N. Y.	Dallinger
Baer	Browning	Chandler, Okla.	Darrow
Bankhead	Brumbaugh	Clark, Fla.	Davis
Barkley	Burnett	Clark, Pa.	Decker
Barnhart	Burroughs	Classon	Denison
Beakes	Butler	Claypool	Dent
Bell	Byrnes, S. C.	Coady	Denton
Beshlin	Byrns, Tenn.	Collier	Dewalt
Black	Caldwell	Connally, Tex.	Dickinson
Blackmon	Campbell, Kans.	Connelly, Kans.	Dies
Bland	Campbell, Pa.	Cooper, Ohio	Dill

Dillon	Hollingsworth	Miller, Minn.	Sisson
Dixon	Houston	Mondell	Slayden
Dominick	Huddleston	Montague	Slemp
Doolittle	Hull, Iowa	Moon	Sloan
Doughton	Hull, Tenn.	Moore, Pa.	Small
Dowell	Husted	Moores, Ind.	Smith, Idaho
Drane	Hutchinson	Morgan	Smith, Mich.
Dunn	Igoe	Morin	Smith, C. B.
Dupré	Ireland	Mott	Snell
Dyer	Jacoway	Nelson	Snook
Eagle	James	Nicholls, S. C.	Snyder
Edmonds	Johnson, Ky.	Nolan	Stafford
Elliott	Johnson, Wash.	Norton	Steagall
Ellsworth	Jones, Tex.	Oldfield	Stedman
Elston	Jones, Va.	Oliver, Ala.	Steele
Emerson	Juul	Oliver, N. Y.	Steenerson
Esch	Kahn	Osborne	Stephens, Miss.
Fairchild, B. L.	Kearns	Overmyer	Stephens, Nebr.
Fairchild, G. W.	Keating	Overstreet	Sterling, Ill.
Fairfield	Kehoe	Padgett	Sterling, Pa.
Farr	Kelley, Mich.	Park	Stevenson
Ferris	Kelly, Pa.	Parker, N. J.	Stiness
Fess	Kennedy, Iowa	Peters	Strong
Fields	Kennedy, R. I.	Phelan	Sumners
Fisher	Kettner	Platt	Sweet
Flood	Kincheloe	Polk	Switzer
Focht	King	Porter	Talbott
Fordney	Kinkaid	Pou	Taylor, Ark.
Foss	Kitchin	Powers	Taylor, Colo.
Foster	Knutson	Pratt	Temple
Frear	Kraus	Purnell	Thomas
Freeman	Kreider	Quin	Thompson
French	La Follette	Rainey	Tillman
Fuller, Ill.	Langley	Raker	Tilson
Gallagher	Larsen	Ramseyer	Timberlake
Gard	Lazaro	Randall	Tinkham
Garner	Lea, Cal.	Rankin	Towner
Garrett, Tenn.	Lee, Ga.	Rayburn	Treadway
Gillett	Lehlbach	Reavis	Venable
Glass	Lenroot	Reed	Vestal
Good	Lesher	Robbins	Vinson
Goodall	Linthicum	Roberts	Voigt
Goodwin, Ark.	Little	Robinson	Volstead
Gordon	Littlepage	Rodenberg	Waldow
Graham, Ill.	Lobeck	Rogers	Walker
Gray, Ala.	London	Romjue	Walsh
Green, Iowa	Lonergan	Rose	Walton
Greene, Mass.	Lufkin	Rouse	Ward
Greene, Vt.	Lundeen	Rowe	Wason
Hadley	Lunn	Rubey	Watkins
Hamilton, Mich.	McAndrews	Rucker	Watson, Pa.
Hamlin	McArthur	Russell	Watson, Va.
Hardy	McClintic	Sanders, Ind.	Weaver
Harrison, Miss.	McCulloch	Sanford	Webb
Harrison, Va.	McFadden	Saunders, Va.	Welling
Hastings	McKenzie	Schall	Welty
Haugen	McKeown	Scott, Iowa	Whaley
Hawley	McKinley	Scott, Mich.	Wheeler
Hayden	McLaughlin, Mich.	Sears	White, Me.
Hayes	McLemore	Sells	White, Ohio
Heaton	Madden	Shackleford	Williams
Heflin	Magee	Shallenberger	Wilson, Ill.
Helm	Mansfield	Sherley	Wilson, Tex.
Helvering	Mapes	Sherwood	Wingo
Hensley	Martin	Shouse	Wise
Hersey	Mason	Siegel	Woods, Iowa
Hicks	Mays	Sims	Young, N. Dak.
Hilliard	Merritt	Sinnott	Young, Tex.

NOT VOTING—83.

Anthony	Francis	Johnson, S. Dak.	Ramsey
Buchanan	Fuller, Mass.	Key, Ohio	Riordan
Cannon	Gallivan	Kiess, Pa.	Rowland
Capstick	Gandy	LaGuardia	Sabath
Carlin	Garland	Lever	Sanders, La.
Church	Garrett, Tex.	Longworth	Sanders, N. Y.
Costello	Glynn	McCormick	Scott, Pa.
Crago	Godwin, N. C.	McLaughlin, Pa.	Scully
Currie, Mich.	Gould	Maher	Smith, T. F.
Curry, Cal.	Graham, Pa.	Mann	Sullivan
Dale, N. Y.	Gray, N. J.	Meeker	Swift
Dale, Vt.	Gregg	Miller, Wash.	Tague
Davidson	Griest	Mudd	Templeton
Dempsey	Hamill	Neely	Van Dyke
Dooling	Hamilton, N. Y.	Nichols, Mich.	Vare
Doremus	Haskell	Olney	Wilson, La.
Drukker	Heintz	O'Shaunessy	Winslow
Eagan	Holland	Paige	Wood, Ind.
Estopinal	Hood	Parker, N. Y.	Woodyard
Evans	Howard	Price	Zihlman
Flynn	Humphreys	Ragsdale	

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. DOREMUS with Mr. CANNON.

Mr. DALE of New York with Mr. GLYNN.

Mr. SCULLY with Mr. ZIHLMAN.

Mr. GARRETT of Texas with Mr. CRAGO.

Mr. EGAN with Mr. GRAY of New Jersey.

Mr. MAHER with Mr. CURRIE of Michigan.

Mr. HUMPHREYS with Mr. LONGWORTH.

Mr. BUCHANAN with Mr. WOODYARD.

Mr. GALLIVAN with Mr. PARKER of New York.

Mr. PRICE with Mr. WOOD of Indiana.

Mr. DOOLING with Mr. MCCORMICK.

Mr. RAGSDALE with Mr. HASKELL.

Mr. EVANS with Mr. DALE of Vermont.

Mr. HAMILL with Mr. RAMSEY.

Mr. RIORDAN with Mr. COSTELLO.

Mr. HOLLAND with Mr. GARLAND.

Mr. GANDY with Mr. ROWLAND.

Mr. THOMAS F. SMITH with Mr. DAVIDSON.

Mr. SABATH with Mr. VARE.

Mr. CHURCH with Mr. GOULD.

Mr. SANDERS of Louisiana with Mr. SANDERS of New York.

Mr. GREGG with Mr. SWIFT.

Mr. SULLIVAN with Mr. ANTHONY.

Mr. CARLIN with Mr. GRIEST.

Mr. O'SHAUNESSY with Mr. PAIGE.

Mr. HOWARD with Mr. GRAHAM of Pennsylvania.

Mr. KEY of Ohio with Mr. MUDD.

Mr. TAGUE with Mr. CURRY of California.

Mr. ESTOPINAL with Mr. KIESS of Pennsylvania.

Mr. NEELY with Mr. FRANCIS.

Mr. GODWIN of North Carolina with Mr. MILLER of Washington.

Mr. LEVER with Mr. DEMPSEY.

Mr. HOOD with Mr. MEEKER.

Mr. OLNEY with Mr. TEMPLETON.

Mr. FLYNN with Mr. DRUKKER.

Mr. VAN DYKE with Mr. NICHOLS of Michigan.

Mr. WILSON of Louisiana with Mr. WINSLOW.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8696, the Indian appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8696, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 8696) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919.

The CHAIRMAN. The recollection of the Chair is that at the time the committee rose yesterday a point of order had been reserved against the paragraph from lines 7 to 10, on page 29.

Mr. CARTER of Oklahoma. That is correct.

The CHAIRMAN. The gentleman from Wisconsin reserved the point of order.

Mr. STAFFORD. Mr. Chairman, this, I believe, is the largest appropriation that is carried in this bill to provide for construction work on an irrigation system. Seven hundred and fifty thousand dollars is appropriated to provide for the continuation of the construction work there. The hearings disclose that up to the present time, I believe, $2,500,000 has been expended on this project, and that from the estimates $3,500,000 will be required before it will be completed. I wish to inquire what is the status as to the condition of this project other than that which may be arrived at by comparing the amount that has heretofore been expended with the amount that is estimated will be required in the future, and how much of the land is under cultivation as a result of the $2,500,000 that has been appropriated in the past, and how much additional land will be cultivated when this $750,000, which we are now appropriating, will be exhausted?

Mr. HAYDEN. The area of irrigable land under the completed project will be 152,000 acres. The area of land under constructed works at the present time is 63,000 acres. The area actually irrigated is 5,000 acres.

Mr. STAFFORD. Why is there such a small portion of the land that is capable of irrigation that is actually being cultivated?

Mr. HAYDEN. The Indians who live on this project were not originally engaged in agriculture. They were hunters and stockmen and not accustomed to irrigation. For that reason it has taken more time to induce them to become farmers than in the case of the Indians who reside in the Southwestern part of the United States.

Mr. STAFFORD. Is this rather such an experiment as we had illustrated in Wisconsin, which I referred to yesterday, where the Government spent $2,000,000 of the trust fund of the Menominee Indians in the endeavor to get the Indians to work.

Mr. HAYDEN. The Indian Office is now adopting a policy that where allotments are made and the Indians are not ready or willing to go upon the lands thus given to them that such allotments are leased to anyone who cares to rent the land. I

am informed by the Indian Office that there is now a great demand for land under the Montana projects. The commissioner states that he is very confident that all the land under constructed works capable of irrigation will be put in cultivation in the near future. This is due to the great increase in the price of grain and other foodstuffs that can be grown in Montana. I am satisfied that under the improved conditions a very much larger area will be placed in cultivation under this and the other Montana projects than has ever been irrigated heretofore.

Miss RANKIN. Will the gentleman from Wisconsin yield?

Mr. STAFFORD. Certainly; I will yield to the lady from Montana.

Miss RANKIN. I wish to state that one of the reasons why such a large amount is appropriated and such a small amount of water has been used on the land is because a great amount of money was required for initial construction, and the money appropriated in this bill is for laterals which will irrigate more land. The farmers in that district have been under the impression that they could raise crops without irrigation. Last year proved it would be better to have irrigation if they raised such crops as sugar beets, fruits, and so forth. And another reason is that they have not had the capital to pay for the water. Every year more water is being used, and undoubtedly very much more will be used next year than has been used in the past.

Mr. STAFFORD. Will the lady yield? As I understand, there is some irrigated land available for cultivation that has not been utilized?

Miss RANKIN. It has been utilized, but without irrigation. They have used dry-land methods in farming these lands.

Mr. STAFFORD. If there are large acreages available at the present time without the expenditure of this $750,000 additional, which, as the lady states, is for the construction of laterals, what is the present need for this appropriation, when we should not expend such large amounts unless absolutely necessary?

Miss RANKIN. Because the crops were an entire failure last year by reason of the fact that they did not use irrigation, and it is proven that they can not raise certain crops every year unless they have irrigation.

Mr. STAFFORD. The lady does not grasp the direct point I am trying to seek information upon, and that is whether there is sufficient land now capable of irrigation——

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. STAFFORD. Capable of irrigation, that could be utilized next year without the expenditure of this $750,000?

Miss RANKIN. The $750,000 is merely a part of the amount which will have to be appropriated before the entire project is completed, unless the initial investment is wasted. This project was planned on a large scale, and in order to complete it we will have to appropriate each year the necessary amount to continue the work or the entire expenditure will be wasted.

Mr. STAFFORD. Will the lady kindly elaborate on the idea as to the reason why the prior appropriations will be wasted if this $750,000 is not appropriated this year?

Miss RANKIN. The project, of course, will have to be completed. Otherwise you will have such a large part of the project under construction that is not finished and, therefore, can not be used.

Mr. STAFFORD. I presume that the lady from Montana is personally acquainted with this project. I wish to inquire whether there are many Indians working this land at the present time?

Miss RANKIN. There are a great many more white people than Indians, but the Indians are working these lands. The Indian funds will be reimbursed when the farmers pay for the water, and the sooner the water is put on the land and used the quicker the Government will be reimbursed for this expenditure.

Mr. STAFFORD. Then I assume from the statement of the lady from Montana that this is virtually an appropriation for the benefit of the whites of Montana and of other States coming there rather than for the benefit of the Indians?

Miss RANKIN. There are 2,400 Indians there. About 800 have been allotted and the others are probably minors. The allotted Indians are working their land or leasing it. All that the white men do on the land will help the Indians, for improvements on one farm tend to increase the value of all the farms in the community. By using the water from this project the white men will hasten the time when this money will be returned to the Indian funds.

Mr. STAFFORD. How much of the $2,500,000 that has heretofore been appropriated and expended on this project has been returned to the Indian fund up to the present time?

Miss RANKIN. Practically none up to this time.

Mr. STAFFORD. We have been appropriating annually on an average for several years past $750,000. The lady says that the prior $2,500,000 will be wasted unless we continue to appropriate this $750,000, yet none of the funds is being returned to the Indian fund, even though we keep on appropriating yearly this large amount of $750,000.

Mr. HAYDEN. Mr. Chairman, the lady from Montana is correct in her statement that this project should be promptly completed. There is no use wasting time and money by dawdling along in the construction of these projects. We tried that for a couple of years, and cut the appropriation down to $200,000 or $300,000, and the funds were largely consumed by overhead charges. We made an appropriation last year of $750,000, and agreed that we would make that sum continuous until the entire project was completed. It will take three or four years more to complete it.

Mr. STAFFORD. Notwithstanding the fact that there is sufficient irrigated land on the project to-day that has not been utilized?

Mr. HAYDEN. Reservoirs, diversion dams, and main canals must first be built, but the construction must proceed until the water is actually brought to the land before any kind of a crop can be grown.

Now, Mr. Chairman, I want to read a letter written by Mr. EVANS, the Congressman from Montana, on this very subject. It is very brief:

MY DEAR COLLEAGUE: For the past 8 or 10 years the Government has been engaged in the construction of irrigation projects on three Indian reservation in the State of Montana, namely, the Flathead, the Blackfeet, and Fort Peck Reservations. The appropriations for this work have annually been carried in the Indian appropriation bill made on the recommendations of the Secretary of the Interior.

I am interested in all these items, but especially for the Flathead project. There is no more meritorious project in America.

I hope the gentleman from Wisconsin will give me his attention. I am reading this letter for his benefit.

Mr. STAFFORD. I am giving the gentleman as close attenton as I gave to the lady from Montana.

Mr. NORTON. The gentleman from Montana states that there is not a more meritorious project than the Flathead project. Let me interpolate right here this fact, so far as the Indians are concerned: If it is intended to be for the benefit——

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. HAYDEN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Arizona asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. NORTON. Now, will the gentleman yield?

Mr. HAYDEN. Yes.

Mr. NORTON. Last year on this reservation 27 Indians were employed in irrigation. That was the amount of farming done by the Indians. And you will observe that that report has not been made in our hearings by the department or by the Bureau of Indian Affairs on this project as it has been made on other irrigation projects in Arizona and Wyoming and other States. That has been left out. That is the acreage used by the Indians. You will find in the commissioner's report that it states 969 acres were used last year.

Mr. HAYDEN. I gave the gentleman the reason for that a moment ago.

Mr. NORTON. It is also stated that the value of the crops raised by the Indians is $15,223. Now, this project clearly is not so much an Indian project as it is a white man's project.

Mr. HAYDEN. It is conceded that the lands to be irrigated under the project belong to both the white men and the Indians.

Mr. NORTON. Fifty thousand acres do not belong to the Indians at all.

Mr. HAYDEN. Let me go on with this letter from the gentleman from Montana [Mr. EVANS], who is confined to his home to-day by illness:

There is not a more meritorious project in America. The Government has expended approximately $3,000,000 on this project, and it will take about $3,000,000 to complete it. The Secretary of the Interior last year recommended the appropriation of $750,000, which was agreed to by both the House and Senate.

Ten thousand people are now on this land awaiting the completion of the project. The moneys are reimbursable, and the people on the land are willing to pay the price for the water. So in the end the Government will be at no expense in connection with the same.

The project is now about one-half constructed and should be entirely completed without unreasonable delay. So, under the circumstances, I ask when this matter comes before the House that you give it your support.

Very sincerely,

(Signed) J. M. EVANS.

Mr. STAFFORD. Will the gentleman explain when the Indian funds or the Government funds are going to be replenished as the result of these large appropriations yearly for this project, from which up to the present time nothing has been returned, when there are thousands of acres available for irrigation?

Mr. HAYDEN. The cost of the irrigation works chargeable to the Indians, under the terms of the general law, becomes a lien upon their lands. Whenever the trust period expires and the Indians sell the land, the money due to the United States must be repaid. With respect to the lands of the white men, the construction charge must be paid upon the same terms as under the ordinary reclamation project elsewhere, which is in 20 annual payments.

Mr. STAFFORD. As I understand from the explanation of the gentleman from Arizona, supplemented by that of the lady from Montana, this $750,000 is to be employed in building laterals to make utilizable additional land on the reservation?

Mr. HAYDEN. Yes; and the Commissioner of Indian Affairs says it is his purpose and confident expectation that in the coming season a large area of this land will be placed in crop. Much new planting is to be done this next spring.

Mr. STAFFORD. If there is no better showing next year of the land being utilized than is shown by the report this year, will the committee ask us to appropriate $750,000 every year, especially in these pinching times, for a project that is not being utilized?

Mr. HAYDEN. I am so confident that substantial progress will be made that that consideration does not worry me. The Government already having invested $2,500,000 on this work, which has brought the project halfway to completion, we should go on and finish the project. That is the only way to get results, but we can not hope for an extraordinary showing before the irrigation works are entirely completed.

Mr. STAFFORD. I agree that this will be a dead loss if it is stopped now, and this additional amount is necessary to avail themselves of the amount heretofore expended; but I do not think that it is advisable to continue to appropriate nearly a million dollars a year in the future, up to four millions, without the lands being utilized.

If the gentleman states that this land is going to be more utilized, or utilized at all—which it has not been in the past—of course I am willing to allow the $750,000 to continue to be appropriated for this year, but a better showing ought to be made in these hard, pinched times.

Mr. HAYDEN. Mr. Chairman, it has been demonstrated on every irrigation project in the United States that more land is being placed under cultivation this year than ever before.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order on the showing made by the lady from Montana [Miss RANKIN], supplemented by the additional information furnished by the gentleman from Arizona [Mr. HAYDEN].

Mr. MONDELL. Mr. Chairman, if I may have the attention of the gentleman from Wisconsin, who desires information with regard to this project, I would say I am one of the very few Members of Congress who are familiar with the project, who have been over the land and who know the conditions. It is a very excellent project——

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. MONDELL. Yes.

Mr. STAFFORD. The gentleman does not mean to say that he is better acquainted with this project than the lady from Montana, who has visited it?

Mr. MONDELL. By no means. I said I was one of the few. Perhaps I should have stated it more accurately by saying that outside of those who so ably represent Montana, perhaps I have more knowledge of the facts than most other Members. It is a very excellent irrigation project. There have been conditions, not at all related to the merits of the project, which have prevented actual irrigation as rapidly as the lands were brought under water; but this is true, that of the acreage that the report of the department indicates as irrigable there is, I understand, a considerable acreage that is not actually irrigable by reason of the fact that the laterals have not all been extended to these lands. The development there has been regrettably slow, but eventually the project will, I believe, come out splendidly, and it will add a very large area of very good land to the productive acreage of Montana.

Mr. STAFFORD. I have heard the word "eventually" used with reference to some other projects coming from the Northwest. Can the gentleman define that more definitely?

Mr. MONDELL. Well, in the near future.

Mr. MILLER of Minnesota. Is this a project that requires the construction of wells to irrigate table-lands higher up?

Mr. MONDELL. It is not that sort of a project, if such project there be anywhere. The water for irrigation is derived from running streams and carried to the land by gravity.

Mr. MILLER of Minnesota. I did not use the exact language I had in mind. I did not mean wells. I meant pumps. Is it necessary in the completion of this project to pump water to higher levels than nature would permit the water to reach?

Mr. MONDELL. I believe it is entirely a gravity system.

Mr. MILLER of Minnesota. Now, is the gentleman quite sure about that?

Mr. MONDELL. I am reasonably sure about that. If there is any pumping contemplated there it must be to a minor extent compared to the project as a whole. There may be such, but in the main it is a gravity project.

Mr. MILLER of Minnesota. Is this also a project which is one-tenth Indian and nine-tenths white man?

Mr. MONDELL. No; that is not exactly true; but even if that were true——

Mr. MILLER of Minnesota. It was true five years ago, when I was on the committee.

Mr. MONDELL. Even if that were true, if these lands can be irrigated at a reasonable cost and brought under cultivation it is proper that it should be done, even though in some instances a white man rather than an Indian may hold the plow.

Mr. MILLER of Minnesota. I am going to vote for it if it comes to a vote, but I think we ought to know what we are voting on.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER of Oklahoma. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in one minute.

Mr. MILLER of Minnesota. Make it three minutes.

Mr. CARTER of Oklahoma. Three minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that all debate on this paragraph and amendments thereto close in three minutes. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Mr. Chairman, I am glad that the gentleman from Wyoming [Mr. MONDELL] has enlightened the House on the exact merits of this proposition. This is one of the items that is silver haired and hoary, coming up each year when this bill comes up. It is a project that I hope will be completed some day. I really believe it is meritorious, and I really believe this appropriation ought to be made. But as a matter of fact, we have wasted an awful lot of money on the project. One thing that induces me to vote for it is that some few Indians will be benefited, and without this appropriation I doubt if the whites could carry through a large project of this character. And one further——

Mr. MONDELL. Will the gentleman yield right there?

Mr. MILLER of Minnesota. In just a second. One further reason that induces me to favor it—and I always have favored the project, although at first somewhat doubtfully—is that it will develop a very large water power, as I am informed.

Mr. MONDELL. The gentleman, of course, is aware of the fact that where the lands of white settlers are irrigated, they pay the cost.

Mr. MILLER of Minnesota. It will be reimbursable. It is going to be paid for by them. I understand that, of course, and on the whole it is a very meritorious project, and one that I hope will be completed some day.

Mr. TILSON. "In the near future."

Mr. MILLER of Minnesota. Oh, no; I have no such hope.

The Clerk read as follows:

For continuing construction of the irrigation systems on the Blackfeet Indian Reservation, in Montana, $75,000 (reimbursable), which shall be immediately available, and remain available until expended: *Provided*, That not to exceed $25,000 of applicable appropriations made for the Flathead, Blackfeet, and Fort Peck irrigation projects shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for official use upon the aforesaid irrigation projects: *Provided further*, That not to exceed $3,500 may be used for the purchase of horse-drawn passenger-carrying vehicles, and that not to exceed $4,000 may be used for the purchase of motor-propelled passenger-carrying vehicles.

Mr. STAFFORD. I reserve a point of order on the paragraph ending in line 3, page 30. This seems to be an unusual appropriation, certainly in one particular. Here we have a total appropriation authorized by the committee of $75,000.

Last year the appropriation carried under this item was $25,000. Of that appropriation last year, $15,000 was available for the maintenance, repair, and operation of motor-propelled and horse-drawn vehicles. Ten thousand dollars only of a $25,000 appropriation was for construction work on this Blackfeet Indian Reservation.

Mr. HAYDEN. If the gentleman will pardon me——

Mr. STAFFORD. This year, in time of stress and storm, we find them increasing the principal amount of appropriation to $75,000 and keeping up a corresponding pace of extravagant appropriation of $25,000 for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles.

Mr. HAYDEN. If the gentleman will pardon me——

Mr. STAFFORD. I think some explanation should be given to the committee, especially in these times, outside of what appears in the hearings, as to the need of one-third of an appropriation for carrying on irrigation work being used in conveyance by automobiles or horse-drawn vehicles on this Blackfeet Indian Reservation.

Mr. HAYDEN. If the gentleman will turn to the bill itself and read the proviso, he will note that the amount made available for the purchase of automobiles and horse-drawn vehicles—$25,000—may be taken, not from the $75,000 appropriated for the Blackfeet Indian Reservation alone, but also from the appropriations made for the Flathead and Fort Peck irrigation projects. So the appropriation for motor-propelled and horse-drawn vehicles is made available from the funds of all three of the projects.

Mr. STAFFORD. Can the gentleman inform the committee how much of this appropriation will be used for maintaining horse-drawn and motor-propelled vehicles on this reservation?

Mr. HAYDEN. I can not; all that I know is that it was said at the hearings that this increase was necessary.

Mr. STAFFORD. Here we have an instance of authorizing $25,000—$15,000 last year and $10,000 additional this year—and nothing on the manner of the expenditure.

Mr. HAYDEN. We inquired of the Assistant Commissioner of Indian Affairs, and he advised the committee that the Reclamation Service had asked for this change, and it was placed in the estimates at the request of that service. He had no information except that the reclamation officials reported that they needed more motor vehicles in order to properly care for the work on the three projects in Montana.

Mr. STAFFORD. Did the committee call the reclamation officials concerning the matter?

Mr. HAYDEN. The committee did not.

Mr. STAFFORD. Well, leaving that subject on which the committee has so much information and going to a subject on which I know the committee will furnish still more information, I wish to inquire what the status of the work is on this irrigation project for which last year $25,000 was appropriated and this year $75,000?

Mr. HAYDEN. During the last year 2,500 acres were actually irrigated.

Mr. STAFFORD. How much of these 2,500 acres are being cultivated by the Indians?

Mr. HAYDEN. I will refer the gentleman from Wisconsin to the gentleman from North Dakota [Mr. NORTON], who has the report of the Commissioner of Indian Affairs in his hand.

Mr. NORTON. The report states that 1,976 acres were cultivated by the Indians. The value of the crops raised last year was $24,563.

Mr. STAFFORD. Can the gentleman inform the committee how much up to the present time has been expended on this project? I notice that it is estimated that the additional cost of completing the project will be $2,540,000.

Mr. NORTON. The additional cost of completing the Blackfeet Reservation is $2,473,000. There has been expended $1,002,391.37. The estimated cost of construction is $39 an acre, and it is estimated that the average value of the land when irrigated will be $50 an acre.

Mr. STAFFORD. In that particular the gentleman has called attention to what the estimated cost per acre will be when it is completed as $39 and that the value of the land will be $50. Compared with other projects that difference is very small, indeed. We had instances of other projects where the difference between the cost and the value of the land was something like fourfold and some as much as fivefold. This seems to be rather a questionable project.

Mr. NORTON. I will say to the gentleman that the project is of this character. The Blackfeet Indian Reservation is a great grazing territory, particularly valuable for grazing. In the winter time it is necessary on that reservation to have feed to carry the cattle over, and it has been purposed by the Government to provide winter feed from alfalfa raised on irrigated land. The land on this project is now under the ditch, under water, and is being used mainly for raising grasses, alfalfa chiefly. This appropriation is largely for maintenance. It is not contemplated at the present time to expend additional moneys in the construction work that will ultimately cost $2,473,000.

Mr. HAYDEN. The assistant commissioner at the hearings said that the principal effort next year would be to construct laterals so as to deliver the water to the lands of the project, thus providing for an immediate production of crops.

Mr. STAFFORD. But you can not get very much in the construction of laterals for $75,000.

Mr. HAYDEN. The ordinary lateral ditch is not very wide, and will not cost a great deal. A good many laterals can be built for that amount.

Mr. STAFFORD. What has been the product of the irrigated land up to the present time as the result of the expenditure of the $1,200,000?

Mr. HAYDEN. The difficulty about obtaining detailed information upon all these matters is that the work of construction is being done by the Reclamation Service. The Indian Service merely comes before our committee and asks for the appropriation of whatever sums the Reclamation Service requests as necessary. When we had the hearings on these projects a few years ago we had the reclamation officials before the committee and they said that it was necessary to appropriate the money to carry on this work. In the rush of events this year we did not call upon the reclamation officials for direct information as we probably should and so we can not give the information desired by the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Chairman, this is an infinitely small amount compared to the $750,000 which was appropriated for the Flathead Indian Reservation. I am sorry that the committee has not more information to show the real results of the enormous amount that we have appropriated in the past. In this instance we have expended already a million and more dollars, and from the hearings very little has developed as to the results of that expenditure. In the Flathead the same way. We have no definite information as to what has been the result of the large appropriations that have been sunk in irrigation projects in these western reservations. I withdraw the point of order with the expectation that next year some definite information may be obtained.

The Clerk reads as follows:

SEC. 10. For support and education of 380 Indian pupils at the Indian school at Genoa, Nebr., including pay of superintendent, $78,000; for general repairs and improvements, $7,500; for purchase and erection of water tank (in addition to the amount of $2,400 appropriated for this purpose in the act of March 2, 1917, Public, No. 369, 64th Cong., p. 14), $3,000, to be immediately available; in all, $88,500.

Mr. HAYDEN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 30, line 19, strike out the words "Public, Numbered 369, 64th Congress, page 14," and insert in lieu thereof the words "39th Statutes at Large, page 980."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For the pay of one special attorney for the Pueblo Indians of New Mexico, to be designated by the Secretary of the Interior, and for necessary traveling expenses of said attorney, $2,000, or so much thereof as the Secretary of the Interior may deem necessary.

Mr. MILLER of Minnesota. Mr. Chairman, reserving the point of order on the paragraph just read, I would like to ask the chairman of the committee what the special facts are that require that the Pueblo Indians shall have an attorney?

Mr. WALTON. For consultation and advice in the matters in which they are interested.

Mr. MILLER of Minnesota. Can the gentleman from New Mexico inform us more specifically the kind of things these people need?

Mr. WALTON. With particular reference to Spanish land grant matters. He maintains an office in Albuquerque, in close proximity to the Pueblos, and they go there and consult with him, and he furnishes them advice in all legal matters in which they may be concerned.

Mr. MILLER of Minnesota. Under the general law it has been the custom for a tribe desiring the services of an attorney to make a contract with an attorney, and that contract would be supervised and approved by the Secretary of the Interior or it would not be effective. Here is a specific law saying that an attorney shall be secured by the Secretary of the Interior, a special attorney, who shall act for the Pueblo Indians of New Mexico. That is changing existing law. Can the gentleman inform the committee of the circumstances that justify that?

Mr. CARTER of Oklahoma. That has been carried in the bill, as the gentleman knows, for several years.

Mr. MILLER of Minnesota. But it is changing the general law.

Mr. CARTER of Oklahoma. That is true.

Mr. MILLER of Minnesota. And the policy with respect to attorneys.

Mr. CARTER of Oklahoma. That is true; but it has been carried in the bill for several years.

Mr. MILLER of Minnesota. Not several years, has it?

Mr. CARTER of Oklahoma. Yes.

Mr. MILLER of Minnesota. By "several" does the gentleman mean two?

Mr. CARTER of Oklahoma. I would say ever since I have been in Congress.

Mr. HAYDEN. If the gentleman will look on the hearings at pages 217 to 220, he will find a very elaborate justification for this item as submitted by the Indian Office.

Mr. MILLER of Minnesota. If there is need for an attorney there, why has not the Commissioner of Indian Affairs or the Secretary of the Interior had the foresight and the sense of responsibility that would have caused him to secure the services of an attorney without actually compelling him to?

Mr. CARTER of Oklahoma. This happened some 10 or 12 years ago. I do not know which Secretary of the Interior or which Commissioner of Indian Affairs it was that began the appointment of this attorney in this way.

Mr. MILLER of Minnesota. Does he have $2,000 worth of work to do every year?

Mr. HAYDEN. Mr. Chairman, the Commissioner of Indian Affairs sates in the hearings that there are constantly matters arising peculiar to that country, and they have had an attorney for the Pueblo Indians for a great many years. He says:

I suppose if the appropriation were not made that the Indians would continue to exist, and we probably would be able to get this legal work done through the office of the United States attorney. However, not long since we wrote a letter to the present Pueblo attorney, whose name is Edward D. Tittman, of Albuquerque, N. Mex., and he wrote to the office, giving a record of the work that he had been doing.

We inquired further as to why the United States attorney for New Mexico could not do this work for the Indians. We were advised that owing to the fact that New Mexico is on the Mexican border, where the Federal authorities are having trouble with smugglers and raiders, and because of the great amount of work in that very large State, he could not devote his time to the affairs of the Indians. The lands of the Pueblos are located in small tracts along the Rio Grande River and there are continuous disputes about boundaries due to conflicts with certain old Spanish land grants.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Is not the additional reason for this item appearing in the bill the fact that the salary is paid out of the Treasury of the United States?

Mr. HAYDEN. The Pueblo Indians have no tribal funds.

Mr. MILLER of Minnesota. They have no property?

Mr. HAYDEN. They have their little farms, which they irrigate from the Rio Grande.

Mr. MILLER of Minnesota. And the department O. K.'s this item?

Mr. HAYDEN. Yes; and strongly advocates its adoption.

Mr. MILLER of Minnesota. And at the same time it has a policy which prohibits Indians numbering many thousands, with property in the hands of the Government amounting to many, many millions of dollars, from paying out their own money under a contract approved by the Secretary, and having an attorney look after their affairs, when their interests are diametrically opposed to the interests of the United States. Here is an instance where they are willing that the United States Government shall pay $2,000 for an attorney for some Indians who have no property in the hands of the United States. This would look as though we were afraid to let Indian tribes have the benefit of counsel if we are managing their property and handling their affairs, lest may be our conduct has not been that of the good steward, and that the services of an attorney on their part might disclose some things that would not be nice for us to have known.

Mr. HAYDEN. I would like to suggest that perhaps the Indians of New Mexico are not so contentious as they are in the gentleman's State.

Mr. MILLER of Minnesota. Well, I have no objection to this, but I want to call attention to this extremely anomalous situation of many, many Indian tribes in the United States with millions of dollars in the Treasury, with claims against the Government by reason of the way their funds have been handled, not being allowed to have an attorney of their own to protect them as against the Government, and here is an instance, and the only of its kind, where the Government is willing to hire an attorney for some people who have no property in the hands of the Government.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For continuing work on the Indian highway extending from the Mesa Verde National Park to Gallup, N. Mex., on the Navajo and San Juan Reservations, $25,000; said sum to be reimbursed from any funds which are now or may hereafter be placed in the Treasury to the credit of said Indians: *Provided*, That such sums shall be expended under the direction of the Secretary of the Interior in such manner and at such times and places as he may deem proper, and in the employment of Indian labor as far as possible for the construction of said highway.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I notice that this bill extends the language for the utilization of this fund to the San Juan Reservation, in addition to the Navajo. The amount also is increased over that carried in last year's bill from $15,000 to $25,000. As I recall, it was estimated when this project was originated that $55,000 would be required to construct this road from Mesa Verde National Park to Gallup, N. Mex. I rose to inquire whether this additional language will provide for any different road than that which was originally contemplated or whether it is merely the same identical project as originally provided for?

Mr. WALTON. It is the original project estimated at a construction cost of $55,000, of which $30,000 has been expended, and the additional $25,000 will complete the project. The insertion of the words "San Juan" was made for the reason that there are two divisions of what is commonly known as the Navajo Reservation, the Navajo and the San Juan, and the road traverses both; and in order to clear up any uncertainty on that point and so it might be available for the purpose of the original project, if the gentleman——

Mr. STAFFORD. So it is not purposed to extend the road in any way?

Mr. WALTON. Not at all.

Mr. STAFFORD. It is kept within the original confines, as originally planned?

Mr. WALTON. If the gentleman will notice the statement of Mr. Wells on page 22 of the hearings——

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

Mr. TAYLOR of Colorado. Mr. Chairman, let me say just a few words further in relation to this Navajo Indian highway. When this Indian appropriation bill was before the House on December 11, 1916, I inserted in the RECORD, at pages 189 to 192, part 1, volume 54, quite an elaborate statement or a series of statements by the Secretary of the Interior and the Commissioner of Indian Affairs in reference to this highway. Both the Department of the Interior and the Bureau of Indian Affairs originally recommended the construction of this highway as expeditiously as possible, to furnish an outlet to the Navajo Indians in New Mexico, as well as to a certain extent for the white people of southwestern Colorado to the Santa Fe Railroad at the town of Gallup. This highway is of tremendous importance to the development of southwestern Colorado as well as for the development of the Navajo Reservation, and the reason that the Commissioner of Indian Affairs recommended the increase from $15,000, last year's appropriation, to $25,000 is in order that the road may be completed systematically and as soon as possible for the convenience of both the Indians and the white people and in order that they may have the benefit of it as well as convenience rather than for them to drag along for several years. The hearings before the committee is quite complete on this subject, and shows the manner in which the money has been heretofore expended and the necessities for finishing it at the earliest practicable date. The hearings, in part, is as follows:

Highway from Mesa Verde National Park to Gallup, N. Mex. (reimbursable).

Fiscal year ending June 30, 1918:	
Amount appropriated	$15,000.00
Fiscal year ended June 30, 1917:	
Amount appropriated	15,000.00
Amount expended	14,049.11
Unexpended balance	950.89

Analysis of expenditures:	
Regular employees	$1,335.00
Irregular employees	6,612.70
Traveling expenses	383.60
Transportation of supplies	2,311.84
Telegraphing and telephoning	.60
Heat, light, and power, including fuel	127.55
Equipment	2,057.18
Miscellaneous	1,220.64
Total	14,049.11

This is an appropriation for continuing the work on the Mesa Verde National Park-Gallup Highway across the Navajo Reservation, begun under the provision in the Indian appropriation act for the fiscal year 1917, making an appropriation of $15,000 to start the project. At that time it was estimated that approximately $55,000 would be needed to establish a first-class road over the reservation.

A road engineer was placed in charge of the work and a good showing made in actual construction work. On account of the lack of equipment, however, it was necessary to expend a good part of the initial appropriation in the purchase of such equipment. A second appropriation of $15,000 was made in the Indian appropriation act for the fiscal year 1918. On October 1, 1917, there remained approximately $7,000 available of the 1918 appropriation. The balance will be expended by the end of the fiscal year.

The grading and filling and the construction of the culverts and bridges have been completed with the exception of about 3 miles between the southern reservation line and Tohatchi, a distance of about 15 miles, and for a distance of about 8 miles beyond that, leaving about 17 miles still to be completed on the portion of the road estimated for; that is, on the Navajo Reservation under the supervision of Supt. Paquette, designated as the "Navajo Reservation." It was considered that $30,000 of the estimated cost of $55,000 for the first 40 miles of the road would be sufficient for the preparation of the roadbed, the remaining $25,000 for finishing the surface. This has been accomplished in so far as could be with the equipment available. No heavy road-working machinery has been purchased. All of the work of grading has been done with light Indian teams and labor. It is considered that a remarkable amount of work has been accomplished, considering the handicap under which it was performed, and a very large portion of it is being used even in its unfinished condition. It is estimated that $25,000 will complete this highway within the "Navajo" jurisdiction, and, in view of the importance of finishing the project at the earliest practicable date, it is urgently desired that this sum be allowed in order that work on the project may proceed to an early completion and continued use of all available facilities.

Mr. STAFFORD. I recall the gentleman from Colorado was sponsor for this proposition.

Mr. TAYLOR of Colorado. Yes. I introduced the original bill for this highway, and I guess I am entitled to the distinction of being the author of the proposition, and it will afford me a great deal of personal gratification when the highway is completed because the railroad facilities for the white people in the extreme southwestern part of Colorado are very limited, the freight rates high, and the accommodations unsatisfactory, and the people from that portion of our State have for many years been looking forward to the time when they could have a good auto-truck highway from that country down to Gallup, N. Mex., where they could connect with the main line of the Santa Fe Railroad. And at the same time, it will be directly and primarily a benefit to the Navajo Indians and open up and furnish them an outlet to their reservation, which is, I guess, the largest in the United States, being about 9,000,000 acres, and most of it valuable land and a considerable portion of it containing large and valuable deposits of coal. Incidentally, it will also help the Ute Indians somewhat in Colorado, and I am very glad to see this sum of $25,000 appropriated to complete the highway.

Mr. STAFFORD. My query was directed to ascertain whether the change of phraseology meant an extension of the project or whether it was confined to the original idea.

Mr. TAYLOR of Colorado. It is the same project exactly.

Mr. STAFFORD. I withdraw the reservation.

The Clerk read as follows:

The proviso of section 1 of the act of March 4, 1907 (34th Stat. L., 1413), relating to the expenditure of proceeds derived from the sale of timber on the Jicarilla Reservation, is hereby amended so as to authorize the Secretary of the Interior to expend said proceeds with the consent of the allottes, to be obtained in such manner as he may prescribe, in the purchase of live stock, seeds, agricultural equipment, and for other community or individual purposes beneficial to the Indians belonging to and having rights as members of said tribe of Indians.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. Here is an item where we are changing existing law, not only changing existing law but perhaps invading vested rights of Indians who have already received their allotment. As I understand this proposal, it is to appropriate some property of these Indians under their individual allotment without their consent and to utilize the fund that may arise from the sale of the timber on their allotted land for the benefit, perhaps, of these individual allottees, and also possibly for the benefit not of the individual allottees but for the benefit of the tribe of Indians living on this reservation. I think some explanation should be given as to the power of Congress, if my statement of facts is correct, to invade the vested right of an individual Indian who has already received his allotment by appropriating the timber on his individual land for the benefit of the community of Indians.

Mr. HAYDEN rose.

Mr. STAFFORD. If I am in error as to my position I wish the gentleman from Arizona would correct me.

Mr. HAYDEN. A very close legal question is raised by this legislation. The facts are that the timber from the allotted lands on this reservation was sold and placed in a fund, which is now in the Treasury to the credit of the Jicarilla Indians. No record was kept of the amount of timber cut on any individual Indian's allotment, so that there is no method whereby the money could be paid out to particular Indians.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. HAYDEN. Yes.

Mr. STAFFORD. These Indians could have an accounting of the timber that was taken off their respective allotments?

Mr. HAYDEN. But no accurate record was kept, so we were informed.

Mr. STAFFORD. Even if no record was kept there is still something that could be ascertained as to what were the individual rights of these respective allotments?

Mr. HAYDEN. We were advised by the Indian Office that this was not done for the reason that the act providing for the sale of the timber contained a provision that the money might be spent, under certain conditions, for the benefit of the tribe as a whole, and therefore it was not deemed necessary to keep a separate account with each Indian.

Now, all that this law seeks to do is to change the purpose for which the money may be spent for the benefit of the tribe as a whole.

Mr. CARTER of Oklahoma. And it provides to expend the proceeds "with the consent of the allottees." Therefore no vested right would be invaded if you had the allottees' consent.

Mr. STAFFORD. As I recall the hearings, the commissioner had some idea that perhaps he would have authority to bind the individual allottee as far as the fruitage of his own allotment was concerned without his consent, provided he had a majority of the Indians on this reservation approve of this proposal. Am I in error as to that?

Mr. HAYDEN. The commissioner suggested that that might be done. We did not enact that proposition into law. We merely stated that the consent of the allottee should be obtained in such manner as the Secretary of the Interior might prescribe.

Mr. STAFFORD. Is not the language as incorporated in the bill the very language that was recommended by the department?

Mr. HAYDEN. That is true; but whether that language is subject to the construction placed upon it by the Assistant Commissioner of Indian Affairs or not remains to be seen. I have no doubt but that the lawyers of the Department of the Interior will advise the Secretary as to whether he can lawfully obtain the consent of the allottee in that manner. If not, it will have to be secured in some other way.

Mr. STAFFORD. I am rising to foreclose any possibility in the future—in 5, 10 or in later years—of some claim agent—and there are a great many infesting Washington even to-day—going and getting some old claim of these Indians and using that as the basis of a claim on the ground that their individual rights were invaded without their consent.

Mr. CARTER of Oklahoma. It says "with their consent."

Mr. STAFFORD. As I understand the gentleman, there is no place where the rights of the individual allottees are invaded without his consent. To carry out the idea of the committee, would the gentleman have any objection to inserting before the word "the," preceding the word "allottees," in line 10, the words "all of the," so that it would read "to expend said proceeds with the consent of all of the allottees"?

Mr. CARTER of Oklahoma. I do not think that is necessary, for the reason that he would use the proceeds of only those who gave their consent.

Mr. STAFFORD. I do not wish to put such a strict provision here that in case he does not appropriate the lumber taken off one individual Indian's allotment, and he refuses to give his consent, the whole proposition will be held up. And yet I realize the necessity, as I view it, of safeguarding the rights of the individual Indian from having his property appropriated without his consent.

Mr. CARTER of Oklahoma. The difficulty with that, Mr. Chairman, would be that you would have a lot of proceeds held away from other Indians for two or three years that could now be used in improving their property, and for other purposes.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. And you would have these funds held away from these Indians at the very time when they needed them most, at the very time when the country needs the funds to be distributed most, because this is a time when we are urged to put forth all the production we can as a war necessity.

Mr. CAMPBELL of Kansas. Oh, I hope the gentleman from Oklahoma will recall that statement. We just shut down the industries of the country for five days in order to suspend production.

Mr. CARTER of Oklahoma. They have not shut down any farms, have they? This is a farm proposition.

Mr. STAFFORD. They are not invading the agricultural industries of this country, because they recognize the potency of the farmer as a political factor.

Mr. CARTER of Oklahoma. We should be thankful for that, for the farmer certainly deserves any protection that may come his way. But getting back to this item, this would necessitate getting the consent of every Indian before any person's money could be paid to him. The gentleman from Wisconsin [Mr. STAFFORD] can see what an unpractical, even impracticable, proposition that would be. You would always find some one who would object, and that would block the whole procedure. If the gentleman wants to incite claim attorneys to stir up trouble and to get Indians to bring claims in the future, I can imagine no better way to proceed than to award as he suggests, because some fellow could be found to object to this proposition and hold it up; then all the others would be back here employing attorneys to get this money for them. It would then take affirmative legislation to get the funds jarred loose, and when finally paid every one of them would be claiming interest, and would probably get it.

Mr. STAFFORD. I recognize the potency of the objection which is raised by the gentleman from Oklahoma. Would the gentleman object to an amendment reading "with the consent of those allottees whose property is appropriated"?

Mr. CARTER of Oklahoma. I do not think there will be anything wrong about that. That would be all right.

Mr. STAFFORD. My only purpose is to prevent the Treasury being robbed in years to come, and I also fully agree as to the advisability of this change of the law.

Mr. Chairman, I withdraw the reservation of the point of order and offer the following amendment, namely, to strike out the word "the" before "allottees," in line 10, page 33, and insert the word "such," and after the word "allottees" insert the words "whose property is appropriated."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 33, line 10, strike out the word "the" after the word "of," and insert in lieu thereof the word "such." And after the word "allottees" insert the following: "whose property is appropriated."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For amount necessary for construction of a steel bridge across the San Juan River in San Juan County, State of New Mexico, at the best and most available location west or southwest and near to the town of Farmington, in said county, in addition to the $25,000 appropriated for the purpose by the act approved February 20, 1917 (39 Stat. L., p. 926), $4,000, or so much thereof as may be required, to be immediately available: *Provided*, That said additional sum shall be reimbursed from tribal funds as required by the said act.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on this item. Is this the item in which a deficiency appropriation has been asked by the department?

Mr. WALTON. I think so; yes, sir. If this is passed in this bill it should be stricken out of the deficiency bill.

Mr. STAFFORD. I may inform the gentleman and the chairman of the committee that the deficiency appropriation bill will very likely pass the House and the Congress sooner than this bill will become a law. There is no purpose on my part to prevent the additional appropriation being made available, so that this bridge can be built, because of increased cost. It rests entirely with the gentleman from New Mexico and the chairman of the committee as to whether they wish to incorporate it here or to rely upon the deficiency subcommittee making the recommendation.

Mr. WALTON. I have no knowledge as to whether or not this has been included in the deficiency bill. The gentleman is better advised than I as to that.

Mr. STAFFORD. Nothing has been included in the deficiency bill up to the present time, because the subcommittee is still engaged upon hearings; but the deficiency bill will be reported to the House in the next 10 days, as I am reliably informed. This item is incorporated in the estimates that have been submitted to the Committee on Appropriations.

Mr. WALTON. I would prefer to have it in this bill now under consideration.

Mr. STAFFORD. In that case I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (art. 6, treaty of Nov. 11, 1794), $4,500.

Mr. CAMPBELL of Kansas. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last word.

Mr. CAMPBELL of Kansas. I want to call attention to the Seneca Indians of New York. They are an example of our conduct of Indian affairs. They are a rich band of Indians, probably the richest Indians in the country, barring the Osages, taking the whole band. They live in a community in New York on land that is worth anywhere from $100 to $300 an acre. It is well improved. They have splendid homes and pastures and fences and orchards, windmills, waterworks, and steam-heated houses, but they pay no taxes, and we are making a donation of some $11,000 a year to them.

Mr. CARTER of Oklahoma. This is not a donation, Mr. Chairman.

Mr. CAMPBELL of Kansas. It is a treaty item.

Mr. CARTER of Oklahoma. Certainly; it is an obligation. It is a debt we owe in consequence of a treaty we made with these Indians.

Mr. CAMPBELL of Kansas. How long is this to run?

Mr. CARTER of Oklahoma. It is to run until it is capitalized.

Mr. CAMPBELL of Kansas. While water runs and grass grows?

Mr. CARTER of Oklahoma. It can be capitalized at any time that the Federal Government desires.

Mr. CAMPBELL of Kansas. That is what I was coming to. There has not been a recommendation from the Indian Office that this be capitalized and that this injustice to the neighbors surrounding those people in New York be done away with. It ought to be capitalized. The land ought to be given to these Indians in severalty, and they should be given their place among the citizens of New York and be made to live as other citizens do. I see no reason why the Seneca Indians of New York should be exempt from taxation. The Indians in and around the Tammany Wigwam in New York City, it is said, are not exempt from taxation. Some of them may be; I am not sure. [Laughter.] But there is no more reason why, upon the statutes, they should be exempt in the one place than in the other. The Senecas are highly civilized people, and there is no reason, except that the Indian Office is always holding on to something to give them something to do, as a reason for their existence, a reason for the employment of clerks, bureau chiefs, and inspectors. Giving employment to white men has been the business of the Indian Office, of the Indian Bureau, not during this administration alone but for the past quarter of a century. There is no reason why these treaty items should not be capitalized and the matter closed up, so far as the Seneca Indians are concerned, so that they may be catalogued among the other citizens and taxpayers of New York.

The CHAIRMAN. The time of the gentleman from Kansas has expired. The Clerk will read.

The Clerk read as follows:

For the construction of a bridge across the Oconalufty River, at or near the Indian school at Cherokee, N. C., $8,000, to be expended under the direction of the Secretary of the Interior: *Provided*, That no part of the money herein appropriated shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of North Carolina, or the county of Swain, satisfactory guaranties of the payment by the said State of North Carolina, or by the county of Swain, or at least one-half of the cost of the construction of said bridge, and that the proper authorities of the said State of North Carolina, or the said county of Swain, shall assume full responsibility for, and will at all times maintain and repair, said bridge and the approaches thereto: *And provided further*, That any and all expenses above the amount herein named in connection with the construction of said bridge shall be borne either by the said State of North Carolina or the said county of Swain.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the item.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the item.

Mr. STAFFORD. I wish to inquire whether this was recommended by the department, and whether any reference to this proposed bridge is included in the hearings?

Mr. CARTER of Oklahoma. I yield to the gentleman from North Carolina [Mr. WEAVER] to answer.

Mr. WEAVER. Mr. Chairman, I do not think that the Commissioner of Indian Affairs made any recommendation in regard to this item. The superintendent of the Indian school at Cherokee, in the recommendation that he made in regard to this school, said that the following were absolutely necessary.

Mr. STAFFORD. What page of the hearings is the gentleman going to read from?

Mr. WEAVER. Page 231 of the hearings. He asked for the support of the school, $32,958; for repairs and improvements, $10,000; for new buildings, $75,000; special appropriation for road and bridge building, $35,000.

Now, Mr. Chairman, the committee, after hearing the facts in regard to this matter, made a report that was unanimous, in so far as the members present were concerned. They recommended the amount of $8,000 to build this bridge across the Oconalufty River, at the Cherokee school, in Swain County, N. C.

Mr. Chairman, I call the attention of the gentleman from Wisconsin to the further fact that the Commissioner of Indian Affairs did recommend a total appropriation of $57,600 for this school. Now, giving the appropriation of $8,000 for this bridge, the committee still has allowed only $47,600 of the amount recommended by the Commissioner of Indian Affairs.

Mr. STAFFORD. Of course, I have no objection to the gentleman elaborating and going ahead as to the other items, but I am directing my inquiry particularly as to the bridge item.

Mr. WEAVER. I am coming to that now. The Indian school at Cherokee is situated on land now owned by the Government of the United States and within the Indian reservation. This Indian reservation lies at the head of the Oconalufty River. The Indians have but one way to get out. On three sides they are hemmed in by the high walls of the Great Smoky Mountains. Some of those mountains are almost as high as Mount Mitchell, which is the highest land east of the Rocky Mountains. To the north and east of them is a wilderness of woods. They get out to the Southern Railroad, that runs down the Tuckasegee, by a little railroad going down the Oconalufty River. I think this bridge would be an improvement to the Indian school, which heretofore has been carried in this bill.

I want to call to the attention of the House, and particularly to the attention of the gentleman from Wisconsin, the language of a letter which I have received from Mr. Henderson, the superintendent of the school, since this item was put in the bill. And I would like to say to the gentleman from Wisconsin that if he will examine the reports made by the Commissioner of Indian Affairs, he will find that this school is doing a most magnificent work for these Indians. Mr. Henderson says:

> The matter of getting better roads and bridges on this reservation is one of vital importance, even much more so than it is on most of the reservations of the West. The exceeding high mountains which wall this reservation in form natural barriers that have served for the last hundred years to keep progress and civilization out and are the cause of the Cherokees not having done more in advancement. We educate the young Indians and turn them out several miles from the railroad, with no roads over which they can haul their farm products. A few thousand dollars well spent on roads on the Cherokee Reservation for a few years would be one of the greatest civilizers that we could possibly get.
>
> As to the bridge across the Oconalufty River at Cherokee, I see no reason why the appropriation could not be made with all good conscience, for the reason that one end of it would rest upon not Indian land but land actually owned by the United States Government and upon which the Cherokee Boarding School is now located.

And I wish to say to the Members of the House and to the gentleman from Wisconsin that there is no graft in this matter. These Indians have been asking for this year in and year out. I think it went out of this bill once before after having passed the Senate. I hope the gentleman from Wisconsin will not make the point of order. Mr. Henderson further says:

> All freight, including several hundred tons of coal each year, must be hauled over this river, which frequently can not be forded on account of floods. Just at the present time and for several weeks past few teams have been able to cross on account of the ice. This works a great hardship upon the Cherokee school.

And I can say to the Members of this House that that country is now frozen in the icy hand of winter, so that they can not cross that river as it is, and they have no other way of getting their supplies in from the railroad.

Now, one other thing is this: The little mountain county of Swain went to its limit in voting a bond issue upon itself of $350,000 for constructing roads in that little county. It means something to try to build roads there. It is not as it is on the prairies of the West. You have got to cut through hills and bridge chasms, and that costs money.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent for five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent for five minutes. Is there objection?

There was no objection.

Mr. STAFFORD. I yield to the gentleman from North Caroline [Mr. WEAVER] to continue.

Mr. WEAVER. I thank the gentleman very much. Of the $350,000 voted by the county of Swain, over $60,000 has been used in constructing the road upon the Indian lands.

Mr. STAFFORD. If the gentleman has finished his statement, will he permit an inquiry, so that I may obtain the facts that I am seeking?

Mr. WEAVER. I shall be glad to answer anything I can.

Mr. STAFFORD. What does the gentleman estimate will be the total cost of this bridge?

Mr. WEAVER. The estimate is that it will cost about $16,000.

Mr. STAFFORD. I am specially desirous of ascertaining whether this bridge is on the reservation or off the reservation.

Mr. WEAVER. The Government owns the land on which the school is actually situated. These lands are embraced within a big reservation belonging to the Indians. All of the lands surrounding the school are Indian lands, but one end of the bridge will rest on the Government land and the other, across the river, on the Indian reservation land.

Mr. STAFFORD. Then, the bridge proper, as I understand it, is entirely on the Indian reservation?

Mr. WEAVER. Absolutely.

Mr. STAFFORD. The case is not parallel to that which was considered yesterday, in California, where the bridge was entirely off the reservation?

Mr. WEAVER. Oh, no; it is entirely on the reservation.

Mr. STAFFORD. Will any persons be benefited by this bridge other than the Indians?

Mr. WEAVER. No; as I explained the situation there, the Indian lands comprise the head of the river. Now, there are no or few whites living up there, unless somebody comes in to do some lumbering or something of that kind. All the whites live below on the lower reaches of the Oconalufty and Tuckaseigee Rivers.

Mr. STAFFORD. Can the gentleman give any assurance that if this item is allowed to stand the Congress will not be called upon for any additional appropriations other than that which is herein carried?

Mr. WEAVER. I do not know how I could give that assurance, but I do not think so. I think they want to go ahead, and I will say that I have a letter——

Mr. STAFFORD. This item is conditioned upon the State or county authorities contributing one-half.

Mr. WEAVER. One-half.

Mr. STAFFORD. I want to have some assurance that the whole burden is not going to be cast upon the National Government.

Mr. WEAVER. It will not be, because the other half will be paid by the State and county.

Mr. STAFFORD. The gentleman can give that assurance?

Mr. WEAVER. I am sure of that; yes. They want to build it.

Mr. STAFFORD. And there will not be any additional appropriation hereafter, above this $8,000?

Mr. WEAVER. I think not. I have in my hand a letter from the chairman of the Highway Commission, and he says in regard to this that while they would like to have more—and I have been hoping the gentleman from Wisconsin would offer to increase it up to $16,000—still, that they will try to get along with that.

Mr. STAFFORD. I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I was under the apprehension that this bridge was off the Indian reservation. Of course this money comes out of the National Treasury and not out of Indian funds. There is that exception that is going to be made in this instance.

Mr. HAYDEN. If the gentleman will pardon me, he will note that if we had allowed the amount of $200 per capita normally allowed to schools of this kind, there would have been appropriated $41,600; but the superintendent of this Indian school, by his careful management, conducts it at a less cost per

capita than any other Indian school in the United States—$132 per capita.

Mr. STAFFORD. Will this bridge be under the supervision of this superintendent in its construction?

Mr. WEAVER. Yes.

Mr. STAFFORD. Mr. Chairman, on the statement made by the gentleman from North Carolina [Mr. WEAVER] and the gentleman from Arizona [Mr. HAYDEN], I withdraw the reservation of the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For support and civilization of Indians at Fort Berthold Agency, in North Dakota, including pay of employees, $15,000.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

Mr. WALSH. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. WALSH. Does the gentleman from Wyoming desire to discuss this very important amendment which he has offered in the absence of the gentleman from New York [Mr. LONDON]?

Mr. MONDELL. I think it might enlighten the gentleman from New York if he were here, but in his regrettable absence I will have to go on without him. Mr. Chairman, we have passed quite a number of bridge items, and because they have been passed I feel perfectly free and safe in saying what I am about to say, because I would not want to prejudice any item in the bill. I am of the opinion that every item in this bill relating to bridges is justified. I have given some little attention to this subject, because I have some views and opinions in regard to it.

There is an Indian reservation, the only one in my State, of a wedge shape, of something over a million and a half acres, lying right across the highways of travel, every boundary of which is a water boundary except the base of the triangle, which is formed by a very high and impassable mountain range. Every approach to the reservation, therefore, is across a bridge, one end of which is on the Indian reservation and the other end on a public highway of the county. The lands of that reservation are not taxed.

Mr. MADDEN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MADDEN. Who has paid for the construction of the bridges?

Mr. MONDELL. That is what I am coming to; that is what I am going to talk about. It would seem proper and reasonable, I think, that the Indians on that reservation should pay half of the construction of these bridges. I have tried to be reasonable, and more than reasonable, in the things I have asked in connection with the Indian reservation in my State. We have never asked for the contribution of a dollar for the construction of these bridges. The county has constructed a number of steel bridges of considerable length—for these streams are good-sized streams—costing from $5,000 to $15,000 each, and the county has paid for them.

I have never asked a penny on the Indian bill for these bridges. I am not saying this in a spirit of criticism either of those who do ask for appropriations for the construction of bridges nor in a spirit of criticism of the committee for the action it has taken in regard to a number of these projects. But I do think it is entirely proper that it should be understood here that we try to be reasonable in these things that we ask for in connection with the Indians and the Indian reservations.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. I ask for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. MONDELL. I make no promises that I may not in the future ask for some contribution in behalf of other bridges that may be built spanning the streams that bound the reservation, but I want to impress on the committee and the country the fact of our reasonableness in this matter in the past, and the fact that we have refrained from making requests that we might have made with very good reason.

Mr. CARTER of Oklahoma. Will the gentleman from Wyoming yield?

Mr. MONDELL. Yes.

Mr. CARTER of Oklahoma. Mr. Chairman, the policy of the House, as the gentleman knows, and of the Indian Committee in the past has always been not to appropriate for bridges out of the Federal Treasury on Indian reservations. The only exceptions that have been made are in the case of schools where the property belongs to the Government rather than to the Indians. Here we have a school and the property belongs to the Government and does not belong to the Indians, so that when the Government constructs the bridge it constructs it on its own property. We have a similar case suggested by the gentleman from Kansas [Mr. CAMPBELL] at the Chilocco school.

Mr. MONDELL. Of the steel bridges that we have constructed, one end rests on Government property and one on the highway.

Mr. CARTER of Oklahoma. Not on Government property, but on Indian property.

Mr. MONDELL. One end is on Government property. What is the difference, it is carried in the Indian bill? In some cases the title is in the Government rather than in the Indians.

Mr. CARTER of Oklahoma. Here is a case where the property belongs to the Government.

Mr. MONDELL. That is the difference between tweedledum and tweedledee. I am not criticizing that item; there are other items in this bill, that the gentleman knows as well as I do, where one end only of the bridge is on a reservation, and while they provide for reimbursement they are not all certain to be reimbursed because the conditions are such that the provision for reimbursement is certain to lead to reimbursement.

Mr. CARTER of Oklahoma. I do not know that.

Mr. MONDELL. The gentleman has a fair notion of them. I am not criticizing anything in the bill.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MONDELL. I ask for two minutes more.

Mr. CARTER of Oklahoma. Reserving the right to object, the gentleman has consumed eight minutes with nothing before the House, and we ought to make some progress on the bill.

Mr. MONDELL. I agree with the gentleman that we should make progress, but I have taken up but very little time.

Mr. CARTER of Oklahoma. I want to expedite the bill.

Mr. MONDELL. I am delighted that my friend has at last reached the point where he wants to expedite the bill, because I agree with him in that. I simply want to emphasize the fact that while the action of the committee in these cases in the bill and those provided for in other bills have, in my opinion, been justified, there are many other cases where a similar request might have been made with an equal basis of reason and reasonableness.

The Clerk read as follows:

That the act of May 29, 1908 (35 Stat. L., p. 460), and the act of February 14, 1913 (37 Stat. L., p. 675), are hereby amended so as to authorize the Secretary of the Interior, in his discretion, and in such manner and under such rules and regulations as he may prescribe, to make per capita distributions to the Standing Rock Indians from the funds, principal and interest, accruing under said acts.

Mr. MADDEN. Mr. Chairman, I make a point of order against the paragraph, and I wish to ask the gentleman in charge of the bill why it is thought necessary to insert this new legislation at this time?

Mr. CARTER of Oklahoma. Mr. Chairman, that was done at the suggestion of the commissioner, which he tells us was in deference to a request made by the Indians of the Standing Rock Indian Reservation.

Mr. MADDEN. What special reason did he give for granting authority to the Secretary of the Interior, "in his discretion, and in such manner and under such rules and regulations as he may prescribe, to make per capita distributions to the Standing Rock Indians from the funds, principal and interest, accruing under said act," which are enumerated in this section of the bill? It seems to me, Mr. Chairman, that we ought to have specific information as to why the Secretary of the Interior should be authorized to make such distributions as he proposes in this section of the bill, and without such specific information we ought to go slow in acting. I would like very much to hear the chairman of the committee, or some member of the committee who is familiar with the details of this important section, elucidate the necessity and the importance of such sweeping legislation. This is certainly new legislation and ought not to be on the bill. The authority is broad and sweeping and indefinite and ought not to be granted to any executive officer of the Government without full information in possession of the Members of the House who are asked to grant the authority. How do we know what he is going to do? It is proposed here to authorize him to make regulations which in effect will be laws, and we simply grant blanket authority to do something about which we know nothing, merely upon the recommendation of the Secretary of the Interior, who does not condescend to place at our disposal the information upon which he bases his request. I rather incline to the belief that before we are called upon to act in an important matter of this sort the fullest information should be in our possession. There can be no good reason why we should not authorize

specific distribution rather than to permit some individual, though the Secretary of the Interior he may be, to make regulations to satisfy himself under which he can make distributions to these Indians. I do not know how much the particular Indians referred to have to their credit in the Treasury of the United States; neither does anybody else, I assume, unless it be the chairman of the committee and the members of the committee.

The CHAIRMAN. Does the gentleman make the point of order against the paragraph?

Mr. MADDEN. I reserve the point of order for the purpose of trying to elicit information from the members of the Indian Affairs Committee, who have doubtless given this matter careful and elaborate consideration. I reserve the point of order.

Mr. CARTER of Oklahoma. That is the longest question I ever heard, and I would be glad to reply to the gentleman if he is through.

Mr. MADDEN. I was not asking a question, I was offering a criticism.

Mr. CARTER of Oklahoma. If the gentleman will refer to the hearings, on page 252 he will find that the amount of money these Indians have to their credit is $812,646, and the Commissioner of Indian Affairs offers in justification of this the following:

The Indians on this reservation have shown a marked increase in their industrial activities during the past year, and it is believed that this is the most opportune time to assist them in their endeavors along this line. There is no authority of law at this time for making per capita payments to these Indians from their tribal funds. The proposed legislation will permit payments to be made from time to time under proper regulations.

Mr. MADDEN. It does not seem to me that that is any information at all.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Chairman, I feel constrained to make the point of order against the item.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

OKLAHOMA.

SEC. 16. For support and civilization of the Wichitas and affiliated bands who have been collected on the reservations set apart for their use and occupation in Oklahoma, including pay of employees, $5,000.

Mr. CAMPBELL of Kansas. Mr. Chairman, I wish some gentleman from Oklahoma would tell us just what is done with $5,000, whether or not it is for the support and civilization of the Wichitas and affiliated bands or the benefit of some white employee down there? I am serious about this.

Mr. CARTER of Oklahoma rose.

The CHAIRMAN. Does the gentleman from Kansas yield to the gentleman from Oklahoma?

Mr. CAMPBELL of Kansas. Yes; to any gentleman.

Mr. CARTER of Oklahoma. I do not want to take up any of the gentleman's time. When he gets through with his question I will be glad to answer it.

Mr. CAMPBELL of Kansas. I just want some explanation of this, if anybody can explain it.

The CHAIRMAN. To hasten the consideration of the bill the Chair suggests that some gentleman from Oklahoma give the gentleman the information.

Mr. CARTER of Oklahoma. If the gentleman is asking me for information, I will tell him that it is expended as these moneys are usually expended at the different agencies throughout the country, mostly, I assume, for employees. It will be expended as the money has always been expended in the past, for employees at the agencies.

Mr. CAMPBELL of Kansas. Does the gentleman from Oklahoma contend that that makes it right?

Mr. CARTER of Oklahoma. Let me answer the gentleman's question. It is appropriated for the purpose of being spent for employees, and not to be given to the Indians or distributed among them. It is for the purpose of paying agency employees who are presumed to look after the welfare of Uncle Sam's wards and not for annuities.

Mr. CAMPBELL of Kansas. Let me ask the gentleman from Oklahoma in what way it supports the Wichita and affiliated tribes?

Mr. CARTER of Oklahoma. In the way it does at every other agency.

Mr. CAMPBELL of Kansas. I wish the gentleman would give the House some idea as to the way in which it supports Indians in other agencies.

Mr. CARTER of Oklahoma. The gentleman has been a Member of the House and of the Indian Committee longer than I have and he knows full well how it is done.

Mr. CAMPBELL of Kansas. I wish the gentleman would tell us.

Mr. CARTER of Oklahoma. I would prefer to have the gentleman from Kansas do it.

Mr. FERRIS. Mr. Chairman, of course, the gentleman from Kansas knows that this item has not been changed since I have been in Congress.

Mr. CAMPBELL of Kansas. That is what I am complaining about. It has long whiskers on it.

Mr. FERRIS. Mr. Chairman, let me explain to the gentleman what I know about it, which may or may not satisfy him. There are about 1,100 Indians—and, by the way, there is a delegation here in town now, two Caddo and two Wichita—for whom this appropriation is made. This item provides for an Indian farmer, an Indian doctor, and some Indian matrons to help them with the leasing of their land. They have allotments, but little or no money—that is, the Wichita and Caddo Indians—and they are here now with a claim contending the Government took from them a portion of their land, all but the allotments, and gave it to the Kiowa and Comanches. The gentleman from Kansas knows about that——

Mr. CAMPBELL of Kansas. Yes.

Mr. FERRIS. So there is no claim, I understand, that any of this money is paid to them, but it is given to the clerks who give their service to them. The service seems perfectly necessary for these full-blood Indians. I am not in favor of any supervision for Indians that are practically white.

Mr. CAMPBELL of Kansas. It is put down there in cold type as being appropriated for the "support and civilization" of these Indians.

Mr. FERRIS. Well, I think all that is true, but the gentleman knows we carry that old language clear through the bill, and I really hope some time the gentleman from Kansas and the gentleman from Oklahoma [Mr. CARTER] will write this language so it will tell exactly what occurs.

Mr. CAMPBELL of Kansas. Let me ask this: Does the gentleman from Oklahoma [Mr. FERRIS], in whose district I think these Indians are——

Mr. FERRIS. Yes.

Mr. CAMPBELL of Kansas. And where the agency is located, think these people earn the $5,000 that is given to them?

Mr. FERRIS. Let me tell the gentleman what I know about that. Of course, this agency does not cost anything except the $5,000.

Mr. CAMPBELL of Kansas. Do they earn the $5,000?

Mr. FERRIS. I suppose they earn it as other employees do. This is a large agency. I think the officers there are faithful and honest. I think they work hard and earn their money. Some of them are underpaid.

Mr. CAMPBELL of Kansas. Is it worth the $5,000 to the Indians?

Mr. FERRIS. These are full-blooded Indians, as the gentleman from Kansas knows, and there is scarcely any mixed blood at all among them. Now, it takes $30,000 to run this entire Kiowa Agency, which is not a large sum, because this is one of the largest agencies in the United States from the standpoint of the Indians. There are 4,100 Indians under this agency, and this $5,000 comes out of the Treasury, and the other $25,000 comes from the Kiowas' and Comanches' funds. There is not an agency in the United States where as much administration is carried on, possibly, as here. Now, the gentleman from Kansas and myself are not in disagreement on this general theory of too much administration generally for Indians, but these are mostly full bloods. The gentleman knows my views about it, for I have always thought, as a general proposition, there was too much administration rather than too little. It makes weaklings and dependents out of them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Chairman, I wish to take a few minutes on this matter.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to speak for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. Will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. I will.

Mr. FESS. I notice in the bill wording that would suggest a difference in meaning, and I am anxious to know what the meaning is. It says "for support and civilization." That runs through many paragraphs. Then, in line 24, it says "for support and education." I notice that differentiation all through the bill. Will the gentleman kindly explain?

Mr. CAMPBELL of Kansas. Where there is a school they use the word "education." Where there is no school they use the word "civilization."

Mr. FESS. Well, that would explain it if that is really what it is.

Mr. CAMPBELL of Kansas. I think that is the explanation. Now, as a matter of fact, the difficulty in abolishing these agencies, that are as useless as the fifth wheel to a wagon at this day and age, in ninety-nine cases out of a hundred—and I make that statement on the responsibility of a man who has studied the Indian question, visited these Indian agencies, and knows something about Indian matters—is that the people of Kansas are perfectly willing to have them abolished in Oklahoma and the people in Oklahoma are perfectly willing to have them abolished in Kansas. The trouble about it is when it comes to the abolishing of an agency in Oklahoma, where a friend of some Member of the Oklahoma delegation is the agent, there is a sort of easing over. The same is true when the agency is located in Kansas, in New Mexico, or anywhere else. I will say to my colleagues that the time has arrived to sacrifice our friends in these agencies, eliminate them from the public service in the interest of the Indians, and in the interest of good conscience and the Public Treasury.

Mr. FERRIS. Mr. Chairman, just a word or two and I will not take up over a minute. The gentleman from Kansas [Mr. CAMPBELL] tells the truth in his statement, as he always does, but I am perfectly frank in having the RECORD show the facts; there is not in my district to-day a single man, woman, or child in the Indian Service who owes his appointment to me. There is not a man in my district who has been appointed by Cato Sells on my recommendation—not one. That may be a very anomalous record, but it is the truth. Nevertheless, these people who are holding these offices are the same people who have been holding them ever since I have been in Congress and long before. We transfer them in the spring from Dakota to Oklahoma and in the fall from Oklahoma back to Dakota, and they are civil-service appointees and to my credit or discredit, as the case may be, there has not been any appointment made for me on my recommendation or very few that I was even in agreement with.

So far as any political consideration is concerned, I hope the gentleman from Kansas [Mr. CAMPBELL] will relieve me from that.

Mr. CAMPBELL of Kansas. I did not intend to make any impression on the House that these are political appointees. They are not. And I will say this, that they are absolutely useless to any man in public life as political friends. If others have been favored, they are certainly holding out on me, for I have none.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word.

I want to discuss a matter relating to this bill, although it is not in this paragraph any more than in any other paragraph. I notice there is a lump-sum appropriation carried in this bill of $150,000 to suppress the alcoholic liquor traffic among the Indians. I assume also that a part of the money that is spent in the civilization and education of Indians is for the purpose, as far as possible, of keeping them away from demoralizing influences of that kind. But at any rate we are spending $150,000 flat, paying some Government employees for suppressing the liquor traffic among the Indians.

Now, the fact of the matter is, I believe, that the liquor traffic among the Indians is largely carried on by bootleggers and other persons who are selling liquor illegally; that is, they are selling it in violation of the law of the State or community in which they are operating. That certainly must be true in the State of Oklahoma. And yet the United States itself is collecting a tax or revenue from those very bootleggers and illegal sellers of liquor.

That matter has been presented to the Commissioner of Internal Revenue under various administrations. I have presented it under two different administrations myself. The attitude taken by the Commissioner of Internal Revenue is that the Federal liquor tax is not a license, that the Government just simply collects revenue from a man who admits he is in the business or wants to engage in it, and it does not authorize him to violate any State law. Now, technically that is true, and yet the Federal Government license is looked upon as a protection against prosecution in the Federal court. A Federal court prosecution is the only prosecution that a bootlegger is much in fear of. Now, the Federal Government through its Commissioner of Internal Revenue has agents out locating these bootleggers all the time, and whenever they locate one he simply pays $25 and gets off. He takes his chances until he is caught, and then he pays a tax of $25 and escapes prosecution. Thus the traffic continues among the Indians. In the cities now where soldiers are beginning to congregate, and where they pass through frequently, there are a large number of bootleggers, disreputable hotels, rooming houses, whisky drug stores, and other establishments of that kind where they sell whisky to the man in uniform; or, at least, they make no distinction.

Mr. FERRIS. Will the gentleman yield?

Mr. BORLAND. In just a minute. I want to develop this idea. The police authorities of the cities are supposed to keep the cities safe for the soldiers.

A man who pays $500 to the city of Kansas City and another $500 to the county and State of Missouri, making $1,000 for his liquor license, is not going to put himself in jeopardy by disobeying the police regulations of Kansas City. But here is a multitude of blind tigers and rooming houses and druggists engaged in selling liquor. I have a statement here that shows that the Government has issued 1,225 Government liquor licenses in Kansas City. The authorized number of places to sell liquor in Kansas City is 469, but the Government is collecting revenue from 1,225. Yet we are spending $150,000 a year to try to suppress the illegal traffic among the Indians. We are also maintaining an expensive bureau to keep liquor away from the soldiers. The way to suppress it is to have the Government quit being a partner in that iniquitous business. That is the only way to suppress it and the only way in which it will ever be suppressed. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

That the third paragraph of section 4 of the act of June 28, 1906 (34 Stat. L., p. 539), is hereby amended to provide that the moneys therein provided for support for Osage schools may be used for the purposes as provided in said paragraph for a further period ending June 30, 1922: *Provided*, That after June 30, 1918, said moneys may be expended solely for the payment of the superintendent, teachers, and for maintenance of the grounds and buildings; and that the support of each pupil attending said school shall be paid by the Secretary of the Interior out of any annuities, interest, lease rentals, royalties, or any trust funds due said pupil, not exceeding the sum of $300 annually: *Provided further*, That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States, at his discretion, the sum of $20,000, or so much thereof as may be necessary, of the funds on deposit to the credit of the Osage Tribe of Indians in Oklahoma, for the support and education of 75 pupils at the St. Louis Mission Boarding School, near Pawhuska, Okla., and 100 pupils at the Osage Indian School at Pawhuska, Okla., including pay of superintendent, to be immediately available.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I rise largely to inquire as to the reason for limiting this appropriation as provided in the last paragraph of the proviso to certain schools, as indicated therein. What is the necessity for that authorization?

Mr. CARTER of Oklahoma. I will yield to the gentleman from Oklahoma [Mr. CHANDLER].

Mr. CHANDLER of Oklahoma. I will state for the gentleman's benefit that there has been a contract in regard to the St. Louis Mission Boarding School to take care of 75 pupils, and that was limited to that school on account of said contract. Now, as to the Osage Indian School at Pawhuska, that is a school that has been maintained heretofore by the Osage Tribe of Indians. It was maintained for years before statehood by that tribe of Indians, and in order to thoroughly understand it it will be necessary to go back to the time of the Osage allotment act, in which the Osage Indians agreed to divide up their land and money; and as that was before statehood, the Indians desired their school to continue for a period until after statehood, and they provided that this Osage Indian School should continue for 10 years, or until 1916. In 1916, by act of Congress, you extended it for two years longer, or until January 1, 1918.

Now, for some reason the Interior Department desires it continued for 13 years longer. The Indians do not want it, except a few of the full-blood Indians, or a few of the Indians that desire that the remainder of the tribe take care of their children. And after a conference with a number of the members of the tribe we reached an agreement or understanding with them that if the tribe as a whole would take care of this school and pay the superintendent and teachers and maintain the grounds and buildings—and provision was made that each child should pay for its own support—that they had no objections to its being continued for a short time longer; and, based upon that, we put this paragraph in the bill.

Mr. STAFFORD. As I understand from the gentleman's statement, authority to utilize the Osage Indian trust funds expired on January 1 of this year?

Mr. CHANDLER of Oklahoma. Yes, sir.

Mr. STAFFORD. Does this authorization in language provide for the utilization of this fund for the period between January 1, 1918, and the time that this bill is approved?

Mr. CHANDLER of Oklahoma. Yes, sir.

Mr. STAFFORD. Wherein is there any language that authorizes the utilization of that fund? The language says—and it may be ambiguous—

Is hereby amended to provide that the moneys therein provided for the support of Osage schools may be used for the purposes as provided in said paragraph for a further period ending June 30, 1922.

Of course this law will be construed to take effect from the date of its approval. Where is there an authorization to pay for the schooling out of this appropriation——

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STAFFORD. Where is the authorization to provide for the payment of these pupils out of this trust fund from January 1, 1918, when the prior authorization terminated, until the time this bill will take effect?

Mr. CHANDLER of Oklahoma. I will state for the gentleman's benefit that the last proviso in the paragraph appropriates $20,000, to be immediately available, and that was placed in there for the purpose of taking care of the school from the 1st of January, this year.

Mr. STAFFORD. As I understand it, that merely provides for two schools. This authorization that the gentleman seeks to have extended until June 30, 1922, applies to the utilization of this fund for other schools.

Mr. CHANDLER of Oklahoma. No; it does not. It applies only to the Osage Indian school. That is the only school that the old law provided for.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. HASTINGS. I suggest the insertion of these words: After the word "period," in line 4, page 39, the words "from January 1, 1918, and ending June 30, 1922." That would lead back to January 1 of this year.

Mr. STAFFORD. That is the amendment I was going to offer in case my position was confirmed by the gentleman from Oklahoma.

Mr. CHANDLER of Oklahoma. I have no objection.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order and offer the following amendment: After the word "period," in line 4, page 39, insert the words "beginning January 1, 1918, and."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 39, line 4, after the word "period," insert "beginning January 1, 1918, and."

Mr. STAFFORD. So that it will read——

The Clerk read as follows:

So that it will read: "as provided in said paragraph for a further period beginning January 1, 1918, and ending June 30, 1922."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That paragraph 4, section 4, of the Osage act approved June 28, 1906 (34 Stat. L., p. 539), and the act of Congress approved April 18, 1912 (37 Stat. L., p. 88), authorizing expenditures from Osage tribal funds of not exceeding $40,000 for agency and emergency purposes, is hereby amended to read as follows:

"Fourth. That such sums as may be annually appropriated by Congress shall be set aside and reserved from the royalties received from oil, gas, or other tribal mineral rights or other tribal funds, however arising, for agency purposes, which money when appropriated shall be paid out from time to time upon the requisition of the Osage tribal council with the approval of the Secretary of the Interior: *Provided*, That the provision in the act entitled 'An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1898, and for other purposes,' approved June 7, 1897 (30 Stat L., p. 90), limiting the amount of money to be expended for salaries of regular employees at any one agency shall not hereafter apply to the Osage Agency."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. I think this deserves some explanation on the part of the committee, as it changes existing law and may involve a very important provision of the law.

Mr. CHANDLER of Oklahoma. Mr. Chairman, for the benefit of the gentleman I will state——

Mr. STAFFORD. Before the gentleman proceeds, will he inform the committee whether this was recommended by the department?

Mr. CHANDLER of Oklahoma. It was not.

Mr. STAFFORD. Then there is nothing in the hearings relative to it?

Mr. CHANDLER of Oklahoma. No.

Mr. STAFFORD. Then it certainly deserves an explanation.

Mr. CHANDLER of Oklahoma. This is a case where the department has been transferring funds from one fund to another, paying employees and others out of funds belonging to the Osage Tribe of Indians. The Osages are opposed to the procedure and ask that the amounts be separated and that the department be required to furnish statements covering all their expenditures.

Now, heretofore there has been a continuous appropriation of $40,000 to run the agency. They have used that $40,000 and at times used sums from other funds belonging to the Osage Tribe of Indians. We have changed this law so that they can not expend any funds whatever until they are appropriated by Congress. We provide that they shall be appropriated annually and that they can not be expended until they are appropriated. The new law is practically the same as the old law, with the exception of these words that are added to the old law: "That such sums as may be annually appropriated by Congress," and then, on line 11, "when appropriated." These words are not included in the old law.

Now, the old law has, I say, a continuous appropriation of $40,000. We have left that out and kept the law exactly as the old law is with that exception. It simply cuts out the continuous appropriation and provides that the Congress shall supervise all appropriations made heretofore in regard to running the Osage Agency.

Mr. STAFFORD. If the gentleman will permit an inquiry, as I understand it, under existing law, the amount that is limited for use for such purposes is $40,000?

Mr. CHANDLER of Oklahoma. Yes, sir.

Mr. STAFFORD. Now, you seek by this amendment to lift that restricted amount and allow this fund to be utilized to any extent that Congress may appropriate?

Mr. CHANDLER of Oklahoma. Yes.

Mr. STAFFORD. What is the justification for that?

Mr. HASTINGS. You mean to say that it allows any amount that Congress appropriates?

Mr. CHANDLER of Oklahoma. That is what I intended to state.

Mr. HASTINGS. It means the amount annually appropriated by Congress?

Mr. CHANDLER of Oklahoma. Yes.

Mr. HASTINGS. And it brings the amount back to Congress each year—the amount that is appropriated and the amount that is necessary to be appropriated?

Mr. CHANDLER of Oklahoma. Yes.

Mr. STAFFORD. In other words, under existing law any amount can be used in addition to the amount named in the annual appropriation?

Mr. CHANDLER of Oklahoma. Yes.

Mr. HASTINGS. As I understand it, there was used for administrative purpose $48,000, including $8,000 out of the school fund. Is that right?

Mr. CHANDLER of Oklahoma. Yes; $48,000, including $8,000 out of the school fund.

Mr. HASTINGS. The purpose of this amendment is to limit the amount of these funds to the annual appropriation made by Congress?

Mr. CHANDLER of Oklahoma. Yes.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. STAFFORD. I ask unanimous consent, Mr. Chairman, to proceed for five minutes more.

Mr. WILLIAMS. I object.

The CHAIRMAN. The gentleman from Illinois objects.

Mr. STAFFORD. Therefore, Mr. Chairman, I am compelled on this important item to make the point of order.

The CHAIRMAN. Does the gentleman insist on the point of order?

Mr. STAFFORD. Yes; I insist. There is nothing in the hearings about this matter, and there is nothing recommended by the department. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read:

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, not to exceed the sum of $60,000, or so much thereof as may be necessary, of the funds on deposit to the credit of the Osage Tribe of Indians in Oklahoma, for the support of the Osage Agency and pay of employees of said agency.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. CARTER of Oklahoma. What was the paragraph against which the last point of order was made?

The CHAIRMAN. Beginning at line 24, on page 39, and ending at line 23, on page 40.

Mr. CARTER of Oklahoma. I ask unanimous consent that we may return to that item and discuss it for five minutes, in order to dispose of the matter and perhaps satisfy the gentleman from Wisconsin.

The CHAIRMAN. Does the gentleman from Oklahoma ask unanimous consent that the point of order be withdrawn?

Mr. STAFFORD. Oh, no; with the point of order still pending.

The CHAIRMAN. The Chair sustained the point of order, as far as that is concerned.

Mr. CARTER of Oklahoma. The gentleman has knocked it out on his point of order. Now, I ask unanimous consent that we may return to the paragraph which has been stricken out, for five minutes' discussion, to see if we can satisfy the gentleman from Wisconsin [Mr. STAFFORD] and get him to withdraw his point of order.

Mr. WALSH. Reserving the right to object——

Mr. CAMPBELL of Kansas. And, coupled with that, that the Chair withdraw his decision and that the point of order be pending.

The CHAIRMAN. That request was not made before. The Chair was going to call attention to that. The gentleman from Oklahoma asks unanimous consent that the proceedings sustaining the point of order made by the gentleman from Wisconsin be vacated and that we return to the paragraph beginning on line 24, page 39, and ending in line 23, page 40, for the purpose of five minutes' discussion. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. Here is a paragraph that has not been recommended by the department. There is nothing in the hearings relating to it. I am seeking information as to the need for this amendment—whether it protects the Indians or whether it will not protect them.

Mr. CARTER of Oklahoma. I yield to the gentleman from Oklahoma [Mr. CHANDLER] to reply to the question.

Mr. CHANDLER of Oklahoma. The purpose of this clause is to protect the Indians, so that the Interior Department shall make a report to them each year as to how these funds are spent and what becomes of them. Heretofore it has been unnecessary for the department to make a report of any kind, and they have gone ahead and spent not only these funds but school funds for agency purposes. The members of the Osage Tribe are not incompetent Indians by any means, and they would like to know what becomes of their money. This places a check upon the Interior Department and compels them to furnish a statement of these expenditures each year.

Mr. STAFFORD. How much money has been expended in former years out of this fund in excess of $40,000?

Mr. CHANDLER of Oklahoma. Practically every year there has been an expenditure of anywhere from $5,000 to $15,000 above the $40,000.

Mr. McKENZIE. Will the gentleman yield right there?

Mr. STAFFORD. Yes.

Mr. McKENZIE. Is not one of the purposes of this proposed amendment to prevent the diverting of money from one fund belonging to the Indians to another fund——

Mr. CHANDLER of Oklahoma. Exactly.

Mr. McKENZIE. Without the authorization of Congress permitting that diversion?

Mr. CHANDLER of Oklahoma. Exactly.

Mr. McKENZIE. And in that way it is a protection to the Indians; and the fact that the Interior Department did not recommend it is perhaps due to the fact that it was not called to their attention.

Mr. STAFFORD. I am not casting any reflection on it because the department did not recommend it, but the fact remains that there is nothing in the hearings on this item to justify it or that refers to it, and it devolves upon some one to make an inquiry to see whether it is warranted under existing facts.

Mr. CARTER of Oklahoma. The fact is that here is an amount of money that was to have been used for schools, and part of it has been diverted for agency purposes. The principal purpose which this item will serve will be to make a division of those matters and present information to Congress, so that it can a little more intelligently appropriate the money in the future.

Mr. HASTINGS. Each year.

Mr. STAFFORD. On the explanation made I withdraw the point of order.

The CHAIRMAN. The gentleman withdraws the point of order, and the Clerk will read.

Mr. STAFFORD. I also withdraw the reservation of the point of order on the paragraph at the top of page 41, because, as I understand, that is allied to the matter that has been agreed to.

The CHAIRMAN. The gentleman also withdraws the point of order reserved against the paragraph beginning with line 1 and ending with line 6, on page 41, and the Clerk will read.

The Clerk read as follows:

FIVE CIVILIZED TRIBES.

SEC. 17. For expenses of administration of the affairs of the Five Civilized Tribes, Oklahoma, and the compensation of employees, $185,000: *Provided*, That a report shall be made to Congress by the Superintendent for the Five Civilized Tribes, Oklahoma, showing in detail the expenditure of all moneys appropriated by this provision.

Mr. KNUTSON. Mr. Chairman, I should like to ask the chairman of the committee a question, if I may.

Mr. CARTER of Oklahoma. Certainly.

Mr. KNUTSON. In line 10 it is provided—

That a report shall be made to Congress by the Superintendent for the Five Civilized Tribes, Oklahoma, showing in detail the expenditure of all moneys appropriated by this provision

Why is not that same safeguard thrown around other appropriations made for other States? I want to say to the gentleman that we have been trying for years to get a detailed statement from the Indian Department of moneys expended belonging to the Chippewa Indians, and we have not been able to do it. Now, why has not this provision been inserted in other appropriations?

Mr. CARTER of Oklahoma. Perhaps the gentleman who preceded the gentleman from Minnesota was not as zealous as the gentleman has been. That is the only explanation I can give of that.

Mr. HASTINGS. That provision ought to be inserted.

Mr. CARTER of Oklahoma. I think the gentleman has a provision in the bill now which will get the result he wants.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized to pay to the enrolled members of the Choctaw and Chickasaw Tribes of Indians of Oklahoma entitled under existing law to share in the funds of said tribes, or to their lawful heirs, out of any moneys belonging to said tribes in the United States Treasury, or deposited in any bank or held by any official under the jurisdiction of the Secretary of the Interior, not to exceed $200 per capita, said payment to be made under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That in cases where such enrolled members, or their heirs, are Indians who by reason of their degree of Indian blood belong to the restricted class, the Secretary of the Interior may, in his discretion, withhold such payments and use the same for the benefit of such restricted Indians: *Provided further*, That the money paid to the enrolled members or their heirs, as provided herein, shall be exempt from any lien for attorneys' fees or other debt contracted prior to the passage of this act: *Provided further*, That the Secretary of the Interior is hereby authorized to use not to exceed $8,000 out of the Choctaw and Chickasaw tribal funds for the expenses and the compensation of all necessary employees for the distribution of the said per capita payments.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word, for the purpose of obtaining a little information. My memory is pretty good, but I wish to inquire whether this item is the one that in years immediately gone has been provocative of serious attacks from certain Representatives from Mississippi?

Mr. CARTER of Oklahoma. This is the one.

Mr. STAFFORD. Has there been some entente cordiale entered into between the gentlemen from Oklahoma and the gentleman from Mississippi whereby this item will no longer be contested?

Mr. CARTER of Oklahoma. The gentleman's suspicions are entirely unfounded, so far as I am concerned. The gentleman from Mississippi [Mr. HARRISON] last year announced that he knew when he was licked and that his fight was over. He made an attempt yesterday to get an appropriation out of the Federal Treasury of $150,000 in the bill, to which I made a point of order, as the gentleman from Wisconsin knows, and that ought to show pretty clearly my position on the matter. If there had been any such agreement as the gentleman speaks of the point of order would not have been made by me yesterday.

Mr. STAFFORD. I am glad to have the open statement of the gentleman that he will resist the claim for further aid for the Choctaws of Mississippi, either out of the trust funds of the Indians in Oklahoma or the larger trust funds in the Treasury of the United States.

Mr. CARTER of Oklahoma. I think my position on that question is pretty well known.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized to pay to the enrolled members of the Creek Tribe of Indians of Oklahoma entitled under existing law to share in the funds of said tribe, or to their lawful heirs, all moneys except $50,000 belonging to said tribe in the hands of the United States Treasurer, or deposited in any bank, or held by an official under the jurisdiction of the Secretary of the Interior on June 30, 1918, the payment to be made in such a way as to equalize the pro rata share received by each member of said tribe, either in land or money of the tribe, taking into consideration the value of the land heretofore allotted and the money received by

each member: *Provided*, That said payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That in cases where such enrolled members or their heirs are Indians belonging to the restricted class, the Secretary of the Interior may, in his discretion, withhold such payments and use the same for the benefit of such restricted Indians: *Provided further*, That the money paid to the enrolled members or their heirs, as provided herein, shall be exempt from any lien for attorney's fees or other debt contracted prior to the passage of this act: *Provided further*, That the Secretary of the Interior is hereby authorized to use not to exceed $5,000 out of said moneys for the payment of salaries of all necessary employees and other expenses for the disbursement of said moneys, as herein provided.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. Is this the item where it purposes to distribute all the funds remaining in the Treasury to the credit of the Creek Tribe?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. Why is the $50,000 reserved?

Mr. CARTER of Oklahoma. To pay the tribal chiefs and the tribal attorney and such officials as are necessary to continue the Creek Tribe of government until the matters are wound up. The gentleman from Oklahoma [Mr. HASTINGS] is familiar with that.

Mr. HASTINGS. Mr. Chairman, the Creek Tribe has a chief and certain officials that are continued, and it also has a national attorney. This amendment was submitted to the Commissioner of Indian Affairs, who approved it, as the hearings will show, and it was submitted to the national attorney of the Creek Tribe, who approved it. So it has been approved by the Creek Tribe and by the Commissioner of Indian Affairs, both as to the amount and the language. I consulted the national attorney for the Creek Tribe, as well as the Commissioner of Indian Affairs, as to the amount necessary to be reserved, and the amount of $50,000 was reserved on the suggestion made by the Creek national attorney.

Mr. STAFFORD. How much is there involved here?

Mr. HASTINGS. About $2,145,000.

Mr. STAFFORD. That is to be divided up among how many?

Mr. HASTINGS. There are 18,774 enrolled Creeks. It is not divided equally; it equalizes their allotment. It is to be divided, for equalizing purposes, according to existing law, and it is owing to how much an allottee heretofore received. Some were allotted more land than others, and it is according to the amount of land that the allottee in the Creek Tribe received. For instance, the maximum amount, or the basis of the allotment, was $1,040. The maximum amount that anyone could receive in land or money would be $1,040. If he received in land $1,040, he would not receive any money at all until the other members of the tribe had received that amount, either in land or money or both. Suppose an allottee received $760 in money or land; he would receive the difference between that and the amount he is entitled to receive. In other words, this money is to be used to equalize the allotments of the Creeks to an amount so that, as far as it can, it will equalize them and treat them all alike. If the Creek funds are insufficient to equalize all to $1,040, they are to be used to equalize them to an equal amount.

Mr. STAFFORD. Some will receive larger payments than others?

Mr. HASTINGS. Yes.

Mr. STAFFORD. But no one in excess of $1,040, the original allotment?

Mr. HASTINGS. No.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. How long does the gentleman estimate will be necessary to wind up the affairs of the Creek Nation under this provision?

Mr. HASTINGS. I am trying to do everything I can to get them wound up as quickly as possible. The land is all sold except a few town lots, and some of them occupied by squatters, and these are in litigation. They ought to be wound up in two years.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

The sum of $275,000, to be expended in the discretion of the Secretary of the Interior, under rules and regulations to be prescribed by him, in aid of the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, during the fiscal year ending June 30, 1919: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of this act limiting the expenditure of money to educate children of less than one-fourth Indian blood.

Mr. NORTON. Mr. Chairman, I would like to inquire of the gentleman from Oklahoma when it may be expected that the time will be reached when it will not be necessary for the Government to make this appropriation of $275,000 to aid the public schools of Oklahoma.

Mr. CARTER of Oklahoma. Mr. Chairman, that appropriation was put in the Indian appropriation act in 1904, before I came to Congress.

Mr. NORTON. It has been paid, then, for the last 14 years.

Mr. CARTER of Oklahoma. No; it has not. If the gentleman will permit me to proceed, I will give him the information I have. It was placed in the bill in 1904, as I recollect, the amount being $300,000. It was placed in the bill when the east side of our State was a Territory. We had no taxable land and no method by which to operate the schools for white persons. When the statehood act passed, all lands on the east side of the State were nontaxable. There was not one dollar of taxable property outside of some little towns, and they were small because they were Indian lands. So the appropriation was continued for one year after statehood, and then there was passed an act on May 27, 1908, making certain lands taxable. After that it was thought that enough lands would be taxable to furnish a fund to operate the schools, but the Indians brought suit on the constitutionality of the act, and in the case of Choate against Trapp in the Supreme Court of the United States it was decided that none of these lands were taxable so long as the title remained in the original allottee. So that makes practically the entire east side of the State, where my friend has been, embraced by nontaxable land. Land, as the gentleman knows, is the principal asset for taxation in any country. These lands are becoming taxable, and if they do become taxable this appropriation can be dispensed with.

Mr. NORTON. What is the assessed value of the State of Oklahoma?

Mr. CARTER of Oklahoma. I can not give the gentleman the information. In some parts of the country it is very great and in some very small.

Mr. NORTON. With its present population, as I recall it, it has about the same per capita assessed valuation as the average Western State. It occurs to me that the time has about been reached when there is no real justice in making this appropriation. There are vast properties in the eastern part of Oklahoma to-day that are subject to taxation, including enormous oil and gas interests. Some of these lands of which the gentleman from Oklahoma [Mr. CARTER] speaks are now owned by others than the original allottees and are taxable and constitute the most valuable properties in the State.

Mr. CARTER of Oklahoma. None of this money is used in that part of the State where taxation will support public schools. In the counties of Carter, Le Flore, McCurtain, and Bryan, and some counties up in the district of my friend from Oklahoma [Mr. HASTINGS], you will find that some of them have very little taxable property. Where the oil properties exist there is considerable taxable value, not the oil land itself, because in some cases they themselves are nontaxable, the title still being in the original allottee. But in other counties there is very little taxable property. If the gentleman had gone with me, as did the gentleman from California [Mr. ELSTON], and the gentleman from South Dakota [Mr. GANDY], he would have seen the difference in that part of the State, but the gentleman from North Dakota was called to another section, which is the wealthy part of the State.

Mr. NORTON. Yes; I did not observe any great poverty or distress in the sections of the State where I visited last spring. I did not observe any need for any appropriation of this kind. It seemed strange to me that the Representatives from Oklahoma should be so opposed to any legislation providing for the use of Indian funds for the education of Indian children, when they are so willing to accept a gratuity of this large sum of $275,000 from the Federal Government for the same purpose. I observed on page 40 of the bill that, under the item for the school at Pawhuska, in the Osage Nation, where the Indians have vast sums of money to their credit, where their incomes run up to about $4,000 per capita each year, the gentlemen from Oklahoma had incorporated legislation greatly limiting the expenditure of that money for school purposes. Perhaps a part of this $275,000 will be used in educating some of the children of the Osage Nation instead of using the funds of the tribe to educate them.

Mr. CHANDLER of Oklahoma. Mr. Chairman, I will state for the benefit of the gentleman that the entire amount appropriated, on pages 39 and 40, is paid out of the Osage trust funds, and no portion of the $275,000 goes up to that part of the country. In fact, that portion of the country does not want any of it.

Mr. NORTON. I am glad to hear from the gentleman that no part of this is used in that section of the State. It had occurred to me that it would be well to maintain that school up

at Pawhuska, as it has been maintained in the past out of Indian funds. I shall not be greatly surprised if in future years the delegation from Oklahoma are found requesting from Congress appropriations out of the Public Treasury to maintain that school.

Mr. CHANDLER of Oklahoma. I will state for the benefit of the gentleman, that as long as I am in Congress we will not ask for any funds to maintain the Osage Indian school or any other Indian school up in that part of the country, and so far as the Osage Indians are concerned, they would like to see the school discontinued, as they are paying taxes now on 497 acres of land, each man, woman, and child, and in addition to that they are paying taxes on a lot of inherited lands and they have a fine public-school system that they are maintaining by taxation in that county.

Mr. NORTON. In view of the promise the gentleman has made, I sincerely trust he remains in Congress for many, many years. I heard the Osage Indians testify in this matter at Pawhuska last spring, and from that testimony I was impressed by the fact that practically every one of the full-blood Osage Indians desired to have this school continued. There were a few renegade whites and some mixed-blood Osage Indians who desired to have the school discontinued. These were the only class of people at all interested in the school that I found who wanted the school discontinued.

The CHAIRMAN. The time of the gentleman from North Dakota has expired, and the Clerk will read.

The Clerk read as follows:

For the salaries and expenses of not to exceed three oil and gas inspectors and necessary clerks and field assistants, under the direction of the Secretary of the Interior, to supervise oil and gas mining operations on allotted and tribal lands in the State of Oklahoma from which restrictions have not been removed, and to conduct investigations with a view to the prevention of waste, $15,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I have examined the hearings to try to find some testimony as to the reason why the committee reduced the department's estimate of six oil and gas inspectors to three, and I find no examination in the hearings by the members of the committee. The only thing that is included is the formal report of the department justifying the continuance of these six oil inspectors. What was the reason the committee took this drastic action in reducing the force by half without the recommendation of the department?

Mr. CARTER of Oklahoma. Mr. Chairman, the gentleman from Oklahoma [Mr. CHANDLER] furnished the committee some information on which the committee thought it was justified in making this reduction. He furnished the committee the information as to what these gentlemen did, and after taking that into consideration we thought that a less number of men might be able to do with less money. If the gentleman from Oklahoma [Mr. CHANDLER] desires to make a statement, I gladly yield to him.

Mr. SNYDER. Mr. Chairman, if the gentleman from Wisconsin will permit, I will say there was an investigation made about this matter, but we did not have the commissioner before us at the time. We were unable to find that any of these men were doing any actual service and upon further talk in the committee it was determined that we ought to leave them a certain number; that there must be some work for some of them to do, although no committeeman had any real knowledge that any one of these inspectors was doing any actual work.

Mr. STAFFORD. Then, as I understand the gentleman's position, it is that there was sufficient testimony presented by the members upon which you could safely eliminate three?

Mr. SNYDER. My own wish was to strike them all out, because I could not find that any of them was doing anything for the benefit of the service.

Mr. STAFFORD. I want to compliment the committee on eliminating some Indian force that they thought was needless, and I hope next year they will be able to eliminate all of this supplementary force that apparently does nothing in addition to the work of the State officers except to draw their salaries.

Mr. CARTER of Oklahoma. We eliminated a school which the gentleman helped to put back in the bill.

Mr. STAFFORD. The gentleman is mistaken as to my having assisted to restore any such item. I withdraw the pro forma amendment.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask unanimous consent that we may turn now to page 59 of the bill, to the paragraph beginning at line 7, in order that the gentleman from Washington [Mr. JOHNSON] may make a short statement in respect to it, as he is compelled to leave town on account of important business.

The CHAIRMAN (Mr. LEVER). The gentleman from Oklahoma asks unanimous consent to turn to the portion indicated on page 59 of the bill and to read that section. Is there objection?

There was no objection.

The Clerk read as follows:

For the construction of a road across Point Grenville on the Quinault Indian Reservation, Wash., $22,500, to be immediately available and to be reimbursed from any funds now or hereafter placed in the Treasury to the credit of the Quinault Indians, to remain a charge and lien upon the lands and funds of said tribe of Indians until paid.

Mr. JOHNSON of Washington. Mr. Chairman and gentlemen of the committee, I desire to thank the chairman and others for giving me permission to make this statement at this time. This item which would authorize the Indians to commence the construction of a road with money with which they expect to repay the Government in a short time is of most supreme importance. The Government is calling on the people of western Washington for many times as much spruce as can be furnished. Spruce timber has now reached the price in the forest, in the tree, of about $7.50 a thousand feet, board measure. Not all of these spruce trees in this great Indian forest can be utilized for aeroplane stock. About one large tree in every six is available. These trees are to be cut out by hand. The road is then necessary to find some way to get it to tidewater or to transcontinental railroad terminals. This is to provide money for a portion of such road. The War Department has offered to go in at once and commence the construction of a road with this money. Rived spruce, hand hewn, of the right kind is selling right now at $90 a thousand feet, no piece measuring smaller than 6 by 8 inches, with the heart cut out, and in addition to the price of $90 a thousand feet a bonus of $40 a thousand feet is being paid up to the 31st day of January. After that time the bonus is $30 a thousand feet, so there is now the greatest incentive for small cruiser men, including new crews, to go into this great forest and find these large spruce trees and get them out to assist the Government in its great necessity for spruce that will make aeroplane stock. I have many indorsements here of this item not only from the War Department but from the Indian Office and the Interior Department, and I hope the point of order will not be raised.

Mr. STAFFORD. Will the gentleman yield?

Mr. JOHNSON of Washington. With pleasure.

Mr. STAFFORD. Is it purposed to build this railroad from a definite point to another part of the reservation?

Mr. JOHNSON of Washington. The paragraph says "for the construction of a road across Point Grenville," and I should like right there to amend that by striking out, in line 7, after the word "road," the words "across Point Grenville."

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 59, line 7, after the word "road," strike out the words "across Point Grenville."

Mr. STAFFORD. Mr. Chairman, will the gentleman yield in that particular?

Mr. JOHNSON of Washington. I will.

Mr. STAFFORD. It is not the purpose at all to increase the appropriation to be required for building this road. As I understand, it is only to give the department a larger leeway, so that they may build a road to the military road——

Mr. JOHNSON of Washington. Yes; and I have a letter here from the Indian Department suggesting that those words might be too tight a limitation when the engineers have found where was the best place to locate the road.

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized and directed to sell at a price to be fixed by him, which shall not be less than the appraised value, to the State of Oklahoma for a game preserve lands of the Choctaw and Chickasaw Tribes of Indians in Oklahoma described as sections 1, 2, 11, 12, 13, 14, 23, 24, 25, and 26, township 3 south, range 25 east, and sections 5, 6, 7, 8, 17, 18, 19, 20, 29, and 30, township 3 south, range 26 east, containing in all 12,800 acres, more or less: *Provided*, That any lands heretofore allotted and conveyed to allottees of the Choctaw and Chickasaw Tribes of Indians, or sold at sales heretofore held to purchasers of tracts of land within said area thus described shall be excepted from such sale.

Mr. STAFFORD. Mr. Chairman, reserving the right to object, is it the intention to establish a game preserve similar to that established more or less on paper in the State of Kansas?

Mr. CARTER of Oklahoma. I do not know anything about the game preserve in Kansas, but this is for the purpose of buying some mountain land there from the Choctaw Nation at not less than its appraised value, the price to be fixed by the

Secretary, the State to purchase it and administer it as a State game preserve.

Mr. STAFFORD. Has any action been taken by the State?

Mr. CARTER of Oklahoma. Yes; the State has appropriated a fund for the purpose.

Mr. STAFFORD. And it is going to be an established institution?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. To be maintained hereafter without expense to the Federal Government?

Mr. CARTER of Oklahoma. The State has already appropriated the fund for the purchase of this game preserve.

Mr. STAFFORD. And there will be no further charge upon the National Treasury if this preserve is established?

Mr. CARTER of Oklahoma. The only tax we will make on the Federal Government is to ask the gentleman to come down and take a look at a deer occasionally.

Mr. STAFFORD. We have plenty of deer in northern Wisconsin, which I had the pleasure of seeing last October and November; quite an attraction.

The Clerk read as follows:

That all claims against the Cherokee Nation, including claims to unpaid per capita and equalization money, which may now be paid under existing law out of the funds of the Cherokee Nation in the Treasury of the United States or otherwise in the hands of the Government, shall be filed, not later than one year from the date of the approval of this act, with the superintendent for the Five Civilized Tribes or such other person as the Secretary of the Interior may designate, and under such rules and regulations as said Secretary of the Interior may prescribe to govern the filing, determining and settlement of said claims, and the claims so submitted and filed shall be considered and adjudicated under said rules and regulations not later than six months after the expiration of the time above limited for the filing of the claims, and shall, if approved by the Secretary of the Interior, be paid out of the tribal funds of the Cherokee Nation. Upon the expiration of the time limited in this act claims against the Cherokee Nation shall be forever barred, and all of said tribal funds then remaining to the credit of the Cherokee Nation shall be expended under the direction of the Secretary of the Interior for building and furnishing an additional dormitory for the Cherokee Orphan Training School, near Tahlequah, Okla.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. What is the purpose of placing a limitation upon the presentation of claims upon the funds of the Cherokee Nation as provided in this paragraph?

Mr. HASTINGS. Let me say to the gentleman that the affairs of the Cherokee Tribe of Indians are completely wound up. There were 41,824 on the roll. Certain equalization payments have been made and certain small per capita payments have been made to the enrolled members of the tribe. The last three payments were fifteen, twelve, and three-thirty, respectively. The rolls were made as of date of September 1, 1902, some 15 or 16 years ago. About one-third of the enrolled members of the tribe are dead, so a great many of them did not apply in person for the small equalization balances. The allotments were made upon the basis of $325.60 each. A great many of them, for instance, took $325 in land, which left 60 cents due them.

It left 60 cents due the allottee. Later, it was provided by act of Congress that double the value of the land an allottee was deficient should be paid him in money, so that there might be only a few dollars due an allottee.

Now, as I said a few moments ago, some 10,000 or 15,000 of these allottees are dead. The heirs of a great many of them can not be found. They have removed from the State; others do not apply; so that there are those little driblets of money that are left to the credit of the tribe that are now authorized to be paid under existing law out of these funds. I will say that there is left about $71,000 of this money out of which these claims are to be paid.

Here is a letter from the Secretary of the Interior referring to this amendment, indorsing its language, and recommending that it be incorporated as an amendment to this bill. The idea of it is to have these claims presented and have them passed upon. They are all small; none of them of any consequence. It is just a question of determining who are the heirs. The books will show whether any small amount is due any allottee. There is no proof necessary upon that proposition at all. It is only a question, then, of determining the identity of the allottee or the heirs of that allottee. The last sentence of the proposed amendment is for the purpose of disposing of whatever little amount of money may remain. I will say that there is about $71,000 now, but, of course, a much smaller amount will remain when all claims are presented and paid. Perhaps $15,000 or $18,000 may be left. As I said, there are 41,824 of these Indians. So there would not be perhaps half a dollar to distribute to each member of the tribe—an amount insufficient to pay the cost of distribution.

Mr. STAFFORD. There can not be a question that there will be insufficient funds to meet all the claims?

Mr. HASTINGS. This amount is held for that purpose, and limitation within which all claims must be presented.

Mr. STAFFORD. It is virtually a residuum for prior allotment?

Mr. HASTINGS. Yes; and it completely winds up the affairs of this tribe of Indians, the largest in the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. Will the gentleman answer this question? Will there be any hardship, or can any possible hardship be done to any of these claims by a limitation of one year?

Mr. HASTINGS. None whatever. There is given a year after this bill passes within which to present any claim, and then a certain time is provided for the Secretary of the Interior to determine—I think six months thereafter.

Mr. STAFFORD. I assume there is not a claim, judging from the gentleman's statement, approximating $100?

Mr. HASTINGS. No. They are small claims. I think none will exceed that amount.

Mr. STAFFORD. I withdraw the point of order.

Mr. HASTINGS. Mr. Chairman, I would like permission to extend my remarks in the RECORD by inserting this letter from the Secretary of the Interior. It explains the amendment.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The following is the letter referred to:

DEPARTMENT OF THE INTERIOR,
Washington, January 9, 1918.

Hon. W. W. HASTINGS,
House of Representatives.

DEAR MR. HASTINGS: I am in receipt of your letter of December 27, 1917, with which you submit an amendment which you state you intend to propose to the Committee on Indian Affairs of the House of Representatives to be added to the Indian appropriation bill, said intended amendment being one providing a limitation of time for the filing of claims against the Cherokee Nation, which may now be paid under existing law out of the tribal funds, and providing that the tribal funds remaining to the credit of the Cherokee Nation at the expiration of the time limited should be used for the benefit of the Cherokee Orphan Training School.

I have written Hon. C. D. CARTER, chairman of the Committee on Indian Affairs of the House of Representatives, recommending the enactment of legislation as set forth in your intended amendment. A copy of my letter of even date to Mr. CARTER concerning the matter is inclosed for your information.

Cordially, yours,

FRANKLIN K. LANE,
Secretary.

—

JANUARY 9, 1918.

Hon. C. D. CARTER,
Chairman Committee on Indian Affairs,
House of Representatives.

DEAR MR. CARTER: Reference is herein made to a letter of December 27, 1917, from Hon. W. W. HASTINGS to the Commissioner of Indian Affairs, concerning an amendment that he intends to propose to the Committee on Indian Affairs of the House of Representatives, to be added to the Indian appropriation bill, said intended amendment being one providing a limitation of time for the filing of claims against the Cherokee Nation which may now be paid under existing law out of the tribal funds, and providing that the tribal funds remaining to the credit of the Cherokee Nation at the expiration of the time limited shall be expended for building and furnishing an additional dormitory for the Cherokee Orphan Training School near Tahlequah, Okla. Copies of Mr. HASTINGS'S letter and intended amendment are inclosed.

I am advised that the books of the Indian Office show that on October 1, 1917, there were in the Treasury of the United States to the credit of the Cherokee Nation tribal funds aggregating $71,258.73. Said funds have been held for the purpose of settlement of outstanding back per capita, equalization, and other payments heretofore authorized by law, and which remain due and unpaid to members of the Cherokee tribe or their heirs. A large number of said undistributed shares of the tribal fund remain unpaid because of the fact that the enrolled Cherokee citizens who were entitled to the distributive shares of said funds are dead and their heirs have not been or can not be ascertained or found. In connection with this matter, your attention is invited to my letter of May 7, 1917, to you concerning H. R. 351. The amendment intended to be proposed by Mr. HASTINGS to the Indian appropriation bill is along the line of the legislation suggested in my abovementioned letter, but with the additional provision making an appropriation for the benefit of the Cherokee Orphan Training School of such funds as may remain to the credit of the tribe at the expiration of the time limited for the filing and settlement of outstanding claims.

In order that the tribal affairs of the Cherokee Nation may be finally closed, I believe that legislation as set forth in the intended amendment of Mr. HASTINGS should be had. I therefore recommend that such legislation be enacted.

Cordially, yours,

(Signed) FRANKLIN K. LANE, *Secretary.*

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WASHINGTON, D. C., *December 27, 1917.*

COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

MY DEAR COMMISSIONER: I am inclosing herewith an amendment that it is my purpose to propose to the Committee on Indian Affairs, to be added to the Indian appropriation bill. It provides for a limitation within which all claims shall be presented and paid from funds of the Cherokee Tribe.

It is in almost verbatim language with H. R. 351, upon which a favorable report was made, except that the tribal funds remaining to the credit of the nation, when all claims are adjudicated, shall be expended under the direction of the Secretary of the Interior for building and furnishing an additional dormitory for the Cherokee Orphan Training School, near Tahlequah, Okla.

This provision contemplates the adjudication and payment of all claims within 18 months after the enactment of this bill and the disposition of all moneys which may remain to the credit of the tribe.

I can think of no better purpose for which the money could be expended than the building of another dormitory. It is now badly needed at the school.

Sincerely, yours, (Signed) W. W. HASTINGS.

That all claims against the Cherokee Nation, including claims to unpaid per capita and equalization money, which may now be paid under existing law out of the funds of the Cherokee Nation in the Treasury of the United States, or otherwise in the hands of the Government, shall be filed not later than one year from the date of the approval of this act with the Superintendent for the Five Civilized Tribes, or such other person as the Secretary of the Interior may designate, and under such rules and regulations as said Secretary of the Interior may prescribe to govern the filing, determining, and settlement of said claims, and the claims so submitted and filed shall be considered and adjudicated under said rules and regulations not later than six months after the expiration of the time above limited for the filing of the claims, and shall, if approved by the Secretary of the Interior, be paid out of the tribal funds of the Cherokee Nation. Upon the expiration of the time limited in this act claims against the Cherokee Nation shall be forever barred, and all of said tribal funds then remaining to the credit of the Cherokee Nation shall be expended under the direction of the Secretary of the Interior for building and furnishing an additional dormitory for the Cherokee Orphan Training School, near Tahlequah, Okla.

The Clerk read as follows:

For the purpose of encouraging industry and self-support among the Klamath Tribe of Indians in Oregon, and to aid them in building homes, the culture of fruits, grain, and other crops, $200,000, or so much thereof as may be necessary, which sum may be used for the purchase of such animals, machinery, tools, implements, and other equipment necessary in the discretion of the Secretary of the Interior to enable the Klamath Indians to become self-supporting, to be reimbursed from the funds accruing to the credit of said tribes in the Treasury of the United States from the sale of timber and unallotted lands on the Klamath Reservation, under such rules and regulations as the Secretary of the Interior may prescribe.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. I believe this is a new item in the bill that has not been heretofore carried.

Mr. CARTER of Oklahoma. If the gentleman will turn back to the industrial item in the bill, on page 14, he will see that that item was reduced from $400,000 to $100,000; and $200,000 of that was transferred to this reservation and made specific.

Mr. STAFFORD. Can the gentleman inform the committee about how much of that appropriation has been utilized in the past for this specific purpose on this Klamath Indian Reservation?

Mr. CARTER of Oklahoma. For the fiscal year ending June 30, 1917, there seems to have been——

Mr. STAFFORD. Can the gentleman from Oregon [Mr. SINNOTT] give me the information?

Mr. CARTER of Oklahoma. The gentleman from Oregon [Mr. SINNOTT] is not familiar with this general item.

Mr. STAFFORD. I meant no discourtesy to the chairman of the committee, but I thought the gentleman from Oregon could give information about the item.

Mr. CARTER of Oklahoma. The gentleman asked me about the general item.

Mr. STAFFORD. My question was as to how much of the $200,000 of the general item had been expended on the Klamath Reservation?

Mr. CARTER of Oklahoma. A small tribal herd has been purchased from the general fund.

Mr. SINNOTT. Mr. Chairman, I am unable to give the gentleman from Wisconsin [Mr. STAFFORD] perhaps the precise information he desires, although I have received information by letter from some of the Klamath Indians and some of the Indians who are here representing the tribe. They inform me that at the present time the Indians have about 4,000 head of stock running on the reservation. Now, I was at the Indian Department last week—I think on Monday or Tuesday—and I endeavored to secure information as to how much money has been heretofore expended on the Klamath Reservation for stock purposes and what becomes of the stock. I dictated my request to the secretary of the Assistant Commissioner, Mr. Meritt. The next day Mr. Meritt called me up on the phone and we talked over the matter, but they have failed for some reason to give me that information. I was very anxious to secure it. I had not the information as to the amount of stock on the reservation at the present time, and what they have done in the past toward advancing money for the Indians for live-stock purposes, and I have been unable to secure it, although I requested this information several days ago. But I hope the gentleman will not insist upon his point of order. The Klamath Reservation is situated in one of the very best stock sections in the State of Oregon.

Mr. STAFFORD. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. STAFFORD. Will the gentleman inform the committee as to the extent of the funds belonging to this Indian tribe?

Mr. SINNOTT. Well, their assets in timber are valued at something like $23,000,000. Recently the Indian Department made a sale of timber amounting to something over $1,000,000. The payments are to be made in 13 years, $50,000 next year, $75,000 the year after, and $75,000 the year after that. And there is no question about their ability to reimburse the Government for this advance.

Mr. STAFFORD. Now, as I understand, the representative of these Indians at the time the bill was under consideration in the committee wished an appropriation for this purpose, involving $2,000,000.

Mr. SINNOTT. They wish an appropriation of $1,000,000.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. If this appropriation was granted, or any additional appropriation was granted, it would mean that the funds would be furnished from the Treasury?

Mr. SINNOTT. The funds, in the first place, for a year or so, would come from the Treasury and it would be reimbursed from the sale of this timber. They have timber worth something like $23,000,000 on the reservation. I think much of the timber should have been sold long ago and applied to the purchase of teams and cattle for the Indians.

Mr. STAFFORD. What assurance can we have that if this appropriation is allowed to go through, the appropriation will not be increased for the coming fiscal year? Here this money is going to be drawn from the Treasury. The Indians want $2,000,000 to be appropriated out of the Treasury. True, they have assets in the way of standing timber, but that will not be sold for years to come.

Mr. CARTER of Oklahoma. The best guarantee for that that I can give is the continued presence of the gentleman from Wisconsin in Congress.

Mr. STAFFORD. I thank the gentleman. I think we can get further assurance that the sum will not be increased in the fact that the gentleman from Oklahoma will probably be a member of the conference that will confer with representatives of another body.

Mr. CARTER of Oklahoma. When the Assistant Commissioner of Indian Affairs, Mr. Meritt, was before our committee the following examination took place:

The CHAIRMAN. How much do you estimate is going to be necessary in this entire appropriation before we are through with it?

Mr. MERITT. In the entire appropriation bill?

The CHAIRMAN. No; I mean the entire amount running over a period of years. How long will it run?

Mr. MERITT. This is the only advance we will ask for these Indians.

The CHAIRMAN. For how many years will you ask an appropriation for them?

Mr. MERITT. For the Klamath Indians?

The CHAIRMAN. Yes.

Mr. MERITT. We will not ask for a further reimbursable appropriation. We will for a number of years require an agency appropriation——

The CHAIRMAN (interposing). I mean under this item here. Will this $200,000 end it, or will we be expected to appropriate $200,000 next year?

Mr. MERITT. No, sir; this will end it.

The CHAIRMAN. You will not want any more appropriations after getting this $200,000?

Mr. MERITT. No, sir.

The CHAIRMAN. With that you can make the farms self-sustaining?

Mr. MERITT. Yes, sir; including the proceeds from the sale of their timber.

That was the assurance that we received.

Mr. STAFFORD. Mr. Chairman, with the assurance that has just been read by the chairman of the committee, I will withdraw the point of order.

The CHAIRMAN. The gentleman from Wisconsin withdraws the point of order.

Mr. SINNOTT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oregon moves to strike out the last word.

Mr. SINNOTT. Mr. Chairman and gentlemen of the committee, in my opinion this sum of $200,000 is a wholly inadequate sum and it is far below the desires of these Indians. I realize that we are in war times now. I realize that there are a great many demands upon the Treasury of the United States. But here is a reservation in the very heart of the richest stock country in the West, containing over 1,000,000 acres, much of it arable land, and all good grazing land.

Not far from this reservation in Harney County there is a cattle ranch, a stock ranch of 150,000 acres. This reservation contains over a million acres of much better grazing land. The cattle ranch is called the "P ranch" from the cattle brand. On this ranch there are running from 18,000 to 30,000 head of cattle. Yet this reservation of over 1,000,000 acres has only 8,000 head of stock, 4,000 head belonging to the Indians and 4,000 head belonging to the white lessees.

This $23,000,000 worth of timber belongs to these Indians. The Government is the trustee or guardian of those Indians. It owes them some duty. There are a number of sawmills in that vicinity. There is a demand and ready market for this timber. Some of it should have been sold years ago. I have been through it. It is ripe timber and should be on the market to-day. The timber is full of spread tops and spike tops, showing that it has reached its perfection and is now on the decline. Think of it—only 4,000 head of stock belonging to the Indians on a million acres; 30,000 head of cattle upon a ranch of only 150,000 acres not many miles from there. That is a serious comment, showing that the management of this reservation is a travesty; not on the part of the present administration alone, because I do not blame the present administration any more than I blame the past administration. This reservation is capable of supporting at least 50,000 head of cattle. That is a very moderate estimate.

Many of these Indians on this reservation to-day are living from hand to mouth. They are digging the very roots in the ground; the bulbs and water lilies they dig in the swamps and grind into a flour and paste to make their bread. Individually and potentially they are worth $25,000 apiece—their assets amount to that sum—and yet many of them are in want. We had a representative of the tribe before the committee, an Indian named Harrison Brown, a prosperous Indian, a good stock raiser, who runs about 400 head of stock, and he told the committee that he had frequently to go down into his own pocket to assist the other members of the tribe, to furnish them with groceries and furnish them with food and clothing, so that they would have something to eat and be comfortable in the winter months.

And yet they have $23,000,000 worth of timber and a million acres in this reservation. Why, Mr. Chairman, it would pay this Government to go over to the P Ranch and hire Tom Allen, the manager, or to go to the Bell A Ranch and hire Bill Hanley or some of those men who have made a success in the stock business.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. SINNOTT. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. SINNOTT. It would pay the Government to go over to those stock ranches and employ these managers and pay them $25,000 a year and give them authority to conduct a reservation like this as their own ranches are conducted. If that were done, in 10 years every one of these Indians would be absolutely independent. They would be rolling in wealth in 20 years.

I know what that country is. It is one of the best stock countries in the United States, and any good manager, familiar with the stock business and given some authority, would soon have those Indians on their feet and make them absolutely independent, and not objects of charity, as some of them are to-day. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SOUTH DAKOTA.

SEC. 20. For support and education of 350 Indian pupils at the Indian school at Flandreau, S. Dak., and for pay of superintendent, $72,000; for general repairs and improvements, $8,000; in all, $80,000.

Mr. DILLON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DILLON: Page 52, line 5, after the semicolon, insert "for repairing damages caused by fire in industrial building, $4,500; for replacing and repairing equipment contained in industrial building, $2,000; the last two sums to be immediately available."

Mr. HAYDEN. I reserve a point of order on the amendment.

Mr. DILLON. Mr. Chairman, on November 24, 1917, a fire occurred in the industrial building at Flandreau. The building was destroyed and its contents were very much damaged. The damage to the industrial building is estimated at $4,500. The southwest corner of the building will have to be taken down and rebuilt. The balance of it can be repaired. It is estimated that the equipment that was in this industrial building can be replaced and repaired for $2,000. The industrial building contains 6 rooms—the blacksmith's department, the carpenter's department, the shoe and harness department, the tailoring department, the printing department, and the industrial-training department. The superintendent of this school presented a report to the Commissioner of Indian Affairs upon the day following the destruction of this building, but nothing was done with it by the commissioner at that time, and I recently obtained information that it was not included in this bill. Thereupon I went to the chairman of this committee. He suggested that it ought to be a deficiency item in the deficiency bill. I then went to the assistant commissioner and presented the matter to him. He conceded that it was a necessity; that the school would be put out of business unless it was included. I said to him that it had been suggested to me that it ought to be a deficiency item, and that it ought to come through the Treasury Department; but the commissioner said that was a long road to reach results, and that he was sure the chairman of this committee under the circumstances would make no point of order against this amendment. I secured from him a statement of these losses, which I now read, and in this statement he commends this amendment, as follows:

The industrial building at the Flandreau Indian School, S. Dak., was destroyed by fire on November 24, 1917. As far as known the fire was caused by the crossing of electric wires in the building.

The walls of the building are not seriously damaged except for about 40 feet on the southwest corner. This damaged place will have to be taken out and rebuilt and the building otherwise repaired.

The industrial departments of the school are badly handicapped and it is impossible to carry on the course of study along industrial lines under present conditions. Considerable personal property and equipment was destroyed, and it is estimated that $4,500 will be required to replace this building and $2,000 for replacing the equipment.

The usual repair and improvement fund will not be sufficient to replace the building and equip it. Therefore, in order to do this, it will be necessary to have a separate item for this particular purpose.

This school has about 365 students and is doing a great work under its efficient and capable superintendent.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAYDEN. Mr. Chairman, I reserved a point of order on the amendment, acting for the chairman of the committee; but after conferring with him and hearing the justification offered by the gentleman from South Dakota, I withdraw the point of order.

Mr. CARTER of Oklahoma. I should like to say that this school has been burned since the estimates were sent to Congress by the department, making it an emergency proposition. I shall be willing to withdraw the point of order, but I want to admonish the gentleman again, as I have told him before, that he would get his building much more quickly by presenting this matter to the Committee on Appropriations and letting them bring it in on a deficiency bill, because the chances are the usual thing will happen and this bill will not pass until July or August, perhaps too late to do the gentleman any good.

Mr. STAFFORD. Will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. This morning we had a similar proposal in connection with the building of a bridge in New Mexico, to increase the authorized amount so they could go ahead with the construction. It was pointed out that the gentleman could get quicker action by having a deficiency appropriation on the deficiency appropriation bill.

Mr. CARTER of Oklahoma. Mr. Chairman, the necessity for a bridge and the necessity for a school building are two entirely different things. Here we have a case where the gentleman wants his school building at once, for the continuation of the school, and my only intention was to help the gentleman. Now, if a bridge proposition came up and I had the bill before me to protect all my rights I would try to put it in the bill then under consideration, just as the gentleman from New Mexico did, although he did not consult me with reference to his action. But if I had such an urgent, necessary proposition as the gentleman from North Dakota [Mr. DILLON] has I think I would prefer to have it in the deficiency bill, although I leave that entirely to the gentleman himself. It is a meritorious case.

Mr. DILLON. I will say to the gentleman that I went to the commissioner upon that very point, and he said to me that this was the best route. What would the gentleman do under those circumstances?

Mr. CARTER of Oklahoma. I would follow my own judgment about it. Administrative officers do not always know the best form of legislative procedure.

The CHAIRMAN. The point of order is withdrawn. The question is on the amendment offered by the gentleman from North Dakota [Mr. DILLON].

The amendment was agreed to.

Mr. DILLON. I ask unanimous consent to extend my remarks by inserting the letter of Mr. Peirce, the superintendent of this school.

The CHAIRMAN. The gentleman asks unanimous consent to insert in the RECORD the letter indicated. Is there objection?

There was no objection.

The letter is as follows:

FLANDREAU, S. DAK., *December 3, 1917.*

Honorable COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

DEAR SIR: Replying to your telegram of November 26, I have the honor to transmit the following report concerning the destruction of the shop building and contents thereof by fire on Saturday the 24 ultimo. I would say, first, that I was on my way home from Bismarck school with a party of pupils who were being transferred from that place, consequently the report is based upon the testimony of employees who were on the grounds at the time.

The building was a one-story brick structure, 170 by 30 feet, with a 36-foot ell at the south end, and was divided into six rooms, used by the blacksmith, carpenter, shoe and harness, tailor, printer, and manual-training departments. The blacksmith shop had nine forges, together with necessary anvils, tools, etc. The carpenter or woodworking shop had a swing cut-off saw, cross-cut saw, planer, band saw, and a combination woodworking machine, together with several workbenches and kits of tools.

The manual-training room was used more particularly for a class-room and bench work, and had no machinery except a small turning lathe. The harness shop was equipped with a sewing machine, nailer, and a 12-foot combination sewing and finishing machine, together with a full assortment of working tools. The tailor shop had eight sewing machines, seven of which were saved. In the printing department all equipment was saved.

In the blacksmithing department none of the forges or other equipment was damaged beyond some slight repair. In the carpenter shop the band-saw frame, planer, and cross-cut saw can be repaired with an expenditure of about $200. Other machinery there is a total loss. In the harness and shoe department the finishing machine and nailer can be repaired for approximately the same amount, as frames and shafts are not injured. As stated, other equipment except stoves in tailor and print shop were saved. There was, however, a large amount of minor equipment such as hand tools in all departments that are a total loss.

It appears that the fire was discovered about quarter past 12, while all employees and pupils were at dinner, and that it had doubtless been burning for some time, at least 15 or 20 minutes, as it was bursting through the roof when the first employees reached the building.

The shops were closed at 11.30, although Mr. Carr, manual-training teacher, was in his department as late as 11.45 and saw no evidence of fire. From the evidence of employees, as well as from the photographs inclosed, it is plainly evident that the fire must have started in the attic above the manual-training room.

In the attic was stored several dozen new chairs and several hundred feet of kiln-dried cedar, pine, basswood, gum, and oak lumber. The chairs were all wrapped with paper and cotton sacking, so that all of the contents of the attic was highly inflammable.

From the testimony of employees, I do not think that the fire started in either of the shops below the ceiling, but am inclined to believe that it originated in the attic over the manual training room, either from crossed electric wires or spontaneous combustion.

Carpenter boys had within a few days previous been storing some lumber there, and I am inclined to believe that some of the wiring became disarranged and crossed and finally started a blaze near some of the paper and cloth wrappings on the furniture. That the damage could have been confined to the south end of the building had there been the sufficient water pressure is the opinion of all who witnessed the fire. Lines of hose were promptly laid, but there was not enough water pressure to throw a stream of water to the eaves of the building.

The Flandreau fire department also responded and connection was made with the city system, but with little better result. Our water system is provided with a mechanical filter, located in the filter house at the base of the water tank. Ordinarily water is run through the filter into the distributing system. There is, however, a valve which when opened allows the full tank pressure to go into the distributing system, cutting out the filter. In case of fire it is the first duty of the engineer to open the pass valve. In this case Mr. Heckendorn, engineer, claims to have opened this valve as soon as the alarm of fire was given. To this statement I can hardly agree. Mr. Heckendorn may think that he opened this valve, but I can not believe that this was done.

On Monday afternoon following the fire I had a line of hose attached to the barn hydrant, the farthest away from the tank, and found no difficulty in throwing water high enough to cover the shop building. I also had the hose attached to a hydrant near the girls building and put water onto the roof of that building, the brick walls of which are about 28 feet from the ground. This was with about 12 feet of water in the tank and with the pass-by valve open.

I also made a similar demonstration a day later in the presence of Mr. W. H. Davis, the chief of the city fire department, who stated that had like pressure been available on the day of the fire when he arrived with his men and apparatus that at least half of the building might have been saved.

Various employees say that only the usual pressure was noticeable in the buildings on that afternoon, which would not have been the case had the filter been cut out of use and direct pressure put on the system.

Taking the statement of Mr. Davis and our own employees into consideration, I can not believe that the by-pass valve at the filter house was open; rather that it was closed, or at least partly so, and that the water from both our own tank and the one in town was going through the filter, giving no fire-pressure service, and on account of this condition all efforts to control the fire were a failure.

As to the loss, I have gone over the walls carefully with Mr. Carr and an expert brick builder and find that three-fourths of the walls can be used with slight repairs. In order to protect these broken places, I am now having them repaired, and will also put on new plates so that that part of the building now standing will not suffer deterioration this winter.

A close estimate of the cost for rebuilding the building as it stood is placed at about $4,500. The cost of repairing or replacing destroyed equipment will reach approximately $2,000, making a total loss of $6,500. The building was heated by stoves, but if it is to be rebuilt I would like to install steam heat. I have a boiler on hand that could be used, have considerable pipe, and as all labor would be performed by our own force, the cost would not exceed $1,200. This matter, however, will be the subject of future correspondence.

Trusting that the foregoing report will be the information desired, I am,

Respectfully, yours, CHARLES F. PEIRCE,
Superintendent.

The Clerk read as follows:

For support and education of 275 Indian pupils at the Indian school, Rapid City, S. Dak., including pay of superintendent, $57,000; for general repairs and improvements, $5,000; for irrigation, drainage, and improving school farm, to remain available until expended, $3,000; in all, $65,000.

Mr. GANDY. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GANDY: Page 52, line 16, before the word "in," insert:

"Additional appropriation for new school building, $15,000."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment, for the purpose of allowing the gentleman to give information as to the need of this appropriation.

Mr. GANDY. Mr. Chairman, two years ago there was appropriated for a new school building at the Rapid City Indian School the sum of $30,000. At that time I had very grave doubts as to the ability of the Commissioner of Indian Affairs to have a building suitable for the needs of the school constructed for $30,000, and the records of the hearings before the Committee on Indian Affairs will bear me out in that statement. However, that amount was agreed upon. Plans for a suitable building were drawn, but the commissioner was never able to award the contract because of the fact that no bid was within the appropriation. In a letter under date of yesterday from the commissioner he states that the lowest bid at any time was $33,900, and my information on the subject is to the effect that the lowest acceptable bid was almost $37,000. Since that time materials having increased in value, it will be necessary to provide more money than the amount of the lowest acceptable bid received.

Mr. CAMPBELL of Kansas. I understand the amount that was appropriated on request of the gentleman from South Dakota was not enough under present prices for material and labor to enable a contractor to take a contract for the construction of the building?

Mr. GANDY. That is true; that is the situation exactly.

Mr. CAMPBELL of Kansas. And it will take some $10,000 or $15,000 more than is appropriated to construct the building?

Mr. GANDY. I want to say further that because of the crowded condition of the school building at this school it has been necessary to take out the seventh and eighth grades, because they were not able to handle them with the room they have there.

Mr. GANDY. Further, I want to call attention to the fact that there are 4,784 Indian children in school in South Dakota, while 5,668 are eligible for school, and the Government schools and mission schools combined have only a total capacity of 3,920, so that it is very necessary and very essential that the school facilities be increased.

Mr. STAFFORD. Will the gentleman yield?

Mr. GANDY. I will.

Mr. STAFFORD. I understand the purpose is to enlarge the original school building and to enlarge the plans of the original school building so as to provide for accommodations of the higher grades—seventh and eighth—now not accommodated in the building.

Mr. GANDY. The gentleman's idea is all right in one particular and erroneous in another. The present school building is a small four-room building. It is proposed to erect an eight-room building. The present kitchen and dining room at this school is in the boys' dormitory. The removal of that kitchen and dining room has been recommended by Indian Office inspectors and by health authorities for a long time. An appropriation was made a year ago for that work and for the remodeling of the present schoolhouse into a kitchen and dining room. But neither the remodeling of the boys' dormitory or the remodeling of the present inadequate school building can go ahead until the new school building is erected, and they have been tied up on that because the appropriation was insufficient.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. GANDY].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 21. That the Secretary of the Interior is hereby authorized, in his discretion, to withdraw from the Treasury of the United States the sum of $53,740, or so much thereof as may be necessary, of the tribal funds on deposit in the Treasury to the credit of the Confederated Bands of Ute Indians and to expend the same for the support and civilization of said Indians.

Mr. WELLING. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. WELLING: Page 54, strike out lines 11 to 17, inclusive, and insert the following:

"SEC. 21. For support and civilization of Confederated Bands of Utes: For pay of two carpenters, two millers, two farmers, and two blacksmiths (art. 15, treaty of Mar. 2, 1868), $6,720; for pay of two teachers (same article and treaty), $1,800; for purchase of iron and steel and the necessary tools for blacksmith shop (art. 9, same treaty), $220; for annual amount for the purchase of beef, mutton, wheat, flour, beans, and potatoes, or other necessary articles of food and clothing, and farming equipment (art. 12, same treaty), $30,000; for pay of employees at the several Ute agencies, $15,000; in all, $53,740."

Mr. WELLING. Mr. Chairman, I very sincerely trust that the committee will accept the amendment I have offered. It restores to the bill the exact reading of the Indian appropriation bill of last year and contains the items that were furnished to the committee by the Commissioner of Indian Affairs. The hearings on this item will be found on page 334, and it will be shown there why the paragraph was changed by the committee. The amount of the item is in no way changed. I want to call the attention of the House to the fact that this paragraph—the entire amount—is now covered by a treaty with the confederated bands of the Indians. As a matter of fact, the Indian Committee itself in their report to the House, on page 5, refers to it as a treaty item. Since the committee recognize it as a treaty item, I can see no reason why this fund should be considered differently from every other treaty provision in the appropriation bill.

There is not a treaty provision in the bill, from the beginning to the end, considered as a treaty item heretofore, that has been changed from existing law until this item is reached in the bill. I think the gentlemen of the committee have made the change under a misapprehension, and I sincerely trust that they will be willing to accept the old reading of the law.

Mr. CARTER of Oklahoma. Mr. Chairman, the reason the committee made the change is that it is one of the treaty items that the committee thought could be dispensed with. Later on in the treaty you will find a provision that any time after 10 years from the making of the treaty the United States shall have the privilege of withholding the appropriation for the farmer, blacksmith, carpenter, millers, and so forth. On finding that we had that right to withdraw the farmers, and so forth, by this treaty at any time after 10 years, the Government thought it was better to place these Indians on their own responsibility with reference to their agency and let them pay their own way, as they do in several States of the Union.

Mr. WELLING. Mr. Chairman, in reply to what has been said by the gentleman, I want the House to refer specifically to the hearings on page 334. The gentleman from Oklahoma has read just exactly what he wanted to read from the treaty and omitted to read everything else. What the gentleman has read from the treaty in the first place only refers to one-seventh of the item of $53,000. In other words, the amount sought to be appropriated for blacksmiths, farmers, millers, and other help only amounts to about $8,500. In connection with the contention of the chairman of the committee, I am going to read the item:

At any time after 10 years from the making of this treaty the United States shall have the privilege of withdrawing the farmers, blacksmiths, carpenters, and millers herein.

This provision now costs the Government about $8,500. The treaty goes on to say:

But in case of such withdrawal an additional sum thereafter of $10,000 per annum shall be devoted to the education of said Indians.

Now, if the gentleman from Oklahoma is anxious to withdraw the item of $8,500 and leave it out of the bill, I am perfectly willing for him to do so, but I insist if that change is made that he conforms to this latter provision of the treaty and provide $10,000 for their education, as outlined in the treaty itself.

Mr. Chairman, much has been said during the progress of this debate about the present state of civilization in different Indian tribes, with special reference to the aid now being extended by the Government for the education of its wards. The Confederated Bands of Ute Indians are being greatly benefited by the work the Government is doing on this reservation. One of the largest irrigation projects in my State is rapidly nearing completion among these Indians, but the total cost of that project is being paid for by the Ute Indians themselves from funds now placed to their credit in the Treasury of the United States. The Government has not contributed a cent to this project, and it will never be asked to assist it in the future. There is hardly an Indian tribe in the Nation to-day that is drawing so little support from the Government as this Confederated Band of Ute Indians. It is a pleasure also in this connection to speak in the very highest terms of the intelligent work being now performed by the present Indian agent, Mr. Albert Kneal, in charge of this project, for the Government. As stated before, I think the committee was misled in this matter by reason of an erroneous interpretation of the plain terms of the treaty itself. I have no disposition to press the matter further if the committee will accept my amendment, and I ask my distinguished friend from Oklahoma to reconsider the action which the committee has taken.

Mr. CARTER of Oklahoma. Mr. Chairman, there may be some doubt as to the right of Congress to change the entire appropriation. I had hoped that placing this item in the bill as reported might bring us sufficient information to finally determine the matter, but that is evidently impossible. If I felt sure the committee would sustain our report, I might insist on the payment from tribal funds, but after our experience on similar items yesterday I hardly believe it good judgment to invite another encounter with the steam roller. So, with the permission of the gentleman from Arizona, I will withdraw the point of order, with the understanding that we look carefully into the item next session and, if we find it justified, make the items payable from tribal funds, report it to the House, and try to get its membership to stand by us.

Mr. HAYDEN. Mr. Chairman, I am in large measure responsible for this change in the bill. We took this action in the committee for the reason that it appears from the hearings that there is on deposit in the Treasury of the United States to the credit of the confederated bands of Ute Indians at the present time $3,617,763, being the balance of an appropriation made in satisfaction of a judgment against the Government obtained in the United States Court of Claims by these Indians. That money being in the Treasury to their credit, there appeared to be no good reason why they should not pay their own way out of their own funds, rather than to continue to receive assistance from the Treasury of the United States. The paragraph which the gentleman from Utah now seeks to reinsert in the bill refers to certain treaty obligations made long before the judgment to which I have referred was rendered by the Court of Claims. I have looked up that judgment, and I find that in calculating the amount due the Indians were charged with all gratuities of every kind made to them prior to 1908, but that all payments made to them under these treaties, the same items that the gentleman is now seeking to restore, were not counted against the Utes in the settlement at all. The court held:

We do not think, therefore, that the plaintiffs are properly chargeable with any payments made to them under and by reason of the treaties of 1863 and 1868.

So there may be some merit in the contention of the gentleman from Utah, enough at least to raise a reasonable doubt in my mind, and for that reason I am now going to support his amendment. Between now and next winter, when this same appropriation will again be requested, I am going to ascertain whether Congress has general authority to abrogate a treaty of this kind after due and proper notice. If it can be lawfully done, I propose to see that an end is made of these old treaties. There is no reason why Congress should continue to make appropriations, under treaty or otherwise, for the benefit of Indians who have large sums of money to their credit in the Treasury.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Utah.

The amendment was agreed to.

The Clerk read as follows:

For continuing construction and enlargement of the Wapato irrigation and drainage system, to make possible the utilization of the water supply provided by the act of August 1, 1914 (38th Stat. L., p. 604), for 40 acres of each Indian allotment under the Wapato irrigation project on the Yakima Indian Reservation, Washington, and such other water supply as may be available or obtainable for the irrigation of a total of 120,000 acres of allotted Indian lands on said reservation, $500,000 to be immediately available, and to remain available until expended: *Provided*, That the entire cost of said irrigation and drainage system shall be reimbursed to the United States under the conditions and terms of the act of May 18, 1916: *Provided further*, That out of the sum herein appropriated the Secretary of the Interior is hereby authorized to pay to Violetta Stone and W. D. Stone, husband and wife, the sum of $629.48 for lands purchased of them for use in connection with the construction of the diversion dam across the Yakima River, as provided for in the act of May 18, 1916 (39 Stat. L., p. 154), and the sum herein appropriated shall be available for the purchase of such other lands as may be required in connection with the construction of the aforesaid irrigation project.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. I notice that last year there was $200,000 appropriated for this project, and at the time of the hearings the major portion of that was still unexpended, and yet the committee has increased the appropriation to $500,000.

Mr. HAYDEN. Mr. Chairman, there was some mistake in the data furnished to the committee at the time of the hearings. We later ascertained that as a matter of fact there was practically no unexpended balance. The chief irrigation engineer from the Indian Office appeared before us after the hearings were closed and explained the situation. In my opinion better use is being made of the money expended for irrigation under this project than any other Indian project in the Northwest. The Yakima Valley is very fertile, is being rapidly settled, and the lands are producing immense crops. There was a demand made upon the committee for a larger appropriation than we allowed, but we thought, to be conservative, and that it would be entirely proper at this time to increase the appropriation to $500,000, which sum will bring immediate results. The diversion dam has been completed, the main canals are partly done, and by continuing that work much land can be placed in crops this coming summer.

Mr. STAFFORD. How much land is now under cultivation on this project and how many additional acres will be made available as the result of this appropriation?

Mr. HAYDEN. Approximately 54,000 acres are now under cultivation, and there is an insistent demand by lessees for every acre that can possibly be put under irrigation. The demand is so great that within recent months a local committee of business men endeavored to procure an appropriation of $2,000,000 for the purpose of bringing the whole project under ditch at the earliest practicable moment. This tract probably offers the greatest possibilities by way of meeting the requirements of the present emergency for increased food production of any in the United States, when the factor of time is considered. The entire area of the project is 120,000 acres, with 54,000 acres under the ditch and in cultivation, which shows that the area of irrigable land is keeping close progress with the construction of the laterals to bring the water to the land.

Mr. STAFFORD. Another inquiry I desire to make is in respect to the payment of $629 to persons named Stone. What is the occasion for that claim being included in this appropriation bill?

Mr. HAYDEN. The justification for that is as follows:

> The proviso covering the purchase of land of Violetta Stone and husband has been inserted in order to enable the office to pay these persons for land which it was necessary to procure in connection with the construction of the Wapato diversion dam, but for which no funds under our control were available to make payment.

The Reclamation Service used the land belonging to these people. It was necessary to take it. The diversion dam was constructed over their property, and we thought this small appropriation might be included in the bill to settle the account.

Mr. STAFFORD. Is there any danger that the inclusion of this item will be used as a warrant by another body for loading this bill with claims. If there is, I shall try to come to the relief of the committee now by making the point of order against the inclusion of this claim item.

Mr. HAYDEN. The rule of this committee is that we will not allow any claim to appear on the Indian bill either here or elsewhere unless it is for a less amount than $1,000 and in payment of a liability of the Government within a year or a year and a half. In other words, we do not consider the Indian appropriation bill a proper vehicle to secure the payment of old, stale claims.

Mr. STAFFORD. This is recommended in the estimates by the department?

Mr. HAYDEN. Yes.

Mr. STAFFORD. I notice here, in the last two lines of the paragraph, an authorization to purchase other land. Is it necessary to have specific authorization in an irrigation project to allow the department officials to purchase lands?

Mr. HAYDEN. That change in the law was requested by the Indian Office. The assistant commissioner stated that the reason why they could not pay Violetta Stone was because there was no authority of law to make the payment, the auditor having held up payment on that account. If the lands are needed for a projcet, they should be purchased and paid for as current expenses.

Mr. STAFFORD. In these other projects there has been no such authorization. I assume as to these other projects there is no necessity for acquiring additional land, and therefore they did not need the authorization?

Mr. HAYDEN. Under the reclamation law the Reclamation Service has authority to purchase or condemn land, but no such general authority has been given in connection with Indian irrigation projects. It is therefore necessary to grant such authority in this particular case.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order on the statement made.

The Clerk read as follows:

> The Secretary of the Interior is hereby authorized to sell the lands and buildings comprising the former Wittenberg Indian School, Wittenberg, Wis., at not less than their appraised value, the money received from said sale to be deposited in the Treasury as miscellaneous receipts.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. I wish to inquire as to the reason for this authorization to permit the sale of certain lands and buildings formerly used by the Wittenberg Indian School.

Mr. HAYDEN. Undoubtedly the gentleman has read in the hearings the justification for this item. The assistant commissioner said:

> On account of the improved condition of the Indians in Wisconsin, from among whom the Wittenberg School draws its enrollment, and the increasing number of public schools, it was decided that the Wittenberg School was no longer required. Moreover, the plant has run down, and extensive repairs and improvements would be needed if it were continued. These were not considered justified in view of the conditions, and the school has been closed. Any pupils who are in need of Government aid in order to obtain an education will be cared for in one of the other Government schools in the State.
>
> This item contemplates the sale of the school property which is no longer required for Government purposes. Reports on file made by the former superintendent place a value of $53,365 on the school lands and buildings, including water and sewer systems.

Mr. STAFFORD. Is there any other instance in this bill or in the administration of Indian affairs where an Indian school, no longer needed for the education of Indians, has been recommended for discontinuance?

Mr. HAYDEN. This is the only Indian school recommended for discontinuance by the Indian Service this year.

Mr. STAFFORD. I assume there are many other schools that could likewise be recommended which are no more needed than this school?

Mr. HAYDEN. The Assistant Commissioner of Indian Affairs stated there were two or three other Indian boarding schools in the United States which are now closed, and that in all probability next year the Indian Bureau would ask that the property be sold.

Mr. STAFFORD. I certainly hope that wish will be carried out. Mr. Chairman, I do not intend to raise the point of order on this item, even though it applies to a school in my own State.

The Clerk read as follows:

> SEC. 25. That the Secretary of the Interior be, and he is hereby, authorized in his discretion to expend for the benefit of Indians, from their tribal funds held in trust or otherwise, not exceeding $2,500,000 during the fiscal year ending June 30, 1919, as provided by section 27 of the act of May 18, 1916 (39 Stat. L., p. 158), in addition to such sums as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians and expenditures for the Five Civilized Tribes in accordance with existing law: *Provided*, That expenditures shall not be made from any one fund for purposes other than those above specified in excess of the estimates submitted by the Secretary of the Interior and appearing in House of Representatives Document No. 499, Sixty-fifth Congress, second session: *And provided further*, That no expenditures shall be made from tribal or treaty funds which are not authorized by existing laws governing their disposition and use.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. This, I believe, is a new item providing for the payment of two and a half million dollars out of the funds belonging to the Five Civilized Tribes to equalize allotments in the education of Indian children and the like. What is the warrant?

Mr. CARTER of Oklahoma. The gentleman refers to the two and a half million dollar appropriation?

Mr. STAFFORD. Yes.

Mr. CARTER of Oklahoma. The practice in the past with reference to the use of tribal funds has been to permit the department the use of them without very much supervision by Congress. As I stated a few days ago, a treaty would be made here and an agreement there and an act of Congress yonder, which authorized certain expenditures from tribal funds continuing year after year under the direction of the Secretary of the Interior without the necessity of appropriations by Congress, and without necessity in a great many instances of even reporting to Congress on the expenditures after they were made. This was the condition I found the funds of the Five Civilized Tribes in when I came to Congress, but in 1911 we proposed and had adopted an amendment to the Indian appropriation bill which prevented the expenditure of tribal funds without specific appropriation by Congress. That plan has worked so well in the conservation of these funds that the Indian Committee in 1916 incorporated a somewhat similar paragraph with reference to all other tribal funds. This provision permitted continuation of the practice then in vogue until the end of the present fiscal year, after which time the departments were prohibited from expending any tribal funds without specific appropriation by Congress, which would require bringing in of estimates just the same as with Treasury funds. This is the first bill reported under these requirements and the Commissioner of Indian Affairs instead of bringing an itemized statement simply asked

for a lump-sum appropriation of $2,500,000. This the Indian Committee refused to report, and finally the commissioner presented as his estimate of expenditures House Document No. 499, which sets out specifically the amounts that have been expended in the last fiscal year. You will note that this paragraph requires the expenditure of these funds in conformity with the estimates made in that document. The only purpose of this item is to require the same accounting, the same careful scrutinizing by Congress of tribal funds as is now required of the funds of the Federal Government.

Mr. STAFFORD. Then, as I understand the position of the committee, the expenditures as listed in the House document that were made last year meet with the full approval of the committee that they should be continued another year?

Mr. CARTER of Oklahoma. The committee decided that next year we would require the Indian Bureau to bring before the Indian Committee a detailed estimate for every dollar asked to be expended from tribal funds, just as they do now with Federal funds.

Mr. STAFFORD. How explicit are the expenditures as referred to in that House document?

Mr. CARTER of Oklahoma. The House document is included in the hearings beginning on page 394, and the gentleman will see it covers several pages and is quite in detail.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. The committee, I assume, has examined those respective items of expenditures and have used those as a basis for making this authorization of $2,500,000?

Mr. CARTER of Oklahoma. Yes.

Mr. NORTON. Will the gentleman let me call his attention to this: The gentleman and the other Members of Congress desire to know what is expended by the Indian Bureau, and I stated at the beginning of the debate on the bill that I find it very difficult to ascertain that information myself.

Now, the gentleman has for a number of years, I know, watched very carefully the appropriations in this bill—the expenditures made by the Indian Bureau for the civilization and support of the Indians. I ask the gentleman to turn to the item under North Carolina, on page 34, and tell me what amount he has in mind under that item that has been expended for the Indians in North Carolina? Answering the question for the gentleman, he would naturally expect it was the items included in the bill. In addition to those items there was expended for support and civilization of the Indians in North Carolina $54,006.56, which is not contained in the Indian appropriation law for 1917, or it would not be contained under the items in the bill under North Carolina this year, but the $54,000 is included in this item of $2,500,000. And in years gone by no specific appropriation has been made, and there has been no specific account of it except in some obscure reports that the department has made.

Now, under North Dakota, take the appropriation made in the last Indian appropriation bill for the support of the Turtle Mountain Band of Chippewa Indians in North Dakota, and the appropriation provided in this bill is $13,000, and I think in the last Indian appropriation bill it was $10,000. I will tell the gentleman the exact amount.

Mr. STAFFORD. Eleven thousand dollars.

Mr. NORTON. Eleven thousand dollars. Now, there was expended for the fiscal year ending June 30, 1917, for the Turtle Mountain Band of Chippewa Indians, in addition to that appropriation, $18,406.52 for salaries of employees, including the irregular labor, and for their support $22,235.52. Those amounts having been secured by the Bureau of Indian Affairs from trust funds that they have under their charge.

Mr. STAFFORD. I recognize the value and the need of having these itemized and for detailed information, and I wish to commend the gentlemen of the committee for insisting upon the department giving detailed information to the committee of the expenditures of these large amounts, which no committee could scrutinize or ascertain without a formal presentation in the Book of Estimates.

Mr. SNYDER. I desire to inform the gentleman that in going over this particular $2,500,000 and the details of the same, the Assistant Commissioner agreed, upon our urgent request, that he would analyze and itemize every one of these items in this expenditure of $2,500,000 for us next year.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. STAFFORD. I withdraw the reservation.

The CHAIRMAN. The gentleman from Wisconsin withdraws the reservation, and the Clerk will read.

The Clerk read as follows:

SEC. 26. That the members of the Committee on Indian Affairs of the House of Representatives of the Sixty-fifth Congress, not less than five in number, are authorized to conduct hearings and investigate the conduct of the Indian Service at Washington, D. C., and elsewhere, and the sum of $15,000, or so much thereof as may be necessary, to be immediately available and remain available until expended, is hereby appropriated for expenses incident thereto. The said committee is hereby authorized and empowered to examine into the conduct and management of the Bureau of Indian Affairs and all its branches and agencies, their organization and administration, to examine all books, documents, and papers in the said Bureau of Indian Affairs, its branches or agencies, relating to the administration of the business of said bureau, and shall have, and is hereby granted, authority to subpœna witnesses, compel their attendance, administer oaths, and to demand any and all books, documents, and papers of whatever nature relating to the affairs of Indians as conducted by said bureau, its branches and agencies. Said committee is hereby authorized to employ such clerical and other assistance, including stenographers, as said committee may deem necessary in the proper prosecution of its work: *Provided*, That stenographers so employed shall not receive for their services exceeding $1 per printed page.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

I wish to inquire as to the need of that language which makes this appropriation immediately available and permits it to remain available until expended.

I assume the committee does not contemplate making any tour of inspection while Congress is in session, and I can not see any necessity for having this fund immediately available before the beginning of the next fiscal year.

Mr. CARTER of Oklahoma. The best investigation of Indian affairs that has been made for the past 10 years was during a session of Congress in 1913. After the House had finished its business and the business was largely in the hands of the Senate, about a two months' trip was made by a joint investigating committee, which in all probability saved this Government several millions of dollars.

Mr. STAFFORD. That was a peculiar condition that will not occur during the remainder of this fiscal year.

Mr. CARTER of Oklahoma. The gentleman asked a question, but will not let me finish.

Mr. STAFFORD. I will permit the gentleman not only to finish, but more than finish.

Mr. CARTER of Oklahoma. That was saved on one proposition alone. The committee investigated some 10 or 15 different reservations, as I recall. In two different places they had very unworthy officials of the Indian Bureau removed who would probably have cost the Government many thousands additional had they remained on the job. We have heard much during the discussion of this bill of other incompetent Indian officials. The gentleman from Kansas [Mr. CAMPBELL] has been giving us, day after day, statements of necessity for abolishing all Indian agencies, Indian schools, and many other activities of the Indian Bureau.

Now, I agree with the gentleman that all useless agencies should be abolished, but the only way that we can dispense with these things intelligently would be after obtaining information through a thorough investigation, and this would necessitate visits to the different reservations, which can not be done without enacting this item. If we have the time during the session of Congress, I can see no reason why the committee should not be permitted to make the investigation then as well as at any other time.

Mr. STAFFORD. The gentleman realizes the necessity of every Member being here and remaining here until adjournment?

Mr. CARTER of Oklahoma. I admit that.

Mr. STAFFORD. And there is no chance of our getting away before nearly the end, at least, of the present fiscal year?

Mr. CARTER of Oklahoma. There was a time last year when nearly all the Members of Congress left the city.

Mr. STAFFORD. There is no doubt but that we shall be in session during the remainder of the present fiscal year.

Mr. CARTER of Oklahoma. If it takes as long to pass the other appropriation bills as it has taken to pass this one, we shall probably be here long after the dog days.

Mr. STAFFORD. I think we have made as good progress with respect to this bill as is usually made.

Mr. CARTER of Oklahoma. No. In the case of prior bills we usually passed them in two days.

Mr. SNYDER. Mr. Chairman, I want to say as a member of the committee that I have spent a good deal of time in the subcommittee, and I do not think there is an item in this bill that can be expended to better effect and with better results to the Congress and to the Indians that this pending item, to have this money spent by the committee in investigating this question.

Mr. STAFFORD. I remember that when this matter was brought up heretofore, in prior bills, no point of order was made against it. I fully agree in the advisability of having a fund available for the committee to go around and inspect Indian affairs in the field, but I am only questioning the need of

having this money made available and remaining available until expended.

Mr. SNYDER. I will say to the gentleman that if the committee can not go on this tour the money can not be expended. Very little of the money was expended last year.

Mr. STAFFORD. I am not in favor of authorizing a lump-sum appropriation that will hang in the air all the time and permit Members of Congress to go away during the sessions of Congress. I am perfectly willing that they shall go away during the recess.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. Certainly.

Mr. ROBBINS. I would like to know whether this $15,000 is the maximum amount that will be expended under this authorization, or whether it is just a starter, allowing this committee to start and employ stenographers and journey around through the States?

Mr. CARTER of Oklahoma. The best evidence that I can give to the gentleman is the evidence afforded by the history of the past. Last year we appropriated $15,000 and expended a total of about $2,758.

Mr. ROBBINS. Was there much of an investigation made?

Mr. CARTER of Oklahoma. Not much of an investigation was made. As I recall, we were gone about two weeks on the trip.

Mr. STAFFORD. As I said, I am in favor of giving the committee a fund to go about when Congress is not in session, but I am not in favor of having the fund always available. I hope the gentleman will agree to strike out the words "to be immediately available and remain available until expended."

Mr. COX. Mr. Chairman, I make a point of order against the whole paragraph.

The CHAIRMAN. The point of order is sustained.

Mr. WELLING. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Utah asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HAYDEN. Mr. Chairman, the other day we passed over the paragraph on page 17, line 9, running over to and including line 3 on page 18. A point of order was reserved upon it.

The CHAIRMAN. What does the gentleman from Arizona say with reference to the point of order?

Mr. HAYDEN. I wish to say that I have conferred with the gentleman from Wisconsin [Mr. STAFFORD], who reserved the point of order, and we have agreed upon an amendment that I would like to offer as a substitute.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

Amendment offered by Mr. HAYDEN as a substitute: Insert in lieu of the paragraph beginning on line 9, page 17:

"For continuing the construction of the pumping plant for irrigation purposes on the Colorado River Indian Reservation, Ariz., by the installation of additional pumping machinery, and for continuing the construction of necessary canals and laterals for the utilization of water in connection therewith, as provided in the act of April 4, 1910 (36 Stat. L., p. 273), and for maintaining and operating the pumping plant, canals, and structures, $20,000, reimbursable, as provided in said act; and for continuing the purpose of securing an appropriation of water for the irrigation of approximately 150,000 acres of land on said reservation by the conduct of surveys and the preparation of plans and estimates for a complete irrigation system to supply water to said land, $50,000, reimbursable from funds in the Treasury of the United States to the credit of the Indians of said reservation arising from the proceeds from the sale of town lots authorized by act of April 13, 1908 (35 Stat. L., p. 77); in all, $70,000."

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order to the item as it was included in the bill.

Moving to strike out the last word, I wish to inquire of the gentleman from Arizona [Mr. HAYDEN], from his knowledge of this project, how long it will take before the plans and surveys can be made?

Mr. HAYDEN. I doubt very much the possibility of making a satisfactory report under a year. Considerable work must be done to carry out this investigation in the proper way, and the Indian Service should not come back to Congress for more money without submitting carefully prepared plans and estimates. I do not think it possible to do anything further for a year in connection with this project.

Mr. STAFFORD. And the language as submitted in the amendment provides for the money to be taken out of trust funds of these Indians?

Mr. HAYDEN. Yes.

Mr. MADDEN. No; it does not. It provides for reimbursement out of the sale of town lots.

Mr. HAYDEN. The amendment provides for reimbursing the Government out of funds in the Treasury derived from the sale of town lots. The sum of $55,013.92 arising from the sale of town lots in the town of Parker, on this Indian reservation, is now on deposit in the Treasury. Lots in that town site were offered for sale in 1911, and many people purchased them with the understanding that the Colorado River Reservation was to be opened to settlement and development. As high as $1,000, $1,200, and $1,500 was paid for the more desirable lots. The town at one time had a population of about 1,000 people, but nothing has been done looking to the opening of the reservation, the town site has been almost abandoned, and the people who invested their money have lost it. If some private real estate company had advertised and sold lots in this manner, its officers would have been convicted of obtaining money under false pretenses in violation of the "blue-sky" law of Arizona.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. HAYDEN].

The amendment was agreed to.

Mr. BROWNE. Mr. Chairman, I ask unanimous consent to extend by remarks in the RECORD.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Chairman, I want to offer a substitute for the paragraph beginning with line 10 and ending with line 19, on page 18.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report. Does the gentleman from Wisconsin withdraw his point of order?

Mr. STAFFORD. Let us hear the proposed amendment read.

Mr. HAYDEN. There was no point of order.

Mr. HASTINGS. No; the gentleman simply agreed to itemize the paragraph.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Strike out lines 10 to 19, inclusive, on page 18, and insert in lieu thereof the following:

"To enable the Secretary of the Interior to carry into effect the provisions of the sixth article of the treaty of June 1, 1868, between the United States and the Navajo Nation or Tribe of Indians, proclaimed August 12, 1868, whereby the United States agrees to provide school facilities for the children of the Navajo Tribe of Indians, $100,000; in enlarging the capacity of the San Juan boarding school and constructing a new day school at Tesnospos, in New Mexico; in converting the Lukachukai day school into a boarding school and increasing the capacity of the Tohatchi boarding school, in Arizona, or for any of the projects mentioned, in whole or in part, in case the sum appropriated should not be sufficient to complete them all."

Mr. MADDEN. I make a point of order against that amendment.

Mr. CARTER of Oklahoma. The item is not subject to a point of order.

The CHAIRMAN. The Chair has not seen the amendment. What is the point of order?

Mr. MADDEN. The point of order is that the gentleman is proposing to change the law.

The CHAIRMAN. That it is new legislation?

Mr. MADDEN. Yes; that it is legislation on an appropriation bill.

Mr. HAYDEN. If the gentleman will yield to me, I can explain the situation. The gentleman from Kansas [Mr. CAMPBELL] asked that specific mention be made of the schools in the Navajo country where the money contained in this item was to be expended during the next fiscal year. With a view of obtaining that information and placing it in the bill, I sent to the Indian Office and had the language prepared which specifically mentions four schools, although it still leaves a lump sum of $100,000 to be divided among them. The total amount appropriated is not changed and it still carries out the treaty with the Navajo Indians.

Mr. NORTON. The gentleman does not specify how much is to be used for each school.

Mr. HAYDEN. No; I received this explanation in regard to that from Mr. Meritt:

JANUARY 21, 1918.

Memorandum for Mr. HAYDEN:

Complying with our telephone conversation, there is being sent you herewith an item providing for education facilities for the Navajo Indian children. We have made this item as specific as possible with the information available. Because of the present unprecedented conditions it is impossible for us to give specific information in regard to the cost of construction, and if we should make the amount specific we could not expend it at any other place in the Navajo country, although, owing to local conditions, it might be found that it could be spent to better advantage and more economically at some other point.

E. B. M.

Now, we gain this much by the amendment that I have offered: We have four schools specifically named, and next year we will know what was expended at each school, instead of receiving

a general report. With that information we can then appropriate understandingly.

The CHAIRMAN. The point of order is sustained. Although the Chair has not been able to fully investigate it very closely, he is advised by the Parliamentary Clerk who has examined it. It leaves the bill exactly as it is now.

Mr. HAYDEN. If that is the case I have no objection. I was simply trying to improve the bill.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

Mr. MADDEN. But, Mr. Chairman, we have not passed upon the paragraph. I make a point of order against the paragraph.

The CHAIRMAN. The point of order is overruled.

Mr. MADDEN. Mr. Chairman, I submit that the paragraph has not been acted upon even though the point of order is overruled.

The CHAIRMAN. The gentleman from Illinois was not here when the paragraph was read and passed without prejudice.

Mr. NORTON. Mr. Chairman, may I be heard on the paragraph? I move to strike out the last word. This paragraph provides an appropriation under certain treaty items. It further provides that the Secretary may expend said fund in his discretion in establishing or enlarging day or industrial schools. I wanted to call that to the attention of the chairman. It seems to me that it is clearly subject to a point of order, with all due deference to the ruling of the Chair. I think the Chair had not observed that provision.

The CHAIRMAN. The Chair will say that when this matter was passed over he had the Parliamentary Clerk investigate the question whether it was subject to a point of order. Without careful investigation on the part of the Chair he has followed the advice of the Parliamentary Clerk that it is not subject to a point of order and he so holds. The Chair makes that statement in view of the remarks of the gentleman from North Dakota. The question is on the motion of the gentleman from Oklahoma that the committee do now rise.

The motion was agreed to; accordingly, the committee rose, and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 8696, the Indian appropriation bill, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment; if not, the Chair will put them in gross.

There was no demand for a separate vote.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. CARTER of Oklahoma, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent that all those who have addressed the House on this bill may have the right to extend their remarks in the RECORD.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that all who have spoken on the bill may have leave to extend their remarks in the RECORD. Is there objection?

Mr. WALSH. Reserving the right to object, did not the gentleman get that at the beginning of the general debate on this bill?

Mr. CARTER of Oklahoma. I believe the gentleman from Massachusetts is correct.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 6176. An act extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va.; and

H. R. 7697. An act to authorize the calling into the service of the United States the militia and other locally created armed forces in the Philippine Islands, and for other purposes.

HARRY GRAHAM.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1418) to authorize the President of the United States to appoint Harry Graham captain of Infantry.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for the present consideration of the bill S. 1418, which the Clerk will report.

The Clerk read the bill at length.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I ask the gentleman from Kentucky to withdraw his request, as I wish to make some observations on the bill when it is presented.

Mr. FIELDS. Very well, Mr. Speaker; I withdraw the request.

LEAVE TO ADDRESS THE HOUSE.

Mr. FESS. Mr. Speaker, I ask unanimous consent that to-morrow, after the reading of the Journal and the disposition of business on the Speaker's table, I be permitted to address the House for 10 minutes on the dual monarchy, with special reference to the possibility of revolution.

The SPEAKER. To-morrow is Calendar Wednesday.

Mr. FESS. If that would shut out a request for unanimous consent, I make it for Thursday.

The SPEAKER. The gentleman from Ohio asks unanimous consent that on Thursday, after the reading of the Journal and the disposition of the business on the Speaker's table, he be allowed to address the House for 10 minutes. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 23, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting a draft of proposed bill to define more clearly the authority of the Navy Department in the matter of ordering into active service retired officers of the Navy (H. Doc. No. 850); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Port Gamble Harbor, Wash. (H. Doc. No. 851); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

3. A letter from the Governor of the Federal Reserve Board, transmitting fourth annual report of the Federal Reserve Board, covering operations for the year 1917 (H. Doc. No. 852); to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DECKER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 3081) to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri, reported the same without amendment, accompanied by a report (No. 251), which said bill and report were referred to the House Calendar.

Mr. WEBB, from the Committee on the Judiciary, to which was referred the bill (H. R. 8753) to amend section 3, title 1, of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, reported the same with amendment, accompanied by a report (No. 250), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SULZER: A bill (H. R. 9092) for the regulation and protection of the fisheries of the Territory of Alaska, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ASHBROOK: A bill (H. R. 9093) to amend the act approved September 8, 1916, chapter 470, Statutes at Large, Sixty-fourth Congress, relating to pensions; to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 9094) to amend section 1 of Title VIII of the act entitled "An act to punish acts of inter-

ference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on the Judiciary.

By Mr. HAYES: A bill (H. R. 9095) to provide for the retirement of employees in the classified civil service, and for other benefits and purposes in connection therewith; to the Committee on Reform in the Civil Service.

By Mr. DENT (by request): A bill (H. R. 9096) to authorize the extension of a spur track or siding from the existing lines of railroad in the District of Columbia across First Street NE., between L and M Streets, to the buildings occupied by the field medical supply depot of the Army; to the Committee on the District of Columbia.

Also, a bill (H. R. 9097) to prescribe the personnel of the Army Nurse Corps, the qualifications for appointment and the method of appointment therein, the pay, allowances, and leave of absence of members of said corps, and the conditions under which they may be retired; to the Committee on Military Affairs.

Also, a bill (H. R. 9098) to suspend for the period of the present emergency sections 45, 46, and 56 of "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 9099) to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States," approved March 3, 1885; to the Committee on Military Affairs.

Also, a bill (H. R. 9100) to authorize the Secretary of War to grant furloughs without pay and allowances to enlisted men of the Army of the United States, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 9101) to provide for the payment of six months' pay to the widow, children, or other designated dependent relative of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct; to the Committee on Military Affairs.

By Mr. TINKHAM: Resolution (H. Res. 230) providing for the making of the port of Boston a port of embarkation; to the Committee on Military Affairs.

By Mr. MASON: Resolution (H. Res. 231) providing for an investigation by the Committee on Agriculture of certain cereals, mineral oils, etc.; to the Committee on Rules.

By Mr. ROGERS: Resolution (H. Res. 232) calling upon the Postmaster General for certain information concerning the postal service between the United States and the American Expeditionary Force; to the Committee on the Post Office and Post Roads.

By Mr. VAN DYKE: Joint resolution (H. J. Res. 221) creating a national war slogan; to the Committee on the Judiciary.

By Mr. DENT (by request): Joint resolution (H. J. Res. 222) providing for the calling into immediate military service of certain classes of persons registered and liable for military service under the terms of the act of Congress approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States"; to the Committee on Military Affairs.

By Mr. ROGERS: Joint resolution (H. J. Res. 223) providing for the calling into immediate military service of certain classes of persons registered and liable for military service under the terms of the act of Congress approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States"; to the Committee on Military Affairs.

By Mr. DENT (by request): Joint resolution (H. J. Res. 224) providing for the registration for military service of all male persons citizens of the United States or residing in the United States who have, since the 5th day of June, 1917, and on or before the day set for the registration by proclamation by the President, attained the age of 21 years, in accordance with such rules and regulations as the President may prescribe under the terms of the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States"; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 9102) granting an increase of pension to Charles Fish; to the Committee on Pensions.

By Mr. BARNHART: A bill (H. R. 9103) granting an increase of pension to Daniel W. Nye; to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 9104) granting an increase of pension to Charles M. Cheyney; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 9105) granting an increase of pension to Francis E. Robb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9106) granting a pension to Lottie Baughman; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 9107) granting an increase of pension to Mary Turner Clements; to the Committee on Pensions.

By Mr. CARY: A bill (H. R. 9108) for the relief of Michael Philbin; to the Committee on Naval Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 9109) granting an increase of pension to John W. Hunter; to the Committee on Invalid Pensions.

By Mr. COADY: A bill (H. R. 9110) for the relief of the Patterson Park Permanent Loan and Building Association, of Baltimore, Md.; to the Committee on Claims.

By Mr. COOPER of Ohio: A bill (H. R. 9111) to correct the military record of the late Irvin M. Kyle; to the Committee on Military Affairs.

By Mr. DICKINSON: A bill (H. R. 9112) for the relief of W. J. Laffoon; to the Committee on Claims.

By Mr. DOWELL: A bill (H. R. 9113) granting an increase of pension to Milton T. Monroe; to the Committee on Invalid Pensions.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 9114) granting a pension to William F. Clapham; to the Committee on Pensions.

By Mr. FAIRFIELD: A bill (H. R. 9115) granting an increase of pension to Horace E. Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9116) granting an increase of pension to Peter V. Gruesbeck; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 9117) granting an increase of pension to James Longmire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9118) granting a pension to Henry Minnett; to the Committee on Pensions.

By Mr. FIELDS: A bill (H. R. 9119) granting an increase of pension to Elijah W. Morgan; to the Committee on Pensions.

Also, a bill (H. R. 9120) for the relief of Lizzie Wilson; to the Committee on Claims.

By Mr. GREENE of Vermont: A bill (H. R. 9121) granting a pension to Harriet M. Green; to the Committee on Invalid Pensions.

By Mr. HILLIARD: A bill (H. R. 9122) for the relief of Nathan L. Seamon; to the Committee on Public Lands.

By Mr. JACOWAY: A bill (H. R. 9123) for the relief of J. C. Hendricks, administrator of the estate of Samuel Houston, deceased; to the Committee on War Claims.

By Mr. JUUL: A bill (H. R. 9124) for the relief of Samuel Sandles; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 9125) granting an increase of pension to William A. Aultman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9126) granting a pension to Elmer F. Malone; to the Committee on Pensions.

By Mr. KELLY of Pennsylvania: A bill (H. R. 9127) granting a pension to James Manning; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 9128) granting an increase of pension to Henry Price; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9129) granting a pension to Luella Harrah; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 9130) granting a pension to Mary C. Landress; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9131) granting an increase of pension to William W. Carson; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 9132) granting a pension to Ezra M. Sellers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9133) granting a pension to Benjamin H. Sellers; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 9134) granting an increase of pension to Elias B. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9135) granting an increase of pension to Albert B. Cornell; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 9136) granting a pension to Marie Schneider; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9137) granting an increase of pension to James C. Lewis; to the Committee on Invalid Pensions.

By Mr. SANFORD: A bill (H. R. 9138) granting an increase of pension to Daniel Lawlor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9139) granting an increase of pension to Charles H. Trimble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9140) granting an increase of pension to Richard Blackburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9141) granting a pension to Rosella MaGee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9142) granting a pension to William E. Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9143) granting a pension to Henrietta De Groat; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9144) granting a pension to Elizabeth Hogan; to the Committee on Pensions.

Also, a bill (H. R. 9145) for the relief of John J. Dooley; to the Committee on Military Affairs.

Also, a bill (H. R. 9146) for the relief of Tennis W. Wade; to the Committee on Military Affairs.

Also, a bill (H. R. 9147) for the relief of Henry C. Romaine; to the Committee on Military Affairs.

Also, a bill (H. R. 9148) for the relief of Martin W. Joralemon, alias Martin Whitbeck; to the Committee on Military Affairs.

Also, a bill (H. R. 9149) for the relief of Michael H. Feeley; to the Committee on Claims.

Also, a bill (H. R. 9150) for the relief of John McNeil; to the Committee on Military Affairs.

By Mr. SCHALL: A bill (H. R. 9151) to remove the charge of desertion against George W. Posey; to the Committee on Military Affairs.

Also, a bill (H. R. 9152) for the relief of Sim Milttlie; to the Committee on Claims.

By Mr. SHACKLEFORD: A bill (H. R. 9153) granting a pension to Johanna McGee; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 9154) granting an increase of pension to William P. Damon; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 9155) granting a pension to John T. Burris; to the Committee on Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 9156) for the relief of J. P. Littell; to the Committee on Claims.

Also, a bill (H. R. 9157) for the relief of John M. Stewart; to the Committee on Military Affairs.

By Mr. MAPES: A bill (H. R. 9158) granting a pension to Hortense Andrews; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Petition of Ben Michell, Washington, D. C., favoring increased salaries for lighthouse workers; to the Committee on Appropriations.

Also, memorial of New York Typographical Union, No. 6, protesting against the order of the Fuel Administrator; to the Committee on Agriculture.

Also, petition of A. K. Shattuck, New York City, favoring the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Food Trade Publishing Co., New York City, protesting against zonal arrangement for postal rates for periodicals; to the Committee on Ways and Means.

Also, resolution of the National Council of the Sons and Daughters of Liberty, favoring House bill 5667; to the Committee on Military Affairs.

Also, resolution of the National Council of the Sons and Daughters of Liberty, favoring House bill 4892; to the Committee on Immigration and Naturalization.

Also, petition of C. E. Knoeppel, of New York City, urging legislation placing manufacturing activities of the country for war under one organization; to the Committee on Military Affairs.

By Mr. DICKINSON: Petition of 16 citizens of Calhoun, Henry County, Mo., in support of H. R. 5410 and S. 2692, bills to render possible the return of the bodies of our soldier dead to their home burial grounds in a sanitary and recognizable condition; to the Committee on Military Affairs.

By Mr. HAYES: Resolution from Starr King Post No. 52, Grand Army of the Republic, Santa Barbara, Cal., favoring an increase of pensions to Civil War veterans; to the Committee on Invalid Pensions.

By Mr. RAKER: Resolution adopted at a conference attended by representatives of various communities around San Francisco Bay, in re Pacific coast defense; to the Committee on Military Affairs.

Also, memorial of Charles L. Mitchell, president chamber of commerce, Topeka, Kans, in re periodical postage amendment; to the Committee on Ways and Means.

Also, petition of I. N. Hylen, secretary Alaska Fishermen's Union, San Francisco, Cal., in re Government hospital in the Bristol Bay region; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of Consolidated Chamber of Commerce of Sacramento, Cal., in re attempt to take life of Gov. Stevens of California and the treatment of alien enemies; to the Committee on the Judiciary.

Also, petition of O. J. Rice, president Panama Metal Producers' Council, in re wages and living conditions affecting Americans employed in the Canal Zone; to the Committee on Interstate and Foreign Commerce.

Also, resolution by American Society of Equity, Wausau, Wis., in re Government ownership of railroads; also a resolution of Atlantic Deep Waterways Association, favoring various deep-waterway projects; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHALL: Resolution from Mrs. Bradley Phillips, as president of the Elective Study Club, protesting against increased postal rates on periodicals; to the Committee on Ways and Means.

By Mr. TAGUE: Memorial of Chamber of Commerce, Dover, N. J.; the Enoch Pratt Free Library, Baltimore, Md.; the Haverhill Chamber of Commerce, Haverhill, Mass.; and National Society of the Sons and Daughters of the Pilgrims, all protesting against increasing postal rates on periodicals; to the Committee on Ways and Means.

Also, resolution of a mass meeting of the Lithuanian people of Massachusetts, asking that the United States demand the restoration of the political independence of Lithuania and support the rights of all nations, large and small, as presented by the representatives of those nations; to the Committee on Foreign Affairs.

Also, resolution of the Brotherhood of Railroad Trainmen, Boston & Maine system, urging that all aliens except enemy aliens be made subject to the selective-draft law; also, a resolution of the Massachusetts State Board of Trade, urging that Boston be made a shipping port for munitions and soldiers; also, a resolution of the National Council of the Sons and Daughters of Liberty, urging the passage of House bill 5667; to the Committee on Military Affairs.

Also, resolution of the National Council of the Sons and Daughters of Liberty, urging the passage of House bill 4892; to the Committee on Immigration and Naturalization.

By Mr. TINKHAM: Resolution of a mass meeting of the Lithuanian people, asking that the United States demand the restoration of the political independence of Lithuania; to the Committee on Foreign Affairs.

By Mr. VARE: Memorial of Manufacturers' Association of Pennsylvania, protesting against the order of the Fuel Administrator; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 23, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Infinite Spirit, Father Soul, for the faith that calms all fears, the hope that cheers the heart, the truth that illumines the way and brings us to Thee in the sacred attitude of prayer; which solves the mystery of life and brings peace to the weary soul.

Who fathoms the Eternal Thought?
Who talks of scheme and plan?
The Lord is God! He needeth not
The poor device of man.

I walk with bare, hushed feet the ground
Men tread with boldness shod:
I dare not fix with mete and bound
The love and power of God.

May we receive these messengers sent by love from the throne of grace, and rest our souls in Thee, through Him, who taught us the way and the truth and the life. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, at the request of Mr. BYRNS of Tennessee, leave of absence was granted to Mr. EVANS for one week, on account of illness.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent to have some corrections made in the totals of the Indian appropriation bill which was passed yesterday, which I have just found to be necessary.

Mr. CAMPBELL of Kansas. Does the gentleman mean in the total of the amounts appropriated?

Mr. CARTER of Oklahoma. The gentleman will recall that in the case of the Pierre school, in South Dakota, and the school at Rapid City additional amounts were appropriated and they were not carried in the total at the end of the column. The total on page 52, line 10, of $80,000 should be changed to $86,500.

Mr. CAMPBELL of Kansas. Mr. Speaker, I suggest that the gentleman ask unanimous consent that the Clerk be authorized to ascertain the totals in each instance and to correct them.

Mr. FOSTER. I do not know that can be done. The bill has already been engrossed. I suggest that the gentleman from Oklahoma ask unanimous consent to vacate the proceedings by which the bill was passed on yesterday and take it back to the stage of amendment.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent to vacate the proceedings by which the Indian appropriation bill (H. R. 8696) was passed yesterday back to the amendment stage.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to vacate the proceedings by which the Indian appropriation bill was passed on yesterday. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Speaker, I now ask unanimous consent that the Clerk be authorized to correct the totals.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the Clerk be authorized to correct the totals. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CARTER of Oklahoma, a motion to reconsider the vote by which the bill was passed was laid on the table.

CALL OF THE HOUSE.

Mr. LONDON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present. Evidently there is not.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Edmonds	Kahn	Rowland
Barkley	Esch	Kreider	Sanders, Ind.
Campbell, Pa.	Estopinal	LaGuardia	Sanders, La.
Cannon	Evans	McCulloch	Saunders, Va.
Capstick	Fairchild, G. W.	McFadden	Schall
Carlin	Fields	McKenzie	Scott, Pa.
Chandler, N. Y.	Flynn	Maher	Scully
Clark, Fla.	Focht	Mann	Sherley
Coady	Fuller, Mass.	Miller, Wash.	Sims
Costello	Godwin, N. C.	Mondell	Smith, Mich.
Crosser	Gould	Montague	Stephens, Nebr.
Currie, Mich.	Graham, Pa.	Morin	Stiness
Curry, Cal.	Gray, N. J.	Mott	Sullivan
Dale, N. Y.	Griest	Mudd	Sweet
Dale, Vt.	Hamill	Nicholls, S. C.	Swift
Davidson	Hamilton, N. Y.	O'Shaunessy	Templeton
Decker	Haskell	Paige	Tinkham
Dempsey	Heintz	Parker, N. J.	Van Dyke
Dent	Hood	Porter	Vare
Dewalt	Howard	Price	Ward
Dooling	Hull, Iowa	Rayburn	Wilson, La.
Doremus	Johnson, S. Dak.	Riordan	Winslow
Drukker	Juul	Rodenberg	Wood, Ind.

The SPEAKER. On this roll call 335 Members, a quorum, answered to their names.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

LEAVE OF ABSENCE.

The SPEAKER. The Chair lays before the House the following personal request.

The Clerk read as follows:

Mr. MOORES of Indiana requests unanimous consent for leave of absence for his colleague, Mr. BLAND, to be absent until February 1, that he may make public speeches in Indiana under the direction of the Council of National Defense.

The SPEAKER. Without objection, the request will be granted.

There was no objection.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday and the Clerk will call the committees.

When the Committee on Patents was called,

Mr. SMITH of New York. Mr. Speaker, the Committee on Patents reported the bill to give additional force to the United States Patent Office. It is H. R. 5287. This bill has been included in other legislation, and I ask unanimous consent that it lie on the table.

The SPEAKER. Without objection, the bill will lie on the table.

There was no objection.

The SPEAKER. Has the Committee on Patents any more business?

Mr. SMITH of New York. No more business.

When the Committee on Irrigation of Arid Lands was called,

Mr. TAYLOR of Colorado. Mr. Speaker, on behalf of the Irrigation Committee I call up the bill H. R. 4954, No. 22 on the House Calendar.

Mr. STAFFORD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. STAFFORD. Mr. Speaker, I wish to make a point of order as to this bill. Mr. Speaker, this bill is on the House Calendar. As I construe the provisions of the bill it waives the lien that the Government now has to the extent of $100,000,000 on irrigated land, and waives that lien in favor of irrigation districts provided under State enactment.

The SPEAKER. What is the gentleman's point of order?

Mr. STAFFORD. The point of order is that the bill should be on the Union Calendar instead of on the House Calendar.

Mr. KINKAID. Mr. Speaker, will the gentleman withhold the point of order until an explanation can be made? I would yield to the gentleman from Colorado [Mr. TAYLOR] to make an explanation.

The SPEAKER. The gentleman makes a point of order that this bill ought to be on the Union Calendar instead of the House Calendar. Now, if there is any gentleman who wants to be heard——

Mr. TAYLOR of Colorado. Mr. Speaker, I was unable to hear the gentleman's statement as to why it should be on the Union Calendar rather than on the House Calendar. I did not exactly catch the point of order.

The SPEAKER. What reason does the gentleman give for his point of order?

Mr. STAFFORD. Mr. Speaker, under the act of 1910, whereby authorization was granted to the Reclamation Service to use $20,000,000 of Government money for the continuation of reclamation projects, it was provided that 50 per cent of all the funds arising from returns on reclamation projects should be paid into the United States Treasury to reimburse the amount of the advancement of $20,000,000. Subsequently that act was amended by the sundry civil appropriation act of June 30, 1917, which required that there should be paid annually $1,000,000 from the reclamation fund to the general fund of the Treasury.

Mr. KINKAID. Mr. Speaker, I rise to the point of order that the discussion is not directed to the point of order raised by the gentleman from Wisconsin.

The SPEAKER. Well, the Chair always allows a good deal of latitude on points of order.

Mr. STAFFORD. If the gentleman from Nebraska will possess himself in patience, I will show the argument I am making has direct reference to the point of order. I am not seeking to discuss the merits except as it is necessary to show that this bill seeks to lift the lien the National Government to-day has of $100,000,000 on all the lands of the reclamation projects and transfer that absolutely and allow State organizations to go ahead without any obligation under this law to repay that money, except a mere promise.

The SPEAKER. Now, why is it on the wrong calendar?

Mr. STAFFORD. I am now directing attention, and would have reached it by this time, had it not been for the hurried interruption of the gentleman from Nebraska. Section 2 of the bill, Mr. Speaker, provides—

That patent and water-right certificates which shall hereafter be issued under the terms of the act entitled "An act providing for patents on reclamation entries, and for other purposes," by which the irriga-

tion district agrees to make the payment of all charges for the building of irrigation works and for operation and maintenance, shall not reserve to the United States—

I am now reading lines 8 and 9, page 3—

a lien for the payment of such charges.

To-day, under existing law, as it has been since the first reclamation act that was passed in 1902, the Government has a lien on these lands for the payment of these charges for construction work and water-right privileges. Going on further:

And where such a lien shall have been reserved in any patent or water-right certificate issued under the said act of Congress——

The SPEAKER. Now, where is the gentleman reading?

Mr. STAFFORD. I am now continuing, following line 9, page 3. I first read lines 8 and 9, on page 3, and then continuing:

And where such a lien shall have been reserved in any patent or water-right certificate issued under the said act of Congress, the Secretary of the Interior is hereby empowered to release such lien in such manner and form as may be deemed effective.

Under that provision the Secretary of the Interior is authorized to waive the lien of the Government of the United States on the lands that have been improved by the funds of the Government for reclamation projects, and that lien necessarily creates a liability that the Government has a right to to-day, an asset, rather, that the Government has a right to to-day in seeking a reimbursement to the extent of nearly a hundred millions of dollars that have been invested for the improvement of these lands.

Now, further reading, on line 14:

And the Secretary of the Interior is further empowered to release liens in favor of the United States contained in water-right applications and to assent to the release of liens to secure reimbursement of moneys due to the United States pursuant to water-right applications running in favor of the water users' association and contained in stock-subscription contracts to such association, when the land covered by such lien shall be subject to assessment and levy for the collection of all moneys due and to become due to the United States.

Now, Mr. Speaker, permit me to refresh the memory of the Speaker on the rule which requires such bills as this to be on the Union Calendar. I read paragraph 3 of Rule XXIII, as follows:

All motions or propositions involving a tax or charge upon the people; all proceedings touching appropriations of money, or bills making appropriations of money or property, or requiring such appropriation to be made, or authorizing payments out of appropriations already made, or releasing any liability to the United States for money or property, or referring any claim to the Court of Claims, shall be first considered in a Committee of the Whole, and a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

Mr. Speaker, the very purpose of this bill is to release the lien of the Government on all the lands in the reclamation projects, which is first and supreme to-day, and subordinate its rights to the claims of other persons. The report shows that this bill is for the purpose of allowing these entrymen and users of water rights on these reclamation projects to obtain a loan from the Farm Loan Board, so that their lien will be prior to that of the lien of the Government.

But more than that, the report on its face shows the very purpose is to lift the lien and to surrender it absolutely, so that the Government will not have the right to reimbursement to the extent, as under the provision of the sundry civil act, of $1,000,000, to be paid into the Treasury every year.

I wish to refresh the memory of the Speaker further to that condition which confronted the Reclamation Service back in 1909 and 1910, when that service was under the direction of Director Newell. He will remember distinctly that they were without funds, that the funds that had accrued as the result of the sale of public lands, and that could be utilized in reclamation projects, had been exhausted, and it was necessary for President Taft to urge upon Congress the loan of $20,000,000 for the continued construction of these reclamation projects. The condition of that loan was that one-half of all the funds resulting from the operation of reclamation projects should be turned into the Treasury. That provision was amended by the sundry civil act for the year 1918, which absolutely requires $1,000,000 to be returned annually until that $20,000,000 has been returned to the Treasury.

The SPEAKER. Now, the Chair would like to ask the gentleman a question. Does this bill prevent the Government getting its money back or not?

Mr. STAFFORD. It does.

The SPEAKER. How?

Mr. STAFFORD. Why, Mr. Speaker, this bill provides that the Government shall waive its lien to this land.

The SPEAKER. I know; but does that necessarily mean the Government is going to lose the money?

Mr. STAFFORD. Why, under the actual operation of affairs, yes; absolutely yes. And why? In the first place, it enables any private party to loan money to the individual entryman or to the homesteader who is enjoying water rights on these reclamation projects. That immediately releases a liability under the provisions of this rule to which I have called attention. That mortgagee, whether it be the Federal Farm Loan Board or whether it be a private individual, would take prior rights and would necessarily bar the right of the National Government to its lien.

Furthermore, Mr. Speaker——

Mr. GARNER. Will the gentleman yield?

Mr. STAFFORD. In just one minute.

Furthermore, under existing law the lien of the Government is prior to the right of the State to collect its taxes. Pass this bill in its present form and you waive that right; you waive absolutely the lien of the Government in favor of the State for its taxes, in favor of the private person who may loan money. It lifts the lien entirely. The express language says that. I directed the Speaker's attention to the authorization——

The SPEAKER. What the Chair asked the gentleman was, Does that language take away from the Government its right to recover this money?

Mr. STAFFORD. It does, indeed.

Mr. GARNER. Will the gentleman yield for a question?

Mr. STAFFORD. I will.

Mr. GARNER. Is not the main purpose of this bill to find a different method by which the Government can collect this money than the present method? Whether that is a wise method or not I will not undertake to say, but is not that the crux of this bill?

Mr. STAFFORD. Under existing law, Mr. Speaker, the Government has a fixed security on this land. It releases that security; it waives it. It releases it absolutely. It gives the right to the State to have priority in the way of taxation, in the first place, which it has not to-day. The lien of the Government to-day is supreme, so far as every dollar of money that has been advanced in this construction work on these reclamation projects is concerned. This bill subordinates that lien; it changes the security it now has from the land to a promise of a person to perform.

Mr. KINKAID. Mr. Speaker, we have not reached the merits of the measure——

The SPEAKER. The gentleman will wait a minute. Is the gentleman from Wisconsin [Mr. STAFFORD] through?

Mr. STAFFORD. I have made my argument.

The SPEAKER. Then the gentleman from Nebraska is recognized.

Mr. KINKAID. We have not reached the measure upon its merits. We are discussing the technical question raised by the point of order, which involves the rules of this body.

I differ with the learned parliamentarian from Wisconsin [Mr. STAFFORD]. I think he is incorrect. If he had correctly answered the question propounded by the Speaker, which goes to the essence of the parliamentary question, he would thereby have admitted that he has no case. If he had answered correctly the question propounded by the gentleman from Texas [Mr. GARNER], he would have thereby admitted that there is nothing in the point of order which he has raised. The bill does provide for a change of the mode whereby the Government is paid back the money it has invested. It changes it to a different form whereby the money is to be raised. Instead of the lien being continued on each individual entry or unit, it is changed so that it is en masse on the whole district which State laws authorize to be formed, and the State authorities under the general assessment laws of the State collect the taxes whereby the Government is to be paid back the money invested in the construction of projects. It facilitates the business of the Government. Nearly all the irrigation States have district laws.

Mr. RAKER. Mr. Speaker, speaking on the point of order, it seems to me the whole thing devolves on the construction of the following language of subdivision 3 of Rule XXIII, Rules of the House:

Or releasing any liability to the United States for money or property. * * *

Now, I want to call the Speaker's attention to the provision of this bill and what its purpose, as referred to by the gentleman [Mr. STAFFORD] on the other side. With all due respect to what the gentleman says, he evidently does not fully understand the provisions of this bill. This does not release the liability. It does not release one cent. It holds a lien upon the same land. In addition to that it covers all the land in the district wherein the land is located, so that, it being on a particular tract, the district enters into a contract and levies an assessment, and all the land in the district is covered by those assessments.

The SPEAKER. Does this bill in any way release the Government lien?

Mr. RAKER. Absolutely not. It gives it an additional security to collect its money.

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

Mr. RAKER. Certainly.

Mr. LENROOT. If this passes the Government can not foreclose the lien upon this particular tract because its lien is gone.

Mr. GARNER. Mr. Speaker, will the gentleman permit an interruption?

Mr. LENROOT. Yes.

Mr. GARNER. Has the gentleman read subdivision 3 of Rule XXIII as to liability? It does not release the liability. It releases the lien, but it does not release the liability.

Mr. LENROOT. It releases the liability to this particular land and substitutes a greater one.

Mr. GARNER. Will the gentleman yield further?

Mr. LENROOT. Certainly.

Mr. GARNER. Is the releasing of the lien the releasing of a liability? To illustrate, if I may, in a legal phrase, if the gentleman from Wisconsin owed a debt and had given a mortgage on the piece of land to secure the debt a release of that land would not release the liability. That is the language of this rule. It does not say it releases the security, but releases the liability.

Mr. BORLAND. The liability is not on the individual. It is on the land, and the lien is the liability when released on that particular land. It does not make any difference whether other assets are exchanged for it. Under the law the liability is gone. The gentleman from Wisconsin is right.

Mr. FOSTER. Mr. Speaker, will the gentleman yield?

Mr. RAKER. Certainly.

Mr. FOSTER. Suppose these parties that are on this land fail to pay the taxes to the State. What becomes of it? Does not the Government lose its lien?

Mr. RAKER. No.

Mr. FOSTER. I do not see why.

Mr. RAKER. If gentlemen will allow me to proceed, the change of the form of the lien, the adding of additional security upon which the liability depends, is not a releasing of the liability referred to in the rule. And I want to say to the Speaker about this bill that it does not release the liability. It does not affect the liability of the Government, but instead of that it adds additional security to the Government in the method of collecting the money due.

The SPEAKER. Well, now, where is there anything in the bill that shows that?

Mr. RAKER. I will read it—the very first section:

That in carrying out the purposes of the act of June 17, 1902 (32 Stats., p. 388), and acts amendatory thereof and supplementary thereto, and known as and called the reclamation law, the Secretary of the Interior may enter into contract with any legally organized irrigation district whereby such irrigation district shall agree to pay the moneys required to be paid to the United States, and in such event water-right applications on the part of landowners and entrymen, in the discretion of the Secretary of the Interior, may be dispensed with. In the event of such contract being made with an irrigation district, the Secretary of the Interior, in his discretion, may contract that the payments, both for the construction of irrigation works and for operation and maintenance, on the part of the district shall be made upon such dates as will best conform to the district and taxation laws of the respective States under which such irrigation districts shall be formed.

In the first instance, Mr. Speaker, by a voluntary act on the part of the irrigation district formed under the laws of the State it becomes a municipality and levies its tax for the purpose of paying its obligations, and through that authority, by virtue of the board of directors, they contract with the Secretary of the Interior that they will pay all of the obligations due the United States; and upon that not only the land in the particular instance is bound, but all the land in the district, privately owned and otherwise, becomes subject to the tax under the State law and under that district. In addition to one tract of land, it includes all the other land that is owned by the United States that is under the reclamation law; and, in addition to that, it includes all of the privately owned land that never has taken up and assumed the responsibilities under the irrigation law, so as to make all responsible to pay the taxes due the Government.

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. RAKER. Yes.

Mr. LITTLE. Is this the bill that is intended to cover the work of the Farm Loan Board?

Mr. RAKER. Yes.

Mr. LITTLE. I reserved the right to differ with the gentleman regarding its effect. I want to ask this question. I understand you have made a statement to the Speaker to this effect, that the liability for this particular land, for this particular debt, is gone?

Mr. RAKER. I did not hear the gentleman.

Mr. LITTLE. As I understand it, the gentleman states that the liability of this particular land is released, which makes it susceptible to the rule. Now, the gentleman says there is substituted the liability of the irrigation district. Is it not a fact that that irrigation district has other liabilities, such as taxes, which would take precedence of this claim?

Mr. RAKER. No.

Mr. LITTLE. Could they not sell all this irrigation district for the taxes before the Government gets paid for this land?

Mr. RAKER. No.

Mr. STAFFORD. Why not?

Mr. RAKER. Because in all these districts involved in this legislation there is not 10 per cent of the land which has a Government lien upon it. Ninety per cent of the lands are privately owned, and this provision that the gentleman refers to was placed in it only three years ago for the purpose of covering the particular cases where the parties wanted to obtain patents. In addition to that, I again call the attention of the Speaker to the wording of this rule. It says the releasing of a liability——

The SPEAKER. The Chair wants to ask the gentleman this question: Does this bill weaken the Government's lien?

Mr. RAKER. If the Speaker will permit me to answer that, it trebles and quadruples the Government's interest in the land, compared to what it has to-day.

The SPEAKER. How does it do it?

Mr. RAKER. By giving a lien upon all the property in the district.

Mr. BORLAND. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BORLAND. That question answers itself. The Government now has a lien on all land embraced in the irrigation district. That is to be exchanged for a lien upon the irrigation district as a corporate body; but that irrigation district will be subject to other claims. The Government can not possibly increase the extent of its security, because the security is there anyhow.

The SPEAKER. The gentleman from Missouri can not take the gentleman from California off the floor——

Mr. BORLAND. I want to suggest that this irrigation district can have jurisdiction over no more land than the Government now has——

The SPEAKER. The gentleman from California [Mr. RAKER] has the floor. To whom does the gentleman yield?

Mr. RAKER. I yield to the gentleman from Texas [Mr. GARNER].

Mr. GARNER. I want to propound a parliamentary inquiry to the Speaker. If the Speaker should hold that this bill ought to be on the Union Calendar, can he order it placed on the Union Calendar as of to-day, and can the bill be called up immediately?

The SPEAKER. That is exactly what the Chair will do.

Mr. GARNER. Then it does not make any difference. It is just a question of tweedledum or tweedledee.

Mr. LITTLE. Will the gentleman yield again to a member of the committee?

Mr. RAKER. I yield again; but, under the Speaker's statement, what is the use of taking up time? I am convinced that I am right, and I want to call the attention of the gentleman from Missouri [Mr. BORLAND] to the fact that he does not appear to understand the provisions of this bill, because, he says, all of the lands are under the reclamation project. Now, one of the curses of these irrigation projects is that not all of the land is under the lien——

The SPEAKER. The Chair is ready to rule. This is a very close question, and in the end it does not make a particle of difference which one of these methods you pursue, or whether the bill is on the House Calendar or on the other calendar; and to be absolutely on the safe side, and to guard the rights of the Government in the premises, the Chair decides that this particular bill ought to be on the Union Calendar; and he further decides that the House automatically resolves itself into the Committee of the Whole House on the state of the Union to consider the bill, with the gentleman from Indiana [Mr. Cox] in the chair. [Applause.]

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4954) to provide for the application of the reclamation law to irrigation districts, with Mr. Cox in the chair.

Mr. RAKER. I ask unanimous consent that the first reading of the bill be dispensed with.

Mr. STAFFORD. Very few Members are acquainted with the provisions of the bill. It is a short bill, and a most important one, and I object.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in carrying out the purposes of the act of June 17, 1902 (32 Stats., 388), and acts amendatory thereof and supplementary thereto, and known as and called the reclamation law, the Secretary of the Interior may enter into contract with any irrigation district whereby such irrigation district shall agree to pay the moneys required to be paid to the United States, and in such event water-right applications on the part of landowners and entrymen in the discretion of the Secretary of the Interior, may be dispensed with. In the event of such contract being made with an irrigation district, the Secretary of the Interior, in his discretion, may contract that the payments, both for the construction of irrigation works and for operation and maintenance, on the part of the district shall be made upon such dates as will best conform to the district and taxation laws of the respective States under which such irrigation districts shall be formed, and if he deem it advisable, he may contract for such penalties or interest charges in case of delinquency in payments and for such discounts for prompt payment as he may deem proper and consistent with such State laws, notwithstanding the provisions of sections 1, 2, 3, 5, and 6 of the reclamation-extension act approved August 18, 1914 (38 Stats., 686). The agents of the United States may accept a partial payment of the amount due from any district to the United States, providing such acceptance shall not constitute a waiver of the balance remaining due, nor the interest or penalties, if any, accruing upon said balance.

SEC. 2. That patents and water-right certificates which shall hereafter be issued under the terms of the act entitled "An act providing for patents on reclamation entries, and for other purposes," approved August 9, 1912 (37 Stat. L., 265), for lands lying within any irrigation district with which the United States shall have contracted, by which the irrigation district agrees to make the payment of all charges for the building of irrigation works and for operation and maintenance, shall not reserve to the United States a lien for the payment of such charges; and where such a lien shall have been reserved in any patent or water-right certificate issued under the said act of Congress, the Secretary of the Interior is hereby empowered to release such lien in such manner and form as may be deemed effective; and the Secretary of the Interior is further empowered to release liens in favor of the United States contained in water-right applications and to assent to the release of liens to secure reimbursement of moneys due to the United States pursuant to water-right application running in favor of the water-users' association and contained in stock subscription contracts to such associations, when the lands covered by such liens shall be subject to assessment and levy for the collection of all moneys due and to become due to the United States by irrigation districts formed pursuant to State law and with which the United States shall have entered into contract therefor.

SEC. 3. That upon the execution of any contract between the United States and any irrigation district pursuant to this act the public lands included within such irrigation district, when subject to entry, and entered lands within such irrigation district, for which no final certificates shall have been issued, and which may be designated by the Secretary of the Interior in said contract, shall be subject to all the provisions of the act entitled "An act to promote the reclamation of arid lands," approved August 11, 1916: *Provided*, That no map or plan as required by section 3 of the act of August 11, 1916, need be filed by the irrigation district for approval by the Secretary of the Interior.

With the following committee amendments:

Page 1, line 8, after the word "any" insert the words "legally organized."

Page 2, line 12, after the word "payments" strike out the words "and for such discounts for prompt payment."

Page 2, line 16, after the word "August" strike out the word "eighteenth" and insert the word "thirteenth."

Page 2, line 18, after the word "the" strike out the words "agents of the United States" and insert the words "Secretary of the Interior."

Page 3, line 18, after the word "water right" strike out the word "application" and insert the word "applications."

Page 4, line 6, after the word "issued" strike out the comma and insert the word "and."

Page 4, line 11, after the word "the" insert the word "said."

Page 4, line 11, after the word "act" strike out the words "of August 11, 1916."

The CHAIRMAN. The gentleman from California [Mr. RAKER] is recognized for one hour.

Mr. LITTLE. What is the arrangement as to the division of time?

The CHAIRMAN. An hour on a side.

Mr. LITTLE. Who is to control the time?

Mr. TAYLOR of Colorado. The gentleman from Nebraska [Mr. KINKAID] would naturally have control of the time on that side.

Mr. STAFFORD. He would have control of the time if he is against the bill. This is a bill involving a $100,000,000 lien. It is of enough importance so that the person in control of the time in opposition should be opposed to the bill.

Mr. LITTLE. Those of us on the committee who are opposed to the bill desire to have the time in the hands of some one who is opposed to it.

Mr. TAYLOR of Colorado. If the gentleman from Kansas is opposed to the bill, I think he would be the proper one to control the time in opposition.

Mr. KINKAID. That is satisfactory to me.

Mr. LITTLE. Very well, then, it is understood that I will control the time in opposition.

The CHAIRMAN. Is the gentleman from Kansas opposed to the bill?

Mr. LITTLE. I am.

The CHAIRMAN. The gentleman from Colorado [Mr. TAYLOR] is recognized for an hour.

Mr. TAYLOR of Colorado. I yield to the gentleman from California [Mr. RAKER] 20 minutes.

Mr. RAKER. Mr. Chairman, there seems to have arisen some misunderstanding as to the objects and purposes of this bill. I think a few statements covering the matter might be well put by myself at this time. I call the committee's attention to the fact that the first section gives the express sanction of Congress to cooperation between the United States and the irrigation districts, adapting the reclamation law as to the necessities of irrigation districts as quasi-municipal corporations under the laws of the respective reclamation States. I stop there to call the attention of the committee to the fact that, in the first place, the bill is optional; it is for the district to determine whether or not under the State law it will form an irrigation district. I want to call attention to the fact that in all the States where there are reclamation projects, except one, laws creating irrigation districts have already been enacted.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. RAKER. Yes.

Mr. MORGAN. In lines 7 and 8, on page 1, the bill provides that the Secretary of the Interior may enter into contracts with any legally organized irrigation district. It seems to me that is a very indefinite expression.

Mr. RAKER. We have an amendment that we are going to offer to that.

Mr. MORGAN. In what way?

Mr. RAKER. Just simply those legally organized and constituted.

Mr. MORGAN. And districts that have the power of taxation?

Mr. RAKER. Oh, if the gentleman will appreciate the situation, there can not be an irrigation district without its having the power to tax.

Mr. MORGAN. What is the definition of an irrigation district?

Mr. RAKER. I could not stop to take the time to give a definition now.

Mr. LITTLE. But this House is entitled to know.

Mr. RAKER. I call attention to the fact that in all those States that have a reclamation district law——

Mr. LITTLE. But most of the Members of the House are not from irrigation States.

Mr. RAKER. I can not yield. That is the same as a county, in effect. It has its State officers, it is under the law, there must be certain land, and a certain percentage of the landowners must have voted to organize, and that organization must go before the proper county supervisors or commissioners and must be viséed and gone into and then determine whether or not it will organize.

Mr. LITTLE. Just a moment.

Mr. RAKER. I do not yield. Then it comes up to the people of the irrigation district that own the land to vote, and if two-thirds of the landowners in the district vote to organize, then it is organized under the law, and the vote is canvassed by the county commissioners or the board of supervisors, and then it is declared an irrigation district under the law, with all the powers of taxation, the right to sue and be sued, the right to obtain land and dispose of land, and do all other things that an up-to-date municipal corporation is entitled to do.

Mr. FERRIS. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. FERRIS. Mr. Chairman, I have just been reading Secretary Lane's letter. Is it true that this bill enables the reclamation claimants to go into the farm-loan associations and borrow money and execute mortgages which will be a lien ahead of the Government's lien?

Mr. RAKER. No.

Mr. FERRIS. This letter says it is, and I think the gentleman ought to be careful about that. The letter of Secretary Lane of July 2, 1917, says it will do that thing, and if it does that it is not fair to the Government, it is not fair to the other States or to anybody, and the legislation ought not to be passed, and the gentleman will not be able to pass it without a quorum, if it does that. I will not stand for it myself, because my State has been wheedled out of six and a half million dollars——

Mr. RAKER. I can not yield for an argument.

Mr. FERRIS. I shall take time in my own right and argue this thing. We are not going to be beaten out of $70,000,000 here without knowing it, if I am right about this.

Mr. RAKER. But the gentleman is not right, I am glad to say.

Mr. FERRIS. I am afraid I am.

Mr. RAKER. The gentleman is not, and I shall explain to him in just a moment. In a general way that is the substance, with all of the power of the reclamation districts. It is optional whether or not that reclamation district will enter into a contract with the Secretary of the Interior to come under the provisions of this law. Now, coming back to the question raised by the gentleman from Oklahoma, I think it is but fair to the Members of the House to state that the act that the gentleman referred to—passed on August 9, 1912—contains a provision in section 2 which it took me two weeks in the Committee on Irrigation of Arid Lands to have incorporated. I am the one who drew it, just for the purpose of avoiding any possibility, after the Government having issued a patent, if there was anything due for construction of the project or maintenance or upkeep, of preventing the Government from losing a dollar. We went over it in the committee and before the department, and I finally drew the draft that the committee adopted and which is now in the law, for the sole purpose, if there was anything due, of having it provided for. That act, in full, is as follows:

An act providing for patents on reclamation entries, and for other purposes.

Be it enacted, etc., That any homestead entryman under the act of June 17, 1902, known as the reclamation act, including entrymen on ceded Indian lands, may, at any time after having complied with the provisions of law applicable to such lands as to residence, reclamation, and cultivation submit proof of such residence, reclamation, and cultivation, which proof, if found regular and satisfactory, shall entitle the entryman to a patent, and all purchasers of water-right certificates on reclamation projects shall be entitled to a final water-right certificate upon proof of the cultivation and reclamation of the land to which the certificate applies, to the extent required by the reclamation act for homestead entrymen: *Provided*, That no such patent or certificate shall issue until all sums due the United States on account of such land or water right at the time of issuance of patent or certificate have been paid.

SEC. 2. That every patent and water-right certificate issued under this act shall expressly reserve to the United States a prior lien on the land patented or for which water right is certified, together with all water rights appurtenant or belonging thereto, superior to all other liens, claims, or demands whatsoever for the payment of all sums due or to become due to the United States or its successors in control of the irrigation project in connection with such lands and water rights.

Upon default of payment of any amount so due title to the land shall pass to the United States free of all encumbrance, subject to the right of the defaulting debtor or any mortgagee, lien holder, judgment debtor, or subsequent purchaser to redeem the land within one year after the notice of such default shall have been given by payment of all moneys due, with 8 per cent interest and cost. And the United States, at its option, acting through the Secretary of the Interior, may cause land to be sold at any time after such failure to redeem, and from the proceeds of the sale there shall be paid into the reclamation fund all moneys due, with interest as herein provided, and costs. The balance of the proceeds, if any, shall be the property of the defaulting debtor or his assignee: *Provided*, That in case of sale after failure to redeem under this section the United States shall be authorized to bid in such land at not more than the amount in default, including interest and costs.

There is not 5 per cent of the land in any reclamation district wherein a patent has been issued and the lien is provided for. Ninety per cent of all the district was privately owned land when the district was organized. I may not have the exact percentage, but it is somewhere near correct. In the other 5 per cent—and I may have my percentage rather high, but I think not—the men had a patent for it before the law was passed, and this was to cover only the remaining tracts or new lands coming under the provisions of the act subsequent, so that those who say that we are now trying to break down the reclamation law and not get back the money that the Government had advanced in these reclamation projects are mistaken. The provisions of this bill make it optional. It permits these districts to organize and enter into a contract with the Secretary of the Interior for the purpose of carrying out the real object and purposes of the reclamation law to the end that every dollar the Government advanced might be returned, and no man can say on the floor of this House that there has been any effort on the part of any from the public-land States, or any States in which these reclamation projects are situated, to cause the Government to lose a dollar.

Every law, every act, every effort has been made and will be continued to be made to strengthen the law, to make it clear, to make it definite that all this money the Government has advanced in the construction of these projects, maintenance, and upkeep, might be returned to the Government, dollar for dollar, and these people——

Mr. LITTLE. Will the gentleman yield?

Mr. RAKER. For a question only.

Mr. LITTLE. Is not the principal purpose of this bill to make it possible for the Farm Loan Board to loan money upon these irrigated lands? Is not that the real and principal purpose of the bill?

Mr. RAKER. I will answer that in just a moment.

Mr. GORDON. Will the gentleman yield?

Mr. RAKER. I yield to the gentleman from Ohio for a question only.

Mr. GORDON. The gentleman says the Government will get back the $70,000,000 in the irrigated arid lands; it will not get it back unless——

Mr. RAKER. It will get it back, every dollar, and if the gentleman would go upon those projects and be certain of his remarks I am certain he would not make that statement. These people do not take this money not to repay it. They simply want the money advanced to the end that they may improve this country and turn this desert waste into gardens and help produce the products in order to win this war, and if the gentleman says this money will not be returned he evidently has not made an investigation of the subject.

Mr. GORDON. Oh, yes, I have; if the gentleman will yield to me just——

Mr. RAKER. For a question. A gentleman just said that $4,000,000 has been paid back.

Mr. GORDON. Then, why are they always asking every year to get an extension of the time?

Mr. RAKER. No.

Mr. GORDON. They never will get a cent back unless the land is worth something.

Mr. RAKER. That, I say, demonstrates the fact that our able and constitutional lawyer from Ohio has not investigated the provisions of the reclamation act nor the conditions under which these people have worked in trying to build up this country. Men talk about the reclamation act not being a success. These people have spent their time and their money to build up this country and all they ask is for a reasonable amount of money to be expended for the purpose of getting on their feet and then, in turn, they will return every dollar to the Government. Now, in answer to the question of the gentleman from Kansas, I wish to call his attention to this fact: This is one of the provisions of the bill for this reason——

Mr. LITTLE. What is the major provision?

Mr. RAKER. If the gentleman asking the question will give me an opportunity, I will answer it. There are irrigation districts now not under Government control that have been formed under the various State laws that are borrowing money from the Farm Loan Board—that is, their members have—and it is a legitimate transaction and an ample security. The Farm Loan Board have held that it is not a prohibitory provision, and they can loan to members of these irrigation districts upon the land that is in the district the same that they can loan to the man who owns a piece of land on which there is a county, municipal, or school tax laid. Now, in those districts part of the individuals not having contracted with the Government, in addition to this prior loan I spoke of on about 5 per cent of the land, and I want particularly to call this to the attention of the gentleman from Kansas, there is a large amount due under the reclamation project by each individual in the construction charges, upon which, so far as I know, a written contract or recordation of it is concerned is only with the various departments. The same with regard to maintenance and upkeep. Now, for the purpose absolutely of securing the Government, they form the irrigation district, and it is then accepted by the Secretary of the Interior, gives them a claim for the amount due on all the land in the district, backed by the 100,000 acres that may be in it instead of the 1,000 acres of the individual, and it then permits the Federal Farm Loan Board to take up the individual owner of the land and loan him money upon it as they do with other people, to which there is no objection, and he can use that money to pay off the assessment and to pay back assessments upon the construction charges, maintenance, and upkeep, and he gets machinery and builds a home and improves his place and he is in a position to produce crops of which this country is so sore in need.

Mr. LITTLE. The money to be collected by taxation assessed upon the district?

Mr. RAKER. Yes; just like the State collects its taxes, just like the county collects its taxes, just like the municipality collects its taxes. Now, can there be any objection to the district collecting its taxes and paying its debts, as it has occurred in every other municipality subdivision in every State in the Union?

Mr. MORGAN. Will the gentleman yield?

Mr. RAKER. For a question only.

Mr. MORGAN. I am inclined to be in favor of this bill, and I should hate very much to oppose it. I am trying to understand it. Now, what would be the principal difference between the Government allowing these districts the taxing power to pay off Reclamation Service contracts, mortgages, or whatever it is, the amount the Government owes, and in allowing those districts to be taxed for the purpose of paying off the loan made by the Federal Farm Loan Board? Why do not you just as well allow these districts to be authorized to pay off the loan to the Federal Farm Loan Board as for this, in effect, to

be taken out of the Reclamation Service and advanced by the Government as a loan to these people?

Mr. RAKER. Not individually, though.

Mr. MORGAN. Individual leases.

Mr. RAKER. Not individual.

Mr. MORGAN. Well, you take these lands individually for security for them.

Mr. RAKER. That is not the fact. That is the trouble. The only provision in the law is the one I had written in, and only includes 5 per cent or thereabouts of all the land in the districts. And, now, why is it at this late date, when we are trying to secure the Government, that there should be any objection to protecting the Government?

Mr. MORGAN. You say only 5 per cent of the land under reclamation has been taken by private individuals?

Mr. RAKER. No, sir. I said only 5 per cent of the land under the reclamation projects that come under the provision of the law, so that they have a prior lien after they have submitted proof and patent has issued under the act of August 9, 1912.

One of the great troubles with these reclamation districts has been that there have been large tracts of land in the confines of the district that the owner would not subdivide into 160-acre tracts. They have been selling them out to the poor farmer at exorbitant prices, and, in addition to paying that first exorbitant price, he had to pay his proportion of the construction charge and maintenance and upkeep. But under the district reclamation law that has been approved by the department, and the bills were drawn and, assisted by them, enacted by all these State legislatures. And I want to call my friend's attention to the fact that under those laws and when the district is constituted it takes any of the land in private ownership, whether it exceeds 160 acres or not, and he must pay his proportion of the taxes.

Now, I want to call his attention to another fact. Under the bill that this committee got through last year we did another thing, and it comes under this act. We put under that bill the publicly owned land in the district, so that when anybody comes and files upon the publicly owned land in that district he must pay the back charges and his proportion of the cost of construction of the project. That is but as it should be and right. Can anyone say that the committee is trying to defeat the Government when, as a matter of fact, we take all the privately owned land, we take all the land that the man has a patent to, free of the lien; we take the land on which the lease has been created, which is about 5 per cent of all the lands of the district, and then we take all the Government land in the district and make it subject to this bill, so that the Government may be amply and fully protected at all times?

Mr. DENISON. Will the gentleman yield?

Mr. RAKER I will.

Mr. DENISON. What I wanted to ask the gentleman is this: Is the lien of the Government, on which it will collect back the money that it has put into these irrigation projects, confined to the 5 per cent of the land of which you have been speaking?

Mr. RAKER. To answer that clearly I will say that I may have the estimate a little large as to privately owned land when the project was organized. Then, there are in some of the districts now 25 or 30 per cent of public lands.

Mr. MONDELL. Will my friend yield? There are some projects where all the lands are public lands.

Mr. RAKER. There is not any of them where it is all public land.

Mr. MONDELL. I happen to be very well informed on the subject and I know there are projects where all the land is public land.

Mr. RAKER. There may be one; but I think my statement is still correct that there were still some privately owned lands in the boundaries of the districts.

Mr. MONDELL. I do not think that weakens the gentleman's argument, but I thought the gentleman wanted to be clear in his statement.

Mr. RAKER. So the record may show what action has been taken I call the committee's attention to part of the report of the committee on the bill so as to show clearly its objects and purposes.

Hon. Franklin K. Lane, Secretary of the Interior, made report on House bill 4954 to the Committee on Irrigation of Arid Lands, which report reads as follows:

"DEPARTMENT OF THE INTERIOR,
"Washington, July 2, 1917.

"Hon. EDWARD T. TAYLOR,
"House of Representatives.

"MY DEAR MR. TAYLOR: I have your letter of June 12 requesting the consideration and report of the Interior Department upon H. R. 4954, 'A bill to provide for the application of the reclamation law to irrigation districts.'

"While this bill does not mention farm loans, it will provide a plan whereby the farm-loan act will become applicable to the Federal projects.

"The first section gives the express sanction of Congress to cooperation between the United States and irrigation districts adapting the reclamation law to the necessities of irrigation districts as quasi-municipal corporations under the laws of the respective reclamation States. Statutes amendatory of previous irrigation district laws so as to provide expressly for cooperation with the United States have been passed this year in the reclamation States.

"This department has already contracted with numerous irrigation districts, and I find that cooperation with these public corporations enhances the security of the United States, gives facility in the collection of moneys due to the United States, and at the same time is popular with the water users themselves, since they have the powers and privileges of a public corporation.

"Moreover, organization as irrigation districts binds to the project, irrespective of individual consent, once the statutory majority has been obtained for the formation of and making of contract, all of the lands of the project, and thereby promotes early cultivation of the land and eliminates speculation.

"In section 2 of the bill provision is made for the releasing of the liens of the Government which have been reserved, as required by the present law, in patents to homestead entries taken up subject to the reclamation law, and for the discharge of liens contained in stock subscription contracts to water-users' associations and in water-right applications direct to the United States, in cases where proper contract shall be made by irrigation districts with the United States.

"This section would, therefore, if enacted remove two classes of impediment to the application of the farm-loan act to Federal projects. The first is the existence of the prior reserved lien on all homestead lands, and the second is the existence of a contractual lien by virtue of stock subscription and water-right applications. Thus both the public and private lands taken by the settlers under these projects would become free from prior liens, so that there would be no legal impediment to the loaning of money by way of rural credits.

"The irrigation district liens attach only upon the making of annual assessment and levy, and are no more a bar to the obtaining of a 'first mortgage' under the farm-loan act than are the taxes of any other public corporations, such as counties and school districts, for the discharge of their debts.

"Some of our projects have reorganized as irrigation districts and others are in process of reorganization in order to obtain the benefits to accrue under the district plan, the securing of farm loans being but one. It will, therefore, work no hardship if projects reorganize as irrigation districts to obtain the benefit of farm loans.

"House bill 4954 paves the way for farm loans on the projects without subordinating the security for the reimbursement of the reclamation fund or interfering with the Government's present security contained in the guaranty contract with individual water-users' associations.

"I regard this measure as an emergency bill for the reason that the successful application of farm loans to reclamation projects is of urgent public necessity, since it will result in a great increase in the productivity of lands on these projects in 1918 and subsequent years. I am, therefore, in favor of the bill.

"Cordially, yours,

"FRANKLIN K. LANE, *Secretary.*"

The bill having been referred to the Federal Farm Loan Bureau, report was made thereon by the Hon. George Norris, Farm Loan Commissioner, of date June 23, 1917, which report is as follows:

"TREASURY DEPARTMENT,
"FEDERAL FARM LOAN BUREAU,
"Washington, June 23, 1917.

"MY DEAR MR. CONGRESSMAN: A trip to St. Louis from which I have just returned delayed a reply to your favor of the 12th instant, inclosing copy of House bill 4954, providing for the application of the reclamation law to irrigation districts. This is a matter with which my associates, Judge Lobdell and Mr. Quick, are more familiar than I am. They have gone over the bill carefully, and are of opinion that it would be likely to prove of benefit in many districts. I am,

"Very truly, yours,

"GEO. W. NORRIS,
"Farm Loan Commissioner.

"Hon. EDWARD T. TAYLOR,
"House of Representatives."

The bill being referred to the Council of National Defense, report thereon was made to Hon. E. T. Taylor, chairman Committee on Irrigation of Arid Lands, on July 7, 1917, which report is as follows:

"COUNCIL OF NATIONAL DEFENSE,
"OFFICE OF DIRECTOR,
"Washington, July 7, 1917.

"Hon. E. T. TAYLOR,
"House of Representatives, Washington, D. C.

"MY DEAR MR. TAYLOR: Replying to your letter of July 3, inclosing a copy of H. R. 4954: As this bill covers matters of a general character with which the Council of National Defense is not primarily concerned, the council does not feel that it falls within its scope to comment thereon.

"Very truly, yours, "W. S. GIFFORD, *Director.*"

The primary object of bill H. R. 4954 is to pave the way for farm loans on irrigation projects without subordinating security for the reimbursement of the reclamation fund or interfering with the Government's present security contained in the guaranty contract with individual water-users' associations.

Secretary Lane, in his report to the committee, states that this bill fully and completely carries out the objects and purposes above referred to. The committee in considering this bill and reporting it to the House does so with the idea in view that it is an emergency bill under the present war conditions and one that will give much relief and greatly increase the productivity of lands on reclamation projects, and in this connection we refer specifically to Secretary Lane's report, wherein he uses the following language:

"I regard this measure as an emergency bill for the reason that the successful application of farm loans to reclamation projects is of urgent necessity, since it will result in a great increase in the productivity of lands on these projects in 1918 and subsequent years."

The Secretary of the Interior has entered into contract with about 20 irrigation districts under the reclamation act in various lines of cooperation, including the sale of stored water from Federal reservoirs not needed by the projects of the United States. Besides, several project extensions have been constructed by the United States under contract with irrigation districts in lieu of water-users' associations.

As to the experience with irrigation districts, Secretary of the Interior Lane, in his report recommending this bill, says:

"This department has already contracted with numerous irrigation districts, and I find that cooperation with these public corporations enhances the security of the United States, gives facility in the collection of moneys due to the United States, and at the same time is popular with the water users themselves, since they have the powers and privileges of a public corporation.

"Moreover, organization as irrigation districts binds to the project, irrespective of individual consent, once the statutory majority has been obtained for the formation of and making of contract, all of the lands of the project, and thereby promotes early cultivation of the land and eliminates speculation."

The formation of irrigation districts is entirely voluntary with the water users. These corporations are uniformly held to be public corporations and are susceptible of being formed under the State laws only upon a vote of such majority of landowners as may be prescribed by the statute. There is nothing in the bill which enjoins upon the water users reorganization as districts, but the bill is in effect an enabling act whereby cooperation can be carried on by the United States in a more perfect manner than heretofore.

The formation of an irrigation district, while it is a step of great importance being from a private corporation to a municipality, yet in several respects is not so radical a change as might be supposed. There is nothing in the formation of the irrigation district which necessitates the transfer from the Government of the operation and management of the project. There is no implied repeal of the provisions of the present reclamation law—

"That when the payments required by this act are made for the major portion of the lands irrigated from the waters of any of the works herein provided for, then the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby * * *." (Reclamation act, sec. 6, 38 Stat., 388.)

nor of the amendatory provision—

"That whenever any legally organized water users' association or irrigation district shall so request, the Secretary of the Interior is hereby authorized, in his discretion, to transfer to such water users' association or irrigation district the care, operation, and maintenance of all or any part of the project works, subject to such rules and regulations as he may prescribe." (Reclamation extension act, Aug. 13, 1914, sec. 4, 38 Stat., 686.)

The passage of this act followed by organization as an irrigation district does not involve the turning over to the water users of management and control unless the Secretary of the Interior approves such step and the water users vote favorably upon the plan, at least prior to the payment for the major part of the land irrigated under the project as provided by the original reclamation act. It would, however, facilitate the transfer if both the water users and the Government deemed the change advisable, since municipal powers would greatly aid in the solution of the problems of management and control.

The formation of the irrigation district would not involve the issuance of bonds in favor of the United States nor the payment of interest. The projects would still have the advantages of the reimbursement plan prescribed by sections 1 and 2 of the reclamation extension act above quoted in mutual cooperation with the United States.

This cooperation can best be conducted so as to make as little change as possible in the ordinary machinery of these corporations under the State statutes. The funds of the district are secured by levy and assessment in common with the methods of other municipal corporations formed for the purpose of public improvement. Hence it is highly desirable that the Federal law be in such shape that the machinery for the collection of assessments to carry out the contracts with the United States shall be identical with that employed to secure other funds or irrigation districts.

Express authority of Congress, therefore, is conferred by section 1 of the bill to contract with irrigation districts for the payment of moneys required to reimburse the reclamation fund, with provision that in such case water-right applications need not be filed and that the dates of annual payment of penalties and interest charges named in the contract shall be discretionary with the Secretary of the Interior.

This will enable several projects which either have reorganized as irrigation districts, or are now in process of such reorganization, to contract in harmony at once with the State and the Federal statutes. The Minidoka project of Idaho, the Sunnyside and Tieton of Washington, the Sun River of Montana, the Williston of North Dakota, the Strawberry Valley of Utah, the Truckee-Carson of Nevada, the El Paso Valley of Texas, and the Elephant Butte of New Mexico are among those where irrigation districts are already made or are now forming.

In case irrigation district contract is made with the United States, the security furnished for the reimbursement of the reclamation fund is preferable, both in value and in workability, to the security through the water users' association, and where such contract is made water-right application liens are no longer necessary to the United States, and section 1 expressly provides for their release. The water users' association, of course, is replaced by the irrigation district, and accordingly may properly be dissolved through the Secretary's consent and the stock-subscription liens released of record.

This step will pave the way for affording the farm loans to reclamation projects which elect thus to reorganize as districts, since there will be no first mortgage on project lands for the reimbursement to the United States. The moneys due from irrigation districts are not first mortgages any more than the assessments to be made for road or school purposes by similar public corporations. They become liens only annually as assessment and levy is made. Under the farm-loan act the money payable to the district for the United States must, of course, be considered and have its bearing upon the amount which may properly be loaned, but the legal barrier as regards the existence of first mortgages will be removed by the formation of an irrigation district, the execution of contract with the United States by such district, and the release of the liens on private lands now existing to secure the Government.

The act of August 9, 1912, requires that patents to lands entered subject to the reclamation law shall reserve a lien in favor of the United States for any sums remaining unpaid. Similar liens are reserved where final water-right certificate is issued. Where irrigation districts are formed this type of security is no longer necessary, since the irrigation district as a whole can be required to pay, and all lands therein are subject to sale for nonpayment of charges.

The Farm Loan Board has already rendered an opinion, and Judge Lobdell, of the board, appeared before this committee in recognition of the distinction between the lien reserved under the act of 1912, the lien created by water-right application and by stock subscription, on the one hand, as constituting first mortgages and the assessments of districts annually becoming a lien, on the other hand, as not constituting first mortgages, but rather to be classed with the taxes and improvement assessments of public corporations. In the first class the farm loans are held barred, while in the other they are permissible.

The result of the act, therefore, would be to encourage the formation of irrigation districts and provide cooperation therewith, to release the liens now constituting present or prospective encumbrances on both private land and the entered lands within all projects reorganized as irrigation districts when the district itself made contract for the repayment of the charges, thus facilitating farm loans.

The irrigation district is by no means an experiment, but the principles applicable have been thoroughly thrashed out in the State courts of the West and in the Supreme Court of the United States.

The irrigation district statutes apply to the public work of reclaiming arid lands the principles applicable to public corporations. These laws have been upheld by the courts of last resort in practically all reclamation States. The Supreme Court of the United States has upheld the constitutionality of the California law, which is entirely typical, in the case of Fallbrook Irrigation District *v.* Bradley (164 U. S., 112). The courts have upheld the power of these districts to assess and levy for construction purposes with entire uniformity. After an irrigation district is once organized as a de facto corporation it has been held that no one but the State can question its organization. (Tulare Irrigation District *v.* Shepard, 185 U. S., 1.)

The various irrigation district laws contain confirmation provisions whereby an obligation before being incurred by the issuance of bonds or by contract to reimburse the reclamation fund of the United States can be judicially passed upon and approved. Upon the successful determination of such proceedings the decree is binding upon the world under the decisions of all State courts. It has been held in California that even the State is bound by the confirmation decree. (People *v.* Linda Vista Irrigation District, 128 Cal., 477, 61 Pac. 86.)

A fuller discussion of the legal status and of the practical phases of irrigation districts as applied to Federal projects will be found in several articles which are presented below.

The advantages of the irrigation district type of organization have been set forth in an article by Hon. Will R. King, chief counsel of the Reclamation Service, published in the Reclamation Record of September, 1916, which follows:

"The subject of irrigation districts, under State laws enacted for that purpose, is becoming one of more than usual interest to the water users on the various projects. This is illustrated by the many inquiries concerning what the advantages may be of the irrigation district system over that commonly in use in the service. It is accordingly important that a brief statement of the practical features of the irrigation district system and management thereunder be presented to the readers of the Reclamation Record.

"The irrigation district system with reference to United States reclamation projects is in use on reclamation projects in Washington, Idaho, and Nebraska. Its advantages over what is known as the water users' association system are by experience clearly demonstrated not only from the standpoint of efficiency but of economy as well.

"The advisability of adopting the irrigation district plan in place of the water users' system has been materially increased by passage of House bill No. 12365 (39 Stat., 506), approved by the President on August 11, 1916, and published in full on page 402. This bill brings the Reclamation Service of the Government in full harmony with the irrigation district plan. It subjects the land, the title to which may still remain in the United States, to liens for irrigation district purposes, requring thereby that all lands, whether entered or unentered public lands, bear their share of the burdens of the construction, operation, and maintenance charges of the project included within the district, extending the taxing power of the district not only to the entered lands for which no title has been procured but to the unentered lands as well. The lien created by the organization of a district for construction and operation purposes will follow the lands, and when entry is made, or when patent is secured for the entered lands, the entryman will thus be required to share the burdens with all others in the project included within the district.

"Furthermore, all private land holdings within the district, whether subscribed to the payment of water-right charges or not, will, with all other lands, entered or unentered, become subject to taxation for the payment of their share of construction and other expenses.

"It will thus be seen that the irrigation district system will necessarily reduce the pro rata cost of construction and operation and maintenance charges to all who have subscribed to water rights under the project included in the district.

"It requires but a casual observation of the situation to realize that on practically all Government projects there are various, and in many instances large, areas of private lands which do not share any of the burdens of the project and which remain out of the project with a view of not only escaping such financial burdens but eventually of receiving a larger price for their lands without contributing anything toward such rise, enhancing thereby the values and profits of their lands at the expense of the pioneer water users who may have subscribed for water rights.

"All of the readers of this article who may be interested in the subject are recommended to write to their Congressman or Senators for a copy of the hearings before the House Committee on Irrigation of Arid Lands, held February 26, 1916, on the bill then known as 'H. R. 262,' in which the advantages to accrue by this act were discussed by various persons familiar with the subject. The details of how an irrigation district is organized are therein fully presented by prominent persons in whose States the irrigation district plan is fully developed by legislation and experience.

"To give all of the discussions would, by reason of their length, preclude the publishing of this article. The object of the present discussion is to give, in a general way only, the purpose and general effect of such organization, together with the advantages to accrue by adoption of the irrigation district plan.

"In brief, an irrigation district has the same advantages over individual organizations, such as the ordinary corporations (including water users' associations), as a city or town, when organized into a municipal corporation, may have over a school district not duly organized. The advantages of a municipal corporation, under which

cities and towns are organized, over the system existing prior to such organization are so manifest that further discussion on that point is unnecessary.

"In many respects the irrigation district system is similar in its purpose and effect to school districts, county organizations, and city municipalities, differing only in details, the character of the details depending on the purpose for which organized. Irrigation districts have their officers the same as county and school districts, and they are possessed with the same taxing power, manner of collecting the taxes, etc., with which taxes thus assessed the construction, operation, and maintenance charges of Government projects are paid.

"Under the water users' association contracts are made with each individual water user; under the irrigation district plan the contracts are made by the United States with the irrigation district as a quasi municipality. Some courts have held such a district a public corporation and not strictly a municipality. The effect of this holding, however, so far as it may bear upon the general purposes and practical workings of the plan, is what may be termed a 'distinction without a difference,' for it has practically the same purposes in view. A public corporation as thus defined carries with it practically the same powers as a municipality. At the same time it escapes burdens which might otherwise go with a municipality as such.

"Under the individual contract system each water user has placed upon his land a mortgage lien, which, being of record, frequently proves an embarrassment to such individual whenever he desires to procure a loan (upon lands subject to the water-right lien) under the Federal banking act, money-loaning companies, or under the recent rural-credit act. But under the irrigation district plan these obstacles are removed.

"When a district is fully organized under the law, individual liens upon the land are released and the district, as a whole, is held for the contracted indebtedness, in the same manner in which a school district, county, city, or other municipality may be held upon an issue of bonds for school, county, city, or other municipal purposes, leaving the liens to accrue only in case of a default in payment of taxes levied for the payment of such indebtedness, or what may be termed a 'tax lien' for default in payment of such tax, not a lien of record for the entire indebtedness. In other words, in an abstract of title for the purpose of procuring a loan, no lien will be disclosed, unless it be for one or more unpaid installments of taxes levied.

"It will thus be observed that, if those on reclamation projects are to receive the benefits of the Federal banking act, rural-credit loans, or even loans by the State, or loans by large loaning companies, the 'projects' will have to substitute the irrigation district plan for the present system.

"Two or three States have adopted the irrigation district plan (in lieu of the water-users' plan), under existing laws. As a result the laws pertaining thereto were amended at the last sessions of the various legislatures in such manner as to permit the bringing of the reclamation projects thereunder. It is still important that these laws be further amended in some particulars.

"All districts should therefore be organized prior to the convening of the next legislature, for by so doing any defect now undiscovered may speedily be met by procuring from the legislatures soon to convene the required amendment or amendments, without waiting two years more for these benefits.

"In the past some prejudice has existed against irrigation districts, principally due to 'wildcat' organizations by incompetents and speculators who had in view the sale of bonds on certain projects where neither a sufficient water supply nor proper surroundings were found available, which in some instances was due to lack of investigation along these lines prior to the organization of the district.

"These defects would not exist should any of the reclamation projects now in operation substitute for the water users' association the irrigation district plan.

"The district plan of organization, of course, will not provide a water supply where none exists or make good land out of bad, nor will it convert into a success a reservoir which by reason of natural formations of its surroundings may be fatally defective.

"In arid sections where irrigation is relied upon there is impliedly included in the irrigation district plan the right to make all necessary contracts looking toward the drainage of such parts of the district as might be found necessary. This position has been upheld by the Supreme Court of Idaho, where the plan has been fully tried out and properly presented to the courts for determination. The irrigation district plan can therefore be used to solve the drainage problem.

"In the case of drainage, the lands within the district like lands for irrigation are only taxed in proportion to their share of the cost. If there are lands in the district which can not be irrigated or lands for which drainage is of no benefit, then these lands can be excluded from taxation for either purpose, but all lands in the district, whether in cultivation or otherwise, must pay the taxes for either purpose. As before indicated, under the new law the same liability follows the lands, whether private lands where drainage, and drainage only, is necessary, such as part of a State (western Oregon, for example) where ditches and canals are necessary to keep water off the land and not with a view of running water onto it. Drainage districts will not solve the irrigation problem, but irrigation districts include and solve the drainage problem. Hence, when irrigation is necessary, irrigation and not drainage districts should be organized. This is the settled policy of the reclamation commission.

"For the perfection of an organization under the irrigation district system and the placing thereof in proper condition for dealing with the United States the time required under the different statutes varies from three to six months. As above stated, therefore, it is important that steps should be taken in this direction without delay with a view to receiving legislative aid, if required, prior to the coming session of your legislature.

"The reclamation commission has unanimously decided in favor of recommending the irrigation district plan, and the law section has placed in the general field service one of the district counsel (E. W. Burr, of North Yakima, Wash.) for the purpose of assisting district counsel on the projects in the organization of irrigation districts. In addition thereto, any special or general information desired will be furnished direct from the legal division of either the Denver or Washington offices.

"A more extensive and detailed discussion of the benefits of irrigation district plans will be found in the Reclamation Records, dated October, 1914, page 361; November, 1914, page 408; and January, 1916, page 26, consisting of discussions of the subject by District Counsel B. E. Stoutemyer, of Boise, Idaho, and District Counsel E. W. Burr, of North Yakima, Wash. In each of the States represented by these district council irrigation districts have long since been substituted for water users' associations with excellent results, none of which localities would, for a moment, consider the returning to the commonly known water users' association plan in force in most jurisdictions."

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that I may revise and extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Chairman, I am not sure that I am right about this, but I think I am; and if I am right about this bill, it ought not to have a single vote in this House. The Federal Government has under the act of 1902 authorized about $70,000,000 out of the Treasury of the United States to be expended for irrigation. It is a little more than that——

Mr. FRENCH. That is not correct. It did not come out of the Treasury of the United States.

Mr. FERRIS. Yes; it comes out of the Treasury.

Mr. FRENCH. It never was in the Treasury.

Mr. FERRIS. It is the same thing. It is the proceeds from the sale of public land. I am a friend of irrigation, too, and have supported it many times in this House, but I think the only way to support a law is to support it on the square, and I do not believe this bill is on the square. They have $70,000,000 expended on irrigation in the West, and we have withheld the issuance of the title to these lands until——

Mr. MOORE of Pennsylvania. Mr. Chairman, this is an important statement, and I wish that we could have order while the gentleman is speaking.

Mr. TAYLOR of Colorado. Mr. Chairman, the gentleman is talking against the bill, and I suggest the opposition will probably charge up his time to us. I will give him five minutes out of my time, anyhow.

Mr. LITTLE. I will give the gentleman 5 minutes out of mine, making 10 minutes altogether.

Mr. FERRIS. Who controls the time?

The CHAIRMAN. The gentleman from Colorado [Mr. TAYLOR] has an hour for and the gentleman from Kansas [Mr. LITTLE] an hour in opposition.

Mr. FERRIS. That is probably more than I will need.

The CHAIRMAN. Let the Chair understand it. The gentleman from Colorado has yielded the gentleman from Oklahome 5 minutes and the gentleman from Kansas is likewise yielding him 5 minutes, so that the gentleman from Oklahoma is recognized for 10 minutes.

Mr. FERRIS. I think the five minutes of the gentleman from Kansas will probably be all that I will need.

Mr. LITTLE. Possibly I can give you some more, but several gentlemen have asked me for time.

Mr. FERRIS. I wanted to know what the arrangement was.

The reclamation act, which passed in 1902, authorizes that the proceeds from the sale of the public lands shall go into a fund for irrigating the West. I thought that was a good law. I think it is a good law now. I think it has done lots of good, and I think that it will do lots more of good. Under the terms of that law the title to the land irrigated has been withheld until these moneys have been repaid to the Government, as they should be. Now, here comes a bill, if I understand it aright, which changes that process, and Secretary Lane's letter tells the truth about it, surely. Here comes a bill that allows these people, who in the first place got the land for nothing and who in the second place got the money for nothing, and now ask to go in and mortgage the property to the Farm Loan Board, or to anyone else on first mortgages, and thereby the Government will lose its first lien. This ought not to be done. It ought not to have been proposed.

We now hold a first lien on these lands for a little more than $70,000,000. This bill authorizes those people to go in and mortgage this land to the farm-loan companies, taking as security therefor a first lien ahead of the Government's lien. If a man wants to defeat the Government to the extent of $70,000,000, it is only necessary for him under this bill—if we can imagine for the purpose of illustration that all of this irrigated land could be taken up by one man—first, to get possession of the land for nothing, and, second, to borrow the money to pay for it for nothing, and then give a first mortgage to it to a farm-loan company, and the Government will have lost its money.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Massachusetts?

Mr. FERRIS. I do.

Mr. WALSH. Assuming a case of this sort, that where the Government now has a lien upon an individual project there is a claim there on behalf of the State or an individual, and

that suit has been brought, and that this act passes, and the lien is waived or released, and the lien of the district is then put into effect, does not the attachment which has been put on in behalf of the State or the individual then become the preferred claim and comes in ahead of the Government lien?

Mr. FERRIS. Undoubtedly. I am told by the chairman of the committee, the gentleman from Colorado [Mr. TAYLOR], that by reason of the fact that the Government holds the whole association for it, that makes the Government safe. Not at all. I can follow no such logic. Suppose every man within the association mortgages his property for all it can stand, and the mortgage loan company comes along and takes the property. I would like to know what becomes of the Government lien of $70,000,000. There can be but one answer: They will simply lose it.

Mr. SMITH of Idaho. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. SMITH of Idaho. How do they get the title when the title is in the Government?

Mr. FERRIS. That is what I would like to know. I have not seen this bill before and have not looked into it carefully; but let me read from Secretary Lane's letter, the second paragraph:

> While this bill does not mention farm loans, it will provide a plan whereby the farm-loan act will become applicable to the Federal projects.

Is it possible that the Federal Farm Loan Board is going to make second mortgages? Of course not. The Federal Farm Loan Board will make nothing but first mortgages, and these people in the reclamation projects will execute loans for the full value of their property, and the farm-loan people will come along and take the land, and then the settlers will march away, and the Government will be bilked out of its $70,000,000. If not, I ask, why not?

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. PLATT. It seems to me this is a matter that concerns somewhat the Farm Loan Board.

Mr. FERRIS. I hardly think it does. I think this bill gives the Federal Farm Loan Board the right to take first mortgages, which would leave the Government and the reclamation fund entirely holding the sack.

Mr. PLATT. It seems the indorsement of the Farm Loan Board appears to be rather qualified and not very strong here.

Mr. FERRIS. Well, I am not a member of this committee, and, of course, I have not given this matter the attention that the gentleman from Colorado [Mr. TAYLOR] or the gentleman from California [Mr. RAKER] or the gentleman from Nebraska [Mr. KINKAID] or the gentleman from Idaho [Mr. SMITH] have given to it. Maybe these gentlemen are right about it. Maybe I am wrong about it. But it seems to me it is as plain as primer print that the Federal Government ought not to do this thing.

Then, there are other people who enter into this besides the Federal Government.

Mr. PLATT. I do not want to vote for this bill without a more direct indorsement than it has got from the Federal Farm Loan Board.

Mr. FERRIS. I presume they are all right. They are not going to go into the second-mortgage business.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. LITTLE. The gentleman is talking about lands the title to which is still in the Government. Is it possible that the title would still be in the Government under this bill?

Mr. FERRIS. I read from this bill, on page 3, beginning with line 14, this language. I do not know what it means, but I urge you to read it for yourselves:

> And the Secretary of the Interior is further empowered to release liens in favor of the United States contained in water-right applications and to assent to the release of liens to secure reimbursement of moneys due to the United States—

And so forth. This authorizes the Secretary of the Interior to release any lien that the Government has. What for? So that they can put first mortgages on the land to some farm-loan company. The anomalous condition here is to first give the settler the land; second, it is to give him the money to irrigate it; and third, it is to waive these two rights and make a first mortgage to a third party. Even as a friend to irrigation I can not stand for anything like that.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. GOOD. Will the sponsors of this bill consent to an amendment of the provision that the gentleman has just read whereby that feature would be eliminated?

Mr. FERRIS. No. That would absolutely overturn the purpose of this bill, as I understand.

Mr. GOOD. Then they must admit that the contention that you are now making is not doubtful, but sound.

Mr. RAKER. Not at all. The gentleman is mistaken.

Mr. FERRIS. I confess frankly that if I am wrong I have done these gentlemen in charge of it an injustice, but I think I am right. Plain language tells the truth. It is easy to understand.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. MADDEN. The farm-loan law requires that nothing but first mortgages shall be taken as security. The Government will have the first lien in cases of this sort, and if this bill were enacted we would jeopardize thereby the investment made by individuals and by the Government?

Mr. FERRIS. Of course. I want to call attention to one other reason why these western Members ought not to force this. The sum of $70,000,000 irrigates but a comparatively small area of land, compared to the 700,000,000 acres of public land lying in the West. Therefore these favored few who have had the use of this money for 20 years ought not to clinch it in their fists and keep it forever. They ought to pay it back so it can be used here to irrigate additional lands. It ought to be paid back so that other dry lands in the West can be brought under irrigation. It was intended to be a revolving fund so that the fund can be used to irrigate the West, not a small part of it.

Mr. SMITH of Idaho. This bill is proposed for the purpose of insuring payment of the moneys, some of which are not being paid.

Mr. RAKER. Does the gentleman know what percentage of all the acreage is involved in the prior lien referred to in the bill here?

Mr. FERRIS. I know that we have let the irrigation people have more than $70,000,000. I know we have not gotten any of it back. I know there is not a cent of it now available.

Mr. SMITH of Idaho. Over $4,000,000 has been paid back, and the records show it.

Mr. FERRIS. The irrigation service have none of it on hand now, and anybody who goes to get any of it to further irrigation is told that they have already made contracts for more than they can ever meet. I am not an enemy of irrigation. I have defended it here more than once. I have helped to provide for it more than once; I will do it again; but we ought to be fair about the irrigation fund and not keep it all for the few people who have already availed themselves of it.

Mr. MORGAN. I know what the gentleman says about being a friend of irrigation is true; but I should like to have him tell how much of this fund came from Oklahoma and how much has been expended in Oklahoma.

Mr. FERRIS. Something over $6,500,000 has been given to the fund, and not as much as a garden spot has ever been irrigated.

Mr. SMITH of Idaho. They have no water down there to irrigate and no place to build dams.

Mr. FERRIS. That is not true and the gentleman knows it. They have a number of approved projects, and not a cent to build them with, and the gentleman knows that.

Mr. RAKER. Section 2 of the act of August 9, 1912, creates this lien for the construction charges and the maintenance and upkeep until they are paid.

Mr. FERRIS. Yes.

Mr. RAKER. Does the gentleman know about what percentage of all the land in all the projects is thus involved?

Mr. FERRIS. I suppose a very small part. But I am not criticizing as to that. It is a comparatively new undertaking, and naturally there would be some mistakes of that kind.

Mr. RAKER. I want to put this question: Does the gentleman think that a man who had spent all the time that I have spent to secure these provisions would do anything to injure reclamation projects?

Mr. FERRIS. No.

Mr. RAKER. Or fail to protect the Government?

Mr. FERRIS. I do not know so much about that. These settlers who want to get this land patented and then have the right to mortgage it are not worrying very much about the Government, I rather suspect.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. TAYLOR of Colorado. I yield five minutes to the gentleman from South Dakota [Mr. GANDY].

Mr. GANDY. Mr. Chairman, in the first place, those who assume that the security that will be taken by the Secretary of the Interior from a reclamation district in lieu of security now held by the Government will not be as safe as the security

now is, can not do so except upon the assumption that the Secretary of the Interior of this Government will violate his oath of office, that he will take something of less value than this Government now has, for this bill puts it entirely within his discretion; and that is unbelievable, so far as I am concerned. Gentlemen from more favored sections of this country where there are drainage districts are familiar with the provisions for taking the water off of the land, but they are not familiar with reclamation districts for putting water onto the land. You are familiar with the fact that the charges of a drainage district become a tax upon the land—a first lien—just the same as any other tax that is levied by a municipality; but this irrigation proposition is something new to you, and you are not familiar with the fact that the putting of water onto the land occupies exactly the same position in law as the taking of water off from the land.

For some years the Reclamation Service, a part of the Department of the Interior, has been interested in securing uniform reclamation district laws in the reclamation States of the West. Those laws have had the approval of the Department of the Interior before being passed by the States. If the reclamation district law of a State does not safeguard every interest of this Government, do you think for a moment that the Secretary of the Interior is going to approve a transfer from an individual liability to a district liability in that State? Not a bit of it. To think that, you must assume, as I said, that the Secretary of the Interior would violate his oath of office.

I hold in my hand one of these uniform reclamation district laws, that of the State of South Dakota, one of whose districts I have the honor to represent in this House. Let me read you what the provision as to the lien is:

All assessments on real property and to the extent provided by the said act of Congress of August 11, 1916, on entered and unentered public lands are a lien against the property assessed, from and after the day the real estate taxes become a lien, and shall draw interest at the same rate and from the same date as unpaid real estate taxes, and such lien is not removed until the assessments are paid or the property sold for the payment thereof.

Now let us see how they collect the lien for construction and operation and maintenance charges:

And it shall be the duty of the county treasurer to collect such assessment in the same manner as other taxes against real estate are collected, and the revenue laws of the State for the collection of taxes and sale of land for such taxes are hereby made applicable in the collection of assessments under this act.

Now let us go a step further and see as to priorities:

The lien for the bonds of any series shall be a preferred lien to that of any subsequent series and the lien for the payments due to the United States under any contract between the district and the United States, accompanying which bonds have not been deposited with the United States shall be a preferred lien to that of any issue of bonds or any series of any issue subsequent to the date of such contract.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAYLOR of Colorado. How much time have I left?

The CHAIRMAN. The gentleman has 30 minutes remaining.

Mr. TAYLOR of Colorado. I will give the gentleman five minutes more.

Mr. GANDY. Let us see as to the government of these districts:

Any irrigation district organized under the laws of South Dakota is hereby authorized to accept of the provisions of any act of Congress of the United States applicable to such district and to obligate itself to comply with such laws, rules, and regulations as may be promulgated by any department of the United States in pursuance of such acts, and irrigation districts contracting with the United States under the provisions of this act shall be governed in all matters by the laws of the State relating to irrigation or drainage districts, as the case may be, except in such things as may be otherwise provided for such districts. This section shall not limit the rights which any irrigation district has under existing laws to purchase a water supply or otherwise contract and shall be cumulative thereto.

Mr. GRAHAM of Illinois. The gentleman is reading from the statute of South Dakota?

Mr. GANDY. I am, sir.

Mr. GRAHAM of Illinois. Under that statute are these districts private corporations or municipal corporations?

Mr. GANDY. Municipal.

Mr. GRAHAM of Illinois. So stated in the act?

Mr. GANDY. Yes.

Mr. MORGAN. How could the Government enforce payment against these irrigation districts in case they refused to assess the taxes?

Mr. GANDY. I am not a lawyer, but my opinion is that it could be enforced by writ of mandamus against the proper public official to compel him to do his duty.

Mr. KINKAID. That is correct.

Mr. MORGAN. It seems to me important that there should be some way by which the Government can enforce that, and that it should be in the law.

Mr. GANDY. It is in the law. There is no question about that.

Mr. SINNOTT. These acts which the Reclamation Service have had passed in the various States provide that in case of default the Government may take over these projects and run them. That is in section 22 of the reclamation act.

Mr. GANDY. It is my understanding that is correct.

Mr. REED. Will the gentleman yield?

Mr. GANDY. Yes.

Mr. REED. Does the gentleman interpret that to mean that the Government would lose its priority over the claim taken by the Federal Farm Loan Board?

Mr. GANDY. The Government claim for construction charges would be on the same basis as the claim for any other tax for any other purpose by any other municipality in the State. That is the provision of the law.

Mr. REED. The farm-loan claim would be a second mortgage?

Mr. GANDY. A mortgage taken by any person or individual is second and subsequent to any taxes that may be levied by any municipality.

Mr. LITTLE. Does the gentleman from South Dakota understand that the lien is waived under this bill?

Mr. GANDY. It is not waived; it authorizes the Secretary of the Interior to substitute one lien for another.

Mr. LITTLE. You can not substitute one lien without waiving the other.

Mr. GANDY. We are all familiar with the building of waterworks system, and the fact that the obligation is general does not mean that it does not attach to the individual. The fact that it is spread over the town does not mean that the individual does not have to pay his just proportion of that debt, for he does, and you know that he does. This is to put the water on the land while you are familiar with taking water off the land.

In addition, as was said by the gentleman from California, this law will permit, through reclamation districts, the bringing in of private lands not now covered by water-right applications. There is now no way to compel them to come in. Under the reclamation district laws all the land in the district will be brought in the same as all the land benefited is brought into a drainage district or a paving proposition.

Mr. MORGAN. Will the gentleman yield?

Mr. GANDY. Yes.

Mr. MORGAN. Will the gentleman consent to an amendment which would require the State to guarantee the payment due the Government? Let the State in which the irrigation project is located guarantee the payment of the amount.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. LITTLE. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. VOLSTEAD. Mr. Chairman, if I understand this bill correctly, it seems to me there is a good deal of confusion about what it really does provide for. It seems to me that this is the situation: When the Government makes its arrangement with a reclamation district the bill clearly contemplates that the title to lands in the district shall pass at once to those who are now holding them. That appears from what the Secretary of the Interior says in arguing that this bill will enable these parties to secure a first mortgage on the lands. The statement of the gentleman from California [Mr. RAKER] to the effect that irrigation charges are to be levied generally over lands inside the irrigation districts and not on any specific tracts shows also that the intention is to release the liens now on these lands. In other words, the Government is to give up entirely its lien.

Now, in what position will the Government be left? Simply in this position: The Government's claim instead of being against a particular tract of land will be against a muhicipal corporation, the irrigation districts. It will be the same as a claim against a city or a town where you obtain a bond against that city or town. How do you enforce that? You enforce it, as has been suggested, by levying a tax against the district. Who levies that tax? Why, the officers of that district. The United States Government has no control over them at all, except so far as they may compel a levy by a writ of mandamus. That is the only way in which this money can then be collected. It seems to me that the Government will lose a very substantial advantage. It has the power now to cancel the contracts under which entrymen now hold the lands and for failure to make payments. When this arrangement is made the Government loses that power and surrenders all claim upon the individual tracts of land that is benefited by the money advanced and has only an unsecured claim against the district under a simple contract. It is relegated to exactly the same position as any ordinary creditor and has to sue the irrigation district for the purpose of collecting.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. VOLSTEAD. No; I do not have the time. It is urged that there are State laws that will aid collection. It is true that you have State laws that may aid in the collection of this money if the Government does surrender its lien and agree to take the promise of the irrigation districts for its payment, but what guarantee is there that the States will not pass laws that may hamper the Government in this collection? [Applause.] There is none under the sun. We have had some experience that may be instructive and that justifies us in being cautious.

Mr. RAKER. Will the gentleman yield?

Mr. VOLSTEAD. No; I do not have the time to yield. There is nothing to guarantee that the laws are going to remain the same. On the other hand, if a State sees fit to assist people in defeating the Government's claim it may take years and years to collect any of this money. The government of several States have in the past assisted people in defeating claims where they thought the claims were without merit, and this may be an opening wedge for repudiation. Put these lands in this condition and you will invite an agitation in favor of repudiation. If not repudiation, at least repeated applications for postponement of payment until the accumulations of interest and taxes will make it necessary to compromise the Government's claim. Gentlemen will remember that many States at one time received loans of money from the Treasury of the United States that never has been repaid. You are aware that persons have appeared from time to time urging that the Government should forego a part if not all of its claims for money expended on these irrigation projects, and if as is now proposed parties who have not profited by the irrigation works are to pay a part of this money the demand for relief will naturally become much more insistant. Whether these parties who have not benefited can be made to pay a part of the Government's claim is more than doubtful; if they can not, then the contract offered the Government may be void and the Government may lose its entire claim.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, those who have spoken in favor of this measure have predicated their statements upon the claim that the Federal farm-loan act would permit the taking of second mortgages. I have sent for a copy of the act and find in section 12 the following provision:

> First. Said loans shall be secured by duly recorded first mortgages on farm lands in the land-bank district in which the bank is situated.

If we wish to find any reason for voting against this bill it seems to me it is found in the letter of Secretary Lane of July 2, 1917, in which he states:

> While this bill does not mention farm loans, it will provide a plan whereby the farm-loan act will become applicable to the Federal projects.

Further, in the same letter, he says:

> In section 2 of the bill provision is made for the releasing of the liens of the Government which have been reserved, as required by the present law, in patents to homestead entries taken up subject to the reclamation law, and for the discharge of liens contained in stock subscription contracts to water users' associations and in water-right applications direct to the United States, in cases where proper contract shall be made by irrigation districts with the United States.
>
> This section would, therefore, if enacted remove two classes of impediment to the application of the farm-loan act to Federal projects. The first is the existence of the prior reserved lien on all homestead lands, and the second is the existence of a contractual lien by virtue of stock subscription and water-right applications. Thus both the public and private lands taken by the settlers under these projects would become free from prior liens, so that there would be no legal impediment to the loaning of money by way of rural credits.

It is unquestionably true that many of these irrigation projects are working out splendidly. Many of them have proven the wisdom of the legislation. It has been a splendid investment. It is also true that some of them have not worked out so well, and the public money has been thrown away in some of these projects. While that is true, and while the scheme on the whole has been a success, this bill if enacted into law gives the public two chances to be soaked. One is in the public money that originally goes into a poor project may be lost, and the second is to release the first lien of the Government long enough to permit the Federal Farm Loan Board or some financial institution to make a first mortgage and then after the first mortgage is recorded for the district to turn around and make its assessment to secure the balance to the Government of the United States.

It seems to me that in the crisis that confronts us to-day we ought not to think of passing a law of this kind. We need all of the credit of the Government to carry on this war and we should not think of releasing these liens, which are first liens to the Government, and then have the Government take a second mortgage to secure its investment. No private bank, no person having a first mortgage, would think of such a thing. It is so unreasonable that no one would think of making a request for such a thing. Then, why should the Government do it?

Mr. LITTLE. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Chairman, to understand the real iniquity of this bill it is necessary to understand the scheme of the reclamation law. The reclamation law which was passed 14 years ago segregated the receipts from public lands in public-land States into a revolving fund. That fund was to be used to build reclamation projects, and a lien was to be reserved upon the land to which water was furnished until the construction and operation and maintenance charges were repaid. The fund which was thus replenished by repayment of these charges was then to be used in the construction of further projects in other States or in other portions of the same State. Whatever tends to delay or hinder that program is, of course, undermining and destroying the whole plan of the reclamation law. The reclamation law provided that the Government should retain a lien on the Government land within the irrigation project sufficient to cover the cost of construction and that private landowners within the district should come in or could come in by agreement and submit to a contractual lien on their land as a condition for the construction of the project and the use of the water. This bill proposes, and its whole object is, to release both of those liens. The lien is against the individual tract of land in every case. Some tracts of land are of value and some are not. The Government undoubtedly will lose some of its liens, but this proposes to release all of the liens on the individual tracts and substitute for them a liability by a legally organized irrigation district to be created under the laws of the State. It may be argued that the laws of the State will give or have given to these quasi-municipal corporations the right to levy assessments upon the land, but there is no possible guarantee that that condition will continue and that the protection to the Federal lien will be preserved under the continuing laws of the State.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. No; I can not. The very purpose is to release the lien on the individual tract of land. We must recollect that these liens on the individual tracts of land run from $60 an acre to $110 an acre. That is the lien which the Government now has to collect back for construction charges.

Mr. MONDELL. Mr. Chairman, is not the gentleman getting a little high?

Mr. BORLAND. No; I think not. There may be some projects where the charges run as low as $40, but I doubt whether there are any lower.

Mr. MONDELL. There is none that runs to $110, except one or two small ones.

Mr. BORLAND. Oh, yes; there are some of them. There is a good deal of that land that is not worth $60 to $110 an acre. In order to be worth a lien of that amount the land ought to be worth double the value of the lien. Very little of it is worth that. In fact, the Government practically advanced to these people the money to make their land of any value at all. It would not be worth $1.25 an acre if it were not for the money that the Government had expended. The very purpose of this law is to release the Government's lien and put it into the form of assessments by quasi-municipal corporations. The proponents say in all their arguments that the purpose is to permit the individual landowner to pledge the land for further advancement. That was said in the letter of the Secretary of the Interior read by the gentleman from Iowa [Mr. GOOD], and here is another statement by the district counsel of the Reclamation Service:

> The fifth advantage of the district to which I have referred is that the irrigation district plan keeps the title of the individual landowner free from incumbrances of record, and therefore makes it easier for him to secure credit and borrow money at reasonable rates. Most of the insurance companies and mortgage-loan companies have provisions in their by-laws or the regulations or laws under which they operate, which prohibits them from loaning on second mortgages and require them to loan only on first mortgages.

Therefore the purpose of this law is to so fix it that the individual landowner can give a first-mortgage lien to the mortgage company he chooses to borrow the money from. Not only are we to have this mortgage lien of some mortgage company injected ahead of Uncle Sam's lien but in the case of private land the tax is levied by the State and the county.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. BORLAND. For a brief question, not a statement.

Mr. SMITH of Idaho. The title is still in the Government. Does the gentleman assume that any loan company will loan money on a second mortgage, or that even the Federal Loan Board will loan money on a second mortgage?

Mr. BORLAND. The statement is very plain to a business man, and the gentleman from Idaho is a business man, and it says that the very purpose of the district plan is to release the individual tract from a first lien in order to borrow money from a mortgage company. Why, not only that, but the statement is here made that the law passed to control the Farm Loan Board prevents them from taking anything but a first mortgage and that the passage of this law will permit that board to take loans from these owners of land. Now, they are to take a first lien, and after that we are to have a lien of $40 to $110 to care for construction charges. The investment of Uncle Sam in the reclamation project made the land of value as security to anybody.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. BORLAND. I can not yield right now. I have one more thought which I desire to present. Now, what becomes of the revolving feature of this fund? What becomes of the right of other localities that are waiting to have an irrigation project built in their vicinity? Why, there are scores of applications now before the Secretary of the Interor from meritorious projects in the West where they would like to have irrigation projects taken under the provisions of the reclamation law, but can not do so until the fund is built up to a point where there is money available for that purpose. Uncle Sam advanced $20,000,000 more than the public land sales produced and that $20,000,000 has been used and has not been repaid. Now, there is not any way to accommodate all these people who want reclamation projects in their neighborhood and who are entitled to have them, if we absorb the money as provided in this law. Why, it absolutely stops all of the beneficial operations of the reclamation law. It just simply says to those gentlemen who were fortunate enough to get in on one of these existing projects, that they only are to have advantage of all the proceeds of the sale of public lands. That is exactly what it means. It not only means that, but, as the gentleman from Iowa [Mr. Good] pointed out, they are also to come to the Treasury and ask to have a further bonus out of the rural credit land bank proposition; and then, when Uncle Sam has got both liens in there and gets the land, it is a question whether he will ever get either one of them out.

Mr. GLASS. Will the gentleman yield for a question?

Mr. BORLAND. For a very brief one.

Mr. GLASS. As I understand the proposition, it is to release all Government claims to this land before the Federal Loan Board makes loans on it?

Mr. BORLAND. That is it, precisely.

Mr. GRAHAM of Illinois. Now, will the gentleman yield?

Mr. BORLAND. In lieu of that, I will say to the gentleman from Virginia, it is proposed to allow these irrigation districts to collect, by some means of assessment under State law, enough money to pay the original lien to Uncle Sam. That is what it is expected to do, but when we consider the size of Uncle Sam's present lien we find——

Mr. RAKER. Will the gentleman yield?

Mr. BORLAND. I will yield for a question.

Mr. RAKER. The gentleman does not pretend to say that if a contract were entered into by the Secretary of the Interior and a reclamation district you waive the Government's right to collect that money and have a lien upon the land in the district, do you?

Mr. BORLAND. I did not understand the gentleman's question.

Mr. RAKER. The gentleman answered the gentleman from Virginia that the Government waived all claim.

Mr. BORLAND. Yes.

Mr. RAKER. This bill triples its security and puts it two or three times greater than it is to-day?

Mr. BORLAND. I heard the gentleman make that statement before, but I think he was in error.

Mr. GLASS. As a matter of fact, the Farm Loan Board could not make a loan on any land unless all claims were cleared.

Mr. BORLAND. Yes; so it is perfectly plain, and the law itself says that when we have entered into this contract the United States shall not reserve a lien for the payment of such charges. It expressly says that, and this bill ought to be defeated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, in view of the courtesy the gentleman from Colorado [Mr. TAYLOR] extended to the gentleman from Oklahoma, I am going to give five minutes to the gentleman from North Dakota [Mr. NORTON], who is on his side; and I will say in doing this that I do it with more pleasure because this is the first time since this Congress has been in session that I have known the gentleman from North Dakota to be wrong. [Laughter and applause.]

The CHAIRMAN. How much time does the gentleman yield?

Mr. LITTLE. Five minutes.

Mr. NORTON. Will the gentleman from Colorado yield me five minutes?

Mr. TAYLOR of Colorado. How much time have I left?

The CHAIRMAN. The gentleman has 25 minutes yet remaining.

Mr. TAYLOR of Colorado. Yes.

The CHAIRMAN. The gentleman is recognized for 10 minutes.

Mr. LITTLE. And I understand that I have used 23 minutes.

Mr. NORTON. Mr. Chairman, the purpose of this bill is to authorize releasing the liens that the Government now has upon the individual lands on the different irrigation projects of the country and for the Government to accept in place of these liens the obligations of municipal organizations known as irrigation districts. The advances made by the Federal Government for constructing and maintaining irrigation projects which take advantage of this proposed law will be repaid to the Government by the municipal organizations or irrigation districts instead of by the individual landowners under the project. There has already been passed by most, if not all, of the Western States legislation providing for the organization of irrigation districts, with practically the same powers as given to civil townships to contract obligations, to levy and collect taxes, and to enforce payments of taxes and assessments. Under this plan of organization it is proposed—and it is provided in the State laws—that bonds may be issued by the irrigation districts, to be given to the Government in payment of the expenses that the Government has been to in constructing the irrigation projects and maintaining them. It is provided that these bonds may run for such a period of years as it may be agreed upon to repay the Government for the cost of constructing, operating, and maintaining the project. These bonds are to be paid——

Mr. DENISON. Will the gentleman yield?

Mr. NORTON (continuing). By those who belong to the irrigation district, through assessments regularly levied every year on the lands in the district. These assessments for the payment of the obligations of the irrigation district are levied and collected the same as county, city, or State taxes are levied and collected. In most, if not all, of the Western States these assessments of the irrigation districts would be collected by the county treasurers.

Mr. ANDERSON. Are these bonds a lien on the land?

Mr. NORTON. These bonds are an obligation against every foot of land and against all property in the irrigation district, just as the bonds issued by any municipal organization, such as a civil township or city or village are an obligation against all the property of the civil township, city, or village.

Mr. DENISON. I was going to ask this: Now, then, if the irrigation district has an outstanding issue of these bonds, which, as you say, is a lien upon all the land in that district, can the Federal Farm Loan Board loan any money on any of the land in that district when there is a bond issue?

Mr. NORTON. I will say that any Federal farm-land bank in loaning on these lands would necessarily in the course of its business have to recognize and take into consideration the outstanding obligations that the irrigation district might have; because, forsooth, if the farm-land bank should loan, let us say, $2,000 on a quarter section of land, and in any following year during the life of the mortgage the irrigation district should levy an assessment on all the land in that district of $5 an acre—or, to make a stronger hypothetical case, say, $10 an acre—on 160 acres, that would be an assessment of $1,600; then, if the owner of that 160 acres of land neglected to pay that assessment or levy, the land would be sold for that assessment or levy, just the same as it would be sold for county taxes or township taxes or State taxes, and if it were not redeemed in time by the mortgagee a tax title would issue that would wipe out the mortgage for $2,000 of the farm-land bank.

In taking a mortgage upon these lands, the land bank, or any other mortgagor, would necessarily be obliged, as a matter of business, to take into consideration the outstanding bonds or the outstanding indebtedness of the irrigation district.

Mr. DENISON. Then, as a matter of law, is it not true that a farm-land bank can not under the law make a loan on any of those lands if there is an outstanding bond issue?

Mr. NORTON. No, sir; it is not. I will point out to the gentleman why. At the present time in a civil township a farm-land bank has a right to make, as any mortgagee has, a first mortgage on land that has no prior lien on it. However, the

township may have at the time outstanding obligations in excess of the total value of all the property in the township. If so, any mortgage lien placed on land in such a township may be worthless as far as security is concerned. Such conditions have happened in the West before either you or I were born. Boomers and exploiters went out into Nebraska and Kansas and the Dakotas in the early days, and organized civil townships and issued large amounts of bonds, and sold them in the East. These bonds exceeded in amount the entire value of the property of the civil township.

Mr. DENISON. Now, one more question. The statute of South Dakota, read a while ago by the gentleman from South Dakota [Mr. GANDY], stated that any contract made by the irrigation district with the Government was subject to prior bond issues made by the irrigation district. That is true, too, is it not?

Mr. NORTON. Yes; that would probably be true, unless it were provided otherwise by law.

Mr. DENISON. Any contract made by the irrigation district with the Federal Government in regard to repayment of amounts due the Government is subject to prior bond issues made by the irrigation district?

Mr. NORTON. Prior bond issues?

Mr. DENISON. Any contract is subordinated to them.

Mr. NORTON. Certainly, if the irrigation district made two issues of bonds, the first issue of bonds would be a prior obligation. I take it that when the Government accepts these bonds the bonds accepted will be the first obligation of indebtedness of the district.

Mr. DENISON. Then, if the Government under this bill releases its lease on the individual tracts of land and accepts a contract from the irrigation district, that contract is subordinated to all prior bond issues made by the irrigation district?

Mr. NORTON. Naturally, that would be true.

Mr. DENISON. Then the Government is releasing the first lien for what may be a second or third lien?

Mr. NORTON. The Government would not be obliged to do that and should not be obliged to do it under any law. I believe this law should be passed, because it would be to the best interest of the Government, as well as to the landowner under the irrigation project. If the Government took the blanket obligation of the irrigation district on all the property in the district, it would be in better position to collect the money that has been expended on the irrigation project than it is now through its first lien on the separate tracts of land.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. NORTON. Certainly.

Mr. GRAHAM of Illinois. In verification of the statement you made a moment ago about loans by the Federal farm-land banks, in Illinois we have an organization of drainage districts for the lowlands along the Mississippi River. These are municipal corporations. Recently I ascertained in one particular case where there was a lien placed by the drainage association upon the lands to the extent of about $40 an acre, and the Federal land bank is making loans upon that land.

Mr. NORTON. There you have exactly the same case as you would have under an irrigation district.

Mr. GRAHAM of Illinois. The lien of the drainage district was on the land, but it did not prevent the loan by the Federal farm-land bank.

Mr. GLASS. It would.

Mr. NORTON. They are making the loan just the same.

Mr. GLASS. I think the gentleman must be mistaken, because the mandate of the law is as clear as the noonday sun that the farm-loan bank must have a first mortgage on the land upon which it makes a loan.

Mr. GRAHAM of Illinois. I have some knowledge of the loan. In this case 2,000 acres of land were involved, upon which there was a lien of $40 an acre, and the loan is being placed at $35,000 on that tract, under the auspices of the Federal Farm Loan Board.

Mr. GLASS. It is a violation of the law as plain as can be.

Mr. NORTON. Take the case of a civil township. If any civil township to-day in the country has outstanding bonds, say to the amount of a million dollars, covering the value of land at $20 an acre, has not the Farm Loan Board the right to make loans on that land in the civil township?

Mr. GLASS. It has not the right to make farm loans on anything but first mortgages.

Mr. NORTON. The gentleman is not answering the question directly. Let us take the case of a congressional township, and say there is an outstanding bond issue of $20,000,000 against that township, or $100,000,000. Has not a farm-land bank the right to go in there under existing law and make a loan on separate tracts of farm land in that township?

Mr. GLASS. Not unless it has a first lien on that land. If it has not a first lien upon the land, the Farm Loan Board has no right to make a loan upon it.

Mr. NORTON. Nevertheless, a farm-land bank has such right, and the gentleman will so find it to be true if he gives further examination to the Federal farm-loan act, which he took such a splendid part in framing and having placed upon the statutes.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from Wyoming.

The CHAIRMAN. The gentleman from Wyoming is recognized for 10 minutes.

Mr. MONDELL. Mr. Chairman, the time I have is brief, and I would like to have the attention of the committee for that brief period. As matters now stand, the individual landowner under a reclamation project is obligated to the Federal Government for the return of the cost of the irrigation of his land, as fixed by the Secretary of the Interior, and for the annual cost of maintenance. The charges against the land are first liens. If the land be taken under the homestead law, that lien can be enforced by shutting off the water and the cancellation of the homestead entry. If the land be privately owned land—that is, land that was privately owned at the time it was taken under the project—the lien is enforceable by shutting off the water and in some cases—in most cases, perhaps—by action upon the contract entered into with the owner of the land. However, it has been claimed that some of those contracts are of doubtful validity.

The Government is absolutely secure, so far as the land of the homestead entryman is concerned. Assuming that the property be worth the cost of its irrigation, the Government is likewise protected and secured, in the great majority of cases at least, for the cost of irrigation of privately owned land by the power to shut off the water supply and authority to cancel the contract, providing that the land is worth the cost of its reclamation.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I regret I can not. I have only 10 minutes, all told. Practically all the lands are worth that cost and more.

It is now proposed to relieve the individual landowner or entryman from the direct obligation relative to the building charge, and to lay that obligation upon a municipal corporation. It is urged by some that it is unwise to do so; that it is dangerous to do so; that by so doing we would jeopardize the Government's investment.

My opinion is that in some cases, at least, this change of the form of the obligation would strengthen the Government's security, and that particularly in cases where a large proportion of the land is in private ownership; possibly not to the same extent where most of the lands were homesteaded. It is urged and argued, and with a good deal of force, by the gentleman from Minnesota [Mr. VOLSTEAD] that while the municipal corporation would have the power to enforce the lien and collect the sums due the Government, there might come a time when public sentiment was favorable to repudiation and to an extent that would greatly hamper and possibly defeat the Federal Government in the collection of the sums due. I doubt if such a condition is likely to arise anywhere. It is difficult to conceive such a situation as that. The cases in which it would arise would, in my opinion, be very rare.

Now, as to the application of this law to the two national irrigation projects in my State of Wyoming. In one of those projects almost every acre of the land was public land and was entered by homesteaders. In the other project something like 50 per cent was public land. The settlers under those projects have made their payments as they have become due, practically all of them. There is no considerable obligation due the Federal Government on those projects now unpaid. The people have kept the faith. On one of those projects a very considerable portion of the construction charge has been paid. The projects are doing well. The people are honest and intend to meet their obligations, and will meet them; and upon those projects this law would certainly work well, and the Public Treasury would be protected. [Applause.] One of the objects sought to be attained through the passage of the act is that of allowing the people to secure Federal farm loans. I am not altogether certain that this result would necessarily follow. In some cases, at least, it would be doubtful. However this may be, the enactment of the legislation would afford such relief, I believe, in the case of patented lands, where any considerable portion of the building charges had been paid, I therefore give my support to the bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. TAYLOR of Colorado. Mr. Chairman, how much time have we on this side?

The CHAIRMAN. The gentleman from Colorado [Mr. TAYLOR] has 10 minutes, and the gentleman from Kansas [Mr. LITTLE] has 32.

Mr. TAYLOR of Colorado. I suggest to the gentleman from Kansas that he use some of his time.

Mr. LITTLE. The gentleman from Oregon [Mr. SINNOTT] wishes to speak on your side now. I yield him five minutes.

The CHAIRMAN. The gentleman from Oregon is recognized for five minutes.

Mr. SINNOTT. Mr. Chairman, my object in speaking at this time is to allay the misapprehensions expressed by some members of the committee lest the Government might lose some of the rights and securities which it has at the present time. One thing is sure, and one thing to my mind is uncertain which formerly was certain. After listening to the discussion I am uncertain as to whether or not many of these reclamation projects will indeed secure the benefits of the farm-loan act that they thought they were going to secure by virtue of the bill before the House. That is uncertain in my mind. But this is surely made certain, that the Government will have better security under this act than it has under the present reclamation law. Under the present law a farmer owning a unit of 100 acres may owe the Government $1,000. The sole security that the Government has under the present law is the land owned by this one farmer, but under this contemplated change if there are 50,000 acres in the irrigation district, the Government has as security for the debt of this one farmer the entire 50,000 acres in the irrigation district.

Mr. DENISON. That is, provided there is no prior lien on that 50,000 acres.

Mr. SINNOTT. Provided there is no prior lien.

Mr. DENISON. There may be a prior lien.

Mr. SINNOTT. But if this act is passed and the Secretary of the Interior does his duty, as we have a right to assume he will, there will be no prior lien. He will make no contract with any irrigation district organized under the new law unless the Government has a first lien or charge upon all the land in that irrigation district.

Mr. DENISON. That is, assuming that he will not use bad judgment.

Mr. SINNOTT. That is, assuming that he will be honest with the Government.

Mr. DENISON. He might be honest and yet use bad judgment; and does not the gentleman think it ought to be provided in the law that the Secretary of the Interior shall not make a contract unless the Government has a first lien?

Mr. SINNOTT. I certainly would have no objection to that. In fact, the laws of the State of Oregon, which I propose to read, contemplate that. How much time have I remaining, Mr. Chairman?

The CHAIRMAN. One minute.

Mr. SINNOTT. It is impossible to go through these laws in that time, but I will say that the laws of Oregon contemplate the organization of an irrigation district which will guarantee the indebtedness of these reclamation works to the Federal Government. Further than that they provide that—

Any water, the right to use of which is acquired by the district under any contract with the United States, shall be distributed and apportioned by the district in accordance with the acts of Congress and rules and regulations of the Secretary of the Interior and the provisions of said contract in relation thereto.

As a condition precedent to entering into a contract with these new irrigation districts formed under this law the Secretary of the Interior may exact from them any agreement he sees fit, requiring the district to comply with the rules and regulations of the Secretary of the Interior.

Mr. DENISON rose.

Mr. SINNOTT. I beg the gentleman's pardon. I have so little time that I can not yield.

Mr. LITTLE. I will give the gentleman two minutes more.

Mr. SINNOTT. The board of any irrigation district—

may enter into any obligation or contract with the United States for the construction, operation, and maintenance of the necessary works for the delivery and distribution of water therefrom under the provisions of the Federal reclamation act and under the acts amendatory thereof.

Section 22 of the Oregon Irrigation Code, which is really a copy of these other acts that have been passed in the various States, provides that—

The holder of the bonds, or the United States, in case contract has been executed by the United States, may, in case of default in the payment of interest or principal on the bonds, or the amount due on the contract, upon the order of the circuit court, take possession of the irrigation and other works of the district and operate the same until the amount in default shall have been fully paid.

Any assessment upon land shall be a lien against the property assessed, and such lien for all payments due or to become due under any contract with the United States or for the payment of principal or interest of bonds deposited with the United States shall be a preferred lien to any assessments for bonds issued subsequent to the date of such contract or the issuance of said bonds deposited with the United States, and no district assessment lien shall be removed until the assessments are paid with interest and penalties or the property sold for the payment thereof.

Section 23 provides that—

The Treasurer shall keep a "Bond Fund" account, or a "United States Contract Fund" account, or a "Bond and United States Contract Fund" account, as the case may be, into which shall be covered all moneys arising from the sale of refunded bonds and assessment and levy until there is sufficient money in such fund to meet the next installment of principal and interest upon bonds of the district and to meet all payments for construction and all other purposes to the United States.

Section 24 provides that—

Where contract has been made with the United States in addition to the amount hereinbefore determined and apportioned, the board of directors shall also fix the amount payable by each tract within such district, and the amount so fixed shall be in accordance with the Federal reclamation laws and the public notices, orders, and regulations issued thereunder, and shall be in compliance with any contract made by the United States with the owners of said lands and in compliance further with the contracts between the district and the United States.

Mr. TAYLOR of Colorado. I yield to the gentleman two minutes more.

Mr. SINNOTT. Section 35 provides that—

No change in the boundaries of the district can be made unless the Secretary of the Interior shall assent to the change.

Every section of the Code of Oregon has some provision for the protection of the interest of the United States. Then, there is a provision against the dissolution of the district without the consent of the Secretary of the Interior.

Some one has asked this question: Suppose the directors of the district refuse to act, what will be the result? We have a statute anticipating and protecting that, so that in case of neglect or refusal of the board of directors to cause such assessment and levy to be made, then the assessment and levy shall be made by the county court of the county in which the office of the board of directors is situated in the same manner that the court levies county taxes. And all those expenses are to be borne by the district.

Most every contingency or hazard one can think of has been anticipated in the various irrigation codes passed in the States of the West. I have no misgiving that the Government is going to lose anything by the passage of this act. The only misgiving I have is that we may not secure what we think we are going to secure, the benefit of the farm-loan act.

Mr. LITTLE. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman, I do not think this bill would be a bad law if the first section had a proviso that would prohibit the Secretary of the Interior from making a contract with any irrigation district upon which there were prior bond issues outstanding. If that proviso is inserted in the first section of the bill, then any contract made by the Secretary of the Interior would give the Government of the United States a first lien, or prior lien, on all the lands in the district. Then the arguments presented by gentlemen in favor of the bill would have some force. It ought to be there for another reason, and that is if the proviso were in the bill there would be no legal objection to the Federal Farm Loan Board making loans on the lands in the district.

Mr. BORLAND. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. BORLAND. I think the gentleman from North Dakota perhaps misled the gentleman from Illinois. This does not contemplate any bond issue.

Mr. DENISON. But there are outstanding bond issues.

Mr. NORTON. If the gentleman will pardon me, it does contemplate a bond issue.

Mr. BORLAND. The law read by the gentleman from Oregon [Mr. SINNOTT] provides for the levy of taxes.

Mr. GANDY. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. GANDY. Does not the gentleman know that this will affect only Government projects, and that there are no outstanding bond issues against any Government project, and that any bond issue subsequent to the transfer would be a subsequent lien?

Mr. DENISON. Is it not true that there are irrigation districts organized under State law, and they may issue bonds?

Mr. GANDY. It has nothing to do with them; this is for the transfer of the Government projects.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. LITTLE. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, this bill seeks to lift the lien absolutely of the National Government for work of construction and maintenance charges which it has to-day on various reclamation projects erected in Western States. It seeks to substitute for its first lien not only a second mortgage lien but a second mortgage lien of very doubtful character.

The advocates of this bill say that this water-rights association will make assessments to pay the obligation owing to the Government of the United States, and that thereby the individual owner, homestead or otheriwse, on these reclamation projects will be enabled to obtain a loan.

I wish to put this question to those advocates: How could a loan be obtained any more advantageously by the individual which would be subject under the laws of the State to the lien of the water-rights association to pay the assessment owing to the National Government?

We have gone ahead and expended seventy millions and more dollars in construction work to make tillable these arid lands of the West. I agree with the proposition stated by the gentleman from Wyoming that in some instances where the money has been wisely invested there would not be much risk undertaken in subordinating and subrogating the rights of the water-rights association for the rights of the Government to-day.

But the gentleman from Colorado knows, and the gentleman from Wyoming ought to know, that there are projects in some of the States where we have spent millions of dollars and not one cent of the construction charges has been paid by the individual users of the water on these lands. That money has been ill spent, and now you are going to provide the means, under the guise of water-rights association, whereby these persons on these doubtful projects who to-day have not paid one cent of the construction charges may form water-rights associations, allow the water-rights association to default in payment of taxes, permit the association to be put into the hands of a receiver, the rights of the water-users' association sold at a receiver's sale, and the obligation of the Government wiped out entirely. By such proceedings they get full title to all the millions that have been invested by the National Government in making these lands valuable.

Mr. GANDY. Will the gentleman yield?

Mr. STAFFORD. I will yield to the gentleman later on, after I conclude my argument. We have been most generous toward the owners who dwell on the reclamation projects. Under an act passed August 13, 1914, we authorized every entryman and every user of water rights to have the amount owing for construction and maintenance charges deferred in payment in 20 annual installments. The first installment of 5 per cent was not to be paid for five years after the water had become usable.

It provided further that in these reclamation projects where they had gone out and made their entries and exercised their rights that even there they could have their payments deferred in 20 annual installments. What more could the National Government have done toward the consideration of these entrymen and water users on the reclamation projects than in deferring payment of these charges—and, mind you, without any cost in interest charges—for 20 years. In case of these projects that are to be developed in the future the first 5 per cent installment is to be only 2 per cent of the amount. And yet they come in after the Government has gone into debt $20,000,000, advanced to them under the law of 1910, when the reclamation project was virtually bankrupt as far as additional work was concerned, in addition to the $70,000,000 the Government had expended prior to that time, and want the Government to wipe out all of that payment and hand it over to them as a gift.

More than that, this is unfair to the people of the States in which these reclamation projects are located, because when once the reclamation project gets on a paying basis, and the money begins to come into the Treasury of the United States, that revolving fund must some day be paid back into the State treasuries for utilization in the way of school funds and the building of roads; and under this proposal, which is a raid on the National Treasury for the benefit of some bankrupt, poor projects, that money will never revert to the treasuries of the individual States, because it will be gone once and for all.

Again, under this law I have cited, this general relief act of 1914, providing for deferred payments for 20 years, there is a special provision made, and it takes the argument away from the proponents of this measure when they say that the water rights associations are necessary as an advantage to the users of water on these reclamation projects. The Secretary of the Interior, in section 7, is authorized to appoint these water right users' associations as agents for the collection of these charges.

Mr. GANDY. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Under existing law the water rights associations have the power to-day to be authorized to collect these charges. I yield to the gentleman.

Mr. GANDY. Does the gentleman understand that there is a difference between the voluntary water users' associations referred to in that act and the municipality of an irrigation district that is contemplated in this act? One is voluntary and the other is a municipality.

Mr. STAFFORD. If the people of the reclamation project wish to unify their forces so that this water-users' association shall act as the fiscal agent for the collection of the charges, there is the authority. After obtaining all these concessions from the National Government, after having all of these payments deferred, not only as to future projects but the payments deferred in installments for 20 years as to projects already in existence, as to the amounts still owing, and without interest, you are asking us to waive the claim entirely and to allow the State to come in by taxes, foreclosure proceeding, and receiver's proceeding, and wipe out entirely the obligation of the Government—just simply say, "Here, we have expended all of this money for you, and here it is as a free gift." It is not fair to the rest of the country, which has been so generous in allowing these Western States to utilize the funds arising from the sale of public lands for the development of reclamation projects in these respective States, and it is not fair to the rest of the country where we have given them preferential consideration. Public lands have been sold in Wisconsin and Minnesota of late years——

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. LITTLE. Mr. Chairman, I yield the gentleman two minutes more.

Mr. STAFFORD. And in many other parts of the country, and yet those public-land funds have been turned into the Treasury of the United States for the benefit of the taxpayers, and yet after we have advanced these millions and millions of dollars for the benefit of the West on the deferred-payment plan, they come in now at this time, when the Treasury needs it most, and ask us to make a pure gift of that amount to them. That, in substance, is what it amounts to.

Mr. GANDY. Does the gentleman understand that the charges of the reclamation district are made a matter of taxes the same as any other taxes?

Mr. STAFFORD. I fully appreciate that, but the gentleman also realizes that to-day taxes on these lands in these reclamation projects under State laws are subordinate to the claim of the Government of the United States for the payment of its charges, and while you may say in your State laws that would not be the case, still, as has been pointed out by the gentleman from Minnesota [Mr. VOLSTEAD], there is nothing to prevent the State legislatures from changing those laws subordinating the right of the National Government still further.

Mr. NORTON. Does the gentleman think, as a matter of fact and as a practical proposition, it would be as easy for the Government on an irrigation project to recover through foreclosure or enforcement of its obligation from an individual tract of land as it would be from an irrigation district?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LITTLE. Mr. Chairman, I yield the gentleman one minute more.

Mr. STAFFORD. I will say that, as far as one of the projects in the gentleman's own district is concerned, the Williston project, where the users have not paid any percentage of the construction charges, it would be directly to the benefit of the people up there to have this right so that they could have the rights of the Government lost, the lien of the Government waived, and allow those people to get full advantage of the amount of money the National Government has sunk in that project.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I ask unanimous consent that the gentleman from Idaho [Mr. SMITH] be allowed to address the committee for five minutes, not to be taken out of the time either of the gentleman from Kansas or myself.

Mr. LITTLE. Mr. Chairman, I join in that request.

The CHAIRMAN. The gentleman asks unanimous consent that the gentleman from Idaho [Mr. SMITH] be allowed to proceed for five minutes, not to be charged up to the time for general debate. Is there objection?

There was no objection.

Mr. SMITH of Idaho. Mr. Chairman, there are two things that we undertake to accomplish by this bill. One of them is to save a great deal of expense and trouble in collecting the charges from the settlers. Under existing law the Government has a contract with each individual settler, while under this proposed law, if it is accepted by the settlers and the districts formed, the Government would deal entirely with the secretary or other officers of the district association.

Another object sought to be accomplished is to force into cultivation a large proportion of the lands on certain projects which are in private title, by assessing them for their pro rata share of the expense incident to constructing and maintaining the reclamation works. In many projects much of the land was held by owners when the project was undertaken. Those owning this private land may or may not enter into a contract to take the water to irrigate their land. If they do not enter into such contract, they do not have to contribute to construction or maintenance charges. They can allow their lands to lie idle while those on the public land, or those owning private land who do enter into a contract for water, improve their holdings by putting in crops and making the land more valuable, and in this way increase the value of the land of those who have not entered into contracts to use water for the reclamation of their land and who thus reap the benefit of their enhanced value.

The bill before the House, if enacted and put into use upon the reclamation projects, means an earlier reimbursement of the reclamation fund than will otherwise be possible.

The water users are at present organized as "water-users' associations," which are private corporations. They do not have the taxing power, nor do they have the power to compel private lands whose owners have not made stock-subscription contracts to pay the charges which should be payable to the United States. The United States has no power to compel contributions by persons who have not subscribed their lands to the association, and who, pursuant to stock subscription, have not made water-right application direct to the Government.

The irrigation district differs from the water-users' association in that it is a public corporation in every sense that school districts are public corporations, and it is vested by the State legislatures with the power to tax all lands within the boundaries of the project for both construction and operation and maintenance charges.

The reclamation projects include some 3,000,000 acres of land eventually to be irrigated. Of this area 1,760,000 acres were irrigable in 1917, and of the irrigable area there were actually producing crops an aggregate of 1,160,000 acres.

The difference of approximately 600,000 acres is to a large extent land for which a water right has been secured by the owners, and which will be put into cultivation as rapidly as the necessary leveling can be done by the owner, payments meanwhile being made for the entire tract.

Another large portion of the 600,000 acres irrigable but not yet cultivated is in the ownership of private landowners who have not as yet made water-right application to the United States, but are simply holding their lands from cultivation for one reason or another, and in many cases, at least, they are hoping that the cultivation of neighboring tracts will so enhance their values that it will be possible for them to sell at a profit.

The operation costs for these lands are being borne by the people who have actually made application for water and are farming their homesteads or private lands, so that the actual users of water are interested to compel those who are not cultivating to "sign up" for a water right. The collection of operation cost is required to be borne by the project, irrespective of the land actually under cultivation, by section 5 of the reclamation extension act.

As to the construction charges, however, for the lands held by people who have not made subscription, the Government is simply waiting, and under the present relations between the United States and the water users the attitude must continue to be one of waiting.

By the formation of an irrigation district, however, the relations between the water users and the people would be vastly improved, for then necessity for individual consent is absolutely abrogated. The district, if organized as a result of a two-thirds vote of the resident landowners (or whatever majority is required by the local State statute), secures jurisdiction and the power to levy and collect taxes from every grade of irrigable land within its confines.

During the 1917 session of the State legislatures the work of harmonizing the irrigation district lands of these various States, so far as the State legislatures can do so, was completed, except in the State of Wyoming.

These enactments provide that in addition to the other grounds for organization, irrigation districts may be formed for the purpose of "cooperation with the Federal Government and for the assumption, as principal or guarantor, of indebtedness to the United States on account of district lands."

The districts have also been authorized, through their boards, to make contract with the United States for the construction, operation, and maintenance of projects, and for the assumption by the district of the project debt, pursuant to the reclamation act and its amendments.

The contracts can not be entered into, however, until an election is had, at which the question is voted upon: "Contract with the United States, yes; contract with the United States, no."

The statutes all expressly provide for confirmation in the courts of the proceedings for formation of the district and for the proceedings leading up to the execution of contract with the United States. The supreme courts of all the Western States which have passed upon the question—and that constitutes the majority—have held that the decree secured after service by publication in these irrigation-district confirmation proceedings is binding upon the entire world (including the sovereign State in which the district is located). The constitutionality of the irrigation district law has been passed upon by the Western States and by the Supreme Court of the United States in the case of Fallbrook Irrigation District against Bradley (164 U. S., 112).

The taxing machinery in some of the States is carried on by an irrigation district receiver and collector and a district treasurer, but in the majority of the States by the regular county officials of such county or counties as the district lands may be located in; and these officials are subject to mandamus and are under bond. The law provides for increasing the bonds at the discretion of the Secretary, where the district cooperates with the United States.

As to the machinery for collection, the public officials are required in common with ordinary taxes to make the assessments, the levies, and the foreclosures on statutory days, in the case of irrigation-district reclamation charges.

The result is threefold:

(a) The people have impressed upon them the obvious fact that both operation and construction charges must be met. Their whole attitude toward the payment program is that their payments are in the familiar class, as regards certainty of "death and taxes." Every landowner expects to meet his taxes, and if this bill is placed in operation will definitely anticipate making his payments for these amounts.

(b) The cost of operation by the United States in the maintenance of fiscal collection agencies on each project would be accordingly reduced, the landowners, through their district organization or the counties, as the case may be, handling the collections.

(c) The personal relationship between the United States and the individual by contract would no longer be an important relationship, and for all new units of the project and for all projects individual contracts would be omitted entirely.

The reclamation-extension act of August 13, 1914, by extending the repayment period to 20 years and graduating the repayments, laid down a plan whereby unquestionably all men of average ability and with average capital can make good upon reclamation projects. With the abrogation of the personal relation between the individual water users and the Government, and the formation of public corporations for carrying on the fiscal responsibilities, the drafts upon the department for leniency will be minimized along lines essential to business administration of reclamation projects, for the reason that the irrigation district will form a statutory intermediary between the United States and the soil.

The adaptation of legislation from the Federal side toward cooperation between the United States and irrigation districts was greatly advanced by the passage of the so-called Smith Act, of August 11, 1916. This provided for the taxation of entered public lands of the United States by irrigation districts, whether cooperating with the United States under the reclamation act or not. It also provided for the notation by the register and receiver of the land offices of assessments against unentered public lands, these steps to be lawful only as regards irrigation districts approved by the Department of the Interior.

The present bill permits the department to contract in harmony with State laws, and particularly with regard to the taxing features, so that the provisions of State law with regard to assessment and levy need not be thrown into confusion by the necessity to conform to the Federal dates of payment and the like.

The bill also provides for the clearing of the titles of entrymen and of the private landowners from the private mortgages in favor of the United States contained in the water-right applications and in favor of the water-users' association and the stock subscriptions to these associations in cases only where a

tax lien is substituted. These tax liens are preferable for several reasons:

(a) They take precedence of all private mortgages.

(b) They are more readily enforceable.

(c) They are enforceable by public corporation, without placing the United States in the position of a hard creditor or subjecting the United States to frantic appeal, the change of status being in recognition of the fact that the reclamation work must be conducted on a businesslike basis, just as public improvement would be conducted by a municipality or a State government.

The irrigation district security is preferable to anything heretofore secured for another important reason. The irrigation district stands sponsor and assumes liability for the entire debt of the project, whereas under the water-right application plan the individual was responsible for his own land only. The irrigation district law makes each tract of land primarily responsible, but each tract is secondarily responsible for any delinquencies throughout the project. Moreover, in unincorporated villages vested water-right lands paying operation charges only and railway rights of way included within irrigation districts are ultimately liable and furnish added security for the payment of project debts.

Repayments are going forward successfully upon our Federal projects. The construction repayments to the reclamation fund to June, 1916, are $4,146,630. New units are being placed upon a repayment basis, and as regards other units, the percentage of annual repayment will soon increase from 2 per cent to 4 per cent, so that it is estimated that over $1,000,000 annually will be returned to the reclamation fund for several years, and thereafter still more.

Some comment has been made by those opposed to this bill that it was an unwise thing to take Government money and expend it in improving these lands. In my State we have a district project, known as the Minnetoka project, where this year crops have been harvested to the amount of over $5,000,000, which was the original cost of building the dams, and the laterals and completing the project. From a business standpoint it has certainly been to the advantage, not only of the settlers upon the project but to the country at large, in increasing the food supply.

A few months ago there was sent to this House by the Secretary of the Interior and introduced by the chairman of the Committee on the Irrigation of Arid Lands and favorably reported, but failed of consideration, a bill appropriating $5,000,000 to be expended in the reclamation of uncultivated lands within these various irrigation projects. We contend, Mr. Chairman, that the enactment of this bill will result practically in accomplishing that very thing, because these private lands, when they are taxed for their pro rata share of construction, maintenance, and operation, will be forced into cultivation, because the owners can not afford to have them lie idle while these taxes are accumulating.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, I wish to say a few words myself as a member of the committee, but I was waiting for the gentleman from Colorado [Mr. TAYLOR] to speak. This bill comes out of this Irrigation Committee under somewhat interesting circumstances. We had ascertained that a good many men who have settled on Government land under the irrigation law found it difficult to maintain themselves without borrowing money upon the land. Under the present law the Government, as the bill indicates—and you may have read it—has the first lien upon this land for this investment. They could not borrow any money while that was maintained. I suggested a bill to give the Farm Loan Board authority to loan on these lands and to assign the loans for collection, if necessary, to the Irrigation Bureau, which could foreclose and prorate the amounts received. This would make the liens one lien and make it possible to assist these people.

The Farm Loan Board thought if that United States lien could be waived they could have the first lien and could loan money upon this land, and other people could; but we found that the Farm Loan Board, as suggested by the gentleman from Virginia [Mr. GLASS], could not make a second loan. The irrigation department dealing with that matter could not take a second lien. Now, either one or the other of them will have a first lien. If the irrigation department has the first lien, then the Farm Loan Board can not loan any money on these lands, because it would be against the law, and nobody with any business judgment would loan any money on the land because of the Government first lieu. So if the irrigation department retains the first lien, as is claimed, then no borrower will have any advantage by this bill, because nobody will loan any money on this land. Now, this is an attempt to give both of them a first lien, an effort of somebody to pull himself up by his boot straps. Let us look at it for a moment. When these lands were allowed by the Government to be taken possession of by the settler, the Government spent money to build ditches and irrigate the land, and the Government still owns that land. While the Government owns that land the State can not tax that land. Bear that point in mind. Then, the people upon that territory, living entirely upon nontaxable land, organized an irrigation district for taxing purposes. Well, they have nothing to tax, except personal property and improvements.

Mr. GANDY. Will the gentleman yield?

Mr. LITTLE. I can not now; I will when I finish my statement. They have a few improvements, any of which they can carry off any time they want to, which, of course, would not amount to much, or they would not be wanting to borrow money to make improvements. Then the district levies this tax not upon a single acre of land. Some fellow avoids payment. He lives there two or three years and gets the advantage of the irrigating canals, and so forth, and he gathers his crops and his personal improvements, and he goes off the land and says to the district, "You pay for it." The Government has a contract with the district, if this bill becomes a law, which says the district will pay for it—a municipal organization, like a county. The district organization begins to levy taxes to pay it, and where does it go for the taxes?

Mr. GANDY. Will the gentleman yield?

Mr. LITTLE. I will not yield now. When I finish my statement I will.

The district can not tax a foot of this land to pay the Government, and this man goes off after he has paid the Government nothing on the investment they have assisted him in, nothing for several years, perhaps, of water, and he carries off whatever crops he has grown. That is a boot-strap effort to help somebody.

Mr. SMITH of Idaho. The Government still owns the land.

Mr. LITTLE. That is the reason it will lose what it has invested to help that man irrigate the land. It will lose all the investment it has made for him and he goes on some other, maybe. The Government will not lose the land when it comes to that, but loses the money due for water, and so forth.

It is suggested that some of these people will own their own land and get it paid out. They will go into this district. Suppose it is a district composed half of fellows who have paid out and own their land and half who have not—have just started. Then the district agrees to pay the taxes to pay the mortgage, or lien, the Government holds on this man's land who goes off and leaves it. Let us suppose the gentleman from California takes a Government claim and pays nothing on it. Let us suppose the gentleman from Colorado takes a Government claim and pays as he goes along, but has not paid out. Let us suppose I have paid out. There are three of us in that district. The proposition is that they shall tax me, who has paid for my land, and the gentleman from Colorado who is paying for his, to pay the debt the gentleman from California made, who goes off and deserts his land and pays the Government nothing. Meantime the Californian gets the same benefit that we do, we who pay for the water and land. He gets irrigation for a term of years, as long as he can soldier on them and put them off, and makes money by growing crops. I have paid for my land, the gentleman from Colorado is working to pay for his, and then the taxgatherer comes around and says to him and to me, "Cough up here; put up the cash for the man from California who has taken the crop and all the improvements, and has lit out." What would anybody with sense do? He would hire a lawyer and would bring a mandamus directing the tax collector to desist or enjoin him. And there is not a lawyer in this House, I undertake to say, that can show to this House that any court on earth would allow such a tax to be collected. How can my county agree to pay off a mortgage on my land and then tax you to pay it.

Let us suppose that it is a private and not a public matter. Let us suppose of these three gentlemen here one has paid for his land, one is paying, and one did not pay and goes away. Suppose there are mortgages on their land held by some loan company. Suppose the township agrees with the loan company that it will pay the mortgage of this man if he does not pay it. Why, does not every lawyer here that ever read a constitution know that no municipal organization could make such a contract, and if it did it would not amount to the paper it was written on?

Mr. RAKER. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. RAKER. Suppose that these various reclamation projects, that understand the law and the constitution of their State, form a reclamation district under the law and become a munici-

pality, and agree to carry that out and pay the Government of the United States, would every Tom, Dick, and Harry object to their doing their duty and paying the Government back?

Mr. LITTLE. It is no part of my duty to sell my land to pay your debt, and there is not a constitution in the United States that will allow any court to sell one thing you have got to pay another man's debt, and a man must be out of his head to think that there is. Now, that is the fatal defect in this business.

Mr. GANDY. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. GANDY. Will the gentleman explain the difference, as he understands it, in the enforcing of collection on Government land under this bill as against the present procedure?

Mr. LITTLE. The gentleman ought to be familiar with that. I understand there is a suit in his district, or somewhere in Dakota, to enjoin the Government from collecting these claims.

Mr. GANDY. I would like to advise the gentleman that he is mistaken.

Mr. LITTLE. It is one of the districts in the Dakotas, so one of the gentlemen here from the irrigation country told me.

Mr. RAKER. Will the gentleman yield for a question?

Mr. LITTLE. Yes.

Mr. RAKER. Was the gentleman here in the House, or a Member of the first session of the Sixty-fifth Congress?

Mr. LITTLE. Why, yes.

Mr. RAKER. Then, I will ask the gentleman this question: The distinguished gentleman from Missouri [Mr. BORLAND] is on the Committee on Appropriations, and the gentleman is a Member of the House and knows that for four years the Committee on Irrigation prevented an injustice to this Government from Kansas, and how does it come that the Committee on Appropriations for the first time repudiated the contract in this case, but gave those people in Kansas relief on that project of about $400,000? It does not come from the West.

Mr. LITTLE. The State line runs between the district of the gentleman from Missouri and our district, and I plead an alibi. They have committed so many crimes over in Missouri that I have just lost track of that, and decline to be responsible for the Missourian's doings. But do you dispute my statement of what the law is?

Mr. RAKER. In regard to California and all these Western States, yes. The gentleman has never looked into the irrigation laws, and the gentleman's statement does not generally apply, because when a majority of the landowners vote to form a district and it is formed, under the laws of the State a man's property is sold if the taxes are not paid.

Mr. LITTLE. Anybody's property is sold when his taxes are not paid, but nobody can be made to sell his property to pay another man's taxes or debts, either to the Government or to anybody else, and no municipality can contract to pay your debt and make me pay taxes for that purpose. Therefore, under this bill, the Government would have no security at all. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. TAYLOR of Colorado rose.

The CHAIRMAN. The gentleman from Colorado has eight minutes.

Mr. TAYLOR of Colorado. Mr. Chairman, when the Federal farm-loan law was passed we Members from the West were in hopes that it would apply or that it might be made to apply in some way to the lands under the Government reclamation projects. There are some 32 of them throughout the Western States, covering, as you know, several million acres of land. If the settlers on those irrigation projects could obtain money at a reasonable rate of interest with which to improve their lands and stock them, it would do more than anything else in the world toward developing that country and vastly increasing the food supply of this country, and also enabling those people to very much sooner repay the Government for its outlay on each of those projects. I went before the Federal Farm Loan Board and presented the situation to them very fully. They decided that under the provision in the act which says that loans must be confined to a first-mortgage lien, they could not loan any money on any of the lands under any of the Government reclamation projects, and the Reclamation Service coincided with that decision, and I think they are technically correct as the law now stands in so far as it applies to the projects that have not organized themselves into irrigation districts. But the project is organized into a regular irrigation district under the State law and with the approval of the Reclamation Service, which is similar to a drainage district or a sewage district, or other similar district organized under State laws, notwithstanding they have indebtedness and are obligated to pay in a regular way certain assessments, yet if and when a district is organized in that way the Federal Farm Loan Board held it would have authority to make loans on the lands under such a project. In other words, the individual loans would still be considered as a first mortgage on the individual lands obtaining the loan, because the entire district would have assumed the obligations of paying off all the money advanced by the Federal Government. Frankly that is what we wanted to do—fully protect the Government's claim and lien, and at the same time enable the settler to get some farm-loan money. We felt that if a district was organized by a vote of all the people, and if the Interior Department and the Reclamation Service economically constructed these projects and limited, as they should, the amount of money they put into each project to what it could readily pay, it would be a safe investment, and the Federal Farm Loan Board could naturally look into the amount of indebtedness on each before making any loans on any lands in each project. A settler can not get a clear title until he has fully paid up all of the Government's lien. But suppose the Government's claim is $75 an acre and suppose the settler has paid off half of it, he certainly would have an equity in his land upon which the Federal Farm Loan Board could safely loan him something, and that loan would be a first mortgage in all cases where the land was in a regularly organized irrigation district, as I understand the construction of the law by the Federal Farm Loan Board.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes; for a question only.

Mr. BORLAND. I just want to state this proposition.

Mr. TAYLOR of Colorado. I do not yield for a speech.

Mr. BORLAND. A drainage district or a district organized to impose special taxes upon the land is engaged to do a particular work—as, for example, to build a drainage ditch or a sewer, or something of that kind—which is presumably of benefit to each tract of land in the district, and therefore it obtains the power to levy an assessment against this tract of land. But here is a proposition by which you are going to pay off a prior lien, which is unequal on the different tracts. Do you think a district can be organized to pay off my loan, for example, which may be subject to the lien, and assess the cost against the land of another which was not subject to the lien?

Mr. TAYLOR of Colorado. Is that your question?

Mr. BORLAND. Yes.

Mr. TAYLOR of Colorado. I will endeavor to answer it. This bill arose out of the fact of the Agricultural Department and the Interior Department and all of the Government officials very greatly desiring to increase the acreage and increase the development of the food products of this country. Now, when the Government charge upon the people who settle upon these reclamation projects is, say, $60 or $75 an acre, and they have no title to the land, they can not borrow any money. And even if they could borrow it, the rate of interest in the West is very high. Often it is 10 or 12 per cent. If there is a farmer in the United States that does need money at a low rate of interest, it certainly is the man who is trying to reclaim Government land in the West. We are very earnestly and honestly trying to aid in the development of these reclamation projects by helping the poor settlers to get on their feet, to improve their claims, and build up the country. The report of the Interior Department on this bill is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, July 2, 1917.

Hon. EDWARD T. TAYLOR,
House of Representatives.

MY DEAR MR. TAYLOR: I have your letter of June 12 requesting the consideration and report of the Interior Department upon H. R. 4954, "A bill to provide for the application of the reclamation law to irrigation districts."

While this bill does not mention farm loans, it will provide a plan whereby the farm-loan act will become applicable to the Federal projects.

The first section gives the express sanction of Congress to cooperation between the United States and irrigation districts adapting the reclamation law to the necessities of irrigation districts as quasi-municipal corporations under the laws of the respective reclamation States. Statutes amendatory of previous irrigation district laws so as to provide expressly for cooperation with the United States have been passed this year in the reclamation States.

This department has already contracted with numerous irrigation districts, and I find that cooperation with these public corporations enhances the security of the United States, gives facility in the collection of moneys due to the United States, and at the same time is popular with the water users themselves, since they have the powers and privileges of a public corporation.

Moreover, organization as irrigation districts binds to the project, irrespective of individual consent, once the statutory majority has been obtained for the formation of and making of contract, all of the lands of the project, and thereby promotes early cultivation of the land and eliminates speculation.

In section 2 of the bill provision is made for the releasing of the liens of the Government which have been reserved, as required by the present law, in patents to homestead entries taken up subject to the

reclamation law, and for the discharge of liens contained in stock-subscription contracts to water users' associations and in water-right applications direct to the United States, in cases where proper contract shall be made by irrigation districts with the United States.

This section would, therefore, if enacted remove two classes of impediment to the application of the farm-loan act to Federal projects. The first is the existence of the prior reserved lien on all homestead lands, and the second is the existence of a contractual lien by virtue of stock subscription and water-right applications. Thus both the public and private lands taken by the settlers under these projects would become free from prior liens, so that there would be no legal impediment to the loaning of money by way of rural credits.

The irrigation district liens attach only upon the making of annual assessment and levy, and are no more a bar to the obtaining of a "first mortgage" under the farm-loan act than are the taxes of any other public corporations, such as counties and school districts, for the discharge of their debts.

Some of our projects have reorganized as irrigation districts and others are in process of reorganization in order to obtain the benefits to accrue under the district plan, the securing of farm loans being but one. It will, therefore, work no hardship if projects reorganize as irrigation districts to obtain the benefit of farm loans.

House bill 4954 paves the way for farm loans on the projects without subordinating the security for the reimbursement of the reclamation fund or interfering with the Government's present security contained in the guaranty contract with individual water users' associations.

I regard this measure as an emergency bill for the reason that the successful application of farm loans to reclamation projects is of urgent public necessity, since it will result in a great increase in the productivity of lands on these projects in 1918 and subsequent years. I am, therefore, in favor of the bill.

Cordially, yours,

FRANKLIN K. LANE, *Secretary.*

Of course, there is no obligation upon any project to organize itself into an irrigation district. This bill is merely permissive. If they do not desire to put themselves in position to borrow money from the Federal farm loan or anyone else, there is no compulsion about it.

Mr. BLANTON. Mr. Chairman, will the gentleman yield to me for just one moment?

Mr. TAYLOR of Colorado. I regret I can not yield just now, because my time is so short.

The CHAIRMAN. The gentleman declines to yield.

Mr. TAYLOR of Colorado. The reclamation officials came before the Irrigation Committee and told us that in every project where there is now an organized district—and there are several of them organized already—the Federal Farm Loan Board is willing to loan money in reasonable amounts on good farms. The objects and purposes of this bill are perfectly good, and it would be of immense benefit to thousands of poor and deserving settlers upon the reclamation projects without impairing the Government security a particle. But I regret exceedingly that we seemingly can not prevail upon the House to understand it the way the Members representing the projects look upon it. The report on this bill is very full and complete, and I wish we had time to read it to the House.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes; for a brief question only.

Mr. LITTLE. I just want to ask the gentleman if he does not know that a Federal court has been trying for 40 years to compel St. Clair County, Mo., to collect taxes to pay a judgment, and it can not do it?

Mr. TAYLOR of Colorado. Oh, yes; I have often heard of that. But that was, as I recollect it, a fraud such as never could occur in the organization of an irrigation district.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. BUTLER. I do not care what other gentlemen have done. I am concerned about doing the right thing myself. Will this postpone the Government lien against this land?

Mr. TAYLOR of Colorado. No.

Mr. BUTLER. The Government will have the same right of collection and have the same security that it has had heretofore?

Mr. TAYLOR of Colorado. Yes.

Mr. LITTLE. How can a man loan money on it, then?

Mr. TAYLOR of Colorado. The Secretary of the Interior himself says that the security is better where they organize a district than it is now, and the Farm Loan Board say, "If you do regularly organize an irrigation district, we can then safely loan some money to these farmers."

Mr. LITTLE. But he does not say that the second lien is better than the first.

Mr. BUTLER. The Government has a first lien on this land.

Mr. TAYLOR of Colorado. Yes, sir; until every dollar is repaid.

Mr. BUTLER. If this bill passes and becomes a law, will the Government have a first lien on this land?

Mr. TAYLOR of Colorado. It will not only have a lien on the land but upon all the district. The entire district will assume the payment to the Government of the entire cost of the project.

Mr. BUTLER. That increases the security of the Government?

Mr. TAYLOR of Colorado. It absolutely does. That is what Secretary Lane says in his report.

Mr. LITTLE. Why will not the Farm Loan Board loan money on the land?

Mr. STAFFORD. The Government will have no better security, for it has a first lien already.

The CHAIRMAN. The time for general debate has expired.

Mr. BUTLER. Mr. Chairman, I ask that the gentleman from Colorado may have another minute. I want to know the right thing to do. Is the gentleman absolutely sure that this in no way disturbs the Government's first lien on the land?

Mr. TAYLOR of Colorado. I am as confident as I can be of that. The Government of the United States reserves the right to shut off the water from anybody who does not pay his taxes, and that is the highest security and greatest penalty that can be imposed. The land is not worth anything without water, and the Government of the United States reserves the right always to cut off the water when a man does not pay.

Mr. LITTLE. That does not help the Government to get its money from the man who moves away.

Mr. TAYLOR of Colorado. The man who moves away can not take the land or any water right with him.

Mr. LITTLE. He takes all his personal property.

Mr. BUTLER. I guess I had better take to the woods. I do not seem to be able to get the information I desire.

The CHAIRMAN. The time for general debate has expired. The Clerk will read the bill for amendment.

The Clerk read the first section of the bill.

The CHAIRMAN. The Clerk will report the first committee amendment.

Mr. STAFFORD. The gentleman from Kansas [Mr. LITTLE] has a preferential motion.

The CHAIRMAN. The gentleman will state his motion.

Mr. LITTLE. I move to amend by striking out the enacting clause.

The question being taken, on a division (demanded by Mr. RAKER) there were—ayes 56, noes 17.

Accordingly, the motion was agreed to.

On motion of Mr. TAYLOR of Colorado, the committee rose; and the Speaker having resumed the chair, Mr. Cox, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 4954) to provide for the application of the reclamation law to irrigation districts, and had directed him to report the same back to the House with an amendment providing that the enacting clause be stricken out and with the recommendation that the amendment be agreed to.

The SPEAKER. The question is on agreeing to the amendment striking out the enacting clause.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. RAKER. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from California makes the point that there is no quorum present. Evidently there is no quorum. The Doorkeeper will lock the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. In voting upon this proposition, to vote "yea" means a vote to defeat the bill and to vote "nay" means to vote in favor of the bill?

The SPEAKER. A "yea" vote means to strike out the enacting clause, which disposes of the bill.

The question was taken, and there were—yeas 276, nays 52, answered "present" 1, not voting 98, as follows:

YEAS—276.

Alexander	Browning	Collier	Doughton
Almon	Buchanan	Connelly, Kans.	Dowell
Anderson	Burnett	Cooper, Ohio	Dunn
Anthony	Burroughs	Cooper, W. Va.	Dupré
Ashbrook	Butler	Cooper, Wis.	Dyer
Aswell	Byrnes, S. C.	Copley	Eagan
Bacharach	Byrns, Tenn.	Cox	Eagle
Baer	Caldwell	Crago	Elliott
Bankhead	Campbell, Kans.	Cramton	Ellsworth
Barnhart	Campbell, Pa.	Crisp	Emerson
Beakes	Candler, Miss.	Crosser	Farr
Bell	Cannon	Dallinger	Ferris
Beshlin	Caraway	Darrow	Fess
Black	Carew	Davis	Fields
Blackmon	Carlin	Denison	Fisher
Bland	Carter, Mass.	Dent	Flood
Booher	Carter, Okla.	Denton	Focht
Borland	Cary	Dickinson	Fordney
Bowers	Clark, Pa.	Dies	Foss
Brand	Classon	Dixon	Foster
Browne	Claypool	Dominick	Francis

Frear	Jones, Va.	Nelson	Stafford
Freeman	Juul	Nichols, Mich.	Steagall
Fuller, Ill.	Kearns	Oliver, Ala.	Stedman
Gallivan	Kehoe	Oliver, N. Y.	Steele
Gard	Kelly, Pa.	Olney	Stephens, Miss.
Garland	Kennedy, Iowa	Overstreet	Sterling, Ill.
Garner	Kennedy, R. I.	Padgett	Sterling, Pa.
Garrett, Tenn.	Key, Ohio	Park	Stiness
Garrett, Tex.	Kiess, Pa.	Parker, N. J.	Strong
Gillett	Kincheloe	Parker, N. Y.	Sumners
Glass	King	Peters	Sweet
Glynn	Kitchin	Phelan	Switzer
Godwin, N. C.	Knutson	Platt.	Tague
Good	Kraus	Polk	Taylor, Ark.
Goodwin, Ark.	Kreider	Pou	Temple
Gordon	Langley	Pratt	Thomas
Graham, Ill.	Larsen	Price	Thompson
Gray, Ala.	Lazaro	Quin	Tillman
Green, Iowa	Lee, Ga.	Rainey	Tilson
Greene, Mass.	Lehlbach	Ramsey	Tinkham
Greene, Vt.	Lesher	Ramseyer	Towner
Gregg	Lever	Reavis	Treadway
Hamilton, Mich.	Linthicum	Robbins	Venable
Hamlin	Little	Rodenberg	Vestal
Hardy	London	Rogers	Vinson
Harrison, Miss.	Lonergan	Romjue	Voigt
Harrison, Va.	Lufkin	Rose	Volstead
Hastings	Lunn	Rouse	Waldow
Haugen	McAndrews	Rowe	Walker
Heaton	McCulloch	Rursell	Walsh
Helm	McFadden	Sanders, La.	Ward
Helvering	McKenzie	Sanford	Wason
Hensley	McKeown	Saunders, Va.	Watson, Va.
Hersey	McLaughlin, Mich.	Schall	Weaver
Hicks	McLaughlin, Pa.	Scott, Iowa	Webb
Holland	Madden	Scott, Mich.	Welty
Hollingsworth	Magee	Sears	Whaley
Houston	Mansfield	Sells	Wheeler
Huddleston	Mapes	Shackleford	White, Me.
Hull, Tenn.	Martin	Shallenberger	White, Ohio
Husted	Mason	Sherley	Williams
Hutchinson	Meeker	Sisson	Wilson, Tex.
Igoe	Merritt	Slayden	Wise
Ireland	Moon	Slemp	Woods, Iowa
Jacoway	Moore, Pa.	Smith, Mich.	Woodyard
James	Morin	Smith, T. F.	Young, N. Dak.
Johnson, Ky.	Mott	Snell	Young, Tex.
Jones, Tex.	Neely	Snyder	Zihlman

NAYS—52.

Austin	Hayden	Mondell	Sabath
Barkley	Heflin	Moores, Ind.	Sherwood
Blanton	Hilliard	Morgan	Shouse
Cantrill	Hull, Iowa	Nolan	Sinnott
Church	Humphreys	Norton	Sloan
Dill	Kettner	Oldfield	Smith, Idaho
Dillon	Kinkaid	Osborne	Stephens, Nebr.
Doolittle	La Follette	Raker	Taylor, Colo.
Elston	Lea, Cal.	Randall	Timperlake
French	McArthur	Rankin	Walton
Gandy	McClintic	Reed	Watkins
Hadley	McLemore	Roberts	Welling
Hawley	Mays	Rubey	Wingo

ANSWERED "PRESENT"—1.

Johnson, Wash.

NOT VOTING—98.

Ayres	Estopinal	Lenroot	Rucker
Britten	Evans	Littlepage	Sanders, Ind.
Brodbeck	Fairchild, B. L.	Lobeck	Sanders, N. Y.
Brumbaugh	Fairchild, G. W.	Longworth	Scott, Pa.
Capstick	Fairfield	Lundeen	Scully
Chandler, N. Y.	Flynn	McCormick	Siegel
Chandler, Okla.	Fuller, Mass.	McKinley	Sims
Clark, Fla.	Gallagher	Maher	Small
Coady	Goodall	Mann	Smith, C. B.
Connally, Tex.	Gould	Miller, Minn.	Snook
Costello	Graham, Pa.	Miller, Wash.	Steenerson
Currie, Mich.	Gray, N. J.	Montague	Stevenson
Curry, Cal.	Griest	Mudd	Sullivan
Dale, N. Y.	Hamill	Nicholls, S. C.	Swift
Dale, Vt.	Hamilton, N. Y.	O'Shaunessy	Talbott
Davidson	Haskell	Overmyer	Templeton
Decker	Hayes	Paige	Van Dyke
Dempsey	Heintz	Porter	Vare
Dewalt	Hood	Powers	Watson, Pa.
Dooling	Howard	Purnell	Wilson, Ill.
Doremus	Johnson, S. Dak.	Ragsdale	Wilson, La.
Drane	Kahn	Rayburn	Winslow
Drukker	Keating	Riordan	Wood, Ind.
Edmonds	Kelley, Mich.	Robinson	
Esch	LaGuardia	Rowland	

So the motion to strike out the enacting clause was agreed to.

The following pairs were announced:

Until further notice:

Mr. GALLAGHER with Mr. JOHNSON of Washington.

Mr. AYRES with Mr. DALE of Vermont.

Mr. KEATING with Mr. GEORGE W. FAIRCHILD.

Mr. DEWALT with Mr. SCOTT of Pennsylvania.

Mr. LITTLEPAGE with Mr. KELLEY of Michigan.

Mr. HAMILL with Mr. EDMONDS.

Mr. OVERMYER with Mr. POWERS.

Mr. CLARK of Florida with Mr. GOODALL.

Mr. FLYNN with Mr. BRITTEN.

Mr. ROBINSON with Mr. SANDERS of New York.

Mr. DALE of New York with Mr. DAVIDSON.

Mr. RIORDAN with Mr. SWIFT.

Mr. ESTOPINAL with Mr. CHANDLER of Oklahoma.

Mr. RAGSDALE with Mr. FULLER of Massachusetts.

Mr. BRODBECK with Mr. HAMILTON of New York.

Mr. HOWARD with Mr. FAIRFIELD.

Mr. COADY with Mr. PURNELL.

Mr. LOBECK with Mr. HAYES.

Mr. DECKER with Mr. GOULD.

Mr. HOOD with Mr. TEMPLETON.

Mr. RAYBURN with Mr. LUNDEEN.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. MAHER with Mr. MCCORMICK.

Mr. CONNALLY of Texas with Mr GRAHAM of Pennsylvania.

Mr. O'SHAUNESSY with Mr. DEMPSEY.

Mr. SIMS with Mr. WATSON of Pennsylvania.

Mr. DRANE with Mr. GRAY of New Jersey.

Mr. MONTAGUE with Mr. BENJAMIN L. FAIRCHILD.

Mr. EVANS with Mr. KAHN.

Mr. DOOLING with Mr. WILSON of Illinois.

Mr. RUCKER with Mr. MCKINLEY.

Mr. SCULLY with Mr. DRUKKER.

Mr. NICHOLLS of South Carolina with Mr. MILLER of Minnesota.

Mr. DOREMUS with Mr. GRIEST.

Mr. SMALL with Mr. MUDD.

Mr. STEVENSON with Mr. PAIGE.

Mr. SULLIVAN with Mr. SANDERS of Indiana.

Mr. TALBOTT with Mr. ROWLAND.

Mr. VAN DYKE with Mr. SIEGEL.

Mr. SNOOK with Mr. PORTER.

Mr. WILSON of Louisiana with Mr. STEENERSON.

Mr. CHARLES B. SMITH with Mr. WOOD of Indiana.

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

LEAVE OF ABSENCE.

The following leaves of absence were granted by unanimous consent:

To Mr. ESTOPINAL, indefinitely, on account of illness; and

To Mr. HOWARD, for two days, on account of illness.

WITHDRAWAL OF PAPERS.

Mr. WOODYARD, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, papers in the case of Oma Harshbarger (H. R. 4134, 62d Cong.), no adverse report having been made thereon.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 7 minutes p. m.) the House adjourned until to-morrow, Thursday, January 24, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting communication from the Secretary of War submitting a supplemental estimate of appropriation required by the Engineer Department of the Army for supplying uniforms for park, monument, and bridge watchmen for the fiscal year 1918 (H. Doc. No. 853); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting supplemental estimates of appropriations required by the War Department for seacoast batteries, Canal Zone, Panama Canal, fiscal year 1919 (H. Doc. No. 854); to the Committee on Appropriations and ordered to be printed.

3. A letter from the chairman of the Eight-Hour Commission, transmitting the report of the Eight-Hour Commission to observe the operation and effects of the institution of the eight-hour standard workday for railroad employees (H. Doc. No. 690); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of War submitting supplemental estimate of appropriation required by the National Home for Disabled Volunteer Soldiers for subsistence, fuel, etc., at the several branches for the fiscal year, 1918, and prior years (H. Doc. No. 855); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 181) providing that Bohemians, Moravians, Slovaks, Roumanians, Poles, Ruthenians, Serbs, Croatians, Slovens, and Italians be, and are, specifically excluded from the classification of alien enemies as subjects of Austria-Hungary, reported in lieu thereof the bill H. R. 9159, accompanied by a report (No. 252), which said bill and report were referred to the House Calendar.

Mr. ASHBROOK, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 9093) to amend the act approved September 8, 1916 (chap. 470, Stat. L., 64th Cong.), relating to pensions, reported the same without amendment, accompanied by a report (No. 254), which said bill and report were referred to the House Calendar.

Mr. SAUNDERS of Virginia, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 9160) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported the same without amendment, accompanied by a report (No. 253), which said bill and report were referred to the Private Calendar.

Mr. CARTER of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 329) referring certain claims against the Choctaw and Chickasaw Nations of Indians to the Court of Claims, reported the same with amendment, accompanied by a report (No. 255), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RUSSELL, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 3547) to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes, reported the same without amendment, accompanied by a report (No. 257), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HARRISON of Virginia, from the Committee on Military Affairs, to which was referred the bill (H. R. 7715) for the relief of Mary Neaf, reported the same without amendment, accompanied by a report (No. 256), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

The bill (H. R. 8431) granting a pension to Frances Brady; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 8111) granting an increase of pension to James N. Beasley; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FLOOD: A bill (H. R. 9159) to authorize the President of the United States to exclude certain subjects of Austria-Hungary and Germany from the classification of alien enemies and to naturalize certain members of the Army, Navy, and Marine Corps; referred to the House Calendar and ordered to be printed.

By Mr. TREADWAY: A bill (H. R. 9161) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto, approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: A bill (H. R. 9162) to amend section 3221 of the Revised Statutes of the United States, as amended by section 6 of the act of March 1, 1879; to the Committee on Ways and Means.

By Mr. DENT: A bill (H. R. 9163) to provide for reimbursement of actual expenses or flat per diem for enlisted men traveling on duty under competent orders; to the Committee on Military Affairs.

Also, a bill (H. R. 9164) to amend section 1199 of the Revised Statutes, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 9165) to amend an act to establish a uniform system of bankruptcy throughout the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 9166) authorizing either party to a civil suit in the courts of the United States to take the testimony of the adverse party by filing interrogatories, prescribing the method of procedure and its effect, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 9167) to extend to certain publications the privileges of second-class mail matter; to the Committee on Post Office and Post Roads.

Also, a bill (H. R. 9168) to amend an act to establish a uniform system of bankruptcy; to the Committee on the Judiciary.

Also, a bill (H. R. 9169) to require the production of books, documents, and writings in court before the trial of all civil causes in the courts of the United States upon motion of either party to produce the same, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMAS F. SMITH: A bill (H. R. 9170) to provide an ice-breaking vessel for use in New York Harbor; to the Committee on Rivers and Harbors.

By Mr. DENT: A bill (H. R. 9171) to provide for the erection of a public building in the city of Greenville, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9172) to provide for the acquisition of a new site and the erection of a public building thereon in the city of Montgomery, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. FULLER of Illinois: A bill (H. R. 9190) to increase pensions of Army nurses; to the Committee on Pensions.

By Mr. HASTINGS: Resolution (H. Res. 233) authorizing the Committee on Expenditures in the Interior Department to send for persons and papers; to the Committee on Rules.

By Mr. SNELL: Resolution (H. Res. 234) to direct the Committee on Agriculture to investigate into the advisability of recommending legislation permitting importation of Chinese farmers into the United States during the continuance of the war; to the Committee on Rules.

By Mr. KEATING: Joint Resolution (H. J. Res. 225) providing for printing the report of the Chief of the Children's Bureau, Department of Labor; to the Committee on Printing.

By Mr. LONDON: Joint resolution (H. J. Res. 226) authorizing and directing the Secretary of Labor to make an investigation and report regarding insurance against unemployment, invalidity, and old age; to the Committee on Labor.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. SAUNDERS of Virginia: A bill (H. R. 9160) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. BOWERS: A bill (H. R. 9173) to reimburse Benson Jacobs, postmaster of Little Falls, Monongalia County, W. Va., for certain postage stamps stolen; to the Committee on Claims.

By Mr. CAPSTICK: A bill (H. R. 9174) granting an increase of pension to Thomas H. Primrose; to the Committee on Invalid Pensions.

By Mr. CARTER of Oklahoma: A bill (H. R. 9175) granting an increase of pension to Anderson Bandy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9176) granting an increase of pension to Josephus H. Spann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9177) granting a pension to Annie Brannigan; to the Committee on Invalid Pensions.

By Mr. DENT: A bill (H. R. 9178) for the relief of Eugene K. Stoudenmire; to the Committee on Claims.

Also, a bill (H. R. 9179) for the relief of Bertram T. Clayton, jr.; to the Committee on Military Affairs.

Also, a bill (H. R. 9180) for the relief of the personal representatives of Charles W. Hammond, deceased; to the Committee on Claims.

Also, a bill (H. R. 9181) for the relief of J. H. Cravey; to the Committee on Claims.

Also, a bill (H. R. 9182) for the relief of the heirs of William Davis; to the Committee on Claims.

Also, a bill (H. R. 9183) for the relief of Susan A. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 9184) granting an increase of pension to Morgan C. Story; to the Committee on Pensions.

Also, a bill (H. R. 9185) granting an increase of pension to Mary E. Johnson; to the Committee on Pensions.

Also, a bill (H. B. 9186) granting a pension to Alada Thurston Paddock Mills; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 9187) granting an increase of pension to Robert S. McCreary; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 9188) granting a pension to John Zanger; to the Committee on Pensions.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 9189) granting an increase of pension to John Bush; to the Committee on Pensions.

By Mr. FULLER of Massachusetts: A bill (H. R. 9191) granting an increase of pension to Henry D. Moulton; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 9192) granting an increase of pension to Martin Brenaman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9193) granting a pension to Charles McFry; to the Committee on Pensions.

By Mr. KETTNER: A bill (H. R. 9194) granting an increase of pension to Joseph Monk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9195) granting an increase of pension to James Garnett; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 9196) granting a pension to Polly Fields; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9197) granting an increase of pension to John W. Walker; to the Committee on Invalid Pensions.

By Mr. LARSEN: A bill (H. R. 9198) granting a pension to Elizabeth C. Thompson; to the Committee on Pensions.

By Mr. LESHER: A bill (H. R. 9199) granting an increase of pension to Jacob R. Shotwell; to the Committee on Invalid Pensions.

By Mr. LONERGAN: A bill (H. R. 9200) granting a pension to Melissa C. Lewis; to the Committee on Invalid Pensions.

By Mr. LUNN: A bill (H. R. 9201) granting an increase of pension to Alfred Ashton; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 9202) granting a pension to George Bales; to the Committee on Pensions.

By Mr. McFADDEN: A bill (H. R. 9203) granting an increase of pension to Eli Ingraham; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: A bill (H. R. 9204) for the relief of the American Fire Insurance Co. of Philadelphia, Pa., and others; to the Committee on Claims.

By Mr. OSBORNE: A bill (H. R. 9205) granting a pension to Mary A. Brannan; to the Committee on Pensions.

Also, a bill (H. R. 9206) granting a pension to Mary E. Sewright; to the Committee on Pensions.

By Mr. OVERMYER: A bill (H. R. 9207) granting an increase of pension to Joshua W. Reed; to the Committee on Pensions.

Also, a bill (H. R. 9208) granting a pension to Nettie Wise; to the Committee on Invalid Pensions.

By Mr. ROSE: A bill (H. R. 9209) granting an increase of pension to Martin S. Bortz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9210) granting a pension to Leah A. Beltz, daughter of Adam Beltz; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 9211) granting a pension to Mary E. Hartsell; to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 9212) granting a pension to Charles B. McConn; to the Committee on Pensions.

By Mr. WALSH: A bill (H. R. 9213) granting an increase of pension to Peter Black; to the Committee on Pensions.

By Mr. ZIHLMAN: A bill (H. R. 9214) granting an increase of pension to John Fesler; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Memorial of the faculty of the University of Wisconsin, relative to support for the program of the President in securing world peace; to the Committee on Military Affairs.

Also, petition of Farmers' Educational and Cooperative Union of America, against universal military training; to the Committee on Military Affairs.

Also, petitions of Massachusetts Dairymen's Association; National Society, Sons and Daughters of the Pilgrims; Haverhill Chamber of Commerce, Haverhill, Mass.; and Enoch Pratt Free Library of Baltimore, Md., against increase of rates on second-class mail; to the Committee on Ways and Means.

Also, petition of railway postal clerks of Sacramento, Cal., favoring increase of salary; to the Committee on the Post Office and Post Roads.

By Mr. DARROW: Petition of Manufacturers' Association of West Philadelphia, Pa., protesting against Fuel Administrator's order; to the Committee on Agriculture.

By Mr. FULLER of Illinois: Petition of the Tuthill Spring Co., of Chicago, opposing repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. GALLIVAN: Memorial of council of the Massachusetts State Board of Trade, urging Government to make port of Boston a port of embarkation of troops, etc.; to the Committee on Military Affairs.

Also, memorial of Lithuanians of the State of Massachusetts, favoring independence for Lithuania; to the Committee on Foreign Affairs.

By Mr. LUFKIN: Petition of members of Post 114, Grand Army of the Republic, of Merrimac, Mass., asking increase of pension for veterans of the Civil War; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: Petitions of Pennsylvania Manufacturers' Association and Knit Goods War Service Committee of the National Association of Hosiery and Underwear Manufacturers, protesting against action of Fuel Administrator in closing industrial plants; to the Committee on Agriculture.

By Mr. NOLAN: Petition of Mutual Aid Association, San Francisco Fire Department, favoring Madden bill, H. R. 1654; to the Committee on the Post Office and Post Roads.

Also, petition of John A. O'Connell, secretary San Francisco Labor Council, favoring Madden bill, H. R. 1654; to the Committee on the Post Office and Post Roads.

By Mr. OSBORNE: Petition of California Loyal Legion, Veterans of the Civil War, protesting against newspapers being published in the language of alien enemies, etc.; to the Committee on Military Affairs.

Also, petitions of sundry business people of the State of California, protesting against recent order of the Fuel Administrator relative to suspending industrial concerns; to the Committee on Agriculture.

Also, memorial of Half Century Association, of Los Angeles, Cal., favoring creation of a Federal interest commission; to the Committee on Banking and Currency.

By Mr. TIMBERLAKE: Petition of Francis Bailey, president Entrenour Club, against increase in postage on certain periodicals; to the Committee on Ways and Means.

By Mr. TREADWAY: Memorial of executive council of the Massachusetts State Board of Trade relative to use of the Port of Boston by the Government; to the Committee on Military Affairs.

SENATE.

THURSDAY, *January 24, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the folllowing prayer:

Almighty God, in these trying days that test the fiber of our national life we are thinking most of all of our national spirit. We thank Thee for the boundless wealth of all that means force and power, but we pray that these may be transmuted into instruments of divine efficiency through the spirit of a great Nation. As the ark of the national life moves forward may no one lay unclean hands upon it, but give to us such a national spirit as that its working out to victory may be the accomplishment of the divine plan in us and through us for the establishment once more of freedom and order in the world and the creation of a great democracy of nations. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Monday last, when, on request of Mr. KING and by unanimous consent, the further reading was dispensed with and the Journal was approved.

WARNING TO OCCUPANTS OF THE GALLERIES.

The VICE PRESIDENT. The Chair desires to call the attention of the occupants of the galleries to the rule of the Senate that there must be no manifestations of approval or disapproval upon the part of the galleries. This is a rule which the Presiding Officer is compelled to enforce. It has frequently been broken lately. The only way to enforce it is to clear the gal-

leries if there is a violation. Before the proceedings of this day start the Chair wants to warn you that if you do not observe the rule, being the guests of the Senate, you will be excluded from the galleries.

SENATOR FROM NEVADA.

Mr. KING. Mr. President, Hon. CHARLES B. HENDERSON, appointed a Senator from the State of Nevada, is in the Chamber and ready to take the oath of office. I present to the Senate his credentials and ask that they may be read.

The VICE PRESIDENT. The Secretary will read the credentials.

The Secretary read as follows:

STATE OF NEVADA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Nevada, I, Emmet D. Boyle, the governor of said State, do hereby appoint CHARLES B. HENDERSON a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the death of FRANCIS G. NEWLANDS is filled by election, as provided by law.

Witness: His excellency our governor, Emmet D. Boyle, and our seal hereto affixed at Carson City this 12th day of January, in the year of our Lord 1918.

EMMET D. BOYLE, *Governor.*

By the governor:

GEORGE BRODIGAN,
Secretary of State.
By J. W. LEGATE, *Deputy.*

The VICE PRESIDENT. The credentials will be placed on file. If there be no objection, the Senator appointed will present himself at the desk.

Mr. HENDERSON was escorted to the Vice President's desk by Mr. KING; and the oath prescribed by law having been administered to him, he took his seat in the Senate.

COMMITTEE SERVICE.

Mr. MARTIN. Mr. President, I send to the desk an order filling committee vacancies and ask for its present consideration.

The order was read and agreed to, as follows:

Ordered, That Senator HENDERSON be appointed to the following committees: Industrial Expositions (chairman), Banking and Currency, Claims, Conservation of National Resources, Irrigation and Reclamation of Arid Lands, and Library.

That Senator TRAMMELL be appointed a member of the Committee on Public Buildings and Grounds.

PERSONAL EXPLANATION—WAR CABINET.

Mr. CHAMBERLAIN. Mr. President, I rise to a question of personal privilege.

Mr. President, for 24 years of my life I have served the people of my State in one capacity or another to the best of an ability with which Providence saw fit to endow me, and in all that time I have never had my veracity called in question nor my integrity impeached, and I am frank to say that I have passed through some campaigns as bitter as have fallen to the lot of any man. It is therefore with some feeling of humiliation, and I may say of sadness, that I rise before this distinguished body to a question of personal privilege when my veracity has for the first time been called in question—not by an ordinary citizen in the ordinary walks of life—not by one of my colleagues, who stands upon the same level as myself socially and politically, but by a very distinguished gentleman who has the love and admiration of the people of this country, and who through their suffrage now occupies the highest place in the gift of our people, and I may say the highest place of any man on the face of the earth.

It is, therefore, with a peculiar feeling that I rise to address myself to the attack which has been made upon me, Mr. President, and I do it not with any feeling of unkindness, because the personal differences between the distinguished President and myself amount to nothing to the American people, but there are great policies at issue between us and between other people of this country, a proper settlement of which may, Mr. President, involve the very life of the Republic, and possibly the civilization of the world.

Some days ago a distinguished body of citizens invited me to deliver an address before the National Security League in New York. I accepted that invitation. On the dais with me were some of the best known men and women in America. The presiding officer of that meeting was a gentleman whom our distinguished President has seen fit to honor, and who has been highly honored by other Executives in the days gone by. I refer to Hon. Elihu Root.

On my right sat Judge Alton B. Parker, who was once a candidate of our party for the Presidency. On the left of the presiding officer was a very distinguished Republican friend of mine and a friend of his country, though born in a country that is now at war with America, Hon. JULIUS KAHN, of California. To his left was a distinguished ex-President of the United States in the person of Col. Roosevelt. The widow of ex-President Cleveland was there, and, Mr. President, I say without fear of contradicition that the 2,000 people there represented every walk of life and a spirit of patriotism that can not be excelled in a like number of people anywhere in the United States.

In the multitude of work that has fallen to my lot it was impossible for me to prepare an address, and I did not even have time to correct the proof or revise it after it was delivered. It was reported in the New York Times in what appeared to be a verbatim report, and I assume the responsibility of the speech as printed in that paper. If there are any inaccuracies of diction or grammar I trust that under the circumstances the Senate will overlook them. Inasmuch as it forms the text of the charge against me of having distorted the truth I am going to ask that the Secretary may be permitted to read it. It is not very long. I dislike to burden the Senate with it, but I want the Senate to have the context of what I said in connection with what the distinguished President of the United States complains of in his public statement.

The VICE PRESIDENT. Is there objection? The Chair hears none and the Secretary will read.

The Secretary read as follows:

"I assure you it is a very great pleasure and privilege to be permitted to be with you to-day, because I feel that we are all engaged in the same great work—the work of the preservation not only of our country, but the preservation and perpetuation of civilization itself. Let me disclaim, my friends, any credit for what has been accomplished and for what we hope to accomplish in the great task that confronts us in this emergency. Let me say to you that I have had the cooperation and effort of the great mass of the Members of Congress without regard to party; and in addition to that, and above and over everything else, we have had the support of such distinguished men as the ex-President and ex-Commander in Chief of the Armies and Navies of the United States, and such men as my friend, Mr. Elihu Root, all of whom are here with us to-day.

"In season and out of season these distinguished gentlemen have gone out among the people and have tried to impress upon them, and they have begun to realize, that America, for the first time in its history, is involved in a war which may, my friends, mean its life and its dissolution unless America and her allies happen to be successful in it.

"Because of the limitation upon my time, and I know you are all glad of it [cries of 'No! No!'] it is absolutely impossible to go into this subject as I would love to go into it with you, and to discuss the military policy of the United States, or its lack of a military policy, since the earliest Revolutionary time. It has not been the fact that we have had a faulty military policy during all of those years; it has been, my friends, that we have had no military policy that has led us into these troublous times and conditions. We are wont to talk of the magnificent courage of our forefathers, but it has often seemed to me that the most unfortunate thing that ever happened in this country was the fact that an unorganized militia at Bunker Hill was able to defeat an organized army of Great Britain, because there was then established what was later to be called the traditional policy of the United States against the organization of a standing army, or, rather, of a trained army to be called into service whenever the emergency required.

"BANE OF 'TRADITIONAL POLICY.'

"From that day to this the histories of our country have talked about the traditional policies of the United States, and have commended the valor of the Revolutionary troops. I have no disposition to criticize that statement or to question the valor—the individual valor—of the splendid men who fought the battles of the Revolutionary days, but the lack of organization which was decried by the commanding officers then and which has been decried by them since, and has been criticized, are the troubles which confront us to-day; and if their recommendations had been followed we not only would have had a splendid Army now, but that Army would have been organized and raised under a system of universal military training that would have made us absolutely unconquerable.

"Washington called attention to it, and I have sometimes wondered how that distinguished commander of the American forces, with his splendid aid, Alexander Hamilton, ever had time to organize an Army because they devoted much of their time to appeals to a Continental Congress and to the States to assist them in organizing an Army that might be successful in accomplishment of victory. I wish I could go into these matters and discuss the various battles that were fought; but, incidentally, let me tell you that America did not owe the accomplishment of victory in 1783 to her untrained Army, but she owed it to France and the splendid efforts that France made.

"With all the pacifists that are abroad in the land denouncing America for sending a few hundred thousand men or a million men to France in this day of rapid transit, it is well to remember

that when America, on account of Washington's efforts, appealed to France for assistance, she sent to us under Rochambeau five or six thousand troops across the water, and instead of taking them five or ten days or two weeks to reach America, they were seventy-seven days from the time they left a French port until they landed at Newport, R. I., afflicted with disease, and chased every foot of the way by a British fleet. My friends, if America had nothing else to fight for in this war than to preserve the magnificent French Republic, every drop of blood shed and every dollar of treasure spent would be well spent for this splendid people.

"I am going to skip through it all, because my time is almost up now. We have got to get out of here at 3 o'clock, mind you.

"Traditional policy? It seems to me that a war policy called for by Washington and advocated by him would sustain a policy now of training young men to do battle for their country. We have departed from traditional policy, thank God, and in the last two years we have enacted a law that, as your chairman has said, compels Americans to know that the benefits of citizenship carry with them the responsibility for service whenever that service happens to be needed.

"VICIOUS VOLUNTEER SYSTEM.

"The selective-draft law which has been mentioned here put into service every man between 21 and 30; and it may be said to the credit of these young men who have been drafted that they are rendering just as effective and just as patriotic service as those who have volunteered. I sometimes regret that volunteering has ever been permitted, for the reason that in the loss that we sustain in the battles where there is a volunteer system, as there was in Great Britain, we have a horizontal loss, taking the young, red-blooded people that volunteer for service and leaving those who ought to have shared the fate of their colleagues at the first sound of war. On the other hand, under this system we take from the walks of industrial and commercial and everyday life young men of all classes, so that there is not this horizontal loss that I speak of, but rather a perpendicular loss, where the high and the low, the rich and the poor, the professional man and the artisan, stand shoulder to shoulder, and when losses come, the loss falls on all, every social stratum of life.

"Let me tell you that we are going to extend that. We are going to commence to train the young men from 18 to 21, so that when they become 21 we will have an army of young men to draw from from every walk of life.

"But, say the pacifists, it is unnecessary in the United States to train the young men or to have an army. My friends, there were those in Great Britain who said it was unnecessary; and yet, but for the fact that republican France trained her young men, what would have become of France when the German forces went down and attacked her on her western front? Nothing saved her but the universal military training which that splendid Republic had in vogue. Ah, my friends, let us get away from our prejudices. When those who now advocate universal military training began to advocate it nobody was with them; now the country, thank God, is with them, and the country will see to it that Congress gets with them, too.

"Now, in conclusion, and I have only touched a few of the high spots, let me say that the Military Establishment of America has fallen down. There is no use to be optimistic about a thing that does not exist.

"EVERY DEPARTMENT INEFFICIENT.

"It has almost stopped functioning, my friends. Why? Because of inefficiency in every bureau and in every department of the Government of the United States. [Applause.] We are trying to work it out. I speak not as a Democrat, but as an American citizen.

"A VOICE. You are telling the truth, Senator.

"We are trying [Senator CHAMBERLAIN continued], and I have burned the midnight oil in an effort to do it—we are trying to centralize the power of supplying the Army in one man who can say 'No' and has the nerve to say 'No' when the time comes to say it. We have reported a bill, following the experience of Great Britain and France, creating a director of munitions for this purpose. We have gone one step further, and we have provided a bill for the creation of a cabinet of war, whose duty it shall be to lay out what we never have had, and have not now—a program to carry on this war to a successful conclusion. My friends, this is not an Administration measure; it is an American measure, and comes from Republicans and Democrats alike.

"I want this splendid audience, I want the citizenry of New York, I want you, Mr. Chairman, and all of you, to get behind these proposed laws and see to it that they grace the statute books of America, so that America may play her part in the war. Let us, my friends, rally to the flag of our country without regard to party. Let us see to it that the Stars and Stripes are planted upon the plains of France and be there, as it is here, the emblem of freedom, liberty, and the rights of man.

"Your flag and my flag, and how it flies to-day.
In your land and my land, and half the world away,
Rose-red and blood-red, the stripes forever gleam,
Snow-white and soul-white, the good forefathers' dream,
Sky-blue and true-blue with stars that gleam aright
A glorious guidon of the day, a shelter through the night.

"And so, my friends, whether our flag be planted here or in France, or wherever it may be, let us see that it is the emblem of a better civilization and a better form of government. I thank you."

Mr. CHAMBERLAIN. Mr. President, that address was delivered on the 19th of this month. I returned to Washington the next day, and in the evening of that day I received from the President of the United States a letter, which I send to the desk and ask the Secretary to read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

THE WHITE HOUSE,
Washington, 20 January, 1918.

MY DEAR SIR: You are reported in the New York World of this morning as having said at a luncheon in New York yesterday:

"The Military Establishment of America has fallen down; there is no use to be optimistic about a thing that does not exist; it has almost stopped functioning. Why? Because of inefficiency in every bureau and in every department of the Government of the United States. I speak not as a Democrat, but as an American citizen."

I would be very much obliged if you would tell me whether you were correctly quoted. I do not like to comment upon the statements made before learning from you yourself whether you actually made them.

Very truly, yours,

WOODROW WILSON.

Hon. GEORGE E. CHAMBERLAIN,
United States Senator.

Mr. CHAMBERLAIN. Mr. President, I received that letter too late to attempt to answer it last Sunday evening, but the first thing the next morning, and as soon as my office force came down, I dictated a letter to the President, and I ask to have that letter read into the RECORD.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

JANUARY 21, 1918.

MY DEAR MR. PRESIDENT: I received last evening your favor of the 20th instant, in which you advise me that I was quoted in the New York World of same date with your letter as follows:

"The Military Establishment of American has fallen down; there is no use to be optimistic about a thing that does not exist; it has almost stopped functioning. Why? Because of inefficiency in every bureau and in every department of the Government of the United States. I speak not as a Democrat, but as an American citizen."

You desire to know if I am correctly quoted, inasmuch as you do not like to comment upon the statements made before learning from me whether I actually made them.

In reply permit me to say that the words quoted are substantially those used by me. My address on the occasion referred to was extemporaneous and without notes, but the New York Times of yesterday morning purports to give a verbatim report of all the addresses made, and I believe the report made is substantially correct. In that I am quoted as saying, in part:

"Now, in conclusion, and I have only touched a few of the high spots, let me say that the Military Establishment of America has fallen down. There is no use to be optimistic about a thing that does not exist. It has almost stopped functioning, my friends. Why? Because of inefficiency in every department of the Government of the United States. We are trying to work it out. I speak not as a Democrat, but as an American citizen."

You will note that there is very little difference between the two reports, and, in view of the fuller report in the Times, I am inclined to believe it correctly quotes me.

But, Mr. President, may I beg that you will do me the honor to read the whole of what I said in order that the part quoted may have its proper setting? I only had 20 minutes allotted me, and in that brief time undertook to show that since the Battle of Bunker Hill we had never had a proper military organization or policy and that our troubles now are largely due to that fact. I was only discussing the military policy, or lack of such policy, from the earliest days of the Republic, and immediately following the language last quoted I said:

"We are trying, my friends, and I have burned the midnight oil in an effort to do it—we have tried to centralize the power of supplying the Army in one man who can say 'no,' and has the nerve to say 'no' when the time comes to say it. We have reported a bill, following the experience of Great Britain and France, creating a director of munitions for thi purpose. We have gone one step further, and we have provided a bill for the creation of a cabinet of war, whose duty it shall be to lay out what we never have had—and have not now—a program to carry on this war to a successful conclusion. My friends, this is not an administration measure; it is an American measure and comes from Republicans and Democrats both."

All present understood the criticism, and you will note that ex-President Roosevelt in his speech shortly following mine made substantially the same criticism of conditions during the Spanish-American War, although, as he said, "It was waged by an administration of which I was a part and in which I afterwards became even more closely connected."

I have been connected with the Committee on Military Affairs of the Senate ever since I have been a Member of the Senate, and have

taken a very deep interest in military legislation, and I believe I know something about the deficiencies in the Military Establishment. Since Congress convened the committee have been diligently at work endeavoring to find out actual conditions and to find some remedy for recognized or proven deficiencies in our military system. The testimony of witnesses in and out of the establishment clearly establishes the fact, Mr. President, that there are inefficiencies in the system that ought to be remedied for a proper prosecution of the war, and, further, that there are and have been inefficients connected with the administration of a disjointed and uncoordinated establishment. So feeling and so believing, I have felt it my duty to speak out, in the hope that defects in the military code may be cured and inefficients later weeded out. I will be glad to join with other members of the committee and go over the situation with you at any time, if you desire it, and review the testimony which, taken in connection with an inherited deficient system, led me to the conclusion expressed in my short extemporaneous address to which you call my attention.

I have the honor to remain, yours, very sincerely,

GEO. E. CHAMBERLAIN.

President WOODROW WILSON,
The White House.

Mr. CHAMBERLAIN. Mr. President, to that letter I received no reply; I do not know that any reply was necessary; but on the afternoon of that day—last Monday—there was printed in the evening papers, and generally printed throughout the United States, a statement by our distinguished President, and I assume that that is the answer to the letter. The press was kind enough, small as I am compared with our distinguished President, to print with his statement a very brief statement which I made to them upon reading the President's statement. I ask that both be read, Mr. President.

The VICE PRESIDENT. Without objection, it is so ordered.

The Secretary read as follows:

DOCUMENTS IN CLASH ON POLICY.

[Washington Herald, Jan. 22.]

By WOODROW WILSON.

Senator CHAMBERLAIN'S statement as to the present inaction and ineffectiveness of the Government is an astonishing and absolutely unjustifiable distortion of the truth.

As a matter of fact, the War Department has performed a task of unparalleled magnitude and difficulty with extraordinary promptness and efficiency.

There have been delays and disappointments and partial miscarriages of plans, all of which have been drawn into the foreground and exaggerated by the investigations which have been in progress since the Congress assembled—investigations which drew indispensable officials of the department constantly away from their work and officers from their commands and contributed a great deal to such delay and confusion as has inevitably arisen. But by comparison with what has been accomplished, these things, much as they are to be regretted, were insignificant, and no mistake has been made which has been repeated.

Nothing helpful or likely to speed or facilitate the war tasks of the Government has come out of such criticism and investigation—I have not been consulted about them and have learned of them only at second hand—but their proposal came after effective measures of reorganization had been thoughtfully and maturely perfected, and inasmuch as these measures have been the result of experience, they are much more likely than any others to be effective, if the Congress will but remove a few statutory obstacles of rigid departmental organization which stand in their way.

The legislative proposals I have heard of would involve long additional delays and turn our experience into mere lost motion.

My association and constant conference with the Secretary of War have taught me to regard him as one of the ablest public officials I have ever known. The country will soon learn whether he or his critics understand the business in hand.

To add, as Senator CHAMBERLAIN did, that there is inefficiency in every department and bureau of the Government is to show such ignorance of actual conditions as to make it impossible to attach any importance to his statement.

I am bound to infer that that statement sprang out of opposition to the administration's whole policy rather than out of any serious intention to reform its practice.

By GEORGE E. CHAMBERLAIN.

My argument was directed to the Military Establishment and not to the General Government. Those who heard me know that.

I had no prepared speech and did not speak from notes. I delivered an extemporaneous address to the people there, explaining that since Bunker Hill we had had practically no military organization or policy. I discussed the subject from that viewpoint for 20 minutes.

I said the Senate Military Committee had tried to correct the evils by the introduction of the two new bills. One, written by me, is the director-of-munitions bill. The other, written by a subcommittee, is the war-cabinet bill.

I still stand for both.

Mr. Baker's efforts to better his organization within the Military Establishment itself have been commendable. He has tried to do something. Some improvements have been made in the system in vogue.

But in his plan the inherent weakness, in the last analysis, is that there is no one between the President and the Army able to act. The new system of Mr. Baker comprises the clearance board of the War Industries Board and the various purchasing departments. There is the inherent weakness. They can not act.

The war cabinet and the director of munitions have distinct and positive power. One maps the progress for the future, the other furnishes supplies for the Army. They constitute a strong link in a chain, which is never stronger than its weakest link.

We substitute for voluntary bodies a strong organization.

I regret that the administration is against the plan. But I will proceed with the bills. I feel it my duty as a Senator. The people of the country are entitled to be let into the confidence of the Senate Military Committee and the committee considers that the bills are necessary in order that the war preparations may be coordinated.

Mr. CHAMBERLAIN. Mr. President, the statement of the President challenges me, of course, to the proof of my statement as printed in the New York Times, to which I adhere, and which I now repeat. Whether my colleagues or the country will take the evidence by its four corners and reach the same conclusion that I have reached is an entirely different proposition. They may not see it from the same angle that I see it. Two men may read the same article and draw different conclusions from it. Two men may hear one witness testify and draw different inferences from what he said. Those are the inherent differences in human nature. But occupying the position that I do, Mr. President, as chairman of this great committee, associated as I have been with Democrats and Republicans whose single aim and effort has been to develop conditions as they exist without fear or favor or the hope of reward, I felt as an American citizen, and I feel as a Member of this distinguished body, that it was my duty to say the thing that was in me. If I succeeded, Mr. President, in making a rift in the clouds and letting the sunlight into the dark places where the American people are entitled to go and see, I feel that my efforts and the efforts of my colleagues, for whom I entertain the highest regard and respect, have not been in vain in an endeavor to save our country in the pending crisis.

The evidence has not yet been printed. That has not been due to any fault on the part of the committee, but, because of its importance, the testimony of each witness has been sent to him in order that he might revise it, and that the country might get the evidence as it came from the lips of the witnesses. I hope it will be finished to-day, so that the Senate may have it. But now, Mr. President, in view of the fact that my truthfulness has been called in question, I feel it my duty, not to go into detail—because it would take me days to do that—but to say some things here in all kindness, and to tell the country some things that possibly I might not have told under ordinary circumstances until the investigation now in progress had been completed. I shall do it as a man who loves his country first of all, a man who would sacrifice not only his own life but the life of every member of his family to save it. I shall do it fearlessly, and as an American citizen who wants to help and not hinder the President in this emergency.

I rather think, Mr. President, that it is not that I have distorted the truth, for I have sometimes feared that in the multitude of cares and responsibilities that have devolved upon the President of the United States he has not been able to ascertain the truth. If he has relied upon some of those who have come before our committee, Mr. President and my fellow Senators, he does not know the truth, and from the lips of some of those who have testified and who are closest to him he can not find the truth; not because there has been a disposition to deceive or mislead our distinguished Executive possibly, but simply because they, too, are so situated, in the multitudinous affairs of this great crisis, that they can not ascertain the truth; and even if they could ascertain the truth through the labyrinth of things that pass over their desks and through their offices each day, it would be impossible for them to remember it for any purpose. So this investigation was started, Mr. President, with a purpose to be critical where criticism was necessary and with the purpose to be constructive as well; and this committee would not have discharged its duty to the Senate and to the country if it had gone about the work with any other purpose in view than to criticize where criticism was just, and to offer suggestions of a constructive nature where that was proper.

Mr. President, the Secretary of War, in his general statement to the country—which was carefully written and prepared—tells us that $3,200,000,000 have been appropriated for the Ordnance Department and contracts have been let for $1,677,000,000; all of which is true. But the Secretary fails to tell us, Mr. President, in his statement to the country, and it only comes out in the course of a cross-examination, that America stands to-day unprepared so far as ordnance is concerned. I challenge anybody to read the testimony and come to any other conclusion. Poor, bleeding France, my friends—bled white, not only for her own life and for the liberty of her own citizens but for America as well—is to-day furnishing our troops as they arrive in France the necessary heavy ordnance and machine guns for aircraft and for ground service. Why, Mr. President, if we relied upon the Ordnance Department in this emergency to furnish our troops with the heavy ordnance—and this is largely a war of artillery to-day—the war would be over before we ever got to the front.

Why, there is testimony, if I correctly remember it, before the Military Affairs Committee that along some of these fronts the cannon—and heavy cannon, if you please—are located 5 yards apart for a distance of 6 miles; and yet America, this great and magnificent country, is dependent upon poor France to deliver

the ordnance! Did France agree to deliver it in order to win over reluctant America? Did she agree to furnish it in order to encourage and hearten America? What would happen to France with the debacle in Italy, Senators, where her own troops are and where the troops of her allies are if she is to furnish ordnance to America? What is France to do for them in case of an emergency and a desperate battle for the life of one of her allies?

I will not go into details. I do not think it would be proper to go into details, but I call to the attention of the Senate the confidential evidence of Gen. Crozier himself as to the amount of contracts which the Secretary speaks of as having been let, and as to the progress of the work. If the administration wanted to be fair with the American people—and they are entitled to fair treatment, and to know these things—why did not the distinguished Secretary, whom I hold in the very highest regard as an able and intellectual gentleman, tell the American people how long it would take to make deliveries under these contracts and let them assist in getting ready for this terrible cataclysm that not only confronts America but confronts the world?

What has the Ordnance Department been doing since 1914? Was there even a half-witted American citizen who at the very outset did not know and realize that there was a chance that America might become involved? There were omens in the sky, my colleagues, that indicated that America would become involved, notwithstanding her desire to keep out. She could not keep out. What was the Ordnance Department doing? Nothing. Here we were from August, 1914, until the declaration of war in April, 1917, with the Ordnance Department lying supinely upon its back, making no plans, constructing no gauges, manufacturing no dies, doing absolutely nothing to ascertain what were the possibilities in raw material and the possibilities of manufacture. It would not have taken any time, it would not have cost much, if anything, to have done that. Congress appropriated quite a large sum in two or three appropriation bills for the purpose of manufacturing dies, jigs, and gauges to be used in the construction of all of these implements of artillery warfare. That money has not been expended; and yet every business man and every sensible man in this country knows that for quantity production it is absolutely necessary to have the gauges and the jigs and the dies, so that when you are ready to manufacture all you have to do is to send them out, so that guns may be manufactured along those lines. What was the Ordnance Department doing? Nothing.

I am not blaming anybody in particular, Mr. President, but I am calling attention to facts and blaming an inefficient system. I have a very high regard for Gen. Crozier. He has made his reputation in the Army, and his life has been spent in the service of his country. We have not been able to do what Great Britain has done and what France has done and what Italy has done and what every one of our allies has been able to do, and that is to retire these gentlemen who have not proved themselves up to the mark when it comes to getting ready for war. We ought not to dismiss them in disgrace, but certainly they ought not to be continued in places where they have failed, or be promoted to higher rank. France has not hesitated to retire them to the shades of private life, or to the shades of inactive military life, if you please, into positions of innocuous desuetude. Great Britain has not hesitated to do it at any time. Why should America hesitate?

Senators, it is not a question of the individual or of individuals. This is not a question between the distinguished President of the United States and myself. It is a question of America; and every man in America ought to forget party, forget individuals, and forget everything, so that his whole thought and his whole life and his whole purpose may be devoted not only to the protection of the Republic but also to the perpetuation of our own institutions and the institutions of the civilized world, all of which are involved.

Oh, my colleagues and friends, I want you to read this testimony, and I want you to read it prayerfully and carefully and tearfully, if need be.

Take the question of machine guns. I am not going into the merits of any particular gun. That has been an old controversy here for years. There are things that can be said on both sides of it. Here was the Lewis gun, that was being manufactured in America for Great Britain. She had 70,000 of them on the battle front, and the testimony of every British soldier that I have seen is as to the excellent character of the gun. There are several kinds of machine guns. America was manufacturing in large numbers and on large contract the Lewis gun for export to the allies and was prepared to turn them out in large quantities. And yet, while we stood along the edge of a seething volcano, we were trifling along through the Ordnance Department, trying to find a machine gun. With this war on, and America in it, we did not even adopt a machine gun until along in May sometime, and it was not finally adopted, I believe, until sometime in June. Then they adopted another gun—not the Lewis gun, that was being used on the battle front in Europe, but a gun that was still a gun on paper, and it is a gun on paper to-day—I do not care what anybody says about it—because it has never been given a field test. It has been developed, Mr. President, that all of these guns have to be experimented with and developed and changed and modified in one form or another before they can finally become an implement of warfare in the proper sense of the word.

It may be that the Browning gun, the one adopted, is the best gun. It is an automatic rifle. There are two classes of the Lewis gun, one light and one heavy. We are manufacturing the Lewis gun, and manufacturing it for aircraft. If they are good for that, why could we not have adopted the plans then in vogue, and have manufactured the Lewis gun, even if it was not the best gun, until final tests had discovered the best? They are the modern implements of war with heavy artillery, Mr. President, and without them America could not get anywhere. We are going to use them on the aircraft. The reply to the criticism of the tardiness in adopting a machine gun is: "Well, we have thirty or forty thousand of them for aircraft, the lighter kind." But, Mr. President, what I complain of is that they were not manufactured in large quantities in factories that were then manufacturing them for the British Government and for other countries.

I think the Secretary testified in regard to the contracts for the Browning gun. Contracts are out, and the guns are to be delivered some time at varying dates in the future. I ask you to read Gen. Crozier's testimony. I do not want to go into that. I do not think it would be proper to go into it; but we are advised that we have got some manufactured. The Secretary testified some time during the middle of January that we had nine guns at that time—nine Browning guns—nine guns to go up against the thousands of the machine guns of Germany. It may be that having nine shows that there is now an opportunity for quantity production, because the gauges may be ready; but we have been in the war 10 months, and nothing has been accomplished in the way of securing these guns.

I noticed in reading the proceedings of the British Parliament not long ago—and I think he was right—a member said, "You need not be afraid about giving Germany any information." Germany knows more about America to-day than many men connected with the department; and so far as I am concerned, my colleagues, I feel that America would be better off if her representatives would come out in the spot light and let the plain people of this land know what is being done, and then you could rely upon them to rally to the support of the President for the successful prosecution of this war. There is not any question about that.

Let us now consider the question of rifles.

We were furnishing Lee-Enfield rifles to the British Government in large numbers. The factories were prepared for them. It is true that Great Britain was trying to make an improvement upon the rifles used by her when she became involved in the war, but when the war came on Great Britain said we will not waste any time improving our rifles, but will get them out just as fast as we can, and they have been manufacturing them ever since. What did America do? With 700,000 rifles in America and in our colonial possessions, a motley group of different kinds of guns, America was seeking, through the Ordnance Department, to improve the rifle that Great Britain was manufacturing here and which we could have put out without any trouble in the factories. We went to work through the Ordnance Department to improve the Enfield rifle. I am frank to say it is a great improvement. I believe it is a better gun than the English gun, but here while the house was burning America was determining through its Ordnance Department what instrumentalities ought to be adopted to put out the fire. It took weeks and months before they finally got the Lee-Enfield rifle into condition where the Ordnance Department thought it was all right. And after this was agreed upon there were further delays caused by indecision. Here were the engineers of these great arms companies, who got together and finally agreed upon a program for the manufacture of these guns, and concluded that they would manufacture them with seven interchangeable parts, and they started to manufacture the gauges, the jigs, and dies, and everything necessary for the manufacture of guns with seven interchangeable parts. After the Ordnance Department had practically accepted the suggestion it went to work through a distinguished ordnance officer and changed the plan from 7 to 40 interchangeable parts, and finally raised it to over 50 interchangeable parts, with the result that everything had to be stopped for awhile that additional gauges

might be made. This may have resulted in improvement, but why the delay in the midst of the smoke of battle?

Mr. President, these things were only brought out by this investigation. You do not find them elsewhere. Why should not the American people be informed of them? Senators, there are a lot of people out in the wild and wooly West where I come from who, lying back in their cabins and in their homes, perfectly content that America has everything she wants, and they are not worrying themselves, and they are fathers of boys at the front. If they only knew, these mothers and these fathers, patriotic citizens of the West, the actual conditions, every one of them—every woman and man—would be up and doing and ready to give their lives and their all for the purpose of protecting America.

The casual reader of the Secretary's statement would conclude that we had everything in the way of ordnance and yet, take the testimony of men on the ground like Gen. Greble—we only called two or three, we did not want to take them away from their duties—and we find the conclusion would not be justified. Take Gen. Greble, commanding general at Camp Bowie. He testified that they have not a single trench mortar. They have not machine guns to any appreciable number, not enough to train machine-gun men. The testimony of all is that the machine-gun man is not worth anything unless he has had some practice with a machine gun. They have not any howitzers; they have not any of the larger caliber guns. Senators, that is true of Camp Bowie, and it is true of nearly every cantonment and regular division in the United States. I am not saying it by way of complaining, Mr. President, but I am trying to show, and I want the American people to realize, that as to military program and policy America has none and that her military establishment as recently constituted has fallen down. If it had not been for the civilian people of this country, if it had not been for the men who have come here and given their time and their services, we would not have been anywhere.

I have in what I have said only briefly touched upon the Ordnance Department. Now I come to the Quartermaster's Department. You would conclude from the statements that are printed in the press of the country, that "everything is lovely and the goose hangs high," so far as clothing was concerned, but get on the ground and talk with men who are in command of these boys and you will find the conclusion is wrong; that is all there is about it. On a per capita basis it may be. My friend from Utah [Mr. SMOOT] and I on a per capita basis may be worth $100,000. He may have the $100,000, but per capita I am worth just as much as he is, and yet I do not have anything. On the same test of a per capita basis America may have uniforms, but when you come to the proper distribution of uniforms they have not had them and they have not got them yet.

I realize the great difficulties that have confronted the Quartermaster General. I am not complaining of him as an individual. He has done the best he could under a faulty system, and the President is not responsible for the system. He inherited the system. He has done the best he could. But we are without the clothing just the same.

Now, I am going to show by Mr. Baker's testimony that he did not know it, and that is the reason why I am saying that the President, the premier of all the great statesmen of the world, if you please, recognized as the leader of thought in this great international cataclysm, and I say amen to it, did not know the truth, and I did. I had it from the lips of living witnesses. He must have gotten his facts from his distinguished Secretary of War and he in turn got them from somebody else, and if those who furnished the evidence knew the facts, they did not tell the whole truth. If the Secretary represented conditions to the President on their statement he could not have given the President the whole truth, for he did not know it.

My statement is challenged, my integrity is in question. I am going to pass around to the Senate some of the pictures taken in one of these cantonments, of young men drilling in the cold, in the snow, and working in the trenches and using wooden guns and other ordnance that they manufactured in the camps. That is all right; I am not complaining of it, but I am showing the facts. If I had a boy going to France to join a machine-gun company or an artillery company, I would want him to have had some practice with something else than a wooden cannon or a telephone pole used for a cannon before he went over. I want Senators to see these pictures. I do this, Mr. President, because I feel it a duty that I owe first to my country and second to my conscience, and no man and no set of men on God's green footstool can keep me from telling the truth and carrying out the dictates of my own conscience. I have no fear of God, man, or devil. My only fear, my colleagues, was that in this discussion in some way or other it might have a psychologically bad effect upon my country and its cause, and yet I do not see how it can do otherwise than help. If these conditions exist, they ought to be corrected and corrected quickly. Great Britain found the same conditions and she corrected them pretty quickly as a result of fearless criticism. France found the same conditions and corrected them. America can not get her Army to manufacture these things. I do not care what they say, the graduates of military institutions stand at the top of their classes it may be, but when it comes to a young man trained along a particular line of duty undertaking to handle great commercial and manufacturing enterprises it is not in him to do it. You must go to the men who have done these things in order to secure results. Great Britain did that and France did it, and why should we not take this matter up and if Congress feels that there are inefficiencies it ought to correct them, though the heavens fall. Congress ought to do it without any fear of anybody, giving due weight and consideration always to the distinguished Commander in Chief of the Army and Navy.

Now, what has been the result? I want you to read the Secretary's statement printed in the hearings about having substantially all these things in the way of equipment. While he was on the stand a few days ago, reiterating again the statement that our soldier boys were equipped, I said to him, in substance, as I took my seat at the head of the table with my distinguished colleagues, "Why, Mr. Secretary, I have just talked within the last five minutes with a commanding officer at one of these cantonments, and he tells me that he is short 7,000 coats." In his usual placid way he said, substantially, "That is not true." I said, "He just came from there and is it not true?" He turned around to the Assistant Secretary of War, and said to him, "Telegraph to the Quartermaster General and get his report." On the next day, the 14th of January, I got this letter from the Secretary:

WAR DEPARTMENT,
Washington, January 14, 1918.

MY DEAR SENATOR CHAMBERLAIN: On Saturday morning one of the members of the committee said that he had just talked with the commanding officer of Camp Sherman, and that there were, as I recall it, 3,000 men there without uniforms. You will recall that I asked the Assistant Secretary to direct at once that a telegram be sent to the camp to find out the facts.

I inclose a telegram which came on Saturday, the same day upon which the statement was made, and which states that the 31,024 men now at Camp Sherman were at that time all in uniform, and that a previous shortage of approximately 7,000 coats was at that time provided for.

I send this information because, as you will recall, I ventured at the time the statement was made quite definitely to express a disbelief in its accuracy.

I will say this for the Secretary, when he did not know he was very positive.

This telegram I think should be called to the attention of the members of the committee, as it is of the highest importance to have them know both that this provision has been made and that the information upon which I have been relying in my testimony to the committee is not inaccurate.

Cordially, yours,
NEWTON D. BAKER,
Secretary of War.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate.

The telegram is as follows. It came from the quartermaster addressed to Gen. Goethals.

CAMP SHERMAN, OHIO, *January 12, 1918.*

GOETHALS,
Quartermaster General of the Army, Washington, D. C.

Re tel. date, 31,024 men now at this camp all in uniform. Previous shortage of approximately 7,000 coats provided for.

CASE,
Camp Quartermaster.

That convinced me that the Secretary of War knew what he was talking about, and I was glad to have it confirmed, because there were some things I thought he was misinformed about. On the very next day, January 15, he sent me this letter:

WAR DEPARTMENT,
Washington, January 15, 1918.

MY DEAR SENATOR CHAMBERLAIN: I send you a telegram which has just been received from Camp Sherman. The information in it differs from that contained in the earlier telegram, which I sent you yesterday and which arrived on Saturday. Apparently the information given to you by Gen. Glenn as to the blouses was accurate. This telegram, however, shows that an adequate supply is in shipment, though not received by the time the telegram was sent.

Cordially, yours,
NEWTON D. BAKER,
Secretary of War.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate.

That is the way it has been ever since the war commenced. It is on the way, but does not get there. Now, what does the telegram say?

CAMP SHERMAN, OHIO, *January 15, 1918.*

GOETHALS, PER HARDEMAN,
Office Quartermaster General, Washington, D. C.:

Thirty-one thousand one hundred and four men now in camp. All have overcoats and woolen breeches. Twenty-four thousand two hundred and four have complete uniforms. Sixty-nine hundred not yet supplied with coats, supply of which is now in shipment.

CASE,
Camp Quartermaster.

So the distinguished Gen. Glenn, commanding at Camp Sherman, a man whom I have always found willing to tell the truth, was nearly right. He comes from North Carolina, as whispered to me by the Senator from that State [Mr. OVERMAN], God bless him; I wish we had more like him. Speaking from memory only, he missed it by 100, and I think I shall show by Mr. Baker's own testimony that when he made the statement that all these places were equipped he was mistaken. But that is not all I am going to show you. With all these statements, time and again iterated and reiterated, that our boys are substantially provided for, this committee asked The Adjutant General of the Army—this was a little after the 1st of January—to wire the cantonments and other commanding officers to furnish us with information as to the actual conditions in the cantonments and the conditions as to equipment C. Equipment C is the clothing outfit of a private soldier. In due course that information came to us. In the face of this statement that had been repeatedly made, that that equipment was all furnished or was substantially furnished, made upon the part of the Secretary of War and probably by the Quartermaster General, too, on the 12th of January the Secretary sends up to the committee the following:

WAR DEPARTMENT,
Washington, January 12, 1918.

Hon. GEORGE E. CHAMBERLAIN,
Chairman Committee on Military Affairs,
United States Senate.

MY DEAR SENATOR: Pursuant to telephonic request of your committee to The Adjutant General of the Army that a report be obtained showing in percentages the shortages of articles of equipment C quartermaster supplies at the different divisional camps as of January 1, or as near that date as possible, a telegram was sent all division commanders, and I now have the honor to submit to your committee, attached herewith, a tabulated sheet showing the state of equipment as disclosed by these replies.

Figures represent shortages in percentages. Where blank spaces exist, no shortages were reported.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

That information comes to us through the Secretary of War himself, contradicting over his own signature and in his own letter his previous statement that the equipment was all there.

I am not going to take time to read the statement of shortages, but I am going to ask that it may go into the RECORD because I want people to see. I want them to see whether or not I am distorting the truth when I say that the Military Establishment of America has fallen down. I propose to relieve myself of responsibility if the worst ever comes, so that I may go home to my family and to my friends and to my constituents and say, "I tried to invite the attention of the country to it, but they listened rather to those higher in authority, and my voice was as of one calling in the wilderness."

This statement contains the list of articles that go to make up the equipment and it shows the shortages. I ask that it may be printed in the RECORD.

The VICE PRESIDENT. Without objection it is so ordered.

The matter referred to is as follows:

	Bags, barracks.	Clothing.	Belts, waist.	Breeches, cotton, O. D.	Breeches, woolen, O. D.	Coats, denim.	Coats, cotton, O. D.	Coats, woolen, O. D.	Cords, hat.	Drawers, cotton.	Drawers, woolen.	Gloves, horsehide.	Gloves, riding.	Gloves, woolen, O. D.	Hats, service.	Hats, denim.	Laces, legging.	Laces, shoe.	Leggins.	Ornaments.	Shirts, flannel, O. D.	Shoes, marching.	Shoes, field.	Stockings, cotton.	Stockings, L. W.	Stockings, H. W.	Undershirts, cotton.	Undershirts, woolen.	Slickers.	Overcoats.	Ponchos.	Trousers, denim.	Pins, shelter-tent.	Shelter halves.	Brassards, red.	Brassards, blue.	Whistles and chains.	Chevrons.	Leggins, mounted.	Bars, mosquito.	Bed sacks.	Cots.	Blankets.
Third Regular Division	10	..	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
Fourth Regular Division	54	..	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54	54
Sixth Regular Division	..	..	..	..	83	..	..	90	..	..	68	..	..	..	..	46	..	..	..	44	..	44	48	100	..	53	..	..	64	..	44	..	..	..	..	..	..	..	..	..	..	..	80	16
NATIONAL GUARD DIVISIONS.																																										
Twenty-seventh, Camp Wadsworth, S. C.	2	..	2	13	20	18	18	18	..	11	4	77	21	16	3	..	..	..	13	..	15	1	11	76	19	79	14	4	15	1	60	..	..	..	..	..	..	..	..	..	..	..	..
Twenty-eighth, Camp Hancock, Ga.	50	..	..	..	50	55	40	47	..	..	..	90	75	66	..	90	50	..	..	95	..	..	..	15	27	..	95	8	..	35	..	..	90	6	..	..	..	..	..	80	40	..	..
Twenty-ninth, Camp McClellan, Ala.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Thirtieth, Camp Sevier, S. C.	..	..	..	..	65	..	..	60	..	..	..	..	..	..	..	..	..	..	..	100	..	..	..	40	..	..	..	..	..	65	..	..	..	..	30	..	..	..	..	..	..	..	..
Thirty-first, Camp Wheeler, Ga.	..	..	..	..	30	..	..	39	..	..	..	..	..	47	7/10	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	5	..	..	..	..	..	..	..	..
Thirty-second, Camp MacArthur, Tex.	4	..	..	..	9	..	..	21	1	..	5	..	11	16	1	..	20	20	1	100	3	..	10	..	8	..	..	5	4	3	4	..	1	5	..	..	..	..	..	..	4	..	..
Thirty-third, Camp Logan, Tex.	..	..	..	..	50	..	..	50	25	..	..	20	..	..	..	..	50	..	25	75	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	5	75	15	50	..	..	..	..
Thirty-fourth, Camp Cody, N. Mex.	5	..	..	..	50	..	..	50	..	..	..	..	..	..	..	..	..	..	..	100	..	..	..	..	..	..	..	..	84	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Thirty-fifth, Camp Doniphan, Okla.	..	..	..	..	40	..	..	53	..	..	..	20	..	..	..	..	32	..	..	90	..	..	..	..	..	13	..	..	..	..	..	..	..	..	..	..	..	10	34	..	..	..	..
Thirty-sixth, Camp Bowie, Tex.	..	..	..	..	50	..	..	50	..	..	..	100	100	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	5	..	..	..	..	..	..	..	..
Thirty-seventh, Camp Sheridan, Ala.	..	..	..	..	38	..	..	59	..	..	..	..	..	..	..	92	..	..	..	..	..	..	..	92	..	16	..	..	10	31	..	..	91	..	..	..	..	..	..	..	..	..	..
Thirty-eighth, Camp Shelby, Miss.	29	..	..	..	56	..	..	61	..	..	23	..	..	45	..	..	..	..	..	..	..	..	..	..	..	50	..	..	34	..	..	2	..	..	27	..	..	..	..	..	..	..	..
Thirty-ninth, Camp Beauregard, La.	50	..	..	..	38	..	..	50	..	..	28	..	78	..	..	..	..	..	..	..	10	..	..	..	..	18	..	..	16	6	..	..	..	..	50	..	..	..	..	..	..	..	..
Fortieth ,Camp Kearney, Cal.	66	..	..	20	35	..	..	78	..	..	81	6	..	..	..	..	..	..	..	..	..	..	..	78	..	39	..	..	45	..	7	14	57	72	..	..	..	..	..	..	..	..	..
NATIONAL ARMY DIVISIONS.																																										
Seventy-sixth, Camp Devens, Mass.	..	..	..	..	17	..	..	40	..	..	..	50	..	..	17	..	58	..	56	..	..	..	..	48	..	19	91	..	..	..	..	..	..	..	24	..	..	..	58	..	11	..	..
Seventy-seventh, Camp Upton, N. Y.	..	..	..	..	..	..	..	25	2	..	..	..	..	..	..	..	96	..	..	..	..	..	..	..	..	30	..	..	..	10	..	..	..	19	80	..	..	..	..	..	..	..	..
Seventy-eighth, Camp Dix, N. J.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	5	..	..	..	..	1	..	..	..	..	..	..	5	..	..	..	..	..	..	..	..	..	..	..	..	..
Seventy-ninth, Camp Meade, Md.	..	..	19	..	16	..	..	52	..	..	..	60	..	20	..	..	90	..	..	4	..	..	..	..	..	..	..	..	..	..	..	6	..	..	..	..	..	..	..	..	..	..	..
Eightieth, Camp Lee, Va.	..	..	..	..	49	..	..	50	..	..	..	..	..	..	..	..	100	..	..	46	..	..	..	..	..	48	..	..	..	..	..	..	..	21	50	..	..	..	..	..	..	100	..
Eighty-first, Camp Jackson, S. C.	..	..	..	7	48	9	..	73	30	..	5	..	..	35	..	..	..	..	..	100	..	..	..	..	..	40	..	..	7	5	..	..	90	70	..	..	..	..	..	..	..	..	..
Eighty-second, Camp Gordon, Ga.	..	..	..	..	17	..	..	25	..	..	10	..	..	..	..	..	..	..	8	..	..	..	..	..	..	20	..	..	10	..	5	18	..	26	26	..	..	..	..	..	..	..	..	..
Eighty-third, Camp Sherman, Ohio.	..	..	..	..	..	..	..	23	..	..	..	..	..	..	..	..	99	..	..	100	..	..	..	..	..	..	..	..	59	..	58	..	..	65	..	..	..	..	..	..	..	..	..
Eighty-fourth, Camp Taylor, Ky.	..	..	..	..	35	..	..	..	10	..	..	98	..	50	..	..	100	25	..	100	..	..	..	..	..	..	..	..	70	..	20	..	50	70	..	..	..	50	..	..	..	..	..
Eighty-fifth, Camp Custer, Mich.	..	..	..	..	25	..	..	75	..	..	..	..	..	20	..	..	100	50	..	75	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Eighty-sixth, Camp Grant, Ill.	..	..	5	..	30	..	..	20	5	..	24	24	..	30	..	..	8	25	12	37	25	..	10	..	21	..	..	19	..	..	..	..	23	23	..	..	..	..	..	..	..	..	..
Eighty-seventh, Camp Pike, Ark.	..	..	..	..	5	..	..	6	..	..	..	..	..	..	..	..	..	..	..	100	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..
Eighty-eighth, Camp Dodge, Iowa.	..	..	..	..	..	..	..	60	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Eighty-ninth, Camp Funston, Kans.	..	..	..	..	50	..	..	17	..	..	..	50	..	..	..	..	..	..	..	100	15	7	7	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	60	10	..	..	50
Nintieth, Camp Travis, Tex.	..	..	..	..	..	..	..	57	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	82	..	..	..	..	..	..	..	..	..
Ninety-first, Camp Lewis, Wash.	..	..	..	..	29	30	..	43	..	..	2	..	..	..	..	..	99	..	..	..	1	..	..	..	..	3	..	..	1	..	..	..	28	..	..	..	..	..	..	..	..	..	..	..
Ninety-second, Camp Funston, Kans.	10	..	..	..	4	..	..	23	20	..	..	..	..	..	..	..	..	..	..	..	8	..	..	..	..	24	..	..	25	..	..	14	..	..	100	..	..	..	..	..	..	..	..	..

Mr. CHAMBERLAIN. Let me take one item for instance. I will take one of the important items—woolen coats—olive-drab woolen coats. In the Third Regular Division it is 10 per cent short; in the Fourth Regular Division, 54 per cent short; in the Sixth Regular Division, 90 per cent short—woolen coats—while we are in the midst of winter, and this is about the 1 , of January. Take Camp Wadsworth, S. C., 18 per cent short. Take the Thirtieth at Camp Sevier, S. C., and there is a shortage of 60 per cent of woolen coats.

Mr. SMITH of Michigan. Where was it that there was a shortage of 90 per cent?

Mr. CHAMBERLAIN. That was at a Regular Army division; I am not sure about where it is situated.

Take Camp Wheeler, Ga., and I am going to call attention to some of the things in connection with these shortages, Mr. President, unpleasant though it may be, in an effort to show the Senate and the country as to the hundreds and thousands of young men who are dying in all of these encampments, that it is due to the inefficiency of the War Department itself; at least that is my conclusion from the testimony. I am not an expert; I do not know; but I charge that I conclude from the testimony that that inefficiency is responsible for it. I am not going to make that statement on my own authority; I am going to read into the RECORD the reports of the Surgeon General. I am not making these statements, Mr. President, without having sat with the committee constantly, never missing a

single minute, except a part of one afternoon when I was called to a department. I know what every witness stated. If I had time to go into details, I could open the eyes even of the Senate.

Take Camp Doniphan, in Oklahoma, where there was a 53 per cent shortage of woolen coats.

Mr. GALLINGER. What was the shortage at Camp Wheeler, I will ask the Senator?

Mr. CHAMBERLAIN. At Camp Wheeler the shortage was 39 per cent of woolen coats.

Camp MacArthur had a shortage of 21 per cent; Camp Logan, Tex., had a shortage of 50 per cent; Camp Cody, N. Mex., 50 per cent; Camp Doniphan, Okla., 53 per cent; Camp Bowie, Tex., 40 per cent; Camp Sheridan, Ala., 59 per cent; and so on down the list. I think the highest shortage in woolen coats was 78 per cent.

Mr. SMITH of Michigan. Did the Senator state the shortage of such coats at Camp Custer?

Mr. CHAMBERLAIN. They are all here. The shortage at Camp Custer was 75 per cent.

Mr. President, I will not read the whole list of these shortages, but Senators may take each item, and it will be found that these camps are short all the way, as I say, from 1 per cent to 100 per cent. This information comes right from the men on the ground. They know what they are talking about; they do not have to make their estimates on a per capita basis. They make their estimates on the ground, just as Gen. Glenn did when I asked him what the conditions were.

Mr. President, right in this connection I feel it my duty to the country to let them know, and I am going to call attention to the reports of Gen. Gorgas himself, that nearly all of the deaths and the epidemics at the cantonments could have been avoided if the War Department had been efficient and effective.

In addition to the testimony of Gen. Gorgas, we have the testimony of men on the ground. We had Gen. Greble come up here. He is a splendid soldier. Whenever you get a soldier who has not any other ambition than an ambition to serve his country, you will invariably get the truth. It is not always so with one of these swivel-chair artists who wants to go higher, and from whom you can not ascertain what the truth is.

Gen. Greble came up here at our request; he is one of the men we took away from his post. Gen. Greble is stationed at Camp Bowie. I want you to read his testimony, because he shows the shortage in everything. In September last Gen. Greble began to see what was coming to his body of fine young fellows, and he began to reach out to try to get the things that were necessary to protect them from disease and to try to have those things done that would save them if disease came. He did not appeal to one man only; he did not appeal through the regular channels only; but he appealed through all channels. They had this body of splendid young men in tents, 12 in a tent, packed together like sardines, when they ought not to have had at any time more than five or six, or, at the outside, not over eight. Gen. Greble telegraphed to the Quartermaster General and stated in substance, "If you do not give us more space for these soldiers we shall have measles and pneumonia and other diseases in camp." He also appealed to Gen. Gorgas, and kept on appealing. Then he was sent to Europe on a mission. When he came back he found the same conditions practically existing. Not until some time in December did he get that for which he asked. Then the epidemic had broken out. As many as 8,000 young men went through the base hospitals and hospitals down there at Camp Bowie. Think of that!

Mr. TOWNSEND. How many?

Mr. CHAMBERLAIN. Eight thousand.

Mr. LA FOLLETTE. And how many deaths were there?

Mr. CHAMBERLAIN. I will give that to the Senator in a minute; I shall be glad to do so.

So, here was an old officer, who was accustomed to handle soldiers and who knew what was going to happen, as any sensible man knew what would happen. The Surgeon General has always advised the War Department that there ought to be 50 square feet of floor space to every man, and in those little tents they had placed 12 men. He did not get his request complied with until the worst had happened, until 8,000 men had passed through the hospitals and many of them had died; and absolutely had died without proper nursing because of the inefficiencies of the same system!

I challenge the Senators to read this testimony; do not take my word for it. You may single out a few witnesses who testify in opposition to what I am now stating, but when you get down to the men who know from actual contact and experience you get the truth as it appears on the ground.

If there is one man in America who knows what he is talking about when he talks about disease and epidemics, and knows how to handle them, it is Gen. Gorgas. He has not only achieved a national reputation, but he has achieved a world-wide reputation for his splendid work at Panama, and he has made that formerly pestilential region a garden spot in which to live because of the efforts of himself and of his subordinates.

I am going to ask that all these reports of Gen. Gorgas be printed in the RECORD. All of these cantonments are radiating centers from which there goes out to the American people everything that is taking place there; and I hope that every young man will write to his mother and his father and tell of the conditions, not in order to stay the patriotism of America but to stimulate those in authority to do their duty to protect their lives, if they are to fight the battles of the country.

Secretary Baker says in his printed statement that—

> The deaths in our forces in the United States from September to the end of December average 7.5 per thousand a year, slightly less than would have been the death rate of men of the same age at home.

Well, maybe that is true, but Gen. Gorgas says that amongst all the troops there has been a death rate of 8.2 per cent covering a little longer time. It is probable that Secretary Baker's statement is correct for the time he gives, and that Gen. Gorgas's data are correct for the time he covers; but what does a little thing like 2 per thousand of a million and a half men amount to? It does not mean anything, of course; let them die; it is only 2 per thousand; they have saved the balance of them. However, if proper precautions upon the part of the Government, if an efficient system had saved one young man who was risking his life for America, the American people would have been glad to have seen the money expended to save that one life. Particularly is that true in the light of the reports of the Surgeon General of the Army, which show that this condition was due to the fact that in most cases the troops were overcrowded and in some improperly clothed.

But that is not all. With that distinguished man at the head of the medical service of the Army and an able corps of assistants here, he was not even advised with as to the selection of the cantonment sites. Mind you, the men who go to these camps are selected men.

Mr. LA FOLLETTE. How many contonments are there?

Mr. CHAMBERLAIN. There are 30. Now, think of that! The man at the head of the medical department here in Washington, with a reputation in his line second to none amongst the professional men in the world, not even consulted with reference to the selection of these sites.

It may be said that, with the officer of the line who selected these camp sites, there went a young doctor. Whether he was from the Medical Corps, or whether he was some post or contract surgeon, does not make any difference to me; what I am getting at is that Surg. Gen. Gorgas was not consulted, and all this time he has insisted morning, noon, and night, in season and out of season, that in order to safeguard the health of these young men there must be at least 50 square feet of floor space to the man; and yet I venture to state, Mr. President, that there is not a single cantonment in the United States that has been built with that idea in view for protecting the young men.

But it may be said that these young men had to be called out quickly. What was the use of calling them out until the cantonments were ready or at least had hospital facilities? They might have been drafted into the service, and might have been assigned for duty at home or allowed to remain somewhere where they would not have been compelled to give up their lives because of a lack of care.

I will take these camps at random, and, inasmuch as I have referred to Camp Bowie, I will call attention to that. I will say to my southern friends and colleagues that the same conditions prevail down there, as you will know if you will take the trouble to go on the ground. First, I will take Camp Sevier, S. C., as a random case. Here is Gen. Gorgas's report:

> Sanitary conditions here are serious. Sixty men have died of pneumonia in the past month. The camp has been exposed to a general epidemic of measles, about 2,000 cases having occurred within the last month. During this same period, they have had 175 cases of pneumonia and 15 cases of meningitis. The new conscripts of this command are men who are nonimmune to measles. They come from the neighboring Southern States where population is scarce, and, therefore, have not had measles in childhood. Always, with measles, a certain number of cases of pneumonia occur. The mortality of pneumonia from any cause is always high.

Now, note:

> 2. The basic unsanitary condition, however, in my opinion, is overcrowding. In the past, in this camp, the division commander has had to put 11 and 12 men in a tent, due to the shortage of tentage. This would give about 20 square feet of space to each man. At present, he has to put nine men in a tent, which gives about 28 square feet to the man. I urge that the division commander be directed to furnish at least 50 square feet of floor space to the man, which would give about five men to the tent.

Now, note another item. I am not going to read the whole report, but I will say these statements are given in the face

of the inference to be drawn from the statement of the distinguished Secretary of War that everything is all right in these camps.

5. There has been a good deal of discomfort and exposure on account of the men having nothing but their summer clothing.

Mark you, this report was made on the 29th of November—

This has been in great part corrected in the last 10 days by the arrival of woolen clothing and overcoats. The O. D. (olive drab) wool has not yet been issued, but the authorities are informed that it is on the way. The whole command is still in khaki.

That statement is along the line of many other statements where it is shown that the men not only do not have olive drab woolen clothing but that they are still in their summer clothing, the Secretary of War to the contrary notwithstanding, because we have this testimony, or some of it, from men on the ground and from such distinguished men as Surg. Gen. Gorgas.

I will now take as another illustration Camp Bowie——

Mr. TOWNSEND. Where is Camp Bowie?

Mr. CHAMBERLAIN. At Fort Worth, Tex. Now, note, I quote again from Gen. Gorgas:

We have had in this camp during the past month 41 deaths from pneumonia, with 409 cases admitted. About 2,900 cases of measles in the same length of time. The causes of this condition are much the same as in the other camps reported upon. The great number of cases of measles is due to this fact.

The general then states about the same reason as given in the reports from which I have already quoted, as to men coming from sparsely settled States, who have not had measles in childhood. I will not read that, but the general goes on to say in his report:

1. I recommend that the division commander be directed to furnish sufficient accommodations so that each man will be allowed 50 feet of floor space. This would give not more than five men to a tent.

2. Measles and other epidemic diseases are introduced into these camps by cases being brought by the incoming troops. To provide against this an observation camp should be established, where all newcomers could be kept under observation for at least 14 days, and no new men should be placed in general camp until it is free from infection. I recommend that the division commander be directed to establish such observation camp, and that no fresh men be sent in until he is ready to receive them under the above instructions.

3. The command, until recently, has had nothing but their summer clothing.

That report was made on the third day of December last.

Mr. SMITH of Michigan. Have no observation camps been established?

Mr. CHAMBERLAIN. None at all that I know of; the men go right into the camps; that is the system. Let me say that all these things could not be done at once; it has been a herculean task for the War Department to do these things, but they could have kept these men back—there is not any question about that—until the hospitals were built as well as the cantonments; they could have established observation camps; that would have been a very easy matter. Now note:

The command, until recently, has had nothing but their summer clothing. This has caused a great deal of discomfort and probably increased the tendency to pneumonia. Most of the command has recently been issued woolen underclothing, and I am informed that the thick clothing for the whole command is now in camp, with the exception of overcoats—

With the exception of overcoats—

and are in process of being issued.

They have been "in process," Mr. President, since this war began.

I urge expediting the forwarding of overcoats as rapidly as possible.

The base hospital is in an unfinished condition; no water in the hospital, no plumbing, or sewer connection. With the large number of patients in this institution this lack of water, plumbing, and sewer connection causes serious inconvenience to the sick, and increases greatly the burden of caring for them.

Mr. TILLMAN. Mr. President, I will ask the Senator what is the date of that report?

Mr. CHAMBERLAIN. That report is dated December 3. They come down even later, however, and there is practically no difference in these reports.

I am going to ask that these reports be inserted in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Chair hears no objection.

The matter referred to is as follows:

NOVEMBER 26, 1917.

From: The Surgeon General, United States Army.
To: The Chief of Staff (through The Adjutant General of the Army).
Subject: Report of inspection of Camp Wheeler, Macon, Ga.

1. In my recent inspection of Camp Wheeler, at Macon, Ga., I found conditions as had been indicated by reports. There had been a sharp epidemic of measles, some 3,000 cases, and as always occurs with measles, a certain number of cases of pneumonia. At the time of my visit, there were some 300 cases of pneumonia in the hospital. While the hospital was crowded, the right of way was given the pneumonia cases and they were being well cared for.

2. In the past month there have been about 60 deaths from pneumonia. The height of the measles epidemic was passed some ten days ago and at the time of my visit the epidemic was markedly on the decline, but the pneumonia was still on the increase. Generally pneumonia does not develop in a patient until a week or ten days after the incidence of the measles.

3. We can, therefore, expect a considerable number of deaths from pneumonia.

4. The camp is well situated and was in generally good condition. I think the reason for the measles affecting so severely this particular camp is the fact that men came from the surrounding Southern States which are sparsely settled and therefore the inhabitants do not, as a rule, have measles in childhood.

5. A large proportion of the cases of pneumonia were evidently contact cases and I am anxious on this score, fearing that we may be beginning here an epidemic of septic pneumonia. We have had a few cases of meningitis, a few cases of scarlet fever and some cases of mumps.

6. Whatever the original cause of the epidemic and the present conditions, all these evils are accentuated by the crowded condition of the camp. The tendency to pneumonia has no doubt been increased by the fact that the men have generally been exposed to the cold weather of the past month with no other protection than their summer clothing. Clothing is now rapidly coming into camp and about two-thirds of the men are supplied with woolen garments.

7. I recommend that it be insisted upon that all men in the camp have 50 feet of floor space each, and to accomplish this such additional shelter be supplied as may be necessary; that no fresh men be brought into the camp until the epidemic has subsided; that an observation camp be established and that all new men be kept under observation until the main camp is free from infection.

W. C. GORGAS,
Surgeon General, United States Army.

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CAMP SEVIER, GREENVILLE, S. C.,
November 29, 1917.

From: Surgeon General, United States Army.
To: Chief of Staff, United States Army.
Subject: Camp sanitation.

1. Sanitary conditions here are serious. Sixty men have died of pneumonia in the past month. The camp has been exposed to a general epidemic of measles, about 2,000 cases having occurred within the last month. During this same period they have had 175 cases of pneumonia and 15 cases of meningitis. The new conscripts of this command are men who are nonimmune to measles. They come from the neighboring southern States, where population is scarce, and therefore have not had measles in childhood. Always with measles a certain number of cases of pneumonia occur. The mortality of pneumonia from any cause is always high.

2. The basic insanitary condition, however, in my opinion, is overcrowding. In the past in this camp the division commander has had to put 11 and 12 men in a tent, due to the shortage of tentage. This would give about 20 square feet of space to each man. At present he has to put 9 men in a tent, which gives about 28 square feet to the man. I urge that the division commander be directed to furnish at least 50 square feet of floor space to the man, which would give about 5 men to the tent.

3. I also recommend that an observation camp be established where fresh men can be isolated and kept under observation for at least two weeks, or until the camp itself shows evidence of being free from infection.

4. The division commander tells me that he expects a large increase in the force at an early date. I urge that no fresh men be sent to this camp until the division commander says that he is able to care for them along the lines of this recommendation.

5. There has been a good deal of discomfort and exposure on account of the men having nothing but their summer clothing. This has been in great part corrected in the last 10 days by the arrival of woolen clothing and overcoats. The O. D. wool has not yet been issued, but the authorities are informed that it is on the way. The whole command is still in khaki.

6. Heat and plumbing are badly needed in the hospital. Both were authorized two weeks ago. I recommend that the matter be pressed and the hospital be equipped in this respect at just as early a date as is possible. The hospital needs badly more transportation. I recommend that they be furnished one motor car, one 3-ton truck, one 1½-ton truck, and one ¾-ton truck. The hospital at present has 750 patients.

W. C. GORGAS.

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CAMP BEAUREGARD, LA., *December 1, 1917.*

From: The Surgeon General, United States Army.
To: Chief of Staff, War Department, Washington.
Subject: Sanitary conditions, Camp Beauregard, Iowa.

1. During the past month this camp has had 38 deaths from pneumonia and 6 from spinal meningitis. During the same length of time they have had 2,300 cases of measles, 177 cases of pneumonia, and 11 cases of spinal meningitis. The immediate cause of the pneumonia from which the mortality comes is the epidemic of measles. Both the measles and pneumonia are on the decline. The sanitary conditions, however, I consider very serious, and steps should be taken at once, as far as possible, to remedy them.

The command is at present quartered at the rate of nine men to a tent. This gives about 28 feet of floor space to the man, and, in my estimation, is excessive overcrowding.

I recommend that the division commander be directed to put up sufficient tentage to give each man at least 50 feet of floor space, which would furnish about 5 men to a tent.

2. The camp has become infected with measles and meningitis by the transfer of infected troops from other camps. To avoid continued infection in this way an observation camp should be erected where new arrivals could be kept under observation for at least two weeks, and for such longer period of time as necessary while the main camp shows evidence of infection. This same precaution should be taken with regard to men being transferred to other camps.

3. The base hospital is located 4 miles from town. I recommend that the hospital be furnished at once with one 2-ton truck, one 1½-ton truck, and one ¾-ton truck, and one motor car, urgently needed for its transportation.

4. The base hospital is located about 2 miles from camp and connected with camp by a very poor road. The road is in such poor condition that the transfer of sick from camp to hospital is hard on the patients. I recommend that the road between the hospital and camp be at once macadamized.

5. The men in general came to this camp in their summer clothing, and have suffered a good deal of discomfort on account of cold. The tendency to pneumonia has been increased by their exposure to the

cold in this badly clothed condition. Within the last two weeks the whole command has been furnished with winter underclothing. About half the men of the command have overcoats, but so far no olive-drab uniforms. The completion of the equipping of the command with winter clothing should be expedited as much as possible.

6. The division commander informs me that the placing of nine men to a tent was due to orders from Washington.

W. C. GORGAS.

—

DECEMBER 1.

Colonel, Medical Corps.

CHIEF OF STAFF,
War Department, Washington, D. C.

During the past month this camp has had 38 deaths from pneumonia and six deaths from spinal meningitis. During the same period 177 cases of pneumonia have been admitted to the hospital and 11 cases of spinal meningitis. An epidemic of measles exists, of which disease 2,300 cases have come on sick report during the past month. I consider sanitary conditions serious, though measles and pneumonia are now on the decline. The camp is much overcrowded, with nine men to the tent. I recommend that the division commander be directed to furnish not less than 50 square feet of floor space for each man, and that an observation section be established for the camp. I recommend that no more men be sent to this camp until the division commander is prepared to care for them along the lines of the above recommendations. Letter follows.

GORGAS.

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MAJOR GENERAL.

CAMP BOWIE, FORT WORTH, TEX., *December 3, 1917.*

CHIEF OF STAFF, *War Department, Washington:*

Sanitary conditions here more serious than at other camps visited. In the last month 41 deaths from pneumonia with 409 admissions. Cause same as at other camps recently reported, primary causes overcrowding. Recommend that the division commander be directed to allow only five men to a tent and that no more men be sent to this camp until division commander says he is ready to receive them. Most urgent need in hospital of water, plumbing, and sewers. Urge this be ordered at once. Letter follows.

GORGAS.

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CAMP BOWIE, FORT WORTH, TEX., *December 3, 1917.*

From: The Surgeon General of the Army.
To: The Chief of Staff, War Department, Washington.
Subject: Condition Thirty-sixth Division, Camp Bowie, Tex.

1. We have had in this camp during the past month 41 deaths from pneumonia, with 409 cases admitted. About 2,900 cases of measles in the same length of time. The causes of this condition are much the same as in the other camps reported upon. The great number of cases of measles is due to the fact that the men come from the sparsely settled States of Texas and Oklahoma and have not had measles in childhood, but the basic cause is due to the overcrowding of the camp. We have at present nine men to a tent. I recommend that the division commander be directed to furnish sufficient accommodations so that each man will be allowed fifty fleet of floor space. This would give not more than five men to a tent.

2. Measles and other epidemic diseases are introduced into these camps by cases being brought by the incoming troops. To provide against this an observation camp should be established, where all newcomers could be kept under observation for at least fourteen days, and no new men should be placed in general camp until it is free from infection. I recommend that the division commander be directed to establish such observation camp, and that no fresh men be sent in until he is ready to receive them under the above instructions.

3. The command, until recently, has had nothing but their summer clothing. This has caused a great deal of discomfort, and probably increased the tendency to pneumonia. Most of the command has recently been issued woolen underclothing, and I am informed that the thick clothing for the whole command is now in camp, with the exception of overcoats, and are in process of being issued. I urge expediting the forwarding of overcoats as rapidly as possible.

4. The base hospital is in an unfinished condition; no water in the hospital, no plumbing or sewer connection. With the large number of patients in this institution this lack of water, plumbing and sewer connection causes serious inconvenience to the sick and increases greatly the burden of caring for them. I recommend that telegraphic instructions be sent to the division commander at once to put in plumbing, water and sewer connections. I also recommend that telegraphic instructions be sent to put in electric cookers in the diet kitchens in all of the wards.

5. I met by appointment last night the governor of Texas and the health officer of the State. They made several criticisms of conditions, which I thought were justified, but they were satisfied, I think, when I pointed out the impossibility of meeting in all respects the conditions that have been suddenly forced upon us, and that we were trying in every way to correct these conditions. A copy of the recommendations of Gov. Hobby, addressed to the division commander, was furnished me at our interview, which is inclosed herewith.

6. There is a great deal of uneasiness and criticism among the people with regard to conditions here, which are worse from a sanitary point of view than in any of the camps I have visited.

7. I think the recommendations I have made will tend to correct the existing sanitary errors, but I can not urge too strongly that they be put into effect at once. The camp site and surroundings are all that can be desired. The troops and general conditions are good, with the exception of such conditions as relate to the epidemic diseases at present prevailing.

MAJOR GENERAL, U. S. ARMY.

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THE BASE HOSPITAL,
Camp Pike, Ark., December 5, 1917.

From: The Surgeon General.
To: The Chief of Staff.
Subject: Report on conditions at Camp Pike, Ark.

1. During the last month we have had at this post 57 deaths from pneumonia, with 241 admissions; 4 deaths from spinal meningitis, with 16 admissions; 2,100 cases of measles admitted; 128 cases of scarlet faver, with 11 deaths—the immediate cause of death in these cases being pneumonia, they are included under that heading; 124 cases of mumps. These figures indicate a serious condition of affairs at this camp. The principal cause of measles, as has been pointed out in other camps, is that a large number of the troops came from the sparsely settled States and had not had measles before. The 16 cases of meningitis occurring within the month, 10 came from Fort Riley. This is an illustration of the way one camp can infect another by means of cases brought by incoming troops. All these infections have evidently been introduced into the camp by troops coming from other infected camps or by men who had been infected at their homes. An important means of preventing this for the future will be the building of observation camps, where the men can be kept under observation for at least two weeks before they are admitted to the general camp. As this camp shows such evidence of severe infection, I think the same observation camp could be established for those going out.

2. Crowding in this camp, I do not think exists to any appreciable extent. When the division shall have been filled, we will have about 40 square feet per man. As this camp shows such marked evidence of infection, I recommend that this be increased by means of additional buildings to 50 square feet per man.

3. The number of cases of measles admitted has been declining rapidly for the past 10 days, and I believe the present epidemic is over. The number of cases of pneumonia from measles, as would be expected, is on the increase and we should naturally expect a greater number of deaths from this disease during the next week or 10 days. Within the last 15 days 8,000 new men have been introduced into the camp. It is possible that when these 8,000 men begin to show infection, we will go through an epidemic similar to that through which we have just passed. However, as most of these men come from the thickly populated State of Iowa, I do not think it probable that they will have measles as severely as the men who have just been through the epidemic, but certainly until this matter is determined and the camp is free from infection, no additional men should be sent here. I recommend that the division commander be directed not to receive more men until he is able to comply with the recommendations above made concerning space and observation camps, and until this camp shows evidence of being free from infection.

4. One great difficulty here is lack of segregation. In Camp Bowie, for instance, if we get a case of meningitis in a tent of nine men it is a very easy matter to segregate these nine men and determine whether or no they have been infected. Here, with a squad room containing 120 men, this is much more difficult. I urge, therefore, that in extending this camp, as above recommended, that the quarters to be erected for this purpose and for the purpose of isolation contain not more than eight men.

5. The command has been in its summer clothing until recently. During the last month the winter clothing has begun to come in and the men are now pretty well supplied with thick clothing, though there are several commands in the camp that have not yet been fully supplied. This lack of clothing with the exposure to the cold has no doubt been an element causing large pneumonia rate.

6. The camp is well located and the camp site good. Cleanliness and order and general sanitary conditions, with the exception of the epidemics, seem to be excellent.

7. The hospital is nearly completed and is as well supplied as could be expected under the circumstances. At present they have in the hospital 1,251 patients. This somewhat crowds the hospital, as it was built for a thousand patients. The overflow is at present being cared for, and I think well cared for, by the use of the galleries. Additional nurses' quarters are needed, additional officers' quarters at the hospital, and additional barrack buildings for hospital attendants are needed. A small kitchen in the rear of the wards for contagious diseases and some addition to the administration building are needed. The hospital is very short of transportation. I recommend that one touring car and one ¾-ton truck and one 1½-ton truck be permanently assigned to this hospital.

SURGEON GENERAL.

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CAMP FUNSTON, KANS., *December 7, 1917.*

Colonel, Medical Corps.

CHIEF OF STAFF, *Washington, D. C.*

Strongly recommend that sites for detention, quarantine, observation camps, as selected on this reservation by the commanding general, Camp Funston, be approved. Action now being delayed by post commander on technical grounds of local command. Urgent that action be taken at once.

GORGAS.

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CAMP FUNSTON, KANS., *December 8, 1917.*

From: The Surgeon General.
To: The Chief of Staff.
Subject: Sanitary report, Camp Funston.

1. During the past month, this command has had 84 deaths. Of these 84 deaths, 54 were from pneumonia, with 189 cases; 34 deaths from meningitis, with 70 cases; 131 cases mumps. This indicates a most serious condition of the cantonment, as far as infection from the two serious diseases, meningitis and pneumonia, are concerned. As emphasized in the draft situation, I call attention to the fact that they had 84 deaths from all causes, when the normal death rate of such a command should be about 12.

2. The reason for this condition, as we look back, is very evident. When the drafted troops were brought in, they came in large numbers, all at once. The cantonment was excessively crowded. Between October 4 and October 26, 36,000 drafted men were injected into the cantonment. Among these there were many meningitis carriers.

3. This part of the country is well known to all health officers as having been, for the last few years, the principal endemic center in its civil population for meningitis. Granting the conditions above mentioned, no further explanation is needed to explain the present conditions as to meningitis. I would attribute the form of pneumonia existing here principally to the past crowding of the cantonment. It is the same form that occasionally becomes epidemic when large numbers of men are brought together in a crowded space. The excessive dust, which blows about in blinding storms, has no doubt accentuated the condition, and as it occurred at the other cantonments, the lack of woolen clothing has also been a contributory cause. The cold weather in October, to which the men were exposed in summer clothing and without any heat in their barracks, tended in the same direction.

4. In discussing this matter, I will first treat it as if the conditions were new and nothing had been done, and will point out what should be done under such circumstances. As a matter of fact, the

epidemic has been excellently handled, and all measures I have to recommend have been put into effect as far as possible for the division commander to do so.

5. Meningitis and other infectious diseases were originally introduced from the outside. To meet this condition, observation camps should be established, where all men coming into the camp could be observed for at least two weeks, or such longer period as may be considered necessary. In this way, the men who had been infected could be picked out as they developed those diseases, and the incoming troops finally gotten out in an uninfected condition. The same process should be observed with troops leaving the camp as long as the camp showed evidence of infection. Orders should at once be given that no more troops be sent to this cantonment until the division commander states that he is ready to receive them.

6. The internal arrangement, as regards the isolation and caring for infectious diseases, should conform with those measures that are generally recognized as applying to these conditions, and that are at present being carried out most satisfactorily and successfully in the camp. As a matter of fact, all the above recommendations are being carried out at present, as far as lies in the power of the division commander. To cover the question of overcrowding, I recommend that at least fifty (50) square feet of floor space be allowed to every man.

7. I think, however, it would be wise for orders to be issued to Washington, directing that in the future the measures above recommended be carried out. My desire to have this done is with the object of giving the divisional commander the opportunity of asking for such material as he needs for putting up the observation camps he is at present constructing, and also with the idea that it may be an order that will govern all future commanders of this cantonment. I wish to particularly call attention to the telegram sent out regarding this matter, relative to ground for a detention camp in the post of Fort Riley. This is very much to be desired.

8. The camp has been located in the river bottom and is excessively dusty. In my experience, the use of oil on the roads and grounds has been very successful in lessening the dust. The division surgeon tells me that their experience here has shown that the use of oil for this purpose is very effective. I recommend that they be supplied with such amount of oil as they find necessary to meet this very unsanitary condition.

9. In their observation camp, as at present being erected here, they are using a tent, floored and framed with side walls, that holds five men each. I think this is an ideal condition. It gives complete segregation and no overcrowding. I recommend that as these tents wear out they be converted into permanent buildings by putting on a roof. I recommend that all future construction conform to the plan so wisely adopted in the observation camps, of allowing only five men to the building, which gives 50 square feet of floor space to the man, and segregates in bodies of five.

10. It is a very important element to get patients from various parts of the camp to the hospital promptly. For this purpose here the three motorized ambulance companies are used. Great difficulty is found in getting the motor ambulances started during the cold weather on account of the freezing of the water in the radiators. I recommend to obviate this the ambulance sheds be inclosed and heated.

MAJOR GENERAL, U. S. ARMY.

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DECEMBER 27, 1917.

From: The Surgeon General.
To: The Chief of Staff.
Subject: Sanitary conditions at Camp Doniphan, Okla.

1. During the past month Camp Doniphan has had 74 admissions from pneumonia with 11 deaths, 316 cases of measles with 1 death, 104 admissions from diphtheria with 1 death, and 6 cases of meningitis with 4 deaths. While the number of cases and the number of deaths from the above-mentioned diseases are somewhat less than in other camps visited, the conditions in respect of those diseases is considered serious. The basic cause I consider to be overcrowding of the camp. At present there are nine men quartered in each tent, which gives a totally inadequate floor space for each man. I recommend that the division commander be directed to furnish sufficient tentage or other accommodations so that each man will be allowed 50 feet of floor space. This would give no more than five men to a tent.

2. Measles and meningitis were introduced into these camps by cases being brought by incoming troops. To provide against this in the future, it is recommended that an observation camp be established for all newcomers where they may be kept under observation for at least 14 days, or as much longer as may be considered necessary by the division surgeon, and no new men from observation camps should be placed in the general camp until it is free from infection. I recommend that the division commander be directed to establish such observation camp and that no fresh men be sent in until he is ready to receive them under the above instructions.

3. To properly control the spread of measles, meningitis, and pneumonia now confronting Camp Doniphan, it is necessary that tent contacts be immediately removed from the general camp upon the appearance of the first case of communicable diseases and placed in a separate detention camp for daily observation and treatment during the incubation period of the disease. It is recommended that such a detention camp be established for such contacts in addition to the observation camp previously recommended for incoming men.

4. The command until recently has had nothing but summer clothing. A great deal of discomfort has resulted and undoubtedly the tendency to pneumonia has been increased. I am informed that shipments are now coming in rapidly and that as fast as received are being issued to the men. From personal observation, however, I find that many men are still wearing their cotton khaki clothing.

5. The base hospital is in an unfinished condition. Many wards which are required for patients are not yet finished, and this has caused great embarrassment to the hospital authorities. The installation of a sewerage system and necessary plumbing in all buildings was authorized several weeks ago, and while work has been begun, it is now at a standstill, and the difficulties in caring for patients is greatly increased thereby. It is urgently recommended that the work of installation of sewers and plumbing be expedited.

W. C. GORGAS,
Surgeon General, United States Army.

Mr. CHAMBERLAIN. In order to get this thing before the Senate in a concrete form, I asked Gen. Gorgas to make me a detailed statement of the annual death rate per thousand from all causes. It is very short, and I will read it.

DEATH RATES ALL CAUSES.

Troops in United States September 21, 1917, to January 18, 1918. Annual rate per 1,000.

All troops.	Regulars.	National Guard.	National Army.
8.2	4.71	10.04	8.53

The history of this country will show that wherever there has been a record of it kept, the men in the Regular Army suffer less from disease than any other body of soldiers, because they have learned to take care of themselves. They have been in the service long enough to know how. These young fellows that come from civil life have not learned that, and that is one of the reasons why it is necessary to take them into these camps for training.

Number of deaths among Regular troops in United States, Sept. 21, 1917, to Jan. 18, 1918	350
Average strength of Regulars for same period	214,428
Number of deaths among National Army troops in United States, Sept. 21, 1917, to Jan. 18, 1918	1,263
Average strength of National Army for same period	427,088
Number of deaths among National Guard troops in United States, Sept. 21, 1917, to Jan. 18, 1918	1,305
Average strength of National Guard for same period	375,354
Number of deaths all troops in United States, Sept. 21, 1917, to Jan. 18, 1918	2,918
Average total strength for this period	1,016,870

That gives in concrete form the number of deaths that have occurred.

Mr. President, what I contend is that if the authorities had complied with the recommendation that Gen. Gorgas has made all the time, of giving each of these men 50 square feet of floor space, and if in addition to that they had put in these observation camps within the cantonments, the percentage of deaths would have been very much diminished, and I doubt if there would have been one-half of the deaths that there have been.

Mr. GALLINGER. Mr. President, will it disturb the Senator if I ask him a question?

Mr. CHAMBERLAIN. I will yield to the Senator this time, but I do hope I may be permitted to proceed without being further interrupted.

Mr. GALLINGER. I thank the Senator. Mr. President, I am particularly interested in this phase of the discussion relating to the health of our soldiers; and I will ask the Senator if he has inquired as to whether or not the recommendation of Gen. Gorgas that the floor space per soldier should be increased has been attended to, or whether any attempt has been made to remedy the evil?

Mr. CHAMBERLAIN. They are attempting it in some places, but it has not been carried out. Right in this connection I want to suggest that there is no law requiring it to be done; I do not know whether any is necessary or not; but the Medical Department, which has been making an effort right along to save the lives of these young men, can not get the things that they want.

Mr. OWEN. Of course not. They have no standing.

Mr. CHAMBERLAIN. They have not the standing with the line that they ought to have. Why, here we had four training schools for the commissioned and enlisted personnel of the Medical Corps and for doctors of the Medical Corps, where they could go and be trained. Two of them were cut out, and two left, and the Surgeon General is trying now to get the two enlarged so that they can train these men.

Mr. President, I am going to illustrate by two or three cases that the neglect of these young men is shameful. I am not going into it fully. I get many letters, but I am going to take the liberty of reading one or two, because I want the country to know that I know what I am talking about. I do not want to shock the conscience of America. I want America to know some of the facts, and, if need be, have them know all of the facts, in order that the mothers and fathers of these lads may write to those in authority, to the President and to the Senators as well as to the Representatives, and appeal to them, in the name of humanity and in the name of America, to see to it that these boys who are offering up their lives on the altar of their country may be protected wherever it is humanly possible to do it.

ST. LOUIS, MO., *December 31, 1917.*

Mr. GEO. CHAMBERLAIN,
Chairman Investigating Committee, Washington, D. C.

DEAR SIR: In behalf of a heart-broken family (a father, mother, two sisters and myself) I wish to register a complaint for the manner in which the case of my brother ——— ———, was handled at the base hospital, ———.

From the meager information my folks received, it appears that brother was stricken with a slight illness on Monday, December 10, and on Wednesday, the 12th, he was taken to base hospital at ——— with cerebro spinal meningitis, and on Tuesday, December 18, 10.20 a. m., he passed away.

First information my folks received was Friday, December 14. A neighbor lady received a letter from her son, a comrade of my brother,

advising he had seen brother fall out of ranks at drill and was carried on a stretcher to hospital.

My sister wired an officer (a friend of our family) in Company ———, Infantry, at noon Friday, December 14, to spare no expense and to wire, collect, details. Saturday morning, December 15, received a reply from the officer to the effect brother sent to base hospital with spinal meningitis, but condition favorable for recovery.

Upon receipt of latter telegram, sister wired a doctor in Company ——— Infantry, to wire details collect and to spare no expense. Sister also on December 15 Saturday, wrote three special-delivery letters to the officer, doctor, and a comrade, respectively, for particulars, but received no more information until Tuesday evening, 6 o'clock, a wire from the company officer that brother passed away 10.20 a. m., December 18. This wire was sent from Fort ——— at 3.15 p. m., December 18.

It doesn't seem that the Company ——— officers should have been required to furnish information in this case and that they only did so as a matter of respect for a lifetime friend and an appreciative family. Can it be possible that the Government hospital of this proud Nation of ours is not equipped to advise a father or mother of their son's misfortune in an authentic way, as not any of the information received came from the hospital direct? I notice daily in the papers that cablegrams are received clear across the ocean, advising condition of troops serving under our flag in France, but right at our doorstep our gallant soldiers might die and be buried without the knowledge of the father and mother, who supplied them, if it were not for the affection and thoughtfulness of their comrades.

My God, my colleagues and friends, if they are suffering here in America, with the blessings and comforts of home, surrounded by neighbors and friends, what must be the fate of these poor boys if they are sent abroad to meet the dangers and the treacherous and inhuman warfare and conditions that exist abroad?

For very palpable reasons I am not going to give the names of these people, but I want to show you that the letters breathe the spirit of patriotism. Having given up their sons to their country, they make no complaint, except in the hope that the example in their own family may set a precedent for better conditions and better service.

Now, note the spirit of patriotism that breathes through every line of this letter.

Brother's body was shipped with our instructions to his home. ———, Kans., for burial. I had the casket opened for identification purposes and was mortified beyond expression to find that, although brother died for his country, he was not placed in a uniform. He was not even clothed, being wrapped only in cotton and tied up in a sheet.

Also, discovered that a post-mortem had been held, which I understand is permissible only with consent of parents or relatives. The traces of embalming were very scarce and the features were gone entirely, making it impossible for a local undertaker to put the body in shape for my father and mother and sisters to view.

My brother is dead and in his grave and I can not expect to heal the wound in my broken heart by filing this complaint, but I am doing it all in a true American spirit and trust it will result in some good to those who may be so unfortunate as to lose their dear ones under similar circumstances. Would you be satisfied if this case applied to your brother?

Address all correspondence to me, as I do not care for my heart-broken father and mother to know all of the facts.

Mr. President, if I were to print in the CONGRESSIONAL RECORD all the letters that I get along this line, it would shock not only Congress itself, but the American conscience as well. I put this in the RECORD, in order that the country may know that there is inefficiency; and, God help me, if I can assist in creating efficiency I am going to do it, if it costs me my political and my own life. Somebody, somewhere in this great Republic of ours, must look after these splendid young men who are doing their duty by and for their country. If I can be instrumental in saving one life, or in arousing my country to the necessity of trying to save thousands of lives, I shall feel that my life has not been illy spent. I, for one, believe in letting the sunlight in. Let but the American mothers and fathers realize that their sons might be better treated than they are, and while, like the parents of this young boy here, they will not ask for their discharge from the service, they will insist that the public servant whose duty it is to see to it will either do his duty or retire in disgrace from public life and public service.

I am tempted to read one more letter into the RECORD, Mr. President. I have tried to keep on an even keel in the discussion of this subject. I have great respect for the President, notwithstanding what he has done to injure me and my reputation in this country; and in order that I may try to convince him and others that the charge of inefficiency is well founded I am going to put in the RECORD one more of the numerous letters that have come to Senators on the Military Affairs Committee. I just want you to see that what I said awhile ago about the Medical Department is absolutely true. They do not give them competent assistants; they do not assign to them men to be trained, with the result that a blacksmith, or a carpenter, or a lawyer, or anybody else goes into these base hospitals to take care of and nurse these young men.

It does not make any difference that my own party is in power. If any other party were in power, and I occupied this position, I would show the truth just the same. If these conditions can be corrected and these agencies of the Government made more efficient, the men of the Senate and the men of the House who neglect to do it are responsible to a higher tribunal, if you please, for the deaths of young men whose lives might have been saved if the proper authorities had but given this subject the attention that it is receiving at the hands of most of the members of the Military Affairs Committee at this time.

Why, my colleagues, this is not a new thing. Great Britain went through it. Pick up the paper this morning, and you will find the Secretary of the Admiralty, Dr. McNamara, being interrogated by a Member of Parliament to ascertain the truth with reference to the destruction of ships. They are keeping it away now from the British public as far as they can, but they are compelling them either to remain silent or tell the truth with reference to the destruction of human life by submarines. Let us turn the sunlight in on this thing, and we need never fear but that the American people will rally to the standard and follow President Wilson into the thick of the fray wherever their services may be needed.

I am going to read one more letter. I hope you do not think I am doing this for sensational purposes. I am doing it to illustrate a condition that exists, and a condition that can be remedied if they will only try to do it. There is not any reason why these things can not be remedied or have not been done.

One of the members of the committee hands me this letter. I might have gone over to my private files and gotten more of them; but this was handed to me, and I thought I would just call your attention to it.

DEAR SIR AND FRIEND: As you know, I have recently lost a son——

Mr. STONE. Who was that?

Mr. CHAMBERLAIN. One of the members of the Military Affairs Committee. I can show the Senator a great many more, addressed to me, if he wants them.

Mr. STONE. The Senator did not name the member.

Mr. CHAMBERLAIN. Oh, I have no objection to naming him. He is one of the most active and best-informed men on the committee, and he is a Republican, too. I refer to the Senator from New York [Mr. WADSWORTH]. It does not make any difference to me in this fight what a man's politics are.

Having told the Senator's name, I do not know whether I ought to read the letter.

Mr. WADSWORTH. I have no objection.

Mr. CHAMBERLAIN. The Senator has no objection? All right. I believe I said that I would not mention the name in connection with the letter, but it was delivered to me, at my request, because it accompanied other letters of the same character that were being read to show the horrors of this situation.

———, ———.

The HON. ——— ———,
———.

DEAR SIR AND FRIEND: As you know I have recently lost a son with spinal meningitis at ———. I am writing to you as one that I know to be greatly interested in the welfare of our soldier boys, and ready to do anything in your power for their well being, and because you know me and will know whether to give credit to what I say.

Please know in the very beginning that I do not write to criticise the Government in any sense, nor to lay complaint against any one in authority. I realize that in the stupenduous task before us as a Government, and with the great diversity of interests involved, that it is impossible that there should not occur some things that should be corrected. It is with the hope that I may help somewhat with the task before us that I lay bare the facts as I found them in connection with my son's sickness at ———

Through friends entirely independent of the Army officers, and the medical staff, I learned of my son's sickness after he had been in the hospital for six days. With my wife I went immediately to the camp, arriving there the morning of ———. I found my son in the meningitis ward of the base hospital. It was the eighth day of his sickness, as I was informed by the attending physician. His mother and I and ———, ———, were permitted to see him through a window at the head of his bed. The small room in which he was lying contained one other bed on which was a patient; a stove in which there appeared to be no fire. The room was not simply unsanitary, it was filthy, beggaring description. The bed on which my son was lying was even more filthy than the room. I can not describe to you the condition of my son's body. Except to say that neither his hands nor face had been washed in eight days. (The attendant admitted this to me.) The reason given for his being in this condition was that he, the attendant, had but one helper in the ward and there was 18 cases there at that time. I asked if I might put a nurse in there to take care of him and the physician said that could not be allowed. I offered to put in a trained nurse and pay all expenses.

I then asked if I myself might be allowed to go in and clean him up and take care of him. The physician, very kindly in manner all of the time, said that it could not be. I then asked if I would bring clean clothes for him if they would clean him up and put them on him so that his mother might see him again and not have to remember him in the plight she had just seen him. They said they would gladly do so. I went to ——— and got clean clothes, and when I returned they had made some effort to wash his face and hands, although they were still grimy and black. His clothes were changed, his bed straightened out, and his mother was called to see him again. There was no change made in the condition of the room. Before leaving I again made a plea to be permitted to care for him, gladly taking all risk, but the rules were inflexible, I could not be admitted in any way. The attending physician was kind to us and I do not wish to imply that he was in any way to blame. He told us, however, as we were about to leave that we should not return for three or four days. To this order I had no intention of

giving heed, neither did I. His mother did not see him again. The next morning early his father-in-law ———, of ———, went to the ward, while the mercury was done about zero there was no fire in the room, the bedding was on the floor, the boy lay on the bed naked with the exception of a thin night shirt that was up around his neck.

About 3 o'clock that afternoon I found him in the same condition and the room without fire. The next morning at about 8 o'clock we found him in practically the same condition. No one knew of our visits to the hospital except two workmen, who were working on the sewer ditch in front of the hospital. To them I made myself known and the purpose of my going to the hospital. I refer now, of course, to the visits we made after we were instructed not to visit the hospital. On neither of these visits was there an attendant in the room or fire in the stove. A perfectly well man would have become sick in that room. The mercury was around zero all of the time.

At this time I went direct to the chief of the medical staff and told him the situation and asked to be permitted to go and attend my boy. He immediately gave orders that I be admitted and be given every facility for caring for my son. I went at once, but I was too late, as he died about 15 minutes after I got into the ward and before I was permitted to do anything for him.

That you may know something of the fearful handicap that the Government works under in the matter of competent help, I give you this one instance.

Now, I want you to note this:

I requested the attendant to give my son a drink of water. He went out and brought in a small bowl of water, and tried to get son to drink from it, but he could not. He said I guess that I had better get a funnel. (The boy was lying on his back with his mouth open.) He came back in a moment with a funnel made of a piece of newspaper, and, putting it in my son's mouth, was in the act of pouring the bowl of water into my son's throat when I stopped him. He said what shall I do? I said get a spoon. The poor fellow had not thought of that. My son died in a few moments.

I at once hastened to the office of the adjutant, and asked for the body, and was very courteously treated and assured that I could have the body that evening. I then hastened back to the ward where my son died to see how the body was prepared for burial, and, as I had my pass into the building, I did not stop and knock but opened the door to enter when it struck something that would not let it open further. I looked and saw that it was my son's body lying on the floor of the hall, and it was his head that I struck with the door.

I received every possible courtesy from the officers and medical attendants at the base hospital. I am not now filing any complaint against any man. I have no other purpose in giving you these facts than to get you to do your utmost to see that these boys of ours who are yet to die at these camps may have the care that every true man wishes that they might have. There are at least four witnesses to most all of the facts that I have written here who will be willing to testify to the truth of them if it would be the means of helping the authorities to bring about better conditions.

I trust, ————, that you will believe me when I say that I am not in any sense seeking revenge for the death of my son. If in his dying he is the means of securing better attention for the many boys that are yet to suffer and die in these camps, I shall feel that his death was not in vain. Wishing for you success in your endeavors for humanity, I am,

Sincerely, your friend,

———— ————

I read this because I want you to see the patriotic spirit in the hearts of this people, notwithstanding these things exist, which should be remedied.

Mr. TILLMAN. Who wrote that?

Mr. CHAMBERLAIN. I will show it to the Senator confidentially.

Mr. TILLMAN. It ought to be given to the country.

Mr. CHAMBERLAIN. Mr. President, I want everyone to know that I am speaking from the record of things and not indulging in any camouflage when my country's fate is at stake. I have put these letters in the RECORD, horrible as they are, simply because I want to arouse the people of this country so that every mother and every father who has sent a son to this Army, whether as a volunteer or as a drafted man, will write to the President of the United States and to Members of Congress from their respective districts in the same patriotic spirit in which these two letters are written, when those sons have died of neglect, not for revenge, not to punish anybody connected with this great Military Establishment in this crisis that confronts us, but in order that the fate of a beloved son or brother or husband, if you please, may arouse the attention of the country to the necessities of the occasion and save the lives of young men who are valuable units for the salvation and protection of America.

Mr. President, I have talked longer than I intended. I could not in one day strike bottom with the evidence we have showing inefficiency, and I am saying this without any unkind feeling toward Secretary Baker. When these measures come up for consideration, if the Senate wants to go into it more fully, the testimony will be printed, and I think if Senators want to act on their own judgment rather than because the Commander in Chief of the Army and Navy wants a thing to be done, I can convince them these laws ought to be passed.

I realize that we ought not to cripple the hand of the President. There is not anybody who wants to do that, but no man's judgment is as good as the concrete judgment of America. I do not care who he may be and how great he may be, he can not know as much as the world knows. I know how busy the President is, and I want to help him. God knows I would do anything to help him, notwithstanding the opinion he has of me as expressed in his public statement, and I believe I can say without egotism that no man has tried harder to help him in everything that he has desired for the proper conduct of this war than I. I have not done it because it was his or any man's policy. I have done it because America was at war and these things appealed to me as being right, and because I thought the country needed them. I voted to sustain the coal order the other day, although I thought it was a foolish order made by Mr. Garfield. I voted for it on the theory that I wanted to help save the young lives of America and our allies in France. The evidence before the committee shows that at the time the order was made there were over 127 vessels in the harbor of New York loaded with supplies for the allies, and they could not get coal to send them out. That is the reason why I voted to sustain that order.

My friends, if there had been any program in this war; if there had been any plan laid out for the conduct of this war the coal situation never would have happened, and that is what I am complaining of. That is why our committee proposes in one of its bills to have a war cabinet that can map out a program or policy under the sole direction and authority of the President for six months, or any length of time, as any business man would do. In this great business establishment of ours, because war is a great business proposition now, why has not some plan been worked out, and I challenge the production of a plan or a program. There is not anybody connected with the establishment who has time to do it. The distinguished President of the United States could not do it if he tried, because he has more to do now than he can possibly attend to. The war cabinet of Great Britain do not do anything else than is indicated in the bill which the committee has prepared.

I think there was one thing in the statement I made in New York to the effect that the Military Establishment had almost ceased functioning. That is a pretty broad charge. I repeat the charge, and as evidence of it I call your attention to this fact: There was a Quartermaster General's Department that had $800,000,000 to expend for supplies for the Government. It, practically under the instruction of the distinguished Secretary of War, turned the whole thing over to a distinguished retired merchant or manufacturer of worsted goods—I think his business was at Cleveland, Ohio—and the Quartermaster General's Department has simply been a rubber-stamp proposition since war was declared. If turning over the functions of this great office to a civilian merchant was not a cessation of functioning on the part of the Government, what in Heaven's name would you call it? This agent made the contracts to be signed by the Quartermaster General, he prepared for the manufacture of the commodities, bought the goods, and presented them to the Quartermaster General for distribution, and that is all. I felt sorry for the Quartermaster General. Not only did they do that, but they took the soldiers' overcoats that were 100 per cent wool, even then lighter than the British and the French, and reduced the woolen content to 65 per cent wool and 35 per cent of shoddy or reworked wool, and then they got along so nicely with that they reduced the wool content of soldiers' overcoats to 50 per cent of wool and 50 per cent of shoddy or reworked goods.

Mr. THOMAS. What is the name of the man?

Mr. CHAMBERLAIN. Mr. Eisenman. I have no criticism of Mr. Eisenman. No matter what people may say about him he has done or tried to do a patriotic work. He may be criticized about very many things, but I think he has done fairly well. What I am getting at just now is not what he has done, but the surrender of this function by the Quartermaster Department to an individual.

The answer to that was that it was to conserve wool. There may be a woolen shortage, but France has not found it necessary to conserve wool in that way. If anybody has got to wear shoddy it ought to be the civilian who stays at home, and we should give the soldier the best uniform it is possible to make in America. If there must be a shortage of provisions let the civilian who stays at home go short and hungry, but feed the soldier who is to carry the gun. That may be a wrong conception of duty, but that is the way it appeals to me.

Mr. President, I wish to give another indication of inefficiency, and I want you to understand I am not doing this in any spirit of unfriendliness to the Secretary of War. He has been my personal friend. I am only doing it because I feel it is my duty. As another evidence of inefficiency the woolgrowers of the West came here last April, I think, shortly after the war broke out, and offered to furnish the Government with the clip of that year. The Government did not take it because they thought the price charged was too high, and possibly the growers were charging a pretty good price. It was a little below or about the current market price, but the authorities would not take it. Later on they came here again and offered it and the authorities

would not take it. Later on we made contracts for large quantities of wool, but wool had then gone up to a very high figure.

Now, Mr. President, anybody would have known, it seems to me, any efficient business man must have known, that to clothe a million and a half men or possibly two million men we would have to buy every pound of wool possible and manufacture it into clothing. Yet it went into the hands of speculators and dealers, and when the Government got ready to buy, it had to buy at a high price. I think all will agree with me that while there has been great work performed there has been much left undone that might have been done if efficient methods had been in vogue in the War Department.

Now, we have only investigated two great departments, but we are going to investigate others. Notwithstanding some may object to our making these investigations, we feel that it ought to be done. The President says in his statement——

Mr. VARDAMAN. May I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Mississippi?

Mr. CHAMBERLAIN. I would very much rather not yield.

Mr. VARDAMAN. I merely wish to ask the Senator who fixes the weight of the textiles worn?

Mr. CHAMBERLAIN. It has been determined in these cases by Mr. Eisenman in consultation with other members of the Council of National Defense, and the Quartermaster General, and other officers, but his judgment has generally been followed.

Mr. VARDAMAN. Is it lighter than it was?

Mr. CHAMBERLAIN. It is not lighter, but the texture now used is not as warm as wool.

Mr. VARDAMAN. What was the purpose?

Mr. CHAMBERLAIN. The conservation of wool. I would rather have more attention paid to the conservation of life, as is done in France and Great Britain.

A young British officer the other day appeared before our committee dressed in a splendid uniform, a good deal heavier in ounces than our uniforms.

Mr. HITCHCOCK. Possibly the answer of the Senator to the question may be misunderstood. I hope he will make it clear that the uniforms for our soldiers are made of material which is 4 ounces per yard lighter than those worn by the British or French soldier.

Mr. CHAMBERLAIN. That is correct. I stated it in general terms, but I did not show the exact difference. I am glad the Senator gave it.

Now, Mr. President, let me call attention to what the President says in his public statement:

> There have been delays and disappointments and partial miscarriages of plans, all of which have been drawn into the foreground and exaggerated by the investigations which have been in progress since the Congress assembled—investigations which drew indispensable officials of the department constantly away from their work and officers from their commands and contributed a great deal to such delay and confusion as had inevitably arisen. But, by comparison with what has been accomplished, these things, much as they were to be regretted, were insignificant, and no mistake has been made which has been repeated.
>
> Nothing helpful or likely to speed or facilitate the war tasks of the Government has come out of such criticism and investigation. I understand that reorganizations by legislation are to be proposed—I have not been consulted about them and have learned of them only at second hand—but their proposal came after effective measures of reorganization had been thoughtfully and maturely perfected, and inasmuch as these measures have been the result of experience, they are much more likely than any others to be effective, if the Congress will but remove the few statutory obstacles of rigid departmental organization which stand in their way.

Now, with all due respect for the President of the United States, he serves notice on Congress that they had no business meddling with this affair either by investigation or legislation. If the Senate of the United States feels it to be its duty to go into an investigation, it must not do so unless its course meets the smile of Executive favor. Now, I differ radically and essentially from that view. We are a great coordinate part of this Government; and I am going to take the liberty of calling the attention of my Democratic friends to a Democrat of days gone by, a leader who dared to protest against Executive interference with congressional action. When I become a rubber stamp in the discharge of my duty I shall get out of the Senate and out of public life and let some one more subservient take my place. You will remember, Senators, that there was on one occasion another Democrat in the Senate, who was appointed the leader of his party, when there was a Democrat in the White House. You remember when the famous Wilson bill was up for consideration it did not meet with Executive favor as it passed this body, and the President wrote a pretty stiff letter while the bill was in conference between the two bodies upbraiding Congress for what it had done.

That letter was read into the CONGRESSIONAL RECORD by Mr. Wilson, who was chairman of the Ways and Means Committee of the House, and although he had been in conference according to the RECORD with his comembers, the first time any of them saw it was when it was printed in the RECORD or possibly printed in a paper. Now, here is what Senator Arthur Pue Gorman, of Maryland, said about that letter. I have not indulged in any such hostile criticism as this, both because I have too much respect for the great office he holds, and further because I am in perfect sympathy with all the President wants to do in prosecuting this war. I want to help him. There is no anger in my heart and no malice. I want my friends to distinctly understand that. I would go to the White House at any hour of the day or night to help the President win this war and discuss any proposition that might come up, no matter what he thinks of me. I place my country above all other considerations.

Here is what Mr. Gorman said on the occasion referred to:

> As I have said, sir, this is a most extraordinary proceeding for a Democrat, elected to the highest place in the Government, and fellow Democrat in another high place, where they have the right to speak and legislate generally, to join with the commune in traducing the Senate of the United States, to blacken the characters of Senators who are as honorable as they are, who are as patriotic as they ever can be, who have done as much to serve their party as the men who are now the beneficiaries of your labor and mine, to taunt and jeer at us before the country as the advocates of trusts and as guilty of dishonor and perfidy.
>
> Mr. President, it is time to speak. The limit of endurance has been reached. The Senate owes it to itself. Every Senator here who is a part of this Democratic majority owes it to himself. There is no power, no matter how great, in this country, even the President with his patronage, that would keep me silent longer under the charges, under the imputations so freely made from such distinguished quarters. I hurl back the accusation—

Says Senator Gorman—

> and say that this treatment of their fellows is discreditable. It is destructive to the Government that men in high position should attempt to lower this body, a conservative body, consisting, when full, of 88 worthy representatives of States.
>
> No man can reach here by devious ways and remain long. The Senate is composed of men who represent the best thought of the country, men who have stood and battled for tariff reform when those in higher places dared not show their heads; men who, when another place was overrun and those in it had not the courage to stand and fight a tyrant, stood here at the risk of health, at the risk of fortune, of all that is dear, and saved the liberties of the country. Then these traducers of the Senate could not be seen. We will not be traduced longer, Mr. President, the facts must come.

I glory in the spirit that was shown by Senator Gorman. I occupy a little different position. This charge by our distinguished President has not been hurled at the Senate; it is hurled at my devoted head. I am only one of 96; I am only a unit in this body; but above and over it all is a great principle that the Senate, Democrats and Republicans, and the country at large ought to stand for. It may be me to-day; it may be the Senate to-morrow, or any or some individual Member; it may come in five years when somebody else is in the Senate; it does not make any difference who that person may be; I insist upon the principle, not because I have been assailed; that this body as a coordinate branch of the Government has a right to speak as it pleases as to conditions. The Senate can investigate any man or any set of men that it sees fit to investigate, and do it at its own sweet will without suggestion and without let or hindrance. If the Senate will only assert that right once, then we will not be troubled with this condition very often in the future. The Senate ought to assert its dignity and its part and parcel in this great governmental machine.

Now, let us go back a little longer and see what other great men in this country thought about Executive interference with legislative business, because, with all due respect to the President, that is what the statement quoted means, that we are interfering by these investigations and hindering the proper conduct of the war.

Here is what Senator Blackburn read into the RECORD while this discussion was on, and, by the way, let me say that two distinguished Senators from the South, Senator Vest, of Missouri, and Senator Jones, of Arkansas, took the same position. God bless them! May sweet memories of them long linger around these sacred halls and may their spirits animate the Senate in the discharge of its duty during the whole conduct of this war.

Senator Blackburn read this into the RECORD from an old fogy of the days gone by, but he had some part to play and played it gallantly in the early days of the Republic. Mr. Blackburn read this from Washington's Farewell Address:

> It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it, which predominate in the human heart, is sufficient to satisfy us of the truth of this position.
>
> The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the other, has been evinced by experiments, ancient and modern—some of them in our country, and under our own eyes. To preserve them must be as

necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way in which the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Senators, I am not resenting the intimation contained in the President's statement about these investigations, constituting an interference with the prosecution of the war, but I am simply calling the attention of the Senate to the condition that may confront them at almost any time. However, is it entirely true that this investigation has done no good? Why, Mr. President, there has been an attempted reorganization of the military system since we started into it. Of course, it is claimed that the reorganization was commenced before we got busy. For instance, with all due deference to my good friend, Gen. Sharpe, who is a splendid man and a patriotic citizen, he was wholly unfitted for that job, and he has gone out of it, and they have put Gen. Goethals in. That is a part of the reorganization. With all due deference to my friend, Gen. Crozier, who has been a gallant soldier and a brilliant man, I think that in these days that move so fast, perhaps, he was not quite the man for the place, and he was practically taken out of the active control of the Ordnance Department, and Gen. Wheeler was put in.

What else have they done? They have put Mr. Eisenman just where he was with the old régime but under Gen. Goethals. They have put into the Ordnance Department another distinguished gentleman, Mr. Samuel McRoberts, who is a very able man, and I think will possibly help bring order out of chaos.

Mr. TILLMAN. Will the Senator answer an inquiry?

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from South Carolina?

Mr. CHAMBERLAIN. Yes.

Mr. TILLMAN. I want to know what the Military Affairs Committee was doing while all this mismanagement was going on?

Mr. CHAMBERLAIN. In time of peace?

Mr. TILLMAN. Oh, no. The War Department has been reorganized.

Mr. CHAMBERLAIN. We are trying now, I will say to the Senator from South Carolina, to help out things. I do not want to mention any names, but I could mention the names of distinguished Members of the Senate and House who have always stood in opposition to a reorganization that was a reorganization in fact, and they are doing it now.

Mr. TILLMAN. I have never opposed a reorganization in the War Department, but I do oppose any reorganization of the Navy Department.

Mr. CHAMBERLAIN. Well, we have not proposed any such reorganization. If the Senator will only take the trouble to read the bill which we have here, he will find that it does not take an iota of power away from the President. It gives him more. There is no effort being made to create a single organization that the President could not control.

But, getting back to the point I was making, I desire to say that this investigation has done good; it has removed some inefficients, and is bringing about some changes in a defective organization. But the Secretary still retains the Council of National Defense and its subcommittees as a purchasing or some sort of an agency between the President and the Army. It has no power, but is simply an advisory body. It can not nor can its committees enforce its orders.

Mr. OWEN. With no statutory power?

Mr. CHAMBERLAIN. With absolutely none. The Council of National Defense is simply an advisory body, that is all; it has no executive power. Those are the boards that are to take charge of and handle this new organization.

I say, instead of having this voluntary organization between the President and the Army, they ought to have one strong man between the President and the Army completely under the President's direction and control to handle this whole situation, and to utilize whatever organizations are now or may be created by order of the President. I merely call your attention to the fact that we have done some good.

Senators, the President says that we have not consulted him about this legislation. I am very sorry the President said that. Now, speaking as a Democrat, and not as an American for a few moments—[laughter in the galleries]——

The PRESIDENT pro tempore. The Chair wishes to admonish the occupants of the galleries that any signs of approval or disapproval will result in a clearing of the galleries. This is positive, and will be done.

Mr. CHAMBERLAIN. The Senator from Nebraska [Mr. HITCHCOCK] and I, while these hearings were going on, went to the White House and told the President the way things had been developing before the committee and that we thought he ought to know it. We went into it pretty fully. We stayed there an hour. I think the President was surprised at some of the things we told him; in fact, he expressed surprise. The remedy was the thing that was in our minds. I said that the proposition for a director of munitions had been under consideration by me for a long while; that I had been studying the British system, and that something like that as a strong intermediary between the President and the Army ought to be a remedy for the situation. The conversation was not confidential, as I understood. We were simply talking about conditions. I would not even refer to it but for the fact that it is charged as to our committee—a splendid body of men—that none of them had discussed this legislation with the President. The President did not approve or disapprove, but he had the information just the same.

Several days afterwards—I do not know how long—the President wrote a letter to me in reference to that bill. I would not give that letter to the public but for the fact that I am charged by the President with a distortion of the truth. Now, I am compelled, in defense of my own reputation, as well as in order that the position of this committee may be understood, to put the letter in the RECORD, and I am going to do so. The letter is as follows:

(Personal.)

THE WHITE HOUSE,
Washington, January 11, 1918.

MY DEAR SENATOR: When you and Senator HITCHCOCK were at the White House the other evening we were discussing various suggestions of coordination and means of speeding up the military programme and among other things you told me that you had in mind a bill for the creation of a munitions ministry.

That, of course, set my mind to work on that particular suggestion, and I feel that I ought to say to you, now that the matter is clear in my mind, that I hope sincerely no such recoordination will be attempted. For one thing, it would naturally include the Navy as well as the Army and would, so far as the Navy is concerned, bring about, I fear, a dislocation of activities which would cause delay where there is none that is avoidable; and in regard to the Army, I think that nothing substantial would be accomplished. Indeed, I believe that delay would inevitably be produced by such a measure.

I have had in the last few months a great deal of experience in trying to coordinate things, and upon every fresh coordination delay inevitably results and not only delay, but all sorts of cross currents of demoralization which are very serious impediments to the effective conduct of business.

Rather intimate information from the other side of the water convinces me that the munitions ministries which have been set up there have not fulfilled the expectations of those who advocated them, and the structure of those governments is so utterly different from our own that we could not, if we would, create any such parity of power and influence between the head of such a bureau and the heads of the permanent departments as can be created under such political arrangements as the French and English.

In short, my dear Senator, my judgment is decidedly that we would not only be disappointed in the results, but that to attempt such a thing would greatly embarrass the processes of coordination and of action upon which I have spent a great deal of thought and pains, and which I believe are more and more rapidly yielding us the results we desire.

I felt that I ought not to keep you in ignorance of what had been going on in my mind with regard to this important matter.

Cordially and sincerely yours,

WOODROW WILSON.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate.

Was it quite fair for him to charge that he had not been consulted?

Mr. JAMES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Kentucky?

Mr. CHAMBERLAIN. I yield.

Mr. JAMES. Is it not true that the President when he stated that he had not been consulted referred to the "superior war cabinet" bill and not to the "munitions ministry" bill?

Mr. CHAMBERLAIN. That may be so; I think it is susceptible of that construction.

Mr. JAMES. I will say to the Senator that, hearing on yesterday that he was construing the letter of the President, which referred merely to the proposed munitions ministry bill, as a reference to the "superior war cabinet" and therefore that he intended to urge that position as rather questioning the President's statement, I called up the White House and told the President of my information. He sent me a letter which I am sure the Senator will not have the slightest objection to being read by the Secretary.

Mr. CHAMBERLAIN. I will be glad to have it go into the RECORD.

The PRESIDENT pro tempore. Without objection, the Secretary will read.

The Secretary read as follows:

THE WHITE HOUSE,
Washington, January 23, 1918.

MY DEAR SENATOR: You have been kind enough to tell me that you had heard that I had written a letter to the chairman of the Senate Military Affairs Commitee concerning the idea of a munitions minister, and you asked me whether I did write such a letter. I did, and am glad to send you herewith a copy of it.

The consultation referred to with Senator CHAMBERLAIN, to whom the letter is addressed, was upon the subject of the various difficulties and delays that had been encountered by the War Department, as shown by the testimony before the Senate committee, and the Senator merely mentioned to me that he had a bill in mind to create a munitions ministry. He gave me no detail of the bill he had in mind, and it was only when I learned afterwards from others of the real character of the proposals that I felt it my duty to write to the Senator and appraise him of my attitude. I assumed from what I heard later that that particular proposal had been abandoned, and I was referring in my statement of the other day to the very surprising proposal to create a superior war cabinet of a type unknown to our practice or institutions.

I give you these details merely to reply to your kind inquiry and let you know all the facts of the case as you desire.

Cordially and sincerely, yours,

WOODROW WILSON.

Hon. OLLIE M. JAMES,
United States Senate.

Mr. CHAMBERLAIN. I am very glad, indeed, to have that go into the RECORD. The letter practically states the facts. The letter to me states them just as clearly, because it mentions the same proposal for the creation of a director of munitions.

Mr. JAMES. But it is true, I believe the Senator in perfect fairness to the President would like to say, that the President's statement that he was not consulted about the "superior war cabinet" bill was true. He was not consulted about that, was he?

Mr. CHAMBERLAIN. Well, that is subject to some qualifications. Without questioning the statement of the President, let me tell you what happened. The Military Affairs Committee on Friday appointed the Senator from Nebraska [Mr. HITCHCOCK] as a committee of one to go down and confer with the Secretary of War, which he did. Whether the President was informed about it or not, I do not know.

Mr. JAMES. Is it quite fair, does the Senator think, to charge the President with having information that was given by a Senator to a member of his Cabinet? Probably the Cabinet had not met and the matter had never been discussed.

Mr. CHAMBERLAIN. I did not intend to be understood as questioning the veracity of the President in any way; I am only stating what did happen.

Mr. JAMES. I feel sure the Senator did not; but I believe that, upon second thought, the Senator will realize when he reads the letter the President directed to him, together with the letter directed to me, they make it perfectly clear that the President is absolutely right in his statement that he was not consulted.

Mr. WILLIAMS. Mr. President, will the Senator yield to me for a moment?

Mr. CHAMBERLAIN. I really should like to go on.

Mr. WILLIAMS. The President said that he had information about the war-cabinet bill, but that he got it secondhand.

Mr. CHAMBERLAIN. Let us not be misunderstood about it. Here is the President's language in his published statement:

I understand that reorganizations by legislation are to be proposed. I have not been consulted about them and have learned of them only at secondhand.

I do not know whether that is broad enough to include the munitions bill or not; but that is the language used. I am just stating my version of it. It goes to the country just the same that I was trying to "put over" something on the President without letting him know anything about it; that is all. I do not want that impression to go out. I am not questioning the veracity of the President, even if mine has been questioned.

There is much that I might say, but only one thing I want to say in conclusion. The President in his statement says that:

To add, as Senator CHAMBERLAIN did, that there is inefficiency in every department and bureau of the Government is to show such ignorance of actual conditions as to make it impossible to attach any importance to his statement.

As I undertook to show the President in my letter, I was referring to the Military Establishment only in my impeachment, and my audience understood that I was referring to the Military Establishment. I did not want it understood that I impeached the efficiency of every department of the Government. The statement was really a little broader in that regard than I would have made it if I had sat down and had written the speech. I would have confined it to the War Department. It was a sweeping statement, impusively and impetuously made, and intended by me to include only the Military Establishment. I think I tried to explain that it was too sweeping, and now in this public manner I state that I did not intend to impeach the efficiency of all the departments of the Government. I was in no position to do that. I had not investigated as to all, but I intended to impeach, and I do impeach, the efficiency of the Military Establishment, and I think I have shown enough to sustain my charge of inefficiency.

Now, it is said we have not done any good. Let me tell you that that very statement of inefficiency has done some good, not only as regards the War Department, as stated by me a while ago, but it has speeded up at least one other department. My good friend Secretary Redfield, very courteously inclosed me this letter. I will not have it read but I will put it in the RECORD, to show that my statement induced the Secretary to appeal to his whole office force to try to speed up and do better, so that the charge of inefficiency might not rest on them. I admire the spirit in which Secretary Redfield took my suggestion. It was a suggestion made to help and not to hurt. I ask that Secretary Redfield's letter be inserted in the RECORD at this point.

The PRESIDENT pro tempore. In the absence of objection, it is so ordered.

The letter referred to is as follows:

"THRIVE BY THRIFT, BUY WAR SAVINGS STAMPS."

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, January 23, 1918.

MY DEAR SENATOR: The letter of which the inclosed is a copy has been handed each member of the department's force in Washington and placed by publication before its force throughout the country.

Yours, very truly,

WILLIAM C. REDFIELD,
Secretary.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate, Washington, D. C.

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, January 21, 1918.

To the officers and workers in the Department of Commerce:

United States Senator GEORGE E. CHAMBERLAIN, chairman of the Senate Committee on Military Affairs, is reported through the press to have said on the 19th instant, in an address before the National Security League:

"The military establishment of America has fallen down * * * it has almost stopped functioning * * * because of inefficiency IN EVERY BUREAU and IN EVERY DEPARTMENT of the Government of the United States."

The emphasis is mine.

We in this department form no part of the military establishment, though in every branch we are in full cooperation with it. We are included, however, under the charge that inefficiency "in EVERY bureau" and "in EVERY department" has led to the result said to exist. If it exists it is said to be at least in part our fault. All departments, all bureaus, are sentenced together. Such a statement from such a source must (if we may assume it to be correctly reported), be given weight. It is either true or false as regards ourselves. What lesson can we learn from it?

Candidly I had not believed any such sweeping condemnation could be justly made of our mutual service. The words of cordial praise that comes often unsolicited from many sides about every one of our services, the commendation of the business and industrial world, the noble spirit of self-sacrifice so freely shown by you in many forms, the known and definite results of our common efforts, the constant touch with all our work that you know it is my pleasure and privilege to try to maintain, these and what I had permitted myself to think 30 years of industrial and executive experience had taught me had led to the belief that in this department, so far as the law and the funds at our disposal permit, we have on the whole a highly effective organization even when judged by severe standards of industrial practice. Nor, let me say in justice to you, am I aware that any external inquiry into the work of the department has been made upon which to base a charge to the contrary effect. We are, as you know, constantly studying our work in all its forms with a view to its improvement.

But this is beside the mark. Our work, if good, will speak for itself. We have neither duty nor right of self-praise. What I ask you, every one of you, to consider for yourself is whether this charge is true of you, of your division or bureau, of your part, whatever it be, in our common work. For now more than ever must we do our work well. The slacker in work, if such there be, plays Germany's game. Inefficiency is a sin against your country. Red tape, unless required by law, is an offense against patriotism. Let us speak plainly. If inefficiency exists it must cease or the ineffective ones must go. This is no hour for hesitancy about persons.

But having thus in all seriousness said, let me add in conclusion that I fully believe the firm confidence I hold in you is for sufficient cause and will be more than justified by the high effectiveness of your service.

Yours, very truly,

WILLIAM C. REDFIELD,
Secretary.

Mr. CHAMBERLAIN. God knows I have tried my very best to do things here to help speed the work of preparation for this war, not as a Democrat, but because my heart was in it and because I believe it was right to do so. I have frequently done things in opposition to members of my own party and in opposition to many distinguished men on the Republican side, but together we have tried to improve the Military Establishment.

The last suggestion of the President in his charge against me is:

I am bound to infer that that statement sprang out of opposition to the administration's whole policy rather than out of any serious intention to reform its practice.

Et tu, Brute! That is "the unkindest cut of all." My colleagues, I have stood here in season and out of season to get through nearly every piece of military legislation that has been put on the statute books in the past three years and that my friend Baker now boasts of and that the President is proud of, with what success I leave to the Senate and to the country to judge. I have taken charge of other measures here. I do not claim any credit for that; I give my colleagues equal credit for

these things; but I happened to represent the committees on the floor, and I worked most assiduously all the time. I will say this, however, that I have not stood for any measure because it was any man's measure; I have stood for it because it was for America, to assist her in this crisis that now confronts her. That is why I have done it.

I am not opposed to the President's policies. I was born in a country where Democrats were indigenous to the soil. I took my politics west with me 42 years ago, to a State which was Republican when I first went there and has been ever since. I have been a Democrat all the time, and I am a Democrat now; but I have some convictions about these matters and other public questions. When I have supported all these measures I have done it because I thought they were right and not because I got orders from anywhere.

I have differed from the President on a number of occasions, and I have not hesitated to do so. I differed from the President when the Panama tolls question was under consideration; I differed very radically from him and did all in the world I could to keep the measure for the repeal of the Panama free-tolls act of 1912, advocated by him, off the statute books not only because it was contrary to our platform of 1912 but because I did not consider it right. I have differed with our distinguished Executive on a number of nominations which he has sent here; but nearly all of the policies he advocates are Democratic, and nearly all the policies that he has proposed I have stood for. I think you will find that in very few instances have I separated from Democratic colleagues; and when I have done so it has been because I felt I was right. I will say that frequently I have followed my colleagues and followed the President on matters of policy when I thought they were all wrong; but I did it just the same. However, whenever it comes to a question where a principle is involved and my conscience is enlisted, I follow no man; I follow my conscience. I am doing that to-day, my colleagues, when I am undertaking to call the attention of the country to the dangers that confront America.

In God's name, are we going to get over to France? Within 10 months after the war broke out Canada had her gallant sons in the trenches assisting in some of the most desperate battles of the war. With her sparse settlements, with her lack of wealth as compared to that of the United States, she got her brave boys—and they are practically Americans, my friends—over there; but America can not get there. Where is the trouble? Mr. President, if we do not get there, and get there quickly, it may be too late to go, and, as my good friend the Senator from Iowa [Mr. KENYON] said here the other day, it would be better for a man to lose his life and to see his family die than to see the Teuton invade America.

You Senators know that there are soldiers along the Atlantic seaboard who ought to have gone to France six weeks or two months ago. They do not go. Why is it? At Mineola there were a lot of Oregon and other brave boys who went from a southern encampment to that bleak and barren place, and where some of them were kept for over a month in extremely cold weather, not sufficiently clad, and without the comforts that camp life ought to have furnished them, waiting to get over. There must be something wrong somewhere.

If America is going to play any part in this war, she will have to get at it pretty soon. France is expecting us and the other allies are expecting us, and it seems to me, Mr. President, that the only way to speed up our preparations, the only way to get "over there," is to arouse America to the necessity of the time and the danger of the crisis. When once aroused I have no fear but that America will rise in her might and furnish an example of sacrifice, of courage, and of patriotism that will make the brightest pages of our history pale into insignificance as compared with the fighting of our boys on foreign soil.

Mr. President and Senators, I apologize for having taken up so much of your time. You can realize that my reputation is all I have, and the love that my family and my friends have for me at home. With that reputation destroyed and that love gone, life would have no attraction for me; with my reputation assailed, with my country in danger, I know that you will excuse me for having trespassed so long on your time and patience; and believe me when I tell you that there is no man here to-day and there is no man in America who would go to the relief of President Wilson more quickly than I in our country's crisis, although I feel I have been so grossly maligned by him. I thank the Senate.

Mr. KIRBY. Mr. President, no man who is a Member of this body will accuse me of trying to curry favor with anybody in or out of office; but I have listened to the speech of my distinguished colleague, the chairman of the Military Affairs Committee of the Senate [Mr. CHAMBERLAIN], and I do not believe it ought to go unchallenged or unanswered. I do not question his patriotism, his integrity, or his ability, but I believe the spectacle we have witnessed here to-day is a condemnation of the soundness of his judgment.

What is the condition as we find it? We find the distinguished chairman of the Military Affairs Committee yonder in New York saying that the Military Establishment of the Nation has fallen down; that it is inefficient and incompetent. Has the distinguished chairman of the Military Affairs Committee taken the judgment of that committee upon that question, and have they declared that to be their view as the result of the investigation? That has not been done. Has the distinguished chairman of the Committee on Military Affairs, who certainly is responsible as chairman to this great body, and who ought to be and is supposed to be in touch with the administration, with the war-waging power—has he reported the condition as he now sees it, that the Military Establishment is inefficient and broken down, to the Commander in Chief of the Army? Did he do so before making the disclosure in New York? It has not been done. Instead, the chairman of the Military Affairs Committee has gone to New York, and, acting on his own judgment, has made a statement, as a result, he says, of his opinion made up from the investigation that has been going on, and has challenged the Military Establishment, and charged that it has broken down, that it is inefficient, and that it can not cope with conditions. I challenge the statement of it all.

The investigation that has been developed before our committee does not warrant much of the stuff that has been said here to-day; and it does not warrant at all, anywhere, the statement that the Military Establishment has broken down or has been inefficient, when you come to dealing with the great matters that have to be dealt with, and have been dealt with successfully, as I allege here and now.

Now, let us get down to some of the specific charges that have been made.

The Senator says we have had reports from the commanders of the different divisions at the different camps. That is true. He has said that these reports have shown that as late as December 3 there were shortages in woolen overcoats, in woolen blouses, and in woolen breeches; that the men were not all properly clothed throughout the cantonments and on the fields yonder in France. That is true as to the 3d day of December. All had not been supplied in the cantonments then; but all have since been supplied, and all would have been supplied then but for some negligence, probably, or inefficiency on the part of some particular man.

Let us see what was done. This supplies committee has been criticized here. Here is a man who was called in from civil life. Why? Because the Military Establishment had broken down? No; but because it wanted expert advice and assistance, it called in a man or men who could do these things. The committee was created, the committee came together, the committee acted, and what was the result? They have increased the supply of manufactured products where it was possible; and not only that, but they have clothed the Army, both in the cantonments and in the field in France. That has been done in eight months. Does that show inefficiency?

The Senator says one Quartermaster General might not have been able to do it. Perhaps he was not able to do it, but this agency was called in to assist the department. It was effective, and with this agency performed the service, and the statement can not be successfully contradicted.

They talk about the soldiers down at Houston not having as much tent space as ought to be provided for each particular man. I am a hunter, Mr. President. I go out hunting sometimes down in Arkansas, and as late as the middle of December, 8 or 10 of us sometimes sleep in an 8-by-10 tent, and we have never found any injurious effects from it; and usually down in that country around Houston and Waco, and even down in my country, as late as the middle of December a man could ordinarily sleep outside without any tent, and with only an Army blanket, and be entirely comfortable. The weather conditions have been unusual. They have made it necessary that we should supply more of this clothing, and it probably ought to have been supplied a little earlier, but it could not be done. It was humanly impossible under the conditions existing with the manufactories and the supply of raw material. Now, if a thing can not be done, would you say on that account that the Military Establishment had fallen down? No. That sort of an impression ought not to go out to this country when the facts do not warrant it.

They say, "Why does not the committee come in with a report?" The committee, in my opinion, ought to have made a report. The committee ought to have said: "Here is our deliberate judgment. A majority of us think that so-and-so and so-and-so is the condition, and that this investigation reveals and establishes that fact." But the committee has not done that,

and I challenge the right of the chairman to say what the evidence shows or does not show, and to make the broad assertion that he has made up yonder, and I say the facts do not warrant it.

There is another proposition: The Senator says that in 1914 it was apparent that war was going to come on, and that the Ordnance Department was absolutely quiescent, and that no move was made to manufacture heavy ordnance. He cites that as an instance of why the Military Establishment is inefficient. In 1914 the United States had not gone into the war, and since 1914 we fought out a presidential campaign on the proposition that we should not go into the war. Then why, in 1914, should the military organization have insisted that we ought to manufacture heavy ordnance? Why should they be regarded as inefficient when, later than that time, we fought out a presidential campaign on that issue alone? Is there any indication of inefficiency there? I think not.

Some member of the Military Affairs Committee, insisting with a witness that the manufacture of ordnance should have been begun in 1914, asked him if he did not know that our ambassador, Mr. Gerard, over in Germany, had said then that the German people were unfriendly, and that some day we were going to have trouble? Do you suppose that the Ordnance Department or the Secretary of War is going on what the ambassador to Germany might have reported here in a secret way in 1914? Would we have expected anything of that kind? No. No man would have expected it, no man would have justified it, and no man would have excused it then if money had been expended along that line.

Another thing that is said about the Ordnance Department is that we have no heavy guns. The Senator said we are not able now to put our men yonder in the trenches in France and supply them with heavy guns. Why? Because we did not in 1914 go to manufacturing them? No; he said we have not been able to manufacture guns. He did not say we did not have the guns. We have them. They are there. They are in the hands of our soldiers to-day, and can be used effectively when we put our men in the fighting front.

"Yes; but," the Senator said, "we had to buy them from France." That is true; we had to buy them from France, but that is an evidence of military efficiency. We bought them where we could get them, where we needed them, instead of trying to manufacture them, which would have taken a longer time. They had ample guns to supply our troops; we had ample money with which to purchase them, and time was of the essence of the condition. We bought the guns that we needed, because we could get them supplied there. We did not need to transport them from here across the ocean and take any chance on that. It might have been well, even had we had guns already manufactured, to have bought them instead yonder, where they already were in touch or could easily be put in the hands of our soldiers who are expected to use them. There is no evidence of inefficiency there.

It seems to me that that is conclusive evidence of high efficiency—to get the thing that you need when you need it, and it makes no difference where, so you can supply it. That was done. I do not see any inefficiency there.

The Senator says there is not a single trench mortar for training soldiers in our home camps. It may be true that they have not got as many trench mortars as they ought to have down there in the cantonments. They have not got as many of some of these machine guns as they ought to have for training; but they are prepared to deliver them in quantity, even the Browning gun, next month. It is not exactly accurate to say we have no machine guns, because we have bought the Shoshon gun, we have bought the Maxim-Vickers gun, we have bought the Colt gun, even the Lewis gun; we have bought them in all the quantity in which they could be produced, except the Lewis gun, and in the quantity in which it was determined they would be needed. That has already been done, and yet the intimation is made that nothing at all has been done.

If I am making a statement here to-day that is not warranted by the record as shown down there, let some man challenge it. I have attended the investigation. That has been developed, and that has been done.

I am not going to talk at any great length here; but as to the question of tentage, we had to increase our manufacturing capacity of tentage from 3,000,000 yards a year to supply a demand for 89,000,000 yards, and it has been done. Is there any inefficiency about that?

Now, as to the uniforms. Of course, Mr. President, my remarks on this occasion will be disjointed. The uniforms have been criticized. They say there ought to be more virgin wool in the uniform, that it would last longer, it would be warmer. The testimony I heard before the committee does not warrant that criticism. The uniform to-day is not any lighter than the uniform we have always had. It is of exactly the same weight that it always has been in the Army of the United States—that is, the coat and breeches, the uniform—and it is made now of 65 per cent virgin wool and 35 per cent reworked wool, which some call shoddy. That is the condition to-day, whereas it used to be 75 per cent wool and 25 per cent cotton; and experts doubted and differed about which was the more valuable cloth, which was the warmer, and which lasted longer. Even this reworked stuff must come up to certain specifications and have a certain tensile strength. That prevents its being rotten, or prevents its being worthless.

I want to make this statement here and let anyone challenge it who will: I say that no man, no officer, and no soldier from anywhere in the United States or from the battle front in France said that his uniform was insufficient, said that it was defective in wearing qualities or in warmth, or that it had not proven entirely satisfactory. No man, officer or soldier, said so to the committee—no man at all—and I asked several. I said: "What is your judgment, and what are the facts as reported to you, about the goodness of this uniform?" No man has said anything like that it was unsatisfactory. Some experts did say it should be heavier in weight.

As to the overcoats, this reworked wool, and the supply committee: The intimation has been made that the supply committee were to blame about that, but that is not warranted. The specifications were agreed upon, and the supply committee produced the stuff that they said was desirable and must be had. It is a 50-50 overcoat, about 50 per cent reworked wool and 50 per cent virgin wool.

The reworked wool, or what they call shoddy, is new cloth that has never been used, wool cloth that is torn to pieces and is put in with this other amount of wool. That has not extended to the blankets, and not 35 per cent of the overcoats have gotten down to those constituent elements.

That is the condition along that line. I am not going to talk extensively about that.

The rifle manufacture has been criticized. Maybe it would have been better if we had had Springfield rifles in the hands of every soldier in the United States the very minute that he was drafted; but, if so, they could not have been used. No man is expected to use his rifle, except to become efficient in target shooting, until he goes across the sea. Every man on the other side has been supplied with clothing, with ammunition, with rifles, with machine guns, and everything else to best equip him for effective fighting. No man will dispute that. It can not be disputed.

There have not been, until recently, enough rifles for the men in these home encampments, because we have not been able to make them in sufficient quantities. We might have bought the Enfield rifles, but the Springfield rifle is the best rifle in the world, so far as our experts state and so far as experience has shown. We thought it would be better to give them the best rifle if we had time to do it, and, under the conditions existing, I say that the military department has done well. It has done this thing and the rifles are in the hands of the soldiers now. There has never come to this committee, in the three or four weeks that I have been there, any complaint whatever of any soldier going hungry, or being supplied with any but the best food that could be bought in the country, or as good food as might be had by any man anywhere. That is another condition.

Now, as to the clothing: They did not get this clothing, as I say, in some places because the cold weather was not anticipated and the time was short. The cloth had been manufactured, the contracts had been made for the delivery, it had already gone from the manufactory, but not in time, I am informed by the Quartermaster Department, to reach them all. Sometimes the clothing had been manufactured, the uniforms were made, and some of them were too small. Our men have grown larger than they were in the old Army, back yonder in 1860. A greater percentage of them require large uniforms. Some of them had to be made over again, rather other uniforms had to be made, and time was lost in that way.

Then there is another thing that was inefficient in some ways, but we thought that might be corrected. Some one department of the Quartermaster Corps down here got more of the supplies than it ought to have had, and they were not taken from that department and sent to some other department that was in greater need of them. That was a condition that ought to have been remedied perhaps, but it was remedied as soon as the condition developed sufficiently to be known.

Now, as to the hospital proposition: It is true that soldiers have died in camp. It is true that soldiers must die upon the field of battle. It is unfortunate that if a man must die he can not die with arms in his hand, on the field of battle, fight-

ing for his country's cause; but it never has been that all could do so. It is unfortunate that a few of these soldiers have died; but the hospital facilities have been supplied. There might have been neglect in some particular instance. It may be so; but would that be apt to get back to the Secretary of War? It was shown in this instance that the medical department were disposed to remedy all the conditions that it possibly could. They seemed to be kindly disposed; they seemed to know their business; and they agreed to do everything that could be done to alleviate the condition.

Is it possible that people think that measles will develop because a man wears a cotton shirt or a woolen shirt; or is it possible that it is still believed that a man might have spinal meningitis because he did not have on a particular kind of shoe, or that a man might have pneumonia for that reason? No. Those are germ diseases. and when the man gets the germs he might be weakened, of course, in his condition to a point where he could not resist the ravages of the disease; but generally it is produced by the germ and is not affected by these other circumstances.

The hospital condition, so far as I understand, is not very unsatisfactory. Of course many people have been sick. There have been many deaths from pneumonia and measles. There always have been in armies, and there always will be. Pneumonia and measles are necessarily fatal diseases to a large extent. We have not been able to overcome that condition yet, and we never will be, I fear.

I am not an apologist for anybody in this administration. The President has always been able to take care of himself, and the Secretary of War, so far as I know, has been able to look after his own interests. I simply thought I ought to say this much to the people who might be disturbed by the speech of the Senator and the disclosures that have been made, only partially, of certain instances that do not affect the great general result that has been accomplished.

What difference does it make out yonder in the cabin or the home in Oregon if Mr. and Mrs. John Smith know that Sam did not have his overcoat within a week of the time he ought to have had it, or that he ought to have had it two weeks earlier? What difference would it make about supplying the overcoat? None. I might, however, reduce those people to a condition where they distrusted the Government and the administration, and doubted its power to accomplish the end that we have gone into the war to accomplish.

There may be other members of the Military Affairs Committee who are going to speak here to-day. I want to assume entire responsibility, however, for what I have said; and I say to you, as a man who has heard this investigation, as a man who is accustomed to weighing testimony, as a man who is accustomed to rendering judgment, that my opinion of the condition as it exists to-day is that the military department has not fallen down. The military department, where it has been deficient, has remedied the condition by volunteer boards of the best talent in the United States, and that is all that could be done if you had the law that is proposed by the Senator from Oregon.

Now, that has been done. I am not saying anything about the law. I am referring to the condition. This voluntary advisory agency was added to the military department because it recognized the need for it, and it accomplished the result through this means. That has been done. That is already done.

I am not going to talk to you further. It may be that I ought not to have talked at all, but my judgment led me to believe that somebody ought to say this much for the benefit of the country under these conditions, and I have said it.

Mr. HITCHCOCK. I ask that the bill introduced by the Senator from Oregon [Mr. CHAMBERLAIN] be now referred to the Committee on Military Affairs.

The PRESIDENT pro tempore. Without objection, the bill will be read the second time by its title and referred to the Committee on Military Affairs.

The bill (S. 3583) to establish a war cabinet and to define the jurisdiction and authority thereof was read the second time by its title and referred to the Committee on Military Affairs.

HEADS OF EXECUTIVE DEPARTMENTS.

Mr. HARDWICK. Mr. President, I wish to make a short statement to the Senate.

On the 4th day of January, 1918, I submitted this resolution in the Senate:

Senate resolution 175.

Resolved, That the President of the United States be requested to inform the Senate, if not incompatible with the public interest, by what warrant or authority of law the several heads of the executive departments hold their offices.

Mr. President, for many years and under many administrations every President of the United States who was reelected has at the beginning of his second term sent to the Senate his Cabinet nominations, and the Senate has always, except in one or two rare instances, promptly confirmed those nominations without question. The Constitution requires that these officers shall be confirmed by the Senate; and it has seemed to me that in times like these, when we were granting all sorts of unusual, large, extraordinary, and in some cases autocratic powers to the present Chief Executive, it was especially incumbent upon the Executive to comply with the spirit of the Constitution, even if the statutes in relation to these Cabinet officers in most cases did authorize the incumbents of these particular offices to hold them until their successors were appointed and confirmed, as is the case with respect to most of them.

But it happens, Mr. President, that by express provisions of statute law the Postmaster General of the United States does not hold his office over from one term to another, the statute providing in express terms that the Postmaster General shall hold office only during the term of the President by whom he was appointed, and for one month longer, and no longer. So that, as a matter of fact, the country ever since April 4, 1917, has been legally without a Postmaster General, and the position of head of one of the greatest executive departments of the Government has been unfilled, so far as law goes.

The object of the resolution I offered was to direct attention to that situation. I understand, however, that that is about to be met by a renomination of the Postmaster General, and that when I yield the floor the Senator from Virginia [Mr. MARTIN] is about to move an executive session to consider that nomination. I merely want to congratulate the country on the fact that the President has at last found out what the law is, and has at last complied with it; and I would still further congratulate both the country and the President if the President would comply with the spirit of the Constitution about all these things, as well as the letter of the law, and would follow the custom of his predecessors as well as obey the Constitution of the United States by sending to the Senate nominations for the other Cabinet places, as well as that of Postmaster General.

THE GARABED INVENTION.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the joint resolution, H. J. Res. 174, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JAMES. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. JAMES, Mr. GORE, and Mr. BRANDEGEE conferees on the part of the Senate.

HIDE AND LEATHER SITUATION (H. DOC. NO. 857).

The PRESIDENT pro tempore laid before the Senate a communication from the Federal Trade Commission, transmitting a preliminary report on the hide and leather situation, stating certain facts ascertained in an investigation of hide, leather, and leather products undertaken by the commission under resolution of December 31, 1917, and in connection with the investigation of animal food products and by-products, which the commission is making pursuant to the President's direction, which, with the accompanying paper, was referred to the Committee on Interstate Commerce and ordered to be printed.

REPORT OF THE EIGHT-HOUR COMMISSION (H. DOC. NO. 690).

The PRESIDENT pro tempore laid before the Senate a communication from the Eight Hour Commission, transmitting a report of the commission appointed in accordance with the act of September 3 and 5, 1916, to observe the operation and effects of the institution of the eight-hour standard workday for railroad employees, which, with the accompanying paper, was referred to the Committee on Interstate Commerce.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 8696) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution authorizing the Clerk, in the enrollment of the bill (H. R. 195) providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw

and Chickasaw Nations, Oklahoma, to strike out the word "applied," on page 5, line 13, and to insert in lieu thereof the word "apply," in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. FRELINGHUYSEN presented resolutions adopted by the Board of City Commissioners of Jersey City, N. J., favoring an increase in the salaries of all civilian employees, which were referred to the Committee on Appropriations.

Mr. JONES of Washington presented resolutions adopted by the Metal Trades Council of Seattle, Wash., favoring the erection by the United States Shipping Board of a sufficient number of houses for workers in the shipyards in that city, which were referred to the Committee on Commerce.

Mr. PHELAN presented a petition of the Chamber of Commerce of San Luis Obispo, Cal., favoring the construction of the proposed military highway from Blaine, Wash., to San Diego, Cal., which was referred to the Committee on Military Affairs.

He also presented a petition of the Napa Farm Bureau, of Napa, Cal., remonstrating against the importation of Chinese coolie labor, which was referred to the Committee on Education and Labor.

Mr. McLEAN presented a petition of the Chamber of Commerce of Stamford, Conn., praying for the enactment of legislation providing for the formation of a war council, which was ordered to lie on the table.

He also presented a petition of the Connecticut Pedic Society, praying for the enactment of legislation providing for the establishment of a chiropody unit in the United States Army, which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEE ON NAVAL AFFAIRS.

Mr. TILLMAN, from the Committee on Naval Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 3404) to authorize the President to drop from the rolls any naval or Marine Corps officer absent without leave for three months or who has been convicted of any offense by the civil authorities, and prohibiting such officer's reappointment (Rept. No. 209);

A bill (S. 302) authorizing the Secretary of the Navy to make donation of condemned naval guns and cannon balls to the John Wannebo Camp, No. 9, United Spanish War Veterans, Everett, Wash., to be placed in public parks (Rept. No. 210);

A bill (S. 3006) to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes (Rept. No. 211);

A bill (S. 3126) to provide temporary promotion for retired officers of the Navy and Marine Corps performing active duty during the period of the present war (Rept. No. 212);

A bill (S. 3129) to provide for the disposition of the effects of deceased persons in the naval service (Rept. No. 213);

A bill (S. 3130) to amend section 1570 of the Revised Statutes of the United States (Rept. No. 214);

A bill (S. 3131) for the relief of Col. Littleton W. T. Waller, United States Marine Corps (Rept. No. 215);

A bill (S. 3400) to regulate the pay of retired chief warrant officers on active duty (Rept. No. 216);

A bill (S. 3406) to authorize the Secretary of the Navy to determine where and when there are no public quarters available for officers of the Navy and Marine Corps (Rept. No. 217);

A bill (S. 3427) for the relief of certain ex-paymasters' clerks (Rept. No. 218);

A bill (S. 3445) to authorize the payment of gun pointers and gun captains while temporarily absent from their regular stations, and for other purposes (Rept. No. 219); and

A bill (S. 3446) to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes," approved March 4, 1917 (Rept. No. 220).

He also, from the same committee, to which was referred the bill (S. 3402) to fix the age limits for candidates for admission to the United States Naval Academy, reported it with an amendment and submitted a report (No. 221) thereon.

He also, from the same committee, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (S. 179) to correct the naval record of Fred C. Konrad (Rept. No. 222); and

A bill (S. 3401) to authorize the President to temporarily reduce the course of instruction at the United States Naval Academy (Rept. No. 223).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 3629) for the relief of Charles Haythorpe; to the Committee on Patents.

By Mr. WATSON:

A bill (S. 3630) granting an increase of pension to James Showers (with accompanying papers); to the Committee on Pensions.

LANDS IN OKLAHOMA.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution (H. Con. Res. 34) of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 195) entitled "An act providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla.," the Clerk be, and he is hereby, authorized and directed to strike out the word "applied," on page 5, line 13, and to insert in lieu thereof the word "apply."

Mr. OWEN. I move that the Senate concur in the resolution of the House.

The motion was agreed to.

HOUSE BILL REFERRED.

H. R. 8696. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1919, was read twice by its title and referred to the Committee on Indian Affairs.

EXECUTIVE SESSION.

Mr. MARTIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 20 minutes spent in executive session the doors were reopened.

ADJOURNMENT TO MONDAY.

Mr. MARTIN. I move that the Senate adjourn until Monday at 12 o'clock.

The motion was agreed to; and (at 3 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, January 28, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 24, 1918.

POSTMASTER GENERAL.

Albert Sidney Burleson, of Texas, to be Postmaster General.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

Capt. Richard H. Williams, Coast Artillery Corps, to be major from December 29, 1917, vice Maj. Alden Trotter, detailed in Ammunition Train.

Capt. Alfred M. Mason, Coast Artillery Corps, to be major from December 29, 1917, vice Capt. Michael H. Barry, detailed in Ammunition Train.

Capt. Kenneth C. Masteller, Coast Artillery Corps (General Staff), to be major from December 29, 1917, vice Maj. Theodore H. Koch, detailed in Ammunition Train.

Capt. Joseph Matson, Coast Artillery Corps, to be major from December 29, 1917, vice Maj. Kenneth C. Masteller, retained in the General Staff.

CORPS OF ENGINEERS.

To be first lieutenant with rank from October 4, 1917, to fill an original vacancy.

Second Lieut. Simon Medine, Corps of Engineers.

To be first lieutenants with rank from October 16, 1917, to fill original vacancies.

Second Lieut. Samuel L. Kuhn, Corps of Engineers.
Second Lieut. Louis Graham, Corps of Engineers.
Second Lieut. Roy M. McCutchen, Corps of Engineers.
Second Lieut. William Lohmeyer, jr., Corps of Engineers.
Second Lieut. William A. Clark, Corps of Engineers.
Second Lieut. Aubrey H. Bond, Corps of Engineers.
Second Lieut. Hubert W. Collins, Corps of Engineers.
Second Lieut. Harold J. McDonald, Corps of Engineers.
Second Lieut. Maurice P. Van Buren, Corps of Engineers.
Second Lieut. Frederick S. H. Smith, Corps of Engineers.
Second Lieut. Frank B. Hastie, Corps of Engineers.
Second Lieut. Harold Van V. Fay, Corps of Engineers.
Second Lieut. Oscar R. Peterson, Corps of Engineers.

Second Lieut. Thomas K. Meloy, Corps of Engineers.
Second Lieut. Robert A. Love, Corps of Engineers.
Second Lieut. Bennet H. Bowley, jr., Corps of Engineers.
Second Lieut. Robert D. Ingalls, Corps of Engineers.
Second Lieut. William L. G. Mackenzie, Corps of Engineers.
Second Lieut. Walter L. Medding, Corps of Engineers.
Second Lieut. Warren A. Lyon, Corps of Engineers.
Second Lieut. Roger W. Parkhurst, Corps of Engineers.
Second Lieut. Albert C. Lieber, jr., Corps of Engineers.
Second Lieut. Robert K. Munroe, Corps of Engineers.
Second Lieut. James A. Bjerregaard, Corps of Engineers.
Second Lieut. Eugene F. Gaebler, Corps of Engineers.
Second Lieut. William C. Atwater, Corps of Engineers.
Second Lieut. Henry E. Strout, jr., Corps of Engineers.
Second Lieut. John A. Strang, Corps of Engineers.
Second Lieut. George E. Robinson, Corps of Engineers.
Second Lieut. Frank C. Rogers, Corps of Engineers.
Second Lieut. Philip N. Cristal, Corps of Engineers.
Second Lieut. Clifford H. Springer, Corps of Engineers.
Second Lieut. Edward P. Morton, Corps of Engineers.
Second Lieut. Langley S. Homer, Corps of Engineers.
Second Lieut. George J. Nold, Corps of Engineers.

TEMPORARY PROMOTIONS IN THE ARMY.

INFANTRY ARM.

To be majors with rank from August 5, 1917.

Capt. Paul W. Beck, Infantry, vice Maj. Edwin Bell, appointed colonel in the National Army.

Capt. Robert I. Rees, Infantry (General Staff), vice Maj. John S. Battle, appointed colonel in the National Army.

Capt. John J. Miller, Infantry, vice Maj. Robert I. Rees, retained in the General Staff.

Capt. Jesse M. Cullison, Infantry, vice Maj. William E. Welch, appointed colonel in the National Army.

Capt. William H. Noble, Infantry (Quartermaster Corps), vice Maj. Frank L. Wells, appointed colonel in the National Army.

Capt. Wilbur A. McDaniel, Infantry, vice Maj. William H. Noble, retained in the Quartermaster Corps.

Capt. Evert R. Wilson, Infantry, vice Maj. James E. Harbeson, appointed colonel in the National Army.

Capt. Philip Powers, Infantry, vice Maj. Pegram Whitworth, appointed colonel in the National Army.

Capt. Clenard McLaughlin, Infantry, detached officers' list, vice Maj. Thomas W. Darrah, appointed colonel in the National Army.

Capt. Edward B. Mitchell, Infantry, vice Maj. Lorrain T. Richardson, appointed colonel in the National Army.

Capt. James H. Como, Infantry (Quartermaster Corps), vice Maj. Charles R. Howland, appointed colonel in the National Army.

Capt. Harol D. Coburn, Infantry, detached officers' list, vice Maj. James H. Como, retained in the Quartermaster Corps.

Capt. Allen J. Greer, Infantry (General Staff), vice Maj. Louis M. Nuttman, appointed colonel in the National Army.

Capt. Robert Whitfield, Infantry, detached officers' list, vice Maj. Allen J. Greer, retained in the General Staff.

Capt. Abraham U. Loeb, Infantry, vice Maj. Glenn Davis, appointed colonel in the National Army.

Capt. Constant Cordier, Infantry (General Staff), vice Maj. Franklin S. Hutton, appointed colonel in the National Army.

Capt. James M. Loud, Infantry, vice Maj. Constant Cordier, retained in the General Staff.

Capt. J. De Camp Hall, Infantry, vice Maj. Fine W. Smith, appointed colonel in the National Army.

Capt. Davis C. Anderson, Infantry, detached officers' list, vice Maj. Walter S. McBroom, appointed colonel in the National Army.

Capt. Robert D. Carter, Infantry, vice Maj. Robert H. Allen, appointed colonel in the National Army.

Capt. Douglas Potts, Infantry, detached officers' list, vice Maj. Dwight W. Ryther, appointed colonel in the National Army.

Capt. Vincent M. Elmore, Infantry, vice Maj. Frederick B. Shaw, appointed colonel in the National Army.

Capt. Benjamin R. Wade, Infantry, vice Maj. William F. Creary, promoted lieutenant colonel.

Capt. George E. Goodrich, Infantry, vice Maj. Herschel Tupes, promoted lieutenant colonel.

Capt. Edwin S. Hartshorn, Infantry, vice Maj. Isaac Newell, promoted lieutenant colonel.

Capt. Clark R. Elliott, Infantry, vice Maj. Lawrence B. Simonds, promoted lieutenant colonel.

Capt. Ralph B. Lister, Infantry, vice Maj. Frederick W. Lewis, promoted lieutenant colonel.

Capt. Harry E. Comstock, Infantry, vice Maj. James N. Pickering, promoted lieutenant colonel.

Capt. William R. Standiford, Infantry (General Staff), vice Maj. William A. Burnside, promoted lieutenant colonel.

Capt. Frederick S. Young, Infantry (General Staff), vice Maj. William R. Standiford, retained in the General Staff.

Capt. Thomas S. Moorman, Infantry (Quartermaster Corps), vice Maj. Frederick S. Young, retained in the General Staff.

Capt. Charles H. Morrow, Infantry, vice Maj. Thomas S. Moorman, retained in the Quartermaster Corps.

Capt. Brady G. Ruttencutter, vice Maj. Russell C. Langdon, promoted lieutenant colonel.

Capt. Jennings B. Wilson, Infantry, vice Maj. Harry H. Tebbetts, promoted lieutenant colonel.

Capt. William O. Smith, Infantry (Quartermaster Corps), vice Maj. Frank C. Bolles, promoted lieutenant colonel.

Capt. Clarence K. La Motte, Infantry, vice Maj. William O. Smith, retained in the Quartermaster Corps.

Capt. George M. Holley, Infantry, vice Maj. James W. Clinton, promoted lieutenant colonel.

Capt. Edgar S. Stayer, Infantry (Quartermaster Corps), vice Maj. Alexander T. Ovenshine, promoted lieutenant colonel.

Capt. Charles H. Errington, Infantry (Quartermaster Corps), vice Maj. Edgar S. Stayer, retained in the Quartermaster Corps.

Capt. George C. Shaw, Infantry, vice Maj. Charles H. Errington, retained in the Quartermaster Corps.

Capt. Charles E. Reese, Infantry, detached officers' list, vice Maj. Henry E. Eames, promoted lieutenant colonel.

Capt. Robert S. Knox, Infantry, detached officers list, vice Maj. Carroll F. Armistead, promoted lieutenant colonel.

Capt. William A. Castle, Infantry (General Staff), vice Maj. Paul Giddings, promoted lieutenant colonel.

Capt. Harry D. Blasland, Infantry, vice Maj. William A. Castle, retained in the General Staff.

Capt. Edward H. Andres, Infantry (Quartermaster Corps), vice Maj. Alfred T. Smith, promoted lieutenant colonel.

Capt. Thomas J. Rogers, Infantry, vice Maj. Edward H. Andres, retained in the Quartermaster Corps.

Capt. Edwin J. Bracken, Infantry, vice Maj. Charles D. Roberts, appointed lieutenant colonel in the National Army.

Capt. George W. England, Infantry, vice Maj. Preston Brown, appointed lieutenant colonel in the National Army.

Capt. Clyde B. Parker, Infantry, vice Maj. Robert McCleave, appointed lieutenant colonel in the National Army.

Capt. Alvin C. Voris, Infantry (Signal Corps), vice Maj. John L. De Witt, appointed lieutenant in the National Army.

Capt. Frank R. Curtis, Infantry (Signal Corps), vice Maj. Alvin C. Voris, retained in the Signal Corps.

Capt. Fred L. Davidson, Infantry, vice Maj. Frank R. Curtis, retained in the Signal Corps.

Capt. George E. Kumpe, Infantry, vice Maj. William H. Waldron, appointed lieutenant colonel in the National Army.

Capt. Milo C. Corey, Infantry, vice Maj. Thomas M. Anderson, jr., promoted lieutenant colonel.

Capt. Arthur M. Ferguson, Infantry, detached officers' list, vice Maj. John B. Hunt, promoted lieutenant colonel.

Capt. De Witt W. Chamberlin, Infantry (Quartermaster Corps), vice Maj. Claude H. Miller, promoted lieutenant colonel.

Capt. Walter H. Johnson, Infantry, vice Maj. De Witt W. Chamberlin, retained in the Quartermaster Corps.

Capt. Robert G. Rutherford, jr., Infantry, vice Maj. John H. Hughes, promoted lieutenant colonel.

Capt. Robert E. Grinstead, Infantry (Quartermaster Corps), vice Maj. Rufus E. Longan, promoted lieutenant colonel.

Capt. Albert S. Williams, Infantry, vice Maj. Robert E. Grinstead, retained in the Quartermaster Corps.

Capt. William B. Graham, Infantry (Quartermaster Corps), vice Maj. Edward E. Roche, promoted lieutenant colonel.

Capt. Charles J. Nelson, Infantry (Quartermaster Corps), vice Maj. William B. Graham, retained in the Quartermaster Corps.

Capt. E. Alexis Jeunet, Infantry, vice Maj. Charles J. Nelson, retained in the Quartermaster Corps.

Capt. Charles H. Danforth, Infantry, vice Maj. Henry M. Dichmann, promoted lieutenant colonel.

Capt. Gideon H. Williams, Infantry, detached officers' list, vice Maj. Charles S. Lincoln, appointed lieutenant colonel in the National Army.

Capt. Fred W. Bugbee, Infantry, vice Maj. Halstead Dorey, promoted lieutenant colonel.

Capt. Leonard T. Baker, Infantry, vice Maj. Edgar T. Conley, promoted lieutenant colonel.

Capt. Charles S. Frank, Infantry (Quartermaster Corps), vice Maj. George J. Holden, appointed lieutenant colonel in the National Army.

Capt. Franklin S. Leisenring, Infantry (Quartermaster Corps), vice Maj. Charles S. Frank, retained in the Quartermaster Corps.

Capt. Charles F. Andrews, Infantry, vice Maj. Franklin S. Leisenring, retained in the Quartermaster Corps.

Capt. Allan L. Briggs, Infantry, vice Maj. Easton R. Gibson, appointed lieutenant colonel in the National Army.

Capt. James M. Petty, Infantry, vice Maj. Walter C. Sweeney, appointed lieutenant colonel in the National Army.

Capt. John B. Shuman, Infantry, vice Maj. John Robertson, promoted lieutenant colonel.

Capt. Charles G. Lawrence, Infantry (Quartermaster Corps), vice Maj. James V. Heidt, promoted lieutenant colonel.

Capt. Frederic G. Kellond, Infantry, vice Maj. Charles G. Lawrence, retained in the Quartermaster Corps.

Capt. William P. Kitts, Infantry, vice Maj. Patrick H. Mullay, promoted lieutenant colonel.

Capt. Walter Harvey, Infantry, vice Maj. Frank D. Wickham, appointed lieutenant colonel in the National Army.

Capt. Frank B. Davis, Infantry, vice Maj. John J. Toffey, appointed lieutenant colonel in the National Army.

Capt. Harry D. Mitchell, Infantry, detached officers' list, vice Maj. Mark Wheeler, appointed lieutenant colonel in the National Army.

Capt. Ode C. Nichols' Infantry, vice Maj. Ivers W. Leonard, appointed lieutenant colonel in the National Army.

Capt. Kirwin T. Smith, Infantry, vice Maj. Pearl M. Shaffer, appointed lieutenant colonel in the National Army.

Capt. William W. Bessell, Infantry, vice Maj. Laurence A. Curtis, appointed lieutenant colonel in the National Army.

Capt. Frank C. Burnett, Infantry, vice Maj. Raymond Sheldon, appointed lieutenant colonel in the National Army.

Capt. Collin H. Ball, Infantry, vice Maj. James D. Taylor, appointed lieutenant colonel in the National Army.

Capt. A. Owen Seaman, Infantry (General Staff), vice Maj. Frank Halstead, appointed lieutenant colonel in the National Army.

Capt. Clifford U. Leonori, Infantry, vice Maj. A. Owen Seaman, retained in the General Staff.

Capt. Benjamin H. Pope, Infantry, vice Maj. Archie J. Harris, appointed lieutenant colonel in the National Army.

Capt. Julian L. Dodge, Infantry (Quartermaster Corps), vice Maj. Alexander J. Macnab, appointed lieutenant colonel in the National Army.

Capt. Herman Glade, Infantry, vice Maj. Julian L. Dodge, retained in the Quartermaster Corps.

Capt. Frank S. Bowen, Infantry, vice Maj. Robert M. Brambila, appointed lieutenant colonel in the National Army.

Capt. Robert H. Peck, Infantry, vice Maj. C. de Grasse Catlin, appointed lieutenant colonel in the National Army.

Capt. Ward Dabney, Infantry (Quartermaster Corps), vice Maj. Henry S. Wagner, appointed lieutenant colonel in the National Army.

Capt. William W. Taylor, jr., Infantry, vice Maj. Ward Dabney, retained in the Quartermaster Corps.

Capt. Russell C. Hand, Infantry, detached officers' list, vice Maj. Frederick G. Knabenshue, appointed lieutenant colonel in the National Army.

Capt. George A. Herbst, Infantry, vice Maj. James E. Bell, appointed lieutenant colonel in the National Army.

Capt. Philip J. Lauber, Infantry, vice Maj. James M. Love, jr., appointed lieutenant colonel in the National Army.

Capt. Thomas M. Hunter, Infantry, vice Maj. Paul H. McCook, appointed lieutenant colonel in the National Army.

Capt. Elverton E. Fuller, Infantry, vice Maj. George B. Pond, appointed lieutenant colonel in the National Army.

Capt. William S. Neely, Infantry, vice Maj. James B. Kemper, appointed lieutenant colonel in the National Army.

Capt. Frank H. Adams, Infantry, vice Maj. John W. Barnes, appointed lieutenant colonel in the National Army.

Capt. George C. Lewis, Infantry, detached officers' list, vice Maj. Frank W. Rowell, appointed lieutenant colonel in the National Army.

Capt. William H. Patterson, Infantry, detached officers' list, vice Maj. Charles E. Morton, appointed lieutenant colonel in the National Army.

Capt. Leonard J. Mygatt, Infantry, vice Maj. Garrison McCaskey, appointed lieutenant colonel in the National Army.

Capt. Elliott M. Norton, Infantry, vice Maj. Woodson Hocker, appointed lieutenant colonel in the National Army.

Capt. Roscoe H. Hearn, Infantry, vice Maj. Charles B. Clark, appointed lieutenant colonel in the National Army.

Capt. Morris M. Keck, Infantry, vice Maj. James Hanson, appointed lieutenant colonel in the National Army.

Capt. Auswell E. Deitsch, Infantry, vice Maj. William F. Merry, appointed lieutenant colonel in the National Army.

Capt. Joseph C. Kay, Infantry (Quartermaster Corps), vice Maj. George W. Stuart, appointed lieutenant colonel in the National Army.

Capt. Walter C. Jones, Infantry (Quartermaster Corps), vice Maj. Joseph C. Kay, retained in the Quartermaster Corps.

Capt. La Vergne L. Gregg, Infantry, vice Maj. Walter C. Jones, retained in the Quartermaster Corps.

Capt. Bertram P. Johnson, Infantry, vice Maj. Ephraim G. Peyton, appointed lieutenant colonel in the National Army.

Capt. Bruno T. Scher, Infantry, vice Maj. William L. Reed, appointed lieutenant colonel in the National Army.

Capt. Gustav A. Wieser, Infantry, vice Maj. Charles L. McKain, appointed lieutenant colonel in the National Army.

Capt. Charles R. W. Morison, Infantry, vice Maj. George E. Stewart, appointed lieutenant colonel in the National Army.

Capt. Walter L. Reed, Infantry, detached officers' list, vice Maj. Alden C. Knowles, appointed lieutenant colonel in the National Army.

Capt. Ira F. Fravel, Infantry, vice Maj. Henry A. Hanigan, appointed lieutenant colonel in the National Army.

Capt. Ned M. Green, Infantry, vice Maj. John W. Wright, appointed lieutenant colonel in the National Army.

Capt. J. Alfred Moss, Infantry, vice Maj. Grosvenor L. Townsend, appointed lieutenant colonel in the National Army.

Capt. Charles F. Leonard, Infantry, vice Maj. James K. Parsons, appointed lieutenant colonel in the National Army.

Capt. Franklin P. Jackson, Infantry (Quartermaster Corps), vice Maj. Reuben Smith, appointed lieutenant colonel in the National Army.

Capt. John S. Chambers, Infantry (Quartermaster Corps), vice Maj. Franklin P. Jackson, retained in the Quartermaster Corps.

Capt. James Regan, Infantry (Quartermaster Corps), vice Maj. John S. Chambers, retained in the Quartermaster Corps.

Capt. Gilbert M. Allen, Infantry, vice Maj. James Regan, retained in the Quartermaster Corps.

Capt. John Randolph, Infantry, detached officers' list, vice Maj. Howard C. Price, appointed lieutenant colonel in the National Army.

Capt. Clyde B. Crusan, Infantry (Quartermaster Corps), vice Maj. William E. Hunt, appointed lieutenant colonel in the National Army.

Capt. Sherman A. White, Infantry, detached officers' list, vice Maj. Clyde B. Crusan, retained in the Quartermaster Corps.

Capt. William H. Clendenin, Infantry, vice Maj. Leon L. Roach, appointed lieutenant colonel in the National Army.

Capt. John M. Craig, Infantry, vice Maj. Horace P. Hobbs, appointed lieutenant colonel in the National Army.

Capt. William G. Ball, Infantry (Quartermaster Corps), vice Maj. Louis J. Van Schaick, appointed lieutenant colonel in the National Army.

Capt. Charles Abel, Infantry (Quartermaster Corps), vice Maj. William G. Ball, retained in the Quartermaster Corps.

Capt. Walter E. Gunster, Infantry (Quartermaster Corps), vice Maj. Charles Abel, retained in the Quartermaster Corps.

Capt. William R. Kendrick, Infantry, vice Maj. Walter E. Gunster, retained in the Quartermaster Corps.

Capt. Horace F. Sykes, Infantry, vice Maj. George S. Tiffany, appointed lieutenant colonel in the National Army.

Capt. Oliver P. Robinson, Infantry, vice Maj. Arthur Shipp, appointed lieutenant colonel in the National Army.

Capt. George K. Wilson, Infantry, vice Maj. Paul Hurst, appointed lieutenant colonel in the National Army.

Capt. Gerrit Van S. Quackenbush, Infantry, detached officers' list, vice Maj. Allen Smith, jr., appointed lieutenant colonel in the National Army.

Capt. Sydney H. Hopson, Infantry (Quartermaster Corps), vice Maj. Frank B. Hawkins, appointed lieutenant colonel in the National Army.

Capt. William E. Gillmore, Infantry, vice Maj. Sydney H. Hopson, retained in the Quartermaster Corps.

Capt. William E. Persons, Infantry (Quartermaster Corps), vice Maj. Wait C. Johnson, appointed lieutenant colonel in the National Army.

Capt. James G. Taylor, Infantry, vice Maj. William E. Persons, retained in the Quartermaster Corps.

Capt. H. Clay M. Supplee, Infantry, vice Maj. Josephus S. Cecil, appointed lieutenant colonel in the National Army.

Capt. Alex M. Hall, Infantry, vice Maj. Albert R. Dillingham, appointed lieutenant colonel in the National Army.

Capt. Elliot M. Caziarc, Infantry, vice Maj. Henry A. Ripley, appointed lieutenant colonel in the National Army.

Capt. Carl C. Jones, Infantry, vice Maj. William A. Kent, appointed lieutenant colonel in the National Army.

Capt. Alfred J. Booth, Infantry, vice Maj. Samuel W. Noyes, appointed lieutenant colonel in the National Army.

Capt. Joseph A. Marmon, Infantry, vice Maj. James T. Watson, appointed lieutenant colonel in the National Army.

Capt. Rinaldo R. Wood, Infantry (Quartermaster Corps), vice Maj. William W. McCammon, appointed lieutenant colonel in the National Army.

Capt. Leonard H. Cook, Infantry, vice Maj. Rinaldo R. Wood, retained in the Quartermaster Corps.

Capt. Horatio I. Lawrence, Infantry, vice Maj. Albert B. Sloan, appointed lieutenant colonel in the National Army.

Capt. William B. Wallace, Infantry (Quartermaster Corps), vice Maj. Lawrence P. Butler, appointed lieutenant colonel in the National Army.

Capt. Shepard L. Pike, Infantry, vice Maj. William B. Wallace, retained in the Quartermaster Corps.

Capt. Henry G. Stahl, Infantry, detached officers' list, vice Maj. William G. Doane, appointed lieutenant colonel in the National Army.

Capt. Roy C. Kirtland, Infantry, vice Maj. James M. Kimbrough, jr., appointed lieutenant colonel in the National Army.

Capt. Alfred C. Arnold, Infantry, vice Maj. Ernest Van D. Murphy, appointed lieutenant colonel in the National Army.

Capt. Vernon W. Boller, Infantry (Quartermaster Corps), vice Maj. William A. Cavenaugh, appointed lieutenant colonel in the National Army.

Capt. Wallace McNamara, Infantry, vice Maj. Vernon W. Boller, retained in the Quartermaster Corps.

Capt. David A. Henkes, Infantry, vice Maj. Benjamin D. Tillman, appointed lieutenant colonel in the National Army.

Capt. Guy A. Bucker, Infantry, vice Maj. Charles F. Bates, appointed lieutenant colonel in the National Army.

Capt. Robert G. Peck, Infantry, vice Maj. William H. Jordan, jr., appointed lieutenant colonel in the National Army.

Capt. Robert J. Binford, Infantry, vice Maj. Adolphe H. Huguet, appointed lieutenant colonel in the National Army.

Capt. Sheldon W. Anding, Infantry, vice Maj. John N. Straat, appointed lieutenant colonel in the National Army.

Capt. William G. Murchison, Infantry, detached officers' list, vice Maj. James Justice, appointed lieutenant colonel in the National Army.

Capt. Elvin H. Wagner, Infantry, vice Maj. Eldred D. Warfield, appointed lieutenant colonel in the National Army.

Capt. Thomas W. Brown, Infantry (General Staff), vice Maj. Joseph K. Partello, appointed lieutenant colonel in the National Army.

Capt. Otis R. Cole, Infantry, detached officers' list, vice Maj. Thomas W. Brown, retained in the General Staff.

Capt. Shelby C. Leasure, Infantry, detached officers' list, vice Maj. Edgar A. Myer, appointed lieutenant colonel in the National Army.

Capt. Charles F. Herr, Infantry, vice Maj. Joseph W. Beacham, jr., appointed lieutenant colonel in the National Army.

Capt. Fred H. Turner, Infantry, vice Maj. Robert H. Wescott, appointed lieutenant colonel in the National Army.

Capt. Edwin O. Saunders, Infantry, vice Maj. John L. Bond, appointed lieutenant colonel in the National Army.

Capt. Arthur L. Bump, Infantry, vice Maj. Charles W. Weeks, appointed lieutenant colonel in the National Army.

Capt. Willis E. Mills, Infantry, vice Maj. Lucius C. Bennett, appointed lieutenant colonel in the National Army.

Capt. Harry W. Gregg, Infantry, vice Maj. Paul C. Galleher, appointed lieutenant colonel in the National Army.

Capt. Staley A. Campbell, Infantry, deatched officers' list, vice Maj. Howard G. Davis, appointed lieutenant colonel in the National Army.

Capt. John R. Brewer, Infantry, vice Maj. Lambert W. Jordan, jr., promoted lieutenant colonel.

Capt. Leo A. Dewey, Infantry, vice Maj. Edgar A. Fry, appointed lieutenant colonel in the National Army.

Capt. John P. McAdams, Infantry, vice Maj. George F. Baltzell, appointed lieutenant colonel in the National Army.

Capt. Thomas T. Duke, Infantry, vice Maj. Martin L. Crimmins, appointed lieutenant colonel in the National Army.

Capt. Edward G. McCleave, Infantry, vice Maj. Alfred Aloe, appointed lieutenant colonel in the National Army.

Capt. Hugh A. Parker, Infantry, vice Maj. George S. Simonds, appointed lieutenant colonel in the National Army.

Capt. James E. Ware, Infantry (Quartermaster Corps), vice Maj. Samuel M. McIntyre, appointed lieutenant colonel in the National Army.

Capt. Kenneth P. Williams, Infantry (Quartermaster Corps), vice Maj. James E. Ware, retained in the Quartermaster Corps.

Capt. William A. Alfonte, Infantry, vice Maj. Kenneth P. Williams, retained in the Quartermaster Corps.

Capt. Charles E. Swartz, Infantry (Signal Corps), vice Maj. Harvey W. Miller, promoted lieutenant colonel.

Capt. Benjamin D. Foulois, Infantry (Signal Corps), vice Maj. Charles E. Swartz, retained in the Signal Corps.

Capt. Goodwin Compton, Infantry, vice Maj. Benjamin D. Foulois, retained in the Signal Corps.

Capt. Launcelot M. Purcell, Infantry (Quartermaster Corps), vice Maj. Daniel G. Berry, promoted lieutenant colonel.

Capt. Charles T. Smart, Infantry, vice Maj. Launcelot M. Purcell, retained in the Quartermaster Corps.

Capt. Girard L. McEntee, Infantry (Signal Corps), vice Maj. Ralph E. Ingram, promoted lieutenant colonel.

Capt. John Scott, Infantry (Signal Corps), vice Maj. Girard L. McEntee, retained in the Signal Corps.

Capt. George C. Marshall, jr., Infantry (General Staff), vice Maj. John Scott, retained in the Signal Corps.

Capt. John C. Waterman, Infantry, detached officers' list, vice Maj. George C. Marshall, retained in the General Staff.

Capt. Alfred A. Hickox, Infantry, detached officers' list, vice Maj. Alvan C. Read, promoted lieutenant colonel.

Capt. John E. Green, Infantry, detached officers' list, vice Maj. Bryan Conrad, appointed lieutenant colonel in the National Army.

Capt. Jason M. Walling, Infantry (Quartermaster Corps), vice Maj. Harry E. Knight, appointed lieutenant colonel in the National Army.

Capt. Robert L. Weeks, Infantry, vice Maj. Jason M. Walling, retained in the Quartermaster Corps.

Capt. Charles A. Hunt, Infantry, vice Maj. Earle W. Tanner, appointed lieutenant colonel in the National Army.

Capt. Harry S. Adams, Infantry, vice Maj. Milton A. Elliott, jr., appointed lieutenant colonel in the National Army.

Capt. Gilbert H. Stewart, Infantry (Ordnance Department), vice Maj. Ernest E. Haskell, appointed lieutenant colonel in the National Army.

Capt. Frederick F. Black, Infantry, vice Maj. Gilbert H. Stewart, retained in the Ordnance Department.

Capt. David H. Bower, Infantry (Signal Corps), vice Maj. John B. Sanford, appointed lieutenant colonel in the National Army.

Capt. Hiram M. Cooper, Infantry, vice Maj. David H. Boyer, retained in the Signal Corps.

Capt. Benjamin F. Miller, Infantry (Quartermaster Corps), vice Maj. G. Arthur Hadsell, appointed lieutenant colonel in the National Army.

Capt. Charles M. Blackford, Infantry, vice Maj. Benjamin F. Miller, retained in the Quartermaster Corps.

Capt. Walter O. Boswell, Infantry, detached officers' list, vice Maj. J. Millard Little, appointed lieutenant colonel in the National Army.

Capt. Deshler Whiting, Infantry, vice Maj. Edward R. Stone, appointed lieutenant colonel in the National Army.

Capt. Gulielmus V. Heidt, Infantry, detached officers' list, vice Maj. Willis P. Coleman, appointed lieutenant colonel in the National Army.

Capt. Emory S. Adams, Infantry, detached officers' list, vice Maj. Hilden Olin, appointed lieutenant colonel in the National Army.

Capt. Ralph W. Drury, Infantry, vice Maj. Ira C. Welborn, promoted lieutenant colonel.

Capt. John C. Fairfax, Infantry, detached officers' list, vice Maj. Charles W. Exton, promoted lieutenant colonel.

Capt. Fred C. Miller, Infantry, vice Maj. Edgar Ridenour, promoted lieutenant colonel.

Capt. Charles L. Mitchell, Infantry, detached officers' list, vice Maj. Chauncey B. Humphrey, promoted lieutenant colonel.

Capt. Robert J. West, Infantry, vice Maj. Joseph F. Gohn, promoted lieutenant colonel.

Capt. Odiorne H. Sampson, Infantry (Quartermaster Corps), vice Maj. James H. Bradford, jr., promoted lieutenant colonel.

Capt. Albert Hardman, Infantry, vice Maj. Odiorne H. Sampson, retained in the Quartermaster Corps.

Capt. William E. Holliday, Infantry, vice Maj. Clifton C. Kinney, appointed lieutenant colonel in the National Army.

Capt. Jesse M. Holmes, Infantry, vice Maj. Frederick R. De Funiak, jr., appointed lieutenant colonel in the National Army.

Capt. Maynard A. Wells, Infantry, vice Maj. A. La Rue Christie, appointed lieutenant colonel in the National Army.

Capt. Hans O. Olson, Infantry, detached officers' list, vice Maj. Patrick A. Connolly, promoted lieutenant colonel.

Capt. Charles A. Thuis, Infantry (Quartermaster Corps), vice Maj. John V. Schoeffel, promoted lieutenant colonel.

Capt. Claremont A. Donaldson, Infantry, vice Maj. Charles A. Thuis, retained in the Quartermaster Corps.

Capt. Franklin T. Burt, Infantry (Quartermaster Corps), vice Maj. Englebert G. Ovenshine, promoted lieutenant colonel.

Capt. Rutherford S. Hartz, Infantry, vice Maj. Franklin T. Burt, retained in the Quartermaster Corps.

Capt. Charles S. Hamilton, Infantry, vice Maj. Moor N. Falls, appointed lieutenant colonel in the National Army.

Capt. Oscar K. Tolley, Infantry, vice Maj. Edward Croft, appointed lieutenant colonel in the National Army.

Capt. Joseph F. Ware, Infantry, vice Maj. Stanley H. Ford, appointed lieutenant colonel in the National Army.

Capt. Harry L. Jordan, Infantry, vice Maj. Clement Trott, appointed lieutenant colonel in the National Army.

Capt. Dean Halford, Infantry (Quartermaster Corps), vice Maj. Duncan K. Major, jr., appointed lieutenant colonel in the National Army.

Capt. Ralph W. Kingman, Infantry, detached officers' list, vice Maj. Dean Halford, retained in the Quartermaster Corps.

Capt. Donald D. Hay, Infantry, vice Maj. Chase Doster, appointed lieutenant colonel in the National Army.

Capt. Philip G. Wrightson, Infantry, vice Maj. George H. White, appointed lieutenant colonel in the National Army.

Capt. George W. Ewell, Infantry, vice Maj. Robert J. Maxey, promoted lieutenant colonel.

Capt. Claire R. Bennett, Infantry, vice Maj. George N. Bomford, promoted lieutenant colonel.

Capt. Bowers Davis, Infantry (Quartermaster Corps), vice Maj. Austin F. Prescott, appointed lieutenant colonel in the National Army.

Capt. John McE. Pruyn, Infantry, vice Maj. Bowers Davis, retained in the Quartermaster Corps.

Capt. Henry W. Fleet, Infantry, detached officers' list, vice Maj. Cyrus A. Dolph, appointed lieutenant colonel in the National Army.

Capt. Charles G. Sturtevant, Infantry, vice Maj. John E. Morris, appointed lieutenant colonel in the National Army.

Capt. Francis H. Burr, Infantry, vice Maj. Richmond Smith, appointed lieutenant colonel in the National Army.

Capt. John C. Ashburn, Infantry, detached officers' list, vice Maj. Arthur P. Watts, appointed lieutenant colonel in the National Army.

Capt. Charles H. Mason, Infantry (General Staff), vice Maj. Benjamin P. Nicklin, promoted lieutenant colonel.

Capt. Nicholas W. Campanoli, Infantry, vice Maj. Charles H. Mason, retained in the General Staff.

Capt. John G. Macomb, Infantry, vice Maj. John W. French, promoted lieutenant colonel.

Capt. L. Worthington Moseley, Infantry (Quartermaster Corps), vice Maj. Cromwell Stacey, promoted lieutenant colonel.

Capt. Joseph O. Mauborgne, Infantry (Signal Corps), vice Maj. L. Worthington Moseley, retained in the Quartermaster Corps.

Capt. Joseph M. Cummins, Infantry, vice Maj. Joseph O. Mauborgne, retained in the Signal Corps.

Capt. Thomas C. Musgrave, Infantry, vice Maj. Robert O. Van Horn, promoted lieutenant colonel.

Capt. Converse R. Lewis, Infantry, detached officers' list, vice Maj. Frederick S. L. Price, appointed lieutenant colonel in the National Army.

Capt. Robert M. Lyon, Infantry, vice Maj. Alexander M. Wetherill, appointed lieutenant colonel in the National Army.

Capt. Benjamin E. Grey, Infantry, detached officers' list, vice Maj. Eleutheros Cooke, promoted lieutenant colonel.

Capt. Elvid Hunt, Infantry, vice Maj. John R. Thomas, jr., appointed lieutenant colonel in the National Army.

Capt. Jacob W. S. Wuest, Infantry, detached officers' list, vice Maj. Henry M. Bankhead, appointed lieutenant colonel in the National Army.

Capt. Max B. Garber, Infantry, detached officers' list, vice Maj. James G. Hannah, appointed lieutenant colonel in the National Army.

Capt. Corbit S. Hoffman, Infantry, vice Maj. Fred E. Smith, appointed lieutenant colonel in the National Army.

Capt. E. Llewellyn Bull, Infantry, detached officers' list, vice Maj. Harry L. Cooper, appointed lieutenant colonel in the National Army.

Capt. Truman W. Carrithers, Infantry, vice Maj. Robert H. Sillman, appointed lieutenant colonel in the National Army.

Capt. George F. Roselle, Infantry, vice Maj. Halsey E. Yates, promoted lieutenant colonel.

Capt. Charles F. Severson, Infantry, detached officers' list, vice Maj. Wilson B. Burtt, promoted lieutenant colonel.

Capt. Reuben C. Taylor, Infantry, vice Maj. Oliver S. Eskridge, promoted lieutenant colonel.

Capt. C. Stockmar Bendel, Infantry, vice Maj. George D. Freeman, jr., promoted liutenant colonel.

Capt. Robert E. Boyers, Infantry, vice Maj. John L. Jordon, promoted lieutenant colonel.

Capt. Burt W. Phillips, Infantry, vice Maj. Samuel L. Price, promoted lieutenant colonel.

Capt. Ben F. Ristine, Infantry, detached officers' list, vice Maj. Lochlin W. Caffey, promoted lieutenant colonel.

Capt. William C. Russell, Infantry, detached officers' list, vice Maj. Thomas L. Brewer, appointed lieutenant colonel in the National Army.

Capt. Roland W. Boughton, Infantry (Quartermaster Corps), vice Maj. George E. Ball, appointed lieutenant colonel in the National Army.

Capt. Keith S. Gregory, Infantry, vice Maj. Roland W. Boughton, retained in the Quartermaster Corps.

Capt. Homer N. Preston, Infantry, vice Maj. Francis J. McConnell, appointed lieutenant colonel in the National Army.

Capt. Jesse Gaston, Infantry, detached officers' list, vice Maj. Claude S. Fries, appointed lieutenant colonel in the National Army.

Capt. William F. Harrell, Infantry, detached officers' list, vice Maj. Charles B. Stone, jr., appointed lieutenant colonel in the National Army.

Capt. Jesse D. Elliott, Infantry, detached officers' list, vice Maj. Thaddeus B. Seigle, appointed lieutenant colonel in the National Army.

Capt. Edward H. Tarbutton, Infantry, vice Maj. William S. Faulkner, promoted lieutenant colonel.

Capt. Carroll B. Hodges, Infantry, detached officers' list, vice Maj. Ernest H. Agnew, promoted lieutenant colonel.

Capt. Fitzhugh B. Allderdice, Infantry, detached officers' list, vice Maj. Robert O. Ragsdale, promoted lieutenant colonel.

Capt. James M. Churchill, Infantry (Quartermaster Corps), vice Maj. Austin A. Parker, promoted lieutenant colonel.

Capt. Philip H. Bagby, Infantry, vice Maj. James M. Churchill, retained in the Quartermaster Corps.

Capt. Luther R. James, Infantry, detached officers' list, vice Maj. Charles M. Gordon, jr., promoted lieutenant colonel.

Capt. Andrew D. Chaffin, Infantry, vice Maj. Fred Van S. Chamberlain, promoted lieutenant colonel.

Capt. Ernest B. Smalley, Infantry, detached officers' list, vice Maj. Sylvester Bonnaffon, 3d, promoted lieutenant colonel.

Capt. Frederick W. Boschen, Infantry, vice Maj. Joseph C. Brady, promoted lieutenant colonel.

Capt. Manfred Lanza, Infantry, vice Maj. John H. Page, jr., promoted lieutenant colonel.

Capt. Louis Farrell, Infantry, detached officers' list, vice Maj. Parker Hitt, promoted lieutenant colonel.

Capt. James B. Nalle, Infantry, detached officers' list, vice Maj. Paul W. Beck, promoted lieutenant colonel.

Capt. John J. Burleigh, Infantry, detached officers' list, vice Maj. John J. Miller, promoted lieutenant colonel.

Capt. Manuel M. Garrett, Infantry (Quartermaster Corps), vice Maj. Jesse M. Cullison, promoted lieutenant colonel.

Capt. Augustine A. Hofmann, Infantry (Quartermaster Corps), vice Maj. Manuel M. Garrett, retained in the Quartermaster Corps.

Capt. James Blyth, Infantry, vice Maj. Augustine A. Hofmann, retained in the Quartermaster Corps.

Capt. Edwin Gunner, Infantry (Quartermaster Corps), vice Maj. Wilbur A. McDaniel, promoted lieutenant colonel.

Capt. Resolve P. Palmer, Infantry, detached officers' list, vice Maj. Edwin Gunner, retained in the Quartermaster Corps.

Capt. Edward E. McCammon, Infantry, vice Maj. Evert R. Wilson, promoted lieutenant colonel.

Capt. Philip Remington, Infantry, detached officers' list, vice Maj. Philip Powers, promoted lieutenant colonel.

Capt. Charles H. Rich, Infantry, vice Maj. Clenard McLaughlin, promoted lieutenant colonel.

Capt. Paul C. Potter, Infantry, vice Maj. Edward B. Mitchell, promoted lieutenant colonel.

Capt. Albert T. Rich, Infantry, detached officers' list, vice Maj. Harol D. Coburn, promoted lieutenant colonel.

Capt. David P. Wood, Infantry, vice Maj. Robert Whitfield, promoted lieutenant colonel.

Capt. Edgar Z. Steever, 3d, Infantry, detached officers' list, vice Maj. Abraham U. Loeb, promoted lieutenant colonel.

Capt. Philip B. Peyton, Infantry, detached officers' list, vice Maj. James M. Loud, promoted lieutenant colonel.

Capt. Frederick B. Terrell, Infantry, vice Maj. J. DeCamp Hall, promoted lieutenant colonel.

Capt. Charles A. Dravo, Infantry, vice Maj. Davis C. Anderson, promoted lieutenant colonel.

Capt. James G. McIlroy, Infantry, detached officers' list, vice Maj. Robert D. Carter, promoted lieutenant colonel.

Capt. Richard J. Herman, Infantry (Quartermaster Corps), vice Maj. Douglas Potts, promoted lieutenant colonel.

Capt. Edwin L. Hooper, Infantry, vice Maj. Richard J. Herman, retained in the Quartermaster Corps.

Capt. Irving J. Phillipson, Infantry, detached officers' list, vice Maj. Vincent M. Elmore, promoted lieutenant colonel.

Capt. Edmund B. Gregory, Infantry (Quartermaster Corps), vice Maj. Benjamin R. Wade, promoted lieutenant colonel.

Capt. Gordon R. Catts, Infantry, vice Maj. Edmund B. Gregory, retained in the Quartermaster Corps.

Capt. Ursa M. Diller, Infantry, detached officers' list, vice Maj. George E. Goodrich, promoted lieutenant colonel.

Capt. Edwin Butcher, Infantry, vice Maj. Roy C. Kirtland, detailed in the Signal Corps.

Capt. Russel V. Venable, Infantry, vice Maj. Edward E. McCammon, detailed in the Signal Corps.

Capt. Arthur J. Davis, Infantry, detached officers' list, vice Maj. Harry W. Gregg, detailed in the Signal Corps.

Capt. Martin C. Wise, Infantry, detached officers' list, vice Maj. Ira F. Fravel, detailed in the Signal Corps.

Capt. Walter S. Drysdale, Infantry, vice Maj. Leonard J. Mygatt, detailed in the Signal Corps.

Capt. Charles A. Meals, Infantry, vice Maj. Gerrit Van S. Quackenbush, detailed in the Signal Corps.

Capt. Matthew H. Thomlinson, Infantry, detached officers' list, vice Maj. Arthur L. Bump, detailed in the Quartermaster Corps.

Capt. Joseph A. Atkins, Infantry, vice Maj. C. Stockmar Bendel, detailed in the Quartermaster Corps.

Capt. Augustus B. Van Wormer, Infantry, detached officers' list, vice Maj. Keith S. Gregory, detailed in the Quartermaster Corps.

Capt. Thomas L. Crystal, Infantry (Signal Corps), vice Maj. Homer N. Preston, detailed in the Quartermaster Corps

Capt. Arthur C. Budd, Infantry, vice Maj. Thomas L. Crystal, retained in the Signal Corps.

Capt. Ralph R. Glass, Infantry (Quartermaster Corps), vice Maj. Edward H. Tarbutton, detailed in the Quartermaster Corps.

Capt. Erle M. Wilson, Infantry, vice Maj. Ralph R. Glass, retained in the Quartermaster Corps.

Capt. Merrill E. Spalding, Infantry, vice Maj. Manfred Lanza, detailed in the Quartermaster Corps.

Capt. John D. Burnett, Infantry, vice Maj. Charles H. Rich, detailed in the Quartermaster Corps.

Capt. John S. Davis, Infantry, detached officers' list, vice Maj. Paul C. Potter, detailed in the Quartermaster Corps.

Capt. Robert B. Hewitt, Infantry (Quartermaster Corps), vice Maj. Ursa M. Diller, detailed in the Quartermaster Corps.

Capt. William F. D. Simpson, Infantry, vice Maj. Robert B. Hewitt, retained in the Quartermaster Corps.

Capt. Richard R. Pickering, Infantry, detached officers' list, vice Maj. Edwin S. Hartshorn, promoted lieutenant colonel.

Capt. Lowe A. McClure, Infantry, detached officers' list, vice Maj. Clark R. Elliott, promoted lieutenant colonel.

Capt. William R. Scott, Infantry, detached officers' list, vice Maj. Philip G. Wrightson, retired.

Capt. William W. Harris, jr., Infantry (General Staff), vice Maj. Edgar Z. Steever, 3d, detailed in the Signal Corps.

Capt. Napoleon W. Riley, Infantry (General Staff), vice Maj. William W. Harris, jr., retained in the General Staff.

Capt. James B. Woolnough, Infantry, detached officers' list, vice Maj. Napoleon W. Riley, retained in the General Staff.

Capt. Walter S. Fulton, Infantry, detached officers' list, vice Maj. Ralph B. Lister, promoted lieutenant colonel.

Capt. Sherburne Whipple, Infantry, detached officers' list, vice Maj. Andrew D. Chaffin, detailed in the General Staff.

Capt. Harry Hawley, Infantry, vice Maj. Merrill E. Spalding, detailed in the General Staff.

Capt. Thomas N. Gimperling, Infantry, vice Maj. Harry E. Comstock, promoted lieutenant colonel.

Capt. Hugh L. Walthall, Infantry, detached officers' list, vice Maj. Charles H. Morrow, promoted lieutenant colonel.

Capt. John B. Richardson, Infantry, vice Maj. Brady G. Ruttencutter, promoted lieutenant colonel.

Capt. Anton C. Cron, Infantry, vice Maj. Jennings B. Wilson, promoted lieutenant colonel.

Capt. George W. Edgerly, Infantry, detached officers' list, vice Maj. William W. Taylor, detailed in the General Staff.

Capt. Oscar W. Hoop, Infantry, vice Maj. Elvid Hunt, detailed in the General Staff.

Capt. John C. Moore, Infantry (Signal Corps), vice Maj. Elverton E. Fuller, detailed in the General Staff.

Capt. William F. Pearson, Infantry (Signal Corps), vice Maj. John C. Moore, retained in the Signal Corps.

Capt. Harry H. Bissell, Infantry, vice Maj. William F. Pearson, retained in the Signal Corps.

Capt. Charles B. Elliott, Infantry, detached officers' list, vice Maj. Walter H. Johnson, detailed in the General Staff.

Capt. John B. Corbly, Infantry, vice Maj. Roscoe H. Hearn, detailed in the General Staff.

Capt. Fitzhugh L. Minnigerode, Infantry, detached officers' list, vice Maj. Frederic G. Kellond, detailed in the General Staff.

Capt. Charles L. Sampson, Infantry, detached officers' list, vice Maj. Leo. A. Dewey, detailed in The Adjutant General's Department.

Capt. John M. True, Infantry, vice Maj. John B. Shuman, detailed in The Adjutant General's Department.

Capt. Bruce R. Campbell, Infantry, vice Maj. Clarence K. La Motte, promoted.

Capt. John C. French, Infantry, vice Maj. George M. Holley, promoted.

Capt. Benjamin B. McCroskey, Infantry, vice Maj. Charles E. Reese, promoted.

Capt. Cassius M. Dowell, Infantry, detached officers' list, vice Maj. Robert S. Knox, promoted.

Capt. Albert B. Kaempfer, Infantry (Quartermaster Corps), vice Maj. Philip J. Lauber, detailed in the Inspector General's Department.

Capt. Charles W. Mason, Infantry, vice Maj. Albert B. Kaempfer, retained in the Quartermaster Corps.

Capt. Allan R. Williams, Infantry, vice Maj. George C. Shaw, detailed in the Inspector General's Department.

Capt. Aristides Moreno, Infantry, vice Maj. Walter L. Reed, detailed in the Inspector General's Department.

Capt. William L. Patterson, Infantry (Signal Corps), vice Maj. William P. Kitts, detailed in the Inspector General's Department.

Capt. Charles W. McClure, Infantry, vice Maj. William L. Patterson, retained in the Signal Corps.

Capt. Ambrose R. Emery, Infantry (Quartermaster Corps), vice Maj. Robert G. Peck, detailed in the Inspector General's Department.

Capt. Edmund C. Waddill, Infantry, detached officers' list, vice Maj. Ambrose R. Emery, retained in the Quartermaster Corps.

Capt. Rolland W. Case, Infantry, vice Maj. Horace F. Sykes, resigned commission as temporary major.

Capt. Norman F. Ramsey, Infantry (Ordnance Department), vice Maj. Oscar K. Tolley, detailed in the Quartermaster Corps.

Capt. De Witt C. T. Grubbs, Infantry (Quartermaster Corps), vice Maj. Norman F. Ramsey, retained in the Ordnance Department.

Capt. Thomas W. Hammond, Infantry (General Staff), vice Maj. De Witt C. T. Grubbs, retained in the Quartermaster Corps.

Capt. Calvin P. Titus, Infantry, vice Maj. Thomas W. Hammond, retained in the General Staff.

Capt. William C. Miller, Infantry, vice Maj. Charles L. Mitchell, resigned commission as temporary major.

Capt. Arthur W. Lane, Infantry (General Staff), vice Maj. Albert S. Williams, detailed in The Adjutant General's Department.

Capt. Bernard Lentz, Infantry, detached officers' list, vice Maj. Arthur W. Lane, retained in the General Staff.

Capt. Frederick C. Test, Infantry, detached officers' list, vice Maj. Frank C. Burnett, detailed in The Adjutant General's Department.

Capt. Owen S. Albright, Infantry (Signal Corps), vice Maj. Fred W. Bugbee, resigned commission as temporary major.

Capt. Fred H. Baird, Infantry, vice Maj. Owen S. Albright, retained in the Signal Corps.

Capt. Clifford C. Early, Infantry, detached officers' list, vice Maj. Oliver P. Robinson, detailed in the General Staff.

Capt. George F. Waugh, Infantry, vice Maj. Charles S. Hamilton, detailed in the Signal Corps.

To be major with rank from November 3, 1917.

Capt. Allan Rutherford, Infantry, vice Maj. George W. Edgerly, resigned commission as temporary major.

To be majors with rank from November 5, 1917.

Capt. William S. Weeks, Infantry, detached officers' list, vice Maj. Fred C. Miller, detailed in the Quartermaster Corps.

Capt. Charles S. Caffery, Infantry, detached officers' list, vice Maj. Arthur J. Davis, detailed in the Quartermaster Corps.

Capt. Louis A. Kunzig, Infantry, vice Maj. Charles A. Meals, detailed in the Quartermaster Corps.

Capt. John P. Bubb, Infantry, vice Maj. Harry D. Blasland, promoted.

To be majors with rank from November 7, 1917.

Capt. Joseph E. Barzynski, Infantry (Quartermaster Corps), vice Maj. George F. Waugh, detailed in the Signal Corps.

Capt. Ben W. Field, Infantry, vice Maj. Joseph E. Barzynski, retained in the Quartermaster Corps.

To be major with rank from November 12, 1917.

Capt. Bloxham Ward, Infantry, detached officers' list, vice Maj. Anton C. Cron, resigned commission as temporary major.

To be majors with rank from November 13, 1917.

Capt. Paul H. Clark, Infantry (Quartermaster Corps), vice Maj. Thomas C. Musgrave, detailed in the Signal Corps.

Capt. Thomas H. Lowe, Infantry, vice Maj. Paul H. Clark, retained in the Quartermaster Corps.

To be major with rank from November 15, 1917.

Capt. James W. H. Reisinger, jr., Infantry, vice Maj. Benjamin B. McCroskey, resigned commission as temporary major.

To be majors with rank from November 16, 1917.

Capt. Rupert A. Dunford, Infantry, vice Maj. Thomas J. Rogers, promoted.

Capt. Charles C. Bankhead, Infantry, vice Maj. Charles A. Dravo, detailed in the Signal Corps.

To be majors with rank from November 17, 1917.

Capt. John P. Adams, Infantry, detached officers' list, vice Maj. John M. True, resigned commission as temporary major.

Capt. Ira Longanecker, Infantry, detached officers' list, vice Maj. Charles L. Sampson, resigned commission as temporary major.

To be majors with rank from November 18, 1917.

Capt. William C. Whitener, Infantry, vice Maj. Thomas N. Gimperling, resigned commission as temporary major.

Capt. Frederick J. Ostermann, Infantry (Signal Corps), vice Maj. John C. French, resigned commission as temporary major.

Capt. William J. Connolly, Infantry (Quartermaster Corps), vice Maj. Frederick C. Ostermann, retained in the Signal Corps.

Capt. Everett D. Barlow, jr., Infantry, vice Maj. William J. Connolly, retained in the Quartermaster Corps.

Capt. Lawrence E. Hohl, Infantry, vice Maj. Rutherford S. Hartz, detailed in the Signal Corps.

Capt. James G. Boswell, Infantry, vice Maj. William W. Harris, jr., resigned commission as temporary major.

To be majors with rank from November 19, 1917.

Capt. Arthur D. Minick, Infantry (Ordnance Department), vice Maj. Harry Bissell, resigned commission as temporary major.

Capt. Paul R. Manchester, Infantry, vice Maj. Arthur D. Minick, retained in the Ordnance Department.

Capt. Byard Sneed, Infantry, vice Maj. Fitzhugh L. Minnigerode, resigned commission as temporary major.

Capt. Oscar Westover, Infantry (Signal Corps), vice Maj. Bruce R. Campbell, resigned commission as temporary major.

Capt. Martyn H. Shute, Infantry (Signal Corps), vice Maj. Oscar Westover, retained in the Signal Corps.

Capt. Fred A. Cook, Infantry, vice Maj. Martyn H. Shute, retained in the Signal Corps.

To be majors with rank from November 20, 1917.

Capt. George G. Bartlett, Infantry, vice Maj. Sherburne Whipple, resigned commission as temporary major.

To be majors with rank from November 21, 1917.

Capt. Henry B. Clagett, Infantry (Signal Corps), vice Maj. James B. Woolnough, resigned commission as temporary major.

Capt. Richard H. Jacob, Infantry, vice Maj. Henry B. Clagett, retained in the Signal Corps.

To be major with rank from November 22, 1917.

Capt. Ralph A. Jones, Infantry, detached officers' list, vice Maj. Allan R. Williams, resigned commission as temporary major.

To be majors with rank from November 23, 1917.

Capt. Hugo D. Schultz, Infantry, vice Maj. William R. Scott, resigned commission as temporary major.

Capt. Jacob E. Fickel, Infantry (Signal Corps), vice Maj. Charles W. Mason, resigned commission as temporary major.

Capt. Jesse W. Boyd, Infantry (Quartermaster Corps), vice Maj. Jacob E. Fickel, retained in the Signal Corps.

Capt. Ebenezer G. Beuret, Infantry, vice Maj. Jesse W. Boyd, retained in the Quartermaster Corps.

Capt. Rush B. Lincoln, Infantry (Signal Corps), vice Maj. John B. Corbly, resigned commission as temporary major.

Capt. Walter F. L. Hartigan, Infantry, vice Maj. Rush B. Lincoln, retained in the Signal Corps.

Capt. Bruce Magruder, Infantry, vice Maj. John B. Richardson, resigned commission as temporary major.

To be majors with rank from November 28, 1917.

Capt. George H. Huddleson, Infantry, detached officers' list, vice Maj. William E. Gillmore, detailed in the Signal Corps.

Capt. George C. Keleher, Infantry, vice Maj. Ira Longanecker, detailed in the Signal Corps.

To be major with rank from November 30, 1917.

Capt. Harry H. Pritchett, Infantry, vice Maj. James W. H. Reisinger, detailed in the Quartermaster Corps.

To be majors with rank from December 1, 1917.

Capt. Edgar L. Field, Infantry, vice Maj. Charles B. Elliott, resigned commission as temporary major.

Capt. Earl C. Buck, Infantry, vice Maj. Edmund C. Waddill, resigned commission as temporary major.

Capt. Jere Baxter, Infantry, detached officers' list, vice Maj. Arthur M. Ferguson, detailed in The Adjutant General's Department.

Capt. A. Ellicott Brown, Infantry, vice Maj. Harry Hawley, resigned commission as temporary major.

To be majors with rank from December 4, 1917.

Capt. James M. Lockett, Infantry, vice Maj. Jacob W. S. Wuest, detailed in the Signal Corps.

Capt. Eugene Robinson, Infantry, vice Maj. William W. Bessell, detailed in The Adjutant General's Department.

To be major with rank from December 10, 1917.

Capt. Jesse C. Drain, Infantry, detached officers' list, vice Maj. Joseph F. Ware, detailed in the Signal Corps.

To be major with rank from December 14, 1917.

Capt. Alexander W. Chilton, Infantry, detached officers' list, vice Maj. Alfred W. Bjornstad, promoted lieutenant colonel.

To be majors with rank from December 19, 1917.

Capt. William E. Morrison, Infantry, detached officers' list, vice Maj. Resolve P. Palmer, detailed in the Signal Corps.

Capt. Donald J. MacLachlan, Infantry, vice Maj. James G. Boswell, detailed in the Signal Corps.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 24, 1918.

POSTMASTER GENERAL.

Albert Sidney Burleson to be Postmaster General.

REGISTER OF THE LAND OFFICE.

Frank T. Woods, to be register of the land office at Billings, Mont.

APPOINTMENTS IN THE NAVY.

Rear Admiral Robert S. Griffin to be engineer in chief and Chief of the Bureau of Steam Engineering.

Paymaster Christian J. Peoples to be a pay director with the rank of rear admiral.

The following-named medical inspectors to be medical directors for temporary service:

Charles E. Riggs,
Ammen Farenholt, and
Charles P. Kindleberger.

Surg. Joseph C. Thompson to be a medical inspector for temporary service.

The following-named surgeons to be medical inspectors for temporary service:

Karl Ohnesorg,
William Seaman,
Archibald M. Fauntleroy,
Robert E. Hoyt,
Joseph P. Traynor,
John F. Murphy,
Jesse W. Backus, and
John L. Neilson.

Pay Inspector Joseph J. Cheatham to be a pay director for temporary service.

Paymaster George P. Dyer to be a pay inspector for temporary service.

The following-named paymasters to be pay inspectors for temporary service:

William A. Merritt,
Frederick K. Perkins,
Grey Skipwith,
McGill R. Goldsborough, and
Eugene C. Tobey.

The following-named officers to be ensigns for temporary service:

Jesse E. Walter,
Harry Waterhouse,
Oscar E. Harris,

Percy S. Hogarth,
Doile Greenwell,
Earl H. Knee,
Thomas F. Cullen,
Thomas S. Beard,
Henry A. Beaman,
Arthur L. Karns,
George J. Wolf,
Frank W. Crilley,
Jesse M. Acuff, and
Lincoln B. Walker.

The following-named enlisted men to be ensigns for temporary service:

George Hurst,
William Smith,
Caleb A. Holbrook,
John M. Morrison,
George M. Donovan,
James F. Mullin,
Edward Van Pelt,
George T. Rolfes,
Ernest A. Broms,
Edward G. Evans,
John H. Rider,
Carlisle J. Christman,
William T. Murray,
Christian Bauer,
Charles A. Pilant,
John W. Cunningham,
Michael T. Minihan,
Charles Keenan,
James T. Brien,
Robert J. Denny,
Thomas A. Patterson,
Walter E. Holden, and
Howard Keane.

The following-named officers of the United States Naval Reserve Force to be ensigns for temporary service:

John Black, jr.,
Thomas H. Laine, and
Ludwig G. Hoefling.

The following-named pay inspectors to be pay directors for temporary srevice:

George G. Seibels and
Edmund W. Bonnaffon.

Pay Inspector Joseph Fyffe to be a pay director for temporary service.

The following-named paymasters to be pay inspectors for temporary service:

Franklin P. Sackett,
David M. Addison,
Victor S. Jackson,
John R. Sanford,
Herbert E. Stevens,
Charles R. O'Leary, and
Charles W. Eliason.

The following-named paymasters to be pay inspectors for temporary service:

Cuthbert J. Cleborne and
John D. Robnett.

Paymaster George W. Pigman, jr., to be a pay inspector for temporary service.

POSTMASTERS.

ALABAMA.

Albert M. Espey, Albertville.
James C. Burns, Bay Minette.
H. O. Sparks, Boaz.
Jefferson K. Quillin, Clayton.
Clifford T. Harris, Columbia.
William E. Crawford, Decatur.
D. F. Sugg, Ensley.
Mollie P. Henderson, Enterprise,
Charles S. McDowell, Eufaula.
Laura E. Richards, Foley.
C. E. Brooks, Fort Deposit.
Sylvanus W. Riddle, Gadsden.
William K. Kenan, Geneva.
Henry I. Goff, Hartford.
William G. Porter, Heflin.
Ed G. Caldwell, Jacksonville.
Hugh T. Caffey, Leeds.
W. P. Tartt, Livingston.
S. M. Roberts, Monroeville.
W. T. Morris, Ragland.
Stephen L. Dorroh, Reform.
Tommie P. Lewis, Seale.
John E. Delony, Tuscumbia.
B. C. Gibson, Tuskegee.
James A. Anderson, University.

ALASKA.

Everett McPhee, Anchorage.
John C. Allen, Petersburg.
Mrs. R. E. Coughlin, Treadwell.

ARIZONA.

Lola B. Tomlinson, Bowie.
Mamie B. Mayer, Mayer.
Jesse J. Rascoe, jr., Morenci.
Paul A. Smith, Tombstone.
Ange T. Pancrazi, Yuma.

ARKANSAS.

William A. Bushmiaer, Alma.
John L. McCain, Crossett.
James L. Cannon, De Queen.
James E. Leeper, Dermott.
Albert D. Agee, Gurdon, Ark.
W. O. Bartlett, Hamburg.
James F. Rieves, Marion.
W. B. Kyle, McCrory.
George R. Hays, Newport.
Flora A. Hall, Pocahontas.
Louis K. Buerkle, Stuttgart.
Lee R. See, Swifton.
John T. Cheairs, jr., Tillar.
H. L. Fuller, Waldron.
James M. Daniel, Wilmar.
A. B. Cone, Wilmot.

CALIFORNIA.

Thomas C. Stoddard, Alameda.
Nellie Pellet, Brawley.
Charles R. Thompson, Burbank.
Georgia A. Wiard, Chula Vista.
Anna M. Carson, Compton.
Oliver C. Williams, Dinuba.
Elizabeth M. Steel, Downey.
George P. Dobyns, El Monte.
William J. Simms, Gardena.
Warren A. Bradley, Gustine.
Milton M. Pilkenton, Hermosa Beach.
Mary F. Stevenson, Imperial.
W. K. McFarland, Jackson.
Sophie J. Rice, King City.
B. Q. R. Canon, La Mesa.
Charles Osborne, Lankershim.
W. D. McClellan, La Verne (late Lordsburg).
S. Willard Coffren, Llano.
Don C. Saunders, Lompoc.
Walter J. Desmond, Long Beach.
Orynthia Copeland, Los Altos.
Mabel Hanford, Lost Hills.
Thomas F. Fogarty, Marysville.
F. B. Nichols, McCloud.
Warren Rodgers, McKittrick.
Eugene J. Crane, Menlo Park.
Frank Zimmerman, Monrovia.
Francis F. Wrenn, Newcastle.
John W. Heard, Oilcenter.
Clark McLain, Pasadena.
F. S. Harrison, Patterson.
Frank P. Firey, Pomona.
Alexander Ludwig, Redding.
Floyd Godfrey, San Dimas.
Charles W. Fay, San Francisco.
J. M. Qualls, Sanger.
Byron Millard, San Jose.
Michael F. Cochrane, San Rafael.
J. B. Laufman, Santa Paula.
George Gribble, Scotia.
Jesse D. Brite, Tehachapi.
Jesse A. Ivy, Thermal.
S. Eliza Stitt, Vacaville.
Norman P. Cormack, Wasco.
Alfred Belieu, Watts.

COLORADO.

Clark Cooper, Canon City.
Frederick H. Meyers, Clifton.
Herbert D. Barnhart, Creede.
A. J. Horan, Crested Butte.
Mary E. Holmes, Fleming.

Hubert Reynolds, Greeley.
Ralph E. Jordan, Grover.
Ruth N. Frame, Haswell.
William A. White, Holyoke.
Thomas J. Bradshaw, Ignacio.
Finley Dye, Julesburg.
Michael F. O'Day, Lafayette.
M. J. Brennan, Leadville.
T. T. Donovan, Longmont.
Charles L. Spillman, Norwood.
Sherman S. Bellesfield, Pueblo.
Judith Nichols, Ridgway.
Joseph W. Beery, Saguache.
Mary M. Minehouse, Wiley.

CONNECTICUT.

Thomas J. Sullivan, Baltic.
Patrick C. Cavanaugh, Burnside.
Jeremiah J. Sullivan, Colchester.
William J. Thomas, Moodus.
William I. Austin, Noroton Heights.
Samuel E. Louden, Riverside.
Thomas J. Quish, South Manchester.
Dennis C. Murphy, Taftville.
James T. Murray, Thompsonville.
Merritt E. Tooker, Uncasville.

DELAWARE.

William L. Duff, Newport.

IDAHO.

Samuel H. Laird, American Falls.
George W. Harris, Burke.
John E. Paul, Dubois.
W. J. Coltman, Idaho Falls.
Emil L. Mueller, Kamiah.
Alexander McDermid, Kimberly.
Charles H. Gelbach, Kooskia.
Howard E. King, Nampa.
Simpson M. Rich, Paris.
John Jay Nickles, Plummer.
Frederick H. Bradbury, Rathdrum.
Mac Scofield, Vollmer.
Frank S. Harding, Weiser.

INDIANA.

Michael E. Maloney, Aurora.
Frank S. Coffin, Bloomingdale.
Benjamin A. Batson, Bluffton.
William R. Dunn, Dale.
Orris Hooper, sr., Dillsboro.
W. P. Van Arsdall, Fairmount.
Charles Hatch, Fort Branch.
Marion A. Thomas, Jasonville.
Charles H. Ball, La Fayette.
Earl Talbott, Linton.
Kinsey B. Clark, Medaryville.
Lloyd W. Dunlap, Mentone.
Charles Wright, North Manchester.
James N. Culp, North Vernon.
William S. Tindall, Paoli.
Nehemiah Littlefield, Rensselaer.
John T. Cuskaden, St. Paul.
E. R. Niccum, Swayzee.
Walter H. Smith, Versailles.
Ernest E. Forsythe, Washington.

IOWA.

I. M. Finnell, Algona.
Ed. McConaughey, Allerton.
Orson R. Hutchison, Arlington.
George A. Pruitt, Blanchard.
Jair S. Wildman, Blockton.
John H. Schulte, Breda.
A. W. Lee, Britt.
Jacob Meyer, Calmar.
Charles D. Huston, Cedar Rapids.
William F. McCarty, Clarence.
Thomas R. McKaig, Corwith.
Frederick B. Sharon, Davenport.
Harry A. Cooke, Eagle Grove.
W. H. Dudley, Earlham.
Frank Kussart, Eddyville.
John J. Donahoe, Gilmore City.
William H. Fickel, Glenwood.
Charles H. Woodard, Gowrie.
Sam Robinson, Gravity.
William H. Frew, Hiteman.
Peter Jungers, Hospers.
F. C. Boeke, Hubbard.
Andrew T. O'Brien, Independence.
Charles L. Paul, Ireton.
Wilhelm Hesselschwerdt, Kalona.
Henry Africa, Kanawha.
E. R. Ashley, Laporte City.
D. P. O'Connor, Lawler.
Milton Funk, Lewis.
D. E. Horton, Lime Spring.
Michael J. Harty, Lone Tree.
Reuben M. Gable, Lost Nation.
J. J. McDermott, Manilla.
A. G. Johnson, Marshalltown.
Anton Huebsch, McGregor.
J. J. Herbster, Millford.
Harry C. Fox, Monona.
Tracy R. Osborne, New Sharon.
Anna B. Berry, North McGregor.
Alfred B. Callender, Ocheyedan.
Charles B. Clark, Ogden.
Frank W. Miller, Olin.
Ben Jensen, Onawa.
Charles W. McCarty, Ottumwa.
Frank Kenney, Oxford Junction.
Jasper W. Morris, Panora.
Edwin Wattonville, Pomeroy.
John E. Dargan, Riceville.
George W. Crandell, Rippey.
P. A. McGray, Rolfe.
John F. Goos, Sabula.
Edwin L. Helmer, Sanborn.
Warren A. Edington, Sheldon.
J. G. Winter, Sioux Center.
Frederick S. Anderson, Stanton.
Margaret E. Nefzger, Terril.
Leo. L. Hamblin, Walker.
John McGloin, Wall Lake.
M. H. Kelly, Waterloo.
Albert H. Procese, Waukee.
Daniel H. Bauman, Webster City.
Katie A. Schwarz, West Burlington.
William D. Schulte, West Point.
Frank W. Buxton, Wheatland.
Elmer E. Hopkins, Whiting.
Mortimer D. Sullivan, Wilton Junction.
Joseph H. Riseley, Winthrop.

HAWAII.

Millicent M. E. Cumming, Paia.
J. S. Medeiros, Puunene.
Frank Cox, Waimea.
Elizabeth H. Travis, Waipahu.

MAINE.

Joseph E. Brooks, Biddeford.
George W. McClain, Brownsville Junction.
Arthur L. Newton, Buckfield.
Edwin L. Field, Cape Cottage.
William S. Mildon, Eastport.
William R. Frost, Gardiner.
Walter H. Newbegin, Kezar Falls.
Menander Dennett, Lewiston.
Ida E. Hatch, Limestone.
Edward A. Prescott, Monmouth.
Alner C. Gilbert, Monson.
William G. Harmon, Old Orchard.
Stanley L. Westcott, Patten.
Oscar R. Wish, Portland.
Lemuel Rich, Sebago Lake.

MARYLAND.

Franklin B. Beall, Cumberland.
Benjamin Mitchell, Hancock.
Mary W. Tise, Hyattsville.
J. R. Duke, Leonardtown.
F. B. McDemitt, Mount Savage.
J. F. Peach, North East.
Mary W. Stewart, Oxford.
H. L. Brittingham, Princess Anne.
Agnes C. Klinger, Riverdale.
Joseph C. Gernand, Thurmont.

MASSACHUSETTS.

Edgar E. Sargent, Belchertown.
Lawrence J. Watson, Beverly Farms.
John J. Haverty, Canton.

Mary S. Tyler, Charlemont.
Patrick H. Haley, Chelmsford.
James Nagle, Concord Junction.
Joseph E. Barnett, Easthampton.
William J. Campbell, East Taunton.
John H. Flavell, Hanover.
Henry K. Bearse, Harwich.
L. F. McNamara, Haverhill.
William F. Walsh, Hinsdale.
James J. O'Donnell, Holyoke.
Tollston F. Phinney, Hyannis Port.
Michael F. Cronin, Lawrence.
John H. Kane, Lexington.
Edmund S. Higgins, Lynn.
Martin B. Crane, Merrimac.
Neil R. Mahoney, North Billerica.
Martin H. Ryan, Northboro.
Dennis J. Dullea, Peabody.
Osgood L. Small, Sagamore.
Patrick Curran, Scituate.
James G. Cassidy, Sheffield.
William F. Kelley, South Acton.
Thomas H. Hackett, Westboro.
John D. Leonard, Whitinsville.
Richard F. Burke, Williamsburg.
Patrick J. Dempsey, Williamstown.

MICHIGAN.

Michael L. Gillen, Adrian.
Arthur Hillman, Akron.
C. A. Standiford, Athens.
William S. Drew, Augusta.
Joseph Fremont, Bad Axe.
Carl L. Farwell, Barryton.
O. K. Ray Maker, Bear Lake.
Paul Harrison, Bloomingdale.
William J. Lewis, Boyne City.
John W. O'Leary, Brooklyn.
Perry H. Peters, Davison.
William J. Nagel, Detroit.
Edwin S. Noble, Elk Rapids.
George Arthur, Elkton.
George B. McIntyre, Fairgrove.
T. H. McGee, Farmington.
Frank D. Baker, Flint.
Frank D. Perkins, Flushing.
Harry L. Shirley, Galesburg.
J. W. Ewing, Grand Ledge.
Daniel A. Holland, Hancock.
David E. Storms, Harrisville.
Thomas Gilligan, Hopkins.
Cornelius Cronin, Kalkaska.
George W. Parker, Le Roy.
John J. Sleeman, Linden.
E. T. Belding, Mancelona.
Arthur A. Juttner, Menominee.
Henry A. Bishop, Millington.
M. C. Lefurgey, Mount Morris.
Henry Kessell, Orion.
Clare E. Rann, Perry.
Eugene L. Rose, Petoskey.
R. D. Watson, Rochester.
Michael W. Gibbons, Roscommon.
John Lutz, Saline.
John Jay Cox, Scottville.
Allen E. Stebbins, Sheridan.
Louis J. Braun, South Range.
Barton R. Osborn, Tekonsha.
George F. Carrier, Three Oaks.
William H. Wint, Williamston.

MINNESOTA.

Jason Weatherhead, Ada.
P. O. Fryklund, Badger.
Axel Ringborg, Bagley.
Axel F. Peterson, Barrett.
W. W. Belden, Caledonia.
C. F. Lieberg, Clarkfield.
E. S. Scheibe, Cloquet.
Altie Hill Lund, Dawson.
William H. Franklin, Dodge Center.
Louis A. Schwantz, Evansville.
Joseph Huelskamp, Gaylord.
George Lien, Granite Falls.
C. H. Phinney, Herman.
P. J. McCormick, Hopkins.
William F. Roche, Lakeville.
F. W. Kramer, Lewiston.
Harvey Hildebrand, Lyle.
Milton L. Fredine, Maynard.
Joseph H. Seal, Melrose.
H. E. Hoard, Montevideo.
M. F. Finnegan, Morris.
Erick Erickson, Murdock.
A. Waag, Roseau.
W. L. McGonagle, Royalton.
G. O. Bergan, Sacred Heart.
Emil A. Kurr, Sauk Rapids.
Alfred W. Johnson, Sebeka.
A. J. Lovestrom, Stephen.
Charles Spillane, Waseca.
Michael Brixius, Watkins.
C. H. Dickey, Wayzata.

MISSISSIPPI.

W. P. Cassedy, Brookhaven.
R. L. Broadstreet, Coffeeville.
Benjamin F. Lott, Collins.
R. B. O'Reilly, Cruger.
Bernard M. Martin, Dundee.
J. M. King, Durant.
Lorie R. Du Bard, Glendora.
Ollie O. Conerly, Gloster.
J. H. Robb, Greenville.
James C. Jourdan, Iuka.
Thomas P. Barr, Jackson.
W. L. Walton, Lexington.
Florence Brady, Lulu.
Jeanie W. Fontaine, Lyon.
Foster H. Round, Meadville.
R. Parrish Taylor, Oakland.
C. A. McCharen, Oxford.
Mary L. Hancock, Potts Camp.
Jonathan H. McCraw, Sardis.
T. L. Wainwright, Stonewall.
Sedley B. Thomas, Terry.
Charles W. Allen, Vance.
Barbour Y. Rhodes, West Point.

MISSOURI.

Emmett A. Cherry, Adrian.
Joseph H. Turk, Ash Grove.
James R. Bennett, Branson.
Harvey Morrow, Buffalo.
John C. Downing, Cameron.
Willis Wiley, Crane.
William D. Johnson, Crocker.
Louie C. Mattox, Cuba.
William H. Titus, Excelsior Springs.
Nelson H. Cook, Forest City.
Lee Jones, Hale.
Hiram P. Geaslin, Hornersville.
S. S. Ball, Kahoka.
William A. Grant, Lincoln.
Robert H. Williams, Louisiana.
Jasper D. Cole, Malta Bend.
J. S. Walker, Marceline.
Ross Alexander, Mercer.
James M. Settle, New Franklin.
James L. Smith, New London.
Cora D. Perdue, Orrick.
L. R. Dougherty, Pacific.
Lant Campbell, Princeton.
S. A. Norrid, Puxico.
W. Douglas Meeks, Thayer.
Abram Stephens, Troy.
L. M. Hutcherson, Warrenton
J. P. Bauer, Washington.

NEW HAMPSHIRE.

Webb Little, Campton.
James H. Willey, Milton.

NEW JERSEY.

Lemuel H. Mathews, Barnegat.
Peter A. Donovan, Bayonne.
Henry N. Gillon, Berlin.
Ralph A. Sheppard, Bivalve.
Edward F. Higgins, Bloomfield.
Waters B. Hurff, Bridgeton.
J. B. R. Clark, Califon.
Joseph A. Poole, Deal Beach.
Ada B. Nafew, Eatontown.

Henry Otto, Egg Harbor City.
T. C. Birtwhistle, Englewood.
C. D. Nicholson, Grenloch.
John A. Campbell, Highwood.
John A. Reddan, Hopewell.
Hugh G. Stull, Milford.
Lewis A. Shaw, Minotola.
Frances W. Winans, Mountain Lakes.
Walter F. Clayton, Ocean Grove.
Samuel Locker, Parlin.
John B. Hankins, Pemberton.
David C. Brewer, Toms River.
Harry T. Allen, Vincentown.

NEW MEXICO.

John A. Haley, Carrizozo.
L. A. Chandler, Cimarron.
Susan S. Pace, Clayton.
Frank P. Brown, Hachita.
Susano Ortiz, Las Vegas.
George F. Williams, Mogollon.
Joseph A. Beal, Mountainair.
Viola K. Reynolds, Springer.
L. Pascual Martinez, Taos.

NEW YORK.

Joseph A. Weisbeck, Alden.
Joseph T. Norton, Allegany.
George M. Miller, Andes.
Frank C. Lent, Atlanta.
John J. Maloney, Aurora.
William S. Waterbury, Ballston Spa.
John F. Ryan, Batavia.
Peter J. O'Neill, Bay Shore.
William A. Hosley, Belmont.
John H. Ten Eyck, Black River.
Frank E. Ingalls, Brownville.
B. A. Curtiss, Camden.
Jenny L. Abel, Canaan.
Charles H. Beeby, Central Square.
Hiram E. Safford, Cherry Creek.
Murvin L. Becker, Claverack.
Norman S. Taylor, Clayville.
Frederick M. Avery, Cold Water.
George L. Krein, Dansville.
George H. Mills, Delevan.
Edward E. O'Rourke, Ellicottville.
Alpheus D. Jessup, Florida.
William Van Alstyne, Fultonville.
Jonas J. Hover, Germantown.
John B. Judson, Gloversville.
James C. Spalding, Great Neck.
Neil W. Avery, Greenville.
Elizabeth Hollenbeck, Harriman.
Frederick A. Ray, Herkimer.
John Puvogel, Hicksville.
Richard L. Earl, Honeoye Falls.
Arthur Rappleye, Interlaken.
Eli M. Crawford, Keene Valley.
George W. Tracey, Kinderhook.
Robert S. Ames, Lake Placid.
Eugene H. Schmeck, La Salle.
Joseph J. Daley, Lewiston.
Leon B. Wright, Lyndonville.
Edward F. Ryan, Lyons Falls.
Charles D. Overacre, Manchester.
John J. Costello, Manlius.
Henry D. Nichols, Mexico.
J. C. Rossman, Mohawk.
Hugh Smiley, Mohonk Lake.
Harvey J. Adams, Moira.
James V. Crawford, Morristown.
William F. Hadley, North Bangor.
James P. Doyle, Nunda.
Chester J. Hinman, Palenville.
Edward Crawford, Pine Bush.
Artemas D. Barton, Pine Plains.
W. Y. McIntosh, Pleasantville.
Robert J. De Lap, Roosevelt.
Anthony J. Beck, St. James.
Gilson D. Wart, Sandy Creek.
Edward J. Hughes, Schuylerville.
Annie B. Adams, Silver Bay.
Leo R. Grover, Silver Springs.
Charles H. Huntting, Smithtown Branch.
Joseph J. Maher, Staatsburg.
John H. Coon, Stanley.
John H. Stoddard, Stevensville.
Nellie E. Lempfert, Stony Brook.
John J. Kesel, Syracuse.
John G. More, Walton.
Frank Tamany, Washingtonville.
John Scally, Westbury.
William B. Townsend, West Coxsackie.
Mabel B. Williams, West Hampton Beach.
John E. Hoffnagle, Westport.

NORTH CAROLINA.

L. T. Sumner, Ahoskie.
A. C. Hughes, Apex.
Daniel L. Windley, Belhaven.
Sallie V. Banks, Camp Glenn.
E. J. Britt, Chadbourn.
Robert S. McRae, Chapel Hill.
Andrew L. Pendleton, Elizabeth City.
H. S. Harrison, Enfield.
Stephen P. Wilson, Fairmont.
William F. Flowers, Fremont.
Lillie N. Fenner, Halifax.
James A. Hines, Highlands.
John G. Buffaloe, Jackson.
Ira T. Hunt, Kittrell.
D. D. French, Lumberton.
Robert B. Etheridge, Manteo.
John R. Swann, Marshall.
W. O. Connor, Mars Hill.
J. T. Dick, Mebane.
R. P. Gardner, Mount Holly.
Louis G. Daniels, New Bern (late Newbern).
George W. Waters, Plymouth.
Robert S. Montgomery, Reidsville.
William G. Fussell, Rosehill.
Samuel V. Scott, Sanford.
Cepha L. Harris, Thomasville.
John F. Saunders, Troy.
G. W. Hill, Vineland.
O. K. Holding, Wake Forest.
D. Earl Best, Warsaw.
R. S. Galloway, Winston-Salem.

NORTH DAKOTA.

Nicholas Johnston, Aneta.
Daniel F. Sweeney, Berthold.
John W. Schulenberg, Bisbee.
Frank Reed, Bismarck.
Guy A. Kopriva, Bowbells.
Charles E. Harding, Churchs Ferry.
Frank McGraw, Cogswell.
V. F. Nelson, Cooperstown.
E. Ruth Garvin, Dawson.
Sophie Sherman, Donnybrook.
W. W. Anderson, Edgeley.
D. J. Drummond, Esmond.
Annie Minehan, Garrison.
Christian Reite, Hannaford.
J. H. McLean, Hannah.
Hattie M. Leach, Havana.
Pearl Miller, La Moure.
P. J. Bott, Marmarth.
Frank J. Callahan, McClusky.
Peter Karpen, Medina.
Anthony Hentges, Michigan.
John G. Bateman, Milnor.
W. T. Reilly, Milton.
William T. Wakefield, Mott.
Carl Jahnke, New Salem.
James J. Dougherty, Park River.
Nelle W. Moellring, Ray.
William F. Thompson, Sanish.
P. J. Filbin, Steele.
William F. Kempshall, Taylor.
Lemuel C. Larkin, Thompson.
Henry A. Holmes, Towner.
Joseph Deschenes, Walhalla.
Arthur L. Menard, Wilton.
Andrew D. Cochrane, York.

OREGON.

Dean S. McWilliams, Halsey.
W. A. Richardson, Heppner.
Esther M. Evers, Huntington.
W. A. Delzell, Klamath Falls.
E. E. Bragg, La Grande.

B. L. Hagemann, Milwaukie.
Vaughn D. Crosby, North Portland.
J. W. Boone, Prineville.
L. F. Reizenstein, Roseburg.
Iva E. Dodd, St. Helens.
Edith B. Ward, Stanfield.
R. E. Williams, The Dalles.
Brazier C. Small, Turner.

PORTO RICO.

Ramon Alfonzo Rivera, Arecibo.
Jose Carrera, Humacao.

SOUTH CAROLINA.

Lewis M. Jones, Alcoln.
Ida A. Calhoun, Clemson College.
James B. Ehrhardt, Ehrhardt.
Lulie Giles, Graniteville.
J. F. Rickenbaker, Lake City.
Herman H. Bradham, Manning.
J. R. Montgomery, Marion.
Henry P. Tindal, North.
Pierce M. Huff, Piedmont.
John H. Porter, Ridgeland.
Pearle H. Padget, Saluda.
Nevitt Fant, Walhalla.

SOUTH DAKOTA.

F. A. Nutter, Alcester.
John Debilzan, Andover.
George L. Baker, Britton.
Alfred E. Paine, Doland.
George C. Knickerbocker, Eureka.
A. D. Griffee, Faulkton.
James L. Minahan, Geddes.
W. R. Veitch, Groton.

TEXAS.

W. L. Coleman, Alpine.
W. D. Armstrong, Alto.
Lebrun H. Goforth, Anna.
G. P. Tarrant, Aransas Pass.
Preston N. Arnold, Arp.
C. Jefferson Johnson, Austin.
John C. Wood, Big Sandy.
Charles H. Jones, Bishop.
J. H. Logan, Blessing.
E. B. Hopkins, Brazoria.
Hugh M. Stevenson, Breckenridge.
L. V. Holbert, Bremond.
C. A. Howard, Bronson.
Cora L. Baker, Buffalo.
M. D. Parnell, Chico.
L. E. Haskett, Childress.
John W. Robbins, Clyde.
William P. Gibson, Copperas Cove.
William B. Junell, Cumby.
Lula E. Willis, Daingerfield.
T. W. Hooks, Donna.
E. L. Correll, El Campo.
Rufus W. Riddels, Electra.
R. S. Rike, Farmersville.
A. M. Gosch, Flatonia.
S. D. Seale, Floresville.
W. F. Sponseller, Fowlerton.
Charles O. Hardy, Francitas.
August R. Gold, Fredericksburg.
Johnnie V. Bradley, Gladewater.
Philip H. Clements, Goldthwaite.
Eddie C. Slaughter, Goose Creek.
Charles Johnston, Goree.
Minerva E. Hendrickson, Grapevine.
Samuel G. Dean, Haskell.
T. W. House, Houston.
William E. McKay, Huntsville.
Sam Anderson, Knox City.
William T. Hall, La Porte.
J. W. Hardcastle, Lexington.
June Hickman, Livingston.
Charles M. Wallace, Llano.
Cora D. Fowler, Lockney.
Allie M. Erwin, Loraine.
Arthur F. Loftis, Manor.
Carrie E. Smith, Marble Falls.
Robert Greenwood, Marfa.
John G. Oltorf, Marlin.
Joel W. Moore, McDade.
Newman E. Tucker, Mercedes.
Frosa M. Bailey, Montgomery.
C. H. Sewell, Overton.
Mamie Milam, Prairie View.
John A. Shapard, Rockdale.
B. B. Lanham, Rockwall.
Maggie Ellis, Rotan.
Henry Eilers, jr., Schulenburg.
Lon Davis, Sealy.
E. B. Barne, Snyder.
E. G. Langhammer, Somerville.
Peter Tighe, Sourlake.
Bettie Jackson, Stratford.
Annie S. Watson, Sugar Land.
Royston C. Crane, Sweetwater (late Sweet Water).
Almyra L. Williams, Taft.
W. P. Boyd, Thurber.
W. W. Trow, Trinity.
Sidney S. McClendon, Tyler.
J. W. White, Uvalde.
W. F. Flynt, Winter.
William R. Sharpe, Wolfe City.

UTAH.

Albert A. Savage, Hyrum.
Joseph Anderson, Lehi.
W. W. Browning, Ogden.
William L. Adams, Parowan.

VERMONT.

Glen C. Parris, Fairfax.
Daniel F. Carmody, Fair Haven.
C. M. Boright, Richford.
A. H. Gleason, Johnsbury.

VIRGINIA.

William M. Smith, Alexandria.
George E. Cunningham, Buena Vista.
James S. Haile, Chatham.
I. Henry Savage, Chincoteague.
W. R. Rogers, Crewe.
David W. Berger, Drakes Branch.
Louis J. Nottingham, Eastville.
Claude E. Wiley, Fairfax.
Samuel C. Cox, Galax.
Frank W. Sheild, Hampton.
D. F. Hankins, Houston.
Gertrude G. Browder, Jarratt.
Charles E. Clinedinst, New Market.
H. G. Shackelford, Orange.
John S. Scott, Parksley.
Eugene Monroe, Purcellville.
Hoge M. Brown, Radford.
Lucile Prince Duane, Stony Creek.
H. Lester Hooker, Stuart.

VIRGIN ISLANDS.

Bartholin R. Larsen, Christiansted.
August R. Bisserup, Fredericksted.

WASHINGTON.

Paul L. Paulsen, Addy.
Thomas J. Quirt, Blaine.
Henry A. Knapp, Camas.
Archie Manson, Cashmere.
Joseph O'Neill, Castlerock.
Thomas R. Arnold, Cathlamet.
C. G. Thomas, Cle Elum.
C. M. Durland, Colville.
A. J. Peters, Deer Park.
Carl J. Gunderson, East Stanwood.
S. J. Mothershead, Edmunds.
P. F. Billingsley, Ephrata.
Willard E. Overholt, Farmington.
Ann E. Sykes, Grandview.
Martha E. Sprague, Ilwaco.
Edwin Schauble, Kalama.
Jefferson P. Buford, Kelso.
Charles E. Guiberson, Kent.
Guy A. Hamilton, Leavenworth.
Maury C. Hayden, Lind.
G. R. Patterson, Malden.
Nellie B. Burke, Mansfield.
Theo Hall, Medical Lake.
Benjamin L. Smith, Okanogan.
James O'Farrell, jr., Orting.
Roscoe A. Belvail, Palouse.
R. B. Smith, Prescott.

John F. May, Republic.
Dana Child, Spokane.
Robert T. Johnson, Sumas.
Jacob P. Pyles, Sumner.
Charles A. Bergin, Wilkeson.
George P. Wall, Winlock.
John D. Medill, Yakima (late North Yakima).

WEST VIRGINIA.

Orrville A. Beerbower, Albright.
Robert E. Morgan, Davy.
T. W. Ryan, Hendricks.
Okey C. Dawson, Janelew.
C. B. Riggle, Middlebourne.
George B. Henthorn, Paden City.
William Pence, South Charleston.
William B. Spurlock, Wayne.
Herbert T. Davis, West Union.
Warren D. Cline, Williamstown.

WISCONSIN.

Elizabeth Croake, Albany.
Theodore Buehler, jr., Alma.
Gustave Keller, Appleton.
Albert Hess, Arcadia.
F. C. O. Muenich, Argyle.
Birt E. Fredrick, Augusta.
Henry Wachsmuth, Bayfield.
John V. Swift, Benton.
Annie K. Blanchard, Blanchardville.
George E. Forward, Brandon.
John H. Moller, Bruce.
Ernest D. Singleton, Camp Douglas.
F. A. Partlow, Clear Lake.
William A. Roblier, Colona.
William J. Riedner, Columbus.
Hubert S. Duquaine, Crivitz.
Herman H. Fiedler, Cuba.
Annie W. Bartholomew, Delafield.
Robert Horneck, Elkhart Lake.
W. E. Sherburne, Fremont.
James F. Horan, Friendship.
J. M. Melchior, Gillett.
F. A. Ferriter, Hillsboro.
Simon Skroch, Independence.
Fred Seifert, Jefferson.
Paul E. Stiehm, Johnson Creek.
George H. Schmidt, Kewaskum.
Adolph H. Dionne, Lena.
Frank Leuschen, Marathon.
Franz Markus, Medford.
Henry W. Graser, Menomonee Falls.
George B. Keith, Milton Junction.
John G. Solverson, Nashotah.
Arthur R. Curtis, National Home.
Nicolaus Elmer, New Glarus.
John F. Flanagan, Oconomowoc.
Francis J. Maher, Omro.
Franklin C. Watson, Owen.
Harvey Vincent, Park Falls.
Agnes Scholl, Pewaukee.
Wigand B. Krause, Port Washington.
T. J. Griffin, Prescott.
H. G. Bannerman, Redgranite.
Charles F. Dillett, Shawano.
Frank Gottsacker, Sheboygan.
George Wildermuth, Sheboygan Falls.
Louis Locke, Shiocton.
George Paquette, Shullsburg.
William M. Ward, Soldiers Grove.
John P. Rice, Sparta.
E. A. Drotning, Stoughton.
Charles A. Gesell, Tomahawk.
F. W. Keuper, Union Grove.
P. F. Melchoir, Wausaukee.
John Vander Linden, West De Pere.
Samuel Dewar, Westfield.
W. H. Weed, Weyauwega.
W. C. Kiernan, Whitewater.
George F. Mader, Winneconne.
G. W. Bishop, Wonewoc.

WYOMING.

Charles O. Lyon, Burns.
Nels J. Simpson, Cambria.
Elizabeth W. Keiffer, Fort Russell.
Charles G. Mudd, Powell.
Louis Schalk, Rawlins.
L. E. Blackwell, Shoshoni.
Juan Jenkins, Upton.
Catherine McCabe, Van Tassell.
John T. Jones, Worland.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 24, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who art from everlasting to everlasting, our God and our Father, infinite in wisdom, power, and love, we come to Thee in prayer, believing that Thou art able to strengthen us to resist the evils from within and from without.

Impart unto us, we beseech Thee, grace sufficient unto this day, that we may register ourselves on the side of right and truth and justice, and at its close lie down to peaceful slumbers, assured that Thou art our refuge and our strength; and Thine be the praise through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF A MEMBER.

Mr. LEE of Georgia. Mr. Speaker, my colleague, Mr. WILLIAM C. WRIGHT, of the fourth district of Georgia, is present and is ready to take the oath of office.

The SPEAKER. The Chair has the credentials of Mr. WRIGHT, properly signed by the governor and the secretary of state, and Mr. WRIGHT will come forward and be sworn.

Mr. WRIGHT appeared at the bar of the House and took the oath of office.

CALL OF THE HOUSE.

The SPEAKER. The gentleman from Ohio [Mr. FESS], under a special order of the House, is recognized for 10 minutes.

Mr. LONDON. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. KITCHIN. I suggest to the gentleman from New York that he withhold that until the gentleman from Ohio has concluded.

Mr. LONDON. Oh, the gentleman from Ohio deserves a proper audience, and I insist upon the point.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present. Evidently there is not.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Bland	Fairchild, B. L.	Lenroot	Sanders, N. Y.
Brumbaugh	Fairchild, G. W.	Lobeck	Saunders, Va.
Caldwell	Flynn	McCulloch	Scott, Pa.
Cantrill	Fuller, Mass.	Maher	Scully
Capstick	Garland	Mann	Sherley
Carter, Mass.	Godwin, N. C.	Miller, Wash.	Sims
Carter, Okla.	Goodall	Mondell	Slemp
Chandler, N. Y.	Gould	Mott	Smith, T. F.
Church	Graham, Pa.	Nelson	Snyder
Cooper, Ohio	Gray, N. J.	Nichols, Mich.	Stiness
Costello	Griest	Olney	Sullivan
Currie, Mich.	Hamill	O'Shaunessy	Swift
Curry, Cal.	Hamilton, N. Y.	Overmyer	Templeton
Dale, N. Y.	Heintz	Paige	Treadway
Dale, Vt.	Hollingsworth	Porter	Vare
Davidson	Hood	Pratt	Wilson, Ill.
Dempsey	Hutchinson	Price	Wilson, La.
Dill	Johnson, S. Dak.	Ragsdale	Winslow
Dooling	Johnson, Wash.	Riordan	Wood, Ind.
Drukker	Jones, Va.	Roberts	Woodyard
Estopinal	Kiess, Pa.	Rodenberg	Zihlman
Evans	LaGuardia	Rowland	

The SPEAKER. On this roll 340 Members have answered to their names, a quorum.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The SPEAKER. The gentleman from Ohio is recognized for 10 minutes.

AUSTRIA-HUNGARY.

Mr. FESS. Mr. Speaker and Members of the House, I would like to have the attention of the House a little while on the significance of the dispatches that have been carried in the newspapers for the last four days in relation to the situation in Austria and Hungary. While it is always a doubtful thing to take at full value what is said in these foreign dispatches, since you can not tell how much is in the interest of publicity, this particular situation is very ominous and full of suggestion,

and if I may be permitted to say it, I think there is great promise, if one dare use such an expression in reference to what Austria would call a misfortune, in a revolution, the end of which no one can now undertake to tell. Austria-Hungary, quite unlike Germany, has never been free from the danger of revolution. The Austrian Government, with its dual monarchy, is an organization which is a combination of one empire and one sovereign kingdom with a common head. Each of these units has a separate and independent legislative department, as well as executive department. They do, however, have a common king, who gets his position by virtue of belonging to the House of Hapsburg, which has been the ruling house of both Austria and Hungary since the close of the sixteenth century. In 1867 there was an agreement reached by which there should be a uniform or single government, although each legislature sits separately to legislate on all matters except that of finance, foreign affairs, and military affairs. Those matters are under the common rule of the two, and are the main departments of the ministry. When the legislatures can not get together on matters of legislation they reach a uniform conclusion through their houses of delegates, which are in reality a committee of estimates selected from the legislative houses, 20 from the upper house and 40 from the lower house, making 60 members in each part of the dual monarchy. These men sit separately and make their recommendations in writing, and after three efforts to agree, in case they fail they then sit together and vote it out as one body. There has also been for years a combination for commercial purposes called the Commercial Customs Union, that lasts during a 10-year period. That has been going on for a good while, with very much dissatisfaction in recent years. So, Mr. Speaker, it was a common thought throughout much of the world that with the death of the late Emperor, Francis Joseph, the dual monarchy would break up into its separate units, as before 1867, but the heat of war prevented that, and the monarchy still stands in its dual character.

But there is a very serious condition that arises out of dissatisfaction which must be increasingly widespread and ominous. First, because of economic or industrial conditions there. You might say that it is grounded on social unrest that you find in Russia and in a lesser degree in Germany. However, while the papers state that the social or economic condition is the most prominent source of disaffection, just now, I believe, as a student of history, that the unrest is below the economic and industrial depression partly due to the war, because that would be temporary. But, fellow Members of the House, if you take either one of these units you find a condition unlike any other place in Europe, which must make for an increasing and permanent unrest until relief is provided. For example, the ruling people of Austria are the Germans, speaking the German language, but they are not in uniform sympathy with the Germans in the German Empire, and must not, therefore, be regarded wholly subservient to the wishes of the Hohenzollern régime. They are widely different, because, while the German Empire is made up of 75 per cent Protestant in religion, the Austrian Empire, speaking not of Hungary but of Austria, is made up of 88 per cent Catholic. They have not been together except in military alliances. The Kaiser has never been able to win the Catholic element in Germany. In this field we see the greatest diplomacy undertaken by him when he appointed Von Hertling, the Bavarian, to be chancellor of the Empire, who, by the way, is a Catholic, in order to win the clerical element in the Reichstag. The difference between Austria and Germany on the religious question is now and has always been acute. However, that is not the chief item of unrest between these two German groups. There is a much more serious condition. Austria must see that she is a loser in this war in any case. If the central powers succeed, Austria loses. If the entente powers succeed, she does not lose any worse. Germany not only furnishes the brains of all the military organizations of Austria to-day, but she also furnishes munitions and the money, in the form of scrip, with which to buy the munitions that are supplied by Germany. Germany is now and has been from the beginning taking munitions out of Belgium and the ore out of the mines of France and of Serbia, taking the material out of which to make the munitions and selling them to Austria, as well as Bulgaria and Turkey, and loaning the scrip to these countries, especially to Austria, with which to pay for it. I wish to emphasize the business aspect of this country in relation to Austria. In other words, Germany is fighting this war with profit to herself, save the loss of men, and that is a frightful loss to her. But she is taking what does not belong to her, save by might, and in her ability to market it to her allies she puts them under abject slavery to her, from which Austria alone can never recover. That is generally conceded. As long as Germany's printing presses will run she will loan this scrip to Austria with which to pay for the supplies that she buys from Germany, and in that way she has become inextricably a subservient, servile slave to the German Empire, and she must see it. I think that it is recognized now among a large proportion of her people that if the central powers win she loses. Germany's pan-Germanism, which sees German domination from Hamburg to Bagdad, is well known to Austria. Politically Austria is made up of 28,000,000 people. Out of that 28,000,000 not quite 10,000,000 speak the German language and are the ruling element in Austria. Ten millions out of 28,000,000—slightly over 33⅓ per cent. This one-third rules the other two-thirds of her people.

The SPEAKER. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman may proceed—for how many minutes?

Mr. FESS. For 10 minutes.

Mr. STAFFORD. For 10 minutes.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the gentleman from Ohio may proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. Mr. Speaker, this Austro-Hungarian territory is an interesting State, from the standpoint of nationality. Here are the Slavs, the people who became the ruling element in this section of the world in quite an early period. I will, if the House will permit me, insert in the RECORD a hasty sketch of the changes of this section under rulership since the seventh century. I do not want to do it now, because I have not the time. Here came a peculiar people in the history of the world, called the Magyar. They are a warlike people, and they drove themselves westward into the very heart of the Slav section and divided the Slav people into the northern and the southern Slav. The Magyars are the ruling people in Hungary. They could not go beyond what now is the German border. They did overrun great portions of Austria, and later on were driven back. This people is a unique people. They do not readily coalesce with other people. Their autonomy in government, as well as their language and their customs, has been retained. But Austria began to expand—or rather the House of Hapsburg—until it covers a great portion of this Slavic people, who have been overrun both to the north and to the south by the Magyar. To the north you have the famous Bohemian country, one of the oldest in Europe. This is a famous people, who have maintained their independence in their language and customs and very largely in law, but they are a subject people. A little to the east are the Poles, under the Province of Silesia. Farther east are the Ruthenians, in the Province of Galicia, under the control of Austria. In this section is a large aggregation of Slav people, still insistent upon their rights, but totally subject to a people who are foreign to them. Then, down in the southern country are the southern Slav, the Serbo-Croats. You therefore have the Croatians and also an Italian element in Dalmatia. In other words, in the country of Austria alone you have 16,000,000 of Slavic people denied their privilege in government by only 10,000,000, who are the ruling element in the country and who are German.

Over in here [indicating on the map] are the Roumanians, who are Roman in nationality, and speak the modern Latin. You also have the Slovenes, many of whom are under this dual Government. They are Slavish. You also have Bosnia, another Slavic people; Bulgaria, settled by the Bulgars, also Slavic. In other words, here is a foreign country ruling through a minority, with a hand of iron, a vast population that vastly outnumbers them.

Going to their Government, we find the Government of Austria made up of two houses. The Reichsrath is made up of the upper and lower house. In the upper house there are 14 princes from the royal family, 81 nobles—landlords—10 archbishops, and 7 bishops, who bear their title by inheritance, and from 150 to 170 of selectives chosen by the Emperor at his will. And that is the real legislative body now in Austria, responsible to nobody except the Emperor.

If I would be permitted to give you the make-up of the lower house, there are 17 Provinces in Austria—I am not now talking about Hungary but Austria alone. You understand they maintain their separate entities. There are 17 Provinces here, represented in the Reichsrath. The lower house has 516 members, as follows: Lower Austria has 64 members; upper Austria, 22; Saltzburg, 7; Styria, 30; Corinthia, 10; Carniola, 12; Trieste, 5; and Gorz, 6—191. In these eight Provinces the German element is strong but not exclusive. There are many of them out of sympathy with the régime governed by the German element. On the other hand, note the other Provinces: Bohemia has 130; Moravia, which is the Slovak, has 49; Silesia, the Polish, has 15; Galicia, the Ruthenian, 106; Bukowina, 14; Dalmatia, the Italian, 11. We here have 325 members representing the

subject people in the lower house, all of whom are dissatisfied with Austrian domination, while in the former group we have 191, many of whom are out of sympathy with the ruling house in Germany. Quite naturally the question arises, "Why could not these subject people, therefore, overrule anything that would be brought up in the lower house?" Yes; they could. But do not forget that the lower house of Austria, so far as I can ascertain, has not been in session since March of 1914. The house of delegates supersede the law-making body.

Mr. MOORE of Pennsylvania. May I ask why?

Mr. FESS. In time of war in a country so governed it might not do to let them come together. It must appear to us all that the representatives in that legislative body must not interfere with the monarch. With a situation like that constitutionally, where these people have a semblance or show of right, all of which is denied them, there is unrest, and inevitably so. I should like to take the time to indicate the political phase of this situation as indicated by party division.

The German Nationalists in the lower house number 100, the Christian Socialists 73, the German Socialists 49. The three groups which I have given are all Germans. Of these 222 German representatives, 122 of them are Socialists in politics, and as such are opposed to the German régime as carried on by Kaiser William in the German Empire. They have been, historically speaking, entirely out of sympathy with pan-Germanism on the Kaiser's platform. And yet that is the German element in Austria.

The real significance is more marked when we note the political complexion in the balance of this house. The Bohemian Club has 84 members, the Bohemia Social Democrats 25, the Poles 70, and the Polish Social Democrats 9, and 111 others variously divided.

Mr. GARD. Mr. Speaker, at this time I ask unanimous consent that the gentleman's time may be extended 10 additional minutes.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the time of his colleague be extended for 10 minutes. Is there objection?

There was no objection.

Mr. FESS. I am very much obliged to my colleague.

These elements that are non-German, in Austria, expressed by the political differentiation to which I was calling the attention of the House when my time expired, will make up 299 of the membership, while the German element is 222; and, mark you, that element is divided, because they are the Nationalists, in which are found those members who hold to and support the Crown, and, on the other hand, the Socialists, which constitute the greater number, who insist upon being given more rights. And this group are all the German or ruling element. So that when we enter into the inner condition of Austria—and what I say about Austria in a lesser sense could be said about Hungary—you see every element of revolution is present, awaiting the chance for an outlet.

The Hungarian Government is organized on a similar basis to the Austrian Government, so that what I have said about Austria can in a lesser way be said about Hungary. When we examine the provincial or local legislatures you find the famous Landtag in Austria and Hungary, as you have it in Germany, where are found their election districts. There is but one house in the provincial legislature. What is singular in both of these countries is that the electorate is so classified that the elected people are not popularly representative. For example: They are divided into six classes: (1) Bishops and archbishops of Catholic and Greek Churches; (2) rectors of universities; (3) owners of great estates elected by taxpaying landowners; (4) representatives of towns, elected by citizens possessed of specified municipal rights; (5) representatives of boards of commerce, selected by members; (6) representatives of the rural communities elected by all those who pay direct tax. The electoral system is so constituted that when you eliminate, or rather when you consider all of the limitations that are written in the law, you have eliminated the popular right of participating in the legislation in the Landtag by the majority, as we here understand democracy, by this peculiar method of election. In other words, one element represents a certain class, religious in character; another element a less-favored class, but nevertheless favored in education facilities; and still another class distinguished by business, and so on. It is not a representation of people but of groups, which is never possible in a democracy. All this shows fertile soil for deep-seated unrest.

So, Members of the House, when you take up the dispatches that are coming out of Vienna the past few days, I think that there is rational ground for our belief that a break-up is promised in the dual monarchy.

Mr. SUMNERS. Will the gentleman yield for a question?

Mr. FESS. I will.

Mr. SUMNERS. To what extent does this division in the representative party indicate the division in the body of the citizenship? I understand the gentleman stated that the citizenship was not properly represented in the legislative body.

Mr. FESS. If I understand the question, it is, How many people would be represented by this particular circle or that particular class?

Mr. SUMNERS. Yes. What conclusion is the Government to draw as to the division of the people with reference to this war?

Mr. FESS. The conclusion I wanted to leave with the House is that the vast mass of the people have very little voice in legislation, while the selected few have a great voice. That is what I wanted to leave with the House.

The reason why I wanted to present this phase of it at this time is that the Committee on Foreign Affairs has reported a bill to exempt from the operation of the alien-enemy act these several subject peoples now resident in the United States that are, when considered under international law, conceded subjects of Austria-Hungary, but who are perforce very much opposed to Austria-Hungary. They are the Czechs from Bohemia, the Slovaks from Moravia, the Poles from Silesia, the Ruthenians from Galicia, and a great number of Roumanians from the eastern section of Hungary, a great number of Serbians from the south country, and many Italians from the Adriatic country, and also very many Croatians and Slovenes. I looked up our immigration tables. It is stated therein that we have about 3,000,000 of them in this country, many of them not citizens; why I do not know. But just the moment the opportunity came, by our declaration of war, for them to show their opposition to their ancient enemy and their favor for our country they sprang to the colors and went into the Army. But we were not at war with Austria-Hungary for many months, and when we declared war against the dual monarchy internationally we made them alien enemies, which embarrassed both them and us. We can not enlist alien enemies, and those in the service if taken prisoner would, of course, be executed at once as traitors. We have reported a bill in order to remove so far as our country can that international inability. It does not assure them, however, exemption from execution if they are taken prisoner. But, gentlemen, I meant to say that their conduct shows the spirit of unrest in that country. They are volunteering, and they have gone at once to fight the battles of our country as well as to fight against their ancient enemy.

Our subcommittee had before it, on its own solicitation, the famous pianist, Paderewski. I shall never forget the plea that he made when for two hours he pleaded for the right of the Poles in this country to form a separate unit, not to be coalesced and lost by absorption in the American Army, but to be a unit of Poles from America, by the side of the American soldier, the French soldier, the British soldier, and the Italian soldier, to fight his enemy; and when we raised the question as to whether or not we could do it, he said the psychology of the situation was most significant and easily explained. Those people in that country are restless; they have suffered for centuries; they have suffered lack of freedom. They are not naturally rebellious, except that they want the right to use their own language, and they wish to observe their own customs, and they desire the right of freedom of worship according to their own conscience, and they do not want to be oppressed; and if they could know that there upon the west front there was to be a unit of soldiers made up solely of this class, and another of that class, the influence on their kin in those oppressed countries could not be easily overestimated. The spirit of revolt against oppression is ever present and will be wonderfully stimulated by such action.

The SPEAKER. The time of the gentleman from Ohio has again expired.

Mr. HAMILTON of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman may be permitted to proceed until he finishes his remarks.

Mr. FOSTER. Mr. Speaker, I will not agree to that at all.

Mr. HAMILTON of Michigan. Say, 10 minutes.

Mr. FESS. One minute, Mr. Speaker, is all that I will take.

Mr. HAMILTON of Michigan. Make it five minutes.

Mr. FESS. Very well. I thank my friend from Michigan.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the gentleman from Ohio may proceed for five minutes. Is there objection?

There was no objection.

Mr. FESS. There is a dispute among authorities as to the classification of this population in Hungary. One of the leading Hungarian scholars in America claims that at least 60 per cent of that population are a subject people and in a state of unrest, but the figures that I have taken that are usually regarded as authentic—taken from the census—made this classifi-

cation: The Magyars in Hungary, who are the ruling class and not German, understand, really not friendly to the Germans, are 10,000,000 in round numbers, while the Germans are only 2,000,000 in Hungary; the Slovaks 2,000,000—I am giving in round numbers—the Roumanians 3,000,000, the Lithuanians half a million, the Croatians 2,000,000, the Serbians a little over 1,000,000, and then others, including the Jews, would be half a million. In this list of figures you see the same thing. The ruling class, the Magyars, with no sympathy with the Germans and the German people, are still in a minority, so that this whole empire is a mere polyglot of Europe and becoming this minute a whirlpool; and if there should be an overturning, which is not at all impossible but most probable, it would be not only economic and social but political as well, and I should not be at all surprised to see within the next few days some powerful uprisings. Of course it must be understood the German Army, or rather German officers of the Austrian Army, has control, and will stop short of nothing to suppress it. It will then be a case of the loyalty of the soldier, for without that this country would overturn the house of Hapsburg overnight.

Mr. MEEKER. Mr. Speaker, will the gentleman yield for a question there?

Mr. FESS. Yes.

Mr. MEEKER. Is it the opinion of the gentleman that if such an arrangement should be made, as was suggested by the famous Pole in this country, it would aid in that movement?

Mr. FESS. I think without a doubt it would aid; and not only that, but I think we are thoroughly justified in taking any step that is honorable to lead to that consummation. We would not do it—we would not stir up any unrest—in a country with which we are not at war, but we are justified in stirring up any sort of unrest in our enemy's country. There is no diplomatic delicacy in that, and if we can do this and get the word to them—and Paderewski says it will trickle through and they will get it—it is one of the ways to weaken our enemy, and we ought to do it.

Mr. HAMILTON of Michigan. Has the gentleman anything to say as to what has been done to carry out Paderewski's suggestion?

Mr. FESS. I understand steps have been taken and such units are now being formed and training for such officering has already been undertaken. The gentleman from Pennsylvania [Mr. FARR] so informs me.

I am not speaking of what is being done by other countries of our allies. It is known there are such units on the front already.

Mr. Speaker, I now wish, at the risk of some duplication, to devote some time to a brief statement of the historical development of the situation in the dual monarchy, with special reference to facts which give a basis for a break; also a brief statement of the Balkan problem.

THE CHANGING MAP OF EUROPE.

Austria-Hungary is a dual monarchy made up of the addition of two sovereignties, with all the attributes of control in government—equal save that the common Emperor, either by choice or obligation, resides in the capital of one of them. Each monarchy exercises supreme control over its own affairs, attempts agreement over matters common to both, and is composed of various and diverse peoples subject to the ruling house, but unwilling subjects because of the refusal of either to consult them in matters of the highest interest to them. Austria is composed of three kingdoms, two margraviates, two archduchies, six duchies, two principalities, and two Crown lands. The Emperor, who holds his sovereign position at will and with the consent of none but himself, is head of each of these Provinces, and therefore bears the title "His Imperial and Apostolic Royal Majesty, Emperor of Austria, King of Bohemia, and so forth, and Apostolic King of Hungary." He is the head of a hereditary house, the oldest in Europe. By virtue of this headship all Austria consists of family lands, whose titles date back to the Duke of Alsace in the seventh century. This Empire evolved through conquest and inheritance, through blood and marriage, from a house whose Hapsburg identity began in the ninth century. In those days of Charlemagne, when the Hapsburg family began to receive recognition, there was neither Austria nor Hungary, but all the country now known as the dual monarchy was occupied by Slavs, the original peoples to claim the Danubian country, save a very small portion, which was under Charlemagne, the Teuton. Even that was Slav country, but overrun by the empire builder. By the close of the twelfth century the country now occupied by the dual monarchy was still occupied by Slav peoples with specific territorial boundaries mapped out for the Bulgars, Serbians, Slavonians, Croatians, and Bosnians. Bohemia and Silesia were parts of the Empire of Frederick Barbarossa, as was a mere strip of country then called Austria. At this time the Kingdom of Hungary was between the Kingdom of Poland on the north and the Slav Provinces on the south. The famous fighting tribe known as Magyar, arising out of the east, came pouring in through the Slav countries, until, like a wedge, it drove into the very heart of this early Danubian people, splitting them into two quite distinct peoples from a territorial standpoint, but not racial. Henceforth the Magyar invasion, which established the Hungarian nation in the very heart of this ancient Slav people, permanently divided them into the northern Slav and the southern Slav nations.

A map of this period will show Hungary stretching from Bulgaria to Bavaria and from Bosnia to Moravia. Austria is insignificant, but the Hapsburg House included with Austria the Provinces of Styria, Corinthia, and Carniola. The great Hungarian wedge did not obliterate the independent Slav kingdoms such as Poland, Bohemia, Silesia, Galicia, and Lithuania. However, the Czechs and Slovaks were under the Empire at this time, but did not lose their autonomy. It will be noted the Hapsburg house in the fourteenth century was quite insignificant in its dominions as compared to a later period.

Near the close of the fourteenth century the Servian principalities occupied most of the archipelago between Bulgaria on the east and Dalmatia and Albania along the Adriatic. Turkey in Europe had not yet become a serious reality. The chief country outside of Serbia was Hungary, which stretched from Bulgaria and Serbia on the south to Poland and Bohemia on the north and the Holy Roman Empire on the west, including both Bosnia and Dalmatia. As was said, Austria was a mere spot on the map.

In the time of Charles the Fifth, in the sixteenth century, the Ottoman Empire overran all of the southern Slav countries, which is the beginning of the troublesome Balkan problem never more sensitive than now, and the real cause of the present war. Bohemia joined with Hungary for independence, but the House of Hapsburg, by conquest and heredity, secured a foothold in most of western Europe. This is the one significant fact of this century. It is the beginning of the Bohemian and Moravian persecutions. In the middle of the seventeenth century the Turk extended the Ottoman Empire beyond and including all the southern Slav country, also Hungary and Transylvania, while the Hapsburg House added within its boundaries the kingdom of Bohemia. The Slav, both north and south, became subject, the former to the Austrian control, the latter to the Ottoman or Turkish control. In the eighteenth century the Ottoman Empire was driven back by the Hapsburg power, which then included northern Italy, the southern Slav countries of Croatia, Slavonica, the northern Slav countries of Bohemia, Silesia, and Moravia, as well as Transylvania. Austria and Hungary were at this time as distinct as were the north and south Slav countries. Thus these Slav countries supplied two autocratic nationalities with spoils of warfare as they contended with each other for territory that belonged to neither, except by right of the sword. At the opening of the nineteenth century Napoleon remapped Europe. The Turkish Empire still included the southern Slav countries; the House of Hapsburg was confined to Austria, Hungary, and Bohemia; the confederation of the Rhine occupied what is now Germany, while the empire of Napoleon occupied most of what was left of Europe.

In all these years the various Slav countries, though subject, were ever contending for independence as a right. One hundred years later, at the opening of the present century, the dual monarchy, Austria-Hungary, which assumed this dual character after all Europe had rocked in the revolutions of 1848, was a mere conglomeration of diverse peoples. Neither half possessed the character of national spirit, much less did the Empire realize such character. Austria was made up of Slavs, Germans, Italians, Roumanians, and Magyars. The Germans, less numerous, were nevertheless the ruling element, while the others were unwilling subjects. The Slavs were divided geographically but not otherwise into northern and southern. Among the former, as was stated before, were the Czechs or Bohemians, Slovaks or Moravians, the Poles of Silesia, and the Ruthenians of Galicia, together the larger portion of the population. The southern or Yugoslavs were those in Croatia and Slavonia.

WHY THE SPIRIT OF REVOLUTION?

There never has been a time when the Austrian Government, the most reactionary in modern times, did not face a spirit of revolution surging through the mass consciousness of a subjected people which at all times outnumbered the ruling population. This country at the opening of the war was the overlord of nationalities like the Czechs of Bohemia, the Slovaks

of Moravia, the Poles of Silesia, the Ruthenians of Galicia, the Serbo-Croats of Croatia, all of which as historical entities are vastly older than anything Austrian, save the House of Hapsburg, which originally was foreign to this Empire. To-day Austria is but a vassal of Germany, which may delay the inevitable outbreak of an oppressed people.

These subject people have a passion for nationality that has persisted with a tenacity throughout centuries of torture and oppression that is an abiding wonder. Take Bohemia as one example, a kingdom so powerful as to wage a contest with Charlemagne; a country of which it was said, "The nation that rules Bohemia will rule Europe." This country has been under the heel of almost every autocratic ruling house in Europe; a country which has been the battle ground of religion of all sects, of rival houses in government, of contending nationalities. Over her boundaries have surged back and forth hordes of warlike peoples. The country of the famous John Huss saw a religious war whose severity is not known in civilized history. In 1621 Bohemian leaders were executed, and her constitution was suppressed; her property in lands was handed over to despoilers. All she possessed as a country, save her indomitable spirit, was taken from her. Every effort, ranging from attempted bribery to wholesale murder, was used in efforts running through a period of 200 years to stifle the passion for national independence. But all in vain. How different in the ruling nation. There is not now, neither can there be, what might properly be called a national spirit in Austria. The ruling house is by the power of the sword maintaining the hereditary throne, not by the consent of the people. This house for 12 centuries has been in existence and has maintained its rule by the sword. The system of the electorate, in name popular but in reality a mere farce, is so divided that the landowners absolutely control the nation. The system of education, which saw in 1908 an illiteracy of 40 per cent of her people, was conducted in the interest of Germans, the ruling class. In the dual monarchy there is no such thing as the fatherland or the motherland. The people in Bohemia, Silesia, Moravia, Galicia, Croatia, Slavonia, and Dalmatia have always looked upon Austria as an oppressor which denies to peoples of strict national entities older than the Empire the most sacred and inalienable rights, such as the use of their own language, their style of worship, their peculiar habits of thought as expressed in dress and various customs, and their independence in government. These Provinces possess national passions all at variance with autocratic government, while the Empire exercises power usurped by the sword against the will of these oppressed people—a condition which compels a chasm impossible to bridge.

This situation explains the recent reference of the premier of England when he said:

> Although we agree with President Wilson that the breaking up of Austria-Hungary is no part of our war aims, we feel that unless genuine self-government on true democratic principles is granted those Austro-Hungarian nationalities who have long desired it, it is impossible to hope for removal of those causes of unrest in that part of Europe which so long have threatened its genuine peace. The right of self-government should apply to enemy as well as friend. On the same ground we regard with vital satisfaction the legitimate claims of the Italians for union with those of their own race and tongue. We also mean to press that justice be done to the men of Roumanian blood and speech to their legitimate aspirations. If these conditions were fulfilled Austria-Hungary would become a power whose strength would conduce to the permanent peace and freedom of Europe instead of being an instrument of the pernicious Prussian military autocracy.

It is to this situation the President referred when in his war aims he said:

> The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.

One year ago when Lloyd-George spoke of the aims of the allies he used specific language touching these peoples, in which he declared these aims include "the liberation of Slavs, Italians, Roumanians, and Czechoslovaks from foreign domination." This is the oft-repeated demand of the allies, of self-determination in matters of the government of a people.

DEMANDS OF THE OPPRESSED PEOPLES IN AUSTRIA.

These subject people, who far outnumber the ruling people, and by race, religion, and language are differentiated from them, constantly persist in certain well-defined demands. They ask for their liberty and political independence, that they may form their ideal federation, in which the genius of each people might develop along its own national trait and passion. Among these peoples are to be found various differences in religion. They demand the right to worship according to their light. They demand the right to the adoption and free use of their own tongue, which would enhance their intellectual as well as commercial intercourse. They have an ambition for a native literature couched in the language of their fathers. They naturally wish to be free to announce and espouse such political philosophy as their forward-looking men might wish to develop. Their views of democracy, which would naturally be averse to monarchy, should not be suppressed, they claim, simply because it may not be acceptable to a ruling class whose position is attained by birth and by the consent of no one. These people for centuries have been more or less communistic, which principle tenaciously adheres to them.

They demand this custom, which has become law to them, shall not be denied by a ruling power entirely foreign in sympathy with these national traits. These foregoing demands have grown into a passion with most of the population of the monarchy, while, on the other hand, Austria-Hungary as a ruling power has no sympathy whatever with the various claims of these subject people who make up at least 60 per cent of the Empire, and most of whom are Slavs. Even in Hungary the half of the Empire generally regarded more modern has followed the lead of the Austrian half. The Magyar, the ruling element in Hungary, is less autocratic than the German, the ruling element in Austria. Yet in the former oppression is evident.

As will be recalled, all this territory was once occupied by the Slavs. When the Magyars drove a wedge into the heart of the Slav territory and thus definitely separated it into the northern and southern Slav countries, they succeeded for the time in preventing a great Slav kingdom in the Danubian country by weakening national defense. In the northern the oldest inhabitants, independent politically, were overrun by Teutons and Magyars, and thus became subject, but they never lost their identity. The southern or Yugo-Slavs were partially overrun. However, the Serbian, Montenegrin, and Bulgarian—the Roumanian were not Slavs—successfully resisted both Teuton and Magyar control, but all except Montenegro suffered Turkish conquest.

THE BALKAN SITUATION.

This at once opens up the Balkan situation, which is by far the most complicated, as well as the most sensitive, issue in European politics. A careful examination will explain why any disturbance in this quarter of the world compels all Europe to hold its breath until quiet is restored. Here is the real whirlpool of Europe. It is the receptacle which became a veritable vortex into which was poured, in ages past, an assortment of almost every people of the world. The Romans and Greeks from the west; the Slav, the Bulgar, and the Hun from north and east; the Goths, the Visigoths, the Vandals, the Lombards from the north and west; and the Turks from the southwest. Here were traces of the Semitic tribes from the Levant. In this peninsula were found Romans, the Goths and Huns, the Tartars and Slavs, the Serbs and Bulgars, the Saracens, the Turks, and the Normans. This peninsula was the meeting place of streams of population from every quarter. Through it have poured streams of national force, representing every phase of religion, every form of government, every system of trade, and many cults of a complicated civilization. It was the track of the invader from north, east, and west and the scene of many a racial conflict. It has been the battle ground of ideas as well as armed forces. Among its people to-day can be noted a unity in a great variety. There have survived here a people of common characteristics yet widely different. The Greek in Greece, the Slav in Serbia, Montenegro, and Bulgaria, and the Roman in Roumania. Yet in some ways Bulgaria is closely related to Turkey, while Montenegro and Serbia, somewhat influenced, never had sympathy with either Turkey, Rome, or the Teuton, but always Slav. Dalmatia, Italian in sympathy, but subject to Austria, has ever been, and will continue to be, a bone of contention until allowed to select its allegiance. These are the scenes where have been fought the age-long battles for autonomy against Turkish conquest on the one hand and Teuton-Magyar invasions on the other. Being Slav, Russia has kept a watchful eye over them, urging a union or at least a Balkan federation in spirit if not in form. To Russia more than to any other country is due the spirit of a Balkan union. The purpose is apparent to all students of nation building. There must not be an unfriendly power between the Russian Empire and the Mediterranean waters.

It has been apparent for years that Germany and Austria have looked to an outlet to the Mediterranean. It is but a part of the famous Mittel-Europia ambition of the Teuton, so prominently stressed just now. Turkey has long held the Dardanelles, which closes out Russia. The Slav Provinces lie in the way of the Teuton's march on Macedonia and bar him from the Mediterranean except via Dalmatia, nominally a kingdom of Austria but Italian in character, which lies west of Bosnia, a Slavic people, but in governmental control belonged to Turkey. In the seventies Austria was allowed, without the consent of Bosnia, to occupy it by a military force. This Teuton aggres-

sion by agreement with Turkey, but against the wishes of both Bosnia and the Slav interests, pointed to the Teuton movement and future trouble with Russia. Later, when Turkey had her troubles with the Balkan States, which was almost perennial if not unceasing, Austria took advantage of the situation and annexed both Bosnia and Herzegovina to her domains. This was regarded as wholly without right or justice to the people of these Slav areas, and conclusive of the purpose of enlarging her dominion and a step nearer to the Teuton goal—the Mediterranean. Had the spirit of union in the Balkans been strong enough to overcome the state of jealousy among them this Austrian conquest would not have occurred. In 1914, when Austria, because of the assassination of her heir in the capital of Bosnia, demanded of Serbia to permit an army to cooperate in the suppression of alleged rebellious juntas within Serbian territory, the real purpose to place an Austrian army in Serbia could not be misunderstood, in the light of her aggression two years before. It was obvious; hence Germany's interest on the one hand and Russia's on the other in Austria's ultimatum to Serbia. This unfortunate peninsula, which has been watered by the best blood of the various peoples of the Old World as the early hordes marched to and fro, now as conquerors, then as conquered, is still holding the attention of the world. For ages Turkey yearned to cover it with Moslem authority. She enjoyed a success for years, only to lose out for all time to come.

Russia in her laudable ambition to reach the sea has maintained a consistent purpose to insure a Balkan federation of Slav nationalities strong enough to resist aggression from whatever quarter, and thereby insure a friendly connection with Mediterranean people.

England, ever watchful over her interests on all seas, and especially the Mediterranean, desired a Balkan group strong enough to stay the southern wave of Teuton ambition, on the one hand, and to maintain a balance between them and Turkey, that the latter may remain the keeper of the gateway from Asia to Europe. Her control of Constantinople was preferable, since it was safer in the hands of a second-rate power than in control of a first-class power, as either Russia or a Teutonic nation.

This accounts for England's attitude of friendship for Turkey in Europe throughout the past 100 years.

Hence, when Austria announced her indefensible ultimatum, which in effect was a declaration of subjection of Serbia to Austria, Germany was interested in the success of her ally, while Russia was alarmed for the same reason. Hence the rapid succession of military events and the world-wide confusion over war's alarms.

Mr. Speaker, I did not mean to discuss at this time the Balkan situation, although it is the heart of world war at its inception. I desire to do no more here than to throw light upon the unhappy subject people of the dual monarchy, that we may do justice to that portion of them who reside within our borders, and who at the earliest opportunity entered the Army to fight against their oppressor from whom they fled to seek shelter in America. They are not only fighting for America but against their oppressor, for the liberty of their people still under the yoke of bondage. This situation indicates Austrian disintegration. There is an ominous unrest among the subject people of the dual monarchy, because they are without freedom in an empire that now has become doubly oppressive since its population is totally under the Germans, whether in Austria or Hungary. Hundreds of thousands of these dissatisfied people have in years past left their homes to find a haven in America. The census of 1910 gives 2,702,000 people in our country from Austria alone. They represent more than half the population of the empire, charged with the same national instincts. Many of those who came here entered the ranks of the allies to fight the enemy of their people. To-day there is a Bohemian army of not less than 120,000 somewhere in line. Whatever significance can be attached to the general uprisings now in the dual monarchy it is not too much to say that Austria must break. She is ruled by one family instead of by 10 nations, of which she is to-day composed. Who can tell the effect upon these subject people of the knowledge if it can be gotten to them of an army of their countrymen in ranks fighting for their liberation?

Mr. Speaker, anyone conversant with the history of this reactionary nation and the treatment of the majority of the people within her domains, all of whom are denied their liberties, must conclude that one result of the war must be a complete emancipation of these peoples from the yoke of the Hapsburg oppressor. We may see this accomplished yet by those of the oppressed.

AGRICULTURAL APPROPRIATIONS.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919; and, pending that, I would like to see if we can not come to some agreement about the time for general debate. What suggestion has the gentleman from Iowa to make?

Mr. HAUGEN. I have enough requests here to take about six hours to accommodate. They are very urgent requests, and if it is possible to accommodate them I hope it will be done. It would require six hours.

Mr. LEVER. On that basis it would take 12 hours' debate. I do not think we should have that much debate.

Mr. HAUGEN. I appreciate that that will require a great deal of time, but I was stating the fact.

Mr. LEVER. I will say to the gentleman from Iowa that I myself have many requests for time, but I have been informing those who have made the requests and those to whom I have promised time that we ought to reduce it somewhat. I wonder if the gentleman could not get along with two and one-half hours?

Mr. HAUGEN. That would be more than cutting the time in two. I may say that much of the discussion on this side is going to be devoted to the bill by members of the committee and other Members who have given a good deal of study to certain of its provisions. For that reason I think they should be accommodated, because there will really be no time lost. The time will be consumed in the five-minute debate, if not given in general debate.

Mr. LEVER. If we are willing to be a little more liberal in the matter of time, would the gentleman be willing to agree that the general debate shall be confined to the bill?

Mr. HAUGEN. I do not think so. That would be to change the rule entirely. I do not think we ought to change the rule. We ought to adhere to the rule and expedite matters as far as possible. I am perfectly in sympathy with the gentleman in his desire to expedite the passage of this bill. I am perfectly willing, as far as I am concerned, to meet at 11 o'clock and run these debates along in the evening, or do anything to expedite the passage of the bill; but I believe we can do it by accommodating the gentlemen who have requested the time.

Mr. GILLETT. I suggest that we meet at 11 o'clock to-morrow morning for general debate. I do not think there will be any opposition on this side. I would not like to have the House meet at 11 o'clock under the five-minute rule, but for general debate I do not think there would be any objection.

Mr. LEVER. Let me make this suggestion to the gentleman from Iowa: It is now 10 minutes after 1. If the House stays in session until 6 o'clock this afternoon and meets at 11 o'clock to-morrow morning, will the gentleman agree that the general debate shall continue during the day and for two hours to-morrow? That would give about seven hours' general debate.

Mr. HAUGEN. Much of that time might be consumed in roll calls and one thing and another; and if so, Members would be deprived of the privilege.

Mr. LEVER. I take it that the roll calls would not be taken out of that time. I meant two solid hours to-morrow for debate.

Mr. HAUGEN. I think the best way and the proper way would be to fix the time.

Mr. LEVER. I would much prefer to do that, myself.

Mr. HAUGEN. Is it possible to arrange for 10 hours, to cut the time down to five hours on each side?

Mr. LEVER. I think we can get along with seven hours on this proposition, the gentleman taking three and a half and I the same.

Mr. HAUGEN. As I have stated, I have requests for six hours, which would require 12 hours, 6 hours on a side. Cutting it to three and a half hours on a side, of course, is cutting the time nearly in half, and the requests which I have for time are urgent.

Mr. LEVER. Would the gentleman be willing to begin the general debate now, run it until 6 o'clock, and commencing at 11 to-morrow, run the debate until 3 o'clock in the afternoon?

Mr. HAUGEN. I think the proper and usual way is to agree on a certain number of hours.

Mr. GILLETT. That would be practically 10 hours. I think we would agree to that, and begin at 11 o'clock to-morrow.

Mr. HAUGEN. I think I can arrange with some of these gentlemen to cut down their time somewhat and probably can get along with five hours; but I really believe we will make time by agreeing to five hours on a side.

Mr. LEVER. I agree it is always much better to fix the time for general debate.

Mr. GILLETT. I do not think we ought to set an hour to-morrow for the closing of general debate, because then roll calls or conference reports or any unexpected thing which might come up would be taken out of the time.

Mr. LEVER. That is the point I am making. I prefer to fix so many hours for general debate.

Mr. GILLETT. Yes.

Mr. LEVER. And I suggest to the gentleman eight hours for general debate.

Mr. KITCHIN. That is practically two days.

Mr. LEVER. That is practically two days.

Mr. HAUGEN. After conferring with my colleagues, I will compromise on nine hours.

Mr. LEVER. I have compromised myself, from five hours to eight.

Mr. WALSH. Will the gentleman yield?

Mr. LEVER. I yield to the gentleman from Massachusetts for a question.

Mr. WALSH. What is the reason for this apparent desire for haste on this measure? Are there any other important appropriation bills waiting for action?

Mr. KITCHIN. The diplomatic and consular appropriation bill.

Mr. LEVER. I understand the diplomatic bill is ready, and that the legislative bill is practically ready.

Mr. STAFFORD. If the gentleman will permit me, the subcommittee framing the legislative, executive, and judicial appropriation bill will not conclude their hearings for several days to come.

Mr. LEVER. Of course, the gentleman understands that it will take several days to pass this bill after we get into the consideration of it under the five-minute rule. I understand the legislative bill will be ready for consideration after the diplomatic bill.

Mr. KITCHIN. And the diplomatic bill will be ready immediately after this bill.

Mr. LEVER. I hope the gentleman will agree to the eight-hour proposition.

Mr. HAUGEN. It really can not be done. I do not think we can expedite the passage of the bill by agreeing to that.

Mr. KITCHIN. I suggest to the gentleman that it does look like we ought to get through with the general debate certainly by to-morrow night. Let us agree to conclude it to-morrow.

Mr. HAUGEN. That is all right.

Mr. WALSH. The time to be divided equally.

Mr. GILLETT. And meet at 11 o'clock to-morrow.

The SPEAKER. What is the request? Has the gentleman from South Carolina any request to make?

Mr. LEVER. Mr. Speaker, I am trying to confer with the numerous gentlemen around me here, to see what is the best request to submit. I suggest to the gentleman from Iowa that we agree to conclude the debate before the House adjourns to-morrow.

Mr. GILLETT. And meet at 11 o'clock to-morrow morning.

The SPEAKER. We have not got any unanimous consent to meet at 11 o'clock.

Mr. LEVER. I am going to make that request now.

Mr. ALEXANDER. Mr. Speaker, our Committee on the Merchant Marine and Fisheries are having some very important hearings, and they meet at 10.30. If they come here at 11 o'clock they will have to discontinue the committee meeting. We have a very important hearing set for to-morrow morning. If you are going to consume two days in general debate, I do not think that you ought to interfere with the other business of the committees of the House.

Mr. GILLETT. I agree with the gentleman from Missouri that I would not agree to come in at 11 o'clock except for general debate.

Mr. ALEXANDER. If the general debate is illuminating, the Members of the House ought to hear it, and if it is simply bunk, you might as well cut it out. [Laughter and applause.]

Mr. LEVER. Mr. Speaker, I ask unanimous consent that general debate shall continue until the House adjourns to-morrow; that the time be equally divided between the gentleman from Iowa, Mr. HAUGEN, and myself, and that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from South Carolina moves that the House resolve itself into Committee of the Whole House on the state of the Union, and pending that he asks unanimous consent that general debate end when the House adjourns to-morrow; that the House shall meet at 11 o'clock to-morrow, and the time shall be equally divided between himself and the gentleman from Iowa [Mr. HAUGEN.] Is there objection?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CRISP in the chair.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

The CHAIRMAN. Under the order of the House, the time is to be equally divided between the gentleman from South Carolina, Mr. LEVER, and the gentleman from Iowa, Mr. HAUGEN.

Mr. LEVER. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio, Mr. SHERWOOD.

Mr. SHERWOOD. Mr. Chairman, after listening to such a powerful, such a lucid, and such a valuable address as we heard from my distinguished colleague from Ohio, Dr. FESS, I thought that perhaps your minds might be relieved by something in a lighter vein.

At the very outset of this great world war we find ourselves short of both cavalry, artillery, and general-utility horses. And all our so-called military experts concede the absolute necessity for cavalry on the flanks of an army or to cover a retreat. In the Boer war, in South Africa, the most expensive aggressive war of conquest Great Britain ever made in a century, the lack of cavalry to fight the Boers, who were all mounted on fleet-footed ponies, cost Great Britain more lives of soldiers and more money than all the 42 wars waged during the entire eventful reign of Queen Victoria.

To-day we are seriously hampered in our war preparations for lack of horses, and that demand can not be supplied. It was claimed by most of our so-called military experts, at the time the United States entered the war, that the aeroplane would take the place of the mounted soldier; but now the demand for cavalry is universal. In a recent number of the Breeders' Gazette, one of the oldest and ablest stock-farm journals published in the United States, I find an editorial voicing the immediate demand for cavalry in order to win the war. From time immemorial it has been the swift mobilizing cavalry that has won battles in the critical crises of wavering battle lines. This was a vital lesson we learned early in the first battle of the Civil War, when a charge of the Black Horse Cavalry of Virginia put to rout a superior force of Infantry in the first Battle of Bull Run.

And in the two-years war in South Africa, England learned a severe lesson of humiliation when 7,000 Boer farmers, mounted on Boer ponies—and neither Boers nor ponies ever saw the inside of a military academy—caused the retreat across the Tegula River of 42,000 trained veterans of England, commanded by the widely renowned Gen. Buller.

And in the present world war it was the Italian Cavalry, covering the retreat of the Italian Army from the Austro-Hungarian border to the Piave River, that saved the bulk of that army and the most valuable of artillery and stores and munitions. Not only are we short of artillery but of men trained to take care of horses.

An up-to-date high-rank Army officer recently said:

> The man who knows how to take care of animals in this country has become very scarce. We must provide thousands of men capable of taking care of animals and who can shoe a horse, drive a team, and adjust a pack saddle. You can not train a horseshoer in less than four months; you can teach a man to pack or drive a team in about two months. Without horseshoers, packers, and teamsters we can not have an army. The men who handle machine guns will be of little service unless they are taught to take care of mules. Without teamsters we can not have an army.

We know how all the high authority—machine-motor experts—have been indulging in big display-line prophesies of a horseless age. We remember vividly of the many predictions of the machine and chemical laboratory war prophets of a horseless war; that the experts in the bird-flying aeroplanes, dropping the awe-provoking bombs, would do the terrible work on the flanks and in the rear of a hostile army, with no further use for the cavalry horse, whose swiftness in battle is conceded to be five times the velocity of a foot soldier.

This is my excuse to-day for exploiting the horse. Our shortage of the speed horse, the saddle horse, and the general utility horse is largely due to hostile legislation against horse racing, the most alluring, recreative, and wholesome of all the outdoor sports and pastimes. Legislation that has financially ruined and driven thousands of expert breeders out of business; leg-

islation aimed at so-called gambling on the pastime, with the inevitable result that we have inaugurated prize fighting, the most brutal and degrading of all the pastimes of the people, with the nose smashers and rib crackers of the prize ring masquerading as our theatrical stars, and gambling on ring contests and football and baseball and election contests increased tenfold. [Applause.] This is my excuse for exploiting man's best animal friend in all the avenues of life, in history, in chivalry, in the holy crusades, and on the red fields of war.

WHY GOD CREATED THE HORSE.

In the domain of the utilities, in the more esthetic field of the recreations, in poetry and song and sculpture, and on the red fields of war the horse, since creation's dawn, has been the omnipresent companion and helpmate of his master—man. Let us now scan the law of the inevitable—the natural loves and instincts of man as illustrated by all history. From the ancient Pharaoh of the Exodus to Gen. Phil Sheridan, the horse has shared the honors of war, the glamors of love, the wild witchery of chivalric tournament, and the gloom and glory of all the crusades, Christian and Mohammedan. [Applause.]

THE HORSE IN THE EARLY CRUSADES.

A thousand years before Christianity began the horse was one of the most potent deities of the weird and fascinating religion of the pagan world. The history of his achievements covers three continents and runs through 10 portentious centuries of triumphs, wars, and conquests.

As a potent missionary of the Christian religion, the horse was first conspicuous at the close of the eleventh century. At the Council of Clermont in 1095 Pope Urban II, in the spirit of religious fanaticism, called upon the church to rescue Jerusalem and recover the Holy Land. This great appeal started the holy crusades that continued over 200 years and at one time involved all western Europe.

The first crusade (1069–1099), organized by that great plebeian, Peter the Hermit, failed because they had no horses. Nearly all his soldiers were slain by the Mohammedan Turks in Asia Minor. The second crusade, organized in 1097, was led by Knights of the Holy Cross; and no soldier could be a knight who was not mounted, and he must also be a horseman, strong enough to wear steel armor and to wield a broadsword. On June 7, 1099, 20,000 of these crusaders reached the Holy City, Jerusalem. After a five weeks' siege the city was captured by a cavalry charge of the most reckless daring. Godfrey, the leader, wrote home as follows:

In Solomon's Porch and in his Temple our knights rode in the blood of the Saracens up to the knees of their horses.

The seventh and last crusade did not end until 1272, and while I am not here to say that the mounted cavalier with sword and spear was the true follower of the lowly Nazarene, the mailed knights of the Middle Ages were the avant couriers of that kind of Christian civilization that dominates all Europe to-day, and it is getting a firm grip on the United States.

In discussing the moral influence of the crusades, that eminent scholar and poetist, Daniel Coit Gilman, president of Johns Hopkins University, says:

The constant contact for two centuries with the more advanced Byzantine and Arabic culture taught the crusaders many lessons in civilization.

So much for the horse of chivalry in advancing Christian civilization in Europe.

THE HORSE IN NEW WORLD HISTORY.

In the New World the horse has been a much more potent and pervading force than in the old in the evangelization of the idol worshipers of the western continent. Hernando Cortez, the conqueror of Mexico, as an anointed Knight of the Cross, could never have subdued the fierce and warlike Aztec nation without the Spanish war horse of the sixteenth century. It may not be known that the entire force of Cortez when he successfully captured the strongly fortified City of Mexico was less than 1,000 Spanish foot soldiers and only 87 splendidly mounted knights riding powerful Spanish horses, incased in steel armor. The Aztec warriors had never before seen a horse, and they regarded him as a supernatural terror—death dealing and irresistible.

The history of the conquest of Mexico reads like an Arabian Nights' tale. Though Hernando Cortez had only a few hundred men, in two weeks after entering the capital of the warlike and powerful Aztec empire he captured the holy sovereign, Montezuma, and took possession of the Aztec treasury, valued at six and a half million dollars, and all of Montezuma's ministers.

And what Hernando Cortez and his cavaliers did to the Aztecs of Mexico a still more daring knight and horseman, Francisco Pizarro, did to the prehistoric Incas of Peru in 1535; and he did it with his knights on horseback in armor of steel.

THE HORSE IN SACRED HISTORY.

In all religions the horse has ever been an omnipresent factor. The fascinating mythology of the Greeks, a race, in their prime, foremost in art and civilization, is full of the horse.

The Mohammedan religion is also toned by the horse. Borak was the milk-white horse that had the wings of an eagle and a human face. He carried the prophet Mohammed from earth to the seventh Heaven. And the seventh Heaven, in the Mohammedan religion, is the dizziest parlor in the top mansion of the blissful skies. The name is Arabic, meaning the lightning.

Haizum was one of the horses of the archangel Gabriel. Read the Koran and you will see. Hrimfaxi is the horse of night, from whose bit fall the "rime drops," which every night bedew the earth. This is found in Scandinavian mythology.

If you will look to Revelation you will see that it is the pale horse upon which death rides, and as death ends all in this world I will here end my story of the horse as a Christian missionary, with a cheerful remembrance from the Old Testament prophet, Elijah—second book of Kings:

And it came to pass, as they still went on and talked, that, behold, there appeared a chariot of fire and horses of fire and parted them both asunder, and Elijah went up by a whirlwind into Heaven.

It is evident without the horses Elijah would never have reached that lofty altitude. [Laughter and applause.]

THE HORSE IN CHIVALRY.

Chivalry derives its name from the French word "cheval," a horse, and the word "knight," which originally meant boy, was subsequently applied to the boy when he was able to mount and successfully manage a horse. In the so-called age of chivalry the mounted knight was in war at the service of his sovereign or chief, and in peace he graced the court as the gallant of the ladies in the castle, where he shared the banquets and participated in the jousts and tournaments with which the bravest of the brave cheered their leisure.

TOURNAMENTS ORIGINATED IN FRANCE.

The tournaments of the knights on horseback, in steel-clad armor, originated in France. They were organized to kill time in times of peace, and against the protest of the clergy. Afterwards and during the so-called holy crusades—in the battles of the centuries—of the cavaliers of the Cross, against the legions of Mohammed, the clergy indorsed and encouraged the crusaders.

HOW CHIVALRY HUMANIZED WAR.

The age of chivalry was an age of fierce adventures and long and bloody wars, in which the horse was the chief factor; but it humanized war, inaugurated knightly honor, and did much to eliminate the brutal instincts which before had found vent in the butchery or slavery of soldiers captured in battle. Knightly honor, the growth of chivalry, forbade a knight to kill another knight when he was unhorsed or had dropped his lance or called for mercy. Chivalry also did much to elevate woman to her true place as the equal companion of man. And it was distinctly forbidden in all the jousts and tournaments where knights fought on horseback to even wound a horse. In fact, the horse was the true badge of a knight. No villain or serf was ever allowed to ride on horseback or carry a lance. The horse in the chivalric age did for knightly conduct what the horse of pagan civilization did toward humanizing the Romans. When Nero sat above Rome Christian martyrs were taken to the arena to be devoured by wild beasts, caught in the German forests, in the applauding presence of the Roman populace. Later, under the Emperor Augustus, under a gentler and more benign civilization, the chariot races, in which the horse was the main factor, supplanted the brutal bouts in the bloody arena. And in the age of chivalry the horse did for Christian civilization what the chariot races did in Rome for pagan civilization. He made mankind better and more humane.

WHAT CHIVALRY HAS DONE FOR LITERATURE.

The history and traditions of the age of chivalry have enriched all modern poetry and literature. The history of chivalry is a rich storehouse of poetic material that all our modern poets have used generously to glamour and allure both fiction and poesy. Spencer, Sir Walter Scott, Longfellow, and Tennyson have drawn plots, romances, and poems liberally from chivalry, but none so successfully as Lord Byron and Washington Irving. Next to Waterloo, Byron's most thrilling dramatic poem is "Mazeppa," in which the wild horse of the Ukraine is the leading factor of the poem. Few students of English literature know that Mazeppa, lashed naked to the back of a wild horse, was a real historical character and not a fictitious hero born in the brain of the great poet. "Mazeppa," the poem, was drawn almost literally from history. Mazeppa was a knight of chivalry.

He was born in 1645 and had a knightly pedigree, standard through both sire and dam.

THE MODERN POETS EXPLOITED HORSE HEROICS.

All the poets of modern times put horses under their heroes. King Richard III, according to Shakespeare, offered his whole kingdom for a horse after his game steed fell dead on the bloody battle field of Bosworth. He could not get another horse on his offer, and thereby lost the battle and the crown, and the blood of Plantagenet was dried up forever, and the blood of Tudor came in to rule England, all for lack of a horse.

All the standard English poets were horse fanciers. Sir Walter Scott, in immortal Marmion, puts into Lady Heron's sweet mouth the story of "Young Lochinvar," one of the most thrilling musical gems in the English language. And young Lochinvar's horse is the supreme factor of the escapade. You remember when young Lochinvar stole away the bride that was about to wed "a laggard in love and a dastard in war" he caught her on the home stretch, and throwing her willing form behind his own, astride his prancing steed, while two pair of chivalric legs were thrilling the throbbing ribs of his game flier, the lads and lassies of the laggard bridegroom had no steeds fleet enough to follow, and young Lochinvar got away with everything. [Laughter.]

Even Tennyson, late poet laureate of England, with all his finical, fine ladyisms of versification, occasionally braces up into the robust heroic when he mounts the English thoroughbred. He *does* this in "Locksley Hall," but his best effort by far is "The Charge of the Light Brigade." But Tennyson is hardly in the same class with Sir Walter Scott. In all the minstrelsy of Scott the horse always comes in to gild the heroics, whether he sings of love or war.

And the finest dramatic poem of our great Civil War is "Sheridan's Ride," written by our Ohio poet, T. Buchanan Read, in which the horse is the hero, because without that game flier Sheridan could never have turned defeat into victory in that immortal 20-mile ride from Winchester to Cedar Creek. Have you ever stopped to think what would have become of our Army that critical day had Sheridan attempted that perilous ride in an automobile with a busted tire. [Laughter.] Could he have inspired the boys with courage anew sitting in a pulseless machine, even without a busted tire, instead of the black charger, that with foam on his flanks and nostrils red as blood and eyes flashing fire carried the courage of his great master into the hearts of the musketeers.

THE TROUBADOURS AND THE HORSE.

In the songs of the troubadours the horse is everywhere sung. Many of these songs were written by women. The troubadours were the offspring of chivalry. They first appeared in France in the eleventh century and sung their last lyric poetry in Spain in the fourteenth. The troubadours composed and sang songs, and one of the accomplishments was to play the harp or make melody of the feline intestines over the bridge of a guitar. They were the inventors of lyric poetry, devoted entirely to sentimentalism. They were often mounted when attached to courts of princes and nobles, and they sang praises to the gallantry of knights, and often indulged in rustic rhymes on the degeneracy of the clergy. Our own Washington Irving won his greatest fame in fiction imbibing the lyric songs and romances and wild witching tales of the Moslem Moors. Lyrics once sung in the subtle moonlight to the black-eyed daughters of Andalusia, who danced in the orange groves of the Gaudalquiver in the heroic age of Moorish chivalry. [Applause.]

None of the historians are able to tell when the domesticated horse was first ridden by barbarous man, as he is now ridden to death by the soldiers of Europe in the pending war.

The ancient Egyptians, the Assyrians, and the Hittites all used the horse to war chariots, and later the Etruscans and Greeks in chariot races and triumphal processions. Neither did the ancient Egyptians ride horses. We first meet with a notice that the horse was ridden among the Greeks of the Homeric period. Just when Homer lived and loved and sung no one knows, but Herodotus, the oldest of the Greek historians, places Homer's fitful days on earth as 400 years preceding his own, and we read that Herodotus was cavorting around the ancient cities of Memphis, Heliopolis, Athens, and Babylon about 430 years before Christ. There were no metropolitan daily papers or horse papers in those desperately wicked old times in Babylon, and it is nowhere recorded how Herodotus was mounted, or whether he was mounted at all.

THE HORSE IN MYTHOLOGY.

Scandinavian history is full of the horse and so is Scandinavian mythology. Abakur, the favorite war horse of King Sunna, was so called because the word Abakur means in the Scandinavian language "A hot one." Hence the term "hot stuff," as applied to-day to an extreme speed trotter, may be a term of Scandinavian origin.

Arion, which is the Greek for war horse, was also a flyer. He was the horse of the giant Hercules, given to Adrastos. He ran with incredible swiftness, and this is why the Greeks deified him.

And the fascinating and picturesque and mysterious religion of ancient Hindustan is full of reference to the horse. The marvelous prophet Buddha was the greatest horseman of his time. His favorite horse was Kantaka, a pure white stallion, that is thus described in the "Sacred Books of the East." "A gallant steed, white as the foam of the sea, full maned and flowing tail. Head like the king of parrots, belly like the deer, breath like the dragons, wide forehead, claw-shaped nostrils, and eyes like the gazelle."

After the lapse of over 25 centuries Buddhism still stands first among the four great religions in the number of its devotees.

Our Aryan ancestors on the plains of India sang the Vedic hymns even before the epics of Homer, celebrating the horsemanship of the Greeks and Trojans, before they were voiced by human speech. The Vedic gods are thus sung: "Riding in chariots, charged with lightning, resounding with beautiful songs, and winged with horses."

Ancient Rome was also aglow with the war horse, even back to the dimmest of her early days. Incitatus was the favorite war horse of the cruel Roman Emperor Caligula. He made him both priest and consul, and he had an ivory manger and drank wine (as did priest and consul) out of a golden pail. The word Incitatus, in stately Latin, stands for "Spurred on." Evidently he had speed.

Celer, the favorite horse of the Roman Emperor Verus, was fed on almonds and raisins and covered with royal purple and given a marble box stall in the imperial palace. Bucephalus, the favorite horse of Alexander the Great, would allow no one to mount him but his royal master, and to him he would always kneel. Alexander built a city for his mausoleum, which he named Bucephala in his honor.

Flying Pegasus was one of the most brilliant of the Greek gods. Pegasus is represented as a winged horse that was always fed and watered by nymphs at springs and fountains. He was the genius of poetic song and always appeared to the Greek poets as the inspiration of the dizziest poetic effort. It was the beautiful goddess Eos or Aurora, the personification of the morning dawn, "who shot the Orient through with gold," called by Milton the "rosy-fingered morn," that rode the winged horse Pegasus. She rode him in the rosy blush of morn from the earth to high Olympus, the home of all the gods.

We learn that the god Neptune controlled all the waters of the great ocean (the Mediterranean sea being the only ocean the Greeks knew) and that he created the horse. Homer in his Iliad sings of Neptune thus: "He yokes the chariot his swift steeds, with feet of brass and manes of gold, and himself (Neptune), clad in gold, drives over the waves."

Prof. Murray's Manual of Mythology, speaking of Neptune and his sea horses, says: "The sea rejoices and makes way for him. His horses speed lightly over the waves and never a drop of water touches the brazen axle."

This seems like an improbable horse story, but no more improbable than "Billy" Sunday's statement that he has driven the devil out of Washington. [Laughter and applause.]

THE HORSE IN THE RECREATIONS.

For nearly half a century nearly all our preachers with a few notable exceptions, Rev. Henry Ward Beecher and Rev. T. Dewitt Talmage, have been denouncing horse racing as immoral and have been largely instrumental in putting this wholesome and recreative pastime under the ban of hostile legislation.

A very eloquent Chicago preacher, good intentioned and on the right track in denouncing an extravagant champagne supper of the "400" after the horse show, charges the horse show with the dissolute innovation. Here is where the learned divine is unlearned. The banquet after the horse show is not new, neither is there anything particularly new in the horse show. The modern horse show is a very old love that has come back in different guise and environment. And the afterfeast of the so-called swell set, with the effervescent spirit in the champagne, is not new. Over 20 centuries ago in Rome, after the victorious charioteers had put away their billhooks, the Roman senators and consuls and captains of the Pretorian guards, who had won coin on the races, stamped with the phiz of Caesar, adjourned to the room Apollo, where feasts were spread more lavishly than any dilettant midnight supper of our "400" after the horse show. Lucullus, a Roman consul, not half as well fixed as either the Morgans or Armours, or even Thomas W. Lawson, gave a wine supper to the conquering soldier Caesar

and the more pompous Pompey, in which the brains of 100 peacocks and 500 nightingales were served as a delicacy in the room Apollo, and his wine bill alone was $6,500. If our Chicago preacher has said that human nature has changed but little since the pagan world of 2,000 years ago, so far as the habits and tastes of notable men are concerned, he would have come nearer to the bull's-eye. [Laughter.]

MOST FAMOUS WAR HORSES.

The Assyrian sculptures are the most ancient and are estimated to date some 4,200 years before Christ. And these sculptures contain more representatives of horses, caparisoned and equipped to ride than of men.

THE FIRST VERIFIED WAR HORSE.

The first real horse that is fully verified as a war horse, or a horse of the heroics, is Bucephalus, the favorite war horse of Alexander the Great, who was born 325 years before Christ. Evidently the Macedonians were breeding horses for quality, as Plutarch, one of the earliest of reliable historians, says that Bucephalus was offered to King Philip, the father of Alexander the Great for 13 talents, or $12,590. It is not my purpose to mention any of the famous war horses of the pagan world, except to note the fact that Bucephalus was the first war horse of heroic quality to get into current history.

THE HERO HORSES OF MODERN WARS.

Let us now skip 2,000 years of man's constant warring, including the so-called age of chivalry, and start our brief story of the horse heroics with the dying years of the eighteenth century.

If I should name six of the most famous hero horses of the nineteenth century, I would mention Marengo, the favorite war horse of Napoleon; Copenhagen, the favorite of the Duke of Wellington; Cincinnati, the famous war horse of Gen. Grant; Traveller, the noted war horse of Gen. Robert E. Lee; Lexington, the horse Gen. Sherman rode on the Atlanta campaign; and Winchester, the game and fleet black stallion that carried Gen. Phil Sheridan from Winchester to Cedar Creek, 20 miles, that gray October morning in 1864. Winchester has the unique distinction of a continental commemoration in a dramatic war poem, and the further distinction of having his master for a biographer.

George Washington was a tried and capable soldier in the old French war, so-called, of 1755, fighting on the side of England. When Washington, then a young colonel, accompanied the English commanding general, Braddock, in the old French war, he took with him three magnificent horses—English-bred hunters—from his Virginia estate. One of these horses, a dark-gray stallion, named Greenway. In a fierce battle fought July 9, 1755, Gen. Braddock was killed and his army defeated. Col. Washington was his aid-de-camp. Braddock lost five horses shot under him, a world's record, as I believe, and Col. Washington had two shot under him. Writing of the battle nine days later, at Fort Cumberland, to his brother John, Washington says:

I have been protected by Providence beyond all expectation. I had four bullets through my coat and two horses shot under me, and yet escaped unhurt.

When Gen. Washington left Virginia, June 30, 1775, to take command of the Continental Armies, then at Cambridge, Mass., he took with him five horses of his own breeding. His favorite was a magnificent bay stallion, 16 hands high. When Gen. Washington made his first appearance at Cambridge mounted on this magnificent horse, he enthused and charmed not only the Army but the motley throng of revolutionary patriots gathered there to greet for the first time the hero of the epoch.

Before the close of the war Washington acquired by gift and purchase seven other war horses. Fairfax was the name of the horse that Washington rode the day he took command of the Army. At the Battle of Trenton Fairfax was so badly wounded that Washington had to abandon him. At the Battle of Monmouth, June 28, 1778, Washington rode a white horse—Blue Skin—presented him by Gov. Livingston, of New Jersey. The day was excessively hot, and the heat and terrors of the fight killed Blue Skin. Washington then rode to the end of the fight that day a magnificent chestnut mare with flaxen mane and tail, called Dolly—rather a tame name for a battle hero. Another of Washington's favorite war horses was a light-colored sorrel, 16 hands, with a white face and four white legs. This stallion was a gift from Gov. Nelson, of Virginia, and Washington named him Nelson in honor of the donor. This horse lived to the end of the war, and Gen. Washington rode him on the day of the final surrender of Lord Cornwallis, October 19, 1781. [Applause.]

After the war Nelson led a life of ease at Mount Vernon. He survived his immortal master and died at the remarkable age of 36 years. Thomas Jefferson often said that Washington was the greatest horseman of his time. [Applause.]

THE WAR HORSES OF NAPOLEON.

Probably the most famous war horse of the nineteenth century was Napoleon's Marengo. And horse lovers will wonder why it is that in all the many hundred biographies that have been written—in six languages—of the greatest empire builder of modern times so little has been said of the famous horses that carried him to victory in so many great battles.

We have the authority of Louis Napoleon, who said at Chiselhurst in 1872 that Marengo was the favorite horse of this great captain of the French. He was an Arab stallion captured from a Mameluke chief during Napoleon's Egyptian campaign. Marengo was about 15¼ hands high, of very high style, and almost white. He was seven times wounded in battle. Napoleon rode him last at Waterloo, where Marengo was shot in the left hip. He, too, like Nelson, survived his royal master and died at the age of 36 years. Napoleon rode Marengo in the following great battles: Marengo, Austerlitz, Jena, Wagram, in the disastrous Russian campaign, and at Waterloo. Another war horse of Napoleon was an Arab stallion named Ali. On the downfall of Napoleon a French gentleman purchased Marengo and another well-tried war horse of Napoleon, named Jaffa, and transferred them to his estate in England.

On the 16th of May, 1797, Napoleon rode his famous war horse Marengo to the top of the bell tower of St. Mark's Cathedral, Venice, that he might signal to his fleet in the bay that the proud Queen of the Adriatic Sea had surrendered. This bell tower is 333 feet high, 45 feet higher than the lantern above the great central dome of our National Capitol. With the exception of the fiery chariot horse that Elijah rode up to heaven, this is the most remarkable feat of dizzy-headed horsemanship ever recorded in either sacred or profane history. [Laughter.] Napoleon had 19 horses shot under him—the world's record.

Another famous horse that has been preserved true to life form is the war horse Stonewall Jackson rode the day of his tragic death. This horse is now the central attraction of the relic room of the Confederate Soldiers' Home in Richmond, Va.

THE FAMOUS WAR HORSE OF THE IRON DUKE.

Copenhagen won his fame as the horse the Duke of Wellington rode at the decisive battle of Waterloo—a battle that ended the conquering career of Napoleon and gave enduring fame to the Duke of Wellington. Copenhagen has inspired more animal hero worship than any horse in all history, ancient or modern. Copenhagen was a powerful chestnut stallion, 16 hands high, an English thoroughbred, a grandson of the famous English race horse Eclipse. The Duke of Wellington bought him in 1813, paying 400 guineas for him, or $2,000. His magnificent form, style, and high quality is indicated by this price.

At 4 o'clock June 18, 1815, the day the great duke and Copenhagen won immortal fame, Wellington mounted Copenhagen and was in the saddle continuously for 18 hours. And when the day was done and the duke had held his historic interview with the Prussian Field Marshal Blucher, the duke dismounted and turned Copenhagen over to his orderly.

It will be remembered that the English Government presented the Iron Duke with a splendid estate for his good day's work at Waterloo.

The Iron Duke's last act before leaving Strathfield, a few days before Copenhagen's death, was to walk out to his paddock and pet the great war horse who carried him to immortality at Waterloo. The Iron Duke's eldest son, known as the second Duke of Wellington, erected two monuments, one to the duke and the other to Copenhagen, both of Italian marble. The monument to Copenhagen stands under the shadow of a large Turkish oak on the estate presented the duke, where the famous horse was buried, with this inscription:

Here lies Copenhagen, the charger ridden by the Duke of Wellington the entire day at the Battle of Waterloo. Born 1808, died 1835.

During the Civil War I saw nearly all the commanding generals of the Army of Ohio, the Army of the Cumberland, the Army of the Tennessee under fire. I saw Gen. Hooker several times under fire, once at Resaca. I saw him in the full uniform of a major general, yellow sash and all the plumes, riding at the extreme front, almost abreast of our advance skirmish line. He was mounted on a powerful high-headed bay stallion, red nostriled and furious, the most daring and inspiring figure I ever saw on a battle field.

GEN. JOHN A. LOGAN

Was the incarnation of vital energy and reckless courage. I saw him ride to the front at Atlanta and rally the staggering battalions, after the death of Gen. McPherson, in that fierce conflict of the 22d of July. Logan rode that day his famous war horse, Black Jack, a coal-black horse that he rode in many battles. Black Jack was poisoned by the political enemies of Gen.

Logan, in southern Illinois, after the war, during a heated campaign. They fed Black Jack a pound of ground glass.

I saw Gen. McPherson as he rode to his death at Atlanta. Next to Gen. Joe Hooker, he was considered the finest mounted officer of our Army. I saw him often under fire during the Atlanta campaign, always splendidly mounted.

I saw Gen. Sherman under fire at Atlanta and at Kenesaw Mountain. His favorite horse was Lexington, presented to him by admiring friends when he commanded the Department of Kentucky. Gen. Sherman was never an impressive figure on horseback. As he rode through our lines on the march in the Atlanta campaign, sometimes at midday and sometimes in the midnight march, he always rode with bowed head in fatigue uniform.

GEN. JAMES B. STEEDMAN.

The first distinguished soldier I ever saw under fire was Gen. James B. Steedman, then colonel of the Fourteenth Ohio Volunteer Infantry, in the battle of Philippi, the first battle of the Civil War. He won his twin stars in the fiercest part of the Chickamauga battle field and at the most critical period of the conflict. It was here that Gen. Steedman snatched the flag of the One hundred and fifteenth Illinois from the hands of the color sergeant, when the regiment was in retreat, ordered the "About, face," and "Follow your general." The regiment obeyed, and Steedman spurred his war horse up the death-swept slope, carrying the flag. A few leaps into the hell of fire and the horse was shot dead and Gen. Steedman was thrown violently far over his head and severely stunned. But he was too game to leave the field. The horse he rode at Chickamauga was a magnificent bay gelding of commanding style, over 16 hands high. He was captured at Mill Springs in the battle in which Confederate Gen. Zollicoffer was killed. Hence this horse that died the hero's death at Chickamauga fought on both sides of the conflict.

GEN. PHIL SHERIDAN.

Gen. Sheridan's ride and rally of the retreating army at Cedar Creek does not rank in importance with Gen. Steedman's forced march and saving service to the Army of the Cumberland at Chickamauga, but Steedman had no poet and Sheridan had one inspired. The greatest dramatic poem of the war, written by that Ohio poet, T. Buchanan Read, could never have been inspired except for the fleet stallion that carried Gen. Phil Sheridan from Winchester to Cedar Creek that gray October morning in 1864. He rode a coal black stallion, over 16 hands high, three-quarters thoroughbred. After the battle he was named "Winchester." Before the battle he was called "Rienzi."

GEN. GEORGE A. CUSTER.

Gen. Custer, mounted, was an inspiration. He was a devotee of the horse and was always talking about his war horses. From the time he left West Point to join the Army, in the Civil War, until the close of his eventful life in June, 1876, in the Little Big Horn Valley, his daily life was largely on horseback. Probably the man never lived whose endurance in the saddle was greater than his. The favorite war horse of Gen. Custer was a brown horse called "Dandy." He was 15½ hands, a compact, muscular horse, fine head and neck. He marched in the ranks of Custer's little army of daring troopers on June 25, 1876, against the confederated Sioux Tribes, that terrible day of the massacre of Custer and his men, in the valley of the Little Big Horn, and was shot through the shoulder. The only horse that survived this savage carnival of death was Comanche, and he was seven times wounded and left to die by the Indians. He was found afterwards by our soldiers seven miles from the battle field and was removed to Fort Reilly, Kans., where he recovered and was adopted by the United States Government. No one was ever permitted to mount him.

GEN. U. S. GRANT.

I first saw Gen. Grant mounted near Raleigh, N. C., at the grand review of Sherman's army, after the final surrender of all the armies of the Confederacy. Gen. Grant was never a showy soldier on horseback, like Hooker, McPherson, or Custer. He was too short bodied, square shouldered, and short necked to make a picturesque figure on horseback. His most famous war horse was Cincinnati, presented to him by some of his admiring Ohio friends at Cincinnati previous to his taking command of the Army of the Potomac. Neither was Grant a theme for the song poets of the war, like Sheridan and the yellow-haired Custer, or Gen. Lee, Stonewall Jackson, or Albert Sidney Johnson, of the Confederates.

GEN. PAT CLEBURNE.

The two Confederate generals that I saw nearest in both life and in death I saw in that desperate charge at Franklin, November 30, 1864. These two were Gen. Pat Cleburne and Gen. John Adams. Gen. Cleburne was the most dashing division commander of Hood's army. Gen. Adams and his horse fell at the left front of my command and Gen. Cleburne a few yards to the left. My mount, a crow-black mare of high mettle—Firefly—that I had ridden in 20 battles, was shot about the time that Cleburne fell. She reared high in the air and fell with a stunning thud. But I was young and spry then and was up again in time to be at the culmination of the charge—the awful clash of hostile bayonets in that ghastly carnival of blood.

I have corresponded with a number of ex-Confederate soldiers, including Capt. Sykes, of Aberdeen, Miss., who served on Gen. Cleburne's staff at Franklin, but can get no information of his war horses.

I have also some lurid and enduring battle memories of Gens. "Pap" Thomas, Burnside, Stanley, Schofield, O. O. Howard, A. J. Smith, Rosecrans, Slocum, McCook, Butterfield, Stoneman, Couch, Opdyke, Hobson, Cox, and many others.

It is worthy of mention that the city of San Antonio, Tex., presented Gen. Pershing with a magnificent saddle horse when he left to take command of all our armies. Gen. Pershing, mounted on this horse in Paris, created the wildest enthusiasm, and the city of Paris presented Gen. Pershing with the finest war horse (French bred) that money could buy. It was largely due to these two magnificent thoroughbreds that Gen. Pershing was made the popular idol of the French Republic.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BRUMBAUGH. Mr. Chairman, this is one of the most interesting addresses I ever listened to, and I ask that the gentleman be permitted to conclude his remarks.

The CHAIRMAN. By direction of the House, the time is in the control of the gentleman from South Carolina and the gentleman from Iowa.

Mr. LEVER. I regret, Mr. Chairman, that the pressure for time is such that I can yield the gentleman but five minutes more.

THE HORSE IN THE HEROICS.

Mr. SHERWOOD. From time immemorial the horse has been immortalized with his immortal master. He has been perpetuated in stone and iron and bronze with the poets, philosophers, and soldiers of the world.

In Berlin it is Frederick the Great and his horse.

In Trafalgar Square, London, it is Lord Wellington and his horse.

In Paris it is Napoleon and his horse.

In our National Capital it is Grant and his horse, Jackson and his horse, Sherman and his horse, Gen. Logan and his horse, and glorious old "Pap" Thomas and his horse. In Richmond it is Washington and his horse, Robert E. Lee and his horse, and Stonewall Jackson and his horse.

On the obelisks of dead old Egypt, on the Arch of Trajan at Rome, and the arch of triumph that Napoleon built in Paris to celebrate his victories, the horse and his hero rider are multiplied on every ascending circle.

The Old Testament prophetess Miriam, taking her timbrels to swell the song of triumph which Moses gave to the poetry of the ages, in celebrating the drowning of Pharaoh and his cavalry in the Red Sea, says:

Sing ye to the Lord, for He hath triumphed gloriously. The horse and his rider He hath thrown into the sea.

You will notice that the inspired prophetess gives the horse first mention over the soldier, doubtless on his merits, as the more humane of the two.

Darwin does not tell us in his great work on the evolution of the human race the number of years which elapsed between the development of the man-like ape and the ape-like man, but since history was born in the womb of the dead centuries, we know that the horse with hoofs has been coexistent with the devil with hoofs. Prof. Leidy, very high authority, says, "The prehistoric man had a prehistoric horse for a companion." We have the same high authority for the statement that the horse in a wild state existed on this continent long before Columbus discovered America. Probably the prehistoric man and the prehistoric horse were cavorting over the hills and through the valleys of the American Continent long before Adam and Eve were browsing the apple blossoms in the Garden of Eden. [Laughter and applause.]

The trend of all Christian civilization from the Pharaoh of the Exodus to Gen. Phil Sheridan is to paint the horse in the heroics. In the glamors of war, in the wild witchery of chivalric missions to Jerusalem, amid the gloom and glory of the holy crusades, in the conquests of Mexico and Peru, and in all our modern wars the horse is everywhere a potent and puissant factor. And in the peopling and advancement of the United States, before the advent of steam and electric motors, the horse has ever been recognized as man's greatest helpmate.

Nowhere is the horse of the heroics more conspicuous than in sculpture. Sculpture beats history and is more potent than books, which only speak language. Some 20 languages have passed into the grave along with dead nations, while the monuments and statues and tombs built by these dead nations still stand. The Roman Empire is dead and the Roman race has died out of Italy, but the heroic statue of Cæsar mounted on his war horse crossing the Rubicon still stands. The Latin language is dead, but the arch of Trajan and his horse still stands. Napoleon is dead and his empire is dead, but the arch of triumph that the great Corsican built in Paris to celebrate his victories, with the horse and his hero rider multiplied on every ascending circle, still stands. The ancient city of Moscow, once the templed capital of the Russian Empire, has its most forceful reminder of its past in the heroic statue of Peter the Great and his horse.

Old Egypt, when in the golden age of her best civilization, was devoted to the horse. Her pyramids, which are still standing, ages after her civilization has perished, are silent witnesses that the early Egyptians were patrons of man's best animal friend.

And China, whose history, both heroic and mythologic, outdates all the civilization around the world, once held the horse sacred above all the other animals. The Chinese account of the creation of the world beats all the world's records. The sacred books of Confucius claim that 2,267,000 years elapsed between the time when the powers of heaven and earth united to produce a man, and, of course, that man was a Chinaman.

Prof. Starr, of the Chicago University, in his valuable book entitled "First Steps in Human Progress," discusses in a cursory way early Arabic civilization. He says in his book that as far back as Egyptian records go we find the horse in use, and in China are records of his presence and use as a tamed animal for thousands of years.

The biological student of the real human essence calls health the full and free manifestation of life. The life that is worth living is the life that is full of vigorous, healthy enjoyment. Of all the games to amuse and entertain, the horse furnishes the most recreative and the most morally wholesome. Our mental and physical lives are indissolubly linked together.

Some men imagine themselves moral reformers when they are only solemn and morose from a torpid liver. A torpid liver may promote indigestion, but never a high moral inspiration. [Laughter.]

We shall always have machine motors, as we have wax flowers and crockery dolls and paste diamonds. But wax flowers will never shed fragrance on the bosom of a divine woman like the God-blown blossoms, and crockery dolls will never take the place of real babies; neither will the counterfeit blaze of paste diamonds ever mock successfully the brilliant rainbow tints of the real gems. And the live horse, the horse of history and poetry and sculpture and the heroics, will ever remain man's best and most wholesome animal friend. The horse stands for good health, for life that is full of life, for pure air and sunshine; and let no lean-headed, crimpled-mouth clacquer masquerading as a teacher of grim gloom stand between us and the sun. In all countries and in all ages the horse is inseparably associated with human history and development. No other animal has such omniprescence and no other animal has ever exerted such a potent force in the evolution of the human race. Sculpture is radiant and glowing with monuments and arches and frescoes commemorating heroes, poets, prophets, and great generals who were devotees of this most alluring and beneficent of all God's best gifts to mankind.

The best and widest field for reformers to-day is to aid in the repeal of all restrictive laws that are dead and have never been enforced and to help us learn the lesson that all history teaches—that you can not legislate virtue in the hearts of men. The only way to inculcate virtue is to have the teachers practice it. A boy is like a calf. When he gets full of the milk of human kindness he wants to kick up and play and give vent to the life that is in him; and the man is only the developed boy. Some men are never developed. [Laughter.]

The bicycle, that was a crazy-headed fad 25 years ago as a recreative motor, left us a heritage of some six distinct nervous and spinal diseases, with no counter benefits; and the auto, more useful, more recreative, more alluring, killed more human beings last year than the horse in a century.

I am not here to exploit the war horse exclusively, but the horse of the recreations, the horse of peace, the horse that carries his master in the exhilaration of the wind, along pleasant valleys, by running brooks, and meadows green with verdure, by woods vocal with the song of birds, to make him forget his nervous worry over business cares and catch an appetite and the serene joy that awaits good digestion and a conscience devoid of guile. I still hope that the live horse will ever be the most wholesome recreative factor for the live man; and he is only good when alive, not, like the miser or the pig—no good to the world until after death. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. RUBEY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Young, one of its clerks, announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 34.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 195) entitled "An act providing for the sale of coal and asphalt deposits in the segregated mineral lands in the Choctaw and Chickasaw Nations, Okla.," the Clerk be, and he is hereby, authorized and directed to strike out the word "applied," on page 5, line 13, and insert in lieu thereof the word "apply."

The message also announced that the Senate had insisted upon its amendments to the joint resolution (H. J. Res. 174) for the purpose of promoting efficiency for the utilization of the resources and industries of the United States for lessening the expenses of war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. JAMES, Mr. GORE, and Mr. BRANDEGEE as the conferees on the part of the Senate.

The message also announced that the President had approved and signed bill and joint resolution of the following titles:

On January 18, 1918:

S. 3235. An act amending section 32, Federal farm-loan act, approved July 17, 1916.

On January 12, 1918:

S. J. Res. 106. Joint resolution extending until January 1, 1919, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from New York [Mr. SIEGEL] three minutes.

Mr. SIEGEL. Mr. Chairman, in my time I ask to have the Clerk read the following newspaper article.

The Clerk read as follows:

REASSURE ITALIANS—REPRESENTATIVE LAGUARDIA SAYS WILSON'S PEACE AIMS ARE THEIRS.

ROME, *January 18* (delayed).

The latest Wilson message is still a topic of discussion in the press as well as in political circles. Representative LaGuardia, of New York, who is in Europe on military service, and was present at the recent capitol demonstration in honor of America, said to the New York Times correspondent:

"I consider the President's message a great document. It is clear, concise, and to the point. It must be read in connection with his war message of April 2, 1917. From these two documents the purpose of our entering the war, our unselfish motives, our determination to bring about justice to all concerned while asking nothing for ourselves, is established forever. It was favorably received in France, and had the effect of reassuring and inspiring confidence in the French people.

"Yes; I have read the editorials in the Italian papers. I was greatly surprised that doubt should be expressed as to its true meaning in reference to Italian aspirations and interests. It is true that some papers even expressed dissatisfaction. I am certain, however, that this was the result of a hasty reading of the message, without due consideration of the past utterances of the President, on which he based his peace terms.

"There can be no doubt in the mind of anyone who is aware of the President's accurate knowledge of local conditions in the Adriatic and the general understanding in the United States of the lot of the nationalities in the unredeemed Provinces, that when the President refers to lines of clearly recognizable nationality he means that the unredeemed Provinces of Trent, Trieste, and Istra must be restored to Italy just as much as Alsace-Lorraine to France. If Italians are doubtful as to the meaning of this point, or if there is doubt as to the nationality of the territories which they covet, then they are seeking aggrandizement to which they are not entitled and which will not be in the interest of their future welfare. But every American knows just what the unredeemed Provinces are by tradition, language, and history, and that we in the United States will not consider our mission fulfilled unless they are restored.

"That I take to be the intent of the President's words, and that I shall endeavor to make clear to the Italian people."

Mr. HAUGEN. Mr. Chairman, I yield 20 minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Chairman, this day will go down into history, probably, as very important. It is perhaps a little too early to determine whether its importance will rest upon the speech just made by the gentleman from Alabama [Mr. HEFLIN] or the speech that has been made at the other end of this Capitol. It is rather unfortunate for the gentleman from Alabama that during his speech the press gallery was entirely empty. If it had not been for that fact probably the gentleman at the other end of the Capitol would have received a line and the gentleman from Alabama's speech would have covered the front page of all the papers in the country.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. CAMPBELL of Kansas. Did the gentleman look to see whether the press gallery was full when the gentleman from Alabama began?

Mr. LENROOT. I was not here when the gentleman from Alabama began his speech. The gentleman from Alabama made a patriotic speech, although there was nothing new or important in it. He did make one statement that we can all indorse, irrespective of party. He said that when we sent our boys to the trenches they were not asked whether they were Republicans or Democrats. That is true. The only place that that question is asked in the carrying on of this war is in the civil appointments made by the executive branch of this Government. [Applause on the Republican side.] But, Mr. Chairman, it was not my purpose in asking for this time to discuss any of these questions, but I want to take the time that is allotted to me in the discussion of a very nonpartisan question and to a very large extent a local question pertaining to the bill that is now before us, making appropriations for the Department of Agriculture.

Mr. Chairman, one of the most important problems before the country to-day is the increase of food production and of wool. A very large proportion of the appropriations made in this bill is for that purpose, but most of the millions we are spending through the Department of Agriculture are for increasing production upon farms already developed. We have done very little toward assisting in developing fertile lands now lying idle. In fact, outside of the money we are spending in reclamation of public lands and surveying and classifying public lands open to homestead entry we are doing practically nothing. It ought to be a matter of national concern that every acre of arable land should be utilized for production. It is my purpose to-day to speak of the undeveloped lands of northern Wisconsin and the upper peninsula of Michigan, the opportunities there for the settler, the sheepmen, and the stockmen, discuss the character of these lands, the reason why they are undeveloped, and what is needed to bring them into the class of productive lands.

Northern Wisconsin and upper Michigan were for the most part originally covered with dense forests. Lumbering was the chief occupation. Little thought was given to the agricultural possibilities of the land. Roads that were passable in the summer were few, schools and churches were far between. The result was that for many years after the timber was removed this territory was known chiefly to the sportsman, who found a paradise of hunting and fishing. But as older sections were developed this "grassland of America," as it has been well named, is being developed, although the process is much slower than it should be. We have now about 16,000,000 acres of undeveloped, fertile land in the northern part of these two States, and development is going on at the rate of less than 150,000 acres per year. Why is it so slow? It is not because of the character of the land, for no better land exists in America for intensive farming, and especially for dairying and the raising of live stock and sheep. No section of America offers surer rewards to the farmer than this. To the man with good health and willing to work and with a thousand dollars it says come, to the man with a hundred thousand dollars it says come, for every dollar put in here will return manyfold. There is but one class of people who are not welcome, and that is the speculator. We want only men who are willing to seek rewards from what the development of the lands will bring them. Speculation is the enemy of development, and we want none of it. I was born in this section. There I have always lived and I speak from personal knowledge of what this country is. Draw a line through central Wisconsin from the Mississippi River to Lake Michigan and all of Wisconsin north of that line and the upper peninsula of Michigan comprises the territory I am discussing. Here we have thousands of lakes and many rivers of the purest water. We have soil which will produce more than forty times as much as the soil of the 320-acre homesteads of the West. Some of us to-day will live to see this the richest dairying section of America. While general diversified farming will be found profitable, it is the dairying, live-stock, and sheep industry which is the most attractive.

SOIL.

This section has a variety of soils nearly all exceedingly fertile. The United States Department of Agriculture has made soil surveys of a portion of the area, and the conclusions arrived at are very favorable. In its report on the survey of the Bayfield area, bordering upon Lake Superior, it is stated, "it was not until after the timber had been removed and a few scattered acres brought under cultivation that the great fertility of these lands was recognized. Wherever the land was cleared grain, grass, and garden crops flourished, the luxuriance of their growth being limited only by their adaptation to the soil types upon which they grew."

In its report upon the soil survey of the north part of north central Wisconsin it is stated, "Dairying and general farming are the chief lines along which agriculture is developing. The most important crops are hay, oats, potatoes, barley, and corn, with rye and wheat as crops of less importance. Potato growing offers excellent opportunities especially on the sandy loam soil. The region, as a whole, is well adopted to dairying and general farming."

CLIMATE AND RAINFALL.

The average annual rainfall in this region is from 28 to 34 inches, which is about the same as northern Iowa and northwestern New York. The temperature is about the same as northern New York. It is the climatic conditions together with the purest water and fertile soil that will make northern Wisconsin and northern Michigan the greatest dairy region of the world.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. MORGAN. I am very much interested because the question he is discussing applies more or less all over the United States. I wonder if, before he gets through, he would suggest some means of aiding in the development of this country, in the way of short-term credit facilities by the Federal Government?

Mr. LENROOT. I have not gone into that.

Mr. PLATT. Mr. Chairman, will the gentleman yield? A few days ago I had the pleasure of meeting the president of the Federal land bank in St. Paul, and having lived in the gentleman's city of Superior for one year, I am interested in the question he is discussing. I had a very interesting talk with this gentleman about the development of this very land, land that had once been forests. He told me it was progressing favorably, and that they made some very satisfactory loans on that land.

Mr. LENROOT. That is true.

ROADS.

One of the greatest drawbacks to the development of this region has been the lack of good roads. This is speedily being remedied, and during the past five years wonderful progress has been made. Every county in northern Wisconsin now has trunk-line roads built with State aid, and branch or town roads are rapidly being built.

MARKETS.

It is in the matter of markets that this region is peculiarly favored. To the north we have the cities of Ashland, Superior, and Duluth with a combined population of more than 150,000; to the west St. Paul and Minneapolis with more than 500,000; and to the south Chicago and Milwaukee. Any part of the territory can be reached in one night's ride from Chicago. All of the great railway systems of the Northwest enter it. Nine lines of railway traverse it north and south and four east and west, each with a large number of feeders and branch lines. In addition there is water transportation on Lake Superior from Superior, Ashland, Washburn, Bayfield, Marquette, and a large number of smaller cities.

CHURCHES AND SCHOOLS.

Notwithstanding the fact that this section is sparsely settled, it is well supplied with churches and schools, and there is plenty of opportunities to locate near in the vicinity of schools and churches already established.

LIVE STOCK AND SHEEP.

From a national standpoint the opportunities here for increasing our live stock and sheep are of the first importance. While our milk cows are increasing in about the same ratio as the increase of our population, this is not true of beef cattle. The problem of meat supply is yearly becoming greater. The wool situation is even more serious. We have 4,000,000 less sheep than we had seven years ago. In the 1900 census there were found 61,503,713 sheep; in the 1910 census, 52,447,861, and the Agricultural Department estimates that in 1916 we had 48,483,000. Our total production of wool in 1916 was 288,490,000 pounds. That year we imported 534,828,022 pounds. Increase of our own meat and wool production as one of our means of national defense is just as necessary as maintaining a Navy. Therefore, to omit anything that may be done to increase this production is most unwise. The lands of which I am speaking can do much to improve this situation.

Frank J. Hagenbarth, of Salt Lake City, Utah, president of the National Wool Growers' Association, a few weks ago made an investigation of these lands, and in a speech at Menomonie, Mich., on October 10, before the Wisconsin Advancement Association and the Upper Peninsula Development Association, said: "You have the best country on earth for live stock and grazing. You can easily take care of 8,000,000 sheep and 1,000,000 cattle."

Speaking of the conditions in the far West he said, "The trouble now existing in the cattle and sheep countries of the great West is not that the homestead law has brought in settlers to drive away the cattlemen, but it has permitted valuable holdings to come under the control of land sharks and speculators who are driving the cattlemen to seek new fields for their flocks and herds. It is this fault which has decreased the stock raising 35 per cent and made for you the greatest opportunity which has ever come to any section of the United States."

Mr. B. O. Parker, of the Wisconsin State Department of Agriculture, in a recent article upon this section quoted a stockman as stating that he had made a gain of 200 pounds per head on heifers and cows grazing upon these lands from July 17 to October 10, and further quoted him as follows: "That is the greatest natural pasture land I have ever seen, and raises the finest blue grass and clover outside of Kentucky, and it excels Kentucky in that is doesn't dry out in July and August."

John Fletcher, vice president of the Fort Dearborn National Bank, Chicago, in a speech before the Wisconsin Advancement Association at Milwaukee, on November 22 last, said: "The shrinkage from Montana, Wyoming, and Idaho in shipping sheep to Chicago is estimated at 10 pounds per head. From Wisconsin to Chicago the shrinkage is only 4 pounds per head. The freight from Wyoming, Montana, or Idaho to Chicago is $250 per car. From Wisconsin to Chicago it is less than $50 per car. The capacity of a double-deck carload is 250 sheep. The shrinkage on one car, 250 head, 10 pounds per head, is 2,500 pounds. Twenty-five hundred pounds means 25 sheep. Twenty-five sheep, at $10 cash, means $250. Two hundred and fifty dollars is the freight on five cars of sheep from Wisconsin to Chicago."

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. DOUGHTON. I am very interested in the gentleman's discussion. I want to ask if the lands he describes as being so valuable for stock raising are Government lands or privately owned lands?

Mr. LENROOT. They are practically all private lands.

I quote from a bulletin on sheep raising issued by the University of Wisconsin:

> Favorable climatic conditions for sheep raising are to be found in upper Wisconsin. In the summer time the weather does not get as hot as farther south, and during the winter the air, though cold, is dry and the cold is not felt as much as when the air is damp. Sheep are used in many parts of upper Wisconsin for clearing brush land. Many men who keep a flock of from 300 to 400 head for land clearing find investment very profitable.

Quoting further from the bulletin:

> Clover hay, which is a splendid feed for wintering sheep, is very plentiful in upper Wisconsin. Other small grains are raised, and the straw can be used for winter feed. All kind of root crops can be grown more successfully and with less expense in the upper than in the southern part of the State. One sheep raiser in Bayfield County harvested more than 1,043 bushels of rutabagas from an acre. Roots furnish very good succulent feed for sheep.

It further states:

> Thirty acres of cut-over land in the red-clay districts will on the average provide pasture for approximately 100 head, 50 ewes and 50 lambs. On densely wooded mixed hardwood lands where grass has not gotten much of a foothold half that number of sheep will be sufficient. What is true of sheep is true of live stock generally. Every settler will do well to raise sheep, even if only a small number. By so doing he profits in two ways—the cash income from wool and mutton and the clearing of the brush. The man who will go into this section and engage in dairying, raising sheep and cattle, if he will use intelligent effort, is sure to be successful.

THE COST OF THE LAND.

There are no lands in this section that can be secured for nothing. There are no lands anywhere in the United States of the character of these that can be secured for nothing; but, considering their fertility, the climate, and the nearness to markets, there is no cheaper land anywhere. Prices of the best undeveloped lands range from $10 to $25 per acre, lands which when cleared and put under cultivation will soon be worth more than $100 per acre. There are opportunities to fit every pocketbook, from the man with a few hundred dollars to the man with a hundred thousand dollars, provided, always, that the purchaser will utilize and develop the land.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. CAMPBELL of Kansas. What is the nature of the soil?

Mr. LENROOT. The soil ranges all the way from heavy clay to light sandy loam. There is only a very small percentage of this land that is not arable in the fullest extent of the term.

Mr. CAMPBELL of Kansas. What is the timber?

Mr. LENROOT. Hardwood and pine originally. This was one of the greatest white-pine forests of America. It is pine cut-over lands that offer the greatest opportunities for live stock and sheep raising.

Mr. CAMPBELL of Kansas. And the amount per acre that the gentleman gave carries with it such timber as is on the land?

Mr. LENROOT. Oh, yes. The pine timber has been cut over. These are practically what are known as cut-over lands; but there is a great deal of hardwood land, containing birch and spruce and timber of that kind, and very often the settler is able to secure enough from the timber to pay for the land.

Mr. YOUNG of Texas. In the cut-over land in our section of the country one of the troublesome problems is removing the stumpage. What is the relief the gentleman has for that?

Mr. LENROOT. The only difficulty we have with reference to removing the stumps is where the land has been covered by large pine trees. That, then, takes time and dynamite. That is not true of the hardwood land at all. There is no difficulty there.

Mr. PLATT. The president of the St. Paul bank told me the other day that they had a special machine for pulling out those stumps and that the settlers were cooperating with each other in putting this machine in and clearing the land quite rapidly.

Mr. LENROOT. Yes; our State has done wonders in the line of assisting in that way, and we have organizations going through all of northern Wisconsin with these new machines, demonstrating them, and we are making very rapid progress. Our difficulty—and that is why I am making this speech today—is not with the men who are there trying to develop, but bringing the lands to the attention of men who will be glad to go upon them if they knew of them and develop them as they are now being developed by those who are there.

This is no get-rich-without-effort country. The man who would seek rewards here must work for them, must earn them with labor of hand or brain, but for such the rewards are certain. I quote from an advertisement of a land company offering lands at from $10 to $20 per acre—"$10 cash and $10 per month, or payments extended as long as $10 in improvements are put on the property." "We will also start you with a house, barn, and garden, and grubstake you while you develop your farm." Of course, no one should purchase lands without a personal examination. This is true of land wherever located. The prospective settler should first communicate with some reliable organization and secure detailed information. If he will write the commissioner of immigration, Wisconsin department of agriculture, Madison, Wis., the Wisconsin Advancement Association, Milwaukee, concerning Wisconsin lands; and the Upper Peninsula Development Bureau, Marquette, Mich., concerning Michigan lands, he can be certain of securing helpful and reliable information.

The two latter organizations are prepared to offer special inducements to large sheep and cattle men who require large tracts for grazing purposes.

I can not in this brief time give more than an outline of the splendid opportunities awaiting those who, with either labor or money or both, will develop these lands. My chief purpose in discussing this matter to-day is to endeavor to secure a greater cooperation upon the part of the National Government in bringing these opportunities before those who would avail themselves of them. In this connection I quote from a recent article in the American Sheep Breeder, published in Chicago:

> Hagenbarth advised the Wisconsin and Michigan people to bombard Washington and get the Government interested in pushing cut-over lands for sheep. O. K. suggestion, but why in thunder don't the Government investigate without urging? This Government of ours has seen the sheep biz slipping down the toboggan, and what has the Government done to stop it? For 15 years the American Sheep Breeder has preached the cut-over land gospel for sheep. We have published the strongest kind of testimony, proving that these lands were admirably adapted for sheep raising. But the West was blind. The Government occasionally called attention to this country, along with other sections, that might be sheeped. It takes a heck of a while to interest the Government in anything but politics. Now that a wool crisis is on sheep will come before politics. Of course, it takes a national crisis to wake up the American people, and Congress is the last institution to open its optics. In Wisconsin and Michigan agricultural colleges have told the story of successful sheep experiments on the cut-over land, but Washington has paid little attention.

I hope that now, with the pressing necessity of increasing our food and wool production, these conditions will not much longer exist, and that the National Government will do what it can to secure the development not only of these lands but fertile undeveloped lands wherever they exist in the United States. Large appropriations are not required, but systematic methods should be employed to bring such lands to the attention of men who are in a position to develop them.

In conclusion I wish to quote what Dr. H. L. Russell, dean of the College of Agriculture of the University of Wisconsin, has said of these lands:

> Blessed with an abundant rainfall and a pure and unlimited water supply, possessing a soil of virgin fertility, and splendidly suited to diversified farming, and located within a night's ride of markets for several million people, three-fourths of whom are consumers and not

producers, this vast and largely unoccupied area is equivalent to a newly discovered State. The route from the Wisconsin producer to a great body of consumers is comparatively short and the consequent toll much reduced.

The agricultural resources of these sections have long remained hidden under the stumps and the second growth of the forest cover, but their real value is being appreciated more and more each year. These lands await the redeeming hands of the pioneer who will put them into active service for mankind in helping to support and develop human life. To him who reclaims and transforms a waste into a productive farm and home the State owes much.

[Applause.]

Mr. HAUGEN. Mr. Chairman, I yield 45 minutes to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, the winter wheat crop of this country is in very bad condition. The last report shows that the crop is worse than at any time since crop records were kept. That means that we ought to be thinking about the spring crop—the crop that is to be planted next spring. The greatest menace to the spring crop is black rust, and the scientists are now generally agreed that the cause of epidemics of black rust is the barberry bush. Until recently there was much disagreement as to what was the effect of the barberry bush.

Mr. WASON. Mr. Chairman, the gentleman speaks of the barberry bush. Does it grow in the gentleman's section of the country?

Mr. YOUNG of North Dakota. Certainly.

Mr. WASON. Can the gentleman give the House something of its characteristics and growth and effect upon the wheat?

Mr. YOUNG of North Dakota. I will say to the gentleman that the barberry not only grows in North Dakota but throughout all the States. It grows right here in Washington, and I have here a bush, a clipping from a hedge at the north side of the Library of Congress. It is a small ornamental shrub, used usually for a hedge. It has bright yellow flowers and brilliant autumnal tints in varying shades of orange and red.

I believe in some places they take the little red berries and make jams or jellies out of them, but in the United States, so far as I know, they are not used commercially at all. They also make an acid, malic acid, but as far as I know that is not produced in the United States. It is purely an ornamental shrub. In colonial days the people were satisfied that the barberry bush was the cause of rust and most of the Colonies passed laws for the eradication of the barberry bush. The Colony of Massachusetts passed such a law in 1755, and a statement issued at that time read like this: "It has been found by experience that the blasting of wheat and other English grains is occasioned by barberry bushes to the great loss of the people of this Province." Massachusetts reached that conclusion again about 30 years ago and passed a similar law. Back just 101 years ago experiments were made in Denmark and they reached the conclusion that the barberry bush was the cause of black rust. Then, like Massachusetts, they had a relapse and not until 1903 did they come to the same conclusion again. In 1903 they passed a law in Denmark for the eradication of the barberry bush and there has not been an epidemic of black rust there since that time.

Mr. PLATT. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. PLATT. Is the gentleman going to tell just how the barberry bush has an influence in producing black rust? Is it bacteria growing on the barberry bush that gets into the wheat?

Mr. YOUNG of North Dakota. Yes; the barberry bush is what the scientists call the host for a parasite that develops there during the winter and during the summer it transfers to the wheat fields. Curiously enough the wheat field acts as a host to a parasite that goes back to the barberry bush, and so it makes a complete life cycle. The barberry bush is the nursing ground in the cold winter, particularly in our country, where the black-rust parasites or germs will not live unless they get on a barberry bush. They will not live out in the wheat field.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. YOUNG of North Dakota. I will.

Mr. SMITH of Michigan. Is it not true they can treat the seed wheat with formaldehyde and other substances and prevent any rust, and is not that being used and is it not effective as a preventative of rust?

Mr. YOUNG of North Dakota. That is a preventative of smut, but not of black rust. The only thing that we have tried seriously in the past is to discover a rust-resistant seed and we have not succeeded in that direction, at least only partially. Now, as I have already stated, the scientists have come to an agreement that the barberry bush is the thing to destroy in order to get rid of black rust and stop epidemics of that rust. Dr. William A. Taylor, when before our committee last June, made this statement. He is the Chief of the Bureau of Plant Industry.

We are now prosecuting a survey study of the wheat-rust situation from the South northward, in order to get at what the wise course would be with reference to attempting systematic barberry eradication, particularly in the northern spring-wheat territory. We have there a case, as you know, of a disease which is to a large extent dependent on this other plant, the barberry, for its perpetuation and spread. Denmark has apparently, with very complete success, accomplished control of rust by complete eradication of the barberry.

A few days ago Dr. Kellerman, of the Department of Agriculture, was also before our committee, and he made this statement:

The black rust, or stem rust, is especially serious from time to time. That disease sweeps over the spring-wheat area as an epidemic, in some cases almost the total crop being destroyed. In 1915 it was very bad, and many of the fields that were affected did not produce enough wheat to pay for harvesting. The investigations during the past few years indicate clearly that the native barberry plant is responsible to a very considerable degree for these epidemics. The disease will overwinter on the barberry and will start from the barberry back to the wheat with greatly increased vigor. Although it is not possible to completely eradicate black rust by the eradication of barberry, it appears certain that the severity of the black-rust epidemic can be greatly reduced by systematic and thorough eradication of the native barberry. This is not likely to be particularly difficult, since the Japanese barberry is in most cases preferred as an ornamental plant, and the Japanese barberry is not susceptible to this disease. So in this case the Japanese barberry will be a substitute for the native barberry and the disadvantage of completely eradicating the ornamental plantings will be very largely met in this way.

Now, as to the question of the amount of damage, and that is the most important consideration now with the Government, when the entire people of the country are looking to the farmers for a record crop of wheat in 1918. I want to call your attention to the fact that in 1916 there were 180,000,000 bushels of wheat destroyed in the hard spring wheat belt alone from black rust. Here is a telegram from the commissioner of agriculture of North Dakota, Hon. John N. Hagan. He says:

North Dakota has destroyed nearly all barberry bushes.

In this respect I want to say, so far as our own State, North Dakota, is concerned, that we have got this problem pretty well under control. As I have just quoted from the commissioner of agriculture, we destroyed practically all barberry bushes in North Dakota last year and we will get the rest this year. The trouble is we have not got any control beyond our State boundaries. We are still exposed to the winds from Minnesota, South Dakota, and Manitoba carrying the parasite in the form of a very fine dust which can be carried hundreds of miles by the wind. It is a national problem. If we could settle this question of black rust in North Dakota we would not be down here asking for a larger appropriation to fight black rust. It is because we can not go beyond the State line, we can not invade Minnesota, South Dakota, and other States. Here is the place to tackle this big proposition.

Mr. HAUGEN. Will the gentleman yield?

Mr. YOUNG of North Dakota. I will.

Mr. HAUGEN. The black rust is a fungus on the plant?

Mr. YOUNG of North Dakota. Yes.

Mr. HAUGEN. And it has for its host the various grains in the second stage? In its first stage it has for its host the barberry bush?

Mr. YOUNG of North Dakota. Yes.

Mr. HAUGEN. It develops under certain conditions of air, moisture, and temperature, and with hot winds and heavy dew and rains it develops the black rust, and the spores being lighter than air are carried perhaps many hundred miles by the wind.

Mr. YOUNG of North Dakota. That is true.

Mr. HAUGEN. Like the dandelion, for instance. It is carried a great distance, therefore it is not in the power of one State to control it.

Mr. YOUNG of North Dakota. It is distinctly a national problem. I will go further than that. It is an international problem. We must get Canada interested in this proposition. A little later I will read a telegram showing that the people up there are alive to the needs of cooperation with us.

Now, to continue reading this telegram from Commissioner Hagan, who has been very active in the fight against the barberry bush—in fact, the first public official outside of agricultural colleges to take it up. He says:

In 1916 State lost many million bushels of wheat on account of rust. For best results other States must destroy. Nineteen hundred and three Denmark destroyed barberry bushes, and have had no rust since. Use influence to get national appropriation. It will increase food supply in wheat States.

The president of our agricultural college, E. F. Ladd, wired me as follows:

The estimated loss in spring wheat belt in 1916 was 180,000,000 bushels.

Now, if we should happen to have any such calamity as that this year it would be a very severe blow to this war. I have already called attention to the fact that the winter crop is poorer now than it has been at any time in the history of the country since we have kept records of the crop, and it is up to us now to put the best foot forward. We know that in 1916, in the hard-wheat belt alone, we lost 180,000,000 bushels of wheat from black rust, and we know how that can be prevented. If we dig all the barberry bushes before May 15, 1918, we are not going to have any black rust in the United States. And some of these people in the towns who want to help out the war by plowing up their tennis courts and putting in potatoes can help it a mighty sight more by digging up the barberry bushes.

Mr. SMITH of Michigan. Will the gentleman yield there?

Mr. YOUNG of North Dakota. Certainly.

Mr. SMITH of Michigan. Is it not true that the climatic conditions, the rains and other storms, have something to do with creating the condition of rust on wheat?

Mr. YOUNG of North Dakota. Certainly. So far as the spores from the barberry bushes are concerned, they are present every year. If we had just a certain kind of climatic conditions each year, we would have black rust every year and it would destroy the crop.

Now, the fact that it misses in some years does not mean that we can gamble in 1918 that it is going to. If we get a certain kind of climatic conditions this year, and if we do not take care of the barberry bush, we are going to witness perhaps 200,000,000 bushels of wheat destroyed by rust. If the climate happened to be all right, and we could gamble on that, we might let these barberry bushes grow and still have our crop.

Mr. PLATT. Is the barberry bush, or has it been, of pretty general distribution in North Dakota? Does it grow in fields or along the fences or around houses as an ornament?

Mr. YOUNG of North Dakota. In most cases it has been set out as an ornamental shrub, and it is found mostly in towns and villages.

Mr. PLATT. It does not spread and become wild?

Mr. YOUNG of North Dakota. No. Over in Michigan, on our farm, there was some growing out in the pasture field. I do not know how it got there. But it is not a bush that spreads easily. It is an ornamental shrub that is set out.

Mr. PLATT. The task of destroying it, then, would not be a very tremendous one?

Mr. YOUNG of North Dakota. I do not think it would.

Mr. MORGAN. It is a well-established fact that with the hot winds and humidity and heavy dew the calamity the gentleman mentions is sure to follow?

Mr. YOUNG of North Dakota. Certainly; when the barberry is present.

Mr. HAUGEN. And one barberry bush would be sufficient to infect the whole county? Has the demonstration been carried on satisfactorily in Denmark?

Mr. YOUNG of North Dakota. Yes. It is a most serious menace even in small quantities.

Now, to continue President Ladd's telegram, he says:

North Dakota estimated wheat in 1916 was not less than 160,000,000 bushels. Rust in one week cut yield to 39,000,000 bushels.

I am talking about our own State. In 1916 the United States Government crop estimate was 160,000,000 bushels and it was cut down by black rust to 39,000,000 bushels. He says:

All important that barberry bush be eradicated in wheat belt. North Dakota has enacted and put in force an eradication law. Tristate Grain Growers' Convention passed resolution calling for destruction of all barberry bushes and appointed a committee on Friday to go to Washington to urge measure for protection of country. Similar committee appointed from conference at Crookston. Fifty thousand dollars not too much for eradication of bush in spring-wheat belt alone, and bill should carry authorization for eradication of all barberry.

The convention that passed the resolution to which he refers was made up of farmers from Minnesota, South Dakota, and North Dakota, representing the biggest portion of the hard-wheat belt in the United States, which, as you know, extends on up into Canada.

Prof. H. L. Bolley, who has made a very careful study of grain diseases and plant diseases for a number of years, and especially in respect to black rust, is confident that the black rust can be destroyed, can be eliminated, by the destruction of the barberry bushes.

He wires me as follows:

FARGO, N. DAK., *January 20, 1918.*

HON. GEORGE M. YOUNG,
House of Representatives, Washington, D. C.:

Have the bill for rust control authorize and order the immediate eradication of all rust-bearing strains of the common barberry bush throughout the Nation as an emergency measure likely to prove of direct value in increasing the yield of present and future cereal crops, and particularly of wheat.

H. L. BOLLEY.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from North Dakota yield to the gentleman from New York?

Mr. YOUNG of North Dakota. Certainly.

Mr. PLATT. Does the black rust affect winter wheat, too?

Mr. YOUNG of North Dakota. It will affect any wheat, but so far as our section of the country is concerned, it is more apt to get the spring wheat. We do not raise winter wheat in North Dakota.

Mr. HAUGEN. The fact is that the winter wheat matures usually before the hot wind comes?

Mr. YOUNG of North Dakota. Yes. You will notice that Prof. Bolley urges that this be put upon a national basis. Of course, a number of the States do not raise any wheat at all, and there are some others that do not raise very much, and I think some of this appropriation, if we make it, ought to be used to educate the people of those States where they do not raise much wheat to the importance of destroying the barberry bushes. Now, it is not going to be a very big task to destroy all the barberry bushes in the United States if the people themselves understand that it is a war measure, that it is necessary to do this in order to win the war. That is going to be one of the things that the department will have to do; that is, carry on a campaign of education.

A telegram has been received from the Canadian department of agriculture at Ottawa saying that they thoroughly appreciate the danger this year to the wheat crop in the Canadian Provinces and that they will cooperate to the fullest extent with our country in fighting the barberry bush.

Such a telegram as that was sent to Prof. Bolley at Fargo last week, and this morning I was talking to some of our officials here at Washington on the subject, and they told me they have had assurances from the Agricultural Department at Ottawa, and that they are apparently even more eager to enter a campaign against the barberry bush than we are here in this country. He says they appreciate in Canada, just as we do here, that it will not do much good to destroy it in Manitoba and Saskatchewan if we keep it in North Dakota and Minnesota, and that it will not do much good to destroy it in North Dakota and Minnesota if they allow it to grow in Saskatchewan and Manitoba.

We are asking a total appropriation of $50,000, $30,000 larger than that of last year, which was $20,000. I am pleased to say that an amendment to that effect offered by me on the last day of the consideration of the bill in committee was acted on favorably, and the item is carried in the committee report.

Mr. Chairman, the campaign that ought to be carried on throughout the country by the department, and which will undoubtedly be followed, will be along the line of arousing the people to action through the county agents, through the schools and the colleges and the farm journals and the milling and trade journals, and by a still more comprehensive appeal made through all the newspapers of the country, designed to reach all the people, especially those who live in the towns and villages, because there is where most of the barberry bushes happen to be. Then it will be necessary, I think, too, to have a quarantine established between the different States. The department already has the power under the quarantine laws to regulate and even prohibit all shipments of barberry bushes between the different States.

There is another point that ought not to be overlooked, and I want to call the attention of the chairman of the committee particularly to it, and that is that this appropriation ought to be made available immediately. I am assured by Dr. Kellerman and by Dr. Humphrey and others in the Department of Agriculture that it will not do any good to kill or pull this plant after May 15.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Certainly.

Mr. LEVER. I will say to my colleague on the committee that so far as I am concerned, if he can get by a point of order against making it immediately available, I will have no objection to it.

Mr. YOUNG of North Dakota. Well, I submit that no Member of this House is likely to make a point of order against money proposed to be spent to save the wheat crop this year, and I do not believe that anyone will make a point of order on this item for that reason.

Mr. LEVER. I am satisfied if all the membership of the House could hear the gentleman's discussion on the necessity for it they would not make the point of order. I will try to get the language changed in view of his statement and his quotation of Dr. Kellerman and Dr. Humphrey.

Mr. YOUNG of North Dakota. I appreciate very much the assurance given by the chairman of the committee, and I also appreciate the fact that he was glad to consent to an increase of the appropriation carried last year of $20,000 up to $50,000, as proposed by me, doubtless appreciating the tremendous importance of not taking any chance this year of letting our wheat be destroyed or largely reduced by the rust.

Dr. Humphrey made this statement to me in respect to the work that has been done in Denmark. He said:

Prior to 1903, when the barberry-eradication law was passed in Denmark, epidemics occurred with considerable frequency, and often with very great severity, causing in some years an almost total loss of crops in some sections. After the passage of the eradication law in 1903 the eradication of barberry was systematically pursued, and since that time the shrub has been practically eliminated from the country, with the result that there has been a corresponding diminution in the occurrence of rust outbreaks and in the severity of the same, until at the present time there is practically no loss from rust in Denmark. When all of the shrubs are destroyed in that country, there may be no loss from black rust whatsoever.

I hope you will note that last sentence. Dr. Humphrey says that when they are all destroyed, every single one of them in Denmark, there may be absolutely no loss in that country.

Mr. LEVER. Mr. Chairman, will the gentleman yield for a question?

Mr. YOUNG of North Dakota. Certainly.

Mr. LEVER. I assume that the gentleman has discussed this matter very thoroughly with Dr. Humphrey, and I would like to inquire if Dr. Humphrey has made up his mind as a scientist as to whether or not the eradication of the barberry bush will result in getting rid of this black-rust trouble or is the proposition still in the debatable stage?

Mr. YOUNG of North Dakota. I will say to the gentleman that Dr. Humphrey, who talked with me to-day in the presence of Dr. Kellerman, says that very recently all doubt upon this subject has been removed.

Mr. LEVER. I am very glad to hear that, because it makes the problem very much simpler.

Mr. YOUNG of North Dakota. Now, this is the thing that bothered the scientists in the past. It was like a herring drawn across the trail that confused them. They found that farther to the south the black-rust spores would live in the wheat fields throughout the winter, and the thought was that as in most of the wheat sections now on account of the cold the barberry bush is the only thing through which the rust parasite can live through the winter, their proposition was that if you killed the barberry, what good would it do, because in the warmer States the spores live through the winter and would be blown across the States. They have found now that where the spores do live through the winter, where it is more mild, they will not propagate when they are blown into the hard-wheat belt. So they have now reached the firm conclusion that the barberry bush is the host which perpetuates the black rust, and that the extermination of the barberry bush will practically rid us of any trouble from black rust.

Mr. WELLING. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. WELLING. I have not had the advantage of hearing all of the gentleman's interesting speech, and I would like to find out, if I can, how wide an area in the United States is affected by the black rust, or by the particular plant that seems to propagate it.

Mr. YOUNG of North Dakota. It affects every place where wheat is grown, more or less, but more particularly North and South Dakota, Minnesota, Montana, Illinois, and away on through as far as Ohio, and also in Texas. It is a national problem without any question.

Mr. LEVER. I am interested in the gentleman's statement that in certain sections of the country, under certain climatic conditions, the spores of this rust would live through the winter, notwithstanding the fact that it might not have as a host plant the barberry bush, but that it would not propagate itself in North Dakota. I was wondering if it would propagate itself under the climatic conditions in which it lived during the winter. Do I make myself clear?

Mr. YOUNG of North Dakota. The gentleman makes himself perfectly clear on that point, but I am not able to give him the information that he ought to rely on. I prefer that he would talk that over with the experts down at the department. I asked them that question this morning, and I am not absolutely sure what their answer was; but I gathered generally from what they said that by eradicating the barberry bush from the United States we would never have very serious trouble again from black rust anywhere in the country; and that is in keeping with all the old records they have had in the past. For instance, in Massachusetts and in Connecticut and in the old Colonies they discovered that the barberry bush was the fruitful cause of black rust, and no doubt it is a nurse or host for it everywhere East and West, North and South, and it either increases the amount of it or is the total cause of it—either one or the other. In the hard-wheat belt it is the entire cause.

Mr. HAUGEN. The gentleman has spoken of wheat. Other crops, such as the oat crop, are damaged equally. It does not affect the wheat crop alone, but it affects the oat crop as much as the wheat crop.

Mr. YOUNG of North Dakota. Also rye.

Mr. HAUGEN. In my State we are more especially interested in the oat crop. Until black rust came along our wheat yield was generally high; but black rust came along in 1878, and since that time we have not been able to produce much wheat. Occasionally we do grow a fairly good crop of wheat, but seldom as good as before we had the black rust. The black rust follows the hot winds, heavy dew, and the rain.

Mr. YOUNG of North Dakota. I will say also that it attacks rye and some of the other small grains, as well as oats.

Mr. HAUGEN. All of them.

Mr. WELLING. Is the gentleman able to say whether or not the black rust that he refers to is the same as the red rust that affects us sometimes out in the arid region, in my State and elsewhere?

Mr. YOUNG of North Dakota. No; not at all.

Mr. WELLING. It is a different proposition?

Mr. YOUNG of North Dakota. A different proposition; very much more serious.

Mr. HAUGEN. Entirely different.

Mr. YOUNG of North Dakota. It attacks the stem, and if it attacks it at the right time there is very little wheat. As I mentioned a little while ago, before the gentleman came in, in 1916 the official crop estimate for North Dakota was 160,000,000 bushels, and it was cut down by black rust to 39,000,000 bushels. And I want to say also that that 39,000,000 bushels, on account of the shrunken condition of the wheat, brought a very low price, and there was quite a lot of dockage in it. The wheat made excellent flour, but the grain dealers took an unfair advantage of the farmers because of the appearance of the grain. That, however, is a subject which I can not go into with my limited time.

Mr. WELLING. How much is being carried in the bill for the eradication of this plant?

Mr. YOUNG of North Dakota. Fifty thousand dollars.

Mr. WELLING. Does the gentleman feel that that is in any way adequate to eradicate this host plant that the gentleman is speaking about?

Mr. YOUNG of North Dakota. I wish the gentleman had made that statement in the committee room. I tried to get as much money as I could, and I thought the committee were fairly liberal with me when they let me have $50,000, although a very much greater sum could be used. It does seem to me that this is a proposition upon which the people of the United States ought not to gamble for a second. We ought to make dead sure that every barberry bush in the United States is destroyed before May 15 of this year, no matter how much money it takes.

Mr. WELLING. Fifty thousand dollars represents only about 25,000 bushels of wheat nowadays.

Mr. YOUNG of North Dakota. Yes.

Mr. WELLING. The experience you have had in your own State, which you have just quoted, would seem to justify a much larger expenditure if the thing is susceptible of successful combating.

Mr. YOUNG of North Dakota. As far as North Dakota is concerned, we have already appropriated money in that State to eradicate this plant; but it will not do any good for us to destroy it if other States do not destroy it also. I am not putting it on the ground of saving some money for the farmers who put in grain this year, although that is very important. I am putting it upon the ground that we must raise a big crop of spring wheat this year, and upon the further fact that the winter crop of wheat is poorer than it has been at any time in the crop history of this country. We must face this condition as it is. Since crop records have been kept in the United States we have never had an average condition so poor for winter wheat as at this time; and I am urging you now to stand by this appropriation, as I say, not because of its effect upon the individual farmer, but because of its possible effect on this war. If there is an item anywhere before any committee of this Congress that is distinctly a war item, this is the one. There is not anything more important in connection with bracing ourselves to fight this war through, and fight it through right, than to make sure of a big wheat crop this year. I will not object at all if the gentleman from Utah, when this item comes before the committee, moves to increase it.

Mr. HAUGEN. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. HAUGEN. I think it is but fair to the committee to state that the department's estimate was $20,000, and the committee increased it to $50,000. We feel that we have dealt liberally in this matter. If they think that more than $50,000 can be used, they can move to increase it; but the department has to carry on the work, and it is a question as to how much the department can use in the coming spring. I think that $50,000 is all that can be used to good advantage. It has to be done largely through the States Relations Service.

Mr. YOUNG of North Dakota. It depends upon how extensive a campaign of education shall be carried on. If we attempt to carry on a campaign such as the Food Administration is carrying on in respect to food, it would run up into the hundreds of thousands of dollars. If we undertake to educate all the people in the States where they do not raise wheat, as well as those where they do, to the idea that it is going to help to shorten this war to destroy the barberry bushes growing on the lawns in front of their houses—if we undertake to convince every man that that is the thing to do, it might reach a very large sum. I do not know how much free advertising the department can get, but I presume it can get a lot out of the agricultural journals and the milling-trade journals and all the newspapers of the country. They have all been very generous in giving space to everything that would help in the prosecution of the war. I presume that a large amount of publicity may be given without pay.

Mr. WELLING. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. WELLING. I do not want in any way to criticize the committee for the appropriation. I know something about the significance of pests in this western country, although this particular one has not invaded my State. I know how necessary it is that they should be adequately met when they first arrive.

Mr. YOUNG of North Dakota. There is another item that I desire to call attention to, which is this: A very serious seed-grain problem presents itself in many of the States. Congressman JOHN M. BAER has introduced a bill to help farmers to obtain seed wheat upon credit. I regret that the time yielded to me has about expired. Otherwise, I would present facts showing the necessity of passing the Baer bill if we are to expect a big crop this year. Upon a later date I shall address the House upon the subject of seed grain. The danger from a lack of seed wheat is one of the strongest reasons why we should make no mistake on the question of black rust. I do not think there is any doubt at all that quite a large number of farmers in the United States will not put in wheat this year simply because they have not the seed and have no money to buy it and not sufficient credit. If that is true, and if Congress does not provide some method by which farmers can buy seed wheat on time, it is one more reason, one added reason, why we should see to it that the wheat crop this year is not destroyed by black rust.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. I yield the gentleman five minutes more.

Mr. YOUNG of North Dakota. Gov. Frasier, of North Dakota, being alive to the vital importance of the seed problem, has called the legislature together in extra session for the purpose of dealing with it. I do not know how many States will take similar action. It is expected in North Dakota that the legislature will authorize counties to bond themselves for the purpose of buying seed wheat which they can sell on time to those who have no money to buy it. Yet, even after that authorization is made, there will still be the problem of selling the bonds. They will be short-time bonds. There is a regular commercial market for long-time county bonds, but no regular market, no established place, where short-time bonds—six months, seven or eight months' paper in the shape of bonds of counties—may be sold. Even if there should be a ready market for their bonds there is a limit to what each county can do in the way of voting bonds to buy grain.

Even if the farmers are helped in that respect I think there will be in our State a good many fields that will not be seeded to wheat this year, simply because they can not raise money to buy the seed. In Montana I think the situation is worse than in the western half of our State, and there will doubtless be quite a large acreage that will not be seeded to wheat, because they have not the seed. Some of you gentlemen here know the conditions in Texas and some of the other States. This all argues, I think, the importance of making provision to take care of the one preventable thing, the destruction of the wheat crop, by destroying the barberry bushes. When this item is reached in the bill I, of course, do not expect that anybody here now—and I am glad so many have remained to hear me—I do not expect anyone will make a point of order against having this item made immediately available, because I am sure that everyone here appreciates the fact that if we do not destroy the barberry bushes before May 15 it will not do any good to destroy them afterwards. This appropriation will be useless to us unless it is made immediately available. If anyone proposes to make that point of order, I hope all of you who are here now will help to persuade him to withdraw it. The Food Administration is making a great and, to my mind, a very commendable campaign to save food, particularly breadstuffs. But with their wheatless days, their expenditure of hundreds of thousands of dollars in publicity and otherwise, at most they can not hope to save more than 180,000,000 bushels of wheat. In 1916 180,000,000 bushels of wheat were destroyed by black rust in the hard-wheat belt alone. I appeal to you, gentlemen, to join us of the Committee on Agriculture in passing this appropriation item to make the recurrence of such a calamity impossible. [Applause.]

Mr. HAUGEN. Will the gentleman from South Carolina use some of his time?

Mr. LEVER. I have been overwhelmingly besieged for time, but the besiegers do not happen to be here at present.

Mr. GARRETT of Tennessee. Mr. Chairman, I make the point of order that no quorum is present.

Mr. LEVER. I hope the gentleman will not do that.

Mr. HAUGEN. The gentleman from Idaho, to whom I next yield, will be here in a minute.

Mr. GARRETT of Tennessee. Mr. Chairman, I will withdraw the point of order.

Mr. LEVER. Mr. Chairman, in the meantime I would like to ask the members of the committee, in order that we may expedite the consideration of the bill when it reaches discussion under the five-minute rule, to read carefully the report that accompanies the bill. The report has been carefully prepared with a good deal of trouble, and undertakes to give in some detail the lines of work that are to be undertaken under each item and with each appropriation. If gentlemen who are not on the Agricultural Committee will familiarize themselves in a degree with the report, I am satisfied that it will save all of us on the committee having to go through the necessity of explaining these various and sundry items as they come up in the bill. I may say further that in reporting the bill the committee has made it after very careful inquiry into the needs of the Department of Agriculture.

In most of the items there has been little, if any, change. The committee on its own initiative in some cases has increased or decreased these appropriations, as in the judgment of the committee was thought wise. One of the larger increases is most important. A considerable increase in the appropriation was made for the control of tuberculosis in food animals—in cattle and in hogs. The expenditures of the Department of Agriculture for that purpose during the current fiscal year will amount, as I recall it, to about $117,000. The department in its estimates requested an increase over that amount of $66,000. The committee of its own accord added to this until the appropriation, as carried in the bill for that purpose, amounts to $250,000. I took this matter up myself, after a discussion in the committee with representatives of the Secretary's office, and I was informed by them that the Secretary felt that the department could very wisely use $250,000 during the next fiscal year in work attempting to control and prevent the spread of tuberculosis in food animals. The estimates of losses from this disease of cattle and hogs vary anywhere from $25,000,000 to $30,000,000 a year, and yet all of us know that there is an absolute world shortage in meat-producing animals, due, of course, to the heavy drains of the war. The committee therefore felt that it was justified in providing additional funds for stimulating, encouraging, and promoting this line of work, and therefore upon its motion increased the appropriation.

Mr. GOODWIN of Arkansas. To what extent have the activities of the Government been extended in endeavoring to control tuberculosis in live stock?

Mr. LEVER. I would say that the only extensive effort to control and eradicate tuberculosis, aside from the study of the disease itself, was taken up this fiscal year under an appropriation which is now carried in the Agricultural appropriation act for this year.

Mr. GOODWIN of Arkansas. Does the gentleman know what success, if any, the Government has made in that direction?

Mr. LEVER. Of course, the work has been largely experimental, and it has been going on for not more than six or eight months, but the reports are encouraging to the effect that with proper handling, proper appropriations, and patience and a long pull, we ought to ultimately control this disease.

Mr. GOODWIN of Arkansas. I think it is an important work and ought to be liberally provided for.

Mr. HAUGEN. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. FRANCIS].

Mr. FRANCIS. Mr. Chairman, it is most timely at this point in our session to bring to the attention of Congress all accurate testimony available concerning conditions in our great National Army camps. We have all had reports from our young constituents concerning the treatment they have received, and the revelations in the testimony before the Senate Military Committee have brought home to us a realization that all has not been going well. With a desire to inform myself as to conditions on the ground, I took time during the past few days to visit five of our camps, and wish to submit my observations and conclusions for the information of this body.

CAMP DEVENS.

Camp Devens is our most northerly camp. As you approach it, your worst fears, based upon frequent rumors of the extraordinary cold weather prevailing at that spot, seem about to be entirely fulfilled. It is a complete snow scene. The fields are white; the roads and drill grounds are white; the roofs, and everything but the four walls of the buildings. Everything is covered with a foot of snow. The mistake of putting a permanent training camp so far north is manifest. But great as was the mistake, the rigors of the situation have to a considerable degree been overcome by the extraordinary industry of those assigned to the place.

There are several commendable features about this camp. Though it was placed on a rough and hilly site, months of work have overcome the handicap and there are now many excellent level drill grounds. Though it is complexly arranged, a host of intelligent signs make traveling about easy. It is particularly characteristic of this camp that signs and directions everywhere, indoors and out, make duties clear and identification simple. Other camps might imitate this feature with profit. There is also a large and fully equipped motor truck, full of all conceivable shoemaking and repairing machinery, which operates under its own power, and can take care of the footwear of an entire division. This is an important feature, and is worth the serious attention of the War Department. But what stands out preeminent at this camp is the general air of interest and activity. Everyone is doing something.

Numerous construction and repair tasks are under way. The vast blanket of snow is not permitted to be an obstacle. The men are well clothed and fed and their quarters are warm and comfortable.

Much, however, remains to be done. Owing to the faulty location many more inequalities of ground must be removed in the spring. The garrison shoes, which have been issued to the men have not been successful, and have broken down after brief usage. Even after long urging the War Department has not yet sent a sufficient supply of large-sized overcoats. There is, however, an over supply of small coats. One is lead to believe that there must be a chart of sizes of overcoats for a division in Washington, and that the failure of the boys at camp to respond to the sizes printed on the chart is considered such a violation of regulations that the boys must be made to suffer. In particular, there is an inexcusable scarcity of school buildings. Many special schools of instruction in gunnery, range finding, bombing, and similar work are in operation, but there is no place to hold them except out of doors on the snow, or in the barracks among the beds. Under either environment this highly necessary military instruction is handicapped. At the hospital, where there are also several large classes, there are neither sufficient rooms for teaching or adequate quarters to house those who are temporarily there or the nurses.

In the field of ordnance there is a painful scarcity of equipment. There are enough horses but not enough saddles or bridles or halters. The horses were rescued from a stable which upon the first thaw left them standing in a foot of water. As for artillery, I saw at least 50 wooden guns mounted on carriage wheels and many more similar makeshift limbers. There was one wooden model of a 3-inch field piece, a clever imitation and typical of the Yankee ingenuity displayed at the camp. But what a commentary on the efficiency of our War Department to have to construct a wooden gun after we have been at war nearly a year. There should be 72 field guns and howitzers at the camp, but there are less than a dozen old-fashioned pieces. There should have been at least one modern gun for instruction. The camp has no modern machine guns. From a huge dugout of snow a large howitzer protruded, but unfortunately it was only of wood. In one regiment two naval guns have somehow been obtained, and at the side of them are two ingenious but sad-looking creations, a 1-pounder and a trench gun, made from lengths of gas and water pipe.

In spite of all this the spirit of the camp is excellent There is a wonderful depot brigade exchange which has paid a $200 dividend to 35 companies and has $10,000 in the bank. The spirit of the officers is one of creative energy, a spirit that might be imitated with profit in Washington. It is refreshing to spend a few days with these practical men who are creating an army on the ground and not behind a barricade of desks.

CAMP UPTON.

Camp Upton is one of the best known of the National Army Camps because of its proximity to the great city of New York. Thousands have visited it weekly and know its bare and frozen vistas by heart. Because of this location it has had the benefit of much special attention.

The hospital is well equipped and has never been overcrowded. The health of the camp compares favorably with that of any other. The food here has always been of superior quality, and it is obvious that there is an excellent spirit both at work and play among the men. Many forms of recreation have been successfully instituted.

There are, however, several features that are not at all satisfactory. The Field Artillery regiments have virtually no guns to drill with—not even wooden guns—so far as I could see. For four months the men have been going through the motions with this chief article of attack represented by an area marked on the ground. Consider how much invaluable time for technical instruction has been lost.

The shoes at the camp have been a failure. The camp's newspaper published prominently in its columns the fact that several shoes were found to contain paper and glue fillings in the heels and soles. All of the men who can afford it purchase durable shoes outside.

In laying out the camp the conventional design was strictly followed, with unfortunate consequences. The country at Yaphank is rolling, and the rigid adherence to the plan resulted in some quarters being placed in hollows of the ground. Naturally during the recent snowfalls and thaws the floors of some were flooded. Many barracks, though not flooded, are to-day totally surrounded by frozen ponds. Extensive drainage must be provided in the future if the camp is to be kept open. At the present time all roads of approach to the camp are of soft dirt frozen into prodigous ruts. Something must be done before the spring thaw, or Upton will be isolated except by railroad. This is a serious situation, of which no cognizance seems to have been taken at Washington. Carloads of cinders should be on the way there now.

There are several minor matters worthy of comment. The military police, which should have 300 horses, has only 30, and is without saddles, save 10 which it borrowed. There are 4,000 horses in camp, but through the complete lack of halters none can be used. There is an ample supply of horseshoes but no nails, and the standing joke of the police is which is the best way to tie the shoes onto hoofs. There are not even yet sufficient woolen gloves for the men, and, in spite of the fact that the wet weather of spring is soon to be here, there are only a few hundred of overshoes in camp. There should be 30,000, in view of the quality of the shoes and of the soil, or we will have an outbreak of grip and pneumonia.

It is doubtful if the camp was wisely placed. The surrounding country is somewhat marshy and has a reputation of excessive heat and mosquitoes in summer. An effort must be made to drain these marshes. In spite of all, however, substantial progress has been made in Infantry work, and it was my pleasure to see an admirable drill of a regiment of Engineers.

CAMP MILLS.

My first impression as I approached Camp Mills, the abandoned National Guard camp on Long Island, was that it had been hit by a hurricane. Tent poles stuck up in the air at rakish angles, some with swaying guy ropes, some with strips of tattered canvas, while near by other tents of various sizes and shapes swayed and flapped unsteadily in the icy wind. My advent upon the ground only magnified the scene of desolation. For a mile in either direction was a field with a sorrowful outfit of torn and abandoned tents in all stages of destruction. From long rows of mess kitchens ragged burlap coverings fluttered in the gale.

It seems that the Rainbow Division had left in a hurry, as the approach of winter brought on pneumonia, and had left so hastily that it had no time to strike camp. For some weeks the outfit was left standing in the face of oncoming winter, and by the time the War Department had acted the damage was done. About 250 tents were still standing. These were, for the most part, frozen to the ground; that is, they had been ditched and the earth thrown against the sides, leaving a solid mass of ice and frozen earth. These tents were gradually being lashed to pieces in the wind. About 300 tents were down on the ground and frozen in solid. Pools of water had formed in the folds of the canvas and were now ice.

Through this wreckage protruded tent poles and angular stove pipes. All this outfit was a total loss.

In some fields I could see that the equipment had been taken down, the poles and pins removed, and the ground cleared. A soldier informed me that the destruction was not complete, but that over a thousand tents had been packed away. I went to look over the method of storage. There are at the camp about 6 or 7 rows of mess kitchens of about 20 kitchens to a row. These buildings have roofs covered with tar paper, but the sides are only protected with screening or burlap. As I entered the first one, I found how the tents were stored. They were stacked in piles. Through the ragged burlap the winter gale, with its fine snow, blew in. On two sides the burlap was entirely down. The floor was of dirt. In this shack I counted, roughly, 100 tents folded and roped, but with the bottom layer frozen in pools of water. The kitchen also contained some 500 camp cots, collapsed and stacked, but with the bottom row likewise frozen in. After tramping a mile and looking into many of these abandoned kitchens, I found it was the same everywhere. They all contained stacks of equipment virtually unprotected from the weather. They must have held between one and two thousand one-time valuable canvas homes, but now hopelessly on the way to destruction in the falling snow.

A further survey of the field revealed in one spot a huge heap of tents, more than 200, utterly unprotected in the open air. In another spot was a pile of stoves and stovepipes fast rusting. Near the railroad was a pile of baled hay, a hundred or more feet in length, entirely unprotected. A few soldiers of the camp guard were wandering about picking up an occasional stove or shovel by way of salvage.

The first natural question is, What is the amount of the loss? The Army and Navy Register of January 5, 1918, puts it at $300,000. Roughly speaking, it can be said that the entire camp equipment of a division was abandoned, not abandoned on the field of battle, but within 30 miles of New York. Some can be saved if it is taken away now before it is destroyed by the weather to come, but the part that is frozen in can never be recovered. The loss at this camp has a double significance, because, while these tents were going to ruin, severe epidemics racked Camp Sevier and Camp Funston and Camp Bowie from overcrowding.

CAMP DIX.

Camp Dix, like Camp Devens, was on the day of my visit blanketed with snow. It was not as deep, perhaps, but it was accompanied by a temperature below freezing. Companies of our soldier boys were going through their setting-up exercises in overcoats in the snowy fields. The air was bracing, for the camp is located in the famous central healthy zone of New Jersey. The whole setting was an ideal one for winter sports but hardly for military training. Here, as elsewhere, there was an enthusiastic spirit among the men. They were eager for work and military lessons by day, and during evenings kept all the pianos in camp in action. Their barracks were warm and their bath houses comfortably heated.

It was not difficult, however, to detect certain serious faults. The construction of the camp buildings must have been unusually faulty, as already parts of the walls are drawing apart, leaving large cracks. In particular the hospital has suffered. The hospital is not even yet done, although it is fully occupied, and a recital of its shortcomings reflects seriously upon those responsible for its condition. Its sterilizers are incomplete. It is short of all kinds of surgical instruments. The walls of the operating rooms are not only drawing apart but were not sanitary or air-tight when constructed, and are not so built that they may be washed down or sterilized. In some of the wings the ventilators in the roofs have been defectively built, allowing rain to beat in and leak down. The dark room is still light, as there is no black paint in the camp. In the head department the construction is the worst. The operating rooms not only have insanitary walls but wooden floors. The hospital only has a partial fire equipment, and the fire house connected with it has never been built. It has not sufficient auto trucks for its business, and it has inadequate telephone facilities. Unless these defects are remedied promptly they may well be the cause of serious consequences.

The situation in respect of ordnance is deplorable as elsewhere. Men are training with disused Colt automatics. They have never seen the type of machine gun that they are to use, and, indeed, do not know what it is to be, so that they may study the designs. There is no modern artillery in the camp whatsoever, though there is some old material for drills. There are no automatic revolvers.

In equipment for the men there is a shortage of large-size overcoats, and of the new and necessary winter caps. Companies of men were still marching about in the freezing weather with the old-style campaign hat. The military police alone were adequately clothed. The situation with respect to shoes is obscure, but many who had had two pairs issued to them have been ordered to return one pair for reasons unknown. Many men have bought their own shoes as those issued were uncomfortable. Other minor matters are open to comment. There are not enough schoolhouses. No provision has been made to meet the spring thaw, and the natives prophesy weeks of impassable country roads. There is a lack of equipment for the horses. The men, however, are working on looking forward with hope to the day when they will go across, but no matter how much spirit they show they will never be a well-trained army until we put in their hands the implements that they are going to use at the front.

CAMP MEADE.

The greeting at Camp Meade was a heavy snowstorm, entitling this camp to be classified with those farther north as not suitable for winter training. It is far enough north to be subject to heavy snowfalls and yet not sufficiently far to have the offsetting benefit of continued cold weather, which is not unhealthy for warmly clad people. At Camp Meade there are freezing spells and thaws, making it a fertile field for colds and grippe. The southern negroes who have been transferred to this camp for training have felt this particularly. In this connection, it is to be said that the policy which sent the southern negro north to a snowy country for his training can be justified only on exceedingly narrow grounds. It has resulted in unnecessary sickness among their numbers, and the time is going to come on the battle front when the social question involved will have to be met.

The chief distinctive attraction at this camp is the schools. There are several for machine gunnery, bomb work, liaison work, and artillery, and all housed in commodious buildings and busy all day with classes. The eagerness and intelligence of the soldier students is subject of comment by all the instructors. There are also two extensive sets of works in the field for training men in open attack, with trenches, obstacles, and dummies to be encountered. As at Camp Devens, there is a general air of diligent preparation about the camp.

The base hospital, however, is by no means in a satisfactory condition. There are not yet sufficient officers' quarters nor sufficient hot water for such that exist. The walls of the operating rooms are not sanitary. The operating room in the head department not only has defective walls, but it is planned to cover the floor with linoleum, which will not last under acids and from which blood stains can not be eradicated. The plumbing in many parts of the hospital is defective. There is such a bad selection and shortage of instruments that many of the doctors have been forced to supply the deficiency out of their own pockets.

It may be mentioned here that the heating system at all the hospitals is defective. There is no return system and thousands of gallons of hot water are thrown away, involving a wastage of tons of coal.

The soldiers are not yet completely equipped for winter, though it is nearly February. There is only a partial supply of winter caps and rubber overshoes. There is still a shortage of woolen gloves and leggings, and while the stock of woolen uniform coats is numerically sufficient, there is a shortage in several sizes. The boys complain that they should be required to pay full fare on the near-by railroad, in view of the fact that there is a special reduced rate on the road to Camp Upton. They complain also that the allotment money which should go to their parents is two and three months overdue, which works great hardships at home.

The ordnance situation is substantially the same as elsewhere. There are only a few old field guns for drilling. There are not sufficient machine guns, but those that the camp has are being put to best advantage in the schools. Though there are plenty of horses, there are not enough saddles or saddle blankets. In fact, this matter of horses is an example of the lack of coordination in Army plans. All over the country are thousands of horses eating their heads off week after week which can not be used because there is no ordnance to be drawn and no harness to draw it with if it existed.

CONCLUSION.

This brief review of conditions on the ground is suggestive in itself, but the general situation must be considered before attempting a full interpretation.

Two outstanding features came to my notice at every point—first, the unsatisfactory relations between the camps and Washington; second, the gunfire situation.

In respect of the first, it was the constant complaint that everything involving routine through Washington was accompanied with interminable delay. As one of the officers put it, it took him three months to get out of Washington what he could go to town and get in three days if he wanted to pay for it himself. True there were occasional exceptions in matters of soldiers' clothing, but repeated requisitions have been sent from some camps for supplies and equipment without result, and even without acknowledgment. There were numerous complaints from the men that allotments to their families were several months behind, and they felt justly incensed that the Government should withhold the money that they had earned. Also at one camp three men who were disabled and who had been recommended for discharge have been idling around for over three weeks awaiting word from Washington. Moreover, orders emanating from Washington are too rigid in character. Not even commanding generals at camps have authority to modify the regulations of the Quartermaster Department in details of construction. The Regular Army officers are dissatisfied because promotion has been confined to within the division, and their juniors in rank are constantly going over their heads in new commands. The active and alert men at the camp accept the situation as one of the necessary evils of life. They have no envy for the bullet-proof, swivel-chaired jobs in the War Building.

The second observation is concerning the artillery and the machine guns. It is humiliating to go to camp after camp and be faced with ingenious wooden dummies. The breakdown of the Ordnance Department is brought home as it never could be before a committee. Let us consider the situation of modern warfare broadly. The one great thing that has been brought home to us over and over again is that the way to win the war is by gunfire. We know that we must train thousands in the intricacies of modern artillery practice. So important is this work that scores of expert French and British officers have been taken from the front to teach the necessary technique. How do you think a foreign officer feels who has now for four months, in our tenth month of war, been teaching machine-gun fire from blue prints and blackboard drawings? Many of them feel that they should go back to the trenches on the western front, where there is man's work to be done. They are tired waiting for machine guns. It is inexcusable that from our supply at Springfield half a dozen of the modern types should not have been sent to each camp long ago. As one foreign officer put it, with three Vickers guns he could turn out 75 machine-gun instructors a month, and could have been doing this for four months. England has been making 2,000 Lewis guns a month, and could have readily sent us 100. Our Army will never be more than an army of paraders until we have taught it gunfire. In the matter of field artillery the situation is equally bad. We have been teaching men how to place guns that they have never seen; how to range them with instruments they have only read about in books, and how to charge them with shells that exist only in photographs. In this, the chief and greatest factor of modern warfare, we are now 10 months at war with no proficiency in the field.

This leads me to consider the final question, that interests us all, of what is the matter with the War Department. Before I attempt to answer this I want to say that no one can visit our camps without a realization that a great and impressive work has been done and that the fullest recognition should be given to those who have done it.

But I have asked this question because a still greater task is ahead of us than we have accomplished. Many of us, Members of Congress, have spent nine weary months being shunted from door to door and from officer to officer, and we know well what is the most obvious fault. We know it is filled with incompetents and deadwood. It is so, because we know the men. We can point out specifically men now sitting at desks who would not last a month in civil employment. We have found generals doing the work of clerks and captains doing the work of errand boys. What our War Department needs first and foremost is a Kitchener to clear the deadwood out. No theory of administration can make deadwood animate. It has got to go.

In the second place, we know that the work of the War Department is faulty, because the organization of the War Department is defective. No amount of minor organization can remedy it. The trouble is that it is philosophically wrong at the head. I can best illustrate this in this manner: The most successful modern form of business organization is the American corporation. This corporation has two heads; one is the chairman of the executive committee, whose duty it is to create policies; and the other is the president, whose duty it is to carry out the policies. He is the administrative head. We frequently pay chairmen of our executive committees $100,000 a year to do nothing but think. We do not permit them to undertake administrative tasks. We know they can not think if they have to constantly act. It is the president of the corporation who is expected to provide the driving power. Now, the trouble with the organization of the War Department is that the double duty of creating policies and furnishing administrative power is vested in one man. He is the Secretary of War. Neither he nor any one man in the United States can carry these two burdens in this war. This war is the greatest business ever undertaken in America. We must treat it as the practical business man of America would. These two functions now vested in the Secretary must be distributed if we are going to get both plan and action in the War Department.

I have offered these suggestions by way of constructive criticism and not in a spirit of attack or hostility. Furthermore, what we must do with the War Department we must do with the entire administrative branch of the United States Government. The Nation needs an industrial plan. We must select men of brains and give them the time to create this plan. We must let others carry it out. This war is essentially a war of industrial production, and if we do not place in positions of authority the great industrial leaders of the country we will meet with disaster. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield 25 minutes to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MORGAN. Mr. Chairman, we are considering the agricultural appropriation bill, a measure of vital interest not merely to farmers but to the whole country. We are in a great war. It is conceded that there is nothing more important than the increase in our food production. Therefore Congress should promptly enact all legislation that will contribute to this end. In the national platforms of the two great political parties of this Nation in 1912 there was a distinct pledge to the farmers of the United States that the National Government would give them credit facilities equal to those possessed by trade, commerce, and manufacturing. By the act approved July 17, 1916, we enacted a law to provide the farmers of the United States with long-time farm-mortgage credit. That applies only to farm-mortgage credit. It is a long-time credit system. Under it loans can not be secured for less than five years. There is another kind of credit the farmer must have. It is known as short-term or personal credit. Fully one-half of the $6,000,000,000 indebtedness of the farmer is short-term loans from individuals, merchants, and banks. Our system of farm credit is not complete, and we will not have redeemed our pledge to the farmers until we shall have established a system of short-term farm credit. Fully one-third of our farmers are tenants, who can not utilize the long-term farm-mortgage system, because they have no farms to mortgage. A large percentage of men who have farms do not need or desire five-year loans. They do need and can utilize short-term loans. There is another point. It is on short-term personal loans that farmers pay the highest rate of interest. It is on such loans that extortionate rates of interest are usually charged. Until the short-term farm-credit system shall have been established we will not have lifted the burden of high interest rates from the farmer or given agriculture the credit facilities essential to its prosperity. So I appeal to my colleagues in this House, Republicans and Democrats, to join with me in the preparation and passage of a short-term farm-credit bill.

With a view to doing my part in this great undertaking, I have prepared and introduced a bill (H. R. 8827) for this purpose. It is entitled "A bill to provide short-term credit for the farmers of the United States, and for other purposes."

By permission granted me to extend my remarks, I will print the bill in full as "Appendix A."

OUTLINE OF PLAN.

The bill H. R. 8827, introduced by me, proposes—

1. To authorize farmers to incorporate local credit organizations, under the name of "Federal farm credit societies."

2. To establish 12 regional banks, to be known as national farm-credit banks.

3. To require the Federal reserve banks to rediscount, under proper restrictions, the notes of farmers when indorsed by a local credit society and a regional bank, and to authorize all other banks to discount or rediscount such paper.

4. To make the regional banks Government depositaries and to authorize special deposits therein by the Secretary of the Treasury, and to permit the regional banks, through the local credit societies, to utilize these deposits in extending credit to the farmers of the United States upon the same terms that com-

mercial banks use such deposits in extending credit to trade, commerce, and manufacturing.

5. To authorize regional banks to issue and sell farm-credit debentures, based upon the notes of farmers, when indorsed by a local Federal farm-credit society and a regional bank.

NATIONAL FARM-CREDIT BANKS.

Under the provisions of my bill, the 12 regional banks are designated as "national farm-credit banks." The following summary describes their chief characteristics:

1. One of these banks will be located in each of the 12 Federal land-bank districts, and the national farm-credit bank and the Federal land bank, in each of said districts, will be twin institutions, located in the same city, doing business in the same building, having the same men for directors and officers, assistants and employees, and yet be entirely separate and independent corporations, promoting a different line of agricultural credit, and in no way responsible for each other's contracts or debts.

2. Exclusive of the capital subscribed by Federal farm-credit societies, which must be equal to one-tenth of the amount of credit extended to such societies, every national farm-credit bank, before beginning business, must have a minimum capital of $1,000,000, which if not otherwise subscribed, will be taken by the Federal Government.

3. They may receive deposits, pay interest thereon, borrow money, use their funds in making loans to Federal farm-credit societies, and by discounting notes with the Federal reserve banks and other financial institutions, they are to become the avenues through which credit will flow from its sources to the farms.

4. National farm-credit banks, in furnishing credit for the local society, will rely (1) upon their capital, (2) upon deposits from individuals or the Federal Government, (3) upon the sale of debentures, and (4) upon rediscounting the notes of the farmers, when indorsed by local societies, with the Federal reserve banks and other banking and financial institutions.

5. Each national farm-credit bank will be primarily liable for its own debts and debentures, but in case of a failure of any one of such banks, all other such banks will be required to contribute to prevent loss to its creditors.

Mr. LOBECK. Will the gentleman yield?

Mr. MORGAN. I am glad to yield to the able and distinguished gentleman from Nebraska.

Mr. LOBECK. May I ask if the bill the gentleman introduced covers the idea of loaning money to these tenant farmers on short time, or does it tend to assist them in buying farms, implements, grain, seed, and so forth?

Mr. MORGAN. The plan provides for furnishing them with short-term credit for any productive purpose, to extend for one year. The tenant farmer must develop his business. As a tenant he must make sufficient money—say, half the price of the farm—before he can use the long-term, farm-mortgage banks to aid him in buying a farm.

Increased personal credit at a low rate of interest, used to purchase additional live stock, better farm implements, machinery, tools, and other equipment, seeds and fertilizers, and to employ labor, will enable the tenant to enlarge his business operations, increase his production, and augment his annual savings. The short-term personal credit will lead him up to the point where he will have sufficient means to enable him to utilize the Federal land banks in securing a long-time loan, through the assistance of which he rises from the tenant class to the position of proprietor and owner.

Mr. LOBECK. Now, is this money in addition to the money that is loaned by the Government under the land-bank theory?

Mr. MORGAN. I did not understand the gentleman.

Mr. LOBECK. Is this money the gentleman provides a short loan by the Government in addition to the money loaned on the land owned by the borrower?

Mr. MORGAN. Certainly. It is from entirely different institutions.

Mr. LOBECK. The Government is not intending to loan to other people, who do not have farming property or own land?

Mr. MORGAN. It loans to anybody who can furnish the required security for a personal loan, just as commercial banks now make loans upon personal security or chattel mortgage. Many men who have little property have credit and, if necessary, can furnish indorsers for any reasonable amount.

Mr. LOBECK. I understand the Canadian Government is loaning to men to whom they sell land or grant land in certain cases to develop their farms and——

Mr. MORGAN. Yes; the Canadian Government, as well as many other governments, has been much more liberal in loaning money to farmers and in aiding them to become landowners than has the United States.

FEDERAL FARM-CREDIT SOCIETIES.

The chief features of the local Federal farm-credit societies may be outlined as follows:

First. They will be corporations, operating in restricted areas, serving a limited farm population, controlled by borrowers, and managed by a board of five directors, with a president, vice president, and secretary-treasurer, who will be the only paid official.

Second. They will not be banks, receiving deposits or doing a general banking business, but will be credit societies, utilizing the local commercial banks for depositories.

Third. Exclusive of the capital subscribed by borrowers, each society will have a minimum working capital of $2,500, which, if not otherwise subscribed, will be furnished by the Federal Government.

Fourth. Each borrower will be required to subscribe to the capital of the local society in an amount equal to one-tenth of the loan granted, which may be paid for out of the proceeds of the loan, and on the payment of the note such stock may be canceled and the face value thereof credited on the note.

Fifth. Local societies are authorized to charge one-half of 1 per cent per annum interest in excess of the interest rate which the regional bank charges the local society, and from this margin will be expected to meet administrative expenses and be able to pay dividends on stock held by borrowers sufficient to offset the interest paid by them on money invested in the stock held in the local society, but no dividends will be paid on stock held by the Government.

Sixth. Local societies will make loans on their own account entirely independent of the regional bank, and will thus be in a position to transact business promptly and to close loans without delay.

Seventh. Local societies, in borrowing money from regional banks or in having their notes discounted thereby, will subscribe to the capital stock of the regional bank in an amount equal to one-tenth of the credit extended by the regional bank.

Eighth. Shareholders in local societies are liable for the debts of such societies only to the amount of stock held; but the principle of the unlimited liability, practiced by many of the European short-term farm credit societies, will apply as between societies, so that in case of the bankruptcy of a local society all other societies will be required to contribute to prevent losses to creditors.

Ninth. Local societies are made exempt from local or Federal taxation, are prohibited from charging an interest rate in excess of 6 per cent per annum, can not make loans for less than $10 or for more than $1,000, and all loans must be secured by the signature of two responsible indorsers, or by chattel mortgage, or by bonds or other adequate collateral security.

IMPORTANT DIFFERENCE.

Under the provisions of my bill, H. R. 8827, the local credit societies differ radically from the ordinary local credit society under European short-term credit systems. In Europe generally local credit societies receive deposits and do a general banking business. Under my bill local credit societies are not authorized to receive deposits or to conduct a general banking business. There should be some good reason for this proposed change. Some of these reasons are as follows:

1. To permit local societies to receive deposits and conduct a general banking business means a duplication of banking institutions in almost every community in the land. This country already has an abundance, if not a superabundance, of banking institutions. The increase in the number of banks in the community does not, as is generally supposed, greatly enlarge the credit resources of the community. Their chief credit power comes from deposits. The banks render a service to the public, but the public pays for it. When banks are too numerous it simply means increased charges on the public in some form. Banks compete for deposits, but their interest rates in a given community are quite uniform. Clearly, therefore, the National Government should not bring into existence an entirely new set of banking institutions, located in every communiay, and covering the entire country, unless such a course is necessary to accomplish the purpose in view, namely, to provide the farmers with adequate credit facilities at a low rate of interest.

2. The receiving of deposits and the conducting of a general banking business will require local societies to invest much larger capital. The people in this country, including the farmers, are accustomed to make their deposits and do business at the local commercial banks. To compete with these banks in securing deposits the local societies must do business upon a scale which compares favorably with the facilities, opportunities, and advantages offered by the local banks. To do this, the farmers must furnish large additional capital. This would hinder rather than help the success of the local institutions.

3. To receive deposits and conduct a general banking business, in competition with local commercial banks, will largely increase the expenses of operating, managing, and maintaining such societies. The farmers who borrow must, of course, pay this expense. This means higher interest rates. Economy in administration is one of the chief principles upon which European societies depend to insure low rates of interest.

4. To receive deposits and conduct a general banking business by local societies means a much greater cost to the Federal Government in their supervision, regulation, and control. We should not, of course, overlook the expense which the National Government will be to in the supervision of these institutions, because the expense thereof must be raised by general taxation, and the farmers, constituting more than one-third of the population of the United States, must pay their share.

5. To receive deposits and conduct a general banking business adds very greatly to the complexity of the business operations thereof. Other things being equal, simplicity in business is always desirable. Farmers who manage local societies are not expected to be experts in commercial or banking business, as bankers are not experts in farming. Unless it is absolutely essential, the local credit societies which the farmers are to manage should not be authorized to conduct a business which from its very nature is difficult, complex, and intricate and in which they have had no training.

6. To receive deposits and conduct a general banking business by the local societies will require far greater skill and efficiency in the managers thereof, and this will mean higher-priced salaries and greater expenses.

7. The more complicated a business is the greater danger there will be of financial failure. "Too many irons in the fire" is applicable to all kinds of corporations, including farm-credit institutions, as it is to individuals. There is danger in complexity of business. A short-term farm-mortgage credit system, when fully established in the United States, will be by far the largest institution of the kind in the world. In founding it every precaution should be taken to secure its safety and permanency. It should be built upon a solid and enduring foundation. No practice, principle, or feature should be utilized in its construction that will endanger its safety.

8. To permit local credit societies to receive deposits and to conduct a general banking business would place them in direct competition with the local commercial banks in every community. This might develop antagonism which might result disastrously or injuriously to either or both. The law gives private parties the right to organize commercial banks, and it is an eminently useful and respectable business. There are, of course, unconscionable bankers. So there are bad men in all occupations. The object of short-term farm-mortgage credit is not to injure bankers or to destroy their business. But this is a free country and equality of opportunity should be conceded and guaranteed to all. The farmers, therefore, should be given ungrudgingly the opportunity to organize with a view to increasing their credit facilities, to reduce the cost thereof, and to utilize these credit facilities to expand and extend and enlarge the great industry of agriculture and to promote their own material interests. To do this will not mean loss to commercial banks or to other legitimate business institutions. It will mean greater prosperity and happiness for all. I do not, therefore, advocate better credit facilities and lower interest rates to farmers in the spirit of antagonism to banks or other business interests. I do it in a spirit of broad patriotism, knowing in my heart that it will promote not only the material prosperity of farmers, but that it will contribute to the social, educational, and religious advancement of our farm population, increase the wealth of the Nation, and promote the general welfare of the American people.

Mr. COX. Will the gentleman yield for a question?

Mr. MORGAN. I will be glad to yield to my distinguished friend from Indiana.

Mr. COX. The gentleman has kept up with this question more closely than I have and knows more about it than I do. Can he tell me what is being done in the way of joint-stock company banks that are provided for under the farm-loan banks?

Mr. MORGAN. I talked with one of the officers of the Federal Farm Loan Board, and my memory is that he said that there had been two organized and those were in the gentleman's own State—Indiana.

Mr. COX. I did not think any had been organized in my State.

Mr. MORGAN. I think he said two.

Mr. CANDLER of Mississippi. I think I heard the chairman of the Farm Loan Board state that there were four in the United States, and that they were all in the eastern part of the country and confined entirely to that section.

Mr. COX. I was called out and did not hear all the gentleman said. I quite agree with the gentleman, but I can not make up my mind, very correctly at any rate, where the farm-loan mortgage system is going to benefit the fellow that did not have a piece of land. I never was able to figure out in my own mind a satisfactory solution of the problem, that that system would enable me to buy land unless I had land or some other tangible substance to start with on which I could borrow money. Now, the gentleman's plan, I take it, is a substitute for that to benefit that class of people?

Mr. MORGAN. Yes, sir; and also the farm laborer, and the owner of a farm who can use short-term credit more profitably than a loan extending five years or more.

Mr. COX. How do you propose to do it—to loan directly from the Government to the borrower? If so, on what security?

Mr. MORGAN. No; not directly from the Government. Here is the plan: There will be local societies, the Government furnishing the working capital of $2,500 or whatever amount may be fixed.

Mr. COX. Do not forget your thought: Would that local corporation correspond to the national farm-loan associations under the Federal Farm Loan System?

Mr. MORGAN. It would, except that the local society in my proposed system of short-term credits would do business independently of the regional bank, so far as making loans is concerned, while in the land-credit system the local associations do not close loans. They send their application up to the regional bank will have no control whatever in making loans, veniencing farmers. I opposed this plan, and we must find some way to change it. In the short-term credit system the regional bank will have no control whatever in making loans. The local society alone will be responsible for the loan and act on it promptly.

Mr. COX. Where would the local society get the money to loan in the first place?

Mr. MORGAN. In the first instance, the bill provides that the local society must have at least a minimum cash capital of $2,500, exclusive of capital subscribed by borrowers.

Mr. COX. Paid up?

Mr. MORGAN. Paid up before it can do business. And I provide that if the public, exclusive of the borrowers, does not subscribe this capital, it will be subscribed by the Government, through the Secretary of the Treasury. The local society, so long as it has funds, will make loans to borrowers. Then it indorses these notes to the regional banks, which loans to the local society money to be reloaned to the farmers. So the process goes on indefinitely. The farmer's note is good when indorsed by two persons, but when the same paper is indorsed by the local society it is still better, and when finally it is indorsed by a regional bank, it becomes as good as old.

Mr. COX. Because it has behind it the local institution?

Mr. MORGAN. Yes. It will have behind it the local institution, and finally the regional and the entire system.

Mr. COX. What is the minimum number now required under the gentleman's bill to start a local society?

Mr. MORGAN. Ten persons.

Mr. COX. The minimum capitalization is what?

Mr. MORGAN. Two thousand five hundred dollars, and the minimum capitalization of the regional bank is $1,000,000.

Mr. COX. The minimum capitalization is $2,500, and that must be paid-in cash?

Mr. MORGAN. Yes; that must be paid-in cash, and that is exclusive of any capital subscribed by borrowers.

Mr. COX. Then the local organization could loan that $2,500 on real estate, I take it, or——

Mr. MORGAN. No; on personal security.

Mr. COX. And accept notes on the loan, and the regional bank could rediscount those notes again?

Mr. MORGAN. Yes.

Mr. COX. And through that process the gentleman proposes to raise that money?

Mr. MORGAN. Yes.

GOVERNMENTAL AID.

In the preparation of this bill I intended to authorize the National Government to render all the aid, either by funds or through supervision and control, that was essential to the success of the system. Thus far I think the Government should go and no farther. The aid extended consists—

First. In the enactment of national legislation, authorizing these institutions, which in a manner vouches for their safety and usefulness.

Second. The local societies and regional banks are not only placed under the supervision of the Federal Government, but extensive control in their management is given through the authority of the Federal Farm Loan Board and the three public

directors of the regional banks appointed by the Federal Government.

Third. Under the provisions of the bill the Federal Government will furnish the working capital of $2,500 for each local society and $1,000,000 capital for each of the regional banks, unless said capital shall be otherwise subscribed.

Fourth. The Federal reserve banks are authorized to rediscount the notes of the farmers when indorsed by a local society and a regional bank, and such notes thus become the basis upon which a part of our national currency is issued.

Fifth. National banks are authorized to loan money to or discount the paper of local societies.

Sixth. Regional banks are made Government depositaries and the Secretary of the Treasury is authorized to make a special deposit therewith in an amount not exceeding $12,000,000 in one year, and any of such deposits may be loaned to local farm-credit societies, to the same extent and upon the same terms commercial banks may loan such deposits.

Seventh. Local societies and regional banks are exempted from all national, State, and local taxation.

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. Certainly.

Mr. LOBECK. Finally, after all, the Government is the backer?

Mr. MORGAN. No more than in the land-credit system.

Mr. LOBECK. But as to the really great amount of capital that is needed, the Government through its millions of dollars in the Treasury is the backer of the institution?

Mr. MORGAN. I say it is on the same plan as the land-credit system. We have already adopted that system in the land-credit system, so that it would not be a matter for much argument now.

Mr. LOBECK. What position did the gentleman take when it was a matter of asking the Treasury to take $100,000,000 worth of bonds for the years 1918 and 1919, when we had it before the House the other day?

Mr. MORGAN. I supported that amendment to the law.

Mr. LOBECK. I am glad to hear it.

SAFE AND SOUND.

Mr. MORGAN. The plan proposed is designed to be a perfectly safe and an absolutely sound system of short-term farm credit. Safety, security, and stability are essential to success in any system of finance. Without these characteristics investors will not have confidence in the institutions without which they are doomed to failure. I have endeavored, therefore, to create a system that would be safe, sound, and stable. The local credit societies will be comparatively small institutions. The shareholders will be intimately associated. They will reside in the same community. Each man's reputation for industry, sobriety, and honesty will be known. Every borrower will be required to secure his note with the signatures of two responsible persons, or by chattel mortgage, or by the delivery of bonds or other adequate collateral security. These local societies are not designed to be charitable institutions. All who borrow will be expected to pay, and every precaution will be taken to insure same. Every shareholder will be personally interested in the payment of any loan made. If a borrower fails to pay, every other shareholder will suffer loss thereby. These local credit societies will be expected to exercise fully as much care in extending credit as an ordinary commercial bank. Every borrower is required to subscribe to the capital stock of the local society an amount equal to one-tenth of his loan. The main object in requiring this subscription is to make the local society financially responsible. This stock stands as a guaranty fund. That is the chief purpose of it. The borrower pays for his stock out of the proceeds of his loan; he is allowed to cancel his stock on the payment of the loan and have the amount credited on the face of his note. Dividends are paid on his stock, but the amount stands as collateral security not only for the payment of the borrower's note but also for the debts of the society. Societies are prohibited from going in debt in an amount in excess of ten times their capital stock. Automatically the capital of the society increases with the loans at a fixed ratio and will stand as a guaranty fund equal to one-tenth of the debts of the society.

The business of the local societies and of the regional banks will be restricted to credit transactions. Simplicity in business is an element of safety. Complexity in business is an element of danger. European experience has demonstrated this fact. "Too many irons in the fire" is liable to be disastrous to banking institutions, as it is to an individual in business. Confinement of business to a single line will be a source of strength and safety to the local societies and the regional banks.

The regional banks will furnish credit only to local credit societies. In Europe regional and central farm-credit banks furnish credit not only to local credit societies but to all kinds of cooperative societies which are conducting extensive business transactions. For numerous reasons these corporations are more liable to suffer financial losses than pure credit societies making comparatively small loans to farmers with every loan secured.

There is another proposition still more important in this connection. The only credit extended by the regional banks will be to local credit societies. The local credit societies are indorsers for each other. The principle of unlimited liability is applied as between local societies. If a local society meets with financial reverses, all other such societies are legally bound to come to its rescue. If it fails and its assets are insufficient to meet its liabilities, all other societies are required to contribute an amount sufficient to save creditors from loss. There can be no loss through extending credit to a local society, unless the entire system goes down. The regional banks are simply the local societies in concentration. The regional banks suffer no loss except through failure of a local society, and this loss can not occur, unless all such societies fail.

Of course, the local societies and regional banks are not only under Government supervision but, in part, under control of the Federal Government, and thus surrounded by every safeguard to insure their honest, efficient, and conservative management.

Mr. LEVER. I have read the gentleman's very interesting book on Rural Credit. It has been some time since I read it, and I do not recall whether the gentleman discusses this proposition or not.

Mr. MORGAN. In that book, which the gentleman sees fit to compliment—for which I thank him very much—I discussed only the land-credit proposition.

Mr. COX. Will the gentleman yield right there?

Mr. MORGAN. Yes.

Mr. COX. Has the gentleman's plan been tried out in any other country? If so, in what country?

Mr. MORGAN. I was just coming to that. I was going to speak of the system which France has adopted. I have adopted in large measure the system which France established some 20 years ago, and which the authorities I read have complimented very highly. Now, what is the plan of France? It has local credit societies. It has regional banks—98 of them—one in each State and Province. Perhaps we ought to have more than 12, or we ought to let these regional banks have branches in each State. France has local societies and 98 regional banks, and the Bank of France is required to rediscount the farmers' paper, when indorsed by the local societies and these regional banks, the same as it discounts the paper of the great commercial interests of the Nation. It has always been the policy of France that the Bank of France should aid agriculture upon equal terms with trade, commerce, and manufacturing. We have never done that. Later on I will discuss further the French system and show what aid the Bank of France renders agriculture.

Mr. LOBECK. As far as the gentleman knows, has this been conducive to larger agricultural production in France?

Mr. MORGAN. Unquestionably it has. It has been in operation only perhaps about 20 years, but Hon. Myron T. Herrick in his book on rural credits, says that under its national system in 15 years France gave its farmers the most symmetrical short-term credit system possessed by any nation in the world.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MORGAN. I should like 10 minutes more.

Mr. HAUGEN. I yield to the gentleman 10 minutes more.

Mr. LOBECK. Then the object of the gentleman's bill is that by providing these short-time loans the small farmer, or any farmer for that matter, will be helped to produce larger crops for the benefit of humanity in this country?

Mr. MORGAN. Yes.

Mr. LOBECK. And the gentleman thinks it would be helpful in every way?

Mr. MORGAN. Yes; and it is a fact that we do not realize the power of credit. Our great industrial interests, our great manufacturing interests, are depending upon credit, and we never could have built up the great industrial interests we have in this country except through the extension of credit. Credit as a power, as an instrument, as a force, as a factor in production can be utilized in agriculture the same as in commerce and trade and manufacturing.

Mr. CANDLER of Mississippi. Will the gentleman yield?

Mr. MORGAN. Yes.

Mr. CANDLER of Mississippi. I do not know that I caught exactly how the gentleman is going to supply the funds to make these loans. As I understand, the local organization has a capital of $2,500.

Mr. MORGAN. Exclusive of the capital subscribed by the borrowers.

Mr. CANDLER of Mississippi. When that source of supply is exhausted, where does the money come from to supply the additional funds?

Mr. MORGAN. The local society sends notes to the amount of $2,500 to the regional bank. That bank discounts those notes and sends the society $2,500, which is reloaned to farmers.

Mr. CANDLER of Mississippi. I am deeply interested in the subject. I am in favor of a complete credit system, including long-time and short-term credit. Is there any provision for the sale of bonds?

Mr. MORGAN. Yes; I have provided another way in which to raise money. The regional banks are authorized to issue debentures. I call them debentures to distinguish them from the bonds of the Federal banks. They are supposed to be issued on short terms, one to five years, secured by the notes of the farmers, and they will become standard securities, because these debentures rest on the credit of the local societies and the regional banks. All the regional banks are bound together. So these debentures issued by the regional banks would be gilt-edged securities and could be disposed of on the money market.

Mr. CANDLER of Mississippi. The security given by the farmer is his personal note?

Mr. MORGAN. The farmer has to give two indorsers or a chattel mortgage or deposit collateral security. In other words, it is not supposed to be a charitable institution. The credit will not be extended on any other idea than that it shall be paid.

Mr. CANDLER of Mississippi. Is there any limitation as to the valuation of the property?

Mr. MORGAN. I do not think my bill requires a limitation, but simply provides that it shall be adequate security.

Mr. LOBECK. Will the gentleman yield?

Mr. MORGAN. I will yield to the gentleman.

Mr. LOBECK. Suppose I want to borrow $250 for summer work and I have not got the 10 per cent, $25, to put up?

Mr. MORGAN. You would make application for a loan sufficient so that after taking out the 10 per cent you would still have sufficient funds left.

Mr. LOBECK. Then I get $225. But really, after all, would not the local organization furnish the money for the stock which I take?

Mr. MORGAN. No; because you give the local society $25 to invest in stock in the regional bank. It is credit and not cash we are dealing with. The local organization has $250 of your paper and it has only paid you $225. It is $25 to the good, so to speak. It discounts your note at the regional bank, gets $250 in cash, but invests $25 in stock in the regional bank. The account is squared. When you pay your note your stock is canceled, the amount thereof, $25, is credited on your note, and you pay back only the $225 you actually received. This is an arrangement or invention by which the local societies and the regional banks will be provided with capital. The borrowers furnish their own capital. They must either do this or continue as they do now to pay private capital high interest rates. The 10 per cent which my bill requires borrowers to invest in stock of the local society is probably more than is necessary. But if a local society manages its affairs economically, the stock in these societies will pay high dividends, higher than the interest rate. But the investment of each borrower in stock in the society is what makes the whole system safe, and that is the thing which insures low rates of interest and an abundance of credit.

Mr. LOBECK. The real idea is to get cheap money at low interest for the man that needs it for producing crops?

Mr. MORGAN. The chief idea is this: If you were a farmer and wanted to borrow $250, you would apply for membership in a local society. With the indorsement of two of your neighbors, the local society makes you a loan, indorses your note, becomes liable thereon, and then the whole system, comprising thousands of societies and 12 regional banks, with their tens of millions of dollars capital, become your indorser, and your note, however humble a man you may be, becomes as good as our national currency.

Mr. LOBECK. I thank the gentleman for giving me more credit than I have had for a long time. [Laughter.]

Mr. MORGAN. For his great interest in their behalf I am sure the American farmers will give the gentleman more "credit" than even I have given him.

Mr. CANDLER of Mississippi. Are all of the local organizations responsible for the debts of each other?

Mr. MORGAN. Yes; in case their own assets will not pay it.

I wish before I close to discuss what I regard as a very important provision. It is the proposal to require, under reasonable limitations and all proper safeguards, Federal reserve banks to rediscount the farmers' notes.

REDISCOUNTING BY FEDERAL RESERVE BANKS.

One of the provisions which may develop controversy is that contained in section 9 of the bill which authorizes any Federal reserve bank to rediscount the notes of farmers when indorsed by the local society and the regional bank. This provision, I believe, is sound in principle and eminently just to the farmers and to our greatest industry, agriculture. Its adoption, in my judgment, would not introduce any element of danger in our national currency system. At present agriculture does not receive the aid from our national banking and currency system that such system extends to the great industrial and commercial interests of the Nation. This not only restricts the growth of agriculture, but it discriminates against the farmers who constitute more than one-third of our population.

Section 11 of the Federal reserve act provides:

Upon indorsement of any of its member banks, * * * any Federal reserve bank may discount notes, drafts, and bills of exchange arising out of actual commercial transactions; that is, notes, drafts, and bills of exchange issued or drawn for agricultural, industrial, or commercial purposes, or the proceeds of which have been used, or are to be used for such purposes, the Federal Reserve Board to have the right to determine or define the character of the paper thus eligible for discount within the meaning of this act. Nothing in this act contained shall be construed to prohibit such notes, drafts, and bills of exchange, secured by staple agricultural products, or other goods, wares, or merchandise, from being eligible for such discount.

There is a proviso in the paragraph which reads as follows:

Provided, That notes, drafts, and bills drawn or issued for agricultural purposes or based on live stock and having a maturity not exceeding six months, exclusive of days of grace, may be discounted in an amount to be limited to a percentage of the assets of the Federal reserve bank, to be ascertained and fixed by the Federal Reserve Board.

The meaning of the foregoing provisions is not very clear. The first clause of the first paragraph quoted seems to restrict the notes, drafts, and bills of exchange, which may be discounted by Federal reserve banks, to those "arising out of actual commercial transactions." The average loan made by a bank to the average farmer in the United States does not arise "out of actual commercial transactions," as that term is understood and construed. The second clause apparently enlarges on the first, but still gives the Federal Reserve Board the right to define "the character of the paper thus eligible for discount." I do not know to what extent the various provisions of this section have been construed, but evidently the entire matter is left to the judgment of the Federal Reserve Board.

The above provisions do, however, on their face, recognize the propriety, as well as the importance, of extending to the great industry of agriculture the assistance of the Federal reserve banks. As Congress has already recognized the propriety of requiring the Federal reserve banks to discount agricultural paper, it would seem there could be no valid objection to authorizing such banks to rediscount the notes of the farmer when indorsed by a local credit society and a regional bank.

The plan to have the Federal reserve bank rediscount the notes of farmers, when indorsed by a local credit society and a regional bank, is supported by very high authority in Europe. France has a system of short-term credit institutions corresponding almost identically with the plan of H. R. 8827, introduced by me. The local credit societies in the French system are known as the Credit Agricole Mutuel. Above the local credit societies there were, in 1912, 98 regional banks, at least one in each State or Province. The local societies secure funds by indorsing their paper and having the same discounted at the regional banks, which in turn rediscount the same with the Bank of France. Referring to the short-term farm credit system in France and the workings of the institutions created to promote such credit, Hon. Myron T. Herrick, in his book entitled "Rural Credits," on pages 335 and 336, says:

The regional banks are authorized to discount the negotiable instruments made by members of the local societies and indorsed by such societies and also to make loans to such societies for working funds. The paper having thus three signatures, those of the borrowing farmer, the local society, and the regional bank, is "bankable according to the commercial and banking code, and the regional bank may rediscount it at the Bank of France or at any other of the big credit institutions in France, provided the time is not over nine months."

In Senate Document No. 214, Sixty-third Congress, entitled "Agricultural Cooperation and Rural Credit in Europe," pages 651 and 653, inclusive, there is a statement made by M. Aupetit, chief of the department of economic studies to the Bank of France, relative to the Bank of France and the aid it renders the farmers. He says:

The Bank of France assists agriculture in three ways, which should be distinguished. First, it facilitates the individual agriculturists in securing loans and discounts. Second, it makes possible the success of agricultural credit banks and facilitates the rediscount which they offer the commercial banks. Third, it provided the government with funds in the form of an advance and an annual grant with which to supply the needs of the agricultural credit banks.

Again he says:

The Bank of France also makes every effort to assist the local banks, and has given pioneer assistance to the local credit banks. These local credit banks, as has been explained, have two functions. In the first place, they act as independent banks so far as their capital and deposits are concerned. The advance made by the State enables them to act as independent banks. As soon as the credit demands of their clients exceed their own resources, they render assistance to their members by rediscounting their bills at the Bank of France through the medium of the regional bank. While these banks usually rediscount with the Bank of France, it should be understood that they are free to rediscount them with any other bank they may select. * * * At the present time the Bank of France conducts regular discounting business with all of the 100 regional banks, and through them with more than 3,000 of the local cooperative credit banks. The third way in which the Bank of France assists agricultural credit in France is by granting large sums to the Government to be used to finance the local and regional credit banks.

SHORT-TERM FARM CREDIT IN GERMANY.

In Germany there are two chief systems of short-term cooperative credit institutions. One is the Shulze-Delitzsch system and the other is the Raiffeisen system. The latter is the largest factor in furnishing short-term credit to the farmers of Germany. In each of these there are local credit societies, State, provincial, or regional institutions, and a large central bank. In the Raiffeisen system the central institution is the Central Agricultural Loan Bank, which has 13 branches, which serve as regional banks and through which the local societies do business. The central institution, which serves the local credit societies, which do not belong to the Raiffeisen system, is the Prussian Central Cooperative Bank of Berlin, which Prussia founded and endowed with a capital of $18,000,000.

Taking the short-term farm credit systems of the two great nations, France and Germany, as the best models from which to copy our system of short-term farm credit, we must have, first, local credit societies; second, regional banks of some kind, with which the local societies will do business; and, third, some kind of a central institution of large capital and resources, which will bring the individual farmer, through the local societies and the regional banks, in touch with the great reservoirs of credit of the nation. We must follow France, which utilizes the Bank of France for this purpose, or we must follow Germany, which has created and endowed a great central institution for this purpose. I believe the French policy is the better one. Our Federal reserve banks, in their position in our banking and currency and credit system, occupy the same position that the Bank of France occupies in the banking, currency, and credit system of France. I am, therefore, in favor of making our Federal reserve banks an important factor in providing suitable short-term credit to the farmers of the United States, and thus giving the 6,500,000 farmers of the United States a front seat in our great national banking, currency, and credit system.

APPENDIX A.

A bill (H. R. 8827) to provide short-term credit for the farmers of the United States, and for other purposes.

Be it enacted, etc., That the short title of this act shall be "The national farm-credit act." Its administration shall be under the direction of the Federal Farm Loan Board, which shall have the same power of supervision and control over national farm-credit banks and Federal farm-credit societies, created under this act, that it has over Federal land banks and national farm-loan associations created under the "Federal farm-loan act." That the provisions of said last-named act, in so far as they may be applicable and not in conflict with the provisions of this act, are hereby reenacted and made applicable to national farm-credit banks, Federal farm-credit societies, their directors, officers, assistants, clerks, other employees, persons, and corporations, and the provisions of sections 29, 31, 33, and 34 are hereby specifically reenacted and made applicable as aforesaid.

The Federal Farm Loan Board shall fix what proportion of the expense of operating the Federal land bank and the national farm-credit bank of each Federal land-bank district shall be paid by each of said banks.

DEFINITIONS.

SEC. 2. That the term "farm-credit debenture" shall be held to include all debentures secured by collateral deposited with the farm-loan registrar under the terms of this act; the terms "national bank" and "national banking association," used in this act, shall be held to be synonymous and interchangeable; and the term "member bank" shall be held to mean any national bank, State bank, or bank or trust company which has become a member of one of the reserve banks created by the Federal reserve act, approved December 23, 1913.

FARM-LOAN REGISTRAR.

SEC. 3. That the farm-loan registrar of each Federal land bank district shall bear the same relation with reference to the national farm-credit bank of said district, and the issue of farm-credit debentures, that he now bears with reference to the Federal land bank of said district, and the issue of farm-loan bonds, and said registrar shall exercise similar powers and perform similar duties relative thereto in addition to duties specifically prescribed herein.

NATIONAL FARM-CREDIT BANKS.

SEC. 4. That there is hereby created in each Federal land-bank district a national farm-credit bank, with its principal office located in the same city and in the same building wherein the Federal land bank of said district is located.

The directors of each Federal land bank, at the time of the passage of this act, shall be the temporary directors of the national farm-credit bank in the Federal land-bank district wherein such national farm-credit bank is located. They shall give such bonds, receive such compensation as the Federal Farm Loan Board shall prescribe, and from their number the Federal Farm Loan Board shall choose a president, vice president, secretary, and treasurer of said board. Thereafter each national farm-credit bank and each Federal land bank located in the same Federal land bank district shall be under the management of the same directors, who shall utilize, so far as practical, the same officers, attorneys, experts, assistants, clerks, laborers, and other employees in the management of the business of said banks.

The said temporary directors shall make an organization certificate, containing in substance that which is required in the organization of Federal land banks as provided in section 4 of the Federal farm-loan act, and upon duly making and filing of said organization certificate the bank shall become as from the date of the execution thereof a body corporate, and as such and in the name designated in said certificate shall have the same powers as are conferred upon Federal land banks in the aforesaid section 4 of said "Federal farm-loan act," and such additional powers as may be herein granted.

Thereafter the board of directors of every Federal land bank and of every national farm-credit bank shall be selected as hereinafter specified and shall consist of nine members, each holding office for three years. Six of said directors shall be known as local directors, three of whom shall be chosen by and be representative of national farm-loan associations, and three of whom shall be chosen by and be representative of Federal farm-credit societies. The remaining three directors shall be known as district directors and shall be appointed by the Federal Farm Loan Board and shall represent the public interest. Any provision in section 4 of the Federal farm-loan act in conflict with the provisions of this paragraph is hereby repealed. No director, officer, or employee of any kind or character shall have any increase in his salary or pay by reason of being in the service of both the said banks, unless authorized by the Federal Farm Loan Board.

CAPITAL OF NATIONAL FARM-CREDIT BANKS.

SEC. 5. That every national farm-credit bank shall have, before beginning business, a subscribed capital stock of not less than $1,000,000, divided into shares of $5 each. That the provisions of section 5 of the Federal farm-loan act relative to subscriptions to the capital stock of Federal land banks, in so far as the same may be applicable, are hereby made applicable to subscriptions to the capital stock of national farm-credit banks.

If within 30 days after the opening of subscription books therefor any part of the minimum capital stock of $1,000,000 shall remain unsubscribed, it shall be the duty of the Secretary of the Treasury to subscribe the balance thereof on behalf of the United States, and the Secretary of the Treasury is hereby authorized and directed to take out shares corresponding to the unsubscribed balance and pay for the same out of any moneys in the Treasury not otherwise appropriated.

RESERVES AND DIVIDENDS.

SEC. 6. That the Federal Farm Loan Board shall prescribe what proportion of the net earnings of national farm-credit banks shall semi-annually be carried to the reserve account, what amount of reserve shall be maintained before dividends shall be paid, and prescribe at what time notes upon which payment of either interest or principal is in default shall be deducted from the assets thereof, and how the reserves of such banks shall be invested and safeguarded.

REPORTS.

SEC. 7. That the Federal Farm Loan Board shall annually make a full report of its operations and of the business, financial condition, assets, expenditures, number of employees, their salaries, and other appropriate information of each of the national farm-credit banks. Said report shall be made to the Speaker of the House of Representatives, who shall cause the same to be printed for the information of Congress.

National farm-credit banks shall make quarterly and annual reports to the Federal Farm Loan Board, including such information as shall be required by said board.

DEPOSITS, LOANS, AND INDORSEMENTS.

SEC. 8. That every national farm-credit bank may receive deposits, pay interest thereon, borrow money, loan its funds to Federal farm-credit societies, issue and sell debentures as provided in this act, indorse notes received from Federal farm-credit societies to any individual, bank or corporation, including any Federal reserve bank, for the purpose of having said notes discounted or rediscounted: *Provided*, That no Federal farm-credit society shall at any time borrow money or be indebted in a sum in excess of ten times the amount of its paid-up capital stock.

DISCOUNT BY FEDERAL RESERVE BANKS.

SEC. 9. That upon the indorsement of any member bank of the Federal Reserve System, or of any national farm-credit bank, any Federal reserve bank may rediscount notes taken by any Federal farm-credit society in the usual course of business, or the notes of such society which have a maturity, at the time of discount, of not more than one year.

GOVERNMENT DEPOSITARIES.

SEC. 10. That all national farm-credit banks organized under this act, when designated for that purpose by the Secretary of the Treasury, shall be depositaries of public money, except receipts from customs; they may also be employed as financial agents of the Government, and as such depositaries and agents shall perform all such reasonable duties as the Government may require.

Said banks may loan to Federal farm-credit societies such percentage of Government deposits as may be prescribed by the Secretary of the Treasury, and under such conditions and regulations, with reference to the security therefor, as said Secretary may prescribe to insure the payments thereof.

SPECIAL DEPOSIT FOR LOAN PURPOSES.

SEC. 11. That the Secretary of the Treasury is hereby authorized to deposit with national farm-credit banks a sum of money not to exceed in the aggregate $12,000,000 in any one calendar year to be loaned by said banks to Federal farm-credit societies in such amounts, at such rates of interest not to exceed 5 per cent per annum, with such security, and under such rules and regulations as shall be prescribed by the Federal Farm Loan Board with the approval of the Secretary of the Treasury.

FARM-CREDIT DEBENTURES.

SEC. 12. That any national farm-credit bank may issue farm-credit debentures under the terms of this act, with the approval of the Federal Farm Loan Board, when application therefor is made through the farm-loan registrar. With said application said bank shall tender the said registrar, as collateral security, the notes of Federal farm-credit societies duly indorsed or assigned to said bank or United States Gov-

ernment or Federal farm-loan bonds, not less in aggregate amount than the sum of the debentures proposed to be issued.

On approval for an issue of farm-credit debentures, the said registrar shall proceed as soon as practicable thereafter to secure the execution of said debentures and the delivery thereof to said bank. The notes accepted as collateral security for the issue of farm-credit debentures shall be assigned to said registrar in trust and shall be held by him as collateral security for the payment thereof.

The Federal Farm Loan Board shall prescribe rules regulating the redemption of said notes or bonds, allowing the substitution of other notes and bonds for any portion thereof, and for the safeguarding of such securities in the hands of the registrar.

Debentures issued by any national farm-credit bank shall not exceed the amount of collateral security pledged therefor, or be more than ten times the amount of the capital stock of said bank.

The debentures shall be issued in denominations of $10, $25, $50, $100, $500, and $1,000, shall run for such time as may be prescribed by the Federal Farm Loan Board, shall bear a rate of interest not to exceed 5 per cent per annum, shall be in such form and in series of such amounts as the Federal Farm Loan Board shall prescribe, and may be issued as coupon bonds with coupons for interest payments attached or as registered bonds, and the same shall be interchangeable.

That the provisions of the Federal farm-loan act relative to the preparation, engraving, and delivery of farm-loan bonds are hereby made applicable to farm-credit debentures.

LIABILITY OF NATIONAL FARM-CREDIT BANKS.

SEC. 13. That every national farm-credit bank issuing farm-credit debentures shall be primarily liable therefor, and shall also be liable, upon presentation of farm-credit debenture coupons, for interest payments due upon any farm-credit debenture issued by other national farm-credit banks, and remaining unpaid in consequence of the default of such other national farm-credit bank; and every such bank shall likewise be liable for such portion of the principal of farm-credit debentures, so issued, as shall not be paid, after the assets of any such other national farm-credit bank shall have been liquidated and distributed: *Provided*, That such loss, if any, either of interest or of principal, shall be assessed by the Federal Farm Loan Board against solvent national farm-credit banks liable therefor in proportion to the amount of farm-credit debentures which each may have outstanding at the time of such assessment.

Every national farm-credit bank shall be primarily liable for all its contracts, debts, liabilities, and financial obligations of every kind and character; and every such bank shall likewise be liable for such portion of the debts, liabilities, and financial obligations of any other such bank which shall not be paid after the assets thereof shall have been liquidated and distributed: *Provided*, That such losses, if any, shall be assessed by the Federal Farm Loan Board against solvent banks liable therefor in proportion to the amount of their capital stock at the time of such assessment: *Provided further*, That the Federal Farm Loan Board may, by order duly made, create and establish a guaranty fund to which all such banks shall be required to contribute an equitable amount annually and from which shall be paid any of the debts, liabilities, and financial obligations of any such society after the assets thereof shall have been liquidated and distributed; but the creation of such guaranty fund shall in no way relieve any such bank from its liability to make further contribution under any assessment which shall be made by the Federal Farm Loan Board under the provisions of this section.

Every national farm-credit bank shall, by specific provision in its organization certificate, and by appropriate action of its board of directors, duly recorded in its minutes, obligate itself to become liable as provided in this section.

Farm-credit debentures shall be signed by the president of the bank issuing the same and attested by its secretary, and contain such other matter as may be prescribed by the Federal Farm Loan Board.

Coupon or interest payments upon debentures shall be payable at the national farm-credit bank by which they were issued, in gold or lawful money, and on payment shall be duly canceled by said bank. The Federal Farm Loan Board may authorize such payment at any national farm-credit bank or at any other bank.

The Federal Farm Loan Board may, by rule and regulation not inconsistent with the provisions of this act, further regulate the control of the issue and payment of farm-credit debentures and the application of payments thereon.

FEDERAL FARM-CREDIT SOCIETIES.

SEC. 14. That corporations, to be known as Federal farm-credit societies, may be organized by 10 or more natural persons under the provisions of this act and under such rules, regulations, and organization certificate as shall be prescribed by the Federal Farm Loan Board. Such application for incorporation shall be made in duplicate and transmitted to the national farm-credit bank of the Federal land-bank district in which said society is proposed to be incorporated. Said bank, after obtaining such information as desired, shall divide the county wherein the proposed society is located into districts. Thereafter but one of such societies shall be organized in each of the said districts so formed, except by special order of the Federal Farm Loan Board: *Provided*, That the said board may thereafter, upon proper showing and by order duly made, change the boundaries of said districts and either increase or decrease the number thereof. Any national farm-credit bank receiving an application for incorporation of a Federal farm-credit society, after dividing the county in which said society is to be located into districts as aforesaid, shall transmit one copy of the organization certificate to the Federal Farm Loan Board and retain the other copy thereof.

Upon duly making and filing its organization certificate with the Federal Farm Loan Board, the society shall become, as from the date of the execution of its organization certificate, a body corporate, and as such, and in the name designated in its organization certificate, it shall have power—

First. To adopt and use a corporate seal.

Second. To have succession until it is dissolved by act of Congress or under the provisions of this act.

Third. To make contracts.

Fourth. To sue and be sued, complain, interplead, and defend, in any court of law or equity, as fully as natural persons.

Fifth. To elect and appoint directors, and by its board of directors to elect a president and vice president, and appoint a secretary-treasurer and such other officers and employees as may be prescribed by the Federal Farm Loan Board.

Sixth. To prescribe by its board of directors, subject to the regulation of the Federal Farm Loan Board, by-laws not inconsistent with law.

Seventh. To exercise by its board of directors, or duly authorized officers or agents, all such incidental powers as shall be necessary to carry on the business of such society as herein authorized.

Eighth. To acquire and dispose of such property, real or personal, as may be necessary or convenient for the transaction of its business.

Ninth. To indorse, and thereby become liable for the payment of notes taken from its shareholders, to loan its funds to shareholders who are actively engaged in agriculture, for productive purposes only; to borrow money; and to transact such other business and perform such other acts as shall be provided in this act.

DIRECTORS AND OFFICERS.

SEC. 15. That Federal farm-credit societies shall be managed by a board of five directors, who shall be named in the organization certificate, and who shall serve until their successors shall be elected and qualified.

By a majority vote, such directors shall elect a president, vice president, and secretary-treasurer of said board. After the organization of such society, directors shall be elected by a majority vote of the stockholders of said corporation. In such election, and in all other business before the shareholders, each shareholder shall have but one vote. The secretary-treasurer may not be a director or shareholder in said society. Directors shall be citizens of the United States, residents of the State and county in which such corporation is located, and shall be persons actively engaged in the business of farming. They shall give such bonds as shall be prescribed by the Federal Farm Loan Board.

The duties of directors and officers of Federal farm-credit societies shall be such as are prescribed herein and such as usually pertain to directors and officers of national-banking associations, and they shall serve without salary.

It shall be the duty of the secretary-treasurer of every Federal farm-credit society to act as custodian of its funds, notes, securities, papers, records, and other property. The board of directors shall designate some State or National bank as the depository of the society. The secretary-treasurer shall deposit all the funds of the society in such depository and provide, either in such depository or elsewhere, some safe and secure place in which he shall keep the notes, securities, records, and papers of such society. He shall receive such compensation as shall be fixed by the directors, subject to the approval of the Federal Farm Loan Board.

DEPOSITORIES, LOANS BY NATIONAL BANKS.

SEC. 16. That every member bank of the Federal Reserve System, when designated as the depository of any Federal farm-credit society, is hereby required to act as such, and every State bank, when so designated, may act as such.

Any bank acting as the depository of a Federal farm-credit society shall pay such interest on the deposits of such society as shall be agreed upon. Every national or other bank is authorized to make loans to any Federal farm-credit society on such terms and security as may be agreed upon, and any State bank may make loans to the society when the same is not in violation of the laws of the State in which it is located.

Every national or other bank is authorized to act as secretary-treasurer of any Federal farm-credit society, and any State bank may so act when not in conflict with the laws of the State in which it is incorporated, and any officer of said banks may so act.

SUPERVISION.

SEC. 17. That the Federal Farm Loan Board shall provide for careful supervision and examination of Federal farm-credit societies and is authorized to make special rules and regulations to insure economical administration thereof.

REPORTS.

SEC. 18. That Federal farm-credit societies shall make monthly, quarterly, and annual reports to the national farm-credit bank of the district in which they are located, in such form and covering such information as shall be prescribed by the Federal Farm Loan Board.

CAPITAL STOCK OF FEDERAL FARM-CREDIT SOCIETIES.

SEC. 19. That every Federal farm-credit society shall have, before beginning business, a subscribed cash capital of not less than $2,500, exclusive of capital subscribed by prospective borrowers.

The Federal Farm Loan Board is authorized to prescribe the times and conditions of the payment of subscriptions to the capital stock, to reject any subscription in its discretion, and to require subscribers to furnish adequate security for the payment thereof.

The capital stock of each Federal farm-credit society shall be divided into shares of $1 each, and may be subscribed for and held by any individual, firm, or corporation, or by the Government of any county, municipality, State, or of the United States.

Stock held by borrowers of Federal farm-credit societies shall not be transferred or hypothecated, and the certificates therefor shall so state.

Stock owned by the Government of the United States in Federal farm-credit societies shall receive no dividends, but all other stock shall share in dividend distributions without preference.

It shall be the duty of the directors of every Federal farm-credit society, as soon as practicable after the charter for such society has been issued, to open books of subscription to the capital stock of said society. Every person subscribing to the capital stock thereof shall indicate whether or not he intends to become a borrower from said society. If within 30 days after the opening of said books any part of the minimum capitalization of $2,500 herein prescribed for Federal farm-credit societies, exclusive of subscriptions made by prospective borrowers, shall remain unsubscribed, it shall be the duty of the Secretary of the Treasury to subscribe the balance thereof on behalf of the United States, said subscription to be subject to call, in whole or in part, by the board of directors of said national farm-credit society upon 30 days' notice, with the approval of the Federal Farm Loan Board; and the Secretary of the Treasury is hereby authorized and directed to take out shares corresponding to the unsubscribed balance as called, and to pay for the same out of any moneys in the Treasury not otherwise appropriated.

It shall be the duty of the Federal Farm Loan Board to prescribe rules, regulations, and conditions upon which the Secretary of the Treasury shall pay for said stock, and may require the directors and officers of said society to give bond or other security for safeguarding said funds.

The Government of the United States shall have no vote for the shares of stock held by it at meetings of shareholders, but the Federal Farm Loan Board shall prescribe rules and regulations for the protection of the interests of the Government on account of stock held by it.

After the subscriptions to the capital stock of any Federal farm-credit society, exclusive of the amount subscribed by the Government of the United States, shall amount to $25,000, the stock held by the Government of the United States shall be canceled and retired, and the said Government shall be paid the par value thereof. The retirement of said stock and the payment thereof to the Government shall be made semi-annually and shall cover such a period of years as shall be prescribed by the Federal Farm Loan Board.

Every Federal farm-credit society shall keep a certain amount of its capital stock in quick assets, the character of such assets and the amount thereof to be prescribed by the Federal Farm Loan Board, and said board shall further prescribe for any additional reserve fund to be kept and maintained by said society.

LOANS.

SEC. 20. That Federal farm-credit societies shall make loans only to shareholders who are farmers. No loan shall be made for less than $10 nor for more than $1,000 or for a longer time than one year. No loan shall be made to a shareholder in an amount greater than 10 times the paid-up capital stock he holds in said society. The stock held in such societies by any borrower therefrom shall not be transferable and shall be held as collateral security for the payment of any loan made to such borrower, but such shareholder shall be paid any dividends accruing on said capital stock while it is outstanding. Any shareholder who has been a borrower may on his request, on payment of his note in full, have his stock canceled, and he shall thereupon be paid an amount in cash equal to the par value of his stock, or have the same applied in final payment of his note, subject to any reduction that may be necessary to pay the proportionate share of said stock to meet any impairment of the capital of any society at the time payment may be made.

That before the organization certificate shall be issued to any Federal farm-credit society the national farm-credit bank under which said society is to operate may investigate the solvency and character of the applicants for such certificate, and then determine whether in their judgment a charter should be granted to it, and make report thereof for the action and approval of the Federal Farm Loan Board.

Any person desiring to borrow money from a Federal farm-loan society shall make written application to purchase stock in said society equal to one-tenth of the amount of the loan desired, and may reserve the right to pay for said stock out of the proceeds of said loan. No loan shall be made except on the written approval of at least three of the directors.

The directors of any Federal farm-credit society may appoint among its shareholders such committees as may be necessary to aid it in transacting its business.

Federal farm-credit societies are prohibited from incurring indebtedness for administration expenses which in any way impairs the minimum capital required in the organization of such societies.

Federal farm-credit societies in borrowing money, except when borrowing money from a national farm-credit bank, shall secure said loans by the notes of its members or by other collateral security; and in no case shall any sum be borrowed in excess of 90 per cent of the face value of the notes or other collateral securing said loan.

Every Federal farm-credit society, when it shall sell any of the notes of its members, or shall discount the same, shall set aside 10 per cent of the proceeds thereof to the reserve fund of the society, and the same shall be used thereafter only for such purpose or purposes as shall be provided for said reserve fund.

DEBTS AND OBLIGATIONS OF FEDERAL FARM-CREDIT SOCIETIES.

SEC. 21. That every Federal farm-credit society shall be primarily liable for all its contracts, debts, liabilities, and financial obligations of every kind and character; and every such society shall likewise be liable for such portion of the debts, liabilities, and financial obligations which shall not be paid after the assets of any other such society shall have been liquidated and distributed: *Provided*, That such losses, if any, shall be assessed by the Federal Farm Loan Board against solvent societies liable therefor in proportion to the amount of their capital stock at the time of such assessment: *Provided further*, That the Federal Farm Loan Board by order duly made may create and establish a guaranty fund to which all Federal farm-credit societies shall be required to contribute an equitable amount annually and from which shall be paid any of the debts, liabilities, and financial obligations of any such society after the assets thereof shall have been liquidated and distributed, but the creation of such guaranty fund shall in no way relieve any Federal farm-credit society from its liability to make further contribution under any assessment which may be made by the Federal Farm Loan Board under the provisions of this section.

Every Federal farm-credit society shall in its application for incorporation assume the financial liability provided in this section and its organization certificate shall so specify.

RESPONSIBILITY OF SHAREHOLDERS.

SEC. 22. That shareholders of every Federal farm-credit society shall be held individually responsible, equally and ratably and not one for another, for all contracts, debts, and engagements of such society to the extent of the amount of stock owned by them at the par value thereof. Stock held in Federal farm-credit societies shall not be transferable.

The stock held by any shareholder in any Federal farm-credit society shall be held in trust by such society to meet the obligations of any shareholder as a member of said society, and shall be exempt from any debt, judgment lien, execution, attachment, or other process issued out of any State court, or out of any court of the United States.

EXEMPTION FROM TAXATION.

SEC. 23. That every national farm-credit bank and every Federal farm-credit society, including the capital and reserve or surplus thereof, and the income derived therefrom, shall be exempt from Federal, State, municipal, and local taxation, except taxes upon real estate held, purchased, or taken by said bank or society, under the provisions of this act.

Notes and other legal obligations executed to Federal farm-credit societies, or to national farm-credit banks, and farm-credit debentures issued under the provisions of this act shall be deemed and held to be instrumentalities of the Government of the United States, and as such they, and the income derived therefrom, shall be exempt from Federal, State, municipal, and local taxation.

LOANS BY FEDERAL FARM-CREDIT SOCIETIES.

SEC. 24. That any Federal farm-credit society desiring to borrow money of a national farm-credit bank shall execute its note, duly signed by the president of the board of directors and the secretary-treasurer of said society, and shall transmit as collateral security therefor the duly indorsed notes of its shareholders, in amount not less than the face of the loan applied for, and shall subscribe for stock in said national farm-credit bank in an amount equal to one-tenth of the face of said loan, which stock shall be held in trust as collateral security for the payment of said loan.

That when payments of interest or principal shall be made on any such note, the same shall be held as a trust fund for the payment of such notes and the note of the Federal farm-credit society secured thereby. All such payments shall be forthwith credited on the note of the society and the note of the shareholder paying the same.

RATE OF INTEREST.

SEC. 25. That Federal farm-credit societies shall not charge a rate of interest in excess of 6 per cent per annum.

National farm-credit banks shall not charge any Federal farm-credit society a rate of interest in excess of 5½ per cent per annum, and in no case shall any national farm-credit bank charge a Federal farm-credit society a rate of interest which exceeds by more than one-half of 1 per cent annually the rate of discount paid by said bank, or the rate of interest it pays on borrowed money.

LOAN COMMITTEE.

SEC. 26. That the president, vice president, and one other director, to be elected by the board of directors, shall constitute the loan committee of each Federal farm-credit society. Said committee shall investigate and report upon the character of each applicant for a loan, and as to the security offered therefor. No loan shall be made except upon the approval of a majority of the board of directors.

SECURITY FOR LOANS.

SEC. 27. That Federal farm-credit societies shall make loans only when secured as follows:

(a) By the signature of two responsible indorsers.

(b) By a chattel mortgage upon personal property worth at least double the amount of the loan.

(c) By a chattel mortgage upon growing crops when secured also by at least one responsible indorser.

(d) By the delivery of bonds, notes, or other securities in such amount and of such a character as shall afford ample security for the loan.

(e) By such other security as may be prescribed by the Federal Farm Loan Board.

REPEALING CLAUSE.

SEC. 28. That all acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. The right to amend, alter, or repeal this act is hereby expressly reserved.

Mr. HAUGEN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. JUUL].

Mr. JUUL. Mr. Chairman, some years ago as a member of a senatorial committee in my State, I visited the State University at Champaign and Urbana. Among the interesting things shown to the senators were certain machines for testing the resisting powers of wood and metals.

I remember certain machines for testing timber; an upright piece of wood several feet long and probably 6 inches by 6 inches was placed in this machine and pressure was applied. Over the machine was an indicator, like a steam gauge, that recorded hundreds and thousands of pounds of pressure applied to the wood by the machine. I believe that finally, under ever so many thousand pounds of pressure, the fiber in the wood gave way and, technically speaking, it "failed." The test had shown the number of thousands of pounds that that particular kind of wood could stand. Under the Constitution and laws of the United States it was contemplated that the enormous pressure that this world war is forcing upon the Congress was to be divided in approximately 434 parts, each part or unit of the House to stand at least a share of it, so that no single man should go to pieces or fail, either physically or mentally, trying to stand up under the strain all alone or by himself. [Laughter.]

But by virtue of some system probably in vogue for many years, before I and many of the gentlemen came here, it seems that the burden of the Government unjustly rests upon a very few gentlemen. I am now judging the situation by reading the CONGRESSIONAL RECORD, where I find that one gentleman addressed the House and had his name printed in the RECORD 118 times in one single day. [Laughter.]

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. JUUL. Oh, I will be through in half a minute.

Mr. GARRETT of Tennessee. Does the gentleman think it is entirely fair to make these remarks in the absence of the gentleman from Wisconsin [Mr. STAFFORD]?

Mr. JUUL. I have mentioned no names. I want to say to the gentleman that once we had a police official out in Chicago who called the policemen together one morning in the squad room and said, "I am not going to mention any names, but if Schultz don't stop drinking, some policeman is going to lose his star." [Laughter.]

The question that is naturally agitating my mind is whether the one man or the few men having to stand the enormous strain have failed under it, or whether the four hundred and thirty-odd gentlemen have failed under the strain of watching the few gentlemen fail under the system of placing this enormous burden upon the shoulders of half a dozen men. As a failure it is best illustrated by the fact that the great number of men in the House have become so tender-hearted that the moment the grind starts and the few gentlemen start in addressing the House, thereby assuming all the burdens, all the rest of the Members desert the Hall and walk out of the building. [Laughter.] Did I say walk? No; I was mistaken; they do not walk out, they run out; and it is necessary to ring a bell

three times to bring them back, and when they do come back and find that the same four or five gentlemen are still under the pressure, trying to carry the burden that 433 men should divide and carry, these four hundred-odd men immediately, when they have responded to their names, feel so badly that as soon as they have answered "Here" to the call of their names, they again run out, feeling that things are being attended to so much better than they could possibly attend to them. [Laughter.]

If one of the gentlemen who has come over to respond to his name should for a moment forget himself and ask for permission to help carry the burden and watch the indicator, helping the few gentlemen to stand the strain, he is immediately jumped on, sat on, and squelched, and in unmistakable manner informed that the proper place for the four hundred-odd gentlemen is over in the House Office Building addressing envelopes and mailing seeds to their constituents in the rural districts. [Laughter.]

It is the hopeless situation created which compels the four hundred-odd gentlemen to come over and watch the indicator over the machine that is squeezing both the physical and mental life out of the half dozen gentlemen that have succeeded in emptying the Hall of Congress so that the average business is being transacted with about 30 gentlemen present. Count them now!

And to my mind the indicator is pointing out that 100 times a day for one gentleman, no matter what his attainments, is too much of a physical and mental strain, both for the gentleman who is to be under the terrific pressure and also for the four hundred-odd gentlemen who have to watch him to the point of breaking or failure. And let us be fair with one another. What would happen to a manager if he was running the biggest and best show on earth if he would send his star performer out to address the audience 118 times in a single evening? His show would "bust"; that is all. [Laughter.]

When all other means have failed to drive the Members away from the debates and back to the House Office Building the following may be tried successfully, and was tried the other day: A gentleman not of the select few has the audacity to attempt to participate in the debate and he is squelched by one of the select gentlemen in this manner: "Has not the gentleman illustrated the fact that a little learning is sometimes a very dangerous thing?"

In other words, a colleague on the floor is willing to hold up a brother Member as ignorant in order to take the "pep" and grit out of him and thus prevent him from ever coming back; and the gentleman who has used the floor over a hundred times in a single day rises and objects to another Member having a few minutes of the time of the House.

Verily, advertising is a good thing; and verily, verily, I say unto you that he who bloweth not his own horn, his horn it shall not be blowed. But is there not such a thing as blowing a horn a little too often? [Laughter.]

Gentlemen, I want to say this: I have come over on this floor and I have meant to participate. I have meant to work. I never was a shirker. I was the chairman of the committee on the judiciary in the senate of my State for a number of years, and I worked night and day; but I tell you it is mighty humiliating and awfully hard for all the new people to come in and be sat on and made to feel that they are not wanted. I do not mean to say that it is the intention of anybody to make any gentleman walk out of this Hall with that feeling in his heart; but I want to tell you that I have done it time and again when I have seen the younger Members stand up here only to have somebody sit on them because they knew the ins and outs of this business and the younger ones did not. I want to conclude by saying that you gentlemen who sit here and transact business every day are putting an entirely wrong gauge on the other fellows by thinking they are ignorant because they are silent. [Applause.]

Mr. LEVER. Mr. Chairman, I regret very much that the gentlemen to whom this speech might seem to appeal are not present, but I hope they will read it in the RECORD to-morrow.

Mr. JUUL. I want to say to the gentleman that I have not mentioned any names. I wanted particularly to refrain from doing so.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9054, the agricultural appropriation bill, and had come to no resolution thereon.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 195. An act providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 22 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Friday, January 25, 1918, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 3 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the chairman of the Federal Trade Commission, transmitting a preliminary report on the hide and leather situation, stating certain facts ascertained in an investigation of hides, leather, and leather products undertaken by the commission's resolution of December 31, 1917 (H. Doc. No. 857); to the Committee on Interstate and Foreign Commerce and ordered to be printed, with illustration.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Commissioners of the District of Columbia submitting a supplemental estimate of appropriation required for the repair of the fire boat of the fire department for the fiscal year 1918 (H. Doc. No. 858); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GREEN of Iowa (by request): A bill (H. R. 9215) imposing and levying a direct tax upon the real and personal property in the United States for the amount of each liberty loan during the present war; to the Committee on Ways and Means.

By Mr. DUPRÉ: A bill (H. R. 9216) to construct and equip a lighthouse depot for the eighth lighthouse district at New Orleans, La., or vicinity; to the Committee on Interstate and Foreign Commerce.

By Mr. PADGETT: A bill (H. R. 9217) to increase temporarily the enlisted strength of the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. BROWNE: A bill (H. R. 9218) to repeal an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and all amendments thereto; to the Committee on the Judiciary.

By Mr. DIES: A bill (H. R. 9219) to authorize the construction of a dam or dams, a lock or locks, and other works and constructions in and across Sabine Lake, at or near its mouth where it enters Sabine Pass, or at or near the mouth of the Neches and Sabine Rivers and between the said rivers, or at or near the mouth of either the Neches and Sabine Rivers, to conserve the freshness of the waters of the Neches and Sabine Rivers, or either of them, and to prevent the inflow of salt water into said rivers, or either of them; to the Committee on Interstate and Foreign Commerce.

By Mr. HILLIARD: A bill (H. R. 9220) to establish the Denver National Park, in the State of Colorado, and for other purposes; to the Committee on the Public Lands.

By Mr. ZIHLMAN: A bill (H. R. 9221) to increase the limit of cost and provide for the reconstruction of the Federal building at Hagerstown, Md.; to the Committee on Public Buildings and Grounds.

By Mr. COX: A bill (H. R. 9222) granting increases of pensions to soldiers of the Civil War under certain conditions; to the Committee on Invalid Pensions.

By Mr. RAINEY (by request): A bill (H. R. 9223) to amend the war-revenue act in relation to taxation of legacies and inheritances, and for other purposes; to the Committee on Ways and Means.

By Mr. EMERSON: Joint resolution (H. J. Res. 227) to pay the Garland Realty Co. rent for use of building for armory; to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUTLER: A bill (H. R. 9224) for the relief of Lieut. Richard Philip McCullough, United States Navy; to the Committee on Naval Affairs.

By Mr. CRAMTON: A bill (H. R. 9225) granting an increase of pension to Quail Erity; to the Committee on Invalid Pensions.

By Mr. COX. A bill (H. R. 9226) granting a pension to George W. Conrad; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9227) granting a pension to Hamilton T. Farris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9228) granting a pension to Henry T. Henson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9229) granting a pension to Louis Lady; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 9230) granting an increase of pension to Henry C. Snyder; to the Committee on Invalid Pensions.

By Mr. GLYNN: A bill (H. R. 9231) granting a pension to John M. Culver; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 9232) for the relief of Francis M. Myers or Francis Meyer; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 9233) granting an increase of pension to George B. McKechnie; to the Committee on Invalid Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 9234) to correct the military record of Frederick M. Phelps; to the Committee on Military Affairs.

By Mr. LOBECK: A bill (H. R. 9235) granting an increase of pension to John H. Travis; to the Committee on Invalid Pensions.

By Mr. OVERMYER: A bill (H. R. 9236) granting a pension to Dorcas A. Wilcox; to the Committee on Invalid Pensions.

By Miss RANKIN: A bill (H. R. 9237) granting a pension to Nick Hoffman; to the Committee on Pensions.

Also, a bill (H. R. 9238) granting a pension to Claude Wallace; to the Committee on Pensions.

Also, a bill (H. R. 9239) to authorize the Secretary of the Interior to issue patent to G. H. Beckwith for certain land within the Flathead Indian Reservation, Mont.; to the Committee on the Public Lands.

By Mr. ROMJUE: A bill (H. R. 9240) granting an increase of pension to Dwight Simpson; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 9241) granting a pension to Joseph H. Waters; to the Committee on Pensions.

By Mr. SNOOK: A bill (H. R. 9242) granting an increase of pension to David Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9243) granting a pension to Elizabeth Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9244) granting a pension to Robert S. Peterson; to the Committee on Pensions.

Also, a bill (H. R. 9245) for the relief of William L. Wiles; to the Committee on Military Affairs.

By Mr. WATSON of Pennsylvania: A bill (H. R. 9246) granting an increase of pension to Pearl Gertrude George; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Hawaiian Protective Association, relative to prohibition in Hawaii; to the Committee on Insular Affairs.

By Mr. CARY: Memorial of Milwaukee (Wis.) Pharmaceutical Association, favoring the Edmonds bill relative to Government recognizing pharmacy in the Army and Navy; to the Committee on Military Affairs.

By Mr. DALE of New York: Petition of the West Disinfecting Co., New York City, favoring Senator CALDER'S daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the chamber of commerce, Dover, N. J., protesting against increase of postage rates to periodicals; to the Committee on Ways and Means.

Also, petition of R. J. Caldwell & Co., urging the passage of the Chamberlain bill for universal military training; to the Committee on Military Affairs.

Also, memorial of Massachusetts Dairyman's Association, demanding the repeal of the postal-rates law with respect to periodicals; to the Committee on Ways and Means.

Also, resolution of the Farmers' Educational and Cooperative Union of America, adopted at its annual meeting at Jonesboro, Ark., earnestly protesting against any form of universal military training; to the Committee on Military Affairs.

Also, memorial of Buffalo Chamber of Commerce, Buffalo, N. Y., suggesting a treaty to provide for the diversion of additional power at Niagara Falls; to the Committee on Foreign Affairs.

Also, petition of the American Defense League of New York City, urging the passage within two weeks of an adequate food-conservation bill as a military necessity; to the Committee on Agriculture.

Also, resolution of the board of representatives of the Federal Employees' Union No. 2, Washington, D. C., protesting against the recommendation of the Postmaster General that the right of postal employees to organize be withdrawn; to the Committee on the Post Office and Post Roads.

Also, petition of I. T. Cross, Seattle, Wash., urging an increase of pensions to those veterans of the Civil War not in soldiers' homes; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: Petition of L. H. Schafer & Co., of Chicago, Ill., opposing repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

Also, petition of Bernard C. Steiner, librarian of the Enoch Pratt Free Library, of Baltimore, opposing the zone system for second-class postal rates; to the Committee on the Post Office and Post Roads.

Also, petition of I. T. Cross, of Seattle, Wash., favoring increase of Civil War pensions; to the Committee on Invalid Pensions.

Also, memorial of Sons and Daughters of Liberty, favoring the Burnett bill (H. R. 5667), relative to deportation of certain aliens, etc.; to the Committee on Immigration and Naturalization.

By Mr. HAMILTON of New York: Affidavits to accompany H. R. 8878, granting a pension to Mary Bursee; to the Committee on Invalid Pensions.

Also, affidavits to accompany H. R. 8876, granting a pension to Eliza Hess Smith; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: Petition of G. D. Crawford; C. S. Dell, president of John J. Greer & Co.; J. A. Bokel Co.; Maurice M. Osing; and the Melvale Distillery Co., all of Baltimore, Md., protesting against any reduction in postage rates for second-class matter; to the Committee on Ways and Means.

Also, a letter from the librarian of the Enoch Pratt Free Library and resolutions adopted by the Maryland State Federation of Women's Clubs, asking that the zonal postal rates for periodicals be repealed; to the Committee on Ways and Means.

Also, petition of M. Bates Stephens, secretary Maryland State Board of Education, favoring Senate bill 18, providing for a department of education with a secretary of education in the President's Cabinet; to the Committee on Education.

Also, petition of the Henry S. Wampole Co., protesting against the repeal of the present bankruptcy law; to the Committee on the Judiciary.

Also, petition of Maryland Council of Defense, asking that the franking privilege of the Government be extended to members of the National Council of Defense and to the chairman of every State council of defense; to the Committee on the Post Office and Post Roads.

Also, a memorial from the Garrison Boulevard Improvement Association, Baltimore, Md., favoring the Madden bill, House bill 1654; to the Committee on the Post Office and Post Roads.

Also, memorial of Federal Employees' Union No. 21 and the Baltimore Federation of Labor, urging the early passage of House bill 7356; to the Committee on Appropriations.

By Mr. MOORE of Pennsylvania: Resolutions adopted by the Lauderdale Board of Trade, urging Government improvement of the Florida Coast Line Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Memorial of J. B. Snyder, of Los Angeles, Cal., urging action to secure a greater supply of coal; to the Committee on Agriculture.

Also, memorial of Chamber of Commerce of Los Angeles, Cal., relative to punishment of disturbers of peace of our Government; to the Committee on Military Affairs.

Also, memorial of Half Century Club of America, Los Angeles, Cal., relative to appointment of Federal Interest Commission; to the Committee on Banking and Currency.

Also, petitions of Federal Employees Union, No. 2, American Federation of Labor, Washington, D. C., and Federal Trades Council, Eureka, Cal., against rulings of Postmaster General relative to privileges of post-office employees; to the Committee on the Post Office and Post Roads.

Also, memorial of San Francisco Labor Council, relative to higher compensation for postal employees; to the Committee on the Post Office and Post Roads.

Also, memorial of board of directors of the California State Automobile Association, relative to regulation of interstate use of automobiles; to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Petition of Mr. Frank H. Newhall, advocating the passage of House bill 5010, relative to salaries of the United States Steamboat-Inspection Service; to the Committee on the Merchant Marine and Fisheries.

By Mr. TAGUE: Memorial of board of representatives of Federal Employees Union No. 2, protesting against the withdrawal of the right of postal employees to organize in affiliation with other workers; to the Committee on the Post Office and Post Roads.

By Mr. VARE: Memorial of Federal Employees Union No. 2, against Postmaster General relative to organization by Government employees; to the Committee on the Post Office and Post Roads.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 25, 1918.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O God our Father, who searchest the inmost recesses of the heart, turn on the Divine light, we beseech Thee, and help us to realize our deficiencies as individuals and as a Nation; that we may measure up to the larger life, revealed in the Lord Jesus Christ; and conscientiously and efficiently do the work Thou hast given us to do, leaving the results to Thee, who doeth all things well; that we may have the approbation of our own conscience and at last receive the heavenly benediction, "Well done, good and faithful servant, enter thou into the joy of thy Lord." For thine is the Kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9054, the Agricultural appropriation bill.

The SPEAKER. The question is on going into the Committee of the Whole House on the state of the Union.

Mr. LONDON. Mr. Speaker, I make a point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present, and evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 299, not voting 129, as follows:

YEAS—299.

Alexander	Cary	Elliott	Hadley
Almon	Chandler, N. Y.	Ellsworth	Hamilton, Mich.
Anderson	Church	Elston	Hamlin
Ashbrook	Clark, Pa.	Emerson	Hardy
Aswell	Classon	Esch	Harrison, Miss.
Ayres	Claypool	Fairfield	Hastings
Bacharach	Collier	Fess	Haugen
Bankhead	Connally, Tex.	Fisher	Hawley
Barkley	Connelly, Kans.	Flood	Hayden
Barnhart	Cooper, W. Va.	Fordney	Hayes
Beakes	Cooper, Wis.	Foss	Heaton
Bell	Copley	Foster	Heflin
Beshlin	Cox	Francis	Helm
Black	Cramton	Freeman	Helvering
Blackmon	Crisp	French	Hensley
Blanton	Crosser	Fuller, Ill.	Hersey
Borland	Darrow	Fuller, Mass.	Hicks
Brand	Decker	Gallagher	Hilliard
Britten	Denison	Gallivan	Houston
Brodbeck	Denton	Gandy	Huddleston
Browne	Dewalt	Gard	Hull, Tenn.
Browning	Dickinson	Garner	Igoe
Brumbaugh	Dies	Garrett, Tenn.	James
Buchanan	Dill	Garrett, Tex.	Johnson, Ky.
Burnett	Dillon	Gillett	Johnson, Wash.
Burroughs	Dixon	Glass	Jones, Tex.
Butler	Dominick	Glynn	Juul
Byrnes, S. C.	Doolittle	Goodall	Kearns
Byrns, Tenn.	Doremus	Goodwin, Ark.	Keating
Campbell, Kans.	Doughton	Gordon	Kehoe
Campbell, Pa.	Dowell	Gould	Kelley, Mich.
Candler, Miss.	Drane	Graham, Ill.	Kelly, Pa.
Caraway	Dupré	Gray, Ala.	Kennedy, Iowa
Carew	Dyer	Green, Iowa	Kennedy, R. I.
Carter, Mass.	Eagle	Greene, Mass.	Key, Ohio
Carter, Okla.	Edmonds	Gregg	Kincheloe
King	Mays	Rogers	Stevenson
Kitchin	Merritt	Romjue	Stiness
Knutson	Miller, Minn.	Rose	Strong
Kraus	Montague	Rouse	Sumners
La Follette	Moon	Rowe	Sweet
Langley	Moore, Pa.	Rubey	Swift
Larsen	Moores, Ind.	Russell	Tague
Lazaro	Morgan	Sabath	Taylor, Ark.
Lea, Cal.	Neely	Sanders, Ind.	Taylor, Colo.
Lee, Ga.	Nelson	Sanders, La.	Temple
Lehlbach	Norton	Sanders, N. Y.	Thomas
Lenroot	Oldfield	Saunders, Va.	Thompson
Lesher	Oliver, Ala.	Schall	Tillman
Lever	Oliver, N. Y.	Scott, Iowa	Timberlake
Linthicum	Osborne	Scott, Mich.	Tinkham
Little	Overmyer	Sears	Towner
Littlepage	Overstreet	Sells	Treadway
Lobeck	Padgett	Sherwood	Van Dyke
London	Paige	Shouse	Vestal
Lonergan	Park	Siegel	Vinson
Lufkin	Peters	Sims	Voigt
Lundeen	Phelan	Sinnott	Volstead
Lunn	Platt	Sisson	Waldow
McAndrews	Polk	Slayden	Walsh
McArthur	Powers	Slemp	Walton
McClintic	Pratt	Sloan	Wason
McCoormick	Purnell	Smith, Idaho	Watson, Pa.
McFadden	Quin	Smith, Mich.	Watson, Va.
McKeown	Rainey	Smith, C. B.	Webb
McKinley	Raker	Snell	Welling
McLaughlin, Mich.	Ramseyer	Snook	Welty
McLaughlin, Pa.	Randall	Snyder	White, Me
McLemore	Rankin	Stafford	White, Ohio
Madden	Reavis	Steagall	Williams
Magee	Reed	Stedman	Wilson, Tex.
Mansfield	Robbins	Steele	Wingo
Mapes	Roberts	Steenerson	Young, N. Dak.
Martin	Robinson	Stephens, Miss.	Zihlman
Mason	Rodenberg	Sterling, Ill.	

NOT VOTING—129.

Anthony	Fairchild, G. W.	Kiess, Pa.	Scully
Austin	Farr	Kinkaid	Shackleford
Baer	Ferris	Kreider	Shallenberger
Bland	Fields	LaGuardia	Sherley
Booher	Flynn	Longworth	Small
Bowers	Focht	McCulloch	Smith, T. F.
Caldwell	Frear	McKenzie	Stephens, Nebr.
Cannon	Garland	Maher	Sterling, Pa.
Cantrill	Godwin, N. C.	Mann	Sullivan
Capstick	Good	Meeker	Switzer
Carlin	Graham, Pa.	Miller, Wash.	Talbott
Chandler, Okla.	Gray, N. J.	Mondell	Templeton
Clark, Fla.	Greene, Vt.	Morin	Tilson
Coady	Griest	Mott	Vare
Cooper, Ohio	Hamill	Mudd	Venable
Costello	Hamilton, N. Y.	Nicholls, S. C.	Walker
Crago	Harrison, Va.	Nichols, Mich.	Ward
Currie, Mich.	Haskell	Nolan	Watkins
Curry, Cal.	Heintz	Olney	Weaver
Dale, N. Y.	Holland	O'Shaunessy	Whaley
Dale, Vt.	Hollingsworth	Parker, N. J.	Wheeler
Dallinger	Hood	Parker, N. Y.	Wilson, Ill.
Davidson	Howard	Porter	Wilson, La.
Davis	Hull, Iowa	Pou	Winslow
Dempsey	Humphreys	Price	Wise
Dent	Husted	Ragsdale	Wood, Ind.
Dooling	Hutchinson	Ramsey	Woods, Iowa
Drukker	Ireland	Rayburn	Woodyard
Dunn	Jacoway	Riordan	Wright
Eagan	Johnson, S. Dak.	Rowland	Young, Tex.
Estopinal	Jones, Va.	Rucker	
Evans	Kahn	Sanford	
Fairchild, B. L.	Kettner	Scott, Pa.	

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. YOUNG of Texas with Mr. GARLAND.

Mr. DALE of New York with Mr. DALE of Vermont.

Mr. VENABLE with Mr. DAVIDSON.

Mr. CALDWELL with Mr. WILSON of Illinois.

Mr. THOMAS F. SMITH with Mr. WARD.

Mr. CARLIN with Mr. AUSTIN.

Mr. WRIGHT with Mr. DAVIS.

Mr. STEPHENS of Nebraska with Mr. BLAND.

Mr. WHALEY with Mr. WHEELER.

Mr. SHERLEY with Mr. CANNON.

Mr. WATKINS with Mr. WOOD of Indiana.

Mr. BOOHER with Mr. TILSON.

Mr. SMALL with Mr. DEMPSEY.

Mr. TALBOTT with Mr. TEMPLETON.

Mr. CLARK of Florida with Mr. BOWERS.

Mr. WILSON of Louisiana with Mr. RAMSEY.

Mr. CANTRILL with Mr. WOODS of Iowa.

Mr. SULLIVAN with Mr. DUNN.

Mr. WISE with Mr. CHANDLER of Oklahoma.

Mr. WALKER with Mr. PARKER of New York.

Mr. COADY with Mr. WINSLOW.

Mr. STERLING of Pennsylvania with Mr. GEORGE W. FAIRCHILD.

Mr. WEAVER with Mr. GOOD.

Mr. HARRISON of Virginia with Mr. ANTHONY.

Mr. SHALLENBERGER with Mr. BENJAMIN L. FAIRCHILD.

Mr. GODWIN of North Carolina with Mr. MORIN.

Mr. O'SHAUNESSY with Mr. MOTT.
Mr. JACOWAY with Mr. CURRIE of Michigan.
Mr. SHACKLEFORD with Mr. KAHN.
Mr. JONES of Virginia with Mr. MUDD.
Mr. OLNEY with Mr. SCOTT of Pennsylvania.
Mr. SCULLY with Mr. MEEKER.
Mr. MAHER with Mr. SANFORD.
Mr. RUCKER with Mr. MONDELL.
Mr. HAMILL with Mr. FARR.
Mr. KETTNER with Mr. NOLAN.
Mr. RIORDAN with Mr. MCKENZIE.
Mr. HOOD with Mr. NICHOLS of Michigan.
Mr. RAYBURN with Mr. MILLER of Washington.
Mr. FLYNN with Mr. LONGWORTH.
Mr. NICHOLLS of South Carolina with Mr. KREIDER.
Mr. PRICE with Mr. KINKAID.
Mr. POU with Mr. KIESS of Pennsylvania.
Mr. HUMPHREYS with Mr. IRELAND.
Mr. HOWARD with Mr. HUTCHINSON.
Mr. HOLLAND with Mr. HUSTED.
Mr. FERRIS with Mr. HOLLINGSWORTH.
On this roll call:
Mr. FIELDS with Mr. COOPER of Ohio.
Mr. EVANS with Mr. FOCHT.
Mr. ESTOPINAL with Mr. HASKELL.
Mr. EAGAN with Mr. FREAR.
Mr. DOOLING with Mr. GRIEST.
Mr. DENT with Mr. GREENE of Vermont.
Mr. DALE of New York with Mr. GRAY of New Jersey.

Mr. BROWNING. Mr. Speaker, I shall vote "aye," although I have a pair with my colleague from Maryland, Mr. TALBOTT. If he were present, he would vote "aye" also.

The name of Mr. BROWNING was called, and he answered "Yea."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

PENSIONS.

Mr. SAUNDERS of Virginia. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Virginia rise?

Mr. SAUNDERS of Virginia. I want to submit a request for unanimous consent. I have conferred with the gentleman from South Carolina, the chairman of the Committee on Agriculture, that has charge of the bill now under consideration, and I wish to make a unanimous-consent request that as the first legislative business to-morrow we take up the bill H. R. 9160, which is a bill from the Invalid Pensions Committee, providing pensions and increase of pensions.

The SPEAKER. The gentleman from Virginia [Mr. SAUNDERS] asks unanimous consent that the first legislative bill to be considered to-morrow shall be the bill from the Invalid Pensions Committee. Is it an appropriation bill?

Mr. SAUNDERS of Virginia. It is an appropriation bill.

Mr. GILLETT. I suppose that is because we give up to-day, which is regular pension day.

Mr. SAUNDERS of Virginia. Yes. I will say in that connection that the bill is only a short one, and will take but 15 or 20 minutes.

Mr. LEVER. Mr. Speaker, in view of the statement of the gentleman from Virginia that this bill will only take a few minutes in the morning, so far as I am concerned I have no objection.

The SPEAKER. These bills never take any considerable length of time. Is there objection to the request of the gentleman from Virginia?

There was no objection.

WIDOWS' PENSIONS.

Mr. ASHBROOK. Mr. Speaker, I wish to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ASHBROOK. The bill H. R. 9093, a bill to amend the widows' pension bill, appears on the House Calendar. I wish to inquire if it should not appear on the Union Calendar?

The SPEAKER. What is it?

Mr. ASHBROOK. It is a bill to amend the widows' pension bill. Of course it calls for an appropriation.

The SPEAKER. Is it a general bill?

Mr. ASHBROOK. It is a general bill.

The SPEAKER. Then, of course, it ought to be on the Union Calendar.

Mr. ASHBROOK. Mr. Speaker, I then ask unanimous consent that the bill H. R. 9093 be transferred to the Union Calendar, and also that it appear on the calendar before the bill H. R. 3547, which is a bill from the Committee on Invalid Pensions, as it was the understanding of the committee that the bill H. R. 9093 should first be reported.

The SPEAKER. You do not have to have any consent. The Chair puts it on the calendar as an original date.

Mr. ASHBROOK. A further inquiry. I wish to know, in view of the fact that the bill H. R. 3547 now appears on the Union Calendar as No. 93, whether or not this bill, now having been transferred to the Union Calendar, will follow H. R. 3547?

The SPEAKER. It is transferred as of the original date.

Mr. ASHBROOK. Both bills were filed the same day, but H. R. 9093 was filed first, with the understanding that it should so appear on the calendar.

The SPEAKER. Understanding with whom?

Mr. ASHBROOK. In the committee; and it was filed first by the clerk of the committee.

The SPEAKER. Well, the Clerk will put them on the calendar that way.

AGRICULTURE.

The motion that the committee resolve itself into the Committee of the Whole House on the state of the Union was agreed to.

Accordingly the committee resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9054, with Mr. CRISP in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919.

Mr. LEVER. Mr. Chairman, I yield 30 minutes to the gentleman from Mississippi [Mr. CANDLER]. [Applause.]

Mr. CANDLER of Mississippi. Mr. Chairman and gentlemen of the House, I am very much gratified to be received, as I have been this morning, with the cheers of my fellow Members. [Applause.] It must be this splendid bill under consideration, however, you applaud, rather than me.

This bill presented by the Committee on Agriculture for your consideration deals only with the activities of the department itself. It was thought best that the appropriation bill be confined to the activities of the department and not enter upon any other field, but to reserve the other matters which may come up subsequently for further consideration, to be presented in another bill at the proper time.

If the membership will take occasion to read and to examine the very splendid report made by the distinguished chairman of the Committee on Agriculture [Mr. LEVER], on behalf of the committee, they will find a full and complete explanation of practically every provision in the bill, rendering it unnecessary to enter into a detailed discussion. Suffice it, therefore, to say this bill carries a total amount of $26,943,773. This is an apparent increase of $1,014,660 over the appropriation for the year 1918.

In the consideration of the bill the committee had before it representatives of the department, explaining its various provisions and the necessity for the appropriation. In some instances, as shown by the decrease in special items in the appropriation, it was thought by the committee necessary to make these reductions. In some instances increases were made in some of the provisions recommended by the department for justifiable reasons presented to us at the time. This shows that the bill received in all of its details full and careful consideration by the committee, and that it is a bill presenting in substance the best judgment of the whole committee in reference to the matters with which it deals. Therefore I trust when we come to the consideration of the bill for amendment under the five-minute rule, that there will be no captious objections or any unnecessary delay in the consideration of its various provisions, but that the Membership will cooperate with us who compose the committee as far as possible to expedite its passage in order that we may pass it here and send it to the Senate as soon as possible so that other important measures may as rapidly as possible receive consideration at the hands of the House.

While this bill is not in a strict and technical sense a war measure, still I do want to impress upon the House that every bureau and division of the great Agricultural Department is engaged in work to help us in winning the war; and the appropriations in this bill are for the basic groundwork and fundamental activities of the department, which stand under and uphold all the extensive and emergency work being done in

the real war work; and therefore these appropriations are necessary to keep all the work going as a harmonious system.

In this connection, therefore, I desire to call attention to the situation that existed in this country at the beginning of the war, and to the response which has been made by the people throughout the country in meeting the necessities which were then shown to exist in the condition which prevailed at that time. The Secretary says in his report:

When, on April 6, 1917, the existence of a state of war with Germany was declared by Congress, this country was facing an unsatisfactory situation in respect to its supply of foods and feedstuffs. The production in 1916 of the leading cereals, corn, wheat, oats, barley, rye, buckwheat, rice, and kafirs, was comparatively low, aggregating 4,806,000,000 bushels, as against 6,010,000,000 for 1915, 4,983,000,000 for 1914, and 4,884,000,000 the annual average for 1910–1914. The wheat crop of 1916 especially was strikingly small. It was only 639,886,000 bushels, as compared with the record production for 1915 of 1,026,000,000, with 891,000,000 for 1914, and with the average for the five years 1910–1914 of 728,000,000. It was certain, too, that on account of adverse weather conditions, the output of winter wheat for 1917 would be greatly curtailed. The world production of wheat for 1916 also was unsatisfactory, and the prospects for the ensuing year were not good. The situation was no better in respect to another conspicuously important food commodity, the Irish potato. The yield of this crop for 1916 in the United States was only 285,437,000 bushels, while for 1915 and 1914, respectively, it was 359,721,000 and 409,921,000. For the period 1910–1914 it averaged 360,772,000.

Now, then, with those conditions surrounding the country at that time, strenuous efforts were made by this department in order to bring those facts to the attention of the country and to appeal to the people to put forth every patriotic effort to remedy them by increasing the production of food and feedstuffs. The response made by the farmers of the country is shown in the report of the Secretary of Agriculture. The Secretary says:

Imbued with patriotic motives, influenced by favorable market prices, and falling in with the suggestions of the Department of Agriculture and of State agricultural agencies, the farmers of the Nation manifested much interest in the campaign for increased production and displayed efficient activity in reference both to plant and animal foodstuffs and feedstuffs. The weather conditions during the spring were generally favorable, and according to the unrevised estimates the Nation will have as the result of the work of the farmers and of all the agricultural agencies approximately 3,191,000,000 bushels of corn, 659,797,000 of wheat, 1,580,000,000 of oats, 201,659,000 of barley, 56,000,000 of rye, 16,813,000 of buckwheat, 33,256,000 of rice, 73,380,000 of kafir, 439,686,000 of Irish potatoes, 84,727,000 of sweet potatoes, 15,957,000 of commercial beans, 42,606,000 of peaches, 11,419,000 of pears, 177,733,000 of apples, and 7,621,000 tons of sugar beets. These figures represent increases of cereals in the aggregate over 1916 of 1,006,000,000 bushels and over the average for 1910–1914 of approximately 1,000,000,000 bushels, but a decrease of production in comparison with 1915 of about 199,000,000 bushels. It should be borne in mind, however, that the carry over of cereals from last year was much below the normal, and that the percentage of soft corn of the 1917 crop was unusually high. The figures also reveal the record crop of Irish potatoes of 439,000,000 bushels, 154,000,000 more than in 1916, and 79,000,000 more than the average for 1910–1914; an increased production of sweet potatoes over 1916 of 14,000,000 and of 24,000,000 over the five-year average; and of sugar beets of 950,000 tons over 1916 and of 2,230,000 over the five-year average. There was also the largest production of perishables on record. While authentic figures for meat, poultry, dairy products, and vegetable oils are not available for 1917, it appears, from rough estimates, that the quantity of these commodities for this year is slightly greater than for either 1916 or 1915 and exceeds the five-year average by two or three billion pounds.

The number of milch cows and other cattle has shown an increase during the last four or five years, the estimate for the former for the present year being 23,906,000 as against 22,768,000 a year ago and 20,497,000 in 1913, before the European war began, while that for the cattle is 43,291,000 as against 40,849,000 a year ago and 36,030,000 in 1913. Unfortunately, the number of sheep continues to decline; the estimate for 1917 is only 46,059,000 as against 48,483,000 a year ago and 51,482,000 in 1913. It is estimated that the number of hogs, which during recent years has shown an upward tendency, decreased over 4,000,000, or from 67,543,000 to 62,747,000. However, it is greater than it was at the beginning of the European war.

These patriotic activities of the farmers have largely contributed to swell to enormous proportions our foreign trade, which is shown in this statement:

COUNTRY'S FOREIGN TRADE EXCEEDS $9,000,000,000; TOTAL FOR 1917 A GAIN OF $1,300,000,000 OVER 1916.

The country's foreign trade amounted to over $9,000,000,000 in 1917, exports reaching a total of $6,226,000,000, while imports amounted to $2,952,000,000, according to a statement just issued by the Bureau of Foreign and Domestic Commerce, Department of Commerce. This is a gain of nearly $1,300,000,000 over 1916, when the total trade amounted to $7,874,000,000.

DECEMBER EXPORTS AND IMPORTS.

December exports amounted to $589,000,000, an increase of no less than $100,000,000 over November. The imports for December amounted to $228,000,000, an increase of $7,000,000 over November.

Free imports formed 76 per cent of the total in December and 72 per cent of the total for the calendar year.

The excess of exports over imports has nearly doubled in the last two years, amounting to $3,274,000,000 in 1917, against $3,091,000,000 in 1916, and $1,776,000,000 in 1915.

IMPORTS AND EXPORTS OF GOLD.

The imports of gold during December amounted to $2,500,000, as compared with $159,000,000 in December, 1916. For the year the gold imports amounted to $538,000,000, against $686,000,000 in 1916. The exports of gold amounted to $4,500,000 in December, 1917, against $28,000,000 in December, 1916. For the year the gold exports amounted to $372,000,000, as compared with $156,000,000 in 1916.

Silver imports amounted to $6,000,000 in December, as compared with $3,500,000 for the corresponding month in 1916, and to $53,000,000 for the year, against $32,000,000 in 1916. Exports of silver were valued at $10,000,000 in December, 1917, and $9,000,000 in December, 1916. For the year the silver exports amounted to $84,000,000, against $71,000,000 for 1916.

The foregoing facts show that there was a ready response by the farmers throughout the country when they knew the condition that existed and the necessity for increased production. They thus always show their love of country and evince the spirit which has ever been among them from the days of the Revolutionary fathers, who were farmers in this land, then almost a wilderness, who, led by that matchless farmer, military genius, and statesman, George Washington, secured for us American rights and liberties and the blessings of this Republic. [Applause.]

Whenever the farmers of the United States have realized that there was any just demand made upon them of any character to come to the rescue of the country they have always shown the greatest patriotism and responded to every reasonable request made of them. [Applause.] They not only always responded in time of peace but always as well in time of war.

There are three things absolutely necessary in order to bring about a successful conclusion of the world contest in which we are now engaged: First, we must have men; second, we must have the money; and third, we must have the food. Without men it is impossible to carry on war. Without money it is impossible to pay the expenses, and without food it is impossible to feed the soldiers. Men who are not fed, and well fed, are unable to fight. The farmers throughout the United States are responding along all of these lines. They are patriotically inspiring the young men of the land and furnishing their sons to go to the front in defense of the colors and the flag which we love. [Applause.]

They are subscribing to liberty loans and helping with their money to furnish the necessary sinews of war to enable the boys to do their full duty at the front, and then they are patriotically responding by an increased production of foodstuffs and feedstuffs to maintain our Army and feed our allies. All honor to the farmers of America and all patriotic citizens who are faithfully and loyally upholding their country's cause. [Applause.] This is our record in all the history of the past from the very commencement of this great Republic in which we live, through all the vicissitudes and changes that we have undergone, to this present hour.

I read a short time ago a statement by Richard T. Edmonds, the editor of the Manufacturer's Record, published in Baltimore, in which he defines the meaning of this great war in which we are engaged, in which statement I believe our patriotic and liberty-loving people agree. He says:

Germany's war is a definite war of atheism against Christianity, of barbarism against civilization. If we would—because Germany hates us more than it hated either Belgium or France—save this country from even greater horrors than Belgium and France have suffered, it is absolutely incumbent upon us to uphold the Nation to the utmost extent of our moral, physical, and financial power in this life and death grapple. There is no middle ground. Victory or defeat are the two issues at stake.

To win, every effort of the Nation to the last ounce of its strength—in the building of ships, in food production and food conservation, in increased output of iron and steel, in bettering our transportation facilities by rail and highway and water—must be put forth in enthusiastic, unending work by the men and women of this country.

It is incumbent upon everyone who realizes this situation to do his very utmost to awaken the latent patriotism of others and to quicken the knowledge of all, that they may understand the magnitude of the task and the stupendous issues involved—and these issues are the life or death of our Nation and of all civilization.

Carry into every home, preach from every pulpit, teach in every school the meaning of the war and the individual responsibility of every man, woman, and child in the country. Not until as a Nation we do this will the women and the children and the very life of our country be made safe from the danger of the awful destruction wrought in Belgium and France and wherever the armies of Germany have marched.

This defines and gives the meaning of this great war in which we are engaged. Germany forced this war upon the world. One man, the Kaiser, by his own edict, involved all the civilized nations of mankind in a world conflict that has literally set the world on fire, and he to-day is responsible for the situation that exists; and he to-day is the one man in all the universe who could by a word or edict, as he began it, end it and bring peace to the nations of mankind.

For more than 40 years he prepared. Not satisfied and not content with the fact that the other nations were willing that the tocsin of war be not sounded and that the dove of peace should hover over the peoples of the earth, he began to shake his mailed fist, rattle his shining sword, express his dissatisfaction at the conditions existing, and to declare "Me und Gott" supreme, and served notice upon the world that he would declare war unless certain demands that he made were complied with, and complied with within the short limit of 24 hours. When those demands were not complied with, then in accordance with

his previous announced purpose he did declare war, and, calling out his armies, which were ready for the conflict, within 12 days, as we well remember, he had 5,000,000 men armed to the teeth and at the front to engage in the awful and horrible tragedy which has continued during the terrible years now passed. He announced his purpose at the very beginning, and that was that he would subjugate the nations of the Old World first, and when he had subjugated them and become the supreme ruler beyond the seas he would cross the ocean to this beautiful land of ours and take down the emblem of liberty—the Stars and Stripes—and substitute in their place the flag of the German Empire, which represents autocracy and despotism.

Not only did he announce this to be his purpose and desire, but his minister of war announced it at the same time, showing that they had previously discussed it and had arrived at a conclusion in respect to it, and that it was the fixed purpose in their minds and hearts not only to engage in war with the nations across the sea but to cross over to this side and subjugate this free Republic and force it to become a dependent Province of the German Empire. Having announced that to be his purpose, he proceeded across the little country of Belgium. When his attention was called to the fact that he had entered into a solemn treaty, not only that he would not invade Belgium but that, on the contrary, he would protect its sovereignty and the security and the safety of its people, he admitted that he had entered into this solemn treaty and compact, but with a fiendish smile on his face declared he was to be supreme in all the universe, and said it was but a "scrap of paper" and he had torn it up.

His purpose was to reach France and reach the city of Paris as soon as it was possible to do so, subjugate that country first, because it was believed to be the best prepared country on side of the German Empire itself. Therefore, if he could subjugate it and convert to his own purpose and use the resources it contained, combine them together, he could overrun the other nations on the other side, and when they were subjugated combine the powers of all the nations beyond the seas under one great head, he to be that supreme head and directing force, and then cross the ocean and subjugate this country of ours and make it subservient to him. "Me und Gott," he declared, would do this.

Following this purpose and this design, he absolutely destroyed the little country of Belgium. Not being satisfied with that, he turned to poor little Serbia, that had in humiliation and in the dust agreed to every demand made on her, and absolutely destroyed it. His armed forces killed Red Cross nurses, sunk hospital ships, made breastworks out of defenseless men, women, and children, and sacked the towns, killing the unarmed inhabitants and treating the women and girls in a manner which can not be described in a public audience.

A short time ago a gentleman was delivering an address before the Red Cross Society in the city of Washington, and he said he had traveled through that little country of Serbia since this awful destruction. He said there was nothing to indicate that people had lived there except the smokeless chimneys that lifted their heads toward the skies, silent and solemn witnesses of the horrible tragedy that had been committed in that beautiful little land; that there was no evidence of thrift, no evidence of production, or anything of that kind, but devastation and destruction everywhere; and as he traveled along he noticed by the roadside bundles of clothing, which attracted his attention. Upon investigation, he found there was nothing within them. When he inquired what these smokeless chimneys meant, what the bundles of clothing meant, the reply was made, "Do you not know the German Army has been here? These smokeless chimneys are the silent witnesses to bear testimony to the awful devastation and destruction of this little country; these bundles of clothes at some time surrounded the body of an unarmed man or a helpless woman or innocent child who was ruthlessly slain without justification or cause." Not only were their bodies slain and hurled by the roadside to return to the dust from which they came, but they took their bones—bones of men, women, and little innocent children—and ground then into fertilizer to scatter over their soil to enrich it in order to increase production to maintain their army at the front. An army fighting for autocracy, fighting for despotism, fighting for the iron heel of oppression, against the army fighting for liberty, fighting for truth, fighting for righteousness and Christianity. They took the bones of innocent little children, converted them into fertilizer, which shows by its conversion the terrible and horrible contempt which they not only had for a defenseless people themselves but for their bones when their flesh had returned to the dust from which it came. [Applause.] Mother, you are in the gallery kindly listening to me to-day, and, father, you are here. How would you feel toward a people who would thus treat your little innocent, helpless child? God grant that we may all be saved from such awful sorrow and indescribable suffering by keeping Germany away from our shores, and to this end may the God of justice and the right nerve the arms of our brave soldier boys and give us through them triumphant victory. [Applause.]

So, by a violation of treaties, by the violation of all international law, agreements at The Hague, and the law of God they involved all the nations beyond the seas in this awful and this horrible conflict. The question is sometimes asked—I have it asked of me—Why is it that we, the United States of America, are involved in this awful and horrible conflict? Germany took possession, or attempted to take possession, of a part of the sea and notified us and all the nations of the world that if we attempted to come within what they called the war zone our ships would be sunk, our commerce would be destroyed, and our citizens would be killed. Not only did they make this threat, but they proceeded at once to put it into execution. As fast as vessels reached the war zone they were sunk. They created this war zone not in accordance with international law because it is unknown in international law. There was no agreement for it made at The Hague. There is no law for it written in any statute book. It was simply established by edict and by their serving notice upon all nations of the world that they must not go beyond a certain limit—500 or 1 000 miles out in the ocean and 1,000 or 1,100 miles long. They notified not only other nations, but the United States of America that we must not cross the barred zone. If they had the right to order us off a part of the seas, they had a right to order us off every single drop of water in the seas. [Applause.]

They forgot that we fought the War of 1812 for the freedom of the seas. That was the substance of everything involved in that contest. Our ships were being searched by England, our sailors were being taken off our ships, and England denied our right to the freedom of the seas—our right to engage in commerce unmolested. We served notice on them that if that continued there would be trouble between us. It did continue, and the War of 1812 between England and the United States was fought and victory came to the American arms, and our right to unmolested commerce and to the freedom of the seas was settled. It had never been denied previous to that time and never has been denied since that time until it was denied by Germany in the instance to which I have referred.

Not only that, but they fired upon our flag itself 24 different times. To fire upon the flag of the United States is an act of war, but to fire upon that flag 24 times is 24 acts of war. Not only did they fire on the American flag 24 times, but they sunk 20 ships flying the American flag. I want you this morning to look at that picture just a moment. See a ship flying the Stars and Stripes, magnificently floating upon the ocean waves, on a peaceful voyage, sailing from a port where she has a right to sail and going to a port where she has a right to land, crossing the ocean upon which she had a right to travel, when all at once one of these assassins of the sea, a submarine, that travels beneath the surface of the water, rises to the surface and bang goes a torpedo, and the American ship begins to sink beneath the ocean waves. I want you to see that flag, beautiful as it is and love it as we do, sinking gradually until it disappears beneath the surface of the ocean and then see the German flag floating triumphantly above the surface. Do you like that picture? I do not, and I am sure you do not. Not only did they sink our ships, but in addition to that they killed our citizens, more than 500 of them, unarmed and defenseless—men, women, and children, whom they sent to the bottom of the seas without justification and without excuse—in violation of international law, in violation of agreements entered into at The Hague, in violation of the laws of God, and in violation of the laws of humanity. Then, people say sometimes that the United States of America has no cause to be in this terrible war, which has been thus brought upon us and which we have been forced to engage in contrary to our desire, contrary to our purposes, and contrary to our wishes. We did everything to avoid it. God knows I did not want any war. Our great President did not want war.

He was as patient as Job himself and endured time after time the awful criticism not only on this side of the water but beyond the seas, until finally the time came when patience ceased to be a virtue, and there was nothing else left for us to do except to participate in the war in defense of our country, for the protection of our flag, and the perpetuity of this Republic. When that time came he did not hesitate, and when that time came we did not hesitate, and I do not believe that the people of the United States at the present time are hesitating as to what our duty is or what course we shall pursue. Not only did they do this, but as we well remember they attempted to stir up insurrection in our own country by telling the negroes that they

had not had their rights fully accorded to them in this country, and that if they would join with them in a conspiracy to overthrow the beautiful land in which we live that they then would be fully accorded the rights to which they were entitled and they should control and rule this land and the white people should be subservient to them instead of their being subservient to the white people. Think of that! Not only that, but they held out the inducement to Mexico that if she would join with them—and also to Japan, if she would join and help them overthrow this country—that they should be paid in our land; that Mexico should have the States of Texas, New Mexico, and Arizona, and that Japan should have California, Oregon, and Washington. In other words, they proposed to administer upon our estate and divide it up before we were dead. They proposed to take six beautiful stars from the flag which we love, which shine in their brilliancy and glory in that emblem of liberty, representing six sovereign States, and confer them upon a foreign power, upon an alien thus opposed to us and to our institutions; but, thank God, no nation in all the universe has ever been able to take a single star from that flag, and by the help and grace of the God of righteousness and of truth and of justice they never will. [Applause.]

They filled our country with spies, of whom old Bernstorff seems to have been chief, and interfered with our internal and domestic affairs. Therefore, not only have they interfered with our international commercial rights and killed our people, but they have attempted to stir up neutral nations against us and within our borders insurrection among our own people, inviting them to join with them in a conspiracy to overthrow and destroy us, and holding out to them promises of reward in the future, to be accorded to them from the resources which we possess.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. LEVER. I yield to the gentleman such further time as he desires to use. I am greatly interested in his speech and see others are. [Applause.]

Mr. CANDLER of Mississippi. I thank the distinguished chairman of the committee for his kindness.

Another very serious reason for our being in this war was caused when the Kaiser, agreeing with the President of the United States that he would desist from the horrible submarine warfare in which he had engaged for so long, and that no more would be resume it in the future, then, without consultation of any kind, simply served notice upon us during the latter days of last January that upon the 1st of February he would again resume the unrestricted submarine warfare and thus begin again to sink our ships, destroy our commerce, and kill and slaughter our people. He did not consult with us. He had entered into a solemn agreement, in one sense of the word a treaty, between his country and our country, agreed to by him and by the President of this great Republic, that he would never again engage in unrestricted submarine warfare, which he agreed at that time was contrary to international law, contrary to any agreement of any kind entered into by any nations of the world, because wherever a ship, even of a belligerent, which is carrying unarmed passengers is captured, according to international law the passengers must be protected and taken to a place of safety before the ship itself can be sunk; and it was brought to the attention of the Kaiser that these submarines were unable to take from the ships noncombatants and unarmed passengers that might be upon them and protect them and carry them to a place of safety before the ship was sunk.

They could not carry lifeboats or life rafts or anything by which they might be taken to a place of safety, and therefore for that reason, because international law required that to be done, they were not such implements of warfare as could be used anywhere in war between the civilized nations of the world. Having consented to that, he agreed he would no longer engage in such warfare. But without consultation, without interchange of any communications, without even writing a letter, he simply served notice on this Republic that at a certain time he himself, by virtue of his supreme power and divine commission to rule the world, would resume this unrestricted submarine warfare, which he had agreed was contrary to international and all other law.

Not only did he announce that, but he resumed it, and the ships began to go down, one after another, until the number went up into the hundreds; 839 ships were sunk, of which 20 were flying the American flag. Again he was in reality and demon-like cruelty not only destroying our property, but murdering our citizens. He had announced that the treaty which he had made to protect Belgium was simply a scrap of paper which he had torn up. He did not believe that the Belgian people would fight, but brave and chivalrous as they were, they did resist the invasion of their country and they fought to the death. Those of the membership of this House who have been there recently and had an opportunity to come in personal contact with those brave people, say that they are standing there upon the little piece of land that is yet left to them, proclaiming with fire in their eyes that they will fight to absolute extermination before they will permit the giving up of their land forever. [Applause.] He thought that he could tear up a scrap of paper, thought those people would not fight and were unable to fight. He presumed, I believe, that he could tear up an agreement made with the United States of America and say it was "a scrap of paper."

But, my friends, when he assumed to tear up as "a scrap of paper" an agreement between the President of the United States and himself not again to engage in this submarine warfare he called us one time too many, and the answer will be given by the boys who are now crossing the seas and who will carry Old Glory in their hands and wear the uniform of a soldier of the United States of America. [Applause.] When that answer is given to him it will be in no uncertain tones. It will be in the same spirit of 1776 and with the same aggressiveness that has been shown by our people in all the days that are past. It will be with bravery; it will be with chivalry; it will be with pure purpose and patriotic desire to uphold the right and overcome the wrong, and thereby add new luster and glory to our flag. So these are the reasons, my friends, which involved us in this war. They are the conditions that surrounded us, from which there was no escape. We had to do one of two things. We either had to fight or we had to run. Our flag has never trailed in the dust or gone down in defeat. We never have run in the days past and we never will run in the days to come. [Applause.] Some people say we declared war upon Germany. We never have declared war upon Germany up to this present moment when I stand before you here on the floor of this House. We simply passed a resolution declaring that a state of war existed between the United States and Germany. We declared that Germany was making war upon us, and, that being true, there was nothing for us to do except to defend ourselves. [Applause.] I want to ask you if they were not making war upon us when they were proposing to divide up our territory and to confer it upon other powers; if they were not making war upon us when they sent our flag beneath the ocean, to the bottom of the sea; when they were violating agreements entered into with us; and when they were killing our men, women, and children, shedding innocent blood, and sending them to the bar of eternity? If that was not war, what would be war?

We either had to fight or we had to take the other alternative. What was that? We either had to fight or to take down that flag that flies from this Capitol to-day, that flag that flies upon this Capitol, near the Goddess of Liberty that stands upon the dome of this majestic building, and take down the flag that flies from the flagstaff above the Executive Mansion, where lives to-day our great President of these United States, and put in their places two white rags as an emblem of our degredation and of our shame [applause] and send a peace commission across upon the other side and say to the Kaiser, "Mr. Kaiser, we have come to turn over to you the United States of America. It is true our forefathers fought for it and shed their precious blood upon its sacred soil in order to secure to us the great Republic in which we live, and in which we enjoy American rights and American liberty [applause]; but we, as unworthy sons of worthy sires, propose to surrender it to you without a contest. We want you to come over there and take our country, kill our old men as you have killed them in other countries you have subjugated, and you had better kill the young men, too, because some of them might be ashamed of their daddies and shoot at some of your folks and might hit you. Kill our little innocent children like you have slain them in other countries. Sprinkle over the fair land their innocent blood. Then take our beautiful women, the best, the purest, the most beautiful women in all the universe of God [applause], the women from whose eyes flash the sunshine of God's Heaven, upon whose cheeks is the glow as beautiful as the softest and sweetest tinge of the rose that bloomed in Paradise itself, from the fountain of whose heart flows the most innocent and purest blood that ever coursed the veins of God's best creation; yes, come and take mother, daughter, and sister; yes, come and take them all and treat them as you treated the good women and pure girls in the other nations across on the other side which you have subjugated and brought beneath the iron heel of your oppression and of your destruction. Treat them in such a manner as can not be described in a public audience anywhere under any circumstances." My friends, that was all there was left for us to do. We had no other alternative, and I want to say to you, before I would have taken that course and thus surrendered our country and our people to the Kaiser, I would have turned my back upon this historic hall and walked barefooted a thou-

sand miles home and gone into oblivion the balance of my days. [Great applause.]

The question is frequently asked why we are fighting across the seas. I will tell you. Listen to this: Rev. Newell Dwight Hillis, pastor of Plymouth Church, Brooklyn, N. Y., went across the ocean and made a personal investigation, and here is an extract from what he told his congregation upon his return in an address in that church:

Here upon this pulpit rests a reproduction of an iron coin given as a token to each German soldier. At the top is a German portrait of Deity, and underneath are these words: "The good old German God." To encourage the German soldier to cruelty and atrocity against Belgians and French the Deity holds a weapon in his right hand, and to dull his conscience and steel his heart to murder the token holds these words: "Smite your enemy dead. The day of judgment will not ask you for your reasons." The German atrocities of the last three years illustrate that German efficiency reached its highest point in the discovery of new and horrible devices for torturing old men, helpless women, and little children.

For three years German-Americans have protested that the stories of German atrocities were to be disbelieved as English inventions, Belgian lies, and French hypocrisies, but that day has gone by forever. When the representatives of the nations assemble for the final settlement there will be laid before the representatives of Germany affidavits, photographs, with other legal proofs that make the German atrocities to be far better established than the scalpings of the Sioux Indians on the western frontiers, the murders in the Black Hole of Calcutta, or the crimes of the Spanish Inquisition. On a battle line 300 miles in length, in whatsoever village the retreating Germans passed, the following morning accredited men hurried to the scene to make the record against the day of judgment. The photographs of dead and mutilated girls, children, and old men tell no lies. Jurists rank high two forms of testimony—the testimony of what mature men have seen and heard and the testimony of children too innocent to invent their statements, but old enough to tell what they saw.

For the first time in history the German has reduced savagery to a science; therefore, this great war for peace must go on until the German cancer is cut clean out of the body.

The cold catalogue of German atrocities now documented and in the government archives of the different nations makes up the most sickening page in history. Days spent upon the records preserved in southern Belgium, northern France, or in and about Paris, days spent in the ruined villages of Alsace and Lorraine, leave one nauseated, physically and mentally. It is one long, black series of legally-documented atrocities. Every solemn pledge that Germany signed a year and a half before at The Hague Convention as to safeguarding the Red Cross, hospitals, cathedrals, libraries, women and children, and unarmed citizens are scoffed at as a "scrap of paper." These atrocities also were committed not in a mood of drunkenness nor an hour of anger, but were organized by a so-called German efficiency and perpetrated on a deliberate, cold, precise, scientific policy of German frightfulness. It is not simply that they looted factories, carried away machinery, robbed houses, bombed every farm house and granary, left no plow nor reaper, chopped down every pear tree and plum tree and every grapevine, and poisoned all wells! The Germans slaughtered old men and matrons, mutilated captives in ways that can only be spoken of by men in whispers; violated little girls until they were dead; they thrust women and children between themselves and soldiers coming up to defend their native land; bombed and looted hospitals, Red Cross buildings; violated the white flag—while the worst atrocities can not even be named in this mixed audience.

The war general gave each German soldier his token, large as a silver dollar, bidding the soldier "Strike him dead. The day of judgment will ask you no questions." Jesus said, "Take heed that ye offend not one of My little ones." The Kaiser says, "I have done away with Jesus' teachings." The Master, who loved the little children, said, "I was an hungered and ye gave me no meat. I was athirst and ye gave me no drink. Therefore, depart from me into everlasting fire, prepared for the devil and his fellows." The war staff answers, "Don't be afraid. Look at your token. The Kaiser will take care of you in the day of judgment. Kill old men and little children, loot merchants' houses, violate women; the Kaiser will see that the God of justice asks you no questions." The result was logical and inevitable. These horrible atrocities!

Now, here is what Capt. A. P. Simmons, a United States military observer in Germany during the mobilization, having been attached to the American Embassy at Berlin, says:

Don't let any one tell you that German atrocities are merely fiction. One of the most grewsome sights I ever saw was the impaling of babies on the ends of German bayonets and their return to frantic mothers. If you knew the horrors that patient, suffering little Belgium has been through your blood would freeze in your veins.

With knowledge of these awful atrocities do you further ask why we are fighting across the seas? We have joined our allies and are fighting over there because, first, it is best, safer, and wiser to join with them and with our combined strength, resources, and power resist Germany all together, than to wait and fight single handed and alone ourselves against Germany after she had overcome all the other Nations and combined them against us, as we certainly would have to do; and second, because we want to keep Germany out of America. God forbid they should ever invade our country and destroy our cities, devastate our farms, kill our old men and innocent children, and treat our women as they have treated those across the seas. May we, by fighting over there, save our people from the awful atrocities and fiendish and brutal treatment described by Rev. Dr. Hillis and Capt. Simmons. [Applause.]

I have been asked when I thought peace would come. I fully agree with the President of the United States in what he announced not long ago as he stood at that desk on that subject. No greater address was ever delivered to Congress, if, indeed, it has ever been equaled. But I will tell you when peace will come, and it will not come before. It will come when our allies and our boys, wearing the uniform of the United States and carrying Old Glory, shall march through the German Empire to the city of Berlin and absolutely hurl the Kaiser and those in power with him from their present places of position and imaginary supremacy to the bottomless pit of the infernal regions, where they belong, and where they ought to have been long ago. When they shall destroy autocracy and despotism, the iron heel of oppression, and substitute in its place democracy, righteousness, truth, and Christianity, and send liberty, shining like the sunshine of God's heaven, all around this world in which we live, and raise the flag of the United States of America to the topmost pinnacle, where all the nations of the earth can pay tribute to it and recognize it as the flag of equity, of justice, of righteousness, of truth, and of Christianity, and the flag that came to the rescue and saved the civilization of the world for all future time, then shall peace come, and not before, for there can be no abiding or permanent peace until these results are accomplished. [Loud applause.]

I thank you from the bottom of my heart, gentlemen of the House, for your close attention and generous evidences of approval of what I have had to say for your consideration. The issue is made up, and it is whether we shall stand by our great President, for our flag, and for our country. Let us all do so and our people will sustain us, and the God of our fathers will bless us and give to our country victory and permanent peace. [Great applause.]

Mr. HAUGEN. Mr. Chairman, I yield 40 minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman, on page 13 of this bill appears an item as follows:

For investigating the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, State or county authorities, $250,000.

There was no similar item in the act making appropriations for the Department of Agriculture approved March 4, 1917.

I do not know of any item in this bill that is more important than this, and in the hopes that this item may be hereafter amended, I am calling attention to it at this time.

Tuberculosis, as affecting our live-stock industry, has not, in my judgment, received proper attention on the part of our Government, neither in Congress by adequate appropriations, nor by the Agricultural Department of the Government. I dare say this is because of the fact that it is not a malignant disease, quick in its effect, but a disease the spread and growth of which is so almost imperceptible that we do not observe it. However, no one thing is so threatening to the live-stock industry to-day as this disease.

Tuberculosis in live stock is essentially a disease of the stock-feeding, breeding, and dairy farms, where the cattle and swine are stabled and housed. In the ranges of the West and Southwest it is comparatively unknown. Wherever cattle and hogs are kept housed and confined, there tuberculosis breeds and spreads. Its growth is so rapid as to threaten to-day the dairy and breeding and cattle-feeding industry of the country.

By using abbattoir statistics and the results of tuberculin tests made at various places we can, with reasonable accuracy, tell how widespread this disease is. Dr. Davis S. White, in his Principles and Practice of Veterinary Science, states:

In the United States 1 per cent of the cattle are found tuberculous on slaughter, and 2.5 per cent of the hogs. Results of tuberculin tests on 400,000 head of cattle gave 10 per cent reacting. It is very probable that 1 per cent of the beef cattle and 10 per cent of the dairy and stud herds of this country are tuberculous.

I am inclined to think Dr. White is below the real facts in his estimate. An inspection of the condemnations of animals at slaughter, as given in the Yearbook of the Department of Agriculture of 1916, shows the percentage of animals condemned has risen from 1.58 per cent in 1907 to 3.35 per cent in 1916. I insert the table here:

Condemnations of animals at slaughter, 1907–1916.

Fiscal year.	Cattle.		
	Whole.	Part.	Per cent.
1907	27,933	93,174	1.58
1908	33,216	67,482	1.41
1909	35,103	99,739	1.84
1910	42,426	122,167	2.07
1911	39,402	123,969	2.10
1912	50,363	134,783	2.46
1913	50,775	130,139	2.53
1914	48,356	138,085	2.77
1915	52,496	178,409	3.32
1916	57,579	188,915	3.35

This, I believe, is largely due to the growth of tuberculosis. The Secretary of Agriculture reports (Annual Report 1916, p. 15) that tuberculosis in live stock causes annually losses of $25,000,000.

In older countries, where the disease has been unchecked, it is destroying the live-stock industry. In Germany, before the war, nearly 21 per cent of the cattle and 3 per cent of the swine killed for food have been found tuberculous, while the tuberculin test showed over 50 per cent of all cattle tested reacting. Fully 25 per cent of the cattle in Germany before the war were affected, and in France 10 per cent.

War is a degenerative process, and in times of war the enforcement of our laws of sanitation and health becomes somewhat slack. For this reason we ought now to make ample provision to see that this white scourge does not gain on us during this war. Not only must we do this to conserve our meat supply, but to protect the health of our people. Tuberculosis in cattle is transmissible to human beings, and we can not afford to temporize with the health of our babies, the hope of the Nation for the next generation.

Milk drawn from tuberculous animals, as well as cheese, butter, and other raw products manufactured from it, are a source of danger to consumers. (Yearbook, Department of Agriculture, 1910, p. 235.)

That the scourge can be checked there is no question. In 1909, in the District of Columbia, a system of tuberculin tests and killing of diseased animals was initiated. In eight years the percentage of animals affected in the District has fallen from 18.87 per cent to 1.1 per cent.

The Department of Agriculture has as yet made no effort to systematically attack this disease. Such efforts as have been made are spasmodic and local. If there are not laws adequate to authorize the department to act, Congress should pass such acts, and I respectfully urge upon this committee that they give attention to this matter. The strictest kind of interstate regulations as to the shipment of tuberculous live stock should be made and enforced. Where tuberculosis is present let it be stamped out by effective quarantine and slaughter, if necessary. Let some concerted plan be adopted and then followed. It is idle for us to stand by and merely contemplate the situation, saying, as the Secretary of Agriculture does in his report of 1916:

Its very magnitude discourages the undertaking of any general plan of eradication.

If there are not sufficient laws, let the Secretary of Agriculture suggest proper ones to Congress; if the laws are adequate, then he ought to be given ample funds and requested to act. This appropriation is, in my judgment, just one-half of what it ought to be; it should be $500,000.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield for a question?

Mr. GRAHAM of Illinois. Yes.

Mr. McKENZIE. Has it not been demonstrated that in many instances animals suffering from tuberculosis have gotten well, and that the post-mortem examinations have demonstrated that fact?

Mr. GRAHAM of Illinois. Yes.

Mr. McKENZIE. And that that same animal, if given the tuberculin test, would show the curve of infection; and is it not a fact that the great difficulty in handling this proposition is what to do with those animals, and if we undertake to slaughter them, will we not slaughter hundreds of thousands of animals in the country that might otherwise recover?

Mr. GRAHAM of Illinois. I agree with my colleague. I think the best method of handling this proposition is not by indiscriminate slaughter, as was undertaken in the foot-and-mouth disease, but by quarantine wherever it is necessary and segregating these animals in the hope that they will recover. Frequently animals that are tuberculous will recover and are found on slaughtering not to be tuberculous, and frequently tuberculous animals if kept together and segregated will produce offspring not tuberculous. For that reason indiscriminate slaughter would not be desirable.

While the stock raisers of the Eastern, Northern, and Central States are seeing this plague decimating their herds and reducing their agricultural wealth and are restricted as to their expenditures to $250,000, the farmers of the South and Southwest are, by this bill, carefully protected by adequate appropriations. For instance, I observe that for the eradication of the cattle tick of the South there is appropriated $620,420; for methods of meeting the cotton boll weevil, $650,410; for the eradication of the pink bollworm, $500,000. It is extremely evident that the cotton-producing States intend to look after their own. Here is a total of $1,150,140 expended to control diseases of cotton, while $250,000 is expended to control tuberculosis; and this is true, although the total value of the cotton crop of this country last year was $1,517,558,000, and the total value of the cattle and swine on the farms of the country was $2,257,028,000.

The great live-stock industry of the North and East and Central States is not being properly guarded in this bill in comparison with the care which is used to protect the interests of the farmers of the cotton-growing States. It is high time this should be done.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield 40 minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, since history's dawn tuberculosis has been the scourge of man and the affliction of the brute. Dr. Flick, medical director of the Henry Phipps Institute for Prevention and Study of Tuberculosis, answering his own question "Where did the first case of consumption come from?" said "Where did the first man come from?"

Moses, in Leviticus, twenty-sixth chapter, thirteenth to sixteenth verses, and twenty-eighth chapter, twentieth to twenty-second verses, flaunts it as a penalty before his people, and places a ban upon the afflicted brutes' flesh as an offering. Isaiah, the orator, chapter 10, verses 16 to 23, and Daniel, the judge, chapter 10, verse 17, both tell of its ravages and terror. To the chosen people tuberculosis, next to leprosy, had the greatest terror of all diseases. It is a remarkable fact that this people are to this day the most nearly immune of all the civilized nations to tubercular attack. It was, however, their great affliction while in Babylonish captivity. That was a time when Hippocrates, the great Greek physician, lived and administered to the sick and wrote of their ills. It was probably more prevalent then than now.

Seven centuries later Galen, the Greek stoic physician who acquired the title of Paradoxologus as well as Paradoxopones, who was physician to two Roman emperors and medical guardian of Commordus, son of Marcus Aurelius, told of its prevalence in Rome, whose people took it, with their other evidences of civilization and weakness, from the Greeks, who obtained it from Egypt, the home of medicine and disease. Egypt in the distant ages probably obtained it from the Far East, the home of wisdom, art, wickedness, and weakness.

Dr. Moore, of Cornell University, says, "The Talmud, especially the Mishnah, codified at the close of the second century, and the Gemara in the fifth century contained numerous enactments against the eating of such flesh." He goes on further to say that in the ninth century the Franks enacted laws against eating tubercular flesh; later the various German States, running down from century to century, and other countries, in addition to forbidding the eating, denounced the sale and gradually took control in various forms of inspection to protect the public. Dr. Moore observes, "The United States stands foremost in the efficiency of this service."

When animal tuberculosis came to America can not be precisely stated. Cattle, the leading food-producing animals, were brought to this country by the various European navigators and colonizers. Probably bovine tuberculosis came with them. Hogs, the second food-producing animal, and second only to cattle in loss from tuberculosis, were brought here about the same time, but hog cholera did not appear until much later. Tuberculosis probably came with these animals or soon thereafter.

While in every decade we have been endeavoring to improve our breeds by infusing new and stronger blood, we have also been propagating disease. In this, like in all else, we progress, but always with some penalty as the price.

As I have said, the United States has the best system of meat inspection. It is more expensive than that of any other nation. For the year 1918 we appropriated for that purpose the sum of $501,620. The large purpose of this expenditure is to detect and dispose of at the slaughter end of our food animals the individuals and parts of individuals unfit for human consumption. It occurs to me that if we would have pure water for our use, while it is well to filter at the point of consumption, would it not be well to purify the source. So if we are to spend largely at the point of inspection after slaughter, would it not be wise to purify at the source of life and growth.

Tuberculosis affects a large, though varying, percentage of cattle acording to the locality, but greatest, of course, in the North, and amounting to 63,000,000 head of cattle, and all the hogs in the United States, about 67,000,000, or a total of 130,000,000, while the total cattle possible to be affected by the tick number only 20,000,000 head.

As has been well said from this floor, $620,000 is appropriated in this bill for the eradication of the cattle tick, affecting only comparatively few animals—20,000,000—as compared with $250,000 provided for a disease that affects 130,000,000. I do not quarrel with the $620,000 appropriation for cattle tick, because I am in favor of this Government exercising all of its

energies and using largely of its means to make good its own appeal for increased food production, but in the light of the number of animals affected by these two diseases, $620,000 is absolutely indefensible if $250,000 for the eradication of tuberculosis is allowed to stand.

Tuberculosis in live stock is an older disease than hog cholera and cattle tick. Among scientific men it is understood as well as either one. The methods of dealing with the problem are also well understood and practically agreed upon. The serious problem for solution lies among interested parties. First, the owner of the animal, in which lies perhaps the means of his livelihood, and who can not for purely altruistic purposes test and slaughter upon either suspicion or proof of the disease. Second, the State or community interested in the nonspread of the disease, both from the standpoint of profitable industry and the public health. Third, the Government, whose present concern is for the saving of what food we have and the production of a large increase in meats, as well as the general public health. Moreover, since more than half the inspected meat and meat animals move in interstate commerce under the supervision and control of the General Government, the Government has a manifestly large interest in the control and the eradication of this source of loss and danger.

The bases for this enterprise are, first, economic; second, sanitary. These are, of course, not stated in the order of their ultimate importance to the Nation.

Dr. Moore states the economic features of loss to owners of live stock as follows:

1. By destroying cattle outright, as when tuberculosis is allowed to reach its full development and kill its victim.
2. By reducing the market value of the animal, as in those cases in which the beast is sold before the disease has reached such a stage as to render it entirely unmarketable.
3. By reducing the breeding value of a herd and its general productivity.
4. By causing a waste of cattle food by animals that can not give an adequate return.
5. By infecting other animals, such as calves, swine, and other cattle through the milk and through direct contact.
6. By injuring the reputation of the herd, thereby rendering it difficult to dispose of the animals or their products.
7. By destroying the enthusiasm or interest of the breeder in the maintenance of his herd at a high standard.

These are important at this time, when the Nation is making special appeals to the live-stock owner to speed up production of beef and pork. Moreover, regular days are set aside when we are enjoined not to eat meat, that the supply for our armies may not fail.

It is a hollow mockery for appeals to go out from Washington to every man who owns a beef or pork brute to feed them until they can have the maximum amount of food product upon the basis of that brute life, and then not respond to a fair appeal to reduce the loss incident to this great ravage which the producer must meet. Thousands of men in my own State, and I am one of them, feed cattle now against an almost certain loss. For two reasons we continue it. First, we hope, perhaps, that the price may change so that we may be adequately recompensed, and, secondly, and more important, it is in response to patriotism on account of the demand of the Government to produce as many pounds of beef or pork as possible.

Mr. LINTHICUM. Will the gentleman yield for a question?

Mr. SLOAN. With pleasure.

Mr. LINTHICUM. Does not the gentleman think a larger appropriation ought to be given and some law giving greater activity to this work ought to be enacted?

Mr. SLOAN. I quite agree with the gentleman from Maryland, who I know for more than two years has been deeply interested in this proposition, interested more particularly from the sanitary angle than the economic. I know the interest he has taken, and I know the large amount of information he has gathered, and I quite agree with him that what we should do is to do just what Dr. Mohler, head of the Bureau of Animal Industry, would be willing to do and will do if this Congress will permit him, and that is to make this appropriation a million of dollars, so that he can inaugurate a man-sized campaign against tuberculosis to bring about a reduction the very first year and the final eradication of this great scourge which I am discussing from an economic standpoint, of which ultimately from the sanitary phase, which in the mind of the gentleman from Maryland, is the more important.

We should move in this matter with haste and care combined. We are in better condition than European countries, which have not met this problem as they should, and in partial consequence thereof are now, in the stress of war, feeling the effects of their partial neglect.

In the matter of this appropriation I do not know precisely what is in the mind of the Secretary of Agriculture, an official for whom I have the utmost regard for his patriotism and ability. When I say that I am not giving him mere lip service I mean it. I think that perhaps he does not desire to shoulder the responsibility of a large appropriation—I am not quoting him—he may properly want to leave it where it belongs, with the Congress. If the Congress wants this campaign, I have no doubt the Department of Agriculture will see to it that it is vigorously carried on. The man in the Department of Agriculture at the head of the Bureau of Animal Industry believes in this campaign and believes that $1,000,000 can be effectively used with satisfactory results.

Renneberger estimated the loss of the cattle industry in Germany, due to tuberculosis before the war, to have been more than 90,000,000 marks annually, which would be $18,000,000. Dr. Moore, quoting Renneberger further, says:

The slaughterhouse statistics of Prussia show 14.6 per cent of the cattle and 2.14 per cent of the hogs to be tuberculous. In Saxony the percentage is 29.13 for cattle and 3.10 for hogs. In the city of Leipzig the figures are 36.4 per cent for cattle and 2.17 per cent for hogs (Siedamgrotzky). Of 20,850 animals in Belgium tested with tuberculin in 1896, 48.88 per cent reacted (Stubbe). Of 25,439 tested in Denmark from 1893 to 1895, 49.3 per cent reacted (Bang). An examination of 20,930 cattle in Great Britain, either slaughtered and examined post-mortem or tested with tuberculin, showed 5,441, or 26 per cent, affected with tuberculosis. McFadyean estimates that 30 per cent of the cows in Great Britain are tuberculous.

Why do I mention this? I mention it to show what America's opportunity is if it will rise to it.

Dr. A. D. Melvin, late head of the Bureau of Animal Industry, himself a victim of tuberculosis, in the American Veterinary Review of 1908, said:

While the saving of human life affords the highest motive for combating tuberculosis, the prevention of financial loss is alone a sufficient reason for undertaking the eradication of the disease from farm animals. Statistics of the United States Federal meat inspection for the fiscal year ending June 30, 1908, covering 53,973,337 animals, or more than one-half of all those slaughtered for food in the country, show the following percentages of tuberculosis: Adult cattle, 0.961; calves, 0.026; sheep and goats, 0. The proportion of tuberculosis is probably higher in animals slaughtered without inspection. Reports of tuberculin tests made in the 15 years from 1893 to 1908 by Federal, State, and other officers with tuberculin prepared by the Bureau of Animal Industry have been carefully analyzed and tabulated. Out of 400,000 cattle tested, mostly dairy cattle, there were 37,000 reactions, or 9.25 per cent. From these two classes of statistics it is concluded that on an average about 10 per cent of the milch cows, 1 per cent of all other cattle, and 2 per cent of the hogs in the United States are affected with tuberculosis, the average percentage of all the cattle being estimated at 3.5.

I am going to give you some more figures. Then you will see that instead of being 2 per cent for hogs it is 10 per cent for hogs, as will be stated by another authority. This statement was made in 1908 by Dr. Melvin. Now, I proceed:

The accuracy of the tuberculin test has been confirmed in a remarkable way by post-mortem examinations. Out of 23,869 reacting cattle slaughtered, lesions of tuberculosis were found in 23,585, a percentage of 98.81.

So we have a test that is almost infallible, and it is as certain and accurate as any disease test of which I know.

Properly prepared tuberculin applied by a competent person is, therefore, shown to be a wonderfully reliable agent for diagnosing tuberculosis. In cases where the test appears to give unsatisfactory results, this is usually due to the use of a poor quality of tuberculin or to ignorance or carelessness in applying it.

The economic loss on account of tuberculosis in food-producing animals is heavy. The loss of animals in which tuberculosis is found in the Federal meat inspection is estimated at $2,382,433 annually, and if the same conditions were applied to animals slaughtered without Federal inspection the annual loss for all animals slaughtered for food in the United States would increase to $3,102,433. The stock of animals on hand is also depreciated in value because of tuberculosis. Assuming that living tuberculous milch cows are annually depreciated to the extent of one-tenth of what the loss would be if they were slaughtered, other cattle one-third, and hogs one-half, the total animal depreciation amounts to $8,046,219. The annual loss from decrease in milk production is estimated at $1,150,000, and there is also some loss from impairment of breeding qualities. Taking all these items into account, the aggregate animal loss of tuberculosis in the United States is estimated at not less than $14,000,000.

Such heavy financial losses make the eradication of tuberculosis from farm animals desirable purely as an economic matter.

That was in 1908; increased value of cattle, increase of disease. Nobody fixes the estimate at over $30,000,000 to $35,000,000 and none place it at less than $25,000,000.

Dr. John R. Mohler, now head of the Bureau of Animal Industry, and perhaps the best authority on this subject in America, in response to an inquiry which I submitted to him relative to tuberculosis, its spread, and the methods and prospect of eradication, stated as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF ANIMAL INDUSTRY,
Washington, D. C., July 26, 1917.

Hon. CHARLES H. SLOAN,
House of Representatives.

DEAR MR. SLOAN: I take pleasure in transmitting herewith an article on tuberculosis eradication work prepared in accordance with your telephone request, together with bulletins and other papers relating to that disease.

Very truly, yours,

J. R. MOHLER,
Acting Chief of Bureau.

THE ERADICATION OF TUBERCULOSIS FROM LIVE STOCK.

Tuberculosis can be eradicated from all the cattle and all the swine in this Union; otherwise the Department of Agriculture would not have embarked upon such a tempestuous campaign.

To support such a broad assertion, there is an abundance of evidence obtained through the school of experience, covering a period of several years.

Tuberculosis has been eradicated from hundreds of herds in the District of Columbia, Virginia, Maryland, and other States. It has been practically exterminated from comparatively large circumscribed areas. Furthermore, wherever and whenever an effort was made to eradicate the plague and the earnest cooperation of the live-stock owners and officials has been obtained, success has never failed to crown the enterprise.

Herds of cattle, which have at the inception of the campaign contained 75 per cent of diseased animals, have been freed of the malady and have remained as free herds.

Herds which on the first test were found free of disease have, by the prudent care of their owners, been kept free of tuberculosis.

The experience the department has had, as outlined here, has been enjoyed by the veterinary officials of some States. The preponderance of successful experiments, if we may call them such, is convincing proof that when conditions are favorable tuberculosis may be eradicated.

What constitutes favorable conditions? The same state of mind of the people that obtained in the early nineties when pleuropneumonia was eradicated; in 1902, 1908, 1914, and 1915 when outbreaks of foot-and-mouth disease were eradicated; the spirit that pervaded the Western States during the cattle and sheep scabies eradication campaign; the spirit that is aiding in the eradication of hog cholera; the same state of mind, the same earnest, hearty, wholesome, and substantial cooperation that has made Texas fever eradication the marvel of live stock sanitary achievements.

Now, that is not an estimate by some expert outside of the Department of Agriculture, but by the Bureau of Animal Industry. It is the statement of the responsible head of that bureau under whose charge this campaign would be placed if given opportunity by Congress to attempt it in man fashion.

The American people can eradicate tuberculosis, or prevent its eradication, or increase its presence.

In 1907, the bureau first undertook systematic investigations in regard to the eradication of bovine tuberculosis and the results which have been obtained through 10 years of study indicate that the eradication of tubercuolsis of cattle and swine is probably the largest and most difficult problem which the bureau has undertaken to solve for the benefit of the live-stock industry and the general public, which benefits from the advancement of that industry.

It has been clearly demonstrated that tuberculosis can be eradicated from herds which are heavily infected with the disease and that tuberculosis herds can be freed from tuberculosis and maintained in a healthy condition through a period of years. In the demonstration work which has been conducted in the State of Virginia the past fiscal year showed 127 herds of cattle to be without the infection of tuberculosis at the time bureau cooperation was established. In the same State 138 infected herds have been made free from tuberculosis and in accordance with the knowledge of the bureau this was accomplished in 126 cases without reinfections occurring. A large proportion of the herds were made free as the result of a single carefully applied tuberculosis test followed by the removal of reactors and the disinfection of the buildings. A second retest showed the eradication to have been completed in about 25 per cent of the herds.

The eradication of tuberculosis from cattle within a restricted area is a reasonable proposition as demonstrated in the District of Columbia, where in 1909 a compulsory tuberculin test became effective, and it was found that 18.87 per cent of the District cattle were tuberculous. This percentage was reduced as shown by the first retest to 3.2 per cent and during the fiscal year terminating June 30, 1917, only 0.84 per cent of the District cattle reacted to the tuberculin test.

It may also be of interest to note that reactions to tuberculin tests applied by inspectors of this bureau are confirmed by post-mortem examinations, exhibiting lesions of tuberculosis in between 98 and 99 per cent of the reactors which are slaughtered under Federal supervision.

The years during which these investigations have been in progress have seen the live-stock owners and the live-stock sanitary authorities awaken to a realization of the necessity and importance of cambating the spread of tuberculosis which has already made inroads in practically every section of the United States. This is especially true of the sections where intensive live-stock breeding and dairying have been practiced. In the South where this industry has been maintained in its infancy largely on acount of the prevalence of the Texas fever, cattle ticks, and the lack of diversified farming interests, the rapid eradication of these ticks, and the progress of the propaganda for diversified farming is making a new and large field for the development of both the beef and dairy cattle industries. The cattle in these sections are now but slightly infected with tuberculosis, and it would seem to be of special importance that these sections be given protection from the introduction of tuberculous cattle from the infected localities.

Forty-seven of the States require the tuberculin test as a qualification for the entry of dairy or breding cattle, but the owners of valuable herds have realized that a greater health insurance is obtained in the purchase of cattle from herds which are officially known to be free from tuberculosis.

This has led to the establishment by this bureau and by some of the States of what are known as accredited tuberculin tested herds. This plan is meeting with great favor, especially among the breeders of pure-bred and registered cattle who recognize in it a medium for increasing the volume of their business and for protecting their own valuable herds when pure-bred cattle of other blood lines are introduced for improving the strains.

On July 2, 1917, bureau offices were established at Richmond, Va.; Springfield, Mass.; Indianapolis, Ind.; South St. Paul, Minn.; Salt Lake City, Utah; and Portland, Oreg.

The Richmond office will have supervision over tuberculosis eradication in Virginia, North Carolina, South Carolina, and adjacent States in cooperation with the officials of those States. In the State of Virginia the pure food and dairy commissioner has detailed one veterinary inspector to cooperate with the bureau veterinarians. It is expected that in the near future the commissioner will have sufficient funds which will permit of the employment of several more inspectors to cooperate with the Federal force.

The work in North Carolina will be conducted in cooperation with the director of extension work. The State has assigned Dr. G. W. Roberts, professor of veterinary science at the Agricultural and Mechanical College, to work for the summer months. He will be succeeded by another qualified veterinarian in the fall. The Department of Agriculture has furnished one inspector to aid in the campaign. It is expected that immediate plans will be made for active work in South Carolina, as numerous owners of pure-bred cattle have signed up agreements to have their herds tuberculin tested.

The Springfield office will direct the work in the New England States. The campaign has already been opened in Vermont. The commissioner of agriculture for that State has employed a veterinarian and the department has detailed an employee.

There are a number of owners of pure-bred cattle in Connecticut with whom the department has been cooperating and which form a nucleus for eradication work in that State.

In the other New England States it is expected that cooperative forces will be engaged in the eradication campaign in the near future.

The Indianapolis office will supervise the cooperative campaign which will be conducted in Kentucky, Ohio, Indiana, Michigan, and Wisconsin.

The South St. Paul office will do similar work in Minnesota, Montana, North and South Dakota.

The two other offices will engage in cooperative work in Idaho, Utah, Washington, and Oregon.

The department's policy in tuberculosis eradication is a cooperative one. For every Federal employee furnished the State is expected to provide at least one veterinarian.

Just one other excerpt which I shall read from Dr. Mohler:

That there will be mistakes made and failures encountered is a foregone conclusion. It will not be uncommon to encounter the individuals and officials who will have grave forebodings of the success of the campaign, and some will prophesy abject failure. We should not be cheered too much by the forecasts of the enthusiasts or depressed inordinately by the predictions of the glooms.

Tuberculosis can not be wished away; neither can it be talked out of existence. The State must pay to exterminate it, since it has tolerated its existence these many years. The United States Congress and the legislatures of the various States will appropriate funds for the maintenance of fighting forces to cope with the situation. The live-stock owners have duties no less important than the aforementioned forces. Teamwork among all the forces will produce results which will be worth striving for and which will mean another glory for live-stock sanitation.

Mr. HENSLEY. Mr. Chairman, will the gentleman yield right there?

Mr. SLOAN. I will be glad to do so.

Mr. HENSLEY. In order to corroborate what the gentleman is saying along that line, I would speak of just one instance I have in mind. There are a number of herds of cattle in Missouri where tuberculosis prevailed and has been eradicated. In one instance there was a milch cow, a Jersey, as pretty as a picture. I have forgotten how much milk she gave, but quite a quantity of milk. The owner of that cow refused to believe she had any tubercular trouble. He went over to the slaughter pen and saw her slaughtered. After he saw her slaughtered he said that her udders were absolutely rotten. He said, "I will never disbelieve it again." There is not any sort of question about it, and he never buys milk for his family now without first knowing that the herd from which the milk comes has been tested.

Mr. SLOAN. I thank the gentleman for his statement. It is quite true. One of the most serious propositions about this is the insidious way in which it works, and from the physical appearance how deceptive it is to know the truth about the presence or absence of tuberculosis.

There is just one reliable way of discovering it in life, and that is by the tuberculin test. Of course, the other means is the post-mortem.

Is it not a mighty good thing now and then to read a statement like that from a red-blooded man like Dr. Mohler, at the head of a great bureau of this Government, who tells the American people what should be done, how to proceed, and what can be accomplished? So it is up to this Congress to say we have faith in the man who has accomplished so much. He believes with that amount of money he can accomplish much toward eradication of tuberculosis. It is up to us to give him the opportunity, and let the Congress of the United States assume the responsibility.

Commissioner of live stock for the Chicago Live Stock Exchange, H. R. Smith, formerly for 10 years at the head of the department of animal husbandry at the State University of Nebraska, afterwards in a similar position in the State University of Minnesota, has submitted at the hearings before the Committee on Agriculture some very interesting and valuable information touching a number of phases of this tuberculosis problem. I recommend their reading.

Commissioner Smith presented among other things the following statement as to losses and prevalence of disease in the United States:

LOSSES CAUSED BY THIS DISEASE.

According to the records of the Meat Inspection Division of the United States Bureau of Animal Industry there were 25,975 beef carcasses and 44,492 pork carcasses condemned as inedible for tuberculosis alone at the seven leading Middle West markets—Chicago, Kansas City, Omaha, East St. Louis, St. Paul, Sioux City, and St. Joseph—during the fiscal year 1916. This is the equivalent of 50 trainloads of cattle and hogs of 40 cars each that were consigned to the rendering tanks at these

markets during one year because of having tuberculosis in so generalized a condition as to make the entire carcasses fit only for grease and fertilizer. There were a still greater number of carcasses passed for sterilization and sold as second-class canned beef and pork, upon which the loss was approximately 50 per cent.

PREVALENCE OF THE DISEASE IN THE UNITED STATES.

Tuberculosis is found among cattle and hogs from the Atlantic to the Pacific coast. It is not as prevalent in the Southern States as in the Northern States. Cattle are much less numerous in the South, are not so closely confined, making the conditions less favorable for the spreading of the infection and because of the prevalence of the cattle "tick" causing Texas fever fewer well-bred imported cattle have gone into the South up to this time. The following table shows the number of cattle and hogs slaughtered at the seven leading Middle West markets during the fiscal year 1916, and the number retained for tuberculosis (affected with the disease), and the number sterilized and condemned for tuberculosis.

Station.	Slaughter.	Retained for tuberculosis.	Per cent of total kill retained.	Sterilized for tuberculosis.	Per cent of total kill sterilized.	Condemned for tuberculosis.	Per cent of total kill condemned.
CATTLE.							
Omaha	707,365	14,157	2.00	832	0.12	2,207	0.31
South St. Joseph	249,858	2,285	.91	74	.03	661	.26
Kansas City	934,111	7,415	.79	421	.05	1,876	.20
National Stock Yards	540,429	3,202	.59	301	.06	996	.18
Sioux City	217,022	8,676	3.99	333	.15	1,198	.55
Chicago	1,934,862	87,102	4.50	4,742	.25	16,496	.85
St. Paul	228,172	10,829	4.57	86	.03	2,440	1.05
SWINE.							
Omaha	2,176,215	176,312	8.10	8,006	.37	4,733	.22
South St. Joseph	1,836,207	66,742	3.69	957	.05	3,269	.18
Kansas City	2,730,977	89,841	3.29	3,224	.12	4,042	.15
National Stock Yards	1,552,196	119,291	7.68	2,983	.20	2,901	.19
Sioux City	1,165,249	177,965	15.27	7,691	.66	3,515	.30
Chicago	7,343,746	1,161,339	15.81	36,273	.50	24,526	.33
St. Paul	1,503,074	81,254	5.4	1,453	.09	3,056	.20

The above table from the Bureau of Animal Industry shows that the disease is more prevalent at the northern markets. A total of 40,000,000 hogs were slaughtered during the year 1916 at all packing plants in the United States where Federal inspection is maintained. Approximately 10 per cent of these were found on post-mortem to be affected with tuberculosis.

Dairy cattle are more tuberculous than beef cattle, and the percentage of infected cattle is usually higher in the States where more dairy cattle are owned. The disease is found to be quite prevalent in beef cattle even in the so-called range States.

PRESENT BASIS FOR COOPERATION.

The scientists and authorities of the Nation and States understand the methods for control and eradication of tuberculosis as well as they do of the cattle tick or hog cholera.

1. There is needed the spread of information by the usual methods of literature, lecture, and demonstration.

2. The coordination of the National, State, and community forces.

3. A wisely managed system of compensation wherein the owner will stand one portion of the net loss, the State or community a second portion, and the Government the third portion.

The success of the United States authorities in cleaning up tuberculosis in the District of Columbia area is an evidence of what can be readily done in other areas, which can soon be made State wide and ultimately nation wide in scope.

As an evidence of the desirability for national action, I will say that while every State has some activity in this work there are 48 different systems, which should rapidly be made approximately uniform. A number of the States have not thus far kept the Bureau of Animal Industry fully supplied with their legislation or regulations concerning this work. Neither have they been supplied to the Congressional Library. I found some difficulty in obtaining full and complete data of the laws and regulations of the 48 States. I was given, however, free access to all documents and data which the Bureau of Animal Industry had, and was rendered liberal assistance in gathering information relative to the States' work. Using this, and by correspondence with the authorities of all the States, many of whom gave me considerable information while some few were limited in the scope of their replies, I was enabled to prepare, and now present as a part of my remarks, an abstract of the laws and regulations and workings thereunder in each of the 48 States:

STATE SANITARY REQUIREMENTS GOVERNING ADMISSION OF LIVE STOCK IN REFERENCE TO TUBERCULOSIS AND LAWS AND REGULATIONS WITH REFERENCE TO THE CONTROL AND ERADICATION OF TUBERCULOSIS IN LIVE STOCK.

ALABAMA.

Health certificate, including tuberculin test, for breeding and dairy cattle over 6 months of age, and feeding and grazing cattle over 2 years of age. Cattle for feeding under 2 years old require affidavit of owner that they will be kept separate from other cattle. Calves from tuberculous cows not admitted. Tuberculous cattle must be reported to State veterinarian, and such cattle can not be sold unless the seller notifies the buyer of the tuberculous infection. Tuberculous cattle must be kept in strict quarantine or isolation. Infected cattle must be slaughtered in city slaughterhouse, under supervision of city inspector; if at other place must notify State veterinarian at least five days in advance, so that he or his representative may be present. Use of tuberculous cows in dairies is strictly forbidden. All cattle reacting to tuberculin test shall be marked permanently for identification by branding with large "T" on left jaw.

ARIZONA.

State veterinarian has power to control contagious and infectious diseases under the general laws. All cattle imported shall be accompanied by health certificate, including tuberculin test for dairy and breeding cattle.

ARKANSAS.

Live-stock sanitary work under control of the board of control, State University. Health certificate for dairy and breeding cattle imported, including tuberculin test by official veterinarians.

Note from Dr. Mohler: State veterinarian expressed desire to have bureau employees cooperate with his force.

CALIFORNIA.

Law creates State veterinarian and gives him power to control and eradicate all infectious and contagious diseases. Dairy cattle and breeding bulls over 6 months of age when imported must be accompanied by health certificate, including tuberculin test. In lieu of health certificate and tuberculin-test record dairy and breeding cattle may be brought into the State when accompanied by signed statement of State veterinarian showing animals originated in herds free from tuberculosis and other communicable diseases.

COLORADO.

For importation of any bull over 6 months or any female cattle over 6 months old intended for dairy purposes animals must be accompanied with health certificate and a tuberculin-test chart, and copy must be filed with veterinary surgeon of State before cattle are shipped.

CONNECTICUT.

For importation of meat cattle over 6 months of age, permit from commissioner of domestic animals, health certificate, including tuberculin-test chart. Certificate must contain description of each animal, including age, breed, sex, and color, or numbered ear tags. When certificate is not provided meat cattle may be taken into the State under a permit from the commissioner of domestic animals and held in quarantine until examined and released by the commissioner. Commissioner to make tuberculin test of cattle within the State upon written application and at the expense of the owner, and issue a certificate and quarantine and brand the reactors, or he may appraise and kill the reactors.

DELAWARE.

Law creates live-stock sanitary board, with broad powers. Regulations provide that any cows or other cattle for dairy or breeding purposes coming into the State shall be accompanied by a certificate from an inspector in the State whence the cattle came, certifying that they have been examined and subjected to the tuberculin test and are free from disease. Cattle remain in the possession of the person who shipped them until live-stock sanitary board approves the certificate. Dairy cows and such other cattle as are for breeding purposes may be brought into the State under special permit for each shipment from the live-stock sanitary board. Such cattle shall remain in strict quarantine until examined by inspector of the board and tuberculin tested. They shall be kept apart from other cattle and the milk shall not be used or sold without previous sterilization by boiling.

FLORIDA.

Law creates live-stock sanitary board, with general powers for the prevention, suppression, and control of contagious and infectious diseases of cattle hogs, and domestic animals, and grants them power to condemn and destroy any live stock so affected.

GEORGIA.

Law creates State veterinarian, with authority to formulate regulations necessary to check and suppress the spread of infectious and contagious diseases in live stock. Regulations provide that all cows, heifers, or bulls shipped or driven into the State must be accompanied by a health certificate, including a tuberculin test, which must be the thermal test and conform to certain other requirements. At option of State veterinarian all such cattle may be subject to a retest from 30 to 60 days after their arrival, and pending the results of the retest such cattle shall remain in strict quarantine. Regulations prohibit the use of tuberculous cows in dairies. Cattle reacting to the tuberculin test must be reported to the State veterinarian and branded "T. R." Sale of tuberculous cattle prohibited and must be slaughtered under the supervision of the State veterinarian.

IDAHO.

Health certificate, including tuberculin test, for cattle required for shipment into the State.

Note from Dr. Mohler: Tuberculosis-eradication work now being conducted in Idaho in cooperation with State veterinarian.

ILLINOIS.

Law relating to importation of cattle requires that all bulls, cows, or heifers exceeding 9 months old shall be covered by a certificate of health, including the tuberculin test made not more than 30 days prior to date of shipment, or by a permit for their consignment in quarantine for feeding purposes only. Bulls, cows, and heifers less than 9 months of age and steer or spayed heifers must be covered by an affidavit certifying to their classification. Cattle from herds which are officially registered by the authorities of the State of origin as "accredited herds" are not required to have tuberculin-test chart. Tuberculin test made for cattle within the State on application of owner, and all cattle reacting branded "T." No cattle forming part of the domestic herds of the State shall be subjected to the tuberculin test without the consent of the owner.

INDIANA.

Cattle imported into the State must have health certificate, including tuberculin test, if they are for dairy or breeding purposes. Calves under 6 months of age must have health certificate showing that they are from tuberculin-tested and free-from-tuberculous mothers. Cattle for feeding purposes covered by affidavit. No law which forces test on domestic cattle, but "accredited herds" are being established through organization and raising the requirements on milk and sale animals.

IOWA.

Cattle imported for dairy and breeding purposes must have health certificate, including tuberculin test. Cattle other than dairy and breeding cattle, except steers and cattle for immediate slaughter, shall be accompanied by a certificate of health and an affidavit certifying that the title of such cattle will not be transferred and that they will not be used for purposes other than feeding and slaughter without first notifying the State veterinarian and having them subjected to the tuberculin test. At last session of legislature the health commission undertook to have a bill passed authorizing the testing of dairy and breeding herds of cattle with appraisal of condemned animals and destruction of the same and providing for a special tax of 2 cents per head on cattle and 1 cent a head on hogs, which amount was to be used for the eradication of tuberculosis in live stock. This bill, if it had passed, would have provided about $170,000.

KANSAS.

Law creates live-stock sanitary commissioner. Regulations provided that cattle imported for dairy or breeding purposes must be accompanied by a certificate of satisfactory tuberculin test, showing them free from tuberculosis, applied within 90 days prior to date of shipment. Not required for calves under 6 months of age. Test to be made by Federal inspectors or veterinarians certified by authorities of the State of origin, but from New York State only on the test of Federal inspector. All cattle originating at public stock yards to be used for dairy purposes, registered cattle or native cattle for breeding purposes, must be tuberculin tested before they enter the State by inspector of the Federal Bureau of Animal Industry or by inspector of State of Kansas. Cattle for stocker or feeding purposes admitted on permit by complying with Bureau of Animal Industry's requirements to move interstate. Cities and towns allowed to pass ordinances compelling tuberculin test of all dairy cows. All reactors slaughtered under Federal inspection. Owners of tested herds listed in "Kansas Blue Book." Kansas had an appropriation of $10,000 for 1916, but that was exhausted. They paid one-half value of condemned animals while the fund lasted.

KENTUCKY.

Law creates live-stock sanitary board, and regulations provide that all cattle intended for dairy or breeding purposes imported shall be accompanied by certificate, including tuberculin test, showing that they are free from tuberculosis. Stockers and feeders need not necessarily be tested for tuberculosis before being brought in, but must be accompanied by certificate showing such cattle to be apparently free from tuberculosis. Calves under 6 months need not be tested to be imported, but if from tubercular dams, can not be brought into the State. Duty of any person suspecting tuberculosis in cattle to report the same to the State veterinarian. Any animal found to be tubercular shall be quarantined, isolated, or destroyed. May be killed either under inspection of State inspectors or at market under inspection of Federal inspectors. Any cow that reacts and is isloated or quarantined must be retested in not less than two or more than six months by a different veterinarian, and if again reacts shall be branded in the forehead by the letter "T," and sale for other than immediate slaughter is prohibited. Services of inspector shall be free to any farmer or owner of milk cow in testing for tuberculosis.

LOUISIANA.

All cattle brought into the State for the use of dairy or breeding purposes shall be free from tuberculosis, and the health certificate that accompanies them shall show that they have been tested with tuberculin. No test required for calves under 6 months, but calves from tuberculous cows shall be rejected. Shipment for grazing and feeding purposes permitted without test on affidavits showing cattle are intended for that purpose. All cattle sold at public stock yards for dairy or breeding purposes shall be officially tested with tuberculin and they shall be ear tagged. All veterinarians must report to live-stock sanitary board all cattle tested and whether they pass the test or react. Tuberculin is furnished free to veterinarians, and they shall apply ear tags to the reacting animals.

MAINE.

Law creates live-stock sanitary commissioner. Law provides that all persons selling pure-blood cattle or cattle represented as pure blood for breeding purposes shall before delivery make a report to the live-stock sanitary commissioner stating number of cattle sold, age, and sex and to whom sold, and such cattle shall be tested with tuberculin under direction of the live-stock sanitary commissioner, and the certificate given to the purchaser, calves under one year excepted. Law provides that no neat stock (calves, cows, steer, oxen, or bulls) or stags of any age shall be allowed to enter State of Maine, neither for dairying or breeding purposes nor for slaughter without a permit duly authorized by the live-stock sanitary commissioner. Such animals shall be tested within 30 days with tuberculin, regardless of any other test made, and shall be held in quarantine upon premises of owner until released by the live-stock sanitary commisisoner. Cattle used for dairy and breeding purposes shown in competition for prizes at State agricultural shows shall be tested within 12 months. Maximum appraisal value for pure-breed cattle $100 and $75 for grade cattle.

MARYLAND.

Bulls, cows, and heifers 6 months old and over imported into the State must be accompanied by satisfactory certificate of health and tuberculin test chart showing cattle to have been in good health within 10 days of shipment, and that they have not been exposed to other contagious or infectious diseases; not to tuberculous animals since the date of the tuberculin test. Test must have been applied within three months of date of shipment, except where animal is from a "State accredited herd," then any time within 12 months. Apparently healthy calves under 6 months, certified not to have been exposed to tuberculous animals are not required to have the tuberculin test. Apparently healthy cattle may be shipped to the Union Stock Yards, Baltimore, without previous examination and test. All bulls, cows, and heifers above the age of 6 months will be examined and tuberculin tested at this point. Admitted under permit and quarantine where satisfactory test can not be given before shipment, and then must be tested before being released from quarantine. Regulations do not apply to cattle for immediate slaughter where such animals are to be slaughtered within five days of their arrival within the State. Some progress has been made by the bureau in cooperation with Maryland authorities in eradication of tuberculosis.

MASSACHUSETTS.

Neat cattle for dairy or breeding purposes, unless consigned to quarantine station, must be accompanied by a permit of the Massachusetts department of animal industry. Tuberculin test required if over 6 months of age, either by veterinarian where shipment originates or by agent of Massachusetts on arrival at destination. Quarantined until released by the department. Tuberculin test made of animals within the State made at owner's request. Where one animal in herd is found reactor, all of the herd must be tested. Provision for compensation to cattle owners for animals condemned as tuberculous.

MICHIGAN.

Law prohibits importation into the State of cattle for breeding or dairy purposes except when such cattle are accompanied by a certificate of inspection showing that at the time of inspection and within 60 days prior to shipment said cattle had been subject to tuberculin test and were free from tuberculosis. Commission has power to test herds where tuberculosis is suspected, and either place in quarantine the reactors or else have them slaughtered. Law provides the amount that shall be paid the owners where cattle are killed.

MINNESOTA.

Law provides that it is unlawful for any transportation company to bring into the State cattle for feeding, breeding, or dairy purposes unless such animals have been examined and found free from tuberculosis, and provides that in case of cattle over 6 months of age to be used for breeding or dairy purpose the nonexistence of tuberculosis shall have been determined by the tuberculin test within 30 days preceding such importation. Test shall not be demanded of cattle intended for exhibition at town, county, district, or State fairs. Law provides that every person who suspects contagious or infectious disease must report the same to board of health. Can condemn cattle found to react to tuberculin test and law provides method and amount of appraisal.

MISSISSIPPI.

Law creates the live stock sanitary board and provides that cattle imported for dairy and breeding purposes must be accompanied with a health certificate, including the tuberculin test.

Dr. Mohler note.—No arrangements have been made for tuberculosis cooperation work, but opinion of bureau that if additional funds were available State would cooperate.

MISSOURI.

Health certificate for dairy and breeding cattle, including tuberculin test required. If any animal in lot inspected is found tuberculous, the words "Exposed to tuberculosis on day of inspection" shall be written on the certificate of health of such animals as pass. Cattle for pasturing, feeding, or immediate slaughter admitted on permit from State veterinarian. Nearly all cities in State are passing and enforcing ordinances requiring annual tuberculin test on all dairy cattle. On the authority of Congressman HENSLEY, Missouri compensates for condemned animals up to $40 for grades and $200 for pure breds.

MONTANA.

Cattle imported into the State for dairying, strictly pasture breeding, all pure breds, and all bulls over 6 months of age must be accompanied by a tuberculin test chart. Cattle for feeding purpose or for slaughter where no inspection is maintained must be accompanied by a clinical health certificate. Where for slaughter the waybill must be marked "For immediate slaughter." If cattle originate in either New York or Wisconsin health certificate must be issued by inspector of United States Bureau of Animal Industry.

Dr. Mohler note.—Cooperation work inaugurated here July 1, 1917. State has several inspectors. Bureau can only furnish one.

NEBRASKA.

All pure-bred cattle imported into the State must be moved to destination in quarantine and held under the direction of the live-stock sanitary board for an official tuberculin test, to be applied at owner's expense, under the direction of the State live-stock sanitary board, not less than 60 days after their arrival. All health certificates accompanying shipments of pure-bred cattle must be immediately forwarded to the State live-stock sanitary board upon arrival at destination. Cattle for dairy and breeding purposes over 6 months old must be accompanied with health certificates, including tuberculin test. For feeding, grazing, and range purposes permit from deputy State veterinarian without tuberculin test. If not accompanied by health certificate, cattle will be inspected at destination at owner's expense. For exhibition purposes cattle admitted on permit from deputy State veterinarian without tuberculin test, but must be accompanied with proper health certificate, and if they remain three months or more in State must submit to tuberculin test. Cattle for immediate slaughter admitted without inspection. Cattle from New York or Illinois must have health certificate, including tuberculin test, issued by inspector of United States Bureau of Animal Industry. At annual meeting of organization at Lincoln declared in favor of State appropriation to cooperate with United States where tuberculosis is suspected in excess, as shown on inspection for shipment or at packing house; balance of herd tested and owner advised to send reactors to slaughter within 15 days. If not complied with, herd quarantined. Many towns have ordinances compelling tuberculin test of dairy cows.

NEVADA.

Cattle imported for dairy or breeding purposes must be accompanied by health certificate, including tuberculin-test certificate, except range cattle transferred from the ranges of other States to the ranges of Nevada. In lieu of certificate of inspection owner must mail a statement giving the origin and destination of shipment and number of bulls, cows, steers, and calves included in the same.

MOHLER NOTE.—Little done here, but authorities indicated a willingness to cooperate as to accredited herds and otherwise.

NEW HAMPSHIRE.

All cattle over 6 months of age shall be tuberculin tested prior to entering the State. All tests must be approved by live-stock sanitary official in State where cattle are tested and permit issues upon receipt of the test charts. Destroy immediately, without remuneration for the owner, all reacting cattle that may be detected by retest or otherwise from irregular interstate shipments. Domestic herds tested upon suspicion of tuberculosis at expense of State at owner's request and promise to improve sanitary conditions. Owners of cattle killed after test upon order of commissioner, and which have been in State three months, receive 50 per cent of value, but not to exceed $100. Cattle also killed without payment from the State by allowing owner all money received from the products. Any cattle not for slaughter must be marked by ear tag or button with capital letter "T" on the same.

NEW JERSEY.

Law vests powers in control of tuberculosis among animals in department of agriculture. Health certificate required for dairy and breeding cattle, including tuberculin test. Law authorizes importation of cattle into State without requiring tuberculin test if accredited by State from which imported. State has recently organized a bureau of animal industry, which will have supervision over the eradication and control of contagious and infectious diseases.

DR. MOHLER NOTE.—Recently organized bureau of animal industry under Dr. McNull, former employee of United States bureau. Believed that cooperative eradication work can be arranged for.

NEW MEXICO.

Dairy cattle or cattle intended for the breeding of dairy cattle imported into State must be accompanied by health certificate, including tuberculin test.

NEW YORK.

Neat cattle for dairy or breeding purposes must be accompanied by certificate of health showing satisfactory tuberculin-test record. If not so accompanied, must be held in quarantine at destination within State until duly examined by representative of State department of agriculture and released. Law authorizes quarantine of infected animals and commercial use of milk or use for breeding under regulation of commissioner of agriculture, and requires segregation of young immediately after birth.

NORTH CAROLINA.

Health certificate, including certificate of tuberculin test, required for imported cattle when intended for breeding or dairy purposes.

NORTH DAKOTA.

Health certificate for all cattle imported. Cattle over 6 months of age that can be used for dairy or breeding purposes must be accompanied by tuberculin-test chart health certificate. Test and inspection must be made within 30 days of shipment. Shipments from New York, Wisconsin, and South St. Paul, Minn., must have certificate signed by inspector of the United States Bureau of Animal Industry. The live stock sanitary board authorized to test domestic herds for tuberculosis at the request of owners where owner agrees to requirements in regard to reacting cattle and sanitary conditions of rest of herd. Law provides method of appraisal, and maximum amount paid owner when cattle are ordered killed. All persons selling pure-bred cattle or cattle represented to be pure bred, for any purpose except slaughter, within the State shall report the same before delivery to the State live stock sanitary board and such cattle shall be tested with tuberculin, and if found free from disease a certificate shall be issued to the owner to be delivered to the purchaser. This shall not be required of animals under 6 months of age.

OHIO.

Health certificate, including tuberculin test, required for dairy and breeding cattle 6 months of age and over. Tuberculin test must be made within six weeks prior to the importation of cattle into the State.

OKLAHOMA.

Health certificate, including tuberculin test, required to import cattle for dairy or breeding purposes.

OREGON.

Dairy and breeding cattle, except for immediate slaughter, must be accompanied with health certificate, including tuberculin test. All cattle, excepting settlers' and homesteaders' effects, imported from east of Mississippi River and north of Tennessee and North Carolina, must first receive written permit from State veterinarian. Cattle originating in New York, Wisconsin, or South Dakota must be tuberculin tested by Federal veterinarian.

Dr. MOHLER NOTE.—Oregon well organized for carrying on eradication work. Only one United States inspector in that State.

PENNSYLVANIA.

The law provides that each bovine animal over 6 months old imported into the State shall have health certificate and tuberculin-test chart showing that the examination and tuberculin test has been carried out in manner approved by the State veterinarian of Pennsylvania. Does not apply to animals for immediate slaughter, and animals for exhibition purposes are admitted on permit from State veterinarian. Importation of cattle permitted without health certificate or chart under supervision of State veterinarian and under quarantine until examined and tested by representative of live stock sanitary board and released. Examination and test at the expense of State. Unlawful for any person to sell for dairy or breeding purposes any domestic animals brought into the State for immediate slaughter or to use or permit to be used any such animals for dairy or breeding purposes. State live stock sanitary board given power to suppress, control, and eradicate dangerous, contagious, and infectious diseases among domestic animals, and they have the right to examine and test suspected animals, and it is the duty of local veterinarian to report such diseases. Have the right to order diseased cattle killed, and maximum amount to be paid owner fixed by law. Without express permission of board, it is unlawful for any person to sell, give away, or allow to stray any animal that has reacted to tuberculin test. Tuberculous animals may be branded by board. Milk as food for animals from reacting cows must be sterilized. Skimmed milk or separator slop must be pasteurized by creamery before returning for feeding purposes for animals.

RHODE ISLAND.

For importation of cattle, a physical examination required. If cattle suspicious, tuberculin test ordered by cattle commissioner.

SOUTH CAROLINA.

Health certificate required for all cattle imported, except for immediate slaughter. Tuberculin test for dairy and breeding cattle over 6 months old. Under a State law, all cattle that react under a test by the State veterinarian are paid for in part by the State. The amount is 40 per cent of the value.

Dr. MOHLER NOTE.—Bureau's understanding that trustees Clemson College will indorse bill at next legislature asking appropriation for cooperative tuberculosis eradication work.

SOUTH DAKOTA.

For importation of all cattle health certificate is required. Bulls and female cattle over 6 months old must be accompanied by a certificate showing that they have passed the tuberculin test within 30 days of date of shipment. If evidence furnished that cows and heifers are strictly range cattle and will not be used for dairy or domestic purposes, and that they originate in Arizona, New Mexico, Texas, Utah, Colorado, Montana, Wyoming, or Nevada or in Kansas or Nebraska west of the one hundredth meridian permit may be issued to admit without tuberculin test. May be brought in under quarantine and kept in quarantine until tested and released. From New York State certificate must be issued by Federal inspector. Cattle from officially accredited herds admitted without tuberculin-test chart. Western South Dakota and Nebraska considered free range and no test required for cows and heifers for feeding. Duty of live-stock sanitary board to cause to be tested for tuberculosis any cow or cows in a dairy herd from which milk is sold for human consumption when requested to do so by three or more patrons and when it believes such test advisable and necessary. When cattle are adjudged affected with tuberculosis and ordered killed they are appraised and paid for by State at one-half appraised value not to exceed $50; payment does not apply where animals react within one year after being brought into the State.

TENNESSEE.

Importation of dairy cows and meat cattle for breeding purposes is prohibited by law except in cases where they are accompanied by certificate from competent inspector and certificate shall show that cattle have been examined and subjected to the tuberculin test and are free from disease. May come in under quarantine and remain in quarantine until examined and tested by State inspectors and released. Within the State no person shall deliver for transportation or receive for transportation or remove from premises where they are located any cattle or swine affected with tuberculosis as disclosed by physical examination or by tuberculin test. Control within the State largely under the provision to control and eradicate contagious and infectious diseases under which tuberculosis cattle may be quarantined or ordered killed. Subcutaneous test the only test recognized and the requirements of the test given in the regulations. Veterinarians making test shall brand reactors with letter "T" on right jaw and report to county health officer who shall isolate and place in quarantine all branded reacting animals until they are disposed of according to law by appraisement and slaughter. Maximum valuation for grade cow, $25; pure bred, $100.

TEXAS.

All cattle imported must be accompanied by health certificate and all cattle for dairy and breeding purposes over 6 months old and cattle for exhibition must have tuberculin-test chart showing test within at least 60 days prior to time cattle enter the State. Can use either subcutaneous or intradermal test. Live stock for exhibition or show purposes must be tuberculin tested within 60 days of entry at show or exhibition unless they belong to a State accredited herd. Where tuberculosis or exposure thereto is suspected by live-stock sanitary commission they have the power to quarantine the premises and all live stock thereon and subject the same to the tuberculin test. All cattle that show positive reaction shall be removed from herd and quarantined. Cattle exposed subject to second test at end of six months but not kept in strict quarantine. All cattle quarantined on account of tuberculosis may be removed for immediate slaughter on permit of live-stock sanitary commission. Have established State accredited herds where owner lists all of his cattle and guarantees to have all tuberculin tested annually.

UTAH.

No cattle or swine affected with tuberculosis, as disclosed by a physical examination, tuberculin test, or by any other means shall be imported into the State. Bulls, work oxen, or female cattle over 6 months old intended for breeding or dairy purposes other than branded range stock must have health certificate and tuberculin-test chart showing that cattle have been examined and subjected to the tuberculin test within 40 days prior to date of shipment. Cattle for dairy or breeding purposes may be shipped into the State without tuberculosis-test chart if from accredied tuberculosis-free herd which has been tested not longer than nine months of date of shipment. Tuberculin-test chart not required of branded range bulls for breeding purposes or range. Branded range cattle shall be accompanied by health certificate. Every person who sells milk to a dairy and every person engaged in dairy business in the State shall cause every cow milked by him to be examined and subjected to the tuberculin test. Done under direction of State inspector or inspectors of United States Bureau of Animal Industry without charge. Owner, when notified, shall have cattle in barn and temperature taken at 3, 5, and 8 p. m., and injection at 9 p. m., and on following day temperatures at 7, 8, 11 a. m. and 1 and 3 p. m. Chart mailed at once to State board. Healthy cattle passing tuberculin test shall be tagged in lower right ear with metal ear label bearing a consecutive number and "Utah passed." When cattle found suspicious they shall be held for a retest after a period of not less than 40 days and shall be tagged in lower left ear with a metal ear label bearing a consecutive number and "Utah reacted." Cattle reacting to the tuberculin test shall be tagged in lower left ear with metal label bearing consecutive number and "Utah reacted," with a bangle or pendant attached bearing "Condemned." When cattle are condemned they shall be immediately appraised and slaughtered in establishment having Government meat inspection or under supervision of State inspector and result of post mortem recorded on back of tuberculin-test chart. State to pay not more than $1,000 on any claim.

VERMONT.

Cattle must be accompanied by a permit from Vermont live-stock commissioner specifying number in shipment and stating origin of shipment and destination within Vermont.

VIRGINIA.

Health certificate for dairy and breeding cattle including tuberculin test made within the preceding four months. There has very recently been some progress in cooperative work between bureau and Virginia. See statement of Dr. Kisman, hearings January 10, Committee on Agriculture.

WASHINGTON.

Tuberculin test for dairy and breeding cattle and special permit from commissioner of agriculture.

Dr. Mohler note—Work now in progress receiving excellent support of people. Opinion good results will follow if funds are provided.

WEST VIRGINIA.

All domestic animals brought into State must have health certificate showing free from contagious diseases at examination within 30 days prior, or can be brought in under quarantine. There shall be provided for each bovine animal over 6 months old that has been used or is to be used for dairy or breeding purposes a health certificate and tuberculin test chart, except animals from officially accredited herds may be admitted without tuberculin test chart. Does not apply to animals brought in for immediate slaughter or for temporary exhibition purposes. No apparently healthy bull or heifer under 6 months shall be subjected to tuberculin test. May be brought in under quarantine and remain so until tested and released. Unlawful to sell for dairy or breeding pur-

poses any domestic animal brought into the State for immediate slaughter or to use or to permit to be used any such animal for dairy or breeding purposes. The law provides that commissioner of agriculture or agents shall possess authority to test with tuberculin any bovine animal kept within the State. Shall be applied at such times as may be designated by commissioner as necessary in the control and eradication of bovine tuberculosis, and all cows whose milk is sold for human consumption or manufacture and all uncastrated beef animals shall be tested as far as may be possible. Reactors shall be branded on right side of neck with letter "T" unless owner elects to keep animal in quarantine for eight weeks, when animal shall be tested again at owner's expense, and if reacts again it shall be branded. All bovine animals in State deemed tuberculous either by physical examination or tuberculin test shall be slaughtered within a time and at a place designated by the commissioner with appraisal five days previous to date of slaughter. If owner desires to receive indemnity, required to execute agreement that he will thoroughly clean and disinfect all premises, have entire herd tested with tuberculin at such times as commissioner may designate nor to admit to his herd untested cattle and agreement to run two years. Maximum amount of appraisal $75 for pure bred and $50 for grade or nonregistered. Owner shall be furnished with copy of tuberculin test chart and report of postmortem examination.

WISCONSIN.

Importation of cattle into the State for other purposes than to be slaughtered within 10 days subsequent to such importation is prohibited, except when such cattle are accompanied by a certificate of inspection showing tuberculin test within 6 months prior to shipment, or cattle may be shipped in quarantine and be tested at first point of destination at expense of owner. Have plans within State for accredited herds and carry on tuberculin tests to a large extent. Condemned animals to be appraised and one-half paid by State, but in no event shall amount paid exceed $100.

WYOMING.

Neat cattle, health certificate. All dairy cattle, bulls, and female cattle, registered or pure bred, over 6 months old, health certificate including tuberculin test. No action as to establishing accredited herds. No work by the bureau.

And I would ask the gentlemen who are here to look over this abstract, because I have endeavored to give a fair statement of what the activities and legislation of the various States have been in this line. Now, inaccuracies may arise, but do not be too critical, although I spent a good deal of time in securing this and in compiling it.

Inaccuracies arising from changes recently made, if any have been so made, or from lack of complete statement on the part of corresponding State officer may be found in this abstract. All that I expect is that it will be a general basis for understanding the present situation as it is through the several States and the country at large.

A number of generalized facts can be deduced from the foregoing abstract.

The tuberculin test is used in 47 out of the 48 States as a prerequisite for admission of dairy or breeding animals.

Twenty States provide for the public slaughter of animals where tuberculosis has become generalized in the system. The States are as follows: Alabama, Connecticut, Florida, Georgia, Kansas, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, North Dakota, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, West Virginia, and Wisconsin.

All of these except Alabama, Florida, Georgia, and Kentucky provide for compensation, the measure, of course, differing in the different States. The four States last named, I assume, possibly not warrantably, that the county or State which authorizes the forced slaughter would recognize or be compelled to recognize a claim for actual damage suffered by the owner.

Mr. HENSLEY. Missouri can be included, I will say to the gentleman from Nebraska.

Mr. SLOAN. In the matter of payment?

Mr. HENSLEY. In the matter of payment, unless that law was repealed by the last legislature.

Mr. SLOAN. The information coming from your State did not include that, because I looked for it carefully. I am glad the gentleman has made the statement. I will put it in my abstract. I will say that the Congressman states it. My information from the State of Missouri did not include it; neither did it exclude it in terms.

The following States recognize what is known as accredited herds: Illinois, Indiana, Kansas, Maryland, Texas, and West Virginia.

An accredited herd means a herd containing one or more pure-bred animals, the remainder being either pure bred or grades which have been properly tested, found free of tuberculosis, and also kept under such conditions as to not probably contract the disease.

It is quite possible that within the last few months other States, under direction of their live-stock authorities, have adopted the accredited herd system. I suggest this because there has been a great activity among the live stock.

I mention the following facts not directly toward the two items of appropriation but as a matter of importance for our consideration, a lesson that we can draw from the present war.

I took occasion recently to examine the statistics of cattle in the South at two important epochs:

First, 1860 to 1870.

Second, 1900 to 1910.

In 1860 the total number of cattle in the United States was 28,967,028. Of these, 12,019,156 were in the 11 Southern States. In the rest of the country there were 16,857,872.

War had its inevitable effect. Five years after its close, notwithstanding the energies of reconstruction North and South, there were only 28,074,582 head of cattle in the United States. There were in the 11 States only 9,255,956, a decrease of 2,763,200. The cattle and losses were distributed as appear in the following table:

Total cattle in United States for 1860 28,967,028
Total cattle for 1870 28,074,582

	1870	1860	Loss.
Alabama	500,206	813,604	313,518
Arkansas	379,023	590,530	191,507
Florida	466,896	453,451	13,445
Georgia	803,667	1,208,952	400,285
Louisiana	593,138	593,138	209,774
Mississippi	581,247	736,790	155,543
North Carolina	618,263	693,810	75,547
South Carolina	289,207	506,776	217,569
Tennessee	682,218	823,244	141,026
Texas	3,990,158	4,397,414	407,256
Virginia	573,152	1,188,002	614,850
Total	9,255,956	12,019,156	2,763,200

1910. All cattle (United States) 61,803,866
1900. All cattle (United States) 67,719,418

	1910	1900
Alabama	932,428	799,734
Arkansas	1,028,071	894,535
Florida	845,188	751,261
Georgia	1,080,316	899,491
Louisiana	804,795	670,295
Mississippi	1,012,632	873,356
North Carolina	700,861	624,518
South Carolina	389,882	342,898
Tennessee	996,529	912,183
Texas	6,934,586	9,428,196
Virginia	859,067	825,512
Total	15,584,355	17,021,979

Gain in all except Texas. Loss in Texas due to sale of range for agricultural purposes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. How much time does the gentleman wish?

Mr. SLOAN. I can finish in 20 minutes.

Mr. HAUGEN. I will yield to the gentleman 10 minutes.

Mr. SLOAN. It took more than 12 years after the war before the number of cattle before the war was equaled in the country at large. At the close of the war the number of cattle in the Northern States was less than at its beginning. Authorities throughout the country on this problem state that the accredited herd enterprise is coming into general favor. Dr. Kiernan, having charge of the tuberculosis section of the Bureau of Animal Industry, at the hearings stated:

Mr. MCLAUGHLIN. What do you mean by accrediting the herd?

Dr. KIERNAN. Herds that are found free. The way it developed that this plan was adopted, it requires that when herds of cattle have been subjected to two annual or three semiannual tuberculin tests and found free from the disease, that they would be placed upon either the State accredited herd list or the United States accredited herd list. That means that whenever an owner of any of those herds of cattle desired to ship an animal interstate it would be unnecessary for him to send out and get a veterinarian to come in and test an individual animal that he might desire to ship interstate. A certificate could then be issued for any animal in that herd to be shipped interstate, without a further tuberculin test, good for a period of one year.

Mr. MCLAUGHLIN. Did this relate only to pure-bred cattle that you speak of?

Dr. KIERNAN. Well, here is the definition of the pure-bred herd of cattle, to be classed under the accredited herd list, any herd containing one or more pure-bred animals. That plan was adopted and has been sent out to officials of the various States for their indorsement, and we have already received favorable replies from 12 or 15 States.

Mr. RUBEY. Do you mean then, when you say one or more pure-bred animals, that if a herd composed of 20 animals contains one or two pure-bred animals that that whole herd will receive a certificate?

Dr. KIERNAN. Yes, sir.

Mr. SLOAN. As to being clear of tuberculosis.

While the Live-Stock Sanitary Association of the United States, as well as the various national breeding associations, were in convention at Chicago early in December of 1917, the Breeders' Gazette, one of the greatest publications of its class in the world, published an editorial, a part of which is as follows:

A CAMPAIGN AGAINST TUBERCULOSIS.

A tied-up trade is undoubtedly bound to follow neglect on the part of the breeders to set seriously to work to clean their herds of tuberculosis. Some years ago the plan of State accredited herds was presented to them and a considerable number in some States, especially those which encourage a clean-up by means of compensation, are acquiring lists of disease-free herds. In some States the movement has been slow, as breeders fear the possible loss. At the meeting of the United States Live Stock Association in Chicago this week the Bureau of Animal Industry submitted a tentative plan for accredited herds and a committee of that association studied it. At a dinner given by the Chicago Live Stock Exchange at the Saddle and Sirloin Club on Monday night of this week a large number of sanitary officials and veterinarians met representatives of a half dozen cattle registry associations in conference on this subject. A committee of breeders was named to consider the proposed plan, together with the committee of sanitary authorities.

Three factors are essential to a successful campaign against tuberculosis: First, the problem must be admitted to be a cow question, not a baby question. It is fundamentally an economic question. Second, reasonable compensation must be granted for reacters which are slaughtered or segregated. Third, Federal and State aid and cooperation must be liberally extended. It is not a local or a State problem. It is interstate, it is Nation-wide.

Mr. LINTHICUM. Whose statement is that?

Mr. SLOAN. It is the statement of the Breeders' Gazette, an editorial.

Mr. LINTHICUM. He said that it must not be considered a baby question but an economic question?

Mr. SLOAN. He says it must be confined to that. I do not agree with the proposition.

Mr. LINTHICUM. Neither do I.

Mr. SLOAN. Because they are both important, but the economic feature is the one I am arguing. I do not detract in any way from the large question, to wit, the sanitary, of which I know the gentleman from Maryland is champion.

On December 4, 1917, I received a telegram, a copy of which is as follows:

UNION STOCK YARDS, ILL., *December 4, 1917.*

Hon. CHARLES H. SLOAN,
House of Representatives, Washington, D. C.:

At a joint conference of live-stock breeders, State veterinarians, and members of this exchange House bill No. 6188, making an appropriation of $1,000,000 for the control of tuberculosis in live stock, was unanimously approved and its passage recommended.

THE CHICAGO LIVE STOCK EXCHANGE,
By E. C. BROWN, *President.*

To indicate what the live-stock sanitary authorities, as well as the various live-stock associations, are doing in Nebraska, I submit the following telegram recently received:

LINCOLN, NEBR., *January 18, 1918.*

Hon. CHARLES H. SLOAN,
House of Representatives, Washington, D. C.:

Resolutions passed by the Nebraska Improved Live Stock Breeders' Association, Lincoln, Nebr., January 17, 1918:

"Whereas the disease, bovine tuberculosis, is causing a loss of approximately $30,000,000 annually in the United States and is continually becoming a greater menace to the live-stock industry; and

"Whereas if allowed to continue its ravages the production of meat and milk products will be seriously hindered, to the detriment of all classes and to the cause for which we are fighting: Now, therefore, be it

"*Resolved by the Nebraska Improved Live Stock Breeders' Association in convention assembled at Lincoln, Nebr., January 17, 1918,* That we recommend aggressive measures be taken by the Federal Government and various States to eradicate this disease, and that liberal appropriation be made for the purpose. We heartily indorse the provisions of the bill now pending in Congress, introduced by Congressman SLOAN, which provides for an appropriation of $1,000,000 annually for the eradication of tuberculosis, and we urge the Legislature of Nebraska at the next general session to appropriate a liberal fund with which to cooperate with the Federal Government on an equal basis in the payment of indemnities and expenses incidental to making of tuberculin tests in this State; and be it further

"*Resolved,* That a copy of these resolutions be forwarded to Secretary Houston of the United States Department of Agriculture, to the Nebraska Members of the United States Senate and House of Representatives, and to the governor of the State of Nebraska, with request that the substances of these resolutions be incorporated in his message to the next legislature."

CHAS. GRAFF, *President.*
H. J. GRAMLICH, *Secretary.*

The following resolution was passed by the Nebraska Dairymen's Association January 18, 1918:

Whereas the disease, bovine tuberculosis, is causing heavy annual losses in the dairy industry of the United States, and is seriously interfering with the proper development of our dairy herds and the production of milk products: Therefore be it

Resolved by the Nebraska State Dairymen's Association in convention assembled at Lincoln, Nebr., January 18, 1918, That we heartily indorse the Sloan bill now pending in Congress, which provides for an appropriation of $1,000,000 for the eradication of this disease by the Bureau of Animal Industry in cooperation with the various States.

D. H. FRANDSEN.
A. M. TEMPLIN.
H. C. YOUNG.

There were in the United States in 1900, 67,719,410 head of cattle. In 1910, according to the census, there were only 61,803,866. According to present estimate we have now about 63,500,000. All of these are subject to tuberculosis. Of course it is more generally prevalent in the North than in the South, where the climate is more equable and the cattle uniformly live in the open.

This problem should appeal especially to Members who live in the cattle-tick region as well as to those who live above that latitude. That section has been making important strides in rebuilding their live-stock industries. In every State there are many who note the ravages of the boll weevil and at the same time have noticed how the Orient is beginning to cultivate and produce American cotton. They see that the one great crop, cotton, will not maintain their present station nor aid them in that progress for which their climate, soil, and other natural resources equip them. The South can become a successful competitor of the North in the production of meat foods. If proper progress is to be made, the herds which are being built up must be kept clear of tuberculosis. It can only be kept out by a nation-wide cleansing of the herds, especially those from whose ranks must come the breeding factors. Figuring in ultimate results, the people of the Southland have as much at stake in this enterprise as we of the North.

The work proposed is one of man size and is for the hour. It is not a problem for to-morrow. Since the Spanish-American War the Spanish word "manana" has in too many important considerations been Americanized. Let not the Department of Agriculture or the American Congress adopt it. I would like to have you read the statement of Dr. Mohler. It is hopeful, militant, and confident that this problem, if attacked in the way it should be, tuberculosis can be eradicated.

Mr. TILSON. Mr. Chairman, will the gentleman yield for a question right there?

Mr. SLOAN. Certainly.

Mr. TILSON. In a word, what does the gentleman say shall be the plan of campaign? Shall it be intensive in one State, so as to remove it entirely from that State, and then move on to another State, or is it to be a general campaign everywhere all at once?

Mr. SLOAN. It can not all be done at once. It must be taken up by separate areas. I shall try to explain here. Wherever a State will cooperate with the Federal Government, then the State and the owners will proceed to clear up a selected area, just as they are proceeding to do now with hog cholera so effectively. As they clear up an area, other areas will be taken hold of, multiplied, and expanded, and finally the campaign will become State wide and afterwards Nation wide. Dr. Mohler has well stated the plan.

Mr. TILSON. Meanwhile not permitting other cattle from the outside to come in—other cattle that might be diseased?

Mr. SLOAN. Yes.

Mr. LINTHICUM. If the gentleman will permit, if we can not get more than $250,000, it must necessarily be taken up piecemeal?

Mr. SLOAN. Yes. Dr. Mohler believes that if the solution of this problem is properly gone about it will take $1,000,000 for 1919. I have talked with him at least twice upon this subject and once quite recently.

I have made his statement a part of my remarks. He believes that if this problem is gone about it will take $1,000,000 for 1919. His statement fits well with the demand that is being made for increased production of meat. Appeals are being made by our food controller that on certain days we not eat meat. I approve it. Our boys will need it in the trenches. Meat and white bread constitute the battle food of our Army, whom we believe when properly equipped and maintained, man for man, are the best fighters in the world. [Applause.] Let us stint to save. Let us also strain to produce.

Beef production at the present moment is a losing venture. I hope it may improve. The Department of Agriculture appeals to the patriotism of feeders to buy and feed long, that every beef and swine life may produce a maximum of meat.

I received through the mail a few days ago the following figures from an experienced and extensive cattle feeder who had had his ups and downs in that precarious business.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Certainly.

Mr. JUUL. Why do you say that meat or beef production is a losing venture?

Mr. SLOAN. Because it is at this particular time. I shall submit the figures here.

Mr. FESS. Mr. Chairman, will the gentleman permit a question?

Mr. SLOAN. Yes.

Mr. FESS. Is the falling off in the production of live stock due, in a great degree, to these elements that destroy, or are we not producing as much as heretofore?

Mr. SLOAN. Destruction by diseases is a large factor. We are, since 1910, slightly increasing our cattle, and the hog census

showed last April an increase of hogs. Beef production, however, is not right now, as the markets go, a money-making proposition. I can state that because I am fighting the proposition personally now, feeding high-priced corn to what is, comparatively speaking, low-priced beef. Of course there has been, on account of the war, a great demand, with rather fancy prices, for animals of much less than a maximum growth.

Mr. JUUL. I do not want to take up the gentleman's time, but I suppose the gentleman means it is not as paying a venture as farming in other lines might be. The gentleman does not mean to say that a man who is producing meat to-day is losing money in producing it?

Mr. SLOAN. The man who is doing what the Government asks—putting the maximum amount of beef on the bovine life—is losing money now.

Mr. FESS. Would the gentleman care to say what proportion of our energy is going into conserving what we have, rather than increasing the number? Or is the gentleman ready to make a statement in that regard?

Mr. SLOAN. I could not make a good answer to that very pertinent question within my time.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SLOAN. Mr. Chairman, I would like to have 10 minutes.

Mr. JUUL. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 10 minutes.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman 10 minutes more.

The CHAIRMAN. The gentleman from Nebraska is recognized for 10 minutes more.

Mr. SLOAN. I would like to say in response to the question propounded by the gentleman from Ohio [Mr. FESS] that we are devoting a great deal of energy to conserving meat. This measure is for that purpose. We are saving meat. That has an effect on the price of the matured beef animal. Immature animals are relatively higher than they used to be; the matured animals are cheaper. Yet that is just what the Government is appealing for, so that in the end the maximum number of *pounds may* be produced from the number of cattle we have. Feeders were purchased by the cattlemen at an extraordinarily high price. The figures you will find here given by an old feeder. They illustrate the case fairly well. The figures are presented by Hon. C. E. Adams, of Omaha. I read:

	Total cost.
20 feeders, average weight 1,000 pounds, at 9 cents per hundredweight	$1,800.00
75 bushels corn per head for 6 months' feed, 1,500 bushels, at $1.50 per bushel	2,250.00
25 tons of hay, at $15 per ton	375.00
Labor and care per day, $1.33⅓, for 180 days	240.00
Losses from accident or natural causes	90.00
Interest on the investment, 6 months at 7 per cent	162.00
Total cost	4,917.00
Maximum gain on 20 head, at 400 per head, 6 months, is 5,000 pounds, added to the original weight, 28,000; market value of prime beef, to-day's market, $12 per hundredweight	3,360.00
Gain on hogs following cattle, 6 months, 5,000 pounds, at $16 per hundredweight	800.00
Total receipts from sale	4,160.00
Loss to balance account	757.00
Total	4,917.00

It is somewhat different with pork and hogs. Our hog business has been going along all right. But if this Government had not done what it did do in regard to hog cholera we would have had 25 per cent less pork than we have at this time, and the price would be higher to those who have to consume it.

He makes some very appropriate remarks calling attention to the Government having provided in many cases for increase of wages, practically guaranteed transportation earnings, guaranteed good prices for fuel and wheat, that it would be proper to do something of the kind for the beef producer, whom he now figures is working at a loss. Here is an opportunity to aid him to reduce his hazard.

Men who go into hazardous business, where loss appears as frequent as gain, desire to eliminate every possible factor of hazard or loss. One of the large reasons why 8 and 10 years ago many farmers refused to produce swine was because the cholera would come along and destroy their herds. The Government and States took hold of this problem some five or six years ago, and now it is within the power of every swine owner to immune his hogs, or at least reduce their loss to an inconsiderable minimum. Talk about preparedness!

One of the best pieces of preparedness that this Government has accomplished was in attacking hog cholera, the result of which finds us undoubtedly with 25 per cent more pork in the United States than we would have had had the Government not taken hold of the problem.

If the Government would have the cattle owner breed to his capacity and keep his animals till maturity in order that the largest results may follow, every energy of the Government should be exercised to prevent his loss.

There is perhaps a still larger consideration affecting the economic side of this question than any I have detailed, and that is what America will have opportunity to do and which it can do for the world. A hurried reference to conditions following our own Civil War applies not only to the colossal war now being fought but to every war that has ever been waged between organized governments.

The keeper of herds from early times have been looked upon with more favor than the tillers of the soil. It was so between Abel and Cain. For this there are some religious reasons. There are reasons based upon turning the fruits of the soil into concentrated form for the sustenance of man. This form does not terminate growth when summer's burning sun gives way to winter's duller orb. There is the more important reason that while fruits of the soil must be carried wherever man would wander, the flocks and herds carry their own weights and the other burdens of man. But more particularly and to the point are the flocks and herds the source and support of soil fertility.

A searching glance of a map covering southeastern Europe, southwestern Asia, and northeastern Africa, coupled with a brief historical survey of that region centered around the cradle of the race, must lead one to consider why no vigorous civilization of the ancient days survive. Why are the peoples all subservient to other powers? Why the decrease of forestry? Why do the rivers carry less waters to the seas? Why is commerce decadent? Why the diminished plains and valleys of plenty? Why the multiplication in number and the extensive increases of desert areas? Why so much sand and so little loam? Many causes familiar to students of history there are but I shall emphasize but one. The history of that section is largely a recital of its wars. Canaan and Moab, Assyria and Babylon, Syria and Persia, Turkey and Egypt, each have sent over some of the others their battling and destructive hosts. The flocks and herds of the defeated have been despoiled while those of the victorious were not augmented. With the alternating tide of battle there was reduction and often destruction of sheep and cattle.

Without the herds and flocks the deserts charging with sand-laden winds invaded fertile valleys and subdued productive plains. In this day travelers passing through that section of the earth eagerly inquire how far to the next oasis or river. In that ancient day the wayfarer or the fugitive inquired what distance to the desert.

Over in Europe they are destroying millions of human beings in battle and elsewhere. But great as is the human waste I am convinced that, relatively speaking, there is a much greater reduction of food animals.

The lesson of the destroyed herds of the Orient is patent to all European countries. When peace arrives their representatives will be coming to this country to obtain factors for rebuilding their herds. They will view the animals as they appear and will study their pedigrees for desirable strains of blood. But while investigating these they will also consult with care the health of the animals considered for shipment to Europe. Then will appear large profits to the American producer and saving to the consumer, combined with advantage to a hungering world seeking to provide for itself that food for which the human system throughout all the ages has craved—namely, beef. [Applause.]

Mr. LEE of Georgia. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. YOUNG].

The CHAIRMAN. The gentleman from Texas is recognized for 20 minutes.

Mr. YOUNG of Texas. Mr. Chairman and gentlemen, in dealing with this, the annual appropriation bill for the Department of Agriculture, we are dealing with items that touch agriculture in all of its phases, and every phase of agriculture has its peculiar troubles. One section of the country, by reason of climatic conditions, is confronted with its peculiar troubles. Another section of the country, by reason of its peculiar climatic conditions, has its particular troubles. In the forests in some sections of the country we have one trouble; in the prairies of another section we have another trouble, and so far as the Committee on Agriculture is concerned, a committee in which politics does not enter, we, representing the different sections of the country and knowing the troubles confronting agriculture in the different sections of the country from which we come, undertake as best we can, with the expert information given us by our department and with the knowledge peculiar to each of us, to deal fairly with every trouble, from

whatever section that trouble may come, and to legislate in order that the great whole may be taken care of.

Now, the distinguished gentleman [Mr. SLOAN] who has just discussed at some length one of the great troubles, tuberculosis, that confront the live-stock industry of this country will not find any quarrel with me in his effort to eradicate that trouble. It is a trouble not peculiar to live stock. It reaches into the human family and it has been combated all these ages as best it can be combated, and personally I am not averse to doing anything that can be done that would help to eliminate tuberculosis from cattle in any section of the country.

Gentlemen who discuss the great appropriations that they want for this one item can not raise any quarrel with me, coming as I do from a State that has 8,000,000 head of cattle to contribute to the food supply of the world. Our people are intensely interested in that industry. In the year just passed and in the year before that 144 counties of that great State did not have rainfall, and magnificent herds of cattle that men had devoted a lifetime to building up, great thoroughbred herds, had to be sacrificed, and 2,000,000 head of cattle have been swept away. That country is barren. It has had these troubles.

But while I am intensely interested in this great proposition, as a member of the Committee on Agriculture with a duty to perform, with other interests involved, and not one alone, where the whole subject of agriculture must be taken care of, personally interested as I am for my State with its millions of head of cattle, when there comes before the Committee on Agriculture expert information that that committee must rely upon in appropriating the people's money, I am bound to follow the advice and recommendation of those experts. And what do we do with reference to this item? We appropriate every dollar that these experts tell us they can legitimately expend in the next fiscal year, and we give them $50,000 more than they estimated for in the original estimates as they came to our committee. When the direct question was asked of those experts, "How much can you spend on this item in the next fiscal year?" and they told us that $250,000 was the outside amount that they could legitimately use, that committee with one voice gave them $250,000.

Mr. SLOAN. Does the gentleman say that Dr. Mohler did not think that they could use effectively a great deal more than $250,000?

Mr. YOUNG of Texas. I do not think Dr. Mohler's testimony can dispute the statement of the expert that we had before the subcommittee and before the committee, when the direct question was put to him, and he had to answer it. We asked him, "How much can you legitimately use and expend?" and he said $250,000, and we gave it to him.

Mr. SLOAN. That was Dr. Kiernan, was it not?

Mr. YOUNG of Texas. I think that was the gentleman's name.

Mr. SLOAN. And that was what he thought could be used on the basis of the work that had been laid out.

Mr. YOUNG of Texas. Oh, the gentleman is not going to raise any quarrel with me on the amount, when we get the machinery to spend this amount properly. But there rests upon us the duty of taking care of the Treasury at the same time that we take care of these great interests. We have got to have organization, we have got to have system, we have got to have the machinery, and as a Committee on Agriculture we are dependent on the department down here to give us the information as to the machinery they have, and as to what they can legitimately spend. And when they tell us that they can use only so much money, I am not going to vote to appropriate a great sum that will be wasted, however great the end which we desire to accomplish. Now, I have had a little experience in these matters. In the South we have the tubercular trouble. It is not a sectional trouble confined to one section of the country alone. It is all over, and we are all interested in the meat supply of the Nation. But take the Texas fever, that comes by reason of the cattle tick. We have had a great fight on that in Texas, which is an empire within itself. We have spent a lot of money locally, and we had the help of the Federal Government trying to eradicate the pest which brought about this disease. Here would be one bunch of men spending money trying to eradicate it within a certain area, but here was a neighbor over on another great pasture who had not seen the importance of this proposition, and he did not clean up his pasture, and the result was that he overran his neighbor, and we had much lost motion and lost energy, and we wasted a great deal of money. Yet we knew the concrete proposition that we were after, which was to destroy the pest that cost us many millions of dollars each year. But after spending this money gradually from year to year, both locally and by the national authorities, the time finally came around when the whole State was awakened to the proposition, and we did the sensible thing. Millions of dollars had been wasted, but when the proper time came, after a campaign of education had aroused everybody to the necessity of it, we did the sensible thing. Public sentiment being aroused, the legislature of that great State took up the matter of eliminating this pest, and by legislative enactment they said, "The Government has discovered for us a method by which the cattle tick can be eradicated, and we will no longer fool with this pest, but we will say by statutory enactment that Texas must be free of the cattle tick by 1921." So they made compulsory the dipping of the cattle, and by 1921 we will be free from that terrific trouble, and we will have won the fight and struggle that we have had for all these years. But we had to do it gradually. We spent this money, and we built up public sentiment. If the Government had given us millions from the Federal Treasury, and that had been supplemented by millions from our State and our localities, it is likely that it would not have been wisely spent at the time and most of it would have been wasted; but when we attack these great problems we must do it gradually. I believe in attacking them. You will not find me trying to throw anything in the way of the attack you are going to make on tuberculosis. But we have got to handle it as we do other great questions—appropriate the money as it can be legitimately used, make the fight consistently, and when you have organized your machinery and when you are getting it in motion, as they need more money, I am free to say to you, representing the great State of Texas with so many cattle as we have, my voice and my vote will be cast for every dollar that can be righteously expended on this one great subject. [Applause.]

Mr. ROBBINS. Mr. Chairman, will the gentleman permit an interruption?

Mr. YOUNG of Texas. Sure.

Mr. ROBBINS. Before the gentleman leaves that subject, how much does he say can be advantageously expended in this tuberculosis campaign? The gentleman is on the committee.

Mr. YOUNG of Texas. My judgment is the judgment based on the expert on whom we relied, who stated that he could use only $250,000 in the next fiscal year.

Mr. ROBBINS. Is that the amount fixed in the bill?

Mr. YOUNG of Texas. Yes. We gave him every dollar he asked for, and $50,000 more than was in the original estimate.

We have got other problems to deal with. Agriculture never was confronted with such serious conditions as it is to-day. I am sure that you gentlemen from the other States know your own local conditions. I know the conditions in my own great State.

It so happens that Texas is a great cotton and cattle State. It takes a great deal of labor in that State to produce cotton. We are short of labor. Our farmer boys, being patriotic when Old Glory called, went to the colors, leaving the farm, leaving the store. They have gone from us; they are not there to till the soil. That is true of other States in the Union. Not only are we confronted with the fact that the boys who have worked on the farm all these years have gone from us; other classes of labor, listening to the siren song of high wages in manufacturing centers of the country, have left agriculture by the thousands and the farm is stripped of that labor.

I do not know how it is in other States, but in Texas, a State 800 miles north and south and 800 miles east and west, we will be able to plow and be able to seed the crop, but where the labor is to come from to preserve the crop no man can undertake to say.

Mr. DENISON. Will the gentleman yield?

Mr. YOUNG of Texas. Yes.

Mr. DENISON. Did I understand the gentleman to say that the present war has taken the boys from the farms in Texas?

Mr. YOUNG of Texas. Yes.

Mr. DENISON. Does the gentleman mean the draft law?

Mr. YOUNG of Texas. Both draft and volunteer.

Mr. DENISON. The draft law gave to the President the authority to exempt labor on the farm.

Mr. YOUNG of Texas. Speaking for my State alone, I would like to see the color of the eyes of any President who could exempt a boy in Texas when Old Glory calls. [Applause.]

Mr. DENISON. I asked if the gentleman had reference to the draft law and he said he did.

Mr. McKENZIE. Will the gentleman yield?

Mr. YOUNG of Texas. I will.

Mr. McKENZIE. The fact is, is it not, that a large number of the boys refused to ask for exemption?

Mr. YOUNG of Texas. That is true all over the Nation; I do not speak of any particular section. I am speaking of the facts. I am not going to be drawn off into a discussion of the draft law. I voted for it and I would vote for it again, but

these are facts confronting the Nation, and not only the Nation but the world at large. I know, as every gentleman here must know, that in this war in Europe the trouble at this moment is the food supply, something to keep not only the soldiers supplied but the civil population as well. Our allies are looking to us to furnish that food supply.

Mr. SNELL. Will the gentleman yield?

Mr. YOUNG of Texas. Yes.

Mr. SNELL. Has the Committee on Agriculture anything in view to relieve the shortage of farm labor at the present time?

Mr. YOUNG of Texas. It has not been discussed by the committee as a committee, so far as I am advised. So far as I am personally concerned, using my wits as best I may, I do not know and I can not suggest where we are going to get the labor to save the crops of my State.

Mr. SNELL. I notice in a bulletin this morning that Mr. Post, Assistant Secretary of the Department of Labor, says that there is no necessity of importing common labor, that there is plenty in this country. I would like to know where that information comes from. In my district there is a shortage of labor on the farms, and farmers are complaining at the present time and want to know what Congress is going to do about it.

Mr. YOUNG of Texas. I wish I could give the gentleman the information. I am speaking of my section because I know the facts. You gentlemen who have not seen cotton grow do not realize the great labor necessary in the production of cotton. In the saving of cotton after the crop is made you have to pick four or five locks of cotton from one boll, and it all has to be done by hand. In that way one has to gather 1,500 pounds of seed cotton to make a bale of 500 pounds of lint. Last year our crop fell down from 4,500,000 bales to 3,000,000 bales by reason of 144 counties having been swept by drought. Last year had it not been for the failure of the west and southwest Texas, northeast Texas that made a cotton crop could not have preserved it even in the first year of the war. While I am on that item I want to say that this is one item that affects every man in this country as well as in Europe. We are on a starvation basis for cotton supply of the world. For three years, instead of making 16,000,000 bales of cotton in this country, we have made 11,000,000 bales, and 11,500,000 bales, and the present year 10,500,000 bales. There have been three short cotton years, with a war which is demanding this great product.

Now, we must make it to clothe our people. We must save it to clothe our boys in the camp, and this labor question is one which confronts us and we have to deal with it.

Mr. SNELL. Will the gentleman yield?

Mr. YOUNG of Texas. I will.

Mr. SNELL. Does the gentleman agree with the statement of Mr. Post in regard to the importation of labor?

Mr. YOUNG of Texas. I will say that I do not know anything about where those figures or statements came from. I am stating what is true in my section of the country.

Mr. SNELL. I read that from the Official Bulletin issued to-day.

Mr. YOUNG of Texas. The gentlemen from other States know what the conditions are in their sections of the country.

Mr. ROBBINS. Will the gentleman yield?

Mr. YOUNG of Texas. For a question.

Mr. ROBBINS. I notice in this morning's paper a suggestion that we import from Porto Rico 110,000 laborers for use on the farms of the United States. What does the gentleman think of that proposition?

Mr. YOUNG of Texas. I would not like to express an opinion on that proposition, because I have got to think about what is involved in it. I have heard suggestions made here and there of taking the boys out of this place and that place and putting them on the farms. I know as a man raised on the farm that if you go and get people who have never had any experience in farming and put them on the farm, you will not get the best kind of labor. Say what you may about it, in order to be a good farmer and render effective work, a man has got to have experience on the farm and know how to do that work.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Texas. Yes.

Mr. McKENZIE. As a matter of hope, does the gentleman not think that the good wages paid by the Texas farmers to the Mexican laborers this past season will be an inducement to bring those same men back this year to harvest this year's crop? Is there not some hope in that?

Mr. YOUNG of Texas. The question of good wages is an inducing cause which carries labor from one section of the country to another all of the time. It was the high price of labor in the factory sections of the country that induced these men first to leave the farm to get better wages. They are all human beings, and they are all selfish, just as we are. They want the best wages they can get. We will get them back if wages will get them back. What did we do this year? All my life I have had cotton picked at the rate of 50 to 75 cents a hundred pounds—seed cotton. This year the high wages drove us to pay all the way from $1 to $1.50 a hundred for that crop.

Mr. HUSTED. To what extent would the gentleman say farm labor in Texas had been depleted on account of the war?

Mr. YOUNG of Texas. It would be very difficult to arrange it on a percentage basis. I have not figured it out in that way. The only thing I know is of my own immediate community. There is scarcely a farm in the whole community, from a one-horse farm up, where one to two of the farmer's sons have not gone from the farm into the Army. I have not figured it out on a percentage basis, but you let that run through all the farms all over the United States and it will make a tremendous total. Who is going to say to the boy "No" when he says he is going to the colors? I can not tell a boy in my county not to leave the farm, and I am not going to do so. That is a matter that must address itself to him—what his duty is—but I do know that when he performs his duty as he sees it, and he leaves the farm and enters the service, there is a vacant spot on the farm that some one must be found to fill in order to cultivate and garner the crops in order that the armies at the front may be fed and our civil population may be cared for. It is a great problem that some one has got to work out. Some plan must be devised by which agriculture can be cared for. Of course, great prices for crops help in a way; but however great those prices may be, if you have not the labor to produce them, the crops can not be purchased and can not be conserved.

In this bill we have dealt in a practical way with the different problems that confront the different sections of the country. Where insects appear and the Government say they want to attack the problem, we have given such money as they have said they need, and it is proper to do so. Some gentlemen seem to criticize the appropriation for the eradication of the pink bollworm. It so happens that this insect has struck my State first. It came from Mexico, where many of our troubles come from.

The boll weevil came from there. I had overlooked the fact that along Trinity Bay and three or four counties in the Beaumont section have been ravaged by this insect. I did see that it was discovered up toward the central part of the State, where one field was thought to be infested. I hoped as a cotton grower that the Government specialists were mistaken as to the insects they have found, because I know the history of that pest in other countries. When it enters a cotton field it destroys the field and drives out the industry. That is not a Texas problem any more than it is a problem for the people in Massachusetts, where they manufacture the cotton that grows in that State. It is not a Texas problem any more than the foot-and-mouth disease was a problem of Illinois and for Central and Western States, because the meat problem was a problem for every State in the Union. It is not a Texas problem any more than the gipsy moth is a New England States problem, because that insect threatens the timber all over the country. It is a world-wide problem. Where are you going to get your clothing if the cotton industry is destroyed? This insect has made its appearance in my State. I hope that it may be wiped out. We have combated the boll weevil, and we have been able from year to year to make advancing gains on its destruction. It has been a great fight, too. When that insect first appeared there in my own district honorable men who had spent a lifetime buying their farms and rearing their children had their crops destroyed, and it was on the crop that they expected to survive, and those men made great sacrifices and sold their farms, believing that the insect could never be controlled. They practically gave their land away. But we have got control, and those same lands to-day are higher in value than they ever were in the history of the State. And I want to say to the gentlemen from the other cotton States of the South, as the boll weevil enters your territory advise your farmers to stay with their real estate and not to sacrifice it as so many Texas farmers did, as we have conquered the proposition and our land values are better than ever. Many of those people who sacrificed their lands are now tenants, and they never have been able to buy a farm again. I hope and pray that the pink bollworm, which is said to be more destructive than the boll weevil has ever proven to be, may be gotten under control, that the Government in cooperation with the States will be able to handle it. Only last year it appeared, and the Legislature of Texas made an appropriation. It is small, it is true, because at that time we did not know the seriousness of the menace, but they did better than that appropriation. They provided that sections of the country where this insect had ap-

peared should be segregated and no cotton should be planted, in order to wipe out the insect, in order that it might not scatter from there to other parts of the State.

You remember this insect is over the southeastern part of the State. That is 400 miles from where I live, in the great cotton belt of Texas, and now by these quarantine regulations on the part of the State, with the aid the Federal Government will give them through their experts' advice and cooperation, it is hoped that at one fell swoop this insect may be destroyed and not live among us as the cotton-boll weevil has all these years. The endeavors of the Government will reach across the Mexican border. There is a certain limited section of cotton territory from where this insects comes, and it is hoped by the aid of the Mexican Government and its people, through cooperation which has been promised, this whole thing can be wiped out in a year's time. Now, the truth is, while some gentlemen have criticized a $500,000 appropriation, $100,000 of it will be actually expended on this educational work—demonstration, and such methods as they use in a question of this kind, quarantine, and so forth—and the other $400,000 is simply an emergency fund that will be used only in the event this insect shows up and it is necessary to use it in the infected section. It is not to be used otherwise, but to be turned back to the Treasury. So much for that item.

Now, on the other hand, as to our boys who go to the front from the farm and our factories and other avenues in life, I want to say, as far as my personal observation goes, I have seen very little evidence of slacking since the country's call, so far as my immediate section of the country is concerned, and so far as I know generally, there is very little evidence of it in any section. But they are gone. They are dependent on those of us left behind here, whether we are in Congress or out of Congress, to see to it that they are properly armed, that they are properly clothed, that they are properly fed, and that they have the proper medical supplies; and I, for one, want to do whatever I can do to see that those boys are gratified in their desires and their demands, because they are risking their lives for me and mine, and it is as little as I can do as an American citizen, as a Member of this body, to contribute my mite wherever I can and however I can in helping our boys at the front, that they may be properly cared for.

Mr. DENISON. Will the gentleman yield?

Mr YOUNG of Texas. I will.

Mr. DENISON. The gentleman has spoken about slacking in connection with the boys in Texas in this war.

Mr. YOUNG of Texas. I did not limit it to Texas.

Mr. DENISON. I want to ask the gentleman from Texas, would he consider it slacking for a young man whose services were needed on the farm to claim exemption on that ground?

Mr. YOUNG of Texas. If a man would figure it out as he would a mathematical proposition, a boy might be of more service on a farm than he is at the front. I feel that. Here is Bill on one farm and Sam on the other, constant companions for a lifetime and great friends, true boys. Bill feels it his duty to respond to the colors. That is where the Government calls and he goes, but Sam may feel he is called to remain on the farm and at once there arises in the community a proposition, why did Bill go and Sam remain? Call it what you may, that is a condition that arises immediately, and when you find one fine fellow volunteering the boy on the next farm to him is going, too. It is then up to us, knowing that it is true from one end of the Nation to the other, it is up to us, how are you going to fill the vacant place to make Mother Earth produce the sustenance that these boys must have at the front? I do not know; I have been thinking a good deal in my office lately where I can be of practical service. I try in every letter that I write to make some suggestion that will help in the community where that letter is written and I have mailed out something in the nature of a circular letter to numbers of people, calling attention to a need here and there, and I think some good has been accomplished from it. I believe that every Member of this Congress representing the various districts of the Nation——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEE of Georgia. I yield the gentleman five additional minutes.

Mr. YOUNG of Texas. If we could feed out from here where we know the demands made on the Government in fighting this war and can get that information into the various sections of the country and wake people up as to the immediate need we can all do some good in a personal way in response to the correspondence that comes to us from every section of our districts. We have got it to do. Whether our service is on this floor or outside of this floor we have that great burden on us and with the conflicting problems that arise it behooves every Member of this body to bestir himself to know just what he can do in a practical way to wake men to take some step or some action that will help to produce the food supply and conserve that food supply.

Great prices will not do it, as I said before. Great prices will not do it, and yet this price problem is a serious problem. Take gentlemen from the corn-growing States. That is their great industry. That is where they get their great resources from, and when they get good prices their people are usually prosperous if they can make a good crop; but prices now can not be compared with prices before the war, because—take one item in my State, where we used to get labor for 50 cents to pick cotton, and they got good wages picking three, four, and five hundred pounds a day, they now have to pay as high as $1.50. The farmers who have got to buy cultivators to grow your corn have to pay 50 to 100 per cent increase on many of those items. Clothing the same way. Your harness is the same way. Besides, you do not grow everything you use. We grow one great crop, you grow another great crop, and as a united country a commodity that helps to make our respective communities great helps to make a great rich Nation, from which our wants are supplied; but when the corn crop fails in the State of my friend from Iowa, why Texas feels that failure.

And when the cotton crop fails in the great State of Texas the State of Iowa, my friends, feels that failure, And so it is true of the crops through all the farming industries. And the diversified interests that we have render us great problems in this bill from year to year in order that we may see to it that all of these industries along the agricultural lines may be properly cared for, and more abundantly cared for just now, because the world is at war. The war will be lost or won in the ability of the United States to furnish the food supply. God grant and give us the wisdom and the power as an American people that we may answer the cry of our own people and our allies, so that when this war ends we may be conscious of the fact that we have met the demands. The war won, and liberty, justice, virtue, and democracy may live forever. [Applause.]

Mr. LEE of Georgia. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri [Mr. SHACKLEFORD].

Mr. SHACKLEFORD. Mr. Chairman, just now there is much criticism of our management of the war. Most of these complaints are unjust and very unfortunate.

The President, his Cabinet, and Congress are honestly and earnestly laboring for the common good. Murmuring and grumbling tend to dishearten and discourage them. Moreover, it is calculated not only to injure us in the estimation of our allies abroad, but to create distrust and lack of confidence among the people at home.

Taken altogether the progress made and the efficiency shown by the United States since the declaration of war have been marvelous. The world has been astonished at our success.

Undoubtedly many mistakes have been made in the performance of our gigantic task. It could not be otherwise. Did gentlemen think when we entered the war that it was to be a holiday; that it would cost us nothing; that we should achieve a succession of brilliant performances and make no blunders; that we should score a series of glorious victories and suffer no reverses? These were matters to be considered when we were determining whether we would go to war. It is too late now. We are in war, a terrible war, and the time has come when we must fight, not moan.

A bill has been introduced in the Senate to create a war cabinet clothed with powers to map out and direct war policies and have charge of war supplies. A bill somewhat similar has been introduced in this House. The adoption of this measure would be to take the conduct of the war out of the hands of the President and turn it over to the proposed war cabinet. To do this would, in my judgment, be to invite disaster. We should leave the management of the war with the President. I think it is to be regretted that such a proposition has been brought before Congress. Nothing can come from it except to stir up dissensions and strife at a time when our greatest need is a united people.

This war cabinet scheme has the support of able and patriotic men in both Houses of Congress, but it has received its momentum chiefly from strong influences outside of Congress.

Powerful manufacturers have contributed largely to this propaganda. Secretary of the Navy Daniels and Secretary of War Baker have both been very careful of the taxpayers' interests in purchasing war supplies. This has aroused the antagonism of some who desired greater profits and feel that they might have fared better with a war cabinet.

Another group which has been very active in its advocacy of the proposed war cabinet is composed of politicians who are seeking political advantage. Not only do they criticize the

present policies of President Wilson and Congress, but they rake the realms of the past for dead issues out of which to make political capital. They are still carping about the failure of the President and Congress to plunge the country into the European war at its outbreak to avenge the wrongs of Belgium. Much criticism is still being made against President Wilson and Congress because we did not go into the war upon the sinking of the *Lusitania*. Newspaper columns teem with abuse of Congressmen who, whether mistaken or not, voted against the declaration of war. All of these questions have gone into the past and can have no bearing upon the vital issues of to-day. This carping criticism and abuse is indulged in in the name of loyalty, but is in fact the efforts of ambitious politicians to gain favor by prejudicing the public mind against those who now enjoy the confidence of the people.

A characteristic example of this class is Col. Roosevelt. For several months he has been engaged in bitter denunciation of the President's management of the war. He has not confined himself to a discussion of Mr. Wilson's present policies, but has gone into the issues of the past to find something upon which he could arouse opposition. He claims this all is done to help win the war, but we can not escape the conviction that he is moved by an irrepressible yearning to strengthen himself in popular favor. The following is from an editorial in the Kansas City Star, written by Col. Roosevelt:

Our economic unpreparedness is just as complete as our military unpreparedness and is one of the chief factors therein. We are now paying bitterly for the fact that two or three years ago it was deemed politically wise to shape our Government policies along the lines of "watchful waiting" and "he kept us out of war." If three years ago we had begun in good faith and earnestly to prepare, and if when the *Lusitania* was sunk we had acted precisely as we did act, with no more provocation, in February last this war would now be over.

Mr. Chairman, I believe the President's policy of "watchful waiting" was sound. The most grievous affliction of our allies has been food shortage. The one thing that has made the ultimate defeat of Germany certain was the great crop of this country in 1917. Had our farmer boys been called to training camps two or three years sooner an insufficient food supply might have compelled England, France, and Italy to have quit the fight.

It is true that our slogan in the last campaign was "He kept us out of war." To that battle cry a majority of the American people rallied and elected Mr. Wilson President against the vehement advice of Col. Roosevelt. Was our position in that campaign correct? I think it was.

But suppose that "he kept us out of war" and "watchful waiting" were unsound policies. Suppose Mr. Wilson and Congress were in error in their failure to enter the European war at its beginning. Suppose Mr. Wilson and Congress blundered in not going into the war immediately upon the sinking of the *Lusitania*. Suppose Congressmen were mistaken in voting against the declaration of war in April. Nobody will contend that the President and Congressmen were not controlled by their conscientious judgment. These questions have all been swallowed up in the voracious yesterday and have no connection with the living, burning problems of to-day. Then why would Col. Roosevelt and scheming politicians of smaller caliber dig up and discuss those dead issues of the past? There can be but one reason for it, and that is a desire to secure political advantage.

Some light may be shed upon the motive of Col. Roosevelt for resurrecting these dead issues and trying to inflame the public mind over them by the news items appearing in the papers for the last few days since he came to Washington. Here is one from the Enquirer:

WASHINGTON, *June 23.*

Col. Roosevelt brought up the heavy artillery for a tremendous drive for speeding up the war. He rallied the congressional critics of the administration's conduct of military affairs and gave new heart to the movement for the creation of a war cabinet. The breach between the President and Congress widened to the breaking point. On every hand it is admitted that a crisis is on hand that perhaps will determine the future military policy of the United States against the central powers.

Col. Roosevelt's arrival in Washington this morning gave the congressional critics of the administration a leader who intends to make the best of his opportunity.

I will read an item from the Post of the same date:

Col. Roosevelt's candidacy for the Republican nomination in 1920 was given an impetus at the meeting of the subcommittee of the Republican national committee's executive committee yesterday. Among the Republicans the lines are being drawn between the Progressives, headed by Col. Roosevelt, and the old guards who are generally regarded as unalterably opposed to the consideration of Col. Roosevelt as a candidate.

Nobody doubts the loyalty of Col. Roosevelt, but all Americans must sorely regret to find this great man playing the patriotism of the country as a trump card in a political game. How inspiring it would have been to have found this wonderful genius of organization here not to lead a fight against the President but to promote harmony with the President and a united effort to achieve victory for our country.

Mr. Chairman, our country faces an awful crisis. Before the war broke upon us there were many opinions amongst us as to the policy it were best for us to pursue. Some thought we should go into the war at the beginning to avenge the wrongs of Belgium. When the *Lusitania* went down the number who believed we should enter the war was greatly increased. When we met in extra session last April the President had reached the conclusion that the time had come to abandon the policy of "watchful waiting" and take aggressive action. Some of us believed we should still keep out of the conflict and demand redress of our wrongs when peace should be restored. Each was honest in his own view and would have been unmanly had he not contended for it, but when Congress declared war personal opinions were laid aside and all stood together for our common country. Those who advocated the war and those who opposed it—Democrat, Republican, and Socialist—all lined up together to bring victory to our arms.

Mr. Chairman, all of us—President, Cabinet officer, and Congressman—feel the weight of the appalling responsibilities resting upon us. We all desire to do that which is best for our country. In the performance of our solemn tasks we need the confidence and sympathy of the people and the guiding hand of God.

But, sir, notwithstanding the false notes sounded by the self-seeking few, it is encouraging to know that in this dark hour of war there is harmony and unity of purpose among our people. They hold themselves ready to sacrifice their all upon the altar of their country. They deny themselves fuel. They observe wheatless and meatless days. They stand with purse in hand to subscribe to Y. M. C. A. and Red Cross; to buy thrift stamps and liberty bonds. They submit to the most burdensome taxation to provide revenues for the support of our Army and Navy. Fathers and mothers restrain their sighs and their tears as they send their sons away to fill up the ranks of war. When our young men are called they solemnly, but promptly, go with unfaltering steps to carry their country's flag to victory.

Our souls are filled with gratitude that God has put it into the hearts of the people to so heroically and loyally consecrate themselves to their blessed country.

Mr. LEE of Georgia. Mr. Chairman, I yield 15 minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, I am particularly interested in the subject which is under discussion to-day, that of the eradication of tuberculosis from the cattle of this country. As the Members present know, some two years ago I introduced a resolution to investigate this subject, and, through the assistance of the federation of labor of my State, cooperating with the Federation of Labor throughout the country, we were able to bring this subject before the various labor organizations, the women's clubs, and other organizations of the country, as to the importance of the eradication of tuberculosis. I told them at that time that there were some 2,000,000 cattle in this country suffering from this dread disease; that there were some 93,000 deaths each year from tuberculosis, and that 6,000 of these deaths could be traced in children who had contracted the disease from tuberculous cattle through the drinking of the milk.

I treated the subject upon the line of sanitation and health more than upon economic lines, because while I believed and while I realized the great importance of the economic question as to the eradication of tuberculosis, and while I admire the magnificent argument made by the gentleman from Nebraska [Mr. SLOAN] along that line, I believe the great and paramount question involved in the eradication of tuberculosis among cattle is to stop the spread of bovine tuberculosis among the people, and especially among the children of this Nation.

We hear a great deal about the conservation of the food supply, conservation of the fuel supply, conservation of this, that, and the other, but I tell you, gentlemen, the great question for our country and for every other white country on the face of the globe in these days is the conservation of humanity and the continuation of the white race with its power and might on this earth, and yet we sit idly by and appropriate the meager sum of $250,000 for the eradication of tuberculosis among cattle, when we know we can trace the death of 6,000 children to that very cause. We appropriate some $600,000 for the eradication of the cattle tick. We appropriate other hundreds of thousands of dollars toward eradicating the boll weevil. We appropriate hundreds of thousands of dollars for the eradication of hog cholera. All these large sums, as the gentleman from Texas says, are not matters for the State of Texas, not for the State of Iowa, or for the State of Massachusetts, but they involve the welfare and the prosperity of all the country from Maine to Florida, and from the Atlantic to the Pacific. We can not touch

upon any of these questions in any one State or in any one section of the country that we do not affect these other sections of the land. And so, as the gentleman said in reference to the boll weevil in Texas, in reference to the hog cholera in the South, in reference to these various other things, they are subjects in which the whole Nation is interested. And likewise is the whole Nation interested in the question of the eradication of tuberculosis from cattle.

I talked to Dr. Mohler. He said, "Yes; $250,000 was all that they had asked for." "But," I said, "Doctor, what can you do with $250,000?" He replied, "Not much. We can proceed along the line on which we have been proceeding, but we can not make much headway." "Suppose you had the $1,000,000 which Mr. SLOAN has asked for in this bill?" He said, "If we had the $1,000,000 we could pursue the subject with greater energy; we could go into the various States and campaign. We could show the people the great necessity for getting rid of tuberculosis; and we could use it with great advantage by adding to our present system of operation. But with $250,000 we can merely proceed along the lines on which we are now proceeding, and which are extremely slow."

Do you know the lines along which they are now proceeding as recorded by Dr. Mohler? I quote from the hearing:

> Before commencing the eradication work in a given area the subject will be presented in its true light, and they would decide by election their will in the matter. Every qualified voter should have the privilege of casting the ballot to decide whether or not tuberculosis should be removed.

Now, just imagine proceeding along lines where you leave the people to vote whether tuberculosis shall be eradicated or not. Did you leave it to the people to vote whether or not the boll weevil should be eradicated? Did you leave it to the people to vote whether or not the hog cholera should be eradicated?

Have you left it to the people to vote whether or not the white plague shall be eradicated from the human race? And yet here you are proposing under this method the using of $250,000 to let the people of any given section say whether tuberculosis in cattle, which spreads disease among all the children of the country, shall be eradicated. And that is the system under the $250,000 appropriation.

As Dr. Mohler said, "If you give me the money to eradicate tuberculosis from cattle, I can get rid of it, and I can get rid of it without these vast sums of money that the people imagine will be necessary." I said, "Doctor, what do you propose to do about these fine herds of cattle, where men have built them up for years, where they are proud of them and are interested in them? Do you propose to kill the cattle?" He said, "No. We propose to separate the diseased cattle from the perfect cattle, and then we propose to take the calves from the diseased cattle and put them with well mothers or feed them on pasteurized milk, and in that way we can save the diseased cattle, we can breed from them, and we can build up the herds to just as large an extent as at the present time and gradually get rid of the diseased cattle without any great loss." So there is no necessity for any great loss. Why, gentlemen, right here, as the gentleman from Nebraska [Mr. SLOAN] has told you, tuberculosis in the District of Columbia has been reduced from 18 per cent to less than 1 per cent. In Maryland it has been reduced in vast herds from 12½ per cent to about 2 per cent, and throughout the whole section where they have worked and where they have had the money with which to work they have gradually eradicated or greatly diminished tuberculosis. I would like to see a million dollars appropriated for this work.

Mr. SLOAN. Mr Chairman, will the gentleman from Maryland yield?

Mr. LINTHICUM. Certainly.

Mr. SLOAN. Dr. Mohler is the head of the Bureau of Animal Industry, is he not?

Mr. LINTHICUM. He is; and he is a man who has given a great deal of study to this work.

Mr. SLOAN. He is the best authority in the world, as I understand, on that subject. If he were given sufficient funds to carry out his plans, as outlined in his letter or statement to me, he would require, as you understand, about a million dollars?

Mr. LINTHICUM. Yes. He told me that if he had a million dollars he could make rapid progress in the eradication of tuberculosis, but that with $250,000 the process would be extremely slow.

Mr. SLOAN. Then the bureau is ready to undertake that campaign if Congress assumes the responsibility and says, "Go ahead"?

Mr. LINTHICUM. Absolutely. But, as the gentleman knows, the heads of these departments are loath to ask for large sums of money. They have difficulty in getting them. It is not like a war proposition. If somebody came in here and said he wanted $5,000,000 as a war proposition you would appropriate it and leave it to him to expend to the best advantage; but if a man comes in here and tells you he wants the money to improve the food conditions and save the lives of children, you say to him, "Let us look into it and see how we can get along." I want to assure you that we ought to look after the interests of the women and children of this country, not only now but after the war is over.

Dr. Schroeder, an expert bacteriologist in the Department of Agriculture, stated before the Committee on Rules that 300 children die annually in New York City of bovine tuberculosis. On this basis the annual death rate throughout the United States from tuberculosis is 6,000.

I ask you, gentlemen, is $1,000,000 too much with which to save the lives of 6,000 children in this country? Look at your own child in your own home, and say to yourself what would $1,000,000 be to you if needed to save the life of that child. Yet you have 2,000,000 cattle in this country yielding diseased milk, from which children die of tuberculosis, and we stand here talking about giving $250,000 for the eradication of this disease.

Dr. Mohler formerly was assistant chief of the Bureau of Animal Industry; now he is chief. Here is what he says: He told the committee that he had personally examined the bodies of a number of children who had died of tuberculosis, and he had found that over 42 per cent of them had died of bovine tuberculosis. Now, we have 93,000 deaths from tuberculosis in this country every year, and about 6,000 of those are from bovine tuberculosis.

I do not want, Mr. Chairman, to take up too much of the time of the committee to-day, but I do want to bring it to your attention that in addition to the economic question that arises as to the saving of cattle and the saving of hogs, which the gentleman from Nebraska [Mr. SLOAN] has gone into so fully and brought to your attention, I want you to take under consideration just what it means to have this tuberculous milk going into the homes of the people of this country.

You know things have radically changed in the last 20 or 25 years. It used to be that the woman milked the cows in the morning and made the butter during the day, and then that butter was sold in the community or was fed to the members of the family. After awhile that condition ceased, and the little dairies and creameries sprang up in the neighborhood and the neighbors would carry the sweet milk to the creamery and there it would be turned into butter and the farmer would take the skimmed milk back home with him.

But that condition changed, and then it became possible, by refrigeration and otherwise, to ship this milk long distances and to turn it into butter and cheese and distribute it through all sections of the country. Nowadays, when tuberculosis in a herd of cattle exists in any one section of the country, you can not tell how far the ramifications of that disease may spread by transportation and refrigeration and by sale in the markets of the country. The milk that a farmer takes to the creamery is not, perhaps, drawn from any cattle affected by tuberculosis; but the skimmed milk he takes home may not be from his own cattle but from some other cattle, which may be affected with tuberculosis, and when he takes that milk home from the creamery and feeds it to the hogs it is possible for him through that milk to impart the disease to them. Over a million hogs slaughtered in Chicago were retained because they were affected with tuberculosis. Two thousand carloads of cattle packed together would constitute the amount of cattle that are rendered valueless on this account.

It is not only a question of economics but a question of sanitation, a question concerning the lives of the children and grown people of this country, and a question which certainly $250,000 will not go very far toward solving. That sum of money will not go very far toward eradicating the disease.

Mr. WASON. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. WASON. Did I understand the gentleman to say that every creature that is affected with tuberculosis and is giving milk will carry the germs of that tuberculosis?

Mr. LINTHICUM. I did not quite catch the gentleman's question.

Mr. WASON. My question was, Will every creature that is affected with tuberculosis and is giving milk transmit the tubercular germs?

Mr. LINTHICUM. I say this, that if you had a child which had a tuberculous mother and that child were nursed by that tuberculous mother, it is more than likely, unless the constitution of the child was very strong, that the child would contract tuberculosis from its mother. But if you took that child when

it was young and fed it on milk not affected by tuberculosis it would not contract tuberculosis.

Mr. WASON. I understood the gentleman's illustration was that if Mr. A's herd was tubercular and the milk from that herd were transported to the creamery, Mr. B might take the milk home and feed it to his hogs and thus infect the hogs?

Mr. LINTHICUM. Perhaps I talked too fast for the gentleman to understand me. What I said was this, that if Mr. A had tuberculosis in his cattle, he would probably take that milk to the creamery, and he would probably not wait until his own milk was turned into butter, but would take the milk that had been furnished by some other farmer to the creamery and take it home; that if he fed the tubercular milk to his hogs, they were apt to contract tuberculosis. Some cows may have tuberculosis in those parts which does not affect the milk, but usually it does.

Mr. WASON. That was what I understood the gentleman to say. But my inquiry now, which was my first inquiry, is this: Does every milch animal infected with tuberculosis transmit it?

Mr. LINTHICUM. Oh, I think not. I think tuberculosis is transmitted very largely because of a weak constitution. Some children are born of tuberculous mothers who nurse them and the children do not contract tuberculosis because their constitutions are strong enough to throw it off, while others have weak constitutions and contract it. Cows may, as I have said, have tuberculosis not affecting the milk.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LINTHICUM. I thank the committee for their attention. [Applause.]

Mr. HAUGEN. I yield to the gentleman from West Virginia [Mr. WOODYARD] two minutes.

Mr. WOODYARD. Mr. Chairman, I ask that the following telegram be read in my time.

The Clerk read as follows:

CHARLESTON, W. VA., *January 24, 1918.*

HON. HARRY C. WOODYARD, M. C.,
Washington, D. C.:

Coal-car situation in Kanawha district shows absolutely no improvement in past two weeks. Worst supply to-day ever experienced, with 131 idle mines and 11,000 idle mine workers, account of no cars. Only 4,800 tons of coal equipment supplied to-day; order for 69,000 tons. Can you secure information indicating immediate improvement? Please answer.

KANAWHA COAL SHIPPERS' ASSOCIATION,
MAX T. PRICE, *Secretary.*

Mr. WOODYARD. Mr. Chairman, this telegram indicates a deplorable, and I might say an intolerable, condition, so far as the transportation system of this country is concerned. The people of this country are making and have been making many sacrifices. They are doing it patriotically and cheerfully, but it seems to me that the time has come when Congress can not sit passively here and allow conditions like this to prevail without at least taking some step to assist the executive branch of this Government in relieving it, as well as many other similar situations in the country. I am sure that every Member on the floor of this House wants to do only that which will help us to successfully prosecute the war; but I want to say, as emphatically as I can, that the time has come when the people of this country are going to demand, and are demanding, that the legislative branch of the Government step in and take some measures to relieve these conditions. [Applause.]

Mr. HAUGEN. I yield 30 minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman, I am in favor of this bill, but I do not intend to discuss it. I listened with some interest, as I always do, to the gentleman from Texas [Mr. YOUNG], but I do not entirely agree with him on the question of farm labor. I do not think that the young men whose services are necessary to cultivate the crops are in any sense of the word slackers when they claim exemption when drafted into the military service.

Mr. YOUNG of Texas. I beg the gentleman's pardon. I did not say anything from which the gentleman can draw that conclusion. I said I personally might know that the boy who remained at home was doing greater service than he could do in the trenches. Yet his neighbor's boy, who had gone to the trenches might feel otherwise, and as a result, the two boys having been together, would follow the same course.

Mr. DENISON. I may have misunderstood the effect of the gentleman's answer to the question I propounded to him when he was speaking. I think this question of labor on the farm is one that is going to become very serious, and I think it is the duty of men to claim exemption when drafted under the draft law if their services are necessary on the farm. This suggests the question that I want to present to the committee, rather than the agricultural bill under consideration, namely, the question of the administration of the draft law.

Mr. Chairman, the provost marshal general has filed his report to the Secretary of War on the first draft under the selective-service law, which presents some valuable information and some quite interesting conclusions. One of these conclusions is stated by Gen. Crowder in the following words:

ERECTING THE REGISTRATION SYSTEM.

From the moment American participation in the world war became apparently inevitable the enactment of the selective-service law was also inevitable. The trend of continental military organizations since the battle of Jena, and the inception of the junker idea of "the nation in arms" (not to mention the unprecedented military effectiveness of the German Empire in the present conflict), left no doubt that no intelligently directed nation could afford to enter the conflict with less than its entire strength systematized, organized, and controlled for war. Such systematization is impossible under any other than the selective plan for raising armies. The thinking element of the Nation was perfectly aware of the truth of this proposition, and Germany has given such a demonstration of its effectiveness that little argument was necessary to support it in May of this year, and none is necessary to-day. If farms, factories, railroads, and industries were not to be left crippled, if not ruined, by the indiscriminate volunteering of key and pivotal men, then, in the face of such an enemy as Germany, the total military effectiveness of the Nation would have been lessened, rather than strengthened, by the assembly of 1,000,000 volunteers.

With this conclusion I think the mature judgment of almost every loyal American will now agree, especially so in view of the events that have transpired and the military and industrial demands upon us that have become apparent since the enactment of the law on May 18 last.

When the draft law was under consideration in the House I was one of those who at first favored the old volunteer method of raising our Army. Many of my constituents, I thought, were opposed to the idea of compulsory military service. I represent a district where the volunteer spirit and belief in the volunteer system has always been deeply embedded in the minds of the people since the days when Gen. John A. Logan, then the Member of Congress from that district and afterwards the greatest of all volunteer soldiers, resigned his seat in this body and returning home organized his regiment of volunteers to fight for the preservation of the Union. My sentiments and my inclinations were at first favorable to the committee bill, which would have authorized the President to call for volunteers for a period of six months before the draft provisions should become effective.

But after more serious consideration of the question I became convinced that in a matter of such grave importance, where the adequacy and effectiveness of our fighting forces and possibly the very safety of the Nation was involved, I could not afford to follow my personal sentiments against the better judgment and experience of military men and others who were in a position to know better than I what military measures we should adopt.

With the President, the Commander in Chief of the Army and Navy, insistently urging Congress to eliminate the volunteer provision of the bill and proceed at once to raise an Army on the principle of selective compulsory service for all who were of military age; with the Secretary of War and the General Staff of the Army recommending it; with all the great metropolitan newspapers demanding it; with every Republican governor and our two ex-Presidents advising it, I did not feel that I as a Member of the minority party here should vote against the draft law with the volunteer provision eliminated simply because my personal sentiments were in favor of calling for volunteers. Moreover, my judgment told me that this world war into which we had entered was so different from all former wars in methods of warfare and in demands of man power and industrial resources, we could not afford to follow the old method of raising armies if another method more speedy and more effective could be found. And in that connection the disastrous experience of England, which delayed her preparation for effective participation in the war more than a year by depending on the volunteer plan of raising troops, was staring us in the face. We were urged not to make a similar mistake. I became convinced then, although I did not believe it then as firmly as I do now, that in order to win this war we would have to raise an Army of several million men in the shortest time possible, and that to do so without involving the Nation in industrial paralysis some sort of selective system of raising an Army, based on the principle of compulsory or universal obligation to service, would be necessary. I concluded that under the circumstances we could not wisely depend upon the volunteer system, and, since we could not, we had best begin right by at once putting into effect the draft law instead of waiting six months to do so, as was provided in the committee bill then under consideration.

For these reasons, Mr. Chairman, and for others which I stated here at that time, I voted for the selective-service law. Since

then great events have passed swiftly on the world stage and the realization that we are deeply in the war has more fully dawned on the people. If I do not misjudge the stupendous task and the magnitude of the sacrifice that yet awaits this country before we are again at peace with the world, the people everywhere will soon know, if they do not now realize it, that Congress acted wisely in passing promptly the selective compulsory-service law and that any other method of raising the vast armies that we will need would have been nothing less than disastrous. I believe the Provost Marshal General is right when he says in his report, "No intelligently directed nation could afford to enter this conflict with less than its entire strength systematized, organized, and controlled for war. And such systematization is impossible under any other than the selective plan for raising armies. The thinking element of the Nation is perfectly aware of the truth of this proposition."

After the draft law was passed and the machinery provided for immediately raising an adequate military force for training and service, I, with the other Republicans of the House, voted for the proposition to authorize the President to at once send a division of volunteers to France under Col. Roosevelt. This, I think, the President might well have done. It would have had a fine moral effect on the men and the issues in Europe and would have given an opportunity for many men in this country who had had military training to volunteer for immediate service in France.

But, Mr. Chairman, I found on returning to my district this fall that there was some opposition to the draft law among the people and some disposition to complain at the Members of Congress for voting for it. I am led to believe that this condition in my own district was not unlike the condition in many other parts of the country. I tried to ascertain the cause for some of the criticism I heard, and I think the information I obtained is worth calling to the attention of the committee.

In the first place, I think by far the greater part of the complaint and opposition to the draft law has been due not to the principles or provisions of the law itself but to the unhappy methods of the War Department in the administration and execution of the law.

There were a few—but a very few in my district, I am proud to say—who were opposed to the law and who complained at Congress for passing it, whose real opposition, as a matter of fact, was to the war. They were pro-Germans or pacifists who were opposed to our entering the war at all. They were unwilling, for reasons which are quite obvious, to publicly proclaim their opposition to the war. Public sentiment would not tolerate that; but they did mask their opposition to the war under a criticism of the draft law. And I wish to say now, Mr. Chairman, that these objections were not, with few exceptions, among the men of German nationality. I have a great many Germans in my district, particularly in two counties. They are among the most valuable, most industrious, and most successful farmers of my district. And I have never yet received a single letter from any of my German constituents objecting to our declaring war or criticizing me for voting either for war or for the draft law. So far as my own information goes they have, with very few exceptions, been loyal to the United States in this world struggle, and for such as have been loyal I have the highest respect and admiration.

Then I found some who disapproved the draft law because they sincerely favored the volunteer method of raising an army. In talking with some of these I found they were conscientious in their attitude, but they did not fully realize the magnitude of the problems before Congress and the country. They did not understand that Congress had to provide for obtaining quickly an army that might and probably would require several million men; that no one connected with the Government, the War Department, or with Congress believed we could raise the necessary men by calling for volunteers; they did not know that there were but two propositions considered by Congress for providing an army; that both of these provided for compulsory military service in identically the same language; one, however, putting the draft into immediate effect, and the other postponing the draft six months, during which time the President could try to raise the necessary troops by calling for volunteers; and that Congress approved the former plan upon the urgent recommendation of the President, the War Department, the General Staff of the Army, and all of the military men of the country. When they come to realize, as they surely will, that the entire strength of this Nation will be needed in this war, and that our entire strength can not possibly be systematized, organized, and controlled under the volunteer system alone I am sure they will in the end approve the action of Congress in passing the draft law.

Mr. Chairman, when the first quotas of men were assembled to entrain for the cantonments there was, of course, a feeling of distress among the friends and families of the drafted boys. This was only natural and has always been the case when men leave their homes in large bodies to fight for their country. But mingled with this feeling of distress there was also with many a feeling of resentment at the law which took the boys from their homes. This resentment not infrequently was manifested by criticism of Congress for enacting the draft law.

Mr. Chairman, the generally accepted idea of exalted patriotism is for a man to willingly offer his own life for his country. But I have sometimes thought that the fathers and mothers or the wives and children who are left at home are just as patriotic, when, with a smile on their faces and a blessing on their lips, they send their sons or husbands away to the front without complaint. It is one of the most bitter cups of life's journey, and I could not blame those who at first even felt resentful when their sons or husbands were taken away to fight the country's battles in this war. The fact is the events which brought the United States into this war transpired so rapidly the people could not for a time realize we were really at war. They knew, of course, there had been a declaration of war, but to them the war seemed far off. It was only when the law reached right down into almost every home in the land and took the sons and husbands and fathers that the people realized with an awful shock that we were really in the war. And there was at first a rebound in the public mind which found expression in resentment at the law.

I am proud to say, Mr. Chairman, that this resentment has been rapidly disappearing from among the people of my district. My people are loyal and patriotic. As they come to better understand the great peril in which our country finds itself—the great peril to our rights, our liberty, our democratic ideals, and our very existence as an independent Nation; as they come to better understand the stupendous military and industrial problems that confronted the country and had to be solved without delay—they will then realize, I believe, that Congress did the very wisest thing it could have done when it passed the selective-service law.

Mr. Chairman, I have found that a great deal of the adverse feeling of the people toward the draft law has been due to the administration of the law rather than to the law itself. And I desire to say that I believe there has been some justification for this criticism. In raising the first quota of troops the Provost Marshal General's office acted with a haste that was not only unnecessary but unwise; followed a policy that was not in harmony with the intention of the law; and issued rulings that were confusing to the local exemption boards and so contradictory as to be almost unintelligible. The people of the country should know that Congress has had nothing to do with the administration of the law. Responsibility for the manner of administering the law rests with the President and the War Department, and if any criticism is justified on account of the way the law has been administered it must fall upon the War Department and not upon Congress.

Section 3 of the draft law authorized the President to "exclude or discharge from service, or to draft for partial service only, those in a status with respect to persons dependent upon them for support which renders their exclusion or discharge advisable."

In this language Congress gave the President full authority to exclude or exempt from the draft all persons having wives, children, or other persons dependent upon them for support where such dependence rendered their exclusion advisable.

I was present while the draft law was under discussion in the House, and have reread the proceedings in both the House and the Senate. And I think I am safe in saying that it was the purpose and the desire of Congress that married men and those with children or others dependent upon them should be exempted, at least until such time as they were imperatively needed in the military service. Indeed, one of the strongest arguments made in favor of the draft law, as against the volunteer plan, was that under the selective plan men having wives or other dependents could be kept out of the service and the burden of supporting their dependents could be thereby saved to the Government. Congress authorized the President to exempt men with dependent families in the interest of the Government rather than of the individual. The Provost Marshal General says in his report:

> The principle was deduced that no exemption authorized in the selective-service law was intended for the direct benefit of an individual, but that every such exemption was for the sole benefit of the Government.

Without doubt this is the true spirit of the law, but the War Department failed to regard this principle, and the best inter-

ests of the Government in the different rulings and instructions given to local exemption boards respecting exemption on the ground of dependency. In the first place, the War Department made a serious mistake in making local exemption boards judges of the law as well as the fact in passing on claims for exemption on the ground of dependency. This, I think, was contrary to the spirit and intention of the law.

Congress authorized the President to determine the status with respect to persons dependent upon them for support which would render the exemption of individuals desirable. Under this authority the President, acting through the Provost Marshal General, should, by proper regulations, have declared clearly and unequivocally the classes of persons whose exclusion from the draft be considered advisable on account of dependency.

Instead of fixing by Executive order or by definite departmental regulation or ruling the class or classes of persons that should be exempted on account of dependency, local exemption boards were left to determine for themselves, in each individual case, the advisability of granting the exemption, and no adequate or clear definition of the statutory terms "dependent for support" was ever given to local boards by the War Department. I know of at least one governor who right in the beginning appealed to the Provost Marshal General to clearly define the rule of dependency that should govern local boards in passing on claims for exemption. But it was not done, at least not until most of the men had been inducted into the military service. The obvious result was that local exemption boards often made their own rules of guidance in passing on claims for exemption. Congress did not intend for local exemption boards to determine the advisability of exempting individual citizens from liability for service. Congress intended, and so provided in the law, that the President should determine that question, and, having determined the class of persons whose status with reference to dependency rendered their exclusion from the draft desirable, the Provost Marshal General, with the approval of the President, should have instructed all local boards to exempt all persons coming within that class. Then the local boards would have been under the duty only of determining the simple question of fact whether claimants come within that class.

This has been done now, after the law has been in operation eight months, and will be followed hereafter in calling men into the service. But it was not done when it should have been done—before over half a million were called into the military service, many of whom should, under the law, have been excluded from the draft. There are thousands of young men in the different military camps to-day who have dependent families at home and whose families the Government will have to support, because of the failure of the War Department to properly administer the law that Congress passed. And this has resulted not only in added burdens on the Government but in unwilling soldiers, and discontented people at home as well.

Now, what has been the result of following a different policy?

In the first place, different exemption boards followed different rules in granting exemptions; there was an entire lack of uniformity in granting or refusing claims for exemptions all over the country. In southern Illinois I know of exemption boards that exempted almost every man who had a wife or children; I know of others that practically exempted none. One board followed a rule of its own, so I heard, of exempting a man if he had a wife and two children, but not so if he had only a wife and one child; another board had a rule to exempt men having a wife and child, but not so if the claimant had a wife but no child.

Mr. COLLIER. Will the gentleman yield right there?

Mr. DENISON. I will.

Mr. COLLIER. I want to ask the gentleman for information if he has investigated and found that this nonuniformity among the different boards is general among the States, or if it is confined to one or two? I myself think there was a great deal of nonuniformity among the different boards.

Mr. DENISON. So far as I have heard, it extended generally everywhere.

Mr. COLLIER. There was no uniformity of action by the local boards, except in very few States.

Mr. DENISON. In very few States. Some boards would exempt men having wives and children whom they supported, while other boards refused exemption in such cases, where the husband or wife had relatives who were able and willing to support them. Some local boards would not exempt any man whose wife was physically able to get out and work for her own support.

In fact, the Provost Marshal General in his report says his office at one time made a ruling that if the parents of the registrant or of his wife were ready, able, and willing to undertake the support of the wife during the husband's absence, local boards would be justified in refusing to exempt in such cases.

This ruling soon proved to be a mistake. Of it the Provost Marshal General says:

> This ruling did not work well. The few boards that had been prone to hold married men for service in the absence of the most unequivocal circumstances of dependency took the rulings as authority to look into the material wealth of the parents of the husband or of the wife. Regardless of readiness and willingness, regardless of whether or not the wife had in the past been actually dependent on the labor of the husband for support, these boards held some married men for service wherever it appeared to them that, rather than let the wife suffer, the parents would undertake her support during the absence of the husband.

And then he says further in his report that all local boards were instructed to correct their errors in following this ruling by reopening all claims for exemption that had been denied under it, and that all such errors were happily corrected.

As a matter of fact, I know that there were a great number of such errors that were not corrected. Often local boards would not reopen cases, and commanding generals at the different cantonments would not release the men in many such cases after they had been inducted into the military service. And there are many men in these camps to-day who should have been exempted, and who would have been exempted but for these confusing rulings or lack of clear rulings by the Provost Marshal General, which in many cases misled local boards in the performance of their duties.

Mr. Chairman, one of the most fundamental virtues of any law is the absolute uniformity of its application and administration. A good law may be rendered obnoxious by a lack of uniformity in its application to persons similarly situated. And the people will, under the stimulus of patriotism, bear without complaint a law that is harsh and even burdensome if it falls upon all citizens alike. But where it is enforced in one way upon a citizen or number of citizens or the people of one community and in an entirely different way upon other citizens living in the same community or in adjoining communities, there is a just and legitimate ground for complaint.

Many people in my district have complained to me because some young men were denied exemption while other young men in other parts of their county or adjoining counties, who were similarly situated, were exempted.

In most cases the complaint was not that the registrant had to serve, but that men similarly situated had been excused from service.

I happen to know of one county in southern Illinois where there were two local exemption boards. One board had to raise a net quota of 188 men and the other a net quota of 283. The board with the net quota of 188 men called 256 registrants; the other board, to raise a net quota of 283, called 1,076 registrants. One board allowed but 53 claims for exemption, while the other board allowed 410 claims. One board exempted almost every married man who claimed exemption, while the other exempted very few. I assume that the conditions I have described prevailed in other parts of the country.

And the point I want to make clear is, that this condition was not due to any fault of the exemption boards themselves. In Illinois at least the most honorable, capable, patriotic, and valuable men in the different counties served on local exemption boards, and they served at a sacrifice of their own personal interests. These men, with the very highest self-sacrificing devotion to duty, performed their difficult duties the best they could as they understood them.

The blame must rest upon the War Department for failing in the beginning to assume the responsibility of classifying the men whose exclusion from the draft was advisable, instead of leaving that duty to the different local boards without sufficient instructions to enable them to administer the law uniformly over the country. And, Mr. Chairman, this action on the part of the War Department has resulted not only in a chaotic lack of uniformity in the administration of the law but placed a burden of responsibility upon the members of the local boards that I do not think was within the intention of the draft law; it subjected members of local exemption boards and even Congress itself to criticism, which, if justified at all, should fall upon the War Department.

The Provost Marshal General in his report admits that mistakes were made, and that rulings were made on the question of dependency that did not work, resulted in mischief, and had to be recalled. But he dismisses the matter by saying such mistakes were inevitable under the circumstances. I do not see why this should necessarily have been so.

Mr. Chairman, the selective-service law provides also for the appointment of district boards, with original jurisdiction, to dispose of claims for exemption on industrial grounds, and appellate jurisdiction in claims for exemption on other grounds. One of the principal purposes of providing a tribunal to review ap-

peals from the decisions of local boards granting or denying exemption claims was to more effectively insure uniformity in the administration of the draft law.

And yet I venture the assertion that as a general rule district boards treated their appellate work as a mere perfunctory matter. I venture the further assertion that the regulations and the ruling issued by the Provost Marshal General's office were such as to lead district boards to treat appeals from local boards in exemption claims as mere perfunctory or routine matters. For instance, on August 1, 1917, the Provost Marshal General issued a printed compiled ruling, from which I quote the following instruction to district boards:

It is not expected that district boards will reopen each dependency case in these automatic appeals, but it is intended that each case be scanned with a view to determining whether its result is in consonance with the expression of the principles of the regulations that is found in the rulings of this office and the decisions of local boards in similar cases throughout the country.

And on August 11, 1917, there was issued another pamphlet of compiled rulings by the same office containing this instruction:

It is true that all cases of discharge on the ground of dependency are appealed by the Government to the district board, but this clause is only inserted to secure uniformity in action. District boards are to examine these cases to discover departures from the law, regulations, and rulings; they will not and can not open every case on its merits. It is in the local boards alone, therefore, that the solution of the difficulty and the protection of deserving claimants lies.

I charge that these rulings of the Provost Marshal General gave authority to district boards to practically ignore claims for exemption on grounds of dependency appealed from local boards.

While I was in my district I heard what was a common report there, that the district board had never reversed a single decision of a local board in refusing an exemption claim, and that the board handled such appeals in a mere clerical or perfunctory manner, never looking into the merits of any claim, I do not know that this report was entirely accurate, but I do know it was the general belief among the people.

And when I read these instructions of the Provost Marshal General I was not at all surprised that district boards should have taken that view of their duties.

Mr. Chairman, I am not criticizing the members of district boards personally. They, too, had a difficult duty to perform, and they were men of the highest integrity and patriotism. But I do criticize the War Department for issuing such instructions to district boards as would cause them to ignore one of the very important duties imposed upon them by the act of Congress, and for which they were created. If the War Department had instructed district boards to actually reopen and consider all appeals that came to them from local boards in exemption claims, the unfortunate lack of uniformity in the decisions of different local boards in claims for exemption, particularly on the ground of dependency, would have been discovered and probably corrected.

Mr. Chairman, the draft law also authorized the President to exclude or discharge from the draft persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment.

One of the strongest arguments urged in support of the draft law by those favoring it, including President Wilson, was that in this war it would be absolutely necessary to leave undisturbed, as far as possible, those industries, including agriculture, that would be necessary to maintain the Military Establishment. To maintain the Military Establishment in this war it is necessary to feed and fuel our people, our allies, and our Army and Navy. It was urged that if we should undertake to raise armies by the old indiscriminate volunteer system, men in all industries under impulse of patriotism would enlist; key and pivotal men in important industries would go into the Army; and agriculture, so necessary to feed the Nation and its armies, as well as the mines and other industries necessary to the prosecution of the war, would be crippled. And it was urged that by the selective-draft system men necessary in these industries would be excluded from the draft in order to pursue their industrial duties which were just as essential as military duties. Yet, Mr. Chairman, this purpose of the law has been almost entirely ignored by the War Department in drafting into the military service the first 687,000 men. Why, the Provost Marshal General admits in his report that his office considered military necessity first and paid little attention to industrial necessities.

In this connection, I wish to quote the following strange admission in the report of the Provost Marshal General. On page 24 he says:

At the time of the formulation of these regulations the very grave industrial and agricultural problem before the Nation was recognized in this office; but, as shall be developed later in this report, the theory accepted here was that the responsibility for the determination of the question whether this Nation was to contribute militarily, industrially, or both, to the allied aims in this cosmic struggle had been decided before this office was created; that the decision was for military cooperation; that this decision imposed upon this office the necessity of producing the first draft of men synchronously with the military preparation to receive them; and, therefore, that the paramount military necessity was to be adjusted to the agricultural and industrial necessity with the least possible disarrangement of the latter, but with the absolute military necessity always in the foreground.

With this thought in mind the first regulations were promulgated. No apology is needed for them. It is believed that they produced a result with such accuracy in respect to the plan that no substantial criticism can be made of them. Formally it is frankly admitted that they were full of faults.

In other words, Mr. Chairman, the decision that this Nation should cooperate militarily in the world war rather than industrially was made in the inner councils of the War Department before the Provost Marshal General's office was created and before the draft law was passed by Congress. Is there any wonder then that, in administering the law, regulations and rulings were issued by the Provost Marshal General's office that did not carry out some of the provisions or the purposes of the law?

According to the report there were called out and examined 3,082,949 men to raise the first 687,000 men. From this number there were exempted only 20,315 men on industrial grounds in the 4,557 counties or districts of the country, or a little more than an average of 4 men from each county or district.

And 33,528 men were exempted on agricultural claims, or a little over 7 men from each county or district. There were only 851 coal miners exempted from military service in the entire United States. Yet this country, as well as our allies, need nothing worse to-day than they need coal.

Mr. BLACK. Can the gentleman give us any figures as to how many coal miners were taken into the service? He says something over 700 were exempted. Does he have any figures as to how many were taken into the military service?

Mr. DENISON. No; I have not. I know there are about 15,000 coal miners in my district, and if any one of them was exempted on industrial grounds I have not heard of it. Yet we need fuel pretty badly. And we are going to need it worse, and so are our allies, before this war is over. The coal miners are patriotic in my part of the country, and there may not have been very many who claimed exemption on industrial grounds, but if the war continues very long we will have to protect the supply of labor in coal mines whether the men claim exemption or not.

Mr. SHALLENBERGER. Will the gentleman allow me to interrupt him?

Mr. DENISON. Yes.

Mr. SHALLENBERGER. Is it the gentleman's opinion that the administration of this first draft interfered unnecessarily with agriculture, from the fact that not as many were exempted as should have been?

Mr. DENISON. I think so. I heard the remarks of the gentleman from Texas [Mr. YOUNG] a while ago, when I believe the gentleman from Nebraska was not present, and he said that was one of the great problems now before the country, that the men had been taken off the farms to go to war, producing a greater scarcity of farm labor.

Mr. SHALLENBERGER. Then, if it should be established that these men were called into the service before their camps were ready for them, before the War Department were able to clothe and house them properly, in addition to the lack of preparation in that respect, the fact that they were not allowed to give their services to agriculture when labor is so essential to agriculture during the fall, it interfered to that extent also, that they were called out at a time when they were essential to agriculture and when agriculture could have used them to the advantage of the country, as well as at a time when the War Department had not prepared to receive them in the training camps.

Mr. DENISON. Exactly. I can show, if I have time, that according to the Provost Marshal's report itself there was practically a race being run between his office and other branches of the War Department, and that he was trying to get the men into the service by the time the cantonments were ready; and he admits that this was unfortunate, because he got the men ready and sent them into the service before the War Department had prepared for them. This haste was unnecessary and was unfortunate, because it was at a time when the men should not have been taken from the farms unless that was absolutely necessary.

Mr. SHALLENBERGER. September, October, and November are the months when we plant the wheat and harvest the corn, are they not?

Mr. DENISON. Yes.

Mr. TILSON. Will the gentleman yield?

Mr. DENISON. I will.

Mr. TILSON. Speaking of the coal miners, will the gentleman say whether many of them applied or asked for exemption?

Mr. DENISON. Yes; a great many of them did. A great many claimed exemption on industrial grounds, and some of these men that were claiming it were what is termed by the Provost Marshal General "pivotal men," men who had charge of important work essential to the operation of the mines, and they could not get a single exemption. In fact, the first regulations issued by the Provost Marshal General's office seemed to look solely to the question of military preparation and omitted industrial preparation.

Mr. TILSON. Does the gentleman think that if there was some sort of an arrangement made by which a man exempted for real reasons—a munition worker or a farmer or a coal miner—could have some recognition of the fact that although he was willing to go and serve his country, nevertheless it was more important for the service that he stay at home—does the gentleman think that something of that kind would encourage men to stay at home or cause more men to apply for exemption?

Mr. DENISON. I do not think it would cause more men to apply for exemption.

Mr. TILSON. There are munition men working in my district who refused to apply for exemption, saying that it will be said that "I showed the white feather or a yellow streak," and they did not apply for exemption when they were absolutely essential to the manufacturers.

Mr. DENISON. One of the strongest arguments made here in favor of the selective-service law was that by passing it we could protect these industries. I think the time will come when the Government itself will have to protect the industries even if the men do not claim exemption.

Mr. TILSON. I think the gentleman is correct; and in doing so it will be helped by making some recognition of the fact that these men are not showing the white feather, are not showing a yellow streak, but doing that work which is best and most advantageous to winning the war.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HAUGEN. I yield to the gentleman five minutes more.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. SHALLENBERGER. I see that the gentleman has gone exhaustively into the subject, and I would like to ask him if he was able to learn who in the Provost Marshal General's Office was responsible for these men being sent out under draft before the Quartermaster General or the Surgeon General was prepared to take care of them?

Mr. DENISON. I can not answer the question. The Provost Marshal General says that he did it because he was ordered by other departments in the War Department to do it.

Mr. SHALLENBERGER. He does not take the responsibility?

Mr. DENISON. No; he avoids the responsibility.

Mr. STEVENSON. Will the gentleman yield?

Mr. DENISON. I will.

Mr. STEVENSON. Does the gentleman know how many appeals from the district boards to the President on industrial ground have been sustained?

Mr. DENISON. I can not give the figures, but I think the gentleman can find them in the report of the Provost Marshal General.

Mr. STEVENSON. I have been unable to hear of one single instance.

Mr. DENISON. I have never heard of one in my section of the country.

In my own district, Mr. Chairman, I heard of a few cases where farmers were allowed a short time to gather crops before being taken to the military camps. But I did not learn of a single case where a farmer was exempted on agricultural grounds, or where a coal miner or railroad man was exempted on industrial grounds. I represent a district, Mr. Chairman, that is not only a great farming community, but is also one of the largest bituminous coal-mining districts in the United States. I know of cases where the most necessary employees of coal mines and railroad shops were drafted, and not one was exempted on industrial grounds. I know of many cases where boys were taken from farms when absolutely no one was left to gather crops or plant new ones, and not one was exempted on agricultural grounds.

I think, Mr. Chairman, that the country should know that one of the very important purposes of the selective-service law, namely, the protection of industries, including agriculture, from disturbance by reducing the supply of labor, has been almost entirely ignored by the War Department. And I think that the country ought to know that the blame or criticism for this must rest not on the Congress for enacting the law, but on the War Department for failing to administer the law in accordance with its plain purpose and provisions.

And let me call the attention of the committee to the following very illuminating statement in the Provost Marshal General's report:

> Admittedly, also, and for the reasons hereinbefore stated, these early regulations were not addressed to the complete solution of what must now be recognized as the high functions of this office—the striking of the ultimate balance between the industrial, including the agricultural, needs of the Nation and its military needs. With a full realization of its ultimate problem, the first regulations were, nevertheless, intended to serve solely as an expedient which should produce the military result required, with far greater expedition, as it afterwards proved, than was demanded, but in a way such as would never permit this office to fall behind the supply departments in the military preparation of the Nation, and at the same time would protect other national activities against indiscriminate drafts on labor supply. That they have been effective in their result and to this end can never be questioned.

Well, Mr. Chairman, I think they can very properly be questioned; and this admission by Gen. Crowder of the blunders of his office in the regulations under which the first half million or more men were drafted into the military service, and the announcement that a different policy will obtain in drafting men hereafter, may be reassuring to the young men of the country who will hereafter be called into the service. But it is poor consolation to the thousands of young men and to the families of those men who are already in the service, and properly would not have been if the War Department had more carefully carried out the plain purposes of the law.

In conclusion, Mr. Chairman, let me add that I observe that the Provost Marshal General in his report speaks with great emphasis and with apparent pride of the achievement of his office in preparing the regulations and organizing the complicated machinery for putting the selective-service law into execution and having the drafted men ready for delivery to the different military camps by the time originally fixed by the War Department.

We must give credit to whom credit is due. To select over half a million men from civil life and be ready to deliver them by the first or middle of last September was a most remarkable achievement. The war came to this country with a sudden and terrible crash. Men, munitions, supplies, and ordnance had to be furnished by the Government quickly and in great quantities. It fell to the Provost Marshal General to produce the men, to the Quartermaster General to produce the cantonments to receive them and the supplies to equip them, and to the Ordnance Bureau to produce the guns and munitions with which they are to fight.

It is a fact worth calling to the attention of the country, I think, that with all our great wealth and resources we have been able to produce men far faster than we could produce either the camps to receive them, the clothes to clothe them, or the guns and munitions with which to equip them.

And it must be said with humiliation, if not with shame, that the men were produced and sent to the military camps before the camps were completed to receive them, before clothing was provided to clothe them, before equipment was ready to protect them from the weather, and before guns were ready to supply them.

Yes, the Provost Marshal General produced the men with remarkable speed. He himself says the regulations and plans for executing the draft law were prepared in his office six weeks before the draft law was passed by Congress. Of course, they did not fit the law exactly as it was afterwards passed, but they were sufficient to produce the men. Gen. Crowder says, on page 13 of his report:

> The responsibility was upon the office of the Provost Marshal General to produce men as rapidly as they could be accommodated and absorbed into the Army, and the information then furnished by the War Department was to the effect that the Army would be prepared to receive a first call of over half a million men during the month of September, 1917.

Again, he says on August 8, the War Department directed him to furnish 30 per cent of the first draft on September 1, 30 per cent on September 15, 30 per cent on September 30, and 10 per cent as soon after September 30 as practicable.

He further says "unexpected delays in the erection of camps and the accumulation of supplies caused deferments of the original call, and that his office produced the military requirements with far greater expedition than was demanded."

Mr. Chairman, we can not blame the Provost Marshal General for drafting the men into the service before the War Department was ready and equipped to receive them. He was ordered by the War Department to do so. But the War Department, or the system under which it operates, must be blamed for this unfortunate blunder. Many of the drafted boys from Illinois were told to leave their own overcoats at home. They went into camps that were not ready to receive them, and, though the weather was cold, for weeks they did not have blankets or overcoats. And the unfortunate conditions in the different camps disclosed by Senator CHAMBERLAIN, the chairman of

the Military Affairs Committee in the Senate, this week suggest that it would have been better for the country if the War Department had not acted with quite so much speed in sending the drafted men into the military camps.

Mr. Chairman, I am glad that entirely new and different regulations have been prepared and put into effect by the Provost Marshal General, under which the young men of the Nation will hereafter be drafted and sent into the military service in accordance with true purpose and provisions of the law. We must protect the industries and the farms of the country that are necessary to the maintenance of our Military Establishment from too great depletion of labor. Especially must the supply of labor for the farms and coal mines and munition plants be conserved as far as possible. Mr. Chairman, I would not criticize any branch of the War Department if to do so would embarrass anyone in authority in the prosecution of the war. I will hereafter, as I have heretofore, support the President in everything the Government needs to conduct the war to a successful conclusion. I have called attention to these matters, because there has been some just complaint among the people over the administration of the selective-service law, and they are entitled to know on whom, if anyone, the blame should fall. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. CLARK].

Mr. CLARK of Pennsylvania. Mr. Chairman and members of the committee, I am not going to make any lengthy address. I do not desire to consume the time of this committee but very briefly. The subject matter about which I wish to make some remarks, while not perhaps germane to every provision of the bill before us for discussion, is nevertheless germane to the subject of the bill, namely, agriculture.

It so happened that I was appointed a member of the Pennsylvania public safety committee, and in connection with the discharge of my duties I became chairman of the food supply of the local committee in my State. In discharging those duties I came in contact with the producer, with the person who handles the output, and also with the consumer, not only in one portion of the State but, to a considerable extent, in the entire State. I have attended meetings that have been called by the committee of my State. I attended the meeting held under the auspices of the Pennsylvania committee in Philadelphia not long since; informative addresses were made by prominent State and national officers.

That to which I wish to call the attention of the House is the very grave condition that confronts this country at the time respecting the scarcity of farm labor. Early in the spring of this last year I was called to the western portion of the State and engaged in the perfecting of an organization which adopted plans and set men at work, and the results were very gratifying, and reports of that work were made to two departments of this Government—the Agricultural Department and the Department of Labor. These reports were considered by the officials of those departments as of considerable value. All I wish to do now is to ask unanimous consent to revise and extend my remarks in the RECORD along these lines.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I yield 20 minutes to the gentleman from Iowa [Mr. RAMSEYER].

Mr. RAMSEYER. Mr. Chairman, we are just beginning to learn that this war is not alone a contest between contending armies on the field of battle. The work of the people back of the line will have more to do with bringing triumph to our cause than the embattled hosts. The American farmer must grow more foodstuffs than the German farmer, the American miner must mine more fuel than the German miner, and the American factory must produce more than the German factory. Every man must take a hold and do his level best. Victory on the battle field will be impossible unless we first have victory on the farm, in the factory, and in the mine.

This war is more a contest of economic resources than it is of men under arms. To sustain our armies we must have the cooperation of every useful industry, trade, business, and profession of the country. These must be at the highest degree of productivity and efficiency. Close cooperation of all the activities of the Nation are necessary to win the war. As Kipling puts it:

> It ain't the guns nor armament
> Nor funds that they can pay,
> But the close cooperation
> That makes them win the day.
>
> It ain't the individuals
> Nor the army as a whole,
> But the everlasin' teamwork
> Of every bloomin' soul.

These lines of Kipling apply with even greater force to the people back of the line than they do to the men who constitute the Army.

We have heard a great deal since our entrance in the war about the shortage of labor in certain factories, in the shipyards, and on the farm. That is undoubtedly true. I am more familiar with the farm situation, and I believe it is true as it applies to the farms of the country. Now, the question arises, Are we short the man power to obtain maximum agricultural and industrial production from the farms and factories of the Nation and at the same time maintain intact an army of two or three million soldiers? I am sure we are not—especially is this true if every able-bodied man works or is made to work. In this conclusion I am in accord with Secretary of Labor Wilson. He said January 9 of this year, "There is an ample supply of labor both for the Army and for industry, the problem is one of proper adjustment." Again, he said, "Of course the draft will interfere with industry to some extent, but we have 35,000,000 workers, of whom approximately 1,500,000 will be taken the first year of the war, less than the normal number of unemployed. Our problem, then, is one of readjustment to supply the demand for workers."

I am inclined to think that the Secretary of Labor is right, and that there is an ample supply of labor if it is properly readjusted. On January 3, six days before this statement of the Secretary of Labor was made public, I introduced a bill intended to aid in the readjustment of labor in this country. The bill is H. R. 8001, and the title states its purpose, as follows:

> Providing for the registration of all male persons of the United States between the ages of 16 and 60 years, both inclusive, for industrial and military service during the present war and for one year thereafter; to prevent idleness; for the assignment of all able-bodied male persons between the ages of 18 and 60 years, both inclusive, to labor in some industry, business, trade, or profession essential to the maintenance of the Military Establishment and necessary to the protection and welfare of the people of the United States, and for other purposes.

Sections 1 and 2 of this bill provide for the registration of all male persons between the ages of 16 and 60 years, both inclusive. These sections are copied almost verbatim from the draft law of May 18, 1917. The object of the registration provided for in these sections is to ascertain where the man power of the Nation is located and how it is employed. Information absolutely necessary before an intelligent readjustment of the labor of the country is possible. The information thus obtained is also necessary to enforce other sections of the bill. The records of this registration can also be used from which to draft men into the Army in event Congress changes the age limits for compulsory military service or in event Congress by law provides for universal military training.

Section 4 makes it the duty of every able-bodied male person between the ages of 18 and 60 years, both inclusive, to be regularly and continuously engaged or employed during the present war and for one year thereafter in some lawful and useful industry, trade, business, or profession, or in some public service. Idleness during this period is punishable as a crime.

Sections 5, 6, and 7 make provisions for listing essential industries in the order of their importance to the Military Establishment and also for listing nonessential industries, and empowers the President, in case of labor shortage in the essential industries, to draft laborers from the able-bodied male persons between the ages of 18 and 60, both inclusive, who are either idle or engaged or employed in the nonessential industries and to assign them to labor in the essential industries.

This, in brief, is the bill. Those of you who are interested can get a copy of the bill and study it in detail. The object and purpose of my bill is to give the Government the power to mobilize the man power of the Nation for industrial service necessary for the maintenance of the Military Establishment as well as for military service. It is simply the principle of compulsory military service applied to industrial service during the war. And why not? One service is just as essential as the other. The one is of no avail without the other. The bill proposes to require or compel every able-bodied man within the age limits to serve where his services shall be most effective in bringing about a successful termination of the war. Idlers and slackers at home are no better than are idlers and slackers in the Army, and should receive the same treatment. It is high time that the weary loafers and the well-to-do idlers go to work. If they do not, the wrath of the Nation will surely fall upon their heads. The principles of this bill will make us truly democratic and this democratic war will be carried to a successful conclusion in a truly democratic way. If the war is carried on in a broad democratic way, as this bill contemplates, we will not only conquer the enemy but we will conquer ourselves.

Criminal or regulatory laws are never enacted for the majority but for the minority, who do not appreciate or understand the

obligations and duties they owe to their fellows. So this bill, if enacted into law, will not affect or disturb in any way the vast majority of the people of this country, who are already regularly and continuously engaged or employed in useful and productive industries, such as the farmers, the miners, and others engaged in the many essential industries. The fundamental purpose of the bill is to make all the man power of the Nation useful in the prosecution of the war, and to induce—and if necessary to compel—every able-bodied man to contribute his might to the country's welfare. [Applause.]

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield for a question?

Mr. RAMSEYER. Yes.

Mr. SHALLENBERGER. To whom does the gentleman propose to have the profits of the man's labor go—to the private individual?

Mr. RAMSEYER. The bill in detail provides that drafted laborers shall be paid the same compensation as other persons in the same industry doing similar work. I have not time to go into the details of the bill.

Mr. SHALLENBERGER. The gentleman made a comparison between drafting a man for military service for the Government and for industrial service. In the military service the man serves the Nation; in the industrial service he would serve the individual. Would the gentleman have the profit from the labor go to the Nation or to the individual?

Mr. RAMSEYER. In modern war the farmer is just as essential to victory as is the man in the line, and men should be required to serve wherever the Nation needs them.

Mr. SHALLENBERGER. If he is serving the Nation, but when he serves me as a farmer it is a different situation, is it not?

Mr. RAMSEYER. There is some difference, I admit.

Mr. SHALLENBERGER. Did not we fight a war in this country for four years over the question of denying to a man the profits of his own labor?

Mr. RAMSEYER. The bill designates the services to which men shall be assigned, and among the first are the industries of the Government. The bill contemplates that the idle and those in nonessential industries shall be assigned wherever needed.

Mr. SHALLENBERGER. If we should take these industries over, then I think the gentleman's bill would apply; but if we leave them in private hands, I would have to differ with him.

Mr. RAMSEYER. I am glad to know we agree in part.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. RAMSEYER. Yes.

Mr. LEVER. Mr. Chairman, the gentleman has made a very interesting statement. Has the gentleman considered the proposition of calling men into the Army, men engaged in the industries, agricultural, and other essential industries, and then furloughing them back to the industries, the continuance of their furloughs being conditioned upon their remaining in the industries, on the farm, for instance?

Mr. RAMSEYER. There is nothing in the bill that covers that. Of course, the question of furloughing a man from the Army, for instance, next spring, taking the farmer boys and sending them back to the farm to help in planting and in the harvest, if they are not needed overseas, I think is a matter for the Executive to handle. After a man once gets into the Army, then he is wholly under the control of the Commander in Chief.

Mr. LEVER. The thought I had in mind is this: Let us take a young man 25 years old, in good physical condition, except, perhaps, that he has lost a finger, which might give him exemption on account of physical disability. That man may be a very good farm hand. Is it quite right that he should be exempted from all services, or is it worth while to think of lowering the physical requirements, drafting them into the Army and then furloughing that type of man back to the industries?

Mr. RAMSEYER. It is not right to exempt any able-bodied man from rendering service to the country during the war? I am not undertaking to discuss the bill in detail, but I think the bill covers that situation.

Mr. LEVER. The point I am getting at is what kind of machinery are you going to develop that is going to do that thing. I agree with the gentleman's principle absolutely, and I have thought a good deal about it.

Mr. RAMSEYER. Sections 5 to 7 of the bill provide for the machinery, and in fact places it in the hands of and authorizes the President by order to use the same organization that he has for conscripting the Army, and such other agencies as may be available and appropriate to aid him in carrying out the provisions of the bill.

Mr. LEVER. If the gentleman will permit me one moment further, the gentleman understands, of course, that the disruption of labor has not come so much from the operation of the selective-draft law, because that has made comparatively small drains upon the labor supply, as it has come, as he knows, from other causes, one of the chief causes being that men have gone from the farm into industrial pursuits, which pay higher wages. For example, in my own immediate country many farmers left the products on the farm to waste while they went to the cantonment near by to work as carpenters. A good many of them left the State to go into the munition factory down here on the Potomac River. And that is true, I take it, all over the country.

Now, the gentleman's proposition is properly to adjust that situation by some method or other which the gentleman has worked out in the bill. I shall certainly read the bill with a great deal of pleasure.

Mr. LITTLE. The gentleman from Nebraska [Mr. SHALLENBERGER] suggested that the bill is well framed to meet the conditions industrially that the Government should take over. Does not the gentleman think perhaps, in view of the way the Government is stepping along in that direction it is about time to make some arrangement to meet that situation?

Mr. RAMSEYER. It not only applies to the industries the Government shall take over, but to other industries which are designated in section 6 of the bill.

Mr. DENISON. Will the gentleman yield?

Mr. RAMSEYER. Yes.

Mr. DENISON. I will ask the gentleman his opinion on this question, as to whether or not there is any right under the Constitution for the Government to make men work unless they are taken into the military service and be made part of the military force?

Mr. RAMSEYER. Oh, I have not thought so much of that. I think there is as much right there, inasmuch as this service is necessary for the maintenance of the Military Establishment, to make the men work to support that establishment as to make them serve in the Army.

Mr. DENISON. I will grant that is true, if taken into the military organization, but if he is still a private citizen has the Government the constitutional right under any circumstances to make him work, unless, of course, he was a prisoner?

Mr. RAMSEYER. That does not worry me. An able-bodied man has no more right to be idle than he has to steal.

Mr. SHALLENBERGER. What is the meaning of the words "involuntary servitude," unless it means a man working for another person against his will?

Mr. RAMSEYER. That very point was raised in the selective-draft law and decided by the Supreme Court in favor of the constitutionality of the law.

Mr. SHALLENBERGER. That is military service; I am speaking of industrial service.

Mr. RAMSEYER. I admit there is a difference, but not that such industrial service would be unconstitutional.

Mr. HULL of Iowa. Has the gentleman any idea of the number of idle men in this country?

Mr. RAMSEYER. Yes; an idea but no statistics except what is contained in the statement of the Secretary of Labor referred to. I will now take up the discussion of the food production.

FOOD PRODUCTION.

In this connection, I desire to make some observations with reference to the farming situation and outlook. We spend most of our time talking about the Army and Navy. These subjects are important, very important; but there is another subject more fundamental; that is, the production of an adequate amount of food. Without food, which is growing scarcer daily, our cause is lost. It is about time that Members of Congress and the people wake up to that fact, for it is the man behind the plow who keeps the man behind the gun. Listen to the authorities that I present to show you the seriousness of the food situation:

ROME, *January 21, 1918.*

"Food is the most important matter now before the allies," David Lubin, American representative in the International Institute of Agriculture, said to-day. He added: "It is useless to deceive ourselves. In view of the increasing consumption of food and decreasing production we shall be unable to feed our armies unless exceptional weather prevails this spring and unless extraordinary measures are applied. Europe's crops may be worse than last year's. The mobilization of women of the United States for farm work may be necessary."

This morning I received through the mail a memorial presented to the President by the Federal Board of Farm Organizations, which represents 2,000,000 farmers. Here are a few paragraphs of the memorial:

We know that the world is short of food. The crops now available are barely sufficient to meet the urgent need, and next year the world shortage is certain to be worse. Insufficient food supplies involve a most serious threat to the early and victorious conclusion of the war, for a starving people can not fight. Unless the farmers of the United States can fill the mouths of our own people and our allies, they will not be filled. Just how great the demand for American food will be we can not yet foretell, but we know already that a larger crop is absolutely necessary.

If food is to win the war, as we are assured on every side, the farmers of America must produce more food in 1918 than they did in 1917. But unless present conditions are radically changed, increased crops next year are impossible. Under existing conditions we can not equal the production of 1917, much less surpass it, and this for reasons over which the farmers have no control.

The American farmer does not ask to be relieved of any task or any burden which belongs to him. He asks for no class exemption, nor special consideration of any sort. The duty which the Nation and the times have laid upon him he desires to fulfill. But he can not make bricks without straw. The conditions which prevent increased production are national conditions, and only the National Government can remove them. It is the duty of the Nation to give the farmer a fair chance to succeed in raising the food the Nation needs, just as it is the duty of the farmer on his part to leave no furrow unturned.

A dispatch appearing recently in one of the great dailies of Iowa states:

Interviews with farmers in various parts of Iowa have revealed the fact that 10 per cent less corn will be raised this year in the Hawkeye State than in 1917, principally because of a lack of farm labor.

I do not wish to be understood as expressing my judgment that there will be less raised in Iowa this year than last. On this subject I have had some correspondence with county farm agents, chairmen of county councils of defense, and others. These gentlemen differ in their views as to the outlook for increased food production in Iowa, but most of them agree that the shortage of farm labor presents a serious situation.

Iowa is the leading corn-producing State in the Union. If less foodstuffs will be raised in Iowa this year, what can we expect from the rest of the country? Along this same line a certain publicity bureau on January 3 had this statement:

In the East the matter is being taken up, and the press of New York City is giving it prominent notice. Word has come from Connecticut that that State has been "positively combed clean" of laborers of every description, and thousands of valuable farms in that section of the country are lying idle as a consequence.

I could cite you further proofs along this line, but these are enough. It presents a situation that is appalling. There is no use to talk about winning this war if we do not produce more foodstuffs this year than we did last, and more next year than we do this year. If we do not increase our food production, we are going to be licked. We ought to quit wrangling about the creation of a war council and go to farming. We must dig a hole and bury politics until after the war and go to work. [Applause.] What the war needs right now more than a secretary of munitions is 1,000,000 and more additional farm hands. The farm hands will keep this country and the allied nations from starving, while the President already has more secretaries and councils than he can handle to advantage. The people are demanding that this Congress differentiate between essentials and nonessentials, and that we get busier in actions than in words.

What do we propose to do to increase the production of the farms? We can not pass it by. We must face and solve that problem or face defeat. Last spring the Department of Agriculture seriously proposed a plan to conscript the idlers and high-school boys of the cities to relieve the shortage of farm labor. Why the combination of idlers and high-school boys I never quite understood. But the plan is so utterly impractical that it never received serious consideration from anyone who ever saw or knows anything about a farm.

There is a certain group of college presidents and certain boards of financiers who are urging a change in our laws to permit the importation of Chinese coolies for farm labor. To me such a plan, even though it might be practical, is unthinkable. The American farmers are patriotic and are willing to offer up their sons to die for their country's cause. But the American farmer is hardly in a frame of mind to receive into his home a Chinaman to take the place of a son who has gone to serve his country in the trenches. With that I pass up this plan as not worthy of further consideration.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. I yield the gentleman five additional minutes.

Mr. RAMSEYER. An examination of the 1910 census figures shows that the total farming population between the ages of 18 and 60 at the time was 9,304,700, of which there were farm owners 3,372,500, farm managers 55,600, farm tenants 2,051,400, and farm laborers 3,825,200. The Department of Agriculture estimates that at this time the number of retired farmers not engaged in any gainful occupation is 1,400,000, of which about one-half, or 700,000, probably are under 60 years of age. I think it is fair to presume that most of the 700,000 retired farmers under 60 years of age are physically able to render valuable farm service. There ought to be some way to induce or to compel them to render such service during the war.

Mr. LONDON. Will the gentleman yield?

Mr. RAMSEYER. I will.

Mr. LONDON. Now, is that the very fact which the gentleman has to establish—that the retired farmers are of an age which would permit them to do physical work? Are not these retired farmers of an age which would make it impossible for them to do hard physical work?

Mr RAMSEYER. No; I have just gotten through saying that half of the 1,400,000 are under 60 years of age, and the bill only applies to able-bodied male persons.

Mr. LONDON. Where does the gentleman get that figure?

Mr. RAMSEYER. From Secretary Houston.

Mr. LONDON. How does he get it?

Mr. RAMSEYER. I do not know. I have a letter in my pocket to that effect. Many of these men are around 40 and 50 years of age and physically as able as you or I.

It is also estimated that there are several million boys and young men not now engaged in farm work but who have had more or less farm experience. There is absolutely no use to attempt to place boys or men on the farms who have had no farm experience and who can not or do not want to adjust themselves to the social conditions of farm life. To get more farm production we must have men and boys of farm experience. Others would be a detriment rather than a benefit to farming operations. Only by liberal exemption of farm labor from military service, by enlisting the retired farmers, and by utilizing the men and boys of farm experience but who are now engaged in something else, can the shortage of farm labor be relieved and an increase of food production brought about.

I fully appreciate the difficulties of placing into effect a draft law for industrial service. However, whatever else we do, the male population within certain ages ought to be registered to give the Government needed information for the readjustment of labor. It would also have a good psychological effect, as it would tend to impress each person required to register of his duty to render useful service during the war. I am abidingly convinced that a law should be enacted at once making idleness a crime, which should apply with equal rigor against the well-to-do and the improvident alike. This country has before it a herculean task, which will require the united efforts of the manhood of the entire country. [Applause.]

I append herewith the following letter:

DEPARTMENT OF AGRICULTURE,
Washington, January 23, 1918.

Hon. C. W. RAMSEYER,
House of Representatives.

DEAR MR. RAMSEYER: I have your letter of January 14 inclosing a copy of H. R. 8001 and requesting information regarding the number of farm owners, tenants, farm laborers, and retired farmers.

So far as I am aware, there is no information available on these points later than the census of 1910. An examination of the 1910 census figures show that the total farming population between the ages of 18 and 60 at that time was 9,304,700, of which 3,372,500 were farm owners, 55,600 were managers, 2,051,400 were tenants, and 3,825,200 were farm laborers. The census reports do not give any information regarding the number of retired farmers. On the basis of farm surveys made in different parts of the country, it has been estimated that the number of retired farmers not engaged in any gainful occupation is approximately 1,400,000, of which about one-half, or 700,000, probably are under 60 years of age. The department has no information as to the number of male persons previously engaged in agriculture who are now employed in some other vocation not necessary to the maintenance of the Military Establishment.

The Department of Agriculture has been giving very active attention to the farm-labor problem. It recognizes that the situation is serious and has been doing, and is doing, everything in its power to furnish relief. The inclosed statement indicates some of our activities in this direction and suggests what seems to me to be the most promising lines of effort. As indicated in the statement, a farm-labor specialist has been stationed in nearly every State of the Union to cooperate with State and Federal agencies in dealing with the matter. The department also is working in very close harmony with the Department of Labor and especially with the various employment offices of that department located in different sections of the country. In order to ascertain the possible needs of farmers and to determine ways of meeting them, a systematic survey of the farm-labor situation will be made by the department before the beginning of the next crop season through its agents stationed in the various States and in cooperation with the Department of Labor and the State councils of defense.

Arrangements already have been made with 37 States to undertake such a survey. Farm-help specialists of the department, with the cooperation of the extension departments of the agricultural colleges and the field agents of the Bureau of Crop Estimates, will promptly tabulate the results, and the department will then have reliable information regarding the prospective labor needs on farms throughout the country.

It should be borne in mind that many of the disturbing factors of last year in the farm-labor situation have been eliminated, and therefore in some respects the problem may not be quite so acute another year. Naturally the disturbances are much more violent immediately after a great shock has been given the industrial system. This Nation had been organized on a peace basis. When it entered the war it was necessary not only to create vast additional facilities and machinery, but also to provide on an enormous scale for the operation of the new establishments and of those previously existing. Many shipyards had to be expanded and others had to be created. Large cantonments had to be built, and built quickly. In every direction there were urgent demands for great expansions. Furthermore, it was necessary to have an Army, and this necessarily caused additional labor drains and dislocations. In the haste of the first draft it was impossible to work out a satisfactory classification of labor with reference to the national needs.

The Army cantonments and many of the aviation fields and camps have now been completed and will not have to be duplicated. A part of the great industrial expansion has been accomplished. The new regulations promulgated by the War Department provide a system of classification of the men subject to the draft which contemplates the placing of skilled farm labor engaged in necessary agricultural enterprises in class 2, assistant or associate managers of necessary agricultural enterprises in class 3, and heads of necessary agricultural enter-

prises in class 4. The Secretary of War has asked Congress for authority to furlough soldiers of the National Army whenever the interests of the service or the national security and defense render it necessary or desirable during harvest and planting time, to enable them to assist in the agricultural production of the country. It is reasonable to suppose that, in view of these facts, many of the difficulties previously encountered will be removed or minimized. However, it is well to recognize that the situation will continue to be difficult and that a satisfactory solution will require the best thought of the Nation and the fullest and most complete cooperation of all agencies. The matter will continue to receive the earnest consideration not only of the Department of Agriculture but also of other branches of the Government, including especially the Department of Labor and the Council of National Defense.

Very truly, yours, D. F. HOUSTON,
Secretary.

Mr. LEE of Georgia. I yield 15 minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Chairman, I trust I will not be deemed either censorious or presumptious by taking this opportunity to present some observations upon one phase of the state of the war which, in my judgment, is entirely worthy of the earnest consideration of the entire membership of the House, and which challenges the real patriotism of America. I bespeak the indulgence of both sides of the Chamber. What I shall say will not offend any, but I trust may make some impression for fruitful thought upon both my Republican and Democratic colleagues.

The main thought is this: In the midst of and throughout this war, until it shall end in triumph for our arms, we owe it to the country and ourselves and to our cause to give to our Commander in Chief the full measure of sympathetic and helpful aid, comfort, and assistance, and, in addition thereto, to stand behind and back to the limit his policies, and to grant the adequate powers he asks us to grant. We are engaged in a life-and-death struggle with the most malignant form of centralized temporal power, and it might appear illogical and inconsistent to advocate the lodgment of such powers during the period of the war in our own Commander in Chief, but a correct and dispassionate analysis of both the psychology and logic of our necessities will refute and dispel such probable criticism. Because, by the fickle fortuity of the ballot the present Commander in Chief happens to be a member of my own political faith does not alter or modify in the least the inherent soundness of the philosophy sought to be impressed, nor should the natural inclination of the partisan in ordinary times to make capital out of the vulnerable mistakes or blunders of the opposition prevent that partisan in an hour like this from approaching the subject with a very high order of intellectual candor, and should not estop him from asking himself this question: "When the citadel of my country's security and life is assailed, within and without, by most formidable and dangerous adversaries, what can I do to help save it from destruction?" And I submit this proposition with the full knowledge that the present Executive has able and honorable opponents, both in the ranks of the opposition and within his own party.

But to revert to the main proposition. Ask any Member of this House to-day, "What, in the present posture of affairs, do you consider your paramount duty to your home people and the National Government?" and his instantaneous reply will be: "To do everything in my power, by vote, act, counsel, and effort, to bring this terrible war to a speedy and triumphant conclusion." If he does not make that answer, he has no adequate or commendable conception of his moral, political, or representative duty. Mark the matter of his answer—not a tithe or fragment of his possibilities, but everything that he can do. And surely one of the things we all can do is to remember that under our Constitution the President is, whether he ought to be or not, the one person clothed with the power and authority and directly charged with the responsibility of conducting our naval and military operations. The presumption is that for the time being he is the ablest and best equipped man in the country for such a trust; otherwise he would not have been commissioned by the Nation to assume it. The people of this country have said: "We call Woodrow Wilson up out of the multitude of his fellow citizens for this task," and the Constitution says: "Woodrow Wilson, I lay upon you as the elect of your people the great burden of leading and directing the operations and policies of this war, and therein fail not, for by my mandate you alone must answer for this terrible responsibility to your people and to posterity." It would have been the same edict had Charles E. Hughes been the present occupant of the White House. It will be the same in the future if—may Almighty God forbid it—we engage in war. It is our system, and it is a good system. It is so excellent in its conception and ideal administration that I invoke the adherence of Congress and the country to its profound desirability now and hereafter.

No measure of that responsibility is lodged upon the shoulders of Congress in its true significance. We have the exclusive power of declaring war, and we have the duty of raising moneys to carry it on, and the legislative function of furnishing the agencies and instrumentalities for its prosecution, but there our perogative ends, and when we attempt to go further we usurp a function not bestowed by warrant of the Constitution and occupy untenable and precarious ground.

The facts of history show how indispensable to military success is the bestowal or assumption of full and unquestioned authority, plenary and absolute, in one head and hand. What would have been the careers of Cæsar, Cromwell, Napoleon, or Alexander without it? And what dreary and dismal results where not reposed! I cite as an instance the lamentable debacle in Russia, where every newly liberated citizen held himself entitled to vote or act through a committee on questions of military movements and administrative policy. God save this Nation from accomplishments such as the Bolsheviki have achieved.

I do not mean to intimate that we should blindly close our eyes to the deficiencies and remediable mistakes or even blunders that may have been made by subalterns of the President to whom specific duties of equipment and preparation have been intrusted. To do so would be supine and stupid. But I submit to every thoughtful Member, that instead of using such examples as a pretext for intemperately arraigning our whole scheme and system, they can and should be used as things hereafter to be sedulously avoided, and thereby to perfect and strengthen our program of ultimate preparation.

Mr. DENISON. Will the gentleman yield?

Mr. BANKHEAD. My friend, I have only a very limited time, and I fear I can not yield.

I beg no man to withhold helpful, friendly, constructive criticism, but I beseech men high and low alike to refrain, for their country's sake, to stay the tongue of slander, intrigue, and mendacity.

But it will not aid us to say that all our war preparations have fallen down, or our initiative or organization are inherently faulty, for in addition to being untrue, such statements not only hearten the disloyal and seditious among us but terribly discourage our own patriotic citizens. We should rededicate ourselves to the cause of American solidarity and freedom; we should remember that every father and mother who has a son in the Army are not looking on their sacrifice as one of section or cult or party, but are sitting these winter nights in desolate homes, but with resolute hearts and heroic patience, awaiting the news of their boy's supreme sacrifice, if need be, in order that our Republic may live. Do not double their boy's jeopardy by divided and halting counsel and authority. And those men in the ranks—they care not for party quibble or personal spleen between those in authority, and it is nothing less than they should expect that all of us here in Washington should set them the inspiring example of national cohesion and an identical purpose. [Applause.]

Let me repeat, the great thing is to win this war at the earliest day. That happy day can only be delayed by discord and recrimination. It is of small concern to those who are making the master sacrifices of this tragic period as to who shall be Speaker of the next House of Representatives or what aspiring politician may have the bestowal of some sordid patronage. Speaking for myself alone, I would gladly surrender the political control of the House and the Senate, too, in the next election if I could thereby insure the saving of the lives of only a few of those gallant boys who are cheerfully offering their all to make men free and to save forever the peace and security of this Republic. [Applause.]

I fear that the end of this heart-sickening business of war may be a long way off. If so, our people must inevitably make sacrifices enough. Let them be not augmented by internal discord and malignant censure. Let us subordinate the whimsical and unprofitable and set our whole hearts upon the very desirable business of thrashing the eternal daylights out of the German Kaiser.

Remember, you northern men, what infinite anxiety and trouble the so-called copperheads gave Abraham Lincoln when he was dedicating his very soul to the task of saving the Union. Remember, all you men, from every State, that to-day the breed of the political copperhead is not extinct, and they are covertly seeking now to hamstring and hamper Woodrow Wilson, who is dedicating his very soul to the sublime task of saving civilization. [Applause.]

Mr. LEE of Georgia. Mr. Chairman, how much time has been consumed in general debate?

The CHAIRMAN. The gentleman from South Carolina [Mr. LEVER] has consumed 4 hours and 27 minutes, and the gentleman from Iowa [Mr. HAUGEN] 4 hours and 50 minutes.

Mr. LEE of Georgia. I yield to the gentleman from Mississippi [Mr. QUIN] 20 minutes.

Mr. QUIN. Mr. Chairman, what the gentleman from Alabama [Mr. BANKHEAD] said touching the loyalty we should show to our Commander in Chief, President Wilson, is indeed true, and I trust that the heart of every patriotic American will imbibe that same spirit.

This bill that is before the Congress now is not a war measure, and yet it constitutes the mudsills for the successful prosecution of this war. The agriculture of this country, the production of the fields, comes ahead of all, because no people can carry on a war unless they have full stomachs. Soldiers may have all the ordnance that the combined resources of the world may produce, they may have the finest cannon and musketry, cavalry, aeroplanes, and navy, but they would be bound to fail if they are not properly fed. They must have food.

The Agricultural Committee has brought forth a good bill for this coming fiscal year. The people of the United States of America are called upon not only to feed the people of this Republic and the soldiers of the United States but to provide food and provender for our allies in this great world conflict.

Labor has been taken from every field of activity in the United States. In all the industrial plants labor has been called to arms. From the fields devoted to the production of agricultural products young men have been called from the hoe and the plow to take up arms in defense of their country. Naturally there will be bound to be a smaller crop in 1918 than there was in 1917. The reason is apparent to all. Our land is no more productive this year than it was last and our labor is less. Where will the labor come from to produce the great corn crops that will be required? Where will that labor come from to produce the great wheat crops, all the food crops, and the cotton crops? Some people have an imaginary idea that you are going to get socialists and anarchists out of the cities to go to work out on the farms. You will never get one of those fellows from the cities to go to the farms and call in the hogs, take up the hoe, to get the mule out at daylight, and go to the field and plow. You are not going to get that type of men out in the country to split rails, build up fences, dig ditches, carry on farm operations. These city fellows do not know anything about farming. They can not even put gears on a horse or a mule, much less farm. It requires time, practical experience, and brains to be a farmer. The natural consequence is, my friends, that the farmers of this country, who work all day and part of the night, will not be able to get the great and abundant crops that the management of this war expects.

Then, it is incumbent on the Government to pursue the same activities in the same manner and in the same way, so far as money is concerned, to produce and conserve these farm products as the Departments of War and Navy have pursued in providing ordnance, equipment, and supplies to the soldiers and seamen who prosecute the war.

The Military Committee, of which I have the honor to be a member, does not talk in millions, like some of these other committees. Here sits Gov. SHALLENBERGER, of our committee, who knows that we are now talking about seven billions and eight billions, and the probability of going on up to $10,000,000,000 to provide the United States with clothing and armament for our soldiers in the field. I happen to be chairman of the subsistence committee, a subcommittee of the Military Committee. Do you know what subsistence means? It means that these soldiers must have provided for them clothing to wear and food to put in their stomachs. Naturally I consider where this food is to come from, knowing in my own congressional district, as I do, the scarcity of labor; that thousands of men have been called from the farm to go into the Army. I know this same condition exists in every congressional district in the United States.

It must give us all concern as to whether or not we will be able to produce the necessary food to feed our 104,000,000 people and feed our soldiers in the camps and on the battle fields and on the battleships, and our allies in Europe, who have their man power on the battle field and in the industrial factories producing armament to prosecute the war. Every man in the United States must recognize the fact that not only what we produce must be conserved but that every ounce of energy of the men, women, and children on the farm must be exerted to produce to the utmost capacity in every line of productivity the food and clothing for the people of this country, our soldiers, and our allies.

As it now stands we are almost on the verge of breaking ground to begin planting our crops in the South. Whether or not the Government activity will provide the dehydrating plants discussed here in order that all the vegetables may be conserved and the water extracted from Irish and sweet potatoes and all kinds of vegetables, so that these food crops can be carried through the fall and winter to take the place of the scarce substantials, I do not know, but I do know tin has become very scarce and there may not be a sufficient quantity of tin cans to can all the vegetables raised in the South and in the eastern portion of this Republic. It strikes me that it ought to be called to the attention of the Agricultural Department to ask them in this crisis to grant whatever amount of money is needed to conserve all the vegetables in this country so that in their dry state all food elements are intact, and in the winter months they may be put in the stomachs of the people. It occurs to me that the Agricultural Department, through its Bureau of Markets, would be able to see to it, now that the Government has control of the railroads of this country, that there is proper distribution of all perishable articles that come from the farms of this country, so that nothing could rot in transit, so that nothing would be on the road too long for lack of ice or because of overheating, which would destroy and make it useless for the human stomach. And that the Government could go further than that and lend its activities in getting the necessary fertilizers to the farmers to produce these vegetables, the corn and the wheat and the other food products, in order that we may not have that scarcity which seems to me impending in the food production of this country.

No doubt if this war continues another year there will be a rationing of our people. That time is going to come, and our people had just as well get prepared to put their stomachs on lighter rations morning, noon, and night. The patriotism is here. The people will be willing to do that, but can we call on our soldiers in the field to do on less in their stomachs? Then, the American Government should exert its whole influence in getting the necessary quantity of food produced from the fields of this country, and I believe our Government should look a long time before it takes too many of the young men from the farms and places them under the draft law into the Army. If there is a man that is essential, if there is a man indispensable to industry, it seems to me from what we see before us now, the farm worker, the farm manager, the producer of meat, the producer of corn, of vegetables, and of wheat is the most essential man in this Government to the successful prosecution of the war and the continuance of the different industries of our Republic.

Mr. SMITH of Michigan. Is it not true that the local draft boards can exempt these young men for agricultural purposes?

Mr. QUIN. I would say to the gentleman that under the orders of the Provost Marshal General the local boards are afraid that they would get in the penitentiary if they did that. Do you not know that all of the local boards in all of the rural communities of this country would love to do that very thing if they were not afraid of violating the law. I stated on the floor of this House when they had the draft bill up that the War Department did not intend to exempt the farmers. When some of you people were killing our voluntary bill and putting the conscript law on the books, I quoted what the Secretary of War said before our committee. I knew they were not going to exempt the farmers of the country. I endeavored to get that done in the committee. I saw it was necessary to leave the farmers on the farms to produce food. The War Department said they could not do it and be fair under all the principles of the law.

Apparently inspired editorial articles were sent out all over the country that the farmers were going to be exempted, and for that reason many farmers urged the passage of the bill, because it was going to exempt the farmers. Well, however that may be, it is water that has passed the wheel. We have the law on the books, in many respects a fine law, and all must obey it and live up to it, and the people are going to do that unhesitatingly everywhere; but now is the time for the War Department to realize that the farms must not have their labor taken away from them. What is the use of our committee putting up $8,000,000,000 to carry on this war, with all of these things belching forth fire and lead and brimstone and hell and damnation on the Germans, unless you are going to have the farmers of the country with the necessary labor and ability produce the food to feed those soldiers and keep up our people and our allies?

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield?

Mr. QUIN. Yes.

Mr. SHALLENBERGER. I think the gentleman is borne out by the facts of experience that every nation that goes into war finds it is impossible to fight a war and at the same time increase their food and agricultural production. So to look the matter fairly in the face, I agree with the gentleman that we must prepare to save and ration and come to a lower consumption, rather than hope to meet this thing by an increased production as we go on. No nation has ever achieved that.

Mr. JACOWAY. Mr. Chairman, will the gentleman from Mississippi yield until I ask the gentleman from Nebraska a question?

Mr. QUIN. Yes.

Mr. JACOWAY. I would like to ask the gentleman if he thinks it would materially lessen our chance of winning this war if furloughs could be extended to men who are now in the Army who have been taken from the farms, to go back and raise the crop for this year?

Mr. SHALLENBERGER. I think it would be the proper thing to furlough them back to the farms.

Mr. QUIN. I desire to say that every man who realizes the necessity of the production of food thinks the same thing. Surely the Government would be served best if the farmers now doing soldier duty were furloughed back to their farms to make a crop of foodstuffs this year and that no more farmers be drafted during the year at least. But you can not get that notion into the War Department, and I can see why the War Department hesitates to do it, because they say, "We will demoralize the Army, and we can not afford to have the Army disrupted right here when they are crying for us to get trained soldiers into France." But we can keep them from taking any more men from the fields at this time if the War Department can ever see this matter as I do. We must have food just as much as we must have guns and ammunition.

Mr. SLOAN. Will the gentleman yield?

Mr. QUIN. I will.

Mr. SLOAN. Is it more difficult to get an impression of that kind into the War Department than some others? The gentlemen say it is difficult to get that into the War Department.

Mr. QUIN. They are the ones who have the drafting of these men. Do you know we have on the statute books the draft law that allows them to exempt every man from any essential or indispensable place? As I see, the exigencies of the occasion are arising where it is necessary under the very terms of that bill to keep this indispensable and essential labor on the farm. What foolishness it looks to me to take a man from a farm who can produce thousands of bushels of corn and great droves of hogs and cattle, to take him from the farm and put him in the Army to serve as a private which you could get from any class that produces nothing of material aid for the Government in this war. The Government is taking from the farm able-bodied young white men who are producing food, the very thing we must have to properly carry on this war. It seems to me that the War Department ought to realize the necessity of what I suggest as to leaving these powers on the farms; and how can it realize it unless the question is agitated on the floor of Congress? Some people say it is not fair to leave these farmers back home and take somebody else. It is not altogether a question of fairness; it is a question of absolute necessity and what is best for the Government in this crisis, and so it looks to me that farmers should not be taken into the Army now.

Mr. MORGAN rose.

The CHAIRMAN. Does the gentleman yield to the gentleman from Oklahoma?

Mr. QUIN. I can not yield now. Consider the men producing the ammunition in these factories, and you know it will not do to take all of those factory workers who are producing our cartridges, our artillery, our rifles, and our powder. Is the rifle, is the cannon, is the artillery of any more importance than food? If we were to have a food famine in this country, like the coal famine in the eastern portion of this Republic here in the last five weeks, what do you think our people would do? They would, when they get hungry, when they get into desperate straits, act like wild people. Hunger will drive the best people to desperation, as when they broke in all those show windows and breadbasket places in New York City. That desperation would run rampant from one end of this Republic to the other. It would be the case, because people grow desperate when they get hungry for a long time, and if you have a famine, how could the war continue? How could you prosecute it if people at home and abroad are crying for meat and bread? If God sends plenty of rain and good snows on our farms, and the farmers and their wives and children work with all of their energy, we can not expect to have as much food produced as we will need. Too many farmers are in the Army, and too many have gone into the factories.

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUIN. I thank you, gentlemen. [Applause.]

Mr. RAMSEYER. Mr. Chairman, I ask unanimous consent to extend and revise my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CONNELLY of Kansas. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GRAY of Alabama. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Chairman, I shall not devote the time given to me to a strict discussion of this bill, because it has already been analyzed and discussed very extensively and very ably by the members of the committee and others.

There is, however, passing over the United States at the present time a wave of dissatisfaction with the management of the war by the administration. The immediate cause of this outburst of public opinion was the speech made by Senator CHAMBERLAIN, chairman of the Military Committee of the Senate, and he by reason of his position is supposed to know more about the conditions of the Army and Navy and the deficiencies in the management of the war, if any exist, than any other man in Congress.

At a public dinner given in his honor last week in New York he made this declaration:

> The Military Establishment of America has fallen down. There is no use to be optimistic about a thing that does not exist. It has almost stopped functioning because of inefficiency in every bureau and department.

This statement from a Democratic Senator who occupies the most prominent position in the Senate, so far as the management of the war is concerned, is startling, and it has shocked the American people. It was of sufficient importance to draw from the President a prepared statement in answer and denial, in which he states:

> Senator CHAMBERLAIN'S statement as to the present inaction and ineffectiveness of the Government is an astonishing and absolutely unjustifiable distortion of the truth.

Thus we have the issue between the Executive and a leading Democratic Senator as to the management of this war.

There has been no opposition in Congress from the Republican Party, or any considerable number of it, as to the management of the war by the President.

Personally I have voted for every measure the administration asked or desired in the prosecution of the war against Germany and have unhesitatingly supported the administration and the President in every effort looking toward that end, and it is my plan and purpose to continue to support the administration most earnestly in all war legislation until the war is ended and American arms victorious. [Applause.]

But the Senate Committee on Military Affairs has recently investigated the conditions in the cantonments, of the troops in France; and of the various inactivities of the War Department; and, while this testimony has not been printed and, I am informed, will not be published in full, but only in part, yet the press reports have shown that the troops in the field are without sufficient clothing; that the large death list from pneumonia, measles, and mumps is largely the result of undue exposure in overcrowded tents and incomplete hospitals; that hospitals are in some cases without heat or water or toilet facilities; that the troops are without sufficient guns; and that our Army in France is entirely without ordnance of our own make or providing. This testimony, so far as it has been printed in the public press, has been supplemented by the speeches and statements of the 10 Members of this Congress who have visited the battle front in France and Italy; and they have stated with unanimity and fierce emphasis that our troops in France are not properly protected by cannon, and to send them into the trenches now is to simply send them into a slaughter pen. We were compelled to buy clothing from England and guns and ordnance from France. With these facts before us, the question that confronts every Member of Congress is, Is it right to sit still and remain quiet and simply say that the responsibility of fighting this war is on the President? While that is true, that therefore Congress may remain silent and allow these conditions to continue, or are we not rather duty bound as a part of the Government and responsible to the people, at least for all legislation affecting the war, now, by constructive suggestion, by high patriotic advice, to aid in every way we can the administration in bettering these conditions and in overcoming these and other difficulties and inefficiencies that are now hindering and delaying our war preparations?

No man ought to be characterized as lacking in patriotism or ought to be charged with playing politics or be accused of unfair criticism of the administration when he seeks in good faith to make suggestions that will, he believes, overcome existing failures or give advice that will lead to ultimate success and bring about the complete overthrow of German militarism. No one appreciates, I think, more than I do the magnitude of this war and the rapid expansion of our Military Establishment. Fifteen years' service in the National Guard of Pennsylvania, part of which time as a private soldier,

and finally in the capacity of commissary general of the State, together with my service in the United States Army, covering the entire period of duration of the Spanish-American War, has given me some knowledge of military affairs.

Mr. SLOAN. Mr. Chairman, will the gentleman yield right there?

Mr. ROBBINS. Yes.

Mr. SLOAN. Just touching the question of criticism. Is it not a fact, recognized in education, literature, and politics that criticism is more wholesome and contributes more to good and betterment than praise?

Mr. ROBBINS. I think fair criticism, given in good faith, does. That is as far as I am going to go. Yet I believe the present management of the war lacks coordination; lacks unity of purpose; lacks harmony of action; and above all there is inefficiency in the execution of plans that has produced startling failures in the War Department. Not every plan has failed by any means, not every officer is incompetent, but there are too many failures.

It is true, under our form of government, the President of the United States is the constitutional head of the Nation and the Commander in Chief of our Army and Navy. Congress can not legally interfere with the management or conduct of the war. No Congressman or body of Congressmen, and certainly no party, in Congress wishes to interfere, but there is a widespread feeling in Congress and throughout the country that having voted ungrudgingly and quickly unprecedented large sums of money to the administration to be used in preparing this Nation for war, that Congress ought to at least be permitted to know and be allowed to act with the administration in a broad, high-minded, nonpartisan, patriotic way, for the purpose of obtaining results from the expenditure of this money.

Personally I believe the President, when war was thrust upon us, should have adopted the plan for the war which has proven successful in France, England, and Italy, by organizing a nonpartisan Cabinet.

When Mr. Lincoln became President of the United States, with rebellion threatening the Nation, he wisely selected a nonpartisan Cabinet. The Secretary of State was William H. Seward, of New York, a Whig; Secretary of the Treasury Salmon P. Chase, of Ohio, was a Democrat; Secretary of War Simon Cameron, of Pennsylvania, was a Democrat, succeeded by Edward M. Stanton, of Ohio, a Democrat; Secretary of the Interior Caleb B. Smith, of Indiana, was a Democrat; Secretary of Navy Gideon Welles, Connecticut, was a Democrat; Postmaster General Montgomery Blair, of Maryland, was a Republican, formerly a Whig; Attorney General Edward Bates, of Missouri, was a Whig. Judge Davis said of this Cabinet:

> Lincoln's original design was to appoint Democrats and Republicans alike to office. He carried this theory so far that the radical Republicans regarded the make-up as a "disgraceful surrender to the South," while men of less extreme views saw with some alarm that he called to his advisory council four ex-Democrats and only three ex-Whigs, a criticism which he met by saying that he himself was an "Old-Line Whig" and would be there to make the parties even.

This plan of Mr. Lincoln worked out admirably; it drew to the support of the war all political parties. It became a national war, not a war in which one party is entirely excluded from the active management, and the Cabinet then actually took a part in executive action, with all parties represented in the Cabinet. All our people felt that they were represented, and the war soon became a great national war.

During the recess of Congress I made many speeches in my district and adjacent parts of Pennsylvania upholding vigorously the administration, and advocating most strenuously the prosecution of this just and righteous war to a successful termination.

The situation now demands of every citizen the highest patriotic service that he can render, whether in official life or out of it. We must all be Americans, we must all rise to the highest plane of patriotic devotion and unselfish and unhesitating, vigorous service, and do everything we can to assist the administration in the crisis that confronts us.

It does seem that the organization of the War Department is not working smoothly. The charges made appear to be undeniable, that there is lack of coordination between the purchasing departments of the Army, that they have been bidding against each other until prices have been advanced and industries disorganized. The first shipbuilding organization has gone to pieces. There has been an attempt to reorganize it, with what success is not yet known. It is admitted on all hands that it is away behind with its work and its accomplishments are practically very little up to this time. This can easily be explained by the confusion that seems to prevail in that department of the Government. Let me give a concrete case in point. A large industry in my district that manufactures valves, brass stopcocks, and fittings for the engines of these ships which the Shipping Board are to build has by the Fuel Director been directed to stop all operations to save fuel. How are these ships to be built and completed when the Fuel Director will not permit the manufacture of the necessary fittings required to finish them? This company is, moreover, subject to a penalty if they do not complete the work in a given time. Yet the Fuel Director, disregarding this, prevents them from working. This concern, it seems, is going to get it both coming and going. If it does not make the engine fittings, the ships can not be built and it will be compelled to pay a penalty; if it works it will be fined by the Fuel Administration.

There are seven or more such purchasing departments for the Army, hence there necessarily is overlapping of jurisdiction, competitive bidding in the market, confusion, and delay. No private corporation of much less magnitude than the United States Government for one moment would tolerate such confusion and inefficiency. To point this out is not treason against the Government nor disloyalty to the President, but it is merely a suggestion seeking to draw attention to an existing glaring evil with the hope that it may be remedied. I might present and analyze other bureaus of the War Department and show that this inefficiency seems to prevail to an alarming extent throughout some of its other branches.

Under the act of Congress providing for the national defense there has been organized in connection with the War Department about 150 committees. These are known as the $1 a year men, and these include some of the most efficient men in the country, but they find themselves without any power, and they have in a great many instances quit, and the usefulness of most of the others seems to be at a standstill.

The Republican Members of Congress in conference in the face of this crisis passed a resolution, not condemning the President, not proposing to interfere with the President, but, profiting by the experience of Great Britain and France, as we have a right to profit from their experience, which has been sad and expensive to them, respectfully suggesting to the President the propriety of establishing a bureau of munitions.

This suggestion is made from the highest patriotic impulse and motive. It springs from the hope that the President may turn to the example of Mr. Lincoln, and under this new authority, if given to him by Congress, organize a bipartisan war bureau of the biggest men in the Nation regardless of politics, who shall act under him and aid and help him in more definitely organizing and preparing this Nation to fight Germany and bring quickly to the relief of our hard-pressed allies a completely equipped and efficiently organized military force.

This proposition is constructive. It is in aid of the President; it takes away none of his powers, but it enlarges his authority and enables him to call in the greatest talent in the country in any special line that he may deem proper and use it. This bureau, appointed and selected by the President, will be under his direct control and supervision and responsible to him alone. By means of it he can lift from his own shoulders some of the burdens that doubtless oppress him. By constantly advising with such board that unity of purpose, that effectiveness of action and completeness of accomplishment will be brought about that is not now possible in the preparation for and management of this great war.

Indeed, this course of fair public discussion and suggestion is in complete accord with the principles laid down for our guidance by the President in such cases. The Boston Transcript recently published the following extract from Woodrow Wilson's (now President) work on "Congressional Government":

> Unless Congress have and use evey means of acquainting itself with the acts and disposition of the administrative agents of the Government the country must be helpless to learn how it is being served, and unless Congress both scrutinize these things and sift them by every form of discussion the country must remain in embarrassing and crippling ignorance of every force which it is most important that it should understand and direct.
>
> The informing function of Congress should be specially preferred even to its legislative function. The argument is not only that the discussed and interrogated administration is the only pure and efficient administration, but more than that that the only well self-governing people is that people which discusses and interrogates its administration. * * *
>
> It is the principle upon which I shall act and upon which I hope every upright and faithful servant of the people in Congress will act.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ROBBINS. I ask for two minutes more.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman two minutes more.

Mr. ROBBINS. If this was good doctrine when the President was a professor at Princeton University teaching the science of government, it ought to be good now in practice.

Let us rise to the occasion. Let it not be said that this is a political move or partisan action. It is entirely American, it is wholly patriotic, and it is purely loyal. Mr. Chairman, when the casualties begin to come back from the front the mothers and widows of Americans will accept no excuse if it should appear that these men have been sacrificed unduly by reason of lack of preparation, even in the minutest detail.

The undertaking before us is of such tremendous magnitude that we must throw aside all our personal feelings, our personal affiliations, our personal comfort, and our personal fortunes and make one grand united effort to quickly win this war for freedom and for America. The course above advocated will certainly, I firmly believe, bring about such result, and I submit it for the respectful consideration of the President and of Congress. [Applause.]

Mr. LEVER. Mr. Chairman, I yield to the gentleman from Missouri [Mr. DICKINSON].

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. DICKINSON. Mr. Chairman, I desire to discuss some features of this Agricultural bill, and for that purpose I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I yield to my friend from Texas, Mr. BLANTON.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Chairman, I likewise want to discuss some of the features of the bill, and I ask unanimous consent to extend my remarks generally.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I yield to the gentleman from Georgia [Mr. LARSEN].

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. LARSEN. Mr. Chairman, I do not intend to make a speech at this time, but I rise to state that I desire to express my views on this bill, and ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from South Carolina [Mr. LEVER] has consumed 4 hours and 55 minutes. The gentleman from Iowa [Mr. HAUGEN] has consumed four hours and seven minutes.

Mr. LEVER. I will say to the gentleman from Iowa that I have only one more request for time on this side. How many has the gentleman?

Mr. HAUGEN. I have three more that I have promised and would like to accommodate.

Mr. LEVER. Very well. I will ask the gentleman from Iowa to use some of his time now. I will use mine later.

Mr. HAUGEN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. WALDOW].

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. WALDOW. Mr. Chairman, for a Member of Congress to launch an attack upon the executive or administrative branch of this Government in the midst of the greatest war the world has ever known is assuming an enormous responsibility, and on the other hand to accept without question conditions entailing tremendous consequences is to accept an equally grave responsibility.

I will not attempt to criticize to any great extent any of the executives or their departments, but I confess to a belief that there is the gravest necessity for immediate reorganization in many of our present executive and administrative departments. The decision taken by the Fuel Administrator proclaiming a compulsory suspension of business was a drastic decision and can only be justified by the urgent necessity of relieving railroad congestion—the securing of coal for ships in our ports, and the individual need for coal throughout the northeastern section of this country. That the conditions which have led to the present state of things should never have been permitted to occur may be admitted without question. I believe such an order would have been unnecessary if better judgment and foresight had been used three or four months ago when transportation upon our railroads and rivers was not handicapped by ice and snow. If that order and the more recent one of an embargo upon freight will relieve the present situation and prevent a food and fuel famine in this country this winter, I believe that their autocratic demands upon the industrial institutions and the people of this country will be a justification for their issuance. The cost in dollars and individual sacrifice of that order and that embargo I know will be tremendous, but if we prevent a coal and food famine and are able by virtue of this experience to prevent a repetition in the future of this present critical condition I believe the experience will be worth the price the American people have had to pay.

There can be no question that moments will arrive during this great war when heroic remedies become conservative policy by reason of the very fact that they are necessary to prevent more radical or perhaps disastrous consequences.

Mr. Chairman, this bill carries an appropriation of about $26,000,000. This sum fades into insignificance in comparison with the billions that will be necessary to be raised by bonds and taxation and appropriated for war purposes. I hope the Members of this House will in the near future present a new revenue bill to the country that will distribute the burden of taxation in a more just and equitable manner than the one now in operation. I am very candid in stating that unless this course is pursued many of the large industrial concerns in my State and city will be forced into bankruptcy.

I am interested not so much with the past as I am with the future. I am gravely disturbed with the business conditions and their present outlook in this country, and when the business of this country is violently disturbed and demoralized every man, woman, and child's personal welfare is at stake.

I refer particularly to the assumption and statement of some Government officials that in order to win this war we will be compelled to abandon all business known as nonessential. I sincerely hope that the executive department of this Government will not be in haste to act, and that they will investigate from every possible angle and point of view before issuing a proclamation upon essential and nonessential business undertakings—and if nonessential is going to be interpreted to exclude everything except that which is really a part of our war machine, then I predict the greatest financial panic and disaster and the greatest suffering for our citizens that this country has ever known.

The business interest and the people of this country are in favor of a curtailment of the use and the restricting of the manufacturing of the real luxuries of life. Most of us are practicing economy, which I hope will become a habit, for that will enable us to meet after the war industrial conditions without experiencing deprivations and financial distress, and this saving habit will assist materially in the floating of new bond issues and future Red Cross contributions that are really essential for the winning of this war.

Mr. Chairman, American business and American business men realize that the present predicament of commerce and industry is a concrete demonstration of the fact that business as usual is impossible when our Nation is at war. The fact that our industrial organization is one long series of interlocking gears must be taken into consideration when the breaking of a single cog is apt to be the means of stopping industrial cooperation of our entire industrial machine. This, I believe, will be vital not only to a successful prosecution of our war but to the future self-preservation of our business, our citizens, and our Nation. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HAUGEN. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. MCFADDEN].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 10 minutes.

Mr. MCFADDEN. Mr. Chairman, I am not going to speak on this bill, but on another subject that is equally as important as this bill at the present time.

This is an industrial war. The greatest financial and industrial organization and the biggest brains that the country possesses are what is needed, and needed now, for to-morrow may be too late. I am wondering whether in the administering of the legislation already enacted recently—legislation said to be necessary to win the war—we have not, in the machinery created, provided a theoretical system which is proving a failure. In other words, are we not now in this the country's greatest crisis living in a theorist's paradise?

In support of that argument I may say that I am receiving constantly letters respecting the situation referred to. I quote from one the following:

The President's statement contained in to-day's papers can be construed as nothing less than a demand for autocratic powers.

His demand that he be allowed to conduct the war without regard to the wishes of Congress, or the people as expressed by Congress, is a contradiction to the public rights as guaranteed by the Constitution.

As between the President and the Constitution, I stand by the Constitution.

It is intolerable that this country be under the rule of the President under the terms which he indicates.

The Garfield lockout edict is but the beginning of many such measures which would follow.

It is distressing to oppose the President. It is distressing to cause any additional delay of anything tending to further prosecution of the war, but in this instance our rights are at stake, and I call upon you as the Representative in Congress from this district to fight for our rights.

I want to quote from another letter from a constituent. I read:

I am one of your constituents from whom you do not hear very frequently, the last occasion being at the time war was declared on Germany, when I asked for your vote in favor of the declaration. The events of the last few weeks, culminating in Dr. Garfield's order closing all the factories and the President's defense of his program and of Secretary Baker, have convinced me that we are now confronted by a crisis no less real than that of last April; that if affairs are allowed to drift on in the direction they have taken we shall become so hopelessly entangled that we shall be in a fair way to lose the war we are righteously waging, not for want of courageous men or material resources but because the Nation's most effective weapon—the executive and administrative ability of her most capable business men and engineers in private industries—is not being directly utilized in cutting away the antiquated and needless complications of established institutions so as to put them on an effective war basis and in building up new organizations when they are necessary. It is true that business men are called upon to advise and suggest, but they are not appointed to the places of power and authority, and their best efforts are thus nullified.

It is needless to recount the results of the administration's past policy in the matter of appointments to anyone who has been in touch with national affairs as you have. The pitiable inability to understand the relation of government to business, the woeful lack of comprehension of their own jobs, displayed by Secretary Baker and Fuel Administrator Dr. Garfield before the Senate committees are too evident to need pointing out. We do not expect that every man appointed will prove to be ideal for his place, but we have a right to expect that the selection shall be made with some regard for previous experience and probable fitness for his duties, and that when incompetence has been clearly shown, the man who has failed shall be speedily replaced.

The people of this country, no less than those of France and England, are ready and glad to make any sacrifice that will contribute to the success of our cause, but our temper is fast changing, because we feel that much is being required that is nothing less than camouflage for some one's failure to handle his job, and in view of this unmistakable change, I believe that there should be a corresponding change in the attitude of Congress from one of unquestioning, almost blind acquiescence in every request made by the administration, to one of insistence upon a businesslike use of the unprecedented powers already conferred.

This serious situation as regards coal is caused primarily by the failure of the administration to fix, in the first instance, a fair and equitable price for the coal at the mines, and then by not having a competent business man with knowledge of the subject to administer the department. The railroad situation was caused by interference on the part of the Government with the technical business of running a railroad, and, in the second place, by a combination between the two departments—fuel and railroad—and the fact that the industries were speeded up and exceeded the ability of the railroads to handle the increased business under the restrictions imposed and the insistence on the part of department heads in the War Department upon issuing priority orders for goods not immediately needed, together with not sufficient coordination of these heads. That is responsible for this serious breakdown.

I want to protest against a policy that would close industries, whether it be by embargo, proclamations from the Railroad Administrator, or the Fuel Administrator, or by the manipulation of the Federal reserve banks or other banks refusing loans to industry, or in any other way restricting the full operation of the industries of the country, first, to furnish the materials necessary for the Government to win the war, and, second, to furnish employment affording a livelihood to the great mass of people who depend on their favorable employment for their existence.

We need the full cooperation of all of the industries of this country, and if we do not get that our system is going to break down.

To my mind it is a most serious situation that confronts us. Some people say, "Shut down the manufacture of nonessentials." I do not know what nonessentials are. I wish somebody would explain to me what are nonessentials. We certainly must keep industry going to the extent of supplying the things that are necessary for the Government to win this war; and, secondly, we must keep the network of industries going to supply employment to men who are engaged in other production, who must live and by their work support their families, or else we will have a more serious condition internally than might be brought about by the war. [Applause.]

Mr. LEVER. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, the consideration of this great bill, the Agricultural appropriation bill, may well consume four or five days of time. In times of peace agriculture is the most important question of mankind. In time of war agriculture rises higher than the military, naval, or diplomatic affairs of a nation. Agriculture spells life or death for the people of a nation and of the world.

Just now we are encouraging increased production, and in many ways we are urging conservation of our products—of food and fuel.

Some months ago the distinguished chairman of the Committee on Agriculture brought before this House a measure designed to conserve food supplies by giving the Food Administration power to save the grains, sugar, and fruits wasted in the manufacture of beer and wine. That act has now been on the statute books for months.

In spite of that fact, Mr. Chairman, I hold here in my hand a letter signed by Mr. Hoover, the Food Administrator, in which he admits that he is permitting the destruction of 42,000,000 bushels of barley annually in the manufacture of beer. He says nothing about the 2,000,000 bushels of rice, the 10,000,000 bushels of corn, and the millions of pounds of sugar which go into the manufacture of beer, not whisky. All of this after the 30 per cent reduction recently ordered in production.

I ask the distinguished chairman of this committee, when this barley alone will make four million 1-pound loaves of bread daily, why his committee does not bring in an amendment to his bill making it compulsory upon the Food Administration to save this food?

And while we are speaking of the food wasted by brewers, let me remind you that the brewers are adding to the problems of the Fuel Administrator also. It takes a pound of coal to make a pint of beer.

Why, Mr. Chairman, the brewers of the United States use three and one-half times as much coal as all the bakeries do, nearly six times as much coal as all the printers and publishers, nine times as much as the manufacturers of boots and shoes, and twenty times as much as the manufacturers of men's clothing.

And, Mr. Chairman, the Director General of Railroads finds on his tracks blocking the way of the food trains the fuel trains for homes and manufacturers, the munition trains, and the troop trains bearing our boys toward the battle front—literally thousands of cars of coal tagged to breweries and other thousands of cars of beer tagged back again.

Mr. Chairman, "What fools we mortals be!"

I ask unanimous consent to insert in the RECORD a statement from the census report of 1910 showing the amount of fuel used by brewers in the United States, and so forth.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

"BREWERS IN THE UNITED STATES USE OVER 3,000,000 TONS OF COAL.

"The latest authentic figures for the amount of coal used by the brewers in the production of malt liquor in the United States are given in the Government census reports for 1910, Volume VIII, page 363, as follows:

	Tons.
Anthracite	554,029
Bituminous	2,424,798
Coke	11,530
Total	2,990,357

"This equals 128,000 carloads of 25 tons each.

"In the year ending June 30, 1909, the production of malt liquors in the United States was 56,364,360 barrels. In 1917 the production was 60,729,509 barrels, an increase of 7.7 per cent over 1909. Assuming that there would be a proportionate increase in the amount of coal used, an addition of 7.7 per cent to the 2,990,357 tons used in 1909 gives 3,220,000 tons as the approximate amount used in 1917.

"BREWERS IN MASSACHUSETTS USE OVER 90,000 TONS OF COAL A YEAR.

"According to the same census report, the brewers of Massachusetts used, in the year 1909, 76,231 tons of coal. That year they produced 2,043,018 barrels of beer. In 1916 they produced 2,450,411 barrels, an increase of 19.9 per cent. Assuming a proportionate increase in coal used, gives the amount of coal used by the brewers in 1916 as approximately 91,400 tons.

"BREWERS USE MUCH MORE COAL THAN THE BAKERS.

"The real significance of the amount of coal used by the brewers, however, is better understood when taken in connection with the amount used by other leading industries in the United

States. On page 373 of Volume VIII of the census report for 1910 are given the following statistics:

Industry.	Cost of fuel and rent of power.	Total coal used.
		Tons.
Boots and shoes	$1,847,885	332,758
Bread and baked goods	7,357,847	829,526
Clothing, men's	2,240,019	146,126
Printing and publishing	7,601,152	506,525
Liquors, malt	8,570,892	2,990,357
Liquors, distilled	1,500,049	841,410

"The above figures from the census reports reveal the fact that the brewers use three and one-half times as much coal as the bakers, nearly six times as much as the printers and publishers, nine times as much as the manufacturers of boots and shoes, and twenty times as much as the manufacturers of men's clothing.

"As the total cost of power and fuel for the various industries does not show the same ratio as the amounts of coal used, it is clear that some industries use more electric power or water power than others. It is significant, however, that the total cost of the power and fuel for the production of malt liquors is more than for the production of bread and baked goods, and over four and one-half times that for the manufacture of boots and shoes.

"Shall we be more tender with the profits of the brewers than with the lives of our sons?

"BREWERS OF MASSACHUSETTS USE THOUSANDS OF TONS OF COAL BUT EMPLOY FEW MEN.

"The following statistics, taken from the Massachusetts Supplement of the last United States census report (1910, p. 680, and Vol. VIII, p. 349), are very significant during these days of coal shortage:

Statistics of Massachusetts manufactures.

Industry.	Number establishments.	Capital.	Persons employed.	Total horsepower.	Total coal used in tons.
Boots and shoes	762	$90,243,000	90,048	35,051	102,193
Bread and baked products	282	12,752,000	9,755	4,316	61,242
Clothing (men's)	198	8,242,000	8,208	1,753	8,144
Liquors, malt	31	20,288,000	2,091	9,917	76,231

"The above figures reveal the fact that the manufacturers of boots and shoes employ forty-three times as many people but use only one and one-fourth times as much coal as the brewers. Capital invested four and one-half times as much. A specific example:

Industry.	Number establishments.	Persons employed.	Wages paid.	Cost of fuel.	Capital invested.
Lynn: Boots and shoes	207	17,942	$9,532,137	$53,656	$17,488,156
Boston:					
Malt liquor	20	1,338	1,019,213	161,565	13,435,765
Boots and shoes	43	6,790	3,046,000	91,990	11,257,336

"The above figures taken from the Massachusetts Supplement of the last United States census report (1910, p. 684) reveal the facts that the boot and shoe manufacturers of Lynn employ thirteen and one-half times as many people, pay over nine times as much in wages, but use only one-third as much fuel as the manufacturers of malt liquors in Boston.

"The boot and shoe manufacturers in Boston employ five times as many people, pay three times as much in wages, and use fuel costing only a little over one-half as much as that used by the manufacturers of malt liquors in Boston.

"Which shall we close—the shoe factories making shoes for soldiers or the breweries turning food into alcohol?"

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Indiana [Mr. FAIRFIELD] five minutes.

Mr. FAIRFIELD. Mr. Chairman, the attitude of the people of this country has been the right attitude of a great people toward an executive, burdened as the Chief Executive of the United States is with the most momentous problems that ever have confronted any country in any age. The spirit of this House has been the right spirit. I am glad to say that even in the conference the other night not one discordant note was uttered, so far as a desire to prosecute the war effectually was concerned. True, there has recently been a little criticism. We are fighting the idea that the king can do no wrong, and in a free country it certainly is proper that the legislative department should become an informing body in its answer to the people. And as bearing immediate fruit of this criticism I call your attention to a statement in the Washington Star of this evening:

BUYER FOR ARMY APPOINTED BY U. S.—SECRETARY BAKER PICKS E. R. STETTINIUS TO SUPERVISE U. S. PURCHASES—BEGINS WORK AT ONCE.

Edward R. Stettinius, of New York, was appointed to-day as surveyor general for all Army purchases.

Secretary Baker in making the announcement said:

"Mr. Edward R. Stettinius, of New York, has been appointed surveyor general of all Army purchases. He will be in charge of the procurement and production of all supplies by the five Army bureaus, viz, Ordnance, Quartermaster, Signal, Engineer, and Medical. It will be his duty to coordinate such purchases and properly relate the same to industry, to the end that the Army program be developed under a comprehensive plan which will best utilize the resources of the country.

"From the outbreak of the war Mr. Stettinius has been in sole charge of the allied purchases in this country and has been responsible for the development of the production of war materials. His intimate knowledge of war conditions in Europe and in the United States, as related to industry, and the practical means he has used to accomplish his plans, preeminently qualify him for his position.

"Mr. Stettinius will assume his new duties at once and establish his office in Washington."

Gentlemen of the committee, it seems strange that not until the criticism had been voiced in another body, not until there had been suggestion of possible criticism on the floor of this House, was such action taken; but it is a source of gratification that promptly the effort is made to answer the constructive criticism that has been suggested, by following out the lines that have been indicated. I did not call attention to this any earlier, for the gentleman who spoke a few moments ago [Mr. ROBBINS] was urging, and properly urging, the very thing that the Secretary of War has undertaken to do.

I am concerned, gentlemen, more with the spirit of the country than I am with discussions that may arise here now and then. Above all else we ought to keep the spirit of the country united behind the Government for efficiency in the prosecution of the war. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9054, the Agricultural appropriation bill, and had come to no resolution thereon.

CHOCTAWS AND CHICKASAWS.

The SPEAKER. There is a bill, H. R. 329, which is clearly a private bill and ought to be on the Private Calendar. By accident it went to the Union Calendar. Without objection, it will be changed to the Private Calendar.

There was no objection.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 7 minutes p. m.) the House adjourned until to-morrow, Saturday, January 26, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a proposed clause of legislation for inclusion in the urgent deficiency bill (H. Doc. No. 859); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of State submitting supplemental estimates of appropriation required for the expenses of foreign intercourse for the fiscal years 1918 and 1919 (H. Doc. No. 860); to the Committee on Foreign Affairs and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of San Francisco Bay, Cal. (H. Doc. No. 861); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TIMBERLAKE, from the Committee on the Public Lands, to which was referred the bill (H. R. 175) to amend an act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year 1915, and for prior years, and for other purposes, reported the same without amendment, accompanied by a report (No. 258), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (H. R. 5559) to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes, reported the same with amendment, accompanied by a report (No. 259), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

The bill (H. R. 7558) granting an increase of pension to William A. Strong; Committee on Pensions discharged, and referred to Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FRENCH: A bill (H. R. 9247) granting certain lands to Boise, Idaho, for park purposes; to the Committee on the Public Lands.

By Mr. JOHNSON of Kentucky: A bill (H. R. 9248) to prevent extortion, to impose taxes upon certain incomes in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 9249) providing for the conservation of certain foodstuffs in the District of Columbia; to the Committee on the District of Columbia.

By Mr. PADGETT: A bill (H. R. 9250) to provide promotion for retired officers performing active duty in time of war; to the Committee on Naval Affairs.

By Mr. BYRNS of Tennessee: A bill (H. R. 9251) to relieve Congress from the adjudication of private claims against the Government; to the Committee on the Judiciary.

By Mr. DENT: A bill (H. R. 9252) to authorize the appointment of two colonels and four lieutenant colonels in the Veterinary Corps of the Army; to the Committee on Military Affairs.

By Mr. CARTER of Oklahoma: A bill (H. R. 9253) for the purpose of conferring citizenship upon all Indians and segregating the competent Indians from the supervision of the Indian Bureau; to the Committee on Indian Affairs.

By Mr. McLEMORE: Resolution (H. Res. 235) authorizing the District of Columbia Committee to investigate reports of an alleged scheme or conspiracy by certain real estate dealers or agents to get possession of the National Guard Armory Building and to rerent it to the United States; to the Committee on Rules.

By Mr. REAVIS: Joint resolution (H. J. Res. 228) to provide notification of illness of soldiers; to the Committee on Military Affairs.

By Mr. CARY: Joint resolution (H. J. Res. 229) to permit the naturalization of certain aliens whose parents neglected to take out naturalization papers prior to their death, to relieve a large number of persons from unmerited hardships, and to strengthen the military resources of the United States; to the Committee on Immigration and Naturalizaion.

By Mr. MOORES of Indiana: Joint resolution (H. J. Res. 230) authorizing and requiring the Secretary of War to prescribe all rules and needful regulations for the government of the various internment camps; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 9254) granting a pension to George F. Bostwick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9255) granting an increase of pension to Jacob Moses; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9256) granting an increase of pension to William Amspacker; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 9257) granting an increase of pension to Michael McCormick; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 9258) for the relief of Andrew Ohler; to the Committee on Military Affairs.

By Mr. DEWALT: A bill (H. R. 9259) granting a pension to John A. Ferree; to the Committee on Pensions.

By Mr. DICKINSON: A bill (H. R. 9260) granting a pension to Sarah Weaver; to the Committee on Invalid Pensions.

By Mr. GOODWIN of Arkansas: A bill (H. R. 9261) granting an increase of pension to Eleam Welch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9262) granting an increase of pension to James Flanagan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9263) granting an increase of pension to George Rush; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9264) granting an increase of pension to Josiah Vauscyre; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9265) granting an increase of pension to Joshua Markley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9266) granting an increase of pension to Jerry A. Fitzgerald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9267) granting an increase of pension to George Bowery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9268) granting an increase of pension to Michael P. Wells; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 9269) for the relief of Capt. Fred S. Johnston; to the Committee on War Claims.

By Mr. LEA of California: A bill (H. R. 9270) granting an increase of pension to Hiram E. Turner; to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 9271) granting a pension to Ja Dee Stroman; to the Committee on Pensions.

By Mr. MAPES: A bill (H. R. 9272) granting a pension to Louisa M. Robinson; to the Committee on Invalid Pensions.

By Mr. MILLER of Minnesota: A bill (H. R. 9273) for the relief of Alfred B. Andrews; to the Committee on Claims.

By Mr. MOORES of Indiana: A bill (H. R. 9274) granting a pension to Charlotte Lewis; to the Committee on Invalid Pensions.

By Mr. PAIGE: A bill (H. R. 9275) granting a pension to Edwin D. Goodell; to the Committee on Pensions.

By Mr. ROSE: A bill (H. R. 9276) granting an increase of pension to Robert Dignan; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 9277) granting an increase of pension to Silas C. Robbins; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 9278) granting an increase of pension to Jahue H. Greenway; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 9279) granting an increase of pension to Adam A. Worthington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9280) granting a pension to Elmer Kinder; to the Committee on Pensions.

By Mr. WARD: A bill (H. R. 9281) for the relief of Lieut. Col. Henry C. Davis; to the Committee on Naval Affairs.

By Mr. WEBB: A bill (H. R. 9282) granting a pension to the minor children of Ephraim G. Gray; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. FULLER of Illinois: Memorial of Illinois Audubon Society, favoring the migratory-bird-treaty bill; to the Committee on Agriculture.

By Mr. GRAHAM of Pennsylvania: Resolutions of the Pennsylvania Manufacturers' Association and the Knitting Manufacturers of Philadelphia, protesting against the fuel order; to the Committee on Agriculture.

Also, resolution of the physicians' group of the Chamber of Commerce, Philadelphia, Pa., objecting to that part of the war-revenue act dealing with the income of physicians; to the Committee on Ways and Means.

Also, resolutions of the Veterans' Home, Napa County, Cal., for the relief of volunteer officers of the Civil War, placing them on the same footing as officers of the Regular Army; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: Petition of war council of the Providence (R. I.) Chamber of Commerce, favoring passage of daylight-saving legislation; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Pennsylvania: Petitions of R. C. Sutton, Joseph Antenson, William Evans, and others, favoring passage of the Keating and Nolan wage bills; to the Committee on Appropriations.

Also, resolution of the board of representatives of Federal Employees' Union, No. 2, protesting against recommendation of the Postmaster General for the repeal of the act permitting postal employees to organize for their mutual welfare; to the Committee on the Post Office and Post Roads.

Also, resolutions adopted by the Miami Chamber of Commerce, urging Government improvement of the Florida Coast Line Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. MORIN: Petition of the Pittsburgh (Pa.) Preachers' Meeting of the Methodist Episcopal Church, for immediate and complete war prohibition; to the Committee on the Judiciary.

By Mr. PARK: Resolutions adopted by the student body of the Atlanta Law School, Atlanta, Ga., opposing the creation of a war cabinet, expressing confidence in and loyalty to the President, and deploring recent criticism; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 26, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We wait upon Thee, Almighty God, our Heavenly Father, before entering upon the duties of the hour, that the Members of this deliberative body may be better prepared to take up the problems which confront them and discharge with patience, insight, and clear vision every duty devolving upon them, in consonance with Thy Holy Will; that truth may have its sway, to the honor and glory of Thy Holy Name. Amen.

The Journal of the proceedings of yesterday was read and approved.

DIGEST AND MANUAL.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 236.

Resolved, That there be printed 2,000 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the second session of the Sixty-fifth Congress, the same to be bound and distributed under the direction of the Clerk and Doorkeeper of the House.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, this is the usual resolution that is passed each year.

Mr. GILLETT. There has been no change, has there, since the printing of the last one?

Mr. FOSTER. I do not know what change there has been.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire the method of the distribution of these copies of the rules?

Mr. FOSTER. I think there are so many copies placed in the folding room that go to the Members; then I think there are a certain number that go into the document room unbound.

Mr. STAFFORD. Under prior practice I do not recall any copies ever having been placed to the credit of Members of the House. I think they should be.

Mr. FOSTER. I think the gentleman is mistaken; I am sure he is; and if he will go to the proper officer he will find that he can get so many from that officer always.

Mr. STAFFORD. I do not think they are placed to the credit of Members in the folding room, but one has to make an application with the Clerk of the House or some other official for four copies, I believe it is.

Mr. FOSTER. I think that is the number.

Mr. STAFFORD. I would like to know why it is that we can not have these copies placed to the credit of the Members direct in the folding room, so that every Member may have them. I venture the prediction that one-half, perhaps, of the Members of the House do not know that there are copies of the rules available to them under these authorizations.

Mr. FOSTER. I do not know about that, but they are always there, and they are available.

Mr. ESCH. They are secured through the House stationery room, and every Member is credited with four copies. Sometimes they do not know it or do not draw them, but they are credited with them.

Mr. STAFFORD. I think some provision should be incorporated in the resolution providing that the copies be placed to the credit of Members in the folding room.

Mr. FOSTER. That is all right, so far as I am concerned.

Mr. STAFFORD. Until that amendment is proposed, I shall object. I have no objection to the authorization.

Mr. FOSTER. They go to the folding room.

Mr. STAFFORD. I have no objection to the resolution, but I think there should be some such provision incorporated as to their distribution.

Mr. FOSTER. The resolution provides that they are to be distributed through the Clerk and the Doorkeeper of the House.

Mr. HARRISON of Mississippi. May I say that for seven or eight years they have been placed in the folding room to the credit of each Member?

Mr. STAFFORD. I wish to take issue with the gentleman. We have not had them to our credit in the folding room. As my colleague, Mr. ESCH, has stated, they are distributed through the stationery room of the House. Members ought to know that these rules are available.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

EXTENSION OF REMARKS.

Mr. OVERMYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein an address delivered by my colleague from Ohio, Mr. JOHN S. SNOOK, on the subject of the news-print situation, before the Ohio City Editors' Association on the 19th and 20th of the present month.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing therein a speech delivered by his colleague, Mr. SNOOK. Is there objection?

There was no objection.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a letter from an old soldier, Mr. Isaac T. Cross, of Seattle, Wash.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

WASHINGTON'S BIRTHDAY.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent that on the 22d of February next, Washington's Birthday, the gentleman from Ohio [Mr. FESS] be permitted to address the House, after the approval of the Journal, for 30 minutes on the subject of the influence of Washington on modern government.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that on the 22d of February next, after the reading of the Journal and the disposition of business on the Speaker's table, not to interfere with privileged matters, the gentleman from Ohio [Mr. FESS] be permitted to address the House for not to exceed 30 minutes on the subject of the influence of Washington on modern government. Is there objection?

There was no objection.

PENSIONS.

Mr. SHERWOOD. Mr. Speaker, I call up the bill H. R. 9160, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The SPEAKER. The gentleman from Ohio calls up a pension bill, which the Clerk will report.

The Clerk reported the bill by title.

The SPEAKER. This bill is on the Private Calendar.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to dispense with the first reading of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill for amendment.

The Clerk read as follows:

A bill (H. R. 9160) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of George W. Thomas, late of Company I, Twenty-sixth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Baynes, late of Company L, Fourth Regiment Provisional Enrolled Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Harris, late of Company L, Fourth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lizzie Yorker, helpless and dependent child of Paul Yorker, late of Company G, Tenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Thomas B. Whaley, late of Company F, Eleventh Regiment Pennsylvania Reserve Infantry, and Company I, Thirteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Daniel Kelly, late of Company G, First Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel Grow, late of Company I, Sixty-fourth Regiment Ohio Volunteer Infantry, and Company E, Fifth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William Gibson, late of Company C, One hundred and eightieth Regiment Ohio Volunter Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Isaac Blackburn, late of Company G, Fifteenth Regiment, and Company A, One hundred and forty-fourth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Billetter, late of Company D, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Henry L. Adams, late of Company I, Sixth Regiment Pennsylvania Volunteer Reserve Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Hazlett, late of Battery H, First Regiment West Virginia Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jeremiah Bogard, late of Company F, First Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Daniel Cunningham, late of Company B, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Mayden, late of Company F, Eighth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James C. Sims, late of Company C, Sixteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph Quinn, late of Company F, One hundred and sixty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Silas G. Thomas, late of Company H, Ninth Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Michael Eaton, late of Company E, One hundred and sixteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Clark, late of Company E, Forty-second Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edwin H. Miner, late of Company F, Second Regiment Illinois Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mathew Atkinson, late of Company K, Fifteenth Regiment, and Company F, Tenth Regiment, West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John G. Monroe, late of Company E, One hundred and forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hiram M. Brown, late of Company C, Seventy-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John P. Williams, late of Company F, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of David A. Banks, late of Twelfth Independent Battery Ohio Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William R. Hogue, late of Company G, Seventy-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Edward F. Harter, late of Company A, Nineteenth Regiment Ohio Volunteer Infantry, and Company H, Fifteenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Esau Hartsel, late of Company A, Seventh Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James S. Garrett, late of Companies A and B, One hundred and eighteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James Bruen, late of Company C, Ninth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Abbie P. Haskell, widow of Joshua Haskell, late of Company B, Twenty-fifth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Edward H. Ridenour, late of Company H, Thirty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John Bandy, late of the Eighth Independent Ohio Sharpshooters, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George Van Nortwick, late of Company L, Twelfth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Leithiser, late of Company F, One hundred and ninety-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Frank Sayre, late of Company C, One hundred and forty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William Rimert, late of Company B, One hundred and seventy-second Regiment Pennsylvania Drafted Militia Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William N. Oliver, late of Company D, Eightieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jackson Hammer, late of Company H, Ninety-fifth and Forty-seventh Regiments Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Grozinger, late of Company G, First Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Chester T. Goodenough, helpless and dependent child of Truman B. Goodenough, late of Company K, Eighth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The name of Samuel Mickey, late of Company K, One hundred and seventy-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Silas J. Pickerill, late of Company I, Sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Lewis L. Mullins, late of Company M, Fourth Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William R. Pierce, late of Company G, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William M. Wright, late of Company I, Twenty-eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph Zimmerman, late of Company B, Seventy-ninth Regiment, and Company I, Seventieth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John W. Barnes, late of Company A, Eighty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph W. Santee, late of Company H, One hundred and sixty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Bannar, late of Company A, First Battalion, Eighth Regiment Delaware Volunteer Infantry, and Company G, Fourth Regiment United States Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George Gunnell, late of Company M, Seventh Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Gottfried Czerny, late of Company B, Twenty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Robert Osborn, late of Company I, Sixth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph R. Moore, late of Company A, One hundred and fifty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of John W. Gee, late of Company C, One hundred and eleventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Anderson York, late of Company H, Twenty-first Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James H. Brown, late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Levi Bronson, late of Company A, One hundred and thirty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of August Isermann, late of Company B, Third Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles Smith, late of Company K, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James F. Peters, late of Company C, Seventh Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John W. Barnett, late of Company F, One hundred and fifty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Osborn Allen, late of Company I, Sixteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Nicoll F. Jones, late of Company I, One hundred and seventy-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George Smith, late of Company H, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George C. Gardner, late of Company D, Sixty-fifth Regiment, and Company I, One hundred and eightieth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James T. McMillen, late of Company K, Sixty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Arthur J. Fry, late of Company H, Sixtieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James D. Dunn, late of Company D, Sixteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William Henderson, late of Company K, One hundred and seventieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Dixon M. Hepburn, late of Company E, Seventy-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John W. Vanfossen, late of Company B, One hundred and twenty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Martha E. Gibbins, alleged widow of Edward J. Gibbins, late of Company G, Thirtieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month: *Provided*, That upon reappearance of the husband and proof thereof, this pension shall cease and determine.

The name of Lindsey Clark, helpless and dependent child of Albert S. Clark, late of Company E, One hundred and eighty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of George Cole, late of Company D, Forty-ninth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elias Johnson, late of Company F, Third Regiment New York Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Hattie M. Dunsmoor, widow of James F. Dunsmoor, late of Company D, First Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Stephen Young, late of Company B, Thirty-fourth and Thirty-sixth Regiments Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Levi Covey, late of Companies H and B, Seventh Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Mathew Kerwin, late of Company B, Forty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Adelia Hamilton, former widow of Henry Mathews, late of Company C, Sixth Regiment Michigan Volunteer Cavalry, and Thirty-third Company, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $25 per month.

The name of Wellsley Crane, late of Company I, First Regiment Minnesota Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ruel Rounds, late of Company K, Twelfth Regiment Vermont Militia Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel Large, late of Company E, Second Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Elijah W. Prater, late of Company D, Forty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robert M. Rice, late of Ninth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Ellen M. Smith, widow of Emory B. Smith, late of Company I, Tenth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Francis M. Kittrell, late of Company A, Fifth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Peter Cruikshank, late of Company G, Third Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Sargent Clark, late of Company A, Fifth Regiment, and Company I, Twelfth Regiment, Maine Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William W. Brothers, late of Company K, Twenty-eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William S. Trader, late of Company F, First Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jackson H. Atkinson, late of Company F, Sixteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Richard R. V. Nipper, late of Company C, Seventh Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Margaret Steele, widow of Edward T. Steele, late of Company I, Twelfth Regiment, Connecticut Volunteer Infantry, and Company G, First Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Mary Edna Pierce, helpless and dependent child of Edgar Pierce, late of Company I, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the of $12 per month.

The name of James K. P. Simpson, late of Company I, Twenty-ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Ezekiel P. Clayton, late of Company F, Fifty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Chauncey W. Young, late of Company K, One hundred and forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Obadiah Stines, late of Company K, Thirty-fourth and Thirty-sixth Regiments Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Beverly M. Stanton, late of Company F, Thirty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles Butler, late of Company E, Thirty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles Saunders, late of Company G, One hundred and fifty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Canada D. Hicks, late of Company K, Forty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Percival C. Bishop, late of Company I, One hundred and seventy-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Francis Marion Davis, late of Company E, One hundred and eightieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William A. Woods, late of Company E, Second Regiment Nebraska Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph E. Braman, late of Capt. Magee's company, Massachusetts Volunteer Cavalry, and Twelfth unattached company, Massachusetts Militia Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph R. Sullivan, late of Company B, One hundred and fourth Regiment, and Company K, Thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Adaline Ballard, widow of Hiram Ballard, late of Company C, Fourth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Eugene B. Dwight, late of the United States Navy, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving

The name of Albert A. Root, late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sylvester Smart, late of Company K, Nineteenth Regiment Maine Volunteer Infantry, and First Regiment Maine Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Frank A. Moses, late of Company E, One hundred and thirtieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Cora E. Goodrich, helpless and dependent child of Lawrence Goodrich, late of Company L, Twentieth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Dennis Clark, late of Company E, Fourth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mattie K. Adams, helpless and dependent child of John D. Adams, late of Company D, Fiftieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Timothy Hixson, late of Company C, Fifty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph Ochs, late of Company C, Sixteenth Regiment New York Volunteer Cavalry, and Company I, Third Regiment New York Volunteer Provisional Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Isaac Wilson, late of Company A, Thirteenth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John C. Morgan, late of Company A, Fifty-first Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Katherine W. Hauns, widow of Valerian Hauns, late of Company C, Sixteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Emelie Varney, former widow of Henry H. Varney, late of Company I, One hundred and fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Levi H. Brown, late of Company B, Third Regiment Rhode Island Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John P. Dunham, late of band, Thirty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry C. Conner, late of Company K, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John R. Perrine, late of Company I, Sixty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Brooks, late of Company E, Ninth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James C. Weller, late of Company I, One hundred and thirty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of David Byers, late of Company F, One hundred and fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas Gray, late of the Fourth Battery, Indiana Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Dora Hewey widow of George Hewey, late of Company A, Forty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John R. Ogden, late of Company F, First Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Hicks, late of Company G, One hundred and forty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Daniel Dietrick, late of Company B, One hundred and fifty-eighth Regiment Pennsylvania Drafted Militia Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Addis E. Underwood, late of Company K, Sixth Regiment Pennsylvania Volunteer Reserve Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles W. Stigers, late of Company A, Eighth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jane Hammond, widow of Henry Hammond, late of Company E, First Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John R. Bryan, late of Company F, Sixty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Oscar N. Cowell, late of Company H, Twenty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Sarah D. Bowman, widow of Henry Bowman, late of Company I, One hundred and thirtieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John C. James, late of Company A, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles McCarty, late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Benjamin F. Lantz, late of Company I, Sixteenth Regiment, and Company A, One hundred and seventy-eighth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Samuel P. Wolven, late of Company C, Twenty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Herman F. W. Fisher, late of Company E, Twenty-fourth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John W. Ellis, late of Company B, Twenty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry T. Brayman, late of Company G, Third Regiment Rhode Island Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Wiley, late of Company F, One hundred and fifteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ellen Russell, former widow of Samuel Myers, late of Company H, One hundred and tenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Angel Hausker, late of Company E, Seventh Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry M. Gray, late of Company I, Forty-eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Harrier, late of Company A, One hundred and thirty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Hubby, late of Company G, Twenty-fourth Regiment, and Company C, Forty-fourth Regiment, Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John M. G. Maver, late of Twenty-eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James Cooper, late of Company L, First Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William Turnham, late of Company C, Twenty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John L. C. Cline, late of Company E, One hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Pleasant H. Ripley, late of Company E, First Regiment Arkansas Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Oliver P. Krutz, late of Company E, Fifty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William V. Yeager, late of Company H, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ezra Cleveland, late of Company C, Fiftieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John S. Thorp, late of Company C, Thirty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Isaac Q. Wiggins, late of Company H, Ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph C. Hammond, late of Company K, Twenty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Valentine Fish, late of Company H, Tenth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Ellen Hawkes, late of the Medical Department, United States Volunteers, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Henry B. Hall, late of Company D, Fifth Regiment Rhode Island Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary A. Luther, former widow of Edwin Otis Evans, alias Edward Jones, late of Company A, Twenty-sixth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Ellen M. Cornell, widow of Joseph P. Cornell, late of the Signal Corps, United States Volunteers, and pay her a pension at the rate of $25 per month.

The name of Charles L. Shriver, late of Company I, One hundred and fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Anna M. Moak, widow of John W. Moak, late of Company B, One hundred and fifteenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Herbert W. Moak, helpless and dependent child of said John W. Moak, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Anna M. Moak the name of said Herbert W. Moak shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Anna M. Moak.

The name of James Beyea, late of Company H, Fifteenth Regiment New York Volunteer Engineers, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Alexander H. McQueen, late of Companies K and G, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Carpenter, late of Company H, Eighth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John McDowell, late of Company C, Dale's Battalion, Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of George W. Cordray, late of Company F, Ninety-seventh Regiment, and Company E, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Crawford Byers, late of Company C, One hundred and twentieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Willis Elben, late of Company E, One hundred and eighty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary D. Holgate, widow of William Holgate, late of Company G, Ninth Regiment United States Infantry, and pay her a pension at the rate of $25 per month.

The name of John W. Hamon, late of Company I, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Washington Blankenship, late of Company H, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

This bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 457. George W. Thomas.
H. R. 467. William Baynes.
H. R. 554. William Harris.
H. R. 641. Lizzie Yorker.
H. R. 661. Thomas B. Whaley.
H. R. 710. Daniel Kelly.
H. R. 832. Samuel Grow.
H. R. 1096. William Gibson.
H. R. 1101. Isaac Blackburn.
H. R. 1162. William Billetter.
H. R. 1210. Henry L. Adams.
H. R. 1304. John Hazlett.
H. R. 1333. Jeremiah Bogard.
H. R. 1404. Daniel Cunningham.
H. R. 1470. George W. Mayden.
H. R. 1490. James C. Sims.
H. R. 1524. Silas G. Thomas.
H. R. 1526. Joseph Quinn.
H. R. 1588. Michael Eaton.
H. R. 1589. George W. Clark.
H. R. 1940. Edwin H. Miner.
H. R. 1984. Mathew Atkinson.
H. R. 2076. John G. Monroe.
H. R. 2254. Hiram M. Brown.
H. R. 2274. John P. Williams.
H. R. 2371. David A. Banks.
H. R. 2372. William R. Hogue.
H. R. 2388. Edward F. Harter.
H. R. 2407. Esau Hartsel.
H. R. 2513. James S. Garrett.
H. R. 2515. James Bruen.
H. R. 2532. Abbie P. Haskell.
H. R. 2544. Edward H. Ridenour.
H. R. 2550. John Bandy.
H. R. 2683. George Van Nortwick.
H. R. 2959. George W. Leithiser.
H. R. 3074. Frank Sayre.
H. R. 3086. William Rimert.
H. R. 3158. William N. Oliver.
H. R. 3212. Jackson Hammer.
H. R. 3241. John Grozinger.
H. R. 3243. Chester T. Goodenough.
H. R. 3267. Samuel Mickey.
H. R. 3324. Silas J. Pickerill.
H. R. 3485. Lewis L. Mullins.
H. R. 3507. William R. Pierce.
H. R. 3541. William M. Wright.
H. R. 3590. Joseph Zimmerman.
H. R. 3624. John W. Barnes.
H. R. 3683. Joseph W. Santee.
H. R. 3696. George W. Bannar.
H. R. 3721. George Gunnell.
H. R. 3726. Gottfried Czerny.
H. R. 3766. Robert Osborn.
H. R. 3787. Joseph R. Moore.
H. R. 3861. John W. Gee.
H. R. 3896. Anderson York.
H. R. 3982 James H. Brown.
H. R. 3998. Levi Bronson.
H. R. 4131. August Isermann.
H. R. 4318. Charles Smith.
H. R. 4342. James F. Peters.
H. R. 4368. John W. Barnett.
H. R. 4410. Osborn Allen.
H. R. 4446. Nicoll F. Jones.
H. R. 4575. George Smith.
H. R. 4648. George C. Gardner.
H. R. 4676. James T. McMillen.
H. R. 4725. Arthur J. Fry.
H. R. 4755. James D. Dunn.
H. R. 4778. William Henderson.
H. R. 4779. Dixon M. Hepburn.
H. R. 4795. John W. Vanfossen.
H. R. 4803. Martha E. Gibbins.
H. R. 4879. Lindsey Clark.
H. R. 4918. George Cole.
H. R. 4949. Elias Johnson.
H. R. 4971. Hattie M. Dunsmoor.
H. R. 5048. Stephen Young.
H. R. 5074. Levi Covey.
H. R. 5086. Methew Kerwin.
H. R. 5138. Adelia Hamilton.
H. R. 5140. Wellsley Crane.
H. R. 5160. Ruel Rounds.
H. R. 5176. Samuel Large.
H. R. 5218. Elijah W. Prater.
H. R. 5362. Robert M. Rice.
H. R. 5382. Ellen M. Smith.
H. R. 5436. Francis M. Kittrell.
H. R. 5440. Peter Cruikshank.
H. R. 5449. Sargent Clark.
H. R. 5515. William B. Brothers.
H. R. 5699. William S. Trader.
H. R. 5744. Jackson H. Atkinson.
H. R. 5756. Richard B. V. Nipper.
H. R. 5846. Margaret Steele.
H. R. 5920. Mary Edna Peirce.
H. R. 6041. James K. P. Simpson.
H. R. 6079. Ezekiel P. Clayton.
H. R. 6147. Chauncey W. Young.
H. R. 6149. Obadiah Stines.
H. R. 6344. Beverly M. Stanton.
H. R. 6419. Charles Butler.
H. R. 6487. Charles Saunders.
H. R. 6508. Canada D. Hicks.
H. R. 6509. Percival C. Bishop.
H. R. 6510. Francis Marion Davis.
H. R. 6556. William A. Woods.
H. R. 6569. Joseph B. Braman.
H. R. 6698. Joseph B. Sullivan.
H. R. 6724. Adaline Ballard.
H. R. 6809. Eugene B. Dwight.
H. R. 6818. Albert A. Root.
H. R. 6827. Sylvester Smart.
H. R. 6856. Frank A. Moses.
H. R. 6859. Cora E. Goodrich.
H. R. 6860. Dennis Clark.
H. R. 6915. Mattie K. Adams.
H. R. 6919. Timothy Hixson.
H. R. 6933. Joseph Ochs.
H. R. 6986. Isaac Wilson.
H. R. 6988. John C. Morgan.
H. R. 7037. Katherine W. Hauns.
H. R. 7038. Emelic Varney.
H. R. 7046. Levi H. Brown.
H. R. 7067. John P. Dunham.
H. R. 7070. Henry C. Conner.
H. R. 7075. John R. Perrine.
H. R. 7196. James Brooks.
H. R. 7318. James C. Weller.
H. R. 7389. David Byers.
H. R. 7419. Thomas Gray.
H. R. 7421. Dora Hewey.
H. R. 7426 John R. Ogden.
H. R. 7460. George W. Hicks.
H. R. 7474. Daniel Dietrick.
H. R. 7489. Addis E. Underwood.
H. R. 7527. Charles W. Stigers.
H. R. 7608. Jane Hammond.
H. R. 7623. John R. Bryan.
H. R. 7657. Oscar N. Cowell.
H. R. 7709. Sarah D. Bowman.
H. R. 7714. John C. James.
H. R. 7777. Charles McCarty.
H. R. 7806. Benjamin F. Lantz.
H. R. 7827. Samuel P. Wolven.
H. R. 7828. Herman F. W. Fisher.
H. R. 7829. John W. Ellis.
H. R. 7840. Henry T. Brayman.
H. R. 7855. John Wiley.
H. R. 7861. Ellen Russell.
H. R. 7896. Angel Hausker.
H. R. 7907. Henry M. Gray.
H. R. 7958. William Harrier.
H. R. 8070. John Hubby.
H. R. 8134. John M. G. Maver.
H. R. 8215. James Cooper.
H. R. 8218. William Turnham.
H. R. 8233. John L. C. Cline.
H. R. 8239. Pleasant H. Ripley.
H. R. 8247. Oliver P. Krutz.
H. R. 8252. William V. Yeager.
H. R. 8253. Ezra Cleveland.
H. R. 8268. John S. Thorp.

H. R. 8270. Isaac Q. Wiggins.
H. R. 8304. Joseph C. Hammond.
H. R. 8310. Valentine Fish.
H. R. 8378. Ellen Hawkes.
H. R. 8390. Henry B. Hall.
H. R. 8394. Mary A. Luther.
H. R. 8395. Ellen M. Cornell.
H. R. 8435. Charles L. Shriver.
H. R. 8446. Anna M. Moak.
H. R. 8448. James Beyea.
H. R. 8479. Alexander H. McQueen.
H. R. 8480. William Carpenter.
H. R. 8485. John McDowell.
H. R. 8890 George W. Cordray.
H. R. 8891. Crawford Byers.
H. R. 8894. Willis Elben
H. R. 8947. Mary D. Holgate.
H. R. 9022. John W. Hamon.
H. R. 9023. Washington Blankinship.

During the reading of the bill,

AMENDMENTS.

The Clerk read as follows:

The name of William Baynes, late of Company L, Fourth Regiment Provisional Enrolled Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. SHERWOOD. Mr. Speaker, I offer the following amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SHERWOOD: Page 2, line 3, strike out the word "Infantry" and insert in lieu thereof the word "Militia."

The amendment was agreed to.

The Clerk read as follows:

The name of John Hazlett, late of Battery H, First Regiment West Virginia Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. SHERWOOD. Mr. Speaker, I offer the following amendment: Page 3, line 21, strike out the word "Regiment."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 21, strike out the word "Regiment."

The amendment was agreed to.

The Clerk read as follows:

The name of Mary Edna Peirce, helpless and dependent child of Edgar Pierce, late of Company I, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

Mr. SHERWOOD. On page 17, line 21, the word is spelled "Pierce" when it should be "Peirce."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 17, line 21, strike out the word "Pierce" and insert in lieu thereof the word "Peirce."

The amendment was agreed to.

The Clerk read as follows:

The name of Beverly M. Stanton, late of Company F, Thirty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

Mr. ANTHONY. Mr. Speaker, I would like to ask the chairman of the committee a question. Would it not be good practice to furnish the names of the Members who introduced these special pension bills?

Mr. SHERWOOD. There will be no objection as far as the chairman is concerned, but we have a list of every Member here——

Mr. ANTHONY. Yes; but that is for the committee's private information.

Mr. SHERWOOD. It is for the information of the House.

Mr. ANTHONY. I want to offer this suggestion, Mr. Speaker: I believe it would be in the interest of public business if, when each of these private bills is mentioned in these omnibus bills here, the name of the Member who introduced the bill could be printed at the same time, and I want to ask the chairman if he has any objection to such proceduce?

Mr. SHERWOOD. I should not have any objection to it.

Mr. ANTHONY. Or if there is any objection on the part of the committee?

Mr. SHERWOOD. That would be a matter for the committee to decide when they had a meeting, and I would suggest to the gentleman to appear before the committee——

Mr. ANTHONY. I do not care to appear before the committee. I am appearing before the committee now—before the House—and I want simply to get information and find out if there is any objection to it.

Mr. SHERWOOD. There is no objection.

Mr. ANTHONY. The reason I ask that is I am convinced these bills are being reported out in such a manner that it is not exactly fair and just to the soldier population of the entire country. In other words, I think some Members are getting more than their share of these bills, and I want to arrive at some method by which the entire soldier population of the country can receive equitable consideration at the hands of Congress. [Applause.]

Mr. ASHBROOK. If the gentleman will permit me, I should like to say to the gentleman from Kansas that the Calendar Index shows, of course, the author of the bill, and it is an easy matter to find by the calendar who introduces bills and how many.

Mr. ANTHONY. That would be after the bill was passed.

Mr. ASHBROOK. Yes; and also the clerk of the committee keeps a record of the number of bills that each Member has, and it is open to the gentleman or anyone else who may wish to inquire. I want also to say to my friend that I am inclined to think as he does that the districts should be treated with reference to these special bills according to the soldier population and not by districts, as some have very few soldiers, and yet they receive the same number of bills as a district does that may have two or three thousand soldiers. I think that it is unfair, and yet that is the policy of the committee to give the same number to each Representative, providing they have cases entitled to favorable action under the rules of the committee.

Mr. ANTHONY. Then the gentleman is aware of the fact that——

The SPEAKER. The Chair will remark that all of this talk is out of order.

Mr. ANTHONY. I would like to ask the Chair if there is any opportunity for the discussion of these bills? I make a motion to strike out the last word.

The SPEAKER. There are five minutes on a side, but there is no amendment pending.

Mr. ANTHONY. Is this bill being considered in the House as in Committee of the Whole?

The SPEAKER. Of course it is.

Mr. ANTHONY. Then I make a motion to strike out the last word. Will I then be entitled to five minutes?

The SPEAKER. Yes.

Mr. ANTHONY. I make that motion. I am impressed with the fact, Mr. Speaker, that we have some Members of the House who are perhaps more indefatigable in their efforts to obtain these private bills than others, and they are getting a little more than their fair share; in fact, that the committee does listen to the importunities of certain Members of the House to such an extent that they are successful in getting more of such bills than they should have in these omnibus measures, and I want to see these bills considered upon the merits of the individual cases of the soldiers and not upon the merits or work of the Member of the House who presents them to the committee; and I think if my suggestion were adopted and the name of the Member of the House who introduces the bill be printed along with this report or in the bill that is presented to the House, that in the future, when Members' names are connected directly with the bills it might serve to smite their consciences or impress them with the idea that probably they were appearing a little oftener than they should.

Mr. ASHBROOK. If the gentleman will permit me to interrupt him, I would like to suggest to him that that would not relieve the condition, but the thing to do is to get the committee to see the importance of passing on these special bills not by districts but in proportion to the soldiers in that particular district. It is up to the committee to determine whether one Member is entitled to more bills than another. As a member of the committee I can say to the gentleman that these cases are treated absolutely fairly, and that all Members are being treated on an equality. And if you have the evidence in for bills introduced from your district, I am sure you have had just as many special bills allowed so far as any other Member of this House.

Mr. FULLER of Illinois. Mr. Speaker, I call for the regular order.

The SPEAKER. The regular order is the reading of the amendment pending.

Mr. ANTHONY. Is the five-minute debate exhausted?

The SPEAKER. Yes.

Mr. ANTHONY. I want to simply serve notice on the committee, Mr. Speaker, that I hope they will adopt some reform or some change in their method of procedure.

Mr. CRAMTON. Mr. Speaker, I want to call this to the attention of the membership. I am no longer a member of the Committee on Invalid Pensions, but I was at one time, and I was then impressed by this fact: That there are a great many Members who introduce pension bills and think that ends their duty and their obligation to their constituents, with the result that the Committee on Invalid Pensions will have before them nothing whatever but the bill. A bill of that kind never gets any consideration, and the committee can not give it consideration. Other Members will complete the evidence in support of their bills, and naturally those Members will get more consideration, as their cases are in shape for consideration. And oftentimes Members who will blame the committee for lack of action on their bills will find, if they go to the committee, that their bills are not in shape for consideration.

The SPEAKER. The gentleman from Kansas [Mr. ANTHONY] withdraws his point of order.

Mr. SHERWOOD. Mr. Speaker, I desire to state, for the information of the House, that I do not know when a bill comes before the committee who introduced the bill. Every bill is referred to the examiner appointed by the Pension Office, and those bills are examined and reported to the subcommittee, and the subcommittee refers them to the full committee. So far as I know everything has been strictly impartial, so far as the action of the committee is concerned.

The SPEAKER. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

The name of Washington Blankinship, late of Company H, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

Mr. DYER. Mr. Speaker, I move to strike out the last word. I would like to have the attention of the chairman, and also of my colleague, the gentleman from Missouri [Mr. RUSSELL], with reference to the provision here for the pensioning of William Baynes, at the top of page 2. It says here:

The name of William Baynes, late of Company L, Fourth Regiment Provisional Enrolled Missouri Volunteer Infantry, and pay him a pension at the rate of $30 a month in lieu of that he is now receiving.

I would like to know from my colleague whether or not this is one of the cases known as the Missouri Enrolled Militia cases?

Mr. RUSSELL. No; that is entirely different. The Missouri Provisional Militia has long ago been made pensionable upon the efforts of Senator Cockrell while he was in the Senate. But the Enrolled Missouri Militia is not pensionable, while the Provisional Militia is.

Mr. DYER. I would like to ask the gentleman if the bill and report which he has presented to this House, and which I am heartily in favor of, is to pension those who served in the Missouri Militia and the militia in other States?

Mr. RUSSELL. I am glad to say that the Invalid Pension Committee has made a unanimous report recommending that the Enrolled Missouri Militia and the militia of all the States that were in the same position, and that served 90 days or more under the command of Federal officers, shall be given a pensionable status.

Mr. DYER. Will my colleague say whether or not he hopes and expects to get this bill up for consideration at an early date? It is a very deserving bill and a very worthy one.

Mr. RUSSELL. That bill, as I understand it, under the rules of the House is privileged, and I have no doubt we will be able to call the bill up some time during this session and have it considered by the House.

Mr. DYER. Will the gentleman state something as regards the service in a general way of the men that the bill proposes to pension? Some of these men served as much as a year, did they not?

Mr. RUSSELL. I have men in my district who served more than a year.

Mr. DYER. And none of them are now receiving pensions except by some special act?

Mr. RUSSELL. The Missouri Enrolled Militia is not receiving any pension at this time, although they served in the Federal Army and fought in the same battles with regular soldiers. None of them are receiving a pension now, unless it has been by special bill, and I do not think a dozen of them have ever been passed.

Mr. FARR. Will that include the militia of the other States?

Mr. RUSSELL. It will if they served under Federal officers. There are some such soldiers in Pennsylvania.

Mr. FARR. I will be glad to support the measure.

The SPEAKER. The gentleman from Missouri [Mr. DYER] withdraws the pro forma amendment.

Mr. DYER. If my time is not up, I yield to the gentleman from Kansas [Mr. CAMPBELL].

The SPEAKER. The gentleman's time has expired. If the gentleman from Kansas desires to speak, he can secure time.

Mr. CAMPBELL of Kansas. I simply rose in the time of the gentleman from Missouri to ascertain from Judge RUSSELL, of Missouri, whether he expected to call the bill up; but Col. DYER having called that matter out, I have no desire to take up the time of the House.

Mr. RUSSELL. I can state that my purpose is to try to do it whenever it can be done without interfering with an appropriation bill.

Mr. CAMPBELL of Kansas. I hope it can be done.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SHERWOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ASSISTANT CLERK TO COMMITTEE ON RULES.

Mr. PARK. Mr. Speaker, I submit a privileged resolution from the Committee on Accounts.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 180 (H. Rept. No. 262).

Resolved, That the Committee on Rules be allowed an assistant clerk, at the rate of $100 per month, during the second session of the Sixty-fifth Congress, beginning the 3d day of December, 1917, to be paid out of the contingent fund of the House.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. PARK. Yes.

Mr. STAFFORD. Is this resolution, in effect, that which was voted down on a roll call by the House some time ago?

Mr. PARK. Yes.

Mr. STAFFORD. When it was attacked by my colleague from Wisconsin [Mr. LENROOT], a member of the Committee on Rules?

Mr. PARK. For answer to that, I will yield to the chairman of the Committee on Rules, Mr. POU.

Mr. STAFFORD. I wish to inquire whether my colleague [Mr. LENROOT] has receded from his position in opposition to this assistant clerk?

Mr. POU. I could not answer that.

Mr. GILLETT. Mr. LENROOT is ill. I do not think he will be here to-day.

Mr. POU. The ranking Republican Member of the Committee on Rules is here, and I think, gentlemen of the House, he agrees that this bill ought to pass.

Mr. CAMPBELL of Kansas. I wish the chairman of the committee would state to the House, as was not stated before, just what is being done, as he has stated it to me, showing the necessity for this clerk.

Mr. POU. Mr. Speaker, this assistant clerk, as he is called, has been allowed to the Committee on Rules, according to my best recollection, for the last seven or eight years. There is work for two clerks to that committee, as any gentleman of the House can ascertain if he will take the trouble to make an investigation. The clerk to the committee is busy answering inquiries much of the time and has little time to attend to correspondence. No man can take the position of chief clerk to the Committee on Rules and attend satisfactorily to the duties he ought to attend to and do the necessary correspondence incident to the committee.

Mr. GILLETT. Mr. Speaker, will the gentleman yield?

Mr. POU. I do.

Mr. GILLETT. When the gentleman speaks of "correspondence" does he mean the congressional correspondence or the correspondence of the committee?

Mr. POU. I mean the correspondence incident to the work of the committee.

Mr. GILLETT. I would like to inquire what is that? What correspondence is that?

Mr. POU. I will say to the gentleman that we have or have had 82 resolutions before the Committee on Rules. People all over the United States write to the chairman of the Committee on Rules not only about matters that are before the Commitee on Rules but about matters that are before other committees. They seem to have the idea that the Committee on Rules has something to do with every matter that is before Congress. That necessarily involves a large amount of correspondence.

Now, I will say this to the House: The best evidence that I think we need this clerk is the fact that I have kept him in the service of the committee and propose to continue him there for several months, whether this resolution goes through or not. I have undertaken to direct that certain work be done which, in my judgment, will be of benefit to the House, for which we may or may not be entitled to credit. Anyway I thought it ought to be done. There is no volume of precedents or forms available for anyone wishing to draw a resolution, or special rule, as they are called. It is not an easy matter to draw a rule that will run the gauntlet of this House. Let any man who thinks it is start in and try. There ought to be some compilation that Members can refer to—a compilation of resolutions adopted by this House and by the House of former Congresses as well.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. POU. Let me finish this statement, and then I will yield. I have had bound three volumes of resolutions that have been referred to the Committee on Rules, and I propose to leave them as a legacy to the committee when I pass on. We are now having the fourth volume bound. These volumes, I think, will be of very great value for this reason: If a gentleman wants to draw a rule about a certain matter he can take that volume and find a resolution which has been reported favorably, introduced

by such-and-such a gentleman. I could name half a dozen gentlemen of the House here whose handiwork any Member of the House would be glad to adopt as a model for any resolution he might wish to introduce. I have heard Members say they have already been using those compilations up to this time and have found them very helpful.

Mr. DOWELL. Mr. Speaker, will the gentleman yield?

Mr. POU. Yes.

Mr. DOWELL. Does this volume contain the rule, with the ruling of the Chair on the question of order?

Mr. POU. No; it does not. But I will say to the gentleman this: We have taken the resolutions and the reports and have bound them. We are now compiling a volume of the debates that were had upon the floor of the House on the resolutions that have been adopted by the House, so that that can be available also.

Mr. DOWELL. Would not the committee get a better digest by inserting the rule and also inserting the ruling of the Chair or the ruling of the House on the rule as it actually came before the House?

Mr. POU. Oh, yes; certainly. This was just a little voluntary service that we undertook to perform. These resolutions were not being preserved. Many of them had stood the test of criticism. I thought they should be preserved for speedy and convenient reference.

Mr. DOWELL. My only question was that if the committee was presenting a digest, it should be a complete one.

Mr. POU. It is not intended to be a complete digest at all. We are simply preserving resolutions that have been referred to the committee during the last three or four Congresses, together with the favorable reports thereon, and we are now trying to compile the debates that were had upon the resolutions that were favorably reported during the last three or four Congresses. These volumes I have found quite useful. I believe others will find them useful also.

Mr. CAMPBELL of Kansas. Mr. Speaker, a few days ago the chairman of the Committee on Rules spoke to me about the work that is being done and the necessity for this additional clerk. He went over the matter in more detail than he has just done to the House. I was not surprised when he called attention to the increased correspondence arising from committee business before that committe. As a member of the committee I receive almost daily letters or telegrams urging that a rule be given or denied on some bill. This morning I have five telegrams from different parts of the country urging a rule on a bill that I never heard of.

Mr. GILLETT. Does the gentleman think he ought to have an extra clerk to answer those telegrams?

Mr. CAMPBELL of Kansas. Oh, no; and, besides, I am not the chairman of the committee. But what I wish to point out is how the business before the Committee on Rules has grown. There is a vastly greater amount of business done by that committee now than there was a few years ago. So many bills are to be made in order or given a privileged status now that it does involve more work; and there is more work to be done in keeping track of the bills and resolutions that are before that committee, and to keep a record of the work that has been done. I am very sure that there are committees in this House that have two clerks, or a clerk and an assistant clerk, that do not do as much work as the Committee on Rules is now doing.

Mr. SLOAN. Does the gentleman mean to intimate that we are governed in our legislation by more rules, or more by rule, than we were in the Sixty-first Congress?

Mr. CAMPBELL of Kansas. Very much.

Mr. SLOAN. I am surprised at that, considering the discussion that went out over the country during the Sixty-first Congress as to the alleged necessity of reforming the procedure in this regard and preventing legislation by the Rules Committee.

Mr. CAMPBELL of Kansas. If I did not know the gentleman from Nebraska to be somewhat facetious at times I would take what he says seriously. But the fact is that the great power that once rested in the Speaker with regard to much of the business of the House has been transferred to the Committee on Rules, and that Committee has now to do work that was formerly done by the Speaker. The fact that eighty-odd resolutions have been introduced in this session of Congress and referred to that committee will give the House some idea of the volume of work that there is to be done and the number of bills and resolutions to be taken care of there. All this is aside from the many preliminary hearings held by the committee.

Mr. GILLETT. Mr. Speaker——

The SPEAKER. The gentleman from Georgia [Mr. PARK] has the time.

Mr. GILLETT. Will the gentleman yield me three or four minutes?

Mr. PARK. I yield to the gentleman five minutes.

The SPEAKER. The gentleman is recognized for five minutes.

Mr. GILLETT. I merely wish to say that when the chairman of the Committee on Rules [Mr. POU], for whom I have great regard, and the ranking Republican member [Mr. CAMPBELL of Kansas] state after investigation that they need an extra clerk, and the Committee on Accounts have reported accordingly, I personally shall not set up my judgment against theirs. But I do wish to emphasize what the gentleman from Nebraska [Mr. SLOAN] suggested—I do not think facetiously—that we were told long ago by that side of the House that when they obtained power legislation by rule and by the Rules Committee was to be done away with, and that the individual Member was to have more power and be able to assert himself, and that the House was not to be governed by rules, but that the business was to run along by the ordinary course of the control of the regular committees. But instead of that, as we know by our personal experience, the Rules Committee has been bringing in legislation quite as frequently and, we sometimes think, quite as drastically as ever before, and the gentleman from Kansas says the jurisdiction and influence of that committee is so constantly increasing that it is indispensable that the committee have more clerical assistance than they ever used to need. I merely wish to point out the difference between the promises and the conduct of that side of the House as to the Committee on Rules and also to remind them of the economical program which they told us when they assumed power was to be enforced—that the clerkships and employees of the House were to be very much diminished. I suspect now that we have reached a higher level than ever before. And here is another illustration of the constant increase which certainly contradicts their professions of economical reform.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. GILLETT. I yield to the gentleman from Michigan for a question.

Mr. McLAUGHLIN of Michigan. I ask the gentleman from Massachusetts if he thinks it proper that the salary of this assistant clerk should begin on the 3d day of December, nearly two months ago, in face of the fact that this House only a few days ago determined that that clerk should not be appointed?

Mr. GILLETT. I had not observed that fact. I certainly do not think it ought to date back, in face of the previous vote of this House.

Mr. POU. The clerk has been there all the time, ever since the 3d of December.

Mr. McLAUGHLIN of Michigan. But the House determined that he should not be employed.

Mr. POU. As far as I am personally concerned, I am not going to say another word about this clerk. The House can either give him to the Committee on Rules or not, as it sees fit. I have said I think we need him. The House can amend the resolution in any way that it sees fit; but I am going to keep the young man now in the office whether the House authorizes his employment or not, because I know he is necessary.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I move to amend the resolution by striking out "December 3, 1917," and inserting "January 26, 1918."

Mr. FOSTER. Mr. Speaker, has the gentleman from Michigan the floor to offer such an amendment?

The SPEAKER. He has not.

Mr. McLAUGHLIN of Michigan. The Chair recognized me.

Mr. FOSTER. The gentleman from Georgia yielded to him.

Mr. McLAUGHLIN of Michigan. Will the gentleman from Georgia [Mr. PARK] yield to me to allow me to offer an amendment?

Mr. PARK. Yes; I did yield to the gentleman awhile ago.

The SPEAKER. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. McLAUGHLIN of Michigan moves to amend by striking out the words "3d day of December, 1817," in line 4 of the resolution, and inserting in lieu thereof "January 26, 1918."

The SPEAKER. The question is on the amendment offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. McLAUGHLIN of Michigan) there were—ayes 29, noes 69.

Mr. GILLETT. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of no quorum present. Evidently there is no quorum. The Sergeant at Arms will notify absentees, the Doorkeeper will

close the doors, and the Clerk will call the roll. Those in favor of the amendment will say "aye"; those opposed, "no."

The question was taken; and there were—yeas 134, nays 186, not voting 108, as follows:

YEAS—134.

Anderson	Fuller, Ill.	McArthur	Scott, Mich.
Anthony	Fuller, Mass.	McCormick	Sells
Baer	Garland	McFadden	Shallenberger
Black	Gillett	McKenzie	Shouse
Blanton	Glass	McKinley	Sloan
Browne	Glynn	McLaughlin, Mich.	Smith, Idaho
Burroughs	Good	Madden	Snook
Butler	Gould	Mapes	Snyder
Byrns, Tenn.	Gray, N. J.	Meeker	Stafford
Campbell, Kans.	Green, Iowa	Merritt	Sterling, Ill.
Carlin	Greene, Vt.	Miller, Minn.	Stiness
Carter, Mass.	Hadley	Mondell	Strong
Cary	Hamilton, Mich.	Moore, Pa.	Sweet
Chandler, N. Y.	Hawley	Moores, Ind.	Switzer
Clark, Pa.	Hayes	Morgan	Temple
Cox	Heaton	Mott	Tilson
Cramton	Helm	Mudd	Timberlake
Dallinger	Hersey	Nichols, Mich.	Tinkham
Denison	Hicks	Nolan	Towner
Dillon	Huddleston	Norton	Treadway
Dowell	Ireland	Osborne	Vestal
Dyer	James	Paige	Volstead
Edmonds	Jones, Va.	Platt	Waldow
Elliott	Kinkaid	Purnell	Walsh
Ellsworth	Knutson	Ramsey	Wason
Elston	Kraus	Rankin	Wheeler
Emerson	La Follette	Reavis	White, Me.
Esch	Langley	Reed	Williams
Fairfield	Lehlbach	Robbins	Winslow
Farr	Lenroot	Roberts	Woods, Iowa
Fess	Little	Rogers	Young, N. Dak.
Fordney	Longworth	Rowe	Zihlman
Francis	Lufkin	Sanders, Ind.	
Freeman	Lundeen	Sanders, N. Y.	

NAYS—186.

Alexander	Dupré	Larsen	Sabath
Almon	Evans	Lazaro	Sanford
Aswell	Fairchild, B. L.	Lea, Cal.	Saunders, Va.
Austin	Ferris	Lee, Ga.	Schall
Ayres	Fisher	Lesher	Sears
Bankhead	Flood	Lever	Shackleford
Barkley	Foss	Littlepage	Sherwood
Beakes	Foster	Lobeck	Siegel
Bell	French	London	Sims
Beshlin	Gallagher	Lonergan	Slemp
Blackmon	Gallivan	Lunn	Smith, C. B.
Booher	Gandy	McAndrews	Snell
Borland	Gard	McClintic	Steagall
Brand	Garner	McKeown	Stedman
Brumbaugh	Garrett, Tenn.	McLemore	Steele
Buchanan	Garrett, Tex.	Magee	Stephens, Miss.
Burnett	Godwin, N. C.	Mansfield	Stephens, Nebr.
Byrnes, S. C.	Goodwin, Ark.	Martin	Sterling, Pa.
Caldwell	Gordon	Mason	Stevenson
Campbell, Pa.	Graham, Ill.	Mays	Sumners
Candler, Miss.	Gray, Ala.	Neely	Tague
Cantrill	Hamlin	Nelson	Taylor, Ark.
Caraway	Hardy	Nicholls, S. C.	Taylor, Colo.
Carew	Harrison, Miss.	Oldfield	Thomas
Carter, Okla.	Harrison, Va.	Oliver, Ala.	Thompson
Church	Haskell	Oliver, N. Y.	Tillman
Clark, Fla.	Hastings	Olney	Van Dyke
Claypool	Hayden	Overmyer	Venable
Coady	Heflin	Overstreet	Vinson
Collier	Hensley	Park	Volgt
Connally, Tex.	Hilliard	Peters	Walker
Connelly, Kans.	Howard	Phelan	Walton
Cooper, Wis.	Hull, Tenn.	Polk	Watkins
Copley	Igoe	Pou	Weaver
Crisp	Jacoway	Pratt	Webb
Crosser	Johnson, Ky.	Quin	Welling
Decker	Johnson, Wash.	Rainey	Welty
Dent	Jones, Tex.	Raker	Whaley
Dewalt	Juul	Randall	White, Ohio
Dickinson	Kearns	Rayburn	Wilson, Ill.
Dies	Keating	Robinson	Wilson, Tex.
Dill	Kelly, Pa.	Rodenberg	Wingo
Dixon	Kennedy, R. I.	Romjue	Wise
Dominick	Kettner	Rouse	Wright
Doolittle	Kincheloe	Rubey	Young, Tex.
Doughton	King	Rucker	
Drane	Kitchin	Russell	

NOT VOTING—108.

Ashbrook	Davis	Haugen	McLaughlin, Pa.
Bacharach	Dempsey	Heintz	Maher
Barnhart	Denton	Helvering	Mann
Bland	Dooling	Holland	Miller, Wash.
Bowers	Doremus	Hollingsworth	Montague
Britten	Drukker	Hood	Moon
Brodbeck	Dunn	Houston	Morin
Browning	Eagan	Hull, Iowa	O'Shaunessy
Cannon	Eagle	Humphreys	Padgett
Capstick	Estopinal	Husted	Parker, N. J.
Chandler, Okla.	Fairchild, G. W.	Hutchinson	Parker, N. Y.
Classon	Fields	Johnson, S. Dak.	Porter
Cooper, Ohio	Flynn	Kahn	Powers
Cooper, W. Va.	Focht	Kehoe	Price
Costello	Frear	Kelley, Mich.	Ragsdale
Crago	Goodall	Kennedy, Iowa	Ramseyer
Currie, Mich.	Graham, Pa.	Key, Ohio	Riordan
Curry, Cal.	Greene, Mass.	Kiess, Pa.	Rose
Dale, N. Y.	Gregg	Kreider	Rowland
Dale, Vt.	Griest	LaGuardia	Sanders, La.
Darrow	Hamill	Linthicum	Scott, Iowa
Davidson	Hamilton, N. Y.	McCulloch	Scott, Pa.
Scully	Small	Swift	Watson, Pa.
Sherley	Smith, Mich.	Talbott	Watson, Va.
Sinnott	Smith, T. F.	Templeton	Wilson, La.
Sisson	Steenerson	Vare	Wood, Ind.
Slayden	Sullivan	Ward	Woodyard

So the amendment was rejected.

The following pairs were announced:

Until further notice:

Mr. ASHBROOK with Mr. BACHARACH.

Mr. BARNHART with Mr. BLAND.

Mr. BRODBECK with Mr. BOWERS.

Mr. DALE of New York with Mr. BRITTEN.

Mr. TALBOTT with Mr. BROWNING.

Mr. DENTON with Mr. CANNON.

Mr. DOOLING with Mr. CHANDLER of Oklahoma.

Mr. DOREMUS with Mr. CLASSON.

Mr. EAGAN with Mr. COOPER of Ohio.

Mr. EAGLE with Mr. COOPER of West Virginia.

Mr. ESTOPINAL with Mr. COSTELLO.

Mr. FIELDS with Mr. CRAGO.

Mr. FLYNN with Mr. CURRY of California.

Mr. GREGG with Mr. CURRIE of Michigan.

Mr. HAMILL with Mr. DALE of Vermont.

Mr. HELVERING with Mr. DARROW.

Mr. HOLLAND with Mr. DAVIDSON.

Mr. HOOD with Mr. DAVIS.

Mr. HOUSTON with Mr. DEMPSEY.

Mr. HUMPHREYS with Mr. DRUKKER.

Mr. KEHOE with Mr. DUNN.

Mr. KEY of Ohio with Mr. GEORGE W. FAIRCHILD.

Mr. LINTHICUM with Mr. FOCHT.

Mr. MAHER with Mr. FREAR.

Mr. MONTAGUE with Mr. GOODALL.

Mr. MOON with Mr. GRAHAM of Pennsylvania.

Mr. O'SHAUNESSY with Mr. GREENE of Massachusetts.

Mr. PADGETT with Mr. GRIEST.

Mr. PRICE with Mr. HAMILTON of New York.

Mr. RAGSDALE with Mr. HAUGEN.

Mr. RIORDAN with Mr. HOLLINGSWORTH.

Mr. SANDERS of Louisiana with Mr. WOODYARD.

Mr. SCULLY with Mr. HUSTED.

Mr. SISSON with Mr. HUTCHINSON.

Mr. SHERLEY with Mr. KAHN.

Mr. SLAYDEN with Mr. KELLEY of Michigan.

Mr. SMALL with Mr. KENNEDY of Iowa.

Mr. THOMAS F. SMITH with Mr. KIESS of Pennsylvania.

Mr. SULLIVAN with Mr. WARD.

Mr. WILSON of Louisiana with Mr. McCULLOCH.

Mr. WATSON of Virginia with Mr. McLAUGHLIN of Pennsylvania.

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

Mr. OLDFIELD. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SAUNDERS of Virginia). The question now is on the passage of the resolution.

Mr. COOPER of Wisconsin. Mr Speaker, upon that I demand the yeas and nays.

The question was taken.

The SPEAKER pro tempore. Twenty-five Members have risen, not a sufficient number.

Mr. NORTON. I ask for the other side.

The other side was taken.

The SPEAKER pro tempore. Ninety-two Members have risen, a sufficient number, and the Clerk will call the roll.

The question was taken; and there were—yeas 176, nays 113, not voting 139, as follows:

YEAS—176.

Alexander	Caraway	Dill	Goodwin, Ark.
Almon	Carlin	Dominick	Gordon
Anthony	Carter, Okla.	Doolittle	Greene, Mass.
Ashbrook	Cary	Doremus	Gregg
Aswell	Church	Doughton	Hamlin
Austin	Clark, Fla.	Dupré	Hardy
Ayres	Clark, Pa.	Edmonds	Harrison, Miss.
Bankhead	Classon	Evans	Harrison, Va.
Barkley	Claypool	Farr	Haskell
Beakes	Coady	Flood	Hastings
Bell	Collier	Foss	Hayden
Black	Connally, Tex.	Foster	Heflin
Blackmon	Connelly, Kans.	Gallagher	Helm
Blanton	Cox	Gallivan	Hensley
Booher	Crisp	Gandy	Hilliard
Brand	Crosser	Gard	Houston
Brumbaugh	Decker	Garland	Howard
Buchanan	Dent	Garner	Hull, Tenn.
Burnett	Denton	Garrett, Tenn.	Igoe
Byrnes, S. C.	Dewalt	Garrett, Tex.	Ireland
Caldwell	Dickinson	Glass	Jacoway
Candler, Miss.	Dies	Godwin, N. C.	Johnson, Ky.

Jones, Tex.	Mays	Robinson	Stephens, Miss.
Keating	Montague	Rodenberg	Stephens, Nebr.
Kelly, Pa.	Moon	Romjue	Stevenson
Kettner	Morgan	Rouse	Sumners
Kincheloe	Nicholls, S. C.	Rubey	Tague
King	Oldfield	Rucker	Taylor, Ark.
Kitchin	Oliver, Ala.	Russell	Thompson
Lazaro	Oliver, N. Y.	Sabath	Tillman
Lee, Ga.	Olney	Sanders, La.	Van Dyke
Lesher	Overmyer	Sanford	Vinson
Lever	Overstreet	Saunders, Va.	Walker
Lobeck	Park	Schall	Watkins
London	Phelan	Scott, Iowa	Weaver
Lonergan	Polk	Sears	Webb
Lunn	Pou	Shackleford	Welling
McAndrews	Pratt	Shallenberger	Welty
McClintic	Quin	Shouse	White, Ohio
McKeown	Rainey	Siegel	Wilson, Tex.
McLemore	Raker	Snell	Wingo
Magee	Randall	Snyder	Wise
Mansfield	Rankin	Steagall	Wright
Martin	Rayburn	Steele	Young, Tex.

NAYS—113.

Anderson	Gray, Ala.	McLaughlin, Mich.	Smith, Idaho
Baer	Green, Iowa	Mapes	Snook
Browne	Greene, Vt.	Meeker	Stafford
Burroughs	Hadley	Merritt	Sterling, Ill.
Carter, Mass.	Hamilton, Mich.	Mondell	Stiness
Cooper, Wis.	Hawley	Moore, Pa.	Strong
Cramton	Hayes	Moores, Ind.	Sweet
Dallinger	Heaton	Mott	Switzer
Denison	Hicks	Mudd	Temple
Dillon	James	Nichols, Mich.	Thomas
Dowell	Johnson, Wash.	Nolan	Tilson
Dunn	Jones, Va.	Norton	Timberlake
Dyer	Juul	Osborne	Tinkham
Elliott	Kearns	Paige	Towner
Ellsworth	Kennedy, Iowa	Platt	Treadway
Elston	Kinkaid	Powers	Voigt
Emerson	Knutson	Purnell	Volstead
Esch	Kraus	Ramsey	Waldow
Fairchild, B. L.	La Follette	Reavis	Walsh
Fairfield	Langley	Reed	Wason
Fess	Lehlbach	Robbins	Wheeler
Francis	Lenroot	Roberts	White, Me.
Frear	Lufkin	Rogers	Williams
Fuller, Ill.	Lundeen	Sanders, Ind.	Winslow
Fuller, Mass.	McArthur	Sanders, N. Y.	Woods, Iowa
Gillett	McCormick	Scott, Mich.	Young, N. Dak.
Glynn	McFadden	Sells	
Good	McKenzie	Sinnott	
Graham, Ill.	McKinley	Sloan	

NOT VOTING—139.

Bacharach	Drukker	Kelley, Mich.	Rowland
Barnhart	Eagan	Kennedy, R. I.	Scott, Pa.
Beshlin	Eagle	Key, Ohio	Scully
Bland	Estopinal	Kiess, Pa.	Sherley
Borland	Fairchild, G. W.	Kreider	Sherwood
Bowers	Ferris	LaGuardia	Sims
Britten	Fields	Larsen	Sisson
Brodbeck	Fisher	Lea, Cal.	Slayden
Browning	Flynn	Linthicum	Slemp
Butler	Focht	Little	Small
Byrns, Tenn.	Fordney	Littlepage	Smith, Mich.
Campbell, Kans.	Freeman	Longworth	Smith, C. B.
Campbell, Pa.	French	McCulloch	Smith, T. F.
Cannon	Goodall	McLaughlin, Pa.	Stedman
Cantrill	Gould	Madden	Steenerson
Capstick	Graham, Pa.	Maher	Sterling, Pa.
Carew	Gray, N. J.	Mann	Sullivan
Chandler, N. Y.	Griest	Mason	Swift
Chandler, Okla.	Hamill	Miller, Minn.	Talbott
Cooper, Ohio	Hamilton, N. Y.	Miller, Wash.	Taylor, Colo.
Cooper, W. Va.	Haugen	Morin	Templeton
Copley	Heintz	Neely	Vare
Costello	Helvering	Nelson	Venable
Crago	Hersey	O'Shaunessy	Vestal
Currie, Mich.	Holland	Padgett	Walton
Curry, Cal.	Hollingsworth	Parker, N. J.	Ward
Dale, N. Y.	Hood	Parker, N. Y.	Watson, Pa.
Dale, Vt.	Huddleston	Peters	Watson, Va.
Darrow	Hull, Iowa	Porter	Whaley
Davidson	Humphreys	Price	Wilson, Ill.
Davis	Husted	Ragsdale	Wilson, La.
Dempsey	Hutchinson	Ramseyer	Wood, Ind.
Dixon	Johnson, S. Dak.	Riordan	Woodyard
Dooling	Kahn	Rose	Zihlman
Drane	Kehoe	Rowe	

The Clerk announced the following additional pairs:

Until further notice:

Mr. KEHOE with Mr. BACHARACH.

Mr. MAHER with Mr. CAMPBELL of Kansas.

Mr. O'SHAUNESSY with Mr. CANNON.

Mr. SMALL with Mr. CURRIE of Michigan.

Mr. BESHLIN with Mr. DEMPSEY.

Mr. BORLAND with Mr. GOODALL.

Mr. BYRNS of Tennessee with Mr. GRAHAM of Pennsylvania.

Mr. CAMPBELL of Pennsylvania with Mr. WOODYARD.

Mr. CANTRILL with Mr. CHANDLER of New York.

Mr. CAREW with Mr. COPLEY.

Mr. DIXON with Mr. FORDNEY.

Mr. DRANE with Mr. FREEMAN.

Mr. FERRIS with Mr. GOULD.

Mr. FISHER with Mr. GRAY of New Jersey.

Mr. HUDDLESTON with Mr. KENNEDY of Rhode Island.

Mr. LARSEN with Mr. LONGWORTH.

Mr. LEA of California with Mr. MADDEN.

Mr. LITTLEPAGE with Mr. MASON.

Mr. NEELY with Mr. PARKER of New York.

Mr. SHERWOOD with Mr. MILLER of Minnesota.

Mr. SIMS with Mr. ROWE.

Mr. CHARLE B. SMITH with Mr. SLEMP.

Mr. STEDMAN with Mr. TEMPLETON.

Mr. STERLING of Pennsylvania with Mr. HERSEY.

Mr. TAYLOR of Colorado with Mr. SWIFT.

Mr. VENABLE with Mr. WILSON of Illinois.

Mr. WALTON with Mr. VESTAL.

Mr. WHALEY with Mr. ZIHLMAN.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

On motion of Mr. PARK, a motion to reconsider the vote by which the resolution was passed was laid on the table.

COMMITTEE ON MILITARY AFFAIRS.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs may be permitted to sit during the sessions of the House while it is holding hearings and considering the Army appropriation bill.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent that the Committee on Military Affairs may sit during the sessions of the House while it is holding hearings on the Army appropriation bill. Is there objection?

There was no objection.

MARY E. COOK.

Mr. PARK. Mr. Speaker, I present the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 209 (H. Rept. No. 263).

Resolved, That the Clerk of the House be, and he is hereby, authorized to pay, out of the contingent fund of the House, to Mary E. Cook, daughter of Leonard B. Cook late an employee on the roll of the House, a sum equal to six months of his compensation as conductor of elevator, and an additional amount, not exceeding $250, to defray funeral expenses of said Leonard B. Cook.

Mr. PARK. Mr. Speaker, I wish to state that this is the customary resolution. This man was on the rolls for something like 20 years.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. PARK, a motion to reconsider the vote by which the resolution was passed was laid on the table.

ADDITIONAL PAGE.

Mr. PARK. Mr. Speaker, I also offer another privileged resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 219 (H. Rept. No. 264).

Resolved, That the Doorkeeper be, and he is hereby, authorized and directed to appoint an additional page for the remainder of the present Congress, to be paid compensation out of the contingent fund of the House, at the rate of $82.50 per month.

Mr. GILLETT. Will the gentleman yield for a question?

Mr. PARK. Certainly.

Mr. GILLETT. Will the gentleman explain what this page is for?

Mr. PARK. That is the page for Mr. SCHALL, of Minnesota, who, unfortunately, is blind.

Mr. GILLETT. I recognize, of course, that has to be done, but are not there enough pages without an extra one?

Mr. PARK. The Doorkeeper says not and that he needs this page.

Mr. GILLETT. I have no objection.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. PARK. Yes.

Mr. DOWELL. How many pages have we at present?

Mr. PARK. I think something like 30.

The question was taken, and the resolution was agreed to.

On motion of Mr. PARK, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

ADDITIONAL CLERK, HOUSE POST OFFICE.

Mr. PARK. Mr. Speaker, I offer another privileged resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 200.

Resolved, That the Postmaster of the House be, and he is hereby, authorized to employ an additional registry, stamp, and money-order clerk, who shall be paid out of the contingent fund of the House at the rate of $125 per month on and after the 1st day of January, 1918, during the remainder of the second session of the Sixty-fifth Congress.

The committee amendment was read, as follows:

Strike out the words, "On and after the 1st day of January, 1918," so that the resolution, as amended, will read:

"*Resolved*, That the Postmaster of the House be, and he is hereby, authorized to employ an additional registry, stamp, and money-order clerk, who shall be paid out of the contingent fund of the House at the rate of $125 per month during the remainder of the second session of the Sixty-fifth Congress."

Mr. STAFFORD. Will the gentleman yield?

Mr. PARK. I do.

Mr. STAFFORD. Does the gentleman have any objection to withdrawing this resolution? I do not believe that I violate any confidence when I say that the chairman of the subcommittee framing the legislative, executive, and judicial appropriation bill requested me to advise him when this resolution was presented. He is busy at the present time in the hearings on that bill, and he would like to be present when this bill is considered, and therefore I will ask the gentleman if he will withdraw it.

Mr. PARK. I ask to withdraw the resolution.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

PENSIONS FOR MILITARY ORGANIZATIONS OF THE SEVERAL STATES.

Mr. RUSSELL. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. RUSSELL. I rise to a privileged report——

The SPEAKER pro tempore. The gentleman will state it.

Mr. RUSSELL. On House bill 3547. This is a privileged bill providing for pensions to be paid to State troops who served 90 days or more in the States during the Civil War under command of Federal officers. I find that is a privileged bill, and the bill should be reported on as being privileged. Having heretofore filed the report in the basket, and finding that was not in compliance with the rule, I ask now to make the report on the floor of the House.

The SPEAKER pro tempore. The gentleman will send the bill and report to the desk. The Clerk will report it by title.

The Clerk read as follows:

The Committee on Invalid Pensions submits the following report to accompany the bill (H. R. 3547) to give pensions to officers and enlisted men of all State militia, etc.

Mr. STAFFORD. Mr. Speaker, a question of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. STAFFORD. Do I understand that this bill, which I am not advised as to its purport, is a general pension bill?

Mr. RUSSELL. A general pension bill as the committee construes it, as it applies to all State troops who served 90 days or more under Federal officers.

Mr. STAFFORD. If it is a special pension bill, of course, it is a privileged bill. I shall not present the question of order at the present time. I withdraw it, but reserve the right to present it when the bill is presented for consideration.

CHANGE OF REFERENCE.

Mr. GREEN of Iowa. Mr. Speaker, I desire to ask unanimous consent that the bill H. R. 8584, a private pension bill, which by mistake was referred to the Committee on Pensions, be referred instead to the proper committee, the Committee on Invalid Pensions.

The SPEAKER pro tempore. Without objection, the reference will be made as requested. [After a pause.] The Chair hears no objection.

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to have the bill (H. R. 2863), a private pension bill, referred to the Pension Committee. It was erroneously referred to the Committee on Invalid Pensions.

The SPEAKER pro tempore. Without objection, that request will be conformed to. [After a pause.] The Chair hears no objection.

AGRICULTURE.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9054, the Agricultural appropriation bill, with Mr. CRISP in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919.

The CHAIRMAN. Under the order of the House general debate is now closed on the bill, and the same will be read for amendment under the five-minute rule.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE.

OFFICE OF THE SECRETARY.

Salaries, Office of the Secretary of Agriculture: Secretary of Agriculture, $12,000; Assistant Secretary of Agriculture, $5,000; Solicitor, $5,000; chief clerk, $3,000, and $500 additional as custodian of buildings; private secretary to the Secretary of Agriculture, $2,500; executive clerk, $2,250; executive clerk, $2,100; stenographer and executive clerk to the Secretary of Agriculture, $2,250; private secretary to the Assistant Secretary of Agriculture, $2,250; one appointment clerk, $2,000; 1 assistant in charge of information, $3,000; 1 officer in charge of supplies, $2,000; 1 assistant, $2,000; 1 inspector, $2,750; 1 inspector, $2,250; 1 law clerk, $3,250; 2 law clerks, at $3,000 each; 2 law clerks, at $2,750 each; 4 law clerks, at $2,500 each; 8 law clerks, at $2,250 each; 1 law clerk, $2,200; 5 law clerks, at $2,000 each; 3 law clerks, at $1,800 each; 4 law clerks, at $1,600 each; 1 assistant editor, $2,000; 4 assistant editors, at $1,800 each; 1 assistant editor, $1,600; 1 expert on exhibits, $3,000; 1 assistant in exhibits, $2,000; 1 telegraph and telephone operator, $1,600; 1 assistant chief clerk and captain of the watch, $1,800; 5 clerks, class 4; 13 clerks, class 3; 21 clerks, class 2; 26 clerks, class 1; 1 auditor, $2,000; 1 accountant and bookkeeper, $2,000; 1 clerk, $1,440; 1 clerk, $1,020; 7 clerks, at $1,000 each; 13 clerks, at $900 each; 2 clerks, at $840 each; 14 messengers or laborers, at $840 each; 12 assistant messengers, laborers, or messenger boys, at $720 each; 1 messenger or laborer, $660; 1 mechanical superintendent, $2,500; 1 mechanical assistant, $1,800; 1 engineer, $1,400; 1 electrical engineer and draftsman, $1,200; 1 assistant engineer, $1,200; 2 assistant engineers, at $1,000 each; 1 fireman, $840; 8 firemen, at $720 each; 1 chief elevator conductor, $840; 16 elevator conductors, at $720 each; 3 elevator conductors, at $600 each; 1 superintendent of shops, $1,400; 1 cabinet shop foreman, $1,200; 5 cabinetmakers or carpenters, at $1,200 each; 3 cabinetmakers or carpenters, at $1,100 each; 9 cabinetmakers or carpenters, at $1,020 each; 3 cabinetmakers or carpenters, at $900 each; 1 electrician, $1,100; 1 electrical wireman, $1,100; 1 electrician or wireman, $1,000; 1 electrical wireman, $900; 1 electrician's helper, $840; 3 electrician's helpers, at $720 each; one painter, $1,020; 1 painter, $1,000; 5 painters, at $900 each; 5 plumbers or steamfitters, at $1,020 each; 2 plumber's helpers, at $840 each; 2 plumber's helpers, at $720 each; 1 blacksmith, $900; 1 elevator machinist, $900; 1 tinner or sheet-metal worker, $1,100; one tinner's helper, $720; 1 lieutenant of the watch, $1,000; 2 lieutenants of the watch, at $960 each; 69 watchmen, at $720 each; 4 mechanics, at $1,200 each; 1 mechanic, $1,000; 1 skilled laborer, $1,000; 2 skilled laborers, at $960 each; 2 skilled laborers, at $840 each; 1 skilled laborer, $720; 1 janitor, $900; 21 assistant messengers, messenger boys, or laborers, at $600 each; 1 carriage driver, $600; 23 laborers or messenger boys, at $480 each; 1 messenger or messenger boy, $360; 1 charwoman, $540; 3 charwomen, at $480 each; 15 charwomen, at $240 each; for extra labor and emergency employment, $12,000; in all, $462,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I take this occasion to secure some information, which is not given in the report, as to the policy of the committee as to increases of salaries. I notice as I have gone through the bill that the committee has not made any decided, if any, increases of salaries over those carried last year, but there are in some instances additional places with stated salaries. This is the first appropriation bill since the Post Office appropriation bill that has carried to any extent salaries for those employed by the Government, and is the only bill that provides for salaries in the departmental service other than those that are included in the legislative, executive, and judicial appropriation bill.

Last year, as I recall, the committee did make some percentage increases in some of the lower grades, and I believe this year has retained those increases, notwithstanding that we granted the 5 and 10 per cent increase of salary to all in the departmental service and in the field service.

Mr. LEVER. Mr. Chairman, the policy of the committee in reference to the matter of salaries in the Department of Agriculture, those appearing on the statutory roll, is this: The chairman of this committee and the ranking Republican member, the gentleman from Iowa [Mr. HAUGEN], conferred with the chairman of the Committee on Appropriations [Mr. SHERLEY], as a result of which the Committee on Agriculture adopted the policy of refusing every increase that had been asked in the estimates, and the new places that are seen on the statutory roll are transfers from the lump fund and at the same salary.

The committee concluded, inasmuch as the probability is that a joint resolution will be offered from the Appropriation Committee taking care of these clerks, we should not increase any salaries whatever in this bill, and we have not done so.

Mr. STAFFORD. Then, as to this bill, wherever there is any new office provided it is the case of a person being taken from the lump-sum roll and transferred to the statutory roll at the existing salary the employee is now receiving?

Mr. LEVER. Except where a new place is actually created, and that fact will be set out in the report.

Mr. STAFFORD. Has the gentleman any information as to the percentage of employees in the departmental service that are paid out of the lump-sum appropriation as to those carried on the statutory roll?

Mr. LEVER. My answer to that would be a guess. I really can not tell the gentleman.

Mr. STAFFORD. Can the gentleman advance any reason given by the department or the bureau heads why officials permanently employed here at the department and paid out of the lump-sum appropriations should be continued to be paid out of those appropriations, and should not be designated and transferred to the statutory roll?

Mr. LEVER. I will say to the gentleman, so far as I know that does not exist in the Department of Agriculture except in the case of the scientific force. And if it does exist it ought not to exist, certainly, because it is the policy of Congress to transfer the permanent clerical positions to the statutory roll.

Mr. STAFFORD. I assume from the reply of the gentleman that the committee did not go into the examination of that question at this session of Congress?

Mr. LEVER. We concluded your committee would handle that perhaps——

Mr. STAFFORD. I mean as to the transfer of clerks paid out of lump-sum appropriations to the statutory roll.

Mr. LEVER (continuing). So we did not go into that very thoroughly.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the Federal Trade Commission, under order of the President of the United States and by virtue of an appropriation made by this House, is now engaged in investigating the beef industry, something which is of very grave importance to the agricultural population and to the people of this country generally at this present time. It happened that I was the father of that resolution to investigate the beef industry.

Mr. LEVER. Will the gentleman yield just for a moment?

Mr. BORLAND. Yes.

Mr. LEVER. Possibly I should have made this statement before the gentleman took the floor. I desire to say now, Mr. Chairman, that I propose in the discussion of this Agricultural appropriation bill, that gentlemen who are addressing the committee under the five-minute rule shall confine themselves to the item under consideration. And I make the statement in view of the fact that the committee had two solid days of general debate. Of course, in this case I shall say nothing, because the gentleman did not know.

Mr. MADDEN. Well, I did not know about that. I think all discussions should be had upon the item under consideration.

Mr. LEVER. Undoubtedly.

Mr. BORLAND. I will say to the chairman of the committee that possibly this might come better under some other item, but it is clearly a discussion of the bill.

Mr. LEVER. I wonder, if the gentleman, in order that we may proceed in order, would not defer this matter until he can get time under the item of this bill that will be pertinent or to some other item in the bill?

Mr. BORLAND. I will say to the gentleman that I will take only five minutes at this time.

Mr. MADDEN. I am going to object to any discussion on the bill unless it pertains to the item under consideration.

Mr. LEVER. I hope the gentleman will not insist on it at this time.

Mr. BORLAND. These remarks that I will make apply to this particular paragraph. They will apply to the expenses of the Secretary's office.

Mr. MADDEN. The Secretary of Agriculture?

Mr. BORLAND. Yes.

Mr. MADDEN. What has the Federal Trade Commission got to do with the Secretary of Agriculture?

Mr. BORLAND. If the gentleman will be patient a minute we will see.

Mr. MADDEN. Then we will wait.

Mr. BORLAND. Now, Mr. Chairman, I would not like this taken out of my time.

When this resolution was before the House and this last Agricultural bill was before the House, a very strenuous attempt was made to increase the appropriations in the Agricultural bill with the idea of doing away with the necessity for an investigation of the beef industry by the Federal Trade Commission. I made a very determined opposition to that proposal. I pointed out that the Agricultural Department did not want the work put upon them and had not the facilities for commanding the compulsory production of books and papers that this kind of an investigation would need. Now, if there is any justification necessary for that opposition, it appears in this hearing, because it is the compulsory production of books and papers that has revealed this astonishing, amazing, and corrupt situation to the American people.

Mr. MADDEN. What is the corrupt situation?

Mr. BORLAND. I can not yield to the gentleman.

Mr. MADDEN. I object to the gentleman proceeding, then.

Mr. BORLAND. The gentleman can object.

Mr. MADDEN. Then I object.

The CHAIRMAN. The rule is clear that under general debate in the Committee of the Whole House on the state of the Union, a gentleman having the floor can discuss any subject, but under the five-minute rule he is confined to the amendment. The Chair will ask the gentleman from Missouri to proceed in accordance with the rule.

Mr. BORLAND. The gentleman from Missouri is endeavoring to proceed in accordance with the rule by discussing the Secretary's office. Unquestionably the question was made by the packers——

Mr. MADDEN. Mr. Chairman, I object. The packers have nothing to do with this.

Mr. BORLAND. I hope the gentleman will not continue to interrupt.

The CHAIRMAN. The Chair holds that on an amendment to strike out the last word it is not germane to discuss this proposition.

Mr. BORLAND. I was proceeding to discuss the office of the Secretary of Agriculture.

The CHAIRMAN. That is not germane, under the rule.

Mr. BORLAND. If it is not germane, then the rules are being violated all the time.

The CHAIRMAN. That is done if the point of order is not made, but in this case a point of order has been made, and the Chair must enforce the rule.

Mr. BORLAND. I will endeavor to confine myself to the Secretary's office. An attempt was made to make it appear—in fact, it was an effort by the packers, and there is no question about that, but it had not the sanction of the Secretary of Agriculture. The Secretary of Agriculture was then on record, and is still on record, as opposing that attempt of the packers to throw the work into his department on the ground that his office force, provided for in this section of the bill, was inadequate to the task.

Mr. MADDEN. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Missouri is not proceeding in order.

Mr. BORLAND. I will have to yield to the Chair, although not to the Representative from Chicago, although I can easily see why he should object to the discussion of this matter.

The CHAIRMAN. This is the House of Representatives, and the Representatives have adopted rules for its guidance. The Chair is obliged to enforce the rule when it is made, and the Chair asks Members to adhere to the rule.

Mr. BORLAND. If the Chair will hear me on that for a moment, this paragraph provides for the Secretary of Agriculture and his force. The question I was discussing was the powers and duties of that particular force—a very proper question, it seems to me, to discuss under this paragraph of the bill.

The CHAIRMAN. The amendment of the gentleman from Missouri was to strike out the last word, which was "$462,000." The gentleman has not been discussing that amendment.

Mr. BORLAND. If the Chair please, I will withdraw that amendment and move to strike out the paragraph.

Mr. MADDEN. Mr. Chairman, I ask whether the gentleman is to be permitted to proceed under that amednment for five minutes more?

The CHAIRMAN. The Chair will not rule on that.

Mr. MADDEN. Then, I will make the point of order that the gentleman can not withdraw an amendment and move another amendment and then proceed to speak on it for five minutes.

The CHAIRMAN. Under the rules an amendment can only be withdrawn by unanimous consent.

Mr. MADDEN. Then I object.

Mr. BORLAND. The Chair ruled that I was out of order in discussing the amendment. I was proceeding to move another amendment.

The CHAIRMAN. The Chair ruled the amendment in order, and then the point of order was made that the gentleman was not discussing the amendment, and the Chair ruled that the discussion was not germane.

Mr. BORLAND. Then I call for a vote.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Missouri.

The question was taken, and the motion was rejected.

The CHAIRMAN. The Clerk will read.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last two words.

Mr. STAFFORD. Mr. Chairman, since I interrogated the gentleman, a member of the Committee on Appropriations has directed my attention to a matter that was under consideration in the committee this morning, referring to the pay of telephone operators. It was stated that they are paying higher salaries in the Department of Agriculture than in the other departments which are carried by the legislative, executive, and judicial appropriation bill. I wish to inquire of the gentleman, as there is no designation of telephone operators, what salary the telephone operators in the Department of Agriculture receive?

Mr. LEVER. The ordinary telephone operator receives $1,600.

Mr. STAFFORD. This is the employee, I apprehend, who receives the telegraphic dispatches, and he is a high-grade man. I am referring to the ordinary telephone operator.

Mr. LEVER. I will give the gentleman that information later on.

Mr. STAFFORD. I do not find it in this list.

Mr. McLAUGHLIN of Michigan. It is on page 2, line 22.

Mr. STAFFORD. That is not the ordinary telephone operator. That is the employee that has charge of all the telegrams coming into and going out of the department.

Mr. LEVER. I will give the gentleman that information later on.

Mr. STAFFORD. Mr. Chairman, I will withdraw the pro forma amendment.

Mr. BRUMBAUGH. Mr. Chairman, would it be in order for me to ask the Chairman a question at this point?

The CHAIRMAN. It would not be in order unless there is some proposition before the House.

Mr. BRUMBAUGH. I move to strike out the last three words.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last three words.

Mr. BRUMBAUGH. I notice in this paragraph that, all told, about 26 law clerks are provided for. Has the committee satisfied itself that these are all necessary, these 26 law clerks?

Mr. LEVER. I will say to the gentleman that some years ago the solicitor's office was under very severe fire in this House. The Committee on Agriculture at that time made a very careful investigation into the need for the number of law clerks that are in that office. Since that time the work of the solicitor's office has very greatly increased, and I am sure that these law clerks are absolutely necessary. The solicitor's office is enforcing, if my recollection is correct, some 40 different statutes. They are also helping in the preparation of much of the legislation that is being considered by this House, and it is a very busy office. I am satisfied that these clerks are needed.

The CHAIRMAN. The Clerk will read.

Mr. BORLAND. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Missouri moves to strike out the paragraph. The gentleman will proceed.

Mr. BORLAND. Mr. Chairman, this paragraph provides for the office of the Secretary of Agriculture and his force. That brings up the question of the duties of that particular office, how far they extend, and whether this force is sufficient for the performance of those duties. When this bill was last under consideration the question arose as to whether that force in the Agricultural Department has sufficient powers and clerical help, and so on, to conduct this Beef Trust investigation.

Mr. MADDEN. I make the point of order that this has nothing to do with the beef investigation.

Mr. BORLAND. I hope the gentleman from Illinois will not be so peeved about my referring to the Beef Trust.

Mr. MADDEN. I am not peeved. I am exercising my rights as a Member of the House. It is not necessary for a man to be peeved in order to exercise his rights, and I hope the gentleman will not misstate the case.

Mr. BORLAND. I have heard the gentleman discuss matters that I thought had very little relevancy——

Mr. MADDEN. I maintain that this has no relevancy whatever to the paragraph.

The CHAIRMAN. The Chair appeals to the gentleman from Missouri to continue his discussion under the rules of the House as he knows them to be. The gentleman from Missouri understands perfectly that where the point of order is made under the five-minute discussion, the discussion must be germane and confined to the amendment before the House. The Chair asks the gentleman from Missouri to proceed in accordance with that rule.

Mr. BORLAND. If the Chair please, I hope and believe that I shall proceed, as I expect to proceed, under the rules laid down by the Chair. For that purpose I want to read a letter from the Secretary of Agriculture, directed to me under date of July 6, 1916, in regard to the powers and duties of his office:

Hon. W. P. BORLAND,
House of Representatives——

Mr. MADDEN. I object to the reading of the letter, because it has nothing to do with the sufficiency of the force.

Mr. BORLAND. The gentleman does not know what the letter is yet.

The CHAIRMAN. The Chair can not rule on that proposition. The Chair does not know what the letter is. The amendment is to strike out the whole paragraph providing salaries for the force in the office of the Secretary of Agriculture.

Mr. MADDEN. I maintain that under my point of order there is not anything to be discussed on this question except the sufficiency of the force, the adequacy of the force provided in this paragraph of the bill.

The CHAIRMAN. The Chair will overrule that point of order.

Mr. BORLAND. I will read this letter:

DEPARTMENT OF AGRICULTURE,
Washington, July 6, 1916.

Hon. W. P. BORLAND,
House of Representatives.

DEAR MR. BORLAND: You asked me yesterday whether I thought that the inquiry proposed in your resolution should be conducted by the Federal Trade Commission or the Department of Agriculture. I am very definitely of the opinion that it should be conducted by the Federal Trade Commission. I understand that the commission is created to make just such inquiries.

Mr. MADDEN. Mr. Chairman, I make the point of order that the Federal Trade Commission is not being considered, nor is anything pertaining to the Federal Trade Commission being considered, and that the letter of the Secretary of Agriculture deals with a subject that is not contained in this paragraph.

The CHAIRMAN. The Chair will overrule the point of order.

Mr. BORLAND. The letter continues:

It has the requisite powers and, I imagine, a personnel selected with reference to work of this kind. The Department of Agriculture has not all the powers required for this work or a staff selected with reference to such tasks. If it were to undertake work of this kind, it would necessarily duplicate the machinery and activities of the Federal Trade Commission. The department can and is increasing the investigation of the marketing and other economic problems involved in the production and distribution of all farm products, including live stock. Its data can be well placed at the disposal of the Federal Trade Commission, and perhaps we could extend our inquiry along other lines the commission might suggest.

Very truly, Yours, D. F. HOUSTON, *Secretary.*

Mr. Chairman, that shows conclusively that the Department of Agriculture did not want this investigation, and that it was given to them without their consent——

Mr. MADDEN. I make the point of order that the gentleman is not discussing the amendment.

Mr. BORLAND. And therefore I withdraw the amendment to strike out the paragraph.

The CHAIRMAN. The amendment is withdrawn, without objection. So the Chair will not rule, as the gentleman has yielded the floor, and the Clerk will read.

The Clerk read as follows:

Salaries, Office of Farm Management: One chief of office, $4,000; 1 assistant to the chief, $2,520; 1 executive assistant, $2,250; 2 clerks, class 4; 2 clerks, class 3; 3 clerks, class 2; 8 clerks, class 1; 3 clerks, at $1,100 each; 4 clerks, at $1,080 each; 1 clerk or draftsman, $1,020; 10 clerks, at $1,000 each; 18 clerks, at $900 each; 6 clerks or map tracers, at $840 each; 1 messenger or laborer, $720; 1 messenger, messenger boy, or laborer, $660; 4 messengers, messenger boys, or laborers, at $480 each; 5 charwomen, at $240 each; 1 library assistant, $1,440; 1 library assistant, $900; 1 photographer, $1,400; 1 cartographer, $1,500; 1 draftsman, $1,440; 1 draftsman, $1,200; 2 draftsmen, at $900 each; in all, $83,430.

Mr. MADDEN. Mr. Chairman, I move to strike out the last three words, including the figures.

I wish to ask the chairman of the committee what the Office of Farm Management does toward the betterment of agricultural conditions? What is its specific function?

Mr. LEVER. Mr. Chairman, that question has frequently been asked on the floor of the House, and I have tried more or less to give some answer to it. I may say this, in a general way, that the Office of Farm Management, instead of dealing with any specific problems of the farm, deals with the farm as a unit and undertakes to investigate those farm methods that are proving to be most profitable to those engaged in agriculture and to disseminate to other localities and to other farmers the information thus gathered. In every community, as the gentleman knows, there is some farmer who is more progressive than his neighbor. He has adopted the best methods of agriculture, whatever they may be, and that type of farmer is studied. His methods are studied, and the data collated from this study are disseminated to others engaged in agriculture.

Mr. MADDEN. Upon application by individuals, or without application?

Mr. LEVER. Largely in the way of bulletins.

Mr. MADDEN. And it costs about $300,000 a year to operate the Bureau of Farm Management. Does that include the publication of the bulletins and their mailing?

Mr. LEVER. No; the bulletins that are issued as farmers' bulletins, of course, come out of another fund.

Mr. MADDEN. I know; but are these bulletins that are sent out by Members of Congress prepared by this Farm Management Bureau?

Mr. LEVER. Some of them are; not all of them.

Mr. MADDEN. What kind of bulletins does this bureau prepare?

Mr. LEVER. I have here in my hand a list of some of these bulletins. I notice here Farming in the Bluegrass Region; Economic Study of Farming in the Cotton Belt; The Business of Ten Dairy Farms in the Bluegrass Region of Kentucky; Validity of the Survey Methods of Research; The Cost of Producing Apples in Western Colorado; The Theory of Correlation as Applied to Farm-Survey Data on Fattening Baby Beef; A Study in the Cost of Producing Milk on Four Dairy Farms Located in Wisconsin, Michigan, Pennsylvania, and North Carolina; Cost of Keeping Farm Horses and Cost of Horse Labor; The Economic Winter Feeding of Beef Cows in the Corn Belt; The Cost of Producing Apples in Hood River Valley; The Cost of Producing Apples in Wenatchee Valley, Wash.; How Live Stock is Handled in the Bluegrass Region of Kentucky; The Use of a Diary for Farm Accounts; Saving Labor with the Sweep-Rake; Minor Articles of Farm Equipment; Human Food from an Acre of Staple Farm Products.

Then they have issued a number of circulars. There is a Yearbook contribution on farm tenantry in the United States. Then they have in press more than a dozen bulletins: A Study of Share-Rented Dairy Farms in King County, Ill., and Green County, Wis.; A Brief History of the Sheep Industry in the United States; Farm Management and Farm Profits in Provo Area, Utah Lake Valley; Geography of the World's Agriculture; Cropping Systems for the Moisture Portion of Eastern Washington and Oregon and Northern Idaho; Value of a Small Plot of Ground to the Laboring Man; Pasture Land in the United States; A Farm-Management Survey in Brooks County, Ga.; A Study of Haymaking Crews and Labor Costs; Cost of Producing Hay in Steuben County, N. Y., and Washington County, Pa.; Cost of Producing Apples in Yakima Valley, Wash.; A Simple Way to Increase Crop Yields; Economy in the Selection of Feeds; A Farm-Management Study in Anderson County, S. C.; Factors of Successful Farming in the Vicinity of Monett, Mo.; Cost of Producing Apples in the Payette Valley, Idaho; Fire Prevention and Fire Extinction on the Farm; Cost of Harvesting Wheat by Different Methods.

Mr. MADDEN. Are not such bureaus as this operated in each State of the Nation?

Mr. LEVER. Each State in the Nation has an agricultural experiment station operated under the Hatch Act. The Federal Government deals in a more extensive way with the matter.

Mr. MADDEN. Does not the gentleman think that $300,000 for the work that this bureau does is a large amount of money?

Mr. LEVER. No; the committee has considered that from time to time. There is no increase in the item. It looks as if there was a decrease, but that is due to transfers from the lump-sum appropriation to the statutory rolls. The committee thinks that the office is doing good fundamental work.

Mr. MADDEN. The gentleman thinks that the results are such as to justify the appropriation?

Mr. LEVER. Yes.

Mr. MADDEN. Does the gentleman know of any specific instance where the information as furnished by the bureau has added a dollar of value to the crop in any State or upon any farm?

Mr. LEVER. I will answer that by saying that it is almost impossible to measure the dollar value of education or of scientific or economic research. The Office of Farm Management is dealing more largely with economic problems on the farm than any other office in the Department of Agriculture. It would be impossible to put a finger on the value of scientific research, although all agree that it has been of immense benefit to mankind, as education has been.

Mr. MADDEN. We all realize that.

Mr. LEVER. If the gentleman should ask me to give him the dollar value of the work of the eradication of the cattle tick or hog cholera, I think I could give it to him, but this is an educational and scientific proposition, and it is almost impossible to do it.

Mr. MADDEN. At the same time the investigation of educational, scientific, and economic propositions must be based on the worth of the research and information furnished as the result of the research. There ought to be somewhere and somehow some one who can tell definitely what the outcome is of the information gathered at this enormous expense.

Mr. LEVER. I will say frankly to the gentleman that I do not believe there is anyone who can measure the results of these interesting and valuable bulletins, what effect they have on the farmer as to changing his methods. That is something that no man knows, except we know that agricultural methods are being improved each day under some kind of influence.

Mr. MADDEN. My suggestion may not have any value to the Agricultural Department, and may not meet with the approval of the gentleman from South Carolina, who is always ready to consider problems that will benefit agriculture, but it seems to me that a bureau like this, charged with the responsibility of making economical as well as scientific studies, spending $300,000 a year, disseminating information which is intended to advance the system adopted by the Department of Agriculture, should also investigate the result of their work and have some concrete information as to whether their suggestions have been adopted and with what results. It should be a very easy matter to do it.

Mr. LEVER. I am afraid that the gentleman from Illinois would be asking the department to pass upon the merits of its own work.

Mr. MADDEN. I do not think so. If the department should issue a bulletin advocating a certain method of raising blue grass, they ought to be able to ascertain what the result and outcome of the adoption of that method or suggestion was.

Mr. LEVER. I am sure they do know that. I did not quite understand the gentleman.

Mr. MADDEN. I thought I was talking Anglo-Saxon.

Mr. LEVER. For example, the department has recommended in the South, where we have little dairy industry, the organization of creamery routes. I think the department is in a position to give specific figures on work of that kind.

Mr. MADDEN. The purpose of my suggestion was that the committee, in the consideration of the next Agricultural appropriation bill, might require the department to disclose the results, if any, of the expenditure of this money.

Mr. LEVER. If the gentleman will recall, about four years ago this committee went thoroughly into every line of activity of the Department of Agriculture. Our hearings extended over six weeks. The report discussed in detail every activity in the department, and we did do just what the gentleman suggests we ought to do again. I think the suggestion is a good one. We did go into the matter of seeing what results were obtained by the expenditure of this money.

Mr. MADDEN. I think it ought to be done every year and not quadrennially.

Mr. LEVER. We have done it more or less in this bill. The hearings extended over three weeks.

Mr. MADDEN. I hope in the future they will require the department in all scientific and economic work to give some evidence of the results and outcome of the expenditure.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I think the suggestion of the gentleman from Illinois could hardly be carried out. In the matter of this particular appropriation, for example, the department studies farm methods with the idea of learning those which are profitable and those which are not profitable. It is difficult to tell how many of the suggestions as to proper methods are followed and what the financial results of following the suggestions have been.

This department investigates an area in a State and learns the results reached and the methods employed by those who are engaged, we will say, in general agriculture; that is, farmers who are raising a variety of crops. The one who makes the investigation learns the different methods that are employed, how much of one crop and how much of another is grown, what acreage is devoted to one crop and what acreage to another. He finds out and determines the crops that are profitable in that area and the crops that have proven to be unprofitable and the acreage or the relative portions of a farm devoted to the various crops, pointing out that one farmer, considering the size of his farm and other conditions, is raising too much hay; another is not raising enough corn, that another is trying to raise wheat when perhaps conditions do not justify him in doing so. To a farmer who wishes to engage in dairying more extensively it is pointed out that that section of the country, perhaps, is not suitable to it, or if it is thought that he can engage in dairying profitably, how many cows he should keep and what kind of cows. A farmer is advised also to keep books, which will show him at the end of the year, or when the crops have

been disposed of, how much money, approximately at least, each of his crops or each of his lines of production has cost.

The department official helps the farmer to start his bookkeeping and later helps him to interpret his accounts and offers advice as to how proper use may be made of results as they appear by the books of account. Farmers quite generally accept advice offered along these lines, and the reports we receive as to results of keeping accounts, changed methods, and so forth, are very gratifying.

Reports are made as to the results of the investigation in that section, and statements are made or advice is given to those who are interested; those who are intelligent enough; those who are moved by suggestions made to them to adopt the suggestions. What the financial results are that follow in the case of those who take the suggestions have been difficult to ascertain. It is the statement of the financial results that the gentleman from Illinois [Mr. MADDEN] wishes. In my opinion, it is impossible to learn what results, in dollars and cents, have been.

Mr. MADDEN. Mr. Chairman, the suggestion I made, carried to its logical conclusion, would mean this: That where they make suggestions we may ascertain if those suggestions have been adopted, and if they have been adopted, with what result, compared with previous results before the suggestions were made. That is an easy matter. They could make typical cases. They would not have to take every case.

Mr. McLAUGHLIN of Michigan. The reports show sometimes in detail the number of farmers that have adopted the suggestions and in a general way the results following to those farmers who have followed the suggestions, and from these reports we, the committee, believe the money has been well spent and that the work should be continued, hence this appropriation.

Mr. McFADDEN. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. McFADDEN. I want to inquire if this is not perhaps a duplication, whether this work is not being done by the county agents through the extension departments of the colleges?

Mr. McLAUGHLIN of Michigan. This is a different kind of work from that done by county agents. In the first instance, the surveys, as they are called, are made over quite an area, each survey taking in a large number of farmers engaged in one kind of agriculture. The results may be communicated to the county agents and they undertake to make proper use of them by advising and assisting farmers in their respective counties, but the county agents themselves can not devote time enough to make these surveys, which, to be successful, are usually made over an area larger than that superintended by any one county agent.

Mr. McFADDEN. Can the gentleman tell me how much of this appropriation goes to the extension departments, to be utilized by them to bring this to the attention of the farmers through the county agents?

Mr. McLAUGHLIN of Michigan. This is all extension work, but how much is expended to bring the results to the attention of the county agents I can not tell.

Mr. McFADDEN. The point I am making is whether that fund is consumed entirely by the department here, or does a portion of it go to the State?

Mr. McLAUGHLIN of Michigan. This is all used by the Department of Agriculture.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McKENZIE. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended for one minute, in order to make an inquiry

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McKENZIE. Mr. Chairman, take, for instance, 10,000 bulletins that may be printed on a certain subject. They are sent out by the department broadcast over the country. Ten thousand farmers may read that bulletin. No man and no department has any way to find out, and it is not possible to find out, what farmers have taken advantage of that, what improvements they have made, or in what way they have added to the wealth of the country, and yet a good deal of good may have been done.

Mr. McLAUGHLIN of Michigan. The gentleman from Illinois is entirely right, and what he says supplements admirably my feeble effort to answer the inquiry of the gentleman from Illinois [Mr. MADDEN]. No one can tell, certainly not in dollars and cents, the results of disseminating information among the farmers of this country. Some will take advantage of it, and some will fail to take advantage of it.

Mr. NORTON. Mr. Chairman, I move to strike out the last two words. I am anxious to know what part, if any, of the $221,660 is used for printing these bulletins. Can the chairman tell me?

Mr. LEVER. Only a small portion, if any.

Mr. NORTON. From the statement made by the chairman I was led to believe that most of this amount of $221,660 is used for the payment of those who make agricultural surveys throughout the country and in preparing bulletins. Before that statement was made by the chairman I was under the impression, from some experience I have had and from some observations I have made, that a large number—at least a considerable portion—of the bulletins referred to are prepared by persons who receive nothing out of this appropriation; that many of the bulletins are prepared and written by men employed in the departments of agriculture of the different States, and that the articles contained in many of these bulletins are turned over gratuitously to the Department of Agriculture and then published by the Department of Agriculture. What I would like to know and what I trust the Committee on Agriculture has investigated and does know, is whether or not a considerable part of this large appropriation is paid out to men who go around the country looking over the country in a sight-seeing way, doing little helpful work for the farmer, either by personal encouragement or by example or through the preparation of any of these bulletins.

Mr. LEVER. Mr. Chairman, I would state to the gentleman from North Dakota that the men who are being paid from this lump-sum appropriation here are regarded as experts in their line of work, and are carried on a lump-fund roll and paid out of this appropriation.

Mr. NORTON. Does the gentleman say now that a large number of these bulletins are not prepared by men who are not paid for doing it?

Mr. LEVER. I could not tell the gentleman that. I never heard the statement made before.

Mr. NORTON. What do these men who are paid out of the lump-sum appropriation actually do?

Mr. LEVER. They go into communities and study farm conditions. They select an area and make a study in that way. They may select a whole county and make a study of that county.

Mr. NORTON. How many of them are employed at the present time?

Mr. LEVER. That can be shown. We have an exact list here in the Book of Estimates showing the exact number. Then when they come to their conclusions, after gathering the data, they are put in the form of a circular, or farmer's bulletin, or they may be put in the form of a departmental bulletin, which is not generally distributed. The farm bulletins are, of course, distributed in the ordinary way, as the gentleman knows.

Mr. NORTON. Do these men lecture throughout the country?

Mr. LEVER. Very rarely, as far as I know.

Mr. NORTON. But the Department of Agriculture does send lecturers to farmers' gatherings and meetings. They are not paid out of this sum?

Mr. LEVER. I take it occasionally one of these more distinguished men might be called upon to address some great farmers' meeting, such as the Farmers' Union or the Grange or the Nonpartisan League, or something of that sort.

Mr. NORTON. Their expenses would then be paid out of this lump-sum appropriation?

Mr. LEVER. And the time he would lose in going and coming from that point would not be taken out of his salary; but this appropriation is not used generally for such work of the Department of Agriculture.

Mr. NORTON. Will the gentleman have placed in the RECORD the number of men who are paid out of this lump-sum appropriation, the number who were paid out of this appropriation during the last fiscal year, and who are in the regular employ of the Government?

Mr. LEVER. Yes; I have that here and I will try to summarize it. It is all here in this book.

Mr. SHALLENBERGER. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee how long this particular provision has been included in the bill. Has it been in force and effect since 1911?

Mr. LEVER. Well, I think it has. This provision has been in the bill, I should say, six or eight years.

Mr. SHALLENBERGER. The gentleman from Illinois asked a very pertinent question as to the effect of business management upon this great industry in America. I have a statement here, given out by the Department of Agriculture and published in the press this morning, that the average of agricultural production in America for the five years since 1911 was $6,298,220,000, whereas for 1917 the amount has risen to the vast sum of

$13,683,768,000, which practically equals the entire production of every other line of business endeavor in the country, and I submit that the modest sum of $300,000 is a very modest amount, indeed, to ask for improving the business management of American agriculture.

Mr. MADDEN. If the gentleman will yield——

Mr. SHALLENBERGER. I will.

Mr. MADDEN. That is true, I agree to that; but the gentleman does not assume that the large increase in the output of agriculture is on account of the expenditure of this money?

Mr. SHALLENBERGER. I will leave it to the gentleman to separate the amount to be credited to improved business management from that accountable to the industry of the farmer. Each one has had its effect.

Mr. MADDEN. The number of farms have been, of course, increased in the number of years the gentleman quotes; but surely the expenditure of this money has had nothing to do in the opening up of those farms.

Mr. SHALLENBERGER. I think it is generally understood, I will say, that improved business methods have been somewhat neglected upon our farms, and that the application of economic business ideas to agriculture produces results as in every other line of human effort.

Mr. MADDEN. I agree with the gentleman.

The Clerk read as follows:

To investigate and encourage the adoption of improved methods of farm management and farm practice, $221,660.

Total for Office of the Secretary of Agriculture, $767,090.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from South Carolina, in charge of the bill, what rate of compensation is paid to the men who are paid out of this lump-sum appropriation of $221,660? How many men are employed under it and what do they do?

Mr. LEVER. I promised the gentleman from North Dakota [Mr. NORTON] to put in the RECORD that information, but I will read some of it. The chief of this bureau gets $4,000.

Mr. MADDEN. That is already in the bill.

Mr. LEVER. The assistant chief gets $3,250.

Mr. MADDEN. That is another one in the bill.

Mr. McLAUGHLIN of Michigan. They are on the statutory roll, and he asked about the lump-sum appropriation.

Mr. MADDEN. It is the lump sum I am talking about.

Mr. LEVER. The next is an agriculturist who gets $3,250, another agriculturist who gets $3,000, another who gets $3,000, another who gets $2,700, another at $2,520, several more at $2,340, two here at $2,400, three or four here at $2,250, and on down to a scientific assistant and assistant agriculturist, and so forth——

Mr. MADDEN. That will do, all right.

Mr. LEVER. At $1,600.

Mr. MADDEN. Will the gentleman yield for another question?

Mr. LEVER. I will.

Mr. MADDEN. Inasmuch as the gentleman is already able to enumerate the number of men employed and the compensation they are receiving, I would like to ask why it is the committee thought it inadvisable to report these places specifically in the appropriation bill, so that we may not give to the Secretary of Agriculture plenary power to pay any compensation that he pleases?

Mr. LEVER. I would say, Mr. Chairman, in answer to the suggestion of the gentleman, that the Committee on Agriculture has followed the method of every other appropriation committee in Congress, and the Department of Agriculture also follows the same method pursued by other departments of the Government, namely, that the scientific force of these departments is carried on the lump-fund roll and paid from the lump-fund appropriation. The permanent clerical positions are carried on the statutory roll.

Mr. MADDEN. I understood there was a chief of a bureau there, at $4,000, paid out of this?

Mr. LEVER. No; that is a statutory salary.

Mr. MADDEN. An agriculturist.

Mr. LEVER. He is a scientist, and would come out of the lump sum.

Mr. MADDEN. That is what I was going to ask. Now, are all the positions enumerated by the gentleman occupied by scientists?

Mr. LEVER. They are all regarded as scientific people.

Mr. MADDEN. And their work is——

Mr. LEVER. Of a scientific nature.

Mr. MADDEN. And they are educated in the scientific work?

Mr. LEVER. Exactly.

Mr. MADDEN. So that the reason why they are not enumerated in the law and their compensation fixed by law instead of permitting the Secretary of Agriculture to employ them indiscriminately and pay them what he pleases is due to their scientific knowledge?

Mr. LEVER. Exactly. And the limit of their salary is fixed by law at $4,500 per annum.

Mr. McFADDEN. I would like to inquire of the chairman of the committee, in speaking of these scientific men who are to investigate and encourage the adoption of improved methods, and the assignment to this work, the gentleman said a few minutes ago that these experts were assigned sometimes to counties. Will the gentleman explain how these assignments are made?

Mr. LEVER. I conveyed a wrong impression to the gentleman if he has any idea that the assignment to a county is a permanent proposition. What I wanted to say was that one of these agricultrists might be sent into a county in Pennsylvania to make an investigation that would cover a month or two months. The same man, after that, might be sent to the State of Texas. They are not permanently assigned to any place.

Mr. McFADDEN. What I wanted to find out was whether the demand came from the States or counties, or originates in the department.

Mr. LEVER. It originates in the department.

Mr. HAUGEN. Mr. Chairman, I believe a wrong impression can be gathered from the statement of the chairman. I do not believe he wants it understood that the fixing of the salaries under the lump sum is confined entirely to the scientists. We appropriate money in lump sum and the department fixes the salaries all along the line, and in that way Congress has surrendered its power and jurisdiction over fixing salaries. We appropriate lump sums and the departments make the appointments and fix the salaries to suit its own will all along the line. The chairman will remember in the appropriation that we made a year ago we appropriated for a number of places at $720 and $900. Clerks could not be had—or, rather, their services could not be obtained—at the salary fixed, and it was found necessary to increase their salaries; and the only way salaries could be increased was through the appointment of clerks and paying them under the lump-fund roll; and as a result we have hundreds of clerks now drawing $1,200 where it was the intention of Congress that their salary should not exceed $900. The excuse given by the department is that, inasmuch as the services of the clerk could not be had at $900, it was necessary to increase the salary to $1,200.

Mr. LEVER. In order that I may make myself entirely clear, as I do not want to mislead the committee——

Mr. HAUGEN. I understand.

Mr. LEVER (continuing). I will say that this matter of the lump-sum roll has been discussed frequently upon the floor of the House and has disturbed every committee that has handled it to know how to handle it and limit the authority of the executive in employing people on this roll. But the theory is that only scientific persons or people employed temporarily in clerical positions are carried upon this roll. Now, the law requires that where a person is occupying a clerical position to which he is appointed temporarily the executive head of a department shall estimate for his transfer to the statutory roll of that department. In the case of the Department of Agriculture, as my friend from Iowa [Mr. HAUGEN] said—and I am glad he said it—they informed us that many of their lower grade positions—$720, $840, $900 statutory places—are unfilled for the reason that they could not get people at those salaries to serve. The Department of Agriculture and the other departments of the Government here until a few months ago were in competition with each other in bidding for clerks. The enormous increase in the work in Washington has made it almost impossible for the old-established institutions to hold their clerks. But the rule is that the scientific people are carried on the lump-fund roll. The temporary clerk positions are carried on the lump-fund roll, but they must be transferred under the law in the next estimates. I think I state that fairly accurately.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words.

There has been presented to the committee a question that has long been agitating Members, as to the way Congress could control the departments in the expenditures of their lump-sum appropriations. We have before us a glaring instance of the abuse that follows by vesting in the Department of Agriculture the lump-sum appropriation, amounting to hundreds of thousands of dollars, which they can utilize at their own will to increase salaries and also in bidding against the same character of employees in other departments of the Government.

The mere fact that they are employed in a scientific position, according to my way of viewing it, is no warrant for not specifying them in this appropriation bill. There is one bureau con-

nected with this Government that is doing more work to advance the welfare of the Government toward winning the war than any other department in the Government service, and yet that bureau has its scientific force restricted by number and salary. I need not mention to this Committee that it is the Bureau of Standards. The Committee on Appropriations requires that every scientific officer, every employee connected with the departments of the Government here at Washington other than the Department of Agriculture, which is the one exception, of which the Committee on Appropriations has not jurisdiction, must in their estimates detail the officials and employees, clerical, scientific, and otherwise, as to their number and salary, and the committee designates them specifically in the legislative, executive, and judicial appropriation bill. Yet here the chairman of the committee in his opening statement has called attention to this anomalous condition, that here in the bill, on the statutory roll in the Office of Farm Management, the chief of the office receives $4,000 and the assistant to the chief $2,520 on the statutory roll, but out of a lump-sum appropriation, of which the Congress knows nothing, and which the committee never examines except, may be, when there is some agitation in the House or in the country demanding a specific investigation of the respective salaries, the salary of the assistant to the chief is $3,250. Is that correct, I will ask the gentleman from South Carolina [Mr. LEVER]? We have no knowledge of it except as it is included in the Book of Estimates, scanned only on occasion by the chairman of the committee or by the committee itself.

I wish to emphasize this fact to the gentleman, and I do it in the best of faith and not in a spirit of criticism. I think it is well, especially in these times when the Department of Agriculture is competing with the other departments for their employees and abstracting them from other departmental services, because they have at their command lump-sum appropriations, whereas the other departments are limited to the statutory salaries carried in the legislative bill, that they should put in their appropriation bill not only the clerical force but the scientific force.

Mr. LEVER. Mr. Chairman, will the gentleman yield for a question?

Mr. STAFFORD. I will be glad to.

Mr. LEVER. Do I understand the gentleman to say that the Committee on Appropriations, in appropriating for these scientific people in other departments of the Government, specify so many at such and such rates of compensation in the bill?

Mr. STAFFORD. The Bureau of Standards, the most scientific department of the Government, where immense military services have been thrown upon them, is required to specify the salaries and rates of compensation.

Mr. LEVER. How about the Geological Survey? I am asking for information.

Mr. STAFFORD. They are limited strictly to the statutory force in the Bureau of Standards. As to the Geological Survey, that is a field service, not carried in the legislative, executive, and judicial appropriation bill, and that bill is limited to departmental services. The Geological Survey is carried in the sundry civil bill. I can not speak of that bill as I can of the legislative bill, framed by the subcommittee of which I am a member.

Mr. LEVER. The gentleman is on the Committee on Appropriations and is a very diligent Member of this House. Is there and other scientific bureau of the Government whose force is carried exclusively on the statutory roll except the Bureau of Standards? I am asking for information.

Mr. STAFFORD. I do not recall any other scientific bureau carried in the legislative, executive, and judicial appropriation bill. Yes; I do recall, for instance, that the professional force in connection with the Naval Academy is provided specifically by places and salaries in the naval appropriation act. That is an instance.

Mr. LEVER. I think I can differentiate that from these.

Mr. STAFFORD. Of course you can differentiate. But I want to emphasize the fact that it is the system I am criticizing. I am not criticizing the committee.

Mr. LEVER. I know that.

Mr. STAFFORD. We all know—those of us who have charge of appropriations for any department—that the department heads always want to be freed as much as possible from restrictions, and yet it is necessary, for the protection of the purse strings of the Government, for Congress to be always on the alert and place limitations upon them. We have been at war for nine months now, and it has been necessary to increase the appropriations for the War Department and the Navy Department extraordinarily. There have been placed at the control of the War and Navy Departments large deficiency appropriations, and yet we find that as soon as those appropriations are placed at the disposal of the War and Navy Departments each bureau immediately resorts to the device of raising the salary of men on the statutory roll and placing them on a roll paid from a lump-sum appropriation, with an increase of $200 or $300 in advance of the appropriation made by Congress.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for two minutes. Is there objection?

Mr. ANDERSON. Mr. Chairman, does the gentleman intend to offer any amendment to correct this defect that he is talking about?

Mr. STAFFORD. No. I merely want to make some observations. Does the gentleman want to object to my continuing for two minutes?

Mr. ANDERSON. I was making an inquiry of the gentleman. I know what my rights are.

The CHAIRMAN. Without objection, the gentleman will proceed.

Mr. STAFFORD. I wish to emphasize to the committee the fact that the committee should look into and ascertain if it is not feasible in making up the bill to include all the clerical force and all the scientific force by classes and grades, so that the heads of bureaus and departments will not have a free hand to increase salaries as they may be inclined to without the approval of Congress.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. McFADDEN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last two words.

Mr. McFADDEN. In regard to these investigations, I want to ask the chairman of the committee to put into the RECORD the list of States that have been benefited by these investigations; that is to say, in what States the investigations have taken place.

Mr. LEVER. I do not know, this being Saturday afternoon, whether we could get the information in time for to-morrow morning's RECORD or not; but if we can, I will be glad to put it in the RECORD.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

WEATHER BUREAU.

Salaries, Weather Bureau: One chief of bureau, $5,000; 1 assistant chief of bureau, $3,250; 1 chief clerk, $2,500; 1 chief of division of stations and accounts, $2,750; 1 chief of printing division, $2,500; 3 chiefs of division, at $2,000 each; 8 clerks, class 4; 11 clerks, class 3; 23 clerks, class 2; 31 clerks, class 1; 22 clerks, at $1,000 each; 10 clerks, at $900 each; 1 foreman of printing, $1,600; 1 lithographer, $1,500; 3 lithographers, at $1,200 each; 1 pressman, $1,200; 1 printer or compositor, $1,440; 5 printers or compositors, at $1,350 each; 14 printers or compositors, at $1,300 each; 1 printer or compositor, $1,200; 6 printers or compositors, at $1,080 each; 5 printers or compositors, at $1,000 each; 4 folders and feeders, at $720 each; 1 instrument maker, $1,440; 3 instrument makers, at $1,300 each; 1 instrument maker, $1,260; 3 skilled mechanics, at $1,200 each; 5 skilled mechanics, at $1,000 each; 1 skilled mechanic, $840; 1 skilled mechanic, $720; 6 skilled artisans, at $840 each; 1 engineer, $1,300; 1 fireman and steam fitter, $840; 4 firemen, at $720 each; 1 captain of the watch, $1,000; 1 electrician, $1,200; 1 gardener, $1,000; 4 repairmen, at $840 each; 6 repairmen, at $720 each; four watchmen, at $720 each; 18 messengers, messenger boys, or laborers, at $720 each; 6 messengers, messenger boys, or laborers, at $660 each; 31 messengers, messenger boys, or laborers, at $600 each; 99 messengers, messenger boys, or laborers, at $480 each; one charwoman, $360; 3 charwomen, at $240 each; in all, $328,950.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MADDEN. Is this the bureau, the chief of which publishes a statement every afternoon or evening or morning, as the case may be, in which he sets forth that the wind may be in the north, veer to the south, and turn to the west, and that it will be cloudy, and that the sun will shine a few minutes later, and that it may possibly rain or it may possibly be dry? [Laughter.]

Mr. LEVER. This is the regular Weather Bureau service.

Mr. MADDEN. So this is the bureau from which the statement such as I have made is published is it?

Mr. LEVER. I am not willing to admit that. [Laughter.]

Mr. MADDEN. A great many people always after reading the report are in doubt as to what the meaning of the report is. When I read it I always conclude that no matter what happens,

the chief of the bureau has tried to hit it with some word or other that he has put into the statement.

Mr. LEVER. That is a wise thing.

Mr. MADDEN. But he never makes a statement with any intention of getting at the facts. He has certainly become adroit in the use of words, and sometimes it is said by a great many people that the reports of the Weather Bureau are not of much value in the way they are made. I think there are some private institutions in the United States that make weather reports, and these are relied on to a much greater extent than the reports made by the Agricultural Department.

Mr. BORLAND. The gentleman doubtless refers to Prof. Hicks. [Laughter.]

Mr. MADDEN. I think perhaps there is a man of that name who makes reports.

Mr. LEVER. I have a constituent myself who is a great forecaster.

Mr. MADDEN. I think the private reports are much more reliable than the reports we are getting from the Department of Agriculture, that cost $1,900,000 a year. Of course, I suppose it is not possible for any man, no matter who he is or how scientific he may be, or how much knowledge he has concerning the movements of the stars and the heavens, and the moon, and faith, and all that, to tell exactly what is going to happen; but it seems to me he ought to come as near telling the truth as it is possible for him to tell it; and it very frequently happens that just the reverse of his predictions comes to pass. What does the gentleman in charge of this bill have to say about the inaccuracy of these reports?

Mr. LEVER. The information that has come to the committee is to the effect that the forecasts of the Weather Bureau show a percentage of accuracy of 80. In other words, they hit it 80 times out of 100. That is pretty good forecasting.

Mr. MADDEN. The gentleman means that some word in the statement will be found to fit the situation.

Mr. LEVER. No; if they make a positive declaration, they hit it 80 times out of 100, and I think that is pretty good work.

Mr. MADDEN. That would be very good if that should turn out to be the case.

Mr. LEVER. I think their records will show that.

Mr. MADDEN. In reading these reports I have found myself wondering who the necromancer was who found the words that were put into the prediction, because they turn double somersaults and loop the loop five or six times, and then come back and make a straightforward movement, and then put on the reverse lever and move backward, and then veer to the northeast, and sometimes back to the southwest, and finally reach a conclusion that is very much in doubt.

Mr. LEVER. Well, they are dealing with the wind.

Mr. MADDEN. I thought they were dealing in science.

Mr. McFADDEN. I should like to ask the chairman of the committee, in view of the kind of weather we have been having for the last two months, whether he thinks we should continue this appropriation?

Mr. LEVER. I think we ought to increase it. [Laughter.]

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For necessary expenses in the city of Washington incident to collecting and disseminating meteorological, climatological, and marine information, and for investigations in meteorology, climatology, seismology, volcanology, evaporation, and aerology, $109,250.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. STAFFORD. I wish to inquire what is the purpose of the new language in line 15, page 8, "seismology and volcanology"?

Mr. LEVER. I will ask the gentleman from Michigan [Mr. McLAUGHLIN] to give the information which the gentleman from Wisconsin desires.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, the gentleman from Wisconsin asks in regard to the new work that is to be carried on under these words "seismology and volcanology." "Seismology" is a word that has been carried in the paragraph before. "Volcanology" is a new word here.

Mr. STAFFORD. Wherein does volcanology differ from seismology?

Mr. McLAUGHLIN of Michigan. Volcanology is so similar to seismology that the Secretary of Agriculture, the Chief of the Weather Bureau, and the most illustrious gentlemen in the world in relation to these two subjects are unable to distinguish between them. They say they are one and the same thing, so the gentleman from Wisconsin can not expect me to distinguish between them.

Mr. STAFFORD. If they are one and the same thing, what is the purpose of including the word "volcanology" in this paragraph, as a new phrase?

Mr. McLAUGHLIN of Michigan. It is suggested that some new work be done, and it relates to volcanology, in connection with the volcanoes in the Hawaiian Islands. The chairman of the committee thought it advisable to inform Congress of the new work that is to be undertaken, and the use that is to be made of the increased appropriation of $10,000. The chairman made the suggestion simply to advise Congress, not because the Secretary of Agriculture or the Chief of the Weather Bureau thought that the use of the word "volcanology" was necessary.

Mr. STAFFORD. Can the gentleman inform the committee what additional work is contemplated so far as volcanology or seismology is concerned, for which an additional appropriation of $10,000 is desired?

Mr. McLAUGHLIN of Michigan. It is intended to assist in continuing the work that Prof. Jaggar has for several years been carrying on in the island of Hawaii, investigating and collecting data and keeping records in regard to the earthquakes and volcanoes there.

Mr. STAFFORD. Is it contemplated to employ him as a Government official to compile the data that he has been collecting there as the representative of the Massachusetts Institute of Technology?

Mr. McLAUGHLIN of Michigan. I hope that a part of this money will be used properly to compensate Dr. Jaggar for his very important work. Up to this time he has been paid out of private funds supplied by the Massachusetts Institute of Technology, and by private subscription by people of the Hawaiian Islands. He has been engaged in that work for several years, making observations and keeping records, and it is proposed that he shall continue that work, and that the United States Government shall furnish a little money to help pay his salary and expenses. How much of that money will be devoted to that purpose I do not know, but it is only a small part of the sum of money asked for two years ago, and very strongly recommended by the Secretary of Agriculture and the chief of the bureau. About compiling the records, I do not know what will be done in that respect; but the observations Prof. Jaggar is making, and the records he is keeping, have their chief value, or one of their great values, in being continuous and unbroken over a series of years. They ought to be continued without break or interruption. What will be done by way of collating or publishing them I do not know. That will have to be left to the scientific men of the Weather Bureau, acting under the direction of the Secretary of Agriculture.

Mr. STAFFORD. If the gentleman will permit, will he differentiate between work done by individuals connected with universities doing research work in scientific lines for the benefit of the world and of science generally, not paid out of Government funds, and this gentleman, who is engaged in this work there on the Island of Hawaii?

Mr. McLAUGHLIN of Michigan. I know very little of strictly scientific work being done by gentlemen in connection with governmental actitivities in cooperation with private interests or activities in which the Government might engage. I do not know that I can give the gentleman any information of work being done by scientific men connected with private institutions or paid by private funds. But the work Dr. Jaggar is doing is of public interest. It is connected, the Secretary of Agriculture says, with agriculture. He is pursuing a very important and a very interesting scientific investigation.

Mr. STAFFORD. How is it connected with agriculture?

Mr. McLAUGHLIN of Michigan. The Secretary points out that it is related to meteorological investigation, weather conditions, temperature, sun radiation, and so on. There is agricultural meteorology, or the relation of climate and weather to vegetable growth.

Mr. STAFFORD. Mr. Chairman, I question the policy of the Government in taking under its fold every research student that may be employed anywhere throughout the world investigating something of value to humanity and science, but the bureau has been engaged to some extent in the investigation of seismology, and volcanology is rather similar, and I am not going to press a point of order. I hope that this appropriation will not increase abnormally and that the Federal Government will not take under its wing every person that happens to be engaged on research work. I withdraw the reservation of the point of order.

The Clerk read as follows:

For the establishment and maintenance by the Weather Bureau of additional aerological stations, for observing, measuring, and investigating atmospheric phenomena in the aid of aeronautics, including salaries, travel, and other expenses in the city of Washington and elsewhere, $98,740.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order to the paragraph in order to inquire whether there was any item which was carried in last year's appropriation bill providing for the establishment of aerological stations connected with the Weather Bureau?

Mr. LEVER. There were none.

Mr. STAFFORD. What is the increase of $98,000 for?

Mr. LEVER. The Army appropriation bill for the fiscal year carries an appropriation of $100,000 for the establishment of these aerological stations. The Department of Agriculture has one already in the State of Nebraska. The Secretary of War, the Secretary of Agriculture, the Chief of the Signal Corps, and others interested in aeronautics concluded that this work properly belonged to the Weather Bureau and could better be handled by the Weather Bureau since they have made investigations and have experimented along these lines, and this comes into the bill at the suggestion of the parties I have named.

Mr. STAFFORD. There is no intention of having the various departments overlap each other?

Mr. LEVER. No.

Mr. STAFFORD. And, by agreement with all interested, the Department of Agriculture is to have the sole investigation of the work?

Mr. LEVER. Yes; and they propose to establish, in addition to the one in Nebraska, five additional stations.

Mr. STAFFORD. And in the establishment of these stations the Secretary of Agriculture is to cooperate with the War Department and the Signal Corps?

Mr. LEVER. Yes.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. LEVER. I will.

Mr. SHALLENBERGER. I want to ask if in this appropriation the language "and other expenses in the city of Washington and elsewhere" would in any way authorize operations in Europe? I think the Signal Corps has indicated to the Military Committee that they will require meteorological stations in Europe.

Mr. LEVER. It was not so intended. It was intended to establish five additional stations in this country.

Mr. STAFFORD. This, as I understand it, is a war emergency measure?

Mr. LEVER. Yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

The Clerk read as follows:

For inspection and quarantine work, including all necessary expenses for the eradication of scabies in sheep and cattle, the inspection of southern cattle, the supervision of the transportation of live stock and the inspection of vessels, the execution of the 28-hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and repairs, alterations, improvements, or additions to buildings thereon, the inspection work relative to the existence of contagious diseases, and the mallein testing of animals, $503,662.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. In this connection, Mr. Chairman, I desire to ask unanimous consent to insert in the RECORD certain resolutions adopted at a recent meeting of the Wyoming Wool Growers' Association.

Mr. MADDEN. I reserve the right to object.

Mr. MONDELL. The resolutions refer to matters treated of in this paragraph and generally to live stock.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

Mr. MADDEN. I object.

Mr. MONDELL. Mr. Chairman, at this time the world is suffering from something of a shortage of wool. For the first time in the history of our country we are placing in the uniforms of our soldiers a large amount of shoddy. Before the outbreak of this war our soldiers wore the best uniforms of any soldiers in the world. The grade of uniform has been reduced by using shoddy, increasing the proportion of cotton, until we have reached a condition in which, in the words of an officer in the United States Army before the investigating committee of the Senate a few days ago, "We have the poorest uniform of any army in the world"—that is, any army of any considerable power.

Mr. LEVER. Will the gentleman yield for a moment?

Mr. MONDELL. Yes.

Mr. LEVER. When the gentleman from Wyoming was necessarily absent attending to duties of his committee I made the statement that I was going to try to enforce the rule on this bill by having the remarks of Members confined to the item under considerartion.

Mr. MONDELL. I am in harmony with the gentleman on that and have no desire to discuss anything except the bill and the provisions of the bill.

Mr. LEVER. I am sure of that, and there is an item in the bill a little further on to which the gentleman might appropriately address his remarks.

Mr. MONDELL. I am going to keep within the rule, I assure the gentleman.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. SHALLENBERGER. I know the gentleman wants to be correct. The hearings before the Military Committee in the Senate and in the House show that there is absolutely no cotton in the uniforms and that the so-called shoddy is reworked wool. The uniform is composed entirely of wool. The question of putting in cotton was considered but was abandoned.

Mr. MONDELL. My friend ought to be better informed. He does not mean to say that there is no cotton in the warp of the overcoats?

Mr. SHALLENBERGER. There is cotton in the warp of the overcoat, but not in the uniform proper.

Mr. MONDELL. There is cotton in the warp of the cloth used for the Army at this time.

Mr. SHALLENBERGER. Only in the overcoats.

Mr. MONDELL. And in addition to the use of cotton warp there is a considerable increase of shoddy and a decrease in the weight of the cloth. No doubt those who decided that matter believed there was such a shortage of wool as to necessitate the change. I do not think so. I believe it was a great mistake. There was plenty of wool available, and I know that it was offered to the Council of National Defense at a very low price compared with the present price at the outbreak of the war, because I was one of those who went before the Council of National Defense with the representatives of the wool growers of the West, who made the offer of sufficient wool for all uses of the Government at a very low price.

Mr. MOORE of Pennsylvania. What was the substance of the resolutions of the Wyoming Wool Growers' Association?

Mr. MONDELL. They related to the use of wool in the making of clothing, the diseases of sheep, the marketing of wool and mutton—matters likely to be treated of in the resolutions of a live-stock association.

Mr. MOORE of Pennsylvania. Did they indicate a shortage of wool?

Mr. MONDELL. They did not. The particular resolution I desire to emphasize at this time is as follows:

We demand that no shoddy or other adulterants shall be mixed with wool that is to be made into soldier garments, and that our soldiers shall be as well or better dressed than the soldiers of any other country.

There is wool enough to be had to do this, and it was offered at a comparatively low price. In fact, the price now is not high compared with that of other articles. It is low compared with the price of cotton. Let us have no more shoddy in our soldiers' clothes.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

The Clerk read as follows:

For investigating the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, State or county authorities, $250,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I desire to offer an amendment, but it would perhaps be well first to dispose of the point of order.

Mr. LEVER. I think so.

Mr. STAFFORD. Would the gentleman be willing to have his amendment read for information? I ask unanimous consent that the amendment be read for information.

The CHAIRMAN. Without objection, it will be read for information. The Clerk read as follows:

Amendment proposed by Mr. McLAUGHLIN of Michigan: Page 13, line 19, strike out the figures "$250,000" and insert in lieu thereof the figures "$500,000."

Mr. STAFFORD. Mr. Chairman, I reserve the point of order in order to obtain some information about this paragraph in respect to its new phraseology. I notice that in last year's act there was a provision as follows:

The inspection work relative to the existence of contagious diseases and the tuberculin and mallein testing of animals.

Does the new phraseology differ in its authorization or purpose from that which is covered in last year's act under the general phraseology just read?

Mr. LEVER. The only difference is that the work in the testing of tuberculin itself is not included in the language to which the gentleman is referring. The new language in the bill, in

my judgment, does not confer upon the Secretary of Agriculture any authority which he does not now have, nor is it the purpose of this language to authorize the department to do any character of work under this language and with this appropriation which is not being done during this fiscal year.

Mr. STAFFORD. It is not contemplated that this appropriation shall be utilized for the payment to owners of tubercular cattle which have been condemned?

Mr. LEVER. Not at all; and there would be no authority in this language to do that.

Mr. STAFFORD. Does the gentleman anticipate that that might be true in the future as the result of authorization along the lines carried in this bill?

Mr. LEVER. I will say frankly to the gentleman that there are those in the House—and I think some members of the committee—who feel that probably one of the best methods of eradicating tuberculosis in cattle and in hogs would be through some system of compensation, either in whole or in part, one-quarter or one-third; but the committee itself has not reached any definite conclusion upon it. In my own mind I will say that I do not feel that Congress would be warranted in going into the matter of compensating for destroyed tubercular cattle at this time. Of course, what may develop from this I can not forecast. It is a very big problem.

Mr. STAFFORD. Another inquiry which may be of interest to the Members of the House is this: How far has this investigation work been performed by the States individually? I know the State of Wisconsin has done considerable work along this line. I am not advised as to what other States have done. I know gentlemen in general debate discussed this question, but I was not privileged to be here, by reason of committee work.

Mr. LEVER. The gentleman from Nebraska [Mr. SLOAN], who has been greatly interested in this matter, yesterday put into the RECORD a statement that 47 out of 48 States of the Union had laws looking to some kind of control of tuberculosis. The testimony before the committee, which I again read last night, informs me that only two or three—I think at most three—States have taken any aggressive action looking to the eradication of tuberculosis. I think Wisconsin and Minnesota, and probably one other State, have done that.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. SLOAN. I would like to answer, in part, the gentleman, because what is in the hearings does not reflect the legislative activities of the country.

Mr. LEVER. If the gentleman will permit me, I thought the gentleman from Wisconsin was driving at the fact of whether or not the States were taking any aggressive action in the way of control.

Mr. STAFFORD. That was my purpose; and I knew that in the State of Wisconsin they had made considerable headway along those lines, and I was wondering how much similar work had been undertaken by other States.

Mr. SLOAN. Twenty States in this Union have appropriated money and have used it for the purpose of eradicating tuberculosis, not only to the extent of using the tuberculin test, which is used and required in 47 out of 48 States of the Union, but for the compulsory slaughtering of the generalized reactors. Fifteen of them compensate to the extent of a portion of the value of the slaughtered brute.

Every other State in the Union has some activity in this line. You will find in the RECORD a compilation which I made at a good deal of expense of time and energy of what each State is doing and has done, and the country, for more than 20 years in some States, other States a less number of years, other States but a short time, has been going into such activities and making expenditures for the purpose of eradicating tuberculosis, so that the country is just ripe for just this kind of a campaign.

Mr. STAFFORD. Will the gentleman inform the committee what is the real purpose of the authorization, as to whether it is supplementary to State efforts or whether it is just merely to go into those States that have manifested little or no activity and do the work of the States for them?

Mr. SLOAN. The chairman can better give the gentleman the purposes of the bill.

Mr. LEVER Let me inquire of the gentleman from Wisconsin if he proposes to press the point of order.

Mr. STAFFORD. I am not inclined, from the information I have received so far, to press the point of order.

Mr. LEVER. I make that inquiry for the reason I happen to know there will be considerable debate on this proposition and an effort to increase this appropriation, and I thought if the gentleman was not going to press the point of order we might fix some time for debate.

Mr. STAFFORD. I am rising in all good faith to get information.

The CHAIRMAN. Does the gentleman from Wisconsin withdraw the point of order?

Mr. STAFFORD. I do not withdraw it at present. I wish this additional information.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for 3 minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. I wish to inquire whether this work is to be supplemental of the States' activities or whether it is just to lift the burden from the States and perform it in States where they have been negligent in their functioning?

Mr. LEVER. No; the purpose is to expend this money in some States with the cooperation of the States, in other States where the State itself may not have funds and the community is ripe for this kind of work or the breeder is ripe for this kind of work, that money will be expended with that community and with that breeder. They have three lines of work that they are proposing to undertake. The first is the control of hog tuberculosis. The gentleman, of course, knows hogs have tuberculosis. The second is in establishing tuberculosis-free herds of pure-bred cattle. That is applying to the pure-bred herd the tuberculosis test, get rid of the reactors, and then permit shipments of those pure bred for breeding purposes. That is probably the line along which they will devote most of this money at the present time, probably for a year or so to come. Their other line is absolutely educational, teaching the people to segregate their diseased animals from the well animals and adopt better methods of sanitation and the like of that. Those are the lines of work the department has in mind according to the testimony before our committee.

Mr. STAFFORD. Mr. Chairman, there has been some work along this line, and I realize perhaps there should be more investigational work, so as to save the cattle of the country and the health and lives of the people of the country, and I withdraw the reservation of the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read the amendment offered by the gentleman from Michigan [Mr. MCLAUGHLIN].

The Clerk read as follows:

Page 15, line 19, strike out the figures "$250,000" and insert in lieu thereof "$500,000."

Mr. LEVER. Mr. Chairman, before the gentleman from Michigan begins I would like to sound out the committee as to the time that will be required on this amendment.

Mr. MCLAUGHLIN of Michigan. Does the chairman think it is best now to try and limit the time? We have been getting along without unnecessary delay, and it is a very important matter, and it is hard to tell how much debate will be wished.

Mr. LEVER. I was going to suggest to the gentleman from Michigan that I would probably ask the committee to rise in the course of 25 or 30 minutes, and I was thinking perhaps we could complete the discussion of this item before we took an adjournment.

Mr. MCLAUGHLIN of Michigan. Really I do not see how we can do that. I would like to speak a little while. Mr. SLOAN wants some time, and Mr. ANDERSON wishes to speak; also Mr. MCKINLEY and Mr. GRAHAM of Illinois.

Mr. HAUGEN. And I would like some time.

Mr. MCLAUGHLIN of Michigan. Also Mr. MCFADDEN, Mr. LITTLE, Mr. WASON, and I do not see how we can do that.

Mr. MOORE of Pennsylvania. I would like to suggest to the gentleman from South Carolina that this is Saturday afternoon, and it has been a pretty long day, and this matter is unquestionably going to cause some debate.

Mr. STAFFORD. May I make this suggestion: That we arrive at the time to-day and then have the committee rise?

Mr. LEVER. I appreciate the suggestion of the gentleman from Wisconsin and think it is a good idea. I recognize, of course, that this is a very important item and many gentlemen will desire to speak on both sides of the aisle and on both sides of the question. Of course it is not a political proposition. I wonder if the gentleman from Michigan would think that three-quarters of an hour on each side would be sufficient? That would be 45 minutes on each side.

Mr. MCLAUGHLIN of Michigan. I think I named 10 gentlemen on this side who wished to speak. Why not make it an hour on a side?

Mr. LEVER. Then, Mr. Chairman, I ask unanimous consent that the debate on this item and all amendments thereto may close in two hours, the Chair to control it, as nearly as he can, on the two sides.

Mr. MOORE of Pennsylvania. It would be simpler the other way.

Mr. LEVER. Then, one half of the time to be controlled by the gentleman from Michigan [Mr. McLAUGHLIN] and myself, or does the gentleman from Iowa [Mr. HAUGEN] wish to control the time?

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent——

Mr. HAUGEN. Let the gentleman from Michigan control the time.

Mr. LEVER. Then, the gentleman from Michigan [Mr. McLAUGHLIN] and myself.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto be closed in two hours, one half of the time to be controlled by himself and the remaining half by the gentleman from Michigan [Mr. McLAUGHLIN]. Is there objection? [After a pause.] The Chair hears none.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9054, the Agricultural appropriation bill, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. MANN, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, papers in the case of Thomas K. Thorp, H. R. 4362, Sixty-fourth Congress, no adverse report having been made thereon.

MANUAL AND DIGEST.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent for the consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 236.

Resolved, That there be printed as a House document 2,000 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the second session of the Sixty-fifth Congress, the same to be bound and distributed through the folding room.

Mr. FOSTER. I will state, Mr. Speaker, that this is in conformity with the conversation that I have had with the gentleman who objected this morning.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The question is on agreeing to the resolution.

The resolution was agreed to.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 44 minutes p. m.) the House adjourned until Monday, January 28, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a supplemental estimate of appropriation required by the office of the Register of the Treasury for additional clerical force during the fiscal year 1919 (H. Doc. No. 862); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War submitting a supplemental estimate of appropriation required by the Quartermaster Corps of the Army for expenses of the War Port Board, port of New York, fiscal year 1919 (H. Doc. No. 863, pt. 1); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce submitting supplemental estimates of appropriations required by the Department of Commerce for the fiscal year 1918 (H. Doc. No. 864); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce submitting a supplemental estimate of appropriation required by the Department of Commerce for additional computers and draftsmen in the office of the Coast and Geodetic Survey for the fiscal year 1919 (H. Doc. No. 865); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the Quartermaster Corps of the Army for expenses of the War Port Board, port of New York, fiscal year 1918 (H. Doc. No. 863, pt. 2); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of War, submitting a change in the wording of an estimate of appropriation for the Military Academy for the fiscal year ending June 30, 1918 (H. Doc. No. 866); to the Committee on Military Affairs and ordered to be printed.

7. A letter from the Chief, Bureau of Efficiency, transmitting report of the United States Bureau of Efficiency covering the work performed by the subtreasuries (H. Doc. No. 867); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Chief, Bureau of Efficiency, transmitting statement showing typewriters purchased by the United States Bureau of Efficiency during the fiscal year ended June 30, 1917 (H. Doc. No. 868); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Chief, Bureau of Efficiency, transmitting statement showing in detail what officers and employees of the United States Bureau of Efficiency have traveled on official business from Washington to points outside the District of Columbia during the fiscal year ended June 30, 1917 (H. Doc. No. 869); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Chief, Bureau of Efficiency, transmitting statement showing in detail the number of employees of the Bureau of Efficiency whose compensation was increased by section 7, appropriation act approved March 3, 1917 (H. Doc. No. 870); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HASTINGS, from the Committee on Indian Affairs, to which was referred the bill (H. R. 4699) providing for the payment of certain interest on items 1 and 4 of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation, reported the same without amendment, accompanied by a report (No. 265), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FRENCH, from the Committee on Indian Affairs, to which was referred the bill (H. R. 4910) to authorize the establishment of town sites on the Fort Hall Reservation, Idaho, reported the same with amendment, accompanied by a report (No. 260), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HARRISON of Virginia, from the Committee on Military Affairs, to which was referred the bill (H. R. 8834) authorizing the sale of a tract of land lying below the original high-water line of the Potomac River in what is known as Battery Cove, at Alexandria, Va., reported the same without amendment, accompanied by a report (No. 261), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BANKHEAD: A bill (H. R. 9283) to amend section 25 of the act of December 23, 1913, known as the Federal reserve act, as amended by the act of September 7, 1916; to the Committee on Banking and Currency.

By Mr. RANDALL: A bill (H. R. 9284) to exclude intoxicating liquors from national parks and national forest reserves; to the Committee on the Public Lands.

By Mr. CARTER of Oklahoma: A bill (H. R. 9285) to create an Indian code commission to codify the laws relating to Indians taxed and not taxed and to define more exactly the privileges and disabilities of the several classes of Indians in the United States; to the Committee on Indian Affairs.

By Mr. LUFKIN, a bill (H. R. 9286) to provide quarters or commutation therefor to commissioned officers of the Army

who have dependents to support; to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 9287) to save daylight and to provide standard time for the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. WISE: Joint resolution (H. J. Res. 231) authorizing the Secretary of Agriculture to certify to the Secretary of the Treasury for payment, and the Secretary of the Treasury to pay, the appropriation for the Georgia Experiment Station of the State of Georgia under act of March 4, 1917, for the fiscal year ending June 30, 1918, to the board of trustees of the Agricultural and Mechanical College of the State of Georgia, and for other purposes; to the Committee on Agriculture.

By Mr. ROBBINS: Joint resolution (H. J. Res. 232) suspending penalty in Government contracts when compliance was prevented by Fuel Administrator suspending operation of plants; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 9288) granting a pension to Oscar Walker; to the Committee on Pensions.

By Mr. ASHBROOK.: A bill (H. R. 9289) granting an increase of pension to Jacob Moser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9290) granting an increase of pension to Charles Fish; to the Committee on Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 9291) granting a pension to Frank W. Tuttle; to the Committee on Pensions.

By Mr. BURROUGHS: A bill (H. R. 9292) granting an increase of pension to George D. Totman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9293) granting an increase of pension to James O. Harriman; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 9294) for the relief of the heirs of John Kensler; to the Committee on Claims.

By Mr. FULLER of Massachusetts: A bill (H. R. 9295) for the relief of Francis M. Roberts; to the Committee on Claims.

By Mr. GARLAND: A bill (H. R. 9296) for the relief of David Steers, alias William Johnson, alias John Hartman; to the Committee on Military Affairs.

By Mr. HAMLIN: A bill (H. R. 9297) granting an increase of pension to Hezekiah Bradd; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 9298) granting a pension to Kate C. Kraig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9299) for the relief of Henry H. Staub; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 9300) granting an increase of pension to John Stockwell; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 9301) granting a pension to Nancy E. Tennant; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 9302) granting an increase of pension to James Reppeto; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 9303) granting an increase of pension to Joseph Crites; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 9304) granting a pension to Ambrose M. Barrett; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 9305) granting an increase of pension to Samuel Smith; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 9306) granting an increase of pension to John Ham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9307) granting an increase of pension to Jasper N. Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9308) granting an increase of pension to John W. McKinley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9309) granting an increase of pension to Jacob W. Cline; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9310) granting an increase of pension to Jonas Bratton; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: Joint resolution (H. J. Res. 233) for the relief of James L. Cardwell; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the City Council of Chicago, Ill., protesting against the discontinuance of the pneumatic-tube mail service in that city; to the Committee on the Post Office and Post Roads.

Also, memorial of Division No. 3 of the Railway Employees, pledging loyalty and support to the administration; to the Committee on Military Affairs.

By Mr. CLARK of Pennsylvania: Petition of John W. Haskins, H. D. Pratt, William J. Cunningham, J. Greenwalt, and 18 others, of Pennsylvania, relative to the preservation of the *Niagara* used in the Battle of Lake Erie; to the Committee on Military Affairs.

By Mr. CURRY of California: Petition of patrons of mail route No. 1, Rural Free Delivery, Orangeville, Sacramento County, Cal., praying that rural carriers be given an increase in salary; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Petition of John S. Sills & Sons, of New York, against repeal of advance in second-class mailing rates; to the Committee on Ways and Means.

By Mr. FULLER of Massachusetts: Petition of Francis M. Roberts, of Malden, Mass., relative to compensation for land grant canceled by the Government; to the Committee on Claims.

By Mr. FULLER of Illinois: Petition of John A. Hynes and others, favoring the volunteer officers' retirement bill; to the Committee on Military Affairs.

By Mr. MERRITT: Memorial of Chamber of Commerce of Stamford, Conn., favoring passage of a bill providing for a war council; to the Committee on Military Affairs.

By Mr. PAIGE: Papers to accompany House bill 9275, granting a pension to Edwin S. Goodell; to the Committee on Ivalid Pensions.

By Mr. SNYDER: Petition of home defense committee of Utica, N. Y., relative to conserving and putting to public use the water power of the country; to the Committee on Rivers and Harbors.

By Mr. TAGUE: Memorial of Westchester County (N. Y.) commission, favoring the daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

SENATE.

MONDAY, *January 28, 1918.*

Rev. G. I. Humphreys, of the city of Washington, offered the following prayer:

Almighty and most merciful God, Father of all our mercies, Giver of every good and spiritual gift, the Author of everlasting life, we bow in acknowledgment of Thy sovereignty over us and confess Thy right to us and ours. We thank Thee, our heavenly Father, for Thy blessings, seen and unseen, for the wonders of Thy kindnesses, for the marvels of Thy patience, and for the infinite tenderness of Thy love that moves and wins and ties our hearts unto Thee and unto Thy ways.

We pray Thy favor, our heavenly Father, upon this day's session of the Senate. Bless, we beseech Thee, the presiding officer, the Members, and the officials thereof; and we humbly pray Thee to look with favor upon this our beloved land in these days of stress and strain, of tension and of testing.

Bless, we pray Thee, our heavenly Father, the President of the United States and those associated with him in authority, and grant, we beseech Thee, to let Thy blessing rest upon all the citizens of our land. Give unto each and every one of us, we humbly ask Thee, the intense desire of heart, the purpose of mind and of will that we may prove ourselves worthy, O God of Hosts, in Thy sight, worthy for victory on land and on sea, that we may insure for ourselves and for the generations that are yet to come the principles of liberty, and of justice, and of mercy, and of righteousness.

Bless, we pray Thee, all the peoples and mankind, and grant, we pray Thee, that more and more the hearts of men everywhere may turn to Thee as our Father, to Jesus Christ as our Savior and the Leader of mankind; and unto this end we humbly ask Thee for the Holy Spirit, His presence and His power, that He may guide us through to-day and to-morrow and all the to-morrows of life into the way that leadeth unto the perfect day. We ask in Christ's name. Amen.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. JAMES and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. GRONNA. I send to the Secretary's desk a letter from the Tri-State Grain and Stock Growers' Convention and a resolution adopted by that convention favoring woman suffrage. I ask that they may be printed in the RECORD without reading.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

TRI-STATE GRAIN AND STOCK GROWERS' CONVENTION,
Fargo, N. Dak., January 22, 1918.

Senator A. J. GRONNA,
United States Senate, Washington, D. C.

DEAR SIR: I am sending for your consideration a resolution passed by the Tri-State Grain and Stock Growers' Convention at their recent meeting on January 18.

This resolution met with the unanimous approval of the convention, and, as the body was a large and representative one, we respectfully ask that you give it your indorsement.

Very truly, yours, W. C. PALMER.

Be it resolved, That, recognizing in this great crisis as never before the important service women have rendered the Government, we earnestly request and recommend the passage of the Federal amendment for woman suffrage.

Mr. JONES of Washington. I have a resolution here from Meridian Grange, No. 265, of Kent, Wash., petitioning Congress to pass a law making it treasonable to purchase or offer to purchase, contract, or bargain for securities of the United States below par. I ask that it may be printed in the RECORD and referred to the Judiciary Committee, I suppose.

There being no objection, the resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

MERIDIAN GRANGE, No. 265,
KENT, WASH.

Resolution.

Whereas an attack on the Nation's credit is, in our opinion, equal to an attack on any of our other defenses; and

Whereas such an attack is apparently being made on our liberty bonds, now quoted in financial circles below par: Now, therefore, be it

Resolved, That we request all liberty-loving organizations to join with us in petitioning Congress to enact legislation making it a treasonable offense—punishable as such—for any person, company, corporation, firm, or any association of persons of any nature whatsoever, to purchase, offer to purchase, contract for, or bargain for, in any way any class of United States bonds, securities, or moneys at a price below the face value thereof anywhere within the boundaries of the said United States or her Territories.

Adopted by the patrons of Meridian Grange, No. 265, in regular meeting assembled, January 5, 1918, and a copy ordered mailed President Wilson, our Senators, and Congressmen.

PETER T. NELSON,
Master.
C. R. COTTRELL,
Secretary.

Mr. SHAFROTH. I send to the Secretary's desk a telegram which I ask may be read.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Secretary will read.

The Secretary read as follows:

DENVER, COLO., *January 21, 1918.*

Hon. JOHN F. SHAFROTH,
United States Senate, Washington, D. C.:

If there is in the minds of any Senators a doubt as to the feeling in Colorado on woman suffrage, we urge that you inform them that the people of Colorado, after 24 years' experience, are more strongly in favor of it than ever before. We ask that you have this telegram read into the CONGRESSIONAL RECORD.

WILLIAM A. HILL.
JAMES H. TELLER.
S. H. WHITE.
TULLY SCOTT.
JAMES E. GARRIGUES.
MORTON S. BAILEY.
GEORGE W. ALLEN.

Mr. SHAFROTH. Mr. President, I wish to say with relation to this telegram that the senders are the members of the Supreme Court of the State of Colorado, and they have lived in that State during the full period of the operation of the woman suffrage law. In addition, I wish to say in support of their statement that there never has been even a bill introduced in the general assembly of that State for the resubmission of the question of woman suffrage; that there never has been even a petition presented to either the senate or the house of representatives of that State to resubmit the question. These are the best indications that the people of Colorado are thoroughly satisfied with the operation and effect of equal suffrage.

Mr. SMITH of Georgia. Mr. President, we are seeking to relieve a number of industries in which coal is not used from the unfortunate constructions that have been placed upon the order of Dr. Garfield. In this connection, out of many letters and telegrams I have received pointing out instances where the order is operating not to save coal but to interfere uselessly and, I think, unwisely with industries, I send three short telegrams to the desk and ask that they may be read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

COLUMBUS, GA., *January 26, 1918.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.:

Local mills on Government contracts operated by hydroelectricity ordered to close Monday by local fuel board.

H. H. SWIFT.

Mr. SMITH of Georgia. Mr. President, in connection with the telegram just read I desire to state that there are nearly a dozen of those mills operating at Columbus, Ga., employing over 7,000 hands, and that they have largely been engaged in Government contracts, among others, contracts for the manufacture of blankets, and blankets are still needed in our camps.

The Secretary read the remaining telegrams, as follows:

SAVANNAH, GA., *January 27, 1918.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.:

Could you not prevail on Fuel Administrator to modify orders for fuelless Mondays, so that business houses may remain open, not using fuel. On account of climatic advantages in the South, on many of these fuelless days no heat is required and business could go on as usual. As it is business is suspended and nothing is gained, while there is serious loss of money to all classes and no saving of fuel. Of course, where fuel would be needed and temperatures are low stores would not open.

MORNING NEWS.

ABBEVILLE, GA., *January 24, 1918.*

Hon. HOKE SMITH,
Senate, Washington, D. C.:

DEAR SENATOR: I am writing you to know if you think that Dr. Garfield's order applies to a small merchant in a small town who is burning small lightwood knots. Abbeville has not been able to get any coal this winter. We are just as loyal as we can be and believe strong in the President and are willing to do anything that will help to win the war.

It could not possibly help anything for the sawmills in Georgia to shut down, as none of them burn coal. We want to win the war, but we do not want any red tape or foolishness about it.

With best regards, I am,
Yours, very truly,

L. C. GOODIN.

Mr. OVERMAN. Mr. President, I send to the desk a resolution adopted at a meeting of merchants in one of the largest cotton-mill centers in the United States, and I ask that it may be read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

GASTONIA, N. C., *January 21, 1918.*

Hon. LEE S. OVERMAN,
United States Senator, Washington, D. C.

DEAR MR. OVERMAN: In order that you may let it be known whenever there is opportunity that there is nothing lacking in North Carolina's patriotism I am writing to tell you that the following resolution was adopted by the textile millmen of Gaston County at a meeting held Saturday:

"We have read the order of the National Fuel Administrator, Dr. Garfield, and have secured all information thereon that it has been possible to secure, and while we, individually and collectively, think that the legal and moral right exists under which factories using as motive power hydroelectric current may continue to operate under said order, nevertheless, out of the abundance of our willingness to cooperate to the fullest with the spirit of said order, we frankly and freely pledge ourselves to complete compliance with said order to the effect that we, the mills of Gaston County, remain closed throughout Monday, January 21, and Tuesday, January 22, and during each of the following Mondays—that is, from Monday, January 28, to and including Monday, March 25.

"(Signed) R. R. RAY, *Chairman.*
"J. H. SEPARK, *Secretary.*"

At a meeting of Gastonia merchants, held Saturday morning, the following resolution was adopted:

"Whereas it is the sense of this meeting that the Fuel Administration's order means that grocery stores shall close at noon and that all other stores shall absolutely close their doors for the entire day each Monday for the next 10 weeks: Be it

"*Resolved*, That the merchants of Gastonia pledge their cooperation and support to the government of the ruling and pledge themselves to strictly abide by it to the letter."

Many of our mills will pay their employees for their lost time.

Very truly, yours,

GASTONIA CHAMBER OF COMMERCE,
FRED M. ALLEN, *Executive Secretary.*

Mr. HARDWICK. Mr. President, I desire to present to the Senate for appropriate reference a number of telegrams relating to short-line railroads in the United States. I ask that the first telegram be read to the Senate for its information, and that it and the remainder of them be referred without reading to the Committee on Interstate Commerce, but that all be printed in the RECORD.

The VICE PRESIDENT. The Secretary will read as requested.

The first telegram was read; and all were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

MOULTRIE, GA., *January 25, 1918.*

Senator T. W. HARDWICK,
Washington, D. C.:

Board of directors Moultrie Chamber of Commerce last night passed resolution in protest of proposed policy by Director General McAdoo with reference to short-line railroads. Copy of this resolution going forward to Georgia Senators and Representatives to-day.

CHAS. B. CALDWELL,
Secretary Chamber of Commerce.

MOULTRIE, GA., *January 25, 1918.*

Hon. T. W. HARDWICK,
United States Senate, Washington, D. C.:

Majority of food crops of nation are produced in communities dependent upon short lines for transportation. Unless short lines are given same Government protection as trunk lines, food crops will necessarily be reduced. We urge your support of Government operation of short lines in behalf of food supply of Nation.

W. J. MATTHEWS,
President Moultrie Mill & Elevator Co.
G. F. TAYLOR,
President Moultrie Oil & Fertilizer Co.

—

MOULTRIE, GA., *January 26, 1918.*

Hon. T. W. HARDWICK,
United States Senate, Washington, D. C.:

Of the four lines entering Moultrie, at least two of them will cease to operate within six months and territory served by them will suffer seriously unless Government operates them. I urge you to use all your influence to have all short lines taken over.

J. H. HALL.

—

MOULTRIE, GA., *January 25, 1918.*

Hon. T. W. HARDWICK,
United States Senate, Washington, D. C.:

We are greatly alarmed over the project pending in the House and Senate committees concerning the attitude of Director General of Railroads regarding short lines. This community is wholly served by short lines, and a discontinuance of their successful operation would be disastrous to the farming interests of our county. We urge your influence be used accordingly.

G. W. NEWTON,
President Colquitt County Live Stock Association.

—

MOULTRIE, GA., *January 25, 1918.*

Hon. T. W. HARDWICK,
United States Senate, Washington, D. C.:

Many of our mills are served by short-line railroads, and unless these lines are taken over on same basis as trunk lines a great number of mills will suffer. We think it only fair that territory adjacent to and served by short lines should be maintained on same basis as that served by trunk lines, and short-line territory not discriminated against. We urge you to use your influence to have the proper legislation passed.

COTTON MANUFACTURERS' ASSOCIATION OF GEORGIA,
W. J. VEREEN, *Chairman.*

—

MOULTRIE, GA., *January 25, 1918.*

Hon. T. W. HARDWICK,
United States Senate, Washington, D. C.:

We heartily indorse and urge your support in behalf of Government operation of short lines as outlined in telegram of this date from our chamber of commerce to you. This not only applies to our section but to all sections of the Union served wholly or in part by short lines.

M. L. LEE.
H. I. ASHBURN.
J. BENSON.
A. R. ROGERS.
C. G. WATSON.
C. B. ALLEN.
I. A. HEARD.
J. J. ROONEY.
C. L. STEVENSON.
M. N. MAJORS.
S. P. TURNBULL.

—

MOULTRIE, GA., *January 25, 1918.*

Hon. T. W. HARDWICK,
United States Senate, Washington, D. C.:

Sawmills located on short lines of the Nation can not continue cutting lumber if operation of short lines is handicapped by Government's failure to give them equal protection with trunk lines. We urge your influence be used to have short lines operated by Government.

JOHNSON BATTLE LUMBER CO.
LADSON LUMBER CO.
CORBETT LUMBER CO.

—

MOULTRIE, GA., *January 25, 1918.*

Hon. T. W. HARDWICK,
United States Senate, Washington, D. C.:

The short lines have been the developers and are now important lines on which a large portion of food crops are originated, and any discrimination against their operation will greatly reduce average planted to food crops, and the result will prove serious. I urge you to support legislation to have them operated on same basis as trunk lines.

V. L. COLLIER,
County Agent in Agriculture.

—

MOULTRIE, GA., *January 25, 1918.*

Hon. T. W. HARDWICK,
United States Senate, Washington, D. C.:

The welfare of our city and community is seriously menaced by the announcement of Director General of Railways that short lines will not be taken over. I urge that you use your influence to have the short lines included and operated the same as the trunk lines, in order that serious embarrassment to this town and county, which was developed by and is now wholly dependent upon short lines, may be avoided.

W. A. COVINGTON,
Mayor City of Moultrie.

—

MOULTRIE, GA., *January 25, 1918.*

Hon. T. W. HARDWICK,
United States Senate, Washington, D. C.:

The announcement of Director General of Railways probability of not taking over short lines is halting plans of our farmings planting food crops for fear of transportation facilities being hampered on account of this section being entirely served by short lines. The situation is serious. We request and urge that you do all in your power to have the short lines put under the same control that trunk or through lines are.

MOULTRIE BANKING CO.,
By W. C. VEREEN, *President Citizens' Bank.*
W. S. STOKES, *Cashier First National Bank.*
C. L. WEST, *Cashier.*

Mr. STERLING. Mr. President, I send to the desk a copy of a resolution and memorial of the Farmers' Equity Union of the United States, adopted at a meeting of the union held at Aberdeen, S. Dak., on January 6. I ask that the resolution and memorial may be printed in the RECORD.

There being no objection, the resolution and memorial were ordered to be printed in the RECORD, as follows:

[Resolution and memorial, Farmers' Equity Union.]

Whereas the successful prosecution of the war is to an important extent dependent upon the American farmer for the increased production of food required, and the supply of farmers and farm laborers has been greatly diminished by enlistment under the colors, thereby still further increasing the burden which the American farmer has cheerfully assumed; and

Whereas in the intensive and increased cultivation being and about to be undertaken the farmer is and will be required to incur an unprecedented increase in both expense and labor, thereby rendering necessary a more extensive and flexible system of temporary farm credits; and

Whereas the Government of the United States has necessarily assumed the control of the railways and many great industries of the Nation and has justly undertaken to guarantee to the owners the payment of prewar dividends; and

Whereas all such industries from their nature will invariably earn dividends at least approximating those guaranteed, while owing to the almost inevitable crop failures in some sections of the country the production of crops is an uncertainty, despite all efforts of man; and

Whereas it is but just and equitable that the farmers of the Nation should have some assurance or guaranty from the Government that they will be enabled to secure at least the actual expenses necessarily attendant upon their present and future efforts to maintain and increase the production of crops in the event of a failure of crops in some or all sections of the country: Therefore be it

Resolved, That a copy of these resolutions and appended memorial be presented to the President and to the Congress of the United States assembled.

[Memorial.]

To the PRESIDENT AND THE CONGRESS OF THE UNITED STATES OF AMERICA:

The Farmers' Equity Union of the United States, as representative of all branches of the farming industry in America, and with conscious pride in the manner in which the American farmers have discharged and are discharging their patriotic duty in maintaining and increasing the production of foodstuffs under the existing circumstances, would respectfully present the following memorial.

It is undebatable that the present emergency has greatly increased the burden of the American farmer. By voluntary enlistment and the operation of the selective-service law great numbers of farmers and farm laborers have been withdrawn from the fields and more will eventually be called. Necessity demands an enormously increased production. New lands must be broken and every acre previously cultivated must be farmed, and the whole farmed most intensively. The conversion of implement factories to the military needs has made new farm machinery scarce in many places and exceedingly expensive everywhere. To farm the increased acreage intensively, with experienced farm laborers both scarce and high priced, makes the use of farm machinery imperative and to an extent hitherto unnecessary.

In magnitude and importance farming as an industry is second to none in the land. From the nature of things farming can not be undertaken by the Government. Transportation and many great industries have already been taken over by the Government, with the sole view of increasing production. In justice to the owners the Government has guaranteed these industries not only operating expenses but maintenance and prewar dividends. The farmers are asked to and must increase their own production. Toward this end the farmers must and are willing to work longer hours, but they must also pay extraordinary wages and purchase machinery at prices to an extent justified only by the present emergency.

It is not in the power of the Government to guarantee them a crop. The present minimum price for grain was fixed after the 1917 crop had been produced. The possibility of crop failure had been eliminated. These prices are not such that the farmer should be asked to invest either increased labor, laborers' wages, and overhead expenses, which are justified only by the emergency, and at the same time carry the entire risk of crop failure.

We respectfully submit that the Government should take immediate steps to remedy the situation, and would suggest that there be considered as possible remedies:

1. The immediate fixing of a definite minimum price for 1918 crops at a sufficient increase over present prices to justify the farmers in assuming the risk of crop failure; or

2. That the Government guarantee the payment of actual farm expenses and an allowance for emergency investment in increased machinery in event of and to the extent of a crop failure wherever the same may develop.

In any event, we pledge ourselves to support the Government and perform our duty to the utmost.

II.

Whereas the United States Government has taken over and now has control of the operation of the railways of the United States for the duration of the present emergency; and

Whereas we believe such action to be to the advantage of the Nation and the producers therein, from both a military and economic standpoint: Therefore be it

Resolved, That we do heartily commend and approve the action of the President in taking over the operation of the railways; and be it further

Resolved, That we do hereby urge and recommend to the President and the Congress of the United States that the Federal Government permanently assume the actual ownership and operation of the railways of the Nation for all time to come, after the termination of the existing emergency; and be it further

Resolved, That we do hereby urge and recommend to the President and the Congress of the United States that the Federal Government, upon the termination of the present emergency, assume the ownership and operation of all public utilities whatsoever.

III.

Whereas the drain upon the capital of the Nation by the necessary expenses of the present war has brought about a financial stringency, which has, to a considerable extent, impeded and hindered the operation of the Federal farm-loan associations by the limiting of the market for the sale of farm securities; and

Whereas the successful operation of the farm industries of the Nation necessitate that the farmers be enabled to borrow necessary capital at a reasonable rate of interest, afforded only through the Federal farm-loan associations; and

Whereas there is now before Congress a bill to appropriate $200,000,000 for the stabilizing of the market for such securities by the purchase thereof by the Federal Government: Now, therefore, be it

Resolved, That we do hereby recommend and approve such measure, and do hereby petition and urge the Congress and the President of the United States to exert all efforts to the immediate passage and approval of such measures as will assist in the furthering of the flexible continuation and extension of the Federal farm-loan associations by the purchasing of such securities, where necessary, by the Federal Government.

IV.

Whereas the successful promotion of the war is to a large extent dependent upon the increased production of foodstuffs by American farmers; and

Whereas in many sections of the Northwest there were total or partial failures of crops for the season of 1917; and

Whereas the extensive purchase of liberty bonds throughout the Northwest and the Nation has withdrawn much money from circulation which has heretofore been available to the farmers to tide them over similar crop failures in the past; and

Whereas Congressman J. N. BAER, of North Dakota, has introduced in the House of Representatives a bill to render Federal aid to the farmers of the Northwest in purchasing seed and feed to enable them to continue and increase the production of foodstuffs and thereby support the Government and our armies: Now, therefore, be it

Resolved, That we recommend and approve such measure and do urge and petition the Congress and the President that such measure be passed and approved without delay.

V.

Whereas the Missouri River contains unlimited possibilities for the development of hydroelectric power, navigation, and water power, and at the same time prevent the annual devastation from floods: Now, therefore, be it

Resolved, That we approve and favor a survey to determine the feasibility of the development of the Missouri River, and in the event such development appears feasible the development thereof by joint action of the Federal Government and the several States through which the Missouri River passes.

Respectfully submitted.

H. A. MELGAARD,
J. S. JOHNSON,
H. O. KJAR,
C. C. TALBOTT,
F. B. DEWEY,
Committee on Resolutions.

Mr. CUMMINS. I present a resolution in favor of the proposed constitutional amendment for woman suffrage. I ask that it be printed in the RECORD without reading.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Hon. ALBERT CUMMINS,
Senate Office Building, Washington, D. C.:

Whereas the next step toward securing the passage of the Susan B. Anthony amendment enfranchising women will be a favorable majority vote in the Senate: Therefore be it

Resolved, That we, the women of Des Moines, Iowa, assembled at Hotel Chamberlain, January 17, 1918, urge you to use your influence with friends and members of your party to the effect of securing a favorable vote in the upper House of Congress.

Senator CUMMINS, you have been very helpful. We thank you and count on your active support, and I ask to have this resolution read into the CONGRESSIONAL RECORD.

GERTRUDE HURFORD MILNER,
Chairman Seventh Congressional District,
Iowa Branch National Woman's Party.

Mr. PHELAN presented a petition of sundry citizens of Modesto, Cal., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. HARDING presented a petition of sundry citizens of Mount Vernon, Ohio, praying for an increase of the salaries and equipment allowance of rural mail carriers, which was referred to the Committee on Post Offices and Post Roads.

Mr. GALLINGER presented a petition of the Amoskeag Textile Club, of Manchester, N. H., praying for the passage of the so-called "daylight-saving" bill, which was ordered to lie on the table.

He also presented the petition of Denis Ryan, of Farmington, N. H., praying for an increase in the pensions of veterans of the Civil War, which was referred to the Committee on Pensions.

He also presented the petition of H. W. Lippincott, of Pennsylvania, praying for the enactment of legislation providing for the importation of Chinese farmers into this country during the war, which was referred to the Committee on Agriculture and Forestry.

Mr. McLEAN presented a petition of sundry citizens of Wallingford, Conn., praying for the repair, preservation, care, and future maintenance of the restored historical naval brig *Niagara*, which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Sharon, Conn., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. THOMPSON presented petition of the Chamber of Commerce of Pittsburg; Chamber of Commerce of Kansas City; of sundry citizens of Sumner County; of the United Trades and Labor Council and Labor Temple, of Pittsburg; of sundry citizens of Ottawa County; and of the Chamber of Commerce of Topeka, all in the State of Kansas, praying for the enactment of legislation to provide increased compensation to postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Cooperative Club of Topeka, Kans., remonstrating against the repeal of present postage-rate legislation, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Pratt, Geary, Logan, Morris, Miami, Sheridan, Englewood, Clark, Trego, Hodgeman, Sherman, Hamilton, Barber, Meade, Brown, Republic, Chase, Kiowa, Decatur, Doniphan, Graham, Coffey, Lyon, Johnson, Osage, and various other counties, all in the State of Kansas, praying for the enactment of legislation to provide for the creation of a pharmaceutical corps in the Army, which were referred to the Committee on Military Affairs.

He also presented petitions of the Commercial Club of Hutchinson, the Rotary Club of Hutchinson, and the Rotary Club of Topeka, all in the State of Kansas, praying for the enactment of legislation to provide for universal military training, which were referred to the Committee on Military Affairs.

WATER-POWER DEVELOPMENT—SHIELDS BILL.

Mr. SHIELDS. Mr. President, the United States Senate, during the present session—December 14, 1917—passed a bill providing for the improvement of navigation and developing water power in the navigable rivers of the United States with private capital—Senate bill No. 1419, commonly called the Shields bill—by a vote of 46 to 18, as follows:

YEAS—46.

Bankhead	Kendrick	Overman	Smith, Ariz.
Beckham	Knox	Page	Smith, Ga.
Calder	Lewis	Phelan	Smith, Md.
Colt	Lodge	Pittman	Smoot
Dillingham	McCumber	Pomerene	Stone
Fernald	McKellar	Ransdell	Thompson
Fletcher	McLean	Robinson	Underwood
Frelinghuysen	McNary	Saulsbury	Vardaman
Gallinger	Martin	Shafroth	Wadsworth
Hale	Myers	Sheppard	Weeks
Jones, N. Mex.	Nelson	Shields	
Jones, Wash.	New	Simmons	

NAYS—18.

Ashurst	Hitchcock	La Follette	Sutherland
Borah	Hollis	Norris	Townsend
France	James	Poindexter	Trammell
Gore	Johnson, Cal.	Sherman	
Gronna	King	Smith, Mich.	

The provisions of this bill are substantially the same as Senate bill No. 3331, which passed the Senate at the last session of the Congress by a vote of 46 to 22, as follows:

YEAS—46.

Bankhead	Fall	Oliver	Smith, Mich.
Beckham	Gallinger	Overman	Smoot
Brandegee	Harding	Page	Sterling
Broussard	Hardwick	Pittman	Stone
Catron	Johnson, Me.	Pomerene	Swanson
Clapp	Jones	Ransdell	Tillman
Clark, Wyo	Kern	Robinson	Vardaman
Clarke, Ark.	McLean	Shafroth	Wadsworth
Colt	Martin, Va.	Shields	Walsh
Culberson	Myers	Simmons	Williams
Curtis	Nelson	Smith, Ariz.	
du Pont	O'Gorman	Smith, Ga.	

NAYS—22.

Ashurst	Hollis	Lea, Tenn.	Poindexter
Borah	Husting	Lee, Md.	Reed
Chamberlain	James	Lewis	Sheppard
Chilton	Kenyon	Martine, N. J.	Works
Cummins	La Follette	Newlands	
Gronna	Lane	Norris	

While the newspapers of the United States have not been unanimous in their comments upon this bill, the majority of those whose utterances have come to my knowledge have approved it. These editorials approving the bills passed by the Senate demonstrate the demand of the people of the United States that the present laws upon our statute books, which have prohibited water-power development for more than 15 years, should be repealed and proper legislation enacted that will allow this great natural resource to be speedily developed and utilized.

They are able expositions of the subject of water-power development and the necessity of the same, and I believe that a collation of them will be of use to the Congress while considering this legislation. The editorials I have are from newspapers published in all parts of the United States, as follows:

Knoxville Sentinel, Knoxville, Tenn.
Journal and Tribune, Knoxville, Tenn.
Nashville Banner, Nashville, Tenn.
The Merchant and Manufacturer, Nashville, Tenn.
Commercial-Appeal, Memphis, Tenn.
News-Scimitar, Memphis, Tenn.
Memphis Business Men's Club, Memphis, Tenn.
Chattanooga News, Chattanooga, Tenn.
Chattanooga Times, Chattanooga, Tenn.
McMinnville Standard, McMinnville, Tenn.
Morristown Journal, Morristown, Tenn.
News-Banner, Murfreesboro, Tenn.
Jackson Sun, Jackson, Tenn.
Johnson City Staff, Johnson City, Tenn.
Daily Eagle, Brooklyn, N. Y.
State-Register, Springfield, Ill.
Post-Express, Rochester, N. Y.
Post-Intelligencer, Seattle, Wash.
Union-Advertiser, Rochester, N. Y.
News-Tribune, Detroit, Mich.
Chicago News, Chicago, Ill.
Leslie's Weekly, New York, N. Y.
Daily Record, Wausau, Wis.
Washington Post, Washington, D. C.
Evening Post, New York, N. Y.
Electrical World, New York, N. Y.
Scranton Republican, Scranton, Pa.
Editor and Publisher, New York, N. Y.
Anaconda Standard, Anaconda, Mont.
Electrical Review, Chicago, Ill.
Atlanta Constitution, Atlanta, Ga.
Manufacturers' Record, Baltimore, Md.
Pittsburgh Leader, Pittsburgh, Pa.
Decatur Review, Decatur, Ill.
Hannibal Post, Hannibal, Mo.
Evansville Courier, Evansville, Ind.
San Francisco Journal of Commerce, San Francisco, Cal.
Kennebec Journal, Kennebec, Me.
Springfield Union, Springfield, Mass.
New York Journal of Commerce and Finance, New York, N. Y.
New Bedford Mercury, New Bedford, Mass.
Little Rock Gazette, Little Rock, Ark.
Herald, New York, N. Y.
St. Louis Globe-Democrat, St. Louis, Mo.

Resolution on the development of water powers by the American Newspaper Publishers' Association.

I ask that the editorials from these papers be printed in the RECORD.

There being no objection, it was so ordered.

The editorials presented are as follows:

[From the Merchant and Manufacturer, Nashville, Tenn.]

TO UTILIZE NAVIGABLE WATERWAYS.

The Shields bill to regulate the construction of dams across navigable waterways, which passed the Senate recently, now goes to the House. Much interest had been manifested in this measure, which authorized the construction, maintenance, and operation of dams after obtaining the permit of the Secretary of War. Diversion structures and accessory works are permitted for the development and improvement of the navigation and for water power or other purposes in and along any of the navigable waters of the United States. The primary object of the bill is to allow of the development of water power. Where the power to be developed is used or to be used for a public utility the grantee must be a municipal corporation or a political subdivision or other agency of the State, a public-service agent of a State, or a public-utility corporation created and organized under the laws of a State or of the United States, authorized to furnish water, heat, or electrical energy for public or private use, and whose rates or charges and service shall be subject to regulation by the laws of the State or a duly constituted commission or other agency. Where the State has not made provision for such corporations the qualifications of the grantee thus prescribed shall not apply, and no transfer of any permit or the rights granted shall be made without the approval of the Secretary of War.

The bill requires plans and specifications of construction and maps of proposed location to be approved by the Secretary of War and the Chief of Engineers, and no change in such plans or specifications shall be made without the approval of these officials. The navigation facilities are required to be preserved at least equivalent to those existing prior to construction of the dam, etc., without expense to the United States, in accordance with plans and specifications approved by the Secretary of War, and in case such navigation facilities are not a part of the original construction, and the United States shall deem them necessary, the grantee shall convey to the United States such land and right of way as may be required for such facilities. The grantee shall also reimburse the United States for the cost of any investigation necessary for the approval of plans and for supervision or construction, and shall pay to the United States reasonable charges in consideration of the benefits accruing and to accrue to grantees. The right to use the public lands is granted by certification of the Secretary of War. In case of contesting applicants the permit shall be granted to the contestant judged best fitted for expediting and realizing the maximum useful development. The Secretary of War shall have, before granting the permit, the report and advice of the Chief Engineer. Control of the level above and below the dam is subject to the rules and regulations of the Secretary of War, and such lights and other signals and such fishways as may be prescribed shall be established under penalty for noncompliance.

The grantee is liable for all damages resulting from construction and operation, and when the grantee is a public-service agent of the State, a municipal corporation, or a political subdivision of the State it may acquire the right to use or damage lands or property of others necessary for construction, maintenance, and operation by the exercise of the right of eminent domain in the district courts of the United States. The permit shall continue for 50 years, and after the expiration of that time until revoked or until compensation shall be made to grantee for its property. After expiration the United States may take over all the property of the grantee dependent in whole or in part upon the rights hereunder granted upon paying the fair value of the property. In the determination of this value no value shall be claimed or allowed for the rights hereunder granted. All charges, rates, and service shall be subject to the laws of the State within which the service is rendered. Where any part of said power shall enter into interstate or foreign commerce, jurisdiction is conferred upon the Interstate Commerce Commission.

Any grantee failing or refusing to comply with any of the provisions of the act or any conditions under it is to be deemed guilty of a misdemeanor and fined not exceeding $1,000 for each offense, in addition to other penalties fixed by law. Work must be begun within two years after the permit is granted, and the grantee shall have in commercial operation such part of it as the Secretary of War shall determine from time to time. If any dam or other part of the work be not completed within the time fixed by the Secretary of War, or if construction shall not be begun in the appointed time, proper proceedings shall be instituted for the revocation of the grant. The Secretary of War may lease to any applicant having the capacity of grantee surplus water from any dam or structure built by the United States on such terms as deemed for the best interest of the United States and reasonable and fair to both parties, preference being given to a municipal corporation, a political division of the State or a public-service agency, provided the plans of the same are deemed by the Secretary of War adapted to conserve and utilize in the public interest the navigation and water resources of the region.

The act does not affect the rights of any person, company, or corporation as to the construction, maintenance, or operation of any structures heretofore constructed or begun under permit of the Secretary of War and Chief of Engineers or other authority lawfully granted, but any conflicting provisions concerning these must be governed by the provisions of this act. Any person, company, or corporation having the capacity of grantee now constructing or operating any structures herein specified under authority heretofore granted, may obtain from the Secretary of War upon application a permit in accordance with the provisions of this act. The act does not apply to irrigation or power dams or grants for municipal corporations affecting those approved or erected under the jurisdiction of the Secretary of War of the United States.

It is specified that works constructed and maintained under this act shall not be owned, leased, controlled, or operated by any device or in any manner so that they form part of or in any way effect any combination in the form of an unlawful trust or monopoly, or any conspiracy to limit the output of electric energy, or in restraint of trade with foreign nations or between two or more States or Territories, or within any one State or Territory, in the generation, sale, or distribution of electric energy.

The right to alter, amend, or repeal this act is reserved, but no grantee under this act who shall have exercised rights under it shall be deprived of any of his rights by such repeal, amendment, or alteration, all rights and the property used under it being considered the property of the grantee, until after the expiration of the 50 years.

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[From the Nashville Banner, Dec. 1, 1917.]

HYDROELECTRIC POWER.

The scarcity of coal caused by the war demands has given impetus to the development of hydroelectric power, and it is believed the President in his coming message to Congress will recommend legislation to promote it.

It would have been well if the Shields bill, introduced two years ago for this purpose, had been passed. It was opposed by some of the ultra-conservationists of the Gifford Pinchot kind and by others for reasons of a purely political nature.

Whether or not such a measure is urged by the Executive, the present condition makes it imperative that Congress should take some action of the kind.

It will require time for the full development of the water power that may be made available for this purpose. That is why it is to be regretted that there has been unnecessary delay in this legislation. The present exigency in the coal situation has come when it might have been largely averted if the manufacture of electricity by water power had been begun some years ago, as it might have been but for the restrictions placed on the use of navigable rivers for the purpose. It was claimed by the ultraconservationists that this valuable privilege should not be let to private enterprise, to "greedy corporations" was the phrase employed, but reserved for governmental experimentation. It was a sort of Bolsheviki idea that, as usual, resulted in public injury.

It is estimated that there is now developed from coal about 30,000,000 horsepower, used in propelling machinery, by railroads, and by street car systems. Engineers have figured that it is possible to develop 65,000,000 primary horsepower from streams, and with storage reservoirs that this might be increased to 200,000,000.

There has been considerable development of hydroelectirc power from rapids and cataracts in mountain streams in the far West and in other sections, including Tennessee. It is, as is well known, used to a limited extent in Nashville. But the present total horsepower from hydroelectric plants in operation throughout the country is only 6,000,000, a bare fraction of the estimated possibilities.

The European nations, where the war exigencies have been sometimes acute, have developed their water powers. A syndicate article by Norman Hapgood, now in France, recently widely published in this country, told how the fuel shortage there had led to the production of "white coal," the popular name given to water-made electric power.

Mr. Hapgood predicted that the progress made by the French under this compulsion to turn to the use of water power and electricity would more than compensate the nation for the financial losses through the war. That is a very liberal estimate, but the saving will no doubt be great, and it will be of lasting benefit to the country when its commercial and industrial life is resumed.

And France is not the only country that has made this important advance. The Germans early resorted to hydroelectric power for the manufacture of atmospheric nitrogen, the imported supply being shut off. The Italians, also, have been using it in their munition plants.

Hydroelectric power, it has been demonstrated, can be easily transmitted a distance of 250 miles, sometimes farther. The United States abounds in streams that may be utilized for its use, but legislation will be required before private capital can be employed for the purpose. The public welfare now urgently demands that such legislation be passed.

It will be proper, of course, to guard it with restrictions. There should be no perpetuity and no monopoly established by any grant or franchise for the purpose. The public right should be protected against extortion, but at the same time there should be ample encouragement for the investment of capital in such enterprise. The power will do no one any good while it remains latent. It will do immense good when fully developed. The public is suffering for the need of it now, and the Nation needs it in its preparations for war.

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[From the Nashville Banner, Dec. 6, 1917.]

WATER-POWER BILL.

The President in his message to Congress strongly urges the enactment of a water-power bill, and what he says is in effect an indorsement of the Shields bill for that purpose that failed in the last Congress because of a disagreement in the conference committee of the House and Senate. The Shields bill had passed the Senate by a large majority, but certain changes made in the House, in which the Senate failed to concur, obstructed its enactment into a law.

It has become quite imperative that some such bill shall be passed, and in accordance with what the President urges, Senator SHIELDS, it is understood, will reintroduce his bill at an early date, or another of the same purport.

The purpose of the bill is to permit the use of rivers for the manufacture of electricity by water power. The scarcity and high price of coal render necessary the utilization of water power. Electricity manufactured by this process could supply the power for many manufacturing and traction plants that now depend exclusively on coal, and release the coal they consume for other purposes. It will not take much argument or elucidation to impress the public with the great need for the development of such enterprise at the present.

All rivers of any consequence are controlled by the United States Government and a Government franchise will have to be granted for their use. It is to regulate this granting of franchises that Congress is asked to act.

No opportunities should be given to the proverbial "greedy corporation" to obtain a "grinding monopoly" or to establish a perpetuity in anything so nearly affecting the public interest, and likely to affect it still more with the passing of time. Still, if there is to be the development of this latent power that the public interest so much demands, there must be some inducement to capital. It can be taken as assured that money will not be invested in such enterprises if there is no prospect of profit, or if the Government regulations are of such an exacting character as to allow the developers little control of the property. All that is needed is guarantee of public rights and safeguards against extortion. This was all amply provided for in the Shields bill.

Hydroelectric power is one of the greatest discoveries of the age and is expected to largely revolutionize the industry of the future. Its use just now is especially appealing, in that it can be made to save coal.

Legislation for this purpose has been regarded with some jealousy and disfavor by the coal interests, but since the point has been reached where the mines are not able to meet the demands made on them, the prospect of this manner of competition should not create alarm. With all possible development of hydroelectric power there will still be abundant use for coal.

The conservation of the coal supplies that the demands of the age are so rapidly diminishing in itself requires the fullest possible use of hydroelectric power.

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[From the Nashville Banner, Dec. 17, 1917.]

SHIELDS POWER BILL.

The Shields water-power bill passed the Senate Saturday in practically the same form that it passed that body in the previous Congress. It failed at that time because of a disagreement on details in the House and Senate conference committee.

The bill provides, as is generally known, for use of rivers for producing electric power. This power would be a substitute for coal in factories and by traction companies and for electric lighting. A plentiful supply of such power would be worth millions to the country in the present crisis and a great boon to the people in releasing large supplies of coal now used in producing power for heating purposes.

The purposes to which this electricity, produced by water power, can be put are not yet fully developed. Possibly some day it may be made to serve a purpose in heating houses, but it will certainly afford an abundance of power. Heavy railroad trains are run by that power on a railroad for more than a hundred miles in the Northwest.

The power is dormant now in all of the rivers of the country. With the Government's permission to use the rivers for the purpose, it may be developed, and will be immediately, on many rivers.

There should be no delay about the matter. It is a public necessity. The scarcity of coal would alone make the demand imperative if it were not needed to keep pace with an advancing civilization.

It is sincerely to be hoped that the House will act favorably on this measure, and that when it is a law there may be speedy application of its provisions.

The South has abundant water power, and this section should profit greatly by the water-power development that should follow the enactment of the proper legislation by Congress.

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[From the Knoxville Sentinel, Sept. 4, 1917.]

WASTE OF WATER POWER.

There is no more urgently needed piece of constructive legislation that is hanging fire in Congress now than the enactment of one of the measures before that body intended to make it possible to finance the development of the invaluable water powers of the Nation that are now running to waste because of the lack of inducement to private enterprise to harness these powers and make them do the work of millions, while supplying sustenance and employment to many millions of prosperous and happy people.

There are now three measures before Congress of this nature—the Walsh and the Shields bills in the Senate and the Small bill in the House. The character and merits of the Shields bill are fairly well known to the readers of the Sentinel. While it provides for the unlocking of power opportunities in the navigable streams, the bill fully protects the public interests and at the same time safeguards the investment sufficiently to attract private capital for development purposes. This bill has been unanimously and favorably reported by the Senate Committee on Commerce and is at present on the Senate calendar awaiting the action of the Senate.

It is certain that under the existing Federal laws relating to water powers, as interpreted by the United States Supreme Court, private capital can not be interested in further development of these powers. The practical effect of these laws would seem to be a misapplication of the principle of conservation, the aim of which is to open up and utilize our natural resources for humanity, not to lock them up or to keep them locked up in idleness. It is authoritatively estimated that more than 50,000,000 of horsepower is running to waste in American streams. Four-fifths of the possible electric energy that could be developed from water power in this country, according to the New York Annalist, must be developed on lands belonging to the Federal Government, which are under the jurisdiction of the Secretary of the Interior, or on navigable streams which are controlled by the Secretary of War. The agitation in favor of conservation of natural resources resulted in restrictions so severe that resources were not only conserved but reserved. Present laws permitting the utilization of these sites for hydroelectric plants provide that any permit is revocable at the pleasure of the Federal department concerned, and the possibility of this summary action has tended to scare capital away.

The provisions of the legislation sought from the present Congress are briefly stated by the Annalist as follows:

Permits for the erection of hydroelectric plants may be issued to individuals, corporations, States, or municipalities for 50 years.

These contracts are irrevocable, but may be canceled by legal proceedings if the permittee fails to comply with the provisions of the act or the conditions of the permit.

At the expiration of the term the United States may take over the entire plants or any severable and complete unit at a value determined, which shall not include the value of public lands, rights of way, franchises, good will, or prospective revenues; or it may renew the permit to the original holder; or, in the event that such an arrangement can not be made, may issue the permit to some one else, who shall buy the plant under the same conditions.

Rental shall be paid which may in the discretion of the Secretary be based on the net horsepower, and of this rental one-half shall be paid to the State in which the energy is developed.

Permits must provide for the "diligent, orderly, and reasonable development of the water power, subject to market conditions."

Rates are determined by the public service commission of the State in which the power is generated and used, and, when more than one State is involved, by the Interstate Commerce Commission.

These provisions, it seems to us, should amply protect the property rights of the public in these powers, while offering sufficient inducements and safeguards for the investment of capital in them. Especially at this time should these powers be made available to economize our man power and our coal resources in the interest of the general preparedness and national defense. Why Congress does not act upon the matter passes our comprehension. The general principles and policy of the measures before the lawmakers have been studied and indorsed by competent and representative bodies among the people of the country, and we believe it to be an imperative obligation on Congress to act on the subject matter at the present session.

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[From the Knoxville Sentinel, Dec. 17, 1917.]

SHIELDS POWER BILL.

It is to be hoped that the Shields water-power bill, which has passed the Senate by a generous majority this early in the session, will receive the sanction of the House at an early date and soon become the law of the land. Conservation of natural resources that keeps them hermetically locked up and sealed against practical utility and from giving service to humanity more than defeats itself. It nullifies the very efforts of heaven itself to bestow its blessings on mankind. Some inducement is necessary to encourage enterprise and capital to venture upon the task of harnessing the unbroken waters that run riotously to waste on a hundred hills and in a thousand streams and to cause them, through the generation of the mystic and potent electric fluid, to take the place of human labor in the rougher spheres—to warm, to illuminate, to comfort, and elevate the millions. But the people's natural and riparian rights in the water powers can be and have been safeguarded, as gauged by all contractual and legal standards, in the Shields bill, and it can not too quickly become the law, as it will do if it reaches President Wilson's hands, for the President is understood to approve the Shields bill, and that alone is a sure guaranty that there is nothing hostile to the people's interests in it that can be guarded against by human care and integrity of purpose.

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[From the Knoxville Journal and Tribune, Dec. 17, 1917.]

THE SHIELDS WATER BILL.

Senator JOHN K. SHIELDS, senior Senator from Tennessee, some time ago introduced a bill the object of which is to utilize the water power of the country, so much of which has been going to waste. Senator SHIELDS has studied the whole matter deeply, and was able to tell about the immense advantage to come from harnessing and putting to work the streams of the country for running machinery and for purposes that have not before been considered seriously.

The bill was opposed by some men who were unable to understand what it meant and by some men in Congress whose constituencies had less to derive from it than some others. It was also opposed by some wiseacres, who vainly imagine themselves to be an Atlas with the world on their shoulders.

The bill was passed in the Senate last Friday by the decisive majority of 46 to 18, more than a two-thirds majority. In securing the passage of the bill, which it is hoped may soon pass in the House and become a law, Senator SHIELDS has done good service for Tennessee, the South, and the whole country. With such a law, the waterways in the country, many of them, will be producing electricity that will reduce the demand for coal, and that will serve the Nation in many

respects. The hope is expressed that the bill may be taken up in the House and passed this week. If so, the President will give it his approval and it will be a law in a few days.

[From the Knoxville Journal and Tribune, Dec. 21, 1917.]

THE SHIELDS POWER BILL.

The Shields water-power bill passed the Senate Saturday in practically the same form that it passed that body in the previous Congress. It failed at that time because of a disagreement on details in the House and Senate conference committee.

The bill provides, as is generally known, for use of rivers for producing electric power. This power would be a substitute for coal in factories and by traction companies and for electric lighting. A plentiful supply of such power would be worth millions to the country in the present crisis and a great boon to the people in releasing large supplies of coal now used in producing power for heating purposes.

The purposes to which this electricity, produced by water power, can be put are not yet fully developed. Possibly some day it may be made to serve a purpose in heating houses, but it will certainly afford an abundance of power. Heavy railroad trains are run by that power on a railroad for more than a hundred miles in the Northwest.

The power is dormant now in all the rivers of the country. With the Government's permission to use the rivers for the purpose, it may be developed, and will be, immediately on many rivers.

There should be no delay about the matter. It is a public necessity. The scarcity of coal would alone make the demand imperative if it were not needed to keep pace with an advancing civilization.

It is sincerely to be hoped that the House will act favorably on this measure, and that when it is a law there may be speedy application of its provisions.

The South has abundant water power and this section should profit greatly by the water-power development that should follow the enactment of the proper legislation by Congress.

[From the Nashville Banner, July 17, 1917.]

SOUTHERN WATER POWER.

There were some rather odd conclusions in the report made to the War Department concerning water power available for a Government plant to obtain nitrogen from the atmosphere, but aside from that phase of the matter the report made one important revelation: it showed that there is much water power in the South running to waste that could and should be made available for various industrial purposes.

Besides atmospheric nitrogen for the manufacture of munitions, there is a vast need for such a substance for making fertilizers. The water power should be utilized for that purpose and it should also be utilized for the probably more immediate necessity of furnishing hydroelectric power for all manner of manufacturing purposes, for street railways, and electric lighting.

The operation of trolley-car systems over various sections of the South would be a much simpler proposition if plenty of water power could be developed for supplying the necessary electric current.

All of this suggests the necessity for some measure like the Shields bill, that failed in the last Congress, that would make possible the development of water power on southern streams.

There is no way in which the South can better develop its natural resources and forge to the front in manufacturing and industrial enterprise than by water-power development.

[From the Memphis Commercial-Appeal, Jan. 18.]

THE FUEL ORDER.

We can not now tell what will be the result of Mr. Garfield's order. We do not know what another day will bring forth. We are certain about nothing in this world except as to the duration of time and the rising and the setting of the sun.

Never in the history of the United States has such a winter swept the face of the earth. Never was cold weather so generally widespread.

In a time of profound peace the resources of the country would have been taxed to furnish coal to the people.

About one-half of the residences and one-fifth of the steam plants of the country might have used other than coal for fuel.

But coal was cheap and easily handled.

Congress yelled mightily at the order of Garfield yesterday.

Our people in this country for 50 years have been eating wheat bread and expecting to keep on eating wheat bread, but the order of Mr. Garfield yesterday brought us to the bottom of the flour bin and the coal bin.

Congress got excited yesterday. Congress ought to have been excited four years ago, and should have passed Senator SHIELDS's bill for the utilization of water power.

There is enough water power in Alabama going to waste to run every furnace, every steam plant and every railroad in Alabama, Mississippi, Tennessee, and Georgia.

There is enough escaping water power in Arkansas, if converted into electricity, to run every steam plant in the State and every railroad in the State and supply a surplus to the industries of Missouri.

There is enough escaping water power in the United States to furnish electricity to move more than one-third of the power units in the United States.

Before the Government took over the railroads it should have taken over the coal mines. Then there should have been a tremendous effort to increase the output along lines that would have secured results.

The Government sought to increase the output by advancing wages. The opposite result was secured. One-third of the men, when by working four days earned as much as they formerly had in six days, only worked four.

This paper contains all the information as to Mr. Garfield's order that was available yesterday. We give it to the public for what it is worth. Our readers must analyze it and act according to their best interpretation of it.

[From the Memphis Commercial-Appeal, Dec. 5, 1917.]

SHIELDS BILL GETS HELP FROM MESSAGE—RECOMMENDATION FOR WATER POWER MAKES PASSAGE SURE—BELIEVE THAT COMMENDATION GIVEN BY PRESIDENT WILL RELIEVE MEASURE OF OBSTRUCTIONS WHICH HAVE PREVENTED ITS ENACTMENT.

(By R. M. Gates.)

WASHINGTON, *December 4.*

President Wilson's recommendation of legislation for the development and use of the water power of the country as an imperative necessity under the present conditions makes the enactment of the Shields bill applicable to water powers in the navigable rivers of the United States, and the Walsh bill, applicable to nonnavigable streams upon the public domain, also an absolute certainty during the present session of Congress. This is practically the only recommendation of economic legislation not connected with the war contained in the message, which emphasizes the importance of legislation which will permit this great natural resource to be developed and utilized as is being so successfully done in all other civilized countries of the world, but which present restrictive laws, passed some years ago by the ultra-conservationists, now absolutely prohibit. The Members of the Congress who have been interested in these measures are elated over the prominent commendation given them by the President and feel now that their labors, long blocked by obstructionists, will be successful.

These bills are among the greatest constructive measures that have been before Congress for several years and when written into law will be far-reaching in their effect upon transportation by improving navigable rivers with private capital where Congress has been unable to do so on account of immense appropriations required, and in conserving our coal resources for domestic and manufacturing purposes by the use of hydroelectric power.

The wisdom of this legislation is demonstrated by the present congested condition of transportation and the scarcity of fuel now causing so much distress in the homes of thousands of people and embarrassing our mills and factories in every part of the country. Senator SHIELDS is to be congratulated upon this indorsement by the President of the work he has devoted so much time to since he has been in the Senate, for it is seldom that a Senator during his first term has accomplished so much in constructive legislation of national character.

[From the Memphis News-Scimitar, October, 1917.]

A VITAL QUESTION.

One of the most important matters of legislation to be considered during the next session of Congress, which convenes in December, is that providing for the utilization of water power.

President Wilson will, no doubt, urge upon the Congress, as he has in the past, the necessity for the enactment of just and adequate laws looking to the redemption of this vast and invaluable resource, which for so many years has gone to waste.

The Water Power Trust, which practically controls all of the water-power resources in the West, opposes any further legislation. For one thing, no proposed legislation contemplates any such liberal terms as those at present enjoyed by the western power companies, and in order to equalize the terms those concerns now in operation would be compelled to adjust themselves to the new conditions. Some very ingenious gentlemen, who have been subsidized by the water-power interests, have rendered very effective service in preventing legislation on that subject for several years by claiming that whatever bill is introduced is in the interest of the Power Trust. And many ignorant people have actually been persuaded to believe that this is true.

In a recent speech Senator BANKHEAD, of Alabama, said that when the Government nitrate plant at Muscle Shoals in Alabama is completed the product derived from the use of water power will represent a daily saving of 200 carloads of coal.

It is amazing that the Government has postponed so long the construction of this plant. For a number of years the location of a nitrate plant on the Muscle Shoals has been advocated, not alone for the production of nitrates for Government use, but for the production of fertilizer to be used on the farm lands of the South.

The fertilizer question was never so serious as it is at present. It is so closely allied with food production that the two are identical, but if we are to continue to ignore that feature, certainly we can not evade the fuel issue, which has reached almost the proportions of a crisis.

[From the Memphis News-Scimitar.]

THE COUNTRY DEMANDS WATER-POWER LEGISLATION.

The Government of the United States has assumed an obligation unparalleled in the history of the world.

It must furnish foodstuffs to support the peoples of the allied nations at home.

It must furnish foodstuffs and munitions to the allied armies in the field.

It must finance the allied nations in this titanic struggle to make not only the world safe for democracy, but civilization secure on earth.

The President of the United States made no careless assertion when he said the United States has no special grievance against Germany. He meant that this war is in behalf of humanity against inhumanity, civilization against uncivilization. In this cause the allied countries of Europe are sacrificing every earthly possession—for the preservation of the eternal principles of truth and honor they are laying down their lives.

The full import of the part the United States is to have in this world war is coming gradually to the people of this country. The selective draft brought it very near; the casualty lists, when they begin to come back from Europe will bring it home. There is no need to delude ourselves.

To meet these responsibilities the Government is endeavoring to awaken the people to the necessity for conserving potatoes, meat, and bread.

What the country most needs is an awakening to the necessity for greater production. The country needs to find the means of doubling its output of foodstuffs and at the same time reconciling itself to the loss of a million of its producers, and more should they be required.

A situation of this kind should convince the gentlemen of the Congress that the passage of water-power legislation at this session is important and essential. It should be considered distinctively a war measure.

The Shields water-power bill is the best measure ever devised on this subject. It was passed by the Senate at the last session by a vote of 46 to 22, and held up in the House by small politicians without capacity to appreciate its significance and value. The same measure is pending now on the Senate calendar, having been reported unanimously by the Committee on Commerce with a membership of 19 distinguished gentlemen.

There ought to be some means of overcoming the opposition to water-power development, or if the opposition is simply confined to the Shields bill, and the House, in its superior wisdom, can frame a better bill then some other measure for the development of water power should be introduced and passed.

The development of water power is more closely related to the conservation of the resources of this country than any other project that has been proposed. Other countries, Germany, Italy, France, Norway among them, with lands in a high state of cultivation, years ago adopted their water power to the production of fertilizer from atmospheric nitrogen.

The United States, up to the beginning of the war, was dependent largely upon the Chilean nitrate fields for its supply of fertilizer. Since the beginning of the war the price of Chilean nitrate has advanced in price from $40 to $85 a ton, and even at that price the lack of transports and the hazard make it practically impossible to reach those fields.

There is no place else to turn for this product, and while we are in distress because we are cut off from our former source of supply, above our heads, over every square mile of land are 20,000,000 tons of atmospheric nitrogen, enough to supply the world with fertilizer for 50 years, which can not be fixated because there is no law permitting the use of the 55,000,000 horsepower of water power annually going to waste in the United States.

Only by the utilization of our great water power in the fixation of atmospheric nitrogen can we ever meet European competition in war and commerce. The countries of Europe, on lands that have been in cultivation for a thousand years, use double the amount of fertilizer per acre that is used in this country, where the virgin fertility should not be exhausted. And for double the amount of fertilizer the European farmer pays no more than the American farmer pays for half the amount, and in addition, the yield in Europe is double that of the United States per acre.

Fertilizer in this country will not be cheaper while the war lasts, under present methods, even if it can be obtained at all, and not cheap enough after the war is over for generous use unless it is made by the water power at our doors where the cost of transportation is saved.

The discussion, like the possibility of water power development, has no limitations. Its greatest obstacle is its immensity—the inability of little minds to grasp its possibilities and its import. One other matter, however, should be called to the attention of the country and to Congress, and that is the coal situation.

The latest available statistics show that each individual in the United States consumes 1,100 pounds of coal annually; that the primary power equipment for commercial purposes in the United States is 30,448,246 horsepower, of which 80 per cent is produced by steam. In this connection it should be observed that the minimum horsepower afforded by the streams of the United States is 32,082,000, or more than the power produced by steam, with a maximum horsepower of 61,678,000, exclusive of 200,000,000 more which may be made available by storage.

There are water-power projects in the United States at this time, representing 2,122,000 horsepower, actually delayed and defeated because of lack of water-power legislation. The development of 1,160 miles of waterways for navigation, without cost to the Government, is delayed for the same reason. Two million one hundred and twenty-two thousand horsepower is equivalent to the energy contained in 8,427,000 tons of coal, and 230,000 thirty-five-ton cars are required to move 8,427,000 tons of coal, and the labor of 7,000 men for one year would be required to mine this coal.

The value of the coal consumed in the United States is fixed normally at $1,000,000,000. Last year its value increased $1,000,000. The most accessible and cheapest coal is being mined first. In a year the price has doubled.

The cost of coal, the labor involved in its production, and the expense of transportation and the corresponding waste of water power equivalent to all these are not all.

Urged to their utmost capacity, the railroads can not handle the Nation's traffic. Up to March 1, 1917, there was a shortage of 125,000 cars. The lumbermen alone asked for 50,000 more cars than they could secure.

With the United States at war and its every energy exerted, and with our ships in foreign service commandeered by the Government to act as carriers for troops, war materials, and supplies, there will be an ever-increasing volume of commerce. This emergency must be met, and met at once by proper legislation. It can largely be solved by the development of water power under proper safeguards, and the people ought to demand this legislation.

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[From the Memphis News-Scimitar, Oct. 9, 1917.]

WATER POWER.

One of the Government's big nitrate plants, to cost approximately $4,000,000, is to be constructed near Sheffield, Ala., and the Government at last is to utilize the enormous waste of water power that has been the curse of this country for years.

It is well that the country is awakening to the value of water power. It is lamentable that it did not awaken earlier. The United States is the only civilized nation that has not already bridled its water power and made it to serve some useful purpose.

We have been willing to dig from the mines the cheap and easily available coal. We have had the cars on which to ship it, and the price has been such that the people could burn as much as they liked and waste as much as they chose.

Now coal has mounted sky-high. It is out of reach of many people, and actual suffering may result this winter on account of the price. The coal miners in various sections of the country are on a strike because the operators shot up the price of their product without increasing their wages. The cars and equipment of the railroads are in the service of the Government and every available piece of rolling stock is being utilized.

A serious coal shortage exists already. In some places the authorities have confiscated the coal passing through en route to other places where it was needed just as badly.

Chilean nitrate for fertilizer is no longer obtainable. At the beginning of the war it was worth something more than $30 a ton. Now it costs $100, when it can be obtained. The crop production will be cut down materially if something is not done to relieve the situation.

A few far-sighted men who have given this subject serious consideration have learned that coal is always going to be relatively high hereafter because of the system of mining; they have learned that fertilizers can not always be secured from Chile, even when there is no war, for the Chilean mines are not inexhaustible.

Their idea is that the vast water power of the United States should be utilized as much as possible, instead of robbing the coal mines of their rapidly diminishing supply. They know that heat, light, and power can be obtained from water power cheaper than from steam power, and that nitrogenous fertilizer can be obtained at the same time by the process of fixation of the atmosphere.

The people need to awaken to this subject and insist upon some legislation during the next session of Congress that will give an opportunity for the development of the water-power resources of this country.

[From the Memphis News-Scimitar, Dec. 6, 1917.]

WATER POWER.

In an editorial discussing the need for immediate development of the water-power resources of this country, the News-Scimitar of November 24 made this prediction:

"President Wilson will no doubt urge upon the Congress, as he has in the past, the necessity for the enactment of just and adequate laws looking to the redemption of this vast resource which for so many years has gone to waste."

Touching upon this subject in the course of his address before the Congress, the President said:

"It is imperatively necessary that the consideration of the full use of the water power of the country, and also the consideration of the systematic and yet economical development of such of the natural resources of the country as are still under the control of the Federal Government, should be immediately resumed and affirmatively and constructively dealt with at the earliest possible moment. The pressing need for such legislation is daily becoming more obvious."

The vital importance of such legislation is made more apparent by the fact that the development of water power was the only recommendation made outside of the measures necessary for the aggressive prosecution of the war.

The President had in mind, of course, the Shields bill, which he has already approved, and which passed the Senate during the last Congress by an overwhelming majority and is now on the House Calendar, recommended by unanimous vote of the committee for passage, and the Myers bill, which has to do with the development of water power on the public domain.

It is the judgment of the country that there is nothing before the Congress, aside from the war measures, calculated to bring greater relief from fuel prices, which will continue to be a vexing problem so long as we neglect the development of our water power.

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[From the Memphis News-Scimitar, Dec. 15, 1917.]

SHIELDS BILL PASSES.

The passage of the Shields water-power bill by the United States Senate yesterday was a notable achievement, for the reason that it demonstrates how closely and quickly the Congress is following the recommendations of President Wilson. The water-power legislation contemplated in the Shields bill was the only recommendation made by President Wilson outside of measures for the active conduct of the war.

The fact that the President included it in his address delivered before the joint assemblage of both Houses the second day after the Congress convened indicates that he has recognized the bill as closely aligned with measures necessary for the prosecution of the war.

The fuel question is one of vital concern to this country even now, and unless there is some relief there will be more concern within the next few months. The transportation question is another that is claiming the attention of the best experts on railway matters in the United States. The Government will probably require all of the transportation facilities that the railroads can assemble for the handling of its traffic, and the movement of coal for private concerns and for individual consumers may be handicapped to a large extent.

It is surprising that the people of this country have been so long in recognizing the importance of water-power legislation. If a measure such as the Shields bill is can be passed by the House, it will receive the approval of the President. Then private enterprises, State or municipal authorities may begin to arrange for water power with which to furnish lights and power for the conduct of street railways and for the operation of factories and every kind of enterprise in which power is required and which at present are obliged to use coal. The coal problem for home consumption and for smaller businesses would be solved and there would then be no difficulty in securing all of the coal that is needed and at a reasonable price.

It need hardly be set down here, so well is it known throughout the country, that the Pinchot interests, backed by their millions, have met a signal defeat by the passage of the Shields bill in the Senate. Likewise, there is no comfort for the little coterie of newspaper men in Washington who have been paid liberally, it is said, for their distribution of scurrilous matter against Senator SHIELDS and his bill.

The effort to make it appear that the President opposes the Shields bill is ridiculous in the light of its passage in the Senate. It is an established fact that no measure can pass that body except with the hearty approval of the President, notwithstanding an effort that some newspapers are making, on the eve of a political campaign, to make it appear otherwise.

Those newspapers that endeavor to convince the public that the President is opposed to the Shields bill make the Senator out a stronger man that he is when they claim that he was able to secure the passage of his measure in the Senate over the opposition of the President.

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BUSINESS MEN'S CLUB, MEMPHIS.

Resolution adopted by the Business Men's Club Chamber of Commerce, Memphis, Tenn., at a regular meeting of the board of directors, May 19, 1916.

Resolved, That the Business Men's Club Chamber of Commerce of Memphis, an association representing the commercial and agricultural interests of Memphis and the prosperity and comfort of a population of 200,000, hereby indorses the Shields bill as passed by the Senate, free from impractical provisions that so disastrously have prevented water-power development in recent years, and hereby respectfully urges upon the House of Representatives the immediate passage of this bill; and be it further

Resolved, That a copy of this resolution be mailed by the secretary of this association to every Senator and Congressman from the State of Tennessee, and to every commercial and agricultural association with whom this association is in correspondence or affiliation.

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[From the Chattanooga News, May 9, 1916.]

The National Conservation Congress indorsed the Shields water-power bill by a vote of 116 to 39. The bill has been much maligned. It is by no means a "grab" measure, and the rights of the public are fully protected. It will develop the waterways. At a time when measures having to do with waterways are classed by the thoughtless as "pork," it is a welcome sign when the Conservation Congress realizes that true conservation means making the best uses of the forests and waterways for the public and not, as many believe, keeping hands off of waterways and forests.

[From the Chattanooga News, Mar. 10, 1916.]

SHIELDS BILL IN THE HOUSE.

The Shields bill, which has passed the Senate and which Senator SHIELDS declares will be followed, if enacted, by early development of water powers aggregating 15,000,000 horsepower, or a volume of electricity equal to that produced by a coal consumption of 100,000,000 tons a year, and meaning the saving of $700,000 a day in coal bills, will have a hard fight in the House.

Under the Shields bill the Government will have strict supervision of development of water power. While capital is encouraged to help develop the water power and the rivers, the Government does not relinquish supervision. The rentals are to be converted into funds for improving the waterways. The development of the water powers will center interest of the people on the waterways and will force the Government to give the waterways at least halfway adequate treatment.

Some of the strong points of the Shields bill show the manner in which its enactment might bring about the development of waterways throughout the country. Under its terms the Secretary of War is authorized to grant permits for dams and power plants where he believes the building of such dams will improve navigability of streams. Dams are to be built without cost to the Government, and the grantees are to provide and operate locks, gates, sluiceways, etc., all without cost to the Government. Permits may be granted to individuals, political subdivisions of States, cities, or other municipal corporations, or to public-utility corporations. Intrastate business and rates of companies operating under the act are to be regulated by the States, and interstate service and rates by the Interstate Commerce Commission.

All plans for dams and works are to be approved by the War Department as being the most adaptable plans for improvement of navigation and fullest development of water-power possibilities. The grantee is to pay a rental for public lands used and a charge for rights and privileges in use of water, these rights and charges to be fixed at the discretion of the Secretary of War, and the money received from same to go into a special fund in the United States Treasury to be used for further improvement of waterways. Actual construction work on any project is to be begun within two years of the granting of the permit, and the works are to be completed within such reasonable time as the Secretary may prescribe. For failure to complete the works as directed, or for violation of the provisions of the act, or noncompliance with regulations or orders of the War Department, the grantee is subject to heavy cash penalties or to revocation of the grant.

Permits are to be granted for 50 years, after which time the Government may either extend the original lease, make a new grant, or upon one year's notice take over the property upon payment of its fair value, this value to be determined by mutual agreement or by the Federal courts, and not to include any allowance for any rights granted by the Government. The bill also provides that no value of rights granted by the Government shall be allowed in fixing rates to consumers. Dams, locks, and other structures used primarily for improving navigation are to be exempt from taxation.

Leading Chattanoogans, through the News, expressed themselves as gratified at the passage of the measure in the Senate. It is believed that the Shields bill will open the way for the full realization of the great Muscle Shoals plan.

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[From the Chattanooga News, Mar. 9, 1916.]

BILL MEANS MUCH TO CHATTANOOGA—SENATOR SHIELDS CONGRATULATED ON ACHIEVEMENT—LOCAL MANUFACTURERS AND BUSINESS MEN ELATED—$50,000,000 WILL BE EXPENDED IN BACK YARD OF CHATTANOOGA.

Telegrams of congratulations were sent Senator JOHN K. SHIELDS Thursday by President Fred Arn, of the manufacturers' association; President Huston, of the chamber of commerce; Vice President Z. C. Patten, jr., of the same organization, and other citizens, expressing gratification at the passage of his river bill through the Senate Wednesday.

According to local manufacturers and capitalists, there will be $50,000,000 spent in the "back yard of Chattanooga," meaning at Muscle Shoals, as a result of the passage of the bill. They think there is no doubt of its passage through the House, and are regarding the Muscle Shoals development as already a certainty.

Twenty millions will be spent by the Federal Government at the shoals as a result of the bill's passage. Thirty millions of private capital will be added to that. There will be a nitrate plant, and much surplus power delivered to Chattanooga, being an inducement of great pulling power for more great manufacturing plants to locate themselves in Chattanooga, and the consummation of one of Chattanooga's most fervent hopes will be realized—year-around navigation on the Tennessee River.

The expenditure of the Government's $20,000,000 will come about as a result of the adoption of the General Army Staff plans for the building of a nitrate plant. Muscle Shoals is the only available inland site for such a plant, and with the building of the dam and power plant there the Government will have power already furnished ready for use.

Regarding the building of the dam, financiers have been ready for several years to erect it at any time the Government would allow them to do so. They have not only been ready, but anxious, and it is expected that very little time will elapse before tangible developments will be under way.

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[From the Chattanooga News, Dec. 20, 1917.]

HASTE IS IMPORTANT.

There seems to be a genuine enthusiasm manifesting itself all over the country upon the apparent purpose of Congress to push the water-power bill to early passage. The fuel famine and the shortage of needed power for the operation of the country's industries has brought home to the people the imminent importance of this great conservation measure as nothing else could have done. They are now realizing that action upon it has been too long delayed already. We had hoped that it might be put through before the holidays, but it seems that the House was not quite ready.

As illustrating the magnitude of the possibilities involved in the water-power scheme, the Geological Survey has been compiling some estimates. It is computed that a maximum development of 62,000,000 horsepower could be produced from navigable streams under the provisions of the bill, and this without utilizing the storage, which, it is claimed, would augment the potential horsepower to 200,000,000. Even this huge total does not include the smaller streams not ordinarily considered navigable. Here, it is estimated, 10,000,000 more horsepower could be made available, and long stretches of streams rendered navigable at the same time. The awakening of the people to the immensity of this great natural asset which is going to waste while the country suffers is doubtless responsible for the observable quickening in Congress.

There is an inadequacy of fuel, of operating power, and of man power now prevailing to discharge the responsibilities with which the country is confronted. The situation daily grows more acute and every hour is important. It will necessarily require time for the assembling and installation of plants and processes for the harnessing of the rivers which are now idly and placidly flowing to the sea. Meantime the country suffers and waits. In this connection, however, it is a matter for local congratulation to observe that much relief will be brought to the Chattanooga district through the development of power consequent upon the erection of the nitrate plant at Muscle Shoals. This work has already been decided upon and undertaken.

A disposition to play politics with the water-power bill has been observed in Tennessee, but this should wait until the measure has been enacted. The people are not only much interested in the speedy enactment of the bill into law but they are concerned over its terms. They want it so drawn, if possible, as to make it practicable to utilize the wasting water power and to protect them at the same time from the exactions of merciless combinations practically out of reach of the law.

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[From the Chattanooga News, Sept. 26, 1917.]

UTILIZE WAR-TIME WATER POWERS—SENATOR SHIELDS URGES SECRETARY OF WAR TO ISSUE PERMITS TO DEVELP RESOURCES.

Senator WEEKS, of Massachusetts, has had read into the RECORD a statement made by Senator JONES, of Washington, regarding the Shields water-power bill. It had previously been published in the Brooklyn Eagle. The article urges that Congress no longer delay action of laws under which our wasting water powers may be developed.

"The statement shows the importance of the immediate passage of such legislation to the State which I have the privilege of representing in part in the United States Senate.

"Of the 9,700,000 water horsepower in the State of Washington requiring Federal consent before it can be utilized, but 96,000 horsepower, or 1 per cent, has been developed, and the remaining 99 per cent, or 9,600,000 horsepower, is going to waste. Meanwhile we are importing coal from Canada; vast areas of silent desert lands, which, given water, would yield great harvests in these days of food shortage, are held back from reclamation through lack of cheap electric energy for operation of pumping plants; three transcontinental railroads are unable to electrify their systems across the State; and industrial plants, the establishment of which would give us the diversity of industry so badly needed to further our progress and prosperity, are prevented from building.

"By provisions in the river and harbor act of 1890 and 1899 Congress has prohibited the placing of dams in navigable streams without the consent of Congress in each case. No executive authority, unless the stream lies wholly within a single State, in which case the State legislature may grant the authority, subject to approval of plans by the Secretary of War.

"The statute passed by Congress in 1910, known as the general dam act, prescribed the terms under which dams may be placed in navigable streams. During the first two years after the passage of this statute Congress granted its consent to the development of 12 water-power projects in navigable streams, of which but two have been developed, and their financing was only made possible because they were adjuncts to existing systems.

"The other 10 could not be financed under the restrictive terms of the permits granted. Not a single water-power project has been developed in a navigable stream during the past five years. During these years water-power projects actually formulated and ready for development, located in 17 Southern and Western States, aggregating 2,122,000 horsepower, have been prevented from development, as no responsible banker, trustee, or business man would invest a dollar upon the security afforded by such permits.

"A bill drawn and introduced by Senator JOHN K. SHIELDS, of Tennessee, was passed by the Senate at the last session. The bill was amended by the House and sent to conference, was not reported, and died with the close of the last Congress.

"Senator SHIELDS reintroduced the bill (No. 1419) at the present session, and it has been reported without amendment to the calendar by the Commerce Committee, and will undoubtedly again be passed by the Senate.

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[From the Chattanooga News, Oct. 23, 1917.]

WATER POWER AGAIN.

The News has on several occasions stressed the importance of the early enactment of the general water-power bill. This bill while not necessarily an immediately available war measure, is distinctly a vital conservation proposition. And since the war has brought the importance—the necessity even—of conservation into such strong relief, the passage of this bill takes on much of the urgency of a war factor. Just at a time when the manufacturing capacities of the country are being strained to an extreme limit, the coal production is falling short of absolutely needful requirements. A universal famine is imminent. The people are without a necessary supply of fuel. Winter is coming on and, according to the present outlook, it will be a marvel of good fortune if widespread suffering is avoided. And at the very best the factories will be more or less hampered. And still Congress has dawdled over the water-power bill.

As heretofore insisted upon in these columns, the possibilities to be opened by the enactment of the water-power bill are many and great. It is a conservation proposal of far-reaching importance. While the coal supply in the earth may be ample for many generations, its production is not meeting the demands upon it. The output is needed for fuel in the homes of the people without any of it being diverted to the production of power. Unless relief is attained somebody will be in want.

The harnessing of the streams will afford a dependable source of water for our industries at a comparatively stable and uniform cost of production. This last feature is very desirable indeed. And as heretofore pointed out, it will contribute to the solution of the smoke problem in the cities. But it will take time to organize and install the necessary plants to furnish adequate water power, hence the pressing need of prompt legislation. It is to be earnestly hoped that during the coming session Congress will pass this very desirable measure.

An examination of the following extract from a recent article by Dr. Charles P. Steinmetz, an electrical expert, will convince our readers that our vision of the possibilities of water-produced electric power was not at all extravagant:

"When we use nothing but electrical power for heating as well as for other purposes, the supply will come through transmission lines from big central stations of many millions horsepower. These stations will be located wherever power is available, such at at waterfalls, coal mines, and oil and gas wells. This will do away with the wasteful process of hauling coal from the mines to the relatively small power houses scattered all over the country. It may be that at the coal mines, instead of taking out the coal and burning it the way we do now, power will be generated in the mine itself by setting the coal in the veins on fire. No; this is not beyond the dream of possibility. It has already been seriously proposed by an eminent English scientist. Startling will be the changes affected by such a supply of electricity. Electrical power will be used so generally that it is very likely the cost will be on the basis of a tax, like our water tax. For example, so much a plug, as we are now charged so much a faucet. It will be very cheap and it will not pay to install meters and have them read and keep the accounts in the offices of the electric companies. To-day water is used universally, and no one would think of making a charge to a friend or even a stranger for any amount of it. If you make a call in your electric vehicle, the vehicle will be run into your friend's basement and the batteries will be charged while you are making your call. It won't make any difference whether you get your electric current from your friend's plug or from the plug in your own home—the tax will remain the same."

After contemplating this picture it does not require a very big stretch of the imagination to see electric power sold at the corner grocery to those who may not have home connection with the plant. A container may be taken along and the amount desired be carried home much like a basket of spuds. Why not supply stations for electric power as well as gasoline?

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[From the Chattanooga Times, Chattanooga, Tenn., Mar. 16, 1916.]

THIS CITY TO GET BENEFIT—RIVER MAY BE IMPROVED AS AN INCIDENT TO PREPAREDNESS—MANY COMPLIMENTS PAID SHIELDS FOR HIS VICTORY—COMMERCIAL AS WELL AS MILITARY IMPORTANCE CONNECTED WITH PROJECT FOR ESTABLISHING NITROGEN PLANT AT MUSCLE SHOALS.

Having just returned from Washington, a local business man and manufacturer gives the following impressions gathered at the National Capital:

One of the members of the brigade post committee made a very interesting report, giving some information gathered at Washington which is welcome news to those interested in the development of this section.

Among other things he commented on the fact that while in Washington last August he found very few Members of Congress who happened to be there and very few citizens throughout the North and East who had much interest in the question of the fixation of nitrates from the air. Only a few who had made a study of this condition abroad and who were familiar with what it had meant to Germany in the past 12 months were talking, only in a general way, about the nitrate needs of this country. Since that time a tremendous volume of literature has been compiled and distributed throughout every State in the Union and placed in the hands of every Member of Congress, until now the entire country is alive to the fact that something must be done to free this country from its dependence on Chile.

Certainly anyone who spends time in Washington will not fail to hear from almost every quarter compliments paid to the fine manner in which Senator SHIELDS conducted the fight for his general dam act. And certainly one less skilled in a parliamentary way than Judge SHIELDS would have been far less successful. This act, having met all the so-called "conservation opposition" that was possible, and coming through with such a tremendous majority, practically insures its passage through the House; but much more difficulty would have been experienced had not the general feeling been so strong for power developments to meet the requirements of the Government, which made everyone feel kindly to any measure that looked to the utilization of this waste energy and the applying of it in some practical way.

URGENT FEATURE OF THE PREPAREDNESS MOVEMENT.

Two significant things happened last week which have been noted in the press, but their significance was especially realized by those who have been in direct touch with the affairs in Washington. One was the meeting in New York of the Naval Advisory Board and the report of Dr. W. R. Whitney, of Schnectady, N. Y., who had been delegated to make a report on the production of nitrogen from the air. His report was unanimously approved, and, among other things, were these significant statements: That the Naval Advisory Board should urge President Wilson to take such steps immediately as might be necessary to create a commission, preferably from the Departments of Agriculture, Interior, War, and Navy, to make effective immediately such plans as might be necessary for the Government production of nitrogen from the air, further stressing the fact that it is not only immediately vital from the standpoint of "preparedness," but equally important from an economic standpoint in making adequate fertilizer for the farmers at a reasonable price. The commission was urged to plan immediately for the utilization of water powers in working out the proposed plant or plants. The next day there appeared from the Government press, Report No. 297, from Mr. HAY, as chairman of the Committee on Military Affairs, together with a report on the hearing before that committee, on ways and means for increasing the efficiency of the Military Establishment of the United States. This report is one of 24 pages, and while it deals with all phases of "preparedness," the following paragraph stands out paramount in the entire report:

"The bill also provides for the authorization of the plan for the manufacture of nitrogen in order to supply the country with powder to make it independent in time of war of every foreign source of nitrogen. This committee considers this question of the first importance in the consideration of preparedness for national security."

Following this, in small type, six pages are devoted to the arguments and data in favor of such a proposed measure. With this report coming from the Military Affairs Committee, backed by the sentiment in the Senate, as evidenced by the Shields bill, also coupled with the report of the Committee on Agriculture, emphasizing the nitrogen interest as of first importance from the agricultural standpoint, it almost seems that the bill authorizing the appropriation for an air-nitrogen plant would be passed quickly and by an overwhelming majority.

BETTER WATERWAY AT CHATTANOOGA IN PROSPECT.

While the proposed measure will not designate Muscle Shoals as the location for this plant, it is a fact that the Government engineers have not made a report on any other adequate location and almost all of the prominent dailies throughout the country have published the statement that when this bill was passed it would mean the immediate designation of Muscle Shoals and immediate work on the large dam at that point. This would then leave but two smaller dams, which would be entirely incidental, and of course they would be provided for at an early date through the Rivers and Harbors Committee of the House and the Commerce Committee of the Senate; in fact, one of the most influential United States Senators made the statement that the very importance of the Tennessee River would not even require another visit from a delegation, as they would be put through as soon as work could begin without any fight.

When it is considered that only a small proportion of the power will be necessary for Government use and a large proportion will be utilized for industrial purposes, all of which or a great part of which can be economically utilized here in Chattanooga, the passage of this measure will mean the biggest development for the South that has ever come our way; and coupled with all, it gives us at least 6 feet in the Tennessee River from Chattanooga to Paducah 12 months in the year.

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[From the Chattanooga Times.]

THE SHIELDS WATER-POWER BILL.

The Shields water-power bill pending in Congress has been attacked by Mr. Gifford Pinchot and others on the ground that it opens up the way for selfish personal interests to absorb all the water power of the country, thus putting the people in the grip of a merciless trust. In brief, the bill, which gets its name from the author, Senator JOHN K. SHIELDS, of this State, repeals the Federal statute providing that in order to build dams for water power or other structures across or in navigable streams an act of Congress granting the right must be passed. The Shields bill restores the right to grant the privilege to the State wherein the water power sought to be developed is situated and to the riparian owners, a right that prevailed until a few years ago. The provision of the present law can be well illustrated by a reference to the procedure necessary to the building of the Hale Bar Lock and Dam and the Market Street Bridge. The purpose of the Shields bill is to make such enterprises possible without a congressional enactment.

It is stated that the War Department has indorsed the measure and that the public welfare requires it, since under existing laws the development of the water-power resources of the country is practically impossible. The Shields bill authorizes companies and corporations, with preference to municipalities and public-utility companies, to build dams in navigable streams for power-development purposes without resort to Congress, after having first submitted their plans and obtained the approval and permit of the Secretary of War, upon certain conditions that he may impose, including the construction of locks in the dams and other facilities for navigation at the expense of the developing company. The permit will continue for a term of 50 years, unless sooner forfeited for violation of its terms, at which time the property may be taken over by the United States and re-leased under then existing laws.

Other safeguards are included in the measure which, it would seem, ought to satisfy the most sensitive reservationist, since it is made practically impossible for any company or trust to exploit the people or deprive them of their rights, either by exorbitant charges or combination in restraint of the free use of navigable streams for purposes of transportation. It is pointed out by Senator SHIELDS that the passage of this act is necessary to the full development of the wonderful resources of the Tennessee River, and it is suggested that on its passage may depend the erection of an enormous plant near Muscle Shoals for the generation of hydroelectricity for the fixation of atmospheric nitrogen used in the manufacture of fertilizer and high explosives, all of which is now almost exclusively imported from Chile at an annual expenditure of $21,000,000.

If, as seems to be the case from the documents accompanying the copies of the bill sent to this office, the public rights are securely safeguarded and the avenues for the development of the country's resources are thereby opened up without harm to the welfare of the people or the abridgment of the Government's authority over navigable streams, the passage of this measure would at once stimulate development of water-power resources all over the country, and especially along the Tennessee River, the waters of which, it is stated, are susceptible of developing more than a million horsepower of electrical energy. We have not noticed that under the present law anything more than trouble and delay have been occasioned, for Congress has generally granted such rights as have been asked; the Shields bill will, therefore, only facilitate the developments necessary to make the Tennessee potential in the building up of the sections through which it runs.

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[From the McMinnville (Tenn.) Standard, Feb. 24, 1917.]

THE SHIELDS WATER POWER BILL.

When the water power at Muscle Shoals is utilized electricity can be furnished near-by cities at a nominal cost, providing the Lighting Trust does not take over the water power at that place. Senator SHIELDS'S bill, which passed the Senate, is hung up in the House, and its passage is problematic, for the reason that it is said to open the door for the powerful Lighting Trust to come in and absorb this enormously valuable popular assets. (Memphis News-Scimitar.)

One of the greatest obstacles public men who undertake enterprises for the public welfare encounter in accomplishing their purposes is the inexplicable negligence of the public, and especially the newspapers, supposedly the purveyors of information and the disseminators of truth, to properly acquaint themselves with the facts relating to such enterprises. The News-Scimitar ought to know, for it is very plainly stated in the Shields bill, that the "Lighting Trust" can not, neither can any other combination, get control of the water power of Muscle Shoals when the Shields bill shall become law. On the contrary, it is expressly forbidden, and is so provided that if anything of the sort shall be attempted the Government may interfere and prevent it. It is also provided in this bill that all concessions shall expire at the end of 50 years, if at that time the Government shall decide to operate the plant, or it may be renewed under such terms as the Congress may prescribe. In fact, every precaution is taken in the bill to safeguard the public, so that to say its purpose is to monopolize power against the interests of the people is so grossly unfair as to discredit the intelligence of those charging it. A provision is made likewise limiting the charges at which the product may be sold, so that there can be no such thing as public exploitations under its provisions.

We do not know that even the most radical opponents of the bill make the charge that the "Lighting Trust" may be able under it to exploit the people, their chief objection being that it turns over to private enterprise the energies that ought to be reserved for the uses of the whole people at some future time, their contention being that the 50-year limitation of the law will not be binding as against powerful private or corporate influences.

The real question involved is, Shall this great power remain undeveloped and of no earthly use to the present generation because there is a suspicion that private concerns are trying to get such control that coming generations will be deprived of their natural patrimony? The Government will not develop it for the uses of the people; private enterprises will. Must we, therefore, submit to the policy that means the restraint of immediate development in the idea that to do otherwise might endanger the peace or happiness of future generations? In other words, are we to permit this great power to go to waste until such time as the Government may decide to go into the business of furnishing light and power to the people? If developments of the present will aid and help future generations—and who shall say that past activities in the development of the wealth nature has provided for the races of men have not benefited the present generations—then we should insist either upon the passage of the Shields bill or the decision of the Government to give us the benefits the Shields bill will provide. (Chattanooga Times.)

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[From the Morristown (Tenn.) Republican, Nov. 29, 1917.]

It is time to mobilize the 50,000,000 undeveloped water horsepower owned by the people of the United States. Resources yet untouched would furnish enough power to operate every train, trolley, factory, mine, and electric plant in the country. This development has been delayed by a little group of water-power magnates and their representatives in Congress. The safety and success of the Nation in the gigantic struggle in which we are engaged demand immediate relief from water-power obstruction.

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[From the Montgomery (Ala.) Advertiser, Jan. 14, 1918.]

ON GIVING US A PAIN.

Mr. Gilson Gardner, who has been writing progressive politics for several years and saying a great many things which caused us to wonder why he said them, can sit down at his typewriter and jot down offhand the names of the United States Senators the people of the different States ought to reelect, and likewise the names of those the people should leave at home. Mr. Gardner has just begun his latest campaign of proscription and merciful approval.

In his declaration Mr. Gardner is at some pains to inform us that Miss JEANNETTE RANKIN, of Montana, contemplates asking for a United States Senatorship, in succession to THOMAS JEFFERSON WALSH, who is not in good health. Reviewing the Montana lady's record of achievement as a legislator, Mr. Gardner concludes that "altogether Miss RANKIN has qualified for promotion."

We infer also from the article in question that it would please Mr. Gardner if the people of Minnesota would kindly leave Senator KNUTE NELSON at home. But when the writer comes upon the name of Senator JOHN K. SHIELDS, of Tennessee, then it is that his Bolsheviki ire is stirred to a pitch comparable to his enthusiasm for the Hon. JEANNETTE RANKIN, of Montana.

"JOHN K. SHIELDS, of Tennessee, author of the Shields water-power grab," we read, "will have a chance to submit his candidacy to the people of Tennessee next summer, and if they do not like having a Senator who is primarily a representative of the predatory interests they may choose somebody else in his place."

Mr. Gardner is a Gifford Pinchot progressive; that is to say, he is a survivor of a diminishing breed.

If the Shields bill had no better indorsement than the denunciation of a Bolsheviki journalist who seriously believes, or pretends to believe, that a woman—particularly a woman of the quaint point of view of Miss RANKIN—should be sent to the United States Senate by a responsible people, the measure would still be worthy the respect of thoughtful people. But, fortunately, the Shields bill has other merits to commend it and few, if any, defects to discredit it before a commonsense public. The Shields bill permits private capital to develop, under stable governmental conditions, our waterpowers which for a million years and more have washed merrily over the rocks onward to the yawning seas. Pinchot and Gardner would have private capital invest in these power projects, but under conditions which would necessarily frighten away responsible capital.

Pinchot and Gardner as capital baiters are of a piece with the small boy who won't go to bed himself because he's afraid the old "booger" man will catch him.

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[From the Morristown (Tenn.) Gazette, December, 1917.]

THE SHIELDS POWER BILL.

It is to be hoped that the Shields water-power bill, which has passed the Senate by a generous majority this early in the session, will receive the sanction of the House at an early date and become the law of the land. Conservation of natural resources that keeps them hermetically locked up and sealed against practical utility and from giving service to humanity more than defeats itself. It nullifies the very efforts of heaven itself to bestow its blessings upon mankind. Some inducement is necessary to encourage enterprise and capital to venture upon the task of harnessing the unbroken waters that run riotously on to waste on a hundred hills and in a thousand streams and to cause them, through the generation of the mystic and potent electric fluid, to take the place of human labor in the rougher of the spheres—to warm, to illuminate, to comfort, and elevate the millions. But the people's natural and riparian rights in the water powers can be and have been safeguarded, as gauged by all contractual and legal standards, in the Shields bill, and it can not too quickly become the law, as it will do if it reaches President Wilson's own hands, for the President is understood to appreciate and approve the Shields bill, and that alone is a sure guaranty that there is nothing hostile in the bill to the people's interests that can be guarded against by human care and integrity of purpose.

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[From the News Banner, Murfreesboro, Tenn., Dec. 21, 1917.]

SHIELDS WATER-POWER BILL PASSES SENATE—IT IS OF VITAL INTEREST TO THE COUNTRY IN THE PROSECUTION OF THE WAR.

Two measures of transcendent interest to the West and vital interest to the whole country in the prosecution of the war by unlocking national resources were started on the road to achievement in Congress last Friday.

The Shields water-power bill for leasing of power sites in navigable streams was passed by the Senate and sent to the House on that day.

This is the bill our distinguished senior Senator fought nobly for, but was lost in a hopeless deadlock in the last session of Congress.

To hasten passage of the bill for leasing oil lands, which is expected to open the way for development of wells to meet the fuel shortage, Senate leaders agreed to abandon all attempts to make the bill apply to the naval reserve lands in California and Wyoming and to preserve these lands intact for naval fuel, having the Government take over existing claims by condemnation proceedings.

This latter decision removes an obstacle which has precipitated a great fight in Congress and held up oil-land development in the West.

Water-power legislation is now being considered by the House Committee on the Public Lands, which is understood to be negotiating an agreement to harmonize differences which caused failure of the legislation a year ago.

Passage of the Shields bill by the Senate—46 to 18—was the first step in disposing of natural-resources-development legislation before the holidays, as recommended by the President in his recent address. Under the measure water-power development on navigable streams would be under control of the War Department.

A system of 50-year permits is provided to encourage private concerns to make expenditures for dams on navigable streams for development purposes.

In announcing that all provisions for the opening of naval-reserve land in California and Wyoming will be excluded from the bill for leasing oil lands, Senator PITTMAN, in charge of the measure, said this decision resulted from opposition to the section by the Navy Department and a number of Senators.

The demands for oil are increasing so rapidly, Senator PITTMAN said, that estimates of the possible shortage, unless additional fields are opened, are beyond imagination. Because of this condition, he added, many Senators have set aside their personal views regarding lands in order to permit enactment of some legislation to relieve the situation.

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[From the Jackson Sun, Dec. 16, 1917.]

WATER-POWER ACT WILL BE GREAT HELP—SENATOR SHIELDS OF TENNESSEE AUTHOR OF THE MEASURE.

WASHINGTON, *December 15.*

By a vote of 46 to 18 the Senate Friday passed the Shields water-power bill entitled "An act to regulate the construction of dams across navigable waters and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce."

The bill in substantially the same form was adopted by the Senate at the session of the Sixty-fourth Congress by a slightly reduced majority. Senator SHEPPARD of Texas was one of the Senators voting for the bill to-day who opposed it a year ago. Senator SHIELDS of Tennessee, author of the bill, made the leading affirmative argument, which several Senators who desired "additional enlightening information" on the subject admitted afterward removed the lingering vestiges of doubt that had held their decision in abeyance. Senator UNDERWOOD of Alabama also spoke at length in support of the measure. The principle of the Shields bill parallels the cleavage of legislation for water-power development urged by President Wilson, both in messages to Congress and in private interviews.

PROVISIONS OF BILL.

The bill provides primarily for the improvement of navigation in rivers, under the jurisdiction of Congress, with private capital, as distinguished from appropriations by Congress for that purpose, and, secondarily, for the development and utilization of water power of those rivers resulting from such improvement, as well as that created by dams constructed and to be constructed under the authority of Congress. The secondary purpose of the bill is the inducement for the investment of private capital in the improvement of navigable streams and without which it would not be so invested or improvements made.

The provisions for the development of navigation, present and future, of navigable rivers are carefully prepared to accomplish that object, the improvement to be made in all cases in accordance with plans submitted to and approved by the Secretary of War and Chief of Engineers, and constructed under their supervision, all with a view primarily of promoting and protecting navigation facilities. In fact, the improvements are required to be made and maintained according to such plans and in such manner as if they were solely for navigation purposes and to be paid for out of the Treasury of the United States.

The Commerce Committee of the Senate, which reported the bill for passage, said among other things:

"It is believed that the bill provides a way by which many of the navigable rivers of the country can be opened to commercial navigation, which, for the want of available means, can not for years be improved in the ordinary way by appropriations from the Treasury of the United States, provided the provisions covering the secondary object of the bill are broad enough and liberal enough to attract private capital desiring to invest in water-power development, for it is obvious, without great inducement of individual interest and advantage, private capital will not be invested in an improvement for the sole benefit of the general public.

"The committee is also of the opinion that the secondary object of the bill—that is, the development and utilization of the water power of navigable streams—is of equal importance to the primary object, although it is in a sense incidental to it, and it is believed that the provisions of the bill concerning this are ample to accomplish that purpose.

"It is estimated that there is in the navigable rivers of the United States, exclusive of Alaska, and also of what may be developed by feasible storage projects, over 61,000,000 horsepower of water-power energy, not more than one-tenth of which is now improved and utilized. This great natural resource is in all other civilized countries developed practically to its fullest extent, and has, and is now, by furnishing cheap power, contributing greatly to the wealth of those countries and the convenience and happiness of their people.

PRODUCTION OF HYDROELECTRIC ENERGY.

"The economical and industrial advantages to the people of the United States that will result from the development of hydroelectric energy produced by utilization of water power is difficult to overestimate. There are many things which can be accomplished by steam power produced in the consumption of fuel. The value of cheap power for manufacturing, lighting, and transportation purposes is, of course, recognized by everyone. Perhaps the greatest necessity and use for it at this time is in the fixation of atmospheric nitrogen for the manufacture of fertilizers and explosives.

"The committee is of the opinion that the bill is so framed as to protect and maintain the constitutional power and control of the Federal Government over navigable streams, as well as the sovereignty of the States and the rights of riparian proprietors over and in the beds and waters of those streams, and allow the full exercise and enjoyment of the latter, subject to the paramount authority of Congress to regulate the same for navigable purposes.

"It is believed that under the provisions of this bill the water-power resources of the country will be developed and utilized and future waste prevented, which is conservation in its highest and truest sense."

The bill goes to the House, where its passage is predicted. Unquestionably it will take rank with any piece of constructive legislation this Congress will consider, and Senator SHIELDS was congratulated to-day upon the initial success of his bill.

[From the Johnson City Staff, Mar. 3, 1916.]

THE SHIELDS BILL.

United States Senator JOHN K. SHIELDS is to be congratulated on putting through the Senate one of the most important pieces of constructive legislation that has come to a vote in many sessions—the bill which enables the Secretary of War to grant 50-year permits for the building of dams and water-power plants on navigable streams.

This is the first vote taken by the Senate on a general water-power development measure in the eight years that the subject of conservation of natural resources has been under consideration in Congress. Two water-power bills passed the House last year and died in the Senate.

Senate leaders and military authorities urged the Shields bill as a vital feature of the preparedness program. It is estimated that there is 60,000,000 horsepower of natural energy in the navigable streams of the United States, of which nine-tenths is flowing to waste. These great water powers have been locked out from us up to now, as a special act of Congress has been necessary for each power plant, and it has been impossible to pass workable acts for the development of large water powers.

Senator SHIELDS announced in the Senate that the passage of this bill would be followed by early development of water powers aggregating 15,000,000 horsepower, or a volume of electricity equal to that produced by a coal consumption of 100,000,000 tons a year. Engineers estimate that development of this amount of water power equals a saving of $700,000 a day in coal bills.

It is known that a number of big electrochemical plants for making saltpeter and nitric acid from the air have been planned by private enterprises, and will be built as soon as the Shields bill becomes a law and makes it possible to finance these undertakings. These chemicals are essential to the manufacture of explosives and agricultural fertilizers, and at present the United States is wholly dependent for its supply upon the nitrate deposits of Chile. The Chilean Government collects a high tax upon every ton of nitrate exported. There is at present not a single atmospheric nitrogen plant in this country, although Europe has 1,200,000 horsepower of hydroelectricity devoted to this use, and Germany is making 600,000 tons of saltpeter a year in such establishments for military and agricultural uses.

A few years ago Congressman SELLS told the Staff that it was his ambition to have located in the first district several of these plants, and it begins to look now like he will realize his ambition, for the passage of the Shields bill opens the door of opportunity.

Under the terms of the Shields bill the Secretary of War is authorized to grant permits for dams and power plants where he believes the building of such dams will improve navigability of streams. Dams are to be built without cost to the Government, and the grantees are to provide and operate locks, gates, slideways, etc., all without cost to the Government. Permits may be granted to individuals, political subdivisions of States, cities, or other municipal corporations, or to public-utility corporations. Intrastate business and rates of companies operating under the act are to be regulated by the States, the interstate service and rates by the Interstate Commerce Commission.

All plans for dams and works are to be approved by the War Department, as being the most adaptable plans for improvement of navigation and fullest development of water-power possibilities. The grantee is to pay a rental for public lands used and a charge for rights and privileges in use of water, these rentals and charges to be fixed at the discretion of the Secretary of War, and the money received from same to go into a special fund in the United States Treasury, to be used for further improvement of waterways. Actual construction work on any project is to be begun within two years of the granting of the permit, and the works are to be completed within such reasonable time as the Secretary may prescribe. For failure to complete the works as directed, or for violation of the provisions of the act, or noncompliance with regulations or orders of the War Department, the grantee is subject to heavy cash penalties or to revocation of the grant.

Permits are to be granted for 50 years, after which time the Government may either extend the original lease, make a new grant, or upon one year's notice take over the property upon payment of its fair value, this value to be determined by mutual agreement or by the Federal courts, and not to include any allowance for any rights granted by the Government. The bill also provides that no value of rights granted by the Government shall be allowed in fixing rates to consumers. Dams, locks, and other structures used primarily for improving navigation are to be exempt from taxation.

Municipally owned dams and power plants for irrigation or for supplying power for municipal purposes are to be given preference in making leases for surplus water powers in the streams. The bill does not apply to water power on small streams and creeks used for grist mills, sawmills, etc.

The measure contains a drastic antimonopoly clause, providing that no dam or works constructed under its provisions shall be owned, leased, controlled, or operated "by any device or in any manner so that they form part of or in any way effect any combination in the form of an unlawful monopoly, or form the subject of an unlawful constraint or conspiracy to limit the output of electrical energy or in restraint of trade."

Although the war talk has prevented it from attracting any considerable public attention, the Shields bill has for several weeks been the subject of one of the most interesting debates on conservation of natural resources that has ever been held in the Senate.

Senator SHIELDS has served in the Senate only a brief time, but during that period he has displayed qualities of leadership and constructive statesmanship which have delighted his friends and confounded his enemies. That he should have sponsored such an important piece of legislation so early in his senatorial career, his admirers believe, presages a large career of service to the State and to the Nation.

[From the Brooklyn Daily Eagle, Sept. 15, 1917.]

PASSAGE OF THE SHIELDS BILL URGED TO DEVELOP NATION'S WATER POWER.

(By WESLEY L. JONES, United States Senator from Washington.)

It is vitally important to the economic and commercial welfare of this Nation that Congress no longer delay the enactment of laws under which our wasting water powers may be developed. The following brief statement shows the importance of the immediate passage of such legislation to the State which I have the privilege of representing in part in the United States Senate.

Of the 9,700,000 water horsepower in the State of Washington requiring Federal consent before it can be utilized, but 96,000 horsepower, or 1 per cent, has been developed, and the remaining 99 per cent, or 9,600,000 horsepower, is going to waste. Meanwhile, we are importing coal from Canada; vast areas of silent desert lands, which given water would yield great harvests in these days of food shortage, are held back from reclamation through lack of cheap electric energy for operation of pumping plants; three transcontinental railroads are unable to electrify their systems across the State, and industrial plants, the establishment of which would give us the diversity of industry so badly needed to further our progress and prosperity, are prevented from building.

By the provisions in the river and harbor act of 1890 and 1899 Congress has prohibited the placing of dams in navigable streams without the consent of Congress in each case. No executive authority, unless the stream lies wholly within a single State, in which case the State legislature may grant the authority, subject to approval of plans by the Secretary of War. As navigable streams almost invariably touch or traverse more than one State, the exception is unimportant.

An existing statute, passed by Congress in 1910, known as the general dam act, prescribes the terms under which dams may be placed in navigable streams when Congress grants specific consent. This statute, even if made operative by an enabling act, makes requirements which render investment unsafe and effectually prevents development. During the first two years after the passage of this statute Congress granted its consent to the development of 12 water-power projects in navigable streams, of which but two have been developed, and their financing was only made possible because they were adjuncts to existing systems.

The other 10 could not be financed under the restrictive terms of the permits granted. Not a single water-power project has been developed in a navigable stream during the past five years. During these years water-power projects actually formulated and ready for development, located in 17 Southern and Western States, aggregating 2,122,000 horsepower, have been prevented from development, as no responsible banker, trustee, or business man would invest a dollar upon the security afforded by such permits. The production of this energy through utilization of water horsepower now wasting would save annually 8,427,000 tons of coal, would allow the labor of 7,000 men to be used for other much-needed purposes, and would permit the use of thousands of cars for carrying merchandise instead of coal. Furthermore, by these river improvements 1,160 miles of inland waterways would be opened to navigation without the appropriation of Government money.

The importance of action is realized by Congress, which has had the enactment of a new navigable-stream water-power law under consideration for the past four years. A bill drawn and introduced by Senator JOHN K. SHIELDS, of Tennessee, was passed by the Senate at the last session by a vote of 46 to 22 after a discussion covering a period of five weeks, during which time every phase of the question was carefully considered. The bill was amended by the House and sent to conference, was not reported out, and died with the close of the last Congress.

Senator SHIELDS reintroduced the bill (No. 1419) at the present session, and it has been reported without amendment to the calendar by the Commerce Committee, of which I am a member, and will undoubtedly again be passed by the Senate when its consideration is reached. The bill has been criticized by so-called conservationists for reasons which I shall not attempt to controvert, because, to my mind, they are manifestly impracticable and, if adopted, would effectually prevent development.

The bill appeals to me as an orderly, masterly product of high-class statesmanship. It safeguards every public interest, and yet its terms are fair toward those who would engage in the naturally hazardous business of development of water powers. Senator JOHN K. SHIELDS, the author of the bill, is one of the most respected Members of the United States Senate. He was formerly chief justice of the Supreme Court of Tennessee, and the development of its water powers is of greatest importance to his State. I am glad to be able to say that this important national question was not made a party issue in its consideration by the Senate, and I am glad, as a Republican Senator, to be able to line up alongside the great Democratic Senator from Tennessee in approval of his views upon this subject.

The Shields bill authorizes the Secretary of War to issue permits to develop water powers in navigable streams to properly qualified applicants who, in his judgment, are best fitted in the public interest to develop the water resources. The bill sets forth at length general terms and stipulations, and the Secretary of War is made the administrative authority to carry them into effect. The bill provides for a permit period of 50 years, at any time after which the Government may, on 2 years' notice, take over the property for itself or for a subsequent grantee by paying the fair value of the property, not including the rights granted by the Government. The bill provides for protection of the public interests as follows:

(a) Water-power projects for which permits are issued must be such as in the judgment of the Secretary of War shall be best adapted to a comprehensive plan for the improvement of waterways for all uses and produce the highest practicable power development.

(b) The public service commissions of the States in which the water powers are located are given control of rates and service when the business is intrastate, and the same regulatory authority is conferred upon the Interstate Commerce Commission when the business is interstate.

(c) The Secretary of War is given authority to examine the books of the grantee and to require them to submit sworn statements of every detail of their business transactions.

(d) Provision is made for cancellation of the grant in case the grantee fails to comply with the terms.

(e) Unlawful trust or monopoly or restraint of trade is forbidden.

(f) The grantee is required to install, at his own expense, locks, booms, sluices, lights, signals, or other structures in aid of navigation purposes, and furnish, free of cost, power for operation of same.

(g) The grantee must reimburse the United States for the cost of investigation and supervision incidental to the transaction.

(h) The grantee is required to pay reasonable charges to the United States for benefits accruing from headwater improvements established and maintained by the United States and for the use of any Government land used in power development.

The bill provides that work must be begun within two years from the date of the permit and completed within such time as may be specified by the Secretary of War, and provides for diligent, orderly, and reasonable development and continuous operation of the water power, subject to market conditions. The bill provides that contracts extending be-

yond the life of the permit for sale of energy may not be made without permission of the public service commission of the State in which the water power is located.

The Shields bill is distinctly a compromise measure. It is the product of the long conflict of views and of the efforts of the Senate to deal intelligently with the subject. Like all compromise measures, it is probably not completely satisfactory to anyone, but as a whole it concededly does safeguard the public interests and concededly is fair enough to capital to secure investment in water powers. In my judgment, it is not at all subject to the objections which have been most vehemently urged against such proposed legislation in the past. Consequently it can and should be supported both by those who have been chiefly interested in insisting upon public safeguards and also by those whose chief interest has been to secure development of the great resources. It is to be hoped that, in the public interest, this bill may be accepted by both Houses of Congress, be signed by the President, and speedily become a law.

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[From the Springfield (Ill.) State-Register, Aug. 14, 1917.]

THE SHIELDS WATER-POWER BILL.

Senator JOHN K. SHIELDS has introduced a bill in the United States Senate providing for the financing of water-power development. There has been an almost inexcusable indifference on the part of the Government in making effective the great water-power resources of this country. Water power is a cheap and highly efficient power. If there was ever a time in the history of the Nation when water power should be developed, that time is now.

The great unused stands of pulp-wood timber that are now controlled by the present paper makers are almost without exception in sections of the country where the available water powers lie, either in the public domain or on navigable streams Power is absolutely essential to the conversion of wood into pulp, and water power is the most logical power.

The Senate of the United States can strike effectively at the heart of the Paper Trust if it passes effective water-power legislation. The people of the country should get actively behind the Shields bill and urge its passage.

The paper combine that has so arrogantly defied the Government in its price manipulation will naturally oppose the Shields bill. This fact should make the people rally to its support.

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[From the Rochester (N. Y.) Post-Express, Sept. 29, 1917.]

We are earnestly warned of the necessity of conserving our coal supply. One way to save coal would be substituting some other agent to create power for manufactures. We have water power in the country totaling in excess of 60,000,000 horsepower and we are utilizing little more than 5,000,000 horsepower. There are before Congress a number of bills which would make possible at once the development of water powers by private capital. Of three of these—the Shields bill, the Walsh bill, and the Small bill—Secretary Houston is an advocate. He declares that in the print-paper situation alone the release of water powers to utilization would make available to the manufacture of paper waste timber enough to provide wood pulp for many years. There are other manufacturers which would be facilitated in the same way by these and by other bills. Of the bills themselves it is impossible to write until their provisions are known. There may be reasons why they should not be passed; there may be injustices involved which a complete discussion would reveal. The point is that Congress has not considered them at all, and it would seem that they should be given attention even in the crowded legislative program, since fuel, power, and cheapened products are of paramount war importance.

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[From the Seattle Post-Intelligencer, Sept. 24, 1917.]

WASTED WATER POWER.

Senator WESLEY JONES is performing a service for his State, as well as for the Nation, by calling attention in the Eastern press to the need for the enactment of Federal laws under which the potential water power of the country may be developed. Two such proposed laws have practically deadlocked development for several years. The House has passed the Ferris bill, which meets the approval of many of the students of conservation and is opposed by some of the water-power developers as tending to make leasing so unattractive that capital is not likely to respond to it. The Shields bill, which has passed the Senate, gives more consideration to the lessees of power sites, and offers what is presumed to be sufficient attraction to capital to induce investments.

Senator JONES, in a two-column letter to the Brooklyn Eagle, suggests that the Shields bill will safeguard the interests of both the public and investors and urges its early enactment into law. Washington, possessing more potential and unused water power than any other State in the Union, is vitally interested in the enactment of a reasonable law and will hope that its Senator may succeed in interesting Eastern statesmen in the matter.

There are 9,700,000 water horsepower in this State requiring Federal consent before it can be utilized. Of the total, but 96,000 horsepower has been developed, and about 9,600,000 horsepower is thus going to waste. Coal is scarce and increasing in value, gas promises to be higher, power is needed for irrigation, for industries, and for transportation, and yet millions of horsepower are permitted to go to waste because statesmen can not agree as to the conditions under which it may be used.

The Shields bill is now before the Senate. It has been reported without amendment, and Senator JONES states that it will be again approved by his colleagues.

"The bill appeals to me as an orderly, masterly product of high-class statesmanship," writes Senator JONES. "It safeguards every public interest and yet its terms are fair toward those who would engage in the naturally hazardous business of water-power development."

The bill authorizes the Secretary of War to issue permits to develop water powers in navigable streams to properly qualified applicants who are, in his judgment, best qualified, in the public interest, to develop the resources; the bill provides for a permit period of 50 years, at any time after which the Government may, on two years' notice, take over the property by paying a fair value for the improvements. The bill gives the Government ample authority to conserve its interests and those of the public, and should be enacted into law.

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[From the Rochester (N. Y.) Union-Advertiser, Sept. 20, 1917.]

DEVELOPMENT OF OUR WATER POWER NEEDED.

Three measures now before Congress that should be passed at the present session in the interest of the country are the Walsh and Shields bills, in the Senate, and the Small bill in the House, all looking toward are not like the Ferris bill, to which great objection was made because it was a proposal to give over to grabbers the great wealth of water power now under the control of the Federal Government, without proper compensation to the people. These measures give the Government control over the water powers thus leased, not given, and allow the Government to regain control at the expiration of the lease. With the interests of the people in the ownership of this water power thus safeguarded, the passage of these measures is almost imperative, in view of the great need of the country.

As to the benefit of the development of the 50,000,000 of horsepower the development of the idle water power of the country. These bills now lying idle in these water rights there is no doubt. We are threatened with a serious shortage of coal, because of the great increase in our own needs and because of the needs of our allies. Our railways are struggling under the greatest load they have ever been called upon to bear. Our crops are insufficient to feed well, unless great economy be used in the distribution and consumption of them, ourselves and the rest of the world, principally our allies. If these powers be developed, the railways will be able to use them for large portions of their systems. In the first place the water-power dam would make many streams navigable for strings of barges, in this way relieving the roads of a part of their loads. In the second place, the electrification of long stretches of railways would be possible, thus doing away with the consumption of coal for hauling and releasing for other service thousands of cars, thus, in turn relieving car shortage. The power developed could be used for many industrial purposes, releasing more cars that are now used for carrying coal for these industries. Cities and towns that now have no municipal utilities or water service would be able to have them at a reasonable rate. Ten million acres of land that can not now be irrigated because they lie above the reach of gravity water can be watered and made to grow all the crops commonly raised in this country, thus increasing our food supply. We could produce all the nitrogen we need for our crops by utilizing about 12,000,000 horsepower generated by this water power, at a cost of $580,000,000, with an increase of $2,000,000,000 in crop production, making ourselves the food growers of the world. The saving of oil by use of these water powers in the industries would be almost as great as the saving of coal.

These are but outlines of the uses to which this water power can be put and of the advantages to the country of the development of them. The Walsh bill proposes that water powers upon nonnavigable streams within the public domain be leased by the Secretary of the Interior, while the Shields bill deals with navigable streams, the rights upon which shall be leased by the Secretary of War. The latter bill is a practically new bill, being the former Shields bill shorn of objectionable features. Provision is made in both measures for the taking over of the lease by the Government at the termination of the leasing period, with compensation for the lessee, or the extension of the lease for a second 50-year period. The Shields measure also provides for the construction of locks, booms, sluices, and other adjuncts to navigation, either at the expense of the lessees or the Government, with reciprocal compensation in either case. The States are safeguarded in their rights as to regulation of rates and taxation. The Small bill is an amendment to an existing statute and empowers the Secretary of War to enter into contracts with persons or corporations, by which the latter shall construct navigation improvements on any river or harbor in return for rights and privileges in developing, producing, and disposing of power on the streams in conformity with State laws. These contracts also run for 50 years, and provision for taking the leases over is made in the amendment. In both the Shields and Small bills the Secretary of War is empowered to sell surplus water or power to municipalities and other public corporations.

It will seem to most of us that these measures should pass at this session because of their great importance to the welfare of the people. Experts say that they will not bring us help in the war, but they will be of immense value in the commercial struggle to come after the war, and we should begin the development of these great powers at the earliest possible moment.

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[From the Nassau Daily Record, Aug. 25, 1917.]

WATER-POWER LEGISLATION.

A bill is now pending in Congress, introduced a good while back by Senator SHIELDS, which would authorize the development of water powers throughout the West. Its terms appear to be fair. Its effect would be to utilize the vast volume of power which is going to waste every day in many parts of the country's public domain and on navigable streams.

The scarcity of paper at this time emphasizes the need of this development. Most of the unused wood-pulp supplies are close to the available water supplies. The passage of the Shields bill would therefore be a great stimulus to the paper industry and bring down the price of paper products.

That is only one of the many desirable results that would follow. With the price of fuel the highest in the history of manufacturing, the use of water power is becoming imperative; and since we have it in measureless quantities why not use it? The principles of conservation applied to timber do not apply to water powers. When timber is used it is gone. Ages are required for its renewal. But the water that passes to-day is lost forever if it is not utilized, while the use of to-day's supply does not diminish the supply of to-morrow. The only way to conserve water power is to use it.

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[From Leslie's Weekly, Sept. 29, 1917.]

HARNESS THE STREAMS.

Of the 60,700,000 horsepower of water power in the United States all but 5,300,000 horsepower is running to waste. The water is at present locked up against utilization by the laws governing the forest reserves, the general public domain, and the navigable streams. Congressmen have not hesitated to advocate higher rates on mail matter of the second class, but have not found time to open up these water powers, so that print paper can be made cheaper for the publishers. It has been estimated by Secretary of Agriculture Houston that there is enough timber going to waste in the forest reserves and on cut-over lands to supply wood pulp indefinitely if the question of its manufacture by water power could be solved. Three bills now pending in Congress—the Shields bill, the Walsh bill, and the Small bill—are designed to release the water power to private development in the three fields mentioned. Apparently, however, it is easier to pass billion-dollar appropriations, issue bonds, and impose direct taxes on "war profits" than to harness the waters to useful purpose.

[From the Detroit (Mich.) News-Tribune, Sept. 26, 1917.]

WASTING WATER POWERS.

At a time when conservation has been promoted to such an important place in the public mind that it has become the prime necessity for victory in the war, it is logical that the thoughts of many men should turn to the power that is going to waste every day in hundreds of streams in various parts of the country. The great obstacle in the way of harnessing these streams and forcing them to generate electricity is the fact that so many of them are under Government control, and no way has been found for permitting the Government to release them to private parties.

Coal is our chief dependence for power, and coal is now hard to get. Moreover, it is uneconomical. Water powers are permanent and need only to be controlled to furnish a great quantity of cheap electricity. It is estimated that 50,000,000 horsepower is going to waste because the law does not permit of its development. Meanwhile we worry about coal.

The Walsh bill in the Senate providing for the use of water powers included within the public domain, and the Shields bill in the Senate and the Small bill in the House relating to power development on navigable streams, have been neglected because other matters have been more pressing. Yet these bills, if too late for the war, at least relate to important steps that must be taken after the war. Without indorsing them in their entirety, the News believes that they ought to be taken up by Congress at the earliest possible moment and that the waste of potential power should be ended.

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[From the Chicago News, Oct. 3, 1917.]

HARNESS THE STREAMS—MUCH POWER IS LOST BY FAILURE TO UTILIZE RUNNING WATERS.

Of the 60,700,000 horsepower of water power in the United States, all but 5,300,000 horsepower is running to waste, Thomas F. Logan writes in Leslie's. The water is at present locked up against utilization by the laws governing the forest reserves, the general public domain, and the navigable streams. Congressmen have not hesitated to advocate higher rates on mail matter of the second class, but have not found time to open up these water powers so that print paper can be made cheaper for the publishers. It has been estimated by Secretary of Agriculture Houston that there is enough timber going to waste in the forest reserves and on cut-over lands to supply wood pulp indefinitely if the question of its manufacture by water power could be solved. Three bills now pending in Congress, the Shields bill, the Walsh bill, and the Small bill, are designed to release the water power to private development in the three fields mentioned.

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[From the San Francisco Chronicle, Aug. 2, 1917.]

WATER-POWER DEVELOPMENT—CONGRESS STOPPED IT AND THUS FAR REFUSES TO LET IT GO ON.

A year ago, more or less, the Director of the Geological Survey estimated the potential available power which can be developed from the streams of the country at 55,000,000 horsepower. Of this but about 5,000,000 horsepower has been developed. The greater part of this power would be developed either on navigable, or alleged navigable, streams on the public domain and require the sanction of national law.

There is a law for such development, but on such terms that money can not be got for the work. The Forest Service sometimes points with pride to the number of "permits" issued, but can not point with any pride whatever to the work actually done under those permits. Such permits are usually obtained by promoters, but when they try to interest capital they fail.

There has for a long time been before Congress a bill whose provisions seem harsh enough, but which are mild compared with existing law. It is said by its promoters that under its provisions private capital can be got to develop at least the most promising projects. In what position this bill is in the present Congress we are not informed. We assume that it has been reintroduced and is somewhere on its journey to the President. Some law of this kind has been urged upon Congress by the President and the heads of the departments concerned, but Congress does nothing.

The crazy faction of those who call themselves conservationists insists that to enact any law which will make private development possible is to give away "millions" to presumably wicked and designing men.

The truth is that it is merely giving them a chance to risk their money in enterprises whose entire risks they must assume, but whose charges will be fixed by public authority.

To build the dams and install the plants is easy if you have the money. To market the current at remunerative prices is by far the greater work.

And great conserving plants will not be erected where there is danger of interruption of the power. The capital to build can not be got, or the plants to consume be erected, except upon definite legal requirements for adequate terms, and not subject to modification during their tenures, for the sources of the developed power.

When legal requirements are definite they can be accepted or rejected. But if they are indefinite, investors will not even consider them.

And meanwhile potential power in huge volumes is running to waste, and we are howling because we can not get fuel.

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[From the Evansville Courier, Dec. 4, 1917.]

PASS THE SHIELDS BILL.

While coal can not be secured to run factories, nature is supplying an enormous water power that is going to waste.

As a war measure Congress should promptly take up the Shields bill and pass it. This bill safeguards the public interest, while at the same time it makes available the unused forces of nature.

Opposition comes to it from two sources, neither of them large but both exceedingly tenacious.

On the one side are those who would exploit for their own purposes the common heritage of all. On the other are the I. W. W. conservationists of the Gifford Pinchot brand, whose radical ideas amount to practical disuse of the national resources.

The Shields bill is a conservative measure. It neither gives away the national ownership in the streams nor locks them up away from public use. In this need of utilizing all our resources, certainly the forces of nature should be put to work. The Shields bill will do this if it can be enacted into law.

[From the Pittsburgh Leader, Oct. 8, 1917.]

SHIELDS WATER-POWER BILL.

Senator John K. Shields has introduced a bill in the United States Senate providing for the financing of water-power development. There has been an almost inexcusable indifference on the part of the Government in making effective the great water-power resources of this country. Water power is a cheap and highly efficient power. If there was ever a time in the history of the Nation when water power should be developed, that time is now.

The great unused stands of pulp-wood timber that are now controlled by the present paper makers are almost without exception in sections of the country where the available water powers lie, either in the public domain or on navigable streams. Power is absolutely essential to the conversion of wood into pulp and water power is the most logical power.

The Senate of the United States can strike effectively at the heart of the Paper Trust if it passes effective water-power legislation. The people of the country should get actively behind the Shields bill and urge its passage.

The paper combine that has so arrogantly defied the Government in its price manipulation will naturally oppose the Shields bill. This fact should make the people rally to its support.

WATER-POWER LEGISLATION.

There are two classes of water powers requiring Federal authority for development. One class is located in the public domain, and only temporary or revocable authority for development can be granted by the Departments of the Interior and of Agriculture; the other class is located in the navigable streams, and no statutory authority exists for granting permits for development, Congress thus far having reserved to itself alone the right to grant such permits.

PUBLIC-DOMAIN LEGISLATION.

Federal control of water-power development and its electrical transmission where public lands are involved is based upon the constitutional right of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States. The Federal Government holds its lands both as sovereign and proprietor. As proprietor the United States has all the privileges of the private owner, all the benefits arising from State laws, all the appurtenances which the lands of any other owner may have, and yet as sovereign its lands are not subject to State taxation or condemnation. Federal control of water-power development on nonnavigable streams rests solely on its ownership of such public lands as are required for emplacement of power houses, flumes, conduits, and transmission lines, or which would be overflowed as a result of construction of dams. Thus Congress may prevent the development of water powers in the public domain either by withdrawing the dam sites from entry or withholding the right to use them altogether, or by enactment of restrictive laws under which capital can not safely invest. The Supreme Court has recently held that the act of February 15, 1901, relating to the use of public lands for electrical and other purposes, is exclusively controlling in respect to hydroelectric development in the public domain. Capital can not be obtained for important developments under this act, which authorizes a revocable permit only, and all unite in the opinion that it should be amended or replaced by a new act dealing with the subject.

The Public Lands Committees of the Senate and of the House of Representatives have been considering the question for the past four years, and have had hearings at which the subject has been exhaustively considered from every standpoint. Bills have been introduced, one of which passed the House but failed to pass the Senate. A skeleton basis has been arrived at satisfactory to a majority of Congress, and it only remains to agree upon some of the details.

Senate bill 2399, introduced by Senator WALSH June 5, 1917, provides a workable measure, fair alike to the public interest and to the investor, and which, if passed in its present form, would immediately result in the development of many of the water powers contained in the public domain.

SUMMARY OF THE WALSH BILL.

This bill is now before the Senate Public Lands Committee. It authorizes the Secretary of the Interior to issue 50-year permits to States, municipalities, corporations, or individuals, for the use of public lands necessary to power development. It requires "the diligent, orderly, and reasonable development and continuous operation of the water power, subject to market conditions." It provides for the regulation of rates and service by State authorities where the business is intrastate and by the Interstate Commerce Commission where the business is interstate. It gives the United States the right to take over the property, including contracts entered into with the approval of public authorities, for itself or for a new permittee, at any time after 50 years upon three years' notice upon paying the amount fixed by the public authorities as the value of the property for rate-making purposes and upon assuming the contracts, the amount to be paid not to include "any public lands, rights of way, franchises, or other property occupied or granted under this act by the United States, or by the good will or prospective revenues." It provides for forfeiture of the permit for noncompliance with its terms and authorizes the Secretary of the Interior "to make such general rules and regulations as may be necessary for the purpose of carrying the provisions of the act into full force and effect." The Secretary is authorized to examine the books and accounts of permittees and to require them to submit statements regarding every detail of their business. The Secretary is also authorized to "specify in the permit and to collect charges for all land occupied," and of the proceeds one-half is to be paid to the State within which the power plant is located and the remaining one-half into the national reclamation fund. The bill provides that no charge shall be made for the use of public lands for power purposes to States or municipalities, or where the power is to be used in connection with the utilization of the timber resources of the national forests, or where the power development does not exceed 25 horsepower.

NAVIGABLE-STREAM LEGISLATION.

By provisions in the river and harbor acts of 1890 and 1899 Congress has prohibited the placing of dams in navigable streams without the consent of Congress in each case. No executive officer or department has power to grant the necessary authority, unless the stream lies wholly within a single State, in which case the State legislature may grant the authority, subject to approval of plans by the Secretary of War. As navigable streams almost invariably touch or traverse more than one State the exception is unimportant.

For more than 10 years Congress has refused to grant authority for hydroelectric development in navigable streams except in compliance with a general statute, known as the general dam act, enacted

in 1906 and amended in 1910. This act provides such restrictive terms and conditions that with but two small exceptions no power developments and river improvements have been made by private capital upon navigable streams since 1912, and developments are prevented and held back aggregating 2,000,000 horsepower, and which would open 1,160 miles of additional inland waterways to navigation through investment of private capital and without taxation or appropriation of public moneys.

Among the conditions imposed by this general act with which it is unsafe and impossible for capital to comply is the requirement that the Secretary of War may "at any time" during the life of the permit require the installation of locks, which would make the amount to be invested always uncertain.

It also provides that the permit shall "fix such charge or charges for the privilege granted as may be sufficient to restore conditions with respect to navigability as existing at the time such privilege be granted or reimburse the United States for doing same": thus the permittee would have to pay charges impossible of determination in advance, and perhaps even would be compelled to furnish the money necessary to destroy his own plant. The act also specifically provides that "the United States shall incur no liability for the alteration, amendment, or repeal thereof to the owner or owners or any other persons interested in any dam which shall have been constructed in accordance with its provisions." Of course the United States should incur no liability in connection with the possible amendment or repeal of this act, but property created under the act should be protected from impairment through such amendment or repeal, and this the present law fails to do. The act also provides "that the authority granted under or in pursuance of the provisions of this act shall terminate at the end of a period not to exceed 50 years from the date of the original approval of the project under this act, unless sooner revoked as herein provided." This would leave the permittee with the property on his hands at the end of 50 years, with no authority to operate it, and his status would be that of a trespasser.

No responsible banker, trustee, or business man would invest a dollar upon the security afforded by such a permit.

During the last Congress the Senate, after five weeks of careful consideration, by a vote of 46 to 22, passed what was known as "the Shields general dam bill," which corrected the defects of the general law and authorized the Secretary of War to issue permits when river improvements could be secured thereby. This bill was referred to the House Committee on Interstate and Foreign Commerce, which amended it, and with still further amendments by the House it was passed and sent to conference in June, 1916. It remained in conference eight months and died there when the Sixty-fourth Congress adjourned March 4, 1917.

The Shields general dam bill has been reintroduced in the Senate by Senator SHIELDS as S. 14 , and is before the Commerce Committee. A bill (H. R. 4504) providing for the extension of inland waterways and the incidental development of water power by private capital has been introduced in the House by Mr. SMALL and is now pending before the Committee on Interstate and Foreign Commerce.

It should not be difficult for Congress to agree upon a workable general dam act of a nature under which permits could be issued by proper executive authority and under which development capital could be obtained. A bill which would provide, as does the Walsh public-domain water-power bill, above referred to, for a permit tenure of 50 years with the right to the Government to purchase the property at the end of the permit period, or at any time thereafter, upon paying just compensation therefor, based upon the value of the property as fixed by the public authorities for rate-making purposes, would be fair and workable. Service and rates should be under the supervision of the public authorities. The permits should also provide for the installation of locks by the permittee if required by the Secretary of War in the original permit at a specified time; for reimbursement to the United States for expense of investigation and supervision; fishways and signals to be installed by the permittee, and power for operation of locks to be furnished by him free of cost. The permit should also contain a cancellation clause in case of noncompliance with its terms and such other reasonable rules and regulations as might be necessary to safeguard the public interests.

In case facilities are not adequately utilized by the permittee other persons may be allowed to develop them, with due regard to his interests.

State laws regarding distribution of water are to be observed in all permits, and there is provision for the determining by Federal courts of what particular rights, if any, the States of Colorado and New Mexico have in the Rio Grande.

The Shields and Myers bills, which sought to bring about this result last year, were vigorously opposed by Gifford Pinchot and his school of conservationists. Perhaps the one of their many arguments which attracted most attention was that the grant would in practice be perpetual. Advocates of the bill, however, maintained that there was nothing in it which forbade the Government to condemn a plant and take it over, paying just compensation, in case there were valid reasons for doing so; and contended that the fear that it would never be possible to get the case out of the courts involved fundamental distrust of the Federal judicial system.

The bills were not brought to fruition last year for many reasons, chief of which, apparently, was the pressure of other legislation necessitated by the preparedness program and the military operations on the Mexican border. And the detail in which the development of water power most acutely touched the question of preparedness was settled by the passage of the law appropriating $20,000,000 for a Federal nitrate plant.

The development of the industry of extracting nitrogen from the air by powerful electric motors has gone furthest in Germany, where the serious results of dependence on foreign nitrates for essential components of high explosives was realized long before the war. The world's greatest and in fact almost sole supply of natural nitrates have come from the great deposits in the Chilean Provinces conquered from Bolivia and Peru in the war of 1879. To the Germans, faced with the possibility of war with a superior naval power, it became evident that this supply probably would be cut off at once, and that it would be necessary to provide a substitute for the nitrogen which was essential in the manufacture of munitions.

Scandinavian processes providing for the fixing of the loose nitrogen in the air had been developed, but had not been found of great commercial value in competition with the Chilean product. The Germans set up huge electric generators run by water power and used these processes to lay in a supply of nitrates which averaged a commercial value of 60 per cent, as against 12 per cent of valuable matter in the Chilean mineral.

Meanwhile the shortage of shipping, the possibility of the exhaustion of the Chilean fields, and the necessity in any case of a long voyage up the western coast of the American continent made American officials realize the necessity of providing in this country some substitute for the Chilean mineral, and the discussion of this brought out the great value of water power in establishing suitable plants for the fixing of nitrogen. But this is only one of the many ways in which the enormous waste of water power is reducing the efficiency of the United States.

Nitrates are essential in fertilizer no less than in ammunition making. The low acreage of American crops in most districts is attributed very largely by agricultural experts to the lack of fertilizer, or rather to the American habit of using insufficient fertilizer. In 1911 this country, according to a bulletin issued recently by the American Newspaper Publishers' Association, used 28 pounds of fertilizer per acre of improved land; Great Britain used 152; Germany, 214; and Belgium, 448.

The report of the German department of agriculture for 1913, according to the same authority, showed that 2,000,000 tons of fertilizer had resulted in increasing crops by 63,000,000 tons. "The German farmer," says the pamphlet, "practically used his land as an agent for transforming fertilizer into product, while the American farmer tries to get products out of his starving land without feeding it sufficient plant food."

Phosphates are numerous enough in America, and with the cutting off of the German supplies of potash chemical invention has made large potash deposits in America and Canada workable for the first time. But nitrogen must come either from Chile or the air, and with extensive water-power electric plants many people believe it can be obtained more cheaply, as well as more certainly, from the air.

The Chicago, Milwaukee & St. Paul is driving its transcontinental trains across the Rockies under electric power obtained from hydro-electric plants. For 450 miles, from Harlowton, Mont., to Avery, Idaho, the main line has been electrified, and the process is being extended to Seattle, 500 miles farther west. John D. Ryan, president of the Montana Power Co., has said that the price of electric power is less than one-third of the cost of the coal for operation over the same line, and that, in addition, one-third of the road's freight cars, used in hauling coal from its own mines for its own uses, had been freed. The Butte, Anaconda & Pacific has also electrified 80 miles of its line, again at a saving of two-thirds of the cost of coal.

The States where most of the water power of the country can be developed are also the ones where there is most lumber available for the manufacture of wood pulp. If the water power is unlocked, electric plants for the manufacture of paper can be built close to the lumber supply and paper provided far more cheaply, than is now possible. At present great quantities of pulp are being imported from Canada, and were imported from Norway and Sweden until recently, these being countries which allow more development, both of forests and of water power, than the United States. Indeed, one of the most ominous results of the present policy of forbidding the development of water power in this country has been the building of plants in Norway and Canada by American power companies, which were unable to extend their facilities at home.

A valuable by-product of the development of water power on streams now classed, in the somewhat optimistic terminology of the Government, as "navigable," but which require constant appropriations for a long time before much effect is visible, is expected to be the rendering of stretches of them actually navigable by the construction of dams for the gathering of water. It has been estimated that long stretches of inland waterways which would otherwise need much expenditure of Government money before they would float vessels of any importance can be opened up by this incidental effect of private enterprise.

And this touches upon perhaps the most important phase of water-power development—the conservation of fuel.

Since the Saields and Myers bills were discussed in Congress the United States has entered upon a great war, a war which will probably be won or lost by the success of America and her allies in solving the problem of transportation. Ships are the first essential, but adequate handling of commerce in the United States is of very great importance. Many of the supplies which we are shipping to Europe have to be carried a great distance across the country. This causes a high strain on the railroads, an almost constant shortage of freight cars, and resultant difficulty in handling shipments of goods which disarranges internal trade and leads to prolonged delays and difficulties.

The development of internal waterways suggested above would take at least some of the burden of freight transportation off the railroads. The utilization of water power in the production of energy would save enormous quantities of coal which could be used to meet the needs of France and Italy and to supply the new ships which all the allied countries are building. And the electrification of railroads would not only save coal but would release the large numbers of coal cars now required to carry fuel not only for the roads themselves but for industries which could be operated by water power as well. In a struggle which necessitates intensive development of the Nation which is to win, this country can not afford to let an enormous source of energy go to waste.

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RESOLUTIONS ON DEVELOPMENT OF WATER POWERS.

AMERICAN NEWSPAPER PUBLISHERS' ASSOCIATION.

At the convention of the American Newspaper Publishers' Association, held in Washington, D. C., June 21, 1917, the following resolutions urging the passage of water-power bills were adopted, and copies thereof have been delivered to the President and other officials of the Government:

"Whereas the paper committee, in its efforts to secure relief from the constantly increasing tension of the news-print situation, has ascertained from Government and other reliable sources that there are no undeveloped water powers of satisfactory size and location remaining in the United States which do not lie partially or wholly within the public domain or upon navigable streams; and

"Whereas under the existing laws relating to the development and use of water powers in the public domain, as interpreted by the United States Supreme Court in its decision rendered in the Utah Power case, it has been found impossible to interest capital in further water-power developments, and as a result no new developments are being made; and

"Whereas under existing conditions the paper committee has not found it possible to develop sufficient new tonnage within the United States adequately to increase the supply of news-print paper until these water powers can be developed; and

"Whereas it is imperative that action be taken in this matter at this session of Congress if the present and increasingly acute situation is to be relieved; and

"Whereas it appears to be in the interest of general preparedness and the national defense that the water powers of the United States should be made available in order that they may be utilized, thus conserving man power and coal resources and making possible the quicker and more complete development of our natural resources; and

"Whereas Senate bill No. 2399 has been introduced in the United States Senate by Senator WALSH, and House bill No. 4504 has been introduced in the House by Representative SMALL, and these bills as introduced provide the remedies necessary to afford the desired relief and give adequate protection to the public: Now, therefore, be it

"*Resolved*, That it is the sense of the members of the American Newspaper Publishers' Association in convention assembled, at Washington, D. C., June 21, 1917, that this legislation be, and hereby is, indorsed, and its prompt passage is strongly advocated as emergency measures, and, further, that all members of the association and other publishers be urged to support and indorse the aforesaid bills and urge their passage at the present session of Congress: And be it further

"*Resolved*, That copies of this resolution be sent to the President of the United States and other officials of the Government and to all members of this association."

SOUTHERN NEWSPAPER PUBLISHERS' ASSOCIATION.

The necessity of immediate development of water powers was discussed at the fifteenth annual convention of the Southern Newspaper Publishers' Association, held at Asheville, N. C., July 9, 10, and 11, 1917, and the following resolutions passed:

"*Resolved*, That the Southern Newspaper Publishers' Association, representing 105 leading daily newspapers of the South, in convention assembled, unanimously indorses and urges the adoption of the plans for the release and development of the water power of our country as proposed in the Walsh bill in the Senate and the Small bill in the House. We believe that the adoption of such measures insures the development of our country along industrial lines, and especially do they promise relief to the newspapers of the country from the oppressive condition brought about by the news-print manufacturers' trust."

SHIELDS BILL UNANIMOUSLY REPORTED.

Since the above resolutions were adopted Senator SHIELDS, of Tennessee, has introduced Senate bill 1419, which provides for the unlocking of water-power opportunities in navigable streams. The bill fully protects the public interests and at the same time safeguards the investment sufficiently to attract private capital for development purposes. The bill has been unanimously and favorably reported by the Senate Committee on Commerce and is at present on the Senate Calendar awaiting the action of the Senate.

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[From the San Francisco Journal of Commerce, Aug. 16, 1917.]

50,000,000 OF HORSEPOWER RUNNING TO WASTE.

Once again a movement is gathering force to utilize the more than 50,000,000 of horsepower that is running to waste in American streams. Four-fifths of the possible electric energy that could be developed from water power in this country must be developed on lands belonging to the Federal Government, which are under the jurisdiction of the Secretary of the Interior, or on navigable streams, which are controlled by the Secretary of War. The agitation in favor of conservation of natural resources resulted in restrictions so severe that resources were not only conserved but reserved. Present laws permitting the utilization of these sites for hydroelectric plants provide that any permit is revocable at the pleasure of the Federal department concerned, and the possibility of this summary action has tended to scare capital away.

Last year a determined movement was made to pass laws which should offer opportunities to capital to develop this water power under Federal control. The Shields bill, which passed the Senate, and the Myers bill, which passed the House, established practically identical regulations respectively for navigable streams and for public lands, but neither was enacted into law. Last month Senator THOMAS F. WALSH, of Montana, introduced a bill into the Senate which embodies most of last year's Myers bill, and legislation to cover the navigable streams is to be introduced into the House.

The Shields and Myers bills were vigorously opposed by Gifford Pinchot and his school of conservationists. Perhaps the one of their many arguments which attracted most attention was that the grant would in practice be perpetual. Advocates of the bill, however, maintained that there was nothing in it which forbade the Government to condemn a plant and take it over, paying just compensation in case there was valid reason for doing so, and contended that the fear that it would never be possible to get the case out of the courts involved fundamental distrust of the Federal judicial system.

The bills were not brought to fruition last year for many reasons, chief of which, apparently, was the pressure of other legislation necessitated by the preparedness program and the military operations on the Mexican border.

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[From the Kennebec Journal, Augusta, Me., Dec. 7, 1917.]

WATER-POWER DEVELOPMENT.

In his address to Congress on Tuesday President Wilson said: "It is imperatively necessary that the consideration of the full use of the water power of the country and also the consideration of the systematic and yet economical development of such of the national resources of the country as are still under control of the Federal Government should be resumed and affirmatively and constructively dealt with at the earliest possible moment. The pressing need of such legislation is daily becoming more obvious."

It is clear that if the water powers of the country are to be developed legislation must be passed under which financing will be possible. There are now pending in the United States Senate the so-called Shields bill, and favorably reported by the Committee on Commerce to the Senate, and also the Walsh bill before the Public Lands Committee in the Senate. Similar bills have also been introduced in the Senate by MYERS and in the House by Congressman SMALL. The Shields bill authorizes the Secretary of War, under certain conditions, to grant permits for water-power development in navigable streams; while the Walsh bill authorizes the issuance of Government permits for water-power development at sites on the public domain. Both these bills have many friends among legislators and among investors, who stand ready to develop the water power if given such permits.

The thing that has held up water-power development for a long time, as we understand it, is the more or less imaginary difference between the ultraconservationists and more practical men of affairs, who believe that the first thing to do in developing water powers is to go ahead and develop them. The party of the first part, standing as the high defender of the people's rights, fears any movement toward development will result in somebody making a profit out of the venture. On the other hand, the party of the second part insists with good logic, and thus far have the passing of events to prove, that unless investment is made profitable under Government control it will not invest, and that if the people themselves are waited for to develop the vast water powers now lying undeveloped by planning and authorizing a system of public expenditure and development the thing will be a long time coming.

The American Newspaper Publishers' Association has been dealing largely with this subject for months, and has distributed volumes of information bearing upon all branches of the subject. In a recent special bulletin a chapter is devoted to showing that Mr. Gifford Pinchot's claimed differences with the bills now pending in Congress are all reconcilable with the bills themselves, and that actually no difference exists, except in the wording between the demands for development "of public water powers on terms fair to the public" and the Shields bill, which retains Federal control over the dam sites, which are to be "held in public hands," their use only being permitted for a limited term of years by private parties.

Perhaps the President's recommendation, with the knowledge that has been attained by Congress in recent months, will start the ball to rolling toward actual development of the country's immense, wondrously valuable and available water powers. Perhaps the Shields or the Walsh bill may be so amended as to meet all the requirements insisted upon by Mr. Pinchot or others who constitute themselves as knights in armor for the public welfare.

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[From the Washington Post, Dec. 16, 1917.]

UTILIZING WATER POWER.

Within the short time that it has been in session the Senate already has enacted one very important piece of legislation. This is the water-power development bill, which authorizes the construction of dams in navigable streams by private parties for the development of power. It is estimated by the United States Geological Survey that under this bill, if developed to the practicable maximum without resorting to storage, nearly 62,000,000 potential horsepower can be generated. If the storage system is used, it is believed that this amount can be increased to 200,000,000 horsepower.

Experienced Senators frankly admit that Congress is very tardy in making this reasonable provision for the development of natural resources, but they are ready now to go ahead in an endeavor to make amends for the delay. Not only can this immense horsepower be produced, but it is stated that if this bill is enacted into law over 10,000,000 horsepower could be produced from dams installed in connection with the improvement of inland waterways. By the installation of locks in the power dams, over 4,000 miles of the upper reaches of these rivers would be opened to navigation.

Under the provisions of the bill the Secretary of War is authorized to issue grants to private parties for the construction of power dams in navigable rivers under terms and regulations which will safeguard the public interests and the capital invested. Rates and service are to be regulated by State authorities, or by Federal authorities if the grantee does an interstate business.

During the debate on the measure it was pointed out that not only would the power thus produced be of great benefit to the manufacturing interests of the country, but it would result in the conservation of coal and oil, and that other advantages would accrue. That the legislation is beneficent, if belated, can not be doubted. It is not strange that the public should wonder why this great source of power should have been neglected all these years. But the important thing is that Congress has awakened to the situation, no doubt because of the trouble and hardship the country is experiencing with a shortage of fuel. It is to be hoped that within a brief time the rivers will be put to work for the good of the people.

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[From the Electrical World, Sept. 29, 1917.]

THE PENALTY OF SLOTH.

Over and over again we have dinned into the ears of the public the almost criminal negligence of permitting the water powers of the country to remain unutilized in face of the crying needs of industry and the certainty that the Nation's supply of fuel must be conserved. And yet, despite the absolute certainty that unused water represents an irremediable loss of energy, in spite of steadily rising costs of fuel and of everything in which fuel prices figure, the legislative authorities have dawdled along, pulled one way and another by contrary currents of politics, beset by the pleadings of general interests, of special interests, and no interests at all until the time has come when the penalty of delay is enforced by fate against the unready. It is difficult to speak with patience of the many attempts which have been made to obtain opportunity to develop water powers on a fair and permanent basis; and now the country needs the power, the mines are short of labor, the railroads are gorged with traffic, the coastwise shipping has been drafted into trans-Atlantic service, and industrial plants already are beginning to shut down for lack of fuel.

The full development of the country's hydraulic resources can not supersede in any full sense the use of fuel, but it can prevent the shortage of fuel being disastrously felt even in time of stress like this. The long and short of the matter is that war conditions have forced upon us a fuel situation which normally might not have been reached for a couple of centuries, and absolutely nothing is being done as yet to put an end to the water-power deadlock. This deadlock is largely due to timid Congressmen, whose socialistically inclined constituents are terrified by the bogy man of monopoly shaken in their faces by demagogues. There is no such thing possible as monopoly of water power under the powers of regulation possessed by our Government. There has been plenty of capital all along ready to go into any transmission enterprise that promised reasonable profit, asking only that some tenure of life should be granted to its efforts, and that it should not at the end of a few years be robbed of the results of its endeavor. All these things ought to be sufficiently self-evident to those who have watched the progress of the attempts at water-power legislation. Everything has been held up by unreasonable and indefensible projects of regulation so drastic in their nature as to frighten off any sane investor. Millions upon millions of horsepower therefore stay unutilized. The time has come when the country wants them.

The next year will probably see these United States transformed into a prodigious munitions plant, and every branch of industry which can tend to successful carrying on of the war now in hand must be pushed to its utmost capacity. At such a crisis it is not pleasant to find the Niagara power tied up, largely for sentimental reasons, by needless restrictions and to realize that at any time Canada, also busy with war industries, may stop the exportation of its Niagara power. If inaction continues much longer, the natural result will be to drive the large power-consuming industries, particularly the electrochemical ones, into Canadian territory, where they may by chance find a kinder welcome than has been extended to them on the American side of the falls. The grimmest thing about the whole situation is that it has developed so swiftly as to give no time even for the most willing efforts to furnish prompt relief. It is no quick or easy job to bring a hydroelectric plant of 100,000 horsepower or so into productive activity, and time is the one thing which money can not buy. There is chatter in newspapers about the conservation of coal and oil. No single stroke would have gone so far toward bringing this about as a proper hydroelectric law enacted two years or more ago. It is already far too late to reap in time for the exigencies of war industries the full advantage which the country has in its water powers. The most that can be hoped for now is that if Congress gives relief swiftly some substantial portion of the work may be accomplished let us say within the next year, in time for the succeeding campaigns. Of the other millions of available horsepower, some are beyond hope of quick redemption and others can be brought into action in two or three years. Rapid and complete development of everything capable of it is the first and immediate step to be taken, leaving the fuller working up of the situation for later efforts. Another six months will show with terrible force the foolishness of delays in the past. Let us have no more of them.

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[From the Electrical Review, Sept. 1, 1917.]

WATER-POWER BILLS AND THEIR RELATION TO EACH OTHER.

Relative to pending water-power legislation there is constant need of keeping before the public certain basic facts in clear outline. If the way is to be opened for developing the Nation's water-power resources it must be through the enactment of laws, such as are proposed in bills now before Congress or others of similar import. The provisions in the bills referred to and their relations to each other should be clearly understood. If they have any serious defects or are fundamentally wrong in any respect from the standpoint of either the investor or the public, necessary changes should be made. If no such defects or unfair provisions exist, an effort should be made to concentrate all proper influences in their support.

The provisions of the Walsh bill have been previously explained in these columns. This is a Senate measure, now before Congress, which provides for the leasing of water-power sites on streams within the public domain, under authority of the Secretary of the Interior. The control of proposed projects under such leases is applicable only to nonnavigable streams. Senate bill No. 1419, changed as to certain features and reintroduced last April by Senator SHIELDS, provides in a quite similar manner for power development on navigable waters, but under authority of the Secretary of War, because the control of navigation channels comes within the scope of his department. The Shields bill proposes amendments to an act approved June 23, 1910, which relates to the construction of dams across navigable waters. A fact which should be kept clearly in mind is that the Walsh bill and Shields bill pertain to different departments of the Government, and that both are essential to the inauguration of a broad national policy of water-power development. Each measure would be workable independently of the other, but viewed in the light of nation-wide demands they may be considered supplementary to each other. The need of the hour is for a policy that will remove the obstructions and restrictions, so that our water-power resources may be available as soon as possible. Both bills seem to safeguard public interest and should be enacted into laws primarily as industrial measures, incidentally as war measures.

The Shields bill provisions with respect to terms of lease and regulations concerning the disposition of the project at the end of the 50-year period are nearly similar to those in the Walsh bill. In either case the Federal Government may take over the project, after properly remunerating the lessee, or may grant him a permit for a second term, or may recognize the transfer of the project to a third party. But under the terms of the Shields bill the Secretary of War may stipulate a number of other conditions in the 50-year permit. One of these is to require the permittee to construct locks, booms, sluices, and other structures for navigation purposes, without cost to the Government, and to supply power free of charge for operating locks and accessory equipment. Another stipulation may be that if navigation improvements are not made a part of the lease the Government may construct locks and other facilities, and grantee shall furnish free power and right of way required, and shall pay the Government reasonable charges for benefits accruing on account of headwater and storage-reservoir improvements. Throughout, the Shields bill recognizes the rights and authority of the State government to regulate rates of service for power produced and distributed by the party to whom the permit is granted; but in the case of an interstate service, in which State authorities do not agree, the Interstate Commerce Commission may assume jurisdiction, and all property embraced in the project of permittee is made subject to taxation by the State in which the service is rendered. In case of any dam built or taken over by the Federal Government, the Secretary of War may lease surplus water to municipalities or other public corporations for power purposes or water service.

House bill No. 4504, introduced in May, 1917, by Representative SMALL, is in the hands of the Committee on Interstate and Foreign Commerce. This bill is amendatory of a section of the rivers and harbors act approved March 3, 1899. The Small amendment simply extends the scope of an existing statute by authorizing the Secretary of War to enter into a contract with any person or corporation who shall undertake to construct navigation improvements on any river or harbor in return for rights and privileges in developing, producing, and disposing of power on said streams in conformity with the laws of the State in which the project is situated. The terms of such proposed contracts are to run 50 years, at the termination of which the Government may elect to take over the improvement and projects, on the repayment to the contractor the amount of his investment. This bill further so amends the act as to authorize the Secretary of War to lease surplus water at dams constructed by the Government in the interest of navigation to parties who propose to generate power, preference being given to municipalities or other public corporations.

[From the Hannibal (Mo.) Post, Apr. 3, 1917.]

FOOD AND WATER POWER.

The close association between food supply and water power was carefully defined by Herbert Myrick before the Southern Commercial Congress, which met in 1916 at Norfolk. The fact, apparent to-day, that the coming winter is going to see a scarcity of food such as has not been known in recent history makes Mr. Myrick's conclusions all the more important. He said:

"The food problem will not be wholly solved and the fullest agricultural and industrial development will not come to the American people until the Mississippi River is harnessed so that the millions of acres in that valley now overflowed or subject to inundation are made safe to the plow and profitable to the farmer.

"This can be done only by means of the spillway project supplementing the levee system. This will transform the Mississippi into a series of lakes, each with uniform height of water the year around. The river then may be straightened by canalizing across its bends. Navigation will be unimpeded.

"The dams by which the water is stepped down the total fall of 350 feet from above Cairo to below New Orleans may generate 5,000,000 horsepower at mean low water. Transformed into hydroelectricity, it will furnish cheap heat, light, and power for 800 miles either side of the river. A deep waterway from St. Louis to Chicago, with the improvement of the river from St Louis to St. Paul, will open the interior States to the cheapest transportation. The spillway carries off the flood waters, provides drainage, and furnishes irrigation where and as needed. The project as a whole is the grandest of engineering conceptions, yet can be carried out in such a way as to more than pay for itself.

"Cheaper money and cheaper fertilizers must accompany more knowledge of agricultural science, more economy in agricultural practice, more energy among farmers, more patriotic devotion to ideals of service to State and Nation."

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[From the Springfield (Ill.) State-Register, Aug. 14, 1917.]

THE SHIELDS WATER-POWER BILL.

Senator JOHN K. SHIELDS has introduced a bill in the United States Senate providing for the financing of water-power development. There has been an almost inexcusable indifference on the part of the Government in making effective the great water-power resources of this country. Water power is a cheap and highly efficient power. If there was ever a time in the history of the Nation when water power should be developed that time is now.

The great unused stands of pulp-wood timber that are now controlled by the present paper makers are almost without exception in sections of the country where the available water powers lie, either in the public domain or on navigable streams. Power is absolutely essential to the conversion of wood into pulp and water power is the most logical power.

The Senate of the United States can strike effectively at the heart of the Paper Trust if it passes effective water-power legislation. The people of the country should get actively behind the Shields bill and urge its passage.

The paper combine that has so arrogantly defied the Government in its price manipulation will naturally oppose the Shields bill. This fact should make the people rally to its support.

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[From the Seattle (Wash.) Post-Intelligencer, Aug. 24, 1917.]

WATER-POWER BILLS INDORSED BY CHAMBER.

Support of pending legislation for the development of water-power sites was urged in telegrams forwarded yesterday to the members of the Washington delegation in Congress by President Albert J. Rhodes, of the Seattle Chamber of Commerce and Commercial Club.

The telegram of President Rhodes, who recently called a special meeting of the trustees to urge immediate development of water-power sites as a war necessity, follows:

"The Seattle Chamber of Commerce and Commercial Club indorses Shields Senate bill, No. 1419; Small House bill, No. 4504, providing for development of water power on navigable streams; and Walsh Senate bill, No. 2393, providing for development of water power in public domains, and earnestly urges you to give your active support to each of these measures, as they are vitally important as emergency war legislation and equally important to the people of this State, and should, in the opinion of this chamber, be passed at this session of Congress without fail."

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[From the Decatur (Ill.) Review, Aug. 18, 1917.]

A MUCH-NEEDED LAW.

Senator JOHN K. SHIELDS, of Tennessee, has recently introduced a bill in the United States Senate relating to water power on navigable streams, which is one of the wisest, most needed, and valuable pieces of legislation which has been brought before that body for consideration at the present session. It is a bill which is not only in the interest of the general public, but also interests specially every newspaper publisher and user of paper made from wood pulp in the United States.

There are few well-informed persons who do not know of the extortions put upon newspapers and paper users during the last two years by paper manufacturers through illegal combinations, for which seven of their prominent officials are now under indictment. They have been able to do this through their control of pulp-wood timber, which they have obtained wherever they could make it available. The great unused stands of pulp-wood timber that are not controlled by the present paper makers are almost without exception in sections of the country where the available water power lies either in the public domain or in navigable streams. As power is absolutely essential in the conversion of wood into pulp, it is obvious that laws should be passed which will permit financing water-power developments and making them available for the manufacture of paper.

It is this which the bill of Senator SHIELDS seeks to do, and its provisions are amply justified by the necessities of the Nation. There is urgent need that this measure should be passed at the present session of Congress and there appears to be no good reason why its passage should not be hastened and it should not receive the unanimous support of both branches of Congress. The measure is not sectional or partisan, is in no way objectionable and is in the public interest.

Unless this measure and others looking in the same direction are now passed no one can predict the limit to which the extortion of paper manufacturers may not go.

[From the New York Evening Post, Sept. 15, 1917.]

LAWS ARE URGED TO OPEN UP WATER POWER—HYDROELECTRIC DEVELOPMENT MIGHT RELEASE 740,000 MEN—35,000,000 WATER HORSEPOWER WASTED ANNUALLY IN THE UNITED STATES—LEGISLATION BEFORE CONGRESS.

Legislation to open water-power development to private capital and investment is being urged at this session of Congress. What amounts to a Nation-wide protest is being made by industrial enterprises on behalf of the 35,000,000 water horsepower estimated by the Secretary of the Interior, Franklin K. Lane, as annually wasted in the United States. It is believed by many that the laws governing public domain and navigable rivers are responsible for this condition.

Reform measures have already been drafted. There is a bill before the Senate Public Lands Committee, introduced by Senator WALSH on June 5 of this year, designed to offer to enterprise on Government land a secure and definite tenure of lease such as is required in any line of business development. Another bill introduced by Mr. SMALL and pending before the Committee on Interstate and Foreign Commerce, provides for the development of water power in navigable rivers by private capital. In view of the demands made upon this country by the war it is felt that measures aiming to release the vast productive power latent in hydroelectric power should be promptly adopted.

Under existing statutes capital has not interested itself in development of water power on Government domain for the reason that the only permit issued for the location of power plants is revocable at the will of the Secretary of State, and no sure provision is made for just compensation when the permit is revoked. As for the 2,000,000 horsepower represented by the navigable rivers of the country, the general dam act of 1906 is so uncertain in the clause reserving the right to demand restoration of "navigability" that business men, according to the report of a prominent bond-selling house in this city, have considered it as an unsound security for the investment of funds.

Figures taken from the Geological Survey show that 77 per cent of the total potential water horsepower of the United States is so located as to require Federal permits. The significance of this fact is seen from the following statistics: Of the 46,913,200 water horsepower in the country requiring Federal permits, 3.9 per cent is developed, while of the 13,800,000 not requiring Federal permits, 25.2 per cent is developed.

Business men familiar with European affairs say that the policy of our Government toward the development of its water horsepower resources is far behind the attitude of Norway, Sweden, Germany, and Canada. American power companies, unable to extend their facilities at home, have been driven abroad. Products which exist in greater quantities here than in European countries, but which depend upon the extension of hydroelectric power for their manufacture—wood pulp, for instance—have been imported from across the ocean. In particular, the manufacture of nitrogen for fertilizer, obtainable by a recent process from the atmosphere by means of the electric arc, is claiming a million hydroelectric horsepower abroad and not many in the United States.

The war has called public attention to many needs. Since America became the supply market for world consumption the demand upon her productive power has been enormously increased. In addition, she is planning to put many soldiers in the field, and the impairment of her industrial man power is regarded as being serious and a menace to future development.

Figures for the last four years show that the total immigration for 1915, 1916, and 1917 has been only 920,929, or 292,551 less than for the single year ending June 30, 1914. For the past 25 years there has been an annual addition to our population of nearly 1,000,000 foreigners. It has been predicted that the warring nations, whose manhood has been decimated, will keep their labor at home after the war by the passing of stringent legislation. In view of this condition, it is felt that if America is to remain a manufacturing and exporting Nation, her man power must be put on an efficient basis.

In an article in the Electrical World for June 23, 1917, entitled "Why hydroelectric development lags," Hugh L. Cooper has treated statistically the release in man power, coal tonnage, railway facilities, and capital that would result from the utilization of the water horsepower wasted in the United States. He estimates that 740,000 men would be released for other industries or for agriculture if 35,000,000 horsepower for one year were developed hydroelectrically instead of by the equivalent process of coal combustion. Every 50 horsepower developed hydroelectrically releases one man. The change would further effect a saving of 280,000,000 tons of coal and 600,000 freight cars necessary to haul the coal—or four times the number needed to supply the freight-car shortage of March, 1917. It is as roundabout, he declares, to haul millions of tons of coal unnecessarily as it would be to evaporate salt water shipped to the interior instead of using the inland salt deposits.

Summing up the financial equivalent of the saving in labor, railway stock, and coal, Mr. Cooper arrives at the following conclusion: "We are following a program that is absolutely wrong, relating to $1,241,600,000 annually of our business life." He adds that the increase of our food supply through the furnishing to our farmers of fertilizers made in this country would represent a further vast saving by the reduction of the cost of food. In a paper read in Seattle, Wash., in May, 1917, H. J. Pierce declared that the doubling of our crops would result from an increase of fertilizer per acre from 28 pounds (America's average for improved lands) to 100 pounds. (England averages 152 pounds and Germany 214.) The additional 18,000,000 tons, he estimated, would entail a production of hydrogen requiring 12,000,000 hydroelectric horsepower. The present water-power development in the country aggregates 5,321,700 horsepower.

Hydroelectric energy, Mr. Pierce pointed out, conditions the manufacture of many electrochemicals, explosives, and metals. It is used in the production of calcium carbide, caustic soda, abrasives, electrodes, acetone, and atmospheric nitric acid, used in making powder and explosives.

Among those who see in hydroelectric development an advance in America's industrial preparedness and a remedy for the strain of her resources caused by the war are to be counted the publishers throughout the country. In seeking relief for the situation regarding newsprint prices the American Newspaper Publishers' Association made an investigation of the potential wood-pulp resources of the country. The committee on paper found that the tapping of fresh timber stands and the development of new mills was possible in a large way only in those western and Pacific regions where the use of hydroelectric power was essential to the enterprise. It was further learned that almost all the available water power was located on the public domain or in navigable streams.

With a view to increasing the paper tonnage produced in the United States the American Newspaper Publishers' Association voted at its convention in Washington, D. C., on June 21, 1917, a resolution favoring the passage of legislation by Congress which would remove the obstacles placed by obsolete laws in the way of water-power development. Copies of the resolution were sent to President Wilson, to other officials of the Government, and to all members of the association.

The growth of water-power restriction has been a gradual process, the result of which was made plain in April of this year when the United States Supreme Court handed down a decision in the Utah power case. It was decided that no official of the Government could bind the Government by contract in issuing permits for the development of water power on public domain, and that any permit issued or to be issued was revocable at any time without compensation.

The provisions of the legislation sought from the present Congress are summed up as follows in an article in the New York Annalist for August 8, 1917:

"Permits for the erection of hydroelectric plants may be issued to individuals, corporations, States, or municipalities for 50 years.

"These contracts are irrevocable, but may be canceled by legal proceedings if the permittee fails to comply with the provisions of the act or the conditions of the permit.

"At the expiration of the term the United States may take over the entire plant or any severable and complete unit at a value determined, which shall not include the value of public lands, rights of way, franchises, good will, or prospective revenues; or it may renew the permit to the original holder; or, in the event that such an arrangement can not be made, may issue the permit to some one else, who shall buy the plant under the same conditions.

"Rental shall be paid which may, in the discretion of the Secretary, be based on the net horsepower, and of this rental one-half shall be paid to the State in which the energy is developed.

"Permits must provide for 'the diligent, orderly, and reasonable development of the water power, subject to market conditions.'

"Rates are determined by the public-service commission of the State in which the power is generated and used; and, when more than one State is involved, by the Interstate Commerce Commission."

The Walsh bill, the Small bill, and the Shields general dam bill—a correction of the provisions of the general dam act of 1906—provide these conditions.

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[From the Anaconda (Mont.) Standard, Nov. 22.]

NEGLECTED WATER-POWER QUESTION LOOMS UP AGAIN.

After contributing much to the defeat of water-power legislation during the past 10 years, Gifford Pinchot has awakened to the fact that war's demands require the immediate and extensive development of water power within the United States. He is out with an early appeal to Congress, and confesses that we need to use our natural resources, "coal, oil, and water power to win the war." But with this announcement Mr. Pinchot clings to his old contention that Congress must legislate along lines which he long ago laid down, and he goes to the extent of again telling Congress the kind of water-power legislation it must enact.

While Mr. Pinchot is the first to come forward this fall with a demand for water-power legislation, others have been giving the question serious thought. They recall the announcement of the War Department, made only a few months ago, that the United States then had in reserve enough Chilean nitrate to carry it along for a year—nitrates for the manufacture of explosives. Since that announcement was made, the price of Chilean nitrate has risen to fabulous heights; shipping between the United States and Chile has been greatly reduced by the withdrawal of vessels for trans-Atlantic service, and now come press dispatches from Valparaiso announcing the formation of a nitrate trust in Chile, under Government sanction.

The United States to-day is manufacturing no atmospheric nitrogen; its nitrates, both for fertilizer and for explosives, comes mainly from Chile. Yet the United States under proper laws could become independent of Chile, and produce within its own borders not alone the nitrates needed for home consumption but a surplus for export, and in the process would deplete no natural resource but would draw upon the circumambient atmosphere for the all-essential nitrogen. But atmospheric nitrogen can only be produced commercially where water power is developed in large volume and where it can be developed cheaply. All the ideal sites for power plants adapted to this particular industry are now locked up in Federal withdrawals or are on navigable rivers controlled by the Federal Government.

Where is the Government going to get its nitrate supply of the future when the Chilean stocks run low and can not be replenished as fast as needed or at prices at all reasonable? That question is going to loom big in Congress this winter for it is a basic question. With the exhaustion of the American ammunition supply, the American Army in Europe and much of the allied forces will become powerless longer to combat the Huns. Nitrates, quite as much as food and men and ships, are necessary to the winning of the war.

Well established as this fact is, the Government itself has done nothing constructive toward solving the nitrate problem. Congress appropriated $20,000,000 for the establishment of a Government nitrate factory. Instead of spending that money for the purpose for which it was appropriated, a nitrate commission, headed by the Secretary of War, set aside $4,000,000 "for investigations into processes of manufacturing nitrates," in face of the fact that several successful processes already have been developed and are being used in Germany, Norway, France, and Italy, and, on this continent, in Canada. The remaining $16,000,000 lies idle in the Treasury at a time when the American stock of nitrates is being gradually exhausted and the need for commercial nitrates is growing hourly.

Mr. Pinchot is as well aware of the nitrate crisis as any man in the United States; he knows in great detail how and where water power can be developed and applied to the production of this all-essential commodity; he is awake to the crying need for extensive water-power development in order that we may have nitrate before it is too late. "We need it," he frankly says, "to win the war." Yet, admitting that, he lays down the same old demands of the conservationists and seeks to place upon the shoulders of the mythical "Water Power Trust" responsibility for defeating water-power legislation in the past.

In the last Congress water-power bills passed Senate and House, but differences arose on both the Ferris and the Shields bills, and the two Houses deadlocked. In consequence, all water-power legislation failed. That being true, Mr. Pinchot can not consistently charge that the "Water Power Trust" killed the legislation, for the deadlock was between the faction representing the Pinchot ideas and the faction demanding water-power legislation. And the fact that the deadlock persisted was evidence enough that the factions were about evenly divided, otherwise the weaker side would have given in. It would seem

from this that the Pinchot conservationists were just as much responsible as the other faction for the defeat of the water-power bills last considered in Congress.

Moreover, Mr. Pinchot now asserts that the United States to-day owns "some 50,000,000 undeveloped horsepower, enough to run every train, trolley, factory, mill, mine, and electrical plant that we have." That the United States holds, or, rather, withholds, this vast quantity of potential power from development is not an indictment of any power trust; it is an indictment of the Government, for Mr. Pinchot is correct in his estimate, and only emphasizes the fact that the Government, with all this power in its possession, not only declines to allow private capital to develop it, but fails to develop this power itself. As against the Government holding, Mr. Pinchot charges that private interests "own and are holding millions of water horsepower undeveloped and out of use," but he gives no figures, and he neglects to state that the larger power sites, the ones best adapted to the production of atmospheric nitrogen, are all under Government control.

As to whether Mr. Pinchot or more practical men should dictate the terms of Federal water-power legislation, it may be cited that the law now on the statute books, the "revocable-permit law," which has proven utterly unworkable, was the product of Mr. Pinchot's brain; it brought on an era of stagnation. And it was such men as Mr. Pinchot who "conserved" the Government coal fields of the West and of Alaska, until to-day, when the United States finds itself short 50,000,000 tons of coal to meet immediate needs, this Government coal is contributing nothing; American industries dependent on coal are hampered; American homes are cold and going to be colder, and the allies, calling vainly for American coal, are unable to have their wants filled. This coal was "conserved" because Mr. Pinchot thought some Americans might make money out of it if allowed to get title to the coal lands. Now the American capitalists are without their profit, but the American public and American industry find themselves without fuel, and without prospect fo getting enough to meet their needs.

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WATER-POWER FIGHT BEGINS.

[From the Editor and Publisher, New York City, Dec. 1, 1917.]

Legislation beneficial to publishers, such as development of water power and the amending or repeal of the recently enacted law increasing second-class mail rates, is likely of early consideration at the coming session of Congress, which opens Monday.

A great drive for water-power legislation will be made by various interests for laws under which the unused water powers of the country can be developed. An effort will be made to pass the Shields bill, or one similar to it.

Capital is insisting that the Government allow 50-year leases for water power. This conservationists of the Pinchot type oppose strenuously. They will do their utmost to block the plans of the men who are trying to force through laws permitting development of water power on a great scale on terms which do not fully conform to their own ideas.

The American Newspaper Publishers' Association is one of the organizations favoring the developing of water power through liberal legislation. The association wishes to see paper made from pulp wood on the public domain and does not regard this practical without adequate water power.

The Shields water-power bill is now on the Senate Calendar, having been reported at the last session. Its early passage is probable.

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[From the Atlanta Constitution, Dec. 6.]

USE WATER; SAVE COAL.

As soon as Congress gets settled down to its tasks, let us hope it will delay no longer than necessary favorable action upon pending legislation that is intended to harness the streams of the country and free the American people, at least partially, from the bondage of coal.

It is gratifying that the President himself shares in this hope so fervently that in his message to Congress he recommends action of this sort "at the earliest possible moment"; and his singularly great document contains no more timely nor wiser advice.

Necessarily the bulk of the legislation to come out of this session of Congress will be of an emergency character, directed to the "stern business" of winning the war, and therefore in effectiveness limited to the duration of the war. But anything that is done to promote the conversion of our falling water into electric energy for heat, lighting, and power uses will serve a dual purpose of helping to win the war and adding to the country's wealth and happiness throughout the long period of peace to follow. It will help to meet an immediate martial necessity and at the same time promote the country's economic welfare and enjoyment of peace.

President Wilson well said that—

"It is imperatively necessary that the consideration of the full use of the water power of the country * * * should be immediately resumed and affirmatively and constructively dealt with at the earliest possible moment. The pressing need of such legislation is daily becoming more obvious."

Indeed, it becomes more obvious with every unanswered cry for fuel; with every boost in the price of coal. It becomes more obvious every time a locomotive passes, straining at its drawbars and pouring out upon the air black clouds of unused potential energy in its wasteful work that could be done a thousandfold more easily and cheaper and expeditiously by a modicum of our wasted gravity power—power that our profligate economic system permits to run wild through our mountain gorges and on to the sea and to waste.

The steam engines of the country, stationary as well as locomotive, consume something like 10 tons of coal in the application of the energy that is contained in one. But even if this were different, and we had engines that would make full use of the power that coal contains, it would be an economic extravagance to use fuel for purposes that gravity can fill, because, once harnessed, gravity is as inexpensive a source of energy as is the wind.

The manner in which the United States has neglected—in fact, made almost prohibitory—the development of its tremendous resources in water power constitutes an economic crime.

It is a crime for which the public to-day is paying dear tribute—paying in suffering from the cold; in exorbitant and increasing prices of commodities in the manufacture or production of which coal plays a part.

And Congress at this time, late as is the day, can do no greater service to America and the world than in making speedy reparation, so far as is possible, for its past omission in this regard.

[From the Baltimore Manufacturers' Record.]

WATER-POWER DEVELOPMENT A NECESSITY.

The announcement made last week that after wasting priceless time the Government proposes to spend $20,000,000 upon the construction of nitrate-producing activities at Muscle Shoals, Ala., may be taken as one of the hopeful signs that this Government is coming to a realization of the seriousness of this war. It can be truthfully said, without unfair criticism, that in many of the tremendous issues of this momentous hour our Government has halted, hesitated, back stepped, side stepped, and done most everything else except to step straight forward and march on without a backward movement.

A country boy living 2 miles from school was very late one sleety day, and when called to task by the teacher claimed that the ground was so slippery that every time he made one step forward he slipped back two. The teacher, thinking that he had caught him at last, said: "How did you ever get here?" And the quick reply was: "I turned around and tried to walk home and slipped to school."

Our program has been by slipping backward instead of by straight moving forward. Harsh as the statement may seem to some, it is nevertheless true. In some respects we have made superb progress, due to the tremendous energy and power of the American people as they awaken to the task; but through nearly three years of the greatest of all human tragedies we constantly failed to move forward because we were unwilling to step straight. We saw the inadequate development of our coal industry to meet what all well-informed men knew was an inevitable call of the noncoal-producing countries for all of the coal which they needed. We saw that England's supply of coal to the world must of necessity be shut off, and yet the Government took no broad steps to study the situation or to prepare to meet it. All that was done was by the individual activities of coal people.

We saw railroad transportation breaking down and the inevitable collapse of the railroads; but the Government piled still further burdens upon the railroads, and after practically enchaining them and dooming them to destruction called upon them to go forward. They steadily slipped backward and could not turn around and go forward by moving the other way.

We saw, or we should have seen if our eyes had been open to the careful study of the matter, that for years our food supply was gradually decreasing in proportion to population, and this of absolute necessity, because of the heavy increase in city population as compared with country population. It was as plain as the noonday sun, that with the rapid growth of the consuming population in the cities and the relative decrease of producing population in the country there was inevitably only one end. But we refused to meet the issue, and therefore made no broad plans looking to the increase of our food supply to meet the conditions developed by Europe's war.

We saw that we were wholly dependent upon Chile for nitrates and that this supply was liable to be cut off at any moment, and yet we made no serious move for the development of the water powers necessary for the production of nitrates from the atmosphere. Only to-day are we beginning to do the work looking to the production of nitrates which we should have done years ago. The Nation saw its magnificent water-power potentialities unutilized except to a limited extent. It saw millions and millions of water-power potentialities going to waste as the rivers ran their course idly to the sea, when if harnessed for electricity vast enrichment would have followed and conservation of coal would have been a reality instead of a visionary dream of the visionary theorists of a few years ago. We tied up water-power development. We listened to visionary cranks, to whom we should have given just about as much attention as we should now give to the talk of the pacifists. But the Nation was determined, or the Government was, that nothing should be done in water-power development. Taft blundered, and the present administration has not yet changed these conditions.

A few years ago hundreds of millions of dollars could have been found for the utilization of almost every available power, and to-day millions of horsepower, in addition to what we have, might be operating our factories, our electric lines, and perchance some of our railroads to the great saving of coal. But nothing was done.

It is to be hoped that the movement toward developing the great power possibilities of Muscle Shoals, where more than 600,000 horsepower can be created, and building at that point a nitrate plant, indicates that the theorists and the cranks are to be set aside and the Nation is to go forward in real, substantial work, doing the things which are necessary to the winning of the war and making possible the conservation of energies now wasted, and the fullest possible production of all resources in food and manufactures, in transportation by rail and by motor truck and by water of which the country is capable.

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[From the Scranton (Pa.) Republican, Dec. 6, 1917.]

UTILIZE THE NATION'S WATER POWER.

At a time when the liberation of the country's dormant energies is one of the prime requisites of the Nation in putting forth its strength to meet the tremendous responsibilities of the world war it should need no special argument to convince Congress of the great importance of developing the water power of the United States.

In his message to Congress this week President Wilson said:

"It is imperatively necessary that the consideration of the full use of the water power of the country and the consideration of the systematic and yet economical development of such of the natural resources of the country as are still under the control of the Federal Government should be resumed and affirmatively and constructively dealt with at the earliest possible moment."

The vast importance of the Nation's undeveloped water power has been frequently urged by Gifford Pinchot, who has made a special study of the subject and who is probably better informed regarding its potential possibilities than any other man in the United States. In a recently published statement Mr. Pinchot earnestly advocates congressional action on this question and points out the great value of adding the Nation's water power to its wealth-producing activities.

In numerous ways the gigantic forces that are going to waste along the country's great water courses might be profitably employed to serve the interests of the American people in actuating mills and factories and the multitudinous activities to which power could be furnished economically from this source.

Power is one of the great elements of the Nation's strength. Never has its value or its need been more apparent than at present. The United States has been bountifully enriched by nature with an illimitable supply of undeveloped power, and in no form is it cheaper or more easily accessible than in water power, which can be speedily transformed into electrical energy.

This is a question which calls for early attention on the part of Congress. The Walsh bill and the Shields bill, now pending in the Senate, should receive prompt consideration. This is right in line with one of the subjects now uppermost, namely, the quickening of fuel production for power, and can properly supplement that enterprise without interfering with its industrial aspects.

It is a patriotic duty to add to the country's strength wherever possible in this strenuous period, and such a mighty factor for service as the Nation's water power should not be permitted to remain undeveloped when it can and should be utilized for the public good.

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[From the New York Evening Post, Dec. 6, 1917.]

NEW CONGRESS DRIVE FOR WATER-POWER LEGISLATION—SIGNS THAT WAR NEEDS WILL HASTEN ACTION.

There is a strong prospect that Congress will at last meet the need for a safe and sane development of water power, which has been delayed through the failure of session after session to enact the necessary legislation. Coupled with the need of water-power development for mere domestic purposes comes the overwhelming demand for it in connection with war industries. There can be no doubt but that, as a result of President Wilson's demand for such legislation in his message to Congress, this session will see a determined effort to get bills through both Houses for the development of water power on the public lands and on the navigable streams.

Noteworthy in connection with the determination to bring about legislation, if possible, is the spirit of conciliation developing between the radical conservationists, headed by Gifford Pinchot, and the radical anticonservationists, who have tried to keep Federal hands off water-power development in the far West. While it would be too much to expect Mr. Pinchot to violate the conservation principles for which he stands, and equally too much to expect the opponents of his program to surrender to him, the fact remains that the "get-together" spirit with which the country is doing business nowadays as a result of the war has helped convince both sides that the present stalemate on legislation in Congress is not the patriotic situation which either can afford to sponsor in the future.

On the whole, there has not been the same objection in the past on the part of the radical conservationists to the water-power bill for the public domain as there has been to the water-power bill covering navigable streams. In fact, it has been the opinion of those who have watched the progress of both measures that if the proponents of the anticonservation navigable streams bill would compromise their differences with the opposition on that measure both could be passed without much trouble. It has hardly been a secret that one measure has been played against the other to the extent that there has been no action possible on either. The time has now come, in the opinion of high officials and Members of Congress, to make a mighty drive for both bills, and once that drive is made the truth will come out, if it has to come out.

For some time past the American Newspaper Publishers' Association has been trying to weigh the relative merits of the opposing sides in the water-power controversy understandingly. It has taken a recent letter written by Mr. Pinchot, which he concluded with a quotation from the President—"the supreme test of the Nation has come; we must all speak, act, and serve together"—as a hopeful sign that implacable warfare over water-power legislation is at an end and the spirit of conciliation and coordination and cooperation is at hand. In his letter Mr. Pinchot makes the following seven points in his platform for water-power legislation:

(1) The thing to do with water power is to develop it. Whatever retards or restricts the development of public water powers on terms fair to the public is against public policy and hostile to the general welfare.

(2) Water power belongs to the people. The sites where it is produced should always be held in public hands, for only so can effective control in the general interest be secured.

(3) Where public development is not desired the right to use water-power sites should be leased for periods long enough to permit sound, attractive, and profitable investment, but never longer than 50 years. At the end of each lease all rights should return to the people who gave them.

(4) In order to protect the consumer against extortion, rates and service should be regulated by Federal authority when State or local authorities fail to do so.

(5) Reasonably prompt and complete development and continuous operation, subject to market conditions, should be required. Already millions of water horsepower are held out of use to further monopoly by private corporations.

(6) Corporations or individuals who make money out of rights granted by the people should share their profits with the people.

(7) The public has a right to complete information about every business based on the use of public property.

Taking the Shields bill, covering water-power development on navigable streams, now pending in the Senate, and the Walsh bill, covering water power on navigable streams, now pending in the Senate Committee on Public Lands, as a basis of argument, the American Newspaper Publishers' Association finds that, in its opinion, the contentions of Mr. Pinchot are contained in these bills in substance as to every point except the third. Even in that case the association states that "unless Mr. Pinchot's statement means more than appears on the surface, it is an exact description of the leasing system proposed in the Walsh and Shields bills."

Continuing, however, the association goes directly to the hub of the argument between Pinchot and the proponents of these bills when it says:

"Both bills limit the term of the lease to 50 years by providing that at the end of that time the Government may retake the rights and either use them itself or grant them to other parties. That is not, however, all there is to the matter. Mr. Pinchot desires that at the end of each lease 'all rights should return to the people who gave them,' but Mr. Pinchot would not claim that at the end of the lease the situation existing at the beginning could be actually reconstructed.

"It is impossible to ignore the fact that development has taken place in the interim; that a dam has been constructed; a power house erected, power equipment installed, transmission lines set up, and a power supply offered and taken by consumers, including cities, industries, and a vast number of individuals who have become dependent upon it. If the right to utilize the dam site were returned at the end of the lease, without any provision being made for the power business developed, vast injustice would be done, not only chiefly to the investor but to the general public itself.

"Obviously this is a situation which is to be dealt with, and, except for dealing with it in a manner which at the same time aims to safeguard in the highest degree the principle of recapture, which Mr. Pinchot speaks for, there is no conflict between the Walsh and Shields bills and the ideas expressed in the third point made by Mr. Pinchot."

Obviously, the association is not quite clear in its own mind whether Mr. Pinchot will subscribe to its entire judgment as to the meaning of his letter and the actual contents of the Walsh and Shields bills, but it invites and it would welcome his assistance, which, it admits, would be "of great importance." The association rejects the idea that Federal development of water power will solve the situation on the ground that State regulations would interfere, that the properties could not be taxed, and that neither rates nor the nature of the service could then be determined by local authorities. The prediction is made that to switch the issue to one of Federal development at this time would be certain to revive the old controversy in all its glory. Congress would be sure to approach such a new angle gingerly, while legislation is now necessary from every point of view. The President said on this point:

"It is imperatively necessary that the consideration of the full use of the water power of the country and also the consideration of the systematic and yet economical development of such of the natural resources of the country as are yet under the control of the Federal Government should be immediately resumed and affirmatively and constructively dealt with at the earliest possible moment. The pressing need of such legislation is daily becoming more obvious."

After this clarion call to action the country will be interested in watching developments to see which side to the old water-power controversy, if any, interposes the first insurmountable objection to early legislation. The reason for such objection will have to be definite and understandable, in view of the need of the country for laws under which to move forward in water-power development.

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[From the Springfield (Mass.) Union, July 30, 1917.]

HARNESS THE WATER POWERS AND SAVE COAL.

In this time of industrial difficulties, when the supply of coal is far behind the requirements and the railroads are choked with freight, the interest of commercial leaders turn as never before to the project of progressive waterways development. Secretary Redfield recently issued a statement on this subject, in which he called attention to the views of prominent railway officials that our existing transportation lines, even when operated at 100 per cent of their capacity, can not handle the full volume of traffic thrown upon them. What will the conditions be in the near future, he asks, when, in addition to the present flow of munitions and other manufactures and supplies, the concentration of troops is undertaken and the new crops begin to move toward the ports and market centers? Railroads are canceling passenger trains and ordering additional cars and locomotives to relieve the difficulty, but other means of relief must be invoked. Steps should be taken, he says, to encourage water transit and to extemporize, if need be, means for bringing it quickly into service.

While the Secretary's appeal looks primarily to the adoption of emergency measures to bridge existing difficulties, the effect of the situation is to direct attention as never before to the broad bearings of our waterway problems. At this juncture the Shields bill, providing for Federal regulation of the construction of dams and the operation of power plants on navigable waterways, comes to the front as a measure calculated to augment the means of transportation, expand our industrial facilities, and conserve our stores of coal. This measure, which failed of passage in the last Congress, has recently been reported anew by the Senate Committee on Commerce. On its own merits and in its bearing on the national-defense situation it is worthy of being made a subject for prompt legislation.

By the terms of this bill Congress would give its outright consent to the erection of dams, diversion structures, and accessory features for water-power plants whenever the Secretary of War, with the approval of the Chief of Engineers, issues a permit to that effect. Such a permit may be given in case it is found that the plans submitted are best adapted for the comprehensive development of a waterway for navigation, full development of its water power and utilization of the water resources of the region, with the understanding that the recipient of such permit shall pay the Government reasonable charges for benefits accruing from the institution of headwater improvements. The revenue thus derived would be set aside as a headwater improvement fund. Among contesting applicants the one is to be chosen who has first secured the diversion rights and otherwise qualified under the laws of the State, or where there are no State laws to be considered preference is to be given to the first applicant. The duration of such permits would be 50 years, and thereafter until termination by 2 years' notice in writing and the taking over at a fair value by the United States of all property dependent for its usefulness upon the rights given in the bill. Rates charged for service by the holders of such permits would have to be reasonable according to the laws of the State, or, if there be no State authority, the Interstate Commerce Commission.

It is highly desirable that this subject should be taken up for consideration by Congress at the earliest practicable moment, with a view to definite action. A difference of opinion exists as to what conditions it is desirable to impose in the interest and protection of the public relative to the length of terms covered by permits, the condition of their revocation, and so on. But it is not well that our vast water-power facilities should remain locked because different schools of legislature are unable to agree as to what is feasible and advisable.

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[From the Scranton (Pa.) Republican, Aug. 10, 1917.]

THE NATION'S WATER POWER.

If civilization were as prompt in voting great sums of money for peaceful development as it is in appropriating colossal amounts for the destructive purposes of war, the advance of modern progress would be much more rapid than it is. The world would then behold a condition in which many of the forces that are now slumbering in unproductive idleness, or going to waste, would be ministering to the needs of mankind.

We have particularly in mind the vast possibilities of water power in the United States, and its potentialities for actuating industry in many directions, as well as the scientific uses it would serve in stimulating the agricultural, manufacturing, and transportation facilities of this country.

Senator JOHN K. SHIELDS, of Tennessee, speaking on this subject recently in the Senate, cited some interesting facts and figures in support of his illuminated argument favoring the development of water power in the navigable rivers of the United States. He said: "There is no country in the world that has greater natural waterways than

this, and with proper improvement they can be made to contribute as much to its commercial and industrial wealth as any of its other great natural resources."

Quoting from the report of the Bureau of Statistics, Senator SHIELDS said it shows that the primary power equipment in the United States in commercial and municipal central stations, street and railway stations, and manufacturing plants in 1912 was 30,448,246 horsepower, of which 80 per cent was steam power, and more than one-half of this was found in the States of Pennsylvania, New York, Massachusetts, California, and Michigan. He pointed out that the annual consumption of coal in this country is 480,000,000 tons, valued at about $1,000,000,000, and claimed that while the coal fields will supply the country's needs for a century or more, they are not inexhaustible; neither is the supply of oil or gas.

The future of water power, converted into hydroelectrical energy is, therefore, of proximate interest. It has been well said that "water power is unlike most natural resources in that it is not diminished by use, nor is it conserved by nonuse." In this respect it differs from coal, which, if not used to-day, remains to be used later. A strong argument for water power is that its utilization results in the saving of coal for future use.

Among the many uses to be served by the development of the country's great wealth of dormant water power, Senator SHIELDS pointed out that of producing atmospheric nitrogen at low cost to enable the farmers to fertilize their fields and increase their crops.

The immediate results of liberating, for industrial purposes, the Nation's wealth of unused water power is the effect it would have in lessening the cost of production in many ways, and distributing its advantages to every city in the land. The undeveloped water power of the United States is one of its greatest assets, and its early utilization should receive the attention of Congress.

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[From the New York Journal of Commerce and Finance, Jan. 2, 1918.]

PROBLEM OF WATER-POWER DEVELOPMENT—PROPOSED GOVERNMENT REGULATIONS DETER CAPITAL.

(By G. H. Walbridge, vice president of Bonbright & Co.)

The existing acute shortage of coal, the use of a large number of cars for coal transportation when cars are urgently needed for other purposes, and the fact that the Shields bill has again been passed by the Senate, bring prominently to the front once more the question of development of water powers on land controlled by the Government.

It is proposed in the Shields bill, as in other bills relating to the same subject, that the Government, in granting rights for development of water powers located partly or wholly on Government land, shall restrict the grant in three ways: First, the grant shall not be permanent, but the Government shall have the right of recapture; that is, it may purchase the entire hydro development on payment of a price after the lapse of a certain number of years; second, that the Government shall tax the development; third, that the Government shall retain the right to supervise accounts and regulate rates. It is not generally understood that, except for navigation purposes on navigable streams, the Government has no title to nor interest in the water. The right to regulate is based solely on the Government's control of such lands as may be needed for dams, power houses, or similar structures.

No one seems to question the desirability of immediate development of water powers, although it should be borne in mind that they can not be constructed overnight, since the work is necessarily dependent on the seasons of the year and machinery and other requisites are subject to the same delays as are materials for other kinds of work. The probabilities are that any water-power developments begun as a result of favorable congressional action can not be completed before the end of the war, unless the war lasts more than two years longer.

The whole question of regulation of water powers on Federal-controlled lands has been the subject of much emotional, not to say hysterical, oratory. The so-called conservationists appear to feel that a water power is equivalent to a gold mine and therefore must be controlled for the benefit of the people. The fact that drouth and flood, overruns in cost, and disappointments in markets put hydroelectrics on the same plane as the average business enterprise is obvious to anyone who will spend a few hours studying the troubled financial history of many of the existing hydroelectric companies. Hence, to bolster up their case the conservationists invented a fantastic myth about a menacing "water-power trust," which as a matter of easily established fact never existed and never will. All this has resulted in much discussion in Congress and elsewhere and a consequent delay of years which might have been occupied in building plants.

As a matter of common sense, the Government should take its hands off, since no regulation or restriction by the Government is necessary or desirable, with this exception, which applies to everything that follows, namely, that the Government should throw such restrictions around the grant of rights as will prevent any individual or group from securing rights and holding them indefinitely without development.

Every State in the Union has the inherent right, and most of them exercise, through commissions, the right to regulate rates charged by all public utilities, including hydroelectrics. These commissions have generally ruled that utilities are entitled to earn a "fair return" on the fair value of property used and useful in serving the public. This "fair return" is frequently fixed as 8 per cent annually upon such value and seldom, if ever, is fixed as high as 10 per cent. Let us assume the usual figure of 8 per cent and see what it means. It is that part of the total earnings remaining after deducting actual operating expenses plus a reasonable allowance for depreciation, and is what is left to pay interest on the invested money, provide a contingent fund against calamities, physical or industrial, and pay a "profit" to the organizers and managers of the enterprise. It will be noted the usual argument about "overcapitalization," "paying dividends on watered stock," etc., falls of its own weight, since the percentage of return is based on a value established principally by physical inventory and the amount of securities issued is disregarded. Incidentally the prospect of being able to earn 8 per cent is not sufficient to tempt a shrewd investor to undertake the manifold risks of hydroelectric construction, especially in view of the fact that seasoned securities can be purchased in the open market to yield nearly as much. Assuming, however, for argument that this is a fair rate, we have this condition: If the State exercises its power of regulation—and most of them do—the hydroelectric plant can not earn more than 8 per cent on its investment. If the hydroelectric can earn only 8 per cent, what further regulation is needed? The public does not need it. The public pays only the cost of operation plus 8 per cent on the value of the plant.

Further, why should the Federal Government tax the hydroelectric, since under equitable regulation the taxes must be passed along to the consumer, who is thus taxed for the benefit of the country at large? Why should the Government reserve the right to take the plant away at the end of 50 years on the payment of a price, presumably equitable, but subject to all the uncertainties of such a procedure? The customer does not require this protection and the prospect discourages capital. The Government can condemn any plant needed for governmental purposes at any time, but unless the country wishes to embark in Federal ownership of local utilities there is no reason why the Government should take over hydro plants now or 50 years hence.

To recapitulate, if under existing laws and procedure the utility can earn only 8 per cent, what need is there for any regulation or recapture by the Federal Government, and what is in the minds of the people who advocate such regulation and recapture? Most of them are too sensible and too honest to desire it merely for the purposes of building up a special Federal bureau. They must, therefore, be actuated by a mistaken idea of their duty to the people, who are, however, fully protected under existing conditions, and who are, through this exercise of undue care on the part of the Federal Government, being deprived of the benefits from water powers that would otherwise have been in operation long ago. The proposed regulations deter capital, discourage development, and are unnecessary for the protection of the public. What useful function will they perform?

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[From the New Bedford (Mass.) Mercury, Dec. 27, 1917.]

A most important piece of legislation is being rushed through Congress which deserves more attention than it is receiving. The reference is to the bill providing for the development of water power, which passed the Senate shortly before the holidays, and which will come up for consideration in the House, where it is said it will pass with ease. The President referred to the need for such legislation in his address to the joint Houses this month, and the Senate has been prompt to respond. The legislation has heretofore been hotly contested, being fought over every inch of the way by those seeking to effect legislation to encourage capital to interest itself in water-power development and by the conservationists, with Gifford Pinchot at the head, who have been of the opinion that water-power development should be so bound in chains that the people may ever be in control of these water rights, getting a good deal for nothing. With this dog-in-the-manger policy the conservation movement has been able to obstruct all attempts to develop water power. Capital was not going to risk millions for the sake of a paltry dividend and the likelihood of endless trouble through Government regulation and the probability that at the termination of the leasing proposed the value of their equities would be reduced to nothing.

In consequence of the conflict of opinion nothing has been done at all in this direction. The country possesses enormous water power which could be used to high advantage in many of the industrial communities of the land and at the saving of many tons of coal, for which there is now the greatest need imaginable. This very fact has sufficed to knock the props from under the conservationists, who have come to their senses and have withdrawn obstructive tactics, so that when the bill mentioned came up for consideration in the Senate, instead of fighting it desperately they simply stated in brief why they would vote against it. The last-ditch fighting hardly lasted more than an hour and only 18 votes were cast against the bill, whereas 46 votes were cast for it. It remains to be seen how loudly Mr. Roosevelt will shriek. He has been one of the archconservationists. With much ado, self-righteous, indeed, he vetoed the earlier bills to permit water-power development, in particular the Snake River Dam bill, a veto for which Gifford Pinchot was credited. The bill passed by the Senate recently in effect provides for the improvement of rivers by dams for hydroelectric purposes without cost to the Government. Grants will be issued by the Secretary of War to private parties for the construction and maintenance of them, the grants being leases to extend 50 years at least, or until the property necessary for the development is taken over and just payment made either by the Government or a duly authorized new grantee. Regulation of rates and service will be made by the public authorities, either the Interstate Commerce Commission, if the business is interstate, or by the State authorities if the business is wholly intrastate.

Other features in the bill protect the people to be served fully, and yet the terms are not made onerous and prohibitive to capital. Seemingly there can be no monopoly, in so far as the phraseology of the bill is concerned, but this has been the cry of the Pinchot people, although it has seemed to sane people that there never could be a monopoly in water power in the country, since water-power sites were virtually innumerable. The only water-power monopoly that has been in existence has been the group of conservationists, who have exerted a power heretofore absolutely preventing anybody from making use of a great natural resource. It has been a monopoly of the worst type. At last it seems to have been put out of business.

It is claimed by the Geological Survey of the Government that the available potential horsepower of the country is 61,678,000, of which 4,910,000 is in the North Atlantic States. It is also estimated that with practical maximum storage the total available water horsepower that could be produced in the United States would be 200,000,000. The present actual water power used in the country is about 6,000,000, showing how little the land has made use of a source of vast power in its domains. It is said that the 61,000,000 horsepower mentioned is the equivalent of the annual use of 340,000,000 tons of coal—60 per cent of the total amount used in the United States a year, which at $2 a ton means an annual value of $680,000,000. Delay in the water-power legislation has thus meant this much enormous loss annually to the people and they suffering to-day as a consequence. Where the conservationists have sought to save, they have really wasted in immense figures.

The enterprises so far have not, of course, attained the high figures quoted, but through the delay in water-power legislation the development of 2,122,000 horsepower, covering the improvement of 1,160 miles of waterway, has been stalled—30,000 horsepower in the Connecticut River. It is said that these figures represent the equivalent in energy of 7,214,000 tons of coal, which would require the labor of 7,000 men at the mines to produce and 200,000 35-ton cars to move. In these days when the shortage of coal pinches and when there is so much distress and incommoding, these figures burn. It is astonishing that the people should have allowed themselves to be so long obstructed by theorists and visionaries.

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[From the Little Rock (Ark.) Gazette, Dec. 17, 1917.]

TO HARNESS THE WATER POWERS.

The bill of Senator SHIELDS, of Tennessee, for development of water powers on navigable streams, which failed in a conference deadlock in the last Congress, has been again passed by the Senate and now goes to the House.

Under this measure water power development on navigable streams would be under the control of the War Department, which would have authority to grant 50-year permits for development projects.

Present circumstances have made more urgent the need for utilizing the country's water power. There is now a nation-wide fuel shortage, and for lack of sufficient supplies of coal many electric plants are having difficulty in continuing in operation. Yet, if streams that could be harnessed were harnessed many communities could be supplied with light and power from hydroelectric plants. The cutting off of German chemical supplies has started America to manufacturing dyes and other articles that were formerly imported. But nothing would put forward our chemical industry more than hydroelectric power. The bauxite of Arkansas is taken to Niagara Falls and to a plant in east Tennessee to be made into aluminum with electric current generated by water power. And there are in Arkansas and other States many resources that with the aid of electric power could be converted into useful commodities.

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[From the New York Herald, Jan. 7, 1918.]

OUR WASTED WATER POWER.

"Better late than never." After wasting in discussion and wranglings many years that could have been devoted to building water-power plants on lands controlled by the Government, it seems that at last Congress will do something practical.

President Wilson has submitted a report signed by the heads of the War, Interior, and Agricultural Departments and the draft of a bill designed to reconcile divergent views and obtain legislation to save the 35,000,000 horsepower that now is wasted every year.

It is the pressure of war that is bringing this matter to a head. As Mr. Wilson stated at a conference with the leaders of the House, the early development of a considerable portion of our water-power resources would not only save fuel but lessen the present demand on transportation facilities caused by the moving of coal and other heavy fuels.

As a result of the conference, a special committee of the House is projected to take jurisdiction of all water-power problems that are in the hands of the various committees, pass the President's bill, and send it to the Senate with the support of the administration. This is a businesslike suggestion and promises results. That there will be much discussion, in which the alleged "Water Power Trust" will again figure, goes without saying, and this means further delay.

After the needed legislation is obtained, it is going to take a year or two to construct plants sufficient to afford perceptible relief. We repeat. "Better late than never"; but, in view of all the time that has been lost, there is call at this tardy date for immediate action. The Shields bill, which has again passed the Senate, has many provisions designed to protect the interest of the people—retention by Government of the right to buy back the plants after a fixed period, to tax developments, supervise accounts, and regulate rates.

Every State has the right—which most of them exercise through commissions—to regulate the rates of all public-utility companies, including hydroelectric plants. In the opinion of some thoroughly informed persons, the Government should confine itself to preventing rights from being obtained and held without development and leave all other restrictions and regulations to the several States.

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[From St. Louis Globe Democrat, Mar. 10, 1916.]

SHIELDS WATER-POWER BILL.

The decisive vote of the Senate in favor of the Shields water-power bill was a victory for the school of conservation which believes that the water should be used for power as soon as possible, so as to conserve coal and petroleum. The resolutions committee of the Fifth National Conservation Congress estimated that the country could save $200,000,000 a year on fuel by prompt development of hydroelectric power. There is another and smaller school of conservation, of which Mr. Pinchot is the most prominent personality, which is chiefly interested in keeping the water-power sites out of private hands. This school has gloried in the defeat of previous bills, but has done nothing toward utilizing water power. It has saved waterfalls from use, but has let the country pay its excessive annual toll for steam power.

The long debate in the Senate revealed that the principal question is whether the Government or State shall be permitted to take over a plant at the end of 50 years at the actual value then, determined by agreement or condemnation proceedings, or whether it shall pay only what the plant has actually cost. There is no agreement to take it over at all. The investor is asked to make the venture. If he loses money, it is hopelessly lost. If he builds up a valuable property he must sell out, if the Government wishes to buy, for what the site costs now, with his actual expenditures added. It is a "heads I win and tails you lose" proposition. Nobody favors Government or State ownership now. The Government merely asks an option, which can be exercised if the experiment is successful.

The bill provides for control of charges by State and Federal authorities. Every reasonable safeguard is provided to prevent abuse. The sites must be acquired at actual value, under the various State laws. There is no bonus or grant, such as Congress voted the railways for the development of the great West. A slight monopolistic feature is almost unavoidable, but the bill prohibits improper practices as well as discriminatory charges. The critics of the bill offer no constructive alternative. They would merely load the bill down with such amendments that capital would not take the risk. If they have their way, they should entitle their act "An academic theory as to how water power might be developed if capital could be induced to invest in the experiment."

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[Editorial from the Evening Post, New York, Friday, May 5, 1916.]

That the National Conservation Congress should have indorsed the Shields bill by a vote of 116 to 39 is a severe blow to Pinchot, Garfield, and other extreme conservationists. There was no division upon principles, but merely upon the interpretation of the Shields measure. The majority of the Conservation Congress plainly thought that its provisions could be accepted literally and in good faith. It meant what it said in giving the Government the right to take over private water-power plants on navigable streams at the end of 50 years at actual valuation. But ex-Secretary of the Interior Garfield was certain that the bill "turns over to private monopoly public power in perpetuity. The 50-years' limitation as proposed is nothing more than a mere fiction." The minority resolutions held that power sites should not be disposed of in perpetuity, but retained in Federal control. The majority made much of the fact that the Senate, after careful debate, had not seen in the bill the "mere fiction" of which Garfield spoke, and an even weightier consideration is that Secretary Lane has not done so. Upon details of the measure there may be disagreement, but its guaranty of a 50-years' tenure seems necessary to invite capital into a risky field.

REPORTS OF COMMITTEES.

Mr. McNARY, from the Committee on Public Lands, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 2784) to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916 (Rept. No. 228); and

A bill (S. 3225) to reserve as a part of the Oregon National Forest certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States (Rept. No. 229).

Mr. SHAFROTH, from the Committee on Public Lands, to which was referred the bill (S. 2315) to extend the time within which final proof is required to be submitted upon any lawful pending desert-land entry made prior to July 1, 1915, such extension not to exceed three years from the date of allowance thereof, reported it with an amendment and submitted a report (No. 225) thereon.

Mr. SMOOT, from the Committee on Public Lands, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 101) to authorize the consolidation of Government lands and of privately owned lands, and for other purposes (Rept. No. 226); and

A bill (S. 972) to authorize an exchange of lands with Henry Blackburn (Rept. No. 227).

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 2931) for the relief of Thomas Sevy (Rept. No. 230);

A bill (S. 100) to authorize the Secretary of the Interior to issue patent for certain lands in the State of Utah to Cyrena E. Young (Rept. No. 231);

A bill (S. 97) authorizing the exchange of certain lands in the State of Utah for the protection of the water supply of Salt Lake City (Rept. No. 232);

A bill (S. 94) to amend section 3 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes," approved March 3, 1901 (31 Stat. L., p. 1133) (Rept. No. 233); and

A bill (S. 92) to authorize the Secretary of the Interior to issue patent for certain lands in the State of Utah to E. D. Partridge (Rept. No. 234).

Mr. TILLMAN, from the Committee on Naval Affairs, to which was referred the bill (S. 3128) to authorize additional pay for enlisted men of the Navy and Marine Corps detained beyond the expiration of their terms of enlistment, reported it with amendments and submitted a report (No. 224) thereon.

FOX RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 3448) granting the consent of Congress to the village of East Dundee and the village of West Dundee to construct a bridge across the Fox River, and I submit a report (No. 235) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FRIEZE IN THE ROTUNDA OF THE CAPITOL.

Mr. GALLINGER. I report from the Committee on the Library favorably without amendment the joint resolution (S. J. Res. 125) authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the rotunda of the Capitol, and I submit a report (No. 236) thereon. I think there can be no objection to the joint resolution and I ask for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. OVERMAN. Let it be read.

The VICE PRESIDENT. It will be read.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the Joint Committee on the Library be, and it is hereby, authorized to provide for the restoration and completion of the historical frieze in the Rotunda of the Capitol. For that purpose the

said joint committee is empowered to select an appropriate design for the completion of the frieze and to employ such artists in the work of completion and restoration as may demonstrate to the satisfaction of said joint committee their ability to perform the work in a proper manner.

SEC. 2. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $20,000, or so much thereof as may be necessary, for the purposes of this resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS AGAINST THE GOVERNMENT.

Mr. SMITH of Georgia. I report from the Committee on the Judiciary favorably, with amendments, the bill (S. 1795) to relieve Congress from the adjudication of private claims against the Government.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. SMITH of Georgia. I wish to add that Senate bill 832, to amend an act approved March 4, 1915, abolishing the jurisdiction of the Court of Claims in certain cases involving claims against the United States for property destroyed or appropriated by the Federal Army during the Civil War, and Senate bill 2488, to relieve Congress from the adjudication of private claims against the Government, have reference to the same subject. The bill which I have reported, with amendments, is intended as a substitute for these two bills, and I report them adversely and ask that they be postponed indefinitely.

The VICE PRESIDENT. The Chair understands that the Senator from Georgia desires the indefinite postponement of Senate bill 2488 and Senate bill 832?

Mr. SMITH of Georgia. I move that the bills be indefinitely postponed.

The motion was agreed to.

FUNERAL EXPENSES OF THE LATE SENATOR NEWLANDS.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred S. Res. 177, submitted by Mr. Pittman on the 9th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of the Hon. Francis G. Newlands, late a Senator from the State of Nevada, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

EMPLOYMENT OF ADDITIONAL CLERK.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably with an amendment Senate resolution 158, authorizing the Committee on Privileges and Elections to employ an additional clerk, and I ask unanimous consent for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was in line 5, after the word "Senate," to strike out "from December 3, 1917," and insert "for a period lasting until."

The amendment was agreed to.

The resolution, as amended, was agreed to, as follows:

Resolved, That the Committee on Privileges and Elections of the United States Senate be, and it is hereby, authorized to employ an additional clerk at the rate of $100 per month, to be paid out of the miscellaneous items of the contingent fund of the Senate, for a period lasting until the end of the present session of the Congress.

YUMA PROJECT, ARIZONA.

Mr. SMITH of Arizona. I ask unanimous consent to make a report from the Committee on Irrigation and Reclamation of Arid Lands on a bill designed to carry out the purposes of the act providing for what is known as the Yuma project, in my State, and which provides merely for the transfer of certain funds. It has been recommended by the Secretary of the Interior; it has passed the House without a dissenting vote; and it is in the nature of a local matter designed to extend the Yuma project under the original act. I report the bill (H. R. 3135) to amend section 4 of the act entitled "An act to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona, and I submit a report (No. 237) thereon.

In order to meet an exigency that exists in connection with that project, I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. The bill will first be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the first sentence of section 4 of the act entitled "An act to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona," approved January 25, 1917, be amended so as to read as follows:

"That the money in said auxiliary reclamation fund of the Yuma project, Arizona, shall be available for the construction or completion of irrigation works of the said auxiliary project or unit."

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. GALLINGER. Mr. President, as I caught the reading of the bill, there is no further appropriation asked for.

Mr. SMITH of Arizona. None in the world; it merely provides for a transfer of the fund so as to carry out the project.

Mr. GALLINGER. That is all?

Mr. SMITH of Arizona. Yes; there is not appropriated from the Public Treasury an additional dollar.

Mr. JONES of Washington. Mr. President, I understood the Senator to say that the bill was reported from the Committee on Irrigation and Reclamation of Arid Lands?

Mr. SMITH of Arizona. Yes; it has been reported from that committee. I have taken it up with several members of the committee, and regret that I was not also able to see the Senator from Washington and ask his views in regard to the measure.

Mr. JONES of Washington. The Senator polled the committee?

Mr. SMITH of Arizona. The committee was polled—the Senator knows the difficulty of having the committee meet—and the measure was explained to each member who was seen, and no one of them objected to it. I would have seen the Senator from Washington if I had had an opportunity.

Mr. JONES of Washington. That is all right.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BORAH:

A bill (S. 3631) to convey certain lands to the city of Boise, State of Idaho, for a municipal park (with accompanying papers); to the Committee on Public Lands.

By Mr. SMITH of South Carolina:

A bill (S. 3632) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes; to the Committee on Interstate Commerce.

By Mr. SHEPPARD:

A bill (S. 3633) to authorize the construction of a dam or dams, a lock or locks, and other works in and across Sabine Lake in order to protect certain rice lands from salt water; to the Committee on Commerce.

By Mr. THOMPSON:

A bill (S. 3634) granting an increase of pension to Frederick H. Barker (with accompanying papers); and

A bill (S. 3635) granting an increase of pension to John W. Keffer (with accompanying papers); to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 3636) granting to the States in which national forests are situate lands to aid in the construction of public roads in such national forests; to the Committee on Public Lands.

A bill (S. 3637) granting a pension to Charles S. Abbott;

A bill (S. 3638) granting an increase of pension to John Cook, jr.;

A bill (S. 3639) granting an increase of pension to George W. Hamilton;

A bill (S. 3640) granting an increase of pension to Jacob Jewell;

A bill (S. 3641) granting an increase of pension to Lawrence O. Loughlin;

A bill (S. 3642) granting an increase of pension to Albert N. Raymond;

A bill (S. 3643) granting an increase of pension to Logan Russell;

A bill (S. 3644) granting a pension to Elizabeth Webster; and

A bill (S. 3645) to amend an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes"; to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 3646) to grant rights of way over Government lands for reservoir purposes for the conservation and storage of water to be used by the city of San Diego, Cal., and adjacent communities (with accompanying papers); to the Committee on Public Lands.

By Mr. HOLLIS:

A bill (S. 3647) granting a pension to Joseph H. Chapman (with accompanying papers); to the Committee on Pensions.

A bill (S. 3648) for the retirement of public-school teachers in the District of Columbia (with accompanying papers); to the Committee on the District of Columbia.

By Mr. BANKHEAD:

A bill (S. 3649) to amend the act approved June 25, 1910, establishing postal-savings depositories, and acts amendatory thereof, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. LA FOLLETTE:

A bill (S. 3650) granting a pension to Mary Herman (with accompanying paper); and

A bill (S. 3651) granting a pension to Clara Stillman (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 3652) authorizing the leasing of the lands embraced within the Hoh Indian Reservation in the State of Washington; to the Committee on Indian Affairs.

By Mr. KELLOGG:

A bill (S. 3653) for the relief of Ben. L. Fairbanks and others; and

A bill (S. 3654) conferring jurisdiction on the Court of Claims to hear, determine, and render final judgment in the matter of claims of the Chippewa Indians and the several bands or tribes thereof in the State of Minnesota against the United States, and for other purposes (with accompanying paper); to the Committee on Indian Affairs.

By Mr. GALLINGER:

A bill (S. 3655) granting an increase of pension to Charles Dwight Hanscom (with accompanying papers); and

A bill (S. 3656) granting an increase of pension to Daniel L. Thompson (with accompanying papers); to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 3657) to provide promotion for retired officers performing active duty in time of war;

A bill (S. 3658) to authorize the Secretary of the Navy to increase facilities of naval torpedo station, Newport, R. I.; and

A bill (S. 3659) to increase temporarily the enlisted strength of the Navy, and for other purposes (with accompanying papers); to the Committee on Naval Affairs.

By Mr. McLEAN:

A bill (S. 3660) granting a pension to Walter J. Hawthorne (with accompanying papers); to the Committee on Pensions.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. SMOOT submitted an amendment proposing to appropriate $12,690 for payment to the Uinta and Duchesne County school districts to assist said districts in educating children of white lessees of Indian lands, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

WHEAT SUPPLY.

Mr. FRANCE. I offer a resolution and ask that it be read and referred to the Committee on Agriculture and Forestry. In this connection I wish to say that when the proper opportunity presents itself I desire to address the Senate very briefly for about 12 minutes upon this most important subject.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 190) was read and referred to the Committee on Agriculture and Forestry, as follows:

Resolved, That in view of the serious shortage in the Nation's supply of wheat, the necessity for large exports of wheat, and the alarming report of the Department of Agriculture on December 19, 1917, upon the condition of the winter-wheat crop, that the Secretary of Agriculture and the Food Administrator be, and they are hereby, requested and directed to assemble and transmit to the Senate information as to the methods which are being employed for the conservation of an adequate supply of seed wheat for the sowing of the spring-wheat acreage and what methods are being used or are in contemplation to insure the sowing of such an extraordinarily increased acreage as is imperatively needed to meet the present grave emergency.

CRIPPLED SOLDIERS AND SAILORS.

Mr. SMITH of Georgia. I submit a resolution and ask for its present consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 189) was read, as follows:

Resolved, That the Federal Board for Vocational Education be directed to furnish to the Senate such information as it may have or can readily obtain on the rehabilitation and vocational reeducation of crippled soldiers and sailors.

Mr. SMITH of Georgia. Mr. President, we are quite anxious to have the information as speedily as possible for the use and study of the Committee on Education and Labor. I therefore ask unanimous consent for the immediate consideration of the resolution.

There being no objection, the resolution was considered by unanimous consent and agreed to.

AMENDMENT OF THE RULES.

Mr. JONES of Washington. On the 21st instant I gave notice of an amendment to the standing rules of the Senate relative to the appointment of the committees. I now offer the following resolution, and ask that it be referred to the Committee on Rules.

The resolution (S. Res. 191) was referred to the Committee on Rules, as follows:

Resolved, That beginning with the Sixty-sixth Congress, Rule XXV of the standing rules of the Senate be amended to read as follows:

"Rule XXV. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

"A Committee on Appropriations.
"A Committee on Commerce.
"A Committee on Finance.
"A Committee on Foreign Relations.
"A Committee on Interstate Commerce.
"A Committee on the Judiciary.
"A Committee on Banking and Currency.
"A Committee on Public Lands.
"A Committee on Agriculture and Forestry.
"A Committee on the District of Columbia.
"A Committee on Rules.
"A Committee on the Census.
"A Committee on Civil Service and Retrenchment.
"A Committee on Claims.
"A Committee on Education and Labor.
"A Committee on Insular Affairs.
"A Committee on Indian Affairs.
"A Committee on Immigration.
"A Committee on Military Affairs.
"A Committee on Naval Affairs.
"A Committee on Pensions.
"A Committee on Post Offices and Post Roads.
"A Committee on Printing, which shall have power to act jointly with the same committee of the House of Representatives.
"A Committee on Enrolled Bills, which shall have power to act jointly with a similar committee of the House of Representatives, and which, or some member of which, shall examine all bills or joint resolutions which shall have passed the Senate or both Houses to see that the same are correctly engrossed or enrolled, and, when signed by the Speaker of the House and the President of the Senate, shall present the same forthwith, when they shall have originated in the Senate, to the President of the United States in person and report the fact and date of such presentation to the Senate.
"A Committee on Public Buildings and Grounds, which shall have power to act jointly with a similar committee of the House of Representatives.
"A Committee to Audit and Control the Contingent Expenses of the Senate, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same."

The foregoing committees shall consist of not to exceed 15 members.

"SEC. 2. That the aforesaid committees shall continue and have the power to act until their successors are appointed."

AMENDMENT OF THE FEDERAL RESERVE ACT.

Mr. OWEN. I ask that the bill (S. 1796) to amend the act approved December 23, 1913, known as the Federal reserve act, as amended by the acts of August 4, 1914, August 15, 1914, March 3, 1915, and September 7, 1916, being Order of Business No. 12, be taken from the calendar and indefinitely postponed. The legislation therein contained has been enacted in another form.

The VICE PRESIDENT. The bill will be postponed indefinitely.

COL. E. M. HOUSE.

Mr. SHEPPARD. Mr. President, I desire to read to the Senate a letter from my colleague, the senior Senator from Texas [Mr. CULBERSON]:

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, D. C., January 28, 1918.

Hon. MORRIS SHEPPARD,
United States Senate.

DEAR SENATOR: As you are aware, in the debate in the Senate last Monday Senator PENROSE, of Pennsylvania, referred to Col. E. M. House, of Texas, as a lobbyist. Whatever may have been the purpose of such characterization, I am sure you will agree with me that it does Col. House a great injustice, which ought to be corrected by us, for it carries with it more or less opprobrium. As I do not yet feel justified in taking part in debates, I send you this letter to be used by you in such statement as you may see proper to make to the Senate on the subject.

I first became acquainted with Col. House in 1891, when James S. Hogg, to whom he was devotedly attached, was governor of Texas, and have known him intimately since then. During all this time, while he has taken an active part in the public affairs of our State, his conduct has been that of a patriotic citizen, and nothing has occurred to justify in the slightest degree the thought that he has ever been privately interested in legislation, which the term "lobbyist" would imply.

Very sincerely, yours,

C. A. CULBERSON.

Mr. President, the Senator from Pennsylvania [Mr. PENROSE] referred to Col. House on the occasion mentioned by my colleague as a politician. If to take a deep and intelligent interest in men and measures from the standpoint of the people's welfare, without a thought of self-advancement, makes one a politician, then Col. House is a politician, and may his kind increase. He has never sought office and has never held office.

The Senator from Pennsylvania referred to Col. House as a "lobbyist." This is an error of the most unqualified sort. Nothing in Col. House's life affords the slightest foundation for such a charge. He represents the highest type of the thoughtful, unobtrusive, patriotic, and public-spirited private citizen, a type that constitutes one of the glories of this Republic.

It is to the honor and the credit of Woodrow Wilson that he selected a plain, untitled, private citizen to represent this citizen-controlled Republic at the council table of world democracy.

REPORT OF THE EIGHT-HOUR COMMISSION (H. DOC. NO. 690).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, ordered to be printed, and, with the accompanying paper, referred to the Committee on Interstate Commerce:

To the Senate and House of Representatives:

In compliance with the provision of section 2 of the act of Congress approved September 3 and September 5, 1916, to establish an eight-hour day for employees of carriers engaged in interstate and foreign commerce, and for other purposes, I transmit herewith the report of the commission appointed to observe the operation and effects of the institution of the eight-hour standard workday for railroad employees.

WOODROW WILSON.

THE WHITE HOUSE, *28 January, 1918.*

THE CALENDAR.

The VICE PRESIDENT. Morning business is closed. The calendar, under Rule VIII, is in order. The Secretary will state the first bill on the calendar.

The SECRETARY. A bill (S. 1786) to amend certain sections of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and for other purposes.

Mr. OVERMAN and Mr. GALLINGER. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 39) to appropriate $3,000,000 to enable the Secretary of Agriculture to prosecute the work of eradicating the southern cattle tick was announced as next in order.

Mr. OVERMAN and Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The joint resolution (S. J. Res. 53) authorizing the President to appoint two additional Assistant Secretaries of Agriculture, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 2180) to approve mutual cessions of territory by the States of Wisconsin and Minnesota and the consequent changes in the boundary line between said States was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2116) to increase the salary of the United States district attorney for the district of Rhode Island, was announced as next in order.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The concurrent resolution (H. Con. Res. 9) authorizing the printing in one document the act to increase temporarily the Military Establishment, the registration regulations, and the proclamations of the President fixing June 5, 1917, as date of registration, was announced as next in order.

Mr. JAMES. Let that resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

ADJOURNMENT TO WEDNESDAY.

Mr. MARTIN. I move that the Senate adjourn until 12 o'clock meridian on Wednesday.

The motion was agreed to; and (at 12 o'clock and 40 minutes p. m.) the Senate adjourned until Wednesday, January 30, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 28, 1918.*

The House met at 12 o'clock noon.

The chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We approach Thee, Almighty God, our Heavenly Father, with bowed heads and heavy hearts.

The responsibility thrust upon us is more than we can bear without divine aid, strength, courage to uphold and sustain us. The magnitude of the war which confronts us, the difficulties which must be overcome, are appalling; hence we pray most earnestly that a basis of peace may be reached upon which all the leading nations of the world can agree. Yet we realize that permanent peace can never come without a victory of principles which shall secure liberty and justice for all the peoples of all the world. Hear us, O Lord, and help us in this hour of distress, in the name of the Prince of Peace. Amen.

The Journal of the proceedings of Saturday, January 26, 1918, was read and approved.

RESIGNATIONS FROM COMMITTEES.

The SPEAKER. The Chair lays before the House the following resignations from committees, which the Clerk will read.

The Clerk read as follows:

WASHINGTON, *January 26, 1918.*

Hon. CHAMP CLARK, Speaker,
House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the following committees: Claims, Education, Expenditures in the Department of Commerce, and Pensions.

Sincerely, yours,

DANIEL C. OLIVER.

WASHINGTON, *January 25, 1918.*

Hon. CHAMP CLARK, Speaker,
House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the following committees: Accounts; Expenditures in the Department of Labor; Election of President, Vice President, and Representatives in Congress; and the Merchant Marine and Fisheries.

Sincerely, yours,

CLARENCE F. LEA.

The SPEAKER. Without objection, the resignations are accepted.

There was no objection.

FILLING VACANCIES ON COMMITTEES.

Mr. KITCHIN. Mr. Speaker, I move the election of the following members of committees.

The SPEAKER. The gentleman from North Carolina moves the following nominations to committees. The Clerk will report them.

The Clerk read as follows:

COMMITTEE NOMINATIONS.

BENJAMIN G. HUMPHREYS, of Mississippi, to be a member of the Committee on the Merchant Marine and Fisheries.

CLARENCE F. LEA, of California, to be a member of the Committee on Rivers and Harbors.

DANIEL C. OLIVER, of New York, to be a member of the Committee on the Post Office and Post Roads.

WILLIAM C. WRIGHT, of Georgia, to be a member of the Committee on Election of President, Vice President, and Representatives in Congress, the Committee on Irrigation of Arid Lands, and the Committee on the Merchant Marine and Fisheries.

The SPEAKER. Are there any other nominations? If not, the names appended to the paper just read will be appointed to the committees to which they are assigned.

The nominations were agreed to.

EXTENSION OF REMARKS.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an article from a Baltimore paper announcing the death of the Hon. John Gill jr., my predecessor, from the fourth congressional district of Maryland.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

CARE OF BLIND SOLDIERS.

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a statement made by Francis V. Brady, of Cleveland, Ohio, on how to care for the blind soldier.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Following is the statement referred to:

WHAT THE Y. M. C. A. CAN DO FOR THE BLIND SOLDIER AFTER THE WAR.

(By Francis V. Brady.)

To rehabilitate the blind soldier is a problem which should receive the careful consideration of every thinking man. His habits are already formed, his sphere in life has been attained, and his status is fixed, and then suddenly there comes a great change. From a world where he depends upon vision for what he wears, for what he eats, for the things of pleasure, for his livelihood, for everything, in fact, he is plunged into a world of darkness. His whole life must undergo a change to meet this new condition. His spirit is gone; his ambition has left him. He is utterly hopeless, and one asks the question: "What can be done for such a man?"

To outline briefly some phases of work which the association might profitably follow is the purpose of these notes.

I. WHAT CAN BE DONE IN THE HOSPITALS.

(a) To interview a man either at the hospital overseas, or at the hospital to which he has returned here in this country, just as soon as it is practical in order that his mind may be taken from the loss of his eyes and that he may be encouraged to think of the future not as a world of darkness and hopelessness, but as a world of sunshine where there is plenty of opportunity still waiting for the blind man who has the will and ambition to forge ahead.

(b) As quickly as possible teach him the fundamentals of raised print, especially the dot system used to mark playing cards and other games, so that he may learn to play games and thus occupy his time by touch.

(c) To provide readers who will read the best light literature.

(d) To see that friends who visit him do not discourage him; that they talk of the future only as a bright future; that, instead of sympathizing with the man, they cheer him up.

(e) To attempt to secure business men and others to discuss business problems and life problems, with the men always taking care to emphasize the ways in which a man who does not see can be useful.

II. WHAT CAN BE DONE IN THE HOME.

(a) If possible to visit the home before the arrival of the sightless soldier and prepare his parents or others for his coming, to try to leave the impression with them that he can be of much use in the world in spite of the fact that he is blind if they will do their share in maintaining his spirit and his grit.

(b) When the soldier has arrived, or before, if possible, to go to his associates and his neighbors and ask them to try, as far as possible, to treat him just as they did before he lost his sight, to associate with him just as freely, and to make him feel that he is just the same even though he has met a tremendous loss.

(c) To have his parents teach him to be as useful as possible in doing things about the home—for example, in the matter of eating, to teach him to cut his meat and wait on himself largely. When a man is a farmer or from a rural community, to teach him to care for the chickens, the pigs, or the cows, or to do the ordinary chores around the house.

(d) It is the duty of those at home to see that the man goes out as much as possible to lectures, theaters, church socials, clubs, and, in fact, everything which will keep him in touch with the outside world. It is because of the fact that many blind people are kept in the house and lose their contact with the outside world that much of the help that otherwise might be given them is lost.

III. WHAT THE CHURCH CAN DO.

(a) The minister or priest, as the case may be, should make it a point to visit the man and invite him to come to church, and in case he has no one to take him to provide a guide.

(b) To interest the members of the church in the man in order that they may make him feel that he is still one of them.

(c) To secure the active cooperation of the man in the Epworth League, the Christian Endeavor, the Young Men's Club, or whatever organization may be affiliated with the church.

IV. PHYSICAL EDUCATION.

(a) One of the things most needed by the blind soldiers is physical education. When one loses his sight, the tendency is to relax his muscles and allow many of them to become entirely useless. This can be avoided by proper physical training. Some of the institutions already have gymnasiums where instruction in calisthenics is given. But the Young Men's Christian Association can do much by opening its association buildings and establishing special classes where the blind may be taught gymnastics, swimming, skating, and various other athletic sports which will tend to give them much needed exercise and bring their unused muscles into play.

V. WHAT OCCUPATIONS CAN BLIND MEN FOLLOW SUCCESSFULLY?

This is one of the largest problems confronting those who are interested in the work for the blind soldiers. So far very little progress has been made in the last 30 or 40 years in getting new occupations which blind people can follow successfully by those connected with institutions, but in individual cases blind men have demonstrated that there are few things they can not do if they have the will and the ambition to tackle the job. As near as possible, the blind soldier should be trained to do the thing he did before going into the Army. This may seem like a broad statement to ask a man to do the thing without his eyes that he did when he had full vision, but examination of psychological principles will demonstrate that a man who is proficient in one thing with the use of his eyes will readily acquire methods of doing the same thing by touch. This fact is illustrated by the man who lost his eyesight but continued to do a great deal of writing. He is able to write after some practice, probably not as well, but yet with some precision, simply by the use of his memory and his touch, so that it seems to me that if a blind soldier were a shoe clerk, for example, when he could see, he could easily adapt himself to conditions and become a successful shoe clerk even though he had lost his eyesight. If he were a machine operator when he could see, he could be taught to operate perhaps a simpler machine under present conditions.

With the idea in mind of having a blinded soldier follow as nearly as possible the occupation he followed when he had normal vision, we are passing to some of the occupations taught in blind institutions, and to some in which individual blind men have made a very marked success. For your information I am giving, first, the occupations taught in institutions; and, second, those in which blind men, individually, have made a marked success.

(a) The following are the chief occupations taught in institutions: Broom making, weaving, chair caning, basket making, knitting and crocheting for women, mattress making, some manual training, and piano tuning.

With the exception of the last named, these occupations are done by hand, and must compete with similar products made by machinery, so that it is impossible for a blind man to make more than $6 or $8 a week, which in these days of high prices means a mere existence. For this reason a number of the States have enacted laws providing for commissions and pensions for the blind. Piano tuning is a different sphere. For the man who can do good work it provides an excellent opportunity for making a good living. The successful piano tuner can make from $25 to $40 a week if he works for a store or factory. With the advent of the player piano, however, the piano-repair work becomes more difficult, and it is only those blind men who have a mechanical bent who are able to master the intricacies of the various player pianos. These few men are very successful.

Many blind women and a few men become successful music teachers and musicians, but it is only after years of training, and in my mind it is hardly practical for those who become blind in adult years, for the reasons that their habits are formed, their fingers are stiff, and they do not acquire music as readily as younger boys and girls would. Typewriting and telephone operating have also been taught some in institutions, but practically no effort has been made to produce successful blind typists and telephone operators. For this reason I mention them in the second group of occupations rather than in the first.

2. (a) Occupations in which individual blind men have made a marked success:

A number of very successful lawyers have been blind. Some of these men have lost their sight in later life and have turned to the profession of law after losing their sight. In order to do this several qualities are necessary—first, a good education; second, an excellent memory; third, a clear, logical mind.

There have been a number of instances where blind men have made successful physicians. One of the most successful tuberculosis sanitariums in the country is conducted by a blind man at Monrovia, Cal. And still others have made a success as chiropractitioners and osteopaths. These two branches of the medical profession are especially adapted to blind men because they rely almost wholly upon touch for their results.

Another fruitful field of endeavor for blind people is that of insurance. If a man has known the insurance business before losing his sight, or if he has a pleasing personality and the ability to remember figures and forms of policies, there is no legitimate reason why the loss of one's eyes should be an insurmountable handicap to becoming a very successful writer of insurance. Many of the large companies already have employed blind people, and they have shown that they are very capable of producing results, which are what all commercial concerns are after.

Salesmanship: This is a field in which adult blind men have taken hold and have made wonderful success. I have in mind two men of my acquaintance who lost their eyesight by accident when they were up in years, one of whom operates a large furniture house, and the other is the most successful salesman for a large paint and varnish concern in the city of Cleveland. These men were both blinded in middle life and had to readapt themselves to their new conditions. This is a very productive field for blind men.

Typewriting: I have known of several cases where both blind men and women have made a marked success in the operation of the typewriter. With the use of the dictaphone so common, I see no reason why this should not be done more.

Telephone operating: I have known of a number of men and women who have successfully mastered a switchboard, and with the use of the buzzer system this should be very easily taught.

Telegraphy: I have known of two telegraph operators, but they did nothing but receive. It would be difficult for blind men to send and receive, because of the reading involved; but I see no reason why they should not be taught the Morse code and the wireless code and become successful receiving operators with the aid of a typewriter.

Machine operators: I know of five blind men in various parts of the country who are working in factories operating lathes, drilling presses, milling machines, armature winders, and other machines. With the modern safety appliances now in use in factories and with the introduction of almost fool-proof automatic machines I see no reason why blind men should not operate successfully many machines in factories, especially where they were used to such work before entering the Army.

Executives: I know of many large business institutions which are managed by blind men. One of the largest factories in Chicago has for its owner a blind man who lost his sight when he was 30 years old. A large undertaking concern in Cleveland has for its manager a blind man who lost his sight when he was about 22. A bank and a department store of which I know have for their owners and managers blind men. Senator GORE and Congressmen SCHALL and Fitzpatrick have demonstrated what blind men who lose their sight in their youth can do as executives and leaders.

This is but a partial list of occupations, but it is sufficient to illustrate the variety of callings in which blind men have made a marked success. There is no valid reason why any or all of these occupations should not be made use of in training the boys who come home without their sight from the battle field of Europe.

VI. WHAT CAN THE PUBLIC DO?

(a) The big thing is to treat the blind soldier with the same consideration you treated him before he went to war. I have known of many men and women who are in social work who are very courteous and very nice to blind men and women when they are in that work, but when they are outside of their work they seem to shun them. They seem to feel that there is somehow a difference because of the fact that the man or woman has lost his or her eyesight. The big thing to try to impress upon the public is that when a man loses his sight it does not change his ways of life; he should not change his attitude of mind, and it should not change the attitude of the public toward him. The blind man has the same passions, the same ideas, the same ambition, and the same aspirations as the people who see him, and the public should recognize this fact and accord him the same courtesy, the same consideration, and the same respect as they would a seeing brother. Fraternal organizations and clubs who have blind soldiers among their membership should see to it that these men are on committees; that they are called upon to talk; that they are given offices, and given the same things that they received before they went to France.

The attitude of the public to-day is one of pity. This is so because of long years of education along that line. The Bible refers to blind men as beggars. Shakespeare treats the blind man as a hopeless being, incapable of doing a man's work in a community. Modern literature likewise sympathizes and pities the blind. It is for this reason that it is so hard for one who has lost his sight, who can really do things, to get an opportunity to show just what he can do. It is for this reason that blind men and women are looked upon as beings from another world, and it is this attitude of the public which the Young Men's Christian Association can do much to change in its dealings with blind soldiers.

LINCOLN'S BIRTHDAY, FEBRUARY 12.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent that on Lincoln's birthday, the 12th of February, the gentleman from Illinois [Mr. GRAHAM] be allowed to address the House for 30 minutes on the life of President Lincoln.

Mr. RUSSELL. Mr. Speaker, reserving the right to object—I am not going to object, of course—for four or five years past I have on that day, with the permission of the House, read Lincoln's Gettysburg address, and I ask that I be permitted to read that address first and then let the gentleman from Illinois follow.

Mr. GILLETT. I am quite willing to accept that as an amendment.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that on Lincoln's birthday, February 12, after the reading of the Journal and the clearing up of business on the Speaker's table, the gentleman from Missouri [Mr. RUSSELL] read Lincoln's Gettysburg speech, and that the gentleman from Illinois [Mr. GRAHAM] be then permitted to address the House not to exceed 30 minutes; of course, not to interfere with conference reports and privileged business. Is there objection?

There was no objection.

AGRICULTURAL APPROPRIATIONS.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill.

The SPEAKER. The gentleman from South Carolina moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Agricultural bill. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The gentleman from Georgia [Mr. CRISP] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, with Mr. CRISP in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9054. When the committee rose at its last sitting there was pending an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MCLAUGHLIN of Michigan: Page 13, line 19, strike out the figures "$250,000" and insert in lieu thereof "$500,000."

The CHAIRMAN. Under agreement of the committee, debate on this paragraph and all amendments thereto was limited to two hours, the gentleman from Michigan [Mr. MCLAUGHLIN] to control one hour of that time and the gentleman from South Carolina [Mr. LEVER] the other hour. The Chair recognizes the gentleman from Michigan.

Mr. MCLAUGHLIN of Michigan. Mr. Chairman, I expect now to occupy only five minutes. The amendment I have offered, if adopted, would increase the amount of money available to the Bureau of Animal Industry for the work of eradicating tuberculosis in live stock. Several speeches, all good, were delivered a few days ago in general debate, showing the general prevalence of tuberculosis in live stock, how it is growing and spreading, the extent of the loss and damage, and the danger also to human life.

I think, Mr. Chairman, that as my time is so limited I should confine myself to a statement as to how this matter arose and the status of it as it comes before the House. Some gentlemen, particularly interested in the subject, had interviewed the Chief of the Bureau of Animal Industry, Dr. Mohler, as to whether or not the disease of tuberculosis in live stock could be eradicated. He replied, stating without qualification, that it could be eradicated. He was asked further how much money his bureau could properly and economically expend during the coming year in carrying on that work, and he said he could use $1,000,000.

The fact was called to his attention that many veterinarians would be required and that many of them are now being employed by the Government of the United States, enlisted in the military service, and he was asked if, in view of that situation, he would be able to obtain the veterinarians needed. He said: "Yes; I can obtain the veterinarians. I can get the men if the money suggested is appropriated for the purpose."

Later the Secretary of Agriculture recommended the appropriation of only $250,000, and stated that that is all the money that can be profitably and properly used during the coming year. I have great respect for the Secretary of Agriculture. I esteem him as one of the great men in this administration, and I hesitate to differ from him.

In fact, I think I do not differ from him, believing that he has made this statement having in view the necessity of other large appropriations and the need of economy, and believing, too, that he would prefer that this matter should be put up to, considered, and settled by Congress, rather than that he alone should determine the amount of money that should be appropriated. And if I may be permitted to choose between the eminent Secretary of Agriculture and the chief of his bureau as to the amount of money that can be properly used, I may be pardoned if I choose to follow the chief of the bureau, who knows the work, has been engaged in it, and knows the kind of work that he will carry on. Under him will be the employment of the men and the use of the entire sum. He says, without qualification, that $1,000,000 can be used. Mr. Chairman, he made that statement to two of the Members of this House before the matter was taken up by the Secretary of Agriculture, and in justice to him it should be said that he holds to his original statement in spite of the statement made by the Secretary.

Mr. YOUNG of Texas. Will the gentleman yield?

Mr. MCLAUGHLIN of Michigan. I prefer not to yield now. My time is so limited. In that condition the matter came up before the Committee on Agriculture, and a recommendation was made that only $250,000 should be appropriated for this work. I believe, Mr. Chairman, that my amendment, which would carry $500,000, ought to be adopted. Tuberculosis in cattle has increased in the last 10 years from 0.58 per cent to 3.35 per cent, and in the slaughterhouses where swine are slaughtered the percentage of animals found to be affected with tuberculosis during the year 1916 runs from 3 per cent to 24 per cent. A large part of the cattle slaughtered in these houses come from the ranges, and the large areas of the country, where the disease has not been so prevalent as in other parts and where conditions are not such as to encourage and permit its spread. Think, then, of the condition that must exist among the dairy herds that are largely confined and kept under conditions which encourage the development of tuberculosis.

The chief of the bureau says:

Tuberculosis can be eradicated from all the cattle and all the swine in this Union; otherwise the Department of Agriculture would not have embarked upon such a tempestuous campaign. To support such a broad assertion there is abundant evidence obtained from the school of experience covering a period of several years.

He goes on to give the names of the States in which the work has been successfully carried on and in which tuberculosis has been practically, if not altogether, eradicated. He says—

Furthermore, wherever and whenever an effort was made to eradicate the plague and the earnest cooperation of the live-stock owners and officials has thus been obtained, success has never failed to crown the enterprise.

Herds of cattle which have at the inception of the campaign contained 75 per cent of diseased animals have been freed of the malady and have remained as free herds.

Herds which on the first test were found free of disease have, by the prudent care of their owners, been kept free of tuberculosis.

The experience the department has had, as outlined here, has been enjoyed by the veterinary officials of some States. The preponderance of successful experiments, if we may call them such, is convincing proof that when conditions are favorable tuberculosis may be eradicated.

He says also:

The American people can eradicate tuberculosis, or prevent its eradication, or increase its presence.

In 1907, the bureau first undertook systematic investigations in regard to the eradication of bovine tuberculosis, and the results which have been obtained through 10 years of study indicate that the eradication of tuberculosis of cattle and swine is probably the largest and most difficult problem which the bureau has undertaken to solve for the benefit of the live-stock industry and the general public, which benefits from the advancement of that industry.

And he goes on to say that it is a demonstration and not a theory, not an experiment, that the disease can be eradicated, and under proper care when once eradicated it does not again appear.

Mr. Chairman, the interest of the membership of the House in this subject of tuberculosis in live stock has been revived

and greatly aroused by facts brought to their attention by the gentleman from Nebraska [Mr. SLOAN], who has, in his usual intelligent and thorough manner, elicited facts and figures showing the prevalence and rapid spread of that plague, and that it can be eradicated. He seems to have been able also to attract the attention and arouse the interest of the Bureau of Animal Industry, and the chief of that bureau, adopting the suggestion made to him by Mr. SLOAN that an appropriation of $1,000,000 ought to be made, promises, and I am sure will inaugurate and carry on a vigorous campaign for the eradication of tuberculosis. Everyone who knows existing conditions will welcome that campaign, and State authorities will give prompt and effective assistance in carrying it on.

Let the work begin at once and let there be abundance of money available to enable officials of the department to carry it on properly and to a successful end. I trust my amendment increasing the appropriation by $250,000 will be agreed to.

I reserve the remainder of my time.

The CHAIRMAN. The gentleman consumed nine minutes.

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. CANDLER].

Mr. CANDLER of Mississippi. Mr. Chairman, this item in the bill is a new item. It carries an appropriation of $250,000. The committee gave to this matter full and thorough investigation, had a hearing upon this specific proposition, and gave full consideration to everything that was suggested in reference to it.

Nobody denies that this condition exists throughout the country, and that it ought to be remedied. We are anxious to do what can be done in that direction; but we all recognize the fact, or at least ought to recognize the fact, that you can not accomplish everything in a day; that it takes some time to accomplish anything, no matter what you may undertake and to make proper preparation to begin the work. We sought the very best information that could possibly be obtained in reference to the facts as to conditions throughout the country, and what could be done to reach an effective remedy in the most efficient manner in the shortest possible time. Wanting information upon this subject, and desiring it from the source which we believed could give us the best information to be obtained, we went to the Secretary of Agriculture himself, and he recommended the sum carried in this bill, $250,000. The Secretary of Agriculture advised the committee that in his opinion the department could effectively use $250,000 during the next fiscal year. Now, the gentleman from Michigan [Mr. MCLAUGHLIN] says that the chief of the bureau says that he can use $1,000,000. Well, we all know that the chiefs of these bureaus are anxious at all times to enlarge their activities, and that they advise us sometimes that they can use a great deal more than the Secretaries of these executive departments oftentimes believe they can use advantageously or ought to be permitted to use. The gentleman from Michigan [Mr. MCLAUGHLIN] says that as between the Secretary of Agriculture and the chief of this bureau in this instance he would take the advice of the chief of the bureau. I prefer, and I believe it is wise, to take the advice of the Secretary of Agriculture, the head of this department, as to what can be done and as to the most effective way in which it can be done.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. CANDLER of Mississippi. I have only a very little time remaining.

Mr. MOORE of Pennsylvania. Will the gentleman tell us to what extent the States cover this question of tuberculous cattle? What do the States themselves do?

Mr. CANDLER of Mississippi. The States themselves at present are doing practically nothing along this line of work. They depend upon the Government, like they often do in reference to other matters, to do the whole work.

Mr. MOORE of Pennsylvania. My information is that many of the States are exercising a great deal of care and spending a great deal of money for this purpose.

Mr. CANDLER of Mississippi. Yes; in quarantine work. They are supposed to exercise all the activities they can along that line, but when it comes to expending money outside for the purpose of eradicating the disease and going to the root of it, they are not doing anything along that line.

Mr. SLOAN. Will the gentleman yield?

Mr. CANDLER of Mississippi. I regret I can not I have but five minutes. Now, as I understand the amendment, it seems to me that we ought to take the advice of the Secretary himself, and while the work is a good work and I want it distinctly understood I favor it, and it ought to be done and will be done, nevertheless, we should go about it in a businesslike way of utilizing what the Secretary of Agriculture says can be utilized effectively in order to bring about the best results. If we attempt to go beyond that we stand a chance of not utilizing the money effectively and of wasting the money in an effort which can not be directed in the proper course because the machinery to secure best results is not available at present. Therefore I believe that the amendment of the gentleman from Michigan increasing the appropriation ought not to be adopted, and that you should stand by the best judgment of the committee which brought in this report unanimously, and by the judgment of the Secretary of Agriculture, and that you should stand by the amount specified in the bill. [Applause.]

Mr. MCLAUGHLIN of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MCKINLEY].

Mr. MCKINLEY. Mr. Chairman, I come from an agricultural district. The farmers of my district have the highest appreciation of the work of the Department of Agriculture. I find the department always willing to help for the benefit of the people of central Illinois. Therefore, I want to uphold their hands in every way. It is hard when we juggle the great figures of to-day, the immense appropriations, to appreciate the vast amount of funds going to different departments of the Government, and it is only by comparison that we can judge of the proportion that each department gets. For instance, the Department of Agriculture this year will receive in this bill about $27,000,000. We appropriate for one battle cruiser upward of $30,000,000, more than the Department of Agriculture will get for agriculture in all the United States. We know that one battle cruiser can not go across the ocean unless food is furnished. All over the United States we have appropriated hundreds of millions of dollars to be expended for temporary cantonments on rented lands. We pay eight or ten million dollars for one camp, while we are only appropriating $27,000,000 for the whole Department of Agriculture.

Mr. Chairman, I was very much impressed when the statement was made before our committee that 15 per cent of all the hogs slaughtered in Chicago were affected by tuberculosis; that 24 per cent of all the hogs slaughtered at Milwaukee were affected by tuberculosis. The information was given to us that tuberculosis originates in cattle and then spreads to the hogs in the country. We were informed that if it was eliminated from the cattle it would be eliminated from the hogs.

Again, comparisons are what we must judge by. We are told that there are 20,000,000 head of cattle in the United States subject to the cattle tick. The department will receive this year in this appropriation bill some $600,000 for the elimination of the cattle tick. I know that they will use it properly, and it has been of great benefit to the country. There are 20,000,000 cattle subject to the cattle tick and 130,000,000 cattle and hogs subject to tuberculosis. If the same proportion of appropriation was made there would be provided in the bill some $4,000,000 in the elimination of tuberculosis from the cattle and hogs instead of the $250,000 provided in the bill, or the $500,000 asked for in the amendment offered by the gentleman from Michigan.

Taking into consideration, gentlemen, the fact, which I will repeat again, that 15 per cent of the hogs slaughtered in Chicago, the greatest packing district in the United States, and 24 per cent of those slaughtered in Milwaukee are affected with tuberculosis, it certainly seems to me very important indeed that we should give to the Department of Agriculture a liberal sum for the elimination of tuberculosis, and I hope that this committee will support the amendment offered by the gentleman from Michigan increasing the appropriation—not to $4,000,000, which would be the proportion that they ought to have, but to $500,000. [Applause.]

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. YOUNG].

Mr. YOUNG of Texas. Mr. Chairman and gentlemen of the committee, I heartily agree with the gentleman from Illinois, who has spoken with reference to the importance of this Government undertaking to deal with the disease of tuberculosis among cattle. The gentleman from Illinois and the gentleman from Nebraska and the gentleman from Michigan will find no quarrel with me as to the great importance of the subject matter involved, because I have the honor to represent in part a State which produces eight times as many cattle as any other State in the Union, and when this question is broached it touches my State, with its 8,000,000 head of cattle. While I recognize the importance of the item, I also recognize the fundamental principle that ought to underlie every appropriation that this Congress makes, and that is the business principle, "Don't give any money unless you know that you have the appropriate machinery to spend that money effectively." [Applause] We have not got that machinery, and we must depend upon the Department of Agriculture to furnish that machinery in due time. They tell us now that they can not get veterinarians, because

the war has made a great demand upon these professional people, and that they are not to be had. When the question is asked them for their best judgment on every dollar that they can legitimately use in the next fiscal year, they respond that $250,000 is every single cent that can be used.

Mr. MONDELL rose.

Mr. YOUNG of Texas. Not now; I have not the time. They are the people who are going to spend the money. That question has been asked more than once. It is said in an indirect way that the chief of the bureau tells us that they can use $1,000,000. He made no such statement before the Committee on Agriculture, on which committee action must be had, and that statement was never made in that committee. If you enter the field of destroying cattle and hogs that are afflicted with this disease, and undertake to pay for destroying the cattle, $10,000,000 can easily be expended. But what are we, as the Committee on Agriculture, called on to do? Here is a great problem which is now being attacked. The gentleman from Illinois [Mr. McKINLEY] refers to the cattle-tick item. I believe it was in 1906 that less than $100,000 was the first appropriation on that item. If you had then made an appropriation of a million dollars to attack that problem, which was a serious one, that million dollars would have been wasted, and we would not have been advanced any further than we are at this time. It takes time to educate people and to organize and to get these matters before the country, and you have got to have the cooperation of the people and of the legislatures of the respective States.

We did not make any headway in the cattle-tick item until an educational campaign was carried on, and when that campaign was had and we woke the people up to the problem that confronted them, the legislatures of the several States enacted laws compelling the dipping of their cattle, and by 1921 we hope the entire South will be free from this evil. But we went about it in a systematic way. We used a small appropriation at first. We enlarged this as demands and organization came, and we have obtained results by that enlargement. It was just the same with this tuberculosis item. I am ready to enlarge it when we get the organization; I am ready to spend every dollar that can be legitimately expended just as fast as the subject matter can be brought to the attention of the people of the country; and I am as intensely interested in stamping out this disease from among our cattle and hogs as any gentleman on the floor of this House. But we must do it in a businesslike, systematic way.

Mr. SLAYDEN. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Texas. Yes.

Mr. SLAYDEN. May I ask my colleague if any other method for the treatment of tuberculosis in cattle has been discovered or is resorted to than the slaughtering of the afflicted herds?

Mr. YOUNG of Texas. That is the only way that has been found by which you can destroy it, and I have but to call the attention of the gentlemen of the House to this fact: This same disease is in the human family, and millions of dollars have been expended all over the country endeavoring to eradicate it, but we have not been able to do it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield seven minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I want to direct what I have to say to the proposition that the States are doing something toward the eradication of tuberculosis, and that it is possible, by the use of proper administrative measures and by proper legislation, to eradicate the disease. But the States can not do it by themselves. This is not a State problem; it is a national problem. No State can keep itself clean from tuberculosis, no matter how efficiently its laws may be enforced, unless similar legislation, similar administration, is enforced in the States which surround it.

Mr. SLAYDEN. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. I have only a minute, but I yield for a question.

Mr. SLAYDEN. I could not do it in a minute.

Mr. ANDERSON. I can not give the gentleman more time.

Mr. SLAYDEN. I only wanted to ask a question.

Mr. ANDERSON. Oh, I yield to the gentleman for a question.

Mr. SLAYDEN. The gentleman says that by proper legislation tuberculosis in cattle can be eliminated.

Mr. ANDERSON. And by enforcement of the law.

Mr. SLAYDEN. I would like to know how. Have the scientists discovered any method of treating it effectively except to destroy the herds?

Mr. ANDERSON. And by segregation.

Mr. SLAYDEN. The gentleman means letting the climate cure them?

Mr. ANDERSON. No. Minnesota was one of the first States to undertake the eradication of tuberculosis. I think more efficient work has been done there than in any other State. We have been in this work since 1904, and I desire to present some figures as to what has been accomplished in that State with a view of demonstrating that it is possible to eradicate tuberculosis. In 1911 in the State of Minnesota 4,405 cattle were tested. Three thousand five hundred and three of these cattle had been previously tested and the reactors segregated or destroyed, and of the number previously tested only nine-tenths of 1 per cent were found to be affected. As to those upon whom the first test was applied, 16 per cent were found to be affected. In 1916, of 4,700 cattle previously tested, only eight one-hundredths of 1 per cent of the cattle were found to be affected. Of those upon whom the first test was made, 9.5 per cent were found to be affected. In 1917, of 7,279 cattle previously tested, there was not found a single reactor. Of 2,193, which were then tested for the first time, 10 per cent were found to be affected with tuberculosis. But the singular thing and the impressive thing in connection with this test is this, that as to the 2,193 cattle that were tested for the first time, of which 10 per cent were found to be reactors, it was found that of this 10 per cent 60 per cent were imported into the State.

In three months of 1917–18, 3,225 cattle were retested. Of this number four one-hundredths of 1 per cent were found to be reactors, while of 329 tested the first time 15 per cent reacted, and of those 50 per cent came from other States. From 1902 to 1910, 122,978 cattle were tested, of which 7.8 per cent reacted. From 1910 to 1917, 248,586 cattle were tested, and of this number 3.7 per cent reacted. In other words, these figures show a progressive decrease in the number of cattle affected with tuberculosis in the State of Minnesota, and they show that the cattle that reacted from the test were very largely imported from other States. The logical conclusion of these statistics is that no State can effectively cope with this problem unless it is made a national problem and unless every State undertakes to eradicate tuberculosis. It is not a State problem. Just now it is more peculiarly a northern problem, but the South is about going into the cattle business. Much of its pure-bred stock will have to come from the North, and the South is therefore just as much interested in seeing that tuberculosis is eradicated in the northern herds as the northern people themselves, because their problem will be greatly increased in difficulty if infected cattle from the North are imported into the South for breeding purposes. Now, the gentleman from Texas [Mr. YOUNG] suggests no difficulty in finding men to carry on the work of eradicating the pink bollworm, for which we propose to spend $500,000. He found no difficulty last year in finding men to accept the pay under the item for the eradication of the southern cattle tick, and many of those men are veterinarians. Why should he insist that men can not be found to carry on this work? Twenty States, to-day, by law, require tests of cattle and the destruction of those which are found to be absolute reactors. In 15 of these States compensation is paid by the State up as high as, I think, to three-fourths of the value. In other States, while it does not specifically provide for compensation, of course compensation could be obtained. No effective work can be done anywhere unless provision is made for compensation for cattle slaughtered.

The CHAIRMAN. The time of the gentleman has expired.

MESSAGE FROM THE PRESIDENT.

The committee informally rose; and Mr. FOSTER having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States, by Mr. Sharkey, one of his secretaries, informed the House of Representatives that the President had on January 26, 1918, approved and signed bills of the following titles:

H. R. 6176. An act extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va.; and

H. R. 7697. An act to authorize the calling into the service of the United States militia and other locally created armed forces in the Philippine Islands, and for other purposes.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

Mr. LEVER. Let me inquire of the gentleman from Michigan how many speeches he has?

Mr. McLAUGHLIN of Michigan. I have several more applications than I can accommodate.

Mr. LEVER. I suggest that the gentleman take one more speech now.

Mr. McLAUGHLIN of Michigan. I yield five minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman and gentlemen of the committee, it is not my intention to take very much time of the committee this morning, but I want to call particular attention to the subject of tuberculosis in cattle as strong as it is possible for me in language to do. You know I have been studying this question for the past two years, and I am thoroughly convinced that if there is one thing that Congress ought to do and do quickly it is to eradicate tuberculosis in cattle in this great country of ours. Why should we be appropriating to eliminate all kinds of pests and diseases, worthy as those appropriations are, and neglecting to appropriate for the eradication of tuberculosis, when scientists all tell us that a large part of the tuberculosis in the human race is caused by impure milk from tubercular cattle? Why should we stand idly by and see 6,000 children a year die of bovine tuberculosis while we appropriate some $600,000 for the boll weevil and hundreds of thousands of dollars for hog cholera and thousands of dollars for the eradication of cattle tick and all these other things, though, as I say, they each and every one are worthy and are necessary? Yet we stand by talking and parleying over the appropriation of a little more money which means life for the children of this country, more largely perhaps than for grown people, although it means the life of grown people as well. We all know that milk and milk products go to the stomachs of the children of this Nation in their raw state. There is no cooked process about them. We have granted a meat inspection—a very wise and worthy law—but you know that the meat that goes into the human stomach goes in there in a cooked state, and yet here is milk, butter, and cheese, carrying tuberculosis germs from 2,000,000 cattle, going into the stomachs of children and grown people of this country in a raw state; and we stand here and talk as if we could not appropriate more than $250,000 because some one says that some man in the Agricultural Department says——

Mr. COX. Will the gentleman yield?

Mr. LINTHICUM. I have only five minutes. If you will give me additional time, I will.

Mr. COX. I want to know how many cattle have tuberculosis?

Mr. LINTHICUM. Two million cattle of this country have tuberculosis.

Mr. COX. Does that mean milch cows?

Mr. LINTHICUM. The milch cows of this country. We have 22,000,000 of cattle in this country, and that means about 1 to every 10 of the cows of this country are spreading the disease germs of tuberculosis. We stand here and say we can not give $500,000 to carry on this work. I had a talk with Dr. Mohler, and he said if you will give $1,000,000 he can put men at work eradicating this disease in the next few years, but if you only give $250,000 he can only go about it in the present slow process; that if he had $1,000,000 he could send men to stir up the States, that he could employ persons to go before the people and let them know that this thing ought to be eradicated, and that he could use $1,000,000 with great efficiency. In the long run it will not cost the United States any more, because you merely hold it down with $250,000, whereas you can proceed to eliminate it with $1,000,000.

Now, I do not wish to go into the vast details of this matter, as I have not the time; but you have read my remarks, and you know that there are some hundreds of labor clubs of this country, some hundred women's organizations in this country, and numerous other clubs, aggregating several hundred, which have indorsed this proposition, and those indorsements have been filed in Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LINTHICUM. I ask for two minutes more.

Mr. McLAUGHLIN of Michigan. I yield to the gentleman two minutes more.

Mr. LINTHICUM. There are some hundreds of clubs which have passed resolutions asking Congress to eradicate tuberculosis. Now, gentlemen, I sincerely hope this committee will vote to give us certainly the $500,000; but we ought to have $1,000,000 in order that we may get to work to eradicate the trouble. What is the use of being compelled to pasteurize milk and to cure the disease germs when you can go to the root of the evil and eradicate tuberculosis and have the milk pure? Instead of that, we go along with impure milk and go to work pasteurizing it, just as in cities that had impure and muddy water—we would boil the water. What did we do then? We put in great plants to purify the water before it went into the homes. Let us appropriate enough money to purify this milk and eradicate tuberculosis and save 6,000 babies in this country every year. I tell you, as I told you on Friday, that we talk about conservation of food and fuel, and this, that, and the other; but one thing above all others ought to be conserved, and that is the human white race on this earth—with this great war going on and killing off thousands of white people every day and every month, while the other races are propagating. Instead of conserving our race we allow bovine tuberculosis to kill 6,000 babies each year. What I want to say is that you should eradicate tuberculosis, and thereby conserve the human race, so that these children will not be killed off by bovine tuberculosis. Now is the time to do it by voting for this amendment and telling the Bureau of Animal Industry to get busy and eradicate the evil.

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, there is nobody of the mind to disagree about what the gentleman has said as to the eradication of tuberculosis in live stock. The question is, How are we to get at that eradication? The Committee on Agriculture is as anxious to eradicate tuberculosis in milk and in live stock as any other group of men on the globe, but we must be guided by what the Department of Agriculture, which has to spend this money, has to say about what they can do with the money that we give them. We have already provided in this bill $50,000 more for the eradication of tuberculosis than the department estimated for. We have provided in the bill, in giving $250,000 for eradication of tuberculosis, the maximum amount that any witness appearing before our committee testified they could reasonably spend during the next fiscal year. An effort was made by leading questions to get witnesses from the department who know how the money is going to be spent to say that they could use $500,000 or $1,000,000, and not one would say that they could use over $250,000. Therefore the committee can not take the people's money and throw it to the winds. If the department can not spend this money in a legitimate way and in an effective way, why should we give them money which they do not want and which they can not use? The Committee on Agriculture is liberal. It wants the department to have every cent it can use, but when they can not use it why appropriate it?

Mr. LOBECK. Does not the gentleman think that they were very moderate in their demands, considering the largeness of the proposition?

Mr. DOOLITTLE. I think they were moderate; yes. I hoped they would say they could use $1,000,000.

Mr. LOBECK. Do not the departments usually ask for more than they want?

Mr. DOOLITTLE. Sometimes they do. And the estimates in this case seem to be moderate. But witnesses appeared before our committee, and the maximum that any man would state was that they could use but $250,000.

Now, there were reasons for that. One of the reasons is that there is a great shortage of veterinarians, as my friend from Nebraska knows.

Mr. LOBECK. That is true.

Mr. DOOLITTLE. The Government at this minute wants 2,000 veterinarians and is unable to get them.

Mr. LOBECK. If they were willing to pay them a fair salary, they could get them, could they not?

Mr. DOOLITTLE. I think not, because you can not make a veterinarian overnight. They have to go through several years in training.

The department is not opposed to the proposition. It wants to make the eradication of tuberculosis complete, but it can not do it with money alone. The department can not turn the money loose unless they have some way to spend it, and they do not want to spend it in a useless procedure by giving it to some men or giving it to clerks down here in the department. They might bring in a bunch of clerks and let them warm the seats and pay them good salaries, but that would not be an eradication of tuberculosis.

Mr. LOBECK. The reason they do not get the good men to-day in the Bureau of Animal Industry is because those men get more pay in other lines.

Mr. DOOLITTLE. That is not the question here.

Mr. LOBECK. You are in favor of a large appropriation?

Mr. DOOLITTLE. I am in favor of as large an appropriation as the department can spend to good advantage.

Mr. LINTHICUM. Was not Dr. Mohler absent on that day the gentleman refers to? Was he not absent in the West?

Mr. LEVER. Dr. Mohler made a statement on the subject. But on the day referred to he was not there.

Mr. LINTHICUM. So far as the veterinarians are concerned, I had a veterinarian of 10 years' practice, and asked them to take him, but they said they had more applications than they needed and could not take him on.

Mr. DOOLITTLE. Appointments are made under the civil-service regulations.

The gentleman is mistaken about the scarcity of veterinarians in the department.

Mr. LINTHICUM. I do not know. That is what they told me. That is all I know.

The CHAIRMAN. The time of the gentleman from Kansas has expired. The gentleman from Michigan is recognized.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. LITTLE].

The CHAIRMAN. The gentleman from Kansas is recognized for five minutes.

Mr. LITTLE. Mr. Chairman, the gentleman from Texas [Mr. YOUNG] a few moments ago, I notice, conceded the magnitude of the evil of tuberculosis and the necessity for the remedy, but, as I gathered from what he said and from what has just been said by the gentleman from Kansas [Mr. DOOLITTLE], the trouble is they have not the people who would go ahead and do this work. Well, if the evil is so acknowledged and the necessity so great, when we have appropriated the money we shall have done our duty, and then it is up to them. If half a million dollars is not enough, then let us make it $2,000,000. If they can not hire veterinarians to do this work with what they have now, let us give them some more. Here is one of the greatest evils that threatens this country, one of the greatest dangers that has menaced it, and 20 States are working at it now.

I have seen this House spend $600,000,000 in two hours' time without batting an eye and without ever getting an answer to a question as to what it was for, except the general proposition; and yet when a man comes in here and wants you to grant $500,000 to fight tuberculosis you say you can not get the men necessary to do the work. Why, this $500,000 would only employ 330 men. By giving the money you can have them go out and get the men. You can not find 300 veterinarians!

This bill appropriates $620,000 for the eradication of the southern cattle tick; for promoting standards and investigating the ginning, baling, compressing, and tare of cotton, $45,000; for farmers' cooperative demonstration and for the demonstration of the best methods of meeting the ravages of the cotton boll weevil, $650,000; to keep the Mexican pink bollworm of cotton in Mexico out of the United States and survey him on his native heath in Mexico, $100,000; to make the aforesaid pink Mexican bollworm an outlaw on all lands and seas, to be killed at sight, $400,000. Here is $1,815,000 to be expended in the cotton belt, including the area of the Texas cattle tick. Evidently there is ample supply of men for this business. Then I find that you have appropriated $250,000 to stamp out tuberculosis in cattle; and when the gentleman from Michigan modestly asks you for $500,000 we are gravely told that there are not men enough in the United States to be had on whom could be expended half a million dollars to fight against the ravages of a disease which not only assails dumb brutes and cotton patches, but is a standing menace to every home in the United States. If everybody in the cotton belt in civil life is going to put in his time running down the Mexican bollworm and the Mexican cattle tick, we will have no gentlemen from that territory to fight the tuberculosis.

But will this not open the way for the employment in civil life of somebody north of the Ohio River? Have not the gentlemen so confined their employment of civilians to the cotton belt that they wholly overlook the fact that in the cow country and the wheat country and the corn country there are many good men of both political parties who could be persuaded for a consideration to enlist under the Government flag in helping the Agricultural Department? The terrific menace which tuberculosis is has of itself forced a demand for and a supply of veterinarians such as was never before known, and every man in Congress knows that the statement we can not secure enough veterinarians to draw salaries amounting to $500,000 for investigating the dairy cattle of this country is absolutely without any foundation whatever. I can state without fear of successful challenge that if every dollar of the $1,815,000 appropriated for the cotton-belt ticks and worms were turned over to the fight against tuberculosis it would improve this bill 100 per cent. The people of South Carolina do not milk enough cows to have any serious appreciation of what it means to a dairy country to fight tuberculosis.

Last year Swift & Co. sold $875,000,000 worth of meat products. The Armours sold in this country $575,000,000 worth of meat products. Last year Swifts cleared $32,000,000 and Armours in the United States $21,000,000 selling meats. Armour made 2.21 per cent. Swift 3.7 per cent on every dollar of sales. The Armours cleared 21 per cent on their capital stock and, they state, 14½ per cent on their net capital. Besides their foreign holdings Armours had at the close of last year a capital stock of $100,000,000 and a surplus of $56,000,000. Their bills and accounts payable had risen from $41,000,000 to $101,000,000 in that year. Their balance sheet showed as resources $314,000,000 in the meat-packing business. From those figures you can begin to get an idea of the immensity of the cattle trade and its evils that attack us and the broad spread it makes among the people. Those facts in themselves should be enough to induce the House to be liberal in such a thing as this.

Within the last half century I have myself seen this great industry spring from nothing under my eyes. When I went to the district which I now have the honor to represent here, Kansas was a cattle country, a buffalo-cattle country. The frontier village in which I resided, far from a railroad, had in every other home a buffalo robe and every season buffalo meat for sale in the butcher shops. A neighbor kept a buffalo calf in his yard. In a spirit of scientific research once, at the mature age of 12, I hurried along a bunch of buffalo with a stick, just to see what could be done, and older men have hurried them all away as carelessly. That such a change could come in a lifetime seems almost incredible. What will it be hereafter?

As they disappeared the longhorns came across the Indian Territory from Texas. Infested with the Spanish fever and the Mexican tick, they were not allowed to be driven into Arkansas and Missouri. Accumulating in vast numbers at the close of the Civil War, after the Confederate Army market terminated, one year, in the late seventies, Capt. King and the other big cattlemen started hundreds of thousands of them across the prairie headed for the Kansas Pacific Railroad, just built toward Denver. A shrewd man, Joe McCoy, secured a contract with the Kansas Pacific, built stockyards at Abilene, where I long lived, staked out a line of travel from the Arkansas River crossings toward his stockyards, erected signs, and the whole Texas trade landed at Abilene as seamen find a safe harbor. For several years that little village was the greatest cattle mart in the world, while Wild Bill reigned as marshal and monarch. Then the longhorn passed away in the wake of the buffalo, and they brought in the little round cows from the East and England, and tuberculosis and dairy farms and creameries, and established where I now reside a packing house whose firm this year put out almost a billion dollars of packed meats to go into millions of homes. Do not quibble about getting a few men. This is a big proposition, gentlemen, and I hope you can think of it in a big way. Will you permit the great future of this trade to be undermined by this dread enemy unchallenged while you run down the pink bollworm and the boll weevil that are only injurious to crops, not life?

The second Kansas district supplies more foodstuffs to the world than any other district in the United States. We are second in packing-house industries, and second in flour milling industries, and we have eight large agricultural counties besides. You have just shown your thoughtfulness for the wheat farmers out there by cutting off 20 per cent or so of the price of the farmer's wheat. But he does not grumble. You did not cut it off of cotton. You did not reduce the price of arms or ammunition, nor of any great product but wheat. When you have attempted to remedy the evils that attack cotton we did not quibble. I hope you will stop a moment and think about the people from whom you have taken 20 per cent from the price of wheat. You did not do that in the case of the cotton farmer, but you might just as well have done it with the one as with the other. The price of cotton was comparatively higher than that of wheat. You hear very little in the way of complaint from the wheat farmers.

These men settled on raw prairie and after years of mortgages and droughts finally reached to a place where the world was coming their way and they were getting the best end of the market. This Congress, that does not "cotton" to wheat, found it necessary to take 20 or 25 per cent from the value of the wheat that the farmers were holding for the advantages of the market, that have come to every factory and wholesale house in the Republic, and have covered every cotton field deep with yellow gold. Why should you take 20 per cent from the wheat farmer? If you had said to every man with over a million dollars, "turn into the Government, sacrifice to the war measures, 20 per cent of your accumulated holdings, it would have caused not one-fourth of the distress, but a thousand times the outcry that the wheat farmers made. Oh, the wheat farmer can place his savings by the side of his son as he goes into battle, but nobody dreamed of saying that to the millionaire and his capital. Now, when you are spending a million and a half on the cotton fields, when you put $600,000 to running down the cattle tick, half extinguished now, you rise in astonishment that we ask a paltry half million to give the country sanitary milk, butter, and meat, sound stock in the pasture by the wheat field. It ought to be $10,000,000!

The western agriculturalist is a diversified industrialist. He scarcely said a thing when he was told that it was for the interests of his country that he sacrifice. Is there no balm in Gilead? Now, comes the farmer and leads the old cow up to the rack, and says, "Here, she has got tuberculosis; take a crack at that while you spend $600,000 on the cattle tick."

All you need to do is to take Mohler's word. The gentleman from Michigan [Mr. McLAUGHLIN] and the gentleman from Maryland [Mr. LINTHICUM] both have had the same experience with Dr. Mohler. He tells us through them that he can eventually cut out tuberculosis in live stock for a million dollars if given now to begin a system. If a man asks for a billion here, he is trusted at sight. If he only asks for a million, you view him with suspicion. You have taken the word of everybody that came here without any hesitation when they were asking for hundreds of millions of dollars, and when Dr. Mohler comes up and says, by the mouths of the gentleman from Maryland and the gentleman from Michigan, that if you give him a million dollars he will begin a policy that will eradicate tuberculosis, why quibble about a matter like that? He is either right or wrong. You could not spend your money to better purpose. Why not try it?

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. LEVER. If either the gentleman from Michigan or the gentleman from Maryland says that Dr. Mohler stated to them positively that he would agree to eradicate tuberculosis in live stock for a million dollars, I will agree to it.

Mr. LINTHICUM. I do not think he said he would agree to eradicate it for a million dollars, but he said he could begin to eradicate it for a million dollars.

Mr. LITTLE. Well, I will stand on the record of what the gentleman from Maryland says. If he can begin to eradicate it, that is sufficient for me. Your bill, this bill, provides $620,000 for the "eradication of the southern cattle tick." You mean to work toward the eradication, and will want more money next year. Mohler, of course, meant to inaugurate a policy that will finally drive out tuberculosis. You might as well trifle with cholera. You have been spending hundreds of millions of dollars on less of a promise than that. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. LEVER. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. HAUGEN].

The CHAIRMAN. The gentleman from Iowa is recognized for 10 minutes.

Mr. HAUGEN. Mr. Chairman, I have no quarrel with the gentleman from Kansas [Mr. LITTLE] or anyone else as to the importance of this appropriation. I agree that the eradication of tuberculosis is one of the most important problems that Congress has to deal with. But, gentlemen, the Department of Agriculture and the Committee on Agriculture have a number of important measures and problems to deal with. It has been the policy and the endeavor of the committee to deal with every problem that is called to its attention and to give to each problem due consideration. And, gentlemen, if you will compare the liberal appropriations made for this purpose with those made for other lines of work you will all agree, I believe, that the committee has been most liberal.

I have been interested in this work for more than a quarter of a century. Ten years ago we succeeded in making a small appropriation. This work has been conducted by the department. Last year $132,000 was expended. The department this year estimates an increase of $66,000, bringing the total up to $198,000. The committee held special hearings, and the committee increased the appropriation to $250,000, an increase of nearly 100 per cent over the appropriation made last year. When Dr. Kiernan was asked about the amount of money that might be expended to advantage we were told that $250,000, not a dollar more, could be used.

He was asked this question several times. He appeared before the committee as the representative of the department. He represented Dr. Mohler. He spoke for Dr. Mohler, and Dr. Mohler says through Mr. Kiernan that $250,000 is every dollar that can be spent to advantage in the department for this purpose.

Now, as I have said, we have other problems to deal with. We are trying to be practical. Gentlemen, are we going to take care of the small problems and overlook the larger problems? Take the appropriation made, for instance, for the study and control of the black rust. We are told that the loss resulting from tuberculosis amounts to $25,000,000 per annum. Let us look into the wheat problem. Anybody who knows anything about the destruction by the black rust will, I am sure, admit that the yield of wheat can be increased 50 per cent by eradication of the black rust. The wheat estimate for this year is 668,000,000 bushels. The average for five years was 802,000,000 bushels. Increase that 50 per cent—no, increase it only 25 per cent—and you have an increase of 200,000,000 bushels, which at the present price, about $2 a bushel, would make $400,000,000. That, my friends, is sixteen times $25,000,000. Are you as business men, are you as Representatives of these wheat-growing States going to say to the people, "We propose to give $500,000 for the investigation of tuberculosis," when you can increase the production of wheat by 200,000,000 bushels, or $400,000,000, by making more liberal appropriation for the eradication of black rust?

Mr. McLAUGHLIN of Michigan. Will the gentleman yield to me?

Mr. HAUGEN. Yes, indeed.

Mr. McLAUGHLIN of Michigan. Does the gentleman think it is a good argument, because he was not able to get the amount of money available for wheat diseases increased, to refuse to permit the increase of this appropriation for tuberculosis?

Mr. HAUGEN. The gentleman is a member of the committee, and he knows that we did increase that appropriation.

Mr. McLAUGHLIN of Michigan. How much?

Mr. HAUGEN. Thirty thousand dollars. We expended $20,000 last year for the investigation of the black rust, and at the suggestion of the gentleman from North Dakota [Mr. YOUNG] and myself the appropriation was increased to $50,000.

Mr. McLAUGHLIN of Michigan. Was it increased by as much as you asked?

Mr. HAUGEN. Yes; every dollar, which is more than double the amount estimated for by the department.

Mr. McLAUGHLIN of Michigan. Did not the gentleman from Iowa make practically the same speech before the committee that he is making now, complaining of the small amount of money appropriated for wheat diseases and of the large amount of money appropriated for the pink boll weevil? The department asked $800,000 for the new disease.

Mr. HAUGEN. We got an increase of 150 per cent and cut the $800,000 appropriation down to $500,000. The appropriation for the study of the black rust last year was $20,000, and we increased it 150 per cent, or up to $50,000. Now, gentlemen, here we have an appropriation of $50,000 for the investigation of black rust, which, if successful, may increase the production of wheat to the extent of at least 200,000,000 bushels, or $400,000,000. As the gentleman will remember, the distinguished gentleman from Illinois [Mr. McKINLEY] asked for an increase in the appropriation for the investigation of the production of corn. An increase of $25,000 was granted, making an appropriation, all told, of $65,000. So we have one appropriation of $50,000 and another of $65,000, or $115,000, for the investigation and study of the black rust and diseases affecting the production of corn and wheat.

Mr. SLOAN. Did Mr. McKINLEY and yourself get all that was asked for for these two purposes?

Mr. HAUGEN. Yes; the gentleman from Illinois got all the increase he asked for—an increase of about 60 per cent. We have increased these two appropriations about 100 per cent and a decrease of nearly one-half of the $800,000, so there is no discrimination in that respect.

Mr. LOBECK. Will the gentleman yield?

Mr. HAUGEN. I should like to yield, but my time is limited.

Mr. SLOAN. One other question——

Mr. LOBECK. I simply wish to ask if anybody is complaining because they got this extra? We were all in favor of it.

Mr. HAUGEN. I am pointing out the injustice of increasing this appropriation when we are appropriating only $115,000 for the eradication of black rust and for the improvement and increase of our corn crop. I am pointing out the discrimination against wheat and corn, the injustice of asking for $500,000 for the eradication of tuberculosis. We have in this country about 63,600,000 head of cattle, valued at $2,824,221,000. Our wheat crop alone is estimated at 668,000,000 bushels, worth at present prices about $1,250,000,000. Our corn crop is estimated at three and a quarter billion bushels; it is worth $1.50 a bushel; if so, we have about $4,500,000,000 for corn. The value of the wheat crop and the corn crop is more than double the value of all our live stock. Here we appropriate $250,000 for the study and eradication of tuberculosis. This bill carries $26,943,000. Much of that amount is available for the eradication of tuberculosis. We appropriate large amounts of money for the eradication of hog cholera. We have an appropriation for the foot-and-mouth disease, and various appropriations; and if you will go through the bill you will find that we have dollars available for the eradication of diseases in animals where there are cents available for the more important work of the eradication of diseases of wheat, corn, and other cereals. My friends, as I

started out to say, the committee tries to give due consideration to every problem, to every item, that is submitted to it. We want to do the practical thing. We want to deal with the larger things and not overlook the smaller ones. We all agree as to the importance of this item. As I have said, I have been interested in this work for 25 years. When I served in our State legislature I tried to secure legislation and appropriations for this purpose. I think I had as much to do as anybody with having this item put in the bill here 10 years ago. It has been in the bill all these years, and during all that time the department has given it consideration. As I said, $132,000 was expended last year. Some 8,000 or 9,000 cattle are being tested every month.

Mr. MOORE of Pennsylvania. Mr. Chairman, if the gentleman will yield, I want to get at the real facts in the matter. The gentleman states that the department does not want this extra appropriation of $250,000.

Mr. HAUGEN. The subcommittee had before them Dr. Kiernan and other representatives of the department. Dr. Kiernan was asked as to the amount of money that should be appropriated, and he said $250,000. He was asked two or three times if it would not be possible for him to use more money; the answer was "No." The gentleman has spoken about veterinarians. He says if you pay the price you can get them. As the gentleman knows, thousands of veterinarians have joined the Army.

Not only from the Department of Agriculture, but they come from every community in this land. The question is this: Are you going to draw on the department for that service? The department says it requires skilled and trained veterinarians to conduct the work. Are you going to draw on the department force to do this work at the risk of neglecting other work, such as meat inspection, and take veterinarians from other communities who are now needed to do veterinary work there; are you going to say to the community, "Let us take the services of these men away from you and deprive you of their services, much needed"?

Mr. MOORE of Pennsylvania. Has any plan been submitted at all for the expenditure of this additional $250,000?

Mr. HAUGEN. No definite plan. When the gentleman from Nebraska and others asked me what I thought of increasing the appropriation I answered, "If you are going to increase the appropriation, you ought to submit some definite plan of operation." I said, "If large appropriations of money are to be made, the dumping of it by the millions will do no good unless you have a definite plan to work by."

Mr. Chairman, just one word as to the suggestion of reimbursing the owner of the stock. According to the estimates furnished by the department, the value of our live stock is $2,824,000,000. The statement has been made on this floor that 10 per cent of the cattle are infected with tuberculosis.

If so, it would require about $282,000,000 to pay the losses resulting from tuberculosis. As usual, many tears have been shed for the poor farmer. Oh, it is always the dear farmer that we are legislating for. Now, anyone who knows anything about this proposition knows that the loss is borne by the packers. The packers have been doing fairly well. I find, according to reports, that Swift & Co. increased its profits from $9,000,000 in 1915 to $20,465,000 in 1916. Armour & Co. increased its profits from $6,000,000 in 1915 to $20,100,000 in 1916. So, my friends, they are doing fairly well. I believe we can appropriate money to better advantage than to appropriate an additional $250,000 to reimburse the packers at this time. Suggestions have been made that we should increase meat production. No one will seriously contend that an additional appropriation of $250,000, or even $1,000,000, can increase the production of meat within a short time. That can not be done in one session of Congress.

As before stated, we are expected to furnish 800,000,000 bushels of grain for our allies and soldiers abroad. We had a short crop; the supply is not in sight; food is as important as powder and guns, and it is our solemn duty to supply those who have taken their lives in their hands, who are willing to lay them upon their country's altar as a sacrifice in the defense of their country. Our word and our resources have been pledged; our honor is at stake as well as our country; we are all of one mind, and that is to do everything in our power to successfully prosecute this war and to bring about a speedy and triumphant termination of this terrible conflict in which the world is engaged. With that in view, it is up to us to do the practical things, for us to appropriate money for the purposes that will bring the best results.

In view of the meager appropriation of $115,000 for the eradication of black rust and stripe rust, for the study of corn improvement, methods of corn production, and of corn-root and stalk diseases, affecting the yield of our wheat, corn, and other cereals, aggregating upward of 6,000,000,000 bushels, which in point of value is more than twice the value of all our live stock, including hogs, can we as practical men representing our constituency do what is proposed to do, increase the proposed appropriation of $250,000, which is an increase of $50,000 in excess of the department's estimates and nearly 100 per cent in excess of the amount appropriated and expended in the current fiscal year, to $500,000? Besides the $250,000, this bill carries more than $500,000 for inspection and quarantine work and the study of existence of contagious diseases of animals; $620,420 for the eradication of the southern cattle tick; $364,390 for the investigation and experiment in dairy industry; $308,680 for investigation and experiments in animal husbandry; $124,560 for scientific investigation in diseases of animals at Bethesda, Md.; $446,900 for investigation in the disease of hog cholera; in all, a total appropriation of $2,743,098 for the bureau, in addition to that the permanent annual appropriation of $3,000,000 and $477,200 carried in this bill for meat inspection. Gentlemen, it seems to me that if our aim is to increase production by making liberal appropriations, we should, rather than to double the proposed appropriation, increase the appropriations proposed for the larger and, I believe, the more important products of the farm.

Another question is whether we are going to take the advice of men who have made an exhaustive study of the matter, men of ability, backed by enthusiasm, who say that not more than $250,000 can be effectively used. I take it that it can be said without reflecting upon anyone that the department that has this work in charge has more thorough knowledge of the amount of money and activity that can be devoted to this line of work than Members of Congress. True, in local matters, Members have more knowledge, but when it comes to the dealing with all problems of this great department, affecting every section of our country and the policy of the department, I believe its conclusions and recommendations are worthy of the highest consideration. We should at least give the representatives of these bureaus of the department credit of knowing what they are talking about. And if we do, then it is up to us to act in accordance with their recommendation. That has been the policy of the committee. [Applause.] Mr. Chairman, I yield back the balance of my time.

Mr. LEVER. Mr. Chairman, I will say to the gentleman that we have only two additional speeches on this side, and I will ask the gentleman from Michigan to use some of his time.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield five minutes to the gentleman from New Hampshire [Mr. WASON].

Mr. WASON. Mr. Chairman, I am a little surprised at the attitude of some Members of this House in approaching the discussion of this proposed amendment to the bill. As we all know and realize, our country is at war. Our Government is urging everybody to do his part. Our Government is urging everybody to conserve our national resources. Our Government is urging everybody to produce from the soil and in the industries the most that can be produced, in order that we may bring about an early, just, and lasting peace for the warring nations of the world. And yet here, when we are dealing with the subject of agriculture, which is the basis, the foundation, the strength, and sinew behind our Army and Navy, we find men differing on the importance of conserving our live stock, which furnishes meat for our people at home, our soldiers at the front, as well as our allies.

I said that agriculture was the basis and strength of our people in this war. From the soil comes the wheat, the corn, the barley, the rye. From the soil comes the mineral and the ore that we need. From the soil comes the cotton and the cane. From the soil comes the oil and other products. The soil furnishes the food to raise our cattle and our swine and our horses. From the soil comes the lumber that furnishes the material for our homes, the cantonments, and the structures for our industries.

We must assist and conserve and encourage these great agencies which are effective in the prosecution of this war. The Department of Agriculture estimates that $25,000,000 is wasted every year in live stock with that dread disease that was first discovered in 1882 by Prof. Koch, a German scientist. Twenty-five million dollars annually lost in live-stock production from this disease, and yet men quibble here over raising the appropriation to half a million dollars that we may reduce the disease and have more meat, more pork, more fats for our people, our allies, and our soldiers, more hides for shoes, and so on through the list of necessaries.

We appropriate money right and left for anything we believe will help us to successfully prosecute and win this war.

I say to you that I believe we can appropriate half a million dollars, and the Department of Agriculture can collect the force of men necessary in a very short time who will start out on an active and effective campaign that will soon result in great reduction of the $25,000,000 loss among the great herds of this country.

My colleague [Mr. YOUNG of North Dakota] asks if we need veterinarians for this work. I presume that officials of the Department of Agriculture would say that we did, but you and I know that we do not. All that is needed is the instrument and proper tuberculin, and the eyesight of the average farmer is good enough to do the rest and make successful tests.

Mr. HAUGEN. Will the gentleman yield?

Mr. WASON. Yes.

Mr. HAUGEN. If that is so, what is the use of appropriating money? If the farmer can do it himself, why should we appropriate this large sum? The department says it requires skilled and trained veterinarians.

Mr. WASON. In answer to my distinguished friend I will say that if there is anything the department does except to make scientific researches, that the average farmer can not do if equipped with proper instruments and appliances, I would like my friend from Iowa to state it.

Mr. HAUGEN. I will answer by saying that $8,000 was appropriated last year for research work.

Mr. WASON. After hearing Dr. Mohler's statement of the Department of Agriculture relating to the wide area in which tuberculosis is found in live stock it seems reasonable to believe that Congress would be willing to adopt this amendment and appropriate $500,000 for a campaign of eradication.

Again, by comparison, as provided in the terms of this very bill, it would seem fair and just that $500,000 should be appropriated for this particular menace to our live stock. We appropriate $620,420 for expenses for the eradication of the southern cattle ticks, $500,000 to conduct surveys and inspections in Texas or any other State and Mexico to stamp out and exterminate the pink bollworm of cotton, and $650,140 for farmers' cooperative demonstrations for study and demonstration of the best methods for meeting the ravages of the cotton-boll weevil. Thus it will be noticed we appropriate $1,150,140 for the control and eradication of the boll weevil and the pink bollworm, which are a menace to the cotton crop. Is it not fair that a half million, or a sum equal to that appropriated for the eradication of the cattle tick, be appropriated for the control and eradication of tuberculosis?

Again, this bill carries an appropriation of $250,000 for investigation, eradication, and control of the disease of citrus trees known as citrus canker.

Are either of these menaces carrying the same amount of money or more of greater menace to production than is tuberculosis?

J. R. Mohler, Acting Chief of the Bureau of Animal Industry, makes the following pertinent suggestions of the department's policy relating to tuberculosis eradication:

The department's policy in tuberculosis eradication is a cooperative one. For every Federal employee furnished the State is expected to provide at least one veterinarian. The campaign against tuberculosis will be divided into three projects, as follows:

1. Tuberculosis Eradication among Pure-Bred Herds.
2. Tuberculosis Eradication among Swine.
3. Tuberculosis Eradication in Circumscribed Areas.

Pure-bred herds which have been tuberculin tested and found to be free from tuberculosis will be classed as accredited herds; that is, herds which the State or Federal authorities may certify to as being free from the disease. This certification will be a tremendous stimulation to the trade among cattle known to be healthy. The prospective purchaser will be willing to part with his money when he invests in cows which are not blighted by disease. The person who is upbuilding his herd will find security when he purchases registered sires and dams to introduce into his bovine family. The known healthy animal will be in great demand, whereas the unknown quantity will be on the bargain counter. The accredited herds will have entrée into any society, while the unknown will be eligible only for use in localities where there is a premium on inefficient live stock.

The movement to establish accredited herds is purely a voluntary one. No laws or regulations will be necessary to assure the success of this plan. Its success will depend upon the judgment and decision of the live-stock owners. It is a practical proposition for the practical live-stock owner. It is a plan of fair dealing without the speculative chance which attends the purchasing of cattle which are members of a herd known to contain, or to have recently contained, animals which are affected with tuberculosis, or which at least are under suspicion.

Tuberculosis of swine exists to an alarming degree. Each year the carcasses of thousands of swine are condemned as unfit for human consumption at abattoirs where Federal inspection is maintained.

The remedy for this evil is the pasteurization of dairy by-products which are fed to swine and, of course, the elimination of the existing cause—the tuberculous animals which are the distributors of the tubercle bacilli.

The extermination of the disease from circumscribed areas is the greatest task to be undertaken. An area that has been freed of tuberculosis must be kept clean by quarantine regulations which will prevent the introduction into it of animals affected with the disease. Such areas should be established in every State. It may be an area representing 500 square miles or any multiple of that up to the entire area of the State. In such an area all herds should be subjected to the tuberculin test. The reactors should be immediately separated from the healthy animals and disposed of in accordance with State regulations. If the reactors are to remain alive, they should be kept segregated and under strict surveillance. They should be so marked that their condition can not ever be misrepresented. Their progeny should be taken away from them immediately after calving and placed with healthy foster mothers, or fed on pasteurized milk. Retesting shall be practiced semiannually to begin with, and then for a number of years to assure of the entire eradication of the disease. Except from accredited herds, no cattle shall be introduced into any free or circumscribed area in which tuberculosis eradication is being conducted for dairy or breeding purposes unless they are held in quarantine for a period of 60 days, at the expiration of which time they will be tuberculin tested.

From this statement you will notice that the department intends to free our livestock from this menace by disposing by slaughter or segregation infected animals. It seems the department would do well to conduct scientific researches for some method of preventing animals from becoming infected with tuberculosis. Prof. Koch in his researches discovered the germ, classified it as bacillus tuberculosis, which affects persons as well as live stock. He later produced in his laboratory the substance known as tuberculin.

The substance known as tuberculin is an attenuated solution of some substance or medium in which tubercle bacilli have been grown or propagated and from which the bacilli themselves have been carefully removed. Beef bouillon, for instance, is a substance in which the germs can be multiplied rapidly at the proper temperature, and when the actual germs have been carefully separated from it after having been produced to a certain point and a percentage of glycerine has been added for the purpose of dilution the result is the tuberculin of commerce, which is used by veterinarians for the testing of cattle.

The value of tuberculin in determining the extent of tuberculosis in living cattle is an accepted fact. While it is not an infallible test of the presence of the disease, its use has been confirmed in a very large percentage of the cases where the animals have been condemned and destroyed and it has been of invaluable assistance in carrying out the Bang method of treating tuberculosis as practiced in Denmark and the Ostertag method, which is in use in various parts of Europe.

Some 17 years ago a discovery was made by Dr. E. von Behring, of Marburg—

which promises to be as important and far-reaching in its preventive efficacy toward bovine tuberculosis as was Jenner's smallpox vaccine toward the dreaded scourge of smallpox. Dr. von Behring produced a substance in his laboratory at Marburg called "Bovovaccine," which appears to possess the property of immunizing cattle treated with it while they are quite young against tubercular infection during their entire lives. A sufficient time has now elapsed, so that results of carefully conducted experiments in its use have become of great value in determining the fact that all cattle may be immunized against danger of infection from any source, and they hold out the hope that the time may not be far distant when the "cattle on a thousand hills" may every one be free from disease and no longer a menace to human life.

Bovovaccine consists of a mitigated culture of live human tubercle bacilli, which is injected directly into the circulatory system of young calves, and which seems to possess the power of rendering them immune to tubercular infection during their life. Of course, this last proposition has not yet been absolutely proven, since a sufficient number of years has not elapsed to cover the average meat animal.

Experiments abroad and in this country have been very extensively carried on for years with the most gratifying results; and in some of the cattle-raising districts of central Europe bovovaccination has become a regular part of the system of live-stock raising. The immunizing system of Dr. von Behring has been extensively practiced on the estates of his royal highness, Prince Louis of Bavaria, at Savar, Hungary, where the most careful records have been kept. The results are astonishing. In many cases the most persistent efforts to infect animals which had been bovovaccinated, both by contact with diseased animals in stables which were known to be infected and by the injection of virus from diseased animals directly into the system, have failed.

This process of vaccination by the use of bovovaccine has been tried in Maine, New Hampshire, Vermont, Massachusetts, New York, New Jersey, Ohio, and Maryland. Those farmers who have used it most extensively feel that it does not injure the animal, and that the animal is immune from tuberculosis thereafter. I want to call your attention to a testimonial of the State of Maine Cattle Commission in 1910:

During the past four years our experience with bovovaccine has been considerable, and I wish to assure you that the results have been exceedingly satisfactory. The work of immunization has been carried on in some of our worst infected herds, and I feel that it has been given a severe test. The results have been such that it seemed a valuable adjunct in our work of eradicating tuberculosis; consequently at the last session of the legislature a law was passed providing bovovaccine free of charge to the breeders of this State. Many breeders are availing themselves of this opportunity to build up immune herds, and I trust the number will increase.

J. M. DEERING.

If animals can be made immune from tuberculosis by this use of bovovaccine, it seems to me that is the quickest and surest and the most complete method of control and eradication of tuberculosis in the herds of this country. I sincerely hope the Department of Agriculture will conduct such research work along these lines as will demonstrate fully and completely the worth of this proposed prevention or the fallacy of Prof. von Behring's discovery.

The CHAIRMAN. The time of the gentleman from New Hampshire has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. FAIRFIELD].

Mr. FAIRFIELD. Mr. Chairman, my attention was especially called to this question a few years ago, when a whole herd was condemned and killed in my own district when it was found that it was tubercular. All of us agree here to-day that this work of stamping out the disease is needed, badly needed. The only problem seems to be with the department. We have a department, a bureau, that can use only a definite amount, we are told, in the solution of a problem of this character, and we are further told that if we appropriate $500,000 their plans are not elastic enough to take care of that amount of money. I understand, too, that the head of the bureau, who knows more about it than perhaps any other member of the department, said unqualifiedly that he could use $1,000,000 and use it effectively. When the matter was before the committee one of the assistants of the bureau spoke before the committee, so I am informed. Later, I am informed, the head of the bureau still insists that he can use that effectively.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. FAIRFIELD. Yes.

Mr. HAUGEN. In order that it may be clearly understood, Dr. Mohler was out of the city, but he sent Dr. Kiernan there to represent him. He came there as Dr. Mohler's representative, and he positively stated and restated two or three times that $250,000 was every dollar that they could use.

Mr. McLAUGHLIN of Michigan. But is it not true that when Dr. Mohler had himself returned to the city and he was asked if he had changed his mind, he said no, that he stood by what he said originally and that he could use $1,000,000.

Mr. HAUGEN. He did not state that to the committee.

Mr. FAIRFIELD. It would be very strange if the plans for the expenditure of $250,000 could not be enlarged with a proper personnel to spend $500,000. We all know that on problems of this kind it is largely a question of propaganda. We all know that the farmer will resent a local man coming into his herd and condemning it. We all know that throughout the length and breadth of this country much of the $250,000 could be easily expended in a propaganda in making people understand.

Mr. DOOLITTLE. Mr. Chairman, will the gentleman yield?

Mr. FAIRFIELD. Yes.

Mr. DOOLITTLE. How much would the gentleman spend in propaganda on this question?

Mr. FAIRFIELD. I could not say offhand how much, but if the gentleman would tell me how much was spent in propaganda for the study of food conservation, how much we have spent in propaganda for the sale of liberty bonds, and how much in propaganda for everything else, I would say that the same relative percentage might be expended wisely in the propaganda on this question.

Mr. DOOLITTLE. Does the gentleman care to know the exact words of Dr. Kiernan, the representative of the Department of Agriculture, when he testified that the maximum amount he could use was $250,000?

Mr. FAIRFIELD. I think I have quoted them correctly; but let me repeat, he was there while the head of the department was out of the city, and when the head of the department was questioned in regard to the matter he still insisted that he could expend $500,000. I may be wrongly informed.

Mr. RUBEY. The gentleman is entirely misinformed on that proposition, as I expect to show in a few minutes.

Mr. FAIRFIELD. Then the matter is a question of veracity as between the members of the committee.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. McLAUGHLIN. Mr. Chairman, I yield five minutes to the gentleman from Nebraska [Mr. SHALLENBERGER].

Mr. SHALLENBERGER. Mr. Chairman, this item is a new item for the purpose of attempting in a small way, at any rate, to do away with tuberculosis among our domestic animals. There are two diseases which are most prevalent and fatal to our domestic animals, hog cholera and tuberculosis. Hog cholera is fatal only to swine, but tuberculosis attacks every one of our domestic animals, including chickens, sheep, hogs, cattle, and is also the most fatal of all diseases to the human race. Therefore, anything that we can do to alleviate some of the terrible ravages of this disease I think is a good thing for the American Congress to spend money for. I find in the public press of yesterday a statement by Mr. Hoover that we are required to furnish 70,000,000 pounds a month of beef to Europe. This is an increase of 7,000 per cent over what we furnished them before the war. The average then was about 1,000,000 pounds a month. We are to furnish 150,000,000 pounds per months of pork, which is an increase of 300 per cent above what we furnished before the war. We might as well face the fact that we are not going to increase our production of hogs and cattle during this war. We can only strive to save the herds we have and prevent waste by useless losses. There are more losses of live stock in cattle and hogs from these two disease I have mentioned than all other diseases combined. Tuberculosis is a disease which is very easily located by the use of the tuberculin test. There is only one way to eradicate it, and that is by quarantine and slaughter of the animals that are infected. We attacked the foot-and-mouth disease in this country a short time ago, which is not nearly so dangerous or widespread as tuberculosis. There is not a single State in the country whose domestic animals are not infected with tuberculosis. I think the chairman informed the House that something like $2,500,000 were appropriated by the last Congress to stamp out the foot-and-mouth disease. The work was successfully done, and, as I understand it, we have not a single case of foot-and-mouth disease in America to-day. In my judgment, if Congress would appropriate the proper amount, tuberculosis among our cattle herds could be eradicated in a very short time by slaughter and quarantine and proper sanitation.

Tuberculosis is not an inherited disease, as some think, but is a disease which must come from a preexisting cause or contagion; so, necessarily, if we eradicate tuberculosis from our cattle and properly disinfect the buildings and grounds we can eradicate this disease entirely, unless——

Mr. DOOLITTLE. Will the gentleman yield for a question?

Mr. SHALLENBERGER. Yes.

Mr. DOOLITTLE. Now, I grant what the gentleman says is so, but our committee tried to find some way whereby the department might expend more money even than we gave them. Now, can the gentleman tell how he would spend this additional sum over and above the amount stated which the Agricultural Department says they can expend in all good faith.

Mr. SHALLENBERGER. Now, I do not think that the Agricultural Department, perhaps, has given a correct statement of the amount of money that might be expended in the attempt to eradicate tuberculosis. I do not know where they expect to use it——

Mr. DOOLITTLE. I know the gentleman is an expert on tuberculosis, but are not there experts in the department equally as efficient on this subject?

Mr. SHALLENBERGER. Sometimes I have been forced to this conclusion: That an agricultural expert is a man who finds out something that has been known by other people for a long time and then talks about it in language that nobody can understand, and is then designated as an expert. [Laughter and applause.]

Mr. DOOLITTLE. Of course, the gentleman would not include Dr. Mohler and Mr. Kiernan in that class of experts?

Mr. SHALLENBERGER. I am sure Dr. Mohler would agree that if this Congress would appropriate a sufficient sum to do the thing I have stated—that is, test these cattle and slaughter those found infected and reimburse the owners, as you did in your eradication of the foot-and-mouth disease, by fair amount, whatever the amount would be—you would stamp out tuberculosis. Moreover, I think the sum of money asked or even the $250,000 is entirely insufficient and that the $500,000 asked for is also insufficient, but it would be very much better than the amount which you are granting.

Mr. HAUGEN. Will the gentleman yield?

Mr. SHALLENBERGER. I will.

Mr. HAUGEN. Does the gentleman suggest a reimbursement to the owners?

Mr. SHALLENBERGER. Yes.

Mr. HAUGEN. That would take about $28,000,000.

Mr. SHALLENBERGER. I think while we are spending billions and multiplied billions for other purposes we might spend $28,000,000 in this way, if that is what it will cost.

Mr. HAUGEN. And this calls for half a million.

Mr. SHALLENBERGER. They did not ask for enough, that is all.

The gentleman from Missouri [Mr. RUBEY] has told us that his State by law provides that grade cattle slaughtered because they reacted as tubercular shall be compensated for at a fair figure and pure breds at a higher price. If the Nation would take example from Missouri and make similar provision this great scourge to animal life, and mankind alike, could be soon stamped out. The fact that tuberculosis is not inherited, but must be contracted after birth from contagion from an already existing case has been established beyond doubt. Once eradicated from our country it can be kept out forever. The dairy cattle of England, France, and Germany are full of it, but there has never been a case of it on the Channel Islands of Jersey, because importation of cattle is prohibited there. We permit this scourge to carry certain death to animals and men because we will not appropriate the money necessary to stamp out the plague. We spend a billion without batting an eye for instru-

ments of death with which to kill men, but gentlemen lift their voices in protest at the proposition of spending a few millions for the certain benefit of humanity.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, I appreciate the attitude of the members of the committee with reference to this matter. The head of the department thinks that $250,000 is all that can be used. There is a difference of opinion among members of the department, but the Chief of the Bureau of Animal Industry says that $1,000,000 can be advantageously expended for the extirpation of tuberculosis in animals. Now, gentlemen, I want to call the attention of this committee to the fact that nearly every increase that has been made in this appropriation bill throughout the years that have passed has been made because of an increase over estimates made by the department. The chairman of the committee well knows, from his experience both before and since he has been chairman, that more of the increases made have been made by the House over the estimates made by the department itself. The department acts conservatively. It understands that $26,000,000 is an immense sum. It feels that it ought not to increase it any more than it can within the realm of reason, and it also feels the necessity of coordinating these appropriations and making them reasonable. As my colleague, the gentleman from Iowa, said, the increase asked for is large, compared with some other appropriations contained in the bill. It is also small as compared with some others. I want to say to my colleague from Iowa what he knows very much better than I do, that there never has been an agricultural appropriation bill passed that has not had the same objection existing in it, and that is the case because the agricultural resources of the United States of America are so tremendous in extent, they are so diversified in character, that a proper relation is impossible to be maintained. Conditions arise from time to time that could not have been anticipated. We are required very largely to pass on each individual proposition as if it stood alone. So that comparisons, I think, ought not to weigh very much with the members of the committee in voting for this appropriation.

Now, gentlemen, we are confronted with this situation. We are confronted, as the gentleman from Nebraska [Mr. SHALLENBERGER] says, with the most extraordinary demand that has ever been made upon this country, a demand which we must answer, whether we wish or not. It must be taken from our sources of supplies. We must furnish our allies across the seas with 70,000,000 pounds of meat each month during the succeeding months of the year. That will diminish our supply, necessarily. If we do not take extraordinary measures, if we do not use extraordinary means for increasing the meat production in the United States, we will not be doing our duty in this emergency. Seventeen years after the census of 1900 was taken we have 4,000,000 head of cattle less than we had at that time. The reduction, notwithstanding the tremendous increase in our population, was from about 67,000,000 in 1900 to 63,000,000 now—is that correct?

Mr. HAUGEN. Sixty-three million six hundred thousand.

Mr. TOWNER. I think it was about 67,000,000 in 1900, and it is now reduced to 63,000,000 in round numbers. That is the reduction in the number of cattle in the United States—more than 4,000,000—notwithstanding the tremendous increase in population, notwithstanding the tremendous, the extraordinary demand that is now made upon us. If we know that this legislation will increase the meat supply in the United States, can we, if we would do our full duty, neglect to do everything that is possible in order to increase the meat supply? Now, I call attention——

The CHAIRMAN. The time of the gentleman has expired.

Mr. TOWNER. May I have just one minute more; I want to say just one more sentence.

Mr. HAUGEN. I yield the gentleman one minute.

Mr. TOWNER. I want to call the attention of Members here to the fact that not a cattle association in the United States, not a dairy association in the United States, but what has favored or does favor this legislation. All the information that comes from the people immediately interested says, "Give all the help that you can in order that we may stamp out this disease."

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. RUBEY].

Mr. McLAUGHLIN of Michigan. Is this the closing speech?

Mr. LEVER. I have two on this side. I yield 10 minutes to the gentleman from Missouri [Mr. RUBEY].

Mr. RUBEY. Mr. Chairman and gentlemen of the committee, this is a friendly contest. The members of the Committee on Agriculture, all of them, are anxious to do what they think is right and what they think is for the best interests of the country. They have shown that disposition from the very beginning in the consideration of this bill, both in the committee and on the floor. And so to-day we are here in a friendly spirit making this contest.

I come from a State that is the fifth State in the Union in the production last year of agricultural products. I come from a State that has a great many dairy cattle and other kinds of cattle. I am sure that I am just as anxious as are the gentlemen who have spoken on that side to do everything that we possibly can do to stamp out tuberculosis. But I am not willing to go further or do more than those in charge of the Department of Agriculture say they can do.

Now, I want to talk to you for a moment, and I want to talk to you plainly. The other day, when we were discussing this matter on the floor of the House, some gentlemen stated that Dr. Mohler, the Chief of the Bureau of Animal Industry, had said that he could use $1,000,000. I knew that before the committee Mr. Kiernan had said that they could not use more than $250,000. I also knew that the Secretary of Agriculture had said that they could not use more than $250,000. And so I called up Dr. Mohler and I told him of the statements that were being made on the floor of the House in the general debate, to the effect that he had said that he could use $1,000,000. In reply this is, in substance, the statement that Dr. Mohler made to me:

> Two hundred and fifty thousand dollars is all we can use economically and effectively unless the Congress of the United States gives us authority to reimburse the owners for the slaughtering of their cattle. If they give us authority to reimburse for the slaughtering of cattle, we can use $1,000,000; we can use all the money that the Congress may give to us.

Now, this is the situation: Not a single dollar of this appropriation of $250,000 that is carried in this bill can be used to reimburse owners for the slaughtering of their cattle, not a cent of it, and it can not be done unless this Congress legislates and gives specific authority to do that sort of thing.

Mr. LITTLE. Is the gentleman opposed to the policy of reimbursement?

Mr. RUBEY. Let me discuss that question just for a moment. The gentleman from Maryland [Mr. LINTHICUM] a moment ago made a statement on the floor of this House. He said there were 22,000,000 dairy cattle in this country afflicted with tuberculosis.

Mr. LINTHICUM. Twenty-two million dairy cattle in this country, of which 2,000,000 were afflicted with tuberculosis.

Mr. RUBEY. I misunderstood the gentleman. But I want to say this, that if you will figure up the number of cattle in this country and their value and the number afflicted with tuberculosis and their value, and then estimate how much money it will take for the Government to reimburse the owners for cattle slaughtered, you will find that it will take a very large sum of money. This will be true even if the Government reimbursed to the amount of one-fourth the value and leave the States to reimburse to the amount of one-fourth, leaving the owners to bear one-half the burden. When we come to that question, we ought to stop and study for a moment and find out, if we can, where we are going to get the money.

Mr. LITTLE. Are not the States already reimbursing?

Mr. RUBEY. They are to some extent.

Mr. LITTLE. Do you not believe we ought to help them?

Mr. RUBEY. When Congress determines to reimburse we will do as much as they do. The gentleman will find, if he will examine into it, that they are not reimbursing in every State of the Union, not by any means. A great many of them do not reimburse a single cent.

Mr. TOWNER. Will the gentleman yield?

Mr. RUBEY. I will.

Mr. TOWNER. I am informed, and I would like to know if the gentleman confirms the statement, that there are 15 States in the Union that make absolute reimbursement for the slaughter of cattle, and that 5 other States make compulsory extermination of those affected——

Mr. RUBEY. I have before me a full and complete statement showing exactly what every State of the Union does in the way of reimbursement. And yet the statement is misleading, because, for instance, they say that in Missouri they reimburse to the amount of $40 for the common stock and $200 for the thoroughbreds. And yet it depends upon the amount of money that the legislature appropriates. And the legislature does not appropriate enough money to do that, except in a very limited way, and what is true in my State is also true in pretty nearly every other State. If every State of the Union would appropriate enough money to pay one-fourth of the value of the

cattle slaughtered they would appropriate many millions of dollars. But they do not do it.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. RUBEY. I yield.

Mr. SHALLENBERGER. The gentleman is aware that a great majority of these cattle that are slaughtered are not a loss at all; that the cattle are slaughtered and the disease is eradicated, but the carcass itself is valuable for beef. So that the amount of actual loss to be recompensed would be infinitesimal.

Mr. RUBEY. I recognize that what the gentleman says is true in part. The whole animal is not always destroyed.

Mr. SHALLENBERGER. I have had a number of animals slaughtered, but I never had one that did not sell for beef; did not have one where there was a loss of the carcass.

Mr. LINTHICUM. Will the gentleman yield for a question?

Mr. RUBEY. Not until I get through.

Mr. LINTHICUM. You made certain statements as to what I said, and then do not yield?

Mr. RUBEY. I yield to the gentleman. I do not want to incorrectly quote him.

Mr. LINTHICUM. Did you read where it said that the segregation of these animals would effect great results and it was not necessary to slaughter them?

Mr. RUBEY. I read that, and I do not desire to misquote him. The point I want to make is this; that we have this appropriation here of $250,000, not a cent of which can be used to reimburse the owners for the slaughter of their cattle. Unless you are going to give the authority to reimburse, then Dr. Mohler, the chief of the bureau, himself says that this is all the money he can use. If you are going to give more money, you should also give him additional authority, in order that he may pay for the reimbursement for the cattle which are slaughtered. You can not put that provision in this bill. Any man on the floor of the House could stop it by a point of order, because it is new legislation. The committee, in the framing of this bill, tried to bring in a bill that was clean, a bill that did not call for additional legislation, and in very few instances have we inserted provisions against which a point of order will hold.

Now, the committee studied this subject very carefully. A subcommittee was appointed; we had a subcommittee of five, and we called before us Dr. Kiernan, of the Department of Agriculture. We had his statement. We framed this legislation. I wrote the language myself. The subcommittee and the whole committee agreed that we ought to take this proposition out, segregate it, and put it into an item by itself, so that the House itself would know just what we were doing and know along what lines we were legislating, and in order that the whole country might know it. Not only that, but if my recollection serves me correctly—and I think it does—the only question upon which the subcommittee was divided was the question of reimbursement.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. RUBEY. I would like to have five minutes more.

Mr. LEVER. Mr. Chairman, I yield to the gentleman five additional minutes.

The CHAIRMAN. The gentleman from Missouri is recognized for five minutes more.

Mr. RUBEY. The only question, I say, upon which the subcommittee was divided was the question of reimbursement. Some members of the committee wanted to reimburse, but the entire subcommittee reported in favor of the $250,000 for carrying on this work.

Now, Mr. Chairman, I do not think that we ought to go beyond that which the department has asked for. The department has been working along this line since last July. The first appropriation for the work of eradicating tuberculosis went into the last appropriation bill, and the department took up the work last July.

They have just organized the work; they have not been able to do much, have not had it organized more than two or three months. The Bureau of Animal Industry will have charge of this work. Those in charge have prepared comprehensive plans embracing the entire country. They have explained to the committee in reports and in the hearings just exactly how they are going to use this money. This appropriation will be available on the 1st of next July. Let those in charge of the bureau go right on carrying out the plans they have matured with the money they now have, and when July comes let them increase the work, and if they find that they can get more competent and capable men to do the work, and if they find that they need more money and can use it economically and efficiently, when this Congress meets again next December we can give them more money. They can report to the committee the conditions as they then exist and we can bring in an additional appropriation, make it immediately available, and give them whatever they may need.

I would rather do that than to go ahead and give the Department of Agriculture twice as much money as it is asking for.

Gentlemen talk here about preserving health. We want to preserve the health of the people. Of course we do. We regret that children are dying from tuberculosis, which is sometimes contracted through the drinking of milk. Everybody regrets that sort of thing. The appropriation of an additional $250,000 will not lessen that evil very much. If we want to do something to improve good health among the children of this country we could appropriate a million dollars to increase the supply of pure water, because the drinking of impure water causes more sickness than any other one thing in this great country of ours. If you are seeking only to conserve the health of the country, there are many things we might do.

It is said that $25,000,000 is lost every year on account of the cattle that are slaughtered because of tuberculosis. That is true, and we all regret it. If you want to more greatly conserve the food supply of the country, I could suggest another line of work. I saw only yesterday in the papers a statement that a billion dollars' worth of property, principally foodstuff, was destroyed every year by rats. We might get busy along that line, appropriate a million dollars, and kill the rats, if we want to conserve the food products of the country.

I want to say to you gentlemen now that you should study this matter carefully. I am for the eradication of tuberculosis. I want to see it done just as rapidly as possible. Our committee has given to it its careful and candid consideration, and we are here to-day to give the department what it wants and nothing more. We are giving them $50,000 more than they asked for when they submitted their estimates. We have given them $250,000, and this House ought to give them what they ask, and it ought not to give them a cent more than they ask, or a cent more than they can use economically and without wasting it. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. RUBEY. I want to make just one more statement, and call it to your attention and consideration.

Mr. CANDLER of Mississippi. In behalf of the committee I desire to yield one minute more to the gentleman.

The CHAIRMAN. The gentleman from Missouri is recognized for one minute more.

Mr. RUBEY. The question was asked on the floor a moment ago, "Is there any other way of getting rid of this disease except by destroying the cattle?" I read the other day a statement by a veterinarian of my State, Dr. D. F. Luckey, who has been State veterinarian for many years, and a very eminent one—a statement to the effect that he had discovered a serum which if applied to the calf would make it immune against tuberculosis. If the serum discovered by Dr. Luckey is as effective in preventing tuberculosis as the hog-cholera serum is in preventing hog cholera, then, indeed, will Dr. Luckey be hailed as a benefactor. The hog-cholera serum was discovered by a Missourian. May it not be possible that another eminent Missourian has made a discovery equally as valuable to the live-stock industry? We are making this appropriation in order that the department may investigate all lines. It may be that by the time we meet here again the department may have discovered something along this line whereby we may be able to get rid of tuberculosis without destroying the cattle.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. SHALLENBERGER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LITTLE. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CANDLER of Mississippi. Mr. Chairman, I yield two minutes to the gentleman from Iowa, and then the chairman of the committee [Mr. LEVER] will close the debate on this side.

Mr. McLAUGHLIN of Michigan. Which side has the closing of this debate?

The CHAIRMAN. Under the usual practice of the House the chairman of the committee generally has the close. I do not think there is any special rule about it, but that is the practice of the House. The gentleman from Michigan [Mr.

McLAUGHLIN] has eight minutes remaining and the gentleman from South Carolina [Mr. LEVER] 14 minutes remaining.

Mr. McLAUGHLIN of Michigan. I yield the remainder of my time to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, I desire to answer pointedly the statement of the gentleman from Iowa [Mr. HAUGEN], who has just taken his seat. He suggests that the packers might profit by this amendment. If tuberculosis were a matter that stood between the people and the packers and the packers were to obtain one penny of advantage, there probably would be nobody here advocating it. It is in the hearings, not contradicted by any witness, that every penny lost at the packing plants by reason of tuberculosis found in any animal is charged to overhead expenses. That means that the consumer who buys the meat and the producer who sells jointly have to stand it. Everybody who understands the packing proposition knows that to be the fact. I do not see why the gentleman should have attempted to becloud or unwarrantably prejudice so important a proposition in that way.

Mr. HAUGEN. Will the gentleman yield?

Mr. SLOAN. For a brief question.

Mr. HAUGEN. The gentleman is familiar with the testimony. He was present at the time, and he knows that of the cattle and hogs slaughtered in some packing houses 20 per cent are infected with tuberculosis, and in others only a small percentage. And with the price uniform among the packers, how can that loss be adjusted?

Mr. SLOAN. It was testified that that was charged as an overhead expense, and that statement was not contradicted by any witness, and it is well understood generally. I think the packers have little difficulty in passing it on to the day's purchasers and the morrow's sellers.

Now, Mr. Chairman, there is some question raised about what Dr. Mohler has said. After all, there is not much difference. On July 17 Dr. Mohler recommended what the United States ought to do. Whether the statement of the gentleman from Missouri [Mr. RUBEY] be more accurate than the statement of the gentleman from Maryland [Mr. LINTHICUM] or not, to say nothing about what I have stated on the floor, matters not. Here is what Dr. Mohler said in writing on July 17, 1918. If this committee did not respond to that and wants to put itself in a position of hurling tons of money into a new proposition, such as the pink bollworm, and to neglect this, let the responsibility rest where it should. This is what Dr. Mohler said (see the hearings before the Committee on Agriculture, held on Jan. 14, 1918):

Tuberculosis can not be wished away; neither can it be talked out of existence. The State must pay to exterminate it, since it has tolerated its existence these many years. The United States Congress and the legislatures of the various States will appropriate funds for the maintenance of fighting forces to cope with the situation. The live-stock owners have duties no less important than the aforementioned forces. Teamwork among all the forces will produce results which will be worth striving for and which will mean another glory for live-stock sanitation.

Moreover, Dr. Mohler said in the same statement as follows:

THE ERADICATION OF TUBERCULOSIS FROM LIVE STOCK.

Tuberculosis can be eradicated from all the cattle and all the swine in this Union; otherwise the Department of Agriculture would not have embarked upon such a tempestuous campaign.

To support such a broad assertion, there is an abundance of evidence obtained through the school of experience, covering a period of several years.

Tuberculosis has been eradicated from hundreds of herds in the District of Columbia, Virginia, Maryland, and other States. It has been practically exterminated from comparatively large circumscribed areas. Furthermore, wherever and whenever an effort was made to eradicate the plague and the earnest cooperation of the live-stock owners and officials has been obtained, success has never failed to crown the enterprise.

Herds of cattle, which have at the inception of the campaign contained 75 per cent of diseased animals, have been freed of the malady and have remained as free herds.

Herds which on the first test were found free of disease have, by the prudent care of their owners, been kept free of tuberculosis.

The experience the department has had, as outlined here, has been enjoyed by the veterinary officials of some States. The preponderance of successful experiments, if we may call them such, is convincing proof that when conditions are favorable tuberculosis may be eradicated.

What constitutes favorable conditions? The same state of mind of the people that obtained in the early nineties when pleuropneumonia was eradicated; in 1902, 1908, 1914, and 1915 when outbreaks of foot-and-mouth disease were eradicated; the spirit that pervaded the Western States during the cattle and sheep scabies eradication campaign; the spirit that is aiding in the eradication of hog cholera; the same state of mind, the same earnest, hearty, wholesome and substantial cooperation that has made Texas fever eradication the marvel of live stock sanitary achievements.

The American people can eradicate tuberculosis, or prevent its eradication, or increase its presence.

In 1907 the bureau first undertook systematic investigations in regard to the eradication of bovine tuberculosis and the results which have been obtained through 10 years of study indicate that the eradication of tuberculosis of cattle and swine is probably the largest and most difficult problem which the bureau has undertaken to solve for the benefit of the live-stock industry and the general public, which benefits from the advancement of that industry.

It has been clearly demonstrated that tuberculosis can be eradicated from herds which are heavily infected with the disease and that tuberculosis herds can be freed from tuberculosis and maintained in a healthy condition through a period of years. In the demonstration work which has been conducted in the State of Virginia the past fiscal year showed 127 herds of cattle to be without the infection of tuberculosis at the time bureau cooperation was established. In the same State 138 infected herds have been made free from tuberculosis, and in accordance with the knowledge of the bureau this was accomplished in 126 cases without reinfections occurring. A large proportion of the herds were made free as the result of a single carefully applied tuberculosis test followed by the removal of reactors and the disinfection of the buildings. A second retest showed the eradication to have been completed in about 25 per cent of the herds.

The eradication of tuberculosis from cattle within a restricted area is a reasonable proposition as demonstrated in the District of Columbia where, in 1909, a compulsory tuberculin test became effective, and it was found that 18.87 per cent of the District cattle were tuberculous. This percentage was reduced as shown by the first retest to 3.2 per cent, and during the fiscal year terminating June 30, 1917, only 0.84 per cent of the District cattle reacted to the tuberculin test.

It may also be of interest to note that reactions to tuberculin tests applied by inspectors of this bureau are confirmed by post-mortem examinations, exhibiting lesions of tuberculosis in between 98 and 99 per cent of the reactors which are slaughtered under Federal supervision.

The years during which these investigations have been in progress have seen the live-stock owners and the live-stock sanitary authorities awaken to a realization of the necessity and importance of combatting the spread of tuberculosis which has already made inroads in practically every section of the United States. This is especially true of the sections where intensive live-stock breeding and dairying have been practiced. In the South where this industry has been maintained in its infancy largely on account of the prevalence of the Texas fever, cattle ticks, and the lack of diversified farming interests, the rapid eradication of these ticks and the progress of the propaganda for diversified farming is making a new and large field for the development of both the beef and dairy cattle industries. The cattle in these sections are now but slightly infected with tuberculosis, and it would seem to be of special importance that these sections be given protection from the introduction of tuberculous cattle from the infected localities.

Forty-seven of the States require the tuberculin test as a qualification for the entry of dairy or breeding cattle, but the owners of valuable herds have realized that a greater health insurance is obtained in the purchase of cattle from herds which are officially known to be free from tuberculosis.

This has led to the establishment by this bureau and by some of the States of what are known as accredited tuberculin-tested herds. This plan is meeting with great favor, especially among the breeders of pure-bred and registered cattle who recognize in it a medium for increasing the volume of their business and for protecting their own valuable herds when pure bred cattle of other blood lines are introduced for improving the strains.

So that the proposition presented by Dr. Mohler in writing stands uncontradicted to-day. That being the statement of the man most conversant with that proposition of any mortal on earth, does this committee want it understood as a fact that it has had so little effect upon the Department of Agriculture that, knowing that the annual loss from tuberculosis is from $25,000,000 to $75,000,000; that we and our allies need the meat; that we know the eradication can be accomplished; that the Department of Agriculture has been sending appeals to the live-stock producers of this country to speed up the production of meat because we need it more than we need ordnance and munitions of war—knowing all these facts, will you bring this indictment against the Department of Agriculture, will you charge it with knowing these facts, and yet that it has not put itself in a position where it can use more than $250,000 to protect 130,000,000 food-producing animals, cattle and hogs? Will you say that, and yet that it finds a place to use $620,000 that can possibly apply to only 20,000,000 food-producing animals? If the gentlemen who are standing here defending the position of the committee desire to put the Secretary of Agriculture before the country in such a position as that, let it be so. Will you prevent the Secretary saying to the country, "Speed up, breed to the greatest capacity," when the meat producers of the United States, who are endeavoring to put the last possible pound upon every brute, are losing millions of dollars every day, and that he can use only $250,000 in the fight against the tuberculosis which causes a large measure of this loss, let it be between them and the Secretary. So far as I am concerned, I would rather believe that the Secretary does not desire to assume full responsibility for that "tempestuous campaign," but desires Congress to take its full share of the responsibility, which it would do if this amendment carries.

Let me explain to you why tuberculosis is so effective in losses. It is because it does not strike the animals so that the public will know anything about it until they are advanced in age. Therefore there is an inducement for every man who suspects that there will be a loss in his herd from tuberculosis to send his swine or his cattle to the market long before they are mature.

That is one of the large causes that is to-day driving cattle and hogs daily to the market before maturity. Yet the Department of Agriculture appeals to the people of this country to make every animal that is shipped carry as much meat as possible. Yet knowing that the greatest source of loss is tuberculosis, and knowing that it can be eradicated, does the gentleman

charge that the department refuses to put itself in a position to remove that large source of loss?

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Just for a question.

Mr. GRAHAM of Illinois. I want to ask the gentleman what would have happened in this country when the foot-and-mouth disease broke out if Congress had appropriated only $250,000 to cope with that disease? It would have been all over the country, would it not?

Mr. SLOAN. All over the country; yes.

Mr. GRAHAM of Illinois. Is it not true that in Germany, where both foot-and-mouth disease and tuberculosis are comparatively unchecked, the losses from tuberculosis are greater than those from the foot-and-mouth disease?

Mr. SLOAN. That is an important fact. In the State of Minnesota the average loss resulting from hopeless reaction is 37. On the market of those that react 80 per cent are not condemned even in part, only 20 per cent. Of those that react and are condemned in part 50 per cent of the apparent value is saved. This bill will allow the Government to go to each State and in cooperation pay whatever a fair share of the loss may be. How do I know that? Dr. Kiernan, who has been frequently quoted, states that is the way the Government did in driving tuberculosis out of the District of Columbia, and under a law practically like this, so that this is within the law and within the bill. The terms of this bill would permit any reasonable arrangement among owners, States, and the Federal Government in strict line with the method outlined by Dr. Mohler. Let us not forget that this may be a long war, and what we do should be speedily done. [Applause.]

Mr. LEVER Mr. Chairman, the gentleman from Nebraska [Mr. SLOAN] has severely arraigned the Department of Agriculture because that department has not made arrangement for the expenditure of half a million dollars to control tuberculosis in food-producing animals. In fairness to the Department of Agriculture and the great man who presides over it, I desire to call the attention of the committee to the fact that the first appropriation ever recommended by any department of this Government for the control of tuberculosis in live stock was recommended by the present Secretary of Agriculture in his annual report of last year. [Applause.] He said:

> There remains, however, the problem of eliminating the disease from farm animals in order to prevent losses estimated at $25,000,000 a year in the United States. This is the greatest problem confronting the live-stock industry of the country.

That is what the Secretary of Agriculture said last year, and this is the first recommendation ever made in this country, either for the eradication of tuberculosis or for its control.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. LEVER. I can not. Another thing, the Secretary of Agriculture, in his report, outlines to Congress three methods by which the problem can be approached: First, the eradication from pure-bred herds; second, the eradication in hogs; and, third, the eradication from restricted areas.

The Department of Agriculture has not been remiss in its duty in this matter; on the contrary, it has been progressive, up to date, and has laid the facts before Congress. Let me say also that the current Agricultural appropriation act is the first appropriation act ever passed by this Congress which carries an appropriation for the purpose of attacking the problem of tuberculosis in food-producing animals.

Acting on the suggestion of the Secretary of Agriculture last year, this committee, which has fallen so far in the estimation of the gentleman from Nebraska, who is always interesting, entertaining, and active, appropriated $75,000 that the department might have the funds with which to work out a plan that would be effective against the spread of tuberculosis in live stock.

What are the facts? The department estimated for an appropriation of $187,000 for this purpose. Dr. Mohler, the chief of this bureau, was before this committee. The committee had an opportunity to cross-examine him, and it did cross-examine him. I defy any gentleman on the proponent's side of this proposition to show that Dr. Mohler, in his testimony, said that he could use a single dollar more than was asked for in the estimates, namely, $187,000.

Mr. LITTLE. Will the gentleman yield?

Mr. LEVER. I can not yield just now.

Mr. LITTLE. Very well; I yielded to the gentleman.

Mr. LEVER. Very well, I yield for a question.

Mr. LITTLE. Is it not a fact that the States appropriated money to eradicate tuberculosis long before the Department of Agriculture suggested it?

Mr. LEVER. What has that to do with this matter? It does not contradict me. I said the Federal Government never made any appropriation.

Mr. McLAUGHLIN of Michigan. Was not there an appropriation made in the District of Columbia in 1909?

Mr. LEVER. Oh, a little territory 10 miles square. What is that compared with the area of the United States, stretching from Canada to the Gulf and from the Atlantic Ocean to the Pacific Ocean. Yes; there was an appropriation, but it was not carried in this bill. They did eradicate it in this area down to 1 per cent. Does the gentleman think that we could sanely act on that kind of information or that kind of a result?

Mr. McLAUGHLIN of Michigan. The work extended into Virginia and Maryland.

Mr. LEVER. The statement has been made that tuberculosis could be eradicated. I desire to say to you that the testimony of Dr. A. D. Melvin, former chief of this bureau, who has since passed beyond the river, before the Committee on Agriculture last year, said that there was not a nation in the world that undertook successfully to eradicate tuberculosis. He said that there were one or two little islands that were doing it—the island of Guernsey is attempting to do it and the island of Jersey is attempting to do it. Germany undertook to do it and failed utterly. Germany now is doing what we are undertaking to do, namely, to control the disease. Germany has not made much success of that, for the testimony shows that from 60 to 80 per cent of its cattle are affected by this disease. That is the testimony of Dr. Melvin.

Mr. SLOAN. Will the gentleman yield?

Mr. LEVER. I can not yield.

Mr. SLOAN. For a brief question.

Mr. LEVER. Very well, I will yield to the gentleman.

Mr. SLOAN. Mr. Chairman, I would like to read one sentence:

> Tuberculosis can be eradicated from all the cattle and all the swine in this Union, otherwise the Department of Agriculture would not have embarked on such a tempestuous campaign.

Mr. LEVER. That is Dr. Mohler.

Mr. SLOAN. Yes.

Mr. LEVER. Dr. Melvin says it has never been eradicated wherever attempted in the civilized world, except in a very restricted area.

Mr. LINTHICUM. Does not the testimony show that it has been practically eliminated in the District of Columbia?

Mr. LEVER. Oh, if the gentleman had listened to my statement, he would not take up my time by asking such a question. I have already stated that.

Mr. LINTHICUM. I have been here all of the time, and I never have heard the gentleman admit it.

Mr. LEVER. The gentleman from South Carolina was the first chairman of this committee which ever advocated it, the gentleman to the contrary notwithstanding. The gentleman from South Carolina, if he may say it himself, has been in the front rank of progressive workers in agriculture in this country. [Applause.]

Mr. LINTHICUM. I admit all that; but I want to say to the gentleman that last year I got an amendment in the bill for this, and when the bill came back from the conference committee the amendment was stricken out.

Mr. LEVER. I do not remember it. Let me say this: We want to approach this subject sanely and calmly. The committee, looking over the amendments, hearing the testimony, not only gave the Department of Agriculture every cent that it asked—$187,000—but we increased the amount to $250,000 upon our own initiative, and we did it because we recognized the gravity of the problem, because we recognized it is one of the big problems of this country; but we did not make the sum $500,000 or a million dollars because we were assured by the men testifying before the committee that $250,000 would be the maximum amount which they could expend wisely and economically in this work. If this committee had come in here with a million-dollar appropriation for this work, without an estimate, in the face of this uncontradicted testimony, half a dozen men would have been criticizing the committee for acting in such an extravagant way with the people's money.

Reference has been made to the item carrying the cattle-tick appropriation. There is absolutely no comparison between these items, and for this reason: The cattle-tick work was started in this country in 1906 under Secretary James Wilson. It was started with an appropriation of $82,500, and it was held at that sum for several years—certainly below $200,000 for several years—and it was held at this low figure in order that the public might be educated to know what the situation was and to take advantage of the work. When the cattle-tick work first

began in the South many communities absolutely refused to touch it with a 40-foot pole. The district of my colleague from Mississippi [Mr. CANDLER] voted it down some years ago, but after propaganda, after education, and the people knew the situation, they voted it up, and they are doing work down there. Let me say another thing: The testimony before this committee is that neither the States nor the communities are prepared for this work at this time. I make that statement, and I challenge the contradiction of it—except in a very limited way.

What this committee is doing is to furnish the department with the machinery to approach this subject in the spirit of educating the people, both in the manner of segregating the diseased cattle from the well ones and in the manner of furnishing certificates to pure-bred cattle that are being used for breeding purposes throughout the United States. There is no proposition here to compensate owners for slaughtering cattle, and it seems to me that an appropriation of $250,000 is sufficient to give all of the propaganda work necessary in this matter and at the same time furnish all the tuberculin-test work that the department can properly and profitably do during the next fiscal year. When the time comes that the public has reached a position to utilize this money, I say to you that this committee will stand ready to give the department every dollar that it asks for. I remember in my own cross-examination of a witness last year I said I recognized the tremendous importance of this problem and that we would not quibble over dollars and cents, and if the department could show us it had the machinery with which to use the money wisely in the great work which it has initiated through the help of this committee and this Congress I would gladly advocate the expenditure. Some gentlemen have the idea that you can handle the tuberculosis situation as you would the hog-cholera situation. You can not do it. We have a serum with which we can prevent hog cholera in large measure. We have discovered no serum with which we can prevent tuberculosis in hogs or cattle. It is true we have discovered a tuberculin by which we can ascertain if the animal is infected or not, but beyond that we have no remedy except the absolute slaughter of the animal or its segregation from the herds that may be infected. I trust this amendment will be voted down.

The CHAIRMAN. The time of the gentleman from South Carolina has expired. All time has expired. The Chair will direct the Clerk to again report the amendment offered by the gentleman from Michigan [Mr. MCLAUGHLIN].

The Clerk again reported the amendment offered by Mr. MCLAUGHLIN of Michigan.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. MCLAUGHLIN of Michigan) there were—ayes 47, noes 64.

Mr. MCLAUGHLIN of Michigan. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed Mr. LEVER and Mr. MCLAUGHLIN of Michigan to act as tellers.

The committee again divided; and the tellers reported—ayes 62, noes 77.

So the amendment was rejected.

Mr. ANDERSON. Mr. Chairman, I desire to offer an amendment to the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 19, strike out "$250,000" and insert in lieu thereof "$400,000."

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. ANDERSON) there were—ayes 37, noes 55.

So the amendment was rejected.

The Clerk read as follows:

For all necessary expenses for the eradication of southern cattle ticks, $620,420, of which sum $50,000 may be used for live stock and dairy demonstration work, in cooperation with the States Relations Service, and of this amount no part shall be used in the purchase of animals: *Provided, however,* That no part of this appropriation shall be used in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry;

For all necessary expenses for investigations and experiments in dairy industry, cooperative investigations of the dairy industry in the various States, inspection of renovated-butter factories and markets, $364,390.

Mr. SLOAN. Mr. Chairman, I desire to move an amendment to the paragraph just read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, line 21, strike out "$620,420" and insert "$250,000."

Mr. LEVER. Mr. Chairman, I make a point of order that the amendment is not germane to the section of the bill which is under discussion. That paragraph has already been read and the paragraph preceding it.

The CHAIRMAN. The Chair will state to the gentleman from South Carolina that while it is true the paragraph has been read and the Clerk had read the preceding one, the gentleman from Nebraska rose when the Clerk was in the midst of reading the first paragraph and the Chair told him he had not concluded the reading, therefore he did not recognize him at the time.

Mr. LEVER. Then, I withdraw my objection.

Mr. SLOAN. Mr. Chairman, I submit this amendment following the policy that has just been stated in the preceding paragraph, a policy to be applied, I hope will be governed, by neither latitude nor longitude. I take it that one of the largest propositions that we have before the country at this time is the production of food. It is just as important as the production of ordnance or the production of munitions for the purpose of winning the great war. The cry for food from "over there" is louder than the appeal for munitions or men. The meat food of this country is largely confined to the 130,000,000 cattle and hogs, all subject to tuberculosis. The $620,420, which I move to reduce to $250,000, designed to protect only 20,000,000 cattle from cattle tick, is evidently intended for the purpose of increasing the food production of this country. It can possibly affect only 11 or 12 States. The proposition to increase the tuberculosis item from $250,000 to $500,000 has just been beaten by a vote coming largely from the cattle-tick States. The tuberculosis amendment that has been before the House affects 48 States. That proposition should be a pace maker for economy of food production. It affects 48 States and 130,000,000 food animals. This item can possibly affect only 20,000,000 animals, all cattle, with an average value about the same as the hogs and cattle, numbering 130,000,000.

Now, then, it seems to me that if an appropriation of $250,000 is a sufficient response to the "tempestuous campaign" the Department of Agriculture has inaugurated—I use the language of the head of the Bureau of Animal Industry—affecting 130,000,000 food animals, for one that can affect only 20,000,000 animals $250,000 would be the height of liberality and generosity. More than that I understand it is claimed that 51 per cent of the possible area of the activity of the cattle tick has been cleared, which would reduce the number to be exposed to 10,000,000 head. Then it would be for 10,000,000 exposed there is protection of $620,000; while 130,000,000 food animals exposed to tuberculosis there is protection of only $250,000; I think in fairness to the tax-paying people of this country, as well as to the food producers, that if they are going to hold the tuberculosis appropriation down to $250,000, $250,000 would be a lavish sum to give for the eradication of the cattle tick. That $620,000 for 10,000,000 animals exposed to cattle tick means 6¼ cents for every head. Which $250,000 for tuberculosis for 130,000,000 animals is one-fifth of 1 cent per animal as protection against tuberculosis. A ratio of 31 to 1. In other words, Sir Bovis, the royal tick bearer, is given thirty-one times the consideration that his more humble fellow who bears, or might bear, the wasting tubercles.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For all necessary expenses for investigations and experiments in animal husbandry; for experiments in animal feeding and breeding, including cooperation with the State agricultural experiment stations, including repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, including the employment of labor in the city of Washington and elsewhere, rent outside of the District of Columbia, and all other necessary expenses, $308,680: *Provided,* That of the sum thus appropriated $37,840 may be used for experiments in the breeding and maintenance of horses for military purposes: *Provided further,* That of the sum thus appropriated $61,040 may be used for experiments in poultry feeding and breeding: *Provided further,* That of the sum thus appropriated $8,000 may be used for the equipment of the United States Sheep Experiment Station in Fremont County, Idaho, including repairs and additions to and the erection of necessary buildings to furnish facilities for the investigation of problems pertaining to the sheep and wool industry on the farms and ranges of the Western States.

Mr. COX. Mr. Chairman, I move to strike out the last word. I want some information on this item. My recollection is this is the first time that this appropriation was carried, except that last year the amount was $12,280.

Mr. LEVER. What item?

Mr. COX. This sheep farm in Fremont County, Idaho. How was that money expended, and what has been the result?

Mr. LEVER. The item of $8,000 carried here is a continuance of the work that was done some years ago in the State of Wyoming when we introduced into that State some Corriedale sheep from Australia with a view of trying to improve not only

the wool production but the meat production of our sheep. Last year the proposition came to transfer this work into the State of Idaho. That proposition was, I think, submitted here on the floor, but did not receive favorable consideration by the House. It was put into the bill in the Senate. The Senate conferees insisted and the House conferees finally gave in, so that the herd of sheep that was being used for experimental purposes in the State of Wyoming has been transferred to the State of Idaho. I think they have there about 28,000 acres of land on which they are experimenting along the lines of grazing, feeding, breeding, and so forth.

Mr. COX. Is that on Government land?

Mr. LEVER. That is on Government land; yes. Now, this appropriation was used largely in building fences, corrals, and little houses for the protection of the sheep in lambing time.

Mr. COX. Last year the appropriation was carried in the amount of $12,280 and this year it is reduced to $8,000?

Mr. LEVER. Yes.

Mr. COX. Does the department feel like they could get along with $8,000?

Mr. LEVER. Yes; so we gave the department all they asked for.

Mr. COX. How are these sheep finally disposed of?

Mr. LEVER. Some are sold and the wool is sold also.

Mr. COX. Are they sold at public auction or by private sales?

Mr. LEVER. I am not sure of that, but I think the general rule is to sell products of the Department of Agriculture at public auction; but I am not sure about this.

Mr. COX. Are we only dealing with these Corriedale sheep that the Agricultural Department bought a few years ago?

Mr. LEVER. No; they have other sheep there.

Mr. COX. How many head of sheep are there now?

Mr. LEVER. There are between 4,000 and 5,000 head of sheep.

Mr. COX. And 28,000 acres of land?

Mr. LEVER. Yes. But this money is to be used only in building corrals and housing.

Mr. COX. And experimenting with the feeding and the growing of sheep generally?

Mr. LEVER. Yes.

Mr. WALSH. Mr. Chairman, I move to strike out the last two words.

Can the chairman of the committee inform me as to where and how extensively these experiments in the breeding and maintenance of horses for military purposes are being carried on?

Mr. LEVER. We have three stations, one at Front Royal, Va.; the Morgan farm up in Vermont; and a farm in Kentucky; but just in what part of Kentucky I am not able to say.

Mr. WALSH. Is the purpose to furnish horses for the military service or just to experiment and find out what particular breed of animal is best adapted?

Mr. LEVER. This appropriation was put into this bill over the protest of the chairman several years ago. The prime purpose of this is to undertake at Front Royal and in Kentucky to develop a better military horse. The work in Vermont, at Middlebury, is for the purpose, if possible, of preserving the Morgan horse and giving it a wider use in this country. Then, we also had a station out in Colorado, where we undertook to develop a carriage horse. That work is being conducted somewhat but not very extensively.

Mr. WALSH. Does the gentleman know whether the Military Establishment have received any of these horses from these stations during the past year?

Mr. LEVER. I could not tell the gentleman that. I would hardly think so, because this work at Front Royal and down in Kentucky has been going on only a very few years.

Mr. WALSH. Does the gentleman know how many animals they have?

Mr. LEVER. They have 39 stallions there now.

Mr. FESS. Mr. Chairman, I move to strike out the last word. I would like to have some information from the chairman as to whether there is any activity in any of the departments of the Government looking to increasing the production of sheep as a general proposition—no particular class, but as a general proposition?

Mr. LEVER. There is. Last year, largely at the suggestion of the department and the gentleman from Pennsylvania [Mr. MOORE], there was inserted in the Agricultural appropriation bill, I think, the sum of about $25,000 for carrying on sheep demonstration in this country, particularly along the Atlantic coast belt. This year we have increased the appropriation about $14,000.

Mr. FESS. That would indicate, then, that the work started last year is promising.

Mr. LEVER. The work started last year, according to my information, is very promising. The gentleman recognizes the tremendous necessity for that kind of work.

Mr. FESS. I will say to my friend that in years gone by almost every farm had a bunch of sheep. That seems to have been discontinued, and the product as a meat product seems to be very essential, and a bunch of sheep is rather of value to a farm than a detriment, and I wondered whether we would ultimately come to a position of producing no sheep.

Mr. LEVER. I would say to the gentleman from Ohio that I was very greatly surprised, in talking to a large sheep grower in the West, to learn that out of the total consumption of wool in this country of 600,000,000 pounds we produced only about 200,000,000 pounds. And I think there is no subject more worthy of consideration than the matter of increasing the sheep production in this country.

Mr. MONDELL. Mr. Chairman, I have on previous occasions when this bill has been under consideration expressed my opinion of the item for experiments in the breeding and maintenance of horses for military purposes, and I did not intend to say anything about it at this time, but it has been brought up by the gentleman from Massachusetts [Mr. WALSH], and I desire again to express the opinion that it is one of the few items of this bill which might very properly go out. I believe that expenditure is wasteful and does not result in accomplishing any good purpose. If it were wise and proper that the Government should go into the business of experimenting in the breeding of horses necessary and useful for military purposes, it should be done in a large way. It is not necessary to do it at all. The way we have been doing it is simply the frittering away of public money to the benefit and advantage of a few people in three localities.

But I did not rise for the purpose of discussing that particular part of the paragraph. Reference has been made to the portion of the paragraph relating to the sheep farm in Idaho. On this farm experiments are to be made with the Corriedale band of sheep bred from a band imported some years ago on an appropriation which I was somewhat instrumental in securing. These sheep were kept for several years in Wyoming, but the people who had charge of them there, and who cared for them very well and very successfully, concluded they did not care to continue their cooperation with the Government along those lines, and believed it would be wise to transfer those sheep and others, and the experimental work that was being carried on, to Idaho, where a considerable acreage of public land could be secured for the purpose of carrying on sheep experiments along various lines. Our people who were interested and informed generally held this view. I think the Idaho farm has not been running long enough to produce any very definite results, but I believe there are many experiments that can be carried on there that will be valuable.

The Corriedale sheep imported from Australia and New Zealand are proving a valuable addition to the wool and mutton producing flocks of the range States. The breed is gradually being utilized by a great many growers very much to their advantage. The Corriedale, carrying the characteristics of the merino, useful for all purposes for which the merino, either of the pure or mixed blood, is valuable, is a larger sheep with a heavier fleece.

It is a very valuable sheep for very considerable portions of the country, and the experiments that have and will be made with these and other classes and grades and breeds of sheep on the Idaho farm I believe will be very useful.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. WALSH. Will the gentleman state whether or not these investigations that have been carried on in Fremont County, Idaho, will prove of any value or benefit in determining the extent to which sheep might be raised in other sections of the country, or whether it simply shows how successfully they may be raised in Idaho?

Mr. MONDELL. I do not know that they would cast much light on the question as to the wisdom and advisability of raising sheep on eastern farms, but they will cast a great deal of light on questions of breeding and feeding, of weight, of wool and mutton production, and quality; determinations of questions that, once made and decided in Idaho, will be useful everywhere that sheep are grown.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. GREENE of Vermont. Mr. Chairman, I have been particularly interested in the argument of the gentleman from Wyoming [Mr. MONDELL], because the illustration he gives of the apparent practicality and success of the experiment in sheep raising in Idaho, which was originally introduced into Wyoming, is based exactly upon the argument which supports the horse-breeding station in Middlebury, Vt. It further has a rather interesting history, inasmuch as the sheep which are now being imported into this country for experimental breeding purposes may be offspring of sheep that were developed in Vermont originally and sent to South Africa and Australia and those other regions. And this, as men interested in the sheep-breeding business know, became the so-called American merino, an adaptation of the Spanish merino made by Vermonters nearly a hundred years ago, and, until the Civil War put an end to the sheep industry in that State, Vermont was the chief furnishing State for the higher specialized type of the so-called Vermont merino. That development came from such kinds of experimentation in Vermont as the gentleman now claims would, in Idaho and Wyoming, with respect to sheep, be a good thing for the country.

Now, Vermont, again, true to type, is undertaking to breed from her famous Vermont Morgan horses a horse adapted to military purposes, so that if you will give us time enough at Middlebury we will have it so that all who are now on foot may ride horseback. [Laughter.] Even beggars may then ride on horseback. [Laughter.]

Mr. MONDELL. How long ago was that established?

Mr. GREENE of Vermont. Some years back, so far as its history is concerned.

Mr. MONDELL. Was it not about 20 years ago? The gentleman is not quite accurate about the Corriedale sheep. They were brought from Australia, not from Vermont.

Mr. GREENE of Vermont. I did not say they were brought from Vermont.

Mr. MONDELL. They were, if I am not mistaken, developed not from Vermont merinos but from Rambouillet merinos from southern France, so that the reference made by the gentleman from Vermont in regard to the merino sheep does not cover the Corriedale proposition.

Mr. GREENE of Vermont. All right; you can go as far into the herald's college for the pedigree of your sheep as you want to, but I am depending upon some facts that are well known in Vermont whether they are known in Wyoming or not. [Laughter.]

Mr. MONDELL. They also apply to the Wyoming merino.

Mr. GREENE of Vermont. I did not say that this particular sheep was the result of any experimentation in Vermont. You compare the virtue of that sheep with the so-called merino sheep for certain stable qualities. That particular sheep was developed in Vermont, and he was the type of a development which I was citing to you as an illustration. Then I said that probably we will get similarly successful results from horse breeding in Vermont after we have developed things. But coming back to the point, I want to use the gentleman's argument for sheep to defeat his own argument against the horse. [Applause.]

Mr. COX. Mr. Chairman, I know of nothing in the way of the live-stock industry that needs development more than the sheep industry of this country. If the American people do not wake up along those lines and do something, I do not know what is going to occur. Wool is an absolute necessity to our lives, to our health, and to our happiness, particularly to those living in northern climates, and yet the sheep is actually disappearing not only from our country, but practically from all the sheep-growing countries of the earth.

At the last general revision of the tariff the facts developed showed that we produced in this country annually about 280,000,000 pounds of wool and we imported about 320,000,000 pounds. Recognizing the necessity of cheap wool and cheap woolen goods, the duty was taken entirely off of wool, and wool was placed upon the free list, with the hope that it would do one or two or possibly more things—that it would give us cheap clothing, or possibly it would stimulate the production of sheep. It has done neither.

Now, what are we going to do? We have got to have wool. It has got to be grown. It has got to be produced somewhere. The sheep ranges of the West are practically broken up. They are now grazing the foothills of the Sierra Nevada and the Rocky Mountains. There is no place where sheep can be grown except upon the farm, and I know of no organization able to deal with the matter other than those living on the farms throughout the country.

Some years ago the people of Pennsylvania took up this question through their banking and agricultural organizations. I have kept up with that question by keeping in touch with the bankers' organizations in Pennsylvania and in touch with the agricultural organizations, and as a result of the money which the bankers of Pennsylvania actually put into the sheep industry in distributing the sheep among the farmers I am reliably informed that in the last five or six years they have actually increased their flocks and herds 100 per cent, and they have added to the taxable value of their property approximately $4,000,000.

But they soon encountered the archenemy of the sheep, and that is the dog. I had some correspondence with the secretary of agriculture of Pennsylvania about that this summer. The bankers' organizations and the Farmers' Alliance of Pennsylvania forced and compelled an unwilling and reluctant legislature to pass a law which practically legislated the dog out of existence, and I think the State of Pennsylvania, in a manner, has controlled that situation. Now, as to my own State, I undertake to say that there are more dogs in the State of Indiana than there are sheep.

I undertake to say that that is practically the rule in every State of this Union. There are as many dogs upon the farms as there are sheep. Something has got to be done. The Agricultural Department can do a tremendous amount of work, and a lot can be done by local organizations and institutions.

Mr. FESS. Will the gentleman yield for a question?

Mr. COX. Yes.

Mr. FESS. I had the same matter presented to me during the holiday week. My uncertainty was whether Congress could go into that field and whether the States would not have to be depended upon? What is the gentleman's opinion about that?

Mr. COX. I think we have got ultimately to depend upon the States, but I do think Congress can do a lot of research work along the plan laid down in this item here.

Mr. MONDELL. Will the gentleman yield?

Mr. COX. Yes.

Mr. MONDELL. I have in preparation a bill which proposes a Federal tax on the predatory sheep-killing dogs, which I propose to introduce later.

Mr. COX. If the gentleman will put the tax high enough, I will gladly support it.

Now, Mr. Chairman, when this war is over we shall be faced with a debt that will stagger humanity. Every penny of it has got to be paid. Not a dollar of it can be repudiated. We have got to begin the growing of raw material to enable the manufacturers of this country to keep their wheels moving after peace has come to us.

In 1910 there were 57,216,000 sheep in the United States. In 1917 the number had decreased to 48,483,000, a loss of 8,733,000 head from 1910 to 1917.

In 1890 the number of sheep in the United States was 44,336,072. In 1917 the number had increased to 48,483,000, or in 27 years the number of sheep increased 4,147,000, while the population increased during the same period of time upward of 25,000,000.

There is no place where sheep can be grown to-day in this country except on small farms by the man with 80 or 160 acres. Here must be the future home of the sheep. Every encouragement should be given the American farmer to induce him to go into the sheep industry.

The CHAIRMAN. All debate is closed on the paragraph. Without objection the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Meat inspection, Bureau of Animal Industry: For additional expenses in carrying out the provisions of the meat-inspection act of June 30, 1906 (34 Stat. L., 674), there is hereby appropriated for the fiscal year ending June 30, 1919, the sum of $477,200.

Mr. MONDELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wyoming offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. MONDELL: Page 16, line 23, strike out the figures "$477,200" and insert in lieu of the same "$577,200, of which sum $100,000, or as much thereof as may be necessary, may be used to defray the expenses of the inspection of horses slaughtered for export and the meat products from the same."

Mr. LEVER. I reserve a point of order on that, Mr. Chairman.

Mr. MONDELL. Mr. Chairman, there never was a time in the history of the world when the meat shortage was felt so widely and so acutely as it is at this time. Among the populations of Europe, particularly of Italy, of France, and of the German States, the use of horse meat has been common and general for a great many years. In view of the meat shortage and the use of horse meat by foreign peoples, some of the horse growers of our western country took up with me and with the

Food Administration the question of the utilization of such of our horses as are not useful or valuable for military or ordinary work or pleasure purposes, with a view of having them utilized to relieve the meat shortage across the water. I took the matter up with the United States Food Administration, and have a letter signed by Mr. E. M. Hilton, which is as follows:

WASHINGTON, D. C., *December 31, 1917.*

Hon. W. F. MONDELL,
House of Representatives, Washington, D. C.

MY DEAR MR. MONDELL: Your letter of December 19 addressed to the Food Administration has been handed to me for reply.

The Food Administration also has received many letters with reference to the use of horse meat in place of beef and has placed before the allies' representatives the possibility of securing large supplies of horse meat in this country and is now awaiting their advices. It is quite possible that they may be glad to buy such meat, but until negotiations are further advanced there is, so far as I know, no available market, since the people of this country have not yet learned to eat horse meat.

I thank you for bringing this matter to our attention and can assure you that it has more than once been brought before the representatives of the foreign Governments.

Yours, very truly,

UNITED STATES FOOD ADMINISTRATION.
By E. M. HILTON.

There are horses available for slaughter all over the country. That is particularly true of the range country. The number of horses unavailable for ordinary use has been increasing as the variety of uses and the general use of horses have decreased, until there are a very large number of horses undersized and otherwise unfitted for ordinary purposes, although perfectly sound, healthy, and usable for meat. I do not believe that our people are likely to use horse meat to any considerable extent. My amendment does not contemplate inspection for such purposes but for export only. Horse meat is, however, being used in many of the large cities, slaughtered and inspected locally, and sold locally within State lines. At one time I think there was some inspection of horse meat under the Agricultural Department. There has been none for a number of years. I am proposing an increase of $100,000 in this appropriation to be used for the purpose of horse and horse-meat inspection for export.

I noticed in one of the newspapers of this city yesterday under a New York date the following:

SEEK $100,000 FUND TO BOOM HORSES AS FOOD—VETERINARY SURGEONS URGE REESTABLISHMENT OF INSPECTION AS MEAT-CONSERVATION MOVE.

NEW YORK, *January 26.*

A resolution requesting Congress "to appropriate immediately $100,000 to reestablish the inspection of horse meat," so it may be made salable, was adopted by veterinary surgeons from New York, New Jersey, Massachusetts, and Connecticut at a conference here to-day. The sale of horse meat, the conferees determined, will be of invaluable aid in preventing a food shortage and reducing the high cost of living.

"The inspection of horse meat was abandoned in 1914," Dr. W. Horace Hoskins, dean of the New York State Veterinary College and one of the leaders in the movement, said in a statement. "If it is restored," he continued, "thousands of horses from the western ranges, unsuited for draft work because of their light weight can be placed on the dinner table.

"There are thousands of these ponies," he said, "which have been refused by the allies and this country, but they are as fat as moles and would be a splendid substitute for our vanishing beefsteaks and mutton chops.

"By turning these horses upon the market as meat we can bring the price of meat down to 15 cents a pound. They are offered for sale at from $15 to $25 a head on the hoof. I have received telegrams offering as many as 6,000 in one consignment."

I have had some correspondence with the Secretary of Agriculture on the subject and he evidences his interest and explains the situation in a letter, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, January 11, 1918.

Hon. F. W. MONDELL,
House of Representatives.

DEAR MR. MONDELL: Pressure of work has prevented me from replying earlier to your letter of December 18, inclosing a copy of a communication from Mr. David Davis, of Badwater, Wyo., relative to the utilization of range horses for meat.

As I wrote you on July 8, the department understands that some horses are being slaughtered for food in this country in local abbatoirs. The inspection of these animals is conducted under the supervision of the city boards of health, and the meat is sold for local consumption. The department, therefore, has no definite information concerning the matter and has no means of knowing whether there would be any additional local demand for meat of this kind.

There is no specific law governing the inspection and slaughter of horses, and there is nothing to prevent the interstate shipment or exportation of horse meat, provided it is correctly labeled. All articles of food, however, must comply with the provisions of the food and drugs act of June 30, 1916, if shipped in interstate commerce.

Very truly, yours,

D. F. HOUSTON, *Secretary.*

Mr. COX. Why was Government inspection of horse meat for export stopped? Does the gentleman know?

Mr. MONDELL. I do not know. Possibly it was because few horses were utilized for that purpose, although at one time there was quite a considerable industry in the Pacific northwest in the slaughter of horses and the canning of horse meat for export purposes.

Mr. COX. Can not the department use the fund that is now used for the inspection of other kinds of meat to pay such inspectors?

Mr. MONDELL. I doubt it, because our inspection law applies to the inspection of the animals named in the law, and horses are not included.

Mr. COX. Does the law name the animals?

Mr. MONDELL. It does.

Mr. COX. Or the regulations?

Mr. MONDELL. The law itself. Cattle, sheep, hogs, and goats are the animals named in the law. This item is subject to a point of order, but I do believe that it is a matter of such importance that the appropriation should be made, because if our Secretary of State makes arrangements with foreign countries for the use of meat of this kind, a very large market will be secured, and there will be a very great relief from the present drain upon other classes of meat. As a nation we stand pledged to see that our allies receive a certain amount of meat from our supplies. The food administrator is urging for the curtailment of our use of meat in order that we may supply our allies. In this situation we should, if possible, utilize abroad our available supply of a kind of meat which the civilian populations of certain of our allies have used for years.

Mr. WALSH. Would not the appropriation of this sum lead to an increase in the slaughter of horses of light draft, for which there is now a very great demand for the Military Establishment?

Mr. MONDELL. It certainly would lead to the slaughtering of a great many horses, provided a market could be secured for such horse meat.

Mr. WALSH. Does not the gentleman think we had better conserve our horses for the Army rather than encourage their slaughter?

Mr. MONDELL. I will say to my friend that the horses which it is proposed to slaughter are horses that are too light or otherwise unfit for military purposes, and horses that for other reasons beside their size are not fitted for military use.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Wyoming be extended five minutes. Is there objection?

There was no objection.

Mr. MONDELL. No one has any thought of encouraging the slaughter of horses fit for military purposes. There is no possibility of that being done because of the fact that the horse fit for military purposes brings a price at which the use of his meat for food would be entirely prohibitive. Horses suitable for military purposes bring more per pound than the best beef animal in the country. So animals of that sort would not be utilized for meat. It would afford a market for the very large number of horses all over the country and a still larger number in the range country. These are horses that for various reasons are not available or useful for ordinary purposes, but are perfectly sound, would add very largely to the worlds meat supply, and could be utilized by those people abroad who for years have been eating horse meat.

Mr. WALSH. My question was prompted by the statement the gentleman read in the clipping to the effect that horses would be used that were not suitable for draft purposes, and I thought that there might be some distinction between horses suitable for draft work and horses suitable for military purposes.

Mr. MONDELL. Perhaps the gentleman did not hear the whole article. That question was discussed, and it was suggested that the horses available for this purpose were horses that could not be used for draft purposes or driving or military purposes. I have here a letter from a constituent who knows and states the situation in regard to horses in the range country.

TO RELIEVE THE MEAT SHORTAGE.

BADWATER, WYO., *December 10, 1917.*

Hon. FRANK MONDELL,
Washington, D. C.

DEAR SIR: Can you not draw the attention of Congress to the thousands of horses that are running on the range and elsewhere which are unfit for artillery, cavalry work, or saddle, but would make tons of nutritious meat for the people who are accustomed to eating horse. There are hundreds and hundreds which are too small for work animals and too awkward for saddlers. There is now no market for these animals, and if they could be sold for beef it would leave the feed they are now eating for the desirable ones.

Trusting the Nation will see this unused meat supply, I am,

DAVID DAVIS.

These perfectly healthy animals are now eating grass that ought to be utilized by other animals. Their use would make a market for the stock and greatly relieve the food situation among the civilian population among those of our allies accustomed to such meat.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto be closed in six minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on the paragraph and amendments thereto close in six minutes. Is there objection?

There was no objection.

Mr. NORTON. Mr. Chairman, this is an item that I believe should be favorably considered by the committee. The question of supplying a sufficient amount of meat to the people of this country and for our allies during the period of the war is a very important one. There are in the country to-day, it is estimated, about four or five millions of horses available for slaughter.

Mr. COX. Did the gentleman say 5,000,000 horses available for slaughter?

Mr. NORTON. Available for slaughter, which can be used without injury to the horse and without in any way endangering the supply of horses that are needed to be used for work on the farms of the country, in our cities, and for military purposes.

Mr. COX. How many horses are there in the United States?

Mr. NORTON. There are about 22,000,000.

Mr. WALSH. Will the gentleman state who made the estimate that there are 5,000,000 horses available for slaughter? Was it made by some department of the Government?

Mr. NORTON. No; that is an estimate that has been given out, I believe, by well-known horsemen in North Dakota and Montana who are well acquainted with the condition of the horse industry of the country. I will say to the gentleman that this is a question to which has been given considerable thought and study. It has been taken up with the Food Administration of this country and with the food administrations of England, France, and Italy. The slaughter of horses in this country for meat for export trade is considered a very practical matter.

I shall not be surprised at all if within a very short time the Congress provides for the establishment in the country of a plant for the slaughtering of horses and for the export of horse meat. Horse meat is just as wholesome and just as nourishing as is the meat of cattle. It has been used quite generally for many years in European countries.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. NORTON. Certainly.

Mr. MOORE of Pennsylvania. I do not want to rob the gentleman of his time, but this is a new proposition and I would like to know whether any department of the Government has suggested that we begin to use horse meat for food in the United States.

Mr. NORTON. I do not know that any department has yet recommended the use of horse meat in the United States, but I know the Department of Agriculture and the Food Administration has already considered this proposition and expressed the view that it was practicable and that the time has arrived when serious consideration should be given to this source of meat supply. I took this matter up with the Food Administration and the Department of Agriculture a year ago, and they then expressed much interest in it. I think it would be a somewhat difficult matter to educate our people in this country for some little time yet to the use of horse meat for food.

Mr. MONDELL. The gentleman knows that my amendment applies only to the inspection of horse meat for export.

Mr. MOORE of Pennsylvania. I notice the administration is suggesting that we reduce food consumption in this country in order to send meat and wheat to our friends across the water. I would like to know if we are going to be reduced to horse meat in the United States while we are sending our beef and wheat abroad? It does not seem to me that that is quite an American proposition.

Mr. NORTON. If the gentleman will give his powerful influence to the passage of this amendment, as I trust he will, it will help to avoid that very condition which he seems greatly to fear. It will help to supply our allies with wholesome and nourishing meat and enable us to keep a great deal of our beef for home consumption.

Mr. MOORE of Pennsylvania. It will probably get to our own soldiers if we export it, and I am not quite ready to accept horse meat for a diet either for our soldiers or the people in the United States. I want to know if any department of the Government has approved of the proposition contained in the amendment of the gentleman from Wyoming?

Mr. MONDELL. Will the gentleman yield for me to answer?

Mr. NORTON. No; I have not the time.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. LEVER. Mr. Chairman, this amendment is clearly subject to a point of order; but inasmuch as the gentleman from Wyoming called my attention to it this morning as we were coming into the Hall, I am going to ask unanimous consent that the item may be passed over without prejudice, the point of order being reserved until I can consult certain gentlemen in the department about it.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the paragraph and amendment with the point of order pending against it may be passed over until he calls it up later.

Mr. MOORE of Pennsylvania. Does that mean that there will be an opportunity for discussion, since the gentleman has had the debate limited?

Mr. LEVER. If the point of order is withdrawn, I will agree that there shall be proper discussion.

Mr. MOORE of Pennsylvania. And the gentleman will permit debate on it if the proposition comes up again?

Mr. LEVER. I shall if I take the point of order off.

Mr. MOORE of Pennsylvania. I think it is such a radical proposition that we should come down to a horse-meat basis in the United States, or even abroad, so far as soldiers are concerned, that we ought to have a little discussion of it on the floor.

Mr. LEVER. So do I.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read as follows:

BUREAU OF PLANT INDUSTRY.

Salaries, Bureau of Plant Industry: One physiologist and pathologist, who shall be chief of bureau, $5,000; 1 assistant to the chief, $3,000; 1 executive assistant in seed distribution, $2,500; 1 officer in charge of publications, $2,250; 1 landscape gardener, $1,800; 1 officer in charge of records, $2,250; 1 executive clerk, $2,000; 2 executive clerks, at $1,980 each; 1 seed inspector, $1,000; 1 seed warehouseman, $1,400; 1 seed warehouseman, $1,000; 1 seed warehouseman, $840; 7 clerks, class 4; 12 clerks, class 3; 3 clerks, at $1,500 each; 23 clerks, class 2; 58 clerks, class 1; 1 clerk or draftsman, $1,200; 1 clerk, $1,080; 7 clerks, at $1,020 each; 25 clerks, at $1,000 each; 44 clerks, at $900 each; 1 clerk or draftsman, $900; 11 clerks, at $840 each; 1 laborer, $780; 41 messengers or laborers, at $720 each; 11 messengers, messenger boys, or laborers, at $660 each; 30 messengers, messenger boys, or laborers, at $600 each; 1 artist, $1,620; 1 clerk or artist, $1,400; 2 clerks or artists, at $1,200 each; 1 photographer, $1,200; 1 photographer, $840; 2 laboratory aids, at $1,440 each; 1 laboratory aid, $1,380; 4 laboratory aids or clerks, at $1,200 each; 1 laboratory aid, clerk, or skilled laborer, $1,080; 3 laboratory aids, clerks, or skilled laborers, at $1,020 each; 2 laboratory aids, at $960 each; 1 laboratory aid, $900; 4 laboratory aids, at $840 each; 7 laboratory aids, at $720 each; 1 laboratory apprentice, $720; 1 map tracer, $600; 2 gardeners, at $1,440 each; 4 gardeners, at $1,200 each; 8 gardeners, at $1,100 each; 15 gardeners, at $900 each; 19 gardeners, at $780 each; 1 skilled laborer, $960; 2 skilled laborers, at $900 each; 3 skilled laborers, at $840 each; 1 assistant in technology, $1,400; 1 assistant in technology, $1,380; 1 mechanician, $1,080; 1 mechanical assistant, $1,200; 1 blacksmith, $900; 1 carpenter, $900; 1 painter, $900; 1 teamster, $840; 1 teamster, $600; 21 laborers, at $540 each; 35 laborers, messengers, or messenger boys, at $480 each; 4 laborers or charwomen, at $480 each; 5 laborers or messenger boys, at $420 each; 20 charwomen, at $240 each; 16 messenger boys, at $360 each; in all, $440,020.

Mr. LEVER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 18, line 1, after the word "laborers," insert a comma.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. In line 7, on page 17, I notice a provision for one executive clerk. Is not that a change in the title?

Mr. LEVER. This one executive clerk was carried on the statutory roll heretofore as one superintendent of seed weighing and mailing. The department recommended a change in the title of that clerk in order to give a little more elasticity in appointment.

Mr. WALSH. Does the gentleman know whether that was by way of hint or intimation that perhaps the congressional seed distribution should be dispensed with——

Mr. LEVER. No.

Mr. WALSH. And hence there would be no need for a superintendent?

Mr. LEVER. No; I am afraid not.

The Clerk read as follows:

For conducting such investigations of the nature and means of communication of the disease of citrus trees, known as citrus canker, and by applying such methods of eradication or control of the disease as in the judgment of the Secretary of Agriculture may be necessary, including the payment of such expenses and the employment of such persons and means, in the city of Washington and elsewhere, and cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, $250,000, and, in the discretion of the Secretary of Agriculture, no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals or organizations for the accomplishment of such purposes: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Will the chairman of the committee state what kind of plants or tree growth this money is applied to for the eradication of citrus canker?

Mr. LEVER. The citrus canker is a fungus disease which attacks citrus trees, orange, grapefruit, and lemon, and any of the citrus family. We had an outbreak of it first in Florida a couple of years ago. We appropriated quite a considerable sum of money at that time. This year we think we have recommended a sufficient sum. We have practically cleaned up the State of Florida, the testimony shows, and there is only knowledge of one infection in the State. The State of Florida at the meeting of its last legislature appropriated $300,000 for cooperation with the Federal Government to cover a period of two years. There is, however, danger of the spread of the disease in Louisiana, Alabama, Texas, Mississippi, and the purpose of this appropriation is to insure a complete eradication from the United States of the disease, because it is tremendously infectious and destructive.

Mr. COX. How is that infection carried?

Mr. LEVER. By birds and on the clothing of men. These men who fight this disease clothe themselves in rubber. It is carried by any movable thing.

Mr. WALSH. Can the gentleman state under what item in this bill, if there is an appropriation for the purpose, is carried the provision for destroying currant bushes and other similar shrubs because of their being afflicted with some kind of a fungus growth or disease?

Mr. LEVER. That is carried in the next item, I think. It is the white-pine blister rust that the gentleman has in mind, is it not?

Mr. WALSH. It is some kind of a growth similar to that.

The Clerk read as follows:

For applying such methods of eradication or control of the white-pine blister rust as in the judgment of the Secretary of Agriculture may be necessary, including the payment of such expenses and the employment of such persons and means in the city of Washington and elsewhere, in cooperation with such authorities of the States concerned, organizations, or individuals as he may deem necessary to accomplish such purposes, $230,448, and in the discretion of the Secretary of Agriculture no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities or by individuals or organizations for the accomplishment of such purposes: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. As I understand the phraseology of this paragraph, no part of the money appropriated can be used to pay the cost or value of trees or other property injured or destroyed. Is the discretion vested in the Secretary of Agriculture under this paragraph such that it goes to the extent where he may limit the use to which the money contributed by local authorities is put, so that no part of that money can be used for the payment of property destroyed?

Mr. LEVER. I should not think so. I should not think the Secretary of Agriculture would have any control over funds other than those appropriated by Congress itself.

Mr. WALSH. But he can restrict the use of the Federal appropriation until the money is appropriated by the States.

Mr. LEVER. Undoubtedly.

Mr. WALSH. I understand that in many localities where this disease has broken out the Federal authorities have either directly, or, acting through the department, pulled up and destroyed large numbers of afflicted shrubs, and that the people who own them have not been able to receive any compensation therefor.

Mr. LEVER. The same principle applies in this item as applies in the citrus-canker item which we discussed a moment ago.

Mr. WALSH. That is what I wanted to ask, whether the citrus-canker sufferers, the owners of property who had trees afflicted, have been able to receive compensation from the State or local authorities for their trees which have been destroyed?

Mr. LEVER. I do not think so. I know they have not received any compensation from the Federal Government. The gentleman from Florida [Mr. DRANE] can give that information, I think.

Mr. DRANE. If the gentleman will allow me, I will give him the information. The citrus canker grows in the State of Florida. When they find the citrus canker has attacked a tree they give that tree up as lost. They generally, on their own volition, destroy it and they make no claim.

Mr. WALSH. And the same reasoning follows as to this item?

Mr. LEVER. Exactly.

Mr. WALSH. If any of the stock has been attacked, it is of benefit to the community to have that property destroyed and the disease stamped out in that way?

Mr. LEVER. That is the idea, exactly.

Mr. FESS. Mr. Chairman, I rise in opposition to the pro forma amendment. I would state to the chairman and the committee that I think this policy that has been inaugurated in regard to cooperation with the Federal Government by the local authorities is wise, and ought, in so far as it is possible, to become the policy of all the gratuities of the Federal Government, because there is a feeling that here and there somebody will come in and ask the Federal Government for assistance without any regard as to how much of the burden should be borne by themselves, and I believe that complaint has some foundation.

Mr. LEVER. If the gentleman will permit, I will say to him I thoroughly agree with him, and I think one of the most interesting legislative developments in recent years has been the adoption of this policy to which the gentleman refers; for instance, the agricultural extension act, the Federal road act, the citrus canker, the white-pine blister rust, and other items in this bill.

Mr. FESS. Is there any hope that that may become the fixed policy of Government gratuities in the future?

Mr. LEVER. It seems to me we are tending rapidly in that direction.

Mr. FESS. I think it is a very wise position for the Government to take.

Mr. LEVER. I think so myself.

The CHAIRMAN. The Clerk will read.

Mr. LEVER. Mr. Chairman, I offer the following amendment to correct a typographical error.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 3, after the word "authorities," to insert a comma.

The amendment was agreed to.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to return to the item on page 19, line 19.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to return to the page and line indicated. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, let the amendment be reported.

Mr. LEVER. Just to correct a typographical error.

Mr. STAFFORD. I have no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 19, after the word "and" strike out the word "by" and insert in lieu thereof the word "for."

Mr. LEVER. It is the item of last year's act.

The amendment was agreed to.

The Clerk read as follows:

For acclimatization and adaptation investigations of cotton, corn, and other crops introduced from tropical regions, and for the improvement of cotton and other fiber plants by cultural methods, breeding, and selection, and for determining the feasibility of increasing the production of hard fibers outside of the continental United States, $85,510: *Provided*, That not less than $7,500 of this sum shall be used for experiments in cottonseed interbreeding: *Provided further*, That of this amount $3,000 may be used for experiments in the production of New Zealand flax in the United States and for its utilization in the manufacture of binder twine.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the item just read. I wish to inquire what is contemplated by this new phraseology as to experimentation in the production of New Zealand flax in the United States?

Mr. LEVER. I will ask the gentleman from North Dakota [Mr. YOUNG] to give the gentleman the information.

Mr. YOUNG of North Dakota. Mr. Chairman, it is claimed that New Zealand flax will produce a very much cheaper binder twine. The binder-twine problem has become more and more serious every year. New Zealand flax grows in southern California now as an ornamental plant, and also in Florida, and I presume will grow in different places throughout the South.

It was introduced there because it is a beautiful plant, growing about 8 feet tall. That is how it happens to be in the United States at this time in very limited quantities. In New Zealand they have made more or less binder twine from it and they export some to Australia. It is claimed that they have now in California a new process by which this plant can be manufactured into twine very cheaply and secure a much cheaper product than can now be obtained. As the gentleman knows, we are now dependent upon other countries for the supply of binder twine. That is not a good condition, especially in this time of war, when we ought not to be dependent upon other countries for the twine to bind our grain. The product comes from Mexico and the Philippines. We do not know how long the latter may be a part of the United States.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman to ask a question of the gentleman from North Dakota.

Mr. GREEN of Iowa. What is the character of the product? Is it a firm, strong twine?

Mr. YOUNG of North Dakota. Yes; I will say to the gentleman it must have been, or the International Harvester Co. would not have already placed a big order with the people in California if they can produce it.

Mr. STAFFORD. Will the gentleman permit?

Mr. YOUNG of North Dakota. Certainly.

Mr. STAFFORD. In the item on page 23 we find an appropriation of $240,000, $50,000 more than carried in last year's bill, providing, among other things, for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases. I wish to inquire whether that last phraseology would not permit the utilization of this large amount of a quarter of a million dollars for the very purpose of which the gentleman now speaks.

Mr. YOUNG of North Dakota. I would say not, for this reason: While this is called flax, I do not know any reason on earth why we should call it that. It does not belong to the flax family. That is to say, it has no seed which can be sold to make anything. They utilize only the stalk. It is a sisal, that is what it is, pure and simple.

Mr. STAFFORD. If my memory is not at fault, there was carried in times past an item for some agricultural experimentation in North Dakota or near by for flax development, and I take it that amount was provided out of this general appropriation.

Mr. YOUNG of North Dakota. I think that is a different character of experiment.

Mr. STAFFORD. The gentleman coming from that region and being acquainted with flax culture, both animal and vegetable, I wish to inquire how much has been expended along those lines of experimentation in the gentleman's State?

Mr. YOUNG of North Dakota. I think that was in respect to utilizing the flax straw. Of course we raise flax in North Dakota. It is the greatest flax State in the Union. We raise it for the seed. We usually do not count the straw as being worth anything, or at least it has not been utilized up to this time. There have been small sums with which to experiment with the flax straw, to see if it could be utilized for binder twine. Up to this time we have not found a method to prepare it so it makes a serviceable binder twine.

Mr. STAFFORD. How much has been expended for that purpose out of the National Treasury?

Mr. YOUNG of North Dakota. I think about $10,000 a year.

Mr. STAFFORD. And the experiments are still going on?

Mr. YOUNG of North Dakota. They are.

Mr. STAFFORD. Once a thing is started under national auspices it never stops, unless objection is raised to it and it is singled out so that a point of order can be raised against it. In this bill there is no opportunity for any Member to spot it; otherwise it might receive a knock-out blow. Now, I am inquiring what better results may be expected if we launch upon this new variety of flax development with this New Zealand variety? Do you think we will have 10 years of experimentation, at an annual expenditure of $10,000, and come no nearer than we are to-day in the other flax development?

Mr. YOUNG of North Dakota. I think we will have to trust in this case to the department. It may be that money is spent that ought not to be spent, but we can not in this House vote the money and then ourselves spend it. We have got to trust to an executive to spend the money after we vote it.

Mr. STAFFORD. But we can all rely on the Members who come from those States where those expenditures were originally instituted, when they realize the experiment is a failure, to strike it out.

Mr. YOUNG of North Dakota. I will say that while we asked for this appropriation of $3,000 to experiment with New Zealand flax it will not grow in North Dakota or in any of the Northern States. It does grow in southern California and some other portions of the South.

Mr. STAFFORD. Can the gentleman give the assurance to this extent, that the amount appropriated herein, if it is allowed now, will not grow in amount?

Mr. YOUNG of North Dakota. I am satisfied there is no need for it to ever grow in amount.

Mr. STAFFORD. Mr. Chairman, upon that assurance I withdraw the reservation of the point of order.

Mr. TOWNER. Mr. Chairman——

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 12 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the debate on this paragraph and all amendments thereto close in 12 minutes. Is there objection?

There was no objection.

Mr. TOWNER. Mr. Chairman, I only desire at this time to call the attention of the committee to the immense importance of the development, if we possibly can, in the United States or in our possessions, of some sort of a fiber plant that will supply our farmers with the necessary material to make our own binding twine. The condition now is most unfortunate. Practically all of the supply that is required for the making of binding twine in the United States comes from Mexico. Now, we are paying because of the fact that it is controlled by a Government monopoly, or our farmers are required to pay, three or four times the price which under normal conditions and under competition, and as conditions existed before, was required to be paid. We are in the clutches of a Mexican monopoly, and it is a serious proposition, because, without binding twine, it is impossible for the farmers of the United States to gather their grain crops.

Mr. WALSH. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. WALSH. Is not the increased cost of binding twine carried on to the price which the farmer receives for his grain?

Mr. TOWNER. I think not. I think that that is comparatively inconsiderable. In fact, the farmer does not receive the price for his grain at any time based upon the cost of the production of grain. The gentleman could easily ascertain that fact if he would make a study of prices. The matters that determine the price of grain are entirely extraneous as far as the cost of production is concerned. The cost of production for one year must be just as great as for another year, and yet the price may be twice as much in one year as it is in another year.

Now, we are conducting in the Philippine Islands experiments, aided partially by our own Department of Agriculture, but not to the extent I would like to see it done, in the development there of the fiber plant which can produce, it is thought, a quality of sisal that will be almost, if not quite, equal to that which is produced in Mexico for binding-twine purposes. It may be that we will be able to develop, and I hope we may, in the Philippine Islands a plant that will take the place of the Mexican sisal. I hope, but hardly expect, that we will be able in our climate, in a temperate zone, to produce the necessary plant growth that will give us the fiber necessary for the production of the best sort of binding twine. However, I think that these experiments ought to be carried on, not only for binding-twine purposes but for the many purposes for which these fiber plants may be used. We are using fiber plants in the production of bagging for grain and for vegetables. We are using fiber plants in a hundred different methods and manners, and all of this can be utilized. Certainly the Department of Agriculture is acting wisely in doing all that it can for this development. I hope the appropriations that are to be given in aid of the experiments carried on in Dakota will be granted ungrudgingly. I hope that wherever it is possible for us, recognizing the almost supreme importance and necessity of furnishing to the farmers of the United States who are growing our grain this absolutely essential requisite for the harvesting of their crops, Congress will do all it possibly can to encourage this growth and development. [Applause.]

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. TOWNER. Yes.

Mr. WALSH. Does the gentleman understand that these experiments are to be carried on in North Dakota?

Mr. TOWNER. Not all of them.

Mr. FESS. Mr. Chairman, I want to ask the gentleman from North Dakota one or two questions for information.

Mr. YOUNG of North Dakota. Very well.

Mr. FESS. What proportion of the binding twine that we use do we import? Can the gentleman make a general statement?

Mr. YOUNG of North Dakota. My colleague from Iowa says 90 per cent. I think that is a fair estimate. It is practically all brought in either from Mexico or the Philippine Islands. Mexico is now a foreign country, and the Philippines may be if the majority in Congress has its way.

Mr. FESS. We have in the district that I have the honor to represent a very large binding-twine manufactory, and they seem to be wholly dependent upon the product that comes from Mexico and Central America, especially Central America.

Mr. YOUNG of North Dakota. And so are the farmers. It would be a greater calamity for the farmers to have that supply cut off in time of war than it would be for your manufacturing plants.

Mr. FESS. The manufacturing plant, of course, produces it for the farmer. The raw material coming from that section—I have had a good deal of correspondence as to priority shipments in the past few months, stating that that market was pretty nearly closed. I was wondering whether there was any hope of developing a substitute for the sisal that we receive from South and Central America and Mexico. Do you hope to do that through the New Zealand flax?

Mr. YOUNG of North Dakota. That is the hope, because this plant grows very profusely and will produce ten times as much per acre as any other sisal.

Mr. FESS. One reason why I arose was the emphasis placed upon this article as a necessity at this time—that it might be regarded as an essential article rather than a nonessential article. I should think it would be, because it is absolutely necessary for the harvesting of our crops.

Mr. YOUNG of North Dakota. They have never found anything satisfactory to use in harvesters except twine such as they have now. If you take wire, it gets into the thrashing machine and tears it to pieces.

Mr. FESS. They want to avoid that?

Mr. YOUNG of North Dakota. You have got to have a strong twine, but one which can be easily cut.

Mr. FESS. Where will these experiments be made?

Mr. YOUNG of North Dakota. Naturally, where the plants are growing now—in the Imperial Valley of southern California.

Mr. NORTON. Mr. Chairman, as the gentleman from Iowa [Mr. TOWNER] said, it is of the highest importance to develop in this country a plant to take the place of the sisal that we are now importing for use in the manufacture of binding twine for the wheat-growing sections of the country. By this appropriation it is proposed that experiments are to be made with this New Zealand flax, to ascertain whether it can be used as a substitute for sisal. The officials of the Department of Agriculture, as will appear in the hearings under the Bureau of Plant Industry items on page 39, are not very sanguine about the prospects of being able to use the fiber of this plant as a substitute for sisal or for other fiber now used in the manufacture of binding twine. This plant, phormium tenax, or the so-called New Zealand flax, is not like the ordinary flax plant at all. In fact, it does not belong to the same family. It belongs to the lily family, and in general appearance and manner of growth it resembles the iris, or blue flag, except that the leaves are much longer, attaining a length of 5 to 8 feet. It grows wild in New Zealand. Extensive experiments have been made in its use there. The fiber from this plant is now being used in this country and in New Zealand to a small extent in the manufacture of inferior grades of rope and twine. The method of cleaning and preparing phormium fiber is very laborious and expensive. There has been a standing offer of $60,000 in New Zealand for 20 years for the discovery or invention of improved methods for preparing this fiber, but no one has claimed the offer.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. NORTON. Yes; I yield.

Mr. WALSH. The gentleman has covered the point I was going to ask, as to what experiments were made in New Zealand. Were they for the purpose of ascertaining the methods and machinery necessary to be used in converting it into twine?

Mr. NORTON. Yes; I should expect that that would be about the only thing that this appropriation could be used for, to determine the best method of preparing this fiber and to determine the uses which may be made of the fiber in this country, I do not think there is any question about its growth. It will grow in any warm, moist climate.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. NORTON. Yes; I shall be pleased to yield to the gentleman.

Mr. GREENE of Vermont. Did the experiments made in New Zealand tend to show whether it would be adapted to the same uses that it is used for here? Do you know whether it is used as we would want to use it on the harvesters here?

Mr. NORTON. According to the statement of the department here, it is not suitable to be used alone for the manufacture of binder twine. It can be used to fill in with a stronger fiber.

Mr. YOUNG of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. NORTON. I yield to my colleague.

Mr. YOUNG of North Dakota. I will say that the department expects, if this item is allowed, to bring in some seed. The roots were brought in last year, quite a quantity of them—or at least they were headed this way, but on account of the fact that insects were working in the growths they deemed it proper, under the quarantine regulations, to prevent the material coming in. Now it is proposed to bring in the tops with the seed, so as to get a supply to start growing it in southern California.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. NORTON. Yes.

Mr. GREEN of Iowa. I understand the Department is not enthusiastic about this proposition. Does not the gentleman think that in view of the fact that our farmers are now compelled to pay an extortionate price by reason of this Government monopoly we could afford to take some chances, even if we were grasping at more straws than one?

Mr. NORTON. Yes. I quite agree with the gentleman. I believe it is highly important that some substitute be found for Yucatan henequen, which has now become so expensive for use in the manufacture of binding twine, owing to the monopoly under which it is sold.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

For the investigation and improvement of cereals and methods of cereal production, and the study of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broom corn and methods of broom-corn production, $241,505: *Provided*, That $40,000 shall be set aside for the study of corn improvement and methods of corn production: *Provided also*, That $50,000 shall be set aside for the investigation of the diseases of wheat, oats, and barley known as black rust and stripe rust: *Provided also*, That $25,000 shall be set aside for the investigation of corn root and stalk diseases and for the inauguration of such control measures as may be found necessary.

Mr. YOUNG of North Dakota. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from North Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of North Dakota: Page 23, line 14, after the word "investigation," insert "and control."

Mr. YOUNG of North Dakota. Mr. Chairman, the appropriation carried for this purpose in the past has been for investigations, and those who have been conducting these investigations have now reached the conclusion that the cause of black rust is the barberry bush; and they have at last reached the conclusion that the money devoted to this purpose should be used chiefly to eradicate or destroy the barberry bush, rather than to investigate this matter any further. So I think it is necessary now to add the words "and control" after the word "investigation." Otherwise the department might be hampered somewhat in spending the money. The exportable surplus of wheat for the allies must come from North Dakota, South Dakota, Minnesota, and Montana. With the winter wheat reported in bad condition, worse than at any time since crop records were kept, it is the part of prudence to see to it that so far as it is humanly possible nothing shall happen to our wheat crop to be seeded next spring. It would be possible in the four States just mentioned for black rust to destroy enough wheat so that we could not export a single bushel without the people going hungry in the United States. There is no guessing about this. We found out in 1916 what a terrible scourge black rust could be, and the enemy has been found. The barberry bush stands indicted by the scientists of this and several other countries.

Mr. COX. Will the gentleman yield?

Mr. YOUNG of North Dakota. Certainly.

Mr. COX. I am very much interested in this item. If it is doing any good, I would like to see it doubled, trebled, and quadrupled, because of all things that our farmers have had to deal with this black rust is the most destructive. It wipes us off the map every year or two and cleans us out. Has the department located the primary and proximate cause of this rust; and if so, what has it finally settled upon?

Mr. YOUNG of North Dakota. There were 37 plant experts who met in Madison last year, and they were unanimous in their finding that the barberry bush, which is an ornamental shrub growing chiefly in the towns and villages, is the cause of black rust.

Mr. COX. Is there more than one variety of that bush?

Mr. YOUNG of North Dakota. There are quite a number of varieties, and all except the Japanese barberry bush are hosts for the parasites that are driven by the wind to the wheat fields and cause black rust.

Mr. COX. How does the gentleman account for the fact that you will find this black rust away out in the country, clear away from any shrubbery at all?

Mr. YOUNG of North Dakota. The reason is this: When the parasite breaks away from the barberry bush it is in the form of a very fine powder, lighter than air, and when it is taken up by the winds it is carried hundreds of miles. These particles are so fine that one bush thrown out into the wind will scatter them over an immense area of territory, surprisingly large.

Mr. COX. Then, the only remedy to get rid of the black rust is, first, to get rid of the barberry bush. Is that correct?

Mr. YOUNG of North Dakota. Yes.

Mr. COX. What kind of a racket are we going to get into with our people in the towns and cities when we undertake to destroy their fine shrubbery?

Mr. YOUNG of North Dakota. It seems to me in this time of war, when some of the people in the cities are glorying over the fact that they have plowed up their tennis courts and planted them to potatoes, we can get enough patriotic people in the United States to understand that one of the best ways to win this war is to dig up these barberry bushes.

Mr. COX. I quite agree with the gentleman; but I want to know what these scientists have further found out.

Mr. YOUNG of North Dakota. In the hard-wheat States, Minnesota, North Dakota, and South Dakota, alone, we lost 180,000,000 bushels of wheat in 1916 from the black rust.

Mr. COX. There is no doubt on earth about that.

Mr. YOUNG of North Dakota. That was more than will be saved by this entire wheat-saving campaign being conducted by Mr. Hoover, and you will understand that I do not want to minimize the great conservation work which he is performing.

Mr. COX. The 1915 crop of Indiana was almost wiped off the map, and fields of 20 or 40 acres that looked to be fine wheat one day were not worth a cent the next. Have these scientists discovered anything else, other than this barberry bush, that is responsible for this?

Mr. YOUNG of North Dakota. No; they have not in the Northern States.

Mr. COX. They place the whole responsibility there, and there alone?

Mr. YOUNG of North Dakota. Yes; and they point out that they eradicated the barberry bush from Denmark in 1903 and have not had black rust there since.

Mr. COX. That means that you have got to dig up these bushes and burn them?

Mr. YOUNG of North Dakota. Dig them up.

Mr. COX. Destroy them in some way?

Mr. YOUNG of North Dakota. Yes.

Mr. TILSON. Will the gentleman say how far this black rust will carry?

Mr. YOUNG of North Dakota. They have found in India that it will carry as far as 300 miles.

Mr. TILSON. I was wondering if it would carry from Connecticut to North Dakota? If so, I had better dig up some that I recently had planted in my yard.

Mr. YOUNG of North Dakota. It will undoubtedly carry from the gentleman's State over into Ohio, where they raise quite a lot of wheat. How much wheat do they raise in Connecticut?

Mr. TILSON. Very little.

Mr. YOUNG of North Dakota. It is up to the people in the States where they do not grow wheat, as well as in the States where they do, to dig up the barberry bush as a matter of patriotism.

Mr. TILSON. If it will destroy wheat, we surely will dig it up.

Mr. YOUNG of North Dakota. Thank you; you are a patriot.

Mr. Chairman, I have had a number of important letters upon this subject. C. G. Selvig, superintendent of the agricultural school and station at Crookston, writes to strongly urge a campaign to exterminate the barberry bushes. G. H. Coons, plant pathologist of the Michigan Agricultural College, has written a letter to Representative P. H. KELLEY, of Michigan, He says:

It is difficult for one not familiar with the possibilities of wind transference of fungus spores and not fully aware of the enormous powers of multiplication which these spores possess to realize that this common ornamental shrub which has been planted here and there in the yards and parks is such an enemy to our most important food crop.

Already the farmers of Denmark have met this situation and have eradicated the barberry, with the result that no epidemics of stem rust have occurred in the 10 years since the eradication was accomplished. The farmers in North Dakota have recently passed a law declaring the barberry an outlaw.

Representative YOUNG of North Dakota is attempting to get into the agricultural bill a $50,000 appropriation to get the bush located, to arouse public sentiment, and to insure that the bush will come out before it can endanger our next year's wheat crop.

May I ask that you confer with Mr. YOUNG and assist him in this worthy conservation measure?

We might think, perhaps, that this was a matter of concern only to the great western wheat States, but in our own Clinton County this last summer rust caused a loss of 15 per cent of the wheat crop.

On one hand is a worthless bush, readily replaced in any landscape gardening scheme—the small Japanese barberry (Berberis thunbergii) is not concerned in this—and on the other hand is a valuable crop, which the bush damages.

The facts of the relation of wheat rust to barberry are taught in every high-school botany. Now is the time to make use of our common knowledge.

Prof. H. L. Bolley, of the North Dakota Agricultural College, has given more study to plant diseases than any pathologist in the United States. It was he who discovered a preventive for wheat smut. He is very strong in the conviction that the barberries must all be destroyed; and if eradicated, that black rust will disappear. He writes me as follows:

AGRICULTURAL COLLEGE, NORTH DAKOTA,
January 21, 1918.

HON. GEORGE M. YOUNG,
House of Representatives, Washington, D. C.:

DEAR MR. YOUNG: President Ladd called me into consultation relative to your telegram, and, of course, you know my interest in this work. I want to aid you in every way I can in this effort which you are making.

No doubt you have already talked with Representative JOHN M. BAER, who is quite familiar with our work here and who aided me greatly in the propaganda work previous to the introduction of our State law. I am sure he will aid you there.

I am sending you a card with some barberry leaves showing some of the rust postules and will confine this note to statements of conditions.

(1) In my telegram you will note that I suggested that you have the law call for an order for the eradication of the barberry as an emergency measure. I hope you will make it clear to everyone that an appropriation of $50,000 at this time for "further studies as to methods of eradication of wheat rust" would essentially be a waste of public moneys and man power or energy. The thing to do now is to do the thing that all cereal pathologists who have studied the disease in the fields want done, namely, kill the barberry bushes and prevent a further planting of such bushes which bear and start wheat rust. This, all are agreed, will give results and clear the way for further work, if then needed.

There are a good many conservative people in the world and there are a good many fine parks in which this shrub has been used for decorative purposes, and there will be people, and plant pathologists, perhaps, who will advise that there should be further time for survey, further time for study, and further time for the putting on of an "educational campaign," etc. Some of these men are perfectly honest—but, as indicated, the pathologists who have studied cereal crops and who have been in the field are all agreed—see resolution of 37 cereal pathologists assembled at Madison, Wis., in July, 1917, in which they asked President Wilson for action in this matter. The reason that the resolution did not then ask President Wilson to immediately proceed to destroy the bushes as a war emergency measure was not because the pathologists believed it should not be done then but because they wanted to give the Department of Agriculture time to finish the survey that was then being made, and they thought perhaps the President was extremely busy and would like some time before having such an order made. That the people of the wheat States agree in this matter of eradication—see resolution of the Tri-State Grain Growers' Convention in January, 1917, asking for the survey which the department has now made. See also the resolution at the meeting of the Red River Valley Stock and Development Association at Crookston, Minn., and which appointed a committee of three to visit Washington to ask for immediate action in the matter of barberry eradication. This association represents 10 leading wheat counties of Minnesota. See also the resolution by the present Tri-State Grain Growers' Association in which they appointed a committee to go with the Minnesota committee. See also the fact that the Canadian Governments have ordered the eradication of the bush throughout the Canadian Provinces. See also telegrams by Grisdale. I have learned by letters from the chief pathologist of the Michigan Agricultural College that in all probability there will be a delegation from that State which represents mills, bankers, growers, etc.

Showing the Canadian interest in the matter, I have in my possession maps and figures of the agricultural agent of the Canadian Pacific Railway, showing that in 1916 in the Provinces of Manitoba and Saskatchewan alone there was a loss of over $100,000,000 from this black-rust scourge.

(2) While North Dakota has eradicated her barberry bushes by law, those who have asked that this be done have asked it as a lesson to other States. They know that the eradication of the bushes in North Dakota alone will not save the wheat crop of North Dakota from barberry bushes that grow in Minnesota and other States south and eastward, for the "wind bloweth where it listeth." Our farmers and public have done this work as a sanitary measure, and ask that the citizens, consumers, and public eastward take an interest in such matters and cause the same to be done there. You will be interested to know that it costs us almost nothing to do the work—the women's clubs, children, and citizens in general digging up the bushes as soon as notified of their presence. They did it freely and gladly when they learned that their hedge was destructive and when they understood that the law acted

equally on all citizens, understanding that a sanitary measure does not get full recognition until there is a law which puts all citizens on an equal basis.

(3) You will note that in my telegram of yesterday I advocated "nation-wide action." You will wonder why the growers' conventions and the plant pathologists have not indicated this nation-wide action, particularly as I and others who advocate the general destruction of the bushes have usually been present. I can only answer that in framing resolutions we try to be sure that the wording will be such that the organization will pass it—understand it. One does not always get the wording he knows to be right.

I have had commendatory letters on this eradication work in North Dakota from far and wide—Canada, New York, Virginia, etc. It has given encouragement to many of our State plant pathologists. They are calling for like work in their State. You will perhaps be told that bushes in Indiana, Tennessee, and other more Southern States and in large eastern cities are not materially effective in spreading this rust. The men in the Department of Agriculture Survey this year did not find southern bushes materially infected south of Iowa at the time they were surveying. True, one may often go in big cities and have difficulty in finding rust on the bushes. These bushes can not have rust on them unless the conditions are right or unless some black-rust spores fall. Some of these bushes are not close to the wheat fields and wild grasses which bear the black-rust spores; some of them are even surrounded by bluegrass lawns. This does not, however, prove that when the proper conditions of infection are present that they will not do the work regardless of what State or what city they are in. Last year I picked an abundance of barberry leaves in large cities of Wisconsin and Minnesota, even in the center of Minneapolis, the leaves of which were infected. I have no doubt but had I visited Detroit, Cleveland, Buffalo, or Rochester I should have found plenty of affected barberry, enough to have destroyed the crops of Michigan and Ontario if the weather conditions were suitable. My own experience in Indiana in 1887 and 1888 records as destructive attacks on barberry bushes at Lafayette, Ind., as I have ever seen in the Northwest—the failure to see birds fly over does not mean that summer has not gone by.

(4) Again let me call your attention to the fact that there is a material difference between a law for the eradication of rust and a law for the eradication of barberry bushes. May we not hope that the wording will be such that the President, the Food Administration Board, or other war board may at once order and call for the eradication of the one criminal rust producer which we all know, namely, the common barberry bush and all its kinds and varieties which bear the rust, and that the wording may be such that it will apply to barberry bushes wherever found? Let the funds provided be used for the proper propaganda and survey to locate the bushes for the people, and they will dig them out whenever asked to do so.

(5) Remember that this eradication measure to be effective in the increase of the crop of 1918 should commence at once, before the leaves of the barberry are formed in the spring. Spores begin to form on the bushes as soon as the first leaves are fairly well formed; at least, as early as May 10 to 20 in latitudes of Chicago and southward; June 1 to July northward.

Yours, respectfully, H. L. BOLLEY.

Mr. LEVER. I ask unanimous consent that debate on this paragraph and all amendments thereto close in 15 minutes.

Mr. MOORE of Pennsylvania. Will the gentleman yield me three minutes?

Mr. HAUGEN. I would like five minutes.

Mr. LEVER. The gentleman from Pennsylvania desires three minutes and my colleague on the committee, the ranking member on that side, Mr. HAUGEN, desires five minutes. So, Mr. Chairman, I will make it 23 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on this paragraph and all amendments thereto close in 23 minutes. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, if the addition of the words "and control," as suggested by the gentleman from North Dakota, means that the department is to use this money for the purpose of removing these bushes that they are talking about, I think the amendment ought not to be adopted. I have no objection to the use of money by the department for making investigations or for learning the best methods of control, but before the department goes into the business of controlling it by hiring a large number of men to do nothing but cut these barberry bushes, I am opposed to it.

Mr. YOUNG of North Dakota. There are a great many ways in which the department can use this money, and I think the gentleman will understand from what we were told in the committee that it would be used chiefly in an educational campaign. That was the statement made to us by Dr. Kellerman. I will say also that they propose to control the matter through the control of interstate shipments under the quarantine law. That is one of the kinds of control they ought to exercise now.

Mr. McLAUGHLIN of Michigan. We found some years ago, when several hundred thousand dollars were appropriated for the purpose of combatting the ravages of the gypsy and brown-tail moth, that the scientific Bureau of Entomology, a highly scientific bureau, was at times employing as high as 500 men to do nothing but cut brush. There is a pink boll cotton worm which has made its appearance in Texas, and this Bureau of Entomology says that they have imported into that region as high as 2,000 men to cut and pull up cotton. It seems to me that this is altogether out of place in the Bureau of Entomology or any department of the Government. I would favor any kind of an appropriation to make investigation to discover the source or cause of diseases affecting agricultural crops and to learn methods of applying the remedies, but when immense sums of money are used for the employment of the physical labor to put into operation the plan that the department has worked out, I think the department is going too far.

Now, if the insertion of this word "control" means that the department is going to employ a lot of men to go through the country to cut down barberry bushes wherever they are found, I think that is an improper use of money. This amendment, if that is the meaning of it, ought not to be adopted.

In many of the activities of this department we find that, where it is authorized by Congress, money is furnished for the purpose of studying diseases, finding remedies, and the best way of applying them, it has gone on and employed a large number of men to do the physical work. I think this Government has gone far enough in making investigation, learning the cause of the trouble, the manner of preventing its return, and the method of control. I cite these instances of the use of money in the employment of 500 men to cut brush in Massachusetts to prevent the spread of the gypsy and brown-tail moths and the employment of 2,000 men to pull up cotton as misuse of money. We ought not to permit it in another case relating to wheat and barberry bushes.

Mr. WALSH. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. WALSH. Is not this just as important as the eradication of the citrus canker or the white-pine blister, and might it not be safeguarded with the same kind of a proviso and handled in the same way? They appropriate there for the eradication and control, and if this destroys the entire wheat crop, it seems as though appropriations of this sort would be justified if we could safeguard them.

Mr. McLAUGHLIN of Michigan. I take the same position with reference to the wheat crop as to the park trees in Massachusetts and the cotton crop, and all these things. I think it is the duty of the Federal Government to ascertain the cause, work out a plan or remedy, but not to employ an immense number of men to do physical labor.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not favor the amendment offered by the gentleman from North Dakota at this time, because I think it would lead to interminable trouble. Barberry bushes have not been sufficiently exploited in the House to justify our taking such summary action in regard to them. The gentleman from New York sitting by my side has just invested $25 in barberry bushes and others are buying them and have been doing so for years. The bush is used for ornamental purposes throughout the land, and has been sent out by Members of Congress in their Washington allotments. Apparently the Department of Agriculture is primarily responsible for the distribution of the barberry bush.

Mr. NORTON. Mr. Chairman, the gentleman appears not to have heard the splendid address on this subject the other day by my colleague from North Dakota [Mr. YOUNG].

Mr. MOORE of Pennsylvania. I heard the gentleman from North Dakota to-day. He said if we would win the war we must get rid of the barberry bush. In this my genial friend from North Dakota [Mr. YOUNG] goes Hoover one better.

Mr. NORTON. If the gentleman was shown that the barberry bush was responsible for the black rust in wheat and other cereal crops and we had no means of destroying the black rust except by the eradication of the barberry bush, would he not then favor the eradication of the barberry bush?

Mr. MOORE of Pennsylvania. Under these circumstances "the gentleman from Pennsylvania" would favor the eradication of the barberry bush in North Dakota, but he would not favor going into the front yard or the back yard of every person who had a comfortable little home in Pennsylvania and New Jersey to prevent the flight through the air all the way to North Dakota of these little atoms described by the gentleman from North Dakota, who states that 300 miles is the extent of the flight.

Mr. NORTON. I will say to the gentleman that scientists have made a careful study of this question. It is not at all a new one. The black-rust problem has been encountered in Europe for many years. There it has been found that it can be controlled by the eradication of the barberry bush.

Mr. MOORE of Pennsylvania. We have no official information of that fact in the House.

Mr. NORTON. You have if you have read the hearings before the Agricultural Committee. It is not a new question at all. These scientists have unanimously declared to the world that the native barberry bush is one of the hosts in the life cycle of the germs of black rust. It has been thoroughly demonstrated that through the eradication of the native barberry bush the spread of black rust can be controlled.

Mr. MOORE of Pennsylvania. We have the word of two gentlemen from North Dakota that the cause of the black rust which destroys the wheat crop in North Dakota is the barberry bush that grows in front of residences in New Jersey and elsewhere throughout the United States.

But there is a reason for doubting the propriety of this amendment. I am not willing that the gentlemen from North Dakota shall indulge in the happy practice, which is characteristic of the other side, of appointing 500 inspectors from North Dakota and elsewhere to go into the front yards of the people who happen to reside along the Atlantic seaboard and dig up their barberry bushes. I can not quite see the connection between the barberry bushes that thrive on the salt air of the Atlantic coast and the wheat crop of North Dakota which is destroyed by the black rust. The gentleman from North Dakota [Mr. YOUNG], who is unquestionably as great a scientific expert upon this question as is the other gentleman from North Dakota [Mr. NORTON], admits in his scientific analysis of the situation that this microbe, or whatever it may be, that emanates from the barberry bush does not float more than three or four hundred miles at the most, and there is considerably more distance than that between the barberry bushes that ornament the residences of people in New Jersey or New York and the wheat fields of North Dakota.

I do not like the idea of appointing 500 inspectors for this work, as suggested by the gentleman from Michigan, first, because it would be a heavy charge upon the Government. Then, again, these gentlemen who would naturally tour the country—very capable gentlemen and good talkers all of them—might, in their patriotic enthusiasm, forget the influence of the barberry bush in "winning the war" to say a few kind words about the administration and the necessity of "upholding the hands of the President." With expenses paid, they might be tempted to forget the barberry bush.

Mr. RUBEY. Mr. Chairman, the gentleman in his discussion is winning votes for the amendment on this side of the House.

Mr. MOORE of Pennsylvania. The gentleman sees the point. It seems to me, if these 500 men are to go about lecturing on the barberry bush, telling us to dig it up and destroy our hedges to "win the war," it might have a serious effect upon the approaching campaign.

Mr. LOBECK. The gentleman is in favor of winning the war, is he not?

Mr. MOORE of Pennsylvania. Oh, yes; winning it by strength of arms, by vigorous action. I question whether the elimination of the barberry bush is going to have the effect which the gentleman from Nebraska and I desire.

Mr. LOBECK. Would it not be helpful, according to the gentleman's statement?

Mr. MOORE of Pennsylvania. This is the first time we have heard of the evil effects of the barberry bush upon the Nation, and the world at war. A while ago we heard about the advisability of using horse meat to "win the war." Now we are told that the barberry bush is stopping our progress. I trust the administration will overcome these difficulties and that notwithstanding the ravages of the barberry bush we may go ahead and win the war.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GREEN of Iowa. Mr. Chairman, let me reassure my friend from Pennsylvania [Mr. MOORE] as to the prospect of any inspector digging up barberry bushes in the yards of gentlemen coming from New York or New Jersey. Nothing we can do in connection with the paragraph could possibly give the inspectors power to race over the dooryard of the gentleman from New York, even if he was so unpatriotic as to refuse to dig up the barberry bush after he had been convinced that it is the cause of the black rust. If is true that the words suggested to be inserted by the gentleman from North Dakota [Mr. YOUNG] may empower inspectors who are given consent by owners to go and dig some barberry bush, but we ought not to lose sleep over that. What we want is to get the barberry bush eradicated all over the country, because there are wheat fields near New York and near New Jersey, in all of the States, or practically all of them, and these scientists having agreed that this is the cause of the black rust, I am sure that everybody in the United States will be patriotic enough to dig up his bushes himself.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. TOWNER. Is not the best method—and, in fact, the only practical method—of controlling this, through the prevention of interstate shipment of barberry bushes?

Mr. GREEN of Iowa. I intended to mention that, but I did not have time enough; but the main object, as I understand the gentleman from North Dakota, is to prevent interstate shipment of barberry bushes.

Mr. HAUGEN. Mr. Chairman, I believe that the scientists are generally agreed that the only way to eradicate the black rust is by eradicating the barberry bush. As has been stated here, the barberry bush is the host of the fungus—the plant in its first stage. It develops in the barberry bush. In the second stage it has for its host the various grains and grasses. Anybody who knows anything about black rust knows about its ravages; and it is a safe estimate to say that the black rust for the last 25 years, at least, has decreased the wheat yield at least 25 per cent, and it is safe to say that if black rust can be eradicated the yield of wheat—not only wheat, but oats and other grains as well—could be increased at least 25 per cent. Our allies are asking for 800,000,000 bushels of grain. We have not got them, and they can not fight without food. We must provide them with food if we are going to win the war. We can afford to make this small appropriation, and we can afford to agree to the language that is proposed. I believe that it will bring good results. It has brought good results in other countries. Denmark has tried it out, and there black rust has been eradicated and the yield of wheat has been largely increased. I believe that it is well worth the experiment and the appropriation suggested.

Mr. MORGAN. Mr. Chairman, I have a separate amendment to offer, which has nothing to do with this discussion. I would like to offer the amendment after we get through with this discussion.

Mr. LEVER. I suggest that the gentleman offer it in his own time now, have it considered pending, and discuss it.

Mr. MORGAN. Very well, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 23, line 11, strike out "$241,505" and insert "$250,000."

Mr. MORGAN. Mr. Chairman, in offering the amendment to increase this general appropriation for all these items I do not, of course, reflect upon the committee. I know the great attention the gentlemen have given to all the paragraphs and all the items of this bill, yet this is a very important paragraph. It relates in general to cereals, wheat, corn, and so forth, and includes broom corn. I happen to represent a district which is very largely a wheat-producing district, and one portion of it is a very large broom-corn producing district. A few years ago Oklahoma produced more than 50 per cent of all the broom corn produced in the United States. There are four counties in my district in which there is a large amount of broom corn produced. I think the United States Government should give encouragement to this industry. Broom corn this year is a good price. Some years it is so low in price that our farmers do not get pay for raising it. The broom-corn growers should have a good price and it should be uniform in price from year to year. The eighth congressional district of Oklahoma is a great agricultural district, composed of 12 of the best agricultural counties in the United States. [Applause.] It is a district composed of the most intelligent farmers in the United States. In its educational facilities—of common schools, of city schools, of colleges and universities—the district is not surpassed in the United States. [Applause.] That is saying a good deal in view of the fact that only about 20 years ago the first settlements were established in the district.

It is a wheat-producing district. We can not, as a Government, give too much attention to increasing the production of wheat. As has been said here in the discussion which has just taken place, whether we and our allies shall be victorious in this great war in a large measure depends upon the production of wheat. Through our Food Control Administration, we are to eat bread composed of only 75 per cent of wheat, but, my friends, what is true in time of war in a few years may be true in time of peace. With the increase of population in this country and throughout the world, the time soon will come, if we do not increase our production of wheat, when there will not be sufficient wheat to supply our population with wheat bread. The National Government should do everything possible to encourage the production of wheat. I am in favor of enlarging this appropriation to the amount which I have suggested in my amendment.

It should be the policy of the National Government to encourage the farmers to enlarge the area cultivated in wheat, to increase the yield per acre, and to maintain a remunerative price for wheat. After all, we can not expect an increased production of wheat unless wheat raising is a profitable business. Low-priced wheat simply means less wheat.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Dakota.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. YOUNG of North Dakota) there were—ayes 18, noes none.

So the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Oklahoma.

The question was taken, and the amendment was rejected.

Mr. YOUNG of North Dakota. Mr. Chairman, I have another amendment which I desire to offer.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 23, line 15, after the last word, insert "which sum shall be immediately available."

Mr. LEVER. Mr. Chairman, I reserve a point of order on that.

Mr. YOUNG of North Dakota. Mr. Chairman, will the gentleman yield to me for a moment?

Mr. LEVER. The time has been closed, but I ask that the time be extended for two minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. YOUNG of North Dakota. Mr. Chairman, I desire to call the attention of the chairman of this committee to the fact that unless the barberry bushes are destroyed before May 15 it will not do any good to destroy them this year.

Mr. LEVER. If the gentleman will permit, the gentleman has discussed this matter with me, and I fully recognize his position, and I have no objection to making it immediately available, because if we are going to use it at all we ought to use it when it is effective. Unless some of my colleagues object I shall have no objection.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, reserving the right to object, is this going to be used for the purpose of engaging a lot of men to go out and dig up these bushes?

Mr. YOUNG of North Dakota. I do not believe a single man will be employed that way. As far as I am concerned, I do not want to make promises. I think it is a matter of sufficient importance, and the gentleman from Michigan surely ought not to ask me to make pledges in reference to this. I will say this, that I talked with Dr. Kellerman, who is largely in charge of this matter, and he assured me the use they contemplated to make of this money was this, that they would make a campaign of education and they would use the money in that way; that they expected to make it very comprehensive, and through the county agents, the schools, the colleges, the farm journals, the trade journals, the milling-trade journals, and in every way possible to educate the people on patriotic grounds this year to dig up their barberry bushes.

Mr. LEVER. Will the gentleman yield to me a moment? Let me say, in answer to the question of the gentleman from Michigan, that if the department should undertake to use this money for the purpose of absolute eradication, the physical destruction of the barberry plant, I think, in view of their statement before the committee, it would be a breach of faith to the committee, and I think it would be a breach of faith with Congress. I do not believe the House intended any such kind of work, and I felt I ought to make that statement.

Mr. McLAUGHLIN of Michigan. I do not recall any statement before the committee as to just how they would use this money or that would preclude them doing the very thing I object to.

Mr. LEVER. The theory, as expressed before the committee, was that it was to be used for educational purposes.

Mr. MOORE of Pennsylvania. Does that mean that they would have the power to go into the States and visit private property and gather and eradicate these bushes?

Mr. LEVER. The gentleman is too good a lawyer to believe that.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Wyoming makes the same request. Is there objection? [After a pause.] The Chair hears none.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the item to which I offered an amendment earlier in the day—the tuberculosis matter.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD in respect to the item to which he refers. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

For the investigation and improvement of tobacco and the methods of tobacco production and handling, $32,000.

Mr. WALSH. Mr. Chairman, I move to strike out the item. It seems to me that, in view of the action of this House, in response, undoubtedly, to the preponderance of sentiment in various sections of the country as expressed in many different ways in favor of regulating the personal habits of people within our borders, there is no good reason at this time to expend $32,000 for investigating and improving a noxious weed which is used in large quantities in this Nation; and if we should now refuse to appropriate this $32,000 and thereby put a stop to improving this weed or improving the method of its production and handling, we would anticipate in large measure a demand which, sooner or later, is going to reach the Representatives of the people in the Congress to prohibit the use of tobacco for smoking or chewing by the people, both in their homes and in public places. And I think the time has come, and here is an opportunty for the Congress to lead the movement and to show the way, and that if we should adopt the amendment, which I offer in all seriousness, we would be taking a step of much benefit and advantage to the American people.

Mr. LOBECK. Will the gentleman yield?

Mr. WALSH. I prefer not to yield just at present, because I have a few more observations to make, and I know that the searching questions of the learned gentleman from Nebraska would put me entirely off my track in presenting to the House these observations.

It seems to me, as I have stated, that here is an opportunity for Congress to anticipate the wishes of the people and to lead the way, to sound the alarm, to set the pace, to blaze the path, and to arouse the sentiment of the country to the dire results that follow the profligate expenditure of many hundreds of thousands of dollars yearly for advertising the various brands of this weed and in purchasing the tobacco that is grown and improved by Federal experts and consuming it simply as the result of a habit. If we can save $32,000 by eliminating this item, in a few years from now, because we do not investigate and improve tobacco, we can enable the people to save many hundreds of thousands of dollars. We will be following in the wake of the legislation enacted by this Congress in connection with the food-control bill, wherein we vested wide discretion in the President to prohibit the manufacture of alcoholic and intoxicating liquors, which discretion, in my opinion, has been most wisely used by him. And also we will follow in the wake of the action of both branches of this Congress in submitting to the legislatures of the various States the constitutional prohibition amendment. We will be paving the way, in my opinion, whereby instead of appropriating money for investigation and improvement of tobacco and methods of tobacco production we will in the future be appropriating money for the investigation and eradication of tobacco and the discontinuance of tobacco production and handling, and in that way, by legislative enactment and without the necessity of constitutional amendment, we will do much to eliminate another habit which is growing and causing the expenditures of vast sums of money by our people. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Massachusetts.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. WALSH. Division, Mr. Chairman.

The committee divided; and there were—ayes 18, noes 22.

So the amendment was rejected.

The Clerk read as follows:

For testing and breeding fibrous plants, including the testing of flax straw and hemp, in cooperation with the North Dakota Agricultural College, which may be used for paper making, $16,760.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. Mr. Chairman, it seems to me this paragraph might be amended, so far as the language itself is concerned, by bringing the words "which may be used for

paper making" up to follow the word "hemp," on line 22. But I leave that to the chairman of the committee.

However, I desire to inquire about this item, which carries an appropriation of $16,760, and which seems to contemplate the testing and breeding of fibrous plants and the testing of flax straw and hemp by the Government in cooperation with the North Dakota Agricultural College. This item has been carried at varying amounts for several years, and it would seem to cover a proposition about which we ought to have some definite information by this time. The committee does not want to duplicate its appropriations or waste public money, I am sure. But on page 22 and on page 23 provision is made for studying and testing commercial seeds, being much the same proposition, to the extent of $36,680, and $241,505.

Now, it would seem that some one ought to explain whether anything is actually being accomplished through these appropriations or through this appropriation to the North Dakota Agricultural College.

Mr. LEVER. If the gentleman will permit, I asked Dr. Kellerman, associate chief of the Bureau of Plant Industry under this item, as to the progress that has been made. I will read from that gentleman's testimony. He says:

Dr. KELLERMAN. The work is progressing favorably, although somewhat slowly. It appears that there is an opportunity for developing a very good grade of paper from flax straw, especially for such purposes as making counters in shoes.

Mr. MOORE of Pennsylvania. "Counters in shoes"?

Mr. LEVER. Yes; "counters in shoes." I read further:

This is being thoroughly tested out, and the practicability of straw assembling and utilization for paper making is now under way.

Mr. THOMPSON. How long has that testing out been going on?

Dr. KELLERMAN. It was begun in a small way several years ago; I think that work has been going on approximately five years.

Mr. THOMPSON. How long will it take you to complete the work and eliminate this appropriation?

Dr. KELLERMAN. Probably one or two years, I think. We had contemplated greatly reducing this work about this time, but delays in getting satisfactory tests of the papers that might be manufacured made it seem desirable to continue it. We were not considering the complete closing of the project, but we were planning to reduce our work.

Mr. THOMPSON. This will not be a continuing appropriation, then?

Dr. KELLERMAN. This is not likely to be continuing much longer.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield for one minute right there?

Mr. MOORE of Pennsylvania. I have little time, but I would like to get the information. I would like to know why we are testing and breeding all these years and not getting results.

Mr. ANDERSON. I will say to the gentleman that I believe in my district there is the first commercial concern using straw as a basis in making news-print paper, and that paper is now being used by some of the newspapers in my district. [Applause.]

Mr. MOORE of Pennsylvania. That is progress. Will the gentleman tell me who is employed to do this testing and how the money is expended?

Mr. ANDERSON. I can not answer that question.

Mr. MOORE of Pennsylvania. That is the purpose of my question. Here we have two appropriations, one for $241,505, which puts at work a number of Government specialists, and another appropriation of $36,680, which puts some other Government experts at work; and then comes a specific appropriation for testing and breeding on the same line, in conjunction with the North Dakota Agricultural College, for which we appropriate $16,760, and for which we have been making an appropriation right along. The purpose of it seems to be to "test" these fibers. It has been going on for years.

Mr. LEVER. It goes further than actual testing. I understand they have made a great many investigations under this item as to growing hemp for fiber purposes. I can give the gentleman the exact expenditures under this item.

Mr. MOORE of Pennsylvania. Can the gentleman tell how many men are employed by the Government in connection with the North Dakota Agricultural College for testing and breeding?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. NORTON rose.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this item and amendments thereto close in eight minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this item and amendments thereto close in eight minutes. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object—and only for the purpose of asking the question—will the gentleman cover the point I made?

Mr. LEVER. Yes.

The CHAIRMAN. Is there objection to the gentleman's request, that debate close on this item and all amendments thereto in eight minutes, five minutes to go to the gentleman from North Dakota [Mr. NORTON] and three to the gentleman from South Carolina?

There was no objection.

Mr. LEVER. This appropriation of $16,660 is proposed to be expended as follows: For salary of paper-plant chemist, $2,280; one assistant, $1,320; one assistant physicist, $1,200; traveling expenses, $2,000.

Mr. MOORE of Pennsylvania. Two thousand dollars for mileage—traveling expenses?

Mr. LEVER. Two thousand dollars for traveling expenses; equipment and material, $3,950; miscellaneous items, $5,710.

Mr. MOORE of Pennsylvania. How long has this been going on?

Mr. LEVER. Dr. Kellerman in his statement says several years.

Mr. MOORE of Pennsylvania. He says several years. Gentlemen about me say it has been going on for five or six years.

Mr. LEVER. My knowledge is that it has been going on probably more than six years.

Mr. MOORE of Pennsylvania. Does not the gentleman think an expenditure of $2,000 for mileage out of an appropriation of $16,760 is rather high?

Mr. LEVER. I confess that it does look rather high, although I did not make any investigation to find out how they used it and what traveling they did.

Mr. MOORE of Pennsylvania. Did the committee make inquiries with a view to bringing these tests to an end?

Mr. LEVER. In the hearing the gentleman from Oklahoma [Mr. THOMPSON] repeatedly asked how long this was to continue, and the answer of Dr. Kellerman was from one to two years longer.

Now I yield to the gentleman from North Dakota [Mr. NORTON].

Mr. NORTON. This item has been carried in the bill for six or seven years. It was first carried for $10,000. Two years ago I made some extended inquiries in regard to the work that was being done under the appropriation. I found that the North Dakota Agricultural College up to that time had been attempting by scientific study and experiments to ascertain whether or not paper could be manufactured from flax on a profitable commercial basis. It was found that in the laboratory there was no great difficulty in manufacturing paper of a very superior quality from flax straw. No method, however, was found for the manufacture of paper from flax straw or from wheat straw which was considered a paying commercial proposition. The methods necessary to be employed in the manufacture of paper from flax straw and from wheat straw were said to be too expensive for practical commercial purposes. I know nothing of the investigations that have been carried on in the last two years. I have been very much surprised to find that $2,000 is expected to be expended out of this item next year for traveling expenses. It seems to me that the agricultural college is falling into the error that a great many of the Government departments fall into, in using money in a very free-handed way and not directly for the purpose for which it has been appropriated. There is a splendid field for investigation along this line if it is properly carried on. It would mean many hundreds of thousands of dollars to the Northwest if a commercially practicable method could be discovered for the manufacture of paper out of flax straw or wheat straw.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. NORTON. I yield to the gentleman.

Mr. CAMPBELL of Kansas. The gentleman from Minnesota [Mr. ANDERSON] stated a moment ago that they were manufacturing this paper in a commercial way in his district, and are now using it. Why do not these fellows use some of this traveling-expense money to go out there and see how these people are manufacturing this paper, and work a little along that line for a month or two, and then quit asking Congress for traveling expenses?

Mr. NORTON. Let me say to the gentleman from Kansas that I hope that the industry that has been developed in the district of the gentleman from Minnesota [Mr. ANDERSON] has come in large part through the investigations and experiments with flax straw and wheat straw that the North Dakota Agricultural College has been able to carry on with these appropriations.

Mr. CAMPBELL of Kansas. Then it is all over.

Mr. NORTON. I take it that it is not, but that they expect to improve on the best methods that have already been discovered.

The CHAIRMAN. All time has expired. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For sugar-plant investigations, including studies of diseases and the improvement of the beet and beet seed, and methods of culture, and to determine for each sugar-beet area the agricultural operations required to insure a stable agriculture, $64,115: *Provided*, That not less than $10,000 of this sum shall be used for the development and improvement of American strains of sugar-beet seed and for the establishment of a permanent sugar-beet seed industry in the United States: *Provided further*, That this sum of $12,500 may be used for investigations in connection with the production of cane and sorghum sirup, including the breeding, culture, and diseases of cane and sorghum, and the utilization of cane and sorghum by-products.

Mr. MAPES. Mr. Chairman, I move to strike out the last word. I believe it is generally understood that the Committee on Agriculture, which reports this bill, will soon be considering and will report to the House another price-fixing bill as a supplement to the law which was passed at the last session of Congress along the same line.

In connection with the consideration of this paragraph relating to sugar-plant investigations, it seems to me a proper time to call the attention of the committee to a situation which is liable to seriously affect next year's sugar supply of the country unless some action is immediately taken to remedy it. This is the time of year when the sugar-beet manufacturing companies contract with the farmers for their sugar-beet crop of next fall. The Food Administration has fixed the price of sugar. The sugar-beet companies claim that the price so fixed by the Food Administration does not enable them to pay a price which the farmers claim they must receive in order to make the raising of sugar beets profitable under the present abnormal conditions.

I am not familiar enough with the sugar-beet industry to tell which party to this controversy is correct, but I believe that the committee should carefully investigate it in preparing its next price-fixing bill. It certainly seems as though the consumer pays enough for his sugar now. At the same time the farmer with a good deal of justice complains that the price of the products of the farm is fixed, while no limit is put upon the price of those things which the farmer has to buy. He ought to receive a price for his sugar beets, which, taking all things into consideration, is a fair and reasonable one and which will encourage him to raise as large a crop as possible. Everything within reason should be done to enable him to raise them at a profit, or he will not raise them at all. If the sugar companies and the farmers can not agree upon the price the farmers will raise something else upon their farms and the sugar factories will be closed next fall. It necessarily follows that the sugar in the country will be much scarcer next year than it is this year even. I think it is only necessary to call the attention of the committee to the possibilities in this situation to show how important and serious a matter it may become. A deadlock between the farmers and the sugar-beet manufacturers can not be allowed under present world conditions. In the consideration of the next price-fixing bill I hope the committee will work out some plan which will enable the farmers to produce the maximum quantity of sugar beets and at a reasonable profit. If the chairman of the committee has any information that will throw light on the question now, I am sure the farmers in the sugar-beet localities will be glad to know what it is so that they can plan for the next crop accordingly. [Applause.]

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in seven minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on the paragraph and amendments thereto close in seven minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I understood the gentleman from Michigan [Mr. MAPES] to say that he understood, or rather anticipated, that the Committee on Agriculture would soon bring in a bill fixing prices on a variety of products. My own hope is that the Agricultural Committee will consider any such proposition as that a long time, a very long time, give it a very good deal of consideration, and then forget about it. [Laughter.]

Mr. MAPES. Will the gentleman yield?

Mr. MONDELL. I should be glad to yield.

Mr. MAPES. The gentleman comes from an agricultural State and certainly is in sympathy with the position of the farmers that grow the sugar beets complaining that Congress has fixed the price of the products of the farm to a large extent but have not fixed the price of things that the farmers buy.

Mr. MONDELL. Congress, my friend will remember, has fixed the price of nothing. Congress has guaranteed that the farmer on next year's crop of wheat shall receive at the principal market points at least $2 a bushel. That is all Congress has done in the way of price fixing, and that is not a fixing but a minimum guaranty. The price may go much above $2.

Mr. MAPES. Congress has enabled the Food Administration to fix the price of a great many products.

Mr. MONDELL. The Food Administration has in a way attempted to regulate certain prices, but the only price it has actually fixed is that of sugar at wholesale, and they have been enabled to do that because of the fact that sugar is produced by comparatively few concerns. The price, I am rather inclined to think, taking everything into consideration, was a fair one. I doubt if the farmers and beet-sugar manufacturers would have had any great difficulty in regard to fixing a price on sugar beets that would have been mutually satisfactory if certain busybodies had kept out of the affair and let the farmers and the beet-sugar manufacturers settle it between themselves. I am rather inclined to think now that a price may still be agreed upon which will be fairly satisfactory to both sides. Of course, it is true that with the high price of all agricultural products the growing of sugar beets, even at a maximum of nine or nine dollars and a half a ton, is not altogether attractive to the farmers in some sections, other farm products being so high. I am still of the opinion, however, that arrangements can be made, with sugar at approximately the present price, under which the farmers can get a price for beets that will encourage them to grow them.

The Clerk read as follows:

For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land conditions, $160,000: *Provided*, That the limitation in this act as to the cost of farm buildings shall not apply to this paragraph: *Provided further*, That no part of this appropriation shall be used in the free distribution, or propagation for free distribution, of cuttings, seedlings, or trees of willow, box elder, ash, caragana, or other common varieties of fruit, ornamental, or shelter-belt trees in the Northern Great Plains area, except for experimental or demonstration purposes in the States of North and South Dakota west of the one hundredth meridian, and in Montana and Wyoming east of the 5,000-foot contour line.

Mr. MONDELL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. MONDELL: Page 25, lines 5 and 6, after the word "Wyoming," strike out the words "east of the 5,000-foot contour line" and insert in lieu thereof the words "in regions of less than 6,000 feet altitude."

Mr. LEVER. Mr. Chairman, I reserve a point of order on that.

Mr. MONDELL. Mr. Chairman, there are two objections to the language that now occurs in the bill. The first is that the territory is described as that east of the 5,000-foot contour line. There is a good bit of territory both in Wyoming and Montana that is less than 5,000 feet in altitude—that is, west of the mountain 5,000-foot contour line. Some of it lies in the interior valleys of the Rockies and some of it on the western side of the Continental Divide. The other objection is that the altitude limit is a little low. We can grow these trees at altitudes up to 6,000 feet, so that my amendment first raises the permissible altitude a thousand feet and changes the language so that it will apply to all parts of these States with lower altitudes. I trust there will be no objection on the part of the committee to the modification. We get very few of these trees, I will say, but it happens that last season when I wanted a few pennies' worth of the trees for an interior section of my State which is about 3,800 feet high, I could not, because the language of the bill prohibits it. It was not east of the 5,000-foot contour line.

Mr. ANDERSON. Mr. Chairman, I have always thought that this appropriation ought not to be used for the production of shelter-belt trees for free distribution throughout any area. The department, however, has said that it is desirable to grow these shelter-belt trees at the Mandan station so that they might be used in a demonstrational way throughout the area described by this limitation. The tendency of the department, however, is to extend the work under this appropriation so as to make the station at Mandan nothing more or less than a free-tree distribution station. I do not think that that free distribution ought to be extended. The language in the bill is the language suggested by the department. The language describes the area in which this work can be properly carried on, and I should be very sorry to see it extended by the amendment proposed by the gentleman from Wyoming, much as I would like to see the gentleman from Wyoming accommodated in this or any other matter.

Mr. NORTON. The language is the same as we agreed on last year?

Mr. ANDERSON. Yes.

Mr. LEVER. Mr. Chairman, in view of the statement of the gentleman from Minnesota, who is more familiar with this item than I am, because he was one of the parties to an agreement

that got the item in shape so that it could pass, and inasmuch as this has been sprung without the committee having any knowledge of the effect of the amendment, I feel that I should insist upon the point of order.

Mr. MONDELL. Mr. Chairman, will the gentleman withhold that for a moment?

Mr. LEVER. Yes.

Mr. MONDELL. In any event the committee wants the language to accurately state what the committee had in mind. The use of the word "east" does not accurately state it. What the committee intended was that these trees might be used in territory and regions below the 5,000-foot contour line. In other words, you have no objection to having these trees used in western Montana, though under the language of your bill they could be used only in eastern Montana below the 5,000-foot line and not in western Montana. If the word "east" is stricken out and the word "below" is inserted, the committee will accomplish just what it sought to accomplish.

Mr. LEVER. I confess to the gentleman that I do not recall just why the limitation "east" is used.

Mr. MONDELL. Undoubtedly that was adopted without thought of the fact that Montana and Wyoming both lie on the ridge of the continental divide and they have territory of comparatively low altitude on both sides, some of it on the west and some of it on the east. There is no more reason why you should give eastern Montana below 5,000 feet the trees than western Montana, and that is also true of Wyoming.

Mr. LEVER. The gentleman would modify his amendment by striking out the word "east" and inserting the word "below"?

Mr. MONDELL. Yes.

Mr. LEVER. Is that all right?

Mr. ANDERSON. I do not want it.

Mr. MONDELL. The gentleman from Minnesota wants to confine this distribution to eastern Montana and eastern Wyoming. That was not intended by any one. It was intended that these trees should not be distributed in high altitudes, and some of the lowest altitudes in Wyoming and Montana, both, are excluded from the benefits of this provision by the language as you have it there, because they are not east of the 5,000-foot contour line.

Mr. ANDERSON. Mr. Chairman, the gentleman from Wyoming is entirely wrong in his interpretation of what was intended to be accomplished. What was intended is to fix a north and south line beyond which this distribution from the Mandan station should not extend. It was not a question of altitude at all. The 5,000-foot contour line was taken because that prevents a north and south line which could be utilized as a boundary beyond which the Mandan station would not undertake its free distribution of trees.

Mr. LEVER. I think, Mr. Chairman, without having fuller information about this, that I am justified in making the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. The first part of this paragraph provides for the investigation and improvement of the methods of crop production under subhumid, semiarid, or dry-land conditions, $160,000. No one appreciates more than I do the splendid work of the Agricultural Department. I think good work is done under nearly every item of this bill, and I regret that I feel it my duty to criticize the acts, the attitude, and the administration of those who expend these moneys. We have a great area in the West with little rainfall, a country that the hardy pioneer has been gradually winning from the desert, transforming from a cattle and sheep range into a cereal-growing, farming, dairy country. There are certain practices that must be followed, as has been demonstrated innumerable times by many people in widely separated sections of that region, in order to make farming in that section reasonably certain and profitable, and yet gentlemen in the Agricultural Department, having charge of these investigations and demonstrations, have for years and do now take the position that there is no such thing as reasonably insuring crop growth in those semiarid sections; that the best we can do is to just farm and take the chances, and if we get a crop, well and good, and if we do not get a crop that is the misfortune of the farmer. It is true—they have themselves proven on half a dozen demonstration farms—that the system of biennial crops, or the growing of two crops in three years, deep plowing, thorough cultivation, occasional or alternating summer fallow; summer cultivation not only greatly increases the production but renders farming in this section almost as certain as under an irrigation ditch, but after having demonstrated all this they discredit these thorough and scientific practices, these good farming practices, by saying that they do not pay. I am wondering when and where and under what circumstances or conditions the Agricultural Department has ever demonstrated whether or not a certain practice is profitable. Under the conditions surrounding such experiments the best that can be demonstrated is the possibility of accomplishment. They may and continually do point out how a thing can be done, the methods necessary to accomplish it, but whether or no it will pay under ordinary or commercial conditions or the usual practice of the people is something that can only be demonstrated by the people themselves.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Right now we are needing grain. The world is needing grain. This semiarid region, a considerable portion of it, is a fairly safe winter and spring wheat country, under good farming methods. A very much greater proportion of it is a perfectly safe barley and rye country. There are millions of acres that will produce rye, and rye is the grain which the people across the sea—our allies—many of them, have been accustomed to use, in the main, for bread for many years. There is an opportunity for encouraging increased development, increased production, but our friends in the Department of Agriculture, whom we pay to encourage agriculture in that section, after having demonstrated the possibility of carrying on agricultural operations with certainty, advise the farmer that it is doubtful as to whether it will pay to do it or not. We need new blood, new ideas, and new thoughts in the Agricultural Department in the matter of farming under semiarid conditions. We need people who will say to the farmers of that section: "You must farm thoroughly; you must farm carefully; you must farm scientifically; you must put into your work not only energy but care and thought; you must adopt the methods that will remove to a great extent the element of chance; and you will receive a goodly reward."

Instead of that, the views they promulgate encourage shiftlessness and thriftlessness, slipshod and careless methods and practices, by proclaiming that there is no plan or system that the farmer can afford to follow that will make his operations reasonably safe and secure—and yet our people are doing better every year, in spite of such teachings. You can not altogether prevent progress even by official error and misguidance.

The CHAIRMAN. The time of the gentleman has again expired. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For the investigation and improvement of fruits, and the methods of fruit growing, harvesting, and, in cooperation with the Bureau of Markets, studies of the behavior of fruits during the processes of marketing and while in commercial storage, $85,280: *Provided*, That $9,000 of said amount shall be available for the investigation and improvement of the pecan, and methods of growing, harvesting, packing, and shipping of same.

Mr. SNELL. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question.

I notice, on page 19, there is a provision of $8,000 for the investigation of the diseases of the pecan. On page 25, just read, $9,000 is made available for the investigation and improvement of the pecan. On page 55 $9,600 is made available for the investigation of insects affecting the pecan. What is the difference between those three appropriations?

Mr. LEVER. The first item to which the gentleman refers is for the purpose of studying the diseases of the pecan. The item under consideration immediately is for the purpose of studying the handling and marketing of the pecan. The other item in the bill, in the Bureau of Entomology, is for the purpose of studying the insect pests which affect the pecan. All of these were put in the bill in the Senate last year, and the committee conferees, of course, agreed to them.

Mr. SNELL. What is the difference between investigating the diseases and the insects that affect them?

Mr. LEVER. There is a good deal of difference. The investigation of the diseases of the tree and the nut itself would be in the hands of men who are scientific along plant-disease lines. The investigation from the standpoint of the insect would be in the hands of an entomologist.

Mr. SNELL. It would not be proper, then, to put all three of these in one appropriation?

Mr. LEVER. It could be done. I thought of it at one time, but I did not see that it would be of any advantage, because we have three sets of specialists engaged in this work.

Mr. SNELL. Is the condition such as to warrant the appropriation of this amount for it at this time?

Mr. LEVER. The industry is spreading very rapidly throughout that area of the country in which the hickory-nut scaly bark will grow.

Mr. SNELL. To what part of the country is this industry confined?

Mr. LEVER. Practically throughout the South; but it will grow in this section of the country.

Mr. BLACK. I will just state for the gentleman's information that in my home county of Red River this year there have been marketed $25,000 worth of pecans, whereas six or eight years ago it would not have amounted to over $6,000 or $8,000.

Mr. SNELL. I was wondering why it was put in three appropriations. Why should it not be carried in one lump sum? It seemed to me that they were all the same thing.

Mr. LEVER. It is for the reason that these three lines of scientists have grown up in the bureau.

The Clerk read as follows:

For the purchase, propagation, testing, and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation of the utilization of cacti and other dry-land plants; and to conduct investigations to determine the most effective methods of eradicating weeds, $143,180: *Provided*, That of this amount not to exceed $60,000 may be used for the purchase and distribution of such new and rare seeds.

Mr. BLACK. Mr. Chairman, I offer an amendment.

Mr. LEVER. Will the gentleman withhold that a moment for me to offer an amendment to correct the text?

Mr. BLACK. I will.

The CHAIRMAN. The gentleman from South Carolina [Mr. LEVER] offers an amendment, which the Clerk will read.

The Clerk read as follows:

Committee amendment: Page 27, line 3, strike out the last "s" in the word "investigations."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BLACK: Page 27, line 6, after the word "seeds," strike out the semicolon, insert a colon, and add the following:

"*Provided further*, That in the distribution of cotton seed under authority of this paragraph they shall be distributed in packages of not less than 1 peck to the package."

Mr. LEVER. Mr. Chairman, I reserve a point of order on that, and I ask unanimous consent, before the gentleman proceeds, that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. BLACK. Mr. Chairman, I will briefly explain the reason for the amendment which I have offered. The packages of cotton seed that are now distributed by the Department of Agriculture under authority of this paragraph contain a quart of seed. Now, usually it takes about 1 bushel of seed to plant an acre of cotton, and therefore you can see that the distribution that is now made by the department will only plant a very small part of an acre. The result is that, notwithstanding these seeds that are distributed are of improved variety, the quantity sent out is so small that very often it does not interest the farmer that receives them and the advantage of the distribution is lost. I am very heartily in favor of the distribution of these improved varieties of seed, but I think much better results can be accomplished by increasing the quantity sent to each one person.

Now, I presume that the only cotton-breeding station in the South is the one located in the section of Texas which I have the honor in part to represent. This station is located at Greenville and is under the supervision of one of the ablest and best informed men on agricultural subjects that I know, Dr. Saunders, and under his skill and knowledge there have been bred some very valuable improved varieties of cotton seed.

He has taken long-staple varieties and crossed them with what we call the big-boll early maturing varieties, and by that means he has developed the "Lone Star" and the "Hold On," the "Foster," and others, all of which have a strong fiber and a longer staple than the short-staple varieties and are nearly as quick in their maturing. Now, as I said awhile ago, the package sent out is a fine quality of seed, but is such a small quantity that it very often does not interest the farmer who receives it, and I think if the quantity was increased to packages of not less than a peck a great deal better results would be obtained. I am anxious to promote the success of this enterprise of interesting our farmers in these improved seeds, and that is why I have offered the amendment.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Mr. Chairman, will the gentleman yield right there?

The CHAIRMAN. To whom does the gentleman yield?

Mr. BLACK. I yield to the chairman of the Committee on Agriculture, Mr. LEVER.

Mr. LEVER. If the gentleman will permit, I think practically every member of the Committee on Agriculture from cotton-growing States agrees with the gentleman on this proposition; but not being able to examine carefully just how far the gentleman's amendment goes, I thought I ought to reserve a point of order. I may say, further, that we called the attention of the chief of the bureau in charge of the work to the fact that we did not think they were getting very good results from their quart-measure distribution. I am inclined to think that matter will be remedied without legislation.

Mr. BLACK. If that is so, of course there would be no special need for my amendment. But I fear that under the present system a great deal of the seed is being wasted.

Mr. LEVER. Yes; I agree with you. I think the amendment will have a very salutary effect in bringing the department to realize the situation.

Mr. WALSH. Does the gentleman's amendment contemplate an increase in the amount?

Mr. BLACK. Not at all, in the amount of the appropriation.

Mr. WALSH. Then if your amendment is adopted it would result in fewer people getting the seed?

Mr. BLACK. Yes. The point I make is that the money we do spend ought to be spent in a way certain to bring results. I know from my knowledge and experience of farming that these quantities are so small that a great many planters just discard them and throw them away and do not pay any attention to them.

Mr. FOSTER. The difficulty is not in planting but in saving the seed?

Mr. BLACK. Yes. They need a larger quantity.

Mr. CANDLER of Mississippi. Yes. I have had a similar experience. One of my constituents, to whom I had sent some of this seed, said to me, "Zeek, there were so few of them that I did not think I could get any results from them, and I cast them aside."

Mr. BLACK. Yes; I wish the gentleman would withdraw his point of order.

Mr. LEVER. Well, this is a matter of importance, and I am satisfied that we can remedy the situation without legislation.

Mr. BLACK. Of course, I am glad to receive that assurance from the chairman. I hope he will interest himself in the subject as he always does in matters affecting agriculture and the welfare of our farmers.

Mr. LEVER. I will. I am glad the gentleman called my attention to it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LEVER. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. MOORE of Pennsylvania. Mr. Chairman, I rise for the purpose of making an inquiry of the gentleman from South Carolina concerning the item beginning on line 3 of page 26. My attention was diverted at the moment when that item was read, otherwise I would have called attention to it then. The item pertains to horticultural investigations. In it is a peculiar phrase—"study of the behavior of vegetables while in the process of marketing and in commercial storage." Does the gentleman wish to hold to that language? [Laughter.]

Mr. LEVER. It is peculiar language. I realize that fact. It was submitted by the department, however. It means, when translated into the language of Congress, what changes take place in these various vegetables.

Mr. MOORE of Pennsylvania. If these words regarding "behavior" were stricken out would it lessen the effect of the paragraph? The language is, "studies of the behavior of vegetables." It seems to me that such a peculiar phrase ought to go out.

Mr. LEVER. I am a little afraid it would make a difference. Under this item in past years we have not only studied what takes place within the vegetable while it is in process of shipment but we have also studied the marketing conditions of the vegetables. We have transferred those to the Division of Markets, and we want to use this language so that we will not study the market features of the vegetables, but only the vegetables themselves while they are being marketed.

Mr. MOORE of Pennsylvania. If left as it is the "behavior" of the potato might mean acrobatic behavior or good or bad behavior. Or it might refer to the sprouting of potatoes, or something of that kind. If that is what it means it seems to

me the effect would be the same if you struck out the word "behavior." "Studies" of vegetables while they are being transported would seem to be sufficiently comprehensive.

Mr. LEVER. They use that language to make clear to Congress the discrimination between the studies conducted under this item and those conducted under the item for the Bureau of Markets. I think we had better leave these words in the bill.

Mr. MONDELL. Does not the gentleman think we have done a pretty good day's work?

Mr. LEVER. I am going to ask the Clerk to read the general administrative item of seed distribution, and then I will move to rise.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, $242,320. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packeting, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants shall upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same season been supplied by the department: *And provided also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants.

Mr. LEVER. Mr. Chairman, I offer an amendment to correct a typographical error.

The CHAIRMAN. The amendment of the gentleman will be read:

The Clerk read as follows:

Committee amendment: Page 30, line 2, after the word "cuttings" insert a comma.

The amendment was agreed to.

Mr. CANDLER of Mississippi. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CANDLER of Mississippi: Page 27, line 24, strike out the figures "$242,320" and insert in lieu thereof the figures "$363,480."

Mr. LEVER. Mr. Chairman, I would like to see if we can not arrange to close debate on this paragraph and all amendments thereto. As far as I am personally concerned I do not desire any time, and I would like to test out the committee to see just how much time is needed.

Mr. ANDERSON. Mr. Chairman, I do not see how we can agree on closing the debate to-night. I think I am the only member of the committee on this side who is still present. There are only a very few here, and I would not feel that I was doing justice to my colleagues on this side if I undertook to make an agreement or permitted an agreement to be made.

Mr. LEVER. In view of the gentleman's statement I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Agricultural appropriation bill, H. R. 9054, and had come to no resolution thereon.

THE VIRGIN ISLANDS.

The SPEAKER laid before the House the following communication:

ST. THOMAS, VIRGIN ISLANDS,
January 17, 1918.

SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington:

The executive committee in charge of celebrations commemorating this day on behalf of those accepting citizenship in the United States solemnly pledge their loyalty to the United States; being fully conscious of and duly appreciating the great benefits of American citizenship, beg to assure the Government of their true and faithful allegiance.

BALDEMAR MILLER, *Chairman.*

The SPEAKER. This communication will be referred to the Committee on Foreign Affairs.

LINCOLN'S BIRTHDAY, FEBRUARY 12.

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent that on February 12, after the reading of the Journal and the disposition of matters on the Speaker's table, I may be permitted to speak for 45 minutes on the life and character of Lincoln.

The SPEAKER. The gentleman from Illinois [Mr. GRAHAM] got 30 minutes in which to make a speech, and the gentleman from Missouri [Mr. RUSSELL] got time to read Lincoln's Gettysburg speech, so that the gentleman's request comes in after that of the gentleman from Illinois [Mr. GRAHAM]. Is there objection?

There was no objection.

Mr. LONDON. I ask unanimous consent that following the gentleman from Kentucky I may address the House for 15 minutes on Lincoln as a world force.

The SPEAKER. The gentleman from New York [Mr. LONDON] asks unanimous consent that at the conclusion of the speech of the gentleman from Kentucky [Mr. BARKLEY] on Lincoln's birthday he be permitted to address the House for 15 minutes on Lincoln as a world force. Is there objection?

There was no objection.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. FLOOD, from the Committee on Foreign Affairs, reported a bill (H. R. 9314) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report (H. Rept. No. 271), ordered to be printed.

Mr. FESS. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Ohio reserves all points of order.

EIGHT-HOUR STANDARD WORKDAY FOR RAILROAD EMPLOYEES (H. DOC. NO. 690).

The SPEAKER laid before the House the following message from the President of the United States, which was read, ordered printed, and referred to the Committee on Interstate and Foreign Commerce:

To the Senate and House of Representatives:

In compliance with the provision of section 2 of the act of Congress approved September 3 and September 5, 1916, to establish an eight-hour day for employees of carriers engaged in interstate and foreign commerce, and for other purposes, I transmit herewith the report of the commission appointed to observe the operation and effects of the institution of the eight-hour standard workday for railroad employees.

WOODROW WILSON.

THE WHITE HOUSE, *28 January, 1918.*

LEAVE TO EXTEND REMARKS.

Mr. SLOAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the pending bill.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 47 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 29, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HASTINGS, from the Committee on Indian Affairs, to which was referred the bill (H. R. 357) conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States, reported the same without amendment, accompanied by a report (No. 266), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DILL, from the Committee on the Public Lands, to which was referred the bill (S. 2493) to amend section 3 of an act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916, reported the same without amendment, accompanied by a report (No. 267), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 5673) to extend payment to the homesteaders on the south half of the Colville Reservation, reported the same with amendment, accompanied by a report (No. 268), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (H. R. 855) for the relief of Harriet Fisher, reported the same without amendment, accompanied by a report (No. 269), which said bill and report were referred to the Private Calendar.

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (H. R. 1423) for the relief of Alexander F. McCollam, reported the same without amendment, accompanied by a report (No. 270), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

The bill (H. R. 1919) granting a pension to Harry N. Gates; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 2863) granting a pension to John Ferriter; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 8300) granting an increase of pension to George Perkins; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 9084) granting a pension to Harry N. Gates; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HICKS: A bill (H. R. 9311) for the reorganization of the Medical Department of the United States Army; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 9312) to amend section 5 of the motor-boat law passed June 9, 1910; to the Committee on the Merchant Marine and Fisheries.

By Mr. MILLER of Minnesota: A bill (H. R. 9313) to reimburse the State of Minnesota for expenses incurred in mobilizing its National Guard pursuant to the calls of the President during the years 1916 and 1917; to the Committee on War Claims.

By Mr. FLOOD: A bill (H. R. 9314) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919; to the Committee of the Whole House on the state of the Union.

By Mr. CARY: Resolution (H. Res. 237) authorizing the President and Attorney General of the United States to issue orders to corporations and individuals concerning control of cold-storage and other large supplies of food and fuel; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 9315) granting an increase of pension to Henry Athey; to the Committee on Invalid Pensions.

By Mr. BEAKES: A bill (H. R. 9316) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870, authorizing the Postmaster General to continue in use in the Postal Service Marcus P. Norton's combined postmarking and stamp-canceling hand stamp patents, or otherwise; to the Committee on the Post Office and Post Roads.

By Mr. BOWERS: A bill (H. R. 9317) granting an increase of pension to Hezekiah Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9318) for the relief of Susanah Nuce; to the Committee on War Claims.

By Mr. CAMPBELL of Kansas: A bill (H. R. 9319) granting a pension to William F. Conklin; to the Committee on Pensions.

By Mr. CARY: A bill (H. R. 9320) granting a pension to Mrs. Albert J. Wolff; to the Committee on Pensions.

By Mr. DYER: A bill (H. R. 9321) granting a pension to Joseph Donnelly; to the Committee on Pensions.

Also, a bill (H. R. 9322) granting a pension to Emma R. Steen; to the Committee on Pensions.

By Mr. FAIRFIELD: A bill (H. R. 9323) granting a pension to Lusina Clouse; to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 9324) granting a pension to Thomas W. Trent; to the Committee on Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 9325) granting an increase of pension to Mary Butler; to the Committee on Invalid Pensions.

By Mr. GALLAGHER: A bill (H. R. 9326) granting an increase of pension to Henry Page; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 9327) granting a pension to Louis A. Rowe; to the Committee on Pensions.

Also, a bill (H. R. 9328) granting a pension to James Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9329) granting an increase of pension to Albert McMichaels; to the Committee on Pensions.

Also, a bill (H. R. 9330) for the relief of Sylvester Haus; to the Committee on Military Affairs.

By Mr. GRAHAM of Illinois: A bill (H. R. 9331) granting an increase of pension to Alonzo Brown; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 9332) granting an increase of pension to George W. Griffin; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 9333) granting an increase of pension to Sarah E. Hathaway; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 9334) granting a pension to Christine Cook; to the Committee on Pensions.

By Mr. KINKAID: A bill (H. R. 9335) granting an increase of pension to Archie V. Chambers; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 9336) granting an increase of pension to James M. Perry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9337) granting an increase of pension to Alfred McFeely; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 9338) granting an increase of pension to Guilford D. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9339) granting a pension to Robert E. McCormick; to the Committee on Pensions.

By Mr. MILLER of Minnesota: A bill (H. R. 9340) granting an increase of pension to Andrew Tredway; to the Committee on Invalid Pensions.

By Mr. MOON: A bill (H. R. 9341) granting an increase of pension to Jesse C. Eldridge; to the Committee on Invalid Pensions.

By Mr. NELSON: A bill (H. R. 9342) granting a pension to Charles H. Carey; to the Committee on Pensions.

By Mr. PETERS: A bill (H. R. 9343) for the relief of Herbert R. Cornforth; to the Committee on Claims.

By Mr. RAMSEYER: A bill (H. R. 9344) granting an increase of pension to James K. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9345) granting a pension to Nancy C. Saylor; to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 9346) granting a pension to Alfred Cushman; to the Committee on Pensions.

By Mr. SANFORD: A bill (H. R. 9347) authorizing the appointment of Brig. Gen. John H. Patterson, United States Army, retired, as a major general on the retired list; to the Committee on Military Affairs.

By Mr. SHACKLEFORD: A bill (H. R. 9348) for the relief of J. H. Livingston; to the Committee on Claims.

By Mr. TIMBERLAKE: A bill (H. R. 9349) authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Colorado National Forest upon the surrender of other lands of an equal acreage also located in the Colorado National Forest, Colo.; to the Committee on the Public Lands.

By Mr. VESTAL: A bill (H. R. 9350) granting an increase of pension to Robert McMartin; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 9351) granting a pension to Thomas J. Cook; to the Committee on Pensions.

PETITIONS, ETC.,

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the Missouri Live-Stock Producers' Association, asking that the rural-credit law be strengthened, and asking the Food Administration to state whether the ratio of 13 to 1 would be maintained in the purchase of spring farrows, or whether the price of corn would be arbitrarily fixed; to the Committee on Agriculture.

Also, memorial of Lady of the Lake Lodge, No. 512, Brotherhood of Railroad Trainmen, of Toledo, Ohio, urging increase in salaries particularly to those employed by the Post Office Department; to the Committee on the Post Office and Post Roads

Also, petition of sundry rural carriers of the ninth congressional district of Missouri, asking maintenance and equipment allowance for extra mileage and additional pay for pouch mail; to the Committee on the Post Office and Post Roads.

Also, resolution of the board of governors of the International Allied Printing Trades Association (approved by the tenth annual convention of the union label trades department of the American Federation of Labor), protesting against the zone system as applied to second-class mail; to the Committee on Ways and Means.

Also, resolution of the Asbury Park Chamber of Commerce, of Asbury Park, N. J., recommending the abandonment of the zone plan for second-class mail; to the Committee on Ways and Means.

By Mr. CLARK of Pennsylvania: Petition of 43 employees of the Trask, Prescott & Richardson department store, of Erie, Pa., praying for the passage of House bill 7995, for the preservation of the *Niagara*, Commodore Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. DALE of New York: Petition of W. S. McCrea, Spokane, Wash., favoring S. 313, providing for an absolute long-and-short-haul law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Colgate & Co., New York, N. Y., urging the passage of the Calder daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Board of Governors of the International Allied Printing Trades Association, of the New York Business Publishers' Assciation, and of the Asbury Park Chamber of Commerce, Asbury Park, N. J., protesting against the provisions of the revenue act concerning second-class postage; to the Committee on Ways and Means.

Also, a letter from the Pineoleum Co., New York City, favoring the provisions of the revenue act dealing with second-class postage; to the Committee on Ways and Means.

By Mr. ESCH: Resolution of the Board of Governors of the International Allied Printing Trades Association urging the repeal of the zonal system for second-class mail; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: Memorial of New York Business Publishers' Association, favoring repeal of the zone system for second-class mail; to the Committee on Ways and Means.

By Mr. GALLIVAN: Memorial of the Irish Women's Council, appealing for the recognition of Ireland as the Irish Republic; to the Committee on Foreign Affairs.

By Mr. GRAY of Alabama: Petitions of Louis Long, R. F. D. No. 1, Irvington, Ala.; Rudolph B. Cox, R. F. D. No. 1, Coffeeville, Ala.; G. L. Shreve, R. F. D. No. 1, Chrichton, Ala.; and G. W. Riley, R. F. D. No. 1, Jeddo, Ala., urging an increase in the salaries of rural free-delivery mail carriers; to the Committee on the Post Office and Post Roads.

Also, a petition of Earl C. Garrison, H. L. McElroy, Thomas J. Robinson, David E. Wilson, Seaborn L. Bonner, and Wilton P. Woolf, rural letter carriers of Choctaw County, Ala., urging an increase of salaries, etc.; to the Committee on the Post Office and Post Roads.

By Mr. HAMLIN: Papers to accompany House bill 8585, granting a pension to Eugene V. Wagner; to the Committee on Pensions.

By Mr. McKINLEY: Petition of 46 rural carriers, urging the passage of a bill providing a maintenance and equipment allowance, additional pay for mileage in excess of 24 miles, and an allowance for those carriers who must carry pouch mail; to the Committee on the Post Office and Post Roads.

By Mr. MOORE of Pennsylvania: Resolution of knitting manufacturers of Philadelphia, of the National Association of Hosiery and Underwear Manufacturers, protesting against the action of the Fuel Administrator in closing industrial plants; to the Committee on Agriculture.

By Mr. PLATT: Petition of citizens of Newburgh, N. Y., favoring the passage of House bill 7995 for the preservation of the *Niagara*, Commodore Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. PRATT: Petitions of sundry rural mail carriers of the Thirty-seventh New York congressional district, favoring adequate compensation for their services; to the Committee on the Post Office and Post Roads.

By Mr. RAINEY: Petition of rural-route carriers of the twentieth district of Illinois for a larger allowance; to the Committee on the Post Office and Post Roads.

By Mr. REED: Evidence in support of House bill 9303, granting an increase of pension to Joseph Crites; to the Committee on Invalid Pensions.

By Mr. SANFORD: Papers to accompany House bill 9143, granting a pension to Henrietta De Groat; also, papers to accompany House bill 9139, granting an increase of pension to Charles N. Trimble; and also, papers to accompany House bill 9141, granting a pension to Rosella Magee; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 9145, for the relief of John J. Dooley; also, papers to accompany House bill 9148, for the relief of Martin W. Joraleman, alias Whitbeck; also, papers to accompany House bill 9147, for the relief of Henry C. Romaine; also, papers to accompany House bill 9146, for the relief of Ferris W. Wade; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 29, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who hearest the prayers of those who seek Thee in faith and confidence, hasten the day, we beseech Thee, when pure and undefiled religion shall be spread abroad in all the earth; when men of all nations and of all climes shall look up to Thee in faith and call Thee Father; that by the strong ties of brotherhood men shall, indeed, fulfill the prophecy of old and beat their swords into plowshares, their spears into pruning hooks, and learn war no more.

So may Thy Kingdom come and Thy will be done in all the world, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MAIL TO EXPEDITIONARY FORCES.

Mr. ROGERS. Mr. Speaker, I call up a privileged resolution, H. Res. 232, and move to discharge the Committee on the Post Office and Post Roads from further consideration of the same and that the same be agreed to.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 232.

Resolved, That the Postmaster General be requested to inform this House upon the following:

First. What is the length of time now required to transmit postal matter from the United States to members of the American Expeditionary Force in France, and from members of the American Expeditionary Force in France to the destination of such postal matter within the United States.

Second. Whether he or any other person or persons or committee or committees or commission or commissions appointed by him have investigated or are now investigating the subject in order to ascertain whether the time now consumed in transit can be curtailed, and losses, if any, of mail matter be reduced.

Third. Whether he or such other person or persons or committee or committees or commission or commissions have reported.

Fourth. What were the findings and recommendations, if any, contained in such report.

Fifth. And what, if any, steps he has taken to curtail the time of such postal matter in transit and reduce the losses thereof, if any.

Mr. KITCHIN. When was the resolution referred?

Mr. ROGERS. On the 22d of this month.

The SPEAKER. The question is on the motion to discharge the Committee on the Post Office and Post Roads from further consideration of the resolution and agree to the same.

The motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3448. An act granting the consent of Congress to the village of East Dundee and the village of West Dundee to construct a bridge across the Fox River; and

S. J. Res. 125. Joint resolution authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the Rotunda of the Capitol.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 3135. An act to amend section 2 of the act entitled "An act to provide for an auxiliary reclamation project in connection with the Yuma project, Ariz."

AGRICULTURAL APPROPRIATION BILL.

Mr. CANDLER of Mississippi. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9054, the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill, with Mr. CRISP in the chair.

The CHAIRMAN. When the committee rose last evening an amendment was pending, offered by the gentleman from Mississippi [Mr. CANDLER], which the Clerk will report.

The Clerk read as follows:

Page 27, line 24, strike out the figures "$242,320" and insert the figures "$363,480."

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto may close in 30 minutes.

The CHAIRMAN. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I wish to inquire whether we are going to have the customary motion to strike out the seed item, which is the provision under consideration?

Mr. LEVER. I am not advised as to that, but I presume we will have it, however.

Mr. FOSTER. I think the gentleman from Massachusetts [Mr. WALSH] said that he wanted to do that.

Mr. LEVER. He gave some indications of that, but he did not quite say so.

Mr. STAFFORD. I think the proceedings of Congress would be hardly complete without some person moving to strike out the paragraph.

Mr. LEVER. Or moving to increase the amount.

Mr. STAFFORD. Both motions are always in order, and always take place.

Mr. CANDLER of Mississippi. There is an amendment pending, and that comes first.

Mr. STAFFORD. There is no question that the gentleman's amendment takes precedence.

Mr. LEVER. I feel that this is a matter so well understood by the members of the committee that we ought not to spend any great time in discussing it.

Mr. STAFFORD. Can there be some understanding as to the control of the 30 minutes, that some of the time, if desired, may be used in consideration of a motion to strike out the paragraph?

Mr. LEVER. Mr. Chairman, I modify my request by adding that the time be equally divided between the gentleman from Mississippi [Mr. CANDLER], who is proposing to increase the amount, and myself in the interest of those who may desire to strike it out.

Mr. STAFFORD. Then the gentleman will allow at least 15 minutes of that time for those in opposition to the provision itself?

Mr. LEVER. I shall allow half the time to those who are opposed to the Candler amendment and half the time to those who are in favor of striking the provision out altogether.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto be limited to 30 minutes, 15 minutes of that time to be controlled by the gentleman from Mississippi [Mr. CANDLER] and the remaining 15 minutes by the gentleman from South Carolina [Mr. LEVER].

Mr. LONDON. Mr. Chairman, reserving the right to object, I would like to have 10 minutes on a motion to strike out the provision relating to the congressional distribution of seeds.

Mr. LEVER. I would not be able to promise the gentleman 10 minutes of the 15 minutes that I would have myself.

Mr. LONDON. I want to argue in favor of a motion to strike out in an original way, and I want to have 10 minutes.

Mr. LEVER. The gentleman always argues in an original way.

Mr. LONDON. I thank the gentleman.

Mr. LEVER. I shall try to give the gentleman at least five minutes of my 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

Mr. JOHNSON of Washington. Mr. Chairman, is it not possible to get along with 10 minutes debate on this paragraph, one in favor and one against it?

Mr. LEVER. If I had my own way, I would say 10 minutes.

Mr. JOHNSON of Washington. Would it not be better for the House of Representatives to have a little more discussion about bullets and a little less about bird seed?

The CHAIRMAN. Does the gentleman from Washington object to the request?

Mr. JOHNSON of Washington. Mr. Chairman, I withdraw the objection.

The CHAIRMAN. The Chair hears no objection. The gentleman from Mississippi is recognized for 15 minutes.

Mr. CANDLER of Mississippi. Mr. Chairman, I have no inclination to detain the House in reference to this matter but a very few moments. The fact is all I desire to do is to call the attention of the House to the effect of the amendment which I have offered and which is now pending. The provision of the bill is the same provision which appeared in the bill last year, and I believe the bill of the year before last and several preceding years. The motion which I propose only changes the amount and does not change a single word in the provision itself. The amount provided in the bill at the present time is $242,320. My motion is to strike out $242,320 and insert in lieu thereof $363,480, which is a 50 per cent increase over the amount provided for in the bill. I do this for the reason that a great many Members of Congress this year have come to my office and told me they did not have a sufficient quantity of seed to meet the demands which were yearly made upon them, and hence they desired that the amount should be increased. Under the appropriation this year each Member of Congress is allotted 20,000 packages of garden and 3,000 packages of flower seed. If this amendment is adopted and the price remains the same as it is now, next year you will be allotted 30,000 packages of garden seed and 4,500 packages of flower seed, and the only question, therefore, for the committee to determine is whether or not you want this increase made, whether you want this increased amount of money in order that there may be available an increased number of packages of flower and garden seed. If you do, you will vote for the amendment; if you do not, you will vote against the amendment. That is the sole issue involved. [Applause.]

Mr. LEVER. I yield five minutes to the gentleman from Massachusetts, who, I understand, is in favor of striking out the whole item.

Mr. WALSH. Mr. Chairman, I move to strike out the entire paragraph.

The CHAIRMAN. The gentleman from Massachusetts offers a motion to strike out. Of course that will not be disposed of until the motion to perfect has been disposed of.

Mr. WALSH. Mr. Chairman, notwithstanding the argument of the gentleman from Mississippi [Mr. CANDLER] in the nature of a very alluring bait held out by him in offering an amendment to increase this amount to approximately $360,000 and the fact that next year we will get 30,000 packages of vegetable seed and 4,500 packages of flower seed, it seems to me that at this time, when we are straining every effort to raise money to carry on this tremendous struggle, that we ought not to appropriate even the $243,000 carried in the bill as reported by the committee—nearly a quarter of a million dollars—for the purpose of making these governmental gifts to our constituents. I was interested the other day in receiving a little pamphlet which has been issued by the National Grange, and I noted that amongst the recommendations made by that great organization, speaking for the real farmers of the Nation, was one for the elimination of this congressional seed distribution. Those with whom I had the honor to serve in the Sixty-fourth Congress know my views upon this matter, because at that time I set them forth somewhat at length in opposition to this form

of expenditure and to this method of distributing this form of Federal gratuities. The purpose is, I presume, to encourage and stimulate agriculture, and we give little packages of seed which are sent out throughout the length and breadth of the district and which contains upon the package, printed there by the department, a request that the people planting those seeds will write to the department the results that they obtain, and yet you can read the reports of the Secretary of Agriculture year after year and all you will ascertain is that a certain amount of money has been expended for these seeds and they have been distributed through requests from Members of Congress. Now, while the appropriation is made—and presumably it is the intention for these seeds to be sent to the different congressional districts to the people who are interested—if the number of requests that are received for seeds can be taken as any standard as to the interest in this congressional seed distribution, the interest, particularly in my section of the country, is not very great, and I doubt if it is warranted even if the requests filed are very numerous. If the people are going to utilize these seeds and if they are going to attempt to stimulate agriculture, why should not some report be made as to how many new farmers each year were made as the result of this activity or how much the crop of a particular vegetable or flower has been increased or how much any particular community has been benefited by this distribution. I say, Mr. Chairman, that at this time we might well afford to save $243,000, or, if the amendment of the gentleman from Mississippi is adopted, the larger sum, $360,000 plus, and transfer it to the funds which will have to be expended by the military branch of this Government in giving our soldiers proper food, clothing, or shoes, or equipment and not put a burden upon the people of nearly a quarter of a million dollars additional for any such purpose as this, and I think this is a good time for the House to indicate a spirit of economy and for them to be willing to put aside any personal desires to be known as distributors of seed and say to the country that they are willing to forego this congressional seed distribution during this great war. I believe it will meet with general commendation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANDLER of Mississippi. I yield three minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Chairman, I am in favor of the amendment increasing by 50 per cent the amount for garden seed offered by my esteemed colleague, the gentleman from Mississippi [Mr. CANDLER]. Of course, the gentleman from Massachusetts [Mr. WALSH] does not want the people of this country to have enough to eat. He proposes to take this little dab that the farmers have in the way of garden and flower seed and put it into cannon. The gentleman from Massachusetts well knows that you could get but one cannon for this total amount of $243,000. We are now giving to every household in the United States these packages of seeds, and the people plant them in their little back yards and gardens in every town, village, city, and farm of this Republic, and it does more good than any other money that this Congress ever appropriates. The gentleman from Massachusetts says that he never gets any requests for seeds to amount to anything. Perhaps his people live where they do not work, or perhaps his people are living off of somebody else or out of the public crib. [Laughter and applause.]

Every man, I care not what may be his station in life, should be encouraged, especially at this time, to have a little garden. For the money involved, for the exercise it gives a man of sedentary habits—the lawyer, the doctor, the banker, the merchant—every man, not only farmers, really should be encouraged to enjoy raising a garden, to be certain that every home in our land will have plenty of fine fresh vegetables on the dining table. At this time, when food is scarce, every individual of this Republic is encouraged by the Food Administrator to have gardens. Why, last year you saw the propaganda everywhere urging every city of this Republic to plant vegetables on every vacant lot.

Mr. BLANTON. Will the gentleman yield?

Mr. QUIN. I will.

Mr. BLANTON. The gentleman states that these seeds went to every household in our Nation. I would like to ask the gentleman how many lawyers, doctors, bankers, and merchants in his district receive seeds from his office but who have no garden, and who throw them in the wastebasket every year?

Mr. QUIN. I want to say that I have not any type of lawyers and bankers and merchants of that kind. Every lawyer and every banker and merchant in my district, if his name is on the registry list, gets a package of seed from his Congressman. That lawyer or banker or merchant plants those seeds, just like the farmers and laboring people of the towns, and as a rule they have good gardens.

Right down here on the Potomac River we had the Boy Scouts growing corn last year, the finest corn I have ever seen in the North or in the East, 10 feet high, growing ears of corn that almost broke the stalks down, and yet the gentleman from Massachusetts [Mr. WALSH] objects to people having garden seeds with which to plant gardens and raise vegetables.

Why, the garden seeds that I send out, so the people write me, grow tomatoes as big around as horse apples. The finest vegetables seeds that have been sent out in years were those the department furnished us to send out last year, and now the gentleman from Massachusetts seems to think that we should not only not increase the amount by adopting the amendment that the gentleman from Mississippi offers, but should be barred altogether from having a single seed to give the people of this Republic.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. QUIN. Could the gentleman from Mississippi give me two minutes more?

Mr. CANDLER of Mississippi. I yield two minutes to the gentleman.

Mr. QUIN. I thank the gentleman.

All over the United States the cry is going up, "Plant your fence corners in foodstuffs." I take it that every patriotic Congressman in this House feels like encouraging the people to do that thing. Every farm demonstrator is a patriot, and is urging the people on the platform and in his daily contact with them to plant all the food crops possible. And yet the gentleman from Massachusetts wants to take away from the farmers the seed that the Government is sending out.

Mr. WALSH. Will the gentleman yield?

Mr. QUIN. I will.

Mr. WALSH. Are all the farmers in the gentleman's district voters?

Mr. QUIN. Oh, yes; if they want to be.

Mr. BLANTON. Will the gentleman yield?

Mr. QUIN. I can not, my time is limited.

I have not this foreign element that comes over here, a strain of anarchists and loud-mouthed fellows. The people in my district and their ancestors are all full-fledged Americans. The farmers are not aliens or foreigners waiting to be naturalized. They are native-born citizens. Of course, the people in my country are loyal, patriotic American citizens and appreciate what the Government is doing for them.

And I wish to say further, my friends, that the patriotic farmer away back from the railroad, with his house on a hillside, when receiving a package of garden seed from his Government, from his Congressman, realizes that the Government thinks something of him. That man loves his country and is at all times ready to fight for our Nation's flag. The gentleman from Massachusetts proposes to take that man's son, grab him by the nap of the neck and throw him into the Government service by force, and yet he objects to that man receiving a package of free garden seed to plant. [Applause.] I want to encourage the good feeling between the people and the Government, and the more we can encourage the people of this country to plant food crops by distributing free seeds to them the better it is for the Government. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUIN. I thank the gentleman.

The CHAIRMAN. The Chair desires to admonish the gallaries that it is contrary to the rules of the House for the occupants of the gallaries to express either approval or disapproval of remarks made on the floor.

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, I am not opposed to the distribution of seeds. The Agricultural Department is one of the most valuable departments in the Government. The farmer, the tiller of the soil, is the most valuable element of the citizenship of the country, and the Government should be ready to aid him. What I do oppose, however, is the distribution of seed by Members of Congress. I can not for the life of me understand why a Member of Congress should be called upon to do the work of the Department of Agriculture. Members of Congress permit themselves entirely too much to be employed in clerical capacities for their districts. In the past the work of Congress was limited to appropriation bills and to the discussion of two or three fundamental issues relating to the tariff or to reform of the currency. That almost exhausted the legislative work of the House and of the Senate. Recently the scope of national legislation has been widening. Measures calculated to prevent the farmer from sinking into the condition of the farmless tenant have been engrossing the attention of Congress. The farmless

farmer will soon be heard from. Industrial labor will have something to say to us.

With concentration of industry and agriculture, State legislation has been giving way to national legislation.

New problems are pressing upon us. They will become more and more acute. We are in the midst of the greatest crisis of the world. The world is being remade. Instead of applying ourselves to a study of the new forces that have been awakened in the world, we are busy sending franks to the Department of Agriculture for the distribution of seed. It is degrading in another sense. It makes the average man believe that his Member of Congress is doing something for him. The name of the Member appears on the package, and the average man is made to believe that he is the recipient of a special benefit, of a special blessing, coming from the Member of Congress. He is distributing seed. He is distributing favors. He is doing something for which he deserves the special gratitude of his constituents.

I would like to see that provision stricken out. I am with the farmer and for the farmer. He is the most useful man in the world, the most valuable man. I wish the world could have retained that rugged integrity, that honesty, that simplicity of soul that is so characteristic of the man who tills the soil. The world would have been better off. [Applause.]

I am trying to point out to you the necessity of using every moment of our time, of applying ourselves completely, uninterruptedly, to the study of the great problems that are facing the country and facing the world to-day. We can not properly do that if we encourage our constituent to believe that all that he has to expect from us is the distribution of seeds, the distribution of documents, and a lot of other clerical work. We should not be asked to chaperon the individual constituents in the various departments.

I would like to see the provision which relates to the congressional distribution of seeds stricken out. I would vote for any adequate appropriation of money to distribute anything of value to the farmer through the Agricultural Department. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LEVER. Mr. Chairman, I yield one minute to the gentleman from Texas [Mr. BLANTON].

The CHAIRMAN. The gentleman from Texas is recognized for one minute.

Mr. BLANTON. Mr. Chairman, I wanted to devote one minute to asking a question of my friend from Mississippi [Mr. CANDLER]. I would like to ask him if he is willing to incorporate in his amendment a provision that would take the name of every Congressman off the packages of garden seeds and let them be distributed by the Department of Agriculture, where they belong, not to the lawyers, doctors, bankers, and merchants in cities who have no gardens and who do not want them, but to all people alike who have gardens and who do want them, eliminating all political preference to political friends entirely. Is the gentleman willing to incorporate that in his amendment?

Mr. CANDLER of Mississippi. I have had similar questions asked of me a number of times in previous sessions of Congress. I do not care anything about my name being on the package, or the name of any other Member of Congress, and I do not favor distributing them for political preferences. I have always said I prefer to have the seeds distributed by the Members rather than directly by the Department of Agriculture. I favor distributing them to all the people alike. I have always insisted that the seeds should be distributed by Members of Congress to their constituents, because the Members are more familiar with the wants of their constituents than the department could possibly be, and therefore the Members can render their constituents better service, and I feel sure they distribute the seed equitably, and what I want is to give the people the best benefits possible, and I believe it can best be done by that method, and therefore I would not accept such an amendment as the gentleman from Texas suggests.

Mr. BLANTON. Then I am against the gentleman's amendment.

Mr. CANDLER of Mississippi. Would you have favored it otherwise?

Mr. BLANTON. I would be in favor of increasing it $100,000 if the gentleman would adopt my suggestion. I shall give my views on this legislation more in detail later on during this debate.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CANDLER of Mississippi. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MCKINLEY] three minutes.

The CHAIRMAN. The gentleman from Illinois is recognized for three minutes.

Mr. MCKINLEY. Mr. Chairman, last summer, while the industrious House of Representatives had completed all of the bills pending before it and was waiting on the Senate, I used up about a week visiting around Boston, Mass., and vicinity. I found around there rocks and swamps, ammunition factories and shipyards. I can very well appreciate how a Representative from that locality would feel it would be much better for the House to use the $27,000,000 appropriated for the Department of Agriculture and put it into one battleship, because we could kill somebody with that battleship.

Now, out our way we are trying to follow out the recommendations of Mr. Hoover, to teach the people to save and to raise food. Out there in my district there are some 20,000 children between 8 and 12 years old. Mr. Hoover and the Department of Agriculture want those children to be encouraged to cultivate more gardens. Therefore I am sending out the 20,000 packages of seed that will be allotted to me to the children. I am sending with them a pamphlet from the Department of Agriculture, specially prepared, to encourage children to cultivate gardens. I hope and I know that by next year in our district, where we are rapidly increasing in population, there will be 30,000 children who will want these packages to supply 30,000 gardens. Therefore I support the amendment to increase this distribution from 20,000 to 30,000 packages. [Applause.]

I yield back the remainder of my time.

Mr. LEVER. Mr. Chairman, I yield two minutes to the gentleman from Indiana [Mr. ELLIOTT].

The CHAIRMAN. The gentleman from Indiana is recognized for two minutes.

Mr. ELLIOTT. Mr. Chairman, I come from one of the finest agricultural districts in the United States. It is not made up of swamps and rocks and munition factories. The Government has been distributing these garden seeds over that district for the last 25 years, perhaps; and I wish to say this, that out from that great agricultural district I have received less than 50 applications from farmers for these seeds. I have received less than 500 applications from men who work in the factories for these seeds.

Before I left home I talked to the agricultural agent in my county, and asked him if he would not take off my hands the matter of distributing these seeds. He said, "No; I do not want to have anything to do with them. They are a fraud and a humbug, and I do not want to get into trouble with the farmers of this county by having to distribute those seeds among them."

I am not opposed to the Government furnishing free seeds to the poor people in any part of this country if it is necessary in order to enable them to have gardens, but I am opposed to this political propaganda of scattering bunches of seed all over this country under congressional frank for whatever political benefit may come from it to the man who sends them. I am therefore in favor of voting to strike out that part of this bill which appropriates for seeds nearly a quarter of a million dollars of the people's money that can be better used for some other purpose in this war. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANDLER of Mississippi. Mr. Chairman, I yield to the gentleman from North Carolina [Mr. DOUGHTON] three minutes.

The CHAIRMAN. The gentleman from North Carolina is recognized for three minutes.

Mr. DOUGHTON. Mr. Chairman, I shall heartily support the amendment of the gentleman from Mississippi [Mr. CANDLER] to increase this appropriation for the purpose of extending the work of the distribution of field seeds for the benefit of the agricultural interests of our country.

I have taken a good deal of pains and trouble to ascertain whether or not this appropriation in the past has been worth while, and whether or not it really brings to the country as a whole beneficial results; and my experience in my own district is that the people have been benefited, and that they would be greatly disappointed and feel themselves injured if this small allowance of field seeds were withheld from them.

Now the argument seems to be advanced by some Members on the floor of this House that it is all right to distribute the seeds, but that the method is all wrong, and that we are resorting to political methods and using this as a means of political advertisement. Mr. Chairman, I am not disposed to quibble or debate as to the method. If some more satisfactory and beneficial method can be devised I am entirely willing to support that; but in the absence of some more feasible and successful method I think we had better adhere to the present plan. I have sent seeds to every citizen in my district, and in so doing I find that every year I overdraw my allowance of field seeds and must hustle around and see if I can find enough to supply all.

I do not make it a political matter at all. I get a list of all voters, Democrats and Republicans alike, and of widows and of those who have not reached their majority, and I endeavor to distribute these seeds like the rain from heaven to Democrats and Republicans, the just as well as unjust, if there be any of the latter. [Laughter.] My friends all pay taxes similarly and should all receive the same benefits from the Government. At this time when the price of living is so high and foodstuffs are so scarce, and there is a tremendous propaganda conducted by the Agricultural Department and by the other departments of our Government to encourage our people to increase the production of foodstuffs, I think it is rather too small a policy for us to deny to the farmers this infinitesimal appropriation or try to cut it off or to fail to increase it, so that the farmer may be benefited and the opportunity be given to increase the supply of foodstuffs and reduce the cost of living.

There was a time, perhaps, when the Department of Agriculture paid little attention to the selection of vegetable and other seeds to be distributed among the people of the country. But that time has passed. I have discussed with the authorities at the Agricultural Department, and they inform me that great care and pains are exercised in the selection of these seeds, and that none but the best are distributed. Frequent letters received from my constituents bear me out in this statement that these seeds are not only appreciated in most instances but are expected and result in a lot of benefit to the people as a whole. Of course, there are some that do not care to have them and feel that it is money thrown away. But I doubt if the Government makes a single appropriation of similar amount which results in greater benefits, that is more evenly distributed to all the people than this small appropriation.

During the Sixty-second, Sixty-third, and Sixty-fourth Congresses more legislation was enacted for the benefit of agriculture than had previously been done perhaps in 50 years. The legislation making Federal aid to the construction of public roads, the farm-loan act, the Federal reserve law, and many more too numerous to mention have given the farmer recognition and opportunity that he had never been accorded before. Are we now during this Congress, when the world demand for production of foodstuffs is the greatest ever known since the beginning of time, to do anything that would manifest a lack of appreciation to the agricultural class? Instead of denying or curtailing this appropriation we should increase it, as this amendment proposes to do, and by this means contribute at least in a small way to increase the production of food for the benefit of ourselves and our allies to reduction in some measure of the high cost of living and to the contentment and welfare of humanity. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Mississippi [Mr. CANDLER] has two minutes and the gentleman from South Carolina [Mr. LEVER] two minutes. If they do not desire to use it, the Chair will put the question.

Mr. LEVER. I yield one minute to the gentleman from Michigan [Mr. MCLAUGHLIN].

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I am willing to vote for the appropriation carried in the bill, although at some times and under different conditions than those now existing I have been in favor of striking it out. I think, however, the amount is enough and that the amendment offered by the gentleman from Mississippi to increase the appropriation largely ought not to be adopted.

Mr. LEVER. I ask the gentleman from Mississippi to consume his time. I have only one speech.

Mr. CANDLER of Mississippi. Mr. Chairman, I shall take my remaining two minutes merely to emphasize and call attention to what is involved, because quite a number of members have come in since the discussion began and some have come to me and asked what is involved. The sole question involved in this amendment is whether or not you will increase the appropriation for this purpose 50 per cent. If you do so, then, of course, the quantity of seed which will be distributed next year will be increased 50 per cent over what it is this year. If you were allotted 20,000 packages this year, if the price remains the same, next year there will be 30,000 packages allotted to you for distribution. The gentleman from Massachusetts [Mr. WALSH] says turn this money over to the military department of the Government. I am willing to vote for every dollar the military department needs, but the military department do not need money. They have plenty of money. There is no difficulty about that. They have money for every purpose that they can usefully apply it to. Now, to this immediate question under consideration. Take the one item of the velvet bean. Nobody knew anything about that. It was discovered and put into circulation and distribution through Members of Congress by the Department of Agriculture, and it has proven to be a great source of food supply throughout the country, and by reason of its use in feeding it the people are enabled to increase their meat supply to a marvelous extent. That is simply an illustration. Here is another. Listen to this letter:

Hon. E. S. CANDLER,
Washington, D. C.:

MY DEAR MR. CANDLER: Last winter while I was in Washington you told me of the success of a friend of yours with a new variety of sorghum, the seed of which you sent from the Department of Agriculture. At my request you had a small bag of these seed sent to me. Enough to plant, with care, about 1 acre. I divided them among several friends—planting about one-fifth acre myself. The result was most gratifying. In spite of an excessive local drouth the result on all plots was extremely satisfactory. The yield was 120 to 260 gallons per acre—fully double the local average of other sorghums. Quality of sirup the very finest. General report is that as a food it is splendidly digestible—much more so than is the sirup of ribbon cane. I find the flavor most attractive. Like it as well as I do the good sirup of ribbon cane.

The cane headed out well, but the extreme drouth prevented maturing of seed. For this reason we have none. So I am asking you to have sent to me a full-size package of the seed, Honey Sargo. If permissible—as I wish to divide with neighbors—would like to have two packages. Be sure it is Honey Sargo.

There is a general clamor for Government seed. Our people are learning that these Government garden seed are the very best.

[Applause.]

I might use many others to show how the production of food in this country has been increased in this way. And while the President of the United States, the Food Administrator, and everybody down along the line are calling upon the people throughout this country to be patriotic and increase the production of food, to use every bit of ground that is possible, to utilize the back yards and front yards, the vacant lots, and every available space in order to increase food production, it is a poor policy to turn around and say to the people you will not allow the seeds to plant the available ground to bring about the increased production so necessary. [Applause.]

Mr. LEVER. I yield a minute of my time to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, there are two items in this bill in respect to the distribution of seeds. One is for rare and valuable field seeds. The other is for the ordinary congressional distribution of garden and flower seeds. I am in favor of the distribution of the rare and new varieties of field seeds. Those are needed by the farmers and are very valuable. The ordinary garden seeds and flower seeds which we distribute are of such a quality as the ordinary farmer can buy at any country store. We are not sending to the farmers something that they can not buy or can not get conveniently. I find in my district a very great demand, a real demand for new varieties of field seeds. The farmers in my district are anixous to try out and introduce into their localities new kinds of crops, better crops, better varieties of seeds. There is a real demand for them, and I think all of this money ought to be used for the new varieties of field seeds. It would not be too much money to spend in that way. I regard the money spent for flower seeds and garden seeds as largely wasted, and I believe that is the view of most of those who live in my congressional district. That is true to such an extent that I sometimes hesitate to send out the seeds. I have made the distributions in the past upon the theory that after having been voted by Congress the people of my district have a right to their share even if they are of little value. But, gentlemen, do you not think this practice ought to be stopped? It can not be defended. It is not necessary. It does not improve agriculture in any way, and I do not believe it reflects any credit upon Congress.

Mr. Chairman, if those here to-day, evidently in the majority, desire to distribute seed, why not let it be a quality of field seeds such as the farmers can not buy in the ordinary markets or some rare or new variety of seeds. A good example is Durum wheat, which the Government introduced into this country and distributed among farmers to be tried out. It has been a wonderful success. Some years it has sold for better prices than the old varieties, and it has resisted plant diseases better than most of the other varieties of wheat. That is the kind of intelligent selection and distribution of seeds which is helpful to the grain raisers, and if followed to the exclusion of the cheap, ordinary varieties of garden seeds will reflect credit upon Congress. I appeal to you, gentlemen, to eliminate this wasteful appropriation. I hope the motion to strike out will prevail.

The CHAIRMAN. The gentleman from Mississippi [Mr. CANDLER] moves to perfect the text by increasing the amount of the appropriation, and the gentleman from Massachusetts [Mr. WALSH] moves to strike out the paragraph. The amendment to perfect the text must first be voted on.

The question was taken; and on a division there were—ayes 65, noes 37.

Accordingly the amendment of Mr. CANDLER of Mississippi was agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from Massachusetts [Mr. WALSH] to strike out the paragraph.

The question being taken, on a division (demanded by Mr. WALSH) there were—ayes 26, noes 75.

Accordingly the motion was rejected.

The Clerk read as follows:

General expenses, Forest Service: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building erected shall not exceed $650; to pay all expenses necessary to protect, administer, and improve the national forests; to ascertain the natural conditions upon and utilize the national forests; and the Secretary of Agriculture may, in his discretion, permit timber and other forest products cut or removed from the national forests to be exported from the State or Territory in which said forests are respectively situated; to transport and care for fish and game supplied to stock the national forests or the waters therein; to employ agents, clerks, assistants, and other labor required in practical forestry and in the administration of national forests in the city of Washington and elsewhere; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service; to purchase necessary supplies, apparatus, and office fixtures, and technical books and technical journals for officers of the Forest Service stationed outside of Washington, and for medical supplies and services and other assistance necessary for immediate relief for artisans, laborers, and other employees engaged in any hazardous work under the Forest Service; to pay freight, express, telephone, and telegraph charges; for electric light and power, fuel, gas, ice, washing towels, and official traveling and other necessary expenses, including traveling expenses for legal and fiscal officers while performing Forest Service work; and for rent outside of the District of Columbia, as follows:

Mr. LEVER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Carolina.

The Clerk read as follows:

Committee amendment: Page 33, line 25, after the word "relief," strike out the word "for" and insert in lieu thereof the word "of."

The amendment was agreed to.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee a question. I notice that in this paragraph there is provision for the transportation and care of fish and game supplied to stock the national forests or the waters therein. I desire to ask where that fish is procured, whether from the National Bureau of Fisheries or from other sources, and if from the Federal commission or bureau, why it is necessary to provide for the care of its transportation.

Mr. LEVER. Without having the specific information at hand, I should say that it refers to the fish and game of the national forests.

Mr. WALSH. That is separate and distinct from the Bureau of Fisheries?

Mr. LEVER. Yes.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last two words. I want to call the attention of the chairman of this committee to the situation in the law that interferes with the procuring of timber by the military arm of the United States, which it needs badly for aeroplane stock from the forest reserves. I want to say that after some effort on my part to straighten out the confusion the Secretary of Agriculture and the Bureau of Forestry have looked into the matter, and at my request there has been prepared an amendment to amend the law passed in the Fifty-sixth Congress by which timber can not be sold until advertisements for bids are made 30 days ahead of the sale. It is proposed to let sales for war uses be made without advertising. I shall have a copy of the amendment in a few moments. I am not certain to which section it ought to be offered. I rise to ask that we proceed with the bill with the privilege of returning to any section dealing with the Forest Service to which the amendment may be germane for the purpose of offering that amendment.

Mr. LEVER. Mr. Chairman, I am familiar with the matter mentioned by the gentleman from Washington, and I have no objection to it.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that we proceed with the reading of the bill, with the privilege of returning to the forest-reserve sections to offer an amendment.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to return to any section pertaining to the Forest Service in the bill for the purpose of offering amendment. Is there objection?

There was no objection.

The Clerk read as follows:

Olympic National Forest, Wash., $16,598.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. I would like to ask how this appropriation for the Olympic National Forest, Wash., $16,598, compares with the appropriation of the preceding year. Has it come down any?

Mr. LEVER. It is exactly the same.

Mr. JOHNSON of Washington. Are most of these forest-reserve appropriations in the bill about the same as they were last year?

Mr. LEVER. Yes; about the same.

Mr. JOHNSON of Washington. Any new forest reserves been created?

Mr. LEVER. No.

Mr. JOHNSON of Washington. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Umpqua National Forest, Oreg., $10,109.

Mr. FESS. Mr. Chairman, I move to strike out the last word in order to ask the chairman a question. Can the chairman give any definite information as to the ability of these forest reserves to be self-supporting?

Mr. LEVER. I should be glad to furnish the information to the gentleman and the House. The past fiscal year the receipts from the national forests amounted in the total to $3,457,000, an increase of $633,000 over the present fiscal year. This increase was $265,000 from timber sales, $339,000 from the grazing receipts, and $29,000 from other miscellaneous sources, like the sale of wood and things of that kind. The total cost of administering, normally, the forest reserves is about $4,000,000, so that the receipts and the cost of administration are coming pretty close together; $3,450,000 in the way of receipts as against $4,000,000 in the way of expenditure.

Mr. FESS. If we go back for a period of years has the cost of administration increased with the years?

Mr. LEVER. If we go back a long period that is true, but for the last three or four years the cost of administering the forest reserves is about the same, a little decrease in this bill.

Mr. FESS. But the revenue has increased?

Mr. LEVER. Slowly and steadily increased.

Mr. FESS. Then we may infer that ultimately the forest reserves will be a source of income to the Government?

Mr. LEVER. I see no reason why it should not become a source of income to the Government.

Mr. FESS. I asked the question purely as a matter of information. I wanted to know whether or not there is a possibility in the near future of this particular agency becoming productive financially.

Mr. LEVER. I do not think there is any question but that the forests can be made self-sustaining under normal conditions.

Mr. FESS. I might say to the chairman that on a trip West I visited the national park at Tacoma, the Ranier Reservation, and it was a great eye opener, having lived in the country and knowing something about wood and timber. I could not imagine the possibilities of the forest and timber in such a place as that. It is incredible to one who had never seen anything of that sort. I was wondering whether such possibilities were outside of a few of these national parks.

Mr. LEVER. There is an immense amount of timber in the national forests, and I am satisfied that the Forestry Service could be made self-sustaining in a very short time if the cutting of the timber should be speeded up.

Mr. FESS. Is any of this appropriation expended in road building?

Mr. LEVER. Yes; we carry an item of $400,000 further on in the bill for the improvement of the national forests, and out of that we build some roads.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. JOHNSON of Washington. The gentleman spoke about the normal expenses being about so much. Did the gentleman mean that the expense had been increased in the last year or two?

Mr. LEVER. No; I do not think the Forest Service expenses have been increased, except, probably, very little in the last five or six years.

Mr. JOHNSON of Washington. The gentleman from Ohio, Mr. FESS, saw the big timber on the Rainier Forest Reserve, but he must realize that if the Government should start in on a policy of cutting and selling that timber in great quantities, in order to make the Forest Service pay, it would ruin the

timber business in the State in which the reserve is located. In other words, when you put private timber owners into competition with the great timber on these reserves both sides are going to suffer.

Mr. LEVER. I will say to the gentleman from Washington that I think the policy pursued by the Government heretofore in timber cutting has been safe and sane.

Mr. JOHNSON of Washington. We in the West agree to that; the Government has pursued a policy of not ruining the industry, and at the same time has made the Government prices act as a regulator of the market. Of course, for a number of years, until 20 months or so ago, the bottom was out of timber, and all prices were at the lowest possible level. But whether timber is high or low, people in the Middle West—people in Nebraska, for instance—never can understand why rough lumber costs them $40 to $45 a thousand feet—never less and frequently more. They believe somebody is making an enormous profit at the tree; but when the people in Nebraska are paying $40 to $45 a thousand feet for rough lumber, the man who has bought the tree from the man who felled it, has sawed it up at the mill, gets only $7 or $8 or $9 a thousand feet, so he is not making any great profit.

Mr. FESS. Does the country suffer any great loss from forest fires, or has it in the last few years?

Mr. LEVER. In 1910 we had a terrifically destructive forest fire, which destroyed property valued, if my recollection serves me right, at about $25,000,000. This past year we had another rather destructive forest fire, but on account of the increased efficiency of the Forest Service, while they had a larger number of outbreaks than they had in 1910, probably 500, they held the losses down to very much less than they were in 1910. They created a deficit this year of $775,000 for fighting fires that occurred. We carry an appropriation of only $150,000 for that purpose. It was necessary for them to create a deficit, and they have that matter now before the Committee on Appropriations.

Mr. FESS. Are we supporting any school as a Government school for the training of forest rangers to fight fires?

Mr. LEVER. No.

Mr. FESS. I think some States are. Pennsylvania, I believe, has a school devoted entirely to that work.

Mr. LEVER. A patriotic Frenchman was conducting some years ago a forest school at Asheville, N. C., but I am not sure whether he is continuing to do that now or not.

Mr. FESS. The danger from forest fires is imminent. I should judge, and is the Government taking any additional steps which we have not heretofore taken?

Mr. LEVER. Yes; we are providing in this bill a little different system of employing fire fighters. Heretofore we have employed only two classes of forest rangers, one a year-long forest ranger and the other a six-months-long forest ranger. We are proposing to reduce the number of year-long forest rangers and increase the number of six-months forest rangers, and, in addition to that, provide for a three-months forest ranger, so that we can have the longest body of men at the critical seasons of the year, when fires are most likely to occur.

Mr. FESS. What about this range along the Adirondacks? Are we continuing operations there?

Mr. LEVER. Oh, yes; last year, the gentleman will remember, we carried in this bill, and it became a law, $3,000,000 in addition to the original amount carried in the Weeks Act of $10,000,000.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For investigations of methods for wood distillation and for the preservative treatment of timber, for timber testing, and the testing of such woods as may require test to ascertain if they be suitable for making paper, for investigations and tests within the United States of foreign woods of commercial importance to industries in the United States, and for other investigations and experiments to promote economy in the use of forest products, and for commercial demonstrations of improved methods or processes, in cooperation with individuals and companies, $173,260.

Mr. WALSH. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question as to how extensive these tests and investigations have been with reference to finding suitable material for making paper from these wood or timber products.

Mr. LEVER. The work at the Madison laboratory at this time is being concentrated very largely on the proposition of testing timber for the uses in the Army. For example, they are testing spruce now for use in the building of aeroplanes, and they are testing other woods for wagons and other purposes that the Army needs. The work is being concentrated along that line. Heretofore, however, extensive experiments and investigations have been made at this laboratory with a view of finding whether we have any timber available out of which we could get print paper, and while we have no definite report this year about it, except in the report of the Forest Service, I think it is safe to say that they have made some headway and have developed some rather interesting results.

Mr. WALSH. Where did the gentleman say this laboratory is located?

Mr. LEVER. At Madison, Wis.

Mr. WALSH. How long have these investigations been going on?

Mr. LEVER. This work has been going on, I should say, 12 years at least—a good long while.

Mr. WALSH. And during all of that time they have not yet discovered whether some timber products are available for paper?

Mr. LEVER. I think they have, as a matter of fact.

Mr. JOHNSON of Washington. Mr. Chairman, if the gentleman will permit, the school has done a great service in testing the strength of woods and developing by-products of wood, and in the making of wood flour for use in linoleum, and a thousand different things.

Mr. LEVER. Oh, yes.

Mr. WALSH. My inquiry went to the making of paper. I wanted to ascertain what has been accomplished during this period in ascertaining the suitability of timber products for the making of paper.

Mr. LEVER. I think I can say that the results have been both positive and negative. In other words, they have developed that a great many woods that we thought were valuable for the making of print paper and other kinds of paper were not so, and they have had some positive results also which they have given to the trade, of course.

Mr. FESS. What proportion—or can the gentleman give the figures—of the wood that we use for wood-pulp purposes is imported into the country?

Mr. LEVER. I could not give the exact figures, but I know it is a very large proportion.

Mr. FESS. In proportion, is it larger than that which we use at home?

Mr. LEVER. That would be my recollection; but it is only a recollection that I am giving the gentleman.

The Clerk read as follows:

For silvicultural, dendrological, and other experiments and investigations independently or in cooperation with other branches of the Federal Government, with States and with individuals, to determine the best methods for the conservative management of forests and forest lands, $78,728;

Mr. WALSH. Mr. Chairman, I move to strike out the last word, and I may be pardoned for asking this question of the chairman of the committee, coming from a region of rocks and swamps. Will the gentleman tell me what these silvicultural and dendrological experiments are? Of what do they consist?

Mr. LEVER. The silvicultural work has to do with the study of the tree itself as it stands in the forest. The dendrological study is a study, as I understand the word, of the life and history of the tree.

Mr. WALSH. And how is that distinguished from arboriculture?

Mr. LEVER. Arboriculture is the study of the cultivation of trees and shrubs.

Mr. WALSH. But it has to do with a tree, grown either in the forest or as an individual specimen?

Mr. LEVER. Yes.

Mr. WALSH. I withdraw the pro forma amendment.

The Clerk read as follows:

In all, for general expenses, $3,247,935.

Mr. JOHNSON of Washington. Mr. Chairman, the amendment which I referred to a few moments ago I have, and I believe this is the best place to insert the same. After line 11, insert a new paragraph to read as follows.

Mr. LEVER. What page?

Mr. JOHNSON of Washington. Page 45.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 45, after line 11, insert as a new paragraph the following: "And hereafter during the existing state of war the Secretary of Agriculture is authorized to sell without advertisement to any individual, firm, association, or corporation at a fair value to be determined by him, national forest timber which he shall find is to be used for war purposes, and he is also authorized, under regulations to be prescribed by him, to permit the War Department to take from the national forests such timber as may be needed in the prosecution of the war. The Secretary of War, under regulations to be prescribed by him, is hereby authorized to sell, or otherwise dispose of, any of the material manufactured from such timber that is not suitable for war purposes. Any moneys received on account of such material shall be deposited in the Treasury as miscellaneous receipts."

Mr. LEVER. Mr. Chairman, I reserve a point of order on the amendment.

Mr. JOHNSON of Washington. Mr. Chairman, the amendment is twofold in its purposes. First, it permits the sale of spruce timber at a price without the customary 30-day advertisement for bidders.

There is urgent need of legislation which will authorize the sale of national forest timber, to be used for war purposes, at its appraised value, but without advertisement. The War Department is urging the production of spruce aeroplane stock in every possible way. Some contractors wish to cut timber on the national forests and are ready to pay the appraised stumpage values but hesitate to cut or to get ready to cut during the 30-day period of advertising, since others may submit higher bids for the timber. The result is that very valuable time is lost and the production of spruce is hampered.

The effect of such legislation would not be to reduce the receipts from the sale of timber appreciably. The War Department has fixed the price for spruce logs. In all forest-reserve timber sales competition actually develops in only a very small proportion of the sales, in spite of wide advertisement. Forest Service appraisals are very detailed and usually fix prices as high as the ordinary prudent business man can afford to pay.

Mr. Chairman, the other phase of the amendment permits the War Department to go into the forest reserves and get the timber that it needs.

The need for legislation authorizing the granting of timber free to the War Department during the period of the war also arises chiefly in connection with the production of spruce for aeroplane construction. The War Department lets some contracts for spruce aeroplane material on a cost plus percentage basis. If the contractor has to buy stumpage, it appears as a cost in his accounts and he receives a profit on it. Similar provisions of law already exist authorizing free use of timber on the national forests for the Navy Department, the Alaskan Engineering Commission, and the Reclamation Service.

If the authority is granted, the Government will make a direct saving in the case of contracts let on a cost plus percentage basis in that stumpage will not appear as a cost. Even more important at this time will be the saving in time and the encouragement to contractors to begin operations promptly. Small operators especially will be relieved of the necessity for paying for stumpage in advance of receiving payment for their product. The present situation is embarrassing to the forest officers, who are anxious to have the resources of the national forests used to the fullest extent in connection with the war activities of the Nation.

Mr. HAUGEN. Will the gentleman yield?

Mr. JOHNSON of Washington. I will.

Mr. HAUGEN. The cost will be the same whether you buy it in the stumpage or not.

Mr. JOHNSON of Washington. Well, I do not know about that.

Mr. HAUGEN. If you pay more for the finished product, of course, the receipts for the raw product are going back to the Treasury.

Mr. JOHNSON of Washington. Yes.

Mr. HAUGEN. And in the end the cost will be exactly the same. Now, it seems to me the language proposed here is broad language which gives power for the wholesale disposal of this valuable timber and only 30 days' time can be gained.

Mr. JOHNSON of Washington. Yet that time is exceedingly valuable. Now, let me explain to the gentleman what has happened in reference to spruce timber. The Government here in the last month made a contract with the Grant Smith Co., a nationally known firm of contractors, for the delivery of 5,000,000 feet of spruce a month, and the company went at once to the southwestern Washington district and tried to find that spruce. They went south from Grays Harbor, the spruce-belt center, to the North River country and found plenty of spruce there, about one tree in every five being valuable for aeroplane stock, and even these suitable trees are not all accessible. This big firm now admits that it has a very hard contract. The trees are there. It costs money to fell them. When one falls into a ravine it can not be drawn from there except with a donkey engine, and this work does not permit the putting in of heavy logging machinery to get out the spruce trees alone. Now, I want to say to the gentleman this amendment has the approval of the Agricultural Department. It resulted from an effort to coordinate the War Department and the Agricultural Department.

The same difficulty existed in trying to coordinate the Indian Commissioner's Office of the Interior Department and the War Department. Last week the House corrected that. Anyone who has had experience in trying to get these things the War Department needs from other departments will discover in a minute that the difficulty is to get the departments to a point where they will agree on what should be done. This amendment comes from the office of the Secretary of Agriculture and is the result of much effort to find some way by which the United States Government, for war purposes, can get out of the great spruce belt in my district twice as much spruce as is now in sight for aeroplane stock.

The CHAIRMAN (Mr. MAYS in the chair). The time of the gentleman has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Washington asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. HAUGEN. Will the gentleman yield?

Mr. JOHNSON of Washington. Certainly.

Mr. HAUGEN. I take it that much of the timber is sold above the appraised value?

Mr. JOHNSON of Washington. Yes.

Mr. HAUGEN. The proposition provides for the selling of the timber at the appraised value?

Mr. JOHNSON of Washington. But the Forestry Service follows the War Department's price in this case. Spruce is selling for $7.50 a thousand feet in the tree. The price of spruce stumpage has ranged around $2 and $2.50 in years past.

Mr. HAUGEN. Is $2.50 the appraised value?

Mr. JOHNSON of Washington. I think about that; or, say, $3 a thousand. In normal years forestry sale of timber is made on an appraised valuation that runs with the valuation of stumpage in private hands in that section.

Mr. HAUGEN. As I understand the gentleman, this would leave it entirely to the discretion of the forester to determine the price?

Mr. JOHNSON of Washington. In the case of a war emergency.

Mr. HAUGEN. It must be not less than the appraised value?

Mr. JOHNSON of Washington. Absolutely. The timber that is wanted now is many times its normal commercial price.

Mr. HAUGEN. With the appraised price of $2 or $2.50 and the selling price at $7.50, it leaves open the door at $2.50 instead of $7.50.

Mr. JOHNSON of Washington. The War Department has fixed the price at $7.50 for spruce.

Mr. HAUGEN. Suppose it would be fixed at $2.50 and it would sell at $2.50, the Forest Department would be a loser to the extent of $5?

Mr. JOHNSON of Washington. Before the United States went into the war the British Government and the French Government scoured that country for spruce and paid a tremendous price for it, far in excess of what our War Department is now paying. The present regulated price is the result of an understanding between ourselves and our allies as to the price of sawed and rived spruce. In the meantime, spruce trees available for aeroplane stock, and within the reach of transportation, have been very largely collected.

Mr. LEVER. Let me ask the gentleman from Washington if the statement he is reading from is a letter from the Secretary of Agriculture?

Mr. JOHNSON of Washington. No; this is a memorandum only. I have a statement of indorsement from the Bureau of Forestry, however, along the same line. The Agricultural Department, the War Department, and the Forestry Bureau, all are anxious that crews of men should go into the timber and rive spruce; that is, hand-hew it. This amendment came from the office of the Acting Forester, who caused it to be drafted after I had appealed to him for an amendment that would cut the Gordian knot, so that the War Department could secure from the Agricultural Department the spruce that is needed to make the aeroplanes this Congress has authorized.

Mr. STAFFORD. Mr. Chairman, no one, I take it, from the remarks of the gentleman from Washington and the observations of the gentleman from Iowa, takes issue with that provision which relates to allowing the War Department to go into our national forests and cut down any trees they may see fit to do, but there may be a serious question as to whether we should grant authority to the Secretary of Agriculture to allow private contractors to go there and obtain timber at the appraised value, merely to gain 30 days. They have the privilege to-day, as I understand it, or, rather, the Secretary of the Interior has the privilege to-day, of waiving that 30-day requirement, subject to the condition that if any person in the 30-day period bids more, the private contractor should pay that additional price.

Mr. JOHNSON of Washington. Yes.

Mr. STAFFORD. Now, we have large contractors with Government contracts on hand. They have estimated what the cost of the raw material will be under existing conditions. They have taken that into consideration that other bidders might raise the price of the timber, and yet we are waiving that absolutely and giving them that profit.

Mr. JOHNSON of Washington. No; we are not.

Mr. STAFFORD. No one here desires to place any obstacle in the way of the War Department or even of private contractors getting the necessary material for construction work necessary for war purposes. And yet, here the gentleman springs a proposition that even has not the recommendation of the Secretary of Agriculture, but merely prepared by the Forestry Bureau.

Mr. JOHNSON of Washington. I think the amendment was prepared in the legal department of the Department of Agriculture.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. The intimation is made that there might be some additional profit made by some contractor, which is not the case at all. The gentleman must understand that after the United States joined with its allies in the handling of spruce stock—that is, the spruce brought down to the mill—the Government fixed the price for sawed spruce at $110 per thousand feet, and for rived spruce $90 a thousand, with a bonus of $40 if it could be produced by the 31st day of January, and a $30 bonus if it was produced after the 1st day of January, and before a certain later date. Now, the Government is not only paying that great price but paying bonuses, and still they can not get enough crews to go far into the woods and bring out the spruce, of which the War Department has announced that it and our allies need a hundred million feet at once.

Mr. STAFFORD. But nothing has been shown by the gentleman to prove that they are meeting obstacles by reason of the 30-day provision.

Mr. JOHNSON of Washington. Yes; except this: "Thirty days" does not sound serious, but anybody who ever tries to cut any red tape usually finds that "30 days" quickly runs into 130 days. It took a year and a half to get at the cutting of spruce out there on the Indian reservations.

Mr. STAFFORD. But the law allows the Secretary to waive that 30-day requirement; but the contractor must do it subject to the condition that if anyone bids more, he must pay that price.

Mr. JOHNSON of Washington. When I asked the Forest Service to make such a waiver, they were rather afraid it could not be effective even if they had the authority. When the contractors are asking to be allowed to go and get this timber, they are suspicious lest, before they have completed their contract at this already high price of spruce, somebody else would step in and bid for spruce at a still higher price—at which the latest bidder might never deliver—and it would embarrass them. The real price will be the War Department's price, bid or no bid. I hope the gentleman will withdraw his objection.

Mr. STAFFORD. I have no objection to the proposition of vesting the War Department with power to go into the national forests and take all the timber it sees fit for war purposes, but the other proposition is, in my opinion, open to serious objection.

Mr. JOHNSON of Washington. Here is the Federal Government owning in the Olympic Peninsula millions upon millions of spruce timber, but very little of it, of course, is available on account of lack of transportation. Here is the War Department of the Government clamoring for spruce and offering a bonus to get spruce within a few days, and here is the Agricultural Department willing and anxious to help the War Department, but afraid to cut the red tape without an act of Congress. I hope the Congress will come to the rescue. This applies to the period of the war only.

Mr. HAUGEN. Is a price set on it?

Mr. JOHNSON of Washington. Yes. When the War Department says $7.50 for stumpage, that will be the price agreed upon. That price is high, but it may be higher. A crew of 10 men can go in and find half a dozen of these trees, fell them, rive out the pieces, and drag them out, and get them to a road somewhere and bring them to tidewater.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. LEVER. I suggest to the gentleman from Washington that he permit this amendment to go over, so that we can have opportunity to examine it.

Mr. JOHNSON of Washington. I will agree to that.

Mr. LEVER. I ask unanimous consent, Mr. Chairman, that this amendment be passed over without prejudice, and that we may return to it later, with a point of order pending against it.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that this amendment be passed over temporarily without prejudice, still reserving a point of order upon it. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

And hereafter, in lieu of actual transportation expenses, the Secretary of Agriculture may, under such regulations as he may prescribe, authorize the payment of not to exceed 2 cents per mile for a motorcycle or 6 cents per mile for an automobile used for necessary travel on official business in the Forest Service.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. Mr. Chairman, this is a new provision of law. It is also something novel in the history of legislation, providing for allowances for the use of automobiles. I assume that the committee has in mind compensating those connected with the Forest Service who happen to own an automobile or a motorcycle by giving them an allowance at the rate of 2 cents a mile for a motorcycle and 6 cents per mile for the use of an automobile when used on necessary travel in connection with official business. Will the chairman advise us as to what investigation was had as to the rate determined in this item, and whether this was recommended by the department?

Mr. LEVER. Yes; this item was recommended by the department and submitted in the Book of Estimates. It is now costing the Forest Service something like $32,000 a year for automobile service. They figure that with this authority submitted here—2 cents a mile for motorcycles and 6 cents a mile for automobiles—they could make a very distinct saving in the amount of money expended for travel in the national forests. The committee looked into the matter carefully—for instance, into the question of 6 cents a mile—and considered whether that was reasonable or not. While I do not own an automobile myself, members of the committee do own them, and I think they all agree that that is a very reasonable charge, and that is also true as to motorcycles.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. McLAUGHLIN of Michigan. Would it not be well to limit this by some such language as this, that "motorcycles and automobiles which have been furnished and the maintenance of which is paid by the Federal Government ought not to be included" in this? Some of these machines are supplied by the Government, and money is supplied for their upkeep. Now, the use of those ought not to be paid for in this way, it seems to me, by the Federal Government.

Mr. STAFFORD. Mr. Chairman, when I first read this paragraph I assumed that it related only to an allowance to those in the Government service who owned in their own right an automobile.

Mr. LEVER. That was certainly the idea of the committee, and then I think——

Mr. STAFFORD. There may be some strength in the position of the gentleman from Michigan [Mr. McLAUGHLIN] that it should be qualified so as to apply expressly only to those that are privately owned by Government employees.

Mr. McLAUGHLIN of Michigan. If the gentleman will permit me further, I think I am right in the impression that some of these machines are owned privately and some are furnished by the Government, and the cost of the upkeep is paid by the department out of money recommended by this committee.

Mr. LEVER. As a matter of fact, the Forest Service owns quite a number of automobiles, but it never occurred to me, nor, I think, to the committee, that this would authorize the department——

Mr. McLAUGHLIN of Michigan. The chairman will recall that when the language came from the department it did not contain the words on lines 13 and 14, "under such regulations as may be prescribed." I offered that amendment, and it was adopted by the committee, and I had in mind the control of just such a situation. But it occurs to me now that there is not enough to that language. It is not specific enough.

Mr. LEVER. I wish the gentleman would offer an amendment to make it entirely specific.

Mr. McLAUGHLIN of Michigan. In case the officer or employee furnishes his own machine and pays for its upkeep, there is good reason for this provision.

Mr. LEVER. Yes.

Mr. McLAUGHLIN of Michigan. But in case the department owns the machine and pays for its upkeep, the person who operates it should not in addition to his salary be paid for running it or be compensated by the mile for the travel he makes in it.

Mr. LEVER. Oh, undoubtedly not; and if this language is not strong enough to provide against it, if the gentleman will frame an amendment to cover it, I shall have no objection to it.

Mr. STAFFORD. I understand that under the existing practice those connected with the Forest Service who own automobiles or motor cycles and use them in the discharge of their official duties receive nothing in the way of transportation expenses?

Mr. LEVER. That is true. There is no provision by which the owner of an automobile using it even on official business for the department can now receive reimbursement.

Mr. STAFFORD. Then, on what basis did the department estimate that $32,000 would be saved if this language was incorporated in the law?

Mr. LEVER. The department do not estimate that they will save $32,000. They estimate that it is now costing the Forest Service for its automobiles and motor cycles $32,000 a year. They estimate that there will be some saving, just how much I do not recall.

Mr. STAFFORD. Can the gentleman inform the committee who bears the expense of the upkeep of the horses that are used by the rangers in the Forest Service?

Mr. LEVER. That question has been asked by the committee. I will say offhand—if I am not correct, I will correct it in my printed remarks—that the ranger himself pays that expense. I think that was the testimony before the committee a year or so ago.

Mr. STAFFORD. That was my impression—that the rangers and assistant rangers pay for the upkeep of their horses.

Mr. LEVER. That is my recollection.

Mr. STAFFORD. If that is the case, we are making an exception in providing for the upkeep of automobiles in the Forest Service while not providing for the horses of the rangers and assistant rangers who use steeds.

Mr. LEVER. I may be mistaken about that. I will find out.

Mr. STAFFORD. That was my impression from my visits to the national forests and my conversations with the rangers—that they were obliged to feed their own horses.

Mr. LEVER. That they furnish their own horses and equipment and feed.

Mr. DOWELL. Does the gentleman know what proportion of these automobiles are owned and maintained by the Government?

Mr. STAFFORD. This provision, as the gentleman says, is for the purpose of compensating employees who own their own automobiles.

Mr. DOWELL. I understand; but it has been stated here in the discussion that the Government owns part of the automobiles. I am asking what proportion of the automobiles are owned and maintained by the Government?

Mr. LEVER. I can not tell the gentleman that. I know that the automobiles in the Forest Service are costing the Government $32,000 a year. We have a list of them.

Mr. DOWELL. Does the gentleman mean that the automobiles owned by the department are costing the Government that?

Mr. LEVER. For the upkeep, expense, and the like of that.

Mr. DOWELL. The ones owned by the Government.

Mr. LEVER. Yes.

Mr. DOWELL. I understand that up to this time there has been no payment to persons with automobiles, except those maintained by the department.

Mr. LEVER. That is true.

Mr. DOWELL. Then the purpose of this, as I understand it, is to go beyond the automobiles owned by the department and to use this money in compensation of persons who own their own automobiles.

Mr. LEVER. Persons who are operating Government-owned automobiles in the Forest Service now receive nothing for gasoline and other expenses except their own salaries. The purpose of this proposition is that if a forest ranger, for instance, owns a little Ford automobile and is using it on official business, he may get reimbursement at the rate of 6 cents per mile.

Mr. STAFFORD. Does not the gentleman think that, in view of the fact that at present rangers are obliged to pay for the upkeep of their horses, this matter ought to be deferred? If we are going to give consideration to the employee who happens to have an automobile and allow him the cost of its upkeep, why should we not do the same for the ranger who has a horse? The same principle is involved.

Mr. LEVER. Does the gentleman think we ought to pass it, over or to let it go out on a point of order?

Mr. STAFFORD. I think we ought to pass it over until the committee have considered both these subjects together.

Mr. LEVER. I will not shed any tears over that course.

Mr. HAUGEN. The gentleman from Michigan [Mr. McLAUGHLIN] has an amendment that I think will take care of it.

Mr. DOWELL. One further question. Is the question of expense taken into consideration in fixing the compensation in these cases?

Mr. LEVER. Out of the 6 cents per mile?

Mr. DOWELL. No; at the present time. The gentleman has stated that there is no provision now for the expense that is attempted to be covered by the 6 cents a mile.

Mr. LEVER. There is not.

Mr. DOWELL. I am asking if at the present time the compensation does not cover the expenses?

Mr. LEVER. The salary?

Mr. DOWELL. Yes.

Mr. LEVER. I take it that it does not, or else the department would not make this recommendation.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. LEVER. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MONDELL. May I make a very brief statement in this connection?

Mr. LEVER. Yes.

Mr. MONDELL. I have in the last year met several forestry officials, head rangers, assistant superintendents, and so forth, who owned automobiles, flivvers, and who were operating them entirely at their own expense. They felt, and I think they were justified in that view, that their duties required these machines, and that they could perform very much more effective service by having them. They get around so much more rapidly in these parts of the forest reserve where there are roads on which a machine can be used. They have felt, however, that while they were using machines on public business they ought not to be required to pay all of the expenses of the maintenance of the machine, that there should be some provision made similar to this in the bill. I did not know that the committee had taken that matter into consideration and made provision for it. In view of my talk with the men and the knowledge of the situation, I should say that it was a very wise provision and in the interest of the public service.

Mr. STAFFORD. Does the gentleman recognize the fact that if we adopt this provision it will be a discrimination in favor of the officials who own automobiles and a discrimination against the ranger who is obliged to purchase his horse and maintain him out of his salary?

Mr. MONDELL. I do not look at it in that way. In the first place it costs comparatively little to maintain a horse, particularly in the summer time on a forest reserve. The horses feed on the grasses in the main, and they are fed little grain, for they do not require it. Furthermore, some of these very men that have automobiles also have horses, probably the most of them. They could use horses and travel about at a very much slower pace. The use of the automobile enables them to get around more quickly over the territory and render better and more effective service. It seems to me a wise provision and I can think of other branches in the public service where a provision of this kind would be helpful and wise. I think it is better than a liberal appropriation for the purchase of automobiles. If you can get an individual to buy an automobile and give him a small sum for the use of it you get the use of the automobile at a lower cost than if the automobile was owned by the Government.

Mr. LEVER. Will the gentleman yield to me out of my own time?

Mr. MONDELL. Yes; I am much obliged to the gentleman for yielding me so much time.

Mr. LEVER. The gentleman from Michigan has an amendment, which I would like to have the Clerk read for information.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Michigan.

The Clerk read as follows:

Page 45, line 17, at the end of line 17, add the following:

"*Provided*, That there shall be no payment of mileage for the use or travel of motorcycle or automobile furnished or owned by or maintained by the Government of the United States."

Mr. LEVER. I have another suggestion which I think might be wise in this connection. We are making this permanent law, and I think we had better strike out the word "hereafter" and try it and see what report we get from it, if Members have no objection.

Mr. McLAUGHLIN of Michigan. That would be striking out the word "hereafter" in the second line. I have no objection.

Mr. LEVER. Mr. Chairman, I offer the following amendment:

Line 12, after the word "and," strike out the word "hereafter."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 45, line 12, after the word "and," strike out the word "hereafter."

Mr. STAFFORD. Mr. Chairman, I recognize what the gentleman from Wyoming has said, that this will be a saving to owners of automobiles in the way of having the Government provide for their upkeep to a certain extent, and yet it is certain, if we pass this provision, that we will be presented next year with a demand from the rangers who maintain their horses to have us provide for the upkeep of their horses. I have no objection to trying it out for a year, and I withdraw the reservation of the point of order.

Mr. DOWELL. Mr. Chairman, I make the point of order on the paragraph and amendment.

Mr. LEVER. Mr. Chairman, I do not concede the point of order. This is a provision which undoubtedly, from all the testimony we have, reduces expenditures, and I think it would fairly fall within the Holman rule.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, in my judgment the clause is not subject to a point of order. It simply relates to the manner in which the necessary public business shall be carried on, for the department to provide the means of transportation, the means by which these men can carry on their business, the same as they provide houses for the men built at public expense. The department has determined that one of the better ways of having the public business transacted out there is to pay mileage for travel of those engaged in the business. It seems to me it relates to the manner of conducting the public business.

Mr. DOWELL. Mr. Chairman, I think it is very clear that this comes within the rule. There is no question that it is subject to a point of order. It is new legislation, an entire change of law on the subject.

Mr. McLAUGHLIN of Michigan. What law on the subject?

Mr. DOWELL. The methods by which business is transacted.

Mr. McLAUGHLIN of Michigan. What is the method fixed by law for men traveling in the national forest?

Mr. DOWELL. I will say to the gentleman that he is attempting to legislate here a different and special method which is different from the method now carried on.

Mr. McLAUGHLIN of Michigan. The method adopted heretofore is not fixed by law; it is a regulation of the department.

Mr. HOWARD. What is the method of transporting these rangers from one part of the forest reserve to another? Does the Government expect the men to walk?

Mr. DOWELL. That is not the question; the question of what method shall be adopted is not the question here. It is a question of order, whether or not this section changes the plan of conducting this business.

Mr. HOWARD. Wherein does it change the method?

Mr. DOWELL. It changes it, and therefore it comes within the rule.

Mr. FOSTER. Let me ask the gentleman if it does not make law?

Mr. DOWELL. Certainly; it does make law regulating this question, not only now but hereafter.

The CHAIRMAN (Mr. MAYS). The point of order is sustained.

Mr. McLAUGHLIN of Michigan. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. McLAUGHLIN of Michigan. Does the Chair hold this out of order if the word "hereafter" is eliminated?

The CHAIRMAN. The word "hereafter" has been stricken out, and the Chair thinks the paragraph is new legislation and is subject to the point of order.

Mr. HAUGEN. Under the Holman rule new legislation is permitted.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For investigating the handling, grading, packing, canning, freezing, storing, and transportation of fish, and for exerimental shipments of fish, for the utilization of waste products, and the development of new sources of food, $14,000.

Mr. LEVER. Mr. Chairman, I offer the following amendment which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

On page 49, line 5, strike out "exerimental" and insert the word "experimental."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For the biological investigation of food and drug products and substances used in the manufacture thereof, including investigations of the physiological effects of such products on the human organism, $15,000.

Mr. FESS. Mr. Chairman, I move to strike out the last word. I would like to have the chairman, if he has the figures in mind, to indicate to us what portion of the Agricultural appropriation bill's fund goes to negative sources to counteract disease, and so forth, and what amount goes to positive effort to increase rather than to conserve. Has the chairman made any estimate on that score?

Mr. LEVER. No; I have not; but my familiarity with this bill would lead me to say that the larger part of the work of the Department of Agriculture at this time is being expended in the direction of increased production rather than along the line of research. I take it that is what the gentleman means.

Mr. FESS. That is the substance of my question.

Mr. LEVER. Of course, you would have to except the Forest Service from that statement.

Mr. FESS. I notice in the Animal Industry item that it was about 8 to 3 in favor of the negative, or remediable, activity.

Mr. LEVER. Yes.

Mr. FESS. And I had not examined the vegetable items with this point in mind.

Mr. LEVER. It would be found to be pretty well true with the Bureau of Plant Industry, but when you come to the States Relations Service and some of the other services the Bureau of Markets, for instance, it will be seen that a great deal of their work is in the other direction—conservation and production.

Mr. FESS. I notice the Bureau of Chemistry is almost entirely devoting its time to the finding of new means of increasing production rather than counteracting any agencies that are designed to decrease it.

Mr. LEVER. That is very true.

Mr. FESS. How does the Bureau of Chemistry stand in comparison with such organizations in other countries?

Mr. LEVER. I have made no investigation of my own to form a judgment based upon original investigation, but I take it, and have always been told by people, that the Bureau of Chemistry is one of the great organizations of its kind in the world, probably the greatest.

Mr. FESS. I am asking that because as one somewhat familiar with university research work I recall that the Bureau of Chemistry here at Washington has been regarded as one of the most advanced in its research work, not only in this country but of any in any country.

Mr. LEVER. That has been my information also, and I am glad to find the gentleman feels the same way. I regard the chief of that bureau as one of the big men in the Government service.

Mr. COX. Who is the chief?

Mr. LEVER. Dr. Alsberg.

Mr. FESS. Is it not rather exceptional that we can hold such men at the command of the Government at the salaries paid with such solicitations in other fields that might take them out?

Mr. LEVER. It is absolutely remarkable that many of the greatest men in their lines of work in the world are working at salaries that range from $3,500 to $4,500 a year. The only explanation that has been given is that they are devoted to their work, and that in the Government service they have the machinery with which to work, and there is the other reason that their tenure of office is more certain.

Mr. FESS. We in the past have suffered considerably from the loss of some of these research men, have we not?

Mr. LEVER. Undoubtedly.

Mr. FESS. Are we losing many now?

Mr. LEVER. We are losing men every day from the Department of Agriculture who are going into private industries whom we can ill afford to lose.

Mr. FESS. However, there is no possibility of curing that difficulty by a general increase in salary?

Mr. LEVER. None whatever.

Mr. FESS. We have to depend upon the devotion of these research men to work for the Government, and especially to the work of research for the sake of knowledge.

Mr. LEVER. Undoubtedly. You can not correct it by salary.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For investigation and experiment in the utilization, for coloring purposes, of raw materials grown or produced in the United States, in cooperation with such persons, associations, or corporations as may be found necessary, including repairs, alterations, improvements, or additions to a building on the Arlington Experimental Farm, $70,720.

Mr. NORTON. Mr. Chairman, I move to strike out the last word. I would like to inquire from the chairman of the committee what particular work is being done under this appropriation?

Mr. LEVER. I would say to the gentleman from North Dakota that he will recall that about two years ago this item was inserted. It was inserted for the reason that this country was practically dependent upon Germany for dyestuffs. They have now gotten the work in fairly good shape and are cooperating very closely with the Bureau of Standards. The testimony before the committee tells us that they have now discovered the bases, or whatever you would call it, for the colors red and blue, and from these they hope, of course, to get a good many collateral colors. The purpose of this item is, if possible, to put this country on an absolutely independent footing with respect to dyes.

Mr. NORTON. I had in mind that experiments were being made in respect to the production of aniline dyes, coal-tar dyes, and mineral dyes. It occurred to me that these experiments and investigations were being made by the Bureau of Standards and by the Bureau of Mines, and that large appropriations were made for that purpose last year in other bills. I would like to know what real work, if any, the Department of Agriculture has been doing on this subject, and whether the Agricultural Department is doing any independent research work, or whether it is merely duplicating work being done by the Bureau of Standards and Bureau of Mines, to discover new processes of manufacturing dyes.

Mr. McLAUGHLIN of Michigan. When this item was first inserted in the Agricultural appropriation bill the question was raised as to which department had better take it up, and it was stated at that time that consideration had been given to that by the Secretary of Agriculture and the Secretary of the Interior and the chief of the Bureau of Standards, and it was thought it had better be taken up by the Department of Agriculture; hence the first appropriation suggested for that purpose.

Mr. NORTON. Does the gentleman mean to convey the information to the committee that the chief experiments that are being made by the Government to develop in this country the dye industry are being carried on under this appropriation by the Department of Agriculture?

Mr. McLAUGHLIN of Michigan. I will say that there is a perfect understanding between those who are carrying on the work along this line so that there is no duplication. The kind of work provided for in this appropriation is being done wholly by the Department of Agriculture. There will be no encroachment and, as I say, no duplication of work.

Mr. NORTON. Well, does the gentleman know, so that he can tell the committee, what particular work the Department of Agriculture is doing, if any; what particular work of investigation or experimentation is being carried on by the Department of Agriculture?

Mr. TOWNER. Will the gentleman yield?

Mr. NORTON. I will yield if the gentleman has any information he can give on the subject.

Mr. TOWNER. I am sure I do not know; I could not label it in advance. But the gentleman knows that dye products are produced both from mineral and vegetable products?

Mr. NORTON. Yes.

Mr. TOWNER. And that it is necessary that we should have both; in fact, it is necessary very often to use them in combination. As I understand it, the Bureau of Standards is principally occupying their attention, and to a very large degree, with the development of dyestuffs that are obtained from minerals.

Mr. NORTON. Yes; and also the Bureau of Mines.

Mr. TOWNER. And the Agricultural Department is engaged in its proper sphere in developing, as it can, dye substances from vegetable products, which is perfectly proper.

Mr. NORTON. Can the gentleman tell me anything the Department of Agriculture has done along this line in securing results or making new discoveries within the last year or two?

Mr. LEVER. I can give the gentleman that information if I can pronounce the words.

Mr. NORTON. I will yield to the chairman of the committee if he can give us a little information on the subject.

Mr. STAFFORD. Mr. Chairman, when it was first suggested two years ago that the Government should undertake some activity looking to the furtherance of the dye industry, the question arose whether or not the Bureau of Standards or the Department of Agriculture should undertake the work. There was correspondence had between the Director of the Bureau of Standards and the Secretary of Agriculture.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. NORTON. Mr. Chairman, I ask that I may have three minutes more to get a little information on this subject if possible. I have not obtained any so far.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. At that time it was agreed between the two respective heads that the work of the two bureaus was entirely distinct and different, and that the Department of Agriculture should undertake the work of chemical analysis of the various coloring substances and as to the processes of manufacture, and that the Bureau of Standards should only consider the question as to the standardization of colors; that analyses and all the work that goes into the determination of the processes of manufacture should be undertaken by the Department of Agriculture.

Mr. NORTON. Does the gentleman mean to convey to the committee the information that the Department of Agriculture is investigating dyestuffs made from mineral products?

Mr. STAFFORD. They are investigating the entire subject as to processes of manufacture and the chemical analyses of the various dyestuffs, and the Bureau of Standards is not engaged in that investigation.

Mr. NORTON. Now I will yield to the gentleman from South Carolina.

Mr. LEVER. I was just going to read from the testimony of Dr. Alsberg:

Dr. ALSBERG. We have made, I think, in the two years that this appropriation has been available, very important progress. We have developed a new method for the production of the substance known as phthalic anhydride. This substance is the basis of one of the methods of making indigo. It is the basis of phenolphthalein, which is one of the most widely used laxatives. It is the basis of numerous and important series of dyes. In fact, it is one of the most important of all the intermediates. It is itself not a dye, but is converted into many useful dyestuffs of the series. I estimate that the annual consumption of phthalic anhydride, were it available in this country, would be something in the neighborhood of 5,000,000 pounds. We have developed a new method, which is now in commercial use actually producing this material, which, we feel, is capable of producing phthalic anhydride here more cheaply than anywhere else.

The CHAIRMAN. Anywhere in the world?

Dr. ALSBERG. Anywhere in the world. But I must make this reservation: We do not know just exactly what is going on inside of German dyestuff factories, or what has been going on. It may be that they have a secret method of which we know nothing which is as good as ours or better. As far as we know, however, that is not the case. So far as we can judge from the price that was paid for the material before the war, we believe that this particular method for making this very important intermediate is capable of producing it very much more cheaply than any other method that we know anything about.

Then he goes on with three or four more pages of testimony.

Mr. NORTON. That is dealing with vegetable dyes.

Mr. LEVER. Well, there are three or four more pages of testimony in which he gives results along other lines.

Mr. NORTON. Does the gentleman understand, as stated by the gentleman from Wisconsin, that investigations by the Department of Agriculture are being made of mineral dyes?

Mr. LEVER. I think so. I do not think they are confined to vegetable dyes at all.

Mr. FORDNEY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I think it is highly important that this appropriation be made for this purpose. There are many reasons why I have arrived at that conclusion. In the first place, let me say there are about $100,000,000 worth of dyestuffs produced in the world annually. Seventy-five per cent of those dyestuffs are produced in Germany, or were before the war. The people of the United States consume annually $15,000,000 worth, or about 15 per cent of all the dyestuffs manufactured in the world, and we were, before the war, practically producing none. There are 900 varieties of dyestuffs made and used in the world. We are now making in the United States, which industry has practically sprung up since this great war broke out in 1914, about 350 varieties of the 900 made and used in the world. Those dyestuffs are largely made from minerals. We have an abundance of raw material and capital and skill in the country to establish this industry in this country, so that

we may produce and keep in this country the $15,000,000 worth of dyestuffs for which we heretofore sent abroad this money. The dyestuff industry can be converted into the explosive industry within a week's time at a trifling expense and, vice versa, the industry in which explosives are made can be converted into the dyestuff industry. A gentleman came before the Ways and Means Committee a few months ago and stated that he was engaged in coloring cotton goods, not manufacturing, but wholly engaged in coloring. He was in favor of a protective tariff upon dyestuffs that that industry might be established in this country, which has not, or had not prior to the war, been established here.

He stated that he purchased dyestuffs from abroad and purchased a certain quantity, for which he paid $1,750 usually, and at the time he appeared before the committee, in 1915 or 1916, he had a shipment of that quantity on the way to this country from China, for which he was paying $52,500. That is the difference between the price the manufacturers in this country that are manufacturing cotton goods and coloring them pay to-day for coloring, and the price they did pay, before the war in Europe. We need an appropriation, and we need some action on the part of this Government to establish that industry in the United States.

Mr. NORTON. The gentleman knows that during the past two years several large dyestuff-manufacturing plants have been built up in the country.

Mr. FORDNEY. Oh, yes. I have just stated that we are now manufacturing in the United States from 300 to 350 varieties of the 900 varieties made in the world, nearly all of which industry has been established in this country since the declaration of war in 1914.

Mr. COX. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. COX. I thoroughly agree with everything the gentleman says, and that is one of the things I would vote for under the high-protective tariff. Here is the point I want to get at: Are our manufacturers in this country making as good a grade of dyestuffs as were formerly imported from Germany?

Mr. FORDNEY. Let me say to the gentleman that the variety of dyestuffs made and used to-day are not of as high a grade as those used prior to the war, for this reason, that their cheapness recommends them at this time and until the industry becomes well established and we become skilled in that industry in this country. The skill in the manufacture of high-grade stuffs in this country, perhaps, is not as great as in the old country, where they had been experimenting and have been engaged in the industry for many years.

Mr. COX. As I recall, two years ago this last summer, or possibly a year ago, our State Department worked out an agreement with England whereby we were able to get a certain amount of dyestuffs imported from Germany in order to keep our Bureau of Engraving and Printing going. Do you know whether that which we imported is still running the Bureau of Engraving and Printing or are we running that plant on some of our own manufacture?

Mr. FORDNEY. I am not positive, but my information is that we are supplying that in this country.

Mr. COX. From our own manufacture?

Mr. FORDNEY. From our own manufacture.

Mr. COX. Has there ever been any secret, so far as Germany's success is concerned, in their dyeing industry? That is, have her chemists been in possession of any secrets that the chemists of the world do not know anything about?

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent that the gentleman may have three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FORDNEY. I will say to the gentleman that I do not believe there are any secrets to-day used in Germany in the manufacture of dyestuffs that are not known by the experts in this country.

Mr. COX. Then, if that be true, the only thing that our capitalists or the American people want is a protection against the German monopoly. Is not that true?

Mr. FORDNEY. I think that is right.

Let me state this for the information of the House. It is very interesting to me. A dyestuff manufacturer stated to me personally, and he also appeared before the committee—he made this statement, that he was engaged in marketing raw material for dyestuffs out of the products of salt brine pumped from beneath the ground in the State of Michigan. He is experimenting in making indigo from salt brine. He stated that he was making a certain chemical from salt in this country, and he found there was an excellent market in Germany for that product. I will give the figures about as he gave them to me. I am not positive that I am exactly correct as to the dollars and cents. He was selling that product in this country for 37 cents a pound and manufacturing it for about 32 cents a pound. He sent agents to Germany and established a trade there and was doing a lucrative business at 42 cents a pound. Then, lo! and behold, a German representative of those industries in Germany came to his office, saw him in private, and said, "You are selling those dyestuffs in Germany and we want you to get out. I represent the dyestuff industries of Germany." My friend inquired, "Do you own the world?" "We think we own the German market, and it is for your best interest that you stop selling in Germany." There was no agreement reached. The German gentleman went away, my neighbor continued selling in Germany, and the first thing he knew that article was selling in this country from German manufacture at 22 cents a pound. He immediately withdrew his agent from Germany, and the price in this country went up to 37 cents a pound for German dyestuffs; and so he was obliged to keep out of Germany. This German gentleman said to him, "We have in Germany what we call a 'yellow-dog' fund, to which the manufacturers contribute one half and the Government the other half, and when we find it necessary to put an industry out of business in the United States or in any other country in the world we use that 'yellow-dog' fund and undersell you and put you out of business, and I advise you to get out of Germany." And my friend got out of Germany.

Mr. JUUL. Will the gentleman yield?

Mr. FORDNEY. I will be glad to do so.

Mr. JUUL. What I want to know is where was the protective tariff protecting this particular industry?

Mr. FORDNEY. My friend, let me tell you. I did not get up to make a tariff speech, but I will ask you to bear with me a minute or two to explain that point, and I am not getting into politics.

Mr. JUUL. If the gentleman will permit me, I am asking you in good faith.

Mr. FORDNEY. I know that, and for that reason I will answer you in absolute good faith.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on the paragraph and all amendments thereto close in 15 minutes. I would like to have about 2 minutes myself.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. FORDNEY. Let me say in good faith to the gentleman that there is no tariff law that can be enacted that will protect an industry of that kind when it meets such competition as that German gentleman described, unless we add to our tariff laws an antidumping clause such as Canada has to-day, and such as some other foreign countries, whose names I can not speak positively of now, have.

But Canada has this kind of a paragraph in her import law; that is to say, if an article of foreign manufacture is sold in Canada at a less price than it sells for in the country where it is made there is an additional duty of 15 per cent ad valorem added to the tariff rate when going into Canada, and if the article is on the free list there shall be a 15 per cent ad valorem duty placed upon it, and notice is given by the Canadian Government to that manufacturer that he can no longer ship into Canada, under any circumstances at all, unless he sells in Canada at a price equally as high as he obtains for that article in the country where he makes it.

That absolutely prohibits dumping at a price under cost of an article on our market or in the market of any country that has that kind of a law. If you have a reasonable rate of duty to offset the difference between our cost and the foreign cost, together with an antidumping clause, you can protect an industry and build it up in this country, where we have an abundance of raw material and capital and energy and skill, and under no other circumstances can it be done. [Applause.]

Mr. MONDELL. Mr. Chairman, the development of the dye industry is tremendously important, and it naturally divides itself into several classes for investigation and reseach. It is entirely proper that the agricultural bill should carry a provision for investigation and experiment in the utilization for coloring purposes of raw materials grown in the United States, inasmuch as the Department of Agriculture has to do with the products grown in the United States and may properly carry on that kind of an investigation. The trouble is that, judging from the hearings had before the committee—and I would like to have the attention of the gentleman from Michigan [Mr.

FORDNEY], who is so much interested in this matter—the Agriculture Department has done almost everything except make any effort whatever to develop dyes from agricultural products—vegetable dyes. They told the committee that in the two years during which this appropriation had been running they had made important progress in a new method for the production of a substance known as thallic-hydride. Thallic-hydride, they tell us, however, is not a dye—it is a laxative; but it is, we are informed, the basis of an important series of dyes. It is an intermediate. We do not know that this new method will enable us to produce this product as cheaply as it must be produced in order to make it of commercial value, but we hope it will. They express, however, serious doubt about it.

Mr. NORTON. They could make quite a large hope on $70,000.

Mr. MONDELL. So far as the hearings develop the facts, that is about all that has been accomplished. They have made some investigations into the production of dyes from metallic substances. In other words, except for the alleged discovery of a new process, of doubtful benefit or advantage, for the production of a laxative, which is also an intermediate of dyes, they seem to have done nothing under this appropriation.

The trouble often is with appropriations of this sort no matter how well they may be intended or how useful a purpose they seek to serve, the departments or the bureaus receiving and using the appropriations are very likely to wander far afield from the actual purpose for which the appropriation was made, and that is, apparently, judging from the statement before the Committee on Agriculture, exactly what has been done in this case.

Now, we have a very considerable appropriation under the Bureau of Standards for the investigation of colors dyes and dyestuffs, and dye manufactures. The matter is being investigated also by the Bureau of Mines, and properly so. The question divides itself into several classes of research and investigation, as I have suggested, and it is proper that the Department of Agriculture, the Bureau of Standards, and the Bureau of Mines, each within its own field, should follow and pursue proper lines of investigation and research. The Agriculture Department seems to have spent most of its money either in the fields that belong to the Bureau of Mines and the Bureau of Standards or in the discovery of an alleged but somewhat questionable new process for the manufacture of this laxative to which I have just referred. So far as the investigation of vegetable dyes are concerned, they seem to have forgotten all about it.

The CHAIRMAN. The time of the gentleman from Wyoming has expired. The gentleman from Wisconsin [Mr. STAFFORD] is recognized for three minutes.

Mr. STAFFORD. Mr. Chairman, I rise to inquire of the chairman of the committee as to the purpose of the phraseology found in this item to authorize this fund to be used "in cooperation with such persons, associations, or corporations as may be found necessary."

Mr. LEVER. The explanation given to the committee was that the department was now doing that very thing; that they were cooperating with persons, associations, and corporations in this work, but that they wanted to bring the fact to the attention of Congress.

Mr. STAFFORD. Then I understand that the department is sending its experts into the private establishments and aiding them in their laboratories in the development of these very processes of dye manufacture?

Mr. LEVER. Yes; getting information and helping as much as they can.

Mr. STAFFORD. Can the gentleman inform the committee how much of this fund is utilized in that way?

Mr. LEVER. No; I could not.

Mr. NORTON. Will the chairman of the commtitee tell the committee how much has been used for mileage out of this appropriation?

Mr. LEVER. I could tell the gentleman if I had a moment of time to look it up. It is all set out in the Book of Estimates here.

Mr. STAFFORD. Could the gentleman tell us what proportion of last year's appropriation of $49,400 was used in the Bureau of Chemistry here in Washington for this work of determining new processes of manufacture and new dye formulas, or is most of the money spent in the field in connection with private establishments?

Mr. LEVER. They propose to spend this year in salaries $31,320, and—if the gentleman from North Dakota [Mr. NORTON] will give me his attention—in travel, $1,500, and for equipment and material, $20,500; miscellaneous, $2,400, and construction work, $15,000. That is to complete their laboratory over at Arlington.

Mr. NORTON. How much did the gentleman say for mileage?

Mr. LEVER. One thousand five hundred dollars.

Mr. COX. That is not much.

Mr. FESS. Mr. Chairman, may I ask the gentleman one question?

Mr. LEVER. Yes.

Mr. FESS. There might be a misconstruction of the gentleman's answer a moment ago, that part of this money is being expended for development in private establishments. It would leave the impression that the Government is assisting private corporations.

Mr. LEVER. I did not intend to leave that impression, but the impression I intended to leave was that the Government is cooperating with these concerns in an endeavor to study the problem.

Mr. TOWNER. Will the gentleman permit a suggestion?

Mr. LEVER. Certainly.

Mr. TOWNER. Is it not true that it is impossible to understand the value of some of these experiments unless they are submitted to practical manufacturers?

Mr. LEVER. Undoubtedly that is true.

Mr. TOWNER. And they submit their processes and materials to manufacturers, who apply them and try them out to see whether or not they are efficacious.

Mr. LEVER. Yes; that is true.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For enabling the Secretary of Agriculture to carry into effect the provisions of the act of June 30, 1906, entitled "An act for preventing the manufacture, sale, or transportation of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," in the city of Washington and elsewhere, including chemical apparatus, chemicals and supplies, repairs to apparatus, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, and all other expenses, employing such assistants, clerks, and other persons as may be considered necessary for the purposes named, and rent outside of the District of Columbia; and to cooperate with associations and scientific societies in the revision of the United States Pharmacopœia and development of methods of analysis, $589,081.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. The Committee on Agriculture does such good work, and brings in a bill which in the main so thoroughly commends itself to the judgment of the House, and the gentlemen of that committee are always so kind and considerate during the discussion of the bill, that it is with profound regret that I rise to make a mild criticism.

We are all of us curious with regard to the items of the bill and the statements made in support of them, even though we may be fully convinced that the items are supported by excellent reasons. But, at any rate, the Members of the House are entitled to the information brought out at the hearings. There is one committee of this House, the name of which I shall not mention, that, I think, never comes into the House with a bill—and it brings several bills into the House—until and unless its hearings have been printed, bound, and well indexed, so that they are available for all the membership of the House. I think the Committee on Agriculture generally does that, but this year it did not, with the result that it is very difficult for one first to secure all of the record of the hearings and next to find the part or section of the record that has reference to the particular item under consideration. I do not think this is fair to the House. I think the committee owes an apology to the House for not having had its hearings properly bound and indexed for our information and consideration, and I hope that in the future that will be done.

Mr. LEVER. If the gentleman will permit, let me say that if there is any dereliction at all, it is due to influences over which the committee had no control.

Mr. MONDELL. I felt that there must be a very excellent reason, although no reason is perfectly good.

Mr. LEVER. The Committee on Agriculture began the making up of the bill immediately after the hearings were closed. We made such good progress in getting together on the various items that the bill was reported before the hearings could be had from the printer and indexed by the clerk of the committee. The bill being reported promptly after its making up by the committee, there was not time to make an index. I think the gentleman's criticism would ordinarily be just, but in this case it is not, for the reason stated.

Mr. MONDELL. I feel confident that in the future the committee will endeavor to have the hearings indexed and accessible.

Mr. LEVER. We were trying to furnish some fodder for the House, and to do it rapidly.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

For investigating the grading, weighing, handling, and transportation of naval stores, the preparation of definite type samples thereof, and for the demonstration of improved methods or processes of preparing naval stores, in cooperation with individuals and companies, including the employment of necessary persons and means in the city of Washington and elsewhere, $10,000.

Mr. McKENZIE. Mr. Chairman, I wish to ask the chairman of the Committee on Agriculture a question or two. I do not want to ask anything that is captious or to have anyone think I feel that the committee has not given this bill thorough consideration; but I would like to know, with regard to this item at the bottom of page 50, whether this investigation of the grading, weighing, handling, and transportation of naval stores and the preparation of definite type samples thereof is for the benefit of the farmer, to help the agricultural interests of the country, or whether it is an auxiliary to the Navy? I have understood that everything was in such good shape in the Navy that they did not need any help, and what I would like to know is whether this is for the assistance of the farmer, to enable him better to market his product to the Navy, or whether it is an auxiliary to the Navy?

Mr. LEVER. This item was inserted in the bill about three years ago at the urgent request of the resin and turpentine producers of Florida, Georgia, and that section of the country, which produces large quantities of naval stores. Under this item they have now developed a type, with a view of standardizing the whole trade, and at this time a large part of this fund is being used for demonstrating to the producers and manufacturers the value of these types. We hope that this appropriation will not continue always.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For the investigation and development of methods of manufacturing insecticides and fungicides, and for investigating chemical problems relating to the composition, action, and application of insecticides and fungicides, $25,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

I believe this is a new item carried in the appropriation bill. Has this work ever been performed heretofore by the Department of Agriculture under its other authorizations?

Mr. LEVER. Mr. Chairman, the item is for developing cheaper methods of manufacturing insecticides and fungicides. The testimony before the committee shows that fungicides and insecticides have gone up enormously in price since this war began, and through this appropriation the department is undertaking to see if they can develop cheaper processes for manufacturing these things. They propose to employ some six or eight specialists on the work. It was pointed out that it was a very important matter. I happen to recall the statement of Dr. Howard, who was present when Dr. Alsberg was making his statement. He said that he desired to support the request of Dr. Alsberg for this small appropriation, to see if they could develop processes for cheapening the manufacture of insecticides particularly, and of fungicides also.

Mr. STAFFORD. What is the cause of the increased price of these articles?

Mr. LEVER. I do not know, except the general rise in the prices of everything.

Mr. STAFFORD. I was wondering whether it was due to any combination of the few manufacturers engaged in this line of production.

Mr. LEVER. I really could not say. I take it that it is another evidence of the general rise in the prices of everything.

Mr. STAFFORD. Then, as I understand, the department wishes to use this fund in experiments and in the investigation of methods to develop cheaper processes of manufacturing and give that knowledge to the public?

Mr. LEVER. Yes.

Mr. STAFFORD. Not to engage in the manufacture at all?

Mr. LEVER. Oh, no; not at all.

Mr. STAFFORD. It is merely to develop the processes, for the benefit of the public generally?

Mr. LEVER. That is all.

Mr. STAFFORD. To what extent are these insecticides and fungicides used?

Mr. LEVER. To a very large extent; just how large I can not say—that is, I do not know the total value.

Mr. TOWNER. Will the gentleman let me make a suggestion. The large increase is due to the arsenical preparations. They are used largely in the preparation of some of the ammunition, I do not know just how. There is a very large demand for it, and we have never developed the manufacture, I suppose, as we should. But for all the orchards and very many garden crops arsenical preparations are necessary. The price of arsenic and all its derivatives has largely increased—three or four times what it was before the war.

Mr. STAFFORD. This is for the purpose of ascertaining some substitute?

Mr. TOWNER. No; it could not be a substitute for arsenical preparations, but it is to develop the manufacturing process which has not been taken care of in a scientific character, as perhaps the gentlemen think it ought to be. So this is for the development of the process of manufacture in order to have an abundance of the fundamental supply.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

The Clerk read as follows:

For chemical investigations of soil types, soil composition and soil minerals, the soil solution, solubility of soi and all chemical properties of soils in their relation to soil formation, soil texture, and soil productivity, including all routine chemical work in connection with the soil survey, $25,610.

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 52, line 10, in the last word of the line, insert the letter "l."

The amendment was agreed to.

The Clerk read as follows:

For exploration and investigation within the United States to determine possible sources of supply of potash, nitrates, and other natural fertilizers, $31,340.

Mr. FESS. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman what progress has been made in the work covered by this item, potash for fertilizer?

Mr. LEVER. Mr. Chairman, the Department of Agriculture, working through this appropriation, has discovered a large source of potash in connection with the cement-manufacturing establishments of this country. It appears that a large percentage of potash has been escaping through the chimneys of these factories. Some one some years ago discovered a process by which they could precipitate this potash and get it to the farmer for commercial use. Dr. Brown, who has charge of this matter, made this statement:

Our investigation of the cement industry covered every plant in the United States producing 100 barrels or more, and practically all the plants produce that much, and it showed that there was available annually seventy thousand and odd tons of potassium oxide, and that with a very slight change in the operation of the kilns 100,000 tons would be available, perhaps 150,000 tons. In normal times we use about 250,000 tons.

So in that respect we feel that progress has been made.

Mr. FESS. What about the nitrates?

Mr. McLAUGHLIN of Michigan. In that connection, Mr. Chairman, I want to say that some cement factories of the country have voluntarily changed their methods of operation and machinery so as to save this potash.

Mr. LEVER. That is very true; a number of large plants are installing this apparatus for precipitating the potash. I was about to discuss the work on kelp, but I recall that that is in another item, and I will defer it until we reach it.

Mr. FESS. That is another source of potash?

Mr. LEVER. Yes. I may say, while we are on that proposition, that the reports are that they are installing machinery and getting ready to manufacture potash out of kelp. They have had considerable trouble in getting the machinery, as its cost is considerable, and we are providing an item for overhead expenses.

Mr. FESS. The committee a year ago was very enthusiastic on the subject of deriving potash from kelp. Is the chairman satisfied with the progress made?

Mr. LEVER. Unless we can find some national deposit of potash our hope for very cheap potash is through kelp. I may be entirely mistaken about that, and I think some members of the committee disagree with that idea, but I have always had a strong belief in that proposition if we can get at it right.

Mr. FESS. I have understood that the source of potash from kelp is abundant.

Mr. LEVER. Absolutely inexhaustible.

Mr. FESS. Let me ask the gentleman, are we using coke ovens in any place for the production of nitrates?

Mr. LEVER. No; there is no Government plant as yet. They are about to establish a nitrate plant, but that is not carried in this bill. I may say, however, that there is a provision in this bill for the continuance of nitrogen work on the Arlington farm. My recollection is that I was told that they had not been permitted to erect a plant on account of the interference of the Fine Arts Commission, but that they were still working on the proposition.

Mr. BYRNES of South Carolina. Mr. Chairman, Dr. Brown, in discussing this matter of potash before the committee and discussing kelp as a source of supply, stated that the cost per unit was $3, whereas the cost per unit of the potash received

from Germany prior to the commencement of the European war was 70 cents a unit; that the possibility of securing commercial potash from kelp was dependent entirely upon our ability to secure by-products from the ash. But he held out the hope to us that in the cement industry there is an opportunity to secure a supply of potash. In fact, he says it is our one best bet, because this electric precipitator apparatus, which has been installed in cement plants of the country, is a great service to the plant in that it serves to solve for them their dust problem. They claim that they can get 5 or 6 pounds of potash to every barrel of cement, and the possibilities are that we can secure over 100,000 tons of potash a year from the cement industry.

But he does not say, however, what would be the cost per unit of potash secured in that way. The apparatus is said to be very expensive, costing $40,000 or $50,000 in some instances. The question is whether or not we have any probability of getting potash by this method at a price that will enable us to compete with German potash. It is a very doubtful matter. However, inasmuch as these expenditures are small, as long as they hold out any hope at all, there is no reason why we should not give every dollar that the department has asked for.

Mr. TILSON. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. TILSON. Has the gentleman any source of information in regard to the actual production of this potash from cement, whether there have been any machines already made and put into operation?

Mr. BYRNES of South Carolina. Yes; Dr. Brown says that in a number of plants it has been installed and is working satisfactorily. He named several plants, and said that one or two had voluntarily installed the apparatus because of the great advantage it is to the plant.

Mr. TILSON. So that it has actually been done and it is only a question now of doing it economically enough to make it worth while.

Mr. BYRNES of South Carolina. That is the only question, and Dr. Brown states as the result of his experiments that it is our one best bet. After reading the testimony in the hearing I am of the same opinion, that we have more hope of securing potash which can be sold cheaply to the farmers from that source than from any other source. If they can discover any plan by which they can obtain other by-products from the use of kelp, there is some hope there; but one thing is certain, and that is that the experience of every country in this war is that production has decreased. Since 1914 the amount of potash used in this country has been negligible, and with the continued cultivation of the soil there can be but one result, and that is a decreased productivity of the soil, and at a time when the farmers are crying that there is a shortage of labor, which also adds to the decreased productivity of the soil, we find it aggravated by the absence of potash. Any expenditure that is made to encourage the department to experiment and go the limit in obtaining a source of supply I believe to be money well spent.

Mr. BORLAND. I understood the gentleman to say that some cement plants had already installed this electric precipitator.

Mr. BYRNES of South Carolina. So Dr. Brown stated.

Mr. BORLAND. Did they install it at their own expense; did they regard it as a commercial proposition for them to install it.

Mr. BYRNES of South Carolina. That is my understanding of the testimony.

Mr. McLAUGHLIN of Michigan. It was at their own expense.

Mr. BORLAND. Was the idea of taking it up to make potash or to keep the dust down?

Mr. BYRNES of South Carolina. Keeping the dust down. They are looking at it from that standpoint alone. That is the statement of Dr. Brown. At the same time, the revenue from the potash during the continuance of the war will be considerable and will contribute to offset the expense of installing the apparatus. In the clay used in making cement there is some potash and the apparatus serves to save this potash, which has heretofore been wasted. The object of the department now is to convince the cement industry of the wisdom of installing this apparatus.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that I may continue for 10 minutes on this item.

The CHAIRMAN. Is there objection?

Mr. LEVER. Mr. Chairman, in connection with that I ask unanimous consent that debate on the item and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes, and that the gentleman from Wyoming have those 10 minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, at the outbreak of the European war the United States and all the world was confronted with a very serious situation in regard to potash. Prior to the war practically all the world supply of potash came from Germany, where it is found in its native state in very large quantities, and where it can be mined and produced at a very low price. It was sold at 70 cents a unit of 20 pounds in our country before the war, and it could probably have been sold for half that sum if it had been necessary to do it, and still leave a large profit. At the beginning of the war this supply was cut off. It became necessary to develop supplies at home if possible. Naturally we were anxious to aid every governmental agency that offered any hope whatever for the development of potash from investigations and demonstrations. An appropriation was made in the Agricultural bill for the purpose of exploration, investigation, and to determine possible sources of a supply of potash. It was explained at the time that the explorations and investigations intended were those that properly came within the purview of the Agricultural Department. They proposed to examine the kelps, an agricultural product, and other like sources of possible potash supply, and some work along that line was done under this item. But here again we have an illustration of the evil, creeping in and growing at all times on all of these bills, of a department or a bureau of a department having an appropriation for one purpose, finding it impossible to develop along the lines of that purpose advantageously, and then branching out into the domain of other bureaus and departments of the Government. According to the hearings had before the committee, this sum of $31,300 has been expended for the purpose of finding out and stating to the committee that potash can be secured from the dust produced in the manufacture of cement. Any of us could have learned that by the simplest inquiry, without the expense of anything more than the sum necessary to address a letter of inquiry. We are told that certain plants have begun the manufacture of potash from cement, and the department has issued what it calls an exhaustive bulletin, setting forth the fact that with the installation of an apparatus for recovering the flue dust on all of the cement plants in the United States, it will be possible to produce 100,000 tons of potash from that source. That is one-half our normal annual consumption of potash. So that if these cement factories do install these appliances—and three or four of the largest in the country have—we will secure a large supply of potash from that source. However, the use of potash can be very largely increased, of course, and ought to be.

According to the statement made before the committee, this particular work, which was undertaken entirely outside of the proper domain and jurisdiction of the Agricultural Department and within the field of activity of the Bureau of Mines or of the Department of Commerce, was never contemplated at the time the appropriation was granted, and it has now been completed, and yet the item remains in the bill—the $31,300 is still with us. In the hearings it is stated that that is the investigation this item relates to. Is it proposed to build any of these mills? Oh, no; we could not do that without building a cement plant. Is it proposed to encourage the building of these by-product mills? No; because that encouragement only comes from the results of the operation of mills that are already in the business. It costs from $50,000 to $100,000 in each case, and it is only profitable by reason of the present very high price of potash. It would not be profitable if the price of potash were reduced to anywhere near its price level prior to the war. Potash now is selling at about $5 per unit and as high as $7 per unit, as against a price of 70 cents per unit, a price which, by the way, we protested vehemently through diplomatic channels before the war began. Of course at the present high price these cement mills can take up the work and, I hope, make it pay.

They are taking it up, but they did not take it up in the first instance by reason of any suggestion from the Agricultural Department. The hearings demonstrate they have been using $31,000 a year to discover that what is being done can be done, and if it were done extensively enough it would produce a lot of potash. That is very valuable information so far as it goes.

Mr. BORLAND. Will the gentleman yield?

Mr. MONDELL. For a very brief question.

Mr. BORLAND. They are not using any of this money in regard to the nitrate investigation. That question has been taken up in an entirely different way.

Mr. MONDELL. No, as far as the hearings would indicate. On the next page of this bill there is a new item. Not satisfied with the expenditure of $31,000 along the line of a pursuit that

does not belong to the Department of Agriculture at all, which belongs in the field of manufacture, with the field of mineral production—not satisfied with that, there is a new item of $127,000 for the purpose of completing and running a factory for the manufacture of potash from kelp out on the Pacific coast. After we have completed it and reach a point where we can actually produce potash, we do not now produce it, but we produce only the ash of kelp and sell that to those who do produce potash from it; after we have completed our plant and proven that we can actually manufacture potash, we expect to produce 5 tons per day, or 1,500 tons of potash per year, as against 200,000 tons consumption. We hope, or the department officials said they hoped, to produce it at a cost of $3 per unit of 20 pounds at the present time. If that hope were realized we could sell the product at a profit. But why should the Government enter upon or pursue an enterprise that has been entered upon and is being pursued in a commercial way and on a large scale by a number of private individuals and corporations? There are now a number of those plants on the Pacific coast producing the ash and the potash from the kelp. We can demonstrate nothing by our investigation or pursuit of this line of manufacture that will not be developed and can not be developed by private enterprise. We simply are entering upon a manufacturing enterprise in no way related to agriculture, except the potash is used in agriculture as a fertilizer, and entering upon it in a way that promises no hope of the development of new ideas or new processes, entering upon it along the line of private enterprises and in competition with them.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. MONDELL. If we are going to continue——

Mr. MADDEN. How many institutions are there in the United States doing the thing that the Government now proposes to do with the expenditure of $127,000?

Mr. MONDELL. I notice in the hearings several referred to; whether there are more I do not know.

Mr. MADDEN. This is a duplication of what they are already doing?

Mr. MONDELL. It is a duplication of what is being done by private enterprise.

Mr. MADDEN. There is not a new idea in the thing the Government proposes to do?

Mr. MONDELL. Nothing new at all. The Government is doing it in the same way that private enterprise is doing it and will do it—simply a manufacturing industry manufacturing right alongside with private manufacturing industries at a large expense. Of course, the private enterprise, if packed with capital, can increase its plant and introduce economies the Government can not, so that we are actually at a disadvantage as an experiment with the private concern.

The CHAIRMAN The time of the gentleman has expired; all time has expired, and, without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For the investigation of soils, in cooperation with other branches of the Department of Agriculture, other departments of the Government, State agricultural experiment stations, and other State institutions, and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations, $198,200.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee something in relation to this item. I notice that it starts with an investigation of soils in cooperation with other branches of the Department of Agriculture, evidently with various State agricultural stations, and then it refers to coloring maps and plats. It seems to me, Mr. Chairman, the item is a very large one for the latter purpose. I suppose the chairman of the committee has details as to what portion of the $198,000 is to be expended actually in investigating soils and what in drawing pictures of it. It seems to me some explanation of this item might be of value.

Mr. LEVER. Mr. Chairman, as a matter of fact, this item has not been changed in amount for four or five years. It is the regular soil-survey item of the Department of Agriculture, through which the department sends its experts into the field to ascertain the character of soil within certain areas, and then not only draws a map of the territory covered but furnishes, in the form of a bulletin, a description of the soil and the kind of crops that will most likely grow profitably in the area. It is the regular soil-survey work that has been carried for many years in this bill without any change in language or the amount carried.

Mr. TREADWAY. Then, I understand the reference to maps and plats, by coloring or otherwise, is not for large drawings of the findings of the investigations, but are in the form of a bulletin such as are distributed by the department?

Mr. LEVER. Yes; each Member of Congress is entitled to 2,000 bulletins descriptive of the area surveyed and platted in his district.

Mr. GREEN of Iowa. If the gentleman will permit an addition there, the department, I understand, sends out these maps in colors, which indicate the character of the soil in a particular place.

Mr. LEVER. A certain color will indicate a certain kind of soil.

Mr. TILSON. Mr. Chairman, I move to strike out the last two words. Just how is this done? Is there a corps of investigators sent out in one part of the country who continue their work until it is finished and then move on to another?

Mr. LEVER. Yes.

Mr. TILSON. Then where do the State agricultural experiment stations and other State institutions come in?

Mr. LEVER. The fact of the matter is that most of the States in the Union are cooperating very earnestly in this line of work and they work in conjunction with each other.

Mr. TILSON. The gentleman means that the State also sends out its experts and they go along with the Federal experts?

Mr. LEVER. As far as I know, I do not think the experiment stations proper are doing any soil-survey work except in connection with their own individual experiments. But a number of the States appropriate money with which to supplement the Federal fund. For instance, the State of Alabama some years ago made a considerable appropriation in order to have the Government come into the State and make the survey. And while none of these survey parties is under the control of the State, yet the State itself puts up a part of the expense.

Mr. TILSON. Will the gentleman state whether they do this work intensively in spots and then move on to another place, or whether they try to cover the whole country?

Mr. LEVER. They have two kinds of soil surveys. One is what they call the reconnoissance work, which is done on a rather extensive scale. I mean to say by that that they do not make their soundings or findings as to soil in every 200, 300, or 400 yards, but they take a whole area, as on the western ranges, and give an idea of the type of soil they have there. But in the Eastern States, in the more populated sections, they make intensive surveys. They go into every county and into every community in the county and get the type of soil.

Mr. TILSON. How are they progressing in this work? Is it nearing completion? Are they getting the country mapped, practically?

Mr. LEVER. It is going to take many years to get the country properly mapped, but they are making good progress. For instance, the department is making the surveys in my own county, and I may say I did not ask for it. When it gets a little warmer this party will probably be sent to Connecticut, we will say. They try to handle the force so as to get the best results.

Mr. TREADWAY. Is the gentleman aware of how these particular parties are designated for the soil survey?

Mr. LEVER. I understand the department has a rule by which the survey must be asked for by some civil or official body within the county, like a chamber of commerce or a county supervisor, or some person or organization of that character.

Mr. TREADWAY. Is that all the requirement?

Mr. LEVER. And in addition to that it must likewise be requested by the agricultural college or experiment station of the State.

Mr. TREADWAY. I want to state, Mr. Chairman, that since my first inquiry there has been handed me one of the bulletins issued under the surveys of a county in Missouri, and I take it that is a fair sample of the style of bulletin generally issued by the department. It is evidently very complete and must be extremely useful to the community directly affected.

Mr. SNELL. Is it not necessary for the State and local communities to do something in these surveys also?

Mr. LEVER. There is no law that requires that the State shall put up a proportionate part of the expense, but there is a rule of the department which really requires it.

Mr. SNELL. I wish to say that I took this up with the department at the request of some people in order to get a soil survey made, and they replied to me, as I remember, that certain things must be done in connection with the agricultural department of my State before that could be granted.

Mr. LEVER. That is true. And the department, except when it is going into a State that has had no surveys at all, as an educational proposition, does require the State or community to put up a part of the fund.

Mr. SNELL. And after they have made the original survey they go on and complete it and make the maps?

Mr. LEVER. They make the maps and do the printing.

The Clerk read as follows:

For the investigation and demonstration within the United States to determine the best method of obtaining potash on a commercial scale, $127,600: *Provided*, That the product obtained from such experimentation may be sold at a price to be determined by the Secretary of Agriculture, and the amount obtained from the sale thereof shall be covered into the Treasury as miscellaneous receipts.

Mr. MONDELL. Mr. Chairman, I think——

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Wyoming is recognized.

Mr. MONDELL. Mr. Chairman, though the paragraph is subject to a point of order, I hope the gentleman will not make it, because while I very greatly regret the way these moneys have been spent, I think the committee has in good faith appropriated, and we can not well at this stage of the game discontinue that kelp mill out on the Pacific coast. I suppose it is necessary we should waste a little more money out there. Probably we ought to complete it and let it run for a while if for nothing more than to demonstrate how unwisely the appropriation was made.

Mr. SNELL. Do I understand the Government owns the kelp mill out there?

Mr. MONDELL. The gentleman is correct, if that is his understanding. We have a kelp mill, and we are proposing to finish it and complete it and spend $127,000 to make, if all our hopes and expectations blossom into reality, 5 tons of potash per day. Of course there are a great many "ifs" and "ands" and "buts" and "whys" and "wherefores" along the trail between now and the accomplishment of that hope. But I think we will have to make this appropriation. I do not see how we can get out of it at this stage. I do not want to have what I said in regard to these two items taken as severely reflecting on the Committee on Agriculture, because I realize that with the shortage in potash, the demand for it, the necessity for having it, the committee feels under compulsion to do all that it can to encourage potash development. The trouble is the department has not used these appropriations as it was expected they would use them. They have used a large part of the appropriation for investigation, perfectly idle, in a domain clear outside of the department's proper scope or activities, and are here going into a manufacturing industry out of which nothing worth while has or will come.

Mr. STAFFORD. Mr. Chairman, I rise to ascertain the extent to which present law has been changed by the proviso incorporated in this paragraph. If my memory serves me right, under prior legislation we authorized the Secretary of Agriculture to sell the product of this mill.

Mr. LEVER. At the market price.

Mr. STAFFORD. What is purposed by authorizing the sale at any price that may be determined by him? Is it to sell below the market price? Will the product that is expected to be manufactured at this experiment station or experimental mill be of such a low grade that it will be necessary to sell it below the market price?

Mr. LEVER. No. Allow me to read the testimony.

Mr. STAFFORD. I wish to say, as the gentleman from Wyoming [Mr. MONDELL] has said, that the committee is at a great disadvantage in the consideration of this bill in not having the hearings indexed so that we can examine them ourselves, and we are subjected to the necessity of making many of these inquiries which I believe should be made before the matter is finally passed.

Mr. LEVER. I appreciate that, and therefore I think the gentleman will agree that I have been very liberal in the discussion.

Mr. STAFFORD. The gentleman is always liberal.

Mr. LEVER. We asked Mr. Harrison at our hearing for the reason for the change of this language, and his answer was:

Mr. HARRISON. As I understand it, the reason for changing the language was, in the first place, that the Secretary thought the department ought to have the authority to fix the price in the light of conditions existing at the time of the sale. The plant, of course, was not established for the purpose of making a profit. If we work out important processes and reduce the cost of production, there does not seem to be any real reason why the Federal Government should charge enormous prices simply because other companies engaged in the business may be doing so.

Then Mr. Brown, who is in charge of this work, made practically the same explanation of it.

Mr. STAFFORD. But the phraseology, if the gentleman will permit, is not limited to the cost of manufacture. He may sell below the market price, and sell below the cost of manufacture. There is no sense in that from the governmental standpoint. The Government has gone far enough into the Treasury for this experimental purpose without making a still further loss by selling below the cost of manufacture.

Mr. LEVER. Of course, I do not think they would do it, but that might be cured by providing that the product is not to be sold below the cost of manufacture.

Mr. McLAUGHLIN of Michigan. If the gentleman will recall, it was stated that in case the war should end and the price of potash should fall, the department might have on hand a large quantity of potash that had cost a certain amount to produce, and it could not sell it at all.

Mr. LEVER. That is true, of course. I had overlooked that fact.

Mr. STAFFORD. They could sell it under the law at the market price. Under this provision they can give it away or sell it at less than the cost of manufacture. They could go into the market where a private manufacturer is obtaining only a nominal profit and undersell him, and undersell him at a price which is less than the cost of manufacture by the Government.

Mr. LEVER. Yes.

Mr. SNELL. If we are making only 5 tons a day, as I understood to be the fact from the statement of the gentleman from Wyoming [Mr. MONDELL], I do not see how it would have any material effect on the market one way or the other.

Mr. STAFFORD. I did not follow the gentleman's statement closely as to whether or not that is the capacity of this experimental mill, but I question the advisability of this language being carried in this bill without qualification.

Mr. LEVER. I will say to the gentleman that I have absolutely no objection to inserting the old language. Probably it would be a wise thing to do.

Mr. STAFFORD. As I understand the existing law, the Secretary of Agriculture has that authority now?

Mr. LEVER. Yes.

Mr. STAFFORD. And therefore, Mr. Chairman, I make a point of order as to the proviso.

The CHAIRMAN. Does the gentleman from South Carolina wish to speak on the point of order?

Mr. LEVER. I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. I understood the gentleman to make the point of order only as to the proviso.

Mr. STAFFORD. Only as to the proviso.

The CHAIRMAN. The proviso is stricken out on a point of order. The Clerk will read.

The Clerk read as follows:

For investigations and demonstrations in bee culture, $35,000.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GREEN of Iowa. I simply desire to get a little explanation of this item. I have forgotten the construction that has been given to the word "demonstration" in this bill. Will this permit some of the agents to go out and make demonstrations as to the proper manner of handling bees and increasing the production of honey?

Mr. LEVER. It will.

Mr. GREEN of Iowa. What was the amount of this item last year?

Mr. LEVER. Twenty thousand dollars.

Mr. GREEN of Iowa. I thought it was increased, and I think very properly so.

Mr. LEVER. We have increased it $15,000.

Mr. GREEN of Iowa. One of the officials in the Department of Entomology told me that it was a conservative estimate that $25,000,000 worth of honey was lost every year which might, if proper means were taken, be saved through the bees. At this time, when there is such a shortage of sugar, the item, it seems to me, is very important, and I am glad that the committee has raised the allowance.

Mr. LEVER. It was on that theory that the committee made the raise.

Mr. GREEN of Iowa. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For investigations of insects affecting tropical and subtropical fruits, including insects affecting the orange, lemon, grapefruit, mango, etc., $16,500.

Mr. CONNELLY of Kansas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. CONNELLY of Kansas offers the following amendment at the bottom of the paragraph on page 55.

"For investigation and control of the grasshopper as a destructive agent in grain and grass fields and gardens, $20,000."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. LEVER. I ask unanimous consent, Mr. Chairman, that debate on this amendment and all amendments thereto shall close in seven minutes, the gentleman from Kansas [Mr. CONNELLY] to have five.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on this amendment and all amendments thereto close in seven minutes. Is there objection?

Mr. DOOLITTLE. Reserving the right to object, Mr. Chairman, can not the gentleman make is 12 minutes?

Mr. LEVER. I will make it 12. The gentleman is a member of the committee.

The CHAIRMAN. The gentleman from South Carolina modifies his request and asks that the debate be closed in 12 minutes. Is there objection?

There was no objection.

Mr. CONNELLY of Kansas. Mr. Chairman, I hope that I may be able to convince the chairman of the Committee on Agriculture, as well as the other gentlemen of that committee and the House, of the merits of this amendment that I have just offered. It is possible that I should have sought the committee before the bill was completed and brought on the floor and there made my plea for this item. But I understand that it can be very properly offered at this place and time.

I find that the bill provides—and very properly so—for the investigation of insects of almost every other kind that destroy grain and vegetables that are raised upon the farms of the country. The man who should be encouraged to go to his limit at this time is the farmer. He is the man who has great responsibilities resting upon him, and he should have every encouragement that can be given. Those of you who know the adversities that must be met and overcome by the farmer know how important it is that after his crop has been produced, after he has gone out and plowed and planted and cultivated, that he should not then find his hopes dashed to the ground and his season's labor lost by the visitation of some pest that he is helpless to combat.

The grasshopper, in many sections of the country, is the pest that blights the hopes of the farmer and robs him of his crop just at a time when it promises most. A great many of the States have given the matter of the control of the grasshopper some attention, but no State has the equipment for investigation along the lines provided for in this section of the bill that is possessed by the Agricultural Department with its well organized corps of specialists, scientists, and naturalists. The States are necessarily prevented by the expense involved from the doing of many things that can be more properly, efficiently, and economically done here. I realize that the control of the other insects mentioned in the bill is a matter of importance, and I hope the committee will adopt this amendment, which merely gives the farmer who is fighting the grasshopper—which is one of the oldest and greatest pests known—the same assistance that it does the other farmers who are having their crops devastated by insects.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. CONNELLY of Kansas. For a question; yes.

Mr. STAFFORD. Why would not the authority as carried in the paragraph on page 55, lines 8 to 10, "For investigation of insects affecting cereal and forage crops, including special investigation of the Hessian fly and chinch bug, $122,060," be available for the purpose of investigating the effects of the grasshopper on the wheat fields of Kansas?

Mr. CONNELLY of Kansas. The department, as I understand it, does not so consider it.

Mr. STAFFORD. Yes; but the language is broad enough to enable the department to make the investigation cover grasshoppers, if they wish to do so.

Mr. CONNELLY of Kansas. But the appropriation provided there will be used up under the other headings.

Mr. STAFFORD. Can the gentleman give the information that there is no available balance of that large appropriation of $122,000?

Mr. CONNELLY of Kansas. I am not sure about that. I would not like to state that that is true without more information. Mr. Chairman, I wish that Members might understand the importance of this amendment, and how the farmers on the western prairie lands are affected when thousands of acres of crops are destroyed overnight by grasshoppers. You gentlemen who are informed on the subject know that in one day thousands of acres are destroyed, when the crop is just coming into harvest.

Mr. KINKAID. Would it not accomplish the intention of the gentleman to have inserted in line 9, page 55, the word "grasshoppers," so that they will be included with the Hessian fly and the chinchbug, in accordance with the suggestion made by the gentleman from Wisconsin [Mr. STAFFORD]?

Mr. CONNELLY of Kansas. In answer to that, I would be satisfied if I could have the assurance of the chairman of the committee and the other members of the committee that the appropriation would justify the expenditure of $20,000 for this purpose.

Mr. KINKAID. I suggest that amendment as a substitute for the gentleman's amendment.

Mr. CONNELLY of Kansas. If the gentleman will agree to it and the committee will agree to it, that will be satisfactory to me. I hope they will, because I assure the gentleman that it is very important to a number of States.

Mr. KINKAID. I will not take up any more of the gentleman's time.

Mr. CONNELLY of Kansas. Mr. Chairman, I hope that gentlemen in the committee will not see fit to oppose this item. Personally I know that it is very essential. I wish I had the data at hand to convince gentlemen here of the meritorious character of this proposition.

Mr. ANDERSON. Will the gentleman yield?

Mr. CONNELLY of Kansas. I will.

Mr. ANDERSON. I have an impression that some years ago the Department of Agriculture made a very thorough investigation of the grasshopper, of its habits and habitat, and the character of the destructive work that it does. It is very well understood. I doubt very much if anything would be developed from another investigation which would be helpful. I understand the means of combatting the grasshopper are pretty well understood now.

Mr. CONNELLY of Kansas. Let me suggest to the gentleman that the old migratory grasshopper has been pretty well put out of business; but the grasshopper that now does the injury to the fields of the Central West is the local or nonmigratory grasshopper. The habits of this grasshopper, the manner of its reproduction, the manner of the laying of the eggs, and so on, have been studied by the States, but the States have never done it as thoroughly as could be done by the scientists in the Bureau of Entomology.

Mr. ANDERSON. Has the gentleman ever submitted his proposition to the Bureau of Entomology of the Department of Agriculture to ascertain whether they are conducting this investigation now, or whether there is likely to be anything of value learned by an investigation?

Mr. CONNELLY of Kansas. No; I have never submitted it personally, but I have known of the work in the last year by the State. For instance, the university in my State sent its young men to the western part of the State to make observations and study this very destructive agency. It is a matter of very great importance to the people in a large section of the country, and I hope gentlemen will not oppose it.

The CHAIRMAN. The Chair will recognize the gentleman from Kansas [Mr. DOOLITTLE] if he desires recognition.

Mr. DOOLITTLE. Mr. Chairman, I hope the gentleman who reserved the point of order against the amendment of my colleague will not insist upon it. It may be difficult for Members of the House to understand exactly what damage can be consummated by grasshoppers when they appear in the numbers that, I am sorry to say, they sometimes do appear in the western part of our State and in a great many other Western States. It may be interesting to the committee to know that there is a statute on the books of Kansas which makes it incumbent upon every able-bodied man to respond to the call of the township trustee when he orders them out to fight migratory grasshoppers. In the last few years we have been fortunate, as my colleague Mr. CONNELLY said, in getting rid of the migratory grasshoppers to a large degree; but when the country is visited by a drought like that we had in 1913, which, of course, is liable to happen at any time, the grasshoppers come out of the pastures down into the valleys where the vegetation is green and succulent, and they destroy that vegetation in the course of a few hours. They eat the leaves off of the growing corn. They even eat the leaves off the trees. If we can do anything to help eradicate this pest, it is the duty of the Government to do so, especially in this time of the demand for the production of more food; and this amount should be made available specifically for the purpose of destroying grasshoppers.

Mr. COX. Has the Government ever undertaken this before?

Mr. DOOLITTLE. Not that I know of.

Mr. COX. Does not the gentleman think it would be just as fair for the Government to undertake this investigation as it is to undertake the investigation of the boll weevil?

Mr. DOOLITTLE. I think so.

Mr. COX. I think so, too.

Mr. TILSON. Is it the gentleman's idea that the Government should take its soldiers or other able-bodied men, to join the able-bodied men provided for in the Kansas statute, and go out to combat this grasshopper? I thought this appropriation was simply for investigation. It seems to me from the knowledge of the grasshopper shown by the gentleman himself, his colleague, and others here on the floor, that we already know the problem, and that the real question is how to meet and solve the problem of eradication, which does not seem to be covered by the gentleman's amendment at all. The appropriation here is simply for investigation.

Mr. DOOLITTLE. I believe my friend will agree with me that we have more strenuous necessity for soldiers across the water.

Mr. TILSON. That is what I thought.

Mr. DOOLITTLE. I realize that my friend made the suggestion about the soldiers in good humor. I want to say that I cited the statute, which is more or less obsolete at this time, but, nevertheless, it is on the books and shows the importance in the State of Kansas utilizing or making a determined fight against the grasshopper.

Mr. TILSON. My question was whether the amendment was to make a fight against the grasshopper or an investigation that would enable the people of Kansas to make the fight.

Mr. DOOLITTLE. If the amendment is not broad enough—and I do not remember the exact wording of it—it ought to be amended so that demonstration work can be done. I think that was the intention of the gentleman from Kansas.

Mr. CONNELLY of Kansas. Will the gentleman yield?

Mr. DOOLITTLE. Yes.

Mr. CONNELLY of Kansas. I will suggest that the amendment was drawn following the language in the bill.

Mr. STAFFORD. Will the gentleman yield?

Mr. DOOLITTLE. Yes.

Mr. STAFFORD. Here we have an item to which I direct attention, providing, in lines 8 to 10, page 55, for investigation of insects affecting cereal and forage crops, $122,000, and the following item for the investigation of insects affecting southern field crops, $89,000. Those appropriations can be utilized for the same purpose for investigating grasshoppers that infest the wheat fields.

Mr. DOOLITTLE. We want a specific suggestion and direction from Congress undertaking the elimination of the grasshopper.

Mr. STAFFORD. The Congress and the committee is recommending a very large amount, over $200,000 that can be utilized for the very purpose which the amendment proposes. It is unnecessary. You should be modest in your efforts after appropriations when Congress has already made them. I assume that $200,000 is large enough to investigate this old trouble of the grasshopper.

Mr. DOOLITTLE. It would be if the grasshopper could be investigated under that appropriation, but it is claimed that it is not available, and I do not think it is.

Mr. ANDERSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ANDERSON. Was the point of order reserved on this amendment?

The CHAIRMAN. It was; and the committee by unanimous consent limited the debate on the paragraph and all amendments thereto to 12 minutes.

Mr. ANDERSON. But I assume, Mr. Chairman, that the committee can not, by unanimous consent, limit debate on a point of order. That is in the discretion of the Chair.

The CHAIRMAN. The discussion was limited on the merits, the discussion on the point of order is for the Chair. The Chair can stop the discussion of the point of order at any time.

Mr. LEVER. Mr. Chairman, if the gentleman from Wisconsin is going to press the point of order, I will not take the remaining two minutes' time.

Mr. STAFFORD. I do not think it is necessary to insert another paragraph already covered by the new paragraphs in the bill. I think the point of order should be made.

Mr. LEVER. Mr. Chairman, if the Chair will indulge me for the two minutes to which I am entitled, I will say that I am reading from the program of work of the Department of Agriculture. Among other things, it says:

Extensive investigation on the grasshopper has been conducted and positive methods of control secured. The results of this investigation are summarized in an article published in the Yearbook of the department for the year 1915. The saving of money to the agricultural interests as the result of this investigation will undoubtedly be immense. A farmers' bulletin giving full direction for the application of the methods of destroying the grasshoppers is in course of preparation.

So that all of this whole matter has been investigated by the department and the methods have been worked out for the control of this pest. These methods have been published for those interested in the proposition. So that it seems to me that this is one of the lines of work the department has completed, and I hope that we will not put ourselves in a position of starting it over again.

Mr. STAFFORD. That is a sufficient warrant, Mr. Chairman, for pressing the point of order.

The CHAIRMAN. The amendment provides for an investigation and control of the grasshopper. The Chair is of the opinion that it is perfectly competent to offer an amendment to the bill providing for an investigation, but the Chair is further of the opinion that the amendment goes beyond that when it provides for control. Therefore the Chair sustains the point of order.

The Clerk read as follows:

For investigations, identification, and systematic classification of miscellaneous insects, including the study of insects affecting the health of man and domestic animals, household insects, and the importation and exchange of useful insects, $52,330.

Mr. TILSON. Mr. Chairman, is this the proper item for the consideration of the question of the eradication of mosquitoes?

Mr. LEVER. Yes; I am inclined to think, if you are going to consider the mosquito at all, it will come under this item.

Mr. TILSON. Will the gentleman state whether there is any investigation going on on the part of the Government as to the eradication, elimination or control of this universal pest?

Mr. LEVER. Yes, there is; the Department of Agriculture under this item has been conducting investigations in reference to the mosquito, especially on the effect of the mosquito upon farm operations in certain localities. For example, they have selected a community, say, in Mississippi, and they are investigating the habits of the mosquito there and of the effect it has upon agriculture. In that respect it differs from the work of the Public Health Service.

Mr. TILSON. The paragraph says "including the study of insects affecting the health of man and domestic animals." Of course it has been conclusively proven that the mosquito does injure the health of man, besides being a very provoking pest.

Mr. LEVER. The committee has been fearful for some years that there might be a conflict of authority or a duplication of work under this item with the work of the Public Health Service. I have tried to see that no such duplication takes place. The line of work already done by the department under this item is confined to its effect on the agricultural situation in the community.

Mr. TILSON. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For general administrative expenses connected with above lines of investigation, and for miscellaneous expenses incident thereto, $9,000.

Mr. KINKAID. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman a question. Is it not a fact that the Government has succeeded remarkably well in exterminating the mosquito on the Panama Canal Zone?

Mr. LEVER. I think one of the greatest accomplishments of the Government on the zone was the extermination of the mosquito.

Mr. KINKAID. That was the understanding when I tarried there some six or seven days six or eight years ago. I was not annoyed with a single mosquito. I failed to see a mosquito. I crossed the zone every day from one side to the other by rail, stopping here and there, observing the developments that were going on in the construction of the canal. We had mosquito nets over our beds at the hotel at night, but I heard not a mosquito humming around. The means employed there were wonderfully successful, I am sure. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For the enforcement of sections 241, 242, 243, and 244 of the act approved March 4, 1909, entitled "An act to codify, revise, and amend the penal laws of the United States," and for the enforcement of section 1 of the act approved May 25, 1900, entitled "An act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes," including all necessary investigations in connection therewith, $22,000.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. I presume this is the same amount carried in the appropriation heretofore that has been expended for the enforcement of these sections?

Mr. LEVER. Exactly.

Mr. KINCHELOE. Has anyone in the Biological Survey Bureau undertaken to give the committee an itemized account of the expenditure of this money?

Mr. LEVER. We have the data. That is provided for in the report of the Secretary of Agriculture, which is filed each year with Congress, giving the details of the expenditures of the department.

Mr. KINCHELOE. My purpose in asking the chairman this question is that I have information from people who ought to know that not all of this appropriation in the years gone by has been expended for this purpose, but has been expended in other branches, probably, of the Biological Survey and not for the purpose solely of enforcing these sections of the statute.

Mr. LEVER. I have before me the details of the expenditures, and I shall read some of them:

Salaries: Assistant, $3,250; assistant, $2,500; assistant, $1,600; inspector, $1,800; four inspectors, $1,500; collaborators and inspectors, $600 to $1,200 each, doing part time; traveling expenses, $8,000; equipment and material, $500; miscellaneous items, $300.

Mr. KINCHELOE. The only question I had in mind was whether or not these gentlemen who are employed there to enforce these sections exercised all their energies in the enforcement of them?

Mr. LEVER. I can not say about that. I hope they do. If the gentleman has any information to the effect that they do not, I would like to have it.

The Clerk read as follows:

For investigating the food habits of North American birds and mammals in relation to agriculture, horticulture, and forestry, including experiments and demonstrations in destroying wolves, coyotes, prairie dogs, and other animals injurious to agriculture and animal husbandry, and for investigations and experiments in connection with rearing of fur-bearing animals, including mink and marten, $394,820: *Provided*, That of this sum $15,000 shall be used for the destruction of ground squirrels on the national forests and other public lands: *And provided also*, That of this sum not less than $125,000 shall be used on the national forests and the public domain in destroying wolves, coyotes, and other animals injurious to agriculture, animal husbandry, and wild game: *And provided further*, That of this sum not more than $125,000 shall be used on the public lands, national forests, and elsewhere in the Western and Northwestern States for the protection of stock and other domestic animals through the suppression of rabies by the destruction of wolves, coyotes, and other predatory wild animals.

Mr. MONDELL. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 59, at the end of line 25, insert:

"*Provided further*, That of this sum $10,000, or so much thereof as may be necessary, shall be used for the purpose of investigating the extent and effect of the killing and harassing by dogs of sheep and other meat-producing animals, and of the best methods for reducing and preventing the same."

Mr. LEVER. Mr. Chairman, I reserve the point of order on that and ask unanimous consent that debate upon the amendment and all amendments thereto close in 10 minutes, the gentleman from Wyoming [Mr. MONDELL] to have five minutes, the gentleman from Ohio [Mr. FESS] three, and reserving two minutes for myself.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate upon the amendment of the gentleman from Wyoming and all amendments thereto shall close in 10 minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, one of the most serious shortages in the world food and material supply at this time is the shortage of mutton and wool. The number of sheep in the United States has been steadily decreasing since 1911. There were 53,000,000 at that time, 49,000,000 in 1914, and 46,000,000 in 1917. Our wool production has decreased in like degree. Those who have investigated the questions leading to the reduction of the number of sheep in the country have come to the conclusion that one of the potent influences in the reduction of the flocks and against the increase and extension of the flocks is the depredations of predatory sheep-killing dogs, just common, mangy curs.

Mr. COX. And old hounds.

Mr. MONDELL. And old hounds; of no value to anybody, living upon the substance of the world, wandering about over the country and making it utterly impossible in widely scattered and very extensive sections of the country to keep a flock of sheep with any safety or certainty. A sheep-killing dog not only kills for the purpose of food but after he has become accustomed and habited to that sort of thing takes it up as a pastime, and one sheep-killing dog will destroy an entire flock in a few hours.

Mr. WALSH. Mr. Chairman, will the gentleman outline briefly how it is proposed this money shall be expended for this very worthy object?

Mr. MONDELL. My hope is—and I want to say to the chairman of the committee that I think $5,000 would do—that the department will gather all the information obtainable with regard to the situation in the various States of the Union, where the depredations of the sheep-killing dog have had the greatest effect in keeping down the flock, to learn the effect of State laws and to suggest possible remedies, legal and otherwise. I have in mind a remedy. I expect to propose it in a short time in the form of a bill, and I have at least one Member of the House who is pledged to support it, the gentleman from Indiana [Mr. Cox].

Mr. COX. Provided you get your tax high enough.

Mr. MONDELL. You can make the tax as high as you like.

Mr. COX. I would not make it less than $50.

Mr. MONDELL. I shall propose a Federal tax upon dogs as a war measure, absolutely essential at this time to increase the wool needed for the uniforms for our boys, and to increase the food supply, and as a measure that will be as beneficial in peace as in war.

If we can reduce the sheep-killing dogs in the country by one-half we can double the number of sheep in the Union to the very great advantage and benefit of everybody. In 1915 the Department of Agriculture published bulletin 652, by V. O. McWhorter, on the sheep-killing dog. Let me quote briefly from it:

DOGS THE MAIN CAUSE OF DECREASE IN THE NUMBER OF SHEEP.

Sheep-killing dogs are not only recognized as the worst enemy of eastern flockmasters at the present time but are known to be the principal cause of so marked a decrease in the number of sheep kept on farms. The moral effect upon all persons who have seen sheep killed, injured, or frightened by dogs is far more destructive to the industry than the actual damage sustained. No farmer contemplating the raising of sheep is likely to venture on the enterprise while the flocks of his neighbors are continually meeting reverses through the attacks of dogs, as the ultimate financial losses following such reverses are incalculable. Dog depredations to flocks are not only disheartening and discouraging to the flockmaster out they also break up breeding plans and render flocks restless and nonproductive.

Sheep-killing dogs work both singly and in groups, but usually in twos or threes. They do not limit their attacks to the flocks of the immediate vicinity in which they are kept, but travel for miles in all directions, spreading destruction in the flocks with which they come in contact. Because their work is so often done under the cover of darkness, it is almost impossible to catch them in the act of worrying the sheep, and hence they can seldom be positively identified.

The ways in which different dogs attack and destroy sheep vary greatly. Some dogs simply kill one or two sheep in a flock, while others continue the attack until all the sheep are either destroyed or crippled. In many cases, where large numbers are killed, they are neither bitten nor wounded, but simply chased until they die from exhaustion.

After a dog has once formed the habit of killing sheep it seemingly becomes a mania with him, and he is seldom, if ever, broken of it. He not only destroys sheep himself but leads other dogs to the work. No consideration should be given such dogs; if additional losses to flocks from this source are to be avoided, they should be dispatched as soon as their habits are known.

That dogs are a real hindrance to the sheep industry is not only acclaimed by the testimony of thousands of sheep owners whose flocks have suffered through ravages by them, but is verified by figures showing a conservative estimate of the partial loss incurred by flockowners during the year 1913. The figures were compiled from the reports of county treasurers of different States, giving the number of sheep killed by dogs and paid for by the several counties during the year. Not all counties or States reported these losses, as in many cases no law existed which empowered the county to pay for sheep killed; for this reason it was necessary to compute the total loss on a percentage basis.

Through a summary of the replies received from crop correspondents in the 36 farm States regarding sheep, it is estimated that the present number of sheep in these States can be increased by 150 per cent without displacing other live stock on farms. This summary, given in detail in Table II, also shows that sheep raising is considered profitable by a majority of the correspondents in most of the States, and that dogs are the main barrier to keeping them.

TABLE II.—*Summary of replies from crop correspondents showing estimated possible increase in number of sheep on farms without displacing other stock and causes preventing such increase.*

State.	Is sheep raising profitable?		Average estimated possible increase in number of sheep.	Causes preventing increase.	
	Yes.	No.		Dogs.	Other causes.
			Per cent.		
Alabama	7	23	100.3	15	3
Arkansas	25	17	117.2	15	3
Connecticut	3	2	377.0	3	2
Delaware	2	1	80.0	2	1
Florida	14	5	192.7	8	1
Georgia	22	41	128.2	36	9
Illinois	43	28	90.3	17	23
Indiana	42	21	77.6	28	22
Iowa	47	11	125.4	12	22
Kansas	35	22	196.0	6	20

TABLE II.—*Summary of replies from crop correspondents showing estimated possible increase in number of sheep on farms, etc.*—Contd.

State.	Is sheep raising profitable?		Average estimated possible increase in number of sheep.	Causes preventing increase.	
	Yes.	No.		Dogs.	Other causes.
			Per cent.		
Kentucky	76	21	27.9	49	7
Louisiana	19	11	175.0	20	.....
Maine	8	6	150.0	10	5
Maryland	11	3	57.3	7	5
Massachusetts	3	6	125.0	5	2
Michigan	35	15	122.4	8	18
Minnesota	32	20	129.2	5	21
Mississippi	31	22	118.6	30	4
Missouri	62	15	141.4	30	23
Nebraska	21	15	24.8	4	13
New Hampshire	3	.....	367.0	4	1
New Jersey	3	7	175.0	3	2
New York	27	16	48.8	17	16
North Carolina	27	35	116.1	28	7
North Dakota	22	8	201.9	.....	10
Ohio	30	29	39.3	29	33
Oklahoma	10	14	285.9	7	.....
Pennsylvania	16	16	114.7	14	17
Rhode Island	2	.....	270.0	1	.....
South Carolina	3	22	268.1	11	1
South Dakota	29	5	111.3	3	12
Tennessee	50	13	153.5	45	5
Vermont	4	5	183.0	5	3
Virginia	63	16	127.3	29	17
West Virginia	35	5	88.7	22	9
Wisconsin	26	18	80.5	5	21
Total	587	324	150.8	531	363

An increase of 150 per cent in the sheep of the States not included in the western division would increase the total number of sheep in this country by approximately 33,681,000 head. As computed from the average farm price per head of sheep in the sections considered for the year 1914, such an increase in number would bring about a corresponding increase in value of $144,267,000. It is believed by some who have made a study of the question that an increase of even 500 per cent need not seriously interfere with the keeping of other live stock now on farms.

I also desire to present the views expressed on the subject by the Wyoming Woolgrowers' Association in recent convention, as follows:

Whereas for many years the loss of sheep, calves, and other live stock from the depredations of dogs and predatory wild animals has resulted in great loss in production of food and clothing of this Nation; and

Whereas there now exists in several of the Western States a dangerous disease known as "rabies," affecting the coyote and resulting in menace to both man and beast; and

Whereas, as the presence of the sheep-killing dogs in certain portions of the United States menaces the sheep industry to such an extent as to make the successful raising and breeding of sheep impossible: Now, therefore, be it

Resolved, That we hereby petition Congress to levy a tax upon all dogs in the United States, and out of the fund thereby created such portion as may be necessary shall be used to exterminate the stock-killing dog, the predatory wild animals, and the range-destroying rodent.

Mr. Chairman, while I am on my feet I desire to present, as relating to various items of this bill, the resolutions adopted by the Wyoming Woolgrowers' Association at a meeting of that association held in Douglas, Wyo., January 9 to 11, as follows:

[Resolutions adopted by the Wyoming Woolgrowers' Association in fourteenth annual convention assembled, Douglas, Wyo., Jan. 9, 10, and 11, 1918.]

Whereas our country has been forced into the world's war by the lawless terrorism and inhuman brutality of the German Government: Therefore be it

Resolved, That the fourteenth annual convention of the Wyoming Woolgrowers' Association, in convention assembled, send greetings to our President and pledge to the President of our United States our undivided and earnest support to any and all efforts that he may make to win the war.

—

Whereas it is to the interest of the American people that legislation should be adopted which would prevent the misrepresentation of adulterated products of wool: Therefore be it

Resolved, That we respectfully urge the adoption of legislation by Congress that would result in the enactment of a suitable "pure-fabric" law.

We demand that no shoddy or other adulterants shall be mixed with wool that is to be made into soldier garments and that our soldiers shall be as well or better dressed than the soldiers of any other country.

—

Whereas the Biological Survey has been doing very creditable work in destroying predatory wild animals and the range-destroying rodents: Now, therefore, be it

Resolved, That we petition Congress for an appropriation of $500,000 for immediate use by the Biological Survey for the extermination of the aforesaid animals.

Resolved by the wool growers of Wyoming in convention assembled, at Douglas, Wyo., January 10, 1918, That the woolgrowers of Wyoming are in accord with the spirit and general plans of the Government in establishing values of industrial and commercial production, with direct and economic distribution; and be it further

Resolved, That, in cooperation with such proposed undertaking, the wool growers of Wyoming suggest that the wool clip of 1918 produced in the western range country be concentrated at logical distributing points adjacent to or near sources of production.

That National Wool Growers' Association be licensed and authorized by the Government to act as selling and distributing agents, to be empowered to make cash advances to wool growers on their shipments through sight drafts attached to railroad bills of lading at the open-market cost of money pending examination of wool, and fixing values upon present range of open-market prices or upon such other basis calculated to increase profitable production, such determination to be made by committee of equal representation by the Government, the manufacturers, and the wool growers.

After wools have been concentrated and worked into commercial grades, the Government representatives to take over for account of the Government such grades and amounts suitable for military requirements, the remaining wool to be sold, either at public auction or by allotment, to manufacturers for their actual milling requirements, in proportion to available supply in charge of the aforesaid authorized committee.

—

Whereas the production of wool and meat is very necessary to clothe and feed our soldiers; and

Whereas skilled labor is necessary in this production: Therefore be it

Resolved, That we urge the Provost Marshal General to place the skilled labor employed in the production of live stock in class 3 under deferred classification plan of the selective-draft law.

—

Whereas western flockmasters are as desirous as any other class of citizens of having the West developed and its lands put to their proper use; and

Whereas it is necessary for the economical handling of live stock on the Government lands of the United States to have defined and established trails from the desert or winter grazing lands to the forest reserves and from the forest reserves to railway shipping points; and

Whereas Congress has passed a law for said purpose: Now, therefore, be it

Resolved, That we, the Wyoming Woolgrowers' Association, respectfully urge the Secretary of the Interior, after consultation by agent or otherwise with the various live-stock associations, under the provisions of this law, to cause to be set aside such unoccupied strips of Government land as will be consistent with the economical moving of live stock to and from such ranges; And be it further

Resolved, That said association is in favor of such national land regulation as shall have for its object the proper, sane, and beneficial development of the public lands within the State of Wyoming after full consideration of all the varied interests involved.

—

Whereas we recognize the value of grazing privileges upon the forest reserves, and we commend the forestry department for the building and improvement of highways and in the destruction of predatory animals; and

Whereas the activities of the National Wool Warehouse & Storage Co., both in its live-stock educational work and in the marketing of wool consigned to it, has resulted in pecuniary benefit to the flockmasters: Therefore, be it

Resolved, That the Wyoming Woolgrowers' Association favors and recommends the support by the Wyoming flockmasters of the varied activities of the National Wool Warehouse & Storage Co., so that this selling agency of the sheepmen may become a controlling factor in the marketing of wool.

—

Whereas the University of Wyoming, through its agricultural college and experiment station, is primarily interested in serving the agricultural interests of the State, thus aiding its best development; and

Whereas there are at present no authoritative channels through which the officers of the university and its college of agriculture and experiment station may seek advice and obtain direct knowledge in the various agricultural lines; and

Whereas the Wyoming Woolgrowers' Association, representing one of the major agricultural industries of the State, has no authority of advisory character or otherwise to shape the direction of teaching, demonstration, and research of said college and station along the lines in which said association may be interested; and

Whereas, believing that the best results may be obtained only by legislative enactment of laws recognizing the right of the various State industries to have a voice in the work which is being done by the agricultural college and experiment station of said university: Therefore, be it

Resolved, That the Wyoming Woolgrowers' Association favors the enactment of laws by the legislature authorizing the appointment of committees from the various agricultural and stock interests of the State, these committees to cooperate with the agricultural college and experiment station in the planning and carrying through of investigational work.

—

Whereas experience has shown that the removal of an import duty on wool and live-stock products failed to lower the selling price thereof; and

Whereas the removal of duty from live-stock products, and especially wool, deprived the National Government of millions of revenue which would otherwise have been received: Now, therefore, be it

Resolved, That the Wyoming Woolgrowers' Association does hereby petition Congress to amend the existing tariff laws so that revenue can be produced for the Government from the imports of wool, live stock, and other animal products to such an extent as the necessities of the country may require.

Mr. FESS. Mr. Chairman, this is one of the questions that has been agitating Ohio for a great many months. I referred yesterday to the fact that one of the large sheep raisers in my section of the State, which by the way is a sheep-growing State, growing a fine brand of sheep, came to see me during the holi-

days, during our vacation, and made the statement that three times this year already his fine flock of sheep has been torn up by the dogs. He said that it is not only the loss to him, but it so disintegrates the flock that the sheep amount to very little after one of these raids is made, and he told me that it appears that the dogs go in packs like wolves, and when once they break into a flock of sheep the sheep for that year are fairly ruined. Now, I hardly see any justification on the part of a legislative body not to do something to prevent this wicked destruction of a very useful source of our meat supply, as well as our clothing supply, and it requires a very drastic remedy in order to meet this situation. I have thought that perhaps the Government could not supply the remedy, but that we would have to move upon the State legislatures, and I so spoke to him. It has been suggested here that we can reach it in the form of taxation. I think all of us would realize there is one item in taxation that would be inequitable, and that is these dog fanciers, who have great wealth, and who would be very willing to pay any tax that might be levied upon them to keep their dogs, would not desist from the keeping of dogs simply because you have required a heavy tax. I thought that one of the things with which we could reach it would be to make the dog an outlaw, and as soon as he goes off the farm to which he belongs, or off the yard to which he belongs, that he be subject to destruction by anyone injured without any basis for damages to be paid by the man who kills him.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. I hope if the way is clear that Congress may do something to speed up the States in their duty.

Mr. LEVER. Mr. Chairman, I rise to oppose the amendment. I recognize, of course, that the sheep industry suffers greatly on account of worthless dogs. Some gentleman made the statement the other day that there are two things which are militating against sheep raising in this country. One is a parasite and the other is the dog, and whoever made the statement spoke with authority. But I do not feel that this is the way to get at this problem. I should much rather——

Mr. MONDELL. Will the gentleman yield?

Mr. LEVER. I have only two minutes. I would much rather consider the suggestion of the gentleman from Wyoming as to putting a tax upon dogs.

Mr. MONDELL. Let us get a little information from the department to help along.

Mr. LEVER. I do not think there is any need for the information. I think any man who knows anything about the sheep industry of the country at all has pretty accurate and pretty full information as to the depredations of the dog upon sheep, and the information that you would develop would probably not be of very much value to the country. If Congress is prepared to act, it has the necessary information. I feel as my friend from Ohio [Mr. FESS] does, that this is naturally a State and not a national proposition. The same gentleman who told about the parasites and dogs also said that he had made it his business to confer with a great many members of the State legislatures, especially in the South, and he found them all enthusiastically in favor of handling the dog problem very drastically if Congress would, but the State legislatures were not willing to tackle the problem because it becomes a very vital political thing when it interferes with man's best friend, his dog. But be that as it may, I do not feel that the expenditure here proposed would bring to the Government a commensurate return, and I hope the amendment will be voted down.

The CHAIRMAN. The time of the gentleman has expired. Does the gentleman withdraw the point of order?

Mr. LEVER. I do not think it is subject to a point of order.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Wyoming.

The question was taken, and the Chair announced the noes seemed to have it.

Upon a division (demanded by Mr. MONDELL) there were—ayes 21, noes 16.

Mr. LEVER. Mr. Chairman, I am bound to ask for tellers on that.

Tellers were refused.

So the amendment was agreed to.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Can the chairman of the Committee on Agriculture furnish any statement as to the amount of the expenditure last year for the destruction of coyotes and the number of animals destroyed?

Mr. LEVER. I will say to the gentleman from Massachusetts that the amount carried in this bill is exactly the same amount as that carried in the present year's appropriation bill. We had information before the committee as to the number of animals destroyed by prairie dogs, coyotes, wolves, bear, and the like. For instance, I find here there was destroyed 11,000 gray wolves, something like 53,000 predatory wild animals of all descriptions, and that they turned into the Treasury from the skins of the animals killed something like $55,000 during last year. We did have a rather full explanation of this item, but as to just how many coyotes were killed I do not remember.

Mr. WALSH. But the committee was satisfied that this work was not only beneficial but that the Government was reimbursed to some extent on account of the expenditure that was made?

Mr. LEVER. Yes. The statement was made before the committee, which was startling to me—how accurate it is I do not know—that there was a yearly loss from the prairie dog of $250,000,000.

Mr. WALSH. That is not the coyote?

Mr. LEVER. That is not the coyote; no.

The Clerk read as follows:

For all necessary expenses for enforcing the provisions of the act approved March 4, 1913 (37 Stat. L., 847, 848), relating to the protection of migratory game and insectivorous birds, and for cooperation with local authorities in the protection of migratory birds, and for necessary investigations connected therewith, $50,000.

Mr. MILLER of Minnesota. Mr. Chairman——

Mr. COX. Mr. Chairman, I move to strike out the last word. I just want to ask the chairman of the committee a question. Has the Supreme Court decided those appeals yet?

Mr. LEVER. I do not think that it has.

Mr. COX. As I recall it, they at least had a hearing on it and postponed it for further argument.

Mr. LEVER. I think the gentleman's recollection is correct.

Mr. MILLER of Minnesota. Mr. Chairman, I was looking for that paragraph in the bill which the Clerk has just been reading and in which an appropriation was made covering the subject of migratory birds.

Mr. LEVER. The Clerk has just read it. It is on page 60, lines 4 to 11, inclusive.

Mr. MILLER of Minnesota. I would like to ask the gentleman in charge of the bill, the gentleman from South Carolina [Mr. LEVER], if, in view of the fact that a special act is now being considered, and an appropriation carried in the act covering the subject of migratory birds, it is not advisable that this should be eliminated?

Mr. LEVER. I think not, for the reason——

Mr. MILLER of Minnesota. Of course, the section by which this appropriation is being made is to be repealed by this new act.

Mr. LEVER. I appreciate that.

Mr. MILLER of Minnesota. May I inquire if the gentleman would be inclined to make a point of order if we inserted that proposed act right in here in lieu of this paragraph?

Mr. LEVER. That act, as I understand it, is an enabling act, involving the treaty between this country and Canada, and as a protection to the Committee on Foreign Affairs, I would feel compelled to make a point of order.

Mr. MILLER of Minnesota. The Committee on Foreign Affairs, I am assured, would be agreeable to inserting that.

Mr. LEVER. Not having conferred with the members of the committee, I feel I would be doing them an injustice by allowing it.

Mr. MILLER of Minnesota. May I inquire of the gentleman from South Carolina if he has acquainted himself with the provisions of the proposed act?

Mr. LEVER. I will say to the gentleman that I have been so very busy that I have not. I have read about it in the newspapers, and that is about all.

Mr. MILLER of Minnesota. Is it true that the act cited here, approved March 4, 1913, has been efficacious in accomplishing the object and intent Congress had when it passed it?

Mr. LEVER. The statement was made before the committee that there has been a very large increase in the number of waterfowl in this country, due to the stoppage of spring shooting, and that the act was efficacious in the direction of the purposes sought to be accomplished by it.

Mr. MILLER of Minnesota. That is, it was moving in the right direction?

Mr. LEVER. Moving in the right direction; yes.

Mr. MILLER of Minnesota. Has the gentleman any information before his committee to the effect that the act ought to be amended if the real object Congress had is to be accomplished?

Mr. LEVER. While we have no recent testimony to that effect, I think some suggestions for amendment have been made.

Mr. MILLER of Minnesota. Did the gentleman's committee have any hearing on this particular paragraph?

Mr. LEVER. Oh, yes.

Mr. MILLER of Minnesota. That is, representatives of the Department of Agriculture appeared and gave information relative to it?

Mr. LEVER. We had a representative of the Biological Survey before the committee and examined him on every item in the bill.

Mr. MILLER of Minnesota. Did he or did he not recommend a change in that law?

Mr. LEVER. No; not in the hearings on this particular bill. If he did, it escapes my recollection at this moment.

Mr. MILLER of Minnesota. Have we appropriated $50,000 each year since 1913 for this purpose?

Mr. LEVER. Yes.

Mr. MILLER of Minnesota. That is, we have used up $250,000, then?

Mr. LEVER. Yes. I think it is only fair to say that the appropriation is smaller in comparison to the work that could be accomplished, even under the present act.

Mr. MILLER of Minnesota. Has the gentleman's committee been informed of any difficulties experienced in attempting to enforce this by certain States and certain jurisdictions refusing to comply with the terms of this law?

Mr. LEVER. I do not recall any such statement before the committee this year. I seem to have a recollection that there was some difficulty a few years ago. I think the general sentiment of the people is becoming more and more favorable to this kind of legislation and this act.

Mr. MILLER of Minnesota. I think that statement is entirely correct. But, as a matter of fact, is not the gentleman aware that certain amendments to this law are necessary if it is really to be effective?

Mr. LEVER. Not speaking for the committee at all, because the membership of my committee is divided on this proposition, but for myself only, I answer yes.

Mr. MILLER of Minnesota. Well, I will say to the gentleman that from my own point of view I think it is useless to appropriate this sum of $50,000 year after year unless we make a change in the law.

Mr. LEVER. I do not agree to that proposition.

Mr. MILLER of Minnesota. I do not imagine that the gentleman does.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. May I have five minutes more?

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. LEVER. I ask unanimous consent that the debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, is the gentleman informed as to how much of this appropriation is expended?

Mr. MILLER of Minnesota. It is all expended. I think the gentleman from South Carolina can confirm that.

Mr. LEVER. Yes; it is all expended.

Mr. MILLER of Minnesota. The reason why I object, Mr. Chairman, to this provision going in year after year without change in the law is this: The constitutionality of this law has been questioned in several jurisdictions. I understand the decisions have not been uniform respecting the question whether it is constitutional or not. But aside from that, this law in itself does not contain provisions enabling those charged with its enforcement actually to enforce it.

What do I mean by that? The control of hunting and fishing is one of the police powers of a jurisdiction or a State. The police power is one of the difficult things to enforce, because it is against the habits and the propensities of individuals in the community; that is, of certain of them, at least. It is for the public health and morals of the community that the police power resides in a State.

Now, one of the things that we are all familiar with from our childhood up is this: Some men will go out with a fishing rod and catch fish in a respectable way and come home with a reasonable number, and supply his family, and enjoy the sport, and incidentally reduce the cost of living. But aside from those there are certain ones that will go out and get all they can and sell them or throw them around and destroy them. We all know that is a fact.

In respect to game it is equally so, and perhaps more so. Ducks are migratory birds, and there are also various other kinds of migratory fowl and migratory game. There are scoundrels in the hunting business just as there are scoundrels in any other line of sport or interest.

One of the most difficult things we are called upon to deal with is the pothunter, the man who breaks the law and kills and destroys and wastes. In my own experience I found two policemen who had gotten a week's leave and had gone up into the woods of northern Minnesota, out 50 miles from the railway, and had found a bunch of seven big moose in a swamp, and they killed those seven, and could not carry away one, and left them all there to rot. They ought to have been protectors of the law, of course, instead of its violators. That is an isolated instance, but there are many, many more of them.

The trouble with this law as it stands is this: There is no power resident in the Department of Agriculture or its agents to enforce its terms, and a man can laugh at an agent of the Department of Agriculture, and can kill all the game he wants to, and make all the breaches of the law he cares to, and is absolutely free and independent of arrest. They can not reach him at all, and they do not reach him. The only place where they do reach him is in a community which in itself has game laws and game protection, and there the violators of this law are punished, because there are agents of game administration in those communities who see to it that they are punished. The result of this is that some of the Northern States have splendid game laws and give ample protection to the game. There are some States in the middle belt that are not exactly game States, but the migratory birds coming from the north to the south and going from the south to the north pass over those States and for a time stop-over in those Central States where there are no adequate laws for the protection of game, and where the pothunters dwell, and this bill does not stop them.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. PLATT. Has the gentleman read the hearings where Dr. Nelson, of the Biological Survey, tells what has been accomplished in the protection of migratory birds and game in quite a number of States, largely through the operation of this law? He gives a list of 24 States.

Mr. MILLER of Minnesota. Yes. That has had a good effect. I have had the pleasure of listening to Dr. Nelson many times when he was before our committee and cooperated with him when we were drafting a law that was adopted by the Committee on Foreign Affairs.

Mr. PLATT. Can the gentleman tell us how soon that bill is to come before the House?

Mr. MILLER of Minnesota. It is on the calendar now. We should be glad to call it up at any minute, but we can not do so until our committee is reached. We should be glad to incorporate it here.

Mr. PLATT. I shall be glad to vote for it whenever I get the opportunity, and I hope the Committee on Foreign Affairs may be able to secure a special rule from the Committee on Rules to bring it before the House in the near future. It is an important measure and ought not to be longer delayed.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For wagons, motor trucks, bicycles, horses, harness, and maintenance of the same, $500.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. In this service are there at present any motor trucks which require maintenance? I notice in this item just read the committee have inserted as new language the words "motor trucks."

Mr. LEVER. Yes; they have one motor truck.

Mr. STAFFORD. Then this item is merely to provide for its upkeep?

Mr. LEVER. Yes.

Mr. STAFFORD. I withdraw the reservation.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to modify the amendment which I offered, to be inserted on page 45, after line 11, by changing the last line, so that instead of reading—

Any moneys received on account of such material shall be deposited in the Treasury as miscellaneous receipts—

It shall read—

Any moneys received on account of such material shall be deposited in the Treasury as provided by existing law.

The CHAIRMAN. The gentleman asks unanimous consent to modify the amendment which he proposes, which was passed over to be called up later. Is there objection?

Mr. STAFFORD. Subject to the reservation of the point of order.

Mr. JOHNSON of Washington. Certainly.

The CHAIRMAN. The Chair hears no objection to the request.

Mr. JOHNSON of Washington. This perfects the amendment and puts it in the form in which it will come up for final consideration.

Mr. McLAUGHLIN of Michigan. Does this refer to the proceeds of the sales of timber?

Mr. JOHNSON of Washington. Yes.

Mr. McLAUGHLIN of Michigan. Why should not such proceeds be regarded as receipts of the Forest Service?

Mr. JOHNSON of Washington. Exactly; and the amendment as first introduced provided that the proceeds should be deposited in the Treasury as miscellaneous receipts. We are now perfecting it so that it shall be "as provided by existing law," which is the law covering the forest-reserve receipts. I wanted to have the amendment perfected in the RECORD, so that it will appear in the form in which it will be considered.

Mr. FORDNEY. The law already prescribes where the money shall go.

The CHAIRMAN. This paragraph was passed over with this amendment to be called up later, and the Chair understands the gentleman from Washington simply asks leave to modify that amendment as indicated by him. Without objection, it is so ordered, and the Chair hears none.

Mr. LEVER. And the point of order is still reserved.

The CHAIRMAN. The point of order is still reserved.

Mr. JOHNSON of Washington. Now shall I read the paragraph as modified?

The CHAIRMAN. The Chair will hold that when this amendment is called up the Chair will direct the Clerk to read it as the gentleman now proposes it.

Mr. JOHNSON of Washington. I thank the Chair. The amendment as now modified reads as follows:

And hereafter, during the existing state of war, the Secretary of Agriculture is authorized to sell without advertisement to any individual, firm, association, or corporation, at a fair value to be determined by him, national-forest timber which he shall find is to be used for war purposes; and he is also authorized, under regulations to be prescribed by him, to permit the War Department to take from the national forests such timber as may be needed in the prosecution of the war. The Secretary of War, under regulations to be prescribed by him, is hereby authorized to sell or otherwise dispose of any of the material manufactured from such timber which is not suitable for war purposes Any moneys received on account of such material shall be deposited in the Treasury as provided by existing law.

The Clerk read as follows:

For purchase of manuscripts, traveling expenses, electrotypes, illustrations, and other expenses not otherwise provided for, $3,000.

Mr. FESS. Mr. Chairman, I move to strike out the last word. I should like to have the judgment of the chairman of the committee on the general value of these various bulletins, as to whether we have published a good many that are out of date, that have no particular value, and whether we have a greater demand for certain classes, a demand so great that we are not capable of satisfying it?

Mr. LEVER. Our information is that on account of war conditions and the campaign for increased production of food, and garden work, and the like of that, the publication work of the department this year has increased enormously. We are also informed that the publications are bending themselves in the direction of furnishing information that will be valuable in this emergency. I think as a general proposition that the information work of the Department of Agriculture is exceedingly valuable.

Mr. FESS. Has the chairman of the committee any suggestion as to how to call the attention of the various farming interests to any particular bulletins? I make this inquiry in the belief that we do not secure a maximum benefit from these published findings of investigators.

Mr. LEVER. Some years ago, when I found that I had any bulletin which I supposed would be of special interest to my own constituents, I adopted the plan of having the newspapers announce that I would be glad to furnish to any of my constituents copies of the bulletin.

Mr. FESS. I think the information I have received from my own office confirms the chairman's judgment as to the bending of our energies in certain directions. If it would please the chairman, I would like to give him the results of the investigation from my own office.

Mr. LEVER. I should be very glad to have that.

Mr. FESS. Bulletins on cooking are first in the list of calls from the office, and on gardening especially the number here enumerated is second; poultry raising, with special reference to two at least, have had a tremendous demand from our particular section. Then, a general classification indicates foodstuffs first, hog raising second, cattle raising, and plant industry seems to be the order. I asked my secretary to call up the Department of Agriculture and get an estimate from that department as to this same matter. I rather think this demand from our office is about what is demanded throughout the country. I take it, for example, that that is in response to the demand produced by the war. The question especially I wanted to raise is whether we are spending any great amount of money for bulletins that are really of no value.

Mr. LEVER. I do not think so. I try to read most of the farm bulletins as they are issued, and while some of them are of no particular interest to me because the problems discussed are of no special interest, still they are of interest to some classes of people. I do not think we are wasting money on them.

Mr. FESS. There are some bulletins that we can not supply the demand for.

Mr. LEVER. That is true.

Mr. FESS. If possible, there ought to be an increase in the number of certain bulletins that we can not now supply.

Mr. LEVER. I want to say to the gentleman that the appropriation for the supply of the bulletins is not carried in this bill. That is carried in the sundry civil bill, and they have an available appropriation of $500,000. I recall that I moved to increase the amount in the bill by $50,000.

Mr. FESS. I beg the gentleman's pardon, I thought we were carrying it under this item of publications.

Mr. LEVER. No; this is the item for the division which prepares the bulletins.

Mr. FESS. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Salaries, library, Department of Agriculture: One librarian, $2,000; 1 clerk, class 3; 1 clerk, class 2; 5 clerks, class 1; 3 clerks, at $1,080 each; 3 clerks, at $1,020 each; 4 clerks, at $1,000 each; 6 clerks, at $900 each; 1 clerk, $840; 1 junior library assistant, messenger, or messenger boy, $720; 1 junior library assistant or messenger boy, $660; 3 junior library assistants or messenger boys, at $600 each; 1 messenger, messenger boy, or laborer, $480; 2 charwomen, at $480 each; in all, $32,160.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. While the last paragraph was being read it occurred to me that quite a large clerical force was being provided for this library. I have not counted the exact number of clerks that are herein provided, but they run up to more than 20. What is the need of having such a large clerical force in a department library? I know there are other departments that have libraries of their own which do not maintain anywhere near the clerical force provided for in this paragraph.

Mr. LEVER. I will say that there is no change in this item.

Mr. STAFFORD. I am quite aware of that.

Mr. LEVER. The fact of the matter is the committee did not cross-examine the librarian, who happens to be a lady, because there was no change in this item either in the amount in the lump-sum roll or the statutory roll.

Mr. STAFFORD. Are there any clerks appropriated for out of the lump sum in addition to those on the statutory roll?

Mr. LEVER. No; there could not be unless they were temporary.

Mr. STAFFORD. Here we have 25 clerks other than the librarian, and the salaries range from $1,600 down, most of them over $1,000, for a mere departmental library. When the Committee on Appropriations had the question of a library for the Department of Labor, in which there were five clerks, it struck the members of the committee as being too large a force for the maintenance and operation of that department library. But here we find 25 clerks.

Mr. LEVER. The gentleman knows that the Department of Agriculture has the most expensive agricultural library in the world, and probably one of the largest departmental libraries in the Government service.

Mr. STAFFORD. Take the library of the Surgeon General's office in the War Department, which is the largest medical library in the world, and yet there is no such force of clerks there.

Mr. LEVER. How many clerks are there in that force?

Mr STAFFORD. I have not the number in mind. They have high-paid officials like translators, and the librarian receives a larger salary, but nothing near the clerical force that is provided for here. How many volumes are there in the Agricultural library?

Mr. LEVER. I can not tell offhand. We had the information once, but I can not recall it.

Mr. STAFFORD. I am bringing this to the attention of the chairman, and if he has not the information now I hope next year he will make some investigation of this large clerical force, which seems to me abnormally large for a department library, and be able to give us some information.

Mr. LEVER. We had the librarian before us a year or two ago and subjected her to an examination and had full information, but I have not it here at this time.

Mr. STAFFORD. The gentleman does not recall the testimony as to the necessity of this clerical force?

Mr. LEVER. No; but there has been no change in it.

The Clerk read as follows:

General expenses, library: For books of reference, technical and scientific books, papers, and periodicals, and for expenses incurred in completing imperfect series; for the employment of additional assistants in the city of Washington and elsewhere; for official traveling expenses, and for library fixtures, library cards, supplies, and for all other necessary expenses, $18,000.

Total for library, $50,160.

Mr. BORLAND. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 65, at the end of line 11, add the following:

"No part of any amount herein appropriated shall be used to pay salaries or for personal services in any department, bureau, or office in the District of Columbia which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act approved March 15, 1898, require eight hours of labor each day."

Mr. LEVER. Mr. Chairman, I reserve the point of order on that. Let me suggest to the gentleman that his amendment would come in the bill more properly later on. This is the library here, and the gentleman would inject this proposition into the very body of the bill.

Mr. BORLAND. I will say to the gentleman that I think this is an appropriate place. We have gotten down now to the point of miscellaneous expenses—stationery, blank books, and all that sort of thing. I assume it would come in here as appropriately as covering the clerical employees that preceded it, just as much so as it would anywhere else, but I have no choice as to where it comes in.

Mr. LEVER. We have yet to pass on the States Relation Service and the Bureau of Markets and a number of other things carrying statutory salaries. I think it would be better at the end of the bill. I make that suggestion to the gentleman.

Mr. MONDELL. I suggest to the gentleman from South Carolina that this is a particularly good time to rise. The gentleman from Missouri [Mr. BORLAND] no doubt has some new and fresh and interesting observations to make on this important subject, and he can make them better when the committee reconvenes.

Mr. BORLAND. Mr. Chairman, I withdraw the amendment for the time being.

The Clerk read as follows:

Rent of buildings, Department of Agriculture: For rent of buildings and parts of buildings in the District of Columbia for use of the various bureaus, divisions, and offices of the Department of Agriculture, $158,689.

Mr. RUBEY. Mr. Chairman, I ask unanimous consent to return to page 45 to take up a paragraph that went out on a point of order, in order that I may offer a substitute for it.

Mr. STAFFORD. What is it?

Mr. RUBEY. The paragraph in regard to the pay for traveling expenses in the Forest Service.

Mr. STAFFORD. Mr. Chairman, I think it would be better to make that request at the convening of the next session. The gentleman who made the point of order is not present in the Chamber at this time.

Mr. RUBEY. I have an idea of getting the amendment in the RECORD, and then we could rise, and that would give opportunity to see what it is, and we could act upon it to-morrow.

Mr. MONDELL. I have no objection to that.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to return to page 45 of the bill; that he be permitted to offer an amendment to the section where lines 12 to 17 were stricken out on a point of order. Is there objection?

Mr. MONDELL. Mr. Chairman, I have no objection to returning to that paragraph for that purpose, but I do think this is not the hour, with this very limited attendance, to do that.

Mr. RUBEY. We will not press the amendment to-night. It is not my intention to do that.

Mr. MONDELL. If the committee rose, the matter might be presented to-morrow.

Mr. RUBEY. I just wanted to get it in the RECORD, so that we can proceed with it to-morrow.

Mr. LEVER. I do not think the gentleman from Wyoming understands. It is not the intention of the gentleman from Missouri to press the amendment to-night. He desires to have permission to return and have it printed in the RECORD as pending.

Mr. MONDELL. Does the gentleman from South Carolina expect to rise then?

Mr. LEVER. As soon as the gentleman from Wisconsin [Mr. STAFFORD] is through. I believe he desires to ask me some questions. To protect everyone, I shall reserve the point of order on the proposed amendment of the gentleman from Missouri myself.

The CHAIRMAN. The Chair will state the request of the gentleman. The gentleman from Missouri asks unanimous consent to return to page 45, and that he be permitted to offer an amendment and have it pending to the bill, and the gentleman from South Carolina reserves all points of order against the amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. RUBEY. Mr. Chairman, I offer this amendment as a separate paragraph in lieu of that stricken out.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. RUBEY offers the following as a new paragraph in lieu of the one stricken out, on page 45, lines 12 to 17, inclusive: Whenever the Secretary of Agriculture shall determine after investigation that the expenses of travel can be reduced thereby he may, in lieu of actual traveling expenses, under such regulations as he may prescribe, authorize the payment of not to exceed 2 cents per mile for a motorcycle or 6 cents per mile for an automobile, used for necessary travel on official business in the Forest Service.

Mr. LEVER and Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. MONDELL. Mr. Chairman, pending the gentleman's request, I ask unanimous consent that I may revise and extend my remarks on the last amendment offered by me.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, I rise to ascertain information from the chairman as to whether the Department of Agriculture is being pressed for additional space for quarters by reason of war activities. That subject is a very live one in the Committee on Appropriations, which is considering quarters for all the departments and various Government establishments other than the Agricultural Department, and I thought it was proper at this time to obtain some general information as to the condition in the Agricultural Department.

Mr. LEVER. Mr. Chairman, my colleague on the committee, the gentleman from Mississippi [Mr. CANDLER], has made a very full investigation of the whole matter, and I will ask him to answer the question.

Mr. STAFFORD. I am most concerned as to what additional quarters will be needed by reason of increased activities in the Department of Agriculture by reason of the war.

Mr. CANDLER of Mississippi. I will state to the gentleman that there is considerable additional space that appears to be absolutely necessary by reason of the extension of their activities growing out of the war. The Secretary himself furnished quite an extensive statement with reference to the matter.

The necessity for these additional quarters appears to be absolutely necessary. He says:

In my letter to you last January, printed in the CONGRESSIONAL RECORD of January 6, 1917, I referred briefly to the growth of the Department of Agriculture in recent years. I stated that for the fiscal year 1908 (in which year the two new laboratory buildings, known as the east and west wings, were completed and occupied) the total appropriations to the department were $13,037,802, of which $12,595,502 was actually disbursed. For the fiscal year 1917 the total appropriations to the department were $36,128,852, or nearly three times the disbursements in 1908. By the food-production act (Public, No. 40, 65th Cong.) approved August 10, 1917, an additional sum of $11,346,400 was appropriated for work devolved upon this department. Without additional clerical and supervisory employees in Washington these new lines of work can not be carried on and a place for them to work must be provided. Under great and increasing difficulties due to the demand for Government offices in Washington, we have secured a portion of the additional space needed, but we need more for the regular work of the department under the agricultural appropriation act, without regard to any additional projects which may be authorized under emergency legislation.

Mr. STAFFORD. Will the gentleman give in concrete form the additional space that will be needed by the Agricultural Department during the ensuing fiscal year for its additional work and the present work?

Mr. CANDLER of Mississippi. If the gentleman will permit, I would suggest that I have an extensive statement here in reference to it, and I will ask that it be inserted in the RECORD, so that we may have the benefit of it by to-morrow morning. That will give in detail the full information which the gentleman desires.

Mr. STAFFORD. Is the statement very extensive? I do not wish to burden the RECORD with a large number of tabulations.

Mr. CANDLER of Mississippi. It is not very extensive.

Mr. Chairman, I ask unanimous consent to print in the RECORD a statement in reference to the rents in the Agricultural Department.

The CHAIRMAN. The gentleman from Mississippi asks leave to extend his remarks in the RECORD, as indicated by him. Is there objection?

There was no objection.

The statement is as follows:

DEPARTMENT OF AGRICULTURE,
Washington, January 24, 1918.

Hon. E. S. CANDLER,
House of Representatives.

DEAR MR. CANDLER: With reference to the space rented by the Department of Agriculture in the District of Columbia and the proposed increase in the appropriation for rent in the Agricultural appropriation act, I inclose a complete statement of buildings and parts of buildings rented, showing the present situation in detail (Exhibit A). This statement shows the annual rate to be paid under the leases but does not in all cases represent the amount actually paid in this fiscal year, since some of the leases were made after the fiscal year had run for some months, as shown by the column headed "date of first lease."

Last year, in advocating an increase in the rent appropriation, I referred to the department's desire to secure in this neighborhood where it would be close to the Secretary's office, a new building which would house the Forest Service (now at 930 F Street NW.) and provide room for needed expansion of other branches. In dealing with the matter I eliminated from consideration as sites for a new rented building the three squares immediately to the south of our main building, upon which Congress may at some future time extend the Government's own buildings, and required that the building be located east of Twelfth Street SW, where it would not interfere with any known plans for Government building. The two builders who submitted plans for a new building stated that they could not secure the necessary land east of Twelfth Street at a price which would enable them to erect a building and rent it to the department at a rate per square foot which we could afford to pay. The project therefore fell through and we have been obliged to rent such buildings uptown as we were able to find.

I may also state that at the time I wrote you on this subject last year (see CONGRESSIONAL RECORD of Jan. 6, 1917) we were renting 12,410 square feet in the Munsey Building, for the Bureau of Markets, paying therefor $14,000 per annum. At the request of the Council of National Defense we abandoned these quarters to the council on May 1, 1917, renting in lieu thereof the Busch Building at 710 E Street NW., which had just been abandoned by the Bureau of Mines. The rental of the Busch Building is $12,000 per annum for 36,159 (gross) square feet, so that we profited by the exchange in amount of floor space occupied. By rearranging quarters in the building at 1358 B Street SW., occupied by the Bureau of Animal Industry, we were enabled to bring the Bureau of Markets offices nearer together and also to rent a small new building which had been erected at Linworth Place and B Street SW., by a Washington bank, but which was never used for bank purposes.

With the passage of the food-production act (Public No. 40, 65th Cong.), carrying $11,346,400, new and urgent tasks were laid upon the department and more space was imperatively needed. In particular, the work of the States Relations Service and the Bureau of Markets was largely increased, making necessary a large expansion in the Washington force of these bureaus. States Relations Service administers that portion of the act which provides for increasing food production and eliminating waste and promoting conservation of food by educational and demonstrational methods through county, district, and urban agents and others, under an appropriation of $4,348,400. This service has increased its Washington force by 135 employees. The Bureau of Markets has added nearly 1,200 employees to its Washington staff; that bureau having to conduct among other thing the food surveys provided for in section 8 of the act, under an appropriation of $2,522,000. The Bureau of Entomology has also required additional employees, the food-production act providing $441,000 for new work in the control and eradication of insect and plant diseases injurious to agriculture.

Regardless of new lines of work authorized and directed by the food-production act, the department's needs for space remain as urgent as ever. All quarters are crowded, and we have even been driven to partitioning off the ends of corridors in the east and west wings for office rooms. The Bureau of Chemistry in particular is much in need of additional space, it having no more room now than it had four years ago. The Bureau of Crop Estimates is overcrowded, and more space is needed for its actual current work. This is true also of the Bureau of Animal Industry, States Relations Service, and the Bureau of Markets. The estimates for additional space required, as made by the bureaus of the department, have been sharply scrutinized and freely pruned. In response to an inquiry from the chairman of the Committee on Appropriations I have estimated the department's probable requirements in this direction at 30,000 square feet, and this represents what we believe to be no more than actual needs. At the present uncertain and increasing prices demanded for office space in Washington it is by no means certain that the $15,000 increase asked for in the Agricultural appropriation bill will provide the amount estimated as necessary.

By virtue of authority given in the last urgent deficiency act (Public, No. 64, 65th Cong.) $15,000 of the appropriation for miscellaneous items in the food-production act (Public, No. 40, 65th Cong.) was made available for the payment of rent in the District of Columbia. By section 8 of this act (stimulating agriculture) the moneys appropriated are available only until June 30, 1918. The $15,000 increase recommended in the appropriation for rents in the Agricultural appropriation bill will do little more than provide for quarters already under rental if the authority to pay rent from the appropriation under the food-production act is not continued. It is impossible to forecast with exactness what the situation may be with regard to the department's needs for space in the future, but it is certain that we need and shall need additional quarters.

As you are, of course, aware, the situation in Washington with regard to quarters for Government offices is extremely difficult and complicated. While this department has been reasonably successful in securing a portion of its needed additional space at rentals which are not exorbitant (see checked items in Exhibit A), the demand for space by nearly all branches of the Government in Washington has sharply limited the available space and tempted owners of property to exact or try to exact higher prices. The department is opposed, of course, to paying exorbitant rents, and in the future, as in the past, will hold to its policy of keeping rents down to the lowest possible figure, even at the risk of taking over rather undesirable quarters. As examples of this, I may cite the fact that we have rented in this neighborhood an abandoned lunch room (approximately 3,000 square feet) at $1,000 per annum, and have under negotiation at this time the rental of an old dwelling house (about 2,800 square feet) at $45 per month. But the available supply of such buildings is limited by the increasing demand for houses in Washington, and we can not depend upon them for future needs. I recommend, therefore, that the increase of $15,000 in the appropriation for rents in the District of Columbia, carried in my estimates for the fiscal year 1919, be allowed in the Agricultural appropriation bill, to provide for departmental needs under that bill, without reference to any additional duties of an emergency nature which may be laid upon it by other legislation.

The highest rate per square foot paid by this department in Washington—except for one small room in the Munsey Building—is 86.4 cents per square foot. In this connection it is of interest to note the prices which the Bureau of Markets has been compelled to pay for office quarters in other cities for the Federal grain supervision work and other projects, as shown in the attached table (Exhibit B).

In my letter to you last January, printed in the CONGRESSIONAL RECORD of January 6, 1917, I referred briefly to the growth of the Department of Agriculture in recent years. I stated that for the fiscal year 1908 (in which year the two new laboratory buildings known as the east and west wings were completed and occupied) the total appropriations to the department were $13,037,802, of which $12,595,502 was actually disbursed. For the fiscal year 1917 the total appropriations to the department were $36,128,852, or nearly three times the disbursements in 1908. By the food-production act (Public, No. 40, 65th Cong.) approved August 10, 1917, an additional sum of $11,346,400 was appropriated for work devolved upon this department. Without additional clerical and supervisory employees in Washington these new lines of work can not be carried on and a place for them to work must be provided. Under great and increasing difficulties, due to the demand for Government offices in Washington, we have secured a portion of the additional space needed, but we need more for the regular work of the department under the Agricultural appropriation act without regard to any additional projects which may be authorized under emergency legislation.

Very truly, yours,

D. F. HOUSTON,
Secretary.

EXHIBIT A.—*Statement showing data in relation to rented buildings of the Department of Agriculture in the District of Columbia.*

Name or location of building.	Character of building.	Occupied as—	Occupied by—	Floor space (square feet).		Annual rental.	Annual rental (per square foot).		Date of first lease.	Owner or lessor.	Full assessed value; taxes paid on two-thirds of this amount.
				Net.	Gross.		Net.	Gross.			
1358 B Street SW..	Modern fireproof 8-story and basement office building.	Offices and laboratories.	Bureau Markets.. 40,948 Library..... 11,881 Biological Survey 8,298 Publications..... 7,710 Plant Industry... 6,046 Crop Estimates.. 1,255	76,138	88,955	$35,360	$0.464	$0.397	Dec. 3, 1914	Mrs. H. M. Halliday, owner; F. H. Smith Co., agents, 815 15th St. NW.	$280,769
220 14th St. SW....	Modern fireproof 6-story and basement office building.	Offices and storage.	States Relations Service..... 25,887 Plant Industry... 21,939	47,826	55,603	20,000	.418	.36	Aug. 28, 1912	Western Investment Co., owners; F. H. Smith Co., agents, 815 15th St. NW.	183,294
930 F St. NW. (Atlantic Building).	Old brick office building, 8-story and basement.	.....do.....	Forest Service.....	34,171	45,310	18,000	.526	.397	July 1, 1901	Atlantic Building Co., M. M. Parker, pres., 1418 F St. NW.	208,005
601 13th St. NW. (Homer Building). Portion of second and third floors.	Modern fireproof office building.	Offices.....	Bureau of Markets 10,290 Plant Industry... 9,529	19,819	19,819	17,000	.857	.857	July 1, 1917	Washington New Theater Co., owners; F. H. Smith Co., agents, 815 15th St. NW.	1,303,653
216 13th St. SW., (Chemistry Building).	6-story and basement, modern fireproof laboratory building.	Offices and laboratories.	Bureau of Chemistry....	49,810	56,154	16,000	.321	.284	Mar. 8, 1909	Peter J. Campbell and Wm. T. Shea, 632 Pa. Ave. NW.	146,792

EXHIBIT A.—*Statement showing data in relation to rented buildings of the Department of Agriculture in the District of Columbia*—Continued.

Name or location of building.	Character of building.	Occupied as—	Occupied by—	Floor space (square feet).		Annual rental.	Annual rental (per square foot).		Date of first lease.	Owner or lessor.	Full assessed value; taxes paid on two-thirds of this amount.
				Net.	Gross.		Net.	Gross.			
710 E St. NW. (Busch Building).	6-story and basement, brick office building.	Offices and storage.	Animal Industry. 29,191 Bureau of Soils.. 448	29,639	36,149	$12,000	$0.404	$0.331	May 1,1917	Anheuser-Busch Brewing Association; J. L. Heiskell, agent, 1403 H St. NW.	$124,515
513-515 14th St. NW. (Willard Building).	Modern 8-story office building.	Offices and laboratories.	Public Roads and Rural Engineering.	27,775	33,851	9,500	.342	.281	Apr. 12,1915	National Savings & Trust Co., 15th and N. Y. Ave., and H. K. Willard, trustees.	126,653
339-341 Pennsylvania Ave. NW. (Globe Building).	Old 4-story brick building, warehouse construction.	Congressional seed distribution.	Plant Industry.....	34,832	39,279	4,800	.137	.122	Sept. 1,1912	R.W. Shoppell, owner, Warder Building.	40,969
215 13th St. SW....	4-story, basement, brick building, built for warehouse purposes.	Offices, storage, and mailing.	Publications.....	15,674	18,258	4,000	.255	.218	Mar. 1,1905	Norton M. Little, agent, 1413 H St. NW.	31,930
1316 B St. SW.....	Modern 3-story brick building.	Offices, files, and storage.	Office of Solicitor.....	8,554	9,792	3,000	.35	.306	May 1,1904	John M. Beavers, owner, H and Water Sts. SW.	27,006
220 13th St. SW....	3-story brick warehouse, remodeled.	Offices and laboratories.	Insecticide and Fungicide Board..... 7,424 Chemistry..... 1,000	8,424	9,843	3,000	.355	.304	Apr. 14,1913	Frank J. Hogan, owner, Evans Building.	25,567
200-202 14th St. SW.	4-story and basement brick building, remodeled and fireproof.	Offices, laboratories, and storage.	Plant Industry.... 5,187 States Relations Service..... 4,955 Federal Horticultural Board..... 984 Biological Survey..... 677 Forest Applications..... 545	13,348	14,077	3,000	.243	.213	July 1,1900	R. Harrison Johnson, 307 7th St. SW.	32,153
Linworth and B Sts. SW. (Harper Building).	3-story brick office building.	Offices.....	Animal Industry.....	5,662	6,405	2,700	.476	.421	May 1,1917	Robert N. Harper, owner, District National Bank Building.	29,580
1304-06 B St. SW...	3-story and basement, double brick structure.	Offices and storage.	Plant Industry.....	11,216	13,019	2,500	.222	.192	Sept. 1,1901	Tyler & Rutherford, agents, 817 15th St. NW.	32,504
224 12th St. SW....	3-story brick, double building.	.....do.....	Farm Management.....	9,164	11,894	2,500	.272	.21	Dec. 22,1902	American Security & Trust Co., agents, 15th St. and Pa. Ave. NW.	25,613
215 12th St. SW....	Old 3-story brick residence.	Offices.....	.....do.....	2,129	2,810	450	.211	.16	Apr. 8,1914	A. G. Belt, agent, 1309 G St. NW.	5,468
217 12th St. SW....	.....do.....	.....do.....	Farm Management. 1,249 Exhibits..... 806	2,055	2,596	450	.218	.173	Aug. 1,1914	.....do.....	7,075
Munsey Building (room 638).	Modern granite, fireproof office building.	Offices Meat Inspection.	Animal Industry (field service).	366	366	420	1.15	1.15	July 1,1917	Munsey Building Co., Munsey Building.	1,806,519
221 Linworth Place SW.	Modern brick and concrete, fireproof, 5-story and basement storage building.	Cotton storage and paper work.	Bureau Markets.. 19,623 Animal Industry. 853	20,476	22,067	5,400	.263	.245	June 1,1906	Columbia Properties Co., Woodward Building.	46,931
220 Linworth Place SW.	New fireproof storage warehouse.	Storage of cotton and supplies.	Bureau Markets.. 10,271 Animal Industry. 4,521 Secretary's office. 208	15,000	15,820	3,750	.25	.237	Nov. 1,1916	Boyle-Robertson Construction Co., Evans Building.	28,765
E St. SW. between 11th and 12th Sts. (Terminal storage warehouse.)	Modern fireproof storage warehouse.	Storage of cotton and paper.	Bureau Markets.....	4,519	4,519	1,200	.265	.265	July 23,1917	Washington Market Co. (Inc.), 7th and Pennsylvania Ave. NW.	271,570.50
1315 C St. NW.....	2-story brick warehouse.	Storage of cotton.	.....do.....	3,680	3,680	1,000	.271	.271	Dec. 20,1915	W. D. Sullivan, 817 15th St. NW.	6,564
212-214 13th St. SW	Old 3-story brick residences.	Supply rooms and storage.	Bureau Chemistry.....	7,784	9,002	960	.123	.106	Dec. 1,1894	Peter J. Campbell and Wm. T. Shea, 632 Pennsylvania Ave. NW.	13,138
215 12th St. SW. (rear).	2-story brick garage building.	Storage.....	Bureau Chemistry. 1,395 Biological Survey. 589 Bureau Markets... 512	2,496	2,906	600	.24	.206	Aug. 1,1915	Chas. A. Langley, 310 12th St. NW.	5,103
929 7th St. SW.....	Old warehouse.....	.....do.....	Bureau Soils..... 5,184 Public Roads..... 2,088 Animal Industry.. 779	8,051	8,553	600	.074	.07	June 1,1913	George E. Walker, owner, 501 7th St. SW.	16,393
2511 M St. NW.....	New storage building.	.....do.....	Weather Bureau.....	2,332	2,332	500	.214	.214	Aug. 20,1917	J. J. Leary, 1203 26th St. NW.	(1)
920 F St. NW. (portion of basement).	Office building....	.....do.....	Forest Service.....	930	930	420	.451	.451	July 1,1917	Ben Schwartz, 920 F St. NW.	93,768
913 E St. NW (rear)	1-story shop building.	Workshop.....	.....do.....	1,474	1,474	270	.185	.185	Nov. 1,1902	Jeremiah O'Connor, owner, T. D. Walsh, agent, 1312 F St. NW	4,200
1228 C St. SW (rear)	Old 1-story and loft stable.	Storage.....	Public Roads.....	1,200	1,200	144	.12	.12	Aug. 1,1907	C. D. Harvey, 1228 C St. SW.	600
215 Linworth Place SW. (rear).	1-story building of frame construction.	.....do.....	Animal Industry (meat inspection).	295	295	120	.401	.401	Aug. 1,1915	Mrs. M. E. Winfield, owner, 333 11th St. SW.	500
349 Pennsylvania Ave. NW. (rear).	Garage.....	Automobile truck storage.	Plant Industry.....	233	233	84	.36	.36	Oct. 18,1916	Robt. J. Michael, 349 Pennsylvania Ave. NW.	500
1312 B St. SW.....	2-story brick, with frame addition.	Offices.....	States Relations Service.	3,000	3,000	1,000	.333	.333	Nov. 16,1917	Rufus J. Boyd, 1319 G St. NW.	8,814
Bank of Commerce & Savings (7th and E Sts. NW.).	Modern fireproof 4-story office building.	.....do.....	Bureau of Markets.....	6,800	6,800	5,200	.764	.764	Nov. 1,1917	Bank of Commerce & Savings, 7th and E Sts. NW.	184,320

[1] Not assessed.

EXHIBIT A.—*Statement showing data in relation to rented buildings of the Department of Agriculture in the District of Columbia*—Continued.

Name or location of building.	Character of building.	Occupied as—	Occupied by—	Floor space (square feet). Net.	Floor space (square feet). Gross.	Annual rental.	Annual rental (per square foot). Net.	Annual rental (per square foot). Gross.	Date of first lease.	Owner or lessor.	Full assessed value; taxes paid on two-thirds of this amount.
Legal Building (8th and G Sts. NW.).	4-story and basement office building.	Offices.....	Bureau of markets.....	8,100	8,100	$7,000	$0.864	$0.864	Jan. 1, 1918	E. K. Fox, 1311 H St. NW.	$53,928
1120 Virginia Ave. SW.	Old 3-story brick residence.	.....do.....	Bureau of Entomology..	2,800	2,800	540	.192	.192	Feb. 1, 1918	Wm. P. Normoyle, agent, 810 F. St. NW.	5,607
				485,772	557,882	183,468	.3776	.3288			

The total rent ($183,468) is paid by—
Appropriation "Rent in the district of Columbia"..... $143,689
Other appropriations (meat inspection; warehouse act; determining cotton standards and spot markets; grain standards; cotton-futures act; stimulating agriculture and distribution of agricultural products)..... 39,779
All these appropriations carry specific authority to pay rent in the District of Columbia.

EXHIBIT B.—*Statement showing rentals paid by the Bureau of Markets in various cities for branch office space.*

City.	Project.	Building.	Area in square feet.	Annual rental.	Rate per square foot.
Jacksonville, Fla...	Market news service on fruits and vegetables.	Bisbee.....	514	$480.00	$0.95
Omaha, Nebr.....	.....do.....	Farnam.....	594	540.00	.90
Baltimore, Md.....	Grain supervision...	Garrett.....	1,519	2,094.20	1.37
Boston, Mass.....	.....do.....	Oliver.....	630	1,400.00	2.22
Do.....	Market news service on live stock and meats.	Fidelity Trust.	852	1,600.00	1.87
Chicago, Ill.....	Grain and hay market reporting service.	Board of Trade.	975	1,200.00	1.23
Detroit, Mich.....	Grain supervision...	Holden.....	380	780.00	2.02
Memphis, Tenn....	.....do.....	Exchange...	523	780.00	1.48
New York City....	Grain and hay market reporting service.	Lord's Court	630	1,250.00	1.98
Philadelphia, Pa...	Grain supervision...	Bourse.....	1,165	1,800.00	1.11
San Francisco, Cal.	Grain and hay market reporting service.	Merchants Exchange.	500	780.00	1.56

THE SECRETARY OF AGRICULTURE,
Washington, January 24, 1918.

Hon. E. S. CANDLER,
House of Representatives.

DEAR MR. CANDLER: The inclosed memorandum from the chief clerk may be of interest to you in connection with the Secretary's letter regarding the rental of buildings for the Department of Agriculture. You will note that we now pay $18,000 a year for the building occupied by the Forest Service, and that the lessors of the building have notified the department that if the Forest Service desires to remain in their present quarters it will have to be at an annual rental of $34,000.

Very truly, yours,

F. R. HARRISON,
Assistant to the Secretary.

MEMORANDUM WITH REGARD TO THE QUARTERS OCCUPIED BY THE FOREST SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE, IN THE ATLANTIC BUILDING, 930 F STREET NW.

With the exception of two stores and a barber shop on the first floor, the Forest Service occupies the whole of this building. The department's option of renewal on the lease expires with June 30, 1918, the end of the current fiscal year. Since July 1, 1915, the department has paid for these quarters $18,000 a year. The building is of the type known as "slow burning," not of modern construction, and its usefulness to the Forest Service has lately been reduced by the erection of a theater which closes several windows on the western side. The net available floor space in the building used by the Forest Service is 34,171 square feet, excluding halls.

The lessors of the building (the Atlantic Building Co.) have informed the department, in a letter dated December 28, 1917, that if the Forest Service "desires to remain in their present quarters, it will have to be at an annual rental of $34,000." This is an increase of $16,000, or 89 per cent over the rental now paid. With the present demand for quarters to house the offices of the Government in Washington, it will be extremely difficult, if not impossible, to find other quarters for the Forest Service, even at a much higher rental than the present rate of $18,000 per annum. This is cited to illustrate the difficulties the department experiences in attempting to provide office space for its bureaus.

R. M. REESE, *Chief Clerk.*

The Clerk read as follows:

States Relations Service.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9054, the Agricultural appropriation bill, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. PAIGE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. TALBOTT, by unanimous consent, was granted leave of absence indefinitely, on account of illness.

"GARABED" PATENT.

Mr. CROSSER, from the Committee on Patents, submitted the conference report on House joint resolution 174, "for the purpose of promoting efficiency, for the utilization of the resources of the United States, for lessening the expenses of the war, and restoring the losses caused by the war, by providing for the employment of a discovery or invention called 'Garabed,' claiming to make possible the utilization of free energy," for printing under the rules.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 16 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 30, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Navy, transmitting revised draft of a proposed bill to regulate the pay of retired chief warrant officers and warrant officers on active duty (H. Doc. No. 871) was taken from the Speaker's table, referred to the Committee on Naval Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 3387) to authorize and empower the President to create military zones around shipyards where vessels are under construction for the United States, reported the same with amendment, accompanied by a report (No. 272), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 2469) to authorize the change of name of the steamship *Caldera* to *A. T. Kinney*, reported the same without amendment, accompanied by a report (No. 273), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DENT: A bill (H. R. 9352) to amend an act entitled "An act providing for an Assistant Secretary of War," approved March 5, 1890, and for other purposes; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 9353) to amend the Army appropriation bill; to the Committee on Military Affairs.

By Mr. CARAWAY: A bill (H. R. 9354) to amend the practice and procedure in Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. FOSTER: Resolution (H. Res. 238) to pay to Adah B. Sauer, widow of Charles L. Sauer, late messenger on the soldiers' roll of the House, a sum equal to six months' salary; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURROUGHS: A bill (H. R. 9355) granting an increase of pension to Harvey M. D. Hopkins; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 9356) granting an increase of pension to Jason L. Boyd; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 9357) for the relief of John A. Gauley; to the Committee on Claims.

By Mr. GANDY: A bill (H. R. 9358) granting a pension to Elmer Wagar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9359) granting a pension to John Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9360) granting a pension to George W. Martin; to the Committee on Pensions.

By Mr. JOHNSON of South Dakota: A bill (H. R. 9361) granting a pension to Herbert L. Ellsworth; to the Committee on Pensions.

By Mr. KINCHELOE: A bill H. R. 9362) granting an increase of pension to Robert T. Ridings; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 9363) granting a pension to Robert McCarty; to the Committee on Pensions.

By Mr. LOBECK: A bill (H. R. 9364) granting an increase of pension to John J. Bruner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9365) granting an increase of pension to Lewis Speie; to the Committee on Pensions.

Also, a bill (H. R. 9366) granting an increase of pension to Henry Burcham; to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 9367) granting an increase of pension to David N. Landers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9368) granting an increase of pension to John J. Byrne; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9369) granting a pension to Charles M. Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9370) granting a pension to Joseph P. West; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9371) granting an increase of pension to Samuel E. Blair; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9372) granting a pension to Daniel D. Brothers; to the Committee on Pensions.

Also, a bill (H. R. 9373) granting an increase of pension to Freeman W. Waitt; to the Committee on Pensions.

Also, a bill (H. R. 9374) granting a pension to Thomas Dunn; to the Committee on Pensions.

Also, a bill (H. R. 9375) granting a pension to Benjamin Laurence; to the Committee on Pensions.

Also, a bill (H. R. 9376) granting a pension to Bartholomew F. O'Connor; to the Committee on Pensions.

By Mr. POWERS: A bill (H. R. 9377) granting a pension to William J. Lawless; to the Committee on Invalid pensions.

By Mr. RUBEY: A bill (H. R. 9378) granting an increase of pension to T. J. Rowlett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9379) granting an increase of pension to Joseph Hellems; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9380) granting an increase of pension to William G. Files; to the Committee on Invalid Pensions.

By Mr. SCOTT of Michigan: A bill (H. R. 9381) granting an increase of pension to John Beattie; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 9382) granting an increase of pension to Dennis H. Hunt; to the Committee on Pensions.

By Mr. TAGUE: A bill (H. R. 9383) for the relief of Maud M. Sterling; to the Committee on Claims.

Also, a bill (H. R. 9384) for the relief of Rena Sterling; to the Committee on Claims.

Also, a bill (H. R. 9385) for the relief of Agnes M. Dempsey; to the Committee on Claims.

By Mr. VOLSTEAD: A bill (H. R. 9386) granting a pension to Agnes O'Brien; to the Committee on Pensions.

By Mr. WHITE of Maine: A bill (H. R. 9387) granting a pension to Minnie K. Martin; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petitions of druggists of Leavenworth and Marshall Counties, Kans., transmitted by Harry Dick, of Lawrence, Kans., in support of House bill 5531; to the Committee on Military Affairs.

By Mr. CALDWELL: Memorial of Elmhurst Men's Christian and Civic League of New York City, favoring war emergency prohibition bill; to the Committee on the Judiciary.

Also, petition of the Froebel League of New York, favoring maintenance of the kindergarten division in the Bureau of Education; to the Committee on Appropriations.

Also, petition of Central Labor Union of Brooklyn and Queens, of Brooklyn, N. Y., favoring passage of House bill 7356 relative to increase in pay of Government employees; to the Committee on Appropriations.

By Mr. DALE of New York: Petition of George W. Sturtevant, consulting engineer, Paradise-Verde project, favoring passage of Senate bill 758 relative to financing, etc., of irrigation and drainage projects; to the Committee on Agriculture.

Also, petition of the Froebel League of New York, favoring appropriation for maintenance of the Kindergarten Division in Bureau of Education; to the Committee on Appropriations.

Also, petition of Central Labor Union of Brooklyn and Queens, favoring passage of House bill 7356, for increase in pay of Federal civil employees; to the Committee on Appropriations.

Also, resolutions of the College Hall Library Club, Sherman, Tex., and of the Tyrone (Pa.) Chamber of Commerce, urging the repeal of that part of the war-revenue act dealing with second-class postal rates; also, a letter from Hogan & Son, New York City, protesting against such repeal; to the Committee on Ways and Means.

By Mr. DENISON: Petition of James A. Mitchell, Butler, Ill., praying for increased rate of pay for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of rural letter carriers at Dongola, Ill., praying for increase in salaries of rural carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Harold L. Reese, Jonesboro, Ill., praying for increased rate of pay for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Charles E. Foster, of Cache, Ill., praying for increased rate of pay for rural letter carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Harvey D. Tinsley, of Mulkeytown, Ill., praying for increased rate of pay for rural carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Mr. Amos C. Harvey, of Thompsonville, Ill., praying for increased rate of pay for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Henry R. Hatfield, of Ava, Ill., praying for increase of rural carrier salaries; to the Committee on the Post Office and Post Roads.

Also, petition of John M. Stanfield, of Christopher, Ill., praying for increase in salaries of rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Warren J. Melliere, of Prairie du Rocher, Ill., praying for increase of salaries for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Thomas H. Reid, H. T. Marshall, Joseph Weir, and H. S. Heitmann, praying for an increase of salary for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of F. P. Anderson, of Pinckneyville, Ill., praying for increase of salaries for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of C. E. Malan, of Pinckneyville, Ill., praying for increase of salaries of rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Louis P. Ahlers, of Pinckneyville, Ill., praying for increase of salaries of rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of William Owens, of Pinckneyville, Ill., praying for increase in salary of rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Samuel A. Leemon, of Sparta, Ill., praying for increase in rate of pay for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Charles L. Hileman, of Anna, Ill., praying for increased rate of pay for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Harley R. Blick, of Anna, Ill., praying for an increase of salaries for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Louis M. Boren, of Alto Pass, Ill., praying for increase of salary for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Samuel Griggs, of Creal Springs, Ill., praying for increase of salary for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Harry Payne, of Benton, Ill., praying for increase of salary of rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Ernest B. Hampton, of Benton, Ill., praying for increase in salary for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of C. T. Eddleman, of Dongola, Ill., praying for increase of salary for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Jodie Bell, of Pulaski, Ill., praying for increase in salary of rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Edgar D. Gordon, of Ava, Ill., praying for an increase of pay for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Frank Gandy, Ullin, Ill., praying for increase in salary of rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of George W. Creed, Benton, Ill., praying for increase of salary of rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Samuel G. Williamson, Ava, Ill., praying for increase of salary of rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Oliver I. Underwood, Carbondale, Ill., praying for increase of salary for rural mail carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Charles N. Grey, praying for increase of salary for rural mail carriers for Pinckneyville, Ill.; to the Committee on the Post Office and Post Roads.

Also, petition of Ernest Brooks, Cobden, Ill., praying for increase in salary of rural mail carriers; to the Committee on the Post Office and Post Roads.

By Mr. FULLER of Illinois: Memorial of the Tyrone (Pa.) Chamber of Commerce, for the repeal of the second-class postal provisions of the war-revenue act; to the Committee on Ways and Means.

Also, petitions of rural-mail carriers of the twelfth district of Illinois, for increased compensation; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Pennsylvania: Petition of Norris C. Stroud, Philadelphia, Pa., urging legislation to develop the water-power resources of the country; to the Special Committee on Water Power.

By Mr. JOHNSON of Washington: Resolutions adopted by Meridian Grange, No. 265, Kent, Wash., urging that the sale of Government securities at prices below par be made a treasonable offense; to the Committee on the Judiciary.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 8228, granting increased pension to Henry Loveland; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 8523, granting increased pension to Thomas F. Regan, alias George C. Bennett; to the Committee on Invalid Pensions.

By Mr. MOON: Papers to accompany House bill 9341, for the relief of Jesse C. Eldridge; to the Committee on Invalid Pensions.

By Mr. MORIN: Three hundred citizens of the fifteenth ward of Pittsburgh, Pa., believing that war prohibition would be the means of conserving large quantities of foodstuffs, urge the immediate enactment of national prohibition; to the Committee on the Judiciary.

By Mr. STINESS: Petition of war council of the Providence Chamber of Commerce, urging passage of the daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

By Mr. TAGUE: Petition of Union Label Trades Department of the American Federation of Labor, on revenue law; to the Committee on Ways and Means.

Also, petition of N. E. Power Co., Worcester, Mass., on universal military training; to the Committee on Military Affairs.

Also, petition of Trade Association of South Boston Business Men, on present coal situation; to the Committee on Agriculture.

Also, petition of Dorchester Retail Merchants' Committee, Dorchester Board of Trade, Boston, Mass., on present coal situation; to the Committee on Agriculture.

Also, petition of Colgate & Co., on daylight saving; to the Committee on Interstate and Foreign Commerce.

By Mr. WALTON: Resolutions adopted by the citizens of Roswell, N. Mex., protesting against the creation of a war council; to the Committee on Military Affairs.

SENATE.

WEDNESDAY, *January 30, 1918.*

Rev. Hugh T. Stevenson, of the city of Washington, delivered the following prayer:

Almighty and eternal God, Thou in whom we live, move, and have our being, as a Nation and as individuals we turn to thank Thee, O Thou God of Washington, Lincoln, McKinley, and our fathers, that in every hour of our Nation's crisis Thou hast heard and answered the prayers of our people and hath led us in time of storm and stress to success. Once more we come to Thee as the shadow of death hath entered the ranks of the membership of the Senate and ask Thee in the name of our risen Lord to give unto the membership of this Senate of the presence of the Holy Spirit that they may be comforted in their personal loss; and what we ask for them we beseech Thee to grant especially to the members of the bereaved family, the wife and children and those who looked to the Senator from New Jersey as a guide in the affairs of life. We beseech Thee not only to remember them, but we ask Thee to be with the homes where to-day throughout the Nation there are anxious thoughts and anxious hearts. Sustain and strengthen them. Help them by Thy presence that they may rejoice that one of their own has been offered upon the altar of freedom for Thy glory; and be with those who are called to go down into the valley of the shadow of death.

We ask Thee to be with the men of our Army and of our Navy where they are on land or on the infested sea or in the air. Watch over, sustain, and strengthen them. Grant that in the hour of battle they may be conscious of Thy presence. Be with them in the hour of struggle in France and in the camp where they may be in this land, as representatives of Thee and of the Nation, that they may have that righteousness and that spirit which exalteth a people.

We ask especially that Thy spirit may be granted unto every Government employee, to the courts, to Members of the House, the Senate, the Cabinet, and the President of our country, that under the leadership of Thy Holy Spirit we may be guided in this hour as a Nation to glorify and honor Thee. To this end help us as a people to lay aside every weight and the sin that doth so easily beset us. May a spirit of unselfishness enter into the service for humanity that the principles of democracy and of liberty and of international justice may be preserved, and, finally, based upon the eternal truths of Thy revealed word, that there may come a permanent and perpetual peace. To this end grant that Thy direction shall be given unto the Senate in this hour and to our Nation throughout all coming days. In the name and to the glory of our risen Lord we ask it. Amen.

The Secretary proceeded to read the Journal of the proceedings of Monday last, when, on request of Mr. JAMES and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 9160) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 195) providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla., and it was thereupon signed by the Vice President.

MILITARY SERVICE OF ALIENS.

The VICE PRESIDENT. The Chair lays before the Senate the following letter from the Secretary of State, which will be read.

The Secretary read as follows:

THE SECRETARY OF STATE,
Washington, January 29, 1918.

MY DEAR MR. VICE PRESIDENT: Inasmuch as the Senate, on July 31 (calendar day, August 1), 1917, resolved that the President be requested to enter into agreements with the European nations engaged in war against the central powers of Europe authorizing and empowering the United States to apply the provisions of the draft act of May 18, 1917, to citizens or subjects of such nations domiciled in the United States, I deem it proper to make the following report on the progress of negotiations looking to the conclusion of such agreements.

As soon as a suitable proposal could be formulated in conjunction with the War Department, it was submitted to the cobelligerents of the United States as a basis for diplomatic negotiations. As negotiations proceeded with the European nations, unforeseen difficulties interposed themselves, as, for example, the revolution in Russia and the German drive in Italy, which made it necessary for the time being to press more strongly negotiations in other quarters. For this reason, and also on account of the fact that the laws and conditions in Great Britain and Canada were more nearly like those in the United States, negotiations proceeded more rapidly with those countries. Moreover, in the interest of obtaining agreements with the European nations as nearly uniform as possible for reasons of efficient administration in the United States, it was deemed best to reach an agreement, if possible, with some country which might be used as a model for the agreements with the other countries.

It is with pleasure, therefore, that I have to report that at the present time we are in agreement with Great Britain and with Canada as to the terms of separate conscription conventions which now, but for a few verbal changes, await the signature of the representatives of the Governments concerned before being sent to the Senate.

In brief these conventions, which are in effect practically alike, give to persons under the convention the option to return to their own country for military service within a certain limited period. After the expiration of this period, such persons are subject to military service under the laws and regulations of the country in which they choose to remain, provided that for British and Canadians in the United States the ages for military service shall be 20 to 40 years, both inclusive, and in respect to Americans in Great Britain and Canada the ages for military service shall be limited to those of the draft act of May 18, 1917.

These conventions also give the right to the contracting parties to exempt their citizens or subjects from military service abroad in case it is regarded as necessary or desirable. The remaining provisions of the convention are of less importance and need not be mentioned here.

I have no objection to this letter being made public, if you so desire.

Very sincerely, yours, ROBERT LANSING.

Mr. STONE. Mr. President, while the Secretary of State says he has no objection to this matter being made public, it has been made public without ascertaining whether there was any objection. I think the usual course, with all due respect to the Chair, is to refer the communication to the Committee on Foreign Relations. It has been read, and I ask that the communication may be referred to that committee.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so referred.

CRIPPLED SOLDIERS AND SAILORS.

The VICE PRESIDENT laid before the Senate a communication from the vice chairman of the Federal Board for Vocational Education, transmitting, in response to a resolution of the 28th instant, a preliminary study by the Federal board entitled "Vocational rehabilitation and placement of disabled soldiers and sailors" (S. Doc. No. 166), which, with the accompanying paper, was referred to the Committee on Education and Labor and ordered to be printed.

He also laid before the Senate a communication from the vice chairman of the Federal Board of Vocational Education, transmitting, in response to a resolution of the 28th instant, a study of the Federal board entitled "Rehabilitation of disabled soldiers and sailors and teacher training for occupational therapy" (S. Doc. No. 167), which, with the accompanying papers, was referred to the Committee on Education and Labor and ordered to be printed.

AMERICAN INSTRUCTORS OF THE DEAF.

The VICE PRESIDENT laid before the Senate a communication from the president of the Columbia Institution for the Deaf, transmitting, pursuant to law, the proceedings of the twenty-first meeting of the Convention of American Instructors of the Deaf, which, with the accompanying papers, was referred to the Committee on Printing.

WASHINGTON & OLD DOMINION RAILWAY (H. DOC. NO. 887).

The VICE PRESIDENT laid before the Senate the annual report of the Washington & Old Dominion Railway for the year ended December 31, 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

SENATOR FROM IDAHO.

Mr. BORAH. Mr. President, I present the certificate of appointment of my colleague, Mr. NUGENT, and I ask that it be read and filed.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

Moses Alexander, governor of the State of Idaho.

To all to whom these presents shall come, greeting:

Know ye that, reposing special confidence in the integrity, diligence, and discretion of JOHN F. NUGENT, of Boise, Idaho, I have appointed and do hereby commission him United States Senator, representing the State of Idaho, and do authorize and empower him to execute and fulfill the duties of said office according to law, and to have and to hold the same with all the rights and emoluments thereunto legally appertaining unto him the said JOHN F. NUGENT for the term commencing the 22d day of January, 1918, and ending with the election and qualification of a successor.

In testimony whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Idaho, done at Boise, the capital of Idaho, this 22d day of January, in the year of our Lord one thousand nine hundred and eighteen, and of the independence of the United States of America the one hundred and forty-second.

By the governor:

M. ALEXANDER,
[SEAL.] W. T. DOUGHERTY,
Secretary of State.

The VICE PRESIDENT. The credentials will be placed on file.

Mr. BORAH. Mr. President, Mr. NUGENT is in the Chamber and ready to take the oath of office.

The VICE PRESIDENT. If there be no objection, the newly appointed Senator will be conducted to the desk for that purpose.

Mr. NUGENT was escorted to the Vice President's desk by Mr. BORAH; and the oath prescribed by law having been administered to him, he took his seat in the Senate.

COMMITTEE SERVICE.

Mr. MARTIN. Mr. President, I send to the desk an order assigning the junior Senator from Idaho [Mr. NUGENT] to certain committees, and I ask for its present consideration.

The order was read and agreed to, as follows:

Ordered, That Senator NUGENT be appointed to the following committees: Fisheries (chairman), Immigration, Indian Affairs, Revision of the Laws of the United States, Territories.

DEATH OF MAJ. A. P. GARDNER.

The VICE PRESIDENT. The Chair lays before the Senate the following communication, which will be read.

The Secretary read as follows:

JANUARY 21, 1918.

DEAR MR. BAKER: Will you convey to the Vice President and the Members of the Senate of the United States my deeply grateful thanks for the resolutions passed by them on the death of Maj. Gardner. I am sensible of the honor done to my husband's memory and value this expression of it very highly.

Yours, sincerely, CONSTANCE GARDNER.

HOUSE BILL REFERRED.

H. R. 9160. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was read twice by its title and referred to the Committee on Pensions.

DEATH OF SENATOR WILLIAM HUGHES.

Mr. FRELINGHUYSEN. Mr. President, it is with a feeling of profound sorrow that I have to announce to the Senate the death of my colleague, Senator HUGHES. I shall ask the Senate at some future time to set aside a day when proper tribute may be paid in recognition of his services to his State and to the country.

I send to the desk the following resolutions and ask for their adoption.

The resolutions (S. Res. 192) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. WILLIAM HUGHES, late a Senator from the State of New Jersey.

Resolved, That a committee of 15 Senators be appointed by the Vice President to take order for superintending the funeral of Mr. HUGHES, to be held in the city of Paterson, N. J.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Under the second resolution the Vice President appointed the Senator from New Jersey [Mr. FRELINGHUYSEN], the Senator from Kentucky [Mr. JAMES], the Senator from North Carolina [Mr. SIMMONS], the Senator from Mississippi [Mr. WILLIAMS], the Senator from Arizona [Mr. SMITH], the Senator from Nevada [Mr. PITTMAN], the Senator from New Hampshire [Mr. HOLLIS], the Senator from Colorado [Mr. THOMAS], the Senator from California [Mr. PHELAN], the Senator from Utah [Mr. SMOOT], the Senator from North Dakota [Mr. MCCUMBER], the Senator from Washington [Mr. POINDEXTER], the Senator from Michigan [Mr. TOWNSEND], the Senator from Indiana [Mr. NEW], and the Senator from New York [Mr. CALDER] the committee on the part of the Senate.

Mr. FRELINGHUYSEN. Mr. President, I move, in solemn respect to the memory of the deceased Senator, that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 31, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 30, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father who art in heaven, grant us, we pray Thee, the light of Thy wisdom and the strength of Thy will this day, that we may fix our heart upon no object, nor put our hand to any work, upon which we can not ask Thy blessing at its close; that we may—

> Do noble things, not dream them all day long,
> And so make life, death, and that vast forever
> one grand, sweet song—

in imitation of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday. The Clerk will call the roster of committees.

The Clerk called the Committee on Irrigation of Arid Lands.

Mr. TAYLOR of Colorado. Mr. Speaker, the Committee on the Irrigation of Arid Lands has only one bill on the calendar, and it is the sentiment of the committee that we should make some alterations in this bill before asking the House to consider it. Therefore the committee will waive its right this morning and will not call up the bill.

The SPEAKER. The Clerk will call the next one.

ENLISTMENT OF ALIENS.

The Clerk called the Committee on Immigration and Naturalization.

Mr. BURNETT. Mr. Speaker, I am directed by the Committee on Immigration and Naturalization to call up the bill (H. R. 5667) to provide for the deportation of certain aliens, and for other purposes.

Mr. FLOOD. Mr. Speaker, may I ask the gentleman a question?

Mr. BURNETT. Yes.

Mr. FLOOD. I would like to ask the gentleman if the subject matter of that bill is the same as that of the treaties that the State Department has been negotiating with our allied friends in reference to their subjects being enrolled in this country?

Mr. BURNETT. In reply to that question, Mr. Speaker, I had a conference with the very able Solicitor of the State Department about a week ago, and he informed me that they had negotiations pending, and had had for some time, looking to the conscription of aliens, an agreement with the cobelligerent countries at war with the central powers for the conscription by our Government of aliens from those cobelligerent countries. At that time he had made some progress, and I notice in the press this morning a statement by Mr. Rogers that they have perhaps negotiated an agreement with Great Britain and Canada.

The subject matter of this bill would be covered to a great extent by those negotiations; but this bill goes a great deal further in some respects, because it forbids the entrance into this country of those who are subject to military duty in those belligerent countries. This bill in its first section provides that no alien who is eligible to naturalization and who is a subject or citizen of a country that is engaged in war with the central powers shall ever become a naturalized citizen of this country; that is, if he is subject to the draft. It further provides that unless they withdraw their claims for exemption from the draft—those who have made it or those who claim exemption from the draft hereafter—they shall be deported as soon as practicable.

Now, I do not know to what extent the treaties that the State Department contemplates go in regard to those propositions.

Mr. FLOOD. If the gentleman will yield to me for a few moments, I will tell him what the agreement is with Great Britain and Canada. I received a letter from the Secretary of State just a few moments ago in which he makes a statement in reference to the treaties concluded with Great Britain and Canada. The latter part of the letter outlines the provisions. The Secretary says, in part:

> It is with pleasure, therefore, that I have to report that at the present time we are in agreement with Great Britain and with Canada as to the terms of separate conscription conventions, which, but for a few verbal changes, now await the signature of the representatives of the governments concerned before being sent to the Senate.
>
> In brief, these conventions, which are in effect practically alike, give to persons under the convention the option to return to their own country for military service within a certain limited period. After the expiration of this period such persons are subject to military service under the laws and regulations of the country in which they choose to remain, provided that for British and Canadians in the United States the ages for military service shall be 20 to 40 years, both inclusive, and in respect to Americans in Great Britain and Canada the ages for military service shall be limited to those of the draft act of May 18, 1917.
>
> These conventions also give the right to the contracting parties to exempt their citizens or subjects from military service abroad in case it is regarded as necessary or desirable. The remaining provisions of the convention are of less importance and need not be mentioned here.

I just wanted to make this statement to the gentleman from Alabama. I was called up by Mr. Woolsey, Solicitor of the State Department, a few moments ago, and he stated that not only had agreements between Great Britain and Canada been reached, but our Government was almost in agreement with France and Italy. Conventions with those countries have practically been reached, and if we undertake to legislate on the subject at this time it would, he thought, interfere with the negotiations, and in consequence we could not effect as satisfactory conventions with Italy and France.

Mr. CAMPBELL of Kansas. Mr. Speaker, may I inquire of the gentleman as to whether the State Department regards the treaty as more effective than the passage of the bill in accomplishing the desired purpose for both the citizens of this country and of the country that is affected?

Mr. FLOOD. The State Department regards the treaty as thoroughly effective, and believes it would not create irritation between this country and those countries with whom we are associated in this war.

Mr. CAMPBELL of Kansas. Is it believed that the treaties would reach more people than would the legislation proposed?

Mr. FLOOD. It would reach all of the subjects of those countries now in this country.

Mr. CAMPBELL of Kansas. It would reach all their subjects?

Mr. FLOOD. Yes.

Mr. CAMPBELL of Kansas. How would it affect our citizens in the other countries?

Mr. FLOOD. It gives them the same right as to our citizens in their countries that we would have with respect to their citizens in this country.

Mr. CAMPBELL of Kansas. While the legislation we enact would not touch our own citizens in those countries?

Mr. FLOOD. No. Of course, we could only legislate concerning ourselves.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield.

Mr. FESS. Do I understand that this legislation at this stage would interrupt diplomatic matters now under consideration to the extent that we might be defeated in the very thing that the legislation now looks to?

Mr. FLOOD. Yes. That statement was made to me by the Solicitor for the State Department not an hour ago.

Mr. FESS. I have been in favor of this legislation, I will say to the gentleman.

Mr. FLOOD. I would say also that I have been very heartily in favor of this legislation.

Mr. FESS. May we have assurances that treaty relations will be closed without unnecessary delay of time?

Mr. FLOOD. Certainly. There will be no unnecessary delay. The agreements have been concluded with Great Britain and with Canada, and they should be concluded with France and Italy in a short time.

Mr. WALSH. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. WALSH. Is the agreement between this country and Great Britain now in effect?

Mr. FLOOD. No; it is not in effect, because the Senate has not ratified it, but it should be in effect in a few days.

Mr. WALSH. Will the gentleman state the ages between which citizens of the United States now resident in these other countries will be given the option of returning to this country from France and Great Britain or entering the military service there?

Mr. FLOOD. Between the ages fixed in our draft act of May, 1917—21 and 31 years.

Mr. WALSH. But that does not apply to the citizens of those countries who are resident here?

Mr. FLOOD. No.

Mr. WALSH. As to citizens of those countries resident here, what are the age limits?

Mr. FLOOD. Between 20 and 40.

Mr. SLAYDEN. Will the gentleman yield for a question?

Mr. FLOOD. Yes.

Mr. SLAYDEN. Do I understand the gentleman from Virginia to say that he wants action delayed on this bill which the Committee on Immigration has brought in, because treaties are being made at this time between Great Britain and the United States and between other countries and the United States, and that that with Great Britain has been concluded?

Mr. FLOOD. I stated that.

Mr. SLAYDEN. Is the British treaty in any way dependent upon the others? Do they go together?

Mr. FLOOD. They do not go together, but the British treaty is to be taken as a model for the others.

Mr. JOHNSON of Washington. It ought to be stated that a separate treaty had to be made with the Dominion of Canada.

Mr. FLOOD. Yes.

Mr. JOHNSON of Washington. Because that is in effect a separate government, making its own laws.

Mr. FLOOD. Yes; they have made two treaties—one with Great Britain and one with Canada—but they are exactly similar, and they are to be taken as the guide for the others, which are in process of being agreed upon right now. The State Department called me up and asked me to see the chairman of the Committee on Immigration and Naturalization and request him to let this matter go over to-day, saying that it was of the utmost importance that the department should not be hampered in its negotiations with France, Italy, and other nations by the discussion or enactment of this bill.

Mr. KINKAID. Will the gentleman yield for a question?

Mr. FLOOD. I yield to the gentleman.

Mr. KINKAID. Do the provisions of the pending bill conform to the provisions of these treaties?

Mr. FLOOD. I could not answer that question.

Mr. KINKAID. If the bill does not conform to the treaty agreements so far made, and to those not made which are in contemplation, would the effect of the passage of this bill be to revoke the authority of our representatives in the treaty making with France and Italy?

Mr. FLOOD. I will say to the gentleman that the bill in the House covers exactly the same subject that the treaty covers. I do not think it would revoke the treaty.

Mr. SHERLEY. If the gentleman will yield, I can answer that.

Mr. KINKAID. Would it have the effect of revoking the authority of the treaty-making representatives of the United States?

Mr. FLOOD. I think not; but the statement was made that if this legislation progresses to-day it will greatly embarrass the representatives of the United States in bringing about the treaties with France and Italy.

Mr. KINKAID. It would be embarrassing in a diplomatic way?

Mr. FLOOD. Yes.

Mr. SHERLEY. An act of Congress in conflict with a treaty previously made repeals that treaty to the extent of the conflict. A treaty dealing with matters properly within the treaty-making power made subsequent to an act of Congress would repeal the act of Congress to the extent that it would be in conflict with that act.

Mr. KINKAID. We will agree on that.

Mr. SHERLEY. My first statement is not a matter of theory. That exact question has been decided by the Supreme Court of the United States.

Mr. KINKAID. We will agree on that. I was simply inquiring as to the diplomatic feature.

Mr. FLOOD. I so understood the gentleman, and was simply answering his inquiry as I understood it.

Mr. JOHNSON of Washington. I wanted to say that I undertook to make some inquiries of the State Department this morning, and was informed that a letter had been sent to Congress——

Mr. FLOOD. I have that letter.

Mr. JOHNSON of Washington. I think in addition to the gentleman's letter there is a letter sent to the other body, which would have been placed in the RECORD yesterday if the Senate had been in session, and the Members of the House could have read it in the RECORD this morning; but the Senate was not in session yesterday. I believe that letter differs from the one which the gentleman from Virginia [Mr. FLOOD] has, and throws considerable light on this subject, and states the position of the State Department fully; and I doubt if this body would be warranted in going ahead without receiving that statement from the Secretary of State.

Mr. FLOOD. I fully agree with the gentleman.

Mr. ROGERS. Will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Massachusetts.

Mr. ROGERS. Is it not a fact that the State Department confidently expects that there will be no longer any great delay in negotiating similar treaties with practically all the other cobelligerents, including France and Italy, which are numerically the most important in this connection?

Mr. FLOOD. That is the confident hope and expectation.

Mr. PARKER of New Jersey. Will the gentleman yield for a question?

The SPEAKER. The Chair will state that all this talk is out of order. The whole thing is out of order. If any gentleman wants to get the floor——

Mr. PARKER of New Jersey. I ask unanimous consent to ask a question of the gentleman.

Mr. BURNETT. Mr. Speaker, in order to relieve that irregularity, I am perfectly willing that the gentleman from Virginia [Mr. FLOOD] may make this statement, and I ask unanimous consent that he may.

The SPEAKER. For how long?

Mr. BURNETT. For 10 minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the gentleman from Virginia [Mr. FLOOD] have 10 minutes in which to express his opinion about this bill. Is there objection?

There was no objection.

Mr. PARKER of New Jersey. Will the gentleman permit a question?

Mr. FLOOD. I will.

Mr. PARKER of New Jersey. It has occurred to me that treaties have nothing to do with naturalization; they have with deportations; and I had therefore prepared a bill which, I think, is not subject to objection, which provides that any person claiming exemption because of his being a foreigner shall not be admitted to citizenship. And I apply that to neutrals as well. I do not think a man who is here and does not want to do the duties of a citizen ought to ask to become a citizen. It has been my purpose, if the other bill came up, on account of the objection of the State Department, to move the substitution with some such provision which I will be glad to hand to the gentleman from Virginia for his information.

Mr. FLOOD. I thank the gentleman.

Mr. PARKER of New Jersey. I want to say also that we are so much worried in my own home town, where there are hosts of aliens, by their claim for exemption from the draft and registration because they are aliens that some measure has got to be taken to prevent their laughing at the United States.

Mr. FLOOD. That is just what the State Department is about to accomplish.

Mr. PARKER of New Jersey. But there are aliens from countries that are not in the war. There are neutrals not in the war. I do not think that they ought to claim that they are not citizens of the United States and then afterwards claim the privilege of becoming citizens.

Mr. FLOOD. It does seem to me that when the State Department has been working on a matter of this kind for six or seven months, and this bill has been on the calendar for six months, held up for the purpose of permitting the State Department to go on with these negotiations, that its passage should not be insisted on now. We have concluded the negotiations with some of the nations associated with us in this war and are about to conclude negotiations with the other two most important nations. They will, in the course of time, conclude negotiations with all of them. I do not think this ought to be insisted upon when our representatives at this stage of the negotiations communicates to the House the fact that a discussion of this legislation to-day will embarrass them and probably destroy the effect of the work already accomplished. I do not think that it is an unreasonable request to ask that this measure be passed by.

Mr. GALLIVAN. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. GALLIVAN. Was not this the same story told to this House last September when another bill similar in purport to this one was up for consideration? Does not the gentleman recall that we were assured that the State Department was about to conclude its arrangement with other nations, and that when Congress met on the first Monday in December the whole thing would be adjusted?

Mr. FLOOD. I am not aware that the State Department ever announced to the House that it was about to conclude negotiations with any nation. The matter was postponed for the same reason that a postponement is being asked now, namely, that negotiations were being conducted, and now they have concluded negotiations with two of the most important nations, and are about to conclude the agreements with others, the reasons for postponement are stronger than ever. The matter was postponed because they were pressing the negotiations. There were interruptions; Russia broke down and that interrupted the negotiations before they came to a head with representatives of that country.

Mr. GALLIVAN. Is the gentleman able to say to the House whether all of the negotiations will be completed before the second draft is ordered?

Mr. FLOOD. On February 15? The negotiations with Great Britain and Canada should be, and I believe with some others, but of course I do not make the statement with any degree of certainty.

Mr. GALLIVAN. Will the gentleman state to the House whether or not in the next draft aliens who were exempt from the first draft will be placed at the head of the list in the second draft?

Mr. FLOOD. Oh, I do not know about that.

Mr. RAGSDALE. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. RAGSDALE. As a matter of fact, is it not a fact that with the opposition that has developed here and in the Senate it is not probable that relief could not be given by this as quickly as through the State Department, and that we could get more expeditious results through the work of the State Department than in trying to put this through Congress?

Mr. BURNETT. I think that is an incorrect hypothesis.

Mr. FLOOD. I will say that I am heartily in favor of the bill if it can be accomplished, but I think the negotiation of the treaties is better. We are about to reach that end and I think it will be unwise to interfere with the negotiations at this time. I agree with the gentleman from South Carolina [Mr. RAGSDALE].

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. GOODWIN of Arkansas. Is it not a fact that the American representative left on Friday for Ottawa to get the signatures of the Canadian representatives?

Mr. FLOOD. I have been so informed.

Mr. DENISON. Will the gentleman yield?

Mr. FLOOD. I will yield to the gentleman.

Mr. DENISON. I understood the gentleman to state that this might interrupt negotiations with other countries.

Mr. FLOOD. The Solicitor of the State Department stated that it would greatly interfere with the negotiations.

Mr. DENISON. Does not the gentleman think that if we go ahead and pass legislation it might lead to legislation of a similar nature by those Governments for themselves?

Mr. FLOOD. I should think it would.

Mr. DENISON. And it might not be as favorable to our citizens as we could get by treaties?

Mr. FLOOD. It undoubtedly would not be as favorable.

Mr. FESS. Will the gentleman yield?

Mr. FLOOD. I will yield to the gentleman from Ohio.

Mr. FESS. If we pass this legislation, which I am in favor of if the way was clear, we are doing it without consultation with other countries, and there is a possibility that it might seem to be an offense offered to them, especially if at the moment we do it we are having negotiations in progress. So there is some danger of defeating the very thing that we are trying to reach.

Mr. FLOOD. There is no doubt about that; no doubt the gentleman is right.

Mr. FESS. With that point in view, although very much in favor of the bill, I hesitate to vote for it at this time.

Mr. WALSH. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. WALSH. Has the gentleman any information as to whether or not it is the purpose to delay the postponement of the second draft, so called, until after some arrangement is entered into with foreign nations?

Mr. FLOOD. I have heard of no such arrangement. I know that the State Department and the War Department have been in consultation about that matter, but I have heard of no such arrangement.

Mr. WALSH. Is there any conflict or confusion arising out of the fact that perhaps some of these subjects of foreign nations are registered under our draft law and may have decided to become subject to the draft and enter our service?

Mr. FLOOD. I do not catch the gentleman's idea.

Mr. WALSH. I want to inquire if in the gentleman's opinion any confusion or conflict may arise from the fact that these aliens residing in this country have all been registered, between the ages of 21 and 31, and that there may be aliens above the age of 31 in this country who have not registered but who may desire to waive their foreign citizenship and enter our military service?

Mr. FLOOD. I think that situation is provided for in this agreement with Great Britain.

Mr. WALSH. Does it provide for registering citizens above that age?

Mr. FLOOD. Up to 40 years of age.

Mr. WALSH. So that a supplementary registration will have to take place.

Mr. FLOOD. Of aliens above 31—I should think so.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. SABATH. The Foreign Affairs Committee, of which the gentleman is chairman, has reported a bill upon the subject taking care of the so-called slackers, and subjecting them in a way to the selective draft. That bill is now reported, and provides also for other things.

Mr. FLOOD. To which bill does the gentleman refer?

Mr. SABATH. I mean the bill reported from the Committee on Foreign Affairs, which excludes from the operation of the alien-enemy act certain classes which we know are friendly to the United States, and which also provides for the naturalization of 76,000 of these aliens who have volunteered into the service and who are now in the service, and which bill has other provisions on this question. Do I understand that the State Department is also objecting to the consideration of that bill at this time?

Mr. FLOOD. That is a very different proposition. That is a proposition dealing with alien enemies.

Mr. SABATH. Yes.

Mr. FLOOD. This is a proposition dealing with alien friends and neutrals.

Mr. SABATH. But would not that bill take care of the slackers in a form that would not be objectionable to the foreign governments?

Mr. FLOOD. I think not. I think the bill the gentleman has in mind deals only with alien enemies, and that all of the provisions of it refer to alien enemies and would not be in conflict at all with the bill under consideration.

Mr. RAGSDALE. But is it not a fact that the State Department is in favor of that bill?

Mr. FLOOD. Yes. Mr. Polk, the Counselor for the State Department, appeared before the Committee on Foreign Affairs and so stated.

Mr. KINCHELOE. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. KINCHELOE. Presuming the fact that within a short while all these treaties with our allies will have been completed and put in effect, what will be the status of the bill that is now ready to come before the House?

Mr. FLOOD. It seems to me the wise thing to do with it would be to modify it so its provisions would not cover those matters covered by the treaty.

Mr. KINCHELOE. Will the treaty practically cover the defect that this bill is trying now to remedy?

Mr. FLOOD. The treaty does not go as far as the bill. This bill has some provisions in it not covered by the treaty.

Mr. OLNEY. These treaties concern only the cobelligerent nations?

Mr. FLOOD. Yes.

Mr. OLNEY. Is it not a fact that the State Department considers it pretty risky business to attempt to conscript alien enemies, and is it not also a fact that the State Department considers it undesirable to attempt to conscript the aliens of neutral countries, because if we adopt legislation like that what could prevent Mexico and Spain and Sweden, friendly countries to us, from conscripting our citizens in those countries into the military service?

Mr. FLOOD. I have not time to go into the questions suggested by the gentleman from Massachusetts.

Our able and efficient Secretary of State has for months been negotiating with those with whom we are associated in this war to bring about a satisfactory agreement with reference to this subject. As soon as a suitable proposal could be formulated in conjunction with the War Department it was submitted to the cobelligerents of the United States as a basis for diplomatic negotiations. As negotiations proceeded with the European nations unforeseen difficulties arose, as, for example, the revolution of Russia and the German drive in Italy, which made it necessary for the time being to press more strongly negotiations in other quarters. For this reason, and also on account of the fact that the laws and conditions in Great Britain and Canada were more nearly like those in the United States, negotiations proceeded more rapidly with those countries. Moreover, in the interest of obtaining agreements with the European nations as nearly uniform as possible, for reasons of efficient administration in the United States, it was deemed best to reach an agreement, if possible, with some country which might be used as a model for the agreement with other countries.

The agreements with Great Britain and Canada have been completed. Those with France and Italy are in process of conclusion. Gentlemen in charge of these negotiations feel that any legislation on the subject, or the passage of this bill by this House, would impede these negotiations and render greater the difficulties of bringing them to successful termination.

I hope, therefore, this bill will not be taken up at this time.

Mr. BURNETT. This bill does not conscript anyone. The remarks of the gentleman from Massachusetts [Mr. OLNEY] are not applicable, because this bill does not conscript anyone.

Mr. STAFFORD. Does it not provide that if the alien neutral does not enlist, he shall be absolutely deported at the conclusion of the war? If that is going to be the policy of this Government——

Mr. BURNETT. Oh, no; not an alien neutral.

Mr. STAFFORD. I was under the impression that it did apply to an alien neutral.

Mr. BURNETT. That is not the purpose at all. We do not attempt any such thing.

Mr. STAFFORD. I would like to ask the chairman of the Committee on Foreign Affairs whether, in his conferences with officials of the State Department, they have considered the complications that might arise in the enforcement of this first section, which requires those aliens who have not enlisted to be deported at the conclusion of the war?

Mr. FLOOD. No; I did not discuss that with anyone.

The SPEAKER. The time of the gentleman from Virginia has expired.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3448. An act granting the consent of Congress to the village of East Dundee and the village of West Dundee to construct a bridge across the Fox River; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 125. Joint resolution authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the Rotunda of the Capitol; to the Committee on the Library.

ORDER OF BUSINESS.

Mr. FORDNEY. I ask unanimous consent that to-morrow, after the reading of the Journal and the disposition of business on the Speaker's table, I be permitted to address the House for 10 minutes.

The SPEAKER. The gentleman from Michigan asks unanimous consent that to-morrow, after the reading of the Journal and the disposition of business on the Speaker's table, he be permitted to address the House for not to exceed 10 minutes, not to interfere with conference reports and privileged matters. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. WILLIAM HUGHES, late a Senator from the State of New Jersey.

Resolved, That a committee of 15 Senators be appointed by the Vice President to take order for superintending the funeral of Mr. HUGHES, to be held in the city of Paterson, N. J.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of deceased, the Senate do now adjourn.

And that in compliance with the foregoing resolutions the Vice President had appointed as said committee Mr. FRELINGHUYSEN, Mr. JAMES, Mr. PHELAN, Mr. HOLLIS, Mr. POINDEXTER, Mr. NEW, Mr. SMOOT, Mr. MCCUMBER, Mr. SMITH of Arizona, Mr. WILLIAMS, Mr. PITTMAN, Mr. SIMMONS, Mr. THOMAS, Mr. TOWNSEND, and Mr. CALDER.

DEATH OF SENATOR HUGHES, OF NEW JERSEY.

Mr. EAGAN. Mr. Speaker, it is my painful duty to announce to this House the death of the senior Senator from New Jersey, Hon. WILLIAM HUGHES, for many years a distinguished Member of this House. At a future date I shall ask that a day be set aside on which to pay tribute to his character and distinguished public services. I send to the Clerk's desk a resolution and ask its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 239.

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM HUGHES, a Senator of the United States from the State of New Jersey.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of 15 members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The SPEAKER. The Chair announces the following committee, which the Clerk will report.

The Clerk read as follows:

Mr. EAGAN, Mr. BROWNING, Mr. BACHARACH, Mr. SCULLY, Mr. HUTCHINSON, Mr. CAPSTICK, Mr. RAMSEY, Mr. DRUKKER, Mr. GRAY of New Jersey, Mr. PARKER of New Jersey, Mr. LEHLBACH, Mr. HAMILL, Mr. RIORDAN, Mr. TILLMAN, and Mr. BURNETT.

The SPEAKER. The Clerk will complete the reading of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect, the House do now adjourn.

The SPEAKER. Is there objection to the consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ADJOURNMENT.

Accordingly (at 12 o'clock and 37 minutes p. m.) the House adjourned until to-morrow, Thursday, January 31, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, requesting consideration of Navy Department's draft of bill in lieu of H. R. 8980 (H. Doc. No. 873); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War submitting a proposed clause of legislation for inclusion in the urgent deficiency bill, reappropriating certain 1918 balances (H. Doc. No. 874); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers of the United States Army, together with a copy of a report from Mr. J. W. Sackett, assistant engineer in charge on preliminary examination of Canaveral Harbor, Fla. (H. Doc. No. 875); to the Committee on River and Harbors and ordered to be printed.

4. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers of the United States Army submitting a statement showing the name of each civilian engineer employed between July 1, 1916, and June 30, 1917, in the work of improving rivers and harbors (H. Doc. No. 876); to the Committee on Rivers and Harbors and ordered to be printed.

5. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Flora L. Hovey *v.* The United States (H. Doc. No. 877); to the Committee on War Claims and ordered to be printed.

6. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Henry C. Crosthwait, Lyman L. Crosthwait, and George A. Crosthwait, heirs of William Y. Crosthwait, deceased, *v.* The United States (H. Doc. No. 878); to the Committee on War Claims and ordered to be printed.

7. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mabel

Henderson and Mary H. Fletcher, daughters of William P. Henderson, deceased, *v.* The United States (H. Doc. No. 879); to the Committee on War Claims and ordered to be printed.

8. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of A. H. Shonn, executor of the estate of Andrew J. Brown, deceased, *v.* The United States (H. Doc. No. 880); to the Committee on War Claims and ordered to be printed.

9. A letter from the chief clerk of the Court of Claims, transmitting a copy of the finding of the court in the case of John T. Gunn *v.* The United States (H. Doc. No. 881); to the Committee on War Claims and ordered to be printed.

10. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Addie P. Jones, widow of D. Lloyd Jones, deceased, *v.* The United States (H. Doc. No. 882); to the Committee on War Claims and ordered to be printed.

11. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Enoch Smith, administrator of the estate of Harrison Fields, deceased, *v.* The United States (H. Doc. No. 883); to the Committee on War Claims and ordered to be printed.

12. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mabel Cushman Hitt, daughter of William H. W. Cushman, deceased, *v.* The United States (H. Doc. No. 884); to the Committee on War Claims and ordered to be printed.

13. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of J. H. Reed, administrator of the estate of John B. Reed, deceased, *v.* The United States (H. Doc. No. 885); to the Committee on War Claims and ordered to be printed.

14. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the Court in the case of Milton Giles, Charles P. Giles, and Aldana C. Burr, children and heirs of Ezekiel Giles, deceased, *v.* The United States (H. Doc. No. 886); to the Committee on War Claims and ordered to be printed.

15. A letter from the President of the Washington & Old Dominion Railway, transmitting report of the Washington & Old Dominion Railway for the 12 months ending December 31, 1917, in compliance with requirements of section 10, act of Congress June 30, 1896 (H. Doc. No. 887); to the Committee on the District of Columbia and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PARK: A bill (H. R. 9388) to authorize the President of the United States to advance officers on the retired list, now on active duty, who were wounded in battle in the service of the United States; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 9389) to amend sections 10 and 37 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. PADGETT: A bill (H. R. 9390) to promote the efficiency of the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. BRITTEN: A bill (H. R. 9391) for the relief of retired officers of the United States Navy; to the Committee on Naval Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 9392) making appropriation for payment of balances due by readjustment of salaries of postmasters under existing law; to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 9393) granting an increase of pension to James F. Larimore; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 9394) to correct the military record of William C. Wilson; to the Committee on Military Affairs.

By Mr. CONNELLY of Kansas: A bill (H. R. 9395) granting an increase of pension to Phœbe Riley; to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 9396) granting a pension to Oma B. Richardson; to the Committee on Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 9397) granting an increase of pension to Marcellus Teeters; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 9398) granting a pension to Katherine Cotter; to the Committee on Pensions.

By Mr. PLATT: A bill (H. R. 9399) granting a pension to Hanna Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9400) granting a pension to Sidney W. Ackerman; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 9401) granting an increase of pension to Robert W. Griffin; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Petition of the Oneida & Western Railroad Co., asking for just treatment of short-line railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Evan O'Neill Kane, M. D., of Kane, Pa., suggesting a Federal dog tax to raise revenue for war wounded and alleviate food shortage; to the Committee on Agriculture.

By Mr. FULLER of Illinois: Petition of the Oneida & Western Railroad Co., asking equal treatment of the short-line railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Cordage Manufacturers' Association, relating to the manufacture and prices of manila hemp; to the Committee on Insular Affairs.

Also, petition of the Illinois Audubon Society, protesting against permission for grazing in the national parks and shooting privileges in the bird reservations; to the Committee on Public Lands.

Also, petition of Colgate & Co., for the daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the College Hall Library Club, asking repeal of the increased postage rates on periodicals; to the Committee on Ways and Means.

By Mr. HADLEY: Resolution of the Meridian Grange, No. 265, Kent, Wash., requesting a law making it a treasonable offense for anyone to purchase, or attempt to purchase, securities of the United States at less than par; to the Committee on the Judiciary.

By Mr. RAKER: Petition of A. Berryessa, 748 Pacific Building, San Francisco, Cal., indorsement of bill providing for increase in the pay of civilian employees in the United States and the District of Columbia; to the Committee on Appropriations.

Also, resolution adopted by the Farmers' Educational & Cooperative Union of America, protesting against universal military training, by A. C. Davis, secretary, Gravette, Ark.; to the Committee on Military Affairs.

Petition of Colgate & Co., perfume makers, New York City, indorsement of daylight-saving plan; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Union Label Trades Department of the American Federation of Labor, favoring amendment to war-revenue law eliminating section dealing with second-class postage; to the Committee on Ways and Means.

By Mr. STRONG: Statements showing cost of operation and petitions for increase of pay from rural mail carriers in the twenty-seventh congressional district of Pennsylvania; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, *January 31, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee day by day for Thy guidance that we may understand life with its great meaning and purpose, with its deep tragedy, in the light that Thou canst give to us. Our hearts are saddened as one by one our comrades in service drop out of the ranks of the living and are called to their reward beyond. We bless Thee for the association of everyone who has been faithful to the ideals of our great country and who has lived to promote the interests of the people. We pray that we may turn our hearts toward God, and may Thy guidance feel the touch of God upon our lives. May we so live that when we come to join that innumerable company passing out of the realms of light and day we may go with a consciousness of having done our best to serve our country and our God. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. VARDAMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

REPORT OF THE COMPTROLLER OF THE CURRENCY (H. DOC. NO. 602).

The VICE PRESIDENT laid before the Senate the annual report of the Comptroller of the Currency for the year ended October 31, 1917, which was referred to the Committee on Banking and Currency.

CHESAPEAKE & POTOMAC TELEPHONE CO. (H. DOC. NO. 888).

The VICE PRESIDENT laid before the Senate the annual report of the Chesapeake & Potomac Telephone Co. for the year 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

GEORGETOWN GAS LIGHT CO.

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown Gas Light Co. for the year 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate on the joint resolution (H. J. Res. 174) for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy.

The message also announced that the House had passed a concurrent resolution providing for the printing of 500,000 extra copies of the Income Tax Primer, prepared by the Bureau of Internal Revenue, etc., in which it requested the concurrence of the Senate.

The message further transmitted to the Senate resolutions on the death of Hon. WILLIAM HUGHES, late a Senator of the United States from the State of New Jersey.

PETITIONS AND MEMORIALS.

Mr. McCUMBER. I present a resolution from a farmer's committee in my State, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Resolution adopted by the Farm Managers' Association at the ninth annual meeting at Fargo, N. Dak., January 16, 1918.

Resolved, That whereas the present labor situation is apt to seriously affect crop production, and whereas it is essential that as much as possible of our skilled farm labor be retained; that if a deferred classification can not be obtained, at least the call should be postponed until the crop is planted.

We would call attention to the fact that farm work is not specialized or simplified into a single line, but that a skilled farm laborer must be competent in many different lines; and that it takes a longer experience to qualify a man for skilled farm work than for factory work. No amount of book learning or instruction can take the place of actual experience at farm labor.

It is necessary to have this skilled labor as leaders in order to make use of untrained labor at all. There are no skilled farmers available if those now on the farms are taken, and if we lose the skilled labor no amount of unskilled labor can take their place or keep up production.

In live-stock raising the use of unskilled labor will result in such waste and loss as will make the maintenance of the live-stock industry impossible.

The farmer claims no exemption for his boys for their own sake or for his own business profits, but simply that necessary production be maintained. We would urge that county and district boards acquaint themselves most fully with the conditions above mentioned and with the facts in each case, and that where the facts prove a man to be a skilled farm laborer that he be classified as such.

It is within our knowledge that several boards seem to consider all farmers as common labor and have ignored the skilled quality of this labor entirely.

J. C. HOKE,
Ellendale, N. Dak.
W. W. BROWN,
Amenia, N. Dak.
F. R. JOHNSON,
Casselton, N. Dak.

Mr. JONES of Washington. I have a telegram from the Seattle Chamber of Commerce and Commercial Club of Washington, urging that a further extension of time be granted for making out returns under the income-tax law. I move that it be referred to the Committee on Finance.

The motion was agreed to.

Mr. JONES of Washington presented a resolution adopted by Okanogan County Pomona Grange, No. 22, Patrons of Husbandry, of Washington, favoring Federal ownership and control of packing plants, which was referred to the Committee on Manufactures.

He also presented a resolution adopted by Okanogan County Pomona Grange, No. 22, Patrons of Husbandry, of Washington, favoring Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Okanogan County Pomona Grange, No. 22, Patrons of Husbandry, of Washington, remonstrating against any change in the farm-loan act, which was referred to the Committee on Banking and Currency.

He also presented a resolution adopted by Okanogan County Pomona Grange, No. 22, Patrons of Husbandry, of Washington, requesting Senators to use their influence in securing the desired seed wheat for homesteaders located on the south half of the Colville Indian Reservation, in that State, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial adopted by Okanogan County Pomona Grange, No. 22, Patrons of Husbandry, of Washington, remonstrating against the repeal of the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by Okanogan County Pomona Grange, No. 22, Patrons of Husbandry, of Washington, favoring the payment of the income tax by Members of Congress, which was referred to the Committee on Finance.

He also presented a resolution adopted by Okanogan County Pomona Grange, No. 22, Patrons of Husbandry, of Washington, favoring a tax on all unused land, which was referred to the Committee on Finance.

He also presented a resolution adopted by Okanogan County Pomona Grange, No 22, Patrons of Husbandry, of Washington, favoring the closing of all unnecessary business establishments during the war, which was referred to the Committee on Military Affairs.

Mr. VARDAMAN. Mr. President, I send to the desk a resolution adopted by the citizens of Indianola, Sunflower County, Miss., expressing confidence in the President in his conduct of the war and the manner of managing the fuel situation, and so forth. I ask that it may be printed in the RECORD without reading.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the citizens of Indianola and Sunflower County, Miss., in mass meeting assembled at Indianola on January 28, 1918, desire to express to President Wilson and the administration in the present crisis with the Imperial German Government our supreme confidence in the management and conduct of the war and preparations therefor by the President, it being the sense of this body that the critics of the President and his Cabinet should be most severely condemned, because we feel that criticism at such a time as this is most detrimental to the Nation's interests; that the criticisms recently made are born of partisanship and a desire to further political interests of the critics, all of which motives we most heartily condemn. This is not a time for criticism, but a time for action and support, and it is the unqualified duty of every citizen to uphold the administration rather than inject strife and partisanship: Now, therefore, be it

Resolved, That we hereby express our sincere faith and confidence in the administration and in the ability of President Wilson as Commander in Chief of the Army and Navy and his Cabinet to direct and manage the whole situation in the present emergency.

W. B. MARTIN, *Chairman.*
W. M. LOCKHART, *Secretary.*

Mr. TILLMAN. I have a telegram which I received several days ago, and which is now somewhat out of date, but the peculiar conditions obtaining in the Senate, as every one knows, prevented my presenting the telegram earlier. I now ask to have it read for the information of the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

CHARLESTON, S. C., *January 26, 1918.*

Hon. B. R. TILLMAN,
The Senate, Washington, D. C.:

Traffic congestion in ice-bound northern ports seriously handicapping war measures while southern ports are comparatively idle. We respectfully call this to your attention, urging that you personally bend every effort to equitable diversion of this traffic through southern ports; freight rates to be readjusted where necessary to this end.

CHARLESTON CHAMBER OF COMMERCE.

Mr. PHELAN presented a petition of the California Cattlemen's Association, of San Francisco, Cal., praying that the park lands of the public domain in that State be thrown open for the use of the cattlemen of California, which was referred to the Committee on Public Lands.

He also presented a petition of the Salmon Packers of Alaska, the Alaska Fishermen's Union, and other affiliated organizations, praying for the establishment of a Government hospital in the Bristol Bay region, Alaska, which was referred to the Committee on Territories.

Mr. THOMAS. Mr. President, I have here two telegrams, one from the governor of my State and the other from the superintendent of public instruction, with regard to the pending so-called Susan B. Anthony amendment. I ask to have the telegrams inserted in the RECORD without reading.

There being no objection, the telegrams were ordered to be inserted in the RECORD, as follows:

DENVER, COLO., *January 23, 1918.*

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.:

Woman suffrage has been very beneficial to the State of Colorado and its citizenship. I think it a just and wise move to extend the right of suffrage to the women of the Nation.

JULIUS C. GUNTER,
Governor of Colorado.

—

DENVER, COLO., *January 22, 1918.*

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.:

We, the members of the State administration of Colorado, desire to testify to our firm and increasing belief in the justice and expediency of woman suffrage. We urge the passage of the Federal amendment enfranchising women, basing this stand upon every consideration of righteousness, patriotism, and efficiency.

Mary C. C. Bradford, superintendent of public instruction of Colorado; James R. Noland, treasurer of State of Colorado; R. H. Higgins, treasurer of State of Colorado; Charles H. Luckenby, auditor of State of Colorado; Leslie E. Hubbard, attorney general of Colorado.

Mr. GALLINGER presented the petition of E. E. Bowles, secretary of the farmers' committee of the California Development Board, of San Francisco, Cal., praying for the importation of Chinese farmers into this country during the war, which was referred to the Committee on Agriculture and Forestry.

Mr. HARDING presented a petition of sundry citizens of Ohio, praying for the repeal of the tax on margarines, which was referred to the Committee on Finance.

He also presented a memorial of the Farmers' Alliance, of Florida, Ohio, remonstrating against the sale of intoxicating liquors to our soldiers in France, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by the Army Boys in Blue of the State of Ohio, favoring an increase of pension of veterans of the Civil War, which was referred to the Committee on Pensions.

He also presented a petition of sundry inmates of the National Military Home, of Dayton, Ohio, praying for the repair, preservation, care, and future maintenance of the brig *Niagara*, which was referred to the Committee on Naval Affairs.

Mr. KNOX presented a petition of sundry citizens of Erie, Pa., praying for the repair, preservation, care, and future maintenance of the brig *Niagara*, which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Oakmont, Pa., and a petition of sundry citizens of Pittsburgh, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Pennsylvania, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. MYERS presented a petition of sundry citizens of the State of Montana, praying for an appropriation for the payment of one-half of the appraised value of Fort Peck Indian lands, which was referred to the Committee on Indian Affairs.

He also presented a petition of sundry citizens of the State of Montana, praying for an opening to settlement of the Fort Belknap Indian Reservation in that State, which was referred to the Committee on Indian Affairs.

He also presented a petition of sundry citizens of the State of Montana, praying for the establishment on the lower Milk River reclamation project a farm unit of 160 acres, which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. GRONNA. Mr. President, I have here a letter from the secretary of the Farm Managers' Association of North Dakota, and also resolutions adopted by the members of that association. As I understand my colleague has introduced a similar resolution, I do not ask that it be printed, but I ask that the letter be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the letter and resolution were referred to the Committee on Agriculture and Forestry, and the letter was ordered to be printed in the RECORD, as follows:

FARM MANAGERS' ASSOCIATION,
January 23, 1918.

Hon. A. J. GRONNA,
United States Senate, Washington, D. C.

DEAR SIR: At the ninth annual meeting of the Farm Managers' Association, held in Fargo, N. Dak., on Wednesday, January 16, 1918, the program consisted of a discussion of the ways and means of maintaining or increasing the production of food products. It was recognized that the one big problem of farm managers at the present time is to help win the war, and it seems to be quite generally understood by people in all walks of life that the production of an adequate supply of food is necessary to the Nation and our allies in the successful prosecution of the war. The principal topics discussed at the Fargo meeting were the means of increasing crop yields, the handling of the seed situation, the place of live stock in increased food production, and the ways and means of relieving the shortage of farm labor.

In discussing the labor problem it was brought out that men and boys who are inexperienced in farm work can not take the place of skilled farm laborers in the handling of the large pieces of machinery that are in use on the farms in this region, in the care of live stock, and in the performance of other operations requiring skill that can be obtained only by years of experience.

In view of the urgent necessity of keeping the skilled farm labor on the farms to maintain production of food products, a committee was appointed to prepare resolutions to be submitted to exemption boards asking them to give careful consideration in claims for deferred classification of skilled farm laborers.

I am inclosing herewith a copy of the resolution that was adopted by the Farm Managers' Association at their annual meeting. It was voted that a copy of this resolution be transmitted to the county and district exemption boards, to State commissioners of labor, the United States Department of Agriculture, and to the United States Senators and Congressmen.

Very truly, yours,

R. C. DONEGHUE,
Secretary.

Mr. RANSDELL. Mr. President, I send to the desk resolutions adopted at a meeting of the Louisiana Branch of the National Woman's Party thanking the President for having recommended the passage of the Susan B. Anthony amendment and urging Senators to support that amendment, which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

[Resolutions adopted at meeting held under auspices of the National Woman's Party, at New Orleans, La., this 22d day of January, 1918.]

Resolved, That this meeting extend thanks to President Wilson for having spoken to his party recommending the passage of the Susan B. Anthony amendment, thereby insuring a two-thirds majority in the House, and that he be urged to recommend its passage by the United States Senate, to the end that we may be as victorious in the upper House as in the lower.

Resolved, That the two Senators from the State of Louisiana be urged to do all in their power to make the national suffrage amendment a party measure, so that the women may feel that our country's plea for democracy abroad is made a vital issue here at home.

Resolved, That this resolution be sent to the President; to the Vice President; to Majority Leader Senator THOMAS MARTIN; to Minority Leader Senator JACOB GALLINGER; to Senator JONES of New Mexico, chairman of the Woman Suffrage Committee; to Senator ROBERT F. BROUSSARD; and to Senator JOSEPH E. RANSDELL, with the request that it be read into the CONGRESSIONAL RECORD.

MRS. M. LA GRAHAM-BANKSTON,
Chairman Louisiana Branch of the National Woman's Party.
MRS. RANDOLPH LYONS,
Louisiana Secretary.

Mr. NELSON presented a resolution, adopted by the Minnesota Branch of the National Woman's Party of St. Paul, Minn., favoring the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. HALE presented a petition of sundry citizens of the State of Maine, praying for the continuance of the present rate of postage on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of the State of Maine, praying for an allowance to rural letter carriers for maintenance of equipment, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of the State of Maine, praying for Government ownership and control of coal mines and railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of the State of Maine, praying for the creation of a civil service court of appeals, which was referred to the Committee on Civil Service and Retrenchment.

PERSONAL EXPLANATION.

Mr. STONE. Mr. President, I rise to a question of personal privilege.

The VICE PRESIDENT. The Senator will state it.

Mr. STONE. I will state the question of privilege. On Monday of last week—January 21—I addressed the Senate on the

subject of "Politics in the war." With respect to that address different news agencies and correspondents sent out more or less broadcast diversified accounts of the speech and of alleged events—especially preceding events—connected with it. It is with especial reference to the report of these "alleged preceding" events connected with the speech referred to that I rise now to address myself as a matter of privilege. Statements were made, having no foundation in fact, calculated, if not intended, to disparage and break the force of what I said on the occasion alluded to, and as the manifest purpose was to discredit me I feel justified in correcting these published misstatements. It will take me but a few moments to dispose of it.

Mr. President, I would have done this earlier except for the fact that at the conclusion of the debate in the Senate on Monday of last week an adjournment was taken until the Thursday following. That day was consumed for the most part by the speech of the senior Senator from Oregon [Mr. CHAMBERLAIN] in the reply he made to the criticism of the President of the speech the Senator had made some days before in New York. At the conclusion of that speech the Senate took an adjournment until Monday of this week. After a very few moments' session on that day an adjournment was taken until yesterday, when, because of the lamentable death reported to the Senate at that time of Senator HUGHES, of New Jersey, an adjournment was taken until to-day. So this is the first practical opportunity I have had for rising to the point of privilege which I now present to the Senate.

On the day following my speech to the Senate on the subject mentioned Mr. Albert W. Fox, a daily space writer of the Washington Post, stated in his article of that date that the speech I had made was not taken seriously at the White House and in no way had the support of the administration, and by his article sought to create the impression that the speech was condemned by those in and around the White House.

Also, a Washington dispatch appeared in the New York World of Tuesday, January 22, in which the following appeared:

> Senator CULBERSON and other Democrats tried to dissuade him [STONE] from delivering it [the speech]. He [STONE] insisted on arraigning the Republicans as playing politics in the war in an effort to take hold of the Government.

Also, an Associated Press dispatch of January 21 to the St. Louis Post-Dispatch, sent out on the day the speech was delivered, contains the following:

> Many Democratic leaders, including Postmaster General Burleson, conferred with Senator STONE to-day, seeking to dissuade him from delivering his speech.

I could multiply such quotations indefinitely, but this is sufficient, for if I multiplied them they would be to the same effect. It is about these misstatements of fact, which are intended in some way to reflect on me, that I desire to speak very briefly.

First. I speak first of the article in the Washington Post, printed under the name of Mr. Fox, in which he undertook to state with precision the attitude of the White House officials with respect to my speech. As to their attitude I can not speak, and would not if I could, but I undertake to say authoritatively that Mr. Albert W. Fox had no authority whatsoever to speak for them. His effusion was altogether without knowledge and wholly gratuitous. I am definitely informed that Mr. Fox had not been within the executive offices for two months before he wrote the article upon which I am commenting, was not there on the day he wrote it, and I doubt if he has been there since. To use an expressive vulgarism, he was simply "talking through his hat." He desired to have the public believe that what he said was true, and so he wrote and published it, without caring whether it was true or false.

Second. The statement I have quoted to the effect that Postmaster General Burleson visited me in the forenoon just preceding the delivery of my address to protest or advise against its delivery is unqualifiedly false in substance and effect. It is true that General Burleson came to my committee rooms on the morning referred to and discussed with me some matters of mutual concern. It is not necessary that I should repeat either the subject or the substance of our conference. It is sufficient for me to say that General Burleson did not on that occasion or at any other time ever speak a word to me in any way suggesting or advising against the delivery of the speech he then knew I intended to make in the Senate on that date. The story is purely a baseless fabrication.

Third. The story that Senator CULBERSON—and I see the honorable Senator present—and numerous other so-called Democratic Senate leaders ought to induce me to forego the delivery of the speech is also false. Senator CULBERSON never spoke to me on the subject in his life. Only one Senator ever spoke to me personally about the speech prior to its delivery who in any way seemed to doubt the wisdom of making it. That one Senator, whose name I withhold, for whom I entertain not only a high opinion but a most affectionate regard, did express to me a doubt as to the timeliness of making a speech that might be characterized by some as partisan. At that time he did not know what the speech was to be. He heard the speech for the first time when I made it, and at its conclusion this Senator personally expressed to me his approval of it.

Mr. President what I have said is sufficient to show the character of the stories sent out by the different newsmen, and which were published more or less widely throughout the country. These stories are untrue in fact and also unfair, because manifestly they were intended to discount and discredit my address before the country. I have felt that I ought as a matter of justice to myself to brand these falsehoods as they deserve. I am unhappily conscious that my definite denial of these stories which I have now made may never go beyond the walls of this Chamber and the pages of the CONGRESSIONAL RECORD. I apprehend that while the wrong was exploited, the correction will be buried. Nevertheless I will put the truth in the RECORD.

In this connection it might not be amiss to call the attention of my newspaper friends to the letter of Thomas Jefferson to Mr. Norville, which I read in the Senate sometime since, and to express the hope that they will not in this day and generation justify the well-merited criticisms which Mr. Jefferson made of newspapers of his day and generation. Because of their exceptional opportunity to influence public opinion rightfully or wrongfully, for good or evil, I hold that the newspaper editor and reporter should be influenced by the highest considerations of justice, and that truth should be even more sacred to them, if possible, than to any other class of men.

THE FUEL SITUATION.

Mr. SMITH of Michigan. Mr. President, I have some petitions and memorials regarding the fuel situation which I desire to present.

I wish to say, if the Chair will indulge me, that the most expensive coal purchase in the United States last Monday was purchased in my home city of Grand Rapids, where 6 tons of coal cost over $22,000. The consumption capacity of the city of Grand Rapids, Mich., with 135,000 people, is 3,000 tons of coal a day. Last Monday 37 of the leading furniture industries of that city, and the leading furniture center in the world, were closed down by order of the Fuel Administration to save 6 tons of coal that could be carried upon two wagons. It would have taken, by a very careful and painstaking review among our factories, 6 tons of coal more to have operated 37 factories in the city of Grand Rapids last Monday than it took to close them down, and nearly 8,000 workmen were put into the streets on that day, and their wages wasted by Government order. That is a high price to pay for coal in the United States; a tremendous sacrifice for labor to make in order to humor a caprice, a mere caprice. If that is wisdom, I do not understand it. No, Mr. President, it is reckless indifference to individual liberty and the rights of citizenship.

I rise in my capacity as a Senator to protest against the sacrifice of labor and of business to the whims of a Fuel Administrator who will not see his error. Think of it, sir! Thirty-seven great furniture-manufacturing plants closed down a whole day to save 6 tons of coal! And in the nine idle days that are to follow, if this order stands, 54 tons of coal—scarcely a carload—will be saved and over $250,000 in wages to workmen lost.

If we can not make ourselves heard at the Fuel Administrator's office and the weakness of their untenable position can not be demonstrated to them, then I rise in my right as a Senator in this Chamber and make my protest here, with the hope that it may find its way into the heart and mind of men charged with that special responsibility.

On the same day in Detroit great manufacturing establishments, including the Dodge Bros., making munitions of war for the Government, with a full supply of coal on hand, had their force dissipated 70 per cent by that order, and a very essential element in the making of cannon for our Army was arrested and that important work unnecessarily delayed by the Fuel Administrator.

Senators, it is not right; it is neither sensible nor patriotic. I know of communities in my State where woodworking institutions furnish the entire community with fuel, yet they were closed down, although they did not use an ounce of coal. Not a community in Michigan which does not feel the injustice of this order.

Dodge Bros. have ample coal. They bought 100,000 tons last February and had it delivered. There is no question of congestion there. From their coal pile they have supplied 3,000 families in Detroit who have been permitted to come and take

this coal to warm themselves. But yet that institution, which equipped a special plant to make ordnance costing millions of dollars, covering nearly 20 acres of ground space, had to shut down, its force turned into the streets, and our preparations for war delayed because of a wholesale and thoughtless order, which did not save an ounce of coal or relieve congestion anywhere. Sir, I protest against this course. I protest against it in the name of the loyal people of Michigan.

The memorials presented by Mr. SMITH of Michigan were as follows:

DETROIT, MICH., *January 30, 1918.*

Senator WILLIAM ALDEN SMITH,
Washington, D. C.:

Unless pressure is brought to bear on Fuel Administration to get fuel to Detroit all factories in town will be closed. There are approximately 25 will be closed this week. Why can not order be issued closing all saloons, theaters, pool rooms, bowling alleys, and other nonessentials permanently until situation is relieved? Workmen of town getting very much wrought up, and will bring about very bad condition. We have fuel only enough until Friday, with no prospect of getting more, and have many Government orders. Wish you would use your full influence to bring about betterment of our condition.

O. S. OVERTON-BOWEN PRODUCE CORPORATION.

DETROIT, MICH., *January 30, 1918.*

Senator WILLIAM ALDEN SMITH,
Washington:

For past 10 days we have been operating 10 large apartment buildings on 24-hour supplies of coal. Our source of supply is now being cut off; this is due partially to cars consigned to us having been confiscated in Ohio, and also to the fact that very little coal is being shipped into Detroit. Our immediate shortage effects 600 families. We must have immediate relief or our apartment buildings will be closed and tenants forced to find other quarters or freeze.

HENNAN REAL ESTATE EXCHANGE.

Mr. SMITH of Georgia subsequently said: Mr. President, I wish to supplement what was said by the Senator from Michigan [Mr. SMITH] by calling attention to the fact that on Monday the hydroelectric plants practically all over the United States closed down, or, at least, the industries operated through hydroelectricity were compelled to close.

I wish to illustrate the practical effect of this action by referring to the city in my State which has the largest number of mills operated by power furnished by hydroelectric plants. In Columbus, Ga., there are 12 mills; there are between seven and ten thousand operatives who work in these mills; the mills are largely employed in producing material for the Government, some not directly for the Government, but they are producing to a large extent cloth for contractors who are furnishing clothing for the soldiers.

These mills, though stopped, were compelled to use coal to protect their sprinkler systems and to provide their fire-extinguishing plants. They would have required no additional coal, if operated, to warm the employees, for the additional heat coming from the operation of their electrical machines would have furnished all the heat required for the buildings when added to that which they did use, though closed down. So these mills could have operated without burning a pound of additional coal inside the mills.

The seven to ten thousand employees were sent home. In their houses they burned much more coal than would have been used had they been in the mills. So that the immediate result of closing these mills was an increased consumption of coal last Monday in the city of Columbus, Ga., with loss of work to between seven and ten thousand employees and a loss to the Government, a loss in our national strength, in the conduct of the war, of products needed to conduct the war.

But this is not all, Mr. President. The three months when the water supply is ample in the southeastern States are January, February, and March. Later along in the year the water power is not sufficient and the electrical currents for the operation of the mills must be supplemented by the use of coal in addition to the water power. The water passed over the dam last Monday and is gone. It will continue to pass over the dam these other Mondays, if the mills are not operated, and will be wasted.

I heard one of the leading men engaged in these industries from that section state, in the presence of Dr. Garfield on yesterday, that the coal that would be required to produce the power which would be wasted on these Mondays would amount to 150,000 tons, and if this waste takes place now the coal must be burned later along to make up the loss.

These mills are behind on their contracts with the Government. It is as important that the thin clothing should be ready for summer as that the warm clothing should have been ready in the fall, and stopping these mills will hinder a production so essential for the protection of the health of the American Army.

Mr. President, these facts were fully presented to Dr. Garfield yesterday, and I wish to say for him that I do not think he contemplated that his local agents would actually stop hydroelectric plants. They had been requested to ask that they stop. They had been advised to make an appeal to their patriotism to stop; but in my State the fuel agents went further and threatened criminal prosecutions if the mills were not stopped.

Mr. BORAH. Mr. President, I do not know that I exactly understand the position of the Senator. Do I understand him to say that he is of the opinion that Dr. Garfield did not intend that these people should shut down?

Mr. SMITH of Georgia. No; I did not say that. I said that he did not intend that his local agents should say that they were obliged to shut down. He only expected his local agents to appeal to their patriotism to shut down.

Mr. BORAH. Well, assuming that they were patriotic men, that would be about the same thing as compelling them to shut down.

Mr. SMITH of Georgia. Unless they saw that it was more patriotic to operate and furnish the soldiers what they needed and the Government what it needed than to comply with a view of patriotism suggested by one who perhaps was not as familiar with the facts as they were.

Mr. HARDWICK. Mr. President, will my colleague yield to me?

Mr. SMITH of Georgia. Certainly.

Mr. HARDWICK. I have had this same question up with Dr. Garfield, and he does not contend that under the law he has any authority to close the hydroelectric plants; but he did say that he had made the request in every State, and he made it, he said, on account of transportation. He said that that was the real trouble—that the railroads could not transport the stuff that the mills made.

Mr. SMITH of Georgia. I believe Dr. Garfield will advise his agents that they had no authority to stop the hydroelectric plants. I was before him yesterday with millmen from the South. We discussed the subject before him yesterday. I have here his letter, expressly declaring that he had no authority and did not undertake to stop these plants. It was signed several days ago. I have advised all mill operators that this letter was in my possession, signed by him, and that he had not withdrawn it. I hope that he will not only instruct his local agents not to make any threats against plants operating with hydroelectricity but that he will go further and concede that the service of their country requires that they operate, and that it is the part of patriotism to continue operations in order that we may be prepared to meet the call which soon will be made on us for spring and summer clothing for the Army and Navy and for other supplies.

APPOINTMENT OF INSPECTOR OF EXPLOSIVES.

Mr. SMITH of Arizona. Mr. President, inasmuch as I may be called away, I rise to a matter not exactly in the nature of personal privilege, though I might take the floor so claiming if I desired to do so. I regret that the Senator from Pennsylvania [Mr. PENROSE] is not present. I should be willing to await his coming if I did not myself expect shortly to leave the city.

On page 1091 of the RECORD a statement made by the Senator from Pennsylvania in my absence contained the following language:

I had curiosity to find out who had been appointed, and I discovered in Pennsylvania that a gentleman who had been engaged in the honorable occupation of selling Hire's root beer at retail was the inspector of explosives, and admitted that he did not know a thing about it, but if there was any hard work connected with it he would not take it. The Senator from Arizona—

The Senator from Pennsylvania was alluding to me, for I was stading in front of his desk at the time the question of the confirmation of inspectors of munitions came up in executive session—

The Senator from Arizona was extremely solicitous to have his inspector acted on immediately, and I discovered from several hundred letters from the State of Arizona that he was a cigar maker.

I wonder if the first statement of the Senator was as unreliable as his second. *Hundreds of letters from Arizona!* By what peculiar affinity did the Senator from Pennsylvania find more people to make a misstatement in a few days through the mail than I have found in 37 years of life amongst them?

The fact is that the gentleman himself, Mr. Shaw, wrote a letter to the Senator from Pennsylvania, which has not been read on this floor but which I will ask the Secretary to read, and I shall ask the attention of the Senate to it, as it shows the carefulness with which the Senator from Pennsylvania states the truth when he has a political question in his mind. I mean nothing against the Senator personally, but he is so saturated with political prejudice that it is impossible for him to deal fairly when such a question is involved. With the exception of some matter which I should not care to have printed in the

RECORD without first showing it to the Senator from Pennsylvania, I ask that the letter be read in justification of Mr. Shaw as well as for my reasons in recommending him.

Before the Secretary commences reading, however, I should like to say that I made no request of the Senator from Pennsylvania or of anyone else that the nomination of this particular man, Mr. Shaw, as explosive inspector of Arizona, should be immediately confirmed. Mine was a mere pleasant allusion. The Senator said they all needed money, and I said, "Then, if they are in that fix, by all means let them all be confirmed at once." Then he said that I was extremely anxious to have this particular man confirmed, inferring that I was afraid the fact might get out, as he had stated it from the hundreds of letters which he had received from people in Arizona to the effect stated by him in his speech. Not one of those letters told the truth about it, and I think the Senate will pardon me for having a slight doubt as to the vast number of misstatements received by the Senator on a matter so unimportant. I now ask the Secretary to read the letter.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

PHOENIX, ARIZ., *January 22, 1918.*

Hon. BOIES PENROSE,
United States Senate, Washington, D. C.

DEAR SIR: Associated Press news gives an account of your attack in the United States Senate yesterday on the Federal explosives inspectors, and it is stating it mildly indeed to say that I am surprised that any man * * * should make the charge you did against the United States inspector for the State of Arizona without first ascertaining the facts.

For your information, I am not now and never have been a cigar maker, although at one time I owned a large block of stock in a cigar manufacturing plant which furnished labor to 40 or 50 families, and later owned a retail establishment which represented but a small portion of my holdings in Arizona, as since the act of Congress providing for the reclamation of the arid lands of the West by means of Government irrigation projects I have backed my faith by good American money and have reclaimed several hundred acres of land, a part of which have passed into other hands and are now among the best-producing ranches of this locality. I have also taken an active interest in the production and feeding of cattle for the eastern markets, and for your further enlightenment I was for a number of years in the managerial capacity of a large wholesale establishment which handled, among other commodities, explosives used in the mines and in the mining development of the State, in which I have been and am still heavily interested.

In conclusion, I am quite able and willing to make affidavits to substantiate these and any other claims I might make as to the part I have taken in the substantial development of my State, although this information is easily accessible to anyone who really wishes to investigate my activities in Arizona and elsewhere, rather than to seek by such paltry, partisan methods as yours in casting aspersions upon an honest trade, even though not mine, in what seems a desire on your part to embarrass the administration at this critical period in our national history.

Very truly, yours,

_____,
United States Inspector of Explosives,
State of Arizona.

Mr. SMITH of Arizona. Mr. President, perhaps there would have been reason for a still further assault by the Senator from Pennsylvania if he had known that this cigar maker, as he calls him, was also selected from the largest county in the State of Arizona as one of the delegates to the National Convention at Baltimore. He is a man who had the right to be free from the aspersions of any Senator on this floor. The Senator from Pennsylvania could easily have ascertained, by seeing me and my colleague, the facts before he put such a statement as that made by him in the RECORD. I wish simply to let my friends at home and the people generally know that I have made my protest against this very unjust and unjustifiable assault against a friend of mine whom I had recommended for office and in whose honor, integrity, and fitness I have full confidence.

AFFAIRS IN RUSSIA.

Mr. CALDER. Mr. President, preliminary to making a request for unanimous consent to have an article printed in the RECORD, I ask the indulgence of the Senate for a moment or two to explain the nature of the article.

Mr. President, at this time when a great many persons are expressing the gloomiest thoughts regarding the cessation of hostilities on the Russian front, and a wave of hostile criticisms of the Russians is sweeping over the country, I would like to draw the attention of the Senate to a view of that situation, to which most of us, unhappily, have been strangers. The view I am about to present is likely to become accepted as time passes as the real judgment upon the Russian revolution of last November, when what are known as the bolsheviki came into the ascendency.

First, Mr. President, I desire to speak of a man who has been in Russia, and who, to my mind, has rendered great aid to his country—a man who stands in the forefront of American business and finance, who dropped all of his personal affairs and went to Russia, where he worked, giving closer attention to the interests of Russia and the allies than, I venture to say, he ever gave to anything else in his whole career. I refer to Col. William B. Thompson, a director of the Federal Reserve Bank of New York, who was in command of the American Red Cross mission in Russia. He had already contributed a quarter of a million dollars to the fund of the war council of the Red Cross, which covered the bulk of the expenses of the mission to Russia. Col. Thompson was four months in Petrograd. During that time he sensed fully the meaning of the Russian revolution. He saw the assistance that the Russians needed in their struggle for a stable government, and he saw the utmost importance of combating the well-organized German propaganda which had already knocked Russia to pieces as a cohesive fighting force and threatened to bring that country and Germany together as friends, if not as allies, right in the middle of the war. As the matter was of a pressing character, Col. Thompson found that it would not permit of delay. But it was impossible to convey by cable any idea of his vision regarding this intricate and complicated situation so that it would be appreciated and acted upon by the Government at Washington. In this emergency Col. Thompson played the part of a great American in combating the German propaganda. He came back to this country a short time ago to tell the story in order that the situation might be better understood and more intelligently handled. It was a story in effect that the hated bolsheviki leaders, who had been proclaimed as paid German spies, would not make a separate peace with Germany unless the attitude of countries formerly in alliance with Russia forced them to do so, and that the Russian democracy, under the leadership of the maximalists, was the greatest enemy the Kaiser had. In other words, the Russian democracy, alongside of Germany and Austria, were setting the populations of those two countries on fire with the spirit of democracy and the fervor of anti-Kaiserism; that Austria was already yielding to the propaganda from Russia, and that Germany had been smitten, so to speak, so hard by its own boomerang that in time a democratic upheaval in that country would compel the German general staff to yield its attitude of annexations and world domination.

One evening last week Col. Thompson was entertained at dinner by the Rocky Mountain Club of New York in celebration of his return. It just happened that this dinner was the first anniversary of the conception of a movement led by him to turn over to the starving children of Belgium the fund which the club had for the erection of a new clubhouse and which Col. Thompson headed with a personal subscription of $100,000. This fund came to be known as the Hoover Rocky Mountain Club Fund for Relief in Belgium. Thus briefly and inadequately I have tried to give, by describing his acts, a rough picture of the man who, surrounded by his friends, delivered his message about Russia, which I now desire to give to the Senate.

I ask that Col. Thompson's address be printed in the RECORD, and I earnestly urge that every Member of the Senate read it carefully. It presents a knowledge of present conditions in Russia, and a vision of its future possessed by few men in this country.

Mr. STONE. Mr. President, before the Senator takes his seat, will he permit me to interrupt him?

Mr. CALDER. Certainly.

Mr. STONE. I have read the address to which the Senator refers, delivered by Col. Thompson, and I am greatly gratified that the Senator from New York has asked that it may be printed in the RECORD. It is one of the most interesting contributions to the current history of the war, especially that part of it relating to Russia, I have seen. I received a copy of this speech and read it with great interest. I have spoken of it to two or three Senators who had not seen it, and read it to one of them in my committee room, and he was greatly impressed by it, as I was. My only object now, aside from seconding the request of the Senator from New York, is, as far as I can, to call the attention of Senators to this remarkable address—I think it is remarkable—in order that those who have not read it shall not neglect the opportunity of doing so when it appears in the RECORD.

Mr. CALDER. Mr. President, I want to thank the Senator for his comment upon this address. It struck me so forcibly that I was prompted to make this request of the Senate this morning.

Mr. OWEN. Mr. President, I should like to say to the Senator from New York that I also have read this address with great interest, and I think it ought to be made a part of the public record.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

RUSSIAN PROBLEMS.

I have returned to this country with some very strong ideas regarding Russia, and the duty of the United States and the allies to that stirring, and I am afraid you will think somewhat erratic, young democracy.

I come from a people now generally known as the Bolsheviki, who just now are extremely unpopular in the American press. They are held up as assistant Germans and are being denounced for having deserted the allies and throwing their influence on the side of the Kaiser. I am afraid the American people are slow to realize one of the greatest facts in the war at this time. The Bolsheviki at the present moment are a tremendous factor in making the central powers of Europe realize that they can never win this war; that they will be forced to a basis of a reasonable and a lasting peace.

The newspapers that are denouncing the Bolsheviki just now are printing columns about a revolution in Austria-Hungary, a revolution based upon immediate peace with no annexations and no indemnities. This Austro-Hungarian revolution was inspired by the Russian Bolsheviki. The importance of this revolution should not be ignored. The example and efforts of the Russian democracy are setting the central powers on fire. The most damaging enemy Germany has is the Russian democracy alongside of it, preaching to the German common people and to the German soldiers the same doctrine of democratic peace. Stranger things have happened than that a lasting peace, without the realization of any of Germany's despotic war aims, may be at this very time in the making.

When I arrived in Russia last July I found the country almost prostrate through demoralization caused by unopposed German propaganda. German propaganda had brought about a strike through all Russia three days before the declaration of war in 1914. German intrigue and propaganda had so surrounded the Czar that a separate peace was almost impending last March.

FOOD RIOTS PART OF PLOT.

Food had been cut off deliberately from Petrograd and other cities in order to cause bread riots and strikes, with the cold intention on the part of the German and Russian autocracies of using these measures as an excuse for a separate peace. The Russian soldiers refused to fire on the hungry people, and the long-sought-for Russian revolution was realized with the abdication of the Czar. At the time I reached Petrograd that noble Russian patriot, Alexander Kerensky—and I am deliberate in calling him a noble man—was attempting a coalition government, a government representing the rich and the poor. The rich, however, were not satisfied to work with the poor.

German propaganda was busy tearing down. Allied haggling was unconsciously aiding, and this resulted in an attempt to place over Russia a man on horseback—Korniloff. To me it seems that a madder scheme was never conceived in the brain of man. It aroused to frenzy the great mass of Russians, who interpreted it as a return of the old order. Just at this time a Russian general, Gurko, who had been deprived of the command of the army for writing letters to the Czar, saying that he hoped to see him return to power, escaped to England and was received in audience by King George. When you who have not been to Russia are puzzling your brains over the Bolsheviki and wondering why they should be so extreme and so opposed to the property-owning classes, it would be useful for you to remember these things, which will explain why the workingmen and peasants are in absolute control in Russia and passionately devoted to making their freedom secure. The terrorism under which the limited property-owning class is living in Russia is slight compared with the terrorism in which the workingman and the peasant lives in contemplating a return of the power of the old régime.

RUSSIANS REAL PATRIOTS.

We talk about patriots in this country, but we do not know what patriotism is until we see in Russia examples of what I should call the patriotism of mankind. While in Russia I met some real patriots. There I met men and women who for the benefit of their fellows had spent three-quarters of their lives in prisons and chain gangs. There I met the heads of the revolutionary groups who for 50 years and more had been risking their all for Russian freedom—Madam Breshkovsky, Mr. Tchaikovsky (Shaykovsky), and Mr. Lazaroff. Think of Breshkovsky, the Grandmother of the Revolution, 74 years old, a prisoner and an exile for 34 years, still working night and day with might and main for the benefit of her fellow Russians.

This group surrounded Kerensky, who believed in working out the social problem by the Russian labor classes in conjunction with the property-owning classes. Then, again, I saw the workings of another group, equally patriotic, who believed that ultimate freedom and the possession of the land could only be worked out by the workingmen and the peasants. I can easily see how Marie Spiridovna, now a leading figure in Russian life, believes that freedom is only to be realized by a government of workingmen alone. The Russian revolution, only a few months ago, released this young woman, now only in the thirties, from 15 years' solitary confinement in a Siberian prison.

I will say right here that, if at any time during my travels I was a witness of deeds of wanton destruction and violence, it was not in Russia. If at any time I was subjected to any discourtesy or incivility, it was not in Russia. If at any time I was in danger, it was not in Russia.

COUNTRY NEEDS HELP.

Yet Russia is a good deal disorganized these days, and needs our help. There have been revolution and attempted revolution, one coming on the heels of another. There has been considerable civil strife in one section of the country or another, but the reports always appear much more dreadful than the facts really are. Russia is happy in her trials, because Russia has found something which her sons, and their fathers and grandfathers and great-grandfathers have been striving for. Russia has found freedom. Russia is a democracy. It is a democracy which comes as near being representative of the soil as it would be possible to find anywhere. It has mud on its boots, hair on its face, and the love of freedom in its heart.

Russia is a government of the workingmen and the soldiers, of the peasants and the mechanics. It is a democracy which is striving for the uplift of the great masses. The one great desire of perhaps 94 per cent of Russia's 180,000,000 people is to have peace; to have land which they can control and call their own; to have a part in the industrial life of the country, and feel that they own a part of it; to live lives of order, unrestrained by any czar or dictator; to acquire education; and to improve their condition. This is the impulse which has stirred the Russian people long before and ever since they overthrew the Czar.

When I say that they want peace, I do not say that they want a separate peace. Democratic Russia, in my opinion, will never make a separate peace with autocratic Germany. The present Government has not ordered the soldiers away from the trenches. On the contrary, it is filling the places of deserters with new soldiers recruited from the Red Guard. The Russian democracy wants peace, as we in America want peace, as they want peace in France and England and Italy. They want a peace with a democratic Germany and not with an autocratic Germany.

PEOPLE NOT VENGEFUL.

I have been deeply impressed with the effect of the new-found liberty upon the great masses of the Russian people. It did not turn them into a vengeful horde, bent on wholesale massacre and bloodshed, the newspaper reports in most part to the contrary notwithstanding. As a matter of fact, it did not change them very much, except that from a sad, brave, protesting people they became a glad, amiable, but rather bewildered people. They attained liberty, and naturally it is taking some time for them to work out the system of government under which they will live. They are a kindly people, and as a nation they have very high ideals.

It was the Russian democracy which gave to the world the cry that there should be no annexations and no indemnities. That is a cry which should have been appreciated earlier in America, and should have resulted in the unswerving sympathy of America being extended to the Russian democracy. It was the democracy of Russia which injected into this war the cry, "No secret treaties!" It was the democracy of Russia which gave to the world the principle of self-determination by small nationalities, which President Wilson has crystallized in his message and which will form the basis for the freedom of the world. In the face of declarations like these from the Russian democracy there has been a torrent of abuse from some of the Russian upper classes and from the American press, which, I am sorry to say, apparently does not comprehend some of the most important and fundamental elements of the Russian situation.

Attempts have been made to stop all supplies going to Russia from the United States. Advice was given for all allied representatives to withdraw. If this advice had been followed, it would have tended to put Russia into the arms of Germany. Do you realize what this would have meant? The German general staff in time would dominate Russia socially, commercially, and politically. All Asia would be Germanized, and Germany would realize her ambitions on the Pacific similar to those which she entertained on the Atlantic.

GROPING FOR LIGHT.

We are sending our youngest and our best blood to the trenches, and we owe them the best diplomatic advice and service that we can possibly obtain.

I urge strongly that we do not relax our efforts to help the Russians. We should not grow impatient because of their attempts to put into practice what we might regard as wild theories. We should always remember our own shortcomings while our Government was in the making. Some of the things which we have introduced into our Government and which have worked out satisfactorily would have been regarded as wild populism 30 years ago.

The Russians are groping for light. The revolution and the experiments in government are the natural outbursts of untrained men organizing freedom on their own lines. Many of the laws of the old autocracy must be changed in Russia. They were made for the vested interests in which the common people had no part. In the legislative cataclysm many things will be attempted to be later discarded. It must be remembered that prior to the revolution upward of 160,000,000 human beings were in a condition not much better than serfdom. Our negro slaves before the Civil War were better cared for, as most of them had good masters who lived on the soil. On the other hand, in Russia most of the masters lived away from the land, ofttimes at Berlin, Paris, and Monte Carlo. What I saw in Russia has impressed my mind with the necessity for cooperation between employer and employee. First, Russia had an Extreme Right under the Czar exploiting labor as it was never exploited outside of the Congo. Then we had Kerensky, endeavoring to unite labor and capital in a government. Capital was arrogant, and did not want to let labor have a voice. Kerensky fell. Now the government is all labor.

GREAT FORCES IN MOTION.

Great forces are moving in every country. I would like to urge my friends to ponder seriously the problems which we shall have to meet at the conclusion of the war; indeed, perhaps before the war is ended. If we are wise, we will prepare for the time, which should soon come, when genuine capital and genuine labor, if both are wise, will be sitting around the office table and in the Halls of Congress settling great questions at issue between them.

We must stop to consider whether we have not delegated the law-making power, so far as it relates to capital and labor, too much to paid attorneys. No one will accuse me of underrating the usefulness of lawyers. They can be used too much, however, and if there has grown up a system of legislation by proxy in this country, then it can and should be ended. With lawyers representing labor and capital in Congress and in our legislatures, both labor and capital get what might be termed "the absent treatment," and that is not a good thing for either.

Many of my friends who are in this room to-night were pioneers of the far West when civilization was being carved out of the wilderness. They had no government except as they made it. We know that miners' law, sometimes reinforced by the vigilance committee, was good law. This law was made by the workingmen. Our problems then were partly those that Russia has to-day, only her's are a thousandfold greater.

The men in the western country were the makers of their country, and it is a country of which the Rocky Mountain Club may well be proud. These men would not have hesitated very long about extending recognition and giving the fullest help and sympathy to the workingmen's government of Russia, because in 1849 and the years following we had out there bolsheviki governments made out of the raw material, and mighty good governments, too. What happened in Montana, Colorado, Wyoming, Idaho, and California is now in progress in Russia. Remember that a republic probably much greater than ours is in the making on the other side of the world, my friends, and it is such a republic as the German autocracy can not have very long next door and survive. Democratic Russia means democratic Germany, and democratic Germany means peace lasting and complete for the world. That is why at this moment the example of Russian democracy finds expression in revolution in Austria-Hungary and continuous agitation in Germany against the aims of the German general staff.

NO CAUSE FOR ALARM.

Do not be alarmed as to the future of Russia. Some of my newspaper friends are taking frantic alarm that the Russian national debt may be repudiated. Well, it hasn't been repudiated yet, and I very much doubt whether the Russia that is emerging from this turmoil will ever repudiate any obligation, even though it may have been incurred in trying to hold the Czar on his throne. All we need is a great patience, and a great fairness, and a great sympathy. Russia will soon learn that capital and labor must go hand in hand. Russia's vast resources must be developed for the benefit of the Russian people. That will be realized by the Russians quite as rapidly as we are realizing that the employers of labor must cooperate with labor to bring about the best possible results. The freedom of Russia was as inevitable as the natural laws governing the rotation of the earth. The uniting of all forces in Russia in a democratic social system is just as inevitable.

They say, "The Russian democracy is red!" Yes; full of good, red blood—but you'll find it isn't yellow!

Mark my words, if the present program of the Bolsheviki, the common people of Russia, is not successful in aiding the common people of Austria and Germany to break down their autocracies, the Russian soldiers will be fighting again.

WAR WITH GERMANY.

Mr. McCUMBER. Mr. President, I am about to ask that a very brief editorial, taken from the Washington Post of yesterday, may be read into the RECORD. It is upon a most important subject—or, rather, upon two very important subjects—and I think it very appropriate to call attention to two statements made by Secretary Baker before the committee in the investigation which we had the other day. The first of these statements is as follows:

And I am telling you no secret when I say that ships are the crux of this problem, and every time we can use French industrial resources instead of making and sending our own products, we are doing it.

And again:

Our problem was and is to get over and get at the enemy.

And a further statement:

Now, instead of having 50,000 or 100,000 men in France in 1917, we have many more than that in France; and instead of 500,000 men whom we could ship to France if we could find any way to do it in 1918, we will have more than 500,000 men in France early in 1918; and we have available, if the transportation facilities are available to us—and the prospect is not unpromising—1,500,000 who in 1918 can be shipped to France.

In connection with that, Mr. President, I wish to call attention to one little statement in this editorial:

That is the testimony of the Government's witnesses before the Senate Committee on Commerce. Riveters who drove 375 rivets per day before the war are now driving 150 to 200 a day, and can not be induced to drive more. They get bigger pay, and so find no reason for working hard. On the Pacific coast the Government is paying a bonus to workmen in shipyards to induce them to work six days a week.

Another little bit of testimony which I may properly recall to the Senate at this time is a statement made by one of the Government engineers of the character of work that is now being done, or was being done, at our cantonments and other places, in which he declares that we are not receiving more than from 5 to 10 per cent of the accomplishment that we should secure in our labor.

Now, these are becoming mighty important propositions; and while we are asking the people to starve themselves and asking them to save upon coal and freeze themselves, I think it is about time that we ask every American citizen to do an honest day's work for a good honest pay for his Government during the time of this great conflict, and there ought to be some means to require every man capable of doing work, between the ages of 18 and 62, whether it is physical or mental, to perform some kind of service for his country.

I think that the little editorial will awaken us to a realization of some of our duties along this line. I ask that it may be read.

The VICE PRESIDENT. Is there objection?

Mr. SMITH of Arizona. Mr. President, I will make no objection to the printing in the RECORD of the editorial, as requested by the Senator from North Dakota, but I do wish to give notice, as far as I can on behalf of the Printing Committee, that I am going to object to the printing of statements not made on the floor, and I do not know but that we might go a little further and even keep some of those out.

Mr. HARDWICK. The Senator does not object to the printing of this editorial?

Mr. SMITH of Arizona. I do not. I appreciate the propriety of the Senator's request to print the editorial of which he speaks, and I disclaim any criticism of him, but I merely give notice that it is the sentiment of the Printing Committee that we should stop the practice of placing in the RECORD matter not read upon the floor of the Senate.

Mr. GALLINGER. Mr. President, that sounds familiar to me. I commenced that effort 20 years ago, and 10 years ago the senior Senator from Utah [Mr. SMOOT] joined me, and we have been struggling along that line ever since, and nothing has been accomplished. Possibly the Senator from Arizona may solve the problem when it has been absolutely impossible for some of the rest of us to bring about a solution.

The VICE PRESIDENT. Without objection, the Secretary will read the editorial.

Mr. HARDWICK. I did not understand that the request was that the editorial be read.

The VICE PRESIDENT. Yes; it was.

Mr. HARDWICK. I thought the request was that it go in the RECORD without reading.

The VICE PRESIDENT. Is there objection to the reading of the editorial?

Mr. HARDWICK. Yes; I object to the reading.

The VICE PRESIDENT. The question is, Shall the editorial be read? [Putting the question.]

Mr. HARDWICK. I will not insist upon my objection.

The VICE PRESIDENT. It is carried, and the Secretary will read the editorial.

The Secretary read as follows:

[From the Washingon Post, Jan. 30, 1918.]

THAT ALL-IMPORTANT WORD "IF."

"We have available to be shipped to France, if the transportation facilities are available to us, and the prospect is not unpromising, 1,500,000, who in 1918 can be shipped to France." These are the words with which the Secretary of War seeks to reassure the people of the United States. He said also: "I am revealing no secret when I say that ships is the crux of our problem."

An ominous, overshadowing "if" looms ahead of the United States in carrying on the war.

If ships are available, the United States can send 1,500,000 to France during 1918. If ships are available, food can be provided for the allied nations which will enable them to continue the war. If ships are available, munitions can be sent to England and France to enable them to keep their armies in the field.

In the face of this all-important qualification the Secretary of War officially predicts a resumption of submarine activity, directed particularly against vessels trying to cross the Atlantic from the United States.

At present there are about 145,000 men at work building ships of all kinds. It is calculated that one man can turn out 1 ton of shipping per month. That would mean 145,000 tons with 145,000 men, if there were no labor unrest and inefficiency, but as a matter of fact the present output is 35 per cent less than 145,000 tons per month. That is the testimony of the Government's witnesses before the Senate Committee on Commerce. Riveters who drove 375 rivets per day before the war are now driving 150 to 200 a day, and can not be induced to drive more. They get bigger pay, and so find no reason for working hard. On the Pacific coast the Government is paying a bonus to workmen in shipyards to induce them to work six days a week.

The shipyards in most places are working only one shift in 24 hours. Shipbuilders say it is difficult to get good results in night work, but additional shifts could be put on if there were workmen available. But there is no housing for additional workmen if they should apply for work, although the Shipping Board has been aware since last spring that the United States was in need of ships.

A number of steel mills have closed down for lack of fuel and other reasons. The production is below normal instead of being far above normal. If more steel could be produced and houses could be provided for more workmen who would actually work, 500,000 workmen producing as much per man as before the war could turn out 6,000,000 tons of shipping in 1918 and enable the Government to send 1,500,000 men and necessary supplies and food across the ocean.

The chances are so strongly against this achievement in 1918 that the Senate committee very properly looks about for some other factor that may help to save the situation. The only feasible method of increasing shipping seems to be by the construction of concrete ships. The committee has taken testimony which affords hope of accomplishment. The building industry of the country is practically idle and can be turned largely to concrete shipbuilding. Unskilled labor can be used, and this is available without any housing problem. Most of the work would be done by machinery—the American way. Concrete ships of large size are an experiment, but good-sized vessels have been built, and structurally they seem to be sound and seaworthy. They yield to strain and stress, just as steel yields, without injury. There is a greater weight to be considered, but this is not a fatal objection; a heavy ship is better than no ship.

If the United States must resort to concrete for ship material in order to accomplish its aims in 1918, let it do so quickly, without halting and waiting for investigations and reports by scientific commissions. If the suggestion regarding concrete affords any prospect of securing additional seaworthy ships, it should be adopted forthwith, without regard to cost or the appearance of the ships. Call it an experiment or what you will; it is no greater experiment than the other experiments of this war.

Mr. HARDWICK. Mr. President, I rise to a question of order. During the transaction of morning business speeches can be made only by unanimous consent.

The VICE PRESIDENT. That is true.

Mr. HARDWICK. And articles can be read only by unanimous consent.

The VICE PRESIDENT. No; articles can be read by a majority vote.

Mr. HARDWICK. Undoubtedly during the progress of a speech, but a speech can not be continued except by unanimous consent. However, that is neither here nor there. I do not except to the ruling of the Chair, although I think it was erroneous, but I desire to give notice that hereafter during the transaction of the morning business and until it is concluded I shall object to any Senator making any remarks until we finish that order. I put it in this way so that it can not be personal.

I have enjoyed all the remarks that have been made this morning; I have no objection to any of them; but I think as a matter of practice we ought to stand by our rules and conclude the routine business and then make all the speeches we want to make, if time permits.

STATEMENTS OF SECRETARY OF WAR.

Mr. JAMES. I ask unanimous consent to have printed in the RECORD a speech made by Secretary Baker before the Military Affairs Committee on last Monday.

Mr. GALLINGER. Does the Senator mean a speech?

Mr. JAMES. Yes, sir; the speech.

Mr. GALLINGER. It was a matter of testimony, was it not?

Mr. JAMES. It was a speech. The Senator may call it testimony. I do not care what technical name is given to it, but I refer to the speech, or whatever it might be called.

Mr. GALLINGER. I find in the printed record of the committee the original statement made by the Secretary of War before that committee. If the second statement made by the Secretary of War is to be printed in the RECORD, it seems to me that it is quite fair that I should ask that his first statement be likewise printed.

Mr. JAMES. I have not the slightest objection to that. All I want is that this speech which he made in response to certain statements and charges and misinformation should be given as wide a circulation as the charges made against him were given. It appears to me that that is perfectly fair. If the Senator has some additional information that the country ought to have, I have not the slightest objection to that being printed in the RECORD.

Mr. GALLINGER. Of course, this is not a speech. It is the testimony of the Secretary of War given before that committee. He gave his original statement and now he has made another statement. It seems to me if we are going to print any portion of it we ought to print both.

Mr. JAMES. I am perfectly willing to have both printed. The Senator can make a request, however, for printing the original statement. I will merely say to him I have no objection to that being printed, but the request I made is that the speech of the Secretary of War made before the Committee on Military Affairs last Monday shall be printed in the RECORD.

Mr. GALLINGER. I will frankly say in response to the suggestion of the Senator that it is hardly necessary to print in the RECORD either statement or any part of this testimony. It is going to be printed by the committee. The first statement made by the Secretary of War has been printed by the committee, and his additional statement, I presume, will be printed in the near future, if it has not already been printed. It will be available to every Senator, and can be sent out under his frank if he wants to flood the country with it. But to put it in the RECORD, where very few people will ever see it or read it, I think is simply burdening the RECORD with material that might well be kept out of it.

Mr. JAMES. I think we burden the RECORD with a great many very much more unimportant matters than the speech of the Secretary of War.

Mr. HARDWICK. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator from Georgia will state it.

Mr. HARDWICK. I demand the regular order.

The VICE PRESIDENT. This is not routine morning business, and the Chair sustains the objection. It is not the presentation of a petition or a memorial or any other subject embraced in the rule.

Mr. JAMES. I merely ask unanimous consent.

Mr. HARDWICK. I am not objecting to the request, but I do not want discussion.

Mr. SMOOT. I will ask the Senator from Kentucky to have it referred to the Committee on Printing.

Mr. JAMES. Oh, Mr. President, that is highly technical, it seems to me, when the Secretary of War——

Mr. SMOOT. It is not highly technical with me, and is generally the course pursued.

The VICE PRESIDENT. The trouble is that Senators ask the Chair to enforce the rule and then they violate the rule themselves. This is not a part of morning business.

Mr. JAMES. I have not violated any rule.

The VICE PRESIDENT. It is not the Senator from Kentucky. An objection was made by the Senator from Georgia to the discussion of this question, and he has a right to object to a discussion of it during the morning hour.

Mr. JAMES. The Senator from Georgia withdrew that objection.

Mr. HARDWICK. No.

Mr. OVERMAN. The Senator from Kentucky asked for unanimous consent.

Mr. JAMES. That is what I have done. I have asked for unanimous consent.

The VICE PRESIDENT. Is there objection to the printing of the statement in the RECORD?

Mr. GALLINGER. Mr. President, I wish to enlarge that request, and I ask that the testimony that the Secretary of War gave in the first instance be also printed.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. I wish to ask both Senators if they will not agree to have the testimony referred to the Committee on Printing. I do not want to object to the printing of either.

Mr. JAMES. No, Mr. President——

Mr. SMOOT. Then if the Senator will not agree to that course I could object.

Mr. JAMES. Certainly it is the Senator's right if he wants to object to putting in the RECORD the reply of the Secretary of War of his country in a crisis like this information which the whole country ought to have. He is asking that something shall be done that has not been required when other speeches have been asked to be printed of other men in less important places and at less important times, and he can object if he desires to do it.

Mr. HARDWICK. The regular order!

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. If the Senator from Kentucky is allowed to make a statement, I think the Senator from Utah also should be allowed to answer the statement.

The VICE PRESIDENT. I do not think he has made a statement.

Mr. SMOOT. I think he has.

The VICE PRESIDENT. Is there objection? Let us observe the rule.

Mr. SMOOT. I do not object.

The VICE PRESIDENT. Then both documents will go into the RECORD.

The matter referred to is as follows:

INVESTIGATION OF THE WAR DEPARTMENT.

UNITED STATES SENATE,
COMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., Monday, January 28, 1918.

The committee met, pursuant to call, at 10.30 o'clock a. m., in room 226, Senate Office Building, Senator GEORGE E. CHAMBERLAIN presiding.

Present: Senators CHAMBERLAIN (chairman), HITCHCOCK, FLETCHER, MYERS, THOMAS, SHEPPARD, BECKHAM, KIRBY, REED, MCKELLAR, WARREN, WEEKS, WADSWORTH, SUTHERLAND, NEW, and FRELINGHUYSEN.

The CHAIRMAN. The committee will please come to order.

Gentlemen of the committee, we have met this morning to hear the Secretary of War, in compliance with his request that he be permitted to make a statement to the committee. The Secretary is here, and we shall be very glad to hear from him.

Mr. Secretary, before you commence, may I ask you whether the statement you desire to make now is supplementary to the one you have already made, whether it is entirely new matter, or whether you desire to correct any statements in your former statement?

Secretary BAKER. It is a comprehensive statement, covering the whole conduct of the war, Senator.

The CHAIRMAN. Then, Mr. Secretary, we will be pleased to hear from you in such way as you desire to present the matter. I think it would be very much better if the Secretary might be permitted to make the statement without interruption. Would you prefer that?

Secretary BAKER. Yes.

The CHAIRMAN. And any questions the committee desire to ask might be asked after the Secretary finishes his statement. You may proceed, Mr. Secretary.

STATEMENT OF HON. NEWTON D. BAKER, SECRETARY OF WAR—RESUMED.

Secretary BAKER. Mr. Chairman and gentlemen of the committee, I am, of course, grateful to the committee for permission to make a comprehensive statement at this time. For one reason and another the impression has gone out into the country, to some extent at least, that the War Department has fallen down in addressing itself to the task of conducting this war. I want to address myself to that question.

There are several reasons why I should ask you to hear me on that question: In the first place, the country is entitled to know whether that is a fact; and in knowing whether it is a fact the country is entitled to know what this war is, what its problems are, and what steps have been taken to meet these problems.

In the second place, I have a deep sense of obligation to the officers of the Army and to the civilians who have from the beginning of this difficulty labored in a way which certainly, in my experience, has never been equaled, with devotion, self-sacrifice, zeal, spending sleepless nights and tireless days in an effort to bring the organization of this great Army and its use in a military enterprise up most rapidly and effectively.

I have seen strong and grizzled men of the Army turn away from my desk to hide tears when they were asked to stay in this country and do organization work here instead of going to France, where the glory of their profession lay, and yet I have never known one of them to hesitate for a second to obey the order, nor has there been any lack of quality in the work which any of them has done by reason of his natural ambition to be on the field of battle rather than in an administrative task; and of the great company of civilians, Mr. Chairman, who have come to Washington from all over the United States, laying down their private business, sometimes accepting salaries which office boys at other places enjoy, sometimes having no salary at all—men of the largest experience and of the greatest talent in business have come to Washington, put up with the inadequate conditions which the city now affords because of its congested condition, and have worked in season and out of season on this undertaking.

It would be a tragical thing if this tremendous effort, this wholly unprecedented sacrifice made by men were, in fact, to turn out to deserve the comment that it had fallen down.

I have not the least doubt that such currency as that feeling has gotten is due in large part to the tremendous impatience of the American people to do this great thing greatly. Every one of you, and every one of us, wants to demonstrate the thing which we know to be true—that our country is great and strong, and in a cause like this will hit like a man at the adversary which has attacked us. And always there is between the beginning of preparation and the final demonstration of its success a period of questioning, when everybody, you and I and everybody else, goes through searchings of heart to find out whether all has been done that could have been or that ought to have been done; whether anything remains that can be done. And we look back over the past and realize that there have been delays and that there have been shortcomings; that there have been things which might have been done better. In so great an enterprise it is impossible for frankness not to find those things.

But our effort is to learn from them not to repeat; to strengthen where there needs strengthening; to supplement where there needs supplementing; and, by bringing two things together, our very best effort and the confidence of the country back of that effort, to make our enemies finally feel the strength that is really American.

Now, I want to say at the outset, Mr. Chairman, that I have no bias in favor of individuals. The issue of this is far too large for any prejudice or favoritism to any individual, and when I discuss, if I shall discuss individuals by name, whether it be Gen. Crozier or Gen. Sharpe, or if I refer to myself, I want it understood that the appearance of any one of us in the casualty list any morning is a negligible matter as contrasted with the success of this enterprise, and I am not here either to defend individuals, including myself, nor am I here to deny delays, mistakes, shortcomings, or false starts; but I think I can say with confidence that where those things have appeared we have sought the remedy; that in many places we have applied the remedy, and the largest purpose I have in being here is to urge what I do not need to urge, that your committee, that the Members of the Senate and the Members of the House, that every citizen in this country, official and unofficial, from the highest to the lowest, realize that this is their enterprise, not quite so much as it is mine in the sense of responsibility, but their enterprise, and to ask from you and from them every suggestion, every criticism, every constructive thought that occurs to any of you, and I ask you, when shortcomings are pointed out to you, whether they be well founded or whether they be not well founded, that you will instantly convey them to me, so that by the processes which the department has I may search out where blame is to be attached, where remedies are to be applied, and where strengthening and improvement of the organization is possible.

Mr. Chairman, you made an address in the Senate. It was at the conclusion of an investigation of two divisions of the War Department, I think, the Ordnance and the Quartermaster Departments. In that investigation some shortcomings had been brought to the attention of the committee; some delays. They fall readily under two or three heads; they were in the midst of very large and involved transactions, and yet, by reason of the effort of the committee to trace those things to their ultimate cause and to get their proper leadings and bearings, it may not be unfair to say that they assumed a disproportionate aspect and appearance in relation to what has actually been going on in this war and in the War Department. And if I may venture, with very great respect to the chairman and to the committee, to suggest it, it seemed to me at the time I read that speech that perhaps the feeling I would have about it was this: That without the intention of the chairman and without anybody's intention, its effect might be to have the country feel that the particular difficulties and delays referred to by the chairman were characteristic rather than exceptional, and I want, therefore, to address myself to those incidents which were pointed out by the chairman in his address to the Senate, and see whether I can not, with his permission and with great deference to him and the committee, place them in a light which will show that rather than being characteristic they are in fact instances of shortcomings, but only instances, and that the general thing to which they bear a relation is not to be inferred to be characterized by those instances.

If I may say one personal word, and one only, for it is the only one I want to say, I should like to say that for some reason, which I do not understand, when I appeared before your committee in these hearings with the intention of being frank, weighed down, as I have been ever since I have been Secretary of War, by accumulating difficulties in that department, for I became Secretary of War on the night that Villa crossed the border and raided Columbus, and the department has been an active department ever since, and there has been no hour since then when I have not felt that the responsibilities which rested upon me were of the very gravest kind, and when I have not wondered constantly where I might find the strength to meet those responsibilities, and yet for some reason, with that sense of my duty and my task, and with the utmost desire to aid this committee to develop all that it wanted to know and all that there was, I seem yet to have left, at least upon the minds of some members of the committee, a feeling that I was fencing and defending the actions of my subordinates when that was not my intention.

I have brought down here to-day, Mr. Chairman, no hurriedly gathered data with regard to divisions of the War Department and its activity which you have not as yet inquired into. I am here, if I can, to make a compendious statement of this whole situation, and if there be, as doubtless will be and ought to be, other phases of the War Department's work which your committee desires to go into, I trust you will go into it thoroughly, and when you have covered any shortcoming or defect I need not tell you that if you bring it to my attention I will do all I can, and that speedily and without fear or favor of person, to correct, adjust, and improve it.

The chairman of the committee read to the Senate two letters dealing with instances of neglect of the dead. They are pathetic letters. They arouse every instinct of resentment and indignation that a man can have. I had not seen those letters before. At once, upon hearing of them, I wrote to the chairman of the committee and asked for the names of the writers of those letters and the camps in which those incidents were reported to have taken place. I wanted, and I want now, to follow those through to the very end to find out who was guilty of this inhuman treatment, to find out who was responsible for the conditions complained of there, in order that I may punish those who are guilty. The chairman has felt that those letters came to him in a confidential way and has suggested that he will endeavor to have himself relieved from that confidence so that I can ultimately get those names and redress the wrong. They are two instances. I have had others. I have not had those two, but it may interest the committee to know that with a million men, more than a million men in arms in this country, with great hospital establishments in all these camps, with hospitals established in many other camps than those which are directly devoted to the National Army, the National Guard, and the Regular Army, the number of complaints is relatively small, perhaps some dozen and a half, and in each instance when the complaint came, if it dealt with a question of shortage of supplies or some mere material shortage, it has been referred to the Surgeon General of the Army in order that instant corrective steps might be taken; but where it involved a breakdown in the human element, where it showed that some man failed who was intrusted with responsibility as to the life and welfare and safe custody of another individual, where it was that sort of thing, the remedy has been always to refer it to the Inspector General of the Army for immediate inspection, with the recommendation as to a course of action to be taken which would not only be corrective, but punitive where fault lay.

I have before me here the report of the Inspector General on the cases with which he has had to deal. Many of them provide

that complaints which, at the outset, looked serious were not, in fact, serious. Some of them show that the situation was serious, and remedies and courses of discipline are suggested. I have, for instance, a case somewhat similar to the one which the chairman had, the report of the shipping of a body of a soldier nude. In this case the soldier was killed at the Toronto flying field, his clothing was removed, his body was wrapped in a winding sheet, and it was received at the home of his parents thus unclothed. Immediate inquiry was made and it was discovered that that flying unit was under the control of a major of the Royal Flying Corps of the British Army; that he followed the British custom of removing the clothes of the deceased and returning them in a separate parcel. The undertaker there employed to deal with this body dealt with it as the English do and the Canadians do, as their custom is. Immediate instructions were issued that there should be an American officer at that camp and that the American practice should prevail should such a catastrophe happen again.

I have here a case of neglect of a patient, not leading to a fatal result, at Camp Wheeler. The Inspector General found upon inquiry—it seems it did lead to a fatal result; at least the patient died. The Inspector General went through it in a judicial way and came to the conclusion that the conditions did not actually justify the complaint, but that in the bitterness of her distress the wife of this soldier felt that something more might have been done if she could have had her soldier home with her, and her complaints were based upon that sort of distressed imagination, in the judgment of the Inspector General, which we are all familiar with. In that particular case no further remedy was suggested than that care and consideration should be had in dealing with the relatives.

The first case of all which came to my personal attention came from Plattsburg, where a complaint was made of the mistreatment of a soldier by a surgeon. I sent immediately for the record; I examined it personally; and I came to the conclusion that that particular civilian, a man called in from civil life when the emergency arose and the rapid expansion of the Medical Corps was needed, that he had failed to understand his responsibility, and I therefore dismissed him from the Army.

There are other cases, however. Without going over them I would say they amounted perhaps to a dozen altogether, and there are no others of the grave character of those I have cited; the whole record, of course, is at the disposal of the committee, if it desires it. There are two cases to which I do want to refer in a little more detail.

Before I do that perhaps it would not be unwise to read to the committee an order of June 15, with regard to the treatment of the bodies of the dead, issued from the Quartermaster General of the Army to the department quartermasters in the Army.

(The order referred to is here printed in full, as follows:)

Subject: Embalming and preparing remains for interment or shipment, fiscal year 1918.

1. In order to comply with the requirements of paragraphs 87 and 167, Army Regulations, so far as they relate to the disposition of the remains of officers and enlisted men of the Army active list who may die at camps of organization and other places in your department at a distance from regularly established military posts, informal bids should be invited where practicable and contracts entered into with local undertakers or other competent persons for services in the preparation of the remains for interment or shipment during the fiscal year ending June 30, 1918.

2. These bids should cover the cost of embalming and shaving each body, the embalming to be performed in such manner as to insure perfect preservation; the cost of each casket or coffin without metal-lined shipping case, but with name plate (to be used when remains are interred at the post), and the cost of each metal-lined casket, with name plate and shipping case (to be used when remains are shipped). Wherever practicable Government caskets will be used with an ordinary shipping case, and when Government coffins are used in the shipment of remains they should be inclosed in a metal-lined shipping case. For local interment, however, the Government coffin should be used.

3. Where the expenses permitted by paragraph 167, Army Regulations, are exceeded, it will be necessary for this office to obtain the approval of the Secretary of War to cover the excess.

By authority of the Quartermaster General.

D. L. BRAINARD,
Colonel, Quartermaster Corps.

AUGUST 30, 1917.

From: Quartermaster General.
To: The Department Quartermaster, Eastern Department, Governor's Island, N. Y.
Subject: Preparing remains for shipment, fiscal year 1918.

1. Your attention is invited to the instructions of this office of June 15, 1917, copy herewith, on the subject of entering into contract or obtaining bids for the preparation of remains for shipment or for local interment of officers and enlisted men who may die at cantonments, camps or organizations, etc., within the limits of your department for the current fiscal year, with request that report be submitted showing what action has been taken in the matter.

By authority of the Quartermaster General.

H. R. LEMLY,
Captain, United States Army, retired.

Similar letters sent to other department quartermasters.

Secretary BAKER. In order that you may realize, Mr. Chairman, that I am trying to be thorough in this matter, I will say that there are still in the hands of the Inspector General nine cases which are being investigated; three allege general bad conditions in hospital service; two inefficient medical treatment; another complaint is as to careless preparation for burial; two complaints of neglect by surgeons; and the last one is a simulation of illness with the connivance of a surgeon. I cite those, not that they are as yet demonstrated to be true, but as complaints that have come to the department and have been put into the hands of that officer of the Army who, by reason of the fact that he bears no relation to any other branch or bureau of the service, is intrusted with the investigation of every complaint of this character, and they are now being investigated by men trained in that faculty and for the purpose of recommendation.

There are two cases which illustrate, in my judgment, the attitude of the department on this subject. The first is that of Lieut. Charles W. Cole, charged with neglect of patients at the base hospital at Camp Beauregard, La. He was court-martialed and sentenced to be dismissed from the service. The other case is that of Lieut. John G. Dwyer, charged with neglect of patients, court-martialed and sentenced to be dismissed from the Army. Those cases present this kind of state of facts: These medical officers were in their hospital; in the one case an ambulance drove up and a man was brought in claiming to be sick. The doctor made a hasty examination, looked at him, felt his pulse, or something of that kind, and ordered him back. He said that he was not sick. Substantially, that is the state of facts as to both of these cases. In other words, the doctor does not do the things he was to have done; he did not examine the patient and diagnose his difficulty in either of these cases, and the result was that in both of them severe illness developed and in both of them death resulted.

When those letters came to me I had them reviewed by the Judge Advocate General, to see what further could be done; a court-martial, organized in accordance with the laws of the Army and of the land, had sat upon these cases and apportioned the punishment as dismissal from the Army. But when the Judge Advocate General reviewed it for me he came to the conclusion that that sort of neglect rose much higher, or went much deeper, and recommended that both of those cases be sent back to the courts-martial which had tried them and that such imprisonment as could be added under the statutes of this country for that kind of neglect should be added to the penalty of dismissal.

I have here the letters, dated, respectively, so far as the Judge Advocate General's investigation is concerned—perhaps the letter I wrote on the subject will cover the details of the cases accurately. I therefore file and put into the record two letters, written, respectively, on the 8th and 9th of January, in which the action taken was the firm action of the department turning its face against that sort of callous disregard of the illnesses and interests of the soldiers, and I want the country to know that though we have gone out and gotten doctors out of civil life, though we have taken them necessarily because of the numbers of doctors in this country trained in hospital management and in group treatment of cases of men is limited, I want the country to know that the lives and welfare and the illnesses of these soldiers are a responsibility which I will not permit to be dodged or handled in any cavalier fashion, and that the attitude of the department is one of punishment where guilt is involved.

The CHAIRMAN. May I ask, Mr. Secretary, if you are appending with that the report upon the condition at Camp Funston and the recommendation for investigation of the Medical Corps that accompanies that report from the Judge Advocate General's office to you?

Mr. BAKER. I will be very glad to do it.

The CHAIRMAN. I wish you would put that in the record with your statement in regard to the cases; also, the communication sending back the record in Lieut. Dwyer's case and in Lieut. Cole's case.

Mr. BAKER. That is what I am going to put in.

The CHAIRMAN. You have not the other?

Mr. BAKER. I have here, Senator, the letter of the War Department to the commanding general, Eighty-ninth Division, at Camp Funston; I have the letter of the War Department, signed by the Secretary to the commanding general of the Thirty-ninth Division at Camp Beauregard. What in addition to that do you want?

The CHAIRMAN. I desire to have the report of the Judge Advocate General's office to you on these cases.

Secretary BAKER. Yes, sir.

The CHAIRMAN. And have them go in with your statement.

Secretary BAKER. They will go in with this statement.

(The report referred to is here printed in full, as follows:)

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, December 28, 1917.

Memorandum for The Adjutant General.
Subject: Investigation of conditions surrounding and treatment of sick at Camp Funston, Kans., and conduct and efficiency of certain members of the Medical Corps on duty there.

1. This office has just completed a review of the record of trial by general court-martial of First Lieut. John G. Dwyer, Medical Officers' Reserve Corps, Camp Funston, Kans., which occurred on November 27, 1917. The court sentenced the accused to be dismissed. The sentence was approved by the reviewing authority, and was forwarded to the President under the forty-eighth article of war for his action thereon. This office, after a careful review of the record, recommended that the President return the record to the reviewing authority, with directions to reconvene the court and return to it the record for reconsideration, to the end that the court have opportunity to impose a sentence adequate to the offenses of the accused.

The evidence taken in the trial of Lieut. Dwyer seems to indicate the existence of conditions at Camp Funston, in connection with the treatment given to soldiers who are sick, showing a lack of diligence and sense of responsibility on the part of some members of the Medical Corps, and a lack of skill and competency on the part of others, which this office feels should be called to your attention, to the end that an appropriate investigation be made. The situation may be discussed in these phases: (a) The specific case upon which Lieut. Dwyer was tried; (b) the attitude of other members of the Medical Corps with respect to the conduct of Lieut. Dwyer; (c) the conditions which seemed to obtain at Camp Funston with respect to the examination and care of sick soldiers.

2. The specific case upon which Lieut. Dwyer was tried: Lieut. Dwyer was tried for violation of the ninety-sixth article of war. There were two specifications thereunder. First, that on October 17, 1917, while on duty as surgeon of the regimental infirmary, Fourth Training Unit, One hundred and sixty-fourth Brigade, he grossly neglected to perform his duty in failing to examine Pvt. Christie L. Gherring, Seventy-third Company of said brigade, who was placed on sick report by his company commander; second, that at the same time he grossly neglected to perform his duty in failing to administer proper treatment to Pvt. Gherring.

Lieut. Dwyer was found guilty of both specifications and the charge, and was sentenced to dismissal. The sentence was approved by the reviewing authority, and transmitted to the President for action pursuant to the forty-eighth article of war.

The following facts were established beyond reasonable dispute. Pvt. Gherring was placed on sick report on the morning of October 17, 1917, by his company commander and sent to the infirmary in charge of a noncommissioned officer. At that time it was apparent to four or five nonmedical witnesses who testified upon the trial that he was a very sick man. He was weak, partially delirious, staggered when he walked, and was assisted to the infirmary and into the presence of the examining surgeon. He was then sick, probably mortally so, with pneumonia, and died on October 21. Lieut. Dwyer, the examining surgeon in charge of the infirmary at the time, apparently made no examination of Pvt. Gherring except to require him to remove his hat and walk across the room, which the soldier did, staggering as he walked. He was then marked for double or extra duty and sent away. The noncommissioned officer who took him to the infirmary, and took him away after being so marked by the examining surgeon, did not put him on double or extra duty, or any duty, but put him to bed in his quarters. No medical attention was given the man until the next evening, when he was carried to the hospital on a cot, his company commander writing a formal letter demanding that he be given proper medical treatment. It appears that the man was in about the same condition when he was sent to the hospital on the evening of the 18th as when he was assisted to the infirmary for examination on the morning of the 17th of October.

Before an examination of Gherring, or any of the other men on sick report who were brought to the infirmary by the sergeant who brought Gherring there, Lieut. Dwyer expressed the opinion that the men were stalling or faking, although this was before the men had come into his presence or had been subjected to even a visual inspection.

3. Attitude of other members of the Medical Corps: The record presents no reasonable excuse for the failure on the part of Lieut. Dwyer to make some sort of examination of Gherring when the latter was brought to the infirmary on the morning of October 17. His condition was apparent to his company commander and to the noncommissioned officers of his command. His whole physical appearance and conduct were such as to attract the attention of nonmedical observers, and it is manifest that Gherring was then suffering from an advanced stage of pneumonia. He was placed on sick report by his company commander and assisted to the infirmary by a noncommissioned officer. Despite these surrounding circumstances, Lieut. Dwyer and his assistants did not detect the condition of Gherring, failed to make even a most casual examination to ascertain whether or not he was sick, and, instead of giving him medical treatment, directed that he be given double or extra duty, evidently by way of punishment—a direction which the accused had no authority whatever to give and which, through the humane impulses and the better sense of a noncommissioned officer, was disregarded. Notwithstanding these facts, every member of the Medical Corps called to testify in the case sought by theory and inference to excuse and justify the action and conduct of Lieut. Dwyer. The morale of the men in the ranks must, to a measurable degree at least, depend upon their confidence in the disposition and competency of the Medical Corps to give them adequate care and treatment when sick or wounded; and it is difficult to perceive how that confidence could be more effectively undermined and shaken than by the members of that corps seeking to prove that the conduct of Lieut. Dwyer in the case of Pvt. Gherring measured up to their conception of the standard of care and skill that men in the ranks may reasonably expect at their hands. There is some suggestion in the testimony that Gherring was a man of little force, perhaps somewhat below the normal in intelligence, possibly without active friendships because he had been but recently transferred to the Seventy-third Company; and that the indifference of the surgeons was somewhat accentuated by these facts. If true, they do not palliate or excuse. It must be understood that no man in the ranks is so obscure or of so little consequence that he can not require and receive, promptly, and willingly, to minister to his sickness or to his wounds, the highest professional skill in the military service.

4. Conditions which seem to exist at Camp Funston with respect to the examination and care of sick soldiers.—There is much in the record of the trial of Lieut. Dwyer which indicates the existence of general conditions that should be remedied. Capt. Louis Whistler, of the Seventy-third Company, to which Gherring belonged, testified in substance that he did not send Gherring back to the infirmary again on October 17, or on the morning of the 18th, because he was practically in the same condition that he was when first sent up and marked for double or extra duty; that he had knowledge of others who had been marked for double duty by the attending surgeon, no matter what their ailments were; that it was his experience that if a man was sent to the infirmary and marked for duty, regardless of his condition, and shortly thereafter sent up again, he would be again marked for duty and returned, and the impression to be gained from the evidence is that, in the latter case, the action of the surgeon would be pro forma. There is some evidence, also, to the effect that the brigade commander had issued a memorandum directing that, where a man was marked for duty, and in the opinion of his company commander the man was sick, the company commander should make a thorough investigation and send him back to the infirmary if he thought it advisable. This memorandum must have been issued as a result of conditions, in connection with the care and treatment of the sick, which challenged the attention of the brigade commander. Capt. Whistler states that he had complained to his unit commander of the treatment his men were receiving at the hands of the medical officers, and that other company commanders had done likewise.

Second Lieut. Gord P. Way testified in substance that when the sick were sent to the infirmary for treatment, Lieut. Dwyer and a couple of other surgeons were gruff to them; that these surgeons regarded themselves strictly as line officers and required of the sick men that they stand at attention all the time and strictly observe military discipline while in the infirmary.

It seems that Pvt. Gherring was sent to the hospital on the evening of October 18 and placed in a ward of which Capt. Harry L. Chambers, Medical Officers' Reserve Corps, had charge. It should be kept in mind that Gherring died two or three days later. There is some evidence that this officer made an examination of Gherring on the evening he came to the hospital, although this is somewhat doubtful, as he testified largely from entries upon a record card. Although in charge of the ward, and although testifying that he made a physical examination, he finally gives this evidence:

"Q. What we want, Doctor, is his condition at the time he came to the hospital, and his health during the time that he was there.—A. I remember very little about that. What I have heard is about all I can say."

The whole testimony of Capt. Chambers impresses one with the conviction that he had a very vague opinion of the condition of Gherring when the latter came to the hospital, or at any time thereafter; that he did not know, except from hearsay, of what the man died; and the evidence does not show that at any time after the examination of Gherring was made on the evening of October 18—if, indeed, anything more than a most casual examination was then made—any physician saw him or administered any medical treatment.

It seems that when Gherring was carried on a cot to the hospital on the evening of October 18, he was first seen by Lieut. Egan, a surgeon and member of the Medical Corps. Having in mind the condition in which Gherring must have been at that time, and the advanced stage of his disease, the following evidence given by Second Lieut. Way, of the Seventy-third Company, and which is undisputed, would seem to indicate a lack of any sense of responsibility, of skill, or both:

"Q. What was done then?—A. We carried him to the hospital on a cot.

"Q. And he was received there?—A. Yes, sir.

"Q. What disposition was made of him? What happened over there?—A. I took him in to Lieut. Eger (Egan), I believe, who examined him; felt his pulse, and asked him several questions. He seemed to think he was crazy—that is, out of his head—and had never been right. He answered all of the questions as rationally as he could, and finally he asked him if he wanted to stay there or go back to the barracks, and he answered with as much force as he could: 'I don't care what you do with me.' A detail of enlisted men from the hospital carried him upstairs, and the lieutenants said that he had influenza, and that they would try to get rid of him for us. He said that all the line officers could do was that they had instructions to drill these men until they dropped or came up there with some other trouble before they would receive them.

"Q. Did he state that as his instructions from the surgeon in command of that infirmary?—A. As I understood it, it was the instruction of all medical officers."

The manner in which sick report is taken at the infirmary each morning indicates lack of order or organization, and a system—or rather lack of system—which must inevitably lead to mistakes of the gravest character. Evidence was offered upon the trial of Lieut. Dwyer, on behalf of the defense, tending to show that as many as 300 men might come in on sick report during the forenoon. One of the members of the Medical Corps testified that usually the surgeon in charge would sit at the door and look at the men as they came in, take their sick books or reports, and pass them along without any physical examination whatever, and that at some other stage during the progress of the men through the infirmary—which, apparently, was quite rapid—the assistant surgeon or surgeons might ask the men a few questions, or occasionally take the pulse or temperature, but in most instances would do none of these things. There is also evidence that the general attitude of the surgeons was to regard the men as stalling or faking, and to mark many, if not most of them, for double or extra duty, presumably by way of punishment, and to discourage the men from coming to the infirmary for treatment, or, perhaps, as an easy means of making a diagnosis, upon the theory that if a man was able to do extra or double duty he was not sick, and if he succumbed to the extra burden placed upon him, he was sick.

5. A careful examination of the whole record creates a very unfavorable impression regarding the medical and hospital organization, facilities, care, and treatment of those who were unfortunate enough to be sick. There are indicated conditions which may constitute a menace to the health, and tend to undermine the morale of the men, if permitted to continue unchanged and unrebuked. The record likewise discloses a practice on the part of the examining surgeons of marking for double or extra duty men on sick report. Such a direction or order must be regarded in the nature of a punishment, and is beyond the authority of a surgeon, and, indeed, would be an abuse of his authority.

6. Upon consideration of the whole matter it is recommended (a) that there be published to the service an order or direction that a surgeon has no authority to direct that a person placed on sick report

shall be put on extra or double duty, or do more than indicate whether such person should receive medical treatment or is fit for duty; and that any such order or direction would constitute an excess of and abuse of authority; and (b) that a rigid investigation be made of the conditions obtaining in the medical staff of the Eighty-ninth Division, with a view to correcting the faults resulting from lack of organization, inadequate help, or hospital facilities; and with a further view to proper disciplinary action in cases where this may be found necessary, and the summary elimination from the service of such medical officers as are unfit for the high responsibilities they have assumed.

S. T. ANSELL,
Acting Judge Advocate General.

[First Indorsement.]

WAR DEPARTMENT,
JUDGE ADVOCATE GENERAL'S OFFICE,
January 8, 1918.

To the COMMANDING GENERAL,
Eighty-ninth Division, Camp Funston, Kans.

1. In the within case of First Lieut. John G. Dwyer, M. C. R. C., the President directs that you reconvene the court-martial for a reconsideration of its sentence and return to the court the record, together with this indorsement.

2. The accused was tried for violation of the ninety-sixth article of war, the specifications in substance alleging that he was on duty as surgeon of the regimental infirmary, fourth training unit, One hundred and sixty-fourth Brigade, on October 17, 1917; that it was his duty to examine Pvt. Christie L. Gherring, of the Seventy-fourth Company of said brigade, who had been properly reported on sick report; and that he failed and grossly neglected to perform such duty; and that at the same time it was his duty to administer treatment to Pvt. Gherring; and that he did fail and grossly neglect to perform such duty. He was found guilty of these offenses and sentenced to be dismissed the service. The evidence establishes that Pvt. Gherring was sick on the morning of October 17; that to the most casual observation of the unpracticed eye of the several nonmedical witnesses who testified there was palpable physical evidence in his appearance that he was sick; that he was assisted to the infirmary and into the presence of the accused; that he was weak, staggered as he walked, half delirious, and in an advanced stage of pneumonia. The accused was in charge of the infirmary and it was his duty to make an examination of Gherring and administer to him proper medical treatment. He apparently made no examination of him except to request him to take off his hat and walk across the room, which the soldier did, staggering as he walked. The accused then marked him for double or extra duty and sent him away. The noncommissioned officer who took the sick man to the infirmary and took him away after he had been marked for double or extra duty by the accused did not put him on duty, but put him to bed in his quarters. The direction double or extra duty, was evidently given by way of punishment for coming to the hospital for treatment. It is a direction which the accused had no authority whatsoever to give and which, through the humane impulses and better sense of a noncommissioned officer, was disregarded. Gherring received no medical treatment whatever until some time during the following evening, when he was carried to the base hospital on a cot, his company commander sending a formal demand that he be given proper medical treatment. There is nothing to show that he received proper or adequate medical care or treatment after he reached the hospital. He died of pneumonia on October 21.

3. There is a suggestion in the record that Gherring was a man of little force, perhaps below the average intelligence, possibly without active friendships, because he had been but recently transferred to the Seventy-third Company, and that the indifference of the surgeon was somewhat accentuated by these facts. If all this be true, it does not serve to palliate but to condemn. It must be understood that no man in the ranks is so obscure or of so little consequence that he can not require and receive, to administer to his sickness or wounds, the highest professional skill in the military service.

4. The fact that the members of the court, which convicted Lieut. Dwyer of failing and grossly neglecting to examine Pvt. Gherring and to administer to him proper medical treatment, joined in a recommendation for clemency to the reviewing authority indicates that they failed to appreciate the seriousness of the offense of which Lieut. Dwyer stood convicted. Here is the bald situation presented by the record: Pvt. Gherring, seriously ill with pneumonia on the evening of October 17, 1917, was placed on sick report and sent to the infirmary for medical treatment. Lieut. Dwyer was in charge of the infirmary and it was his legal duty to examine and administer proper medical treatment. He failed to do so. The sick man got no medical treatment whatever until either the late evening of the next day or the morning of the 19th. He died on October 21. It is reasonably probable that his death was accelerated by, and it is not at all improbable that it was the result of, neglect on the part of the accused or other medical officers to give him proper treatment. Civil society regards conduct of this kind as constituting a very serious offense. It is a well-settled and a humane principle that if the law requires a person to do an act and he neglects his duty so as to cause or to accelerate the death of another, he is guilty of involuntary manslaughter. This principle finds frequent recognition in the adjudicated cases. In Reg. *v.* Senior (1 Q. B., 283) the defendant was indicted for failure to provide medical attention for his infant child, who was seriously ill, and the child died because of such lack of attention. There was a conviction for manslaughter which was sustained. In another English case (Reg. *v.* Instan, 17 Cox C. C., 602) a young woman was indicted for manslaughter for failure to provide proper medical attention and other necessaries for her aunt, an elderly woman, resulting in the death of the latter. The aunt was seriously ill at the time and probably would have died from her ailment, but the neglect visited upon her by her niece accelerated her death. There was a conviction for manslaughter which was sustained. The same principle has been recognized by the American courts. Territory *v.* Manton, 8 Mont., 95; 19 Pacific, 387; Clark's Criminal Law, 2d edition, p. 209; Westrup *v.* Commonwealth, 29 Ky., 1; Rep. 519; 123 Ky., 95; 93 S. W., 646; 6 L. R. A., N. S., 685; Commonwealth *v.* Pierce, 138 Mass., 165; 52 A. R., 264; and Johnson *v.* State, 66 On. St., 59; 61 L. R. A., 277.)

5. Attention is called to these cases for the purpose of indicating the seriousness with which an offense such as the accused is shown to have committed is regarded by the civil courts. No reason is seen why a military court should place a lighter estimate upon neglect which leads to or accelerates death than do the civil tribunals, and yet the charge filed, the findings of the court, and the recommendation to clemency lead to the belief that this is what the officer who prepared the charge and the court which tried the case actually have done. The accused might properly have been charged under the ninety-third article of war and the specifications amplified by alleging that death was caused by the neglect. Indeed, there appears from the whole record that throughout the proceedings a grave misapprehension existed as to the seriousness of the offense disclosed by the evidence. The ninety-sixth article of war, under which the charge and specifications were laid, confers upon the court discretion as to the punishment to be imposed. A sentence of dismissal, unaccompanied by a period of confinement, seems wholly inadequate for the offense of which the accused was convicted, and the record is returned for reconsideration in the light of these views.

By direction of the President,

NEWTON D. BAKER,
Secretary of War.

Encl.

AEC-WLA-A. G. 201—Cole, Lieut. Chas. W. 1st Ind.

WAR DEPARTMENT, *January 9, 1918.*

To the COMMANDING GENERAL THIRTY-NINTH DIVISION,
Camp Beauregard, La.:

1. In the within case of First Lieut. Charles W. Cole, Medical Reserve Corps, the President directs that you reconvene the court-martial for a reconsideration of its sentence, and return to the court the record, together with this indorsement.

2. The accused was tried for violation of the ninety-sixth article of war. The first specification charges, in substance, that on November 18, 1917, he was on duty as officer of the day at the base hospital, Camp Beauregard, La.; that it was his duty to receive and admit patients transferred to said hospital for treatment, and that he did willfully neglect to admit and receive nine enlisted men transferred to said hospital from the regimental infirmary, One hundred and fifty-sixth Infantry. The second specification charges that at the same time and place, it was his duty to examine all patients transferred to said hospital for treatment, and that he did willfully neglect to examine the said enlisted men, and, without examination, did direct them to be reconveyed to the regimental infirmary, causing patients to suffer unnecessary exposure, to the detriment and prejudice of their health and lives. The third specification charges that, at the same time and place, he did willfully keep the ambulances containing these patients waiting for an hour, more or less, in front of the hospital, before he appeared to give directions as to the disposition of the patients. He was found guilty of specifications 1 and 2, not guilty of specification 3, and guilty of the charge. He was sentenced to be dismissed from the service, and this sentence was approved by the commanding general of the thirty-ninth division and forwarded for the action of the President pursuant to the forty-eighth article of war.

3. It is established by the evidence that the accused was on duty as alleged, that measles were prevalent in the camp, and that orders had been issued by competent authority that all cases attended with complications, such as high temperature, capillary bronchitis, acute bronchitis, bronchial pneumonia, and the like should be transferred to the base hospital. On the afternoon of November 18 the nine men in question were diagnosed by Maj. Herbert C. Cole, the surgeon of the One hundred and fifty-sixth Infantry, as suffering from measles with complication of acute bronchitis, and ordered transferred to the base hospital. The infirmary of the One hundred and fifty-sixth Infantry was about 2½ miles from the base hospital. Several of the men were transferred in a motor ambulance, and the others in two mule-drawn ambulances. There was sent with an enlisted man, who went over in the motor ambulance, a communication from Maj. Cole addressed to the commanding officer of the base hospital, requesting the admission of the nine men, and in this communication the name, organization, and diagnosis of each man appeared. The road between the infirmary and the hospital was rough. The day was cold, dark, and a drizzling rain was falling. The motor ambulance arrived at the hospital about 4 in the afternoon, approximately three-quarters of an hour ahead of the other ambulance. The enlisted man in charge of it immediately reported the arrival of the patients in the motor ambulance, and took steps to bring to the attention of the accused, who was the officer of the day at the hospital, the communication from the surgeon of the One hundred and fifty-sixth Infantry.

The evidence tends to show that from three-quarters of an hour to an hour elapsed before the accused appeared to give directions as to the disposition of the patients. In the meantime these patients were outside in the ambulance. All of the men were sick. Two of the men in the motor ambulance were very sick, and one of them was so delirious that it was difficult to restrain him and prevent him disturbing or doing injury to the other patients. The accused finally came out to the motor ambulance, felt the pulse of one or two of the men, made no other examination whatever, and refused to receive them at the hospital. The soldier in charge of the motor ambulance protested that the men were sick, and called attention to the fact that one of the men was very sick, was delirious, and that there was difficulty in restraining him. The accused provided a tape or rope and suggested or directed that the patient be tied up. At this time the mule-drawn ambulances were just arriving. The accused did not go to these ambulances or attempt to make any examination of any of the sick men therein. One of the men accompanying one of those ambulances reported the situation to the surgeon of the One hundred and fifty-sixth Infantry, and, having received instructions to insist upon the admission of the men, or at least those who were very sick, into the base hospital, sent word to the accused to this effect. His attention was not obtained regarding this request for some time, when he reiterated his refusal. The ambulances then returned to the One hundred and fifty-sixth Infantry, when four of the men were transferred to the field hospital, and, because of inadequate facilities, it was necessary to care for the others in their tents.

The base hospital had a maximum capacity of about 500 patients. At this time there were in the hospital about 350 patients undergoing treatment, and while not fully equipped, the hospital had beds and bedding for a considerable number of patients in addition to those there undergoing treatment. The sick men transferred to the base hospital on November 18 from the One hundred and fifty-sixth Infantry could have been cared for. The diagnosis of each man justified and required their admission for treatment at that place. The most casual investigation, if made, must have disclosed that at least two of the men were dangerously ill, and that, with respect to one of them, bronchial pneumonia had so far advanced as to bring about a condition of pronounced delirium. Considering these facts, the condition of the weather, and the knowledge of the accused, which he must have had, that there were not adequate facilities for proper treatment in the tents of these men or at the field hospital, his conduct was

wholly inexcusable, and showed a complete absence of those considerations of humanity and compassion that should characterize the treatment of our soldiers when severely ill or wounded.

From the time the men left the base hospital, upon the refusal of the accused to receive them, until they were returned to the One hundred and fifty-sixth Infantry, some to the field hospital and some to their tents, from one to two hours elapsed. They were thus exposed to the inclement weather for a period of from three to four hours, and were carried twice over a rough and broken road. Upon their return one of the men—the man who was delirious when at the base hospital seeking admission—was in such condition that death was imminent, and it was necessary to administer oxygen, digitaline, and strychnine to stimulate his vital functions. He died a few days later. Another man was also found to be in a very serious condition, undoubtedly greatly aggravated by the exposure, and he likewise died. It is reasonably probable that the death of each of these men was accelerated, if not, indeed, caused, by the willful and inexcusable neglect of the accused.

The facts that the members of the court which convicted Lieut. Cole of the charges contained in specifications 1 and 2 simply imposed a sentence of dismissal, and that the reviewing authority approved this sentence, indicate that they failed to appreciate the seriousness of the offense of which the accused stood convicted. Civil society regards conduct of this kind as constituting a very grave offense. It is a well-settled and humane principle that if the law requires a person to do an act and he neglects his duty so as to cause, or to accelerate, the death of another, he is guilty of involuntary manslaughter. If such neglect is willful, he is guilty of murder. This principle finds frequent recognition in the adjudicated cases. In Reg. *v.* Senior (1 ib., 283) the defendant was indicted for failure to provide medical attention for his infant child, who was seriously ill, and the child died for lack thereof. The offender was convicted of manslaughter. In another English case (Reg. *v.* Instan, 17 Cox C. C., 602) a young woman was indicted for manslaughter for failure to provide medical attention and other necessaries for her aunt, an elderly woman, resulting in the death of the latter. The aunt was seriously ill at the time and probably would have died from her ailment, but the neglect visited upon her by her niece accelerated her death. There was a conviction for manslaughter. The same principle has been recognized by the American courts. (Territory *v.* Manton, 8 Mont., 95; 19 Pac., 387; Clark's Criminal Law, 2d edition, p. 209; Westrup *v.* Commonwealth, 29 Ky. Law Rep., 519; 123 Ky., 95; 93 S. W., 646; 6 L. R. A., N. S., 685; Commonwealth *v.* Pierce, 138 Mass., 165; 52 Am. Rep., 254; Johnson *v.* State, 66 Ohio State, 59; 61 L. R. A., 277.)

5. Attention is called to these cases for the purpose of indicating the seriousness with which an offense such as the accused is shown to have committed is regarded by the civil courts. No reason is seen why military courts should place a lighter estimate upon the neglect which leads to or accelerates death than do the civil tribunals; and yet the charge filed and the findings and sentence of the court lead to the belief that this is what was actually done. The accused might properly have been charged under the ninety-third article of war and the specification amplified by an allegation thar a death was caused or accelerated by his neglect. The whole record seems to disclose a grave misapprehension upon the part of the officer filing the charges and the court which tried the case as to the seriousness of the offense which the evidence seems to establish. The ninety-sixth article of war, under which the charge and specifications were laid, confers upon the court discretion as to the punishment to be imposed. A sentence of dismissal, unaccompanied by a period of confinement, seems wholly inadequate for the offense of which the accused was convicted, and the record is returned for reconsideration, in the light of these views.

By direction of the President.

NEWTON D. BAKER,
Secretary of War.

Encl.

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201 Cole, C. W. (Offrs.), 2d Ind.

WAR DEPARTMENT, J. A. G. O.,
January 23, 1918.

TO THE ADJUTANT GENERAL:

1. Recommending that the commanding general of the Thirty-ninth Division be instructed to delay convening of court-martial mentioned in telegram in reference until such time as this may be done without risk to the health of his command.

HERBERT A. WHITE,
For the Judge Advocate General.

Secretary BAKER. Now, in addition to that, Mr. Chairman, I may perhaps be permitted to say a word or two about what has been done by the War Department through the Surgeon General's office in this matter. When the illness broke out in the camps I sent the Surgeon General in person to inspect those conditions, and when he made his reports, the reports came to me involving criticism of various kinds as to congestion, the causes of illness, I handed them in person to the newspapers. I thought it important that the country should know exactly the conditions and exactly the causes, for two reasons. In the first place, I wanted no concealment; and, in the second place, I wanted the help of the country in correcting those conditions.

In addition to that I wrote a memorandum to the Chief of Staff, that, in my judgment, the Surgeon General's office ought to organize a system of continuous and constant inspection, for while there is a medical officer representing the Surgeon General's office in every one of these camps, and while the commanding general in each of these camps is chargeable with responsibility for general conditions in his camp, I wanted to add this additional, perhaps, that the Surgeon General's office itself would organize a continuing system of inspection from day to day of these conditions. I instructed the Inspector General, who has inspectors going from camp to camp, that he should especially charge his inspectors to examine into and report upon the conditions in the hospitals, and I telegraphed to a very great hospital expert, Dr. John A. Hornsby—I did not know at the time that he was in the medical service of the Army—I happened to have had some previous contact with him when I was superintending the building of a city hospital in Cleveland, and learned at that time of his great experience in all matters of hospital management and construction. I telegraphed him to come to Washington in order that I might select him as the personal inspector to go, without relation to any other part of the War Department, from camp to camp and hospital to hospital and make directly to me recommendations with regard to improvements necessary.

When Dr. Hornsby came to Washington he came in a uniform, showing that the Surgeon General's office had already drafted in his talents and had already assigned him to the task which I intended he should perform, and it just happens that I have here in my hand at this moment a telegram from Dr. Hornsby with regard to the conditions at Camp Pike, which is one of the camps which have been under comment.

The telegram is as follows:

CAMP PIKE, ARK., *January 23, 1918.*

SURGEON GENERAL ARMY,
Mills Building, Washington, D. C.:

Conditions at Camp Pike greatly improved. Morbidity lower, types milder. Ample accommodations for all sick. Convalescents and mild cases housed well in unoccupied barracks. Roots—

That is, Camp Logan H. Roots—

has taken 200 cases and will be ready for 500 at once. No pressing need now. Leave here for Washington Thursday night to report, unless otherwise ordered. Address care Col. Thornburg.

JOHN A. HORNSBY.

I shall not, Mr. Chairman, read individual cases, although I have a great number of letters and messages from men who have gone to hospitals and found the conditions good, for the reason that is what they ought to be, and it adds nothing to the case to say that this man or this woman, this father or this mother has gone to a hospital and found a boy well cared for; that is what ought to be the universal rule. And yet I have a letter this morning, which I received yesterday, which I think I will read into the record, because it is from a woman of national fame, a woman who for the last four months has gone from camp to camp in the United States writing about them and printing her writings in public magazines and weeklies, who has done me the favor and honor to come a number of times to me personally to report upon these things she has seen and found. It is a letter from Mrs. Mary Roberts Rinehart. As a matter of fact, I gave Mrs. Rinehart, as I now recall it, a letter which would admit her into any camp and enable her to inspect.

(Mrs. Rinehart's letter referred to is here printed in full, as follows:)

NEW YORK, *January 26, 1918.*

To the Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

MY DEAR MR. SECRETARY: I have just been reading that tragic letter from an unknown father read by Senator CHAMBERLAIN during the present senatorial investigation. Its sincerity can not be questioned. As a mother, and as the mother of a soldier, I feel, as everyone must, the deepest grief and sympathy with the parents of that dead boy.

Like every other mother in the country I want these cases known. I want to be assured that they will be known. I want drastic punishment applied to any man, of no matter what rank, who is found guilty of negligence in the care, physical or moral, of our boys. And I want immediate remedy of conditions that require remedy.

But I do feel that some step should be taken to reassure our women just now. It is only fair to them. It is cruel to allow every mother in the country to judge the medical care that will be given to her boy while in the service because here and there, in the chaos of our readjustment, men have been given responsibilities they are unable or unwilling to fulfill. That we have such men is more than a national misfortune. That they have been placed in positions of trust is a national calamity. But the mothers of the country should know in fairness to themselves that the number of such inefficients is small. We will not rest, we women, until they have all been removed. But that, I know, will be at once. It must be at once.

I have a son in an Army cantonment. He enlisted as a private. He would receive, if he became ill, exactly the same treatment as any other enlisted man in our new Army. And I should have not only no hesitation in placing him in the cantonment hospital, but I should do it with absolute confidence. As a matter of fact, he has already spent a few days there with an infected knee, and received the best of care.

I know something about hospitals. I took a nurse's training as a girl. I married a member of my hospital staff, and I have been for many years constantly in touch with hospitals. During the first year of the war I visited the hospitals of France and England. Since we went into war I have, with the avowed intention of seeing for the women of America that our boys are to be well cared for in every possible way, visited many training camps and camp hospitals.

There are conditions to be remedied. As I reported to you very recently, the failure of supplies has been a serious matter. There are not enough women nurses. The quarters of both nurses and doctors must be enlarged in many cases. The percentage of serious illness has been low in the cantonments—I am not speaking of the camps—but the percentage of mild contagions, which always occur when men are brought together in the mass, and of heavy colds and bronchitis, has been high. The result of sending men with heavy colds for a few days into the hospital has resulted in rather higher figures than the seriousness of the situation would otherwise justify.

Of cruelty and indifference I have found nothing. On the contrary, I have found the medical staffs of the hospitals both efficient and humane. When it is remembered that the medical men of these National Army hospitals are volunteers who have cheerfully relinquished the

results of years of labor to give their services to the country; that they are of the best we have, as all volunteers are; that they are willingly undergoing deprivation and hardship to take care of our boys, it is wrong that the country at large should so misjudge them. The best specialists of the country have placed themselves at the disposal of the Army Medical Department, and ninety-nine out of a hundred men in the drafted Army are receiving better care than they could afford under the best circumstances at home.

Nursing is on the same high plane. Again we find volunteers highly skilled and carefully trained women who have taken the small pay and the discomforts of Army life that they may serve where they are most needed.

Wards are large and airy. Beds are comfortable. I have found exquisite cleanliness everywhere. Moreover, I have found cheerfulness. Food is good and plentiful. I have examined storerooms and kitchens and watched the diets being served under the direction of a woman dietician.

I do not like the orderly system. There should be more trained nurses. At present the wards where there are no serious cases are managed by a ward master, an enlisted man. And with the best intention in the world he is not always efficient. The lack of nurses is a serious one and could be remedied probably by an appeal to nurses to volunteer. But here again is the serious question of the ill at home, the same which faces the medical profession and the civilian hospitals.

One hospital I know well. It is typical of other cantonment hospitals; it is under the same Army Medical Department direction as the others, and it is only right to assume that conditions there are representative. The same rules govern all these hospitals. The same sums are spent on them. The same system is followed. The food is the same, the supplies, the medical staff, the nurses.

And I have never seen a better war hospital than the one at Camp Sherman. I will go further and say that in its operating rooms, its X-ray department, its eye and ear department, its nose and throat department, its dental department—in short, in its facilities for caring for every emergency and every weakness—it will bear comparison with any civilian hospital

And what is true of the base hospital at Camp Sherman is true of the others

I have watched the development of the war hospital system from the beginning when I saw it first on paper in the office of the Surgeon General, up to two weeks ago. I watched because it was a vital matter to me. I had a husband and a son in the service. I am like the other women of this country I would be content with nothing less than the best And I feel that we are on the way to the best.

It has not come yet, although at the present moment I would willingly trust any member of my family in such emergency in any one of our base hospitals. We need more supplies; we need more nurses and enlarged quarters for them. Sixty, or even 80, nurses divided into shifts of eight hours each is totally insufficient for a thousand men. We even need more physicians and surgeons. Although the staffs are very large, the medical department in each hospital is working to its maximum.

But what we need as a Nation is something more than this—we need knowledge and reassurance. There is no need in this country for discontented resignation. I would suggest that a committee of representative and unprejudiced citizens from the nearest city visit each of these base hospitals and thoroughly inspect it; and that they publish in their local papers the exact results of their investigations. Let them go alone to talk with the patients, the nurses, the doctors, the ward masters. And let them tell exactly what they find.

The women of the country must know the facts. They have the right to know them. It is not fair to let them believe, as many of them now do, that the great and humane American people are not caring for the men who are to fight to save them. We are preparing against the inevitable losses of war It is not fair to let any of us believe that there is useless death, and we are wasting lives we would die to save.

And it is not true.

Faithfully, yours, MARY ROBERTS RINEHART.

There was no suggestion of remedy in that letter which does not have my instant approval. In addition to all the things which Mrs. Rinehart suggests—and few are novel—are the things which I have already described to you as being done; and I point out to the committee that from the very beginning of this war the heads of the medical profession—the very masters of that profession—have been in constant contact with the Surgeon General. He has formed around him a staff the like of which probably does not exist on the face of the earth for devising hospitals, devising an organization, and supervising its perfection; and when one considers that the casual and usual doctor, here and there, whose attention has been devoted to the treatment of individual cases under home conditions, under the necessities of this situation, has been thrown into a great organization, where he is compelled to deal with hospital conditions and groups of men and sanitation on a large scale. While it may be, and is, deeply to be regretted that there should even be the necessity of improvement, yet in the direction of this great medical staff of men the zeal and loyalty and patriotism and efficiency of the medical profession are all at work rapidly improving it, and the improvement already wrought is very great.

We are not alone, Mr. Chairman. Our country is not alone in meeting these difficulties. No army was ever assembled, nor can any be, which does not bring men together who theretofore have been exposed to communicable diseases to which they are not immune; and the most which can be done is to meet these conditions with every device and suggestion which science and care can devise, and that, in my frank judgment, is the aim of the Surgeon General, and in the doing of this he has the unqualified support, and he knows he has, of every officer in the War Department, from the Secretary down.

Mr. Chairman, the second set of difficulties which you discussed with regard to the War Department were those affecting the supply of ordnance. In my previous hearing before the committee we went into that with great fullness. Clearly there are things about the supply of munitions of war about which men's minds may differ. Not merely the relative excellence of certain weapons, but the extent to which speed of procurement should be sacrificed for excellence of performance when procured, are questions of judgment, and their solution lies in the best instructed distinction one can secure.

The first question of that kind which arose affected the selection of a rifle for the Army, one involving the caliber of the rifle. The situation was that the English were using a rifle with a rimmed cartridge of one caliber, and the French were using a rifle with a rimmed cartridge of another caliber. We in America had admittedly the best rifle so far developed in any military service, the Springfield, using a rimless cartridge, and we had in stock of those weapons something like 600,000—in stock and in the hands of troops. This was early in the spring, although my recollection does not permit me to fix a definite date. The question had been investigated prior to that time in order that there might be a summary view of the possibilities of rapid procurement of various types of rifles, and finally the choice of a weapon was decided in my office, as near as my recollection holds, at night, at about 11 o'clock, and there were present in that conference Gen. Crozier, the Chief of Ordnance; Gen. Scott, the Chief of Staff; Gen. Bliss, the Assistant Chief of Staff; Gen. Kuhn, the Chief of the Army War College; and one or two other officers associated with the War College, the Ordnance Department experts on the subject of rifles, and Gen. Pershing.

At that time Gen. Pershing had been selected as the commander in chief of our forces ultimately to be dispatched to France, and as he was to command the Army and was to use the forces it seemed an especially fortunate circumstance that he should be in Washington at that time and able to participate in that conference.

Senator NEW. Can you give the date, Mr. Secretary?

Secretary BAKER. I can not give the date, Senator; but it must have been very shortly before Gen. Pershing went abroad. I should say about the 1st of June. I am not certain of that. Perhaps Senator WARREN could tell that.

Senator WARREN. The last of May.

Secretary BAKER. Perhaps it was a week before he went abroad. He was here altogether, I think, some 8 or 10 days studying the whole condition in the War College preparatory to his going away.

We did not know then, as I shall illustrate a little later to the committee, whether our Army was to fight with the French or with the English. The mode of our military operations was not determined. The excellence of our weapon was so well known that just before the outbreak of this war the British Government had decided to remodel its weapon and rearm its army, and they were on the point of manufacturing a modification of their own Enfield rifle, which would use a rimless cartridge and thus obviate the possibility of jamming in the weapon, and make it a better weapon. It was only the sudden outbreak of war that compelled the immediate need of equipment supplementing that which they had, and fearing the confusion of using a new weapon in conjunction with their old weapon, and trying pari passu to rearm their army, they decided to adhere to their Enfield rifle.

That conference considered every aspect of this question, and it was finally decided to use our own Springfield rifle and to procure a modification of the Enfield which would allow it to be chambered for American ammunition, in order to get the advantage of the large and organized manufacturing facilities already built up in this country for the production of the Enfield; and that decision, made that night, had the unanimous concurrence of every person in the conference. The master of ordnance and production, the Chief of the Army War College, with his technical advisers and experts, the Chief of Staff and his assistants, and the commanding general of the expeditionary forces, whose army and its usefulness were at stake, were present.

When we undertook to remodel the Enfield rifle it was discovered, although there were three plants in this country manufacturing it, the bolt from one factory would not fit the rifle from another factory. Instantly the question arose of procuring interchangeability in the rifles produced.

At the outset it was thought that some eight or nine interchangeable parts would be enough. Later it seemed advisable to increase that number. Senator, I am not dealing with an accurate number when I say eight or nine.

Senator NEW. Seven, I think.

Secretary BAKER. Seven, perhaps. But it was decided that a larger degree of interchangeability was required, and the purpose of that was in order that when these rifles got to France and are used under battle conditions, if a man finds himself with a defective weapon, and alongside him is another defective weapon, he can, if the emergency requires it, take out of one defective weapon a perfect part and replace a defective part in his own weapon and be equipped, and in order to enable us to repair rapidly rifles rendered inefficient in service, so that a constant supply of these weapons will be ready at the front.

There was some delay in designing with the particularity necessary—tolerances of a thousandth of an inch, in some instances—specifications for this remodeled Enfield, and that delay led to this: That when our troops actually were assembled in the camps it was some time before they were fully armed with rifles. At the outset they had very few rifles; there was a distribution of Krags and obsolescent weapons, in order that they might drill with them, but it was some time before they were adequately supplied with the remodeled Enfield rifle.

That was foreseen. Gen. Leonard Wood came to my office—I have forgotten when, but it was early—and suggested to me the advisability of instantly calling out a larger army. I said, "But, General, we have not the clothes and we have not the weapons for them." He said, "I know that, Mr. Secretary, and they need many things before they need the rifles. They need to learn to live together, get used to camp conditions; they need the elemental discipline of camp life; they need to be taught to keep step; they need to know the subordinations of the Army, and it will take some time to give them that preliminary instruction."

He pointed out to me that in England the so-called Kitchener army drilled for months, as he said, in their civilian clothes, with top hats and using a stick for arms. I said to him, "General, I agree with you that it is important to have our Army equipped rapidly so that a prolonged period of training may be given to them; but we will call out first the Regular Army and then we will call out the National Guard, build it up to war strength." But with the draft Army, they would have an additional period of training in the field by reason of the fact that the Army can not be shipped abroad in bulk suddenly. It was necessary to attempt to forecast the amount of time needed for training, and it was deemed wise to put the men in the camps in order that they might learn this matter of camp discipline, camp sanitation, the elements and essentials of the soldiers' life a little in advance of their being fully tried with arms.

I have here a statement of the rifles which were supplied to the camps at the outset. At the beginning there were Krags in the cantonments. Senator CHAMBERLAIN, in his speech to the Senate, speaks of the weapons in the possession of the department at that time as a motley selection—and I have no feeling about the phrase. The fact is that what we had was about 600,000 Springfields and something over 100,000 Krags. Also this is true: That in the greatest military establishment in the world, in the German Army, when they call out raw recruits they give them an obsolete rifle as a practice rifle until they learn to take care of it, before they actually put a service rifle in their hands. And so, as a mere drilling and training weapon, the Krag was not an improper weapon for them to have.

I do not undertake to say, gentlemen, that that question was decided infallibly. It might have been better to have bought English Enfields enough to put one in the hands of every man. But it was decided thoughtfully, and it was decided considerately and conscientiously, and now the result is that every man in this country who is intended to carry a rifle in any of our military camps has a rifle, and it is a better rifle than would have been gotten if we had adopted any one of the existing types at the time.

And this additional thing is true, that although we have gotten soldiers to Europe much more rapidly than it was originally imagined we either would or could, every soldier who has gone to Europe certainly had a modern, excellent rifle, and he has had it long enough before going into action with it to learn how to use it, to practice with it either there or here. The same observation is true of every soldier who will go to Europe.

May I say now a word about machine guns?

The machine gun, of course, is a highly technical weapon. It is in the record of testimony before your committee that up to April of the present year no Lewis gun had been made and tested to demonstrate its usability for American ammunition. The machine-gun problem is complicated by two factors, first, the question of manufacture, and, second, a difference in theory as to the use of machine guns.

When this war broke out Great Britain was manufacturing the Vickers-Maxim, a heavy, water-cooled gun. She wanted a lighter type of gun and adopted as her lighter type the Lewis, and manufactured it on a very large scale in England.

The French, however, have not used the Lewis, or any corresponding weapon as a land-operating gun in any large numbers, the French theory being that it is better to have a very light gun shot from the hip or the shoulder, like the Chauchut, and the heavy type of gun shot from a tripod or carriage like the Hotchkiss. So that something depended upon the troops with which we were to fight, the theory of combat which we were to adopt, as to which type of machine gun we should select.

There was in existence a board which had been appointed nearly a half year before—certainly some months before—to test all the machine guns there were, both those which were previously known in use and those which were not, in order that we might select the best types. The existence of that board did not delay for one second the selection or the procurement of additional machine guns. There was a test made by the Navy, I think, in April, as a result of which it was shown that the Lewis gun had been perfected to use American ammunition. There was an ordnance officer of the Army present at that test, and on the basis of that test immediate orders were given to the Savage Arms Co. to procure Lewis guns, and now we have this situation, that large orders of Lewis guns have been given.

But from Europe we learned from Gen. Pershing that he does not desire Lewis guns for use on land. The divisions of marines—I am not using "divisions" technically—the regiments of marines which went from this country with our military force as a part of it were armed with Lewis guns. They have been retired from service, the guns, and those regiments have been rearmed with Chauchat rifles and Hotchkiss machine guns just as our other land forces there are.

Under the studies made by the experts of Gen. Pershing's staff and under their direction and advice to us, we are instructed to retain Lewis guns for use in aircraft, and to press forward as rapidly as we can the manufacture of light and heavy Browning guns and Vickers-Maxim guns, for which a very large order was outstanding almost immediately after an appropriation by Congress a year ago to press those forward, so that we have the situation in regard to machine guns that the kind of weapon which Gen. Pershing and his staff want is the kind which was developed as the result of that board's inquiry, and the particular weapon which is said to have made so great a success with the British and doubtless has made a great success with them is one which is determined by our experts to be appropriate for air service and not desired for land-operating troops.

In the meantime, in order that the whole story may be told, it is in testimony before your committee that the French Government is able to supply us with Chauchat rifles, or light guns, and Hotchkiss guns, or heavy guns, for the divisions and troops which we can this year send abroad.

We have, then, the machine-gun situation reduced to this: That we ordered every Lewis gun we could get; we encouraged them to enlarge their manufacturing facilities. They still have not enlarged them as much as we have urged them to and contracted with them to enlarge them. The supply of their guns is going through in larger numbers, and in the meantime the making of the necessary machine tools and jigs and dies for the production of light and heavy Brownings and expediting the production of Vickers-Maxims is going forward, and our army abroad is provided with guns of the type adapted to the mode of warfare which they have elected to use, and our supply which is to supplement that is of the same type and of the kind desiderd by them.

Something has been said about our army in this country not having machine guns here to practice with. They have not had as many as we desired them to have, and yet I have had from camp commanders many letters, which I shall not stop to read, saying that they have not been held back by the absence of those weapons, because the rifle ranges were not ready; and for one reason or another they were not ready to go forward with them, and yet I am sure if they had had machine guns at the camps in larger quantities they would have been able to have some machine-gun practice ere this in most of the camps.

Yet I have had a table here, or statement, from the Acting Chief of Ordnance as to the machine guns which have actually been distributed in the camps in this country.

Senator HITCHCOCK. Are the dates given, Mr. Secretary?

Secretary BAKER. Well, I will read three paragraphs, Senator, which will answer that question:

The distribution of machine guns to the National Guard camps have been as follows: Thirty Colt machine guns to each camp, 65 Lewis machine guns, 45 Chauchat automatic rifles. Distribution of machine guns to the National Army cantonments: Fifty Colt guns each, 65 Lewis machine guns, 45 Chauchat rifles to each camp.

In addition to those mentioned 10 Lewis guns have been issued to each Regular Cavalry regiment and 10 Chauchat rifles to each Regular Infantry regiment. Practically all of the above were shipped before the troops were ready for them—that is, about November 1.

Now, freely, that is not an adequate supply, but it is some machine guns which the machine-gun companies may practice with, learn the mechanism and mechanics of these arms, and the supply will be forthcoming as the result of this quantity manufacturing which has been arranged for.

Senator MYERS. It does not state, Mr. Secretary, that these guns were sent to each camp?

Secretary BAKER. Yes, sir; it says so; to each camp.

Senator HITCHCOCK. But not all of them before November 1, Mr. Secretary.

Secretary BAKER. The statement made by Gen. Wheeler is that practically all of the above were shipped before troops were ready for them; that is, about November 1.

Senator MYERS. Shipped?

Secretary BAKER. Yes.

Senator WADSWORTH. Does that include the 1,200 machine guns that we found in the testimony were in storage?

Secretary BAKER. Obviously not. Those have since been shipped.

Senator WADSWORTH. In other words, Mr. Secretary, one-half of the number of Lewis machine guns mentioned there were not shipped to the camps until January?

Secretary BAKER. That seems to be so, sir.

Senator WADSWORTH. And the expression "almost all" is scarcely accurate?

Secretary BAKER. Well, if I have been guilty of the least inaccuracy I trust it will be called to my attention.

Senator WADSWORTH. I understood it was the language of the letter.

Senator MYERS. I suggest that the Secretary is reading what another officer has written to him; he is not using his language.

Secretary BAKER. That is so, Senator; and yet the evidence which is before the committee shows that there was some 1,200 machine guns which had not been distributed at the time of my appearance before the committee, which was in January, and those guns have since been distributed. But my recollection about that—and I speak only from refreshed recollection—is that at the time I reported to you about that I learned and told you that those guns had not been in stock very long, but were quite recently delivered—less than a month in stock.

Senator REED. Since we have broken in with an interruption, I only asked to get an expression in the first instance, or have an expression repeated, so that I would understand it, and that has led to these questions; but may I not ask one further question?

Secretary BAKER. Certainly, Senator.

Senator REED. The statement is made there that these guns reached the camps before they were needed; substantially, that is the expression.

Secretary BAKER. Substantially, that—before they were ready for them.

Senator REED. By that do you understand that Gen. Wheeler means that the troops required a preliminary training before they could use the guns?

Secretary BAKER. Yes, sir.

Senator REED. Or does he mean that the men were not mobilized in the camps?

Secretary BAKER. No; I think he means this, Senator, that in many of the camps the mobilization had not completely taken place. The selection of men for machine-gun companies had not been fully made. In many of them there were machine-gun companies—National Guard and Regular Army—that the erection of ranges where this shooting could take place had not been completed.

Senator REED. One thing further: A statement there is made that these guns were shipped; it does not say they had arrived.

Secretary BAKER. No, sir.

Senator REED. Do you have any information as to when they did arrive?

Secretary BAKER. I have not got information with me. There were doubtless delays in shipment because of the general congestion and delay in the country.

Senator WARREN. Mr. Secretary, what is the special advantage of sending machine guns of the Lewis type to our training camps to be used when our Army has determined not to use that sort of a gun in actual fighting, but the Chauchat gun and the other gun?

Secretary BAKER. Senator, in view of the fact that automatic rifles and machine guns are highly technical and complicated pieces of mechanism, I think it would be a distinct advantage to the troops if they could learn to use the Lewis gun, even though they were not ultimately to use it. I think it would be a distinct advantage to have them learn that, and I think they could acquire more rapidly the mechanism and use of the very much smaller Browning and Chauchat, based upon their knowledge of the Lewis, which is not itself a complicated weapon.

So that I may concur with the suggestion originally made, I think, by Senator HITCHCOCK, that it would be desirable to have all of those guns distributed which it is possible to have distributed.

Now, Mr. Chairman, one other item: That deals with cannon. There is the statement before this committee—the statement made by Gen. Crozier on that subject. I refer to it only because it contains some documents to which I want to refer.

Gen. Crozier called your attention to the fact that, beginning in 1906, and, as I recall his statement about it, continuously from 1906 down, Gen. Crozier has argued to committees—to the Fortifications Committee, the Military Affairs Committee—as to the length of time it takes to make heavy cannon.

I have no criticism to make of the response of the Congress to his representations. Congress did what it seemed wise at the time to do, and I have not the least doubt that if I had been a member of this committee or any committee of Congress I would have been just as likely as they were to take the view which they took of those recommendations. And yet continuously from 1906 the expert of the Army on that question was saying to the Secretary of War and to the Congress—and the Secretaries of War have changed, both in person and in political affiliation, if that amounts to anything, several times since those original recommendations were made—Gen. Crozier was saying to you and to us that it takes a long time to make artillery; that artillery is getting to be a weapon of increasing importance; and urging that there be ample production for a more rapid completion of the program laid down in the Treat Board report.

Gen. Grozier said in 1912, for instance—or somebody asked him this question:

It takes a long time to manufacture these field guns?—A. Yes.
Q. How long does it take?—A. I do not think we could count on getting a battery delivered in less than a year from the time the order was given. I do not mean to say that it would take a year for each battery, but deliveries would not begin until a year after the order was given.
Q. It is very important, then, to have them on hand?—A. Yes; it is the slowest manufactured of any of the fighting material we need.

I shall not recall further, or read further, the statements of the general. They are set up by extracts from his testimony, his reports, and his letters to you and to me, and to my predecessors, in his own statement; but they show that Gen. Crozier realized the slowness with which that sort of arm could be produced, and was constantly urging that ampler production be made of it. And yet, even Gen. Crozier could not have realized, and it did not lie in anybody's imagination to realize, the importance which artillery has assumed in this war. The wars prior to this have been evolutions of large forces over great areas. This finally got down to a bitterly contested line, with the massing of heavy guns on both sides, and even the French did not realize it in this war until after it had started.

I have a letter before me from Mr. Tardieu, and perhaps I may be permitted to read it. It is written to Mr. Baruch and not to me. You will find here a few figures and further information concerning what I told you the other day. When war began France had at her disposal guns of artillery caliber about 89 millimeters, or 3.8 inches, but of these only 140 were quick-firing; that is, really adapted to modern warfare; 272 only of these guns, with their personnel, were organized in regiments and consequently available on the battle field. The balance were located in fortresses and fixed emplacements. There was first a period during which the activity of our war ministry on heavy artillery was limited to the equipment and formation into batteries of heavy fortress artillery. It was an error, as modern warfare requires quick-firing, heavy artillery; but, as everybody was convinced of the short duration of the war, it was wrongly thought that it was not necessary to start with the manufacture of quick-firing, modern ordnance.

It has been seen later that this policy is wrong; although one ought not to forget that our most important industrial regions were occupied by the enemy. The orders placed for heavy, quick-firing ordnance have been scheduled as follows.

I shall not read that schedule, but I will read the dates when France, the very seat of the conflict, with her enemy at her throat, with the demonstration of the character of warfare now being adopted, that it was the massing of heavy artillery that was ultimately to determine the integrity of the Hindenburg line—with that before her mind's eye, France gave orders for heavy, quick-firing artillery in September and December, 1914, and January, April, September, October, and December, 1915, and in January, 1916, and the largest order she gave on

any of those dates, except one, was the latest order, in January, 1916, after the war had progressed substantially a year and a half.

Senator HITCHCOCK. Was that after she had her ministry of munitions, Mr. Secretary?

Secretary BAKER. I can not answer that, Senator; I do not know. Well, there was our situation: We had a limited amount of artillery. The first step taken by the War Department was to attempt to speed up the artillery which we already had in process of manufacture. Here again, however, we come in conflict or come into contact with two theories of the use of artillery. The French use very large quantities of the 75-millimeter type. Their barrage is made by enormous quantities of 75-millimeter fire. The British had a field howitzer of larger caliber for that effect.

There are two distinct theories of the use of artillery on that front. The British prefer theirs; the French prefer theirs. We did not know then the relative merits of either. We had reports from our observers; we had expert opinions, but now we were down to the place where we had to choose for ourselves—not from speculative and philosophical judgment as to the relative excellence of two military theories, but we had to select arms for an army that was going to fight for its life.

As I shall show in a moment, our attempt to do that was by sending over to France the ablest men we had, to determine it on the ground in consultation with men who were making and using these relative types of weapons; but in the meantime we allowed no hindrance to be proposed in attempting to speed up the production of our classical types of weapons.

But very early, perhaps in June, it was estimated to us that the French had so far accelerated their industry in order to procure their initial supply, that the wastage of their use would not consume or occupy fully their industrial capacity, and that therefore it would be possible for them to supply such troops as we could get to France, within limits, with artillery of their manufacture and of the kind they were using. That question was very actively taken up at once. Mr. Tardieu was here. He had for eight months, I think he said in his letter, been connected with munitions production in France; he knew the subject. Gen. Crozier and he had many conferences about it, and on the 14th of July, or perhaps the 13th, an agreement was reached whereby the French Government undertook to supply us with quantities of the two principal pieces used, according to their theory of artillery use, namely, the 75-millimeter field guns and the 155-millimeter rapid-fire howitzers. Mr. Tardieu wrote at that time an announcement which was to tell the French people what had been done. It appears in translation in Gen. Crozier's testimony.

Mr. Tardieu said:

> The negotiations taken up for the first time at the end of May between M. Andre Tardieu, the French High Commissioner, and M. Ganne, chief of war munitions of the high commission, and Gen. Crozier, chief of ordnance, was characterized by two ideas. On the one hand the American Government wished to adopt the quickest solution in order to realize in the shortest time the complete armament of its forces; and on the other hand with great foresight they attached particular importance to realizing for the American and French Armies called to fight on the same battle fields uniformity of munitions of such great importance from a tactical point of view.

I shall not read the statement in full, but the paragraph which I shall now read I think is significant:

> The dominant note of the agreement lies in the proof it gives of the unshakable resolution of the American Government to achieve in the shortest time the maximum of military strength, and on the other hand it proves the active and intimate cooperation existing beween the United States and France.

I leave out the next statement.

> The Secretary of War and Gen. Crozier, Chief of Ordnance of the American Government, have given proof in this case of the broadest spirit of comprehension and decision and has succeeded in a few weeks in securing for the American troops artillery of the first order.

Now, at the time this statement was made, it was the confident expectation of everybody in this country that the sending of troops in large numbers to France was a thing in the somewhat remote future. That was in July. We were sending troops, but the sending of armies rapidly had not then been as fully worked out as it has since become.

Senator REED. Will it interrupt you if I ask a question?

Secretary BAKER. No, Senator; certainly not.

Senator REED. If I understand you, the view that the War Department took was this: That France had been obliged, in order to supply her own forces rapidly, to build factories of greater capacity than she needed, after once her troops had been supplied?

Secretary BAKER. That is true, sir.

Senator REED. And that you thought it was better—and when I say "you" I mean the War Department—to utilize those factories which had already been created than to wait to build factories?

Secretary BAKER. Yes, sir.

Senator REED. That was the view?

Secretary BAKER. That was the view—and better for two reasons, Senator, and probably three reasons; but better for the reason that their facilities were already in quantity production. It takes a long time to get quantity production. In the second place, it saved tonnage, and I am telling no secret when I say to you gentlemen of the Senate that the crux of this problem is the tonnage problem, and every time we can get by the use of organized and going French industry anything on that side instead of making it on this side and sending it we are advancing the common cause by that amount.

Senator REED. Has it been any disadvantage to France? Has it been any deprivation to France?

Secretary BAKER. Senator, I am coming to that in a minute. Categorically, I believe it has not been. I believe it is a very great advantage to France. Mr. Tardieu, in his statement, says that it is a great advantage to French industry, because it enables those men who are organized in that industry to keep on with the thing they are familiar with instead of being dismissed and try to start over in some other war industry.

Senator REED. In a word, if you thought that there was a factory in France capable of producing these weapons, and capable of producing them at the moment, it was not necessary to build a factory on this side to do the same thing that could be done over there?

Secretary BAKER. In part that is so, Senator. We thought that if there were factories in France capable of building these weapons, and actually building them, we thought they ought to go ahead building them as rapidly as they could, and in the meantime our own capacity on this side ought to be built up so we could supplement that effort; and if anything happened to their ability to keep on delivering, we would have our own sources of supply developed. That is exactly what we have done. But just a word more on this subject:

There is in the testimony before this committee a telegram from Gen. Bliss. It is perfectly well known to the members of the committee that when the so-called House mission went abroad Gen. Bliss, Chief of Staff, representing the Army, and Admiral Benson, representing the Navy, were members of that mission. Their task was to find out by conference with the French and British and Italians, and their military experts, an answer to this question: How can America contribute most to the early winning of this war?

One of the answers to that question which they brought back, and telegraphed it before they came, was that the more rapid expedition of troops to Europe was a part of the answer, and they asked at once of their associates in conference, "What about further supplies of artillery and artillery ammunition?" And there, in the high military councils of those two nations, the matter was discussed, and it was agreed that both Great Britain and France had surplus ordnance, surplus ordnance ammunition, and surplus ordnance ammunition capacity; that Great Britain was in exactly the same state that France was. In order rapidly to equip her great army she had built up quantity production to such an extent that the wastage of war and the necessary augmentation of ordnance and ordnance ammunition would not exhaust her capacity, and therefore it was agreed by these international military experts that—

> The representatives of Great Britain and France—

This is a telegram from Gen. Bliss in December—

> state that their production of artillery, field, medium, and heavy, is now established on so large a scale that they are able to equip completely all American divisions as they arrive in France during the year 1918 with the best make of British and French guns and howitzers. With a view, therefore, to expedite and facilitate the equipment of the American armies in France, and, second, to securing the maximum ultimate development of the munitions supply with the minimum strain upon available tonnage, the representatives of Great Britain and France propose that the field, medium, and heavy artillery be supplied during 1918 and as long after as may be found convenient from British and French gun factories.

I have seen, gentlemen, in the newspapers, statements that this taking of ammunition from France is putting her to a greater effort than she ought to undertake. I say to you that Gen. Joffre and his associates who were here—Mr. Tardieu, the French high commissioner, the British representative, Gen. Bridges, and his associates, when they were here in that mission I don't remember whether I spoke with Lord Northcliffe on this subject or not—but all of the persons who have come to this country with any knowledge on that subject, and Gen. Bliss, who went to Europe to study that subject on the ground, bring me the confident and positive assurance that we are not only not taking from France and Great Britain things which they need, but that we are helping them to maintain their processes; that we are using the facilities which they have organized in order to meet a need; that we are saving tonnage; that we are expediting

the arming of our own forces; and that we are making a properly coordinated and cooperative effort of a military character with our allies in this war by this process.

Senator McKELLAR. The proposition came from the British and French themselves?

Secretary BAKER. Came originally from the French, then from the British. And yet we have not stopped there. We have organized increased capacity in this country, looking ahead. The schedule of deliveries of artillery in this country which is before your committee and which I will be very glad to leave with the committee for examination, I should not like to have appear as a part of this public statement, but the committee may have it. I read figures which it will not hurt to read.

This shows the production of mobile artillery, it shows our procurements from France, prospective procurements from France, and covers the year 1918. At the outset, in the month of January, out of the 75 mm. field pieces, we get 620 from France, and there have been turned out of our own factories only 84. In April our own production has risen to 231, and the French has dwindled to 73. In succeeding months the number increases until in the month of December, 1918, our own production of that piece is forecasted to be 433 pieces.

I have here on this table the figures for 3-inch antiaircraft guns, 4.7 guns of American manufacture, 155 mm. howitzers, of United States manufacture, beginning with one in January, 1918—only nine months after the declaration of war. So far as this matter is concerned, involving so much time, by the testimony of all experts, it is rising steadily and rapidly, the production of this large piece, to a maximum of 300 per month in December, 1918. That is the howitzer. The gun is manufactured in the same way in this country with rising production on our own part, original procurement from the French and diminishing supplies from them. The 8, 9.2, and 9.5 inch howitzers of American manufacture and those procured in England are all shown on this chart.

I think, gentlemen, that it is fair to say—and if there be a possibility that I am wrong about it I should like to have it called to my attention, so that I can make no statement here which is not wholly borne out by the facts—that the American Army in France now and to be there, large as it now is and larger as it is to be, is provided with artillery of the types they want for the uses to which they are to put it, and as rapidly as they can use it; and that our own stream of manufacture to supplement that is inaugurated, in process, and deliveries of some pieces already begun, with, so far as industrial forecast can be relied upon, a rising and steadily increasing stream of American production.

Senator SUTHERLAND. Mr. Secretary, is the 75 mm. gun which you expect to produce the French gun, or is it the American?

Secretary BAKER. It is the 3-inch American gun.

Senator SUTHERLAND. Have you developed a completely satisfactory 3-inch American gun?

Secretary BAKER. Yes, sir.

Senator SUTHERLAND. To take the place of the other?

Secretary BAKER. Yes, sir.

Senator REED. With recoil and everything fully developed and satisfactory?

Secretary BAKER. Yes, sir; our 3-inch fieldpiece is regarded as an excellent piece, and is substantially of the same caliber as the French 75.

Senator WADSWORTH. You do not mean to give the impression that we are making 3-inch fieldpieces?

Secretary BAKER. We are making in this country the 75. I beg your pardon, Senator SUTHERLAND, we are using the French 75.

Senator REED. Is that the complete French gun, with the recoil and all the parts?

Secretary BAKER. I do not know that. Perhaps Senator WADSWORTH does know from the testimony. My impression is we are continuing to make the 3-inch gun and in addition to that are getting, according to the French model, the 75 made in this country; but I may be wrong about that.

Senator WADSWORTH. My recollection is that for the time being we have stopped making 3-inch guns and are making the French 75's.

Secretary BAKER. That may be so.

Senator WADSWORTH. At any rate, Gen. Crozier gave us to distinctly understand that the important production would be the French 75's.

Secretary BAKER. In this country?

Senator WADSWORTH. In this country.

Secretary BAKER. Yes.

Senator WADSWORTH. And that our 3-inch guns that we now have are to be used for training in this country.

Secretary BAKER. Senator SUTHERLAND can get the exact facts from Gen. Crozier's statement, because it was supplied exactly from the records.

Senator REED. This table only deals with the 75's, and then there was one column set aside for the antiaircraft.

Secretary BAKER. That is the antiaircraft gun, with a different mount.

Senator REED. There is no field gun shown here as the 75.

Secretary BAKER. I see. In addition to what I have said, gentlemen, I read what is already before you—a statement made by Mr. Tardieu in a letter to Gen. Crozier. This was a letter of December 21:

> Even in such mere technical conditions as these it takes time to realize such a program, to organize manufactures, and to have men to direct them. You will take less time than we did in France, where the output of field guns was not adequate to our needs before the end of 1916.

Now, if I may supplement that with one or two other figures from this same report of Gen. Crozier:

> The British Government in this country placed orders for ammunition and ordnance of all kinds totaling $1,308,000,000, extending from about the middle of August, 1914, to the middle of July, 1917, or over a period of about three years. In comparison with this our own Ordnance Department has placed orders for 63,000,000 shells—

I leave the odd figures out—

> of a total value approximately of a billions dollars, between the middle of May and the middle of December, 1917, or over a period of seven months. In comparison with the total munitions and ordnance purchases of the British Government in this country in the period of about three years, of $1,308,000,000, the Ordnance Department has placed contracts for a total of $1,500,000,000 in seven months.

Senator REED. Mr. Secretary, is the comparison there between what Great Britain ordered in this country and what we have produced, or between what Great Britain ordered and produced?

Secretary BAKER. It is only what Great Britain ordered in this country, Senator. What she was making at home is, of course, left out of that amount.

Senator REED. How does it help us to compare, in an effort to show that we have been doing enough, what we are producing a total with what Great Britain may have ordered in this country, when we leave out of account what Great Britain may have ordered in other countries?

Secretary BAKER. It does not help you, Senator, except to this extent——

Senator REED. I only want to get the import of the figures.

Secretary BAKER. This is what I claim for it: When this war broke out Great Britain was not prepared for it. She immediately began not only to organize her own industries, but to use every facility in a neutral country which she could lay her hands on to produce ordnance and ordnance ammunition.

She had, as you know, Mr. Stettinius as a representative here, an American representing her, and he has won deservedly a great reputation because of the masterly way in which he evoked in this country agencies rapidly for the creation of ordnance and ordnance ammunition.

When Great Britain was placing those orders she was placing all she could place. What she wanted was ordnance and ordnance ammunition in large quantities and in a hurry. So, it is fair to assume that, in addition to her own capacity for manufacture, she was getting from us at least the major part of what we were deemed capable of producing at the same time.

I do not mean to say that that is a necessary concession, but everybody knows the urgency of Great Britain's need, and everybody who kept track of it at the time knows that the factories in this country which had made plows, and factories which had made cash registers, and factories which had made adding machines, and factories devoted to all sorts of standard industrial uses of one sort and another, were gotten together under the spur of that impulse and devoted to the manufacture of ordnance and ordnance ammunition.

When we came into the field we came, it is true, into a field where some experience had been acquired by American manufacturers in the manufacture of ordnance and ordnance supplies, but we came into a field in part preempted and occupied by our allies, and our problem, so far as the Ordnance Department was concerned, was not merely to commandeer, right and left, the facilities in this country for the manufacture of ordnance and let the British and the French take care of themselves. They were fighting and on the fighting line, and our necessity was to intrude our program into theirs in such a way as not to weaken their strength while we were building up our own to bring to their assistance; so that our industrial problem, while obviously aided by the experience which our manufacturers have gotten in the manufacture of ordnance and ordnance supplies, was at least complicated by the fact that so very much of the very best talent in the country was already devoted to that and for uses which could not be diverted or suspended.

Senator FRELINGHUYSEN. Mr. Secretary, may I interrupt you?

Secretary BAKER. Certainly, sir.

Senator FRELINGHUYSEN. Is it not true that our shell capacity has been reduced from about 20,000,000 for a unit of time, I think it is one month, to 5,000,000 since our entrance into the war?

Secretary BAKER. I can not give you that answer; I do not know, Senator.

Senator FRELINGHUYSEN. You do not know?

Secretary BAKER. No, sir.

Senator FRELINGHUYSEN. Have you all the shell capacity that you need?

Secretary BAKER. I think we are still letting shell contracts.

Senator FRELINGHUYSEN. I understand it is reduced to about 25 per cent since our entrance in the war, and many of the plants have been dismantled.

Secretary BAKER. I can not answer that, sir; I do not know. It helps very little to give figures of this sort, and yet there is a story back of them, a story of driving, hard work. The Ordnance Department has averaged 20 contracts a day since our entrance into this war, involving a daily average of about $6,000,000.

Senator REED. Mr. Secretary, I do not want to interrupt, but it seems to me, if I understood the question of Senator FRELINGHUYSEN, that certainly you must be in position, or should be in position, to know whether our shell-producing capacity has been actually reduced to 25 per cent of what it was.

Secretary BAKER. Senator, I am in a position to get that.

Senator REED. How could that happen without your knowing it?

Secretary BAKER. Doubtless what must be at the base of the Senator's question is this: That some factories organized in this country and equipped with machinery for turning out shells were allowed to dismantle under contracts by which their machinery was to be sent to England when they got through, or something of that sort. If there has been reduction in shell-producing capacity it is to be accounted for in that fashion.

Senator FRELINGHUYSEN. The reason for my question was this: I was wondering whether the Ordnance Department had made any investigation as to their need of shells and the absorption of the capacity in this country. I understand that upon our entrance into the war we had a capacity four times as great as we have now, and that the War Department has allowed these shell factories, these large ammunition factories, to become dismantled and go out of business, and that the capacity has been reduced to about 25 per cent of what it was originally. I presumed that you would have the figures, or information of that kind.

Secretary BAKER. I have not the figures, Senator, but the question is, of course, a very pertinent one, and if the facts are as reported, the reason for it is equally important, and I will be very glad to procure that information for the committee.

Mr. Chairman, may I now turn aside to the third? I will now go into a comment which appeared in your address, Mr. Chairman, dealing with the supply of clothing under the Quartermaster General's Department. It is perfectly true, and I thought I agreed with you about it when I was before you before, that the supply of clothing was inadequate. If I did not then agree to that it was only because it was so obvious that an explicit statement of agreement did not arise out of the form in which the questions and answers were made.

I said to you, I feel quite sure, at that time that our initial rush needs were substantially provided for, and that reserves would rapidly accumulate; but I supplied to the committee all I could get—tabulated statements, with the exact number of garments short in every camp—and you accounted it a fault to me, Senator, when you asked me about Camp Sherman, and I telegraphed out there and got a message which was reassuring in character, and the next day got a correction which showed not so good a condition, and I sent it to you before it was cold from the telegraph wire.

I think you thought, Senator, that I was to blame for that. I wanted the Senator and the committee to have all I could get, and I sent it without reservation, as I shall do in the future in response to any request that the committee makes.

I have already said to you that at the outset we had the problem as to whether we should wait until we had an adequate supply of clothing or whether we should not.

In large part, I think the responsibility for that decision rests with me personally. The best information I could get then and the best information I have now is that it takes somewhere between 9 and 12 months to teach men who have not had previous experience to live in camps, to learn the discipline and life of a soldier, so that he can be safely sent into the kind of warfare we now have.

I did not then know, nor do I now know, nor can I know how rapidly it may be necessary for us to send men to France. I know how rapidly we have sent them. I know how many are there. I know what our present plan is to send them, but I do not know but that to-morrow—this has not happened—but I do not know but that to-morrow it might turn out that it would be wise to double the rate at which we are sending troops. There are now in the United States 16 National Guard camps, 16 National Army camps, filled with men who are ready to go if it is necessary. I have sacrificed something for that. I have not willingly sacrificed the health of anybody. I have not intended to sacrifice the comfort of anybody, but I have intended, if it was humanly possible, to be ready when the call came; and if I were to have delayed the calling out of these troops until the last button was on the last coat, and the call had come in November or December or January, "Send them and send them fast," and they were still at home waiting for tailors, I would have felt a crushing load of guilt and responsibility which, at least in comparison with what I do feel about having called them out, would have been incomparably greater.

And yet I was not callous about it. I asked those agencies with which we were dealing in this matter how fast we could expect these supplies. They gave me the forecast as to the future. They relied upon their estimate of production. I relied upon their estimate of production. Men who were called upon to take contracts for the production of cloth and the making of garments, not unnaturally perhaps, overestimated their capacity for production. Here and there some little labor difficulties—not many—the response of labor to this situation has been superb in the United States. Here and there difficulties of transportation and delays in getting supplies from one place to another, accumulating congestions upon the railroads, delaying manufacture and shipment from one place to another, unprecedented weather conditions in the United States, a winter the like of which none of us have seen since we were children.

These things did arise, and the result was that in many of these camps there were shortages of coats, there were shortages of overcoats, and perhaps in a minor degree of some other things, and at the very outset a shortage of blankets which was quickly supplied by going into the civilian market and buying comforters here and blankets there of a nonuniform type.

The reports I have now are, and the reports for some time have been, that the quantity of woolen underwear in the camps is adequate; that the quantity of heavy cotton khaki is adequate. For some weeks now we have had an adequate supply of overcoats. The supply of coats is approaching adequacy, and almost without exception—I say "almost," because I have not had time to read them all—but from every camp with which I have communicated in the last few days the report comes to me that where there are any shortages of coats, and that seems to be the principal item, that there is no such shortage as interferes either with the safety or comfort of the men; that adequate stocks of heavy woolen underwear and overcoats have protected the men against actual suffering by reason of the temporary deficiency in goods, but even the temporary deficiency in goods is for the most part supplied.

Suppose I had taken the other counsel. There were two alternatives. Either we could go into this war as nations go into wars, summon the countryside and assemble them into camps and work out their problems afterwards, which was one suggestion at the time, or we could wait until the last element of preparation had been made before summoning the men.

The unwisdom, I think, of either of those courses is obvious. What we tried to do, and the responsibility for it, I think, I must personally accept, because I was conscious of the grounds on which it lay—what we tried to do was to summon the men out as rapidly as they could be taken care of, with the best knowledge we could get of the capacity of the industry of this country, and it is not unknown to any member of this committee that when the draft Army came to be assembled, we delayed the calling out of the units of it sometimes a couple of weeks, sometimes more than that, in order that at each camp no men would be received who could not be taken care of, and the last element of the first 500,000 or 687,000 men selected by draft, the last element of those men intended, originally, to have come out in November or December, will not in fact report to the camps until the 15th of February, in order that this production may catch up and be adequate for their entertainment and protection when they come.

Now, one or two erroneous beliefs with regard to this subject, I think, are abroad.

Senator REED. Was there, Mr. Secretary, an order or a warning, or suggestion sent out to troops coming to camp that they should bring but little clothing with them?

Secretary BAKER. I think there was, Senator, a suggestion sent out that they should bring very little clothing, and when they got there they were directed to go into uniform and send their private clothing home.

Senator SUTHERLAND. Mr. Secretary, while you are on that subject, I was told Saturday by a colored preacher who had visited his son, a private at Camp Meade, just an hour from Washington, that none of the colored soldiers there had woolen underclothing. I asked him about the outer clothing, and he said a good many of the colored men were supplied with the cast-off clothing of the white soldiers, that he himself had supplied his son with the underclothing which he needed, and that they were very uncomfortable and suffered for the lack of woolen underclothing.

Secretary BAKER. Senator, I have no means of knowing of the accuracy of some part of that account, but I have a report from Gen. Nicholson, at Camp Meade.

Senator SUTHERLAND. I think some thirteen or fourteen hundred colored troops are at Camp Meade.

Secretary BAKER. I feel very sure that there must be some mistake about supplying any soldier with the cast-off clothing of others. I am quite certain that no distinction is made between white and colored troops in that matter, and I believe the fact to be that there is at Camp Meade a surplus of heavy woolen underwear for every soldier there.

Senator SUTHERLAND. I thought it was quite important to correct such a report, if it is current.

Secretary BAKER. It is important. As a matter of fact, I went to Camp Lee in person two months ago. There is a very large body of colored troops there, and the only shortage in uniforms I discovered by observation of these troops in review was that one white soldier did not have an overcoat on, and when I questioned him about it he said that he had left it in his tent; and some colored men wore denim trousers instead of woolen trousers, and that was explained to me by saying that there was an inadequacy in certain sizes of garments.

The last report I have on Camp Meade, Senator, apparently is dated the 26th, 27th, and 28th of December, and at that time the only shortages reported were coats, overcoats, and breeches, all of which were supplied by shipment from Baltimore on the 2d of January. There was no shortage at that time of underwear.

Senator REED. What was the extent of that shortage?

Secretary BAKER. I do not hesitate at all to give it to you, except that it deals with a situation in December, and the supply has been very rapid in January, and I do not want to give you a false impression about it.

Senator SUTHERLAND. Mr. Secretary, will you have somebody wire to ascertain the actual facts from the men themselves?

Secretary BAKER. With very great pleasure, Senator.

Senator SUTHERLAND. I would like to have that cleared up.

Secretary BAKER. I will do that with very great pleasure, Senator.

In some way the idea has gotten abroad that the uniform of the soldier is made of a mixture of wool and shoddy. I do not think it an unnatural thing that that idea should have gotten abroad, because I remember at the time that I appeared before the committee before, a young soldier came in to see Senator CHAMBERLAIN, an acquaintance, and Senator CHAMBERLAIN and I felt the uniform and we asked the date of the issue of his coat and the date of issue of his trousers, and we felt the two kinds of cloth, and both of us said, "The trousers are very much better than the coat. This coat, which has shoddy in it, evidently is not nearly so good as the trousers, which were made at the time when they did not have shoddy," and I think the Senator will remember that we agreed to that, that the two issues showed a difference in quality, and we attributed it to the shoddy.

The fact is that all of the uniform cloth of the Army of the United States is made of virgin wool. There is no shoddy in any of it. There has been introduced into the cloth used for overcoats and for blankets an admixture of reworked wool, but into the uniform cloth there is no shoddy, there is no reworked wool; it is all virgin wool. And in addition to that, when we went into this war the standard of Army quality for uniforms was that it should contain 75 per cent wool and 25 per cent cotton. That had been our standard for a long time; but the specification was changed, and the Army uniform cloth, every yard of it, bought for this war is virgin wool of the same weight it has always been, with a large increase in its strength in order to give it greater wearing qualities, and the reworked wool, or use of scraps, so-called shoddy, is limited to overcoats and blankets. I did not know that. I am like the committee. I did not know that until I received a letter, of which a copy was sent to Senator CHAMBERLAIN, from Mr. Eisenman to that effect, and I called him up this morning and asked him if I understood him correctly as to that being the fact, and he said it was the fact.

On that subject I want to read, if I may, a statement made by the greatest wool expert in America on that subject. My attention was called to it only this morning. It is from the issue of Commerce and Finance of January 23, 1918, and is written by Mr. William M. Wood, president of the American Woolen Co. Senator WEEKS knows that I am not stating it too strongly when I say that he is a man of very high authority in the wool world.

Senator WEEKS. He is the president of the largest wool manufacturing establishment in the United States.

Secretary BAKER. Yes. Mr. Wood says this:

> The recommendation of the manufacturers committee to the Council of National Defense looking to the utilization of reworked wool is, in my opinion, worthy of consideration and not to be disparaged, as it has been in some quarters. Reworked wool can be introduced into fabrics which are used for overcoats and blankets so as to improve rather than impair their usefulness.
>
> It gives a better fitting property to the cloth, makes a warmer, closer, tighter fabric, provided a judicious proportion is used.
>
> The manufacturers' committee, composed of patriotic and practical men, gave the Government their best judgment based on the knowledge and experience acquired through years of effort in practical manufacturing in recommending the judicious use of reworked wool.
>
> I am willing to venture the statement that in the construction of from 90 to 95 per cent of all the overcoatings made in the world, including some of the finest fabrics, there is used a measurable quantity of reworked wool or shoddy; so that the prejudice which appears to exist against the use of this kind of raw material is unfounded and unjust under modern conditions of manufacture.
>
> As confirming this, I may mention that all the heavier military cloth used for export in this country, under specifications given by their respective Governments, contains a large percentage of reworked wool.

So that I am correcting, if you shared it, a mistake which I shared with you. I had supposed that, on the recommendation of this committee of the American Woolen Manufacturers' Committee, a uniform cloth which had originally been virgin wool was reduced to first 65 and 35, and then 50–50, of virgin wool and reworked wool.

Senator REED. Does not that statement of Mr. Wood prove too much? If it is a fact that shoddy is better than wool, we ought to use it in the uniforms as well as in the overcoats.

Secretary BAKER. No; apparently not, Senator, and for this reason, if I am able to judge it at all. I do not know a great deal about it, and I probably should not venture an opinion, but according to Mr. Wood's own statement he limits the recommendation to blankets and overcoating material.

Senator REED. Well, he adds that it is used in some of the finest cloths.

Secretary BAKER. For overcoating.

Senator REED. Employed anywhere, and that it makes a closer and warmer garment. You have not time to stop and argue it.

Senator FRELINGHUYSEN. Mr. Secretary, I do not want to contradict you, but I want to read a statement of Col. Lindsley, chief inspector of the Quartermaster Department at Philadelphia.

The CHAIRMAN. Before the committee?

Senator FRELINGHUYSEN. Before the committee.

The CHAIRMAN. What page is it?

Senator FRELINGHUYSEN. Page 1332, part 3 [reading]—

> In the service cloth, the 16-ounce melton, what were the specifications of the Quartermaster General's Department of the United States Army prior to and at the entrance of the United States into the war?
>
> Col. LINDSLEY. That was 75 per cent wool, high three-eighths, and 25 per cent cotton, and the 16-ounce—

That is the uniform cloth, Mr. Secretary—

> that we have been getting since the outbreak of the war of the worsted has been mostly all worsted and is probably a superior cloth to the specification. The reason for that was the worsted mills could not make the 30-ounce overcoating. That had to be made on a woolen system in order to employ all of the looms, all of the mills, and keep them going and get the production that was necessary. We got this worsted cloth made on the worsted system instead of the woolen system.
>
> Senator FRELINGHUYSEN. Then you believe that as far as the service cloth is concerned we are getting as good a cloth, if not a better cloth, than we had before?
>
> Col. LINDSLEY. In the 16-ounce; yes, sir.
>
> Senator FRELINGHUYSEN. Does that universally apply to all cloth that is being procured at the present time?
>
> Col. LINDSLEY. No; we are getting some 16-ounce that has a worsted warp and a carded filling. One contract was placed with a cotton warp and a 50 per cent wool and a 50 per cent shoddy filling.

I think you will find, Mr. Secretary, if you will make further investigation, that there is a large quantity of cloth now under specification with the shoddy filling of the 16-ounce.

Secretary BAKER. Senator, I have before me—I should be very glad to have that testimony looked into and complete accuracy obtained, but I have before me here in print the specifications of the several kinds of cloth, the original specifications in 1916,

and the present specifications. If I can find out where this came from——

The CHAIRMAN. Mr. Secretary, pardon me. It is now near 1 o'clock, and you wanted to ascertain a little more definitely about the statements you are covering now, and we might take a recess until half past 2.

Senator WEEKS. How much more time do you wish to take, Mr. Secretary?

Secretary BAKER. I have one more matter I want to cover in detail. I should think it would take an hour or an hour and a half, perhaps.

The CHAIRMAN. Then we will take a recess.

Senator MCKELLAR. Before we adjourn, may I call the Secretary's attention to Mr. Eisenman's testimony, in which he says this in reference to the uniform:

Now, it is virtually all wool; I mean 90 per cent of our purchases of uniform cloths have been all wool up to date, including this morning, practically all-wool worsted fabrics.

So it means that if he states now that they are all virgin wool, there must be some mistake or discrepancy, at any rate, between this statement given on January 2, 1918, and the letter written this morning.

I just want to call your attention to that.

The CHAIRMAN. The committee will take a recess until 2 o'clock.

(Whereupon, at 12.45 o'clock p. m., a recess was taken until 2 o'clock p. m.)

AFTER RECESS.

The committee reassembled at 2 o'clock p. m.

The CHAIRMAN. The committee will please come to order.

Mr. Secretary, are you ready to proceed?

Secretary BAKER. Yes, Senator.

Since the adjournment, Senator, my secretary has discovered a letter which was in his hands, addressed to him, from the commanding general at Camp Meade, to which Senator SUTHERLAND referred. I do not see Senator SUTHERLAND present at the moment. This letter was written to Mr. Hayes in reference to a letter which was sent originally by some lady to Dr. Anna Shaw, and by her referred to Mr. Hayes for information, and he sent it to Gen. Nicholson.

Gen. Nicholson says this:

There has never been a time when the troops at this cantonment have not had at least three pieces of heavy winter underwear and an ample supply of heavy socks. There was a time when there was a scarcity of woolen uniforms, but from my observation and from the reports of the surgeon no suffering or hardship resulted from this condition. The food supply has been abundant and well prepared, and I venture to say in a great many cases of better quality and quantity than the men would have had at home.

The latter part of that, of course, is immaterial, but the particular point of Senator SUTHERLAND'S inquiry was with regard to an adequate amount of underwear, and Gen. Nicholson's statement has been that there has not been a time that there were less than three suits of heavy winter underwear in camp.

I have also, since adjournment, been able to get from Gen. Wheeler a statement with regard to the ammunition of shell-making capacity of the country, which I desire to read. This, of course, was in reply to a hurried inquiry:

Referring to your inquiry of a few minutes ago, I may say that the shell-making capacity of the country is difficult to state in number of shell without giving calibers, but it is our best estimate that the shell-making capacity of the country for 75-millimeter and 3-inch shell has been increased about 50 per cent since the beginning of the war and that the shell-making capacity for sizes above 75-millimeter and 3-inch has been increased about 25 per cent in the same period. I am sending you inclosed herewith a carbon copy of a statement showing that the Ordnance Department now has under order in the United States 59,803,910, say 60,000,000, shells. All of these shells are to be delivered during the calendar year 1918.

I think it was Senator WADSWORTH who made that particular inquiry.

Senator WADSWORTH. No; it was Senator FRELINGHUYSEN.

Secretary BAKER. Perhaps when he returns it will be wise to call this memorandum to his attention.

Immediately at the adjournment, if the chairman will recall, I had been asked some questions as to the discrepancy in the testimony in regard to 16-ounce melton cloth, and the question was whether the statement made by Mr. Eisenman that that was entirely a virgin wool was accurate in view of the statement made by a colonel in the record, whose name has escaped me for a moment.

The CHAIRMAN. Col. Lindsley.

Senator MCKELLAR. And the statement was made by Mr. Eisenman previously.

Secretary BAKER. There msut have been some confusion in the mind of the witness as to the particular subject under inquiry when those statements were made, if they, with their context, had the meaning which we have all attributed to them when they are read. Mr. Julius Rosenwald, who has been at the head of purchase of this sort of supply or the accumulation of capacity for this sort of production, was in the room during the morning session, and came up to me at the conclusion of the statement to say that the previous statement on the subject, derived from the last statement of Mr. Eisenman, is absolutely accurate; that the 16-ounce melton is wholly virgin wool, and that in cloth of that weight reworked wool can not be profitably used. But that in cloths of greater weight, the kind used for overcoats and blankets, it can be used, so that, apparently, the last statement by Mr. Eisenman is a correct statement, and our 16-ounce melton uniform cloth is now made entirely of virgin wool, instead of, as before the war, 75 per cent wool and 25 per cent cotton, and is, for cloth of that weight, the best that can be produced.

In that general connection some question has been raised as to whether a heavier weight of cloth ought to have been supplied, in view of the fact that foreign armies use a heavier weight of cloth. I can add nothing to the testimony in the record on that subject. That testimony, as I understand it, is this, that we have retained the cloth specified for our Army for a long time, so far as weight is concerned; that by the injection of 100 per cent of virgin wool we have strengthened it and increased its warmth and wearing capacity; but whether or not a heavier cloth ought to be indicated is yet to be determined, and the status of that matter is this, that Gen. Pershing was requested to have his experts in Europe investigate that situation and report to us on or before the 1st of February whether he recommended any change in the uniform cloth. That report has not yet been made by Gen. Pershing and his staff, nor has any suggestion ever come from Gen. Pershing or his staff voluntarily that there should be any heavier cloth used in the making of our uniforms.

Senator WEEKS. You made that request of Gen. Pershing as a result of the hearing, did you not?

Secretary BAKER. I am not sure, Senator, whether it was or not. I think you asked Gen. Sharpe to do it, and he made it. I did not initiate that request.

Now that Senator FRELINGHUYSEN is present, I should like to again read the memorandum in regard to the shells, and I will ask the reporter not to include it in the record the second time. [Reading.]

Senator FRELINGHUYSEN. From the information I received, I am disposed to challenge that information.

Secretary BAKER. As I said to the committee when I first read it, it is a hurried memorandum, and I would be very glad to have a complete survey of the subject made and supply you whatever I find.

I want to make but one further observation on this general subject of the Quartermaster and Supply Department. I think it is not unfair for me to say that in the matter of provision of food no army ever assembled anywhere was fed as regularly, as well, as nutritiously, as appetizingly as this Army. I think you gentlemen of the committee, and surely the men in the War Department, will agree that while there have been complaints about other things, that the almost unanimous testimony so far as I know, and the unanimous testimony of this Army, is that its food has been of the highest quality; that there has been no suggestion of defective quality or insufficiency in the quantity; that its preparation has been of the highest character; and, generally, the very great problem of food supply for this vast and hastily organized group of men has been carried out with most extraordinary success.

There is one other subject about which I want to speak in some detail, but I think I can do it briefly.

The CHAIRMAN. Take all the time you wish, Mr. Secretary.

Secretary BAKER. I thank you, Senator. I have spoken longer to-day than I have ever spoken in my life in one day, and I am anxious, if I can, to come to a conclusion.

There is some question as to the selection of cantonment sites, as to the healthfulness of the sites selected, and it has been suggested that the Surgeon General was not consulted with regard to the selection of sites.

The War College Division of the General Staff made a study of the mode of training of the Army. The date of that is May 4, and the questions they considered at that time were, first:

Shall the Army be assembled in regimental camps or brigade camps or division camps?

They finally determined that it should be in division camps. They then drew up a memorandum covering several pages as to the mode of selecting and organizing those camps. The paper I have before me is the original, signed by Gen. Joseph E. Kuhn, president of the Army War College. This report recommended that the department commanders should be charged with the duty of making such selections for the troops to be raised or trained within their respective departments, and that they

should appoint boards of officers to investigate and report upon the available camp sites.

Third, the number of such boards in each department should be left to the discretion of the several department commanders. Each board should be composed of two experienced officers of the line, one of whom should, when practicable, be the division commander concerned or his representative, one of the Quartermaster's Department, one officer of the Medical Corps, and a district engineer. The requisite number of district engineers, selected for their knowledge of local conditions, should be placed under the orders of each department commander for detail on these boards.

The fourth paragraph gives a catalogue of the considerations which should guide the department commander and the boards appointed by him in the selection of these sites. I read only two or three pertinent ones. They should be of sufficient capacity to accommodate a command without crowding, have an adequate water supply, both for the men and animals to be encamped thereon. They should be immune from floods and inundations. The surroundings should be healthful. There were other desirable features recommended—absence of insect pests, as disease carriers; infrequent interruptions to training by inclement weather—a long and carefully prepared schedule.

That was sent to each department commander. The principal places where these camps were to be selected were the Department of the Southeast, the Central Department, and the Southern Department. There had been just transferred, shortly before that, to the Department of the Southeast the senior major general of the Army, Gen. Wood, himself a medical officer originally, a man who had originated the training-camp idea and put it into practice at Plattsburg until it was a demonstrated success, a man who, perhaps, more than any other man in the Army by common consent would have been recognized as the best equipped man to select camp sites and inaugurate a system of training camps.

In the Central Department there was Gen. Barry, if I remember correctly, next in order—perhaps Gen. Franklin Bell was his senior.

Senator WARREN. He is third; Bell is second.

Secretary BAKER. Among the ranking major generals in the Army, a man with experience not only in this country but in our insular possessions, a lifelong soldier, a man accustomed to the encampment of soldiers and the environment which ought to surround them.

In the Southern Department—I forget who was in command. It was of less importance, because it had a larger part of the order, and camp sites had practically been selected, so far as that department was concerned.

They were directed to select for recommendation the department camp sites. I am not referring to anything that is not perfectly known to everybody that lives in Washington, but from the day that it was known that camp sites would be selected Washington was filled to overflowing with representative bodies of citizens from States and cities desiring that consideration should be given to this site or to that site, pressing the advantages of particular locations on us as to their accessibility by railrond or otherwise; the character of their climate, the character of their soil, and I think I am stating what is known to everyone in this room when I say that universally and the unvarying answer was that those camp sites were regarded as of so grave importance, and the proper selection was of so much importance, that an actual board which could visit and compare on the ground the relative conditions was the reliance of the department, and I am stating what the record shows when I say that the camp sites actually selected were in every instance recommended by the department commander, his action being based on a board's action, the board containing in every instance, so far as my knowledge goes, the senior medical officer of his department, and only in one instance was the question raised as to whether or not a camp site, tentatively selected, was in itself a healthful place; that question was raised, and when it was raised I asked the Surgeon General of the Army to select the most eminent and competent sanitarian in his department and send him to make a personal inspection of the site; he came back and reported that the site was a sanitary and healthful site, and it was not until that report had been made that that site was finally decided upon.

Senator WEEKS. Was that Camp Funston?

Secretary BAKER. It was not. I am perfectly willing to tell what the camp was. The camp was at Louisville, Camp Zachary Taylor. Somebody raised the question whether that was a healthful location.

The records of the department in addition showed that upon the selection of these sites the Surgeon General's Office was notified of their selection. I am not raising any issue with the Surgeon General. I share the high opinion of his eminent talents and his great past service and capacity for future service which this committee entertains, and yet I want to have it perfectly understood that in the selection of these sites his representative was a member of every board, and if any question ever arose with regard to the propriety of a site in process of selection that question was investigated under his direction by my order until they were satisfied as to the propriety of the selection.

And now with regard to the building of cantonments and the air space. The plans for the barracks and hospitals and buildings at these camps were referred to the Surgeon General's Office and by him approved. I do not remember the allotments of floor space they made, but they were approved, and the buildings were in the process of construction when there came a meeting, I think, of the American Medical Association, and at that meeting a committee was appointed to consider the question of the sanitary conditions and character of barrack buildings for soldiers. That committee came to Washington and conferred with the Surgeon General, as was entirely helpful and loyal and proper for them to do. That committee insisted upon a larger allowance, a larger square foot of floor space and cubical contents for the soldier. In deference to their advice, the Surgeon General requested that a larger allowance be made. At the time that request was made, however, many barrack buildings had been constructed, the whole system of plans had been made with his previous approval, and the work was going on. I therefore asked Gen. Gorgas to see me with that committee, and I saw them in my office and discussed the question with them then. I do not remember all of the persons who were present, but I remember some of them. There was Gen. Gorgas, Dr. Mayo, Dr. Welch, of Johns Hopkins Hospital—I do not recall others, but there must have been perhaps half a dozen or eight of them, of great distinction in the medical profession, including Dr. Franklin Martin, of Chicago, who was chairman of the medical section of the Council of National Defense.

We raised the question of how much floor space the men ought to have and they suggested that 50 feet was the proper allowance. Then it was explained to them that the barracks were in process of construction and they were asked whether they felt that the matter was so vital that it was wise to stop building the buildings we were then building and start over again on reformed plans, and they said no, they did not think so. They thought the thing for us to do was to take the minimum which they suggested as an ideal toward which we should build and that we should ask Congress to permit us to spend more money putting additions to these barrack buildings and ultimately get up to this allowance, but they would not recommend that we stop building the barracks at that place in order to make the enlargements which they suggested.

That is more or less unimportant except as it leads up to another subject. I said then, "Gentlemen, we have now discussed cantonments, permanent barracks, more or less permanent wooden barracks. Now, let us talk about the camps, because a large part of these soldiers are going to be in canvas tents."

Somebody said, and it was evidently accepted as the general opinion, that that subject need give us no trouble. They said, "Tents are automatically ventilated; there will be no trouble from them. We wish—we believe it would have been wiser or better, safer—to have all the men in tents instead of having them in camps, because the tent is a smaller unit, which brings fewer men together in one place; it is automatically ventilated, and we think you need not look forward to any of the problems arising from congestion from the tent camps." I recalled that to Gen. Gorgas's attention the other day, and he remembered it and said that was still his opinion.

Now, the fact is that the more serious health difficulties have broken out in the camps that were in tents, and the health conditions in the cantonments, where the gravest concern was felt, have been better than those where it was felt that we had perfect assurance.

I cite that not merely to show that expert opinion may not arrive at the correct solution of a difficult problem, but I want you to have the environment of that problem. Shortly after that conference it turned out that we were going to reorganize all of our divisions, making a larger company by the consolidation of other companies, make a larger regiment, and it became possible in the various camps to use several buildings, each of which had originally been planned to hold one company, to use two buildings to hold one of these larger companies not having so many men in it. So that from the beginning, so far as the cantonments are concerned, there has not been less than the

minimum desired by this committee and Gen. Gorgas of assignable floor space and cubical contents.

For instance, the approved capacity of 500 cubic feet as a basis applied to the 16 cantonments produces these results: At Camp Devens, at Ayer, Mass., on the basis of 500 cubic feet per man, there is room for 34,476 men. The greatest number ever there was 34,800, about 300 too many.

Now, in every other one of the 16 camps the capacity of the 500 cubic-feet basis is greater than the maximum number who have ever been there. At Camp Upton, 39,111 capacity; maximum number, 29,000 (I read only the first figures). Camp Dixon capacity, 39,800; maximum number, 20,800; Camp Meade capacity, 38,500; maximum number, 32,000. And so on clear through the entire list, with the solitary exception of Camp Devens, where the capacity, on the basis of 500 cubic feet per man, was exceeded as the only one, and that only by something over 200 men at a particular time.

The CHAIRMAN. Right in that connection, can you state what it was at Camp Bowie?

Secretary BAKER. Yes, sir; Camp Bowie is a National Guard camp, Senator, and is therefore a canvas camp and not a cantonment. But I have something on that subject here. You cited, I believe, Senator, Camp Bowie in your speech. On September 23 the commanding general at Camp Bowie reported to the War Department by telegram that he had sufficient tentage on hand to accommodate 26,088 men on the basis of 8 men to the tent. On that date the strength of the command at Camp Bowie was 17,000 enlisted men. On October 2 the Secretary of War directed the Quartermaster General of the Army to ship 215 large pyramidal tents to Camp Bowie. This shipment was made by express, and these tents were to make up the number required to provide accommodations for the drafted men that were added to Camp Bowie by telegram of October 10. The telegram of October 10 directed the commanding general at Camp Bowie to call for only such members of the total drafted men authorized as he could accommodate in his camp.

Regarding the number of men to be put in a camp, the records of the War Department show that on the 15th of October the War College issued recommendations as to the manner of handling supplies in camps and cantonments, in which the following occurs:

> Heavy tentage for the National Guard, unless otherwise ordered, and State organizations which are to be mobilized at State mobilization camps will be shipped direct to training camps, to be there apportioned out according to the needs of all the organizations by division or camp commanders on the basis of one large pyramidal tent to 12 men until the total supply of tentage available is increased, when distribution will be made at the rate of one tent to 9 men.

That recommendation, our records show, had the concurrence of the Surgeon General. That is from the War College minutes. Later, when the Surgeon General was making his inspection of the various camps, the number of men per tent was reduced from 9 to 5, as indicated in the action taken on December 1 in the case of Camp Sevier.

Similar action was taken on the recommendation of the Surgeon General at the other camps visited by him. So that what actually happened, gentlemen, was that we gathered in from the country young men who had not before been brought into contact with community living. They were young men from the sparsely settled parts of the country. They were attacked by measles, of which one of the ordinary consequences apparently in adults is pneumonia. Now, I am not a physician; I would simply be repeating what other people say to me if I undertook to detail any opinions on the subject of pneumonia or measles, and I do not want to minimize the fact that in all human likelihood the prevalence of pneumonia in some places and of bronchial colds which lead to pneumonia, perhaps even the spread of measles, were caused by too many men being in a tent at one time and facilitated by the shortage of clothes of the kind that I have previously described. And yet Gen. Gorgas told me, as I have no doubt he told your committee, that the worst epidemic of pneumonia he ever had to deal with was at the Panama Canal, where there was not any question of shortage of clothes or change of climate.

Senator HITCHCOCK. It was a question of congestion, however—overcrowding.

Secretary BAKER. I did not pursue that inquiry, but it was not a question of shortage of clothes or change of climate.

Senator HITCHCOCK. He stated it was overcrowding?

Secretary BAKER. But I do extract from this record this, as I think evidenced by it, that our original expectation was that the men in the tents would be safe; that practically the only thing we had to consider there was the convenience of the men in getting around their tents; and then it was soon discovered that the boys, by tying up tight the flaps of the tents and excluding the outside air, were circumventing that outside ventilation, which had been counted upon so surely to prevent them from the evil effects of congested conditions. Just as soon as that was discovered by the Surgeon General, instantly it was suggested that the point of occupation of these tents should be much lighter, additional tentage went in as rapidly as could be sent in by express, and those conditions were improved.

Senator HITCHCOCK. It is quite likely, I think, Mr. Secretary, that the tents would have been more sanitary and safer and the young men would not have closed them up so tightly if they had adequate clothing and blankets.

Secretary BAKER. I think that entirely possible, Senator. I had not realized the blanket question was involved, but it may well have been.

There was a shortage of blankets, the mills of the country could not produce them rapidly enough, and in some places, Camp Devens, for instance—I happen to recall that as I speak—a very large number of quilts were bought in the near-by stores and cities to supplement and eke out the supply of blankets until a full supply was possible, and it may well be if the boys had blankets enough to cover themselves completely they would not have made the tents so nearly air-tight.

The point I want to make about it, if I may make it with propriety, is this: That the place where we least expected trouble is the place where it came, and it is not only the place where I expected it least, but it is where the greatest and most competent medical experts of America, addressing their minds to that problem, coming all the way from New York, or wherever else their meeting was, to confer with the Surgeon General on the subject, least expected this trouble to arise.

Senator WEEKS. Do you mind if I interrupt at this point?

Secretary BAKER. Not at all, sir.

Senator WEEKS. Is not that largely due to the fact of insufficient hospital facilities at the National Guard camps?

Secretary BAKER. I do not think so.

Senator WEEKS. The Surgeon General has testified that the construction of hospitals was not undertaken until after those men were in camp, and that they are not completed yet; that there is not steam heat in some of those hospitals even to-day. Now, is not that degree of sickness in those camps largely traceable to the fact that they could not be properly provided for in hospitals?

Secretary BAKER. I say yes, Senator, to your inquiry, and then make this addition to it: Of course, the men get sick first and then go to the hospital. There was no anticipated need for anything like the hospital facilities at the National Guard camps which developed, and yet the hospitals, when recommended by the Surgeon General, were authorized to be built.

The Surgeon General, at the outset, asked about hospital facilities at the National Guard camps, and it was then thought that since the men would be in those camps, a less length of time than the men in the cantonments, and as the cantonments would be used by succeeding groups of men to be trained, that there was not so much need for making permanent hospital facilities at the National Guard camps as at the cantonments.

That view, however, was changed, and the Surgeon General's recommendation for hospitals at the National Guard camps was approved and the same kind and size of hospital, the same character of facility, was then directed to be put up at the National Guard camps, and is either erected or is being erected at all of them. Gen. Gorgas, I believe—I have not seen his testimony—but Gen. Gorgas said to me that he, himself, approved the idea of erecting these National Guard hospitals without permanent installation of flowing water, without permanent sewage facilities, because at the outset it was believed that they were to be more temporary, but when it was discovered that they were to be more permanent, then he recommended that it be changed to a permanent installation of plumbing and water supply, and that was then ordered to be done.

Senator WEEKS. Perhaps the Surgeon General changed his mind, or misunderstood. He testified to this committee that the first thing that should have been erected at these camps or cantonments was the hospital; that necessarily men changing their locality, having new climate, and new surroundings, and different kind of food would be somewhat upset by it, and that the hospitals should have been ready when the men went to the camps or cantonments.

Secretary BAKER. Of course, I perfectly agree to that, Senator; and yet, I think, it is important to remember that what we are dealing with is the base hospital in each instance, and not the regimental hospital.

Senator WEEKS. I understand.

Secretary BAKER. There were scattered through all of these camps, the regimental hospitals, which, under normal circumstances, would be regarded as adequate to take care of minor

illnesses of the men, places to which they could retire with a cold or a slight injury, or something of that kind, and this provision of base hospitals was for the more severe cases. Of course, the fact is that we were overtaken by epidemic conditions before the base hospitals were ready in the National Guard camps, and it was necessary to evacuate some of those hospitals, take the patients to other places, and when the Surgeon General went around and made his investigation and discovered that condition, just as soon as adverse health conditions arose at Camp Wheeler, and in those other southern camps, when that situation arose, the Surgeon General's recommendation for the transfer of patients was instantly ordered and every recommendation he made was complied with.

It was at that time after his return from this inspection that Gen. Gorgas suggseted to me in conversation—I have no doubt he has so testified, I have not seen his testimony—but it was at that time that Gen. Gorgas suggested to me the wisdom of having a detention hospital so that new men coming to the camp could be put in there for observation for the normal period of incubation of the common contagious diseases, so that there would not be in the future the chance of newly drafted men or newly raised levies bringing in from the outside contagious disease and spreading it through an assembled force.

The CHAIRMAN. When did he return, Mr. Secretary?

Secretary BAKER. Senator, I can not answer that. It was within a day or two of the time when these health reports were handed out. It must have been some time toward the middle of December, but I can not give you the date. But it was on his return from that visit of personal inspection at which time he was accompanied, as I am informed, by eminent civilian physicians—it was at that time that he recommended the installation of these observation hospital buildings, and it was not earlier than that.

Senator WADSWORTH. May I interrupt with just one question on that same point?

Secretary BAKER. Certainly, Senator Wadsworth.

Senator WADSWORTH. With regard to the cantonments, of course it was not anticipated that the men would be taken away, or moved from the cantonments for several months to come, and that they were of a permanent or comparatively permanent character.

Secretary BAKER. Yes.

Senator WADSWORTH. What was the reason for the decision to postpone the building of base hospitals at the cantonments until after the cantonments themselves were largely completed and the men had arrived?

Secretary BAKER. I do not think that was ever so determined.

Senator WADSWORTH. Gen. Gorgas gave the committee to distinctly understand that the base hospitals at the cantonments were postponed.

Secretary BAKER. So far as I know, that was never determined. I think this is true. I have heard this said, that in some of the camps the contractors decided to build first one group of buildings and then another group of buildings, and then another. While in other camps the contractor decided to build all of his buildings contemporaneously, with the result that in some of the camps 75 per cent of all the buildings were done before the other 25 were started, and in other camps all of the buildings were started and were all 75 per cent done, but none of them completed at a given time. That apparently was the judgment of the contractor as to the most rapid way of doing his work, and evidently concurred in by the construction quartermaster who was on the ground and in charge of it. That may have led to the postponement in some instances of the building of the base hospitals.

Senator WADSWORTH. Gen. Gorgas described it as a general condition.

Secretary BAKER. I do not know the facts.

Senator WADSWORTH. And he indicated to the committee that it was somewhat in opposition to his advice.

Secretary BAKER. I do not know any recommendation that he ever made on that point, nor do I know the fact.

Senator FRELINGHUYSEN. I have the order here, Mr. Secretary, simply delayed from June 25 to July 16, awaiting appropriations from Congress—with your indorsement on there. Cantonment hospitals. I do not know whether those are the regimental hospitals or the base hospitals.

Secretary BAKER. This is evidently supplementary, Senator. These hospitals cost very much more than this. I should think this was supplementary. I do not recall having seen that before.

Now, gentlemen, if I may turn aside from these details, I have been dealing with what has seemed to me to be the details of delay. I hope I have not seemed to deny their existence. I have tried to add to your information by showing you exactly what they are, so far as I can learn them. I do not want to add any color of prophecy with regard to when they will be completely removed. I think you know, as a matter of fact, from the experts at the heads of these departments, just what the outlook is with regard to each particular kind of thing, and so I turn aside to the plan of the war. I have understood that Senator CHAMBERLAIN felt that there was not a plan for this war. I do not know how far the members of the committee feel that way; I do not know how far the country feels that way; but I want, if I can, to say to you that there is a plan; that it is the only plan under the circumstances.

Senator REED. I want, before you take up a large subject, if I may be permitted to do so——

Secretary BAKER (interposing). Certainly, Senator REED.

Senator REED (continuing). To ask you about one matter, because I think it has relation to these details that you have been talking of rather than the larger subject which you are about to enter upon. I am asking it in no spirit of antagonism, but to get the fact, just whatever it may be. An article appeared in the papers of yesterday, the first part of the article being to the effect that newspaper men will no longer be allowed, and that men will no longer be allowed to do newspaper work when they are a part of the Military Establishment. It is followed by the statement:

> The War Department adds, however, that no objection is held to the publication of a soldier's private correspondence with his consent, providing the letters are sent through the regular censorship machinery. Military censors are at the same time ordered to delete criticism of superiors, or of policy, scandal of any sort, injurious reports concerning comrades, or anything likely to arouse controversy.

The order concludes:

> The object of this order is to satisfy, so far as compatible with protection of military interests, the natural desire of the people to keep in touch with their soldier representatives.

The particular article I have read is from the Washington Post, and I simply want to inquire, because I think the article is susceptible of two or three different constructions—whether an order has been issued which forbids a soldier to write home to his own people and tell them the personal discomforts that he may be subjected to, and if his letter has to go through a censor, and if the censor has been ordered to strike out or delete any complaints by a soldier as to his condition.

Secretary BAKER. No, Senator; no such order.

Senator REED. That is not the meaning?

Secretary BAKER. No such order and no such meaning.

Senator REED. I hoped that that was true; but if you happen to have the time to read this article you will see that it is so written that it is hard to tell. There is nothing, then, in the regulations that forbids a soldier writing back to his people, for instance, and saying that he is suffering from a lack of clothing or lack of proper food?

Secretary BAKER. Absolutely nothing.

Senator REED. His letter does not have to go through a censor?

Secretary BAKER. Absolutely not.

Senator REED. I am very glad to hear that.

Secretary BAKER. That order, as a matter of fact, Senator, was drawn to accomplish this purpose: Some newspapers in the country have desired to employ soldiers as special correspondents; and men who are on the outside and are reporters and correspondents for newspapers have not unnaturally felt that a man on the inside would have a very great advantage if he were authorized to be employed as a reporter; and, in addition to that, if a soldier is being paid by some other employer than the United States to act as reporter or correspondent in the camp he has a divided allegiance. And yet we wanted to free every soldier in the Army to write home to his home newspaper, acting as a voluntary correspondent, writing letters which were intended to be printed; and in order to safeguard the soldiers and prevent their inadvertently violating the military regulation we have provided an office of inspection, or censoring, so that things that would be destructive of discipline, as a thoughtless boy might very possibly write home something about a tent mate, or something of that kind, which would produce feelings of irritations and jealousy and that sort of thing; and in order to prevent that kind of consequence an officer will be appointed to supervise their letters.

The CHAIRMAN. All their letters?

Secretary BAKER. Oh, not at all, sir. Only those that are written by the soldiers for the purpose of publication; only that.

Senator REED. That is entirely proper. I thought perhaps that was the correct description, but I wanted to be sure.

Secretary BAKER. Now, gentlemen, about the plan of the war. It will be remembered that this war broke out in August, 1914. We went into it in April, 1917, so that for two and one-half

years, or more than two and one-half years, the war had been going on. It was not as though war had broken out between the United States and some country, each of them prior to that time having been at peace with one another and with everybody else, so that an immediate plan should be made in the United States for conducting war against its adversary; but we were coming into a war which had been going on for two and one-half years, in which the greatest military experts, all the inventive genius, all of the industrial capacity of those greatest countries in the world had for two and one-half years been solving the problem of what kind of war it was to be and where it was to be waged.

It was not a thing for us to decide where our theater of war should be. The theater of war was France. It was not for us to decide our line of communications. Our line of communications was across 3,000 miles of ocean, one end of it infested with submarines. It was not for us to decide whether we would have the maneuvering of large bodies of troops in the open. There lay the antagonists on opposite sides of "no man's land" in the trenches at a death grapple with one another. Our antagonist was on the other side of that line and our problem was and is to get over there and get him.

It was not the problem of doing it our way and letting everybody else take care of himself. In the first place, we were going to fight in France, not on our own soil, and not on our adversary's soil, and therefore at the very beginning it was obvious that the thing we had to do was not to map out an ideal plan of campaign, not to have the War College, with its speculative studies of Napoleon and everybody else, map out the theoretically best way to get at some other country, but it was the problem of studying the then existing situation and bringing the financial, the industrial, and the military strength of the United States into cooperation with that of Great Britain and France in the most immediate and effective way.

That problem could not be decided here. I fancy in this audience there are men who have been in the trenches. The altogether unprecedented character of that problem is the thing which every returning visitor tells us can not be described in words, can not be put down in reports; it is a thing so different from anything else that ever went on in the world, so vast in its desolation, so extraordinary in its uniqueness, that it must be seen and studied on the ground in order to be comprehended at all.

It is easily imaginable that we might have perfected an Army over here and carried it across the ocean and found it wholly unadapted to its task, and it might well have been that the Army that we sent over was just the one thing that they did not need, and that some other thing which we might have supplied would have been the thing essential to their success.

So that from the very beginning it was not a question of abstract speculation here, but a question of study there to find out where our shoulder to the wheel could be put.

They realized that. And so Great Britain sent over to us Mr. Balfour and Gen. Bridges and a staff of experts. They came over here and you saw Mr. Balfour in the Houses of Congress and at the White House and in public meetings at one place and another, but the group of experts whom they brought over with them you did not see much of, and yet they distributed themselves through the War Department, and their ordnance experts sat down with Gen. Crozier, their supply experts with Gen. Sharpe and his assistants, their strategists sat down with the Army War College, and all over this city there were these confidential groups exchanging information, telling how the thing was over there, what we could do, what they advised us to do, what experiences they had had in developing this, that, and the other implement or supply, how certain plans which one might naturally have evolved out of the past experience of the world had been tried there and found not to work at all.

They were exchanging information, giving us all that they thought was helpful. And then came Joffre, with his wonderful reputation and his great and charming personality, and he made a great figure here, and we welcomed him. It was a tremendous inspiration to see the hero of the Marne; but with him came this unobserved staff of 15 or 20 or 25 young men, the most brilliant in the French Army—strategists, mechanical experts, experts in arms, experts in supplies, experts in industry and manufacture—and they told us not merely the formal and military problems, but they brought over with them men who were in from the beginning, in their reorganizations of their industries, in their mobilization of their industrial plants, and we sat down with them in little groups, until finally we collated and collected and extracted all the information which they could give us from their respective countries. And every country which has been brought in the war has brought us that sort, or sent us that sort of staff of experts, and it has been necessary to compare notes and, with this as a basis, to form such an idea as might be formed of what was the thing for us to do over there.

But that was not enough. They admitted that it was impossible to draw that picture. They could describe to us and bring the specifications and drawings for a piece of artillery, but they could not tell us why the British the [illegible] of the use of artillery was by the British preferred to that of the French. They could not picture to us a barrage of heavy howitzers as compared to a barrage of 75-millimeter guns. They could not picture to us the association of aircraft, balloons, and mobile aircraft with artillery uses. They could tell us about it, but even while they told us the story grew old. The one thing they told us from the very beginning to the end was that this war, of all others, was not a static thing; that our adversary was a versatile and agile adversary; that every day he revamped and changed his weapons of attack and his methods of defense; that the stories they were telling us were true when they left England and France, but an entirely different thing was probably taking place there now, and they told us of large supplies of weapons of one kind and another which they had developed in France and England, and which even before they got them in sufficient quantity manufactured to take them from the industrial plants to the front were superseded by new ideas and had to be thrown into the scrap heap.

They said to us: This is a moving picture; it is something that nobody can paint and give you an idea of. It is not a static thing.

Therefore it became necessary for us to have eyes there in instant and immediate communication with us, and we sent over to France Gen. Pershing, and we sent with him not merely a division of troops—to that I shall refer in a moment—but we sent with him perhaps I can say safely the major part of the trained, expert personnel of the Army. You know the size of the official corps of the Regular Army in this country when the war broke out. It was a pitiful handful of trained men, and yet it was necessary to divide them up and send over to France officers of the highest quality so that they would be at the front and see in the workshops and in the factories and in the war offices and in the armies where consultations would take place immediately back of the front, so that they could see the thing with their own eyes and send us back the details by cable every day of the changing character of this war.

Gen. Pershing's staff of experts and officers over there runs into the thousands, and they are busy every minute; and every day that the sun rises I get cablegrams from Gen. Pershing from 10 to 16 and 20 pages long filled with measurements and formulas and changes of a millimeter in size, great long specifications of changes in details of things which were agreed upon last week and changed this week, and need to be changed again next week so that what we are doing at this end is attempting by using the eyes of the Army there to keep up what they want us to do.

Already you will find in your further examination into some of the bureau work of the department, some of the divisions, when they come down, you will find that schedules which were agreed upon, weapons which were selected and which we had started to manufacture, have been so far discarded that people have forgotten the names of them, almost, and new things substituted in their place, and those forgotten and new things in their places.

So that if one gets the idea that this is the sort of war we used to have, or if he gets the idea that this is a static thing it is an entirely erroneous idea, and when you remember that we had to divide this little handful of officers that we had and send so large a part of them to France, and then think of those who remained at home, you will realize, I am sure, that those who remained here had the double duty, insufficient for either aspect of it in numbers—and they still have this double duty—they had to go forward with manufacture, work out industry and industrial relations; they had to see about supplies of raw materials and manufacture finished products, and make from day to day alterations and changes that had to be made, and they had to be ingenious with suggestions, to see whether they could devise on this side something which had not been thought of over there. They had to be hospitable to suggestions which came from the other side; they had to confer with the foreign officers who were here and were constantly being changed, so that men fresh from the front could be here to advise with us, and in addition to that every one of them had to be a university professor, going out into the life of the community and selecting men who had mechanical experience and knowledge and training, but not military mechanical experience and

knowledge and training, and adding to his original equipment the scientific training, that finishing touch which made him available for use as a military scientist.

As a consequence, this little group which stayed here have built the great special departments of the Army. The Ordnance Department, starting, I think, with 93 or 96 officers, has now, as I recall the figures, something like 3,000 officers. They have had to be trained; they have had to be specialized, and that has had to go on contemporaneously with this tremendous response to the changing conditions on the other side.

In the meantime, when we started into this war I think it was commonly thought throughout the country that our contribution at the outset might well be financial and industrial. The industries of this country were largely devoted at that time—the appropriate industries, and many converted industries were largely devoted—to the manufacture of war materials for our allies.

As I suggested this morning, when we went into that market we found it largely occupied, so that our problem was not going to a shoe factory and saying, "Make shoes for us," but it was going to a factory which never made shoes, because all the shoe factories were busy making shoes for people from whom we could not take them, and saying, "Learn how to make shoes in order that you may make them for us."

Now, of course, that is not true of shoes, but it is true of machine guns, it is true of other arms, it is true of ammunition, it is true of forging capacity, which was the greatest defect in the country, and all of this time we had not merely not to disturb the program of allied manufacture in this country, but we had not to cut off the supplies of raw material to our allies, and we had not to disturb the industry of this country to such an extent that products upon which they depended for the success of their military operations would be interfered with, both agricultural and commercial and industrial products.

At the outset the idea was that we would be a financial and an industrial assistance to our allies during the year 1918, and I think I probably can read from the Metropolitan Magazine for August a suggestion which will show what the current expectation of the country was. The editor of the Metropolitan Magazine was protesting against what he believed to be the intention of the Government at that time.

Senator WEEKS. Is that the one in which Mr. Roosevelt is associate editor?

Secretary BAKER. He is a contributing editor to this magazine. This magazine came out in August, 1917, and this editorial says:

> Since it is our war, we want to put everything into it so as to finish it in the shortest possible time, so that the world may be restored. To our mind the whole plan of the War Department has been flavored with a desire to hold off until the allies finish the war for us.

You see, the editor was dealing with what he supposed to be the intention of the War Department at that time, that we were holding off so far as actual military operations were concerned and letting the allies do the fighting.

What he says we should have done—and I ask your particular attention to it—is this:

> We should have strained every energy to have gotten 50,000 to 100,000 men to France this year.

That is, the year 1917. I tell no secret, but it is perfectly well known to everybody in this group that we have far exceeded what in August, 1917, was regarded as a program so ideal that the editor of this magazine refers to it as a thing which we ought to have strained every nerve in a vain but hopeless effort to accomplish.

The CHAIRMAN. You had more than that there then, did you not?

Secretary BAKER. In 1917?

The CHAIRMAN. Yes; in August, 1917?

Secretary BAKER. No, Senator.

And then the editor goes on:

> And by next year, 1918, we should have 500,000 men to send over, or any part of 500,000 men which we could ship.

Now, instead of having 50,000 or 100,000 men in France in 1917, we have many more men than that in France, and instead of having a half million men whom we could ship to France if we could find any way to do it in 1918, we will have more than one-half million men in France early in 1918; and we have available to be shipped to France, if the transportation facilities are available to us—and the prospect is not unpromising—we will have one and one-half million who in 1918 can be shipped to France.

Senator WEEKS. Do you know who wrote that editorial?

Secretary BAKER. I think it is attributed to Mr. Wiggin, the editor in chief of that magazine.

The CHAIRMAN. Why have you not felt it proper to let the public into your confidence with reference to these things that you are telling now?

Secretary BAKER. Senator, I confess I have hesitated and I still hesitate. I have here a statement from Field Marshal von Hindenburg, in which he is quoted as saying in a German newspaper, in contemptuous fashion of us, that we have advertised our preparations for this war in an unworthy manner.

The CHAIRMAN. Do you think for a moment, Secretary Baker, that there has been any time within the last year that the German secret service has not been fully advised as to everything we have done?

Secretary BAKER. Yes, Senator; I know. If I may rely upon the confidential information which we get from confidential sources, the German Government is still mystified as to the number of men we have in France, or have had there at any time.

The CHAIRMAN. I very much doubt that.

Secretary BAKER. They seem to have, and our newspapers tell us they have very accurate information as to what goes on immediately at the front, but I have not yet seen any suggestion from any of the most intimate and confidential sources that I can get that the German Government does actually know the number of men we have there.

Senator MYERS. Mr. Secretary, so far as you know, does the German Government advertise to the world all of the secrets of what it is doing in regard to its military movements and preparations?

Secretary BAKER. No, Senator.

Senator MYERS. Do the British or French?

Secretary BAKER. Neither the British nor the French.

The CHAIRMAN. Does the American Government?

Secretary BAKER. No, Senator. I am saying this now, because you have asked me why I have held back these facts until now. I am saying to you that you could not get from Great Britain at this minute—I do not know whether I could get the number of soldiers Great Britain has in France or at home. I could get an approximation; I could get whatever information might be deemed helpful to the immediate military object to be accomplished, but I could not get from Great Britain or France either one the actual number of troops they have at the front.

It may be that that precaution is unnecessary, and yet that is the precaution which military men have observed, and I have no further point to make in the matter of the number of troops there than to show, as I was showing when I read that extract, that our original intention was to make our military effort in 1918; and in August of 1917 a zealous advocate of immediate military activity laid down as the maximum obtainable program a thing which has since been multifold exceeded.

Why did we decide to send some troops to France in 1917? It is no secret. When Marshal Joffre came to this country from France, when the British mission came from England, they told us of a situation which we had not up to that time fully appreciated. There had been in France recently conducted before that an unsuccessful major offensive. The French people had suffered, oh, suffered in a way that not only our language is not adapted to describe, but our imagination can not conceive. The war is in their country. This wolf has not only been at their door, but he has been gnawing for two years and a half at their vitals, and when this unsuccessful offensive in France had gone on there was a spirit not of surrender, but of fate, about the French people, and this mighty military engine which they had seen prepared to overcome them for 40 years was at them, and their attitude was that no matter whether every Frenchman died in his tracks, as they were willing to do, or not, that it was an irresistible thing, and so they said to us, "Frankly, it will cheer us; it will cheer our people if you send over some of your troops."

We did send some troops.

At that place we had a choice. We could have sent over, as Great Britain did, our Regular Army, and in a very short preparation have put it into action and suffered exactly what Great Britain suffered with her contemptible little army, as it was called by their adversaries. Our Army would have given as good an account of itself as the British Army did, but it would have been destroyed like the British Army, and there would have been no nucleus on which to build this new army that was to come over a little later, and it was deemed wiser to send over a regular division, but not to send over our whole Regular Army at that time.

Then what happened was that that regular division went over and the people of France kissed the hems of their garments as they marched up the streets of Paris; the old veterans wounded

in this war, legless or armless, stumping along on crutches, perhaps, as they went up the streets of Paris with their arms around the necks of American soldiers. Not a single man in that division was unaccompanied by a veteran. America had gone to France, and the French people rose with a sense of gratitude and hopefulness that had never been in them before.

Of course, they welcomed the British, but their need was not so great when the British went. Of course, they welcomed the British, but there were ties between them and us which there had not been between them and the British, and so when our troops went there was an instant and spontaneous rise in the morale of the French, but an equally instant and spontaneous insistence that these soldiers who came from America should continue to come in an unbroken stream.

And so we made the election. We decided not to send the Regular Army as a whole, but to send Regular divisions and National Guard divisions, selected according to the state of their preparation, and keep back here some part of our trained force, in order that it might inoculate with its spirit and its training these raw levies which we were training, and one after another these divisions have gone over until in France there is a fighting army, an army trained in the essentials and in the beginnings of military discipline and practice and trained, seasoned fighters in this kind of a war on the actual battle fields where it is taking place.

Early in this war, when Joffre was here and when Balfour was here, they said to us, "It may take you some time to get over to us a great fighting army, but you are a great industrial country; our man power is fully engaged in our industries and in our military enterprises; send over artisans, special engineering regiments, and troops of a technical character," and, although it was not contemplated at the outset, and only a phrase in the emergency military legislation shows that the thing was thought of as a possibility, yet in a very short time we had organized engineering regiments of railroad men and sent them over there and were rebuilding behind the lines of the British and French the railroads which were being carried forward with their advance, reconstructing their broken engines and cars, building new railroads, both back of the French and British lines, and those regiments were of such quality that at the Cambrai assault, carried on by Gen. Byng, when the Germans made their counter attack, our engineer regiments threw down their picks and spades and carried their rifles into the battle and distinguished themselves by gallant action in the war itself.

Very early in this war Great Britain, through Balfour and his assistants, and France through Joffre, said to us, "Send us nurses and doctors." Why, before we were scarcely in the war American units, organized in advance and anticipation by the Red Cross, which was taken over into the service of the United States through the Surgeon General's office, were on the battle field, and there are tens of thousands of men in England and in France now who bless the mission of mercy upon which the first Americans appeared in France.

Our surgeons have set up hospitals immediately behind the lines. They have been made military in every sense of the word. They have not been especially fortunate in escaping attack from the air, and our early losses in this war were the losses of Red Cross nurses and doctors, and orderlies and attendants in hospitals, and ambulance drivers, who were sent over to assist our allies in these necessary services, thus not only rendering assistance but acquiring skill and knowledge of the circumstances and surroundings, so that when our own troops came in large numbers they could render like services to our own forces. But that was not enough. It was suggested that further groups of mechanics might be needed. Nay, we began to see that we were going to be over there in large force, and the question that then had to be answered was, How will we maintain an army in France? Special studies had to be made of that problem, and this is what they showed: They showed that the railroads and the facilities of France had during this war been kept in an excellent condition; far better than supposed possible under war conditions. And yet that those railroads were used to the maximum to take care of the needs of the French and the British themselves, and that when our Army became a great army it would be necessary for us to build back of our own line an independent line of communication.

In other words, France was a white sheet of paper, so far as we were concerned, and on that we had not only to "write" an army but we had to write the means of maintaining that army, and from the first time when a careful and scientific study of the opportunities of France to help us were made, from that hour until this we have been building in France facilities, instruments, agencies, just as many as we have here in the United States, and more—many of them of the same character. For instance, the French had naturally reserved the best ports in France for their own supply. The channel ports have been reserved for the British. When we came in it was necessary for us to have independent ports of entry in order that there might not be confusion and admixture of our supplies going through these ports of disembarkation with those of other nations. We were given several ports. As you perhaps recall, the ports of France are tidal ports, ports with deep water and tidal basins at high tides, with insufficient water for landing at the docks when the tide is out.

As a consequence, the construction of docks and wharves of tidal basins in ports of that kind is very much more difficult than where you have a deep-sea harbor and all you need to do is to erect a pile wharf. We have had to build docks; we have had to fabricate in this country and send over dock-handling machinery; we have had to send from this country even the piles to build the docks. We have had to have gantry cranes manufactured in this country and sent over to be erected on those docks; we have had to erect over there warehouses at the ports of disembarkation in order that these vast accumulations of stores and supplies which go over can be properly housed and cared for until they can be distributed into the interior.

We have had to take over and are in process of rebuilding and amplifying a railroad 600 miles long in order to carry our products from our ports of disembarkation to our general bases of operation. And all of that, gentlemen, has to be done, not only studied out, as a necessary thing to do, but when so studied out and reported here, the manufactories for those things have to be carried on in this country, and the things shipped over there—nails, cross-ties, spikes, fishplates, engines, cars, buildings. We have had to build ordnance depots and repair shops and great magazines of supply in the interior. All of that problem has been carrying forward step by step the plans for a single ordnance repair shop, which I saw some time ago, covering acres and acres of ground, designed over here, the ironwork fabricated over here, disassembled, put in ships and carried abroad to be reassembled over there.

We have had to build barracks over there for our soldiers, and in the meantime to billet them around in the French villages. Building barracks over there and building them here is a very different thing, gentlemen.

When we summoned the lumber industry of this country to produce the lumber to build our own cantonments, it came in a great and steady stream from all over the country, but when we talk about building barracks in France, it means this: It means to organize, as we have organized, regiments of foresters and sending them over into the forests of France, which they have assigned to us for our use, cutting down the trees, setting up sawmills, making the lumber of various sizes, transporting it to the places where it is to be used, and then finally using it.

We have had to go back to the planting of the corn in France in order that we might some time make a harvest. Our operations began in the forests of France, not in the lumber yards, as they did in this country.

That great staff under Gen. Pershing's direction, containing so many men from the American Army, enriched by captains of industry and masters of technical performance in this country, all of these large industrial operations under general direction, such as the railroad and dock buildings, under a former vice president and now a vice president, perhaps, of the Pennsylvania Railroad, Gen. Atterbury, and men of that quality and experience, summoned in to aid him—those are the men who are carrying forward these operations, which are quite as extensive as those which are carried on over here, and of far greater difficulty, because it means getting material by cable as to sizes and specifications, having it fabricated here, and sent across through these infested 3,000 miles of ocean, and then set up on that side.

Senator HITCHCOCK. Mr. Chairman, I will ask to be excused on account of an engagement. I assume the committee will continue to-morrow morning, probably.

The CHAIRMAN. Yes, sir.

Secretary BAKER. In addition to that, on the other side it has been necessary for us to build hospitals, and that is where the major need for hospitals may be. It has been necessary for the Surgeon General's staff to be divided in this fashion and to select supplies and procure materials, and to send over staffs of trained persons to supervise the construction of these hospitals and to man them and equip them.

All of that has gone on contemporaneously with the work which has been done in this country, and then, in order that another element may be added to this kaleidoscopic character which this war necessarily has, I call your attention to a thing which you already know. This war had a more or less set char-

acter until the Russian situation changed, as it has changed, in the last few months, when we had gotten more or less used to the situation created by the uncertainty as to Russia, there came the great Italian defeat which called for even greater changes in our plans, in many ways.

So that what might have been a perfectly acceptable plan as to major operations prior to the change in the Russian situation, or prior to the change in the Italian situation, had to be restudied instantly, and for that reason, among others, there is now organized, as you know, in France, pursuant to the suggestion of Mr. Lloyd-George, the Rapello Conference, or the supreme war council, and the United States is represented on that by the Chief of Staff of the American Army, and the major international arrangements in regard to the military are worked out there, while Gen. Pershing and his staff of experts are working out these other questions.

That is a picture of what has been going on over there, gentlemen. On this side much of that has had to be done, in addition to all the other things we have done; and I ask you to remember among the achievements on this side is the building of this Army, not of 50,000 or 100,000 or 500,000, but of substantially a million and one-half men.

And, now, let me be frank with you, and let your judgment be frank with me about this: Has any army in history ever, since the beginning of time, been so raised and cared for as this Army has? Can the picture be duplicated? We have raised this Army, taking the Regular Army and the National Guard, raising it to war strength, and supplementing it by the operation of a draft. And there are Senators in this room who said to me with grief when we proposed that that form of raising the soldiers should be had—they shook their heads and said, "Mr. Secretary, it can't be done; it is too sudden to address to the American people that mode of selecting soldiers." And yet, has any great enterprise within the knowledge of any man in this room ever been carried out with more unfailing justice, with more intelligent explanation and commendation to the good sense or patriotism of the American people, and has any great and revolutionary change in our mode of practice ever been accepted so splendidly as the operation of the selective-service system?

We have got those young men in camp, and they are surrounded from the day they left home until the day they come back to it, if in God's providence they can come back, with more agencies for their protection and comfort and health and happiness—physical, spiritual, and mental—than any army that ever went out on a field.

They are classified by a system under classification so that men who have mechanical instincts and training will be given mechanical opportunities in the Army. The "round" man is not sought to be put into the "square" place. The Young Men's Christian Association—the American people have subscribed liberally for the purpose—the Young Men's Christian Association, the Knights of Columbus, the Young Woman's Christian Association, the training-camp activities committee, the training camp athletic committee, have all been brought in—and the Red Cross—have all been brought to live with the soldiers; and by virtue of activities started in the War Department the communities which surround these camps have been instantly gotten away from the notion which used to prevail of a certain alienation between a civilian and soldier group, and these soldier boys in these camps have been adopted into the homes and hearts of the people among whom they live. No such relation has ever existed between an army and a civilian population as exists with regard to this.

And then, with your aid, the Army has been able to practically stamp out intemperance and vice among the soldiers by the establishment of zones, by the establishment of patrol systems of one kind and another, by the training of these young officers in these training camps, young men of experience and fine feeling and all that, we have gotten into this great Army the idea that it can be a strong and effective military army and still be free from things which have hitherto weakened and sapped the vitality and virility of armies.

I have gone from camp to camp among these cantonments, and my first question almost invariably is to the camp commander "What about your disciplinary problem?"

Old men in the army, men whose lives have been spent in it from their boyhood, and who have been all over the continental United States and through its insular possessions wherever our armies have been, who know the life of the soldier and the camp and the post, all say with one accord and no exception that they have never seen anything like this, that the disciplinary problems of the Army are reduced to a negligible quantity, and, instead of the melancholy and pathetic parade through the Secretary of War's office of court-martial after court-martial of men who have fallen down and yielded to temptation under these unusual circumstances which used to obtain, I have an infrequent case now of court-martial by reason of such weaknesses.

The CHAIRMAN. Mr. Secretary, would there be any impropriety in your preparing a little tabulated statement to go into the record showing the number of hospitals, whether under the Army or under the Red Cross, established in France, with the number of the personnel of each, and so with the Engineering Corps? In other words, covering the general statements you have made, concretely?

Secretary BAKER. Do you mean that you want the number of medical people in France?

The CHAIRMAN. No; I wanted the number of hospitals. You spoke of having them established—Red Cross institutions.

Secretary BAKER. The units which are French and British and our own?

The CHAIRMAN. Yes.

Secretary BAKER. Yes; I will be very glad to get that for you, sir.

The CHAIRMAN. And put it in the record.

(The statement referred to was handed to the chairman for the confidential information of the committee.)

Secretary BAKER. When Lord Northcliffe returned to England he was invited, as I recall it, by Lloyd-George to accept a position in his cabinet. He wrote a letter, which was printed in the papers, and in that he made this casual reference to the United States. He spoke of his visit here, and spoke of our war preparations in this fashion:

> War preparations proceeding in the virile atmosphere of the United States and Canada with a fervor and enthusiasm little understood on this side of the Atlantic.

He was then in England. I happen to have a copy of a confidential instruction issued by the German Government in June, 1917, to the German press as to what course they should take in dealing with American matters, and they say:

> While the news about American war preparations, such as the organizing and outfitting of an army of 1,000,000 men strong, to reinforce the French-English front is looked upon in that form as bluff, the spreading of which may unfavorably affect the opinion of the German people, yet the fact must not be overlooked, on the other hand, that the United States, with the support of its capacity for material and industrial management, is arming itself for war with great energy and tenacity.

Your committee will have full opportunity and will doubtless go into those things. You will deal with the hospital situation, the Medical Corps, the Signal Corps; you will hear the wonderful work done by the Engineering Department of the Army; but when it is all told, Mr. Chairman, it will be a story which I am sure your committee will be glad to report to the Senate of the United States as being a tremendous response to a tremendous responsibility; and when you have made this investigation I know that the American people will feel, as I think they have a right to feel, that we are in this war to win it; that we are in it to hit and to hit hard; that we are in it to coordinate our strength with that of our associates; that the problem is not one of individual star playing, but of team play with these veterans and experienced persons under actual battle conditions; that more has been done, perhaps, than the country expected, more than the wisest in the country thought was possible to do.

In so far as I am personally concerned, I know what is ahead of us. I know what the American feeling about this war is. Everybody is impatient to do as much as we can. There will be no division of counsel; there will be all the criticism there ought to be upon shortcomings and failure; there will be, so far as the War Department is concerned, a continuing effort at self-improvement and a hospitality toward every suggestion for improvement that can come from the outside; but the net result is going to be that a united and confident American people, believing in themselves and in their institutions, are going to demand, and that at no late day, on European battle fields, in the face of veterans with whom they are proud to associate, that, veterans though they be, they can not excel us in achievement; and when the victory is won over there, Mr. Chairman, the credit which will come to American enterprise and to American determination and to American courage will be an honor to us, as the tenacity of purpose and splendid achievements of the British and French already shed great luster on the names of those great people.

The CHAIRMAN. Mr. Secretary, you have finished the statement?

Secretary BAKER. Yes, sir.

The CHAIRMAN. Mr. Secretary, I know that you must be tired. The committee has been very much impressed by your statement. They will probably want to ask you some ques-

tions, and, unless you prefer to go on now, we can adjourn until to-morrow morning and give you an opportunity to rest.

Secretary BAKER. Mr. Chairman, I would appreciate the rest. I would like to know, Mr. Chairman, if I may, on what subjects I will be questioned. If it is the matters which have been covered here, of course I do not care to know.

The CHAIRMAN. You have covered it pretty generally, and I do not know what questions the committee may want to ask, I do not think they have in mind any particular questions.

Secretary BAKER. Very well; then I will come in the morning, at your convenience.

Senator WEEKS. Mr. Chairman, may I make this suggestion? There are some matters that the committee wish to consider, connected with aviation, powder, and other chemical supplies—engineering. Would it not be desirable to inquire into those before the Secretary is asked to come again? It has been suggested that we are taking a good deal of the time of the Secretary and his subordinates, and we do not want to take any more than is necessary. I should think that it would be better for us to go over these other branches first.

The CHAIRMAN. Would you prefer that, Mr. Secretary?

Secretary BAKER. That seems wise to me, Senator, because the details of many of those large programs, of course, I do not know. But if you send for the heads of those divisions, they will bring here the most intimate details for you.

Senator WEEKS. There are a great many questions that I would like to ask the Secretary about some things he has discussed to-day, but it does not seem to me it is necessary to do it until we have examined into those branches and have gotten the technical information which the heads of those departments have.

The CHAIRMAN. If that would suit you just as well, Mr. Secretary——

Secretary BAKER. That is entirely satisfactory to me.

The CHAIRMAN. Then the committee will take a recess until to-morrow at 10.30, and then we will determine just what course we will pursue.

(Whereupon, at 3.50 o'clock p. m., the committee adjourned to meet at 10.30 o'clock a. m. to-morrow, Tuesday, January 29, 1918.)

UNITED STATES SENATE,
COMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., Thursday, January 10, 1918.

The committee met at 10 o'clock a. m., pursuant to adjournment, Senator GEORGE E. CHAMBERLAIN presiding.

The CHAIRMAN. The committee will come to order.

Gentlemen of the committee, the Secretary of War is here at the request of the committee to make such statements as he desires to make and to answer such questions as members of the committee may desire to ask.

Mr. Secretary, I presume you would prefer to make your statement in your own way first and then answer such questions as may be asked afterwards?

Secretary BAKER. Yes, sir. I have a statement which I would like to make.

STATEMENT OF HON NEWTON D. BAKER, SECRETARY OF WAR.

Secretary BAKER. Mr. Chairman, I am glad to lay before the committee and the country certain facts with reference to the War Department's work. Not all of it is new to you, but it is well to have some underlying facts freshly in our minds at times when the consideration of details, however important in themselves, might otherwise obscure the real progress made in the central task.

The War Department is eager to profit by all helpful criticism, and I thank the committee for the inquiries which it has made and for the cooperation which it is giving and will give in making our preparation increasingly adequate and speedy.

On the 1st day of April, 1917, the Regular Army comprised 5,791 officers and 121,797 enlisted men; the National Guard in Federal service, approximately 3,733 officers and 76,713 enlisted men; and the Reserve, 4,000 enlisted men. There were also at that time approximately 2,573 officers in the Reserve, but as these were on inactive duty they can not properly be considered in estimating the strength of the Army of the United States at that time. On the 31st day of December, 1917, the Regular Army consisted of 10,250 officers and 475,000 enlisted men; the National Guard of 16,031 officers and 400,900 enlisted men; the National Army of 480,000 men; and the Reserve of 84,575 officers and 72,750 enlisted men. In other words, in nine months the increase has been from 9,524 officers to 110,856 officers; from 202,510 to 1,428,650 men.

During the war with Spain the Army of the United States at its maximum strength aggregated 272,000 men and officers. The Army now in the field and in training is, therefore, roughly, six times as great as the maximum number under arms in the Spanish-American War.

The total number already in the military service is one and one-half times as large as any force ever mobilized by this Nation.

A substantial part of our military forces was selected by the operation of a draft law, the execution of which has demonstrated both the economical and the efficient way of selecting soldiers. The law itself was drawn, its execution carried to a successful conclusion, and the theory of the law, novel to our people, explained and made popular, because of its demonstrated fairness both in plan and execution.

For the training of officers two series of training camps were held, from which about 45,000 officers were commissioned from civil life. This number is nearly eight times as great as the number of officers in the Regular Army on the 1st day of April.

For the training of these soldiers 16 cantonments have been built, costing $134,000,000, with an average profit to the contractors of 2.98 per cent.

These cantonments contain water and sewage facilities, refuse disposal plants, laundries, storehouses, barracks, exchanges, post offices, and practically all necessary conveniences, comforts, and safeguards for soldiers. The health of the men in training in them is beyond comparison better than that of any similar number of soldiers in our history.

The death rate in our forces in the United States, from mid-September to the end of December, averaged 7.5 per thousand, and is slightly less than would have been the death rate of men of the same age at home. In 1898 the death rate per thousand was 20.14, or nearly three times as great. Our death rate in the Army during the year 1916, just before the war, was 5 per thousand. Leaving out the deaths due to measles and its complications, our rate among all troops in the United States, since September 1, has been about 2 per thousand. These figures are properly comparable. The 5 per thousand for 1916 means for the whole year. The 2 per thousand for this year means that if the number of deaths since the 1st of September from all causes, exclusive of measles and its complications, should continue the same for the following eight months, our rate for the end of the year would be about 2 per thousand.

For the fiscal year 1915 Congress appropriated for the War Department $158,000,000; for the fiscal year 1916, $203,000,000; for the fiscal year 1917, $403,000,000; for the fiscal year 1918, $7,527,338,716. In other words, taking 1915 as a normal year, the appropriations for 1918 are nearly fifty times as great.

The regular appropriations made by Congress for all governmental purposes for the fiscal year 1915 were $720,000,000, or only one-tenth the 1918 appropriations for the War Department alone.

In 1914 the gross value of the products of all the industries of the United States was $24,000,000,000. The appropriations for 1918 for the War Department alone are substantially one-third of this sum.

The total operating revenues of all the railroads of the United States for the year 1917—freight, passenger, mail, express, and miscellaneous—was but slightly more than half the War Department's appropriation for the ensuing fiscal year.

Ordnance Department.

Of the total War Department appropriations for 1918, $3,200,000,000 was for the Ordnance Department. The value of the products of all iron and steel industries in the United States in 1914 was $900,000,000, or less than one-third of the amount to be expended by the Ordnance Department.

Of this gigantic sum the Ordnance Department has already placed contracts amounting to $1,677,000,000.

On the 1st day of April, 1917, the Ordnance Department consisted of 97 commissioned officers, occupying 15,000 square feet of office room in Washington. It now consists of 3,004 officers, occupying more than 14 acres of office floor space, and, in addition, has 26,120 enlisted personnel.

The expansion of this force has been carried on concurrently with the enormous business and industrial operations of the department. The force has been selected, trained, in part dispatched overseas. Because of inadequacy of office accommodations, it has been moved from time to time, one bureau having been obliged to move six times.

In addition to the selection and training of this new force, the making of these great contracts, and the follow up necessary in the manufacturing processes, a continuous study of new weapons and instrumentalities has been kept up, a constant contact kept with trained men abroad studying the operation of ordnance matériel in battle, and accordingly modifying designs and plans here by reason of observation and experience.

Many of the classes of ordnance matériel requiring to be designed, specifications drawn, and contracts let were wholly unfamiliar to our normal military practices. The trench-warfare matériel alone involves commitments of $282,000,000. Some of the contracts cover instruments so modern that our industries had to be adapted to their manufacture.

Many of the Ordnance Department's contracts involve increase of plant facilities or the construction of new plants, intricate systems of auditing and cost accounting, and constant inspection by inspectors who have had to be trained in specially established schools in order to add knowledge of ordnance requirements to their previous mechanical and technical training.

Quartermaster General's Department.

For the Quartermaster General's Department in 1918, $3,018,000,000 was appropriated, or a sum more than four times as great as the 1915 appropriation for all governmental purposes.

On the 1st day of April there were 347 officers in the Quartermaster Corps. On the 1st day of January, 1918, there was a total of 6,431 officers.

On the 1st day of January, 1918, nearly $2,000,000,000 of the appropriation had been obligated by contracts or disbursements.

This business involved accounting, determinations of standards, prices, quantities, the creation of new manufacturing facilities, the substitution of materials for insufficient supplies, diversions of labor, the erection of storage warehouses, and difficult and often embarrassing questions of land and water transportation.

In the woolen-goods section alone the cooperation of over 300 mills was involved, and the following items give some idea of the extensive character of the operations: There have been purchased over 19,000,000 blankets, 20,000,000 yards of overcoating, and over 30,000,000 yards each of shirting flannel and suiting, involving an expenditure of over $345,000,000. In cotton goods the department had contracted for 250,000,000 yards of various cotton cloths.

Further idea of the size of purchases in this department will be conveyed by the following figures:

Purchases to December 29, 1917.

Winter drawers	pairs	25,000,000
Winter undershirts		21,000,000
Woolen gloves	pairs	11,000,000
Wool lightweight stockings	do	31,000,000
Wool heavyweight stockings	do	21,000,000
Shoes purchased for delivery to Jan. 1	do	10,000,000
Shoes purchased for delivery Jan. 1–June 1	do	10,000,000
Cots		2,100,000

The Quartermaster General's Department in the supply section alone made 4,650 contracts, covering 142 different kinds of articles and aggregating a money value of $800,000,000.

Aviation Section, Signal Corps.

The Aviation Section of the Signal Corps on the 1st day of April, 1917, consisted of 65 officers and 1,120 men. On the 1st day of January, 1918, it consisted of 3,900 officers and 82,120 men.

This division of the War Department was charged by Congress with the expenditure of an appropriation aggregating for 1918, $744,000,000, or five times the 1915 appropriation for the entire War Department.

Engineer Department.

The Engineer Department, for which in 1917, $53,000,000 was appropriated, was charged by the 1918 appropriation with the expenditure of $390,000,000, or about 700 per cent increase.

There have been organized, trained, and equipped technical troops of foresters, stevedores, and railroad construction and operation men, aggregating about 120,000, many of whom have been operating in France for some months.

All of these departments have been obliged to construct various buildings, storehouses, railroads, barracks, repair shops, ordnance plants, terminal facilities, both abroad and at home, many of these being made necessary by the fact that the field of their operations is in two countries 3,000 mile apart.

Each division has been obliged to send officers to France, to receive officers from foreign countries to compare data and information, to review designs, and to design fresh supplies, and all this concurrently with its task of training and expanding its own organization.

The figures given above are selected almost at random as illustrative of the magnitude of the operations of the War Department. The following results have been achieved:

1. A large army is in the field and in training; so large that further increments to it can be adequately equipped and trained as rapidly as those already in training can be transported.

2. The Army has been enlisted and selected without serious dislocation of the industries of the country.

3. The training of the Army is proceeding rapidly, and its spirit is high. The subsistence of the Army has been above criticism; its initial clothing supply, temporarily inadequate, is now substantially complete, and reserves will rapidly accumulate. Arms of the most modern and effective kind, including artillery, machine guns, automatic rifles, and small arms, have been provided by manufacture or purchase for every soldier in France, and are available for every soldier who can be gotten to France in the year 1918.

4. A substantial army is already in France, where both men and officers have been additionally and specially trained and are ready for active service.

5. Independent lines of communication and supply and vast storage and other facilities are in process of construction in France.

6. Great programs for the manufacture of additional equipment and for the production of new instruments of war have been formulated.

7. No army of similar size in the history of the world has ever been raised, equipped, or trained so quickly. No such provision has ever been made for the comfort, health, and general well-being of an army. The health report for December, for a variety of reasons, became suddenly less favorable than for the preceding months; but the unfavorable conditions have been met and improvement is already apparent.

I state the foregoing conditions of the War Department's problem, and some of the results attained, for two purposes. In the first place, the American people are entitled to know of the splendid effectiveness with which they have been able to organize the man power and the material power of the Nation in a great cause; and, second, our army in France under Gen. Pershing and our allies are entitled to have the benefit resulting from the depression of the morale of their enemies which must come when the Germans realize that the American democracy has neither blundered nor hesitated, but has actually brought the full power of its men and resources into completely organized strength against their military machine.

I make this statement fully aware that there have been produced before the members of this committee some expressions of doubt, difference of opinion, and disapproval. The War Department has spent eight months hearing similar expressions, analyzing them, correcting the conditions out of which they grew, perfecting its organization to prevent their recurrence; and all the while driving on to the accomplishment of the main task.

My military associates and I appreciate the work which this committee has done and will value suggestions from the committee as a whole, from its individual members, and from every other patriotic citizen which will enable us to carry on this work more effectively and more rapidly.

In the foregoing statement there are two exceedingly significant figures, namely, that on the 1st day of April the Ordnance Department consisted of 97 officers and the Quartermaster General's Department of 347 officers, while they now, respectivly, comprise 3,004 and 6,431 officers. There was no ready trained body of men in the country who could have been selected suddenly to assume the highly technical and specialized work of these two divisions. Men of somewhat similar training had to be chosen, and the nucleus of officers already in those corps had not only to carry forward the expanding operations of their departments but be trainers and teachers to their new associates. As the work proceeded subdivision and resubdivision became possible.

On December 15 the questions of initial supply and organization of personnel had been substantially disposed of, and I was, therefore, in a position, as I had not been previously, to announce a general reorganization, already carefully studied, which accomplished the following results:

1. Created a war council, upon which Gen. Crozier, Gen. Sharpe, Gen. Weaver, Gen. Crowder, and the Chief of Staff had been designated to sit with the Secretary of War and the Assistant Secretary of War, and to which council men of capacity, either from the Army or from civil life, will be added from time to time. The purpose of the council is that its members, being free from the burdens of detail administration, can take a large supervisory view of all questions of organization and supply and give to the Government the highest value of their talents and experience.

2. Under Gen. Wheeler, with the advice of his military associates and of industrial experts, the machinery of the Ordnance Department is being thoroughly reorganized in preparation for the new phase of its work upon which it is now entering. Its several operations will be conducted under the direction either of officers already in the service who are now in a position to give their entire energies to their administration or by men especially chosen from civil life because of their experience and capacity.

3. The Quartermaster General's Department is in process of similar reorganization and subdivisioning under Gen. Goethals, who enjoys the unique experience of having worked out at the Panama Canal problems of transportation and supply of magnitude never until now approached in the history of our Government. Here also the efficiency of the department is being strengthened by the calling from civil life of men of the highest capacity to administrate certain of its great subdivisions.

A new view of the work of the Council of National Defense and of the War Industries Board is now possible.

The Council of National Defense is, of course, an advisory body without executive power. Its members have severally the powers of their respective departments. The purpose of the council, however, was a reconciliation of conflicts and a survey of the national needs and resources. This purpose it has served and is serving. The General Munitions Board and its successor, the War Industries Board, with their committees, were organized by the council for the following purposes:

1. Assign priorities as among the several departments of the Government and the allied Governments in their demands upon the industries of the country.
2. Advise as to supplies of materials and labor.
3. Advise on questions of price.
4. Secure industrial and labor cooperation.
5. Avoid enhancement of prices, confusion of industry, exhaustion of labor, and generally to prevent all avoidable evils which might result from the speed and magnitude of the new operations.

To these objects it was admirably adapted, and it has accomplished a great work. The things which have not happened are as impressive as the things which have happened when one recalls the possibilities involved.

We can now see the entire situation. The initial rush needs are substantially supplied. The technical corps have been expanded and reorganized upon industrial and efficient lines.

The coordination of ally needs with our own purchases has been effected. An agency exists to prevent conflicts and to adjust those which can not be prevented.

By the cooperation of all interests and all people in the country the Nation is now organized, and set to its task with unanimity of spirit and confidence in its powers. More has been done than anybody dared to believe possible. That there have been here and there errors of judgment and delays goes without saying; but I should be wanting in frankness were I to omit my own estimate of the real unselfishness and intelligence with which my associates, military and civilian, have applied themselves to this undertaking, and the results demonstrate the success of their efforts.

The CHAIRMAN. Mr. Secretary, the committee has been at work for several weeks, and it has gone into the methods adopted for proceeding with this work of preparation and the results obtained by two of the large bureaus of the Government—first, the Ordnance Department, and, second, the Quartermaster General's Department. Practically none of the other bureaus have so far been investigated.

There has been a great deal of testimony taken with reference to the Ordnance Department, and much complaint has been heard that mistakes were made in that department in the manufacture, or, rather, in the selection of the rifle that was to be used, and, second, in the output of machine guns—the adoption of a machine gun—and, third, with reference to the manufacture of heavy artillery, all of which has delayed the supplying of the Army actually in the field here and those to be sent abroad.

I suppose you have read this testimony, or glanced over it. What have you to say with reference to the methods that were adopted by the Ordnance Department?

Secretary BAKER. Mr. Chairman, I have not had the privilege of reading the testimony before the committee, except as it has appeared in the newspapers. I have tried to follow it as carefully there as I could.

The three subjects, of course, which you have mentioned would have to be considered separately.

First, with regard to rifles: The supply of rifles is, of course, now entirely adequate, and the accumulation of a reserve is going on very rapidly. When we went into the war we had the best rifle which had yet been devised in the world. That was by common admission true. Everybody agreed that the Springfield rifle was the best military rifle, and everybody agreed to this, that the rimless cartridge in small arms was a very desirable form of ammunition because of the tendency of all rim cartridges to jam in the gun, and the difficulty of having a perfectly operating mechanism with a rim cartridge.

Senator WEEKS. I do not wish to break in on the Secretary's testimony and I would not attempt to ask questions without going over it in detail, but I want to suggest that the statement made by the Secretary that everybody agrees that the Springfield rifle, excellent as it is, is the best rifle in the world, is very far from the fact. Also, there have been grave doubts about changing the form of ammunition expressed by those competent to pass upon that particular question.

Secretary BAKER. I can only say, with respect to the suggestion made by the Senator, that of course I can not pretend to have talked to everybody in the world; but I can say that those with whom I have talked, without dissent or exception, have agreed that the Springfield is the best rifle the world has ever had.

Senator WEEKS. I am referring only to the testimony before this committee.

Secretary BAKER. I am sorry, Senator Weeks, that I have not read all the testimony. I would have supposed that the difference of opinion would have been as to the wisdom of making a change in the type of ammunition used at this stage, rather than any question of the excellence of a gun using American ammunition.

Senator WEEKS. I did not intend to disparage the Springfield rifle, which is good enough for every purpose.

Secretary BAKER. All the information I had, apart from such testimony as may have been given here—and whatever weight that is entitled to I can not answer—was to the effect that the Springfield rifle and the rimless cartridge were the best.

Senator SUTHERLAND. Do the English authorities admit that as being the best?

Secretary BAKER. I can not say that I have any authoritative admission from the English authorities, but many British officers with whom I have talked have agreed that the rimless cartridge is the better type of ammunition. It is a fact which I think must lie in the evidence before this committee.

The CHAIRMAN. The only American manufactured gun in use in this country at the time was the Springfield rifle?

Secretary BAKER. It was.

The CHAIRMAN. And that gun was manufactured only by Government arsenals?

Secretary BAKER. Only by the Frankford and Rock Island Arsenals.

The CHAIRMAN. None of them was being manufactured by private concerns?

Secretary BAKER. None.

The CHAIRMAN. Do you remember what the number was in use by the National Guard?

Secretary BAKER. Something more than half a million. I said in use. I mean in use and in reserve.

The CHAIRMAN. But there were, in addition to that, used by the National Guard for practice purposes the old Krag-Jörgensen?

Secretary BAKER. Not at that time. The Krags were then in storage?

The CHAIRMAN. One of the criticisms that has been indulged in against the Ordnance Department has been that notwithstanding the fact that we were calling into the service a million and a half of young men, we abandoned the Springfield rifle, which was being manufactured by our own arsenals, and that we did not adopt the Enfield rifle, which was being used by the English forces and which was being manufactured in large numbers here. It took some time to change and to adopt a gun of our own along the lines of the Lee-Enfield rifle, and they were manufactured by a slower process.

Secretary BAKER. That is perfectly true.

The CHAIRMAN. A great deal of criticism has grown out of it because of the fact that the young men in the cantonments were without guns and are without them now.

Secretary BAKER. Not now, Mr. Chairman. They are now adequately supplied.

The CHAIRMAN. It has been done, then, within less than 30 days.

Secretary BAKER. Undoubtedly within the last 30 days.

Senator MCKELLAR. Gen. Crozier, as I remember it, testified that all those who need guns will not have them until February 15.

Secretary BAKER. I think he must have had in mind that the completion of the first draft would bring in substantially 100,000 more men; but I understand the fact to be—and it is more of less immaterial—that every man now in camp in this country who ought to have a rifle has a rifle.

The CHAIRMAN. You are sure of that, Mr. Secretary?

Secretary BAKER. I am not quite sure of it.

The CHAIRMAN. I think if you had reports from the cantonment commanders that they would not bear you out.

Secretary BAKER. I have no desire to stress the point, Mr. Chairman. I think it is relatively unimportant.

The CHAIRMAN. There is a grave difference of opinion, not only among Army men, but among civilians as well. It is contended that these young men should have had the rifles and the delay in furnishing them was caused by this change made by the Ordnance Department.

Secretary BAKER. I think the delay was caused by the change the Ordnance Department made. I personally approved the change. I think it acted rightly in so doing.

The CHAIRMAN. I am not so sure that the members of the committee are radically at variance with you on that. In the last analysis, the guns were not furnished these young men?

Secretary BAKER. That is true.

Senator MCKELLAR. Is it not a fact that two previous Congresses had made appropriations for the making of these jigs, tools, and dies, and that those appropriations were not used by the department?

Secretary BAKER. No, Senator; I do not recall that. I remember that when you were a member of the House Committee we had some talk about that.

Senator MCKELLAR. We appropriated an amount recommended as sufficient to make these changes in the tools, dies, and jigs.

Secretary BAKER. The committee took that question up with Gen. Crozier, and Gen. Crozier said, as I understand it, that the appropriation—while there was some discussion as to its being used for this particular purpose—was not specified for that, and in his opinion the most difficult thing to supply for the Army was automatic pistols, and the fact is that the pistol is the weapon we are short of at the present time.

The CHAIRMAN. Confining ourselves for the present moment to the rifle, there is serious criticism of the Ordnance Department to the effect that there is hesitation, or, I may say, alleged inefficiency, which has caused many delays. For instance, when it was determined to change the British gun—the Enfield gun—and adapt it to the American ammunition, the engineers who had charge of the manufacture and the big manufacturers got together and in order to hasten the output determined upon seven interchangeable parts, or about seven. They had been conducting their negotiations with some member of the Ordnance Department. There must have been a change in the personnel of the Ordnance Department, or the particular branch which had this matter in charge. I think Col. Thompson, who, I believe, is a very great ordnance man, took charge, and then after they commenced to manufacture these guns with seven interchangeable parts they went into consultation with Col. Thompson and changed it to 44 parts and later to 50 interchangeable parts, which again delayed the matter.

Secretary BAKER. I know that is substantially accurate. In view of the fact, however, that the supply of rifles is now much more largely interchangeable and is wholly adequate, really anticipating the country's needs, I think any loss of time which brought us larger interchangeability of parts was justified.

The CHAIRMAN. It goes only to the inefficiency, or alleged inefficiency, of the Ordnance Department?

Secretary BAKER. Senator, may I make comment on that?

The CHAIRMAN. Surely.

Secretary BAKER. It is not inefficiency to change one's mind and to get something better than you had previously determined upon. If the Ordnance Department had made up its mind upon its first hurried survey that there was not time to justify procuring interchangeability to a greater extent than seven parts, and later, upon fresh study, determined that there was time to secure larger interchangeability, that I should call efficiency rather than inefficiency.

The CHAIRMAN. With the war on us and with these young men called into the service, there was such an emergency that it did not call for the highest type of gun.

Secretary BAKER. Mr. Chairman, I respectfully dissent from that view. The war was not on us. The war was in Europe. We had more guns of the highest type that needed no respecification or redesign than could possibly be used on the highest percentage of allowance for wastage by all the troops that we could get to France in a year.

The CHAIRMAN. There is a very grave question about that among the military authorities. If you use the same basis that was used by the continental armies of Europe, we did not have enough to supply them.

Secretary BAKER. Exactly so. When we started in the war the percentage of wastage was estimated very high, but the use of other implements of war and the different character of this war, considering the evolution of large forces, has made the percentage of rifles per thousand men so much lower that the fact is that every European country has an enormous accumulation of reserve rifles in excess of what it expected to provide for its forces.

Senator WADSWORTH. Mr. Secretary, you stated that the war was not on us. It is a fact, however, is it not, that the war was on us to a sufficient extent to impel the Government to send troops to France as fast as they could get them, and in their haste, due to the lack of rifles, men went on board transports without having fired a rifle?

Secretary BAKER. Senator, there are truths in all the sentences you have uttered; but, putting them together, they do not picture the situation. I said the war was not on us in the sense that the enemy was not at our doors. He was 3,000 miles away. We had to send troops to where he was. We had an adequate supply of modern weapons for the troops that we could send. The fact that some troops went aboard the transports, as you say, who were not provided with rifles is true, and there will be some fresh men who still have to be trained, but the great body of men who went away were, of course, men who had fired rifles.

Senator WEEKS. I think it is all a matter of judgment. Some one had to determine, and you and the Chief of Ordnance came to a determination.

Secretary BAKER. The Chief of Ordnance came to me and explained his grounds, and I approved them.

Senator WEEKS. The very condition now in the Ordnance Department is explained by just what you have said. The fact that the war was not on us directly did not absolve us from any obligation to use the greatest haste possible in getting the armed men to the front; and the criticism has been made against the Ordnance Department—and it seems to me to have some reason behind it—that there has been too great a desire for technicality and too little "pep" in advancing the necessities of the Army from that bureau.

Secretary BAKER. May I make this comment? To secure interchangeability of parts for 50 of the parts of a weapon as universally used as a rifle is not a technicality; that is an enormous advantage. Everybody will admit that if we could have sent to Europe only Springfield rifles completely interchangeable in every part it would have been a great advantage. One of the difficulties in conducting large operations of the kind we are now conducting is the number of repair parts necessary to repair the implements of war. If you have to have 50 sets of repair parts that are not interchangeable, you accumulate the intricacies, complications, and confusions at the supply depots.

Senator WEEKS. Undoubtedly that is true, but we were faced by a condition, and one of the reasons why the English have made such enormous strides is that they have refrained from demanding extreme technicality and have taken what they could get. That is one of the reasons why the English could obtain such large supplies in this country, because they were not so very technical. Perhaps the Chief of Ordnance and yourself knew the situation better than others, but it does seem to me that the requirements should have compelled you to take advantage of every facility that was available to supply those things that could be supplied the quickest. There was at that time a manufacturing capacity in this country of 15,000 rifles a day. It was not taken advantage of, and it has not been taken advantage of; it is not being used to-day. We are only manufacturing at best 7,000 rifles. The question that arises in the minds of those who brought these matters to the attention of the military committee is whether sound judgment and proper activity has been shown in taking advantage of these methods of production which had been developed in this country.

Secretary BAKER. Senator, you realize this is a question of judgment. I ask permission to call your attention to the fact that the battle front was 3,000 miles away——

Senator WEEKS. I want to say that, to my mind, does not make any difference, practically, whether it was 10,000 miles away or 1 mile away. Our obligation was the same.

Secretary BAKER. Our obligation was the same; our obligation was to arm our men and make sure they were armed, trained, and adequately equipped as early as we could get them to the battle front. It does make a difference whether it is 1 mile or 10,000 miles. You can get your men 1 mile very quickly, but you can move them 10,000 miles but very slowly indeed. I insist that there was no reason for arming troops, in view of those facts, with an inadequate and improper weapon.

Senator WEEKS. It was a weapon used by millions of men on the other side.

Secretary BAKER. Because they could not do better at the time. The British Government, at the time this war started, had designed the Enfield rifle to shoot the rimless cartridge. However, because of existing conditions and necessities they threw away a design of a better weapon and took one which their

experts admitted was less efficient. That was because of the pressure of necessity.

Senator WEEKS. They could have easily replaced it by the weapon that we would have manufactured in this country.

Secretary BAKER. But that would have introduced intolerable confusion, where a single army would have two types of small arms and ammunition.

Senator WEEKS. Not at all. They could have discarded the rifle they were using and supplied themselves with a better weapon.

Secretary BAKER. You mean they could have rearmed the whole force in a single day?

Senator WEEKS. Not in a single day.

Secretary BAKER. If it had taken more than a day, there would have been parts of the army using different types of rifle.

The CHAIRMAN. This war was going on from August, 1914, to April 1, 1917, before we got into it. The Ordnance Department, through our military channels, must have kept in close touch with the European armies.

Secretary BAKER. Undoubtedly.

The CHAIRMAN. They knew what weapons were being used in small arms and heavy ordnance. What steps were taken for the purpose of developing the class of guns that America should use in case she became involved in the war?

Secretary BAKER. I do not know. Gen. Crozier would be able to answer that better than I can. I have no doubt they had in mind the Springfield rifle.

The CHAIRMAN. They knew we could not manufacture them in sufficient quantities. In other words, here was a great conflagration. Was the Ordnance Department, through that period of three years, when it could have been preparing, making plans and specifications for the development of proper guns?

Secretary BAKER. I should imagine not any more so than with respect to the Springfield rifle, which was the best gun.

Senator NEW. Mr. Secretary, you are acquainted with James W. Gerard?

Secretary BAKER. I know him slightly; I have met him.

Senator NEW. What official position did he occupy in May of 1916?

Secretary BAKER. He was ambassador to the German Empire, I suppose.

Senator NEW. Do you know that in May, 1916, Mr. Gerard, in his official capacity as ambassador of the United States to Germany, notified this country that Germany would renew and continue her policy of submarine warfare?

Secretary BAKER. Senator, I can not tell you whether I knew that at that time or not.

Senator NEW. It did not make any impression on you, if you do not know it?

Secretary BAKER. It is not a question of impression. Any information I had on that subject was of a confidential character.

Senator NEW. Mr. Gerard, on page 345 of his book, My Four Years in Germany, evidently with the consent of the administration—I can not think it would have been made public otherwise—says that in May of 1916 he gave the administration official notice to that effect. You say that fact was not made known to you?

Secretary BAKER. I did not say that. I said that any information I had on that subject was of a confidential character and of a kind that I could not discuss.

Senator NEW. Don't you think that would have been a pretty good time to have settled all technicalities as to the adoption of a rifle?

Secretary BAKER. Why, 10 years ago would have been a good time. All these questions ought to be settled as soon as they can be settled.

Senator NEW. I agree with you absolutely. Here was a case of an official notice being given by the ambassador of the Government to the administration. It would seem to me that that would at least form the basis of some definite steps on the part of the War Department.

Secretary BAKER. As I have said to you, with great deference, I can not discuss diplomatic relations between the German Empire and the United States, or the effect of those relations upon the War Department; but it is not to be forgotten that at the time to which you refer, and subsequently, this Government was relying upon very definite and positive assurances from the German Government that it would not do that thing.

Senator NEW. Here is the notice of our ambassador, and the word of the German Government was accepted as against his official advice. Was the word of the German Government deserving of more credit; was that it?

Secretary BAKER. I had no part in the weighing of those relative values, nor have I any opinion to express on it now. You are perfectly aware that after representations were made by this Government to the German Government as to the illegality of the ruthless submarine warfare, the German Government disavowed certain acts which had been theretofore performed by its commanders, and gave assurances upon which the Senate, the House, and the President himself relied.

Senator NEW. And nothing was done by the War Department at that time to prepare for eventualities?

Secretary BAKER. Quite the contrary, Senator. The War Department used every officer it had in a continuous study of the European war and in continuous perfection of the implements and devices, and it used every dollar which Congress appropriated to buy the necessary implements with the single and solitary exception of the machine gun, for which we had not spent much.

Senator NEW. No machine gun was adopted?

Secretary BAKER. That is not accurate, Senator. A machine gun had been adopted.

Senator NEW. Was anything done, Mr. Secretary, at that time to prepare the manufacturing energies of the country for the great strain and great tax upon its capacity?

Secretary BAKER. In August, 1916.

Senator NEW. In May of 1916, when this notice came from Mr. Gerard?

Secretary BAKER. Well, the Council of National Defense, of course, was then busy coordinating the industries of the country. If you refer to the Ordnance Department, assuming from that statement of Ambassador Gerard in 1916 that the United States would get into the European war, and you mean that the Ordnance Department did things based upon that assumption which it would otherwise not have done, I think it is safe to say that is not the fact.

Senator WADSWORTH. The Springfield rifle at that time was manufactured only in arsenals at Springfield, Mass., and Rock Island, Ill.?

Secretary BAKER. Yes, sir.

Senator WADSWORTH. At that time the Rock Island Arsenal, so far as the manufacture of this rifle was concerned, was closed down and not producing a single rifle, and the Springfield Arsenal was running very much below its capacity. The testimony before this committee shows that that condition continued for several months through 1916 after this warning came from Ambassador Gerard.

Secretary BAKER. That condition had nothing to do with Ambassador Gerard or with his warning. The condition was as you have stated it. After Congress made an appropriation for an increase in the supply of rifles I took the matter up with Gen. Crozier several times. We had under consideration the question of increasing the supply of Springfield rifles. As rapidly as expert mechanics could be secured they were employed, and two shifts were first instituted at Springfield, while the Rock Island Arsenal was opened. The difficulty which the Ordnance Department faced was in securing expert mechanics. At that time all these emergency plants and all the regular establishments in this country for the manufacture of rifles were working overtime on foreign orders—Russian, French, Italian, English—and the procurement of mechanics to fill up the supply of men who could make rifles at Springfield and Rock Island was difficult.

Senator KIRBY. Is there any reason for the War Department assuming that because an ambassador of the United States to a foreign country a year ahead thought there might be a declaration of war it should speed up and increase the output of ammunition?

Secretary BAKER There is no reason, Senator, but I would like to have it perfectly understood that the 97 officers in the Ordnance Department, since I have known them, which is since about the 1st of March, 1916, have worked more hours than any set of men I have ever known in public or private employment.

Senator KIRBY. I was surprised that because some ambassador had a peculiar notion a year ahead as to what we should anticipate the year following, when there was really nothing to indicate it, the Ordnance Department should be expected to speed up on that account. I do not feel that the Ordnance Department should be blamed for not proceeding on account of that sort of thing.

Secretary BAKER. I do not understand that Ambassador Gerard claims to have said that to the Ordnance Department. I am perfectly willing to say that he did not.

Senator NEW. The *Lusitania* had been sunk at that time?

Secretary BAKER. Oh, yes, sir.

Senator NEW. And several other American vessels, and several vessels bearing American passengers had been sunk by German submarines?

Secretary BAKER. Yes, sir.

Senator NEW. That notice was based upon those facts, and what he gathered in Berlin from talks with the German Emperor, the German admiral, and the German chief of staff, and

others; so that characterizing it as a "peculiar nation" of the ambassador hardly disposes of it, I think, as frivolous.

Senator KIRBY. Relative to the supply of rifles, which seems now to be adequate, it is not contemplated, as I understand, by the officials in charge of the department that all these men that we are now supplying with rifles can be sent abroad shortly; in other words, they contemplate a period of training that may reach to the extent of a year with the rifles that we now have?

Secretary BAKER. That is perfectly accurate. I would like to complete that statement.

Senator KIRBY. I want to put that——

Secretary BAKER. Every man sent to Europe is adequately armed, every man can be adequately armed, and the supply of rifles was enough to train every man who has or can be sent to Europe with rifles; and I make one further observation about it, that eight months after Great Britain went into the war Kitchener's army was still drilling in top hats with walking sticks.

The CHAIRMAN. You have stated as a fact that all the young men that are now in training are adequately armed with rifles?

Secretary BAKER. I am referring to rifles.

The CHAIRMAN. I hope you will verify that statement by ascertaining on the ground.

Secretary BAKER. Senator, let me dispose of that, if I can. You have Gen. Crozier's statement before you of the number of rifles actually delivered. I have it here. The requirements of January 1 were 1,165,000; the total number actually delivered was 1,001,000, leaving 164,000 shortage. On February 15, according to the rate of deliveries now progressing, the requirements will be 1,240,000 and the deliveries will be 1,240,000. Now, if you add to the rifles already delivered and distributed the Krags, which are good enough for training weapons, and the old Springfields, which are obsolescent as actual operating weapons but good enough for training purposes—if you add those to the 1,001,000, I think you will so nearly come to 1,165,000 that it is safe to say that every man has a rifle that wants to have one.

Senator WADSWORTH. You would not say that the Krag-Jörgenson was a good rifle for training purposes when in fact there is no ammunition supplied?

Secretary BAKER. There is plenty of ammunition.

Senator WADSWORTH. Gen. Crozier so testified.

Secretary BAKER. That was not because we did not have it.

Senator WADSWORTH. Because it was unsafe?

Secretary BAKER. Not because, as I understood, it was unsafe, but because the rifle ranges at the camps had not been erected at the time.

Senator WADSWORTH. Gen. Crozier's testimony was very clear on that point, that it was deemed inadvisable to issue ammunition for the Krag-Jörgenson rifle, it being unsafe, due to its great age.

Secretary BAKER. I never heard that before.

Senator WADSWORTH. That was his testimony. It is a fact that the Krag-Jörgenson had no ammunition from the day it was issued to the troops, and has not now, so it is not an adequate training rifle.

Secretary BAKER. It may not have been an adequate training rifle in the matter of marksmanship, but have been a training rifle in the matter of carrying the rifle and training in the manual of arms.

Senator WADSWORTH. The prime purpose of a rifle is to shoot, is it not?

Secretary BAKER. That is one of the purposes.

Senator WADSWORTH. That is the primary purpose?

Secretary BAKER. Not even the primary purpose, necessarily; it has its bayonet purposes.

The CHAIRMAN. I hope you are entirely correct about that, but I think if you will look into it a little further you will find that is absolutely true on the per capita basis, dividing the number of guns on hand into the number of men you have; but I think you will find there are still cantonments where young men have not guns.

Secretary BAKER. I think that is so. We are not at variance about that.

The CHAIRMAN. Then there must be a lack in the distribution of them?

Secretary BAKER. Yes; they are slow in the distribution.

The CHAIRMAN. I think you will find some of these cantonments are lacking at least 50 per cent of the guns necessary to train with.

Secretary BAKER. I can not think that, but it may be. I have not the means of saying it is not.

The CHAIRMAN. I hope it has been cured, but that was the fact when we started in here, I think. The next thing there was serious complaint of, Mr. Secretary, assuming that the changes which have been made in the Lee Enfield rifle have been for the best interest of the Government, and having your explanation of the delays, the next serious criticism is in reference to the machine gun. Now, I guess it is a fact that there are practically no machine guns with the troops now in this country. When I say "practically none," they are wholly insufficient?

Secretary BAKER. It is a relatively small number.

The CHAIRMAN. It seems this controversy that was waged over the character of machine guns that should be adopted was not adjusted until in May, 1917, or possibly later than that. Many of the witnesses who have testified here feel that there was delay in that, an unnecessary delay. Here was the Lewis gun, that was being manufactured in very large quantities for the use of the British, who had seventy-odd thousand of them on the firing line; our troops were practically without machine guns, and it is felt by many, and so testified to, that the gun ought to have been manufactured, the one most readily capable of manufacture ought to have been put on the market for the training of the men, at least.

Secretary BAKER. Prior to April or after April?

The CHAIRMAN. Well, it could have been immediately after April; it could have been done before April.

Secretary BAKER. There was no delay after April.

The CHAIRMAN. Yes; there was, Mr. Secretary. The board did not meet until May, some time.

Secretary BAKER. The board had nothing to do with it. After April and long before Congress had—long before your committees had been able to deal with the estimates which the War Department had made on the subject of machine guns, the full capacity of making machine guns of the Savage Arms Co. was ordered to go forward with the manufacture. The delay was this: When I became Secretary of War I found several controversies, of which perhaps the longest continued and the most acrimonious and bitterly contested was the one affecting machine guns and involving, as it seemed at the outset, the relative merits of the Benét-Mercié gun and the Lewis gun, manufactured by the Savage Arms Co. It was conceded, and I think has never been denied, that of the heavy-type gun the Vickers-Maxim was the best. The program for supplying the Army of the United States—the Regular Army and the National Guard—at that time was 12,000 machine guns of the two types. That was the program of the War College and of the General Staff, and was regarded at the time as generous. Now, I found that the controversy. I went through it from top to bottom; I read every report which had ever been made; I read every criticism and comment, and all the literature of that controversy, and the net result of it was this, that the Lewis gun had never been presented to the department as a perfect weapon, chambered for American ammunition up to that time. Its inventor and its manufacturers claimed it could be perfected and chambered for American ammunition. It had been in the process of being perfected, but the boards of the department which had passed upon the excellence of this weapon had agreed that it was not yet sufficiently perfect, and as between it and the Benét-Mercié the Benét-Mercié was the better weapon. That was the state of the controversy at the time.

When Congress made an appropriation, I think, of some $12,000,000 for machine guns——

The CHAIRMAN. That was August 29, 1916.

Secretary BAKER. Gen. Crozier made a recommendation to me, which I happen not to have here, but which you have, involving the immediate purchase, as I recall it, at the outset, the use of all that money, or the major part of it, to buy the heavy Maxim water-cooled gun. I directed that one-half of that money be used for that purpose and that a board be assembled to pass upon the relative excellence not only of the Benét-Mercié, but of the Lewis chambered for American ammunition. As a result of the British experience, which had led to a great development in their gun, and to several other guns of which we had knowledge and that were in process of perfection, that board was appointed—I have forgotten when, but I testified fully as to the existence of the board before the House Committee on Military Affairs; told them why the board was appointed and what its functions were. As soon as it became apparent that we were in the war the board was asked to make a special report. They did make a special report, but at the time they made it the sum which had originally been appropriated was already under contract for every kind of machine gun we could get.

The board went on with its investigation. With the solitary exception of the Marlin and the old-fashioned Colt guns, we were using the full manufacturing capacity to make these guns while the board was experimenting and determining the excellence of newly devised weapons, and when the board made its report in July and brought in a report favoring the Browning

gun, that simply added two new weapons; it was not a question of replacing the Lewis gun, it was not a question of displacing any gun we could get, but adding two new weapons, one of the heavy and one of a light type. So the investigations of that board were concurrent with the utmost expedition in securing from existing manufacturing facilities in this country all the machine guns we could get.

Senator McKELLAR. I will call your attention to the fact that Gen. Crozier's testimony, as I recall it, was that an allotment of the $12,000,000 was made by the Ordnance Department in December, and that a contract was made thereafter at some time, I do not think it was stated when, for the Vickers gun, but that nothing was done except to wait on the board that had been appointed.

Secretary BAKER. That was true in December.

Senator McKELLAR. Well, that nothing was done between August and December.

Secretary BAKER. That is certainly true.

Senator McKELLAR. And it seemed to me, and I imagine to other members of the committee, that at such a time when we all knew that something was likely to occur to make guns necessary, that a delay like that was unreasonable.

Secretary BAKER. Well, it is a question of judgment. Here we had an appropriation and the expert opinion of the department was that the major portion of it should be used for the purchase of the heavy Vickers type of gun and a very small part of it used in buying the light type of guns. The recommendation of the experts was that that small part for light guns should be used by buying Colt guns, the revised model of the Colt gun, and the revised model of the Benét-Mercié gun. In the meantime, here were the Lewis guns, which had established a reputation in Europe, which were pressed very earnestly upon the department as a more modern implement, and there was not any recommendation that the Lewis gun should be bought. In order to bring that to a head and find out just which guns we ought to get, this board was appointed. At that time there seemed to be plenty of time for the board to consider all these things.

Senator McKELLAR. As I recall Gen. Crozier's testimony, it was substantially this: That on the 18th of August he made a recommendation to you, knowing that this $12,000,000, or thereabouts, was to be appropriated by Congress in that month, he made a recommendation to you that one-half of it be immediately expended in Vickers guns and that a board be immediately impaneled and decide the question, as I recall it, in September—it may have been as late as November—but that you recommended that would be postponed until the following May, about two months after the war began, and that the reason for that was that you wanted to have all of the inventors to have a fair chance of showing their guns. Right there it is my judgment that under those conditions, the conditions that then confronted our country, and with $12,000,000 already appropriated by the War Department, that we ought to have used a great deal more expedition in getting guns; and if a board had to be impaneled, it ought to have been impaneled earlier. It could have been impaneled in September or October just as well as in the following May. I merely make those statements so that I can have you reply with your views on that subject.

Secretary BAKER. I am very glad to, Senator.

Senator KIRBY. Does the question relate to the appropriation made before the declaration of war, the following——

Senator McKELLAR. August 29, 1916, $12,000,000.

Secretary BAKER. I thought I had Gen. Crozier's recommendation here. I do not seem to have it, but it is immaterial.

Senator McKELLAR. There was no disagreement about it, except your memory that it was the major portion of the recommendation and mine that it was one-half of it, so that is immaterial.

Secretary BAKER. It is relatively immaterial. Gen. Crozier's recommendation was that that sum should be spent, as I recall it, the major part, for Vickers guns, and that of the residue a part should be spent in buying Colt guns; or, at least, that was his then thought about it. The board was called; its time of deliberation was extended in deference to the Lewis gun, which at that time had not been chambered for American ammunition so as to work successfully. In order to give its manufacturers plenty of time I gave the board the power to extend the time of their tests so that that gun might be produced before it, and also the Browning gun, which was in process at the time. But the deliberations of that board never delayed for a second the buying of any machine guns after April, or after the beginning of April; never, for a second. It did delay the buying of machine guns and caused the exclusion of the Lewis gun prior to April.

Senator McKELLAR. In other words, it delayed it before April but not after?

Secretary BAKER. Yes, sir.

Senator McKELLAR. Well, it delayed it to this extent afterwards, that no contracts were made and no allotments of money were made after the 6th of April, after the war began, until after you determined on the Browning gun. This board determined on the Browning gun in May, which was about two months after war was declared, or June?

Secretary BAKER. Yes; it delayed buying Browning guns until the board reported in their favor. But while the board was considering its reports Lewis guns and the capacity of the Savage Arms Co. were under order, and Colt guns and every other kind of gun which was then possible to be manufactured was being manufactured, and no delay was caused by waiting for any report of the board.

Senator McKELLAR. Whatever may have been the argument, one way or the other, the fact remains that nine months after the war began, in the greater portion of our cantonments, those who had been designated to the machine-gun service in the Army have no machine guns with which to learn their business.

Secretary BAKER. I would not say they have none. They have relatively few.

Senator McKELLAR. I will call your attention to the testimony of Maj. Gen. Wright, of Camp Doniphan, I think, and of Maj. Gen. Greble, of the Bowie Camp, I think, in which they said they either had no guns at all, no machine guns at all, or a wholly inadequate supply, and that is our information from all of the camps except some National Guard camps, where they were supplied. Take, for instance, the one of Gen. Ryan, down in Carolina. Now, it seems to me—I speak only for myself—that with the great number of machine guns that were being manufactured in this country at the outbreak of the war and long before the outbreak of the war, that we should have had machine guns in the hands of those who were to use them long before this.

Secretary BAKER. Senator, I will ask you to remember, in that connection, two facts. The entire program for machine guns for the Regular Army and National Guard in the United States, the largest program that has ever been submitted to Congress by the General Staff, or approved by Congress prior to this war emergency, was 12,000 machine guns. The demand of the country now for machine guns, by reason of the development of the use of that weapon in this war, and hitherto unknown, is much more than 200,000 machine guns, and each one of them is a highly intricate piece of mechanism, which it requires a very long time to manufacture, even in quantity manufacture, and a much longer time to prepare for quantity manuf cture.

Senator McKELLAR. Do not those two facts which you mention make it all the more important, or did they not make it all the more important, that the department should have gotten machine guns from any source, from any factory, in order that our men in the camps would not remain in the camps without guns to be trained? I want to say to you in all frankness that I am not a partisan of the Lewis gun or the anti-Lewis gun. I have no interest under heaven in any such matter.

Secretary BAKER. I understand that, Senator.

Senator McKELLAR. But my only idea is that under the surroundings, under the developments of the war, as everybody must have seen the great use of machine guns, that immediately upon their being any question about our getting into it, that the greatest energy should have been exerted to have secured some kind of machine guns, and whatever kind of guns we might have been able to secure, in order to train our men to use them.

Secretary BAKER. Senator, all such questions are necessarily decided as a question of extreme speed and excellence. Those two things are at variance. Let us assume that we could have gotten larger supplies of Lewis guns. That does not at all necessitate a judgment of the wisdom of so doing. As a matter of fact, the machine-rifle situation and the machine-gun situation is an expert military question.

There is what is known, first, as the machine rifle; second, the light machine gun; third, the heavy machine gun. The machine rifle is neither air cooled nor water cooled. The light machine gun, of the Lewis type, is an air-cooled weapon. The Colt, the Benét-Mercié, and some of the other light guns have no special cooling device. The Vickers-Maxim is a water-cooled gun. There is very active difference of opinion among military experts, first, as to the wisdom of water cooling as against air cooling, and, second, the weight of the gun which the individual soldier is to be equipped with. If it had been a matter of complete certainty that American troops in this con-

flict were to adopt the British theory of machine-gun practice, then in all likelihood a large number of the Lewis guns would have been valuable. That not being certain, the French practice differing from that, there was a robust question of difference of judgment as to the weight of guns to be used. As a matter of fact, some members of the United States Marine Corps, who had been sent to France fully armed with Lewis guns, have been disarmed of their Lewis guns by Gen. Pershing and rearmed with Chauchat automatic rifles, which are very much lighter, and Hotchkiss guns bought in France of the heavier type, and corresponding to the Vickers-Maxim, so that the actual supply of Lewis guns sent to France in the hands of troops who were fully armed with them is now in reserve stock again and those troops have been rearmed with the Chauchat light and the Hotchkiss heavy rifle, because the theory of training and rifle practice which Gen. Pershing adopted uses a lighter gun than the Lewis and a heavier gun than the Lewis. And if that obtains, if the military experts adhere to that, then the Lewis rifle will be used primarily for aircraft work and not at all for ground work with soldiers.

Senator McKELLAR. Again I assure you I am not interested in the Lewis gun or any other gun.

Secretary BAKER. I am simply illustrating, it is a different type of weapon.

Senator McKELLAR. Here is what seems to have been happening: This selection of a gun was delayed from August 29, when $12,000 000 was appropriated by Congress, until the following May before any gun was really adopted by our Government, and now, since last May, when it was adopted, up until to-day we have none of the guns yet made. In other words, you adopted a gun that was, we hope, the most excellent gun in the world, but it has never been tried in the field; it is a new gun, and we hope it will mean all you say. I know I devoutly hope it, but you have not even got that gun; you have not any of those guns.

Secretary BAKER. A few.

Senator McKELLAR. No; I think Gen. Crozier said the first delivery would be in March.

Secretary BAKER. The first quantity delivery. We have a few.

Senator McKELLAR. He said he had two, as I recall.

Secretary BAKER. Nine this morning.

Senator McKELLAR. That is some improvement; but I am afraid we would not make much headway with the Germans with nine guns.

Secretary BAKER. But, as a matter of fact, the quantity delivered starts like the acute end of a triangle, and spreads toward the base.

Senator McKELLAR. I am delighted to know that is so, because I think we ought to have the guns, and it does seem to me we have not used all the expedition that we should have used in order to have guns manufactured.

Secretary BAKER. I want to just insistently but respectfully repeat that the adoption of a machine gun by that board in May has nothing whatever to do with the supply of machine guns in the Army. We adopted the Browning gun in May, 1917, and we may adopt another the day after to-morrow. If somebody will invent a better one, we will adopt it as soon as its excellence is apparent.

Senator WEEKS. There is said to be a better one now.

Secretary BAKER. I am certainly glad to know of it, because we want our troops to have the best one, and I hope American ingenuity will devise a better one very speedily.

Senator FRELINGHUYSEN. I want to ask the Secretary whether any recommendation has come from Gen. Pershing for the abandonment of the Lewis gun for ground work?

Secretary BAKER. None, at least not in that specific form.

Senator FRELINGHUYSEN. You do not know whether, by reason of the fact that he has taken these Lewis guns away from the Marine Corps and is rearming them with the Chauchat and Hotchkiss, that he has abandoned the policy of using them as a ground arm?

Secretary BAKER. I do not know that, but what he has done is, he has felt it better to arm them with a gun lighter than the Lewis and a gun heavier than the Lewis and has used the Chauchat light and the Hotchkiss heavy rifle.

Senator WEEKS. Of course you know there are two types of Lewis guns, two weights, the lighter one being now manufactured by us?

Secretary BAKER. For aircraft; yes.

Senator FRELINGHUYSEN. Has the War Department inquired of Gen. Pershing as to the policy on the question of Lewis guns?

Secretary BAKER. The War Department, of course, is in daily communication with Gen. Pershing on all these subjects, but just what is the state of his present opinion, I do not know. But it would be immaterial, because Gen. Pershing's opinion may be changed from day to day; it may be one thing on Tuesday and may be another thing on Wednesday. The art of war is progressing. He may be for the Lewis gun to-day and may be against the Lewis gun to-morrow, and for it the next day.

Senator FRELINGHUYSEN. I presume there has been some anxiety on your part as to the type of arm Gen. Pershing desires?

Secretary BAKER. The main anxiety of the department is to supply Gen. Pershing with every kind and amount of arms he wants.

Senator WEEKS. Recurring to the question of ordnance, are you entirely satisfied with the progress that has been made by the department up to this time?

Secretary BAKER. Senator, I do not say the department might not have expedited some phases of its work.

Senator WEEKS. Of course the department and all departments in the Government have been doing a great amount of work and a great amount of good work. But what we are trying to find out is where we have failed and where we can jack up the service so as to do better.

Secretary BAKER. And with that inquiry, of course, I am deeply sympathetic.

Senator WEEKS. Where have we failed, in your opinion, as far as ordnance is concerned?

Secretary BAKER. I do not think I can answer your question; that is, I do not think I can pick out any place.

Senator WEEKS. I do not want to be petty about this in the slightest degree, but take the question of the 9.5 gun. We have adopted the 9.5 gun. Everybody has been using the other form of weapon. Is that good judgment, generally speaking? Was there any good reason? Is it a little better gun?

Secretary BAKER. Let us analyze the facts. You say we have adopted a 9.5 gun. What we have actually done is this: We had a 9.5 gun which was an official part of the artillery program of the United States.

Senator WEEKS. But what we had was so little it was negligible.

Secretary BAKER. I am not disputing that. When this war emergency came we went forward with the manufacture of a gun which was already perfected as to its design—one that was under order—but we, at the same time, gave orders to all heavy ordnance makers in this country to make for us heavy guns of the British and French type, which they had in quantity manufactured at the time, so that we did not adhere to our standard weapon to the exclusion of getting all heavy ordnance we could of other types. In other words, my answer to your question is the fact that the 9.5 gun as an authorized part of our heavy artillery did not dissuade us from getting all of the 8-inch and 9.2-inch guns of the French—I think they are 9.2—and of the British which could be manufactured by us, by the Bethlehem Steel Co., and the Midvale Co., who were then manufacturing for the British.

Senator WARREN. Gen. Crozier has laid before the committee the artillery program, and there is not contained in his statement of that program any mention of a heavy gun other than the American 9.5.

Secretary BAKER. That must be an oversight, Senator, because I very distinctly recall——

Senator WARREN. Of approximate caliber, I mean.

Secretary BAKER. That must be an oversight, because I recall having talked with Gen. Crozier on the subject. He told me the 9.5 was then in manufacture, but as the Midvale Co. and the Bethlehem Steel Co. were actually manufacturing guns of about the same caliber for the British, he thought it wise for them to go forward with as much quantity manufacture as they could with duplicate English guns for us, which I approved of.

Senator WARREN. The point was brought out when Gen. Crozier was here that the French gun, of approximately 9.5 caliber, was so near the American 9.5 that it was decided and intended as to practically equal the 9.5 in efficiency; and that the ammunition, the shells rather, for the French 240-millimeter gun, which is about the equivalent of a 9.5, will be made in this country in quantity production, and it ought to have been better to have taken the French gun, the 240 mm., confessedly as good or nearly as good as the 9.5, and made use of the capacity of our plants in this country already operating to make the guns, and we would get all the designs of the gun from the French. Instead of that a 9.5 gun has been insisted upon by the Ordnance Department. It is like starting de novo, and we have to have a different shell for it; the ammunition is not interchangeable.

Secretary BAKER. I think you are misinformed about it. We are buying guns from the American manufacturers of the French design and caliber, and are getting, in addition to that, production of our own authorized and perfected type.

Senator WARREN. These very questions were asked Gen. Crozier, and he made no mention whatsoever of the purchase of any field gun above the caliber of 9 inches.

Secretary BAKER. Mr. Crowell, the Assistant Secretary of War, who is here, and who has had very special interest in this, assures me we are buying 8-inch guns, which is not part of our standard, and also the 9.2 gun. That is, the English gun, not the French gun.

Senator WARREN. I was speaking of the French gun; the 240-millimeter gun is almost exactly like the 9.5, but sufficiently different to preclude the use of the same ammunition in both.

Secretary BAKER. What did Gen. Crozier say about that when you asked him that question?

Senator WARREN. He intimated it might be wise to consider using the 240-millimeter gun, but said none was being made or purchased.

Senator WEEKS. What he said, Mr. Secretary, illustrates the very point I have made of overtechnicality. He said the 9.5 gun was a little better gun than any that were being manufactured——

Secretary BAKER. All I can say about that is Gen. Crozier is not fair to himself if that was the only answer he gave you.

Senator WEEKS. Of course, I am speaking from a recollection of nearly three weeks.

Secretary BAKER. He was not fair to himself, because Gen. Crozier and I discussed the middle heavy type of ordnance, and it was perfectly understood that the full quantity-productive capacity of the only two private ordnance plants in the country prepared to make that arm should be used, and to use French and British designs, rather than insist on our own type, but to go on with our own in addition.

Senator McKELLAR. As I understand, you are making all the American guns of that type that could be made, and in order to arm and equip our Army at the earliest possible moment, you also ordered these other types?

Secretary BAKER. Exactly.

Senator McKELLAR. Which I want to say I approve of most heartily. I think you were doing exactly right about it, but why did that not apply to machine guns?

Secretary BAKER. It did apply. We did exactly the same, just exactly. It is a perfect parallel.

Senator McKELLAR. We did after so long a time, the trouble is, the difference was——

Secretary BAKER. Well, it was the same time, exactly the same time. Just as soon as there was prospect of the United States going into this, as soon as the United States went into the war, and the immediate arming of the enlarged forces was necessary, we got all the machine-gun people that could make them to make any kind they could make, and in addition to that we started this inquiry as to the relative excellence of new weapons, so that later others could include the latest improvements.

Senator WARREN. Mr. Secretary, will you and the Assistant Secretary refresh your memories on the question of the 240-millimeter gun?

Secretary BAKER. I shall be very glad to do it. I do not have it accurately in my mind. I remember my talks with Gen. Crozier about it.

Senator WEEKS. Are all the facilities for the manufacture of ammunition available in this country being used?

Secretary BAKER. No; not all of them, Senator.

Senator WEEKS. Are you getting all the ammunition you need?

Secretary BAKER. The deliveries of ammunition are beginning now in quantity production, very large orders have been placed, and adequate supplies of ammunition are easily in sight.

Senator WEEKS. What do you mean by "easily in sight"?

Secretary BAKER. I mean by the time we shall need them we shall have them; much before the time we shall need them.

Senator WEEKS. When do you think we shall need them?

Secretary BAKER. Under the arrangement which Gen. Crozier has described to you, there is no immediate need of American-made ammunition for heavy artillery in France.

Senator WEEKS. That leads me to ask you a question about that.

Secretary BAKER. But in spite of that, very large quantities have been ordered.

Senator WEEKS. Do you think the arrangement we have made with France is a safe one for us to rely on indefinitely?

Secretary BAKER. The arrangement is not only made with France but with England, and it seems to me that it is eminently safe to the extent it goes. It is for the year 1918.

Senator WEEKS. Speaking of ordnance and guns, what can be done to improve the situation as it exists now, to-day?

Secretary BAKER. Well, Senator, I can not at this moment put my mind on a thing in the Ordnance Department which I can suggest would be helped or improved by your activity, and only for the reason that the minute I find out anything that can be helped or improved, I help or improve it, so I am up to date with my own suggestions.

Senator WEEKS. What is the powder-supply situation?

Secretary BAKER. The powder supply, the situation is that we are using the full capacity of the Du Pont works; we are endeavoring to expand the other private works in the country, and are proceeding with the building of a Government establishment with a capacity of a million pounds a day.

Senator WEEKS. Are you using the full supply from the Du Pont works—their full capacity?

Secretary BAKER. We are not using their full supply, but the allies and ourselves are using it.

Senator WEEKS. It has been reported to this committee—I have not examined the reliability of the report myself—that their capacity was not being used to anything like its limit.

Secretary BAKER. I think that can not be accurate. I have understood we were using their maximum capacity.

Senator WEEKS. They still have contracts with the allies?

Secretary BAKER. Yes.

Senator WEEKS. When do they expire?

Secretary BAKER. I can not answer that, Senator.

Senator WEEKS. Most of those things are matters of public record, are they not?

Secretary BAKER. I assume they are; but I do not happen to know them.

Senator WEEKS. When will your plant for the manufacture of powder be ready for delivery?

Secretary BAKER. I can not answer that. It is a very large building operation. I should say six or eight months, as a time estimate.

Senator WEEKS. From now?

Secretary BAKER. Yes; from now; the 1st of January.

Senator WEEKS. Was that provided for in the last appropriation bill?

Secretary BAKER. The last appropriation bill provided a very large sum of money for explosives without providing mode for getting them.

Senator WEEKS. Is it contemplated for the Government to run that plant?

Secretary BAKER. Yes, sir.

Senator WEEKS. Do you think that appropriation was in such a form that you were justified in using it for building a plant?

Secretary BAKER. Legal opinion has been taken on that subject, and the appropriation has been held adequate for that mode of operation.

The CHAIRMAN. Mr. Secretary, what do you think about the policy, from an economic standpoint and from a military standpoint as well, of the Government going into the establishment of a plant for the manufacture of ammunition in this emergency? Is it not a fact that the development of the manufacture of powder is a very slow process and that it requires men of the very highest technical type to properly manufacture it?

Secretary BAKER. You have asked me two questions, Senator, and I am trying to separate them. Under the circumstances, I think it very much better to establish this plant and operate it than any other arrangement which I have been able to suggest. The manufacture of powder is a simple chemical process. There is no mystery about it. It is perfectly simple.

The CHAIRMAN. My reason for asking the question is based upon the complaints that have come to me, or suggestions which have come to me, and I have them in every shape from every angle of this investigation, and I only asked for information. It has come to me, for instance, that the Du Pont people, who are the largest people and most skillful manufacturers of powder in this country, offered to build these plants for the Government—at the Government's expense, of course, and that is what we are going to do—and to operate them and to manufacture powder with their skilled men and to charge the Government only such price for the output as the Government might fix, or without profit if the Government so determined.

Secretary BAKER. Senator, that is not accurate.

The CHAIRMAN. I want to get the facts about that in the record, because it has come to me from more than one direction.

Secretary BAKER. I am perfectly willing to state the facts. I should like to preface it, however, with this statement, that the understanding between the Du Pont Co. and the Government was a perfectly friendly understanding. There is no misunderstanding of any kind, and the Du Pont Co. is cooperating with the Government in the venture it is undertaking. The Du Pont Co., of course, is the largest military powder manufacturer in America—almost the only very large one. As the result of rather prolonged negotiations an arrangement was suggested with the Du Pont Co. by which they would undertake to build a smokeless-powder plant for the Government with the Govern-

ment's money and operate it for a year and a half. For the building of that plant the arrangement as suggested provided that they should receive the 15 per cent commission. That was divided into several items—6½ and 6⅛ and 1¾. One and one-half per cent was to have been distributed by them as bonus to expedite the work, but the aggregate percentage of profit was 15 per cent. On the basis of $90,000,000 investment, that would have been $13,500,000, or some such figure.

Then they were to operate the plant for a year and a half, raising it to a maximum capacity of a million pounds a day, and for each pound of powder manufactured by them at a price under 49 cents, as I recall the figure—that may be a cent or two off—they were to receive a profit of 5 cents, and for each 5 cents which they reduced the price of powder below that 49 cents they were to receive 2½ cents additional profit, which would have made the gross profit to the Du Pont Co. under that contract as suggested somewhere between $20,000,000 and $40,000,000 for the year and a half work. That seemed to be more than it ought to be. I consulted the experts of the Army and the Navy with regard to powder manufacture. I consulted the wisest business men in the War Industries Board, and I discovered that the Army and the Navy are both making powder which by common consent is equal in quality and as low in cost as the Du Pont Co. can make it. Then, there is no mystery about the process; it is a question of business organization only, because of the large scale of the operation involved, and it seemed to me that under all the circumstances it would be wise to save so very large a compensation for undertaking this work.

Senator WEEKS. Were those the best terms offered?

Secretary BAKER. I had not quite finished, Senator. I suggested to the members of the Du Pont Co. that I thought the price was excessive, and they told me they were not very anxious to do the thing; that they, in fact, would rather be relieved of doing it, and that if the Government undertook it itself they would be very glad to turn over to the Government all the plans and designs they had in the matter, and later they said they would turn over all the plans and designs, and then the War Industries Board made a suggestion. They said they thought it would be a good thing to offer the Du Pont Co. $1,000,000 as a payment on account and undertake this work, and leave the remaining compensation, if any, to be determined by arbitrators, one appointed by the Du Pont Co., one appointed by the Government, and those two to select a third. I submitted that to the Du Pont Co. and it was rejected. Later—I forget just how it came about—they made a still further suggestion, which was they would undertake to build the plant and operate it, and that, at the conclusion of the operation, the total compensation to them should be determined by a board of arbiters, to be chosen, I think, in the same manner, to which board should be submitted all of the suggestions and proposed contracts which in the negotiations up to that time had been suggested by one or the other of the parties involved, which would have had the effect of making an indefinite obligation upon the Government to be determined by a board of arbiters, obviously proposed to be influenced by an explicit exposition to them of all the terms originally proposed by the Du Pont Co. They never at any time offered to do it without compensation, that I can recall.

Senator WEEKS. Were these negotiations conducted verbally or in writing?

Secretary BAKER. Both ways.

Senator WEEKS. Will you put in the record such correspondence as you have had with the Du Pont Co. relating to that subject?

Secretary BAKER. I am perfectly willing to do that. The only doubt in my mind is just how far that correspondence really exhibits the transactions, because I saw the members of the Du Pont Co. several times personally and talked with them.

Senator WEEKS. There is no reason why it should not go in the record, is there?

Secretary BAKER. I would be very glad to look it up, and if it is not so incomplete as not to tell the story I will submit it to you.

Senator WEEKS. If it tells the story completely, we shall be glad to have it.

Secretary BAKER. I shall be very glad to submit it.

Senator WARREN. I want to ask the Secretary if this new plant is located in conjunction with the old plant of some years ago?

Secretary BAKER. No; it is not. The new plant was not contemplated to be located in conjunction with the old plant; the old powder plant of the Government, at the so-called Picatinny Arsenal, is a relatively small plant, and Congress had provided a sum of money for building a new plant in order to remove from that location. This plant was projected to be in 10 units of 100,000 pounds capacity daily each, and two sites had been selected—one near Charleston, W. Va., and one near Nashville, Tenn.—and the proposed plan, as it now is, is to erect the first five units at Charleston, W. Va., and that work is now in progress.

Senator WARREN. I recall when this powder plant was instituted that the Du Pont Co. offered to furnish any plans, any information they had, or to loan us their experts to teach ours. I want to ask whether we had been able to educate many of the ordnance men in the art of making powder?

Secretary BAKER. Yes; the Ordnance Department now at Picatinney Arsenal and the Navy Department at Indianhead both make powder of identical quality and quite as favorable a price with that made by the Du Ponts. We have in the Army and the Navy highly trained and admittedly competent powder makers.

Senator WARREN. You have, then, a nucleus to start out in this large building and large institution?

Secretary BAKER. Yes.

Senator WARREN. As I remember, the Navy plant was some two or three years after the building of the Army plant, and, as I remember at the time, I know that was the consideration in t Army plant; it was to reduce the price not by the quantity we made, but the information that could be gained by making it, and if we could make the quality that we could test all of that, we could buy our own, and that has been successful in reducing the price and producing a good powder, has it?

Secretary BAKER. Yes. The price which the Du Ponts made, as I recall it, to the foreign Governments for the manufacture of smokeless powder, was $1 a pound. The price which it would have cost the Government of the United States on the basis of the original suggestion by the Du Pont Co., amortizing the value of the plant, would have been about 70 cents a pound. The actual cost of the manufacture of powder, with a fair profit in it, not amortizing a very great overhead like that, is somewhere between 35 and 40 cents a pound. The Navy cost has been substantially below that and so has the Army cost, but I cite those last two factors, remembering the price of many materials have since risen, and the price of labor is somewhat higher.

Senator WARREN. As I recall, the price was reduced after the building of the Army plant by more than 40 per cent. Of course, it took a period of three or four years to accomplish that. In the meantime, as I recall it—I have had no different information since—the intention was not so much to manufacture all of our own powder or to cut the private manufacturers out, but to obtain the information we wanted, and to obtain the price through this competition and still allow all of the plants to go on manufacturing as before, so that we might, in case of war, call on these plants for making that class of powder that was only used in war.

Secretary BAKER. That was the view expressed by Gen. Crozier in several hearings, both before the Senate and the House, and I have no doubt the navy yard, too, and seemingly it is the policy adopted by the Government.

Senator MCKELLAR. At the present ruling prices of materials, what is the price at, or what is the cost at, which this is to be manufactured in our Government plant—the new one you speak of?

Secretary BAKER. It is very difficult to tell, because of variance in prices.

Senator MCKELLAR. I understand that; but I thought perhaps in making the figures you reached some conclusion as to what the cost would be before going into the building of the new plant.

Secretary BAKER. It is very easy to have an approximate estimate of an addition at which powder ought to be manufactured if you can have any forecast of the length of time you are going to need such large quantities. If you spread the amortization of the plant over a long period of years it decreases the price. But, leaving the plant out of consideration, I will say two things about it: Nobody knows the cost of powder manufacture in the Du Pont Co.; nobody knows what that is, and I do not know, and it is perfectly proper that I should not know, probably. But, so far as the Navy and Army are concerned, our cost is somewhere between 30 and 35 cents, or 30 and 40 cents.

Senator MCKELLAR. But you think when the new plant is built that approximately those figures can be realized, and certainly they can be realized with the addition of the increased cost of material?

Secretary BAKER. That, of course, depends on a number of things. The price of cotton is one important factor, the price of sulphur, the price of Chile nitrate, and the cost of transportation of tonnage from Chile.

Senator WARREN. Also the price of labor?

Secretary BAKER. Also the price of labor.

Senator McKELLAR. Taking all those things into consideration, you expect to approximate the price the Government now manufactures it at?

Secretary BAKER. I expect to get out of that plant, which is to be a very modern plant, built for the highest economies of manufacture—I expect to get a minimum productive cost.

Senator WEEKS. I understand you that that plant will be ready about the 1st of next September?

Secretary BAKER. Senator, I can only give you my own judgment on that. The Du Pont Co. themselves said that the lowest possible estimate they could make of the time within which they could get it ready would be eight months, beginning perhaps the 1st of November. They suggested that it would be a very hopeful and optimistic thing if they would suggest that perhaps one unit of it might begin production in six months. Their superintendent wrote them a letter, which they showed me, in regard to the Charleston proposition, in which he said it could not be done in 12 months.

Senator WEEKS. Was not this question of powder supply taken up until November?

Secretary BAKER. I can not answer when it was taken up, Senator.

Senator WEEKS. Was there any estimate made as to our requirements of powder under the conditions that prevail and the number of men that were put in the service?

Secretary BAKER. Oh, undoubtedly.

Senator McKELLAR. What are we going to do for powder in the meantime, before this plant is ready?

Secretary BAKER. I think the powder supply is adequate. The present powder supply is adequate for our present needs.

Senator WEEKS. Then this will be simply needed and used for any additional forces?

Secretary BAKER. No; not quite that. I think it would be needed for that, and I think also, as time goes on, it will be found very much better to make more of the powder in this country and less abroad. Mr. Crowell, the Assistant Secretary, has handed me these figures which you may care to see. Suppose I pass this to you, rather than read it?

Senator WEEKS. I think it would be better. I want to ask you if we are buying smokeless powder abroad?

Secretary BAKER. Not abroad. We are buying it from the Du Ponts in very large quantities, but not abroad.

Senator WEEKS. I thought I understood you to say just now there was a difference between the powder made in this country and abroad?

Secretary BAKER. No; I meant by that, only it would be wiser as time went on, and undoubtedly it would be better to have the allies procure larger supplies of manufactured powder in this country rather than take the ingredients there. It takes about 8 pounds of transportation to produce 1 pound of powder abroad.

The CHAIRMAN. Mr. Secretary, are you making adequate preparation for the manufacture of explosives, for the procurement of T. N. T., for instance?

Secretary BAKER. We think so, Senator. We have the greatest expert in the country on the subject working on it, and a very large program that involves not only smokeless powder but all kinds of high explosives.

The CHAIRMAN. The suggestion has been made to me—complaint has been made to me that in the handling of this toluol it was undertaken to be done through an agency; undertaken to purchase it through brokers; and that while 99 per cent of purity is required, that some of the toluol obtained and for which high prices were paid averaged about 88 per cent. Do you know anything about that?

Secretary BAKER. I do not.

The CHAIRMAN. That complaint has not come to you?

Secretary BAKER. It has not come to me.

Senator NEW. Mr. Secretary, with reference to what Gen. Crozier said in his testimony, that the program of the national-defense act was no program at all; he also said it takes a great many people to give orders for manufacture, etc.; also that a great deal of the material needed for our use in this war was not in the country at the time the war broke out. He called attention to the fact that it takes a year to make artillery after the orders are given; that gun carriages and equipment were necessarily let to concerns that—when the contracts were let—had never made them, requiring a great deal of time for the drawings, details, etc., on which those manufacturers could proceed. Do you now think, in view of what has since happened, that there was any error in judgment in May of 1916, or about that time, in not taking steps to prepare the United States for the manufacture of guns and gun carriages, and so on, and to expand upon the national-defense program referred to by Gen. Crozier?

Secretary BAKER. Senator, it is a harsh rule to express a judgment upon a past transaction in the light of subsequent information. I think it would be unjust to require the Ordnance Department to have in advance all the information that could subsequently be brought to it by evidence which at the time had not happened. I am prepared to say that I think it would have been, in view of what has happened, a very wise thing indeed if the Ordnance Department a dozen years ago had been expanded to 1,000 officers, instead of its 97, and they had been insistently active in devising new weapons and making drawings, and all that, but that is in the light of after-knowledge.

Senator NEW. And if true of a dozen years ago, it is more so, perhaps, a year ago, in view of what has happened?

Secretary BAKER. I think that is not unlikely; but to be frank with you, I do not think you ought to attribute more than a very modest share of whatever responsibility there is on that subject to the Ordnance Department, because Gen. Crozier has, in season and out of season, urged increases in personnel and in his facilities.

Senator NEW. I am not seeking to put it upon the Ordnance Department at all, but just as a matter of general administrative policy, without any disposition to reflect upon anybody in particular, but call attention to it as a national omission. Now, Mr. Secretary, is it not true that Marshal Joffre and the British high commissioners, when they were here, called our attention to the urgent need for quick American action and urged that we send men and material over there at the very earliest moment possible?

Secretary BAKER. No; that is not true, Senator.

Senator NEW. It is not true that they may——

Secretary BAKER. Both Marshal Joffre and the British high commision felt that it would be wise to have us appear on the European fronts at an early date, but there was not at that time any special urgency on their part that we should appear in any very large force.

Senator NEW. I think there has been testimony before this committee to the effect that——

Secretary BAKER. Senator, if you will pardon me, I think I will ask the newspaper men and the reporter not to deal with the recommendations of Marshal Joffre and the British commission. I think that is a thing we ought not to talk about except among ourselves.

Senator NEW. If you think it is something which in your judgment ought not to go into the record, I am willing to withdraw the question.

Secretary BAKER. Let me make this answer to it. This answer, I think, is entirely discreet and proper. After our entrance into the war the question of the mode of coordinating our military and industrial cooperation with the allies was under constant study, and plans were made, changed, and reconsidered, so that they have been constantly growing.

Senator NEW. I asked that question, Mr. Secretary, because there has been testimony brought before this committee, and I think it is in the record—my recollection is that Gen. Sharpe testified to the fact that the program was changed upon the urgent recommendation of the French and British high commissions. That being the case, I saw no impropriety in the inquiry.

Secretary BAKER. I think there is no impropriety in that statement, and no impropriety in saying that the forces that were dispatched were sent to Europe earlier than they would have been but for the representations of the British and French.

Senator NEW. But is it not true, Mr. Secretary, that those troops were not equipped when they did go?

Secretary BAKER. With what?

Senator NEW. Perhaps equipped; but that they were quite unsatisfactorily equipped with rifles; that they had no heavy artillery—had none, had no artillery; they had no machine guns, such as went over there in response to what was recommended at that time, were unequipped in the sense that——

Secretary BAKER. No, Senator; that is not accurate. The first troops that went over were fully armed with rifles, with more than a necessary supply of wastage of rifles. They had the allowance of machine guns that was deemed proper for organizations of their style; they had the artillery which, prior to that time, had been manufactured and deemed appropriate artillery for divisions of their size.

Senator NEW. Your answer simply applies to the first force that went; it does not apply to any forces that have gone since?

Secretary BAKER. It applies to all the forces that have gone, either at the first or later, with this modification, that as the later forces have gone reliance has been put upon the automatic rifle, which we bought from the French, and upon artillery which we have purchased there rather than made here.

Senator WEEKS. I want to ask one or two more questions about this powder situation. When were our powder requirements brought to your attention?

Secretary BAKER. I can not answer that, Senator.

Senator WEEKS. Do you think it was done in April, June, or November?

Secretary BAKER. I can not answer that.

Senator WEEKS. You mean you do not recollect?

Secretary BAKER. I do not recollect.

Senator WEEKS. When were the negotiations had with the Du Pont people?

Secretary BAKER. I am sorry, but I can not answer that.

Senator WEEKS. Then you have not any recollection?

Secretary BAKER. I have no recollection on that subject. I remember having talked to Gen. Crozier from time to time about it, but the dates have entirely gone out of my mind.

Senator WEEKS. Do you think it was promptly brought to your attention as to what our requirements would be?

Secretary BAKER. I have no basis for criticizing the time. I do not know.

Senator WEEKS. How can we find out whether there has been neglect on the part of some one in that respect?

Secretary BAKER. Senator, I only could ask you to ask Gen. Crozier, who doubtless has talked to you on the subject.

Senator WEEKS. His testimony on that subject, as I recall it, was not very full, and I think his attention—whoever was asking the questions—was distracted. Of course this examination would continue indefinitely, and there is a desire to stop it without getting into side channels, and I do not think Gen. Crozier has made a statemet about the dates of taking up these matters, or pressing them, or coming to a final conclusion, and especially relating to powder.

Secretary BAKER. I am sorry, but I have no recollection on those dates.

Senator KIRBY. There has been no delay in our troops being put in the fighting because of a lack of powder on the other side, has there?

Secretary BAKER. Absolutely none.

Senator KIRBY. There has been no delay about shipping troops to France because of lack of transportation facilities, etc.?

Secretary BAKER. Absolutely none, present or prospective.

Senator WARREN. Are you satisfied with the extent of the artillery program, Mr. Secretary? Do you think we have mapped out a large enough program? These figures have been given to the committee in executive session.

Secretary BAKER. I have them. Of course a perfectly good rule about all heavy artillery, as developed by this war, is to get the program and multiply it by something on the theory that you can never have too much, so to express satisfaction with any program is simply to neglect the rule of multiplication. I think the program as mapped out has fully engaged the resources of the country as to artillery when it is remembered other things must be done.

Senator WARREN. We have had some very impressive testimony on that point, emphasizing the tremendous need for artillery over and above what has been regarded, even up to three or four months ago, as the proper quota per thousand of troops.

Senator WADSWORTH. Not only artillery of the divisions, but artillery of the Army Corps and field armies, and the opinion has been expressed that the program laid down by the War Department was not sufficient.

Secretary BAKER. I can readily understand that, Senator. The artillery program of every nation engaged in this war has grown every day since the war has begun, and that program Gen. Crozier stated to you when he was here he would probably want to increase now, and probably next month would want to increase it again.

Senator WADSWORTH. As a matter of fact, it is true, is it not, that this war is a tremendous competition in industries?

Secretary BAKER. Yes.

Senator WADSWORTH. The side which will bring to bear the greatest numbers in guns and men, which are all dependent upon organized industries, will eventually wear out and subdue the other side?

Secretary BAKER. I think that is the present aspect of it.

Senator WADSWORTH. In view of that state of affairs, will you tell the committee in what respect the Ordnance Department has been reorganized in order to carry on its part of this great industrial warfare?

Secretary BAKER. Yes; I shall be glad to do that at this time, although I had rather hoped to treat that as a part of the general reorganization of the whole War Department and of the whole industrial program.

Senator WEEKS. I move, Mr. Chairman, that the committee now take a recess until 2.30 o'clock p. m.

The motion was agreed to.

(Thereupon, at 1 o'clock p. m., recess was taken until 2.30 o'clock p. m.)

After recess.

The hearing was resumed at 2.30 o'clock p. m., pursuant to the taking of recess.

STATEMENT OF HON. NEWTON D. BAKER—continued.

The CHAIRMAN. Mr. Secretary, we would like to take up with you the subject of quartermaster supplies. Have you any general statement that you desire to make in reference to that?

Secretary BAKER. No; I have not, Senator.

The CHAIRMAN. There are several criticisms of the Quartermaster General's Department, Mr. Secretary, that have developed in the course of the hearings. I hardly know how to bring them to your attention, so as to have a statement from you in reference to it. One of the complaints was a lack of coordination and efficiency in that department; another was a failure to supply the uniforms and equipment necessary for the soldiers—the initial equipment, and, perforce, the other equipment necessary—within the time they ought to have been furnished, and the continued shortage now of overcoats and clothing, and then it seemed to the committee that one of the serious complaints made was the change in the structure of the material used for the manufacture of clothing; that is, reducing it from practically an all-wool or largely an all-wool clothing, prior to the outbreak of the war, to a 50-50 basis—that is, 50 per cent of wool and 50 per cent of reworked wool. It might be that if you care to make a general statement in reference to the conduct of the Quartermaster General's Office it may suggest questions the committee may desire to ask you.

Secretary BAKER. When the necessity of buying in the Quartermaster's Department—buying on an enlarged scale—arose it was at once apparent that an entire change had taken place from anything to which either the department or the country was accustomed, for two principal reasons: Prior to that time the Quartermaster General had, in effect, only to take his market basket on his arm and go out into the market and choose and select from an overabundance of supplies the things he wanted to buy. Now, under the new circumstances the Quartermaster General had to buy in a market in which the supply was inadequate to the demand in many things. Of course, I do not mean generally, but in the principal things, so far as the size of purchases was concerned. In the second place, the Quartermaster General's Department was purchasing only for the Army. The Navy had to make purchases on a large scale of many of the same items in different forms, and sometimes in the same form. In the third place, the allied Governments were making very large purchases in this country in many of those items. I started out to enumerate two particulars. I have already enumerated four. There was an additional item that had to be considered. We had, overnight, to pass from a market in which prices were regulated by free competition into a market in which the Government was a monopolistic and exclusive buyer—a compulsory buyer, and in which competition was practically impossible as a regulator of prices. Those considerations apply not only to the Quartermaster General's Department, but to general purchases by the Government departments. Prior to that time there had been organized the Council of National Defense, and under the Council of National Defense, subordinate bodies, with a view of having them bring to the aid of the Government the best advice which could be gotten from persons in industry and commerce, so that both increased facilities and substitute materials and questions of prices could be acted upon by the Quartermaster General or any purchasing department, with full information, and also so that the needs of the several departments, and of the allies and of the general industry of the country could be kept constantly under survey.

There was at once associated with Gen. Sharpe the agencies of the Council of National Defense for aiding him in these purchases. Enormous purchases were at once undertaken, far in excess of the normal production in the articles in question. New facilities were created, factories and mills which had made much smaller things were diverted into the production of Army supplies, and some substitutions of material were authorized, and those purchases were made. One of the things which became apparent after a while was that manufacturers, in their desire to get large quantity production had overestimated their own capacity for quantity production. Another difficulty that arose was the embarrassment of transportation, both of raw material and of the finished product. Another was the very early need for the organization and dispatch abroad of special forces which cut into the anticipated equipment for

the forces provided by the emergency act, such as railroad regiments, foresters, stevedores, and people who were not normally a part of the War Department organization, but who had to be sent abroad early, and whose equipment encroached upon the anticipated supply.

In addition to that the winter was, I think, earlier, and for the early part very much more severe than is at all customary, particularly in the sourthern portions of the country, where camps have been placed because of the mild weather of early winter; and the result of all of those things, so far as the equipment of troops is concerned, is that there was a shortage of many of the important articles of equipment, including overcoats, blouses, trousers, and perhaps some others. Those shortages were far greater than we had supposed they would be. They resulted, I think, from the causes I have given.

The initial equipment is now substantially complete, and the manufacturing processes are all organized on a quantity production basis, and the increase of reserves from now on will be rapid.

At the outset there was a question to be decided, as to which of two policies ought to be pursued, whether we ought to assemble a large force and begin its training before it could be fully clothed in soldier clothes and equipped, and let the equipment and clothing come along as it could, or whether we ought to postpone the assembling of large forces and delay their training until full equipment was actually in hand. Speaking of my own part in it, I was very earnestly urged by men of great weight to call out large forces at once, and men of distinguished military experience and reputation said to me that it was unimportant whether they drilled in their own clothes or whether, at the outset, they had rifles; that the elements of military training were such that men could drill in their own clothes without arms for a while.

On the other hand, Gen. Smith, of the Quartermaster General's Department, and perhaps others, felt that full equipment ought to be in hand first.

The course which was actually taken was what seemed to me at the time—and I have no reason to criticize my judgment now—an attempt to compose and reconcile those views. It involved calling out, as rapidly as we anticipated the equipment to be in hand, the forces. The Regular Army and National Guard were called out at once, and their recruitment was undertaken. The National Army was postponed as to its calling out several times. The succeeding increments of it were postponed as to the date of their mobilization, and while the net result was that there were at times, sometimes for two or three weeks, an inadequate supply of articles, like overcoats and blouses, there was not, in my judgment, any serious situation caused by this lack of initial equipment.

I do not know what other phases of that you want me to comment on, Senator.

Senator MCKELLAR. If I may, I will ask you some questions which will bring out some questions which are in my mind.

Mr. Secretary, soon after the war began, I believe it has been testified to here, you issued an order that the supplies committee of the Council of National Defense, headed by Mr. Rosenwald or Mr. Eisenman—they are both on it, and I think they both had to do with it——

Secretary BAKER. Mr. Eisenman is really the chairman of the committee.

Senator MCKELLAR (continuing). Directing that the committee on supplies find or designate the sellers and fix the prices and Gen. Sharpe's department, or the Quartermaster General's Department, to actually sign the contracts.

Secretary BAKER. In effect that is so.

Senator MCKELLAR. What authority of law did you have for that, to take away from the Quartermaster General his well-known and well-defined power of purchase for the Army—on what statute did you base that order?

Secretary BAKER. Well, in the first place, I was the head of the Army; the Quartermaster General was my subordinate. In the second place, the law in the case provided that—I forget the language, and I may quote it incorrectly—but in effect it provided that in emergency situations of this kind the Secretary of War should fix prices as he deemed best, and I was surrounding Gen. Sharpe with advice as to prices from expert sources and asking him to rely on their judgment.

Senator MCKELLAR. Mr. Secretary, as a matter of principle, or as a matter of governmental policy, do you believe that a committee of the Council of National Defense, like the supplies committee, where 16 out of 19 members of the committee are themselves selling to the Government, should have a right to fix the prices and designate the sellers that the Government must purchase from and the prices which the Government must pay?

Secretary BAKER. No; I think it would be obviously a bad principle to have a committee composed of persons selling to the Government, even though the particular persons selling to the Government did not participate in the fixing of prices under any contract.

Senator MCKELLAR. It has been testified to here that that is precisely what has been done with the supplies committee of the Council of National Defense at a minimum expense of $128,000,000 of supplies. Do you approve, as the Secretary of War, of that condition of affairs by which these gentlemen—and I believe those interested in the $128,000,000 of sales were on this particular committee and, of course, fixed the prices—do you approve of that method of purchasing?

Secretary BAKER. I do not think any such thing has ever been done.

Senator MCKELLAR. That has been testified to.

Secretary BAKER. I can not help what has been testified to. I do not believe anything like that has been done.

Senator MCKELLAR. Have you ever examined into it?

Secretary BAKER. Many times.

Senator MCKELLAR. I will give you a concrete example. In the testimony yesterday it was testified to by Mr. A. L. Scott, in substance—and if I make a mistake in stating his testimony I hope some members of the committee will say I am inaccurate about it, but I will try to be as accurate as possible—that he was asked by Mr. Rosenwald and Mr. Eisenman to come some time this past year and serve as chairman of a subcommittee on cotton goods, commonly known as duck—the Army duck and kindred articles—of which the Government needed a great quantity, probably more than there was a supply for in the country at the time, considerably more; that Mr. Scott was an expert on this subject; that he examined into the facts, not going to the Federal Trade Commission or other well-known sources of information, but relying, as he stated himself, to a very large extent upon his own knowledge of the trade and trade conditions, he being interested in many mills, all of which were selling to the Government; that he took what he conceived to be a reasonable price; and that the price and the profit on the goods that his companies sold to the Government at this price fixed by him was 12½ or 12 and a fraction per cent. Asked if that applied to each turnover and how many turnovers there were, he stated there was a minimum of six, but an average of nine each year, and that the percentage of profit applied to each turnover. So, according to his testimony, in that way the Government paid Mr. Scott's companies a minimum of 75 per cent profit on the goods a year and a maximum of some 115 per cent of profit, as shown by this witness.

Remembering, now, that he fixed the prices—the reasonable prices—that his companies were selling to the Government, he representing the Government and, of course, interested in his companies, do you approve of that method of buying on the part of the Government?

Secretary BAKER. I can not answer your question, because I do not think anything like that has been done.

Senator MCKELLAR. Assuming it has been done.

Secretary BAKER. I can not assume it. I know to the contrary.

Senator MCKELLAR. If it were done you would not approve of it.

Secretary BAKER. I do not want to answer hypothetical questions. I have investigated that many times. In the first place, Mr. Rosenwald is one of the biggest merchants in the United States. For the past eight months he has given his time, morning, noon, and night to the investigations of problems exactly like that problem. In the second place, Mr. Eisenman is a man of large experience in merchandising. Neither Mr. Eisenman nor Mr. Rosenwald has the slightest possible interest in the sale of anything to the Government.

Senator MCKELLAR. I just wanted to ask you if you knew that Mr. Eisenman was a stockholder in the Cleveland Wool Mills Co.?

Secretary BAKER. He told me he was.

Senator MCKELLAR. I understand he was a very large stockholder, and that that company is doing business with the Government.

Secretary BAKER. He is not a director and has no managerial connection with the company. He stated to me that he was a stockholder.

Senator MCKELLAR. You stated he was not interested?

Secretary BAKER. I mean interested so that it could be associated in any way with his connection with the Council of National Defense. Both of them are men of unimpeachable integrity and established reputation. They have had grouped around them a lot of experts and men interested in the trade. I do not think that is the best way to deal with the questions, but the only way at the outset, until you could collect the information of the industrial world. You were changing from a basis where competition fixed the prices down to where prices

were fixed by arbitrary act. They gathered around them a lot of men who were expert in this business and asked them not to fix prices, but what the elements of cost were, what percentage labor bore to the aggregate product, and the cost of material, etc., and what the overhead expenses were, and out of that this committee undertook to arrive at prices, and Mr. Eisenman and Mr. Rosenwald, who, by reason of their lack of interest and business experience, were able to check up the committee's recommendations and determine whether they were fair recommendations, and the result is not at all what would be inferred from your question. But many, many cases have arisen in which Mr. Eisenman disagreed with the committee and disagreed with the experts and disagreed with interested persons and required them to make lower prices, resulting in the saving of many tens of millions of dollars to the Government.

Senator McKELLAR. Do you know what profit is made by Mr. Scott's companies in that case?

Secretary BAKER. No; I do not know.

Senator McKELLAR. Have you examined into it?

Secretary BAKER. I never heard of Mr. Scott or of his companies.

Senator McKELLAR. Have any of these questions been presented to you, for instance, like the one of Mr. Scott's fixing prices on cotton goods?

Secretary BAKER. Not like it in all essentials, but very much like it.

Senator McKELLAR. You say that the method that had been pursued was the method you had to pursue at the outset until you got things started, as I understood you. Is it the intention of the War Department to buy things through the supplies committee at prices fixed in that way?

Secretary BAKER. No.

Senator McKELLAR. When are we going to stop that?

Secretary BAKER. It is substantially stopped now. It was never intended to continue it very long.

Senator McKELLAR. I want to congratulate you on stopping it now. Then it is not intended to continue to buy goods for the Quartermaster Department on a system by which this supply committee of the Council of National Defense selected by people who sell to the Government fixes the prices and the Quartermaster General simply signs the contract?

Secretary BAKER. No.

Senator McKELLAR. It is not intended to go on any further with that system?

Secretary BAKER. No, sir.

Senator McKELLAR. It is stopped now?

Secretary BAKER. Yes, sir.

Senator McKELLAR. Now, I want to ask you if it has ever been called to your attention—this matter of the Base Sorting Plant?

Secretary BAKER. Just shortly before it was called to your attention.

Senator McKELLAR. Mr. Secretary, it was testified to here that a corporation known as the Base Sorting Plant was formally entered into by three dummy incorporators in New York and that immediately after that corporation was formed—and, by the way, it has a $50,000 authorized capital and $10,000 actually paid-in capital—that after it was incorporated it fell into the hands of a Mr. Kaplan, of B. D. Kaplan & Co.; a member of the firm of B. D. Kaplan; Mr. Meyers, of the Rawitzer Co.; and Mr. Stone, of New York City, all dealers in rags; that that company immediately sent a representative here, and, through Mr. Sam Kaplan, who is a member of the Council of National Defense——

Secretary BAKER. A member of one of the committees.

Senator McKELLAR. This supply committee—that negotiations were entered into for a contract for using the shoddy or the sorting of shoddy for the Government at 6 cents a pound; that they entered upon that work, and after it was entered into—I should state they also entered into a contract for 5 cents a pound for all old overcoats and uniforms and refuse that comes from the Quartermaster's stores—that after these two contracts were entered into this company proceeded with the work; that through the efforts of rival rag dealers the Quartermaster Department was called upon to act, and it sent a young officer out, and the young officer looked into it very thoroughly and found it was a dummy corporation to begin with, and that the profits of this $10,000 corporation would be, on one of the contracts, $400,000, and the estimates on the other contract were far in excess of that profit, and that thereupon, after the matter had gone that far, it was taken to the Quartermaster General, who recommended that those contracts with the Government be canceled, and they were canceled. But in the meantime it appears that every effort in the world was made by Mr. Eisenman to prevent that contract being canceled. They first offered to reduce the amount half a cent a pound.

Secretary BAKER. To half a cent a pound.

Senator McKELLAR. To one-half cent profit.

Secretary BAKER. To one-half of 1 cent per pound profit.

Senator McKELLAR. Which meant——

Secretary BAKER. Which meant half of a cent.

Senator McKELLAR. I think you are mistaken about it, but that is immaterial for the present. Then they offered to do it for nothing, or at actual cost. Now, under those facts, you still did not listen to these gentlemen, but canceled the contract, as I understand. Is that right?

Secretary BAKER. You mean all you have been saying?

Senator McKELLAR. No, sir; I mean, did you cancel the contract?

Secretary BAKER. I never acted but once on it, and that was to cancel the contract.

Senator McKELLAR. Are the facts as I have stated here correct or incorrect?

Secretary BAKER. Why, the main outline of the proposition is correct, but many of the implications are incorrect.

Senator McKELLAR. If the implications are incorrect, will you do me the kindness to say why you canceled the contract?

Secretary BAKER. Because the Quartermaster General recommended it.

Senator McKELLAR. Was that the only reason?

Secretary BAKER. He told me that, having established a waste division in the Quartermaster General's Department for the conservation of otherwise waste material, he was now satisfied that the Quartermaster General's Department could do this work itself; that there was no need for the Base Sorting Co.'s activities; and, as it was a part of my general direction to him to establish this waste-conservation bureau, it met with my approval to take it over.

Senator McKELLAR. At that time you had none of the facts before you?

Secretary BAKER. I had none of the facts before me; no, sir.

Senator McKELLAR. You did it as a matter of form?

Secretary BAKER. Let me correct the last statement. The maximum profit was fixed at one-half of 1 cent per pound.

Senator McKELLAR. Yes.

Secretary BAKER. And not 5½ cents—one-half of 1 cent per pound.

Senator McKELLAR. My reason for making that statement was that it was testified to here that the actual cost to Mr. Kaplan—the actual cost of sorting was 5 cents a pound, and the half cent was just an additional half cent for profit.

Secretary BAKER. That may be.

Senator McKELLAR. You did not look into the question of what reason there was for that?

Secretary BAKER. Not at that time. There was no controversy about the Base Sorting Co. contract that I know of. Let me tell you what happened.

Senator McKELLAR. I should be glad to have you do so.

Secretary BAKER. Gen. Sharpe came to my office one evening and told me that a contract had been entered into with the Base Sorting Plant to save cloth from uniforms and overcoats, and so forth—to save, sort, and reuse other available wools which could be used in connection with garment making, and save the supply of raw wool in the country, which had threatened to become insufficient; that the Quartermaster General's Department, as I knew, had established a waste-conservation division dealing with the whole subject of saving garment refuse and other articles of that kind around the camps, and, in his opinion, the profits on that contract—he said the matter was being investigated—but that the profits to the Base Sorting Plant contract were abnormally large, and, at any rate, it was time to take over that activity, and that the contract should be canceled.

I sent his recommendation to the Judge Advocate General with this request:

"I am recommended to abrogate these contracts. Have I the legal authority to do so?"

I got word from the Judge Advocate General that I had that authority, and I canceled them. That is all I know about that.

Later, when you made inquiry about it and the matter came up, Mr. Eisenman came to me and brought a memorandum which he has since testified to before you in great detail; and in that memorandum it is stated that the original base sorting idea was his; that desiring to make this saving, which had never been made at all in the Army, of scraps, which had theretofore been given to the tailors and cutters, he had gotten the representatives of three principal rag merchants of the city of New York and had gotten them to form a company for the purpose of saving this otherwise waste and valuable product; that they had associated themselves into a company, and that the cost of doing this work was entirely indeterminate and freight charges and insurance charges, etc., were unknown; they had roughly fixed upon 6 cents per pound as the price, and that later

they found it was much cheaper than that; that they had reduced their own profits voluntarily to one-half a cent a pound, and later filed a statement with the Quartermaster General that they did not desire any profits on the service, but desired to do it as a service for the Government. All those facts were testified about before you, and I have no further knowledge of that.

Senator McKELLAR. Did you approve of a base sorting corporation being formed by unknown directors, and, so far as anybody knows, or as far as anybody has testified—and quite a number of them have been asked about it—with dummy directors, as an organization on behalf of the Government?

Secretary BAKER. There is nothing inherently wicked in a dummy director unless he does something wicked or is used as a shield. What they proposed to do was to establish a new means of saving otherwise waste products. It was a thing the Army had never done, and a thing you and I could not do. If Gen. Sharpe asked you and me to rescue these scrap articles, we could not do it, and therefore somebody had to go to somebody who knew how to do it, and when they formed an organization to do it for the Government, under the direct observation of the depot quartermaster, and under a continuous audit of all expenses, so that the Government should not, in any event be wronged by the profits of the enterprise——

Senator McKELLAR. If that was the case, and if you say that in no event the Government——

Secretary BAKER. Not "no event." I beg your pardon. I take that back.

Senator McKELLAR. I was quite sure you would not be willing to go that far.

Secretary BAKER. Yes; you can fool auditors.

Senator McKELLAR. Does not the Government propose, when it makes a contract, to stand by it?

Secretary BAKER. Clearly.

Senator McKELLAR. Clearly—well, if this company was doing a legitimate business and had a contract to do it and there was no wrong about it, and it was a thing being done for the benefit of the Government, and it had a contract to perform that work at 6 cents in one case and 5 cents in the other, would not common justice require the Government to stand by the contract it had made?

Secretary BAKER. Senator, I think the answer to your question depends on the view you take of that entire transaction.

Senator McKELLAR. I want to ask you what is your view? Do you stand by Kaplan's contract or do you not?

Secretary BAKER. I have no more notion on that subject or any more knowledge than you have. But this is a situation as to which two views are possible. You can either regard the base sorting contract as an attempt to make a lot of money by the Base Sorting Corporation out of the Government, or as something created at the suggestion of the Government to conserve material for the Government. On the latter theory, which was the theory certainly in Mr. Eisenman's mind, and always has been in mine, we were getting men who knew the trade to do a job and start it off for us, under the observation of our own employees and officers, under a systematic audit, to run that business until we had learned the details with reference to the cost of sorting ourselves——

Senator McKELLAR. If the Base Sorting Corporation was doing a governmental function, and they had started this work, and it was absolutely in good faith, and if this corporation was organized in good faith and carried in good faith, and the contract obtained in good faith, and had just been started in good faith, and the representations all the way through were in good faith, does it not follow, as night follows day, as reasonable that this contract should not have been taken away from these men?

Secretary BAKER. No; I do not think so. Mr. Eisenman thinks so, but not for that reason. Mr. Eisenman still believes that the Base Sorting Plant should continue to operate as it did, and that it is the wisest arrangement, but I do not believe that. I fail to believe it for this reason. I think in many functions it is necessary to start one way and to change to another, and I am exceedingly anxious to have everything affecting Government distribution and supply done directly by Government employees rather than other agencies, so this sort of thing can be avoided.

Senator McKELLAR. Then you think in the future there will not be any more so-called Kaplan contracts or Base Sorting Co. contracts?

Secretary BAKER. I do not think "Kaplan" is a sufficiently generic term by which to describe contracts.

Senator McKELLAR. I think the country thinks so.

Secretary BAKER. I have not consulted the country, but I should like to answer your question, badinage aside.

Senator McKELLAR. Very well.

Secretary BAKER. There will probably develop a great many things which the Government will want to do, about which we know nothing, and which the Government will undertake to do through private parties in good faith; and as soon as we learn the wise and economic way to do that we will take that over by the Government.

Senator McKELLAR. I want to know, if you feel like saying it, whether or not you, as Secretary of War, are willing to assume the responsibility for the organization of the Base Sorting Plant, about which we have been talking?

Secretary BAKER. I could not escape the responsibility if I wanted to. I am Secretary of War, and what Mr. Eisenman did he did in attempting to perform a service which I intrusted to him, and still intrust to him to perform; so I could not escape that responsibility if I wanted to.

Senator McKELLAR. Does it meet with your approval?

Secretary BAKER. I say "yes." I know now nothing about the Base Sorting Co. contract which in any way makes it an improper contract to be made; and if I were starting all over again with a base sorting contract I would probably recommend that Mr. Kaplan—if he is the right person, and I do not know who the right person is—but that somebody who knew about it be taken into the Government employ and the thing done directly by the Government; but it was a very natural thing, to avoid further complications of governmental functions at that time, to ask him to do it the other way.

Senator McKELLAR. Did you know it as a fact that Mr. Sam Kaplan, who is a member of this supplies committee, was interested in this company?

Secretary BAKER. I did not know it then. I know it now.

Senator McKELLAR. You know it now?

Secretary BAKER. Yes.

Senator McKELLAR. And that he came here on the 22d of July, and the contract that the Base Sorting Co. made with the Government was made on the 28th of July with the committee of which Mr. Sam Kaplan was a member, and that his brother was one of the three owners of the Base Sorting Co.?

Secretary BAKER. I never knew the facts. I knew them when you learned them. I learned at that time the relationship between them.

Senator McKELLAR. Do you think it is a wise governmental policy to permit that kind of dealing in your department? For instance, let me be specific about these things. Here is a member of the committee on supplies. That committee directs the organization of a corporation like the Base Sorting Co. That corporation is owned by one of the brothers of one of the members of the committee. Then you have one of these kind of contracts that we have been discussing, with the result that we have seen—the cancellation of the contract and great notoriety with respect to all that are connected with it. Do you think that it is wise governmental policy for these things to be permitted?

Secretary BAKER. It has turned out to be unwise, because it has given rise to this suspicion; but the only answer that I can give to you is to limit all families to one member, so that no one will have relatives. [Laughter.]

Senator McKELLAR. Don't you think it would be better to select as employees of the Government a centralized force to do the purchasing?

Secretary BAKER. Yes, sir; I think that is wiser, and I have done it; but this is an unescapable consideration, Senator, that you can not get anybody, either as a Government employee or as a private individual, wise enough to buy things who does not know about the things he is going to buy. Whether you put them in uniform, or wherever you put them, you have to act as carefully as you can, and you are obliged to have men who have an acquaintance with the things they are going to do. The way to get an acquaintance with them is by doing them.

Senator WARREN. Mr. Secretary, let me refer to that contract. How did that read as to length of time?

Secretary BAKER. It was to be terminated on 30 days' notice.

Senator WARREN. You had the right to terminate it?

Secretary BAKER. I so understood.

Senator WARREN. I know the contracts usually read that way.

Senator FRELINGHUYSEN. I want to ask a question which is constructive. I want to ask the Secretary if he does not believe that the Quartermaster General's Department could have, through the reserve officers in the various localities, instead of a centralized plant under private control, redistributed the clippings in the districts where there were Government contracts?

Secretary BAKER. Senator, the Quartermaster Department started out with 350 officers, none of them knowing anything about the conservation of wool, rags, and scraps. It was therefore necessary for the Quartermaster Department to bring into its service officers in great number until they now have over 3,000. They have had to train them as they went along. I think they have now arrived at a stage where they can do this

work better than anybody else can do it, and that is the reason I canceled the contract.

Senator FRELINGHUYSEN. The complaint has been that there has been a great deal of commercial jealousy in regard to it, and if the Government is going to handle rags, so to speak, it should handle them through its own department instead of through another concern.

Secretary BAKER. Senator, not only since the war began, but since the world began, there has been that sort of jealousy between the man who gets a chance to do a thing and the man who wants a chance to do it.

Senator FRELINGHUYSEN. I am asking you a practical question, Mr. Secretary. Can not the War Department take care of that better than a private concern?

Secretary BAKER. I think so, or I would not have ordered it that way.

Senator WEEKS. I would like to ask a question.

The CHAIRMAN. Is it about this Kaplan matter?

Senator WEEKS. If I mention Kaplan again in this committee room I ask you to take me to task for it. The Secretary has made one comment which I want to ask about. He spoke of entering into a contract in good faith. Presumably that was done on the part of the Government. Now, Mr. Secretary, what have you to say as to a man who knows the business of sorting rags, who is employed because he does know the business, and who imposes a contract on the Government for four times what it costs to do the work?

Secretary BAKER. Do you mean this 6-cent price?

Senator WEEKS. Yes, sir. There has been ample testimony that it can be done for 1½ or 1⅝ cents.

Secretary BAKER. If it was known at the time that the price of 6 cents was excessive, then the action in making that contract was reprehensible.

Senator WEEKS. These dealers must have known that was excessive.

Secretary BAKER. On that assumption, their position is not defensible.

Senator WEEKS. It could not possibly be.

Secretary BAKER. The statement made by Mr. Eisenman was that neither he nor anybody else knew just what the cost would be.

Senator WEEKS. This committee was not looking for this kind of a contract. It simply happened to stumble upon the Base Sorting Co.

Secretary BAKER. My action was taken before the committee did anything about it.

Senator WEEKS. As a result of an investigation by the Quartermaster Department?

Secretary BAKER. As the result of an investigation by the Quartermaster Department; yes, sir.

Senator WEEKS. What I want to ask you particularly is: Don't you think there is a possibility that that kind of thing may happen again when secrecy is the policy in making contracts or making purchases of supplies?

Secretary BAKER. I think it may happen even when the policy of secrecy is not followed. In fact, nothing but proper vigilance will prevent it, in my opinion.

Senator HITCHCOCK. Who fixed the 6-cent price named in the contract?

Secretary BAKER. I do not know about that. I assume it was suggested by the men who were making the contract and approved by Mr. Eisenman. Mr. Eisenman told me that that price was fixed because it was not known what the cost would be, and that it was to be subject to audit and change.

Senator HITCHCOCK. Was it not fixed first at 5½ cents?

Secretary BAKER. I do not know that.

Senator HITCHCOCK. The testimony shows that it was first fixed at 5½ cents.

Secretary BAKER. I do not know that.

Senator HITCHCOCK. We have been unable to find the reason why it was raised, except that it was the request of the company that was making the money out of it.

Secretary BAKER. I do not know that.

Senator HITCHCOCK. The contract shows on its face that it is intended to give a profit to a certain company. It was entered into for that purpose. That was the reason the company went into it.

Is it not a reflection either on Mr. Eisenman's ability as an expert or upon his good faith in serving the Government that he should agree to a price three or four times as large as the actual cost of doing the work?

Secretary BAKER. Not necessarily, Senator. Of course it shows either a lack of attention to the matter, or, taking your suggestion, a reflection on the good faith of Mr. Eisenman, unless one accepts Mr. Eisenman's statement, which I do, that nothing was known at the time so that a price could be accurately fixed.

Senator HITCHCOCK. When did he protest against the cancellation of the contract?

Secretary BAKER. I do not know that he protested after it had been ordered canceled. He came and told me the facts which I have been telling the committee and which he told the committee. He told me in his judgment it was a proper contract, and he hoped it would be allowed to stand.

Senator WEEKS. Suppose the testimony showed that even after it was demonstrated that the contract was two or three times as high as it should be he still protested against its cancellation?

Secretary BAKER. It must be recalled, Senator, in that connection that when he appeared before the committee and when he talked to me about it, and before I had my first contract with the Kaplan Co., the profit had been reduced to a maximum of one-half cent a pound. There had been filed with the Quartermaster General a letter disclaiming any profits at all, and not only disclaiming any future profit, but there was an offer to pay back to the Government every penny that had accrued up to that time.

Senator HITCHCOCK. The testimony indicates that was done after the probe was started.

Secretary BAKER. No. It was filed at least a month before the probe started.

Senator HITCHCOCK. The testimony is that a man named Loiter, along about the 14th of December, wrote a letter in which he exposed the fact that the contract provided for an enormous profit.

Senator WADSWORTH. It was earlier than that, Senator.

Senator HITCHCOCK. Yes; I think it was November 14 when that started.

Secretary BAKER. That I do not know about.

Senator HITCHCOCK. He gave the figures, and after that Mr. Eisenman protested vigorously against the cancellation of the contract.

Secretary BAKER. Those facts have not been brought to my attention.

Senator HITCHCOCK. They have been brought to the attention of the committee. We were unable to understand why, if he was an expert, he did not know, in the first place, that the contract provided for such a high price; and the cost that was stipulated was suspicious.

Secretary BAKER. I am sorry, Senator, that I can not help myself as to those dates. I have understood, however, and Mr. Eisenman's statement to me contains the fact that the entire contract, in its prosecution, was under audit and under the control of the depot quartermaster, and that the final renunciation of profit was filed with the Quartermaster General long before I heard of the contract at all.

Senator HITCHCOCK. It was only filed after the probe had been begun.

Secretary BAKER. Not after I ordered that canceled. That was the first contract we had with them.

Senator HITCHCOCK. You ordered it canceled, but as I understand it, an actuary or expert bookkeeper had gone through the accounts and made a report to you?

Secretary BAKER. No report was made to me except the one which Gen. Sharpe made, which was a memorandum showing that the profit was excessive.

Senator HITCHCOCK. Mr. Eisenman produced before this committee the report of an expert bookkeeper, which he said he had not read, but had turned over to you. I examined the paper and it showed a very large profit.

Secretary BAKER. I do not want to be in the position of saying that it was not turned over to me, but my recollection is that the only paper I have had from Mr. Eisenman on that subject is this paper [indicating], which is a general statement.

Senator HITCHCOCK. It is an argument.

Secretary BAKER. Yes, sir.

Senator HITCHCOCK. And it does not state the terms of the contract or any dates?

Secretary BAKER. I do not recall having seen the actuary's statement.

Senator HITCHCOCK. The representatives of the Quartermaster Department have appeared before the committee and said that the result of their investigation was to show a large profit.

Secretary BAKER. On the basis of the 6-cent price?

Senator HITCHCOCK. Yes. They intimated that that was the reason the contract was canceled.

Secretary BAKER. That was one reason. When Gen. Sharpe came and told me about it he gave me two reasons: The first was that the department for the reclamation of waste had been adequately organized; and, secondly, the investigation which he

had made showed an abnormal profit. It was on that basis that I canceled the contracts.

Later Mr. Eisenman came to me and told me that prior to that time it had been agreed to reduce the profits, and that later on there had been a total renunciation of profits.

Senator HITCHCOCK. The committee took that as an indication that they were frightened and were running because the probe had been started.

Secretary BAKER. Of course, I can not comment on what I do not know.

Senator MCKELLAR. There is another question that I would like to ask. You have stated, Mr. Secretary, that the purpose of this supply committee was to get men of technical skill nd ability to seek out these customers and fix prices and to see that the Government would be protected. The truth is that Mr. Kaplan, engaged in this same kind of business, had been selected by Mr. Rosenwald and Mr. Eisenman and brought here to act as a member of this committee on supplies. Surely this committee could not have been in absolute ignorance as to what kind of a price this Base Sorting Plant should have. Why, under those circumstances, was it that they did enter into the contract which proved so exorbitant when they had this expert advice of Mr. Kaplan?

Secretary BAKER. I have tried to say that in spite of the fact that Mr. Kaplan's brother was engaged in the business, as Mr. Eisenman told me and as he told you, and in spite of that much expert knowledge, there was uncertainty about the cost of doing this work, and that this was put in as an experimental price.

Senator MCKELLAR. So that in that particular instance the expert on the committee was not of much account?

Secretary BAKER. He was a bad guesser.

The CHAIRMAN. Considering this blunder, if you please to call it that, or this attempt to defraud the Government, what has it cost the Government in dollars and cents?

Secretary BAKER. Nothing.

Senator MCKELLAR. Is Kaplan still connected with the committee?

Secretary BAKER. I think his services have been discontinued.

Senator MCKELLAR. I want to congratulate you on that.

Senator KIRBY. I want to ask a question about a statement that Senator HITCHCOCK made. I am informed, in reference to this statement of the actuaries, that it was mailed the other day. When Mr. Eisenman came up he had the statement himself. If the Secretary got one, he was just mailed a copy the other day.

Secretary BAKER. I have not seen it.

Senator. HITCHCOCK. Mr. Eisenman's statement was this, that this statement of these experts showed clearly that they had very carefully examined the books of the concern, apparently under your instructions or the instructions of the Quartermaster General. They show that the cost of operation has been about $78,000 and the profit something over $80,000. Mr. Eisenman was asked some questions about it, and he said he did not read it; that he simply turned it over to you.

Senator MCKELLAR. Turning for a moment to something else, I would like to ask you a question: You issued another order, either through the Quartermaster General's Department or through the Council of National Defense, that secrecy should be observed about the letting of these contracts; or, at any rate, it has been testified here that you issued that kind of an order, and that since you issued that order the facts in regard to those contracts have not been divulged to the public generally. Is it a fact that you issued that order?

Secretary BAKER. Something like that is the fact. I issued an order instructing the withholding from publication of the names and locations of plants manufacturing Army supplies.

Senator MCKELLAR. Mr. Secretary, do you think that is a wise governmental policy, that policy of secrecy about contracts?

Secretary BAKER. Yes, sir; I thought it was necessary under the circumstances, Senator.

Senator MCKELLAR. Do you still think it is necessary?

Secretary BAKER. I am inclined to think it may still be necessary.

Senator MCKELLAR. Do you know that the Navy Department has followed a precisely contrary policy, and that it has worked like a charm?

Secretary BAKER. Yes, sir. I know that the Navy Department's purchases are relatively small and are being made in continuation of an admirable system requiring very little expansion. The amount of difficulty which the Government has experienced—I do not care to enlarge on the subject especially—has been increased by attempts to make trouble for the Government in supplying manufacture, and that was enough, in my judgment, to justify the withholding of that information.

Senator MCKELLAR. Is there not something about the American people that abhors secrecy on the part of contracts with the Government? When you come down to look at it, is it not an unwise policy to withhold knowledge and information with regard to contracts made by the Government, which stands for the people?

Secretary BAKER. Senator, the American people are very wise and very sensible people. They want to win the war and they want the Army to be supplied as rapidly as possible. They want as little of this information to get to our enemies as we do. They do not want to interfere with our preparations; and I want to say that there has never been a suggestion of secrecy by any member of this committee with reference to contracts, except as to the general dissemination of knowledge in places where it might have caused serious difficulty.

Senator MCKELLAR. Do you know whether it would be impossible for other contractors, or would-be contractors, to get information about contracts already made from the committee on supplies?

Secretary BAKER. I suppose I know that inferentially.

Senator MCKELLAR. Do you indorse that?

Secretary BAKER. I would not desire to withhold it from an accredited person, but I should be very loath to give to anybody the location of all the places where the Government is having supplies manufactured, and thus concentrate any hostile demonstration which might be undertaken against Government supplies.

Senator MCKELLAR. Do you think our Navy has been endangered by its policy of openness?

Secretary BAKER. I can not say how much they have been endangered. They have been fortunate.

Senator FRELINGHUYSEN. Did this order nullify the practice or law in regard to public advertising and the publication of awards?

Secretary BAKER. Yes, sir. Emergency purchases were all made after the practice of competitive bidding and open advertisement and award had been suspended.

Senator FRELINGHUYSEN. That was the purpose of the War Department, was it not, when you issued the order?

Secretary BAKER. I do not think the two things were contemporaneous. I think there were a number of fires supposed to be of incendiary origin, and some other disturbances of that sort, which rather brought the attention of my associates to the danger that the Government was under. Then we made that order.

The CHAIRMAN. That was the reason?

Secretary BAKER. Yes, sir.

The CHAIRMAN. What was the date of the order?

Secretary BAKER. I can not remember.

Senator HITCHCOCK. Who asked for that?

Secretary BAKER. I do not remember.

Senator WADSWORTH. Mr. Eisenman testified that he asked for it.

Secretary BAKER. I do not remember it. It did not come directly from Mr. Eisenman. It must have come through military channels.

Senator FRELINGHUYSEN. The secrecy maintained by the committee on supplies and the War Department will not prevent people from knowing where Army contracts are made or with whom they are made, because every employee working on Army contracts knows that he is. The principal evil which seems to exist in this system is that it affords a man, to use a slang expression here, "in the know" an opportunity to tip off his associates in the business. He knows that certain awards are to be made and therefore can give a preferred opportunity to certain manufacturers to secure business, such as the selling of raw material or machinery for the manufacture of these Government products, thus shutting out others who are entitled, or should be entitled, under the open-door policy, to free opportunity to trade with these people. That is the criticism that is leveled against the system.

Secretary BAKER. The criticism, Senator, is not logical. It may very well be that making awards to designated contractors without advertisement deprives somebody who might have had an opportunity otherwise to bring himself to the attention of the awarding party of that opportunity, but when the award has actually been made, the withholding of that from publication deprives no one of any opportunity, because the award has already been made.

Senator FRELINGHUYSEN. In the publication of awards, Mr. Secretary, the trade knows who is the successful bidder and they can offer their merchandise to the successful bidder. That creates competition and lowers prices, whereas if only this committee, which has enjoyed a large amount of business, knows

they can inform the outside manufacturer, and he receives information that others do not get.

Secretary BAKER. I think there is a failure of fact in that. Nearly all of these contracts were contracts where the Government was supplying the raw material at fixed prices and where there was no question of any further saving to the Government, because the contract was actually made and the price fixed.

Senator FRELINGHUYSEN. Mr. Secretary, I happen to know a great many things about this. I come from a large industrial State. I hear very many complaints. I am not taking up details. I am simply saying that I know this, that a certain factory that was being expanded to meet the Government's requirements as to capacity was in the market for machinery, or for certain parts of machinery and raw material, building material, and so on; and that before anyone knew of the award in that particular case there were directed to that concern certain manufacturers who could supply the machinery. They knew it before the outside world, and therefore there was no competition.

Secretary BAKER. I can not answer that, because I do not know the facts in the case.

Senator FRELINGHUYSEN. That is the general situation.

Secretary BAKER. It may be very well that the committee on supplies or the Quartermaster General, in making an award to the A or B or C company, said to the D, E, and F company, "Sell this machinery to this company; we want to give priority orders, and we want to get the machinery to the company, because we are going to use them to manufacture such supplies."

Senator HITCHCOCK. The Quartermaster General testified that he did not select the companies.

Secretary BAKER. I think he did not.

Senator HITCHCOCK. Don't you think that there is danger of building up a system of favoritism and secrecy?

Secretary BAKER. Yes, sir; there is danger.

Senator HITCHCOCK. Hasn't that been the result?

Secretary BAKER. I do not think so. If it has resulted, it has been a minimum. I doubt if it has resulted at all. I am anxious to have it understood that I do not think that that is the ideal way to do things, but when a department with 360 officers is called upon to place contracts involving $800,000,000 of expenditures, or $2,000,000,000 of expenditures, they must use the nearest weapons at hand to do it, and while they are perfecting the organization with a view to getting an ideal system they must make the best use they can of the existing instrumentalities. I think that is what they did.

Senator WEEKS. Let me call your attention to the possibility of gross irregularities in the system. Between the 12th day of April, 1917, and the 30th day of April, 1917, there were let some 20 contracts for blankets varying in price from $2.75 to $6.25. How is anybody going to know—of course the answer would be that there was a difference in the quality of the blankets—but how is anybody going to know that a contract was not given to somebody for a $4.50 blanket that some one else might manufacture for $3.50?

Secretary BAKER. I think it is possible to imagine that some evil was done.

Senator WEEKS. Will you tell us how we can find out?

Secretary BAKER. Ask Mr. Eisenman.

Senator WEEKS. If you should ask Mr. Eisenman questions as long as we have and discover how uncertain are his answers, you would have a clearer knowledge of the difficulty of getting his evidence.

Secretary BAKER. I understood from Mr. Eisenman that he had the facts about every case with him.

Senator WEEKS. How are we going to know what the quality of a blanket furnished by Gimbel Bros. in New York at $6.25 is as compared with a blanket furnished by White & Co., of Boston, at a price of $2.75?

Secretary BAKER. Very easily. Whenever I have talked to Mr. Eisenman about these subjects he has known the exact number of ounces of wool, the quality of the wool—whether it was half-blood or one-eighth blood, or whatever it was. It seemed to me that he had tabulated in his head the most particular and detailed information. I have not been able to find a single case in which he was not able to explain exactly that kind of thing. It is all a matter of record.

Senator HITCHCOCK. Didn't Mr. Eisenman have power and opportunity to buy $4 blankets and pay $6 for them?

Secretary BAKER. It would have been possible for Mr. Eisenman to have deceived the Quartermaster General into paying $6 for a $4 blanket.

Senator HITCHCOCK. He instructed the Quartermaster General?

Secretary BAKER. My instructions to the Quartermaster General were that he should rely upon the facts given him by Mr. Eisenman.

Senator HITCHCOCK. Mr. Eisenman named the man who was to supply the goods and fixed the price, and the Quartermaster General did nothing but sign the contract?

Secretary BAKER. He made the contract.

Senator HITCHCOCK. Was it not possible for Mr. Eisenman to pay $6 for a $4 blanket, or $4 for a $2 blanket?

Secretary BAKER. Yes, sir.

Senator HITCHCOCK. What protection had you for the Government under such conditions?

Secretary BAKER. The penal laws of the country are still in force. In addition to that, we had his reputation as a man of integrity, the observation of his associates, and the constant supervision of the Quartermaster General's Department, which would not have allowed itself to make any grossly improper contracts; besides that, we had Mr. Rosenwald's supervision and my constant inquiry about it.

The CHAIRMAN. It is but fair to say that the Quartermaster General testified that in the negotiations for quantities and prices the Quartermaster's Department had a representative present all the time.

Secretary BAKER. All the time.

The CHAIRMAN. One of his corps?

Secretary BAKER. Yes.

Senator MCKELLAR. Do you approve of a decentralized authority in buying goods, such as has been described? Do you think that is a wise plan?

Secretary BAKER. I have said at least twice that, in my judgment, it was the best plan which could be devised, in view of the pressure and size of the emergency, but that it was preparatory to a very much better plan, which has already been inaugurated.

Senator MCKELLAR. That has been abandoned and done away with. Now, Mr. Secretary, I will ask you if you were advised that the specifications as to uniforms, woolen uniforms, with reference to overcoats, breeches, and blouses have been changed, so that our uniforms and overcoats would thereafter be part wool and part shoddy?

Secretary BAKER. I do not think I was ever advised about that, but I do not like to be positive, because it may have been told me.

Senator MCKELLAR. Do you recall ever having approved these specifications?

Secretary BAKER. I do not recall that.

Senator MCKELLAR. It has been testified here that previous to Mr. Eisenman's going into the committee on supplies no shoddy was used or no reworked wool was used. You understand the common expression of "shoddy," of course?

Secretary BAKER. Perfectly.

Senator MCKELLAR. It has been testified that no reworked wool or shoddy was used in the uniforms, but that he recommended a change in the specifications by which our boys should be clothed in uniforms of 65 per cent raw wool and 35 per cent shoddy. In the case of overcoats, a portion of them was to be 65 and 35 per cent, and the other 50 and 50. In the case of blankets, I believe there was the same proportion—50 per cent raw wool and 50 per cent shoddy. You say that you do not recall having had that submitted to you?

Secretary BAKER. Not in advance.

Senator MCKELLAR. Was it ever submitted to you?

Secretary BAKER. After it was submitted here.

Senator MCKELLAR. Did you approve of that change?

Secretary BAKER. I do not know enough to approve or disapprove.

Senator MCKELLAR. Are you willing for the men who are in the Army, either as volunteers or National Guardsmen or drafted men, to go to the trenches in uniforms that are made partly of shoddy? Do you think it is wise to do that?

Secretary BAKER. Senator, the best information I have on the subject is that the experts agree that the cloth in these uniforms is considered adequate—I mean the admixture of wool and reworked wool. I do not pretend to have an opinion on that subject. I may say that the wool condition in this country is such that it is advisable to conserve wool.

Senator MCKELLAR. Is not wool so plentiful in this country that within the last few weeks the embargo on exports of wool has been removed by the Government?

Secretary BAKER. I can not answer that.

Senator MCKELLAR. If that is a fact, then there is no such shortage as would require that our boys should be clothed in shoddy?

Secretary BAKER. I can not answer that, but I can say that for some months there was serious consideration given to what was regarded as a threatened shortage in wool. Very great

efforts were made by several branches of the Government to secure larger importations of Australian and other wool. The commercial board was exceedingly anxious to economize in wool as far as possible. It may not be unknown to you that we procured from women's dressmaking establishments promises to limit the number of styles with a view to economizing in wool. The French Government made similar efforts. There has been a constant effort to save wool in anticipation of a shortage of the supply.

Senator MCKELLAR. We agree wholly about the necessity of conserving wool and the necessity of the Government having an ample supply of wool for uniforms for the boys.

Secretary BAKER. Entirely.

Senator MCKELLAR. Do you recall a visit of the Boston Wool Dealers' Association on the 3d of April last, at which time these wool dealers offered the Government their entire holdings of wool at a price to be fixed by the Government as of date before the beginning of the war?

Secretary BAKER. I do not remember that.

Senator MCKELLAR. They did not call on you?

Secretary BAKER. Not that I can remember. I was seeing so many delegations at that time that it would not be unnatural for me to forget it.

Senator MCKELLAR. In July afterwards were other holdings offered to you?

Secretary BAKER. I have no recollection of that.

Senator MCKELLAR. Do you recall a visit from Senator King, of Utah, and the president of the Western Wool Growers' Association in October last?

Secretary BAKER. Very well.

Senator MCKELLAR. Did they offer the holdings of the Western Wool Growers' Association?

Secretary BAKER. I remember the visit very well, indeed, but I can not give the details of the conversation. The general purport of the conversation was——

Senator MCKELLAR. We will be very glad to have that.

Secretary BAKER. The general purport of the conversation was that it would be a wise thing for the Government to buy the entire holdings at a price to be fixed by the Government for the purpose of saving the middleman's profit.

Senator MCKELLAR. You did not accept that proposition?

Secretary BAKER. I referred the matter to the raw-material division of the War Industries Board.

Senator MCKELLAR. Did you ever know what became of it? Do you know whether it was declined?

Secretary BAKER. No; I do not think I ever knew what became of it.

Senator MCKELLAR. Mr. Secretary, looking at it as a concrete proposition, of course as soon as war is declared, we all know what the effect is. We know that the inevitable effect of a declaration of war is to send the price of wool up. That is always the case, because we have to use wool for so many purposes, especially for clothing. Don't you think it would have been a wise policy to have taken these various holdings, if they could have been gotten at terms satisfactory to the Government, at the time they were offered?

Secretary BAKER. My recollection is, with reference to the visit of Senator KING and the president of the Wool Growers' Association, that I not only asked them to take it up with the raw-material division of the War Industries Board, but also asked them to talk to Gen. Sharpe about it, because there had been discussions between us about the advisability of buying a supply of raw wool for the purpose of controlling price and preventing its enhancement. That had been taken up with Mr. Eisenman. He was anxious to have it done in order to stabilize the price of wool. Gen. Sharpe had brought it up a number of times. At the outset, however, there was some doubt as to whether appropriations made for other purposes could be used for the storing and the buying of raw material. It had never been done before by the War Department. The Judge Advocate General's advice was asked. He concluded that we had the power to do it. As I understand it from Mr. Eisenman, by my direction a sum of money appropriated originally for cloth was authorized to be expended. When the matter had gotten that far, Senator KING and the president of the Wool Growers' Association called upon me. As it was part of an earlier subject of conversation, I referred it to Gen. Sharpe. Whether or not the conditions justified the War Department in buying the entire supply of wool, I do not know enough to answer.

Senator MCKELLAR. The inevitable effect of changing the specifications of our uniforms, according to Mr. Eisenman's ideas, from all wool, or virtually all wool, to a mixture composed of wool and shoddy, was to increase the price of shoddy in this country, was it not? Would not that increase the price of shoddy?

Secretary BAKER. Undoubtedly.

Senator MCKELLAR. Did it ever occur to you, Mr. Secretary, that the reason for not accepting the woolgrowers' offers of wool at a price to be fixed by the Government was in some way in the interest of shoddy manufacturers in the country?

Secretary BAKER. That never occurred to me, Senator.

Senator MCKELLAR. It would have a tremendous effect upon the price of shoddy.

Secretary BAKER. I think the use of reworked wool by the Government in large wool and clothing manufactories would inevitably tend to increase the value or market price of reworked wools, but I did not consider the question personally.

Senator MCKELLAR. You say there is no serious situation now about overcoats and clothes?

Secretary BAKER. Yes, sir.

Senator MCKELLAR. I think perhaps you received a letter from me this morning, or yesterday morning, in which I quoted a statement taken from a letter from a young man at Fort Oglethorpe, in the Regular Army, in which he says that he has never seen an overcoat yet. I have a great number of letters from boys in many of the camps in which they say that they have never received overcoats or woolen blouses.

A young man from Camp Meade, immediately near us, came into my office the other day. I saw that he was a soldier boy from my home. I saw that he was clad in a very fine overcoat. I said to him, "Well, I am delighted to see that you have got a warm overcoat." He looked somewhat confused. I asked him what was the matter, and he said that when he got permission to come up to see me his officer asked where his overcoat was. He said that he did not have one, and then the officer said, "That will never do. It will never do for you to call upon Senator MCKELLAR without an overcoat. We will scrape up one and give it to you." They borrowed an overcoat for him, and he came over to see me. I am inclined to think, therefore, that your information about the boys being furnished with overcoats, and that there is no serious situation as to overcoats and clothes, is not quite accurate. I have no doubt your figures are all right, as taken from the books, but the actual fact is that those boys have not got the coats.

Secretary BAKER. I have not received the letter which you sent me, but certainly as long ago as three weeks I went down to Camp Meade to see a review of the entire division, and Gen. Nicholson, in inviting me to see the review, with some mirth in his voice told me—and some considerable merriment—that he wanted me to see one division in which every man had an overcoat.

Senator MCKELLAR. I think he was mistaken in that.

Secretary BAKER. And the entertaining part of it was that when I did see those boys, and I saw one man without an overcoat, I asked Gen. Nicholson why it was that that man did not have an overcoat, thinking the joke on him. He said that he would find out. When he asked the young man why he did not have an overcoat, he said he had left it in the tent, because he found it too warm while he was exercising.

Senator MCKELLAR. You think that conditions have been greatly improved as to overcoats and coats?

Secretary BAKER. Very much.

Senator MCKELLAR. And you think there will be clothes enough very soon?

Secretary BAKER. I think the prolongation of apparent insufficiency may be due to the failure of sizes. There have been a great many surprises about this. The Army has for years had preparedness enough to have a schedule of sizes. When they ordered the clothing, shoes, or things of that sort they were ordered according to the schedule of sizes. But we have met with a great many surprises lately. Either we are getting larger Americans or Americans are getting larger; I do not know which.

Senator WARREN. That was about all you did have, was it not—sizes?

Secretary BAKER. Yes. We had a table of sizes. We have now discovered that our difficulty is not to get shoes enough, but to get enough of the larger sizes.

Senator MCKELLAR. I have one other matter that I wish to ask you about, and then I am through. You commandeered the output of the Thames River mills and the Millbrook mills. I think the Millbrook mills are in Connecticut, but I do not know where the Thames River mills are. I think they are in that neighborhood, somewhere. Will you tell me why you did that, and at whose instance?

Secretary BAKER. I have never heard of it. I may have signed a commandeering order.

Senator MCKELLAR. Do you recall signing any commandeering order?

Secretary BAKER. A great many of them.

Senator WEEKS. That is the only case in which mills have been commandeered?

Secretary BAKER. I hardly think so, Senator. That may be the only case in which a clothing mill has been commandeered, but I am not sure about that.

Senator HITCHCOCK. There is a hypothetical question that I would like to ask the Secretary. You have stated that when these Boston wool dealers, almost upon the day that war broke out, offered to the department and to you, as they have indicated, a very large quantity of wool at the price of April 2, you remembered nothing about it.

Secretary BAKER. Yes, sir; I do not remember that visit.

Senator HITCHCOCK. The indications before the committee have been, in all the testimony, that there has been some scarcity of wool and that that was the reason that the shoddy was to be used; also that there has been an enormous advance in the price of wool, and that the failure to take advantage of that offer has cost the Government $150,000,000. Now, my question is this: Would it not have been a great deal better for that offer to have been made to a minister of munitions or supplies who could have acted upon it, instead of turning it over to some one else?

Secretary BAKER. When was that made?

Senator HITCHCOCK. The 3d day of April.

Secretary BAKER. I will say that there was not enough money appropriated at that time for the War Department to have bought one-third of the wool comprehended in that offer if the War Department had had nothing else to do with the money except to buy wool. No minister of munitions or anyone else could have used it for that purpose.

Senator HITCHCOCK. The proposition is twofold. On the 4th of March, Congress had placed at the disposal of the President $100,000,000, without any qualifications, and on the very day that Congress assembled in April, it was ready to make any appropriation. The lack of money could not have been a reason for failing to do this.

Secretary BAKER. It would not make any difference whether it was the Secretary of War or a minister of munitions, there was no money to buy it. The War Department was already $500,000,000 in debt.

Senator HITCHCOCK. That was not the reason that this great offer was not accepted?

Secretary BAKER. It was not brought to my attention.

Senator HITCHCOCK. The War Department later bought some without any further authority, when the offer was made.

Secretary BAKER. When the matter was brought to my attention I authorized the purchase of wool after getting from the Judge Advocate General an interpretation of the law on that particular question.

Senator HITCHCOCK. That offer was referred first to Mr. Eisenman and his committee, but nothing was done with it?

Secretary BAKER. I never heard of that offer.

Senator HITCHCOCK. Is not that a strong argument for the establishment of some power in the War Department to act upon these questions?

Secretary BAKER. No, sir; I do not think so, because later the War Department did take that action.

Senator HITCHCOCK. Hasn't the Secretary of War too many things to attend to?

Secretary BAKER. I do not think so.

Senator HITCHCOCK. So that he can not give immediate attention to these matters?

Secretary BAKER. I think he can; but that is a part of the argument reserved for a later place, I believe.

Senator WADSWORTH. In connection with that offer, it has been testified here very clearly that while the offer was made on April 3, it was met with doubt that the Government did not have the authority to purchase the wool, and it took until June 16 to get an opinion on that question.

Secretary BAKER. That is not quite accurate, Senator. I am not prepared to say that the only doubt was the question of the Government's power; but we were entering into a situation in which there were shortages in a great many things. Wool was not the only thing that there was an anticipated shortage of. There was an anticipated shortage in cotton, in leather, and so on. I could enumerate dozens of things.

Senator WADSWORTH. I understand that, Mr. Secretary.

Secretary BAKER. If the policy of the Government in dealing with materials in which there was a shortage was a monopolistic purchase of the entire supply, it would have exhausted not merely the anticipated appropriations, but all that Congress could have appropriated. There had to be some policy determined upon.

Senator WADSWORTH. I am not discussing for a moment the appropriation part of it at all. My question was for the purpose of finding out why it took from April 3 to June 16 to determine if it was legal.

Secretary BAKER. It did not take that long.

Senator WADSWORTH. That has been testified to specifically in this investigation.

Secretary BAKER. Of course, Senator, that does not mean that either some one or some persons were considering that question, and that question only. A policy had to be determined upon as to whether the way to control the price of a staple product was by purchasing a controlling quantity of the existing supply.

Senator WADSWORTH. The testimony before this committee from those who certainly should have known what was done in that period is to the effect that that period was not exhausted in determining the policy of the Government, but in determining whether the Government had a right to purchase the wool.

Secretary BAKER. I think that is erroneous. It is too narrow a statement. When the question was presented to me as to whether we should buy wool, the first reaction in my mind was, Shall we undertake to buy a controlling quantity of every supply as to which we are short? In the meantime Congress was in session and was considering other methods of price control. It was considering the question of prices of iron and steel, and things of that sort.

Senator WADSWORTH. The testimony is very clear, Mr. Secretary, that the War Department was not debating that point between April 3 and June 16.

Secretary BAKER. I can not help what the record shows, I know, as far as myself was concerned, I had a very serious question whether that was the right way to control the price of all staple products.

Senator KIRBY. The matter under consideration, this specific offer of the Boston wool dealers, you yourself say you do not remember?

Secretary BAKER. I do not remember their visit of April. My first remembrance is that Mr. Eisenman came to see me one day and recommended the price of wool be prevented from rising by the Government making direct purchase of wool.

Senator KIRBY. Do you remember about when that was?

Secretary BAKER. No; I do not; but I think not later than the 2d of April.

Senator WARREN. I refer to that delay, which I recommend on, because it has appeared so many times in this investigation that it takes the War Department literally weeks and weeks to arrive at some decisions which are exceedingly simple.

Secretary BAKER. That was not simple.

Senator WARREN. The legal question was simple.

Secretary BAKER. The legal question was simple, but the policy question was exceedingly complicated, and I do not know at this moment whether the offer the Boston wool merchants made to sell had that part in.

Senator HITCHCOCK. It was the price it was in the market.

Secretary BAKER. Was that what they paid for it, as a matter of fact?

Senator WEEKS. Quite likely not.

Secretary BAKER. How much was the enhancement?

Senator HITCHCOCK. But it was a very much lower price than at present; it has been advancing since.

Senator WARREN. There was a very rapid advancement for four or five months before, and especially during the month of March. I recall it because some transactions came up. Of course, it was lower then than now, but it was higher than it had probably been since the war.

Secretary BAKER. Then what actually occurred, the offer of which had to be considered, was that the Government should take over their entire stock of wool at a price which represented a continuous enhancement for five months, and thus make a very large contribution to the profit of those who held it in the meantime.

Senator WARREN. I do not think you ought to say five months continuous, because it had been increasing since the low price of two and one-half years before, but there was an advancement, and, as I understand this offer it was at the going market price—that is, they would furnish the Government whatever they wanted at that.

Secretary BAKER. It is easy to see, Senator, how those who did consider that suggestion at that time might well have had in mind resort to some price-fixing process with a view to saving at least part of the enhanced price.

Senator WEEKS. I do not think the Secretary ought to allow that statement to remain as a possible reflection on the Boston wool dealers.

Secretary BAKER. Quite the contrary, I had no such intention.

Senator WEEKS. This took place on the 2d of April. The first purchases of wool by wool dealers did not take place more than three months before that time at the most, if I understand the question, and if I am wrong, we have a gray shepherd here who can correct me.

Senator WARREN. It is not usually the case they buy until shearing time, which commences the last of March, but for the last two or three years there have been men in the market, and I say it with a good deal of regret that one lot I was interested in went last February. I say it with regret, because it went at a lower figure, but they have contracted in the West very largely the last two or three years beforehand.

Senator WEEKS. Whatever price the Boston wool dealers paid for this wool, there was absolute certainty there would be an advance in the price of wool immediately after the declaration of war?

Senator WARREN. Oh, yes; and in offering wool the day before or the day war was declared, that certainly was all the men could be expected to do, and knowing the men, I feel confident they did it from patriotic reasons.

Secretary BAKER. I have not the slightest doubt or disposition in any statement in the record I have made to even imply a reflection on the good faith of that offer, and if I have made any such statement in the record I should like to have it understood as withdrawn.

Senator WEEKS. I should like to add that this very morning one of the leading wool dealers in Boston has been to me to say that he believes it should be the policy of the Government to buy the whole domestic clip, and to do it now; that the shearing is commencing in Arizona and southern California; and that the Government should control the wool supply, and in that way control the price of wool, using what it requires and turning over to civilian uses what there is left, and this man added, in entire good faith, that that would mean closing his business.

Secretary BAKER. The only comment I can make on that, Senator, is that identically the same suggestion has been made to me in regard to the purchase of the entire cotton and the entire wheat crop, and it would have involved enormous governmental finances.

Senator WEEKS. The conditions are different; there is not anything comparable to the requirements for wool in any of the great staples, and the limited supply.

Secretary BAKER. But for the arrangements which already had been made for the control of the price of wheat, I think the wheat case would be even more acute than the wool case.

Senator WADSWORTH. We are self-supporting in wheat and in cotton, and we are not in wool; that is the whole difference.

Secretary BAKER. Yes; we are self-supporting in wheat and cotton, and yet neither of them is so readily available for substitutes as wool.

Senator WEEKS. Wheat is much more available as a substitute by using corn.

Secretary BAKER. I am not sure that is so, Senator. It is a question of how ready it is.

Senator WADSWORTH. Eventually, Mr. Secretary, you paid more for the wool

Secretary BAKER. I think that entirely likely.

Senator WADSWORTH. Have you heard it estimated as high as $150,000,000?

Secretary BAKER. I had not heard that.

Senator HITCHCOCK. It was estimated at $150,000,000 the Government lost by not accepting that offer.

Senator WEEKS Not that particular offer; it would not amount to anything like that. The impression which I gave the committee and had myself was to the effect, and I corrected it later, because I obtained figures on the amount of wool which the Boston wool dealers had and found that would be impossible; and then I inquired of my informant, who was a reliable man, and he said it applied to all wools, not only to the wools offered by the Boston Wool Dealers' Association but offered by all others. That fact, that the Government had not taken control of it, affected wool prices.

Secretary BAKER. That, of course, would apply to all wools in the country?

Senator WEEKS. Yes.

Secretary BAKER. All used for export?

Senator HITCHCOCK. That is, all wool that the Government would have required.

Secretary BAKER. No; all wool in the country.

Senator WEEKS. All wool the Government would require was the impression given me.

Senator HITCHCOCK. Then advancement in price of that which the Government has consumed since then, or contracted for, would have amounted to $150,000,000.

Secretary BAKER. That seems to me a very large figure.

Senator WEEKS. I want to say, in my own judgment, that the only thing for the Government to do, and to do now, is to arrange to purchase the wool supply of this country. It will soon be in the hands of dealers, and then the Government will not be able to do it.

Senator WARREN. Mr. Secretary, just one point in connection with the topic that has just been discussed. The Secretary alluded to the lack of money during the month of April with which to make purchases. Mr. Secretary, can you remember what portion of the $100,000,000 which was placed in the hands of the President was allotted to the War Department for emergencies and when it was done?

Secretary BAKER. I do not. There was no definite allotment at the time of that appropriation. Whenever any emergency presented itself we felt free to ask the President to consider it.

Senator WARREN. Gen. Crozier has testified, as I remember it, that no allotment was made to him—to the department—until September; the same day he also testified that the Ordnance Department was handicapped in April, May, and June in placing orders for ordnance supplies on account of the inability of the Government to finance manufacturers; that the manufacturers had great difficulty in converting their plants to new uses; could not finance themselves through the ordinary channels, such as banks; and it was a source of some surprise to me and to some other members of the committee that some of that $100,000,000 was not used to speed up the manufacture of ordnance materials and perhaps other materials, too. Has not the records shown it was not until September that any considerable part of that was allotted to the War Department?

Secretary BAKER. I have no definite recollection about that except two or three times sums were suggested by Gen. Crozier as being appropriate to be expended out of that sum. The question was presented to the President, and in every case he agreed; and finally, in September—if it was September—when Gen. Crozier was very anxious to have some enlarged facilities to be provided for by the Government out of the moneys then in hand, he suggested that the President authorize $35,000,000 of that sum to be put at his disposal, to be disbursed out of that fund for accruing obligations, and I presented the matter to the President, and he at once authorized it. That was in July.

Senator WARREN. Could that have been done to greater advantage in April or May?

Secretary BAKER. I am not sure whether it could or not. As soon as it was presented it was done.

Senator WEEKS. Presented by whom?

Secretary BAKER. Gen. Crozier to me, and by me to the President.

Senator HITCHCOCK. The initiative in such a matter begins with the Ordnance Department, does it not?

Secretary BAKER. Yes; the initiative in that sort of matter would naturally come from Gen. Crozier to me—be suggested by him to me

Senator FRELINGHUYSEN. I simply want to inquire of the Secretary regarding the question of the uniform. When war was declared was there any discussion by the military authorities regarding the needs for the service on the other side in regard to change in weight of uniform?

Secretary BAKER. I can not answer that; I do not know.

Senator FRELINGHUYSEN. Who would be the proper authority to discuss that?

Secretary BAKER. The Quartermaster General would be the primary authority; of course, as soon as Gen. Pershing was abroad with a staff he would study that question—as, in fact, it has been studied—and there has been an interchange of opinion between Gen. Pershing and the Quartermaster General's Department on that subject and myself.

Senator FRELINGHUYSEN. There has been considerable concern on the part of the committee regarding the fact that the uniforms of our soldiers in weight is 16 ounces, and we are informed that the European armies—the English and French—have a much heavier weight; I believe 20 or 21 ounces. And we have been trying to find out whether, anticipating the service on the other side, that was considered by any of the military authorities before the men were sent over there or before the uniform cloth was ordered.

Secretary BAKER. I can not answer that; I do not know. But I can say this, and it is a positive recollection: I read all of the dispatches from Gen. Pershing, and I can not recall that, from the beginning, there has been a suggestion that the uniform was insufficient.

Senator FRELINGHUYSEN. The question of the importance of a proper cloth, in durability and warmth, is one of the most important questions in regard to the health of the troops; next, possibly, to nourishment. Now, do you not think that it would

be a wise military policy for us to consider that before we ordered our troops to the other side, with insufficient clothing, by direct inquiry from Gen. Pershing or some one else?

Secretary BAKER. Of course, Gen. Pershing was not in France much in advance of the troops that went there; but, to answer your question directly, I think, of course, that a continuous study ought to be made to adapt the uniform to the needs of the service in a particular place.

Senator FRELINGHUYSEN. Well, it was not made. There was no consideration given to that very important problem, although the armies in Europe had been fighting for years with a heavier cloth.

Secretary BAKER. Senator, I can not either confirm or deny. I do not know whether they did or not.

Senator HITCHCOCK. Mr. Eisenman stated before the committee repeatedly that he had made no inquiry concerning the British, German, or French uniforms; that he did not know how long they would wear; could not verify it in the last six months, whereas it was currently reported that both the British and French uniforms lasted three times as long as ours. The matter was not considered at all.

Secretary BAKER. I think it is very important. I have no doubt whatever Gen. Sharpe did consider it, and the weight of the cloth was prescribed by Gen. Sharpe for Mr. Eisenman, and if any change was made it was brought to Gen. Sharpe.

Senator HITCHCOCK. The testimony rather intimated that Mr. Eisenman controlled the cloth, even changing the specifications of the cloths.

Secretary BAKER. With Gen. Sharpe's approval?

Senator MCKELLAR. He did it as a matter of course under instructions from the War Department; that he just merely indorsed what was to be done.

Secretary BAKER. I think that must be a misunderstanding. I never gave him instructions on the weight of cloth; I did not know the weight of the cloth, and do not know now except as told.

Senator MCKELLAR. I think the facts about the matter are that Gen. Sharpe had very, very little authority in the supply department of the Government. His principal duty was simply to sign the contracts; and that portion of the department was run by Mr. Eisenman and has been for the last six months. That is, I think, the testimony before this committee.

Senator WEEKS. It is the testimony of both of them.

Senator MCKELLAR. Yes; both of them.

Secretary BAKER. But I feel quite sure nobody ever suggested before the committee that in the event of any difference of opinion between Gen. Sharpe as to what was wise and Mr. Eisenman as to what was wise, there was the slightest difficulty to get the matter settled.

Senator MCKELLAR. They had no trouble about that, because under the order Gen. Sharpe felt that his duties were practically nominal and went ahead and signed and did whatever Mr. Eisenman said.

Secretary BAKER. I am surprised if the testimony has been quite that.

Senator MCKELLAR. I shall be glad if you will look over the testimony on that subject. I think you will find it pretty strong.

Senator FRELINGHUYSEN. The testimony shows that in the change of the specifications that a committee of wool manufacturers and Mr. Eisenman conferred, and that the specifications were changed; in fact as far as we could learn from the testimony the standards were lowered in the overcoatings and in the blankets, and there was no evidence of approval by Gen. Sharpe. Those specifications ordered were directed to the depot quartermasters, and there is an order here on record that you issued directions to the depot quartermasters to take up all questions of cloth, cloth purchase, specifications, etc., with Mr. Eisenman. Now, this is very important for this reason: The statement is made by experts that the uniform cloth in the Army is not as durable and not as warm as the Army had heretofore, and that Mr. Eisenman and this wool committee, under that authority issued by you, changed those specifications and standards.

Secretary BAKER. Is there no conflict in the testimony on that?

Senator FRELINGHUYSEN. I know of no conflict in the testimony on that.

Secretary BAKER. I have not followed it, but I understood that the woolen manufacturers—somebody, the president or somebody in their association—testified that the cloth was adequately strong and adequately warm.

Senator HITCHCOCK. I think Mr. Eisenman in his testimony denied that he had impaired the quality of the cloth, and only asserted he had changed the specifications of it. I think he denied the quality was impaired, Senator.

Senator FRELINGHUYSEN. The standards were changed, according to the testimony of one of the experts from the Quartermaster Department, and he testified that the quality of the cloth had gradually descended in scale under the specifications of Mr. Eisenman's committee. Now, the only interest I have in this, Mr. Secretary, is this: That there is a very important question—the clothing of the soldiers in the Army—and I think some higher authority than a committee of private citizens should determine how the Army should be clothed.

The CHAIRMAN. Pardon me, but was not the testimony of Mr. Eisenman to the effect that this matter of the change, of the addition of reworked wool, was taken up with the officers of the Army, a board of three or more, and while they protested at first, they afterwards became converted to the propriety of reducing the amount?

Senator FRELINGHUYSEN. I should like to see that testimony. I have tried to find it. I can not find anything in the testimony that there was any authority for the changing of the specifications below that of the Army before. This is not a trial, Mr. Chairman; it is an inquiry. All that I want is to see the Army of the United States clothed as well as the armies of Europe, and with as good clothing and with as warm clothing, and I think it is time now for us to at least recommend to one of the departments which has some authority in the Government to consider this promptly and determine whether any future purchases shall not be of a better grade of clothing.

Secretary BAKER. I shall be very glad to have the question examined by the most competent experts I can find. I entirely share the view that we ought to have the best cloth in the service.

Senator MCKELLAR. May I ask you, in doing that, not to select as experts any interested parties?

Secretary BAKER. Yes; I would be very happy to agree to that if I can find anybody who knows anything about it and is not interested.

Senator MCKELLAR. If you or your department can not find them, if you will call on me I think I can find somebody somewhere.

Secretary BAKER. I will make a better proposition than that: I will be perfectly willing to have the cloth made any weight this committee wants it.

Senator HITCKCOCK. Would it not be wise to cable Gen. Pershing and ask him to make an investigation and report to you whether the quality of the English cloth is better than ours, whether the quality of the French cloth is better than ours, wheher it is more suitable for trench warfare than ours, and whether it lasts longer than ours?

Secretary BAKER. I shall be very glad to do that, but Gen. Pershing has in France a very large staff of officers, a very large number of most competent quartermasters in the Army, men of lifelong experience in clothing in the Army; they are formed into a committee at his headquarters to study questions of clothing and to compare British and French with American practice, and it is their duty, without any instructions from us, to make observations and criticisms, and every day the cables bring a long list of things they suggest.

Senator HITCHCOCK. Have they advised the department that the British cloth——

Secretary BAKER. I never heard anything about the clothing; no, sir.

Senator HITCHCOCK. It is strange that after all these years of experience, that the British, French, and German clothing should be 4 or 5 ounces heavier than ours and nothing said about it, and no notice taken of it. Either they are wrong or we are wrong.

Secretary BAKER. Nothing said so far as appears in the correspondence, but I shall be very glad to ask Gen. Pershing to have his department do that.

The CHAIRMAN. Do you know why Gen. Pershing ordered quite large yardage for his soldiers from the British mills?

Secretary BAKER. Yes; I think because ours had not gotten over in time.

The CHAIRMAN. It was not because of the texture of the material?

Secretary BAKER. No; Gen. Pershing has been obliged to make a number of purchases over there. We have encouraged it every time, as it means so much tonnage less of transportation.

The CHAIRMAN. The quality being taken over by his men, I understand, is of the texture we had when war was declared?

Secretary BAKER. Yes—I am not certain about that. Certainly that originally taken over was of the initial supply, but whether any was given of the lighter weight I can not say.

Senator MCKELLAR. Very little, if any, according to the testimony.

Senator FRELINGHUYSEN. Gen. Sharpe testified, when the committee was convened to inquire in regard to the shortage of overcoats and uniforms, that there were strikes and lack of capacity among the garment workers, and the delays in the deliveries were due largely to that. Now, I procured a list of manufacturers who were making the garments, and certain large contractors who were making a large number of uniforms, and I wired them, asking if they had any strikes in their factories. They stated they had not, and that there was nothing that would interfere with their deliveries; but one concern by the name of Kirschbaum, that is making 4,000 overcoats a day, stated that the deliveries would be interfered with in the future if the drastic rules and regulations prescribed by the Bureau of Labor Standards, which you have appointed, were pressed on the manufacturers. A contract which had been prepared by that committee——

Secretary BAKER. They did not prepare it. They were given the duty of inspecting and the enforcement of it, but they did not prepare it.

Senator FRELINGHUYSEN. What was the necessity of that contract, the change in it?

Secretary BAKER. The contract was made primarily to accomplish three purposes: To protect the garments from being made in congested tenements and subjected to the possibility of inoculation with disease; second, to introduce such a standard of price and conditions of labor as would prevent labor disturbances interfering with a continuous supply. In other words, to get a contented and just dealing with labor supply, so it would not be likely to be interrupted; and, third, to induce an obsolescence of State regulations and necessary minimum safety regulations for the workers employed.

Senator FRELINGHUYSEN. Those standards were not prescribed for any other department, were they—the Marine Corps or the Navy?

Secretary BAKER. I do not know that, Senator.

Senator FRELINGHUYSEN. Or any other branches of the Ordnance or the War Department?

Secretary BAKER. Probably not; but, of course, the garment-making industry is peculiarly an industry which has hitherto been relegated to the tenement house and is largely in the hands of women and children, and is, therefore, the industry in which the greatest abuses of labor and the greatest frequency of labor disturbances have occurred.

Senator FRELINGHUYSEN. When these rules were formulated by this committee were any of the garment workers or various associations—and I understand there are a number—called in conference?

Secretary BAKER. I can not remember that, Senator?

Senator FRELINGHUYSEN. You are speaking about the rules?

Secretary BAKER. Yes; about the rules.

Senator FRELINGHUYSEN. Would it not have created possibly a better understanding if they had been called in?

Secretary BAKER. I can not answer that. There has been no difficulty about it.

Senator FRELINGHUYSEN. There was a difficulty in the shortage of garments, in the production, and we have statements here from the associated boards of trade in Rochester, associations in New York, the board of trade in Newark, and manufacturers in Philadelphia that there was a large capacity for garment manufacturing in those towns, and yet Gen. Sharpe testified that there was a lack of capacity. Now comes the word that by reason of these drastic rules that the capacity production will be greatly curtailed, and many of these garment workers will be compelled to either force the Government to commandeer their plants or decline Government contracts.

Secretary BAKER. Senator, of course you are dealing with very general statements.

Senator FRELINGHUYSEN. That is all I have got. I am handicapped in making an inquiry.

Secretary BAKER. I am simply describing the difficulty of making a comment upon general statements. It will have to be general. Those specifications in that contract were made for the purpose of protecting the people in the garment-working industry against abuses, either as to their safety or their hours of labor, to such an extent as to produce a contented condition in the garment-making industry and not have the supply interrupted by labor difficulties. Now, I think those standards are modest standards; I think every one of them has the approval of the people who have been interested in the garment-working industry for many years. They are not flashed out of somebody's head overnight, but dealt with good conditions in the garment-working industry.

The CHAIRMAN. Was the personnel appointed to do that persons who understand the business and did they know anything about this?

Secretary BAKER. At least two of them were experts—one of them the greatest expert in America on the subject, and a person who has no interest of any sort except the interest of the garment workers.

The CHAIRMAN. Who is that?

Secretary BAKER. Mrs. Kelly.

The CHAIRMAN. Who are the others?

Secretary BAKER. Mr. Kirstein, who is a member of the firm of E. A. Filene, in Boston, and the other a reserve officer, Capt. Crusak.

The CHAIRMAN. I think it has been said here that one was a socialist and one a pacifist. They would not be interested in getting very far——

Secretary BAKER. It is true Mrs. Kelly is a socialist, yet I happen to have known Mrs. Kelly for 20 years, and I know in that 20 years she has devoted her time, without cessation, to the intimate and expert study of the conditions under which women and children work in industry, and I doubt whether anybody in America has contributed as much to the introduction of a proper point of view in the life of our people as it affects the working women and children as Mrs. Kelly.

Senator SUTHERLAND. Some are operating under these rules?

Secretary BAKER. Yes; they are the minimum rules of those factories.

Senator SUTHERLAND. So the prices you are offering these people contracts under were sufficient to warrant their operating under these rules?

Secretary BAKER. Yes; practically every requirement in there, so far as setting a standard, is already imposed by State laws—most of them.

Senator FRELINGHUYSEN. Mr. Secretary, I think this contract is a little bit one-sided. I think it imposes certain restrictions upon the manufacturer that gives him absolutely no appeal, no leeway whatsoever. I am going to suggest that an opportunity be given by your department, when they impose these regulations, and upon a class of industry upon whom you will rely in the future for a large production, that you give them an opportunity to be heard before these regulations are imposed. You fix a minimum wage scale. You impose, in section 18, the determination of this board which you have created finally, that—

> Whenever a determination is required to be made by the said board, such determination shall be final and conclusive on the parties hereto unless otherwise indicated herein.

Now, the exception is an appeal to the Quartermaster General, but it imposes a fine, I think, something like $5 a day. All I have to say about it is this: That my sense of justice and fairness would impel me to the belief and judgment that at least the smaller concerns who are making uniforms should be given an opportunity of a hearing before those drastic rules are imposed by the War Department of this Government.

Secretary BAKER. I should like to make one comment on that, Senator. That contract was made, and its predecessor, as far back as May—this was the second contract covering these things—certainly June; and from that time until now I have been willing to see and have seen everybody who wanted to discuss its terms or wanted them modified, or wanted its enforcement moderated, and I have not yet had a single person come to me with the suggestion that any requirement in that contract was excessive.

Senator FRELINGHUYSEN. This statement was made before this committee that it would impair production of wool, prevent some of the largest uniform-manufacturing concerns in the country from complying with its conditions.

(Thereupon, at 5 o'clock p. m., the committee adjourned until Friday, January 11, 1918, at 10.30 o'clock a. m.)

COMMITTEE ON MILITARY AFFAIRS,
UNITED STATES SENATE,
Washington, D. C., Friday, January 11, 1918.

The CHAIRMAN. The committee will come to order.

STATEMENT OF HON. NEWTON D. BAKER, SECRETARY OF WAR—RESUMED.

The CHAIRMAN. Mr. Secretary, there is quite a general feeling amongst those with whom I have come in contact that the outlook for the production of powder is not good. In other words, there is a feeling that with the present production and what the Government proposes to do there will still not be a sufficient amount of powder to meet the requirements of ourselves and, possibly, the demands of the allies upon America. Personally, I know nothing about it, but I wish to place before you a statement that I have received from a gentleman who wrote me in confidence. I suppose that means that it is in confidence only as to the name, which I will give you in confidence, but which I prefer not to be mentioned in the record. I will state what he says about it.

Secretary BAKER. Mr. Chairman, I think the questions of quantity of powder and provision for manufacture had better be discussed in executive session.

The CHAIRMAN. You think so?

Secretary BAKER. Yes, sir.

The CHAIRMAN. Perhaps that would be a better plan.

Secretary BAKER. I would be glad to call attention to the facts, but I think that should be done in executive session.

The CHAIRMAN. Then, I will not put to you the question now.

Senator WEEKS. Let me ask one question about powder at this time. Are you satisfied that sufficient arrangements will be made when the unit which is under construction at Charleston, W. Va., is completed?

Secretary BAKER. How do you mean, Senator?

Senator WEEKS. That sufficient capacity will be provided?

Secretary BAKER. Oh, no; that is only a part of the project.

Senator WEEKS. No provision has been made to undertake this construction at Nashville, Tenn.?

Secretary BAKER. Not as yet. That is a part of the plan that is being pushed forward.

Senator WEEKS. You are depending upon powder from manufacturers who will get their full capacity as soon as contracts are completed, I assume?

Secretary BAKER. The private manufacturers are already working to fullest capacity—at least the Du Pont plant is—and the product of that plant is allocated between the allies and ourselves.

Senator WEEKS. It is rather difficult to ask these questions and not encroach upon the question of amount, which I do not want to do. What I want to get at is this: Suppose we have an army of 2,000,000 men in the field a year from now, which is not at all improbable, of course. That army will require so much powder. Where are you going to get it?

Secretary BAKER. Those are speculations, Senator WEEKS, that I would prefer to deal with in executive session.

Senator WEEKS. I am quite willing to do that; but I must say that I am personally troubled about the powder situation.

Secretary BAKER. I think I can relieve you. I think that the program is adequate.

Senator WEEKS. I do not wish to make any exposure that is going to harm the service, of course.

Senator WADSWORTH. Mr. Secretary, yesterday when we adjourned we were discussing the question of the form of contract prescribed by the War Department in garment-making work. Senator FRELINGHUYSEN was asking some questions at that time. He is not here now, but I suppose he wants to continue along that line. I would also like to ask you if there is a provision in that contract which prevents a manufacturer making the contract having any of the work done outside of his plant?

Secretary BAKER. There is a provision which prohibits it being done outside, except in cases subject to inspection and approval.

Senator WADSWORTH. Approval by whom?

Secretary BAKER. By the Board of Standards.

Senator WADSWORTH. Inspection and approval by the Board of Standards?

Secretary BAKER. Yes, sir.

Senator WADSWORTH. Is the inspection power lodged in the Board of Standards regarded by the War Department as superior to the inspection systems now in vogue in the States under the Labor Department or the Health Department?

Secretary BAKER. I would not say that. The Board of Standards are, in theory of law, simply persons selected by me to advise me. They are my eyes. As I know the character and familiarity of the members of that board with their subjects, I rely on their judgment. The question as to whether they are more rigid in their inspection than the State inspection bureaus is a question that might be answered "yes" or "no." As a matter of fact, the Standards Board has declined to recommend for approval contracts with some companies which are operating in defiance of some of the laws of some States.

Senator WADSWORTH. Has the Board of Standards, within your knowledge, declined to permit the letting of contracts to manufacturers who have some of the work done in what are known as loft factories?

Secretary BAKER. I could not answer that question in that form. They have declined to approve places where the laws, State laws, with respect to fire escapes and sanitary appliances were not complied with.

Senator WADSWORTH. You are sure that they have not exercised the veto power in cases where such laws are complied with?

Secretary BAKER. So far as I know they have not.

Senator WADSWORTH. In the city of New York it has been the custom for many years for garment manufacturers to have several elements in their work performed in what are known as loft factories, these loft factories being installed in very large, modern, concrete and steel buildings, where thousands of men are employed, situated mostly in the middle of the island of Manhattan, a block or so from Fifth Avenue. The impression seems to be that there is a veto on any manufacturer, or some manufacturers, taking contracts for that work if the work is to be done in a so-called loft factory. As a result a large number of people are out of employment. There have been mass meetings, and these people have asked for a chance to work on this Government work.

Secretary BAKER. That is perfectly true. However, the withholding of the approval is not based upon the consideration that the work is to be done in a loft factory. It is based upon sanitary and health considerations and precautions. In many instances, I might say, the withholding of approval by the Standards Board has been conditional, the understanding being that they would withhold it if such and such things were not done in order to bring about the proper conditions.

Senator WADSWORTH. These loft factories are not permitted in the city of New York without compliance with the laws of the State and the health and sanitary regulations of the State.

Secretary BAKER. Senator, I have been mayor of a city and I know from experience, as you probably know, that no matter how excellent a law may be there are always evasions which are difficult to control.

This Board of Standards, being experts, and having the most intimate and personal contact with the conditions, makes its approval, or withholds its approval, based upon personal inspection by competent inspectors, and does not proceed upon the assumption that because the State of New York has passed a certain law the conditions are all right.

Senator WADSWORTH. Of course, Mr. Secretary, I would not urge that the Government should have its work done in plants that are insanitary or dangerous to the life or health of the operators, but I was wondering if there was not some danger that the restrictions might be made so severe and so rigid, as they affect the operators, that the soldiers in the field will be the ones to suffer from a lack of clothing.

Secretary BAKER. Of course, it should be possible to avoid either of the two evils, but the evil of the oppression and devitalization of the lives of women and children in the industry is, at least, equally important, as compared with a slight delay in the provision of uniforms. I hope that these standards are so practical and reasonable that they will not delay the clothing of the soldiers. I can imagine nothing more important to our military solidarity and unity with respect to the clothing of the soldiers than the question that the Government should not permit itself to participate in the oppression of women and children.

Senator WADSWORTH. My views are somewhat in accord with yours, Mr. Secretary, except as to the characterization of the delay as slight. It has been considerable.

Secretary BAKER. That, of course, is a question of judgment.

Senator WADSWORTH. Do you think any of the provisions of that contract would operate as an invitation on the part of inspired trouble makers to handicap the work of the Government? A witness here the other day said it was his belief that it was an invitation for trouble makers, inspired through German propaganda, to come into factories and stir up trouble and make operators delay the production of uniforms. For that reason he and others were declining to sign contracts.

Secretary BAKER. Any requirement in a contract which looks to the betterment of conditions is to that extent an invitation to trouble makers who do not want to comply with the standards, but I think the contract is otherwise free from objection on that point.

Senator WADSWORTH. The witness who was here did not indicate in any way that the trouble makers would be those who did not want to comply with the standards.

Secretary BAKER. Who would they be, then?

Senator WADSWORTH. They would be those who wanted to hinder the work of the Government in this war.

Secretary BAKER. How could they make trouble?

Senator WADSWORTH. I understand there is a provision in the contract which compels the manufacturer to recognize not only a representative of the workers in the factory, which, I concede, of course, is a proper policy, but also anyone who is a representative of the workers without the factory.

Secretary BAKER. I think that is in there.

Senator WADSWORTH. Is not that latter thing an invitation for people to come into that factory—and in many of these factories a large number of the operators can not speak English—and stir up trouble?

Secretary BAKER. I think the absence of it would stir up trouble. If you had a lot of operators who could not speak English and could not present their grievances to their employers, you would deprive them of the right to speak through somebody who could speak English, and I think that might stir up trouble.

Senator WADSWORTH. There are, so far as I know, English-speaking people within the factories. I did not mean to say that no one in the factories could speak English. I believe that a large number can not speak English.

Secretary BAKER. There are places where none of them can speak English fluently.

Apart from that question, there would not seem to be anything that would tend to stir up trouble.

If a manufacturer himself agrees to receive representative persons on behalf of his own employees, and if you and I were workers in a factory of that kind, and somebody wanted to stir up trouble with us, he might very well inflame our imagination if he would say, "Your employer will not let anybody else except yourself come in, and if you come in you will be discharged."

Senator WADSWORTH. Under the form of contract now provided the manufacturers are now compelled to recognize the representative of the workmen from within the factory.

Secretary BAKER. If he accept the contract.

Senator WADSWORTH. Of course, and he does not recognize him if he does not accept the contract. Your arguments would hardly hold good with respect to the suggestion just made that the workmen could be inflamed or terrified if they had one of their own number.

Secretary BAKER. I was trying to find out what a trouble maker would do who came into the factory operating under this contract as distinct from a contract which did not allow the principle of representation. As a matter of fact, the principle of representation is deeply embedded in the whole Anglo-Saxon law, and the poorest man who appears in court is entitled to a lawyer, and the introduction of that principle into the relation of employee and employer is not at all foreign to experience or justice.

Senator WADSWORTH. I am not combating that principle at all, but I am wondering whether, when it becomes a part of the contract between the Government and a man upon whom the Government relies to produce uniforms, it should be confined to a representative of the people in the factory.

Secretary BAKER. Let us take that clause with the other clauses with which it is to be read. I am sorry that I have not a copy of the contract with me. As I recall, it provides that a man who makes one of the contracts agrees to recognize delegations of his own employees or persons from the outside representing delegations of his own employees, who undertake to adjust differences and disagreements with them, but if that fails the Government is to have the right to adjust those differences and disagreements, so that if there should be any oppression on either side the final resort is to the Government, and that power is reserved to the Government in order not to allow threatened disputes between employer and employee to delay production of the necessary garments.

Senator WADSWORTH. I am in complete sympathy with the object in view. Will you say, Mr. Secretary, whether it has come to your knowledge that any considerable number of manufacturers are declining to sign the contracts?

Secretary BAKER. There have been some to whom contracts have not been awarded because they have not been approved by the board, but otherwise I have no knowledge that that was the case.

Senator WADSWORTH. It has been testified here by one of the largest manufacturers that his concern and several others would not sign it.

Secretary BAKER. I have some data about the operation of that board which may be of interest to the committee. May I read a sentence or two of this into the record?

The CHAIRMAN. Yes.

Secretary BAKER (reading)—

In June, 1917, before the creation of the Board of Control of Labor Standards for Army Clothing, the half-century-old practice and tradition of sending Army uniforms, including those for private soldiers, into the tenement houses still persisted.

The consequent protests from philanthropic bodies, reechoed later on by the mayor's committee in New York City, led to the appointment by Secretary Baker of a committee of inquiry. In the light of facts presented to him by this committee, the Quartermaster General made completely effective his previous rulings on the subject summarily forbidding all leakage of private soldiers' uniforms from contractors' factories and workshops into the tenements for hand finishing. Only one woman has since been found in her home at work on privates' uniforms. A change in the specifications which permits machine work in place of handwork has made it unprofitable to send goods out for work in the tenements.

This shows what the board has done and the purposes it had in view and those accomplished. I shall be very happy to include it in the record as a part of my statement.

The CHAIRMAN. By whom was it prepared?

Secretary BAKER. By Mr. Kirstein, who was chairman of the board. I can cite some of the reasons for disapproval after inspections had been made. [Reading:]

The reason for disapproval of almost all of the 52 shops mentioned above was some condition involving fire hazard, as shown by the following more detailed classification:

Cause for disapproval of the 52 shops.

Two means of exit, neither of which was up to standard	21
Two means of exit, of which one was not up to standard	11
Condition of building making necessary installation or improvement of interior fire alarm	5
Only one legal means of exit provided	4
Dwelling house, therefore prohibited for manufacturing purposes	4
Fire hazard from bad housekeeping conditions	3
Doors not up to standard	2
Extremely poor sanitation	2
Total	52

Senator WEEKS. Don't the State law provide for all these things?

Secretary BAKER. The State law was not being observed.

Senator WEEKS. In what State was this?

Secretary BAKER. I do not have that before me. I do not know.

Senator WEEKS. What complaints were made to the governor of the State?

Secretary BAKER. I do not know.

Senator WEEKS. Shouldn't that have been done?

Secretary BAKER. It should have been done.

Senator WEEKS. Why have we a State and National organization doing the same work?

Secretary BAKER. They are working in perfect harmony.

Senator WEEKS. What is the necessity for the two, then?

Secretary BAKER. The State organizations, as I understand it, are not adequately supplied with inspectors.

Senator WEEKS. Did you say this was the State of New York?

Secretary BAKER. I do not know that.

Senator WEEKS. Will you find out where it is, so that attention may be called to the governor of the State, in order that these conditions may be improved?

Secretary BAKER. I will be glad to take that matter up and have the information supplied to the governor of the State.

Senator WEEKS. It seems to me that would prevent a duplication of work and effort.

Secretary BAKER. They are now working in perfect harmony.

Senator WADSWORTH. There is a distinct impression in New York that they have the most rigid system in the country.

Secretary BAKER. My impression is that it is very good.

Senator WADSWORTH. In spite of that institution, the O. K. of the inspectors and city health officers is vetoed by this committee.

Secretary BAKER. I am not so advised.

Senator WADSWORTH. I am not positive of it myself, but it is a very distinct impression.

Secretary BAKER. I would be surprised to know that it is.

Senator WADSWORTH. A vastly increased number of uniforms could be made in that city alone.

Secretary BAKER. This item is in line with what I have said before [reading]:

In 18 out of 52 shops the board already knows through reinspection that the firms have either shifted work to more favorable quarters or actually begun work on required changes, in some cases completed. Six more of these shops will be given up in the event of a new award.

Cause for conditional approval of 17 shops.

Overoccupancy	12
Incomplete interior fire alarms	2
Fire alarm must be installed if 25 or more people are employed above ground floor	2
Required change in exit pending before the board of appeals of the fire department	1
Total	17

The CHAIRMAN. You might insert that into the record.

Secretary BAKER. I will be glad to do it.

REPORT OF THE WORK OF THE BOARD OF CONTROL OF LABOR STANDARDS FOR ARMY CLOTHING THROUGH DECEMBER 15, 1917.

THE SITUATION PRIOR TO THE CREATION OF THE BOARD.

In June, 1917, before the creation of the Board of Control of Labor Standards for Army Clothing, the half-century-old practice and tradition of sending Army uniforms, including those for private soldiers, into the tenement houses still persisted.

The consequent protests from philanthropic bodies, reechoed later on by the mayor's committee in New York City, led to the appointment by Secretary Baker of a committee of inquiry. In the light of facts presented to him by this committee the Quartermaster General made completely effective his previous rulings on the subject by summarily for-

bidding all leakage of private soldiers' uniforms from contractors' factories and workshops into the tenements for hand finishing. Only one woman has since been found in her home at work on privates' uniforms. A change in the specifications which permits machine work in place of hand work has made it unprofitable to send goods out for work in the tenements. This reinforces the ruling.

After the final ruling on the subject by the Quartermaster General, one firm was obliged to take, besides its regular space, a loft at a rental of $9,000, on account of the accumulation of uniforms brought back unfinished from the tenements on so large a scale had been the leakage from this plant.

Efficient factory methods and the application of the most modern machine power now save the time formerly lost under the incompetent arrangements of the tenement-house sweating system, with its hand-workers unsupervised and scattered in many different places.

Keeping the work in factories and out of homes obviously (a) reduced danger of spreading illness among the soldiers through the medium of garments exposed at length to the diseases so common in the tenements; (b) it accomplished a very considerable saving of time; (c) it is an advantage to the women to do the work under standardized factory conditions, subject to regular factory inspection. They can, moreover, now compare together the wages received by each—a thing impossible for isolated needleworkers in the tenements.

So chaotic were the labor conditions in July, 1917, that, at some distance from New York City, uniformed soldiers from the State forces guarded for several weeks the entrance to a uniform factory, the suggestion being thus conveyed to the employees and the public that the Government, fearing forcible interruption of the work, was protecting the contractor and hastening production.

Strikes were in progress also in several shops in New York City, and one contractor was clamoring for military protection. The principal premises of this contractor violated in several important respects the requirements of the State law in regard to fire hazards. Particularly dangerous were the overcrowded lofts, with aisles blocked by clumsy bundles of overcoats, high above the street, with insufficient exits and stairways. Employees reported that they had been threatened with punishment as traitors when they objected to an illegally long working day and to accepting wages at sweatshop rates.

The first activities of the board were suggested by the labor conditions above outlined.

DATE OF APPOINTMENT AND JURISDICTION OF BOARD.

On August 24 Secretary Baker created administratively the Board of Control of Labor Standards for Army Clothing, to promote the steady flow of finished uniforms from the contractors' factories to the quartermasters' depots, the camps, ships, and trenches. This the board is instructed to do by removing, so far as possible, all preventable causes of labor trouble. He continued the personnel of the committee of inquiry: Mr. Louis E. Kirstein, chairman; Mrs. Florence Kelley, secretary; and Capt. Walter E. Kruesi, Q. M. O. R.

The jurisdiction of this board has been confined to labor standards in factories working on Government contracts for Army coats, overcoats, and breeches. The board has no power whatever over distribution of material or inspection and acceptance of product. The board does not give out contracts. It merely approves or disapproves shops referred to it by the purchasing office or depots of the Quartermaster's Department on account of their fire, sanitary, and labor conditions.

OFFICE AND PERSONNEL.

An office was leased at 116 West Thirty-second Street, New York City, September 1, 1917. A staff was appointed as follows:

An expert statistician was placed at the service of the board at a nominal salary by the Institute for Government Research on September 1, 1917.

An office manager was appointed September 1, 1917.

A fire-hazard inspector was appointed on a part-time basis October 1, 1917.

Six inspectors of labor conditions on full-time service were appointed September 28, October 1, October 8, two on October 18 and December 1. The appointment of another inspector is now pending. An inspector of wage conditions was assigned to the board from the New York depot November 5.

Three stenographers were appointed on October 1, November 3, and November 12.

A messenger was appointed September 27.

In addition, four inspectors of labor conditions were appointed at nominal salaries, who are giving occasional service to the board.

As the fire-preventon inspector has for several weeks been called upon for practically full-time service, the regular full-time staff of the board is at present as follows:

One statistician, one fire-prevention inspector, one office manager, seven inspectors of labor conditions, three stenographers, one messenger.

CLASSIFICATION OF LABOR CONDITIONS UNDER NEW CONTRACT.

The work of drafting a new contract between the United States Government and manufacturers contracting for Army uniforms proceeded from the time of the appointment of the board until October 31, when the new form was authorized. This was drafted by legal experts connected with the office of the Secretary of War. The contract in its final form was approved by the Secretary of War, the Quartermaster General, and the board. Labor standards, which are covered by the terms of the new contract, fall under the following general classifications:

Wages and hours.
Condition of shops in respect to safety and sanitation.
Prohibition of child labor.
Prohibition of home work.
Labor disputes into which the board may make inquiry and which it may settle or cause to be settled.

Prior to the authorization of a new contract the board was called upon to report to the depot quartermasters on the physical conditions in factories. Under date of September 27 the depot quartermasters were directed by the Quartermaster General not to let contracts until the board had certified that the shop conditions were satisfactory.

INSPECTION OF SHOPS FOR SANITATION, PROHIBITION OF CHILD LABOR, AND PROTECTION FROM FIRE RISK.

The first request for a report on conditions of a shop came to this board from the depot quartermaster, New York, on September 28, 1917. However, inspection was requested on only one or two shops, until October 13, when a long list was submitted to this board. From that time on the work of inspection of factories and of reporting to the depot quartermasters has continued steadily. Reports have been sent to the depot quartermasters of New York, Philadelphia, and Boston, and to the purchasing office of the Quartermaster General's Corps in Washington. These reports have been based—

In New York City.—(a) Upon inspections made by agents of the board in regard to sanitation and child labor; and (b) upon full reports received by the board from the New York City Bureau of Fire Prevention in respect to safety.

Outside of New York City.—(a) On inspections made by agents of the board in respect to child labor and sanitation; (b) on inspections made by the fire-prevention inspector of the board, or on inspections and reports made by the boards of fire underwriters in various localities.

In New York City every report has included conditions in respect to both sanitation and fire protection. In other localities some preliminary reports have been sent in regard to the safety of the building, the sanitary inspection to be made at a later date in case an award is granted.

A duplicate of the report made to the depot quartermaster or to the purchasing officer is mailed by the board to the firm under consideration.

Original inspections have up to this time been made in New England, New York City, New Jersey, Philadelphia, Maryland, Georgia, Alabama, New Orleans, and St. Louis. The fire-protection inspector is now at work in the Middle West. It is planned to district the country and to have, in addition to the New York force, inspectors with regular headquarters in Boston, in Philadelphia, and in Chicago.

It has been desirable to make some inspections prior to a request for a report where firms are already carrying present contracts and will probably come up for new ones. This is necessary on account of the speed with which reports are desired by the depots as soon as a request is made.

Reinspection has been carried on to a considerable extent in New York City and in other localities whenever a firm has notified the board that the desired changes have been completed.

STATISTICS OF INSPECTIONS.

The board has been asked for reports on 129 firms and has reported on 101. Of the remaining 28, 16 are in the territory which has not yet been covered and 12 are pending. In addition the board has inspected the shops of 59 contractors for which the depot has not requested reports. Of these, reports have been sent in on 11 firms. On 48 material is now available, and reports can be furnished promptly upon request. The depot quartermasters were notified that the 16 firms in distant localities could not be inspected immediately. They were notified to proceed with any contracts pending a report from the board, which would be made at the earliest possible moment. This was done because it was impracticable to effect a satisfactory organization at once for the entire country.

Thus the board has sent in reports on 112 firms. These reports covered 199 shops, as many contractors carry on their work in several shops. The board approved or disapproved each shop on its own merits. In almost every instance, whether the shop was approved or not, the changes necessary to bring it up to standard have been indicated, but where these have been of minor importance the board has approved the shop in general. The board's recommendations have been as follows:

Analysis of reports according to firms.

[Whenever the board has disapproved a shop the report has stated specific changes, the carrying out of which would reverse this decision. Therefore no disapproval is necessarily final. These figures are submitted in detail according to localities in appendix of report.]

Number of firms whose shops are approved	65
Number of firms whose shops were approved conditionally	5
Number of firms part of whose shops were approved and part disapproved	24
Number of firms whose shops were all disapproved	18
Total number of firms reported	112

As will be seen from the above figures, 18 out of 112 firms were entirely disapproved by the board for contracts until necessary changes were made in their shops. Two other firms were the only ones disapproved by the board for reasons apart from shop conditions in respect to safety and sanitation. One of these disapprovals was on account of labor trouble; the other on account of a pending prosecution against the firm by the New York City fire department. [The latter firm has nearly completed the necessary changes which will bring it up to the requirements of the fire department and of the board.]

Thus 20 out of 112 firms, or 17.9 per cent were entirely disapproved. Three of these have since been approved as alterations were completed. Half of these firms were at work under old contracts at the time of the board's inspection. The disapproval of the board does not affect present but only future contracts. Therefore a part of these contractors had time to make the necessary alterations without interruption of output between the date of the board's report and the expiration of their old contracts.

Analysis of reports according to shops.

[These figures are submitted in detail according to localities in appendix of report.]

Number of shops approved	130
Number of shops approved conditionally	17
Number of shops disapproved	52
Total	199

REASONS FOR DISAPPROVAL OF SHOPS AND RESULTS.

The reason for disapproval of almost all of the 52 shops mentioned above was some condition involving fire hazard, as shown by the following more detailed classification:

Cause for disapproval of the 52 shops.

Two means of exit, neither of which was up to standard	21
Two means of exit, of which one was not up to standard	11
Condition of building making necessary installation or improvement of interior fire alarm	5
Only one legal means of exit provided	4
Dwelling house, therefore prohibited for manufacturing purposes	4
Fire hazard from bad housekeeping conditions	3
Doors not up to standard	2
Extremely poor sanitation	2
Total	52

In 18 out of 52 shops the board already knows, through reinspection, that the firms have either shifted work to more favorable quarters or actually begun work on required changes, in some cases completed. Six or more of these shops will be given up in the event of a new award. The situation is as follows:

Shops already given up and work carried on in improved premises	5
Shops to be given up in the event of new awards	6
Shops in which Army work is discontinued	2

(Navy work and officers' uniforms are still being made in these two shops.)

Alterations now in actual progress	8
Alterations completed and shops approved	3
Total	24

The shops approved conditionally were all in New York. When a conditional approval was given it was usually on account of excess occupancy. The crowding of lofts so that the numbers exceed those allowed by the fire regulations of the city is one of the frequent conditions in the present situation. This is caused by pressure to keep up output and by the unwillingness on the part of the depot quartermaster to allow them to extend into other lofts on account of the danger of their using subcontracting shops and the difficulty of controlling these.

Another bad condition which is prevalent is the obstruction of aisle space. The difficulty both of keeping aisles clear for exit and of keeping the garments from being walked upon and soiled is increased by the bulkiness of the articles manufactured, especially in the case of overcoats.

Cause for conditional approval of 17 shops.

Overoccupancy	12
Incomplete interior fire alarms	2
Fire alarm must be installed if 25 or more people are employed above the ground floor	2
Required changes in exit pending before the board of appeals of the fire department	1
Total	17

Home-work inspection.

Since the 1st of October the time of one inspector has been spent in following up clues as to the existence of home finishing on uniforms made under Government contract in homes. The cooperation was obtained of the New York State child labor committee and of the New York City firemen, policemen, and postmen through their respective departments. This means that there were many observers in all districts reporting on the situation.

During this time only one verified instance was found of home work on the uniforms of enlisted men. However, officers' uniforms are occasionally being found in tenements or en route to homes. These are not made under Government contract, but by private order in the same manner as quantities of civilian clothing.

HOURS.

The attempt to enforce payment at the rate of time and a half for work in excess of eight hours in one day was inevitably deferred to await signing of contracts in the form authorized by the Department of War on October 31.

STANDARDIZATION OF WAGE CONDITIONS.

From the outset the board was confronted with the ultimate necessity of regulating wage conditions. The wage question has been regarded as a cardinal point in labor conditions, both by employers and employees as well as by the general public. It played a prominent part in the discussion of conditions prevailing in contract shops in the public press at the time the mayor's committee of national defense was agitating the subject.

The prevalence of subcontracting and home work is largely bound up with the wage question. The great diversity of wage conditions in shops of different types greatly complicated the situation. The wages paid by firms manufacturing their goods in large factories under their own control differ radically from those paid by subcontractors working for manufacturers in small shops; wages paid by nonunion concerns are generally lower than those paid by concerns working in agreement with trade-unions; again, wages paid in the South are generally lower than those paid in the North. Owing to this diversity of conditions and to the fact that wages paid are an important factor of the price paid by the Government for uniforms, it was felt that it would be necessary to proceed with great caution before taking any definite steps in the regulation of wage conditions.

The board thought it best, therefore, to make first a detailed although rapid survey of wage conditions in shops of the various types mentioned, both in New York City and other localities, before determining upon a policy of regulation. The short time available for this work made it necessary to intrust it to one expert, without organizing a force of investigators, which would have required considerable time. As the reports as to wage conditions prevailing in various parts of the country were received, various methods of regulating wage conditions were brought up from time to time before the board and their relative advantages and disadvantages considered. They were also taken up with the representatives of the United Garment Workers' Union and the Amalgamated Clothing Workers of America. The leading officials of both organizations were emphatic in their opinion that it would be an error for the board to establish minimum weekly rates of wages owing to the numerous difficulties involved. This was also the opinion of various manufacturers interviewed on the subject. The board therefore was finally led to the conclusion that if any regulation of wages was to be attempted it would have to be on the basis of fixing minimum piece rates.

While this seems to offer the only available method of adequate wage regulation, the task is by no means a simple or easy one. While articles of Army clothing are fairly uniform, this is not true as to the methods of their production. Several operations in the manufacture of an Army uniform can be performed in a variety of ways, involving the employment of labor of different degree of skill, as well as varying amounts of labor. In such cases a uniform piece-rate schedule would be an impossibility.

Nevertheless, a careful analysis of the operations involved in the manufacture of Army clothing made in several shops, including the Government clothing factory at the quartermaster's depot in Philadelphia, has convinced the board of the practicability of attempting to regulate wages by means of a minimum standard of piece rates. This work is now approaching completion. It will involve the promulgation of a set of piece rates for each of the five articles of clothing over which the board has jurisdiction (woolen overcoats, service coats and breeches, and cotton service coats and breeches).

In the case of operations, for which two or more methods of production are known to exist, alternate rates will be provided for each of the standard methods known. The rates will be minimum rates, leaving the employers and employees free to agree upon higher rates. They will have the advantage of making the labor cost definitely known in advance to both the contractors and the employees, and as the rates are to be made part of the contract, they will enable the contractor to estimate his profit at the time he takes the contract with much greater certainty than is the case to-day. They will have the advantage of placing all labor, both male and female, both North and South, the slow workers and the fast, upon the same basis of compensation per unit of product, permitting increased earnings as a reward for greater efficiency and skill and placing all contractors upon an equal plane in so far as labor conditions are concerned. They will do away with the unfair competition which exists to-day between employers who pay fair rates of wages through collective bargaining with their employees and those who are able in various localities and parts of the country to obtain the services of unorganized labor at much lower rates of compensation, while receiving from the Government the same price for their garments as is paid to their competitors who are less advantageously situated in this respect.

While the working out of the piece-rate schedules is taking place, a small force of inspectors is being trained in the intricacies of piece-rate adjustment, getting the necessary information at contractors' shops and tabulating data under the direction of the board's statistician.

LABOR DISPUTES.

The board has been called upon to consider the following labor disputes:

A strike in the shop of Jacob Reed & Sons, Philadelphia. Representatives of the company appeared before the board September 18.

A strike in the shop of Mark Cowen & Co., New York City. Representatives of the union appeared before the board September 18.

A threatened strike in the firm of Millar Mandel & Co., New York City. The superintendent of the plant appeared before the board October 2.

A labor dispute in the firm of Krieger Frankel Co., New York City. A member of the firm was given a hearing on October 23.

APPENDIX A.

Table of firms inspected Sept. 28 through Dec. 15.

	Grand total.	Number of reports requested by depots.			Number of firms inspected, reports not requested.		
		Total.	Reported.	Not reported.	Total.	Reported.	Not reported.
New York	90	65	59	[1]6	25	.....	25
Philadelphia	24	9	7	2	15	.....	15
New England	28	28	27	1	.....	.....	.....
Baltimore	13	3	1	2	10	2	8
St. Louis	8	8	7	1	.....	.....	.....
South	9	.....	.....	.....	9	9	.....
Other localities [2]	16	16	.....	16	.....	.....	.....
Total	188	129	101	28	59	11	48

[1] One of these was reported because the firm waived a tender. The rest are pending. Another proved on inspection not to be bidding for uniforms.
[2] Localities in which the board as yet has had no representative.

Analysis of reports of firms.

	Total.	Number of firms whose shops were—			
		All approved.	Approved conditionally.	In part approved, in part disapproved.	All disapproved.
New York	59	26	5	21	7
Philadelphia	7	4	.....	1	2
New England	27	19	.....	2	6
Baltimore	3	3	.....	.....	.....
St. Louis	7	6	.....	.....	1
South	9	7	.....	.....	2
Other localities	.....	.....	.....	.....	.....
Total	112	65	5	24	18

Analysis of reports on shops.

	Total.	Approved.	Approved conditionally.	Disapproved.
New York	141	87	17	37
Philadelphia	9	5	.....	4
New England	30	22	.....	8
Baltimore	3	3	.....	.....
St. Louis	7	6	.....	1
South	9	7	.....	2
Total	199	130	17	52

APPENDIX B.
Staff.

Name.	Occupation.	Date of appointment.	Date of leave.	Salary.
		1917.	1917.	
Ruth S. True	Office manager	Sept. 1		$1,500
M. Cuzzin	Typist-messenger	Sept. 27		600
F. Dallet	Stenographer	Oct. 1		1,000
Florence Hyman	do	Nov. 3		1,000
Frances Ritchie	do	Dec. 17		1,000
Marie Orenstein	Labor inspector	Sept. 28		1,600
E. H. Sullivan	do	Oct. 1		1,600
Arabelle McKinstry	do	Oct. 8		1,600
Nettie Richardson	do	Oct. 18		1,600
Frederick King	do	do		1,600
Ruth I. Stone	do	Dec. 1		1,600
Stanley Ries	Fire expert	Oct. 1		[1] 5
Lieut. George Weber	Inspector of wage conditions.	Nov. 5		
Dr. N. I. Stone	Statistician	Sept. 1		(2)
Mary R. Sanford	Labor inspector	Nov. 9		(2)
Helen Stokes	do	do		(2)
Mary Wiggin	do	Dec. 8		(2)
Bessie A. R. Whitnall	do	Dec. 15		(2)
Freda Greenberg	Stenographer	Nov. 12	Dec. 15	1,000

[1] Per diem. [2] Nominal.

Senator WEEKS. I would like to ask the Secretary one or two more questions on that particular topic. As I read that contract, which I have not done recently, it seemed that very large powers were put in the hands of this social welfare committee, not powers relating to the welfare of the people especially, but powers of determining financial and similar questions between employer and employee. In your judgment, has that committee had sufficient experience as business men or women to warrant their being given such very drastic powers as exist in them?

Secretary BAKER. Their powers are to recommend, but I doubt whether a committee would be found which would be better qualified to pass on the question you refer to.

Senator WEEKS. Do you mean financially?

Secretary BAKER. Mr. Kirstein is a member of the E. A. Filene Co., of Boston, Mass. Surely, of all the companies that are entitled to be included among those that are considered best, this one is. It has large business operations.

Senator WEEKS. What is Mr. Kirstein's connection with the house?

Secretary BAKER. He is a partner, I understand.

Senator WEEKS. He is a partner?

Secretary BAKER. I so understand. I may be misinformed about that, but I think so.

Senator WEEKS. How about the other member of the committee? I refer to the male member now. What has been his experience?

Secretary BAKER. Capt. Kruesi is an Army officer, a reserve officer, brought in from civil life, and a social worker rather than a man of industrial experience.

Senator WEEKS. Has he had experience before?

Secretary BAKER. I do not think so.

Senator WEEKS. I assume Mrs. Kelly has had business experience?

Secretary BAKER. I can hardly say that she had experience in the sense of having executive charge of a commercial enterprise, but she has conducted inquiries and investigations covering a period of 20 years into the cost of manufacture, and has gone so thoroughly into that kind of work that I doubt whether anybody knows as much as she does about it, not to say more, with respect to these particular trades.

Senator WEEKS. What I have in mind is that these members of the commission may be, and quite likely are, well versed in everything relating to social welfare, but it seems to me that that kind of work and financial responsibility do not always go together and in harmony. Undoubtedly most people would agree that Billy Sunday was doing a work in his line that was quite wonderful, but he would hardly be able to settle a controversy between you and one of your employees; at least, I should think it would not be advisable for him to do it. The probabilities are that his very life would prevent his passing with good judgment on a judicial question.

Secretary BAKER. He would err on the right side.

Senator WEEKS. The right side is justice.

Secretary BAKER. If you can find it.

Senator WEEKS. I beg your pardon?

Secretary BAKER. If you can find it.

Senator WEEKS. The right side is justice. The right side does not always prevail on either side of a controversy when capital and labor are involved.

Secretary BAKER. No; I suppose it would be difficult to find a single case in which abstract and meticulous justice prevailed, but this committee has no such power to settle financial questions. It cooperates immediately not only with the Quartermaster General but with the depot quartermaster at Philadelphia.

Senator WEEKS. They can make a minimum wage?

Secretary BAKER. They can recommend it.

Senator WEEKS. Can't they make it?

Secretary BAKER. I think not.

Senator WEEKS. My recollection of the contract is entirely astray, then.

Secretary BAKER. They can on the question of settling a labor dispute, but not otherwise.

Senator WEEKS. But can they be legal arbiters in a labor dispute if it is an organization of government for that purpose?

Secretary BAKER. No; I think not. We have no legal arbitration system.

Senator WEEKS. We have what amounts to a governmental activity through a certain board for that purpose.

Secretary BAKER. We have a law, the Newlands Act, which authorizes the Government, in the case of certain labor disputes, to offer conciliatory functions, and in the event of conciliation failing it may cooperate in arbitration consented to and desired by both sides.

Senator WEEKS. You think this board would not conflict with that activity?

Secretary BAKER. Clearly not.

Senator WEEKS. One of the great difficulties we have met in governmental activities has been the amount of conflicting activities, it seems to me. I hardly know whom to appeal to under present conditions. Frequently men complain to me that they are passed along from one bureau to another. They think they have approached the right place to get the information which they desire, and they travel the whole length of the corridor before they finally do connect with the bureau which has that particular matter in charge. What I am particularly desirous to be assured of is that this activity does not conflict with some other governmental operation.

Secretary BAKER. I think it does not in any way possible, Senator. On the theory that the Secretary of War has the right to determine the terms of a contract to be made for emergency supplies it is of first importance to secure rapid and continuous production of cloth. A provision in a contract which requires submission of disputes which would otherwise interrupt the flow of manufacture to the final determination of the Secretary of War, after review by agencies created by him, could not be unlawful.

Senator WEEKS. Have you had complaints from manufacturers of uniforms relative to their inability to get contracts because of technical objections that are made?

Secretary BAKER. No.

Senator WEEKS. Have you ever heard of the American Uniform Co.?

Secretary BAKER. I have heard of it, but I know very little about it.

Senator WEEKS. Do you know anything about it?

Secretary BAKER. I can not remember who it was, but some official of the Government—either a Representative or some one else—brought some one of the American Uniform Co. to me, and I referred them either to Gen. Sharpe or Mr. Eisenman. The subsequent developments I do not know.

Senator WEEKS. I am not going to burden the record or you by going into considerable detail in this matter. In fact, the particular paper which I wish I had here does not seem to be here. As a matter of fact, this company, which had a capital of three-quarters of a million and a list of stockholders unimpeachable in character and financial ability, were unable for various techincal reasons to get contracts. In the first place, the Quartermaster's Department seemed to be exceedingly technical about manufacturing on their own property, holding that they must own the property; that, in addition to that, they must own the machinery or have direct lease of the machinery. Do you think that it is good policy to throw that kind of embarrassment around a firm that wants to make uniforms when you are short of uniforms?

Secretary BAKER. All you have said so far I approve of. There are other things that——

Senator WEEKS. You would approve of that kind of a contract?

Secretary BAKER. I would approve of requiring them to have machinery of their own or to have it under such conditions of ownership or lease as to be quite certain they were going to be able to make good.

Senator KIRBY. You want them to be manufacturers, and not contract brokers?

Secretary BAKER. I want to be certain that they can fulfill their contracts when they get them.

Senator WEEKS. How would you be able to get at the standing of a concern except from the point of view of its financial integrity?

Secretary BAKER. I would have to know whether it is properly organized and whether it had any experience.

Senator WEEKS. This particular concern had made 500,000 uniforms for the British Government, or had contracted for 500,000 uniforms, and made a large part within 60 days.

Secretary BAKER. That would certainly be a circumstance to be considered.

Senator WADSWORTH. So far as capacity is concerned,, that would be controlling, would it not?

Secretary BAKER. Not necessarily so, Senator.

Senator WADSWORTH. So far as capacity is concerned?

Secretary BAKER. No. A great many people in this country have taken contracts for Great Britain and France and agreed to turn out——

Senator WADSWORTH. So far as the ability and the capacity of the plant is concerned to manufacture uniforms, the fact that they have manufactured 500,000 for the British would be pretty controlling, would it not?

Secretary BAKER. If they had manufactured them in a satisfactory way and there would be no change in the organization.

Senator WADSWORTH. Assuming that that was the fact.

Secretary BAKER. I think that would be conclusive of the question.

Senator WEEKS. This case was brought to my attention, and I gave considerable time to the examination of it. It seems that there was no reason why the contract should not be given to the American Uniform Co. If you know about that and the reason why they were not given the contract, I wish you would tell us about it.

Secretary BAKER. I have some statement on that.

Senator KIRBY. Is it not a fact, Senator WEEKS, that the records show that the American Woolen Co. was not permitted to have a contract because two of the independent manufacturers, representatives of the American Woolen Co., were in disfavor for having sublet contracts?

Senator WEEKS. I suggest that if Mr. Pollack has any suggestion to make that he write it and submit it to the chairman.

Senator KIRBY. I am asking the question. I just wanted to find out about that.

Senator WEEKS. I am not on the witness stand.

Senator KIRBY. I was just asking the question. Of course, if the Senator objects——

Senator WEEKS. I repeat my suggestion that Mr. Pollack write out his question.

Secretary BAKER. I have no personal knowledge of the ultimate decision of the American Uniform Co. question. I do not know what the record shows on that subject. I shall be very happy to add to my testimony such information as I can secure at the department.

Senator WEEKS. What I would like to know is, definitely, why the American Uniform Co. was not furnished a contract, because they had a large capacity, large capital, and had completed a large work for the English Government. We were in sore distress, apparently, to get uniforms for our people, and yet for one reason or another contracts were not given to the American Uniform Co. and similar concerns. I would like to know from you, definitely, for the record, why that was not done.

Secretary BAKER. You doubtless made inquiries of Gen. Sharpe on that subject.

Senator WEEKS. But we did not get any satisfactory reason, either from Gen. Sharpe or Mr. Eisenman.

Secretary BAKER. I do not know that that would be a subject about which Mr. Eisenman would know.

Senator WEEKS. He wrote a letter objecting to the contract being given to them, and, incidental to that phase of the question, Mr. Eisenman denied at one time that he had anything to do with the making of uniforms, and yet the correspondence was on record and was submitted to the committee, showing that he had objected to the contracts being given to manufacturers, and I think in this particular case, too.

Secretary BAKER. I should be glad to add a statement to my testimony on that subject.

Senator WADSWORTH. At one point yesterday during the hearing I asked you or the Assistant Secretary to refresh your memory on the question of the 9.5-inch guns and the French 240-millimeter gun.

Secretary BAKER. The Assistant Secretary tells me that he looked into the matter and he has found we are getting from American manufacturers 8-inch guns of French design; 9.5-inch guns of our own design; and we are making in France the 9.2-inch gun of French design.

Senator WADSWORTH. I thought that was the fact yesterday; in other words, we are not using the 240-millimeter gun.

Secretary BAKER. We are not making the 240-millimeter gun.

Senator WADSWORTH. Or using them?

Secretary BAKER. I do not know whether the 240-millimeter gun and 9.2-inch gun are the same.

Senator WADSWORTH. No.

Secretary BAKER. But we are getting from the French the 240-millimeter gun in France.

Senator WADSWORTH. It is strange, Mr. Secretary, that Gen. Crozier did not accede to that idea.

Secretary BAKER. Mr. Crowell has looked into the matter more recently than I, and he says that his information is that we are getting them from the French.

Senator WADSWORTH. The French 240-millimeter gun?

Secretary BAKER. If that is the equivalent of the 9.2-inch gun, we are getting it. We are getting, of course, the 75-millimeter and the 155-millimeter guns, but whether we are getting the 240-millimeter guns, I am not sure; but I will put that into the record.

Senator WADSWORTH. That was the purpose of my question, because Gen. Crozier had laid before us the entire artillery program, and according to his testimony those are the facts.

The question has arisen in my mind, and it persists in view of the fact of the tremendous need for what is known as middle heavies, of which the 9-inch gun is a type, whether it would not have been better in every way to have taken the French 240-millimeter gun, which has been proved in action for two or three years, whose ammunition is being made in this country in quantity production, and have used that instead of persisting in the design of the 9.5-inch gun, not one of which is in existence and for which no shells have been made.

Secretary BAKER. I am sorry I can not at the moment answer your inquiry, but I will be glad to put it into the record. You doubtless heard Gen. Crozier on the subject.

Senator WADSWORTH. Yes, sir. We asked Gen. Crozier questions along other lines, and at the conclusion of that particular topic the general, as I recollect it, said that that was a suggestion worthy of consideration.

Secretary BAKER. I can not add anything to that, sir.

Senator WADSWORTH. The reason it was impressed upon my mind so deeply is this: The interchangeability of ammunition is of tremendous importance if it can be achieved. I think every soldier and every civilian, for that matter, who thinks about it twice will agree to that. We have established apparent interchangeability with the French 75-millimeter gun by adopting their gun. We have established, apparently, interchangeability with the French 155-millimeter gun by adopting their gun. We had the same opportunity to establish interchangeability with reference to the 240-millimeter gun, but we did not do it.

Senator HITCHCOCK. I think I can tell you Gen. Crozier's reason. He said it was very important to have interchangeability as to small-arms ammunition and even of the small artillery, but there was comparatively so little of the heavy, large-size ammunition and large-size artillery that the interchangeability was not of the same importance.

Secretary BAKER. That is obviously true. The higher the caliber, the less important.

Senator HITCHCOCK. I do not mean by that, Senator WADSWORTH, to indorse that statement, but that was the reason that he gave.

Secretary BAKER. That is obviously true.

Senator WADSWORTH. I question, in view of the testimony given, whether that illustrates a broad view on the part of Gen. Crozier or the War Department. It is a fact that hundreds of thousands of 240-millimeter shells are used, though not as many as are used for the 75-millimeter gun. It is a fact also that 240-millimeter shells were being made in this territory. One of our greatest concerns had capacity for turning them out and continuing to turn them out, and yet that gun was abandoned. There has been no sufficient reason given why it was better to take a new gun of a different caliber, which has never been placed in production, whose design has consumed months and months, and for which there is no capacity.

Senator HITCHCOCK. I did not mean, Senator WADSWORTH, to indorse Gen. Crozier's statement. I was merely giving his reason.

Senator WADSWORTH. I understand that, Senator. I am addressing that remark to the Secretary.

Secretary BAKER. So far as I have knowledge on the subject, I will say that the working out of the program for heavy artillery is necessarily complicated by two considerations—productive capacity and the theory of the offensive. Now, the theory of the offensive, of course, is worked out by Gen. Pershing, and the task of Gen. Crozier is to secure knowledge of the requirements and comply with them. After Gen. Pershing has informed the department what his needs are, and after he has been told what the capacity for manufacture here is, taking his judgment of what the needs are, Gen. Crozier has doubtless made up his program. Of course, it can not be regarded as a fixed program, and the suggestion you have made and submitted to Gen. Crozier, and which you say he said was worthy of consideration, will doubtless be considered.

Senator WADSWORTH. Of course, so far as the problem of productive capacity is concerned, we had no productive capacity for 9.5-inch guns or 240-millimeter guns when we went into the war. That question, therefore, balances itself.

Secretary BAKER. That is hardly completely accurate, Senator. There were in this country at that time at least two, and probably more, manufactories which had the ability to make forgings for large guns and had boring plants and the general accessories and facilities necessary for the manufacture of heavy artillery or middle-heavy artillery, so that there was some question of manufacturing capacity which could be considered.

Senator WADSWORTH. I perhaps have misstated my idea of the situation. I do not mean to say that there was not productive capacity, but that the productive capacity for either was equal.

Secretary BAKER. And was inadequate.

Senator WADSWORTH. Was inadequate, and the same, so that the question balances itself.

Secretary BAKER. Clearly.

Senator WADSWORTH. I have been looking over your written statement of yesterday. Do you think the statement that the initial rush needs are substantially supplied is correct?

Secretary BAKER. Yes, sir.

Senator WADSWORTH. We have not the rush needs of artillery, have we?

Secretary BAKER. Yes, sir.

Senator WADSWORTH. For all purposes?

Secretary BAKER. For all purposes.

The CHAIRMAN. Is that statement entirely accurate?

Secretary BAKER. I understand it is perfectly accurate.

The CHAIRMAN. I can not understand how you can make that statement when you have not got enough guns in the cantonments to train the men.

Secretary BAKER. My mind was not on the American estimate. To that extent my previous statement was too wide. It would be better if we had artillery for training in the camps of this country. I said in my statement that our rush needs are satisfied. I think they are in this sense, that every soldier in France, or every one we expect to send to France, is adequately provided with artillery, either by manufacture or purchase.

Senator MCKELLAR. If I may interrupt at this time, I may say to the Secretary that I was talking to a high officer in one of the national camps this morning. Of course, I shall not give his name, but he told me they had no artillery at that camp and had no machine guns at that camp.

Secretary BAKER. May I know the name of the camp?

Senator MCKELLAR. I will give it to you in a moment. I have forgotten it.

Secretary BAKER. Can you tell where it is?

Senator MCKELLAR. It is near New York.

Secretary BAKER. Is it Camp Upton?

Senator MCKELLAR. That is the name, and they have neither machine guns nor artillery.

Secretary BAKER. Do they mean by machine guns either light or heavy?

Senator MCKELLAR. He used that expression—that they have no machine guns or artillery.

Secretary BAKER. If he meant that they did not have enough, I agree to it; if he said they did not have any, it must have been a mistake.

Senator MCKELLAR. He said "neither." I took it that they did not have any. He said that they have been training the boys without artillery and without machine guns as best they could. Under those circumstances, if this officer directly from the camp is correct——

Secretary BAKER. If he means that they have not as many as they need, he is perfectly accurate; if he means that they have not any, he is inaccurate.

Senator MCKELLAR. If he means that he did not have enough, then we have not all that we need.

Secretary BAKER. No; we have not all that we need.

Senator MCKELLAR. I understood you to say that we were well supplied.

Secretary BAKER. And much more than that is true. If the Ordnance Department had done nothing else but rush the building of artillery from the 1st of April until now, we could never in that time, by creating additional facilities besides those we already have, manufacture an artillery program adequate for the present needs of artillery for the soldiers in the training camps.

Senator MCKELLAR. That is why we thought your statement was inaccurate when you said that the rush needs were supplied.

Secretary BAKER. I had in my mind the effective use of troops in conflict.

Senator MCKELLAR. I misunderstood you, as I suppose the others did.

Senator WADSWORTH. The reason I called attention to the statement is this: It goes to the country and will undoubtedly tend to give the impression that there is not a shortage, and the public generally will believe that the rush needs, using that very expression, are substantially filled.

Secretary BAKER. That is so.

Senator WADSWORTH. Mr. Secretary, I beg leave to differ from you on that. Of course, if you confine what are termed the rush needs of the Army of the United States to the furnishing of guns to troops upon their arrival in France, your statement may be correct, but I do not see how it can be given that interpretation.

Secretary BAKER. Nobody will ever suppose that the War Department has finished buying and manufacturing things.

Senator WADSWORTH. Of course not.

Secretary BAKER. What I am referring to there is the original rush needs. The rush needs are such provision of artillery and artillery ammunition as will adequately equip the troops we are to use for defensive and offensive operations. That need is supplied. That it would be fortunate if we had an accumulation of artillery and artillery ammunition for training purposes on this side goes without saying. That we are accumulating the supply is evident; that it will ever be satisfied is not so, because when we get what we want we will need more.

The CHAIRMAN. Is that true, Mr. Secretary, notwithstanding the debacle in Italy and the falling down of Russia? When you made these estimates as to what was necessary to send over, did you have in contemplation that the French Government's manufacture for us might have to be turned into manufacture for Italy?

Secretary BAKER. There has been no suggestion that the Russian or Italian situation would delay for a second the provision that they are ready to make for us.

The CHAIRMAN. It does seem to me that common sense would suggest, in the very nature of things, France is bound to assist in the manufacture of ordnance.

Secretary BAKER. That goes without saying.

The CHAIRMAN. If that is true, she must furnish the ally nearest home?

Secretary BAKER. Very likely.

The CHAIRMAN. So, it seems to me that your statement leaves the impression that America is supplied with all the ordnance necessary.

Secretary BAKER. So far as my purpose is concerned—and I think the statement is a perfect reflection of my purpose—what I want the country to understand is that the troops in France will be adequately equipped with artillery and artillery ammunition.

The CHAIRMAN. Probably.

Secretary BAKER. I do not feel that it is a probability. We rely upon definite assurances from men who know.

Senator MCKELLAR. Do you not think it would be better to take the people of the country into our confidence—let them know that while what you have said may be true, nevertheless we have not an adequate supply of artillery in this country with which to train our troops, and that every possible endeavor and effort should be made by all of our people to get these men trained at as early a date as possible?

Secretary BAKER. I agree with you heartily that we should make every possible effort to increase the output, but I do not think it would be taking the people of the United States into our confidence to afflict them with a doubt that you do not entertain.

Senator MCKELLAR. While you have no doubt about troops in France being equipped with artillery, it is hardly fair to leave the impression on the American people that all our troops in this country, as well as in France, are thoroughly equipped.

Secretary BAKER. I think my statement is not susceptible of that construction. My statement says that the initial rush needs

are satisfied. It does not say that the complete performance of the largest program has been accomplished.

Senator MCKELLAR. I am very frank to say to you, Mr. Secretary, that it did not make that impression on me. It may be there is something wrong with my understanding. I want to say, however, that I differ from you about the question of rush needs. I think the "rushiest" need of all needs, if I may be permitted to so express it, is the need of thoroughly training men in this country before we send them to France.

Secretary BAKER. In that I entirely agree with you.

The CHAIRMAN. Senator WADSWORTH, I interrupted you. Do you wish to continue your line of questioning?

Senator WADSWORTH. The thing that occurred to me in reading the statement through very carefully this morning was that it gives the impression, I think generally, that the situation is a rosy one; that there is nothing to fear; that the rush needs, as the Secretary used that expression, have been complied with; that no greater haste is necessary; that everything is fine. I can not agree with you. I think we have ahead of us a bigger task in the next eight months than we have had in the last eight months. It is the impression that goes out to the country with which I can not agree. It was that point that I wished to bring up, because I believe we are in for one of the greatest crises that this country has ever known. I do not believe that the artillery program of the United States commences to be big enough. I think we have got the most of our work ahead of us, and that the expression "the initial rush needs have been supplied" is not an accurate description of the situation.

We have had it told to us time and time again in this committee that there is a rifle for every soldier that goes abroad; that there will be fieldpieces for every soldier who reaches France and for every division that reaches France. The truth is that they did not know how to use the rifles and fieldpieces when they got them. That is not meeting the rush needs. This is a fight.

Senator NEW. Is it not a fair inference from your answer to this question that until our troops get into actual conflict there are no rush needs?

Secretary BAKER. That is not a fair inference. It does not seem to me so. I do not want to be categorical about it.

Senator BECKHAM. Does the term "rush needs" imply not only sufficient numbers to equip our men after they get over there, but a sufficient number here at home at least to train those who can go to France?

Secretary BAKER. Not to complete the artillery program here.

Senator BECKHAM. But to train as many as we can send over there reasonably well before they go?

Secretary BAKER. Senator, that question can not be answered yes or no for this reason, that the final artillery training of these troops would be difficult here. From now on artillery troops who do go will have had more and more artillery training here and will have less and less to get on the other side. There are very large schools established by Gen. Pershing in France for artillery training, in which he is assisted by French and British officers, to put on the finishing touches when the troops get there, and then they are in association with the French and British troops.

Senator WEEKS. Let me call this to your attention, Mr. Secretary. The finishing touches require three or four months at least. That is to say, the Artillery that went to France in September is still under training, and I assume that they were selected to be sent as among our very best and most adaptable troops at that time, and they are still under artillery training, so that these men who are now in camps in this country, who have not artillery with which to train, if they are sent abroad in the next two or three months to be brought up to the state of efficiency required, have got to have three or four months' training after that before they will be ready for the field, and they will not be ready for the field before the middle of the summer or the early fall.

With reference to rush preparation or rush necessities, let me call your attention to the statement made by Gen. Greble before this committee relative to the ordnance at his camp, Camp Bowie, Tex. The requirements are 224 machine guns, 768 automatics, 17,731 rifles, 12 trench mortars, and 1-pound cannon, three to a regiment. That would be the total requirements if the division were totally equipped. This is what he says:

The following is a list of present shortages, expressed in percentage, of the more important articles of equipment. Rifles, 59 per cent short—

And, mind you, this testimony was given only two weeks ago before this committee, and Gen. Greble had come direct from his camp, bringing the information with him from the reports of the morning of the day before he left—

Rifles, 59 per cent short—

You have given me the impression, and it has been done by others, that every camp had a complete outfit of rifles.

Bayonets, 65 per cent short; pistols, 86 per cent short; cartridge belts, 59 per cent short; machine guns, none on hand, 20 Colts said to have been shipped; automatic rifles, 88 per cent short; 3-inch guns, 88 per cent short; 6-inch howitzers, none on hand; trench mortars, none on hand; 1-pound howitzers, none on hand; artillery harness, 92 per cent short; horse equipment, 81 per cent short; infantry equipment, which includes haversacks, first-aid pouches, and canteens, 88 per cent short; small-arms ammunition, 75 per cent short; artillery ammunition, 95 per cent short of the requirements that are made by the department, the equipment coming under Equipment C.

How can you confirm the general statement that there are no emergency requirements for artillery and other equipment when you know that there is testimony right up to date, within two weeks——

Secretary BAKER (interposing). But I did not make that statement.

Senator WEEKS. I am not speaking particularly of your statement, but I am speaking of the general impression given in the statement which you made yesterday that there were no emergency requirements.

Secretary BAKER. I did not say that. I said the initial rush needs of equipment had been substantially met. At least, I think that is what I said.

Senator WEEKS. I think you ought to define the initial rush needs.

Secretary BAKER. Those are pretty simple words.

Senator WEEKS. They are, but the country reading your statement, Mr. Secretary, in my judgment, will conclude that our encampments are thoroughly provided with every necessity to conduct their operations and their training. Now, evidently, Camp Bowie is not so provided.

Secretary BAKER. Of course, the statement made by Gen. Greble, who is an exceedingly zealous officer, was perfectly accurate when he made it. The number of the rifles in his camp, 59 per cent short, have since been supplied, as I have tried to demonstrate here.

Senator WEEKS. That is, within two weeks?

Secretary BAKER. Yes; but two weeks is a long time when you are getting rifles at the rate of seven or eight thousand a day.

Senator WEEKS. Then those troops have been in camp for a long time without rifles?

Secretary BAKER. Undoubtedly a long time; but not, apparently, without any rifles.

Senator HITCHCOCK. When you referred to initial rush equipment, then, Mr. Secretary, you do not think it is of that importance to train the men with machine guns that they should have rushed equipment after they have been for four months in camp?

Secretary BAKER. It would have been very fortunate, Senator, if we had had machine guns earlier, and yet a substantial part of any first four months in an encampment would have to be taken up with preliminary questions of very elemental military discipline, and I doubt whether machine-gun practice could have been inaugurated very much sooner if there had been a supply of machine guns, not at all discounting the fact that it would have been fortunate if we could have had them. There is the teaching of rifle shooting first, and then the teaching of machine-gun shooting has to follow in order.

Senator HITCHCOCK. The major generals who have testified before the committee all admit that they have machine-gun men, but no guns.

Secretary BAKER. Yes.

Senator HITCHCOCK. And they admit that the time of these men is largely wasted without machine guns.

Secretary BAKER. I think there is a period of instruction which they could profitably use if we had the guns.

Senator HITCHCOCK. Can you give any reason why 1,200 of these machine guns are stored here and not sent to the camps?

Secretary BAKER. I assume, without knowing, that they are for aircraft uses and are not adapted to camp use. I do not know that.

Senator HITCHCOCK. No; they appear to be ground guns, for ground use.

Secretary BAKER. Then I do not know why it has not been done.

Senator HITCHCOCK. And they have not been shipped to France and no adequate explanation has been given, and the committee has been unable to understand why the department contracted for these Browning guns in very large quantities when the department knew that none of the Browning guns could be delivered before next spring, and that not more than one-tenth of the order could be filled before next fall, but, nevertheless, no order was placed for Lewis guns, which were immediately available in large quantities for ground use.

The CHAIRMAN. The only attempted explanation of holding those guns in reserve is that they were held for an emergency—some emergency that might arise.

Secretary BAKER. I will be very glad to look into that. I did not know that that was the fact.

Senator HITCHCOCK. That is rather a small matter, because there are only 1,200, but here was a factory turning out Lewis guns at the rate of 1,800 a month at the time we went into the war. It only required a few weeks to adjust that factory for American ammunition, and those machine guns could then have been turned out in large quantities in ample time to supply all our camps with Lewis guns for practice. Meanwhile they could have gone on experimenting with the Browning gun, which is in an experimental state, and the committee has never been able from anyone to get any adequate reason why that was not done.

Secretary BAKER. I think it has been done, Senator. My information is that it was done.

Senator HITCHCOCK. You mean contracts made?

Secretary BAKER. The contracts were made with the Lewis gun company to produce all the guns they could produce immediately.

Senator HITCHCOCK. Those contracts were made very late, in the first place, and then they were tied up some 60 days by changes, in the second place, and finally they were ordered to make them only for aviation purposes, in the third place, so that it is now the settled purpose of the department not to have a single Lewis machine gun for ground use in France, and we are absolutely dependent on France for machine guns for ground use until next fall.

Secretary BAKER. But the total number of Lewis machine guns which are under contract with the Government is nearly four times as large as the original program for arming the Army with light and heavy machine guns together.

Senator HITCHCOCK. We realize finally that a contract is made, a very tardy contract, and then the order was changed so that they are exclusively for aviation service.

Secretary BAKER. Well, Senator, if they are better adapted for aviation service, the military men will have to determine that. I can not. Emphasis is being put upon the aviation program and it would seem that it was rather a concession to the importance of the aviation program, ground guns being otherwise provided for.

Senator HITCHCOCK. Here is a factory with machines, tools, dies, and jigs, and everything all arranged for the manufacture of these guns, the capacity of which should have been doubled and quadrupled. The department could have placed orders for the manufacture of those guns in three factories, just as they have done with the Browning guns. Up to the present time we have done nothing with the Browning gun except to manufacture machinery to manufacture the Browning gun with, none even turned out, none will be turned out until spring, and we could have been turning out Lewis guns months ago.

Secretary BAKER. But we are turning out Lewis guns, Senator.

Senator HITCHCOCK. But I mean in addition to this we could have been turning them out for ground use.

Secretary BAKER. I think I ought to dissent from your belief that it would have been best to put the Lewis gun into immediate quantity manufacture in two or three factories. That is not easily possible. Those factories would have had to be especially tooled. Dies, jigs, and things of that sort would all have had to be manufactured.

Senator HITCHCOCK. But the patterns already existed, whereas the Browning gun pattern was not in existence.

Secretary BAKER. No, Senator, not on patterns which already existed. At the time we went into this war there had not yet been produced, as I am advised, a single Lewis gun chambered for American ammunition which would work.

Senator HITCHCOCK. The English Lewis gun had to be changed very slightly, and the model already existed in May of last spring, and it would have taken only a few weeks before it could have been manufactured in very large quantities.

Secretary BAKER. But each change, Senator, required a change in tooling, a change in jigs, and before you could get quantity production there would be long delays.

Senator HITCHCOCK. But nothing like the delay that was necessary to create absolutely new patterns for the Browning gun.

Secretary BAKER. I think that is so, although the Browning gun is said to be so very much simpler that its quantity production is a much simpler process than that of the Lewis gun.

Senator HITCHCOCK. But we can not be producing the Browning in any quantity until 1919.

Secretary BAKER. Quite the contrary, Senator. Quantity production of the Browning gun is expected to begin in February.

Senator HITCHCOCK. I have heard the testimony, which has been that we will not get a single Browning gun until April.

Secretary BAKER. But we have nine now.

Senator HITCHCOCK. But we will not get any for use and we will not get one-tenth of those guns before August. We have an itemized statement month by month of what they hope and promise, and next August we will not have one-tenth of that order.

Secretary BAKER. You have statements made here by the Chief of Ordnance?

Senator HITCHCOCK. Yes.

Secretary BAKER. I talked yesterday with Maj. Little, who has been personally inspecting these machine-gun plants and watching them, and I asked him about the progress made with the Browning gun, and he told me that they had already had nine, that they would begin to get them by the hundreds in February, and that in March they would begin to come out in large quantities.

Senator HITCHCOCK. That is not the testimony of Gen. Crozier. The first Browning guns promised are in April, and at my request he gave me personally what I used before this committee, an itemized statement of the number contracted for each month, and he finally conceded the statement I made that it would be next August before one-tenth of the order would be filled, and then they have got to be sent to Europe after that, and then the men have got to be trained in using them, so I believe I am safe in saying that it will be 1919 before the Browning guns can be used in any quantity, if the experiment of their manufacture proves successful.

Secretary BAKER. I do not want to seem to quibble about it, but if I am correctly advised, quantity production of Browning light guns will begin in March. Their transportation to Europe and the use of them by the troops in the spring is a perfectly feasible thing.

Senator HITCHCOCK. Would you change your view if you saw the statement of Gen. Crozier as to the monthly production provided for? Are you speaking of the Browning light gun as well as the Browning heavy gun?

Secretary BAKER. I am not sure that that would necessarily change it, only for this reason, that every effort is being made to speed up this productive process, and if Maj. Little's information is later than Gen. Crozier's it would, of course, to that extent modify it.

Senator HITCHCOCK. Yes; if Gen. Crozier was not advised on his own department.

Secretary BAKER. I do not mean that. I mean if Maj. Little's information, coming right from the factories where he is in daily observation of the progress being made, is later than the information upon which Gen. Crozier relied, then it would be, to that extent, a modification of Gen. Crozier's.

Senator WEEKS. Mr. Secretary, would you modify your views if you read the testimony offered to this committee by the manufacturers who are to make these guns, who said that they could not be delivered in quantity before April or May?

Secretary BAKER. I think their estimate would certainly have some weight.

Senator WEEKS. Would you modify your views if you had a statement from the head of an ordnance bureau in another branch of the service that he did not see how Browning guns could be delivered in quantities before July?

Secretary BAKER. It would affect me if I knew the extent of his observation and knew who he was and how accurate his observation had been.

Senator WEEKS. I understand that Admiral Earle made that statement, although he did not make it to me.

Secretary BAKER. Has he inspected the plants in which these guns are being made?

Senator WEEKS. He has not been a witness before this committee, and of course I do not know, but he is an ordnance man of authority and knowledge.

Secretary BAKER. Of course, we are dealing with things about which casual remarks are not persuasive beyond the extent of information and observation from which they come. It is a manufacturing process. Now, if it be true that these manufacturers and the inspectors of the Government say that they can not get quantity production before April, that is the best reliance we can possibly have.

Senator WEEKS. I was not present when the testimony was given, but I have read it, and my recollection is that that was their statement.

Senator NEW. The president of the Colt Arms Co. testified to that effect. I do not recall his name.

Senator HITCHCOCK. Mr. Secretary, I show you the figures that Gen. Crozier gave me. They were not put in the record, and they were not made public because it was not considered

a favorable showing, but you can see what is to be expected by next August.

Secretary BAKER. I am asking the Assistant Secretary to telephone up to Gen. Wheeler and get the latest information on the subject, Senator.

Senator WEEKS. Mr. Secretary, I want to get back to this question of preparation, because I feel very strongly that the country is going to be unintentionally misled by the statement which you submitted to the committee yesterday. I do not think it is necessary, perhaps, for the country to know everything in detail, but I do think it is desirable that people who are making sacrifices in this war should have relatively correct information and should not be lulled to sleep by a general statement of a condition which does not exist.

Now, let me take a little more in detail this question of preparation of the forces at Camp Bowie. You say the rifles which were 59 per cent short two weeks ago have been supplied?

Secretary BAKER. Substantially supplied, and I think completely supplied.

Senator WEEKS. And the bayonets that were short 65 per cent?

Secretary BAKER. I can not answer about that.

Senator WEEKS. You do not know about that?

Secretary BAKER. I can give you the general figures on bayonets. The total need for bayonets, Senator, for the 1st of January was something less than a million. At that time we had 1,106,000, so that the question is simply one of distribution from then on.

Senator WEEKS. That is, you needed 1,000,000 in addition to what you already had?

Secretary BAKER. No. Well, perhaps in addition to what we already had, but the total requirements for bayonets on the 1st day of January was something less than 1,000,000, and the total deliveries of bayonets up to that time were 1,106,000.

Senator SUTHERLAND. Are these bayonets manufactured?

Secretary BAKER. Oh, yes; manufactured and delivered.

Senator SUTHERLAND. Does that mean delivered at the camps?

Secretary BAKER. No. It means that they are in process of distribution.

Senator WEEKS. Then you say within 30 days there would be an ample supply of bayonets at all camps for the use of the camps?

Secretary BAKER. I think it is safe to say that; it is a pure question of transportation.

Senator WEEKS. If it is a pure question of transportation, I should think it would be within reason.

Secretary BAKER. Yes; it is no longer a question of manufacture.

Senator WEEKS. Pistols, 86 per cent short.

Secretary BAKER. Yes; pistols is the greatest percentage we have. As you know, the substitution of revolvers for pistols is a part of the program, and there is a shortage in pistols and revolvers put together. It is not to be forgotten, however, that the allowance of pistols to our troops is manyfold greater than in any other army.

Senator WEEKS. What do you think the prospects are for the supplying of that shortage?

Secretary BAKER. I think, taking the revolver and the automatic pistol, that the prospect is only fair for an immediate catch-up.

Senator WEEKS. When was the pistol substituted for the revolver?

Secretary BAKER. I can not answer that, sir.

Senator WEEKS. Was it a year ago or two years ago?

Secretary BAKER. Many more than that, I should think.

Senator WEEKS. Then, the revolvers that we are using are simply the type that was used before the substitution was made?

Secretary BAKER. They are military revolvers. I do not know that it is the same type that was used before we put the automatic pistol into manufacture.

Senator WEEKS. Cartridge belts, 59 per cent short.

Secretary BAKER. This table that I have before me gives the total need of cartridge belts up to the 1st of February, which is substantially 15 days off, as 1,300,000, and the total supply now on hand 730,000, a shortage—we were about 55 per cent supplied on the 5th day of January. The table does not show exactly what the expected deliveries are.

Senator WEEKS. Are they limiting the cartridge belts to one type?

Secretary BAKER. I do not know that, Senator.

Senator WEEKS. Is not a cartridge belt a comparatively easy article to obtain? Are there not large manufacturers that make them?

Secretary BAKER. It would seem a relatively easy thing to make.

Senator WEEKS. The impression I have, although I have not any particular information on the subject, was that the capacity of this country for making cartridge belts was very large; that it had been developed in connection with providing belts for European armies, and that for our comparatively small Army it should have been easy enough to obtain sufficient belts for their needs.

Secretary BAKER. I can not answer that, Senator; I do not know.

Senator WEEKS. You think the prospects are not good for complete equipment of cartridge belts for three or four months?

Secretary BAKER. No; I can not answer that. I can say that on the 5th of January the supply was 55 per cent of the needed requirements for February 1, but how rapidly the deliveries are being made I have not before me.

Senator WEEKS. This camp seems to be a little worse off than the others. Machine guns, none on hand. Twenty reported shipped.

Secretary BAKER. You observe that Gen. Greble, in his report, draws a distinction between machine guns and automatic rifles.

Senator WEEKS. Yes.

Secretary BAKER. He is there referring to the heavy Vickers-Maxim type, and I am not surprised that there are none there.

Senator WEEKS. Or the Colt gun?

Secretary BAKER. Or the heavy Colt; yes.

Senator WEEKS. Automatic rifles, 88 per cent short.

Secretary BAKER. Yes. That is the Lewis gun and the Bénet-Mercié, the light type automatic rifle, air cooled.

Senator WEEKS. Gen. Greble, as I think Senator HITCHCOCK has commented, and the other generals who appeared before the committee I think were unanimous in the general statement that the men belonging to machine-gun companies were practically throwing away their time, not having these guns, and it seems to me, Mr. Secretary, that that is a matter that should have your early consideration, as to whether something can not be sent to these camps so that these men may be drilled and given some preparation which will advance them to some degree of perfection in their profession. That is my opinion. Three-inch guns, 88 per cent short. Is there any prospect in the case of that arm?

Secretary BAKER. You have the full manufacturing data on that subject before you. I can add nothing to it.

Senator WADSWORTH. Do you know, Mr. Secretary, whether any of the American-made 75-millimeter guns have been finished and delivered?

Secretary BAKER. Do you mean the 3-inch or the 75-millimeter guns?

Senator WADSWORTH. The 75-millimeter gun, American make.

Secretary BAKER. No; I can not answer that. The figure I have before me gives the requirements to July 1, but does not give the present.

Senator WADSWORTH. You do not know whether any of those have been finished yet or not?

Secretary BAKER. No; I do not. Yes; I do. None of them have been. I have a later table here which shows that none of them have been finished.

Senator WEEKS. I would like to ask a question about these middle-weight cannon, but there are some articles here that seem to me to be of a good deal of importance, and where the shortage is very great. Artillery harness, 92 per cent short.

Secretary BAKER. Artillery harness? I do not seem to have that figure, Senator. It is not in these tables.

Senator WEEKS. Has this question of saddlery and harness been brought to your attention at all, Mr. Secretary? There seems to be a great deal of difficulty in supplying our needs. The fact that this camp is 92 per cent short would seem to confirm the general impression which I have had, and which I think the committee has had, to that effect. Is there any prospect of supplying our needs within any reasonable time, as far as you know?

Secretary BAKER. I can not answer that. I do not know. I have not that figure.

Senator WEEKS. Horse equipment, 81 per cent short.

Secretary BAKER. I do not know what that means, Senator.

Senator WEEKS. Horse equipment? I think Senator WADSWORTH can tell more accurately than I.

Senator WADSWORTH. Very naturally it means saddles and bridles.

Secretary BAKER. That is not in the ordnance. It may be the ordnance supply.

Senator WADSWORTH. It is ordnance, Mr. Secretary.

Secretary BAKER. I have before me saddlebags, saddle blankets, cavalry saddles, cavalry bridles, and the deliveries of saddlebags, for instance, up to December 29, are 149,000. The requirements are slightly in excess of that, but not seriously. Saddle blankets, the deliveries are 246,000. The requirements

are about 150,000 more than that, so that would be about a 60 per cent supply. Saddles, the deliveries are 76,000, the requirements are about 150,000, so that on the 5th of January they were about 50 per cent supplied.

Senator WADSWORTH. That is saddles?

Secretary BAKER. Cavalry saddles.

Senator MCKELLAR. Are artillery horses included in that——

Senator WADSWORTH (interposing). Do you happen to know which type of saddle is meant by that?

Secretary BAKER. Cavalry saddles.

Senator WADSWORTH. But there are two types.

Secretary BAKER. No; I do not know.

Senator WADSWORTH. You do not know whether it was the new type adopted two or three years ago or the old McClellan?

Secretary BAKER. I do not know that.

Senator WADSWORTH. Of course that is exceedingly important. The new one has never been placed in quantity production, but the McClellan saddle has been used in the American Army since before the Civil War and could be turned out, I should imagine, in very large quantities.

Secretary BAKER. I do not know which saddle it is. Senator MCKELLAR, you wanted to ask about horses?

Senator MCKELLAR. Yes; for artillery purposes.

Secretary BAKER. The requirements of horses are given generally, not for artillery purposes only, but are given generally. The requirement was 90,247, and the purchases were 90,733; of mules, the requirement is 131,000 and the purchases 123,000.

Senator WEEKS. There is no difficulty in obtaining mules and horses for artillery, is there?

Secretary BAKER. Apparently not. Both the horse and the mule situation seems to have been provided for.

Senator WEEKS. Now, to go on to the next item in Gen. Greble's statement, Infantry equipment, which includes haversacks, first-aid pouches, and canteens, 78 per cent short.

Secretary BAKER. I have something here, I am sure, on haversacks. I will get it right away. That table compares the needs of February 1 with the supplies on hand January 5. The total number needed is 1,800,000 and the total supply on hand was 936,000, making, roughly, about 60 per cent on hand now.

Senator WEEKS. Small-arms ammunition, 75 per cent short.

Secretary BAKER. The requirements are about three times the deliveries to the 5th of December, but the curve of deliveries is much more rapid in its rise than the curve of requirements, seeming to indicate that the progress was rapid last year.

Senator WEEKS. Are all the available small-arms ammunition makers in the country being used?

Secretary BAKER. I can not answer that.

Senator WEEKS. You mean you do not want to answer it or you do not have the information?

Secretary BAKER. I do not know.

Senator WEEKS. You do not know to what extent they are being used?

Secretary BAKER. No.

Senator WEEKS. Have you had any talk with Gen. Crozier about that? I ask this because I do not recall having asked him the question. I have been told that they were not being used.

Secretary BAKER. I can not answer that, sir; I do not know. If he has talked to me about it, it is not in my memory at the present moment.

Senator WEEKS. Artillery ammunition, 90 per cent short. It does not seem to me that that is an especially important item of shortage if you have not the artillery, but according to the schedules they do seem to be 90 per cent short.

Secretary BAKER. That is not unnatural, I should think. Quantity production is in process.

Senator WEEKS. Turning over to some other matters of equipment, and this is also Gen. Greble's statement, especially equipment relating to transportation of a division, escort wagons required, 405; on hand, 362; leaving a deficiency of 43. In all of these other cases, with one exception, the division has none on hand. Rolling kitchens, required 116; ration carts, required 113; water carts, required 109. Do you want to look those up?

Secretary BAKER. It would probably take a long time to look up all of them, and I doubt whether I have data on some of them. I have here only a summary of the major items.

Senator WEEKS. I will just read these, Mr. Secretary: Motor cars, 46. There is one motor car on hand. Motor trucks, 245. These are the requirements I am reading. Tactical supply trucks, 12; rolling kitchens, 10; motor cycles, with side cars, 105; bicycles, 259; spring wagons for artillery regiments, 7; water carts, trail mobiles for sanitary trains, 6.

Now, there are none of those means of transportation on hand in that camp with the exception of wagons, which I read.

The CHAIRMAN. You might add to that, further, Senator WEEKS, that the testimony before the committee is that that is one of the accessories that is short in Europe according to the testimony before this committee. That is motor transportation.

Secretary BAKER. Yes; that is true. It is short in Europe chiefly for transportation reasons, but it is short in these camps for an additional reason. The production of standardized and interchangeable equipment, which is standardized and of the very greatest importance, is in quantity production now.

Senator WEEKS. You refer to the motor truck?

Secretary BAKER. I am referring to the motor trucks; yes.

Senator WEEKS. That would not apply to most of these articles?

Secretary BAKER. It would not apply, of course, to things like kitchens and to escort wagons, but it would apply to motor equipment generally.

Senator WEEKS. It would not apply to bicycles, or motorcycles, would it?

Secretary BAKER. No; it would not apply to either of those.

Senator WEEKS. I should think the only one would be motor cars and motor trucks that that would apply to.

Secretary BAKER. Probably not motor cars; motor trucks, I should think, chiefly.

Senator WEEKS. The motor trucks required for a division, according to this schedule, are 245.

Secretary BAKER. I wonder, Senator, whether you are comparing the motor equipment for a division in mobile operations with the number on hand. These divisions are stationary now. They do not require all these motor transportation escort wagons, unless they move.

Senator WEEKS. Well, they may require them in a day if they are ordered to move.

Secretary BAKER. If they are ordered to move within the United States they might need them, if they were ordered to move otherwise than by rail.

Senator WEEKS. This is Gen. Greble's statement, and what he has given as requirements, or, as I understand it, the standard fixed by the department?

Secretary BAKER. Exactly.

Senator WEEKS. And as far as the quartermaster's stores are concerned they come within equipment C class, which is very definite in every article included to make up that standard requirement.

Secretary BAKER. Exactly. Now, that standard requirement is the equipment a division should have in operation. Instead of buying promiscuous and indiscriminate truck equipment and motor equipment, which would have to be discarded when the division actually went into operation, the plan is to supply them with standardized equipment when they need it.

Senator WEEKS. That is, motor trucks?

Secretary BAKER. That is motor trucks and wagons, escort wagons.

Senator WEEKS. They have the escort wagons, practically.

Secretary BAKER. Yes; substantially.

Senator WEEKS. But, why, nine months after the declaration of war, should there be an encampment where there are no rolling kitchens, for example?

Secretary BAKER. I can not answer that, Senator.

Senator WEEKS. Does it not seem pretty unreasonable that somebody has not provided such articles as that?

Secretary BAKER. I am not sure. The answer is probably pretty easy. I am hazarding this answer as the right one. A rolling kitchen, of course, is needed in the field. The standard equipment for a division might require 100 rolling kitchens, but when they are in a permanent camp they do not need rolling kitchens, so that the accumulation of that unstandardized equipment which they are not going to use would be an unnecessary thing to do.

Senator WEEKS. I do not think you are quite correct in that statement, Mr. Secretary. For example, there is an encampment at Spartanburg, S. C., where I understand their target range is 30 miles from the camp. Necessarily they have to be away from the camps several days. I should think that would be the very time they would need a rolling kitchen, if ever.

Secretary BAKER. But, as a matter of fact, I feel quite sure that you have never heard the slightest suggestion that the men at the target range at Spartanburg are not adequately fed?

Senator WEEKS. I have not heard that.

The CHAIRMAN. Right in that connection, is it not true that with every division there is a tactical unit of expert motorcycle and motor-truck men who have to be trained for usage in Europe?

Secretary BAKER. Yes.

The CHAIRMAN. Is it not a delicate proposition to master the handling of these motor trucks?

Secretary BAKER. Yes, sir.

The CHAIRMAN. What preparation can, therefore, be made for training these men if they are entirely lacking in facilities?

Secretary BAKER. They are being trained in very large numbers at Black Point, a special camp erected for the purpose, and given highly specialized training.

The CHAIRMAN. That is in Florida?

Secretary BAKER. Yes. Forty thousand of them are there.

Senator WEEKS. I want to say, Mr. Secretary, referring to the question of food, that in my judgment the complaints that are being made about food are practically negligible. I think the food is good at practically all the camps. I think there is not much basis for complaint on that score.

Secretary BAKER. I have not heard any.

Senator WEEKS. We occasionally have a complaint from a homesick boy.

Secretary BAKER. I have not even had one about the food.

Senator WEEKS. Sent to you through his mother?

Secretary BAKER. Not even one about the matter.

Senator WEEKS. I think if you were representing the State, you would have them.

Senator MCKELLAR. A good many.

Senator WEEKS. But I think they are negligible. When are these camps going to be fully supplied with all that they require in order to make them ready for service?

Secretary BAKER. No comprehensive answer can be given to that, Senator.

Senator WEEKS. Can anybody give an answer to that?

Secretary BAKER. As to the particular items, different men would undoubtedly give you the answers based on the most accurate recent survey of the progress being made in procuring these accessories.

Senator WEEKS. Have they got to go on an exploring expedition?

Secretary BAKER. Not at all.

Senator WEEKS. And call in Tom, Dick, and Harry in order that we may inform ourselves whether the service is being conducted as well as it should be?

Secretary BAKER. No, Senator; and you have not done that. You have called in Gen. Crozier and gotten very detailed information from him.

Senator WEEKS. Yes.

Secretary BAKER. You have called in Gen. Sharpe and gotten very detailed information from him. Now, if there be an item about which they have been uncertain or indefinite, or which was overlooked, or which has subsequently occurred to any member of the committee, I shall be most happy to include in my statement a comprehensive and complete answer as to that item or detail.

Senator WEEKS. Then I would like to have you put in the record the time when we may expect that all of these articles which I have read, ordnance and equipment, will be supplied to every encampment in the United States.

Secretary BAKER. That is, you want me to put into the statement a forecast as to the time when complete equipment on each of these items mentioned by Gen. Greble will be supplied for the troops now in training?

Senator WEEKS. Yes; now in training.

Secretary BAKER. I will be very glad to do it.

Senator WADSWORTH. Mr. Secretary, have you any system in your department by which you receive, say once a week, or twice a week, reports showing the percentage of progress?

Secretary BAKER. Yes, sir.

Senator WADSWORTH. Then, you would know, ordinarily, what the percentage of progress was in all this equipment?

Secretary BAKER. Yes.

Senator WADSWORTH. Judging from that percentage of progress, I should imagine you could tell when the progress would be completed.

Secretary BAKER. Yes; as to some of the items that the Senator has been discussing, the smaller items of equipment, the less urgent in their need.

Senator WADSWORTH. As an example, have you a statement which tells you from day to day the progress made in the designs of heavy artillery?

Secretary BAKER. Not a system which tells me from day to day, but a system which tells me from day to day the progress, and weekly reports of the needs of the Army and the deliveries and anticipated deliveries on all the major items of supplies.

Senator WADSWORTH. From your recollection of that report, could you say that you knew whether or not the designs for our artillery program are completed?

Secretary BAKER. This report does not contain that. It contains the needs of artillery, deliveries of artillery, and anticipated deliveries, but does not deal with questions of design. Now, in Gen. Wheeler's office there is a room which is devoted solely to progress charts, which is kept corrected not only day by day but by hour, so that every bit of progress which is made in the entire Ordnance Department is graphically stated on those charts, and whenever I want to see any particular item of the kind you have suggested, I can go into that room and look at it.

Senator WADSWORTH. Do you happen to know whether the designs are completed?

Secretary BAKER. I do not remember.

Senator WADSWORTH. Do you happen to remember whether orders have been definitely placed for all the different classes of artillery?

Secretary BAKER. I do not remember that. I think it is quite unlikely that they have been.

The CHAIRMAN. Do you other members of the committee have any questions to ask? Have you finished, Senator?

Senator WADSWORTH. On that point, Senator; yes. I do not know whether anybody else wanted to ask about the ordnance or clothing. I have no more questions on that point.

Senator MCKELLAR. I wish to ask a few questions about clothing. Mr. Secretary, on yesterday, as I understood you, you stated that the purchasing of supplies by the committee on supplies has been stopped now. Is that a correct statement?

Secretary BAKER. I told you it was in process of being stopped, Senator, and I think it has stopped now.

Senator MCKELLAR. What is going to be done with that committee?

Secretary BAKER. The committee will disappear as a supply committee.

Senator MCKELLAR. And the members thereof will not be any longer connected with the Government?

Secretary BAKER. I can not say that.

Senator MCKELLAR. What do you propose to do with them? I am speaking now of Mr. Eisenman, Mr. Scott, and Mr. Kaplan, and the other gentlemen on that committee.

Secretary BAKER. I can only answer with regard to Mr. Eisenman. I have had some talk with Gen. Goethals, and, as I remember it, he desires to take Mr. Eisenman into his own office as a part of the Quartermaster Department. The other members of the committee I do not know about.

Senator MCKELLAR. So that it is the intention of the department to discontinue the supply committee, but to employ Mr. Eisenman to really conduct it?

Secretary BAKER. That is a possibility. I will not say that he will conduct it, but to use Mr. Eisenman's experience and judgment and knowledge in coordination with other people in the Quartermaster Department.

Senator MCKELLAR. Virtually, that will be conducting the matter precisely as it has been done before?

Secretary BAKER. I think not.

Senator MCKELLAR. Except that Mr. Eisenman will be employed at a salary?

Secretary BAKER. Either commissioned or employed at a salary.

Senator MCKELLAR. You can not say what will be done with the other members of the committee?

Secretary BAKER. I have never heard it suggested.

Senator MCKELLAR. Whether it will be disorganized?

Secretary BAKER. The committee will be discontinued.

Senator MCKELLAR. The committee will be discontinued. Will the committee be discontinued whether Mr. Eisenman goes into the service of the Government or not?

Secretary BAKER. Yes.

Senator MCKELLAR. In other words, you have determined to stop the purchase of supplies by this particular committee?

Secretary BAKER. The reorganization of the Quartermaster Department has now reached a point where the services previously performed by that committee will no longer be necessary, but will be performed directly by the Quartermaster Department itself.

Senator MCKELLAR. Virtually under the control of Mr. Eisenman, if the plans of the department are carried out?

Secretary BAKER. That has been suggested. Not virtually under his control. You asked me particularly about Mr. Eisenman, and I was very glad to tell you. Gen. Goethals told me that he desired to bring Mr. Eisenman over into his own office, but whether he has worked out an arrangement to do that I do not know.

Senator MCKELLAR. I would like for it to go on record that I, as one member of this committee, desire to protest against the employment or commissioning of Mr. Eisenman in any purchasing department of the Government.

Of course, I do not ask you to make a reply to that unless you desire to, but I want to protest against it, because of the developments that have occurred in this committee in connection with Mr. Eisenman and Mr. Kaplan, and in the fixing of prices by that committee, of which Mr. Eisenman is virtually the head.

Secretary BAKER. I would like to say this in reply, Senator, that I feel quite sure that you and all the members of the committee desire to have the most capable and reliable people employed whom we can find, and I so regard your statement on that subject as a thing to be weighed.

Senator MCKELLAR. Yes, sir. I wish to say this. So far as I am concerned the developments in this committee have shown, in my judgment, that while Mr. Eisenman may be equipped in one sense to supply the Army with the supplies necessary in the Quartermaster Corps, that the revelations in regard to this committee of which he has been the managing and controlling agent are such that I do not think that he ought to be further employed by the Government; and when I congratulated you yesterday on having dissolved the committee it was on the theory that Mr. Eisenman and all the other members of the committee would be discharged, and not upon Mr. Eisenman's being retained by the department in another capacity for the same purpose.

Secretary BAKER. Senator, let me make this comment on that.

Senator MCKELLAR. I would be glad for you to make any statement you like.

Secretary BAKER. I have been in fairly close contact with Mr. Eisenman's work since he has been here. I do not like to deal in language of superlatives, but I think his zeal and his desire to serve the Government were a very fine exhibition of business judgment and of loyal service to the Government, of which anybody might be proud. That he may have made some mistakes is perfectly obvious. That there may be things in this record which ought to be very seriously considered in the matter of his employment, of course, is true, since you say so, and I will be very glad to examine the record fully.

Mr. Eisenman would not want to stay in the service—and I would not want him to stay in the service—if there is anything in the record in the slightest degree reflecting upon him. My observation has been that his services have been of a very high and patriotic order, and that he has conserved the interests of the Government in every respect.

Senator MCKELLAR. And you indorse him in everything and in every respect?

Secretary BAKER. I indorse everything that he has done of which I am advised.

Senator MCKELLAR. You indorse the organization by him of the Base Sorting Plant, and you indorse also, as I understand your proposition, the fixing of prices for cotton duck by Mr. A. L. Scott, on the committee, whereby the Government pays a profit on the purchases under the prices fixed by Mr. Scott and approved by Mr. Eisenman of from 75 to 150 per cent?

Secretary BAKER. Senator, I do not want to say that, because I do not know anything about the latter of those two instances.

So far as the Base Sorting Plant is concerned, I can only say that, on the statement of facts made to me, the expedient, while not a desirable expedient to be permanently followed, was probably a wise thing from a business point of view at the time it was done.

The CHAIRMAN. May I say, as one member of the committee, that I think the conclusion reached by the Senator from Tennessee on the question of profit on this duck may not be the conclusion reached by other members of the committee. Of course, each member can draw his own deduction from the testimony that is in. That is his own inference, and I think other members of the committee would reach an entirely different conclusion as to the amount of the profits.

Senator MCKELLAR. Mr. Secretary, I want to ask about what has been done by the department as to the matter of nitrates?

Secretary BAKER. I think I asked the committee to consider that and powder supply both in executive session. I would be glad to have them consider it there.

Senator MCKELLAR. Then, I would like to ask you about one other thing. On October 10, 1917, there was an order issued by you, and in the fourth division of which, on page 2, is found the following:

> Vacancies in the grade of colonel and lieutenant colonel will be filled as far as practicable by the promotion of officers selected from those serving in the next lower grade in the same arm of the service, in the same division to which the organization in which the vacancy occurs is assigned or attached for service.

As I understand, that means that where a man is appointed from the Regular Army—say a graduate of West Point is given a temporary appointment as an officer in the National Army—that thereafter during the continuance of this order he will be ineligible for appointment in the Regular Establishment provided, and that he will lose his place and that men far lower than he is on the list will be promoted over him. Is that correct?

Secretary BAKER. I do not think that is the meaning of that, Senator. It does not seem so to me.

Senator MCKELLAR. I will say that many complaints have come to me that that will be the effect of that order, and I would like to call your particular attention to it and say——

Secretary BAKER (interposing). May I read that section?

Senator MCKELLAR. Yes, sir. I do not think men, for instance, who had graduated in the academy in later years should be, by virtue of that order, if it does have that effect, promoted in the Regular Establishment over men who had graduated long before.

Secretary BAKER. All that I get out of this is much simpler than that. "Vacancies in the grade of colonel and lieutenant colonel"—let us take a particular instance. Assume a colonel of an Artillery regiment, or a lieutenant colonel of an Artillery regiment, the vacancy there will be filled as far as practicable by the promotion of officers selected from those serving in the next lower grade. That would be majors or lieutenant colonels, in the same arm of the service and in the same division. So that it would mean this: That if a colonel of an Artillery regiment, if a vacancy occurs there, the vacancy would be filled by the appointment of a lieutenant colonel of Artillery in the same division, or a major of Artillery in the same division, and would not result in one or the other of two things being done, either bringing somebody from the Philippine Islands or the Panama Canal, who happens to be next on the seniority list, and leaving a vacancy for a long time, or putting in charge of an Artillery regiment an Infantry or a Cavalry major.

Senator MCKELLAR. Then it might well occur that in the case that you illustrated, a man who happened to be in that particular division and who had graduated in the class, say, of 1912, would be promoted over a man who had graduated in 1916 in the Regular Army.

Secretary BAKER. Yes; it might happen.

Senator MCKELLAR. Would not that be very detrimental to discipline in the Army, and would it not cause a great deal of discontent?

Secretary BAKER. I think not, Senator.

Senator MCKELLAR. I just ask you to consider it.

Secretary BAKER. I will be very glad to consider it; but I have considered it many times. In the Regular Army, in time of peace, the rule of seniority is the only rule that has ever been agreed upon or has ever gotten a normal acceptance among the Army; but in time of war, when the Army is expanded and is made up of the National Army, the National Guard, and the Regular Army, and scattered over the face of the earth, seniority is wholly impossible. If a vacancy occurs in colonelcy in France, we can not bring the man next on the list in the Philippines and put him over there, and in active operations we can not transfer a man from Cavalry to Artillery, for example. We have to limit it to the arm of the service in which he is engaged; so that the rule which has been adopted, and it seems to be a fair rule, is to have, as far as practicable, promotions in the division. A division is a large body. It is a unit; it has a single commander; and it seems reasonable to have those promotions in the division, in the National Army, without affecting the standing of officers on the regular roster of the Regular Army. I would be very glad to consider it, if it is causing any inconvenience.

The CHAIRMAN. I have had it suggested to me that young officers who have been promoted from the Regular Army to the rank of major in the National Army practically lose their standing in the Regular Army, so far as promotions are concerned. Promotions of their juniors in the Regular Army might be made ever so fast, but the young men who are transferred to the rank of major, for instance, into the National Army stand still, or might stand still, and see their juniors promoted regularly in the Regular Army.

Secretary BAKER. That could not be The promotions in the Regular Army go on silently and unobserved by the seniority rule.

The CHAIRMAN. What becomes of the place of these two majors formerly filled in the Regular Army?

Secretary BAKER. They may be occupied by National Army majors, or something, but a captain of the Regular Army is promoted to major according to his seniority. If he is absent, doing duty as colonel, he is major of the Regular Army and colonel of the National Army.

The CHAIRMAN. Do the young men who have gone over in the National Army from the Regular Army maintain their standing all the time in the Regular Army?

Secretary BAKER. Absolutely.

Senator MCKELLAR. And are promoted without regard to their service in the National Army?

Secretary BAKER. They are promoted in the Regular Army so far as their standing on the Regular Army roster is concerned.

Senator MCKELLAR. Well. I do not see any occasion for complaint if that is the fact. That will remedy the complaint that I make here.

Senator KIRBY. Those appointments, then, are in the nature of temporary appointments.

Secretary BAKER. The National Army commissions are all temporary commissions, and a man's status in the Regular Army is unaffected by his temporary assignment to duty in the National Army, under National Army commission.

Senator KIRBY. I refer to promotions in the field. If, perchance, they would be over men in other sections of the country, would those be in the nature of temporary?

Secretary BAKER. Only temporary, Senator.

Senator HITCHCOCK. Mr. Secretary, in the admirable statement you submitted yesterday I understood you to say that purchases in the Quartermaster Department began December 29, 1917. Perhaps I am wrong about that.

Secretary BAKER. No, sir; I did not intend to say that, if I did say it.

Senator HITCHCOCK. Do you remember when those purchases did begin?

Secretary BAKER. Purchases of what, Senator?

Senator HITCHCOCK. Of supplies for the Quartermaster Corps. Was there any particular time when they began making contracts?

Secretary BAKER. Oh, no; they were continuous.

Senator HITCHCOCK. Continuing right along?

Secretary BAKER. Oh, yes. Enormous purchases of supplies were made prior to December.

Senator WADSWORTH. Mr. Secretary, some one testified here, I believe, that there were quite a number of troops going over, artillerymen, who had never even seen field guns or rapid-fire guns. Do you know how long it takes to make out of a raw recruit a trained artilleryman, or one fit for active service?

Secretary BAKER. No; I do not, Senator; but the statement which was made was accurate to this extent, that very large training schools were established in France for Artillery, and a very large number of officers were sent over there to be trained, many of whom probably had not handled artillery ordnance; but they have been over there for many months going through those schools in series, and the only question was whether it was better to establish the schools there or here.

Senator WADSWORTH. Is that for the enlisted personnel?

Secretary BAKER. No; those are officers' schools; but there are schools for the enlisted personnel as well.

Senator WADSWORTH. Are they taught firing on ranges over there, or are they taken to the front?

Secretary BAKER. They are taught firing on the ranges first and then taken to the front.

Senator WADSWORTH. How long are they kept on the ranges?

Secretary BAKER. I do not know that, Senator. The officer's task in modern artillery, of course, is a very much more intricate and scientific task than that of the enlisted men. They are required to master the use of range finders and mathematical instruments, and things of that sort.

Senator WADSWORTH. In advance of the introduction of a War Department appropriation bill, is it the custom of your bureau chiefs in the War Department to supply estimates to you covering the needs of their particular bureaus for the ensuing fiscal year?

Secretary BAKER. Yes.

Senator WADSWORTH. Do you revise those estimates?

Secretary BAKER. Yes.

Senator WADSWORTH. Do you cut them down and raise them?

Secretary BAKER. Perhaps it would be better instead of answering questions to say exactly what happens. The bureau chiefs make out their estimates. They are taken up by the General Staff and studied, and in the event of any recommendation for modifications proceeding from the General Staff or the Chief of the General Staff I would consider that, send for the bureau chief, and hear both sides of it, and finally determine it.

Senator WADSWORTH. Has it been the practice, within your knowledge, either in your own case or your predecessors, to reduce the estimates as they finally reached you through the General Staff?

Secretary BAKER. I do not recall any personal act of mine in ever reducing an estimate on my own unguided judgment. I do not remember having reduced any estimates on advice of the Chief of the General Staff.

Senator WADSWORTH. In the year 1916, for instance, did the estimates submitted to the Congress include within their limits everything that the Army thought it ought to have?

Secretary BAKER. They certainly included everything which was recommended by the General Staff, but I do not think that would fairly be held to mean that they included everything that the General Staff would have desired if it felt free to present a maximum program. Long experience with the subject naturally makes them want to present a reasonable program, one that they can defend before the committees.

Senator WADSWORTH. In other words, do you mean that the estimates, for instance, in that year might have been toned down as it were, for fear Congress might consider them excessive?

Secretary BAKER. I would not like to say that. You gentlemen have been dealing with these estimates for a long time, and I think you are perfectly aware that each bureau and each officer in the department has ambitious programs for his division, and he has argued out with members of this committee and the members of the House committee the advisability of certain features of that. Doubtless their estimates are prepared with a recollection of previous discussions with the committee and the desires of the committee that the program shall be reasonable.

Senator WADSWORTH. In view of the world-wide situation which existed in 1916, do you think that the estimates submitted to the Congress were sufficient?

Secretary BAKER. In view of what has since happened, I should say probably it would have been very much wiser if they had been very much more.

Senator WADSWORTH. In view of what must have been known by the General Staff and the War Department through the avenues of information which the War Department necessarily must have, and which the Congress does not have and the public does not have, do you think they were large enough?

Secretary BAKER. Senator, I think I ought to say that I think they were large enough, in view of the fact that even those submitted were reduced, many of them. To have put in larger estimates would have led, in all likelihood, to further reductions. But I say that not critically at all.

Senator WADSWORTH. You mean reduced by the Congress?

Secretary BAKER. Yes; both the House and Senate committees, as I recall it, reduced the estimates made by the department in 1916.

Senator WADSWORTH. My recollection of it was that in some very important items, at least, Congress raised the estimates.

Secretary BAKER. I do not remember that, Senator.

Senator WADSWORTH. Gen. Crozier testified here that he had men arranging a much larger artillery program for several years, and had been urging it, as I remember his testimony, through the years 1915 and 1916, and before the outbreak of the European war, but that his estimates, coming from the bureau with his approval, were reduced, and that when they reached Congress they did not reflect his best judgment as to what was needed.

Secretary BAKER. I have not Gen. Crozier's recommendations in mind at the moment, but it is a fact known to you that the habit and practice of the War Department is to appoint boards to lay out programs of long-continued manufacture, and the most adequate study of the artillery program that has been made by the War Department within recent years was that made by the so-called Trent Board, which decided on types, sizes, and quantities. That program was deemed adequate at the time it was made, and deemed adequate for some year or two after that.

Senator WADSWORTH. When was that made, do you remember?

Secretary BAKER. I can not give you the date.

Senator WADSWORTH. Do you remember the year?

Secretary BAKER. No; I do not. It was an established program when I came to the War Department.

Senator WADSWORTH. When you came to the War Department it was an established program?

Secretary BAKER. Yes.

Senator WADSWORTH. Now, was anything done in the War Department to hurry that program and to anticipate the need?

Secretary BAKER. Yes. It was argued most earnestly to the committees, and a more or less definite understanding reached between the Ordnance Department and Congress as to how rapidly that program should be fulfilled, and each time Gen. Crozier appears before this committee or the House committee he argues the program, the rate of progress on it, and how long it would take to complete it, and whether it ought

to be speeded up and accelerated. That was all very carefully argued to your committee.

Senator WADSWORTH. Yes, Mr. Secretary; but the rate of progress that could be made was so limited by the amount of money appropriated for the year.

Secretary BAKER. Yes.

Senator WADSWORTH. My recollection is that this committee at least gave the department all the money it asked. What I want to find out is should not we have been asked to give it more?

Secretary BAKER. Senator, in view of what has happened, it would have been very much wiser if much larger estimates had been made.

Senator WADSWORTH. Mr. Secretary, was not the possibility—yes, the probability—of this event that has happened within the minds of the War Department in 1916?

Secretary BAKER. Of course, the War Department, Senator, is a war department, and it is constantly assuming that it may be called upon to perform its function, and therefore these contingencies, or the possibility of being obliged to raise armies and equip them and use them in the defense of the Nation, was constantly present in the minds of the department.

Senator WADSWORTH. Did the War Department, through you or through any other proper official, make any vigorous recommendations in 1916 to the effect that our program of supply in all respects should be greatly hurried?

Secretary BAKER. I can not answer that any more than to say that Gen. Crozier and I personally appeared before the committee and urged as hard as we could the appropriations asked for. We did not ask larger appropriations. In view of what has since occurred in all likelihood it would have been wiser to ask much larger ones.

Senator WADSWORTH. Secretary Baker, the appropriations you asked for were in conformance with the five-year increment program of the Army, were they not?

Secretary BAKER. Some of them were; yes.

Senator WADSWORTH. Well, generally so?

Secretary BAKER. Yes; I think generally so.

Senator WADSWORTH. In view of the world situation of 1916, do you not think it would have been wiser to have anticipated that program?

Secretary BAKER. I think it would as I see it now, looking back. In view of the later knowledge I think it would have been wiser for you and wiser for us.

Senator WADSWORTH. Could it not have been foreseen then?

Secretary BAKER. It was as obvious to you as to us then, Mr. Senator.

Senator WADSWORTH. Oh, no; scarcely. We have not the methods of information that you have.

Secretary BAKER. But no one in the country was blind to the fact that there was a war going on in Europe in 1916.

Senator WADSWORTH. But the administration was best informed, through its Diplomatic Service and through other means of information, as to what the probabilities of the United States going into war were.

Secretary BAKER. I can not say that in 1916 I personally felt that we were certainly going into the European war.

Senator WADSWORTH. Of course, I would not expect that you felt certain that we would be going into the European war, but the probabilities were certainly, as it turned out since.

Secretary BAKER. As it turns out since we have gone in, and if we were as wise in 1916 as in 1917 unquestionably the estimates asked for in 1917 and 1918 would have been asked in 1916.

Senator WADSWORTH. In view of the disclosures, Mr. Secretary, that have been made and given to the public involving the publication of intercepted dispatches, disclosing the cynical and sinister purpose of the German Government to flout us and to continue to flout us, many of which dispatches and operations were written or conducted in 1916, was it not well within the ability of the War Department or of the administration to foresee the inevitable?

Secretary BAKER. I do not know what dispatches you are referring to, Senator, but quite generally I decline to discuss the diplomatic relations of the Government.

Senator WADSWORTH. They were discussed to the public, Mr. Secretary, and given out by the State Department?

Secretary BAKER. Yes.

Senator WADSWORTH. What steps did the Council of National Defense take to prepare the war-making machinery of the Government to meet the event that has overtaken us?

Secretary BAKER. There is an annual report of the Council of National Defense that details those steps in very great detail. They are far too detailed to summarize in a sentence or two.

Senator WADSWORTH. When was the council first organized?

Secretary BAKER. Its early organization was very shortly after the law organizing it, but its organization in its later form did not take place until later. The permanent organization was not effected until March, 1917. The early organization, however, had been very active prior to that time.

Senator WADSWORTH. The organization was not completed until March, 1917?

Secretary BAKER. Its permanent organization was not effected until March, 1917.

Senator WADSWORTH. When was the act of Congress enacted?

Secretary BAKER. The statement in the annual report is—

The Council of National Defense, although created under the act of Congress approved August 9, 1916, was not fully organized until March 3, 1917.

Senator WADSWORTH. The Council of National Defense consists of five Cabinet officers, does it not?

Secretary BAKER. Five or six.

Senator WADSWORTH. You are the chairman, are you not?

Secretary BAKER. Yes.

Senator WADSWORTH. Can you tell us what progress was made shortly after August 29?

Secretary BAKER. Very great progress, Senator.

Senator WADSWORTH. In what respect?

Secretary BAKER. The most conspicuous thing done was the industrial survey of the country, which, prior to that time, had been inaugurated by Mr. Coffin and some others as private individuals, involving a survey of the facilities of every manufacturing plant in the country, and the classification of them, and a card cataloguing and indexing of those which were convertible from one form of industrial occupation to another. The activities of the council from the date of its first meeting were constant, and, in my judgment, exceedingly helpful toward the main purpose.

Senator WADSWORTH. Did the council take any action to increase the appropriations?

Secretary BAKER. No; it did not.

Senator HITCHCOCK. Mr. Secretary, would you like to revert to this delivery of machine guns, concerning which we were having some discussion a few minutes ago?

Secretary BAKER. Yes, sir.

Senator HITCHCOCK. Do you think there is any propriety in keeping these figures confidential?

Secretary BAKER. I think it would be better to pass that paper around.

The CHAIRMAN. The figures which you have secured by telephone from the War Department indicate a possible delivery by the end of July of machine guns equal to about four times the figures which Gen. Crozier gave us. What is the cause of the change in the estimate?

Secretary BAKER. I do not know that, sir. I have not seen Gen. Crozier's figures except as you gave them to me.

The CHAIRMAN. These were the figures taken from a written statement which he had before him, and show how many light Browning guns and how many heavy Browning guns were to be delivered each month; and it appears from this statement that up to the end of July only one-tenth of the Browning contract could be delivered at that time, which led me to say that the Browning gun practically would not become a factor until the year 1919. These revised figures that you have given show an astonishing change, and I think an impossible change. For instance, you were providing in the later months of the present year—say, September and October—for machine guns to be delivered at the rate of almost a thousand per day. Now, there has never been in the history of manufacturing any such accomplishment as that.

Secretary BAKER. That must be all makes of machine guns.

The CHAIRMAN. No; just the Browning gun. They are not segregated, the heavies and the lights, but such a thing was not contemplated. It is three times what Gen. Crozier said was possible per month at that time, and these immediate deliveries are so entirely out of joint with the contracts made and the promises which he exhibited that I would like to have them reconciled in some way.

Secretary BAKER. I just telephoned to Gen. Wheeler, or Mr. Crowell did, for anticipated deliveries under existing contracts; and that, I suppose, is what you asked for, is it not, Mr. Crowell?

Mr. CROWELL. Yes.

The CHAIRMAN. Either Gen. Crozier did not present the correct figures to us or else there has been some important change made in these deliveries; and, in either event, I think we ought to know as to that.

Secretary BAKER. There is this change, that at least one and probably two very large factories which were otherwise engaged when Gen. Crozier was talking with you about it have since

been converted to the manufacture of machine guns. Is not that true?

Mr. CROWELL. Yes; that is true.

The CHAIRMAN. That is not possible, because none have gun-manufacturing machines.

Secretary BAKER. But I mean they have been diverted to it and are in course of change, and these figures are anticipating their deliveries. These are the prospective deliveries up to a late date.

The CHAIRMAN. I would like to have those segregated, if possible, for the use of the committee—those referring to the Browning heavy and light together. You feel sure, do you, from such authority as you have, that Gen. Crozier's figures, given to us some 10 days ago, as to the delivery of Browning guns are inaccurate and that something has occurred since that time?

Secretary BAKER. Senator, I would not like to say that, because I have not those figures, and the possibility of misunderstanding is too obvious; but what I have tried to do and what Mr. Crowell has been trying to do for us by telephone was to talk with the man who does know and who has at his hand the means of information.

The CHAIRMAN. I will say to you that Gen. Wheeler was here present when Gen. Crozier gave the testimony, and he was in consultation with him in the meantime, and my recollection is that that was less than two weeks ago.

Secretary BAKER. We can solve the whole problem, but we can not solve it by anything I can contribute, because I have no personal information about it beyond the papers; but we can solve the whole problem by having Assistant Secretary Crowell go back to the department and get Gen. Crozier's figures and compare them with Gen. Wheeler's figures and find out the discrepancy.

The CHAIRMAN. I think we should have that. According to the absolute, unqualified testimony of Gen. Crozier we could not hope for one-tenth of these by the 1st of August.

Secretary BAKER. I will be glad to have those figures verified.

The CHAIRMAN. Senator THOMAS, of Colorado, had to leave the room and he asked me to inquire of you why it is that men who have been drafted into the National Army are not able, in accordance with the promises that were held out to them, to get assigned to such qualifications or work as they are fitted for. The Senator had in mind instances of men whom he knew personally to be mechanics who had utterly failed to be recognized as mechanics and were treated merely as privates, and some complaint of that sort has come to me and to other Senators, and we would like to call it to your attention and suggest that the value of the Army would be a good deal increased and justice would be done to a great many men if some organized effort should be made to examine into the qualifications of these privates and let them have an opportunity to follow out the skilled work that they are qualified to do.

Secretary BAKER. Senator, I would like to be heard on that for a moment. The War Department does not recognize in any drafted man a right to elect his service. The Government determines where he can be of most service, and the fact that a man may regard himself as a mechanic or be a mechanic does not give him the right to demand of the War Department that he be assigned to a particular kind of occupation or service.

The CHAIRMAN. Very true.

Secretary BAKER. But we have had made the most elaborate occupational census of the men in the Army which has ever been made of any similar number of men. It is in a card catalogue, so that at the camp, by pulling out a drawer and laying a ruler along the tops of the cards, you can pick out every man in that camp who is an automobile mechanic. By laying the ruler along another set of indentations in the cards you can select every painter, carpenter, lawyer, doctor, every machinist, and there is a complete classification of occupations.

The demand for mechanics in the Army is exceedingly large, enormous, as a matter of fact, and when we have a request from the Aviation Corps or from the Engineers or from the Ordnance Department for mechanics of a particular kind, we pull out the drawer and lay the ruler along the line that indicates the men who are familiar with that sort of business, and we select out of that camp its quota, its contribution, to that withdrawal from the division of that particular type of men.

It is not possible to withdraw them all from one camp because it disorganizes the military discipline and the tactical formations, which are already in process, so that there are still in the camps competent mechanics who have not yet been withdrawn for assignment to mechanical operation, but the means for doing it are there, and as soon as it can be done it is being done.

The CHAIRMAN. That is all I wanted to develop.

Secretary BAKER. It is a very complete system.

The CHAIRMAN. It is being followed out?

Secretary BAKER. It is very complete.

The CHAIRMAN. It was a statement held out to the country not only to encourage those that were qualified, but to show that the Army would be given the very highest possible efficiency. Of course, we get complaints, and although we discredit them more or less, I realize that there may be some justice in some of them.

Secretary BAKER. I think I have a statement here which I would like to hand to you personally, as you are interested in it. It is the completest occupational card-index system that has ever been made of a similar number of men.

Senator WADSWORTH. I have heard that that was being most excellently done.

Secretary BAKER. It is being done by Prof. Walter Dale Scott and some of his assistants, and I think is a most searching and careful analysis.

Senator FLETCHER. Does it include shipbuilders?

Secretary BAKER. Yes; and not only that, but we have been able to supply to the Emergency Fleet Corporation a very large number of those men, and they have been furloughed from the Army into what we call the engineering reserve, and then placed on the inactive list, so far as the Army is concerned, and they have gone to work in the shipyards.

The CHAIRMAN. Along the same line, I have a suggestion from an Army officer. He had no right to make it to me, but he did. In this rule with reference to the apportionment of a soldier's salary, so much to his dependent wife, children, or mother, as the case may be, that while these young men have been receiving their proportion of the salary, the apportionments have not yet been made to the dependents, in many cases. Do you know anything about that?

Secretary BAKER. I have had some complaints of that kind, Senator. Not only that kind, but I have had complaints of slowness in paying the soldiers themselves in the camps, and I have looked into it two or three times, each time finding that the difficulty comes from the inaccurate way in which names are written and spelled in the lists. They have to be carefully compared, and when a company officer makes out the list of his men and spells a man's name wrong and it is compared with the controlling list, then if there is a man in the company whose name is not on the controlling list and it is short a man who ought to be there, it has to be sent back for correction, and until the Army gets to know itself better that sort of thing is inevitable.

The CHAIRMAN. I suppose so.

Senator NEW. Mr. Secretary, you spoke a moment ago of several factories being brought into the manufacture of machine guns since this testimony given by Gen. Crozier.

I would like to ask, if it is a fair question, if the Government has advanced money to any of these companies or to any company for the purpose of building or equipping its plant?

Secretary BAKER. Yes; I think so, Senator. The Government has done this. You authorized it by an act of Congress, authorized the department to advance not in excess of 33⅓ per cent of the contract price on anticipated deliveries upon the receipt of proper security for the advance, and the War Department has appointed a board of men of large experience in such matters to take up with the individual manufacturer the question of the kind of security he gives, and those securities are deposited in the Federal Treasury and have been the basis of advances to a great many men.

Senator NEW. Objection has been made, Mr. Secretary, according to statements made to me by certain managers, that they have offered to do work for the Government, proving themselves equipped to do the work, and that they have been denied the opportunity to do it, while at the same time the Government has, at its own expense, equipped other plants to which contracts have been given. Is there anything you care to say on that?

Secretary BAKER. As a general statement, I could not reply to it. This is true, that contractors who are already engaged in the class of business we desire to have expanded have doubtless been preferred to factories which have been engaged in similar business but are ready to convert their enterprise, but each case has to be taken by itself. The effort of the department has been, as far as permission by Congress goes, and upon adequate security to protect the Government, to assist manufacturers to carry forward their financial and manufacturing operations.

Senator WEEKS. Mr. Secretary, I want to get back to one of the matters which we were discussing about shortages. It is a comparatively minor matter, and yet I have found the contracts here in the testimony, and that is the question of belts. The contracts were let in the months of April and May of last

year for 1,800,000 belts, which will be enough to supply the Army with one belt apiece at least. Now, it would seem from that that there should be no lacking in the belts supplied, and yet Gen. Greble testifies that they are 65 per cent short in his camp.

It went on from that, and contracts were let in July for 1,565,000 more; in August, for 1,060,000 more; and in the months between August and November, for 720,000 more, or about 5,000,000 belts. A belt is a simple, easily made piece of equipment, and it is most surprising to me that there should be a shortage in any camp.

Secretary BAKER. I have nothing on the subject of belts, Senator, in this weekly report.

Senator WEEKS. Will you be good enough to look that up and see if the shortage is due to a lack of distribution or transportation or to the failure of the manufacturers to furnish the belts within the contract time? I am just curious about it.

Secretary BAKER. Yes; I will be very glad to look it up.

Senator WEEKS. That is one item that it seems to me there should not be any question about.

Secretary BAKER. I would be very glad to look it up, Senator.

The CHAIRMAN. You are going to start in now, Senator FRELINGHUYSEN?

Senator FRELINGHUYSEN. Yes.

The CHAIRMAN. I thought it might be a good time to take a recess until half past 2.

Secretary BAKER. Mr. Chairman, I have a Cabinet meeting this afternoon. I can probably be excused from the Cabinet meeting if you prefer to go on this afternoon.

The CHAIRMAN. We want to suit your convenience.

Secretary BAKER. I can give you the entire day to-morrow, and be glad to.

The CHAIRMAN. Whichever you prefer.

Secretary BAKER. I think it would be better for me to be at the Cabinet meeting if I could.

The CHAIRMAN. Very well, sir.

Senator WEEKS. Then we have no other witness for this afternoon, have we Mr. Chairman?

The CHAIRMAN. No.

Senator FRELINGHUYSEN. I only want to inquire of the Secretary regarding the matters of cantonments.

The CHAIRMAN. Well, you might finish with that.

Senator WEEKS. When we get into the cantonment question I apprehend some members of the committee will want to go into that.

Senator MCKELLAR. Yes. I think we had better adjourn until to-morrow morning.

Senator FRELINGHUYSEN. Why $134,000,000 was spent in cantonments at a profit of 2.98 per cent. I wanted to inquire into that a little bit.

The CHAIRMAN. We have not touched the cantonments.

Senator FRELINGHUYSEN. I have some information which will probably be illuminating to the committee, and I would like to make some inquiries of the Secretary in regard to it.

Secretary BAKER. Perhaps you would be good enough to give me what you have, Senator, so I will be able to be sure of my own statements about it in the meantime.

Senator FRELINGHUYSEN. It relates entirely to the testimony of individuals regarding prices paid for labor at the cantonments. I do not know that you have any official information regarding that.

Secretary BAKER. No; I do not think I have on that subject.

Senator FRELINGHUYSEN. I move we adjourn, Mr. Chairman.

(Whereupon, at 1.05 o'clock p. m., the committee adjourned until to-morrow, Saturday, January 12, 1918, at 10.30 o'clock a. m.)

COMMITTEE ON MILITARY AFFAIRS,
UNITED STATES SENATE,
Washington, D. C., Saturday, January 12, 1918.

The CHAIRMAN. The committee will please come to order.

STATEMENT OF HON. NEWTON D. BAKER, SECRETARY OF WAR—RESUMED.

Mr. Secretary, do you desire to make any general statement about anything over which we have gone heretofore?

Secretary BAKER. Mr. Chairman, I was asked several questions as to which I said I would get some further information. There were three of those statements which I will now make.

Senator HITCHCOCK asked me why 1,200 machine guns were left undistributed. I looked into that last night, and I found that this represents what is left of some 3,000, of which the remainder have been distributed, giving 20 to each National Army cantonment and 50 to the National Guard, and some to the Aviation Service. This was done in this way because in the beginning the National Guard was at full strength and the National Army were partially filled. Under the present plans the Lewis guns are not used in France, where our troops are at present furnished with the automatic Chauchat rifle and the Hotchkiss machine gun, with which they are supplied after reaching France. The Ordnance wish to retain about 200 of these rifles for experimental or other purposes, and the remaining 1,000 will be distributed partially to the camps and partially to the Aviation Service. They have only been on hand about one month.

The CHAIRMAN. There was a suggestion here, possibly not a positive statement, that there were a great many of the Lewis guns made for the European army that were never delivered. Whether they have been commandeered or whether the United States has taken control of them I do not know. Do you know, Mr. Secretary?

Secretary BAKER. I do not know. It would not be easily possible for us to use them; even if we got them, we could not use them in this country.

The CHAIRMAN. They could be used only for practice purposes?

Secretary BAKER. Yes.

The CHAIRMAN. You do not know whether there were any such or not?

Secretary BAKER. I do not know.

The CHAIRMAN. Do any of the members of the committee desire to ask the Secretary any further questions?

Senator WEEKS. Do you mean about that particular matter, Mr. Chairman?

Secretary BAKER. Mr. Chairman, perhaps it would be well to permit me to finish these statements in answer to questions about which I said I would get information.

A report from the Chief of Ordnance, January 5, states that there have been ordered 36 batteries for delivery by June next to be secured from the British Government. Further orders will be given at Midvale and at Bethlehem for further deliveries up to 90 batteries, which is the requirement for 30 divisions, allowing 25 per cent for replacements.

Senator WADSWORTH. Ninety batteries of 9.2's?

Secretary BAKER. Yes, sir; that is the program.

Senator WADSWORTH. But there are none of the 240 millimeter French guns ordered?

Secretary BAKER. We are getting the 240-millimeter guns from the French in France. I do not know whether this is in evidence before you or not, but—that statement was inaccurate. We are getting from the French 75's and 155's, both guns and howitzers. We are getting the English pattern of 8-inch howitzer, and 9.2 howitzers, and our own 9.5 howitzers. We are not getting the 9.5, or its equivalent, the 240 millimeter.

Senator WADSWORTH. That was the understanding.

Secretary BAKER. I have a table which I will be glad to show to the committee, but which I do not desire to put into the record, which gives the quantities delivered and under contract, and the increase in these arms projected forward to December, 1918, from the 1st of January.

Senator WADSWORTH. We have got that in our executive sessions. We have had the complete Artillery program showing the quantities of each caliber.

Secretary BAKER. This shows the monthly deliveries, showing the rather rapid rise in American deliveries month by month.

Senator WADSWORTH. Gen. Crozier said that they were promised, but he did not expect the promises could be lived up to, although the manufacturers were doing their best.

Senator WEEKS. In discussing the matter of the 1,200 Lewis guns which have not been distributed, and this last subject, you say, in both cases, that they will be. When will those 1,000 guns be sent to the Army posts?

Secretary BAKER. I assume immediately.

Senator WEEKS. It seems to me to be a pertinent inquiry why it was not done a month ago?

Secretary BAKER. I think that is pertinent, but a month ago is not so long ago. The theory upon which they made distribution was to take the 3,000 available guns and distribute them to the National Guard and National Army in relatively the same proportions. The earlier distributions were sent to the National Guard because their numbers were full. They have apparently retained about 1,000. They want to keep 200 for experimental purposes. They had to turn over the remainder, partially, at least, to the camps and the aviation or aircraft committee or section. At any rate, it leaves something less than 1,000 still to be distributed. Obviously it would be well to let the National Army when assembled have those weapons, but until recently it was not done. It was not complete, and other freight orders were given precedence.

Senator WEEKS. Gen. Crozier testified that those guns were being kept for some possible emergency. I did not understand

at the time and I do not know now what the emergency could have been. It seems to me that a delay of 30 days in sending those guns to our recruits for training purposes, and in those other matters, is the essence of the whole problem that we are discussing, and there should not be a delay even of a day. My criticism is that instead of acting promptly there is delay in almost every action.

Secretary BAKER. The fact is that the railroad congestion in this country has been very great. A system of priorities was worked out by which Government material was given priority, and everybody in the Army and everybody in the Navy had a right to put a tag on a car and say, "This is a priority order," because it was a Government shipment. As a result of that, practically everything the Government had to ship was marked priority, and the consequence was that the priorities became jammed.

Senator WEEKS. Let us take the case of these Lewis guns; where are they?

Secretary BAKER. I think they are at the Springfield Arsenal, but I am not sure.

Senator WEEKS. There is an encampment within 60 miles without guns.

Secretary BAKER. I am not certain of that.

Senator WEEKS. Substantially without guns.

Secretary BAKER. I am not so sure, but surely less than they could use. It is fair to say that.

Senator WEEKS. Let us assume that that is practically true. Why would it not have been well to use those guns and supply that division and let us have one division actually at drill with the guns that they are likely to use or similar guns?

Secretary BAKER. That would have been a possible thing. Of course, the fact is, in the distribution of arms the effort has been to distribute the largest quantities to those divisions nearest ready to go abroad. Camp Devens, to which I suppose you refer, is a National Army camp, and it may well be assumed has had less training than some of the National Guard and Regular Army camps, where the arms would have been more useful.

Senator WEEKS. The National Guard camps were not as readily available for this particular purpose.

Secretary BAKER. It would have been a bad principle of distribution to send these guns to Camp Devens merely because it is nearest, when some other camp more remote was going to use them first.

Senator WEEKS. I think that is the very essence of the principle of distribution and is one of the great difficulties with the railroad situation in this country to-day. We buy supplies manufactured in Illinois and deliver to New York when exactly the same supplies are manufactured in New York. That is one of the faults of the railroad system. These things should be distributed at the nearest point.

Secretary BAKER. As a general statement, that is perfectly obvious. It is thoroughly ideal.

Senator WEEKS. It may be ideal, but I do not think it is impossible.

Secretary BAKER. It is impossible on any sudden order.

Senator WEEKS. It is?

Secretary BAKER. It requires large storage facilities and means of distribution from particular places.

Senator WEEKS. From the Army's standpoint, it may be ideal, but not from a business standpoint.

Secretary BAKER. It is ideal from a business standpoint. We can not accumulate things in Chicago unless we have storage houses to put them in.

Senator WEEKS. That is true.

Secretary BAKER. If the storage houses are at Springfield Arsenal then the accumulations must be at that place until the new centers of distribution can be created.

Senator WEEKS. Mr. Secretary, we are discussing the general topic rather than the details. Let me ask about the orders which you have stated will be given at Midvale and to the Bethlehem Co. Why haven't they been given?

Secretary BAKER. Because they have not the additional capacity at the present time. They are increasing it as rapidly as possible.

Senator WEEKS. Why not give the order?

Secretary BAKER. They have had orders to increase the forging capacity, and as soon as it is increased orders will be given.

Senator WEEKS. You think in that particular case there will be no delay in final delivery?

Secretary BAKER. I think not. One of the early things done was a conference with the Midvale and Bethlehem people by which enormous extensions of their facilities for forging were created. Their forging capacity was not at that time allocated to particular arms, but the extension was authorized, and as soon as that is available the arms most needed will be the ones that they will be put to work on.

Senator WADSWORTH. Evidently the mind of the department has been changed with respect to the 1,200 Lewis guns since Gen. Crozier testified, because he testified it was not the intention of the department to distribute them to the camps.

Secretary BAKER. Of course, Senator, having heard Gen. Crozier's testimony you know what was in his mind. However, upon consultation with the Ordnance Department yesterday that was the information that I received.

There is one other thing to which I desire to call attention. Some one told me—I think it was Senator MCKELLAR—that he had talked with an officer from Camp Upton, as I recall, and he left the impression that there were no machine guns and no artillery at Camp Upton.

Senator MCKELLAR. He did not leave me under that impression; he stated so.

Secretary BAKER. You remember that you and I debated whether he meant relatively none or absolutely none. I told you, as I remember it, that if he said absolutely none, he must have been in error.

There are at Camp Upton four 3.2-inch guns, eight 3-inch, and in addition 20 Lewis and about 50 Colts and 30 Chauchat, four 4.7-inch have already been shipped from the arsenals, but we have no record of their arrival.

A letter from the commanding general of the division, Gen. E. M. Johnson (in the absence of Gen. Bell) dated December 21, states—

> That there has been firing by field artillery for the instruction of all gunners of the regiment; that everything is going along well here; that of course the artillery, machine guns, etc., are not fully equipped.

That shows, however, that there had been actual firing.

Senator HITCHCOCK. These 1,200 guns, then, are not being kept for emergency purposes, but will be distributed to the camps?

Secretary BAKER. Yes, sir. To reconcile Gen. Crozier's statement with that, it is possible that Gen. Crozier had in mind a larger distribution to the aviation section than now seems necessary. That may have been what he had in mind.

Senator HITCHCOCK. But those are not aviation guns.

Secretary BAKER. No; they are not aviation guns.

Senator HITCHCOCK. They are not aircraft guns. We discovered the presence of these 1,200 guns because there was no accounting for them. Gen. Crozier said they were in storage. When asked why, he said it was to meet some emergency that might arise. That was the way the matter came out.

Secretary BAKER. The fact that they are manufactured for ground work does not prevent their being mounted for aircraft use.

The CHAIRMAN. But the guns, Mr. Secretary, are quite different.

Senator MCKELLAR. Yes; they will have to be changed for that purpose.

Secretary BAKER. The tripod would have to be taken off.

Senator MCKELLAR. And the air-cooling arrangement would have to be taken off.

Secretary BAKER. I do not know about that.

Senator HITCHCOCK. And the Lewis Co. is manufacturing an ample number of aircraft guns?

Secretary BAKER. The Savage Co.?

Senator HITCHCOCK. Yes.

Senator MCKELLAR. I had a telegram from the editor of one of our leading papers, in which he asked me to ask you how many pieces of artillery are in Camp Sevier.

Secretary BAKER. I will be glad to find out for you. I do not know.

Senator MCKELLAR. It seems that he has been there. Then he asks me to ask you this question. He states that, owing to the scarcity of uniforms and clothing, the boys who are able to are compelled to buy clothing in order to protect themselves from the cold. They buy the clothing from the merchants in the towns surrounding these camps, and the merchants charge them 50 per cent more than the civilians have to pay. Now, has the department taken any steps to look into these matters and to protect the soldiers against the profiteering of the men in business around the camps?

Secretary BAKER. Two steps. I fancy the thing he refers to is officers' uniforms rather than the men's uniforms.

Senator MCKELLAR. Oh, no. Our information is that the boys in all these camps who were able to, when it was cold and when they had no woolen clothing, bought overcoats in these neighboring towns, and bought them at tremendous prices.

Secretary BAKER. I will still say two steps. I will leave out the question of the officers' uniforms. Gen. Goethals some days ago—perhaps more days than I now remember—directed the

quartermasters of the camps in which there was any remaining shortage of uniforms to buy all that could be bought in the near-by towns and distribute them among the soldiers.

The other step was to institute a pretty thorough inquiry as to where the uniforms came from around these camps.

Senator McKELLAR. Carrying out the view expressed by this able and splendid man, a man who is thoroughly in sympathy with what we are doing, would it not be a good idea to have some one posted at these various camps to see that the soldiers are not preyed upon by the merchants surrounding the camps? In other words, I think the soldiers are entitled to every protection from the Government when they are taken into these camps.

Secretary BAKER. Senator, every chamber of commerce in towns near camps is actively in cooperation with the War Department and is operating upon its own commercial people with a view to preventing an extortionate raising of prices to the soldiers. Operation of the regimental camp exchanges is already being conducted for the purpose of protecting the soldiers against an improper rise of prices in near-by places, and that subject has been under observation and correction from the very beginning.

The CHAIRMAN. Mr. Secretary, I have no disposition to cavil about these things, but your general statements before this committee are calculated to leave the impression that all these things are really in the hands of the troops. I saw the commanding officer of Camp Sherman just a moment ago, as I came over here, and I asked him about his supply of clothing. I asked him if he was fully supplied. He said "No; not yet," that they were several thousand short in his command. Now, it may be that that condition is inevitable——

Secretary BAKER. Is that at Chillicothe?

The CHAIRMAN. No. Camp Sherman.

Senator WADSWORTH. That is Chillicothe.

The CHAIRMAN. It may be that that is inevitable, but the effect of your statement upon the country is to lull the people into a feeling of absolute security that everything has been done. I do not think it has been.

Secretary BAKER. Senator, I think this country is entitled to feel secure.

The CHAIRMAN. I think the country is entitled to know the conditions.

Secretary BAKER. So do I. When they know the conditions they will feel secure. I do not know the facts about Camp Sherman. Let me ask the Assistant Secretary about that. [Addressing Mr. Crowell:] When you were at Camp Sherman three or four weeks ago did you learn that there were as many as several thousand men without blouses?

Assistant Secretary CROWELL. No. There are new recruits coming in every day. They, of course, have no uniforms at all. I should say that 95 per cent of the men were in uniform four weeks ago.

Senator McKELLAR. Well, 95 per cent still leaves a number of them without uniforms.

Senator HITCHCOCK. Do you have any of the figures?

Secretary BAKER. No. I only asked Mr. Crowell that because he was an eyewitness. He went out with the object of discovering the exact state of the equipment. To have the commanding officers or anybody else tell a Senator, or tell anybody else, that there are thousands of men without blouses, unless that is a fact, is a very serious matter.

The CHAIRMAN. The men are bound to testify when they come here, and the testimony of Gen. Greble and Gen. Wright was to the same effect. This officer was not volunteering the information to me.

Secretary BAKER. I do not criticize the propriety of your asking him nor the propriety of his answering, but I am simply raising the question as to the truth.

Senator HITCHCOCK. Here is the trouble, Mr. Secretary. We have specific testimony on certain points, and your testimony seems to contradict it completely. For instance, I have in my hand here a statement made by the Quartermaster General before this committee. He showed us a certain shortage of supplies upon November 30, and yet the impression that you have given the committee is that there was no such shortage.

Secretary BAKER. I have not testified, Senator HITCHCOCK, as to November 30; but what I have been trying to give you was the latest information.

Senator HITCHCOCK. You spoke of three or four weeks ago.

Secretary BAKER. November 30 was longer than that.

Senator HITCHCOCK. This is in November—November 30. If this were true then, certainly conditions could not be expected to be so wonderfully improved since. Here are some of the shortages which the Quartermaster General gave: Blankets, 18 per cent short; cotton breeches, 42 per cent short; woolen breeches, 40 per cent short; cotton coats, 59 per cent short; woolen coats, 48 per cent short; cotton cloth, 13 per cent short; summer drawers, 19 per cent short; wool drawers, 20 per cent short, and so on down the entire list, until we come to overcoats, 46 per cent short on the 30th of November. That means that the department was that much short, and after it receives these things they have to be shipped to the camps.

Secretary BAKER. Does that mean that that shortage existed in initial equipment, or does it mean that they were short in the distribution of garments to the camps?

Senator HITCHCOCK. This much short on contracts for delivery to the Quartermaster's Department. According to his testimony, they have a shortage of 46 per cent on overcoats. That is the shortage in the Quartermaster's Department. After he receives them, they have got to be shipped to the camps.

Secretary BAKER. I have no figures with me at present as to the number of overcoats delivered to-day, but it is a very large number, because an enormous industry is devoting its entire time to the production of overcoats and blouses.

Senator HITCHCOCK. I agree with the chairman of the committee that you seem to have the impression and want to give it to the committee that everything is lovely.

Secretary BAKER. Quite the contrary, Senator. What I want to give to the committee is an exact and accurate picture of the conditions as they are now. That there was a shortage of overcoats and blouses and trousers is perfectly true, but the figures that you have here are figures that were taken at the climax of that shortage, when the railroad trains of this country were caring for the distribution of large supplies which had not reached the camp, which had not been distributed in the camps, and when the factories in the country were turning out large additional supplies. What I want you to have is a knowledge of the fact that since these discouraging figures were made, the further distribution of supplies and the further production of supplies has created a very much better condition. I do not characterize it as perfect, of course.

Senator HITCHCOCK. You state, then, that during December and the first half of this month that has all been cured?

Secretary BAKER. I did not say that. I am trying to deal in universal affirmatives or universal negatives. I am trying to give you the figures. Take the overcoats. I gave you yesterday the exact number of overcoats.

The CHAIRMAN. The fault I have to find, Mr. Secretary, is this: If the Congress, or if this committee, or if the people are satisfied from your general statement that everything is all right, or as near right as it is humanly possible to have it, they will say that no further legislation is necessary; you can not better conditions by any legislation, and there should not be any legislation. On the other hand, when the exact status of things on the ground and in detail is disclosed to the committee, why then something seems to be necessary in the way of legislation and there should be some change in conditions if a better condition is to be brought about.

Secretary BAKER. I wish to make it clear to the committee that I welcome the cooperation of the committee, whether its suggestions are along legislative lines or lines of administrative readjustment. I welcome it in every form.

The CHAIRMAN. That is one of the purposes we have in view.

Secretary BAKER. Clearly, but I must insist that the facts as they are, and which I am trying to give you, are proper facts to be given, and if their effect results in reassurance in the mind of the country, then the country is entitled to that reassurance. If the things we have done demonstrate that there is no predicate for legislation, then we are fortunate.

I have before me the requirements for overcoats and the delivery for overcoats. Up to the second day of October the deliveries of overcoats were in excess of the requirements. On the 13th day of October (this is in the weekly report) the requirements suddenly greatly exceeded deliveries. That was due to the fact that a large number of additional men had been called out to draft in the National Army, and the needs then ran up until they reached a maximum on the 30th of November, when they were at the highest point above the line of delivery. On the 30th day of November there was a shortage of a considerable number of overcoats.

Senator HITCHCOCK. That corresponds with my figures?

Secretary BAKER. It does not correspond with 46 per cent, so that must have meant distributed rather than received overcoats. On the 1st day of December, the line of need and the line of supply met, and from that day forward the line of supply has been greatly above the line of need. On the 29th day of December, the total number of overcoats on hand—whether distributed or not I can not tell from these figures; there is great difficulty in delay—but on the 29th day of December the total number of overcoats delivered to the Army

was 2,221,000 and the needs on that day were 1,164,000. That is the form in which I get the weekly report, Senator HITCHCOCK. [Handing Senator HITCHCOCK the report.]

The CHAIRMAN. That, of course, would not disclose, Mr. Secretary, whether there had been an absolutely pro rata distribution of these supplies. In other words, on a paper showing there might be absolutely enough to go around, but practically there might not be enough to go around.

Secretary BAKER. Exactly.

The CHAIRMAN. The testimony has been that, due to faulty distribution, some cantonments and some divisions have plenty of things, while others are short.

Secretary BAKER. Yes, sir. That has happened many times with regard to particular items. When the draft was applied, 687,000 men were drawn, 500,000 of whom were to go into the National Army. The camps to which these men were sent were distributed over the country, and a camp which to-day might have 40,000 men, might to-morrow have 35,000 men, so that an accumulation of supplies on the basis of its first population would throw the whole matter out of adjustment, and the result of changing the men and sending them from one place to another was that there was oftentimes an oversupply at one camp and a shortage at another.

Senator WADSWORTH. In addition to that, Mr. Secretary, the Quartermaster General miscalculated on the sizes, so that there were many thousands of uniforms and coats that could not be worn by any of the soldiers.

Secretary BAKER. The fact is, whether there was miscalculation or not, that the tables of sizes, prepared as the result of many years of experience, was found to be impracticable for the use of the men drafted into the Army, because they were larger men.

Senator WADSWORTH. The figures before the committee show that the men in the National Guard are also larger men.

Secretary BAKER. Undoubtedly, but the table of sizes, the result of many years of experience, was the only guide we had, and we ordered on the basis of experience. Then we had the new experience of larger men volunteering in the National Guard and in the National Army.

Senator WADSWORTH. That would not hold true as to shoes, because the experience of the past had shown too many small sizes.

Secretary BAKER. Even in the shoes, more than anything else, the large sizes turned out to be in great demand—larger sizes than experience provided for.

Senator WADSWORTH. But that was back in 1916.

Secretary BAKER. I do not know that. The extent to which it was known is less than that.

Senator WADSWORTH. Twenty-nine thousand men at El Paso were put through a fitting and over 81 per cent were shown to be wearing shoes too small. That was in a report made to the department in 1916.

Secretary BAKER. That subject was considered by the so-called Munson Board, which revised the style of the shoe and the shape of the last, and finally got what is now known as the standard army shoe. The whole question of fitting and sizes was submitted to a very expert board, which I think got an excellent shoe, so far as I am able to learn.

Senator WADSWORTH. The shoe, as I understand it, is quite excellent, but the sizes are not. They do not conform.

Secretary BAKER. There may be too many small sizes.

The CHAIRMAN. Referring to the question of supplies, was your attention called by Gen. Greble to the conditions at Fort Bowie before he went to the Continent of Europe? Did he call your attention to housing conditions and the lack of clothing for the troops?

Secretary BAKER. Not to my personal attention that I can recall.

The CHAIRMAN. It seems to me these matters should have been called to your attention by some one. As long ago as the 24th day of September, Gen. Greble complained to not only one department of the Government, the Quartermaster's Department, but I think to the Health Department as well, that they were housing too many men in the tents, these pyramidal tents; that there was a lack of clothing along certain lines, and so on, but he did not get any answer to that until some time in December, when the very things he predicted would occur, had occurred.

Secretary BAKER. That raises a very singular situation. When the question of building cantonments was raised, I had a conference with the Surgeon General and some half dozen or dozen of the most distinguished men in the medical profession in the country. Dr. Mayo, as I recollect, was one; there was Dr. Welch, of Baltimore, and Dr. Martin, of Chicago—men of very great distinction. They raised the question as to whether the plans for the cantonments were adequate in the matter of cubical contents per man, and they were all satisfied that the plans as approved prior to that time by the Surgeon General's office did not give adequate space. The question was raised as to whether the wisest thing was to suspend the building program, which was already far advanced, and remodel it and make some readjustments. It was decided that it would be satisfactory, upon their recommendation, if we used the plans as they were, but got from Congress authority to make additional buildings, so that later we could spread out the congested population. As a matter of fact, the reorganization of the size of the companies came about at that time and further helped the situation, enabling us to take three barracks, each of which had been taken for a single company, and distribute the three between two companies. When we got that far I asked them what should be done about canvas camps, and they said they gave them very little concern; that tents are very well ventilated, so that we need not look for special trouble from the canvas tents, no matter how congested they were.

It was agreed that they might be inconvenient, in that the young men could not get about so easily, but they expressed regret that all the camps were not to be in canvas instead of cantonments. They thought it would be a safer thing from a health point of view. Now, as a matter of fact, the opposite turned out to be true. The camps in which there was the most sickness were the canvas camps, and the shortage of tentage in this country has been one of the most serious limitations upon our ability to enlarge the number of tents and spread out the population. Whether or not that condition is due to congestion in these tents, which the boys have unduly closed up tight because of the cold weather, or whether it is due to the fact that the canvas camps are made up of men who have come from sparsely settled parts of the country and who had not been subjected to the contagion of measles, the doctors do not know.

The CHAIRMAN. Whether the doctors knew it or not, Gen. Greble predicted on the 24th day of September that unless greater air space was given these young men they would have an epidemic of the very disease that they did have.

Secretary BAKER. Measles?

The CHAIRMAN. Yes. He evidently knew, whether the doctor did or not, but it was not until his return some time in December that he got any relief.

Secretary BAKER. You asked me whether he had reported to me. I suppose you want me to answer that question. So far as I recall, I did not see him until he returned from Europe and before he had revisited his camp.

The CHAIRMAN. He reported it to General——

Secretary BAKER. To Gen. Bliss or Gen. Bell.

The CHAIRMAN. He testified that he reported it to the Surgeon General and the Quartermaster General.

Senator WEEKS. Gen. Greble testified in that matter, when he was asked to whom he reported, "I reported to four men. I did not know which particular man would do it." So he evidently made four reports of the condition. That was in September, and the first reply that came was from The Adjutant General on the second day of November.

Secretary BAKER. I can not understand why he was uncertain as to whom he should report, because he knew that his report should go to the Chief of Staff.

Senator HITCHCOCK. That is one of the things that has been developed, that no one knows where to go in the department to get action.

Secretary BAKER. Well, Senator, that is simply a failure of information. There is no uncertainty about where to go.

Senator HITCHCOCK. May I read to you the experience of a young man who had a device that he submitted to the War Department in September. A number of these matters have come to my attention. I suppose some devices are worthless; but if they are, there should be somebody there to wipe them off the map and spend no further time on them. The fact is, however, that if anyone goes to the department with a device he is sent from pillar to post, and in the course of time he visits 20 or 30 different people, and one refers him to another. Instead of anybody being able to give an answer of yes or no, one is referred from one place to another. This man had a cooker, a little device for cooking food.

Secretary BAKER. I know about that.

Senator HITCHCOCK. He went first to the quartermaster department in New York on September 18. The quartermaster there thought it was a good thing and sent him to Camp Upton. He went there on the 21st. After four days he saw Gen. Bell. Gen. Bell thought it was a good thing and sent him to the Quartermaster's Department at Washington. He went to room 324. He saw a captain there who did not think much of it. He went back to the quartermaster in New York, who advised him

again to go to Washington to see Col. Penrose in the Quartermaster's Department. He saw Col. Penrose on October 14. Col. Penrose thought it was a good thing, and he told him to go to the chief clerk of the Ordnance Department. He, too, thought it was a good thing, but he told the young man that he would have to go to the equipment division on F Street. He went there to see Maj. Simpson, who thought that it was a good thing, but he said he would have to see Capt. Pratt.

Capt. Pratt thought it was a good thing, and brought it before Gen. Babbitt. Gen. Babbitt wrote him to come to New York and he met him. Gen. Babbitt took it into the field to try. Gen. Babbitt liked it, but Capt. Pratt said that he would have to go to the equipment board down in the War College. This was on December 18. Then he had to hunt up the equipment board in the War College. He was told there that he must see Col. Anderson. Nobody gave him any letter of authority to do a certain thing, but they kept referring him from one place to another. He was unable to see Col. Anderson the first time, so he went a second time. Col. Anderson thought it was an excellent thing, and he said if he could get four of them he would send them to Gen. Pershing to try. He gave him four specimens, and they were sent to Gen. Pershing. The young man thought that possibly they might be lost on the transport and he wanted duplicates. So he visited the War College again, and they had duplicates made and put them in the hands of Maj. Wallace and they were taken over to Gen. Pershing. Now, after Gen. Pershing reports on it it may be used next summer, but it can not possibly be used this year.

Is there not some way that those things can be acted upon? Is not there some one who knows the proper people to go to and who is the proper man to decide such a question?

Secretary BAKER. Senator, that is probably a very unusual case. Of course, the inventive genius of the American people has been aroused by the war. Literally thousands of devices are sent into the War Department every day. They come to me in my personal mail. I get everything from fireless cookers down to submarine-protection devices. The situation is not so simple as one might imagine. If he were only one, or if he were only one of a few thousand of men it would be simple, but it is not a question of a few thousand; he is one of many tens of thousands. There are probably men in the world who know enough to look at a new device and answer the question whether it is intrinsically excellent, but that does not mean that a device of this kind will work in France. That requires the opinion of men who can express opinions from different points of view. Now, this particular cooker may have been an excellent one. I remember your interest in it.

Senator HITCHCOCK. This is a new one.

Secretary BAKER. Unless I am in error about it, you did send up a man who had a cooking device.

Senator HITCHCOCK. I will tell you what that was. He had a container for keeping food hot. He was connected with the Thermos Bottle people. This was a method of keeping food hot for 10 hours. He had heard these complaints about the men in the front trenches having cold food. This was submitted to the War Department in September. The container was made of paper and was very light and cheap. It was made in sizes from a quart up. That was submitted in September, and, as I recall it, they were unable to get a test of it until October or November. When it was tested it was found good. It actually kept food hot for 10 hours, but nothing was done.

Secretary BAKER. My recollection was that it was rejected as impracticable. It did keep the food warm for 10 hours, but it was found impracticable.

Senator HITCHCOCK. This man was never able to find out about it.

Secretary BAKER. I remember writing you on the subject and telling you the result of the inquiry.

Senator HITCHCOCK. I do not remember the letter. I wrote the Quartermaster General finally and asked why a report could not be made on it. He wrote back, or one of his assistants wrote back to me, stating that the fireless cooker took the place of that, and that it was not necessary. Upon investigation, I found that the smallest size of fireless cooker contained 10 gallons, and it is utterly impossible to take these 10-gallon containers through the sinuous trenches. I wrote him and called attention to the fact that this small container could be used in the front trenches, but I never heard anything in answer to that. It may have been a failure, so far as I know.

Secretary BAKER. My recollection is that it was found impracticable. Let me see if I can not fairly state this situation. Here is an army of a million and half men. Any change in their equipment means, in the first place, a disorganization of the existing equipment. It means enormous additional expense. In spite of the fact that all these bureaus have been in the process of expanding their official personnel, they are dealing largely with persons untrained in military usage, having little military experience. The Ordnance Department, for instance, with 3,000 officers, has just 97 who are trained. The Quartermaster's Department, with 3,000, has 350 who are trained. You or I, if we should put on a uniform, might pass a very favorable judgment on a food container, and yet, not having had previous military experience, our judgment might be defective from a military point of view; so that it is necessary, in dealing with weapons or with articles conducive to comfort, to sort out of this vast mass those which are sufficiently excellent to justify the reequipment of the entire Army.

Senator HITCHCOCK. I realize, Mr. Secretary, the burden that you have upon you or that the department has, but I say that when enterprising Americans do take ideas to the department they never can know where to go, and instead of being given an answer and being treated in a businesslike way, they are referred from one man to another until they run the gantlet of twenty or more men, no one with authority, but each one wasting his time.

Secretary BAKER. What practical substitute could there be?

Senator HITCHCOCK. A business concern, such as the War Department has got to be in time of war, would organize so that there should be a definite place to go for everything, and it should not be a succession of references to boards or offices.

Senator BECKHAM. In the Navy Department there is a special board that deals solely with inventions.

Secretary BAKER. There is in the War Department, too.

Senator HITCHCOCK. These officers are not only wasting time of and irritating Americans who go there, but they are wasting the time of the Government.

Secretary BAKER. The equipment division of the General Staff is the proper place for those things to go. There is no reason for anybody to have any doubt on that subject, except that the number of transactions is so vast and the number of persons volunteering is so great that they have not got the information.

The CHAIRMAN. This shows that there has been a reference.

Secretary BAKER. They referred him back to Gen. Babbitt in the Ordnance Department, evidently with the suggestion that he try it.

Senator HITCHCOCK. Another man would have an entirely different experience. He might start at another place and have an entirely different route.

Secretary BAKER. I do not think that necessarily follows, Senator. I do not think the fact that one man started wrong would mean that all would have the same experience.

Senator HITCHCOCK. They go down to the War Department and they can not find out what they want.

Secretary BAKER. I hear these complaints. I sit in my outer office from 12 to 1 o'clock every day, and I see everybody who wants to see me.

Senator HITCHCOCK. I do not doubt that you are burdened.

Secretary BAKER. Oh, no; I do not complain. But everybody who can not find where to go can see me personally, if he wants to. He can see my secretary, who is very helpful in these matters. He can see the Assistant Secretary. They can find out by going to my office where to go if they do not know. This young man with his cooking device could have asked me personally if he wanted to.

Senator HITCHCOCK. I think that would hardly be the proper thing.

Secretary BAKER. It is sanctioned by frequent usage.

Senator HITCHCOCK. I realize that you have a tremendous burden on you, but it seems to me that that is all the more reason why there should be some organization in the department to simplify the operation.

Secretary BAKER. There is. There is not a citizen of the United States who can not walk into the office of the Chief of Staff, who knows the whole Army organization from top to bottom. He can walk into Gen. Bliss's office and say, "I have a fireless cooker which I think will be a good thing. To whom shall I submit it?" Gen. Bliss would touch a button, get a messenger, and send the messenger with the man to the person to whom it was to be submitted. If he goes to the depot quartermaster in New York, who is probably a civilian, having no knowledge of the Army, or if he goes to Camp Upton, to Gen. Bell, he simply starts in wrong. The only thing we can do is to have a system and make its operation known as well as we can.

Senator WADSWORTH. The depot quartermaster at New York must be a Regular officer.

Secretary BAKER. I think he is Col. Dalton. He is a Regular officer. The depot quartermaster in New York is pretty nearly

the busiest man of anybody I ever saw. It seems unlikely that he saw this particular man.

Senator WEEKS. Do you suppose he is any busier than you are?

Secretary BAKER. I am sure he is; I am sure he must be. He deals with a vast mass of detail which I deal with only from a supervisory point of view.

Senator WEEKS. Wouldn't he have these matters collected for him by subordinate officers?

Secretary BAKER. Undoubtedly. If each person who calls on the depot quartermaster had to be seen by him personally, 50 hours a day would not suffice.

Senator HITCHCOCK. Has there been any serious consideration in the department with reference to getting hot food to the men in the trenches?

Secretary BAKER. Yes, sir.

Senator HITCHCOCK. Has anything been adopted?

Secretary BAKER. I can not answer with definiteness. Gen. Pershing's quartermaster staff has examined in detail French and British devices and appliances and has quite definitely recommended to the Quartermaster Department the sort of device they think good for that purpose. In addition to that, several devices, notably the one which you called to my attention, were submitted to Gen. Pershing by cablegram.

The CHAIRMAN. Are there any more questions?

Senator FRELINGHUYSEN. I should like to ask the Secretary, in view of the testimony of Mr. Eisenman that there was sufficient clothing manufactured in the latter part of August and September to provide the garment workers, and in view of the fact that Gen. Sharpe testified that the capacity of a certain class of machines used to manufacture those garments was practically all used, whether there was any condition with regard to labor or otherwise which prevented the utilization of all the capacity of all the garment workers in the country?

Secretary BAKER. I think there may have been. I can not answer that question definitely. What you have in mind, I suppose, is the use of the sweatshop system that was prohibited from the very beginning.

Senator FRELINGHUYSEN. I do not understand that it was entirely the sweatshop system. I understand there was a large number of factories in Rochester and Newark and in other cities that would have complied with the conditions, but they found they could not secure opportunity or permission from the War Department. They offered their facilities, but they were refused.

Secretary BAKER. I do not know the facts about that. The depot quartermaster in Philadelphia, who was awarding those contracts, was awarding them, as I was told at the time and have since been told, as rapidly as they could be awarded.

Senator FRELINGHUYSEN. Do you know whether any effort was made to make a census of the garment-factory facilities in the country, in order to provide sufficient uniforms for delivery?

Secretary BAKER. I do not know. I assume there was, but I do not know it.

Senator FRELINGHUYSEN. Is there any information in your department on that subject?

Secretary BAKER. There is no information in my personal possession.

Senator FRELINGHUYSEN. It was up to the depot quartermaster in Philadelphia?

Secretary BAKER. It centered there.

Senator FRELINGHUYSEN. Who is the man to get the information from?

Secretary BAKER. I can get it for you, and I will be glad to do so.

Senator FRELINGHUYSEN. I think, Mr. Secretary, that a constructive suggestion would be that it might be a good plan to take some census of that kind, so that if you have to exhaust the facilities in the future you will know where you can get the garments made.

Secretary BAKER. If it has not been done.

Senator FRELINGHUYSEN. We do not seem to have information whether they have done it or not.

Secretary BAKER. The information is readily obtainable. I think it will turn out that in the depot quartermaster's office in Philadelphia there is an exhaustive list of persons.

Senator FRELINGHUYSEN. I did not intend to ask the question about health conditions, but as long as the chairman has asked one or two questions and we have had some testimony about health conditions, especially from Gen. Greble, I wanted to ask you in your judgment if the building of hospitals was done on correct lines and expedited as rapidly as possible? It would seem from the testimony submitted that the hospitals were not completed, if they are completed now, until December, and in many cases sewerage systems had not yet been installed. Gen. Greble testified that out of 24,000 men in his camp 8,000 went to the hospital in November.

Secretary BAKER. The building of hospitals upon correct lines is, of course, an expert question upon which my opinion would not be worth while. The hospital plans of the Surgeon General were worked out in conjunction with a board of hospital experts under the immediate advice and guidance of the most distinguished medical men in the country, and I include in that Dr. Victor Vaughn, the greatest sanitarian, perhaps, in the country; Dr. Welch, of Johns Hopkins Hospital in Baltimore; Dr. Mayo; and Dr. Janeway—a very distinguished company of men—and in addition to that there were hospital construction experts, so the plans of the hospitals had the approval of the highest obtainable authorities.

Senator FRELINGHUYSEN. When was this done?

Secretary BAKER. Very early.

Senator FRELINGHUYSEN. Do you know about when?

Secretary BAKER. I can not give you the date of any definite approval they made, but I saw that body and discussed plans with them at least as early as June, probably in May, but there have been some differences of opinions among architects. I have had two or three hospital architects send me word that they thought an improvement in the design of the hospitals could be made and I have sent all those to the Surgeon General, who submitted them to this advisory council, and perhaps some changes have been made.

The question as to whether they were completed rapidly or not is a question as to which two answers have to be given. In the first place, some of them, apparently the contractor, took the theory that it was better to have 85 per cent of his entire program 100 per cent done than to have 85 per cent of it done and 15 per cent still to be done, so that in some of them there was uniform progress made of barracks, storehouses, and hospitals, and in others they finished first the one before they began the other.

Senator FRELINGHUYSEN. There are no barracks at the National Guard camps.

Secretary BAKER. There are no barracks at the National Guard camps. They were pressed forward as rapidly as possible, in my judgment.

Senator FRELINGHUYSEN. Do you think it was a mistake not to have built barracks at the National Guard camps?

Secretary BAKER. I think not, Senator. The medical men told me that it would be better to have all the men in camps rather than in cantonments.

Senator WADSWORTH. Secretary Baker, are you continuing the building of new hospitals?

Secretary BAKER. I can not answer that we are building new hospitals. The original bed capacity provided for each of the camps was deemed adequate. Some additions are being made.

Senator WADSWORTH. I do not mean necessarily at the camps alone, but elsewhere?

Secretary BAKER. I think so, Senator. I have a report here on that subject which probably will answer the question for us.

Senator WADSWORTH. Your answer will be sufficient, Mr. Secretary, if you feel quite sure that more are being built, because I wanted to comment on the design of one of them.

Secretary BAKER. I can not answer that, but I can say this, that every hospital, or addition to a hospital, which the Medical Department, advised by this expert body of civilian physicians, has suggested, has been authorized.

Senator WADSWORTH. Complaint has come to me, Mr. Secretary, about the design of these hospitals, and the complaint has come from very representative men, architects, and physicians, particularly with respect to the design of the hospital at Spartanburg, which I myself have gone through very thoroughly. It consists of 58 separate buildings, and they stand on high brick piers, with floors exposed, the roof is ventilated to the open air, or was when it was designed, and there is no ceiling inside, and for a climate to which the thermometer has gone to 6 below zero. It reminded me of the hospitals in the Panama Canal Zone. The result has been a tremendous expenditure of fuel, great difficulty in keeping the wards warm because the cold wind whistles underneath the floors, and the ventilation has had to be boarded up on the roof and the inside of the buildings ceiled, and hot-air heaters placed in the middle of the floor of each ward, and I was going to express the hope that that type of hospital would not be duplicated.

Secretary BAKER. I can not answer, Senator; I do not know. I only know that that hospital, and every other hospital which has been built, had the approval of this group of experts.

Senator WADSWORTH. That surely shows that they did not know that climate.

Secretary BAKER. I do not think anybody knew the climate of the United States until this year.

Senator McKELLAR. It has been testified that a number of these hospitals at these cantonments had not been completed a week or 10 days ago. Have they been completed now?

Secretary BAKER. I can not answer that they are entirely completed; for the most part they are.

Senator McKELLAR. And, then, there was testimony that the sewerage arrangements and the water arrangements have not been completed in many of them.

Secretary BAKER. That is perfectly true. That goes, of course, to the convenience rather than to the safety of the use of the hospital.

Senator McKELLAR. Do you not think it practically goes to the safety of the patients in the hospital to have water and sewerage?

Secretary BAKER. I think not.

Senator McKELLAR. Mr. Secretary, could you ascertain and give us facts as to how many of them have been completed, and how many have got sanitary arrangements at this time and water facilities?

Secretary BAKER. Yes; I can get the latter, but I can not tell you how many have been completed in the sense of the last nail struck, because that is the tailing off of a long job, and I do not know when anybody could fix that date.

Senator McKELLAR. With many hundreds and sometimes many thousands of men sick in these camps and with their parents writing to Senators every day, sometimes dozens of letters coming in complaining, of which I got several this morning, do you not think it would be wise on the part of the department to look into these hospital arrangements where so many of the boys are sick? Do you not think it would be a wise public policy?

Secretary BAKER. So wise that it was done a long time ago and has been constantly continued. I sent Gen. Gorgas in person to inspect every camp in which there was an unusual prevalence of disease, and have instructed him to have his medical representative at each camp make constant reports of each need as it is foreseen or arises, and to have every change made in a hospital that should be made.

Senator McKELLAR. Which was very, very excellent, and was a very proper thing, and I, for one, commend it most heartily, but the thing we want to know now is, have those recommendations of Gen. Gorgas been actually carried out and whether these men in camp now have sufficient completed hospital facilities, such as sanitary arrangements and water arrangements, because I, for one, believe that there should not be a hospital without sanitary arrangements and water arrangements. I think a hospital without those arrangements is practically no hospital.

Secretary BAKER. Merely a question of substituting hand carried water for automatically supplied water.

Senator McKELLAR. It seems to me it ought to be easy enough for your department to tell us to what extent those arrangements have been finally completed at each camp.

Secretary BAKER. Perfectly easy, Senator.

Senator McKELLAR. Will you give it to us?

Secretary BAKER. I will be delighted to do it; I will put in the record as to each camp the present state of completion of each hospital.

Senator McKELLAR. That is all.

The CHAIRMAN. Mr. Secretary, you have made some changes in the conduct of the Ordnance Department. Will you explain to the committee just what changes have been made?

Secretary BAKER. That deals with the question of the organization, Senator.

The CHAIRMAN. Yes, sir.

Secretary BAKER. I would like to deal with that comprehensively, if Mr. Crowell will get me a supply of blue prints which I have had prepared to bring down here. I think I can suppy one to each member of the committee, and I can then discuss it on the basis of that exhibit.

The CHAIRMAN. You may make the statement in any order in which you please, Mr. Secretary, and in such a way as you please, and your general narrative answer will suggest whatever questions the committee wants to ask.

Secretary BAKER. The first chart in this folder is the War Department as it was traditionally, as I found it, unchanged. It shows at the top the Secretary of War with certain assistants, the military bureaus reporting through the Chief of Staff, and the civilian bureaus and personnel bureaus reporting more or less directly to the Secretary of War.

I think anybody looking at the chart will agree that it is an impossible war organization of the War Department, because it centers the organization directly up to the Secretary of War as an individual and imposes upon the Secretary of War an impossible personal task of coordination.

The CHAIRMAN. That is the organization of it up to what date?

Secretary BAKER. That is the organization of it up to, I think probably it would be wise to say, the 1st of January, 1917. Very few changes were made from then until April, but some were made.

As to each of those bureaus, the subdivisions are shown. In the Ordnance Department, for instance, taking it as a type, there is the division of base depots, carriages, gun carriages, motor transportation, and things of that sort; the division of civilian personnel, equipment, finance, gun division, nitrogen fixation, personnel—that is, military personnel—property, small arms, supply, procurement, inspection, requirements and statistics, industrial service, organization and methods, and progress.

That is, in effect, a supply organization. In other words, it is an organization in which special members of the organization are intrusted with the production of special articles, and a man would be at the head of the small-arms division and he would be an expert in small arms, and he would procure, inspect, and distribute small arms, making the small-arms division under such an organization as that a complete entity charged with small arms, and having no relation except as it functioned through the Chief of Ordnance with the question of procurement and inspection in other divisions.

The CHAIRMAN. All of those different branches reported to you through the Chief of Staff?

Secretary BAKER. Through the Chief of Ordnance and the Chief of Staff.

The CHAIRMAN. They have nothing to do with The Adjutant General?

Secretary BAKER. Not on the manufacturing questions, but on the questions of personnel they had to do with The Adjutant General. On the manufacturing and supply questions they dealt throught the Chief of Staff.

Now, the second chart shows the present situation.

The CHAIRMAN. At this date?

Secretary BAKER. At this date only. This limitation must be made on that statement. The Ordnance Department and the Quartermaster General's Department as they are shown here are in process of becoming what they are here shown to be, and have made substantial progress in that process.

The CHAIRMAN. How long has this army been organized on this second chart?

Secretary BAKER. Different parts of it at different times. The Ordnance Department, for instance, has since May been becoming this. The Quartermaster General's Department has since May been becoming this. The immediate coordination of it under the war council—as you notice off to one side the war council dates from its creation about a month ago, but it would be impossible to say just when the general plan was sufficiently coordinated to be described by this chart. It has been a progressive thing and at the present moment is substantially as here shown.

The CHAIRMAN. May I ask you in a general way before you explain this chart whether the establishment of this war council and the functions to be performed by it are not a duplication of the work in the General Staff?

Secretary BAKER. I think not, Senator.

The CHAIRMAN. We may want you to explain that a little later.

Secretary BAKER. I can do it now in a second. The General Staff is for the purpose of studying and advising the Secretary of War through the Chief of the General Staff on technical military questions—strategic and technical. The War Council is for the purpose of coordinating the supply needs of the Army in the field with the War Department.

The CHAIRMAN. Practically, as at present composed, the same gentlemen whose methods of coordination have been under investigation in the committee, compose the War Council, do they not?

Secretary BAKER. Two of them, Gen. Sharpe and Gen. Crozier.

The CHAIRMAN. Yes.

Secretary BAKER. But that is, of course, a minority representation in the War Council. Gen. Weaver is on it, Gen. Crowder is on it, Gen. Pierce is on it, the Chief of Staff is on it, the Secretary of War is on it, the Assistant Secretary of War, and one civilian has already been appointed, Mr. Day.

The CHAIRMAN. May I ask if you will expect any better coordination of the work of the department under these gentlemen, who have had the chance to coordinate, than you have had in the past?

Secretary BAKER. If I get a continuance of work as good as they have done, I shall be very fortunate.

The CHAIRMAN. I do not think the committee would be entirely satisfied.

Senator MCKELLAR. Do you think that applies to the Ordnance Department and the Quartermaster General's Department?

Secretary BAKER. Taking them separately, the Ordnance Department from the first day of April until now has been progressively improving its personnel, its methods, and its output. Of the Quartermaster General's Department the same thing can be said.

Senator MCKELLAR. So then you think Gen. Crozier's department and Gen. Sharpe's department are fully up to the standards of what the country ought to expect, and that they ought to be continued in charge of these two departments?

Secretary BAKER. Neither of them is in charge now of the department of which he was in charge during the greater part of this period, but I think when you take the limited assistance which either of those gentlemen had, the necessity he was under of enormously expanding and training his organization, the vast problems submitted to their limited and insufficient personnel, that the progress made by each of them is of a most satisfactory character.

Senator MCKELLAR. Why, Gen. Sharpe had the assistance of the committee of the Council of National Defense on supplies, did he not?

Secretary BAKER. And it was of very great value to him.

Senator MCKELLAR. So you approve entirely of the standards as established by those two departments?

Secretary BAKER. Senator, I do not want to mislead even myself in my answer to that question. I am perfectly free to say that if the 3,000 officers now in the Ordnance Department had been in the Ordnance Department on the first day of April and had known as much then as they now know, they would have been able to do very much more work, very much more rapidly than they were, coming in from civil life and being educated and trained at the time they were working.

The CHAIRMAN. Now, Mr. Secretary, if you will go ahead and explain that chart.

Secretary BAKER. This shows the President as the Commander in Chief, with the Secretary of War as his immediate subordinate; the Chief of Staff and General Staff dealing with strategic and tactical and military questions; the War College Division of the General Staff; then the War Council is shown on the right-hand side as an immediate advisory aid to the Chief of Staff, an assistant dealing with statistics, and then two assistants, one in charge of purchase and supply, dealing with five bureaus of the Ordnance Department which do deal with purchase and supply questions, and another assistant in charge of troops and troop movements.

The CHAIRMAN. Are either of these men to be civilians, or are they Army men?

Secretary BAKER. The assistant on the right-hand side of the chart, as you face it, dealing with troops, is to be a military man. The man in the other place is an assistant to Gen. Pierce, an Army officer who has been on the War Industries Board from its beginning, and who will be assisted by civilian experts.

The CHAIRMAN. Let me say there, Mr. Secretary, I think there is a great deal of testimony here, and I am not sure but that some of it comes from Army men themselves, that while these military men are men of distinguished ability, very many of them are lacking in that business experience which would enable them to organize this great industrial enterprise, and to get the output necessary for the Army and Navy.

Secretary BAKER. I think there is a great deal of justice for that.

The CHAIRMAN. And yet you are practically continuing that same system?

Secretary BAKER. No; I am not, Senator, if I understand it correctly. I understand that your statement is that many of the military men are lacking in that sort of business training and experience and judgment. I think that is perfectly true. Unhappily, it may be true of business men as well, but what I am trying to do is to select military men who have business judgment for association with civilians brought in from the outside who are experts, so that the supply divisions will be conducted on the highest industrial and business basis.

The CHAIRMAN. That is the proposition involved in the assistant purchaser of supplies.

Secretary BAKER. That will be Col. Pierce, a man, I think, who must be known to you all; he has appeared before your committee a great many times, a man that has always had charge of the correlation of estimates and the general supervision of estimates and supplies in the department.

Senator WADSWORTH. What is his rank to be?

Secretary BAKER. He is a colonel of the Regular Army and his nomination, I think, is pending before the Senate for brigadier general of the National Army.

Senator WADSWORTH. The Chief of Ordnance has the rank of major general, has he not?

Secretary BAKER. Yes. The Acting Chief has the rank of brigadier general.

Senator WADSWORTH. The Chief of Ordnance, of the rank of major general, reports through the brigadier general?

Secretary BAKER. The Chief of Ordnance is at present a member of the war council. Administrative control of the Ordnance Bureau is being performed by Gen. Wheeler, who is a brigadier general of the National Army and a colonel of the Regular Army.

It is not a question of reporting through so much, as it is a question of correlating needs. If I may explain what I mean by that, it is this: The Surgeon General, Chief Signal Officer, Chief of Engineers, the Chief of Ordnance, and the Quartermaster General are all purchase and supply departments. In order to prevent conflict of need and conflict of order in the department itself, the needs of their respective departments are brought to the division of purchase and supply, which is a centralized agency to correlate and to settle priorities and clearance in the War Department.

Senator WEEKS. Will the Surgeon General continue to purchase under this plan?

Secretary BAKER. Yes.

Senator WEEKS. He will purchase for his department?

Secretary BAKER. He will purchase for his department.

Senator WADSWORTH. And the Chief Signal Officer?

Secretary BAKER. The Chief Signal Officer in the same way.

Senator WADSWORTH. And the Chief of Engineers—all of them?

Secretary BAKER. Yes.

Senator WADSWORTH. Then, you still have five purchasing agents.

Secretary BAKER. Correlated, however, in the purchase and supply department. I do not see any inconvenience in that.

Senator WADSWORTH. Who is going to be the chief who will give the decision in this matter of coordinating the purchases?

Secretary BAKER. It will be coordinated in the purchase and supply department, which will have Col. Pierce, or Gen. Pierce, as the case may be, with civilian experts associated with him, to advise and aid him, and the correlation of those five purchasing departments will be through that agency.

Senator WADSWORTH. Mr. Secretary, will the brigadier general, in that position of assistant purchase and supply, have the final decision over the recommendation made by five major generals under him?

Secretary BAKER. It may be, but that is not at all unprecedented.

Senator WADSWORTH. Is it wise?

Secretary BAKER. I think so. All the bureau chiefs, until within six months, were brigadier generals except the Surgeon General and the Quartermaster General.

Senator WADSWORTH. They reported to a superior officer?

Secretary BAKER. They reported to the Chief of Staff.

Senator WADSWORTH. And to the superior officer to brigadier general?

Secretary BAKER. Yes. These report to Chief of Staff, all of them.

Senator WADSWORTH. Well, Mr. Secretary, they report to the brigadier general, one grade below them.

Secretary BAKER. Yes.

Senator WADSWORTH. And he is supposed to rearrange the differences and consolidate and coordinate their recommendations, and necessarily he must have something of a veto power over their recommendations in making a recommendation in turn to the Chief of Staff?

Secretary BAKER. Senator, it never had occurred to me before that there was the slightest difficulty about that, but it is so corrigible that it need not take up our time. We can make Col. Pierce a major general and be done with it.

The CHAIRMAN. Mr. Secretary, what economic or military reason is there for practically eliminating the Quartermaster General and the Chief of Ordnance? Why did you practically eliminate those generals from the headship of their several departments, placing them in a position which, it seems to me, is one of inocuous desuetude, and yet put a subordinate in their places?

Secretary BAKER. There would be no reason for it if that was what I was doing.

The CHAIRMAN. But that is what is done.

Secretary BAKER. No; it is not what was done.

The CHAIRMAN. You put Gen. Crozier into the war council. You have put Gen. Weaver into that council. You have put Gen. Sharpe into that council, and the Ordnance Department and the Coast Artillery Department and the Quartermaster General's Department are in the hands of acting officers.

Secretary BAKER. Yes.

The CHAIRMAN. Why is that?

Secretary BAKER. For this reason, Senator: The War Department operations have now enormously expanded. The detail of those bureaus is very great. Gen. Crozier—and I will take him as a type—is a man of most brilliant mind. He has had long experience in the study and observation of ordnance. I do not want Gen. Crozier's time taken up with administrative detail. I think the Government would be vastly better off with what Gen. Crozier can give us if half of his time was spent out of the War Department walking around.

The CHAIRMAN. Then he is still Chief of Ordnance?

Secretary BAKER. Technically so, but freed from all administrative control of the actual operations of the bureau, and put upon a council where his ripest counsel and best thought can be brought to the service of the Government.

The CHAIRMAN. It may be a wise policy.

Senator HITCHCOCK. Gen. Crozier, when he was here, tried to enlighten the committee as to the method of procedure when he decided to adopt the modified Enfield rifle, and the Ordnance Department first provided that 7 parts should be made interchangeable; later they revised it and made 44 parts interchangeable; later they revised it again and made 51 parts interchangeable, and, as I recall it, he told us that each one of these decisions of his had to go to the War College and be examined, and then after they had studied over them for some time, and possibly consulted with him, they referred it, as I recall it, to the General Staff, and they considered it for a while, and then it went to the Chief of Staff, and finally got your approval. Now, is that process just as long under this system that you have devised?

Secretary BAKER. There must be some misapprehension of Gen. Crozier's testimony. That never happened.

Senator HITCHCOCK. Possibly I misunderstood it. Tell us what was done.

Secretary BAKER. It is an inescapable necessity that the man who manufactures the articles must be correlated with the man who is going to use them. The constant argument as between the Army in the field and the supply bureau is between the man who uses and the man who makes. Therefore, it is always necessary with regard to any article of equipment not to have it considered solely from the point of view of economic production or ease of manufacture, or its looks, but to have it actually tried on the man who is going to use it, so that some arrangement must be made to bring the manufacturer and the user together. That coordination is through the Chief of the General Staff. So, when Gen. Crozier was considering the modification of the Enfield rifle, he undoubtedly referred the adoption of that weapon to the Chief of Staff, so that its availability as a weapon in the hand of the user could be considered. The Chief of Staff is free to and may have consulted the War College Division, or the General Staff made up of officers of the line; that is, men who have been in contact with troops, men who have had experience in the use of articles. He may have referred it to them for their opinion as to whether the Enfield rifle was a good rifle to carry, whether it was properly balanced, whether its bayonet went on properly, whether its lock worked as men were accustomed to work locks on rifles in use. That question may have been considered through the Chief of the General Staff, and he could take that advice if he saw fit, but no necessity for that occurred unless the Chief of Staff, in order to coordinate the user and the maker, felt that it was wise to consult the user for his own information.

The CHAIRMAN. Mr. Secretary, what is the essential difference between the plat on page 1 as to the former organization of the Army and that on page 2 which you say is at present in force?

Secretary BAKER. It represents rather better if instead of attempting to compare those two you follow on to chart 3, which takes up the ordnance organization alone.

The CHAIRMAN. Taking the bureau separately?

Secretary BAKER. Yes; taking the Ordnance Bureau separately for a moment. When I first showed you the organization of the War Department I characterized it as an organization built on objects or subdivisions according to special devices. This organization which is now in operation in the Ordnance Department is the functional organization, and it no longer divides into the small-arms division and into the gun division and the equipment division, and that sort of thing, but it now divides according to the function of procurement, production, inspection, and supply.

The CHAIRMAN. May I ask you to state in a general way by whom this present organization was worked out?

Secretary BAKER. Gen. Wheeler.

The CHAIRMAN. For the Ordnance Department?

Secretary BAKER. Yes.

The CHAIRMAN. Assisted by Gen. Crozier?

Secretary BAKER. Directed by Gen. Crozier to do it; but, so far as I know, not assisted; but he may have been.

The CHAIRMAN. Were you going to explain its function?

Secretary BAKER. Yes; I was.

Senator MCKELLAR. Mr. Secretary, before you do that, would you mind explaining why Gen. Crozier was removed by you as Chief of the Ordnance Department and placed in on this department?

Secretary BAKER. I have just explained that.

Senator MCKELLAR. I was out of the room. I am sorry I missed it. I will read it, though, in your testimony.

Secretary BAKER. Here we have an organization which heads up to the office of Chief of Ordnance and is composed of three main bureaus: A general administrative bureau, which has to deal with the management of arsenals, finance, property, legal matters, personnel, and confidential information; an engineering department, dealing with design, experiment, invention, test, specifications, determination of types and construction; and a control bureau, dealing with estimates and schedule of requirements, industrial relations, methods of organization, production, research, and information.

Those are the three main divisions in the office of the Chief of Ordnance. The operating divisions are now no longer, as they were before, a specialist for small arms, a specialist for guns, a specialist for gun carriages, a specialist for equipment, but a procurement division, which places all orders and contracts with private manufacturers and arsenals.

Then the production division which follows up supervises and regulates production, and deals with products and all production matters excepting those relating to price or quality.

Third, an inspection division which inspects all ordnance stores, handles all questions relating to quality, supervision of production with respect to quality and, fourth, the supply division, which receives and distributes all stores.

The effect of that is this: When a program is made up for the production of arms, that is to say, a million rifles, to take a perfectly simple illustration, it is turned over to the procurement division and they place the contract for a million rifles, having placed at its disposal the designs made by the engineering bureau immediately under the chief, it makes the contract and turns over the contract to the production division. The production division then follows up and sees that the raw material supplies are adequate, sees that proper arrangements are made with the manufacturer, and that they are followed up from day to day, somebody in the factory to see how they are actually keeping up with their schedule.

The inspection division at the same time is notified and goes on with its inspections.

Prior to this organization, if we had in Pittsburgh, for instance, small arms being manufactured, small arms ammunition being manufactured, and perhaps heavy arms ammunition being manufactured, we had inspectors from three different divisions there following up three different things.

Now, we will have in the large centers of war department manufacture an inspection branch of the general inspection office, and one or more inspectors will be able to follow through all the things with which they are familiar, thus making a great economy in the inspection force. Then, when the inspection division and the procurement division have driven the contract through to actual production, the supply is turned over to the supply division which is notified in advance of the dates of deliveries, provides storage and warehouse facilities, and out of the warehouses and stores, or from the factories, directs the distribution to the actual user.

The CHAIRMAN. Mr. Secretary, when did this evolution, or this change in the Ordnance Department, begin to be conceived? Was it since you went in or did Mr. Garrison suggest or recommend some reorganization of the War Department?

Secretary BAKER. I can not answer that, sir; I never saw any such recommendation. He may have done it.

The CHAIRMAN. I do not know anything about it. Somebody asked me. This change has been going on how long?

Secretary BAKER. The first branch in this change took place in April by the creation of the supply division, which is one of the divisions in this organization. Gen. Crozier asked Gen. Wheeler—Col. Wheeler, as he was then—to take charge of the

supply department and to organize it along modern lines. He began by bringing in from civil life a lot of civilians who were associated with very large industrial companies that had the question of storage and supply, and the first completely organized division in the Ordnance Department was the Supply Division under Col. Wheeler. As soon as that was completed Gen. Crozier asked him to extend that reorganization through the rest of the department. His direction to start it was as early as May, and he was at work on this design from May until it was finally completed.

The CHAIRMAN. Has it been in vogue in the procurement of supplies for the Army that was raised since April?

Secretary BAKER. Not all of it. The Supply Division has been in vogue, I should say, since July in its present highly organized condition, and it is an organization which I am sure the members of the committee would like to see if some opportunity arose for you to see the Supply Division. You go into a room filled with charts, with mechanical devices for exhibiting the source of supply, and the process of distribution, the dates on them being kept up hourly by corrections, so that every article of supply as to its exact quantity on hand, its distribution, the need for it somewhere else, is all shown graphically on these charts.

The CHAIRMAN. The next chart shows proposed reorganization of the Quartermaster's Department.

Secretary BAKER. The next chart shows the reorganization of the Quartermaster's Department.

The CHAIRMAN. Who worked that out?

Secretary BAKER. That was worked out by Gen. Goethals.

The CHAIRMAN. It is not yet in operation?

Secretary BAKER. Not fully. Some parts of it are. I said by Gen. Goethals, and yet it is necessary to say that some parts of it are actually in operation and are the result of reorganization under Gen. Sharpe.

The CHAIRMAN. Why was it found necessary to make any changes in the organization you had?

Secretary BAKER. For two reasons—first, the organization as we originally had it was for a very much smaller volume of business. Individuals could spread their effort over very much wider ranges, relatively, than they could when the thing came on such a mammoth scale, but it could not have been done earlier in many instances because the men in the several departments were not yet trained for their tasks adequately to undertake a new function.

The CHAIRMAN. It was found necessary to coordinate the work of each of these departments?

Secretary BAKER. Yes, sir.

The CHAIRMAN. To handle the immense amount of business that they had?

Secretary BAKER. Well, that, and also a change in function, Senator. For instance, before the war began, before we got into the war, each of the divisions of the War Department had its own storage facilities. There was no special problem of transportation. But now we have come to a time when the question of storage and transportation is almost the controlling question in our operations, and it is on such a large scale that it reaches all over the United States and deals with facilities that hitherto have been devoted to private business.

The CHAIRMAN. Where is the connecting link, transportation facilities between the Ordnance Department and the Quartermaster General's Department, and these other bureaus?

Secretary BAKER. That appears on page 2. Gen. Goethals, in addition to being the Acting Quartermaster General, is the Chief of Storage and Transportation. That appears down at the bottom of the page.

The CHAIRMAN. Yes. He occupies that position, too?

Secretary BAKER. He occupies that position, and you observe from the chart that each of the supply divisions, and in certain aspects the Adjutant General's division dealing with transportation, all center about the Chief of Storage and Transportation, so that Gen. Goethals now is superimposed in this function upon all the coordinated divisions of the department.

The CHAIRMAN. It is proposed to organize that with civilian forces?

Secretary BAKER. Yes. There has been already assigned as the head of that bureau, immediately under Gen. Goethals, a vice president of one of the western railroads, assigned by the Secretary of the Treasury.

The CHAIRMAN. The office of the Quartermaster is disclosed on that map. You have divided that up into subheads?

Secretary BAKER. Yes, sir. By the way, I should have said on the Ordnance Department that it is the intention in the purely civilian occupations, like procurement and production, to head those subdivisions in this functional organization with civilian experts.

Now, in the Quartermaster General's Department the same thing is true. In traffic and storage it is not unlikely that a railroad executive will be immediately under Gen. Goethals. In the remounts I think entirely likely a military man will be. In the supplies, a civilian. In the cantonments, I think probably that organization has not yet been reorganized. I do not know that it needs it. Gen. Goethals will give that his attention as soon as he can. In reclamation there is a division started by Gen. Sharpe and is pretty well organized now. Experts in the reclamation of waste products were brought in from civil life and organized a bureau for the salvage and repair of articles otherwise wasted. That division is already organized. The priority division, of course, will consists of delegates from the other divisions so that they can coordinate their needs by consultation, and the administration will be a mixture of civilians and military men.

The CHAIRMAN. You think that when it is put into force that will more nearly coordinate the force of that department than they have been?

Secretary BAKER. Very much more.

Senator WADSWORTH. Mr. Secretary, the line underneath all this organization, or supporting all this organization, there must be vast industrial effort?

Secretary BAKER. Yes, sir.

Senator WADSWORTH. There will be thousands of factories, and I think it is safe to say hundreds of thousands of men and women, if the war goes on two or three years. The Government may find itself compelled to build towns for the housing of workmen, which has already become a very serious question; to have to go into the coal mines, in the steel mills, control somewhat if not entirely the iron-ore production; in fact, the industries of the whole country, if this war proceeds for two or three years longer, will have to be mobilized and organized on a vast scale, an industrial problem, pure and simple. Who, in this organization, as here depicted, will be the driving power to supervise that?

Secretary BAKER. Nobody in what you have seen, Senator. Thus far we have dealt solely with the coordination of the War Department to present its needs to the central supervising and advising body. The next chart will answer your question, I think.

Senator WADSWORTH. You refer to the War Industries Board?

Secretary BAKER. The one in which the War Industries Board figures, but this chart is not solely devoted to that subject.

The CHAIRMAN. Who worked that out?

Secretary BAKER. It was worked out by Mr. Willis, the president of the War Industries Board, in conference, however, so far as the War Department is concerned, with Gen. Wheeler, Gen. Gorgas, and some conferences with a good many civilian experts, organization experts.

Senator WADSWORTH. Mr. Secretary, who in that last chart to which you referred will have the supreme power, under the President, of course?

Secretary BAKER. Supreme over what, Senator?

Senator WADSWORTH. Over the industrial organization necessary for the supply of the Army?

Secretary BAKER. No one person will have the supreme power over the entire industry of the United States.

Senator WADSWORTH. Will any one board or bureau have the supreme power?

Secretary BAKER. I do not like to hesitate over a term. If you mean will any board or bureau under this chart have supreme power over the entire industry of the United States, I must say no.

Senator WADSWORTH. I mean for the supply of the Army, Mr. Secretary. Of course that will be enormous as it goes on.

Secretary BAKER. If you will let me follow through the operations of the Army on this chart, I think I will give you as much of an answer as the chart will give to your question.

This chart shows the four agencies of a public character needing to deal with industry so far as the War Department is concerned, and which is named first here. It consists of five supply departments, coordinated as I have indicated to you on the other chart through the supply and control section. They present a solid front, and the War Department's needs are thus brought to a single person as the person to express them. In the Navy Department the same thing is true. The Bureau of Supplies and Accounts is already that thing for the Navy. Admiral McGowan is the head to whom all those things come, so that the Navy Department speaks through a single representative. The Shipping Board, while a very large consumer of supplies through the Emergency Fleet Corporation, speaks of course through the president of the Shipping Board, and the allied purchases in this country, which are vast in volume, and must be taken cognizance of in dealing with the industries of

the country, consist of the three persons designated by the allies to do their purchasing in this country, Judge Lovett, Mr. Baruch, and Mr. Brookings, and they constitute a single element. So, we have four agencies dealing with questions of industry and commerce, questions of supply whose needs must be correlated and satisfied.

On the other side of this chart you have the kind of things with which they must deal. Mines, factories, blast furnaces, foundries, forges, machine shops. They are simply illustrative. They are not, of course, intended to be an exclusive classification. The last one, for instance, is converted establishments. That deals with the whole question of those industrial establishments which can be diverted from one form of manufacture to another. That is illustrative of the kind of agencies with which the first group must deal in order to satisfy their needs.

Immediately after the first group you find another illustrative column, purchases requiring to be cleared. In the markets in the United States at present there are many articles for which the supply is greater than the demand. There are many articles as to which the supply is substantially equal to the demand. There are many articles in which the supply is inadequate to the demand. The latter list is a growing list.

The articles that are stated here, for instance, oil, chemicals, acids—I take them haphazardly—forgings, machine tools, are articles which, when we have searched the market, have been found to be inadequate in their supply to the aggregated demand of the four purchase agencies representing the public and the allies.

Therefore, it is necessary to have some agency to which these four can go with regard to articles which belong in these restricted or insufficient classes in order to have three things done: To have clearance of their respective needs, priority in the order of satisfying their respective needs, and, third, an increase in facilities.

Therefore, if we will follow this chart through, you will find that it works like this: Suppose that the Ordnance Department decides that it needs 1,000,000 rifles. Now, the production of 1,000,000 rifles means supplies of raw material—steel. It means supplies of labor, expert labor. It means factory facilities of a particular kind. The Ordnance Department expresses that need through the central supply agency shown on the other chart, and the representative of that body appears before the clearance committee shown immediately under the administrative section of the Council of National Defense. That committee meets daily. When the representative of the War Department gets there he will find, perhaps, that the Navy needs 250,000 rifles, or needs something that will require steel, or needs something which requires the same sort of labor or manufacturing facility. Correlation takes place in the clearance committee. They say to the Ordnance Department, "There are certain factories which are available to make rifles; you can place your contract there"; and to the Navy Department, "Your needs can be supplied in some other place."

Senator HITCHCOCK. Who says that, Mr. Secretary?

Secretary BAKER. The clearance committee.

Senator WADSWORTH. With what authority?

Secretary BAKER. They say it with authority.

Senator HITCHCOCK. Authority of the War Board?

Secretary BAKER. Yes.

Senator WADSWORTH. Authority of law?

Secretary BAKER. Not authority of law, but authority of common consent under the direction of the Supreme Commander.

Senator HITCHCOCK. This clearance committee is a committee within the War Industries Board?

Secretary BAKER. Yes.

Senator HITCHCOCK. And the representative of the Ordnance Department, after it has been decided that they must have those things, goes to the clearance committee?

Secretary BAKER. Goes to the clearance committee and correlates there his need with any conflicting need.

Senator MCKELLAR. Is that a volunteer committee?

Secretary BAKER. My recollection is that it is a volunteer committee.

Senator HITCHCOCK. Then that committee directs the Ordnance Department where to go to make the contract?

Secretary BAKER. Yes, sir; then the contract goes back to the Ordnance Department and is made there.

Senator MCKELLAR. And then the Ordnance Department acts without any further conference with the Secretary of War or anybody else?

Secretary BAKER. Yes; it all acts under the direction of the Secretary of War.

Senator HITCHCOCK. I wanted to get a little further information with regard to this process that you described so interestingly. For instance, in June, 1917, as I understand it, you adopted an artillery program. Supposing Gen. Pershing wrote advising you that he wanted 1,000 heavy guns as soon as possible. What would you do with such a request? Say he wanted a 9-inch gun, a thousand of them, what would you do?

Secretary BAKER. The minute that information came to me in a cablegram from Gen. Pershing, that cablegram would be sent to the War Industries Board.

Senator HITCHCOCK. To the War Industries Board?

Secretary BAKER. To the War Industries Board and to the Ordnance Department. I am assuming now that the program is agreed to and that Gen. Pershing's request in that respect is one which can be satisfied. As soon as I have decided it—and we must assume an affirmative decision to get anywhere—I send notice to the War Industries Board that a requirement of the War Department is going to be 1,000 9-inch guns. They immediately look to the industries over here and they begin to inquire. They have a card catalogue and a complex index that they keep up to date on the unused or convertible manufacturing facilities of the country. They supplement their information; they find out all they can about it.

In the meantime I have at the same time sent that cablegram to the Ordnance Department. The Chief of Ordnance puts it at once into the hands of his engineering section, assuming that any designs have to be drawn, but if an established design is to be used, if it is simply multiplication of an existing weapon, he sends it to the procurement section. The procurement section notifies the supply section that he needs the guns and that is correlated in the clearance committee, which has gotten word in advance, as far as we knew it, that the needs were to be anticipated, and when the War Department again goes to the clearance committee they say, "You need 1,000 guns. The available raw material in the country is insufficient. We have decided to convert, or recommend conversion of, A establishment and B establishment and C establishment to the making of forgings. We recommend that you take those and that you make your contracts with them for the forgings, and with E, F, and G for the completion of your manufactured product." Then the Ordnance Department knows where the raw material is to come from; it knows where the establishments are which could be readily converted to its manufacture, and the procurement division proceeds to make its contracts.

Senator HITCHCOCK. Is there any danger, under this system, of debate and disagreement between the various committees, so that, instead of the order being placed promptly, it hangs fire for a couple of months?

Secretary BAKER. That might easily happen, and it might happen in this way. So far as the War Department is concerned, its five bureaus, or five supply sections, head up to a single committee. Now, suppose the Signal Corps and the Ordnance Department both want something and each thinks he is in the biggest hurry, and Gen. Pierce and his associates make a decision about it, but they are not satisfied—the one who loses is not satisfied; he can come to me. That strains out for my personal decision only those cases in which agreement and reconciliation is impossible. Now, I decide, assume, that the aircraft need is more urgent than the other, and I settle that priority where they have been unable to accept the decision which their own conference suggested.

The decision is made. Then they go over to the clearance committee and they find the Navy is there pressing for something that they must have immediately, which, if they did not want, would free facilities for the immediate manufacture of the thing that the War Department wants. Now, it may be that the clearance committee will award priority to the Navy, and the War Department may say that was a mistaken decision; that was wrong.

The CHAIRMAN. Is that the only coordinating link between the Navy and the Army?

Secretary BAKER. That is the immediate coordinating link. That is the place where they work it out if they can. If they fail to work it out and agree, the president of the War Industries Board will at once be appealed to. That is a single individual—Mr. Willard. He will hear the two sides and decide the question. If they are satisfied with his decision, as they will be in nine thousand nine hundred and ninety-nine cases out of ten thousand, that is the end of it. If they are not satisfied with that, and they say, "Mr. Willard, I can not leave the War Department's need second to the Navy's need, and in this particular instance I wish you would rehear the question," or, if they desire any further argument about it, the chairman of the War Industries Board will send for the Secretary of the Navy and me and we go over it and work it out. That will work, because from the very beginning the Secretary of the Navy and I have had very many cases of that kind and we have always agreed.

The CHAIRMAN. Mr. Secretary, the organization of the Navy and the Army are very different. It is impossible to coordinate the efforts of the two branches of the service as they are now organized, is it not?

Secretary BAKER. It never has proved difficult. The Secretary of the Navy and I met immediately after it became necessary for us to have any understandings at all, and a perfect system of coordination was worked out.

The CHAIRMAN. The Navy Department is practically under one system, one head—Admiral McGowan—is it not?

Senator WADSWORTH. The supply system of the Navy Department?

Secretary BAKER. Yes.

The CHAIRMAN. That practically covers everything except two or three items.

Senator HITCHCOCK. On an important matter like that, is there any reason why you and the Secretary of the Navy and the president of the War Industries Board could not sit right down and decide it?

Secretary BAKER. It would be done that way if there was the slightest question about it.

The CHAIRMAN. There have been a great many questions pending before the department for a long while that were not worked out, have there not?

Secretary BAKER. I think that is true.

Senator HITCHCOCK. As I recall it, this artillery program for the present war was not agreed upon until 60 days after we had gone to war.

Secretary BAKER. I think that is entirely likely, Senator. I do not know the dates.

Senator HITCHCOCK. It seemed to us a strange thing that that first 60 days should have been lost in having these various branches of the War Department mull over the details when the important thing was to get the contracts started.

Secretary BAKER. It does seem strange; and yet, is it? In Europe there were the French and British forces with two theories or artillery used, employing different types of weapons and different calibers. Each of those countries was having made in this country artillery, practically using all the artillery manufacturing capacity of the country. So our artillery program had to be built up first thinking of which theory of artillery used in warfare commended itself best to our experts, because we had to adopt one theory or the other; and, second, where we could purchase the articles which we desired with least dislocation to existing paramount needs of the allies who were actually at the front fighting. That necessitated not merely somebody making up his mind, but it necessitated collecting a very great deal of data, considering European conditions at the moment.

Senator HITCHCOCK. In view of the possibility of war for several months preceding the actual declaration, could not that work have all been done in advance?

Secretary BAKER. It all was done and all had to be discontinued because when we went into the war we had an established artillery program. One of the grave criticisms which Senator WADSWORTH has seemed to press is that we have adhered to some part of our prewar program, the keeping of the 9.5 heavy piece. We had a program involving the use of certain calibers in certain quantities, and yet when we went into the war we found that the French were using one theory of warfare and the British another, that the preponderance of the so-called middle heavy in the British use was substituted by a vastly greater number of 75's in the French theory. It was necessary for us to elect, and the election had to be not only upon the military soundness of the respective theories but it had to be upon the availability of productive capacity for the respective types.

Senator THOMAS. Mr. Secretary, you think that those first 60 days were not lost, as all the factories that were capable of producing these arms and equipment were engaged to their limit in producing such things for our allies?

Secretary BAKER. I think, Senator, every bit of available gunmaking capacity in the United States was largely under contract and actively under operation manufacturing for the allies.

Senator FRELINGHUYSEN. How did you connect this organization up with the over-seas force?

Secretary BAKER. How do you mean connect it up, Senator?

Senator FRELINGHUYSEN. Determining the question of priority.

Secretary BAKER. Questions of priority of shipment?

Senator FRELINGHUYSEN. Yes; the needs of the Army.

Secretary BAKER. Those are determined by Gen. Pershing. Gen. Pershing sent us a long time ago a schedule of priorities showing the order in which he would need things, and the things he needed. That is changed from time to time as wisdom on that side justifies the change and the attempt of the director of transportation, in charge of the transportation system both on land and over seas, is to comply with Gen Pershing's program as rapidly and fully as possible.

Senator FRELINGHUYSEN. Where does that direction of transportation come in this organization?

Secretary BAKER. On the third page.

Senator HITCHCOCK. Traffic and storage, that is Gen. Goethals?

Secretary BAKER. Yes.

Senator FRELINGHUYSEN. Supposing Gen. Pershing wanted 200,000 uniforms. Who would determine the priority on that?

Secretary BAKER. Gen. Pershing himself.

Senator FRELINGHUYSEN. Through you?

Secretary BAKER. He could determine it in this way. He would send a cablegram to me—"I need 250,000 uniforms. Insert that in my priority schedule between items 13 and 14."

Senator SUTHERLAND. One of the papers of the last few days stated that a large number of mechanicians and welders and other artisans were immediately needed on the front over there, and were only now being gotten together for that purpose, a force which it was stated should have been gotten together months ago. Was that statement correct, or not?

Secretary BAKER. The first part is perfectly accurate. I think the second part is a misapprehension. This is true. After we went into the war it became immediately apparent that a very large force of technically trained men would be the earliest assistance we could render in the war. As a consequence, about 120,000 men were organized into technical forces, railroad regiments, stevedore regiments, foresters. Our foresters were turned loose in the forests of France and England, assigned to them to get out lumber for cantonments and for shacks and things of that sort, our railroad operatives undertaking reconstruction of railroads near the front, operation of railroads, and our stevedore regiments undertook the unloading of our own ships, transports, and the construction of additional dock facilities, and so forth. Those forces were sent aggregating, I think, about 120,000. There may be a few thousand more now. They have been continuously operating over there for many months, and the Senate committee knows that at the time of the Cambrai drive American railroad regiments were actually constructing the railroads which followed the British advance.

From time to time needs of additional technical men are brought to our attention, and wherever they can be satisfied, they are satisfied.

The fact that it ought to have been done some time ago is hardly just. The program is changing. Originally, certain things were proposed to be done on this side, and articles were proposed to be sent over in certain stages of completion to be finished on the other side. As the program has developed, it has been found or thought wiser to do more of the finished work on that side and less on this side That means, of course, the transportation of mechanics. The need for mechanically trained men in the Army is exceedingly large, and one of the gravest problems the War Department has is not only to select mechanically trained persons in this country without serious dislocation of our own transportation and industrial interests but it is to train additional persons in mechanical ways to send abroad.

Senator SUTHERLAND. Did you not have observers over there on the front during the progress of the war, prior to the time we went in, who would be able to have information in the department when the war was started as to these needs?

Secretary BAKER. Exactly, Senator; but the war as it was fought in 1915 was no more like the war now than the Civil War was like that in 1914.

Senator SUTHERLAND. You mean there has been a matter of development?

Secretary BAKER. Enormous and daily development. Whole programs of things which in 1916 were regarded as indispensable for immediate execution are now disregarded and something else takes their place.

The CHAIRMAN. I am inclined to believe that an aeroplane that was in vogue eight months ago would be obsolete now, practically.

Secretary BAKER. Aeroplanes which we were planning to construct in large quantities in August are now completely disregarded. Nobody would have one if you gave it to him in large quantities.

The CHAIRMAN. Mr. Secretary, have you undertaken to bring the War Department under one head, or I mean the supply department, as it has been brought together and successfully operated in the Navy?

Secretary BAKER. I am not sufficiently familiar with the Navy plan to say "yes" to that, and be through with it. As I understand it, the Navy operates entirely in its supplies through the supply division.

The CHAIRMAN. Yes.

Secretary BAKER. If that is so, then the thing I have done is the same thing.

Senator MCKELLAR. Who is to be the head of it?

Secretary BAKER. Col. Pierce.

Senator WADSWORTH. Mr. Secretary, it is not quite that way, is it, because there are still five bureaus left, each placing orders and inspecting manufacture, whereas in the Navy there is but one placing orders and inspecting manufacture.

Secretary BAKER. I think not, Senator, unless I am incorrectly advised about it. I think in the Navy there are some nine or ten, but I am not certain.

Senator WADSWORTH. Admiral McGowan testified that 99 per cent of the supplies furnished the Navy were contracted for and inspected during the course of manufacture by his own department.

Secretary BAKER. But it would seem entirely clear that the purchase of uniforms for the marines, and uniforms for the sailors, and big guns for the Navy, and powder for the Navy are not all either bought or inspected by the same individual.

Senator WADSWORTH. He made the one exception of big guns, armor, and shells. Everything else is under the supply division of the Navy.

Secretary BAKER. They will all be under the supply division here.

Senator WADSWORTH. Yes; but there is only one authority in the Navy Department placing orders for that vast amount.

Secretary BAKER. That will be substantially true here.

Senator WADSWORTH. As I understand from your own description, there will be at least five in the War Department placing orders and inspecting manufacture.

Secretary BAKER. There will be.

Senator WADSWORTH. Then it differs from the Navy.

Secretary BAKER. No; I think it is the same. In the Navy, for instance, the quartermaster general of the Marine Corps is Gen. McCauley. Now, undoubtedly, Gen. McCauley places contracts for supplies under Admiral McGowan's direction, a centralized control, and that is exactly what will happen in the Army under this plan.

Senator MCKELLAR. Will the same plan of secrecy in regard to contracts, not publishing the terms of contracts, be carried on under the new régime?

Secretary BAKER. Senator, I have never been able to satisfy myself that the plan adopted by the War Department was either unwise or unnecessary.

Senator MCKELLAR. So it is going to be continued?

Secretary BAKER. I will issue all the orders necessary to let any Senator or any Member of Congress see all those secrets.

Senator MCKELLAR. It is not a question of that, Mr. Secretary, it is a qustion of the people understanding it. I take it for granted, that any Congressman could see that now or see about any contract. None has ever been kept from me.

The CHAIRMAN. Mr. Secretary, you are speaking of the Marine Corps and the Navy. While they are under the Secretary of the Navy, they are distinctive forces, that is, the head of the supply department in the Navy is not the head of the supply department in the Marine Corps.

Secretary BAKER. But they are correlated through the supply division. If the Marine Corps wants to buy uniforms or rifles—they buy rifles through us—but if they wanted to buy things which they buy instead of things which they get through the War Department, if they wanted to buy things which they buy, Gen. McCauley would undoubtedly take it up with Admiral McGowan and work it up through Admiral McGowan's list of prospective sellers, and all that sort of thing, and then Gen. McCauley would follow it through.

The CHAIRMAN. If you consider it workable to coordinate the different bureaus of the War Department, as you claim you have attempted to do, if it is deemed feasible to coordinate all these departments in the Navy, why is it not wise to coordinate all of these departments in every branch of the service?

Secretary BAKER. I think that is what we have done.

The CHAIRMAN. It does not seem to me that you have.

Secretary BAKER. I think we have gone further than any other country in doing it, Senator.

The CHAIRMAN. Well, the conditions which have confronted us here during the last eight months practically were the conditions which confronted the British at the time the munitions minister was created, and led really to a change in the ministry. They have undertaken to coordinate there all of these activities, have they not, under one head?

Secretary BAKER. No, sir. The munitions minister does not buy a penny's worth for the Admiralty; has nothing to do with the Navy. The British situation is so different from ours, Senator.

The CHAIRMAN. Is it?

Secretary BAKER. The British munitions ministry is a glorified ordnance department, and nothing else.

The CHAIRMAN. But it has been a practical one if it is glorified.

Secretary BAKER. It has been practical and I do not want to discount its success. What actually happened in Great Britain was the same thing that is happening here. At the outset there was the confusion of a new and vast problem, and a very great many steps were taken. The British people felt that they were not acting rapidly enough. Their system of Government, of course, makes their heads of departments really a committee of the House of Commons. They felt that they were not progressing rapidly enough and they reorganized, made the munitions minister, and all the steps which had been taken up to that time began to bear fruit under the munitions ministry, and some of the things which have happened since the munitions ministry was created were the fruits of earlier efforts.

We have done exactly the same thing. We had a vast new problem, a tremendous amount of confusion caused by the size of the problem and by the enthusiasm of everybody wanting to help, the fact that we were not a closely centralized industrial organization in the country, and a vast number of steps have been taken to head up to this organization.

The CHAIRMAN. I am not criticizing what you have done. I glorify all of your efforts of coordination of these different bureaus, but it seems to me you might go further and put them under one head rather than under the different heads that you have here.

Secretary BAKER. I was dealing only with the parallel between the English situation and ours. Further to illustrate that the British munitions ministry in England has nothing to do with allied purchases. The English have not that problem very largely; they have it in a slight sense. Gen. Pershing, for instance, is authorized to make large purchases in France and England, and in any other country where he can find nearby things, which saves tonnage, brings the supply immediately to hand, and he has organized a very fine commission of business men who make those purchases, but England has no such industrial and commercial problem as we have, due to allied purchases.

The CHAIRMAN. They have practically put that in the hands of one or two men?

Secretary BAKER. England?

The CHAIRMAN. Yes.

Secretary BAKER. I do not think so. That is not my information, Senator.

Senator WADSWORTH. It is under one administrative body, Mr. Secretary?

Secretary BAKER. It is under one administrative body but it is relatively a small problem to start with. It is relatively a small problem to start with, and the administrative body which has charge of it is a very large body to end with.

The CHAIRMAN. They certainly have gotten out ordnance, and so forth, in such quantities, and everything in such quantities, as has France, that they are able to make America feel safe over there and furnish her with supplies.

Secretary BAKER. Absolutely; that is true.

The CHAIRMAN. But that has all been developed and evolved under the systems that France has been driven to and Great Britain has been driven to.

Secretary BAKER. Yes, sir; and we have adopted it. We have reached the place which they reached, and the reorganized Ordnance Department shown on these charts is the ministry of England, except that the Ordnance Department does not have the same relation to aircraft that it has in Great Britain.

Senator THOMAS. When did they reach that degree of efficiency? After how many months of the war did they reach that degree of efficiency?

Secretary BAKER. I do not remember when the munitions ministry was created.

The CHAIRMAN. In June, 1915.

Senator WADSWORTH. Mr. Secretary, you say that we have practically the same thing. I think that would be accurate if when this decision was made by the War Industries Board as to where the order should be placed for these goods, the War Industries Board placed them and inspected them in the course

of manufacture, and supervised the production, and handed them back to the Army.

Secretary BAKER. The only difference between those two things, Senator, is the question of whether the Chief of Ordnance and the Chief Signal Officer, and the Chief of Engineers, and the Chief Quartermaster, and the various persons in the Navy shall report to the chairman of the War Industries Board, or report to their respective chiefs. That is the only difference.

Senator WADSWORTH. The difference is this, Mr. Secretary: That after the War Industries Board, under your plan, decides where the goods can be produced, and the question of priority, then the system is scattered again.

Secretary BAKER. Yes.

Senator WADSWORTH. It goes back in the case of the War Department to five purchasing officers?

Secretary BAKER. Yes.

Senator WADSWORTH. Who place their respective orders and inspect them, and endeavor to speed up production?

Secretary BAKER. Yes.

Senator WADSWORTH. The testimony before this committee, I think, Mr. Secretary, points out very clearly that that is not a soldier's job.

Secretary BAKER. I am perfectly willing to admit that.

Senator WADSWORTH. But it goes right back to the soldiers.

Secretary BAKER. Not at all; not in the least.

Senator WADSWORTH. The inspection of the manufacture?

Secretary BAKER. Of course not.

Senator WADSWORTH. The speeding up of the program?

Secretary BAKER. Of course not.

Senator WADSWORTH. It goes back to the Chief of Ordnance.

Secretary BAKER. It goes back to some officers out of 3,700, who, when we went into the war, were inspectors in private industry, and who have since put on a uniform, but they are trained industrial experts. The mere fact that they wear the uniform does not make any difference in their expert capacity.

Senator WADSWORTH. It does make this difference, that they are subject to the military authority of their superiors, and that they are not independent of military authority.

Secretary BAKER. Nobody is independent in that sense. Inspectors are accountable to somebody. They would have to be. If you have them reporting to the chairman of the War Industries Board, they would not be independent of him.

Senator WADSWORTH. Of course they would not be, but would it not be better if they were accountable to the War Industries Board, or a munitions department, that had the industrial side of it alone to take care of?

Secretary BAKER. I think not. I think it would be better to have them report to the man who knows about the use of what they are to get.

Senator WADSWORTH. It is already decided what they are to get before it reaches that point.

Secretary BAKER. That kind of decision does not have quite the finality you attribute to it. In the process of manufacturing for the Army, for instance, variations are constantly made. New industrial processes are suggested. The question as to whether a particular part of a rifle will bear a tolerance of two one-thousandths instead of one one-thousandth is a question that has to be considered at the time the thing is going on, and the only people who can tell that are the experts.

Senator WADSWORTH. Perfectly true, but why can not they tell that to the industrial head and have him do it instead of trying to impose their authority on the manufacturing business of the United States about which they know very little?

Secretary BAKER. Let us take a particular case instead of a general statement of it. Suppose we were manufacturing heavy Browning guns in a factory.

Senator WADSWORTH. Yes.

Secretary BAKER. And the inspector who was there was told by the shop foreman that a particular piece which goes into that, not having a very rigid duty to perform, was much more easily made in quantity and much more easily made if a tolerance was allowed of one one-hundredth of an inch instead of one one-thousandth of an inch, as shown on the origial specifications. That inspector has no right to depart from instructions. Let us assume that he goes to the chairman of the War Industries Board and says to him, "These people tell me that one one-hundredth of an inch will do instead of one one-thousandth of an inch." What would the chairman of the War Board do about that? He could not decide it out of his head, and he would have to go to the Chief of Ordnance and report that, and the Chief of Ordnance would consult his engineering bureau to find out whether that larger tolerance could be permitted. The Chief of Ordnance would then report it to the chairman of the War Industries Board, and he would report it to his inspector, and he would go back and permit it.

If the inspector, instead of reporting that to the chairman of the War Industries Board, reports it directly to the Chief of Ordnance, he saves one step.

Senator WADSWORTH. To the munitions minister in England are detailed a sufficient number of experts to handle matters of that sort, so that the entire effort of producing the goods on a vast scale and conducting the inspections of these vast amounts of goods is in the hands of one department.

Secretary BAKER. Yes.

Senator WADSWORTH. Now, in this it is not.

Secretary BAKER. Yes; with regard to several things. That is to say, ordnance is in the hands of the procurement or the production department. The thing has gotten past the procurement department into the production state; the production department has had all there is to do with it.

Senator WADSWORTH. Is that all there is to do with it, Mr. Secretary, when there are other departments under your plan which will also be engaged in the same kind of work?

Secretary BAKER. There are no other departments.

Senator WADSWORTH. The Quartermaster General?

Secretary BAKER. Not at all. He will be in Lenox, Mass., while the ordnance chief is in Lowell.

Senator WADSWORTH. But there are five of these departments who will be engaged in that kind of effort?

Secretary BAKER. Yes.

Senator WADSWORTH. In England there is one.

Secretary BAKER. I think that is an appearance rather than a fact, Senator.

Senator WADSWORTH. That is so far as the Army is concerned.

Secretary BAKER. Of course, this is true. As you organize business the more it is centralized, the more efficient it is up to a certain point. Then, when you get to that point you reach the elastic limit of concentration and organization. You know that so well that I am dealing with platitudes when I say it, but many men, many business men have said that any enlargement of the United Steel Corporation, for instance, would be beyond the elastic limit of further organization; that the attempt to organize all of the railroads of the country into a single private management would probably be beyond the elastic limit of effective organization.

Senator WADSWORTH. But it is not supposed to be beyond it under governmental control?

Secretary BAKER. That is very different. Government control is very different. They are not there coordinating private interests.

Senator WADSWORTH. Is this in effect Government control of these industries?

Secretary BAKER. Yes. Now, it is not Government control of the industries; it is Government control of purchases.

Senator WADSWORTH. Does that not really involve control of the industry?

Secretary BAKER. It involves control of industries which the Government uses exclusively.

Senator WADSWORTH. Or in part?

Secretary BAKER. Well, perhaps those in part, too.

The CHAIRMAN. It can use all of them exclusively if it wants to.

Secretary BAKER. Undoubtedly.

The CHAIRMAN. So in the last analysis it is Government control of the industry?

Secretary BAKER. It is Government control of the industries which are in use and to the extent that they are in use it is control of them.

Senator WADSWORTH. So, if the Government can be intrusted to run all the railroads of the United States under this management, I should think another department of the Government could be trusted to run the industries.

Secretary BAKER. If the Government of the United States were running every railroad in this country, it is not to be supposed for a second that somebody here in Washington would buy all the spikes that are used on the Atchison, Topeka & Santa Fe and buy all the spikes that are used on the Maine Central at the same time. They have to use the organizations of those railroads scattered around over the country and break the railroads up into divisions for centralized control.

The CHAIRMAN. But it is all coordinated under one head.

Secretary BAKER. It is all coordinated here.

Senator FRELINGHUYSEN. As a matter of fact, some central authority would buy all the spikes, and he would direct where those spikes were to be sent.

Secretary BAKER. I doubt that very much, Senator.

Senator FRELINGHUYSEN. Certainly that is the way it would be done.

Secretary BAKER. I think there is a good deal of doubt about that. It seems to me that for a man in Washington to attempt to buy all the spikes needed on the railroads of the United States and distribute them from California to New Mexico and Maine and Vermont would be an impossible problem.

Senator FRELINGHUYSEN. It would be the easiest problem in the world. What he would do would be to buy the spikes that are needed on the Pacific coast of manufacturers on the Pacific coast, and direct where they should be sent. He would not buy them all at one place, but he would buy them at the nearest point where they were to be used. He would buy the spikes and make the price all over the United States. It would be a very simple proposition.

Secretary BAKER. But not at a uniform price all over the United States.

Senator FRELINGHUYSEN. Perhaps not.

Secretary BAKER. What he would have to do would be to send to California to find out the spike market in California, and then he would direct a contract according to the spike market in California, and he would do the same thing in New England.

Senator FRELINGHUYSEN. Of course, he would have that information of what the spike market was.

Secretary BAKER. No.

Senator FRELINGHUYSEN. And that would be the same in price, barring the difference of cost of raw materials.

Secretary BAKER. With great deference, there has never been made a human being who could have that information. He would have to send and get it.

The CHAIRMAN. He has it when he acts, though?

Secretary BAKER. He has it when he sends and gets it, and in the meantime a vast army of people have to be constantly getting it so it will be ready for use when he wants it.

Senator MCKELLAR. Is it not true that here we have the concrete example of the Navy Department, where all of these five divisions are concentrated in the hands of one man, and it is working splendidly? Why not profit by the concrete example of the Navy Department, which has been a wonderful success and in which all the men of the Navy have been properly looked after and the supplies of the Navy properly obtained and economically obtained? Why not do that?

Secretary BAKER. I think we are doing it, Senator. I am proposing to do it.

Senator MCKELLAR. No; in the Navy Department one man controls it, Admiral McGowan, whereas in the proposed plan that you have here, on page 2, five men control the purchase and supply accounts, and they are under an inferior officer. That is quite a difference.

I want to call your attention to this further fact: Will it not produce the greatest confusion to have the Surgeon General, who is a major general, and the Chief of Staff, who is a major general, and the Chief of the Engineering Department, who is a major general, and the Chief of Ordnance, who is, I believe, a major general, and the Quartermaster General, the same way, reporting to a man, or under the superintendence of an officer, who is a colonel in the Army?

Secretary BAKER. I do not think so.

Senator MCKELLAR. I differ with you.

Secretary BAKER. I suggested a remedy for that that is so easy that there is no difficulty about it. We can give Pierce any rank that is necessary.

Senator MCKELLAR. In which case I think you would offend every man that you promoted him over, and you would have confusion worse than it is.

Secretary BAKER. Oh, no.

Senator MCKELLAR. That is my judgment.

The CHAIRMAN. What is your serious objection, Mr. Secretary, to a secretary of munitions? I assume you have glanced over the bill I have drafted?

Secretary BAKER. I have, Senator.

The CHAIRMAN. What is your serious objection to a so-called secretary of munitions, a member of the Cabinet, and an office created during the existence of the war?

Secretary BAKER. Of course I have no right to comment on a question of adding a member to the President's Cabinet. That is a question on which I have no right to comment. My objection to the bill, as you have drawn it is, first, that it creates an impossible task. I think that the committing to a single agency, and all of the theorizing on the subject, deals with an individual, some one person who can decide. I think that no human being can be found who can decide all the questions which that bill would commit to an individual.

The CHAIRMAN. That is what you are doing. The Secretary of War practically does it here.

Secretary BAKER. Quite the contrary, Senator. I am dealing with the War Department needs only. You are proposing to give to a single individual the War Department needs, the Navy needs, the allies purchase needs, the Shipping Board needs. You would have to equip that individual with control over fuel, raw material; in other words, you would have an industrial dictator of the entire industry of the United States.

The CHAIRMAN. Well, of course no one man can do all of that except through organized agencies.

Secretary BAKER. Exactly.

The CHAIRMAN. What is to prevent such a man at the head of such a department from utilizing the governmental agencies to do that very work? You have undertaken to do it?

Secretary BAKER. Nothing is to prevent him from doing it, Senator, and he would have to do it of course.

The CHAIRMAN. Of course every one realizes that one man could not do it.

Secretary BAKER. Therefore, you would simply be changing from a thing which is already being done to the same thing done by another man with another name.

Senator KIRBY. Which necessarily would have to be done through the agencies already developed or to be developed.

Secretary BAKER. Exactly so.

The CHAIRMAN. But would you not save a duplication of work, Mr. Secretary? Here you have an organization which you have spoken of developed from less than 100 men to thousands of men, the Ordnance Department, the same way in the Quartermaster General's Department, and the same way in each one of these departments, and therefore why would there not be an economic saving by a combination of these several agencies?

Secretary BAKER. But, Senator, you are not proposing to combine them. You are proposing to subdivide them.

The CHAIRMAN. No, sir; we are proposing to put it under the head of one man who can consolidate and use any part or all or none.

Secretary BAKER. But you say "it," when you mean "them."

The CHAIRMAN. I mean the secretary of munitions.

Secretary BAKER. What you are proposing is to have the secretary of munitions take over the construction and the contracting divisions of a large number of enterprises which thereafter will have to correlate and coordinate with the new man. In other words, instead of the Secretary of War being able to decide a question which involves a correlation of military men and civilian production, you would have the Secretary of War being obliged to submit his judgment on that to the secretary of munitions, who is a civilian, and who knows nothing about the military men or the men who use the thing, and instead of having the Secretary of War's decision final on that question you have him going as an advocate for a particular view before a nonmilitary tribunal.

Senator WADSWORTH. That very thing has worked with marked success in England.

Secretary BAKER. Quite the contrary, Senator. I saw a few days ago in the New York Times a very carefully written article describing the confusion which exists in England by reason of the fact that it has not worked with marked success. That it is a vast advance over what they had at the outset goes without saying, just as this is a marked advance over what we had at the outset.

An improvement should not be revolutionary, which means stopping and starting, but should be progressive.

Senator FRELINGHUYSEN. Has there been any indication that the British Government is thinking of dispensing with the minister of munitions?

Secretary BAKER. Not that I know of.

Senator FRELINGHUYSEN. My information has been that it has brought order out of confusion, and that the British public and Government would not think of changing the system.

Secretary BAKER. In the first place, I do not know the British system sufficiently to criticize it, but I refer to the fact that it has not been deemed universally to have accomplished all the things on some hands that are claimed for it; but the history of the British ministry of munitions and of the growth and development of that ministry as a supply department for the army shows two things: First, it deals with relatively few of the supplies. It is a large ordnance and aircraft program dealing not with aircraft for the navy, not with navy supplies, not with quartermaster supplies, not with food supplies, but dealing only with munitions. So that it is in effect, as I said a moment ago, a glorified ordnance department. That is what it actually is. The history of its growth and development in England shows exactly parallel steps to what has happened here. Originally there was confusion by reason of the vastness of the program and the necessity of training new men, giving

them both military knowledge and using their civilian talents, their coordination into this glorified ordnance bureau, subsequent success, gathering up the previous steps and adding to them, and that is exactly what this does.

Senator FRELINGHUYSEN. Did you consult the representatives of the English Government who were familiar with the methods over there?

Secretary BAKER. Yes, sir. I have not recently consulted them, but when each of those missions were here I consulted many times and for long times together with the people who represented the munitions ministry.

Senator FRELINGHUYSEN. About these particular details?

Secretary BAKER. Not about all of them. The chief problems which the munitions minister has had to solve has been the labor problem. The labor division of the British ministry of munitions is the one which apparently they have had to put most accent on. At the time that the agitation for the munitions ministry was in the newspapers in England, the question which seemed to call for some further coordination was the labor problem, and a correct solution of that, so that the most conspicuous success of the munitions ministry in England has been in its coordination of the labor of Great Britain in the manufacture of munitions. That problem has not troubled us. I do not mean that it is an easy problem and that it is without difficulty, but I mean it has not given rise to any halt in the program.

Senator FRELINGHUYSEN. It has given rise in some direction; for instance, in the shipping program.

Secretary BAKER. Yes; it has been difficult.

Senator FRELINGHUYSEN. Have you consulted the French Government about their methods of handling the same general proposition?

Secretary BAKER. Yes; I have talked with them, but not very recently.

Senator FRELINGHUYSEN. Have you any reason to think from the advices that you have received on this side that this is materially better than would be a single head?

Secretary BAKER. You mean the plan I am exhibiting here to-day?

Senator FRELINGHUYSEN. Yes. I want to say before you answer that, that undoubtedly this plan is an advance on what we have had. It is perfectly apparent that that is true. It is a very complicated plan, and it is difficult for one to gather all the features of it in a single sitting; but have the men who would naturally advise about matters of this sort approved of this plan—the advisory committee, for instance?

Secretary BAKER. You mean the advisory committee of the Council of National Defense?

Senator FRELINGHUYSEN. Yes.

Secretary BAKER. I can not say that they have, Senator. Let me illustrate what I mean by that. The advisory committee of the Council of National Defense has on it Dr. Martin, Dr. Godfrey, Mr. Coffin, Mr. Willard, Mr. Baruch, Mr. Gompers, and Mr. Rosenwald. Mr. Willard, who is the chairman of that board, is in daily conference with many of those members, and in frequent conference with the advisory commission has given his approval to this entire plan. A portion of it is the result of his own work.

Senator FRELINGHUYSEN. Does he approve of this plan?

Secretary BAKER. I understand so.

Senator FRELINGHUYSEN. Has he told you that he does?

Secretary BAKER. He has told me that he did.

Senator FRELINGHUYSEN. Is the President correctly reported in this morning's paper as being opposed to a single head?

Secretary BAKER. I can not quote the President.

Senator FRELINGHUYSEN. That would not seem to be an improper thing to do. I would not expect you to quote the President, generally speaking, but he is quoted in the paper, and I do not know whether he was correctly reported.

Secretary BAKER. He is not quoted in the paper through me, Senator, and I can not quote him.

Senator FRELINGHUYSEN. Do you know whether the advisory committee of the Council of National Defense has considered this question?

Secretary BAKER. So far as I know, the advisory committee of the Council of National Defense as a body has not considered this plan. I feel quite certain that Mr. Willard's approval of it reflects the approval of Mr. Baruch and Mr. Rosenwald. Beyond that I do not know. But I do know that this plan, both in its details for the bureaus of the department, for the coordination of the department, for the establishment of relations of the several departments through the War Industries Board has had the serious and prolonged study of the best civilian organizing genius in the country.

The CHAIRMAN. That is your proposed plan?

Secretary BAKER. This plan as it is now.

The CHAIRMAN. You put it up as a plan. Did you put it up in discussion with any other plan?

Secretary BAKER. Of course, Senator, if I may enlarge your question to mean what I gather from it, you ask me whether I have asked the opinion of experts as to this plan in comparison with the ministry of munitions?

The CHAIRMAN. Yes.

Secretary BAKER. I have asked a great many that and I find a wide divergence of opinion.

The CHAIRMAN. Do you not find the consensus of opinion amongst the members of the War Council and the Council of National Defense rather favoring the consolidation of these bureaus under one ministry of munitions?

Secretary BAKER. No, I think not.

Senator MCKELLAR. Mr. Secretary, have you submitted your plan to the Council of National Defense proper; that is to say, the six Cabinet officers?

Secretary BAKER. Yes.

Senator MCKELLAR. And they have approved it?

Secretary BAKER. Yes. They have taken no action about it. I exhibited it to them. Secretary Daniels and I, who were primarily affected in the matter, went over it carefully and approved it. I showed it to Secretary Lane and Secretary Houston and Secretary Wilson. I do not recall whether others were present at the time or not.

Senator BECKHAM. Mr. Secretary, if there was a secretary of munitions, would he not have to have substantially the same kind of an organization as is shown here, subdivided into these different branches, such as surgeon general, chief signal officer, engineers, ordnance, and quartermaster?

Secretary BAKER. Senator, he would have to have most of them. The suggestion is that a good many of the existing persons could be transferred to his department and that some would remain, but I think, I have no basis for the thought except as I try to think out loud, that it would increase the number of persons needed, because each of the departments from whom men were taken would have to add men and the munitions minister would have to add men.

Senator BECKHAM. He would have to do the work through some such similar subdivisions or organizations in this department?

Secretary BAKER. I think so.

Senator BECKHAM. Just as the chief of the purchase and supply division will have to do it.

Secretary BAKER. Exactly.

Senator BECKHAM. So, in the end, it is really merely a controversy over terms, whether we have a secretary of munitions or a chief of that branch of the work in the War Department, is it not?

Secretary BAKER. Not exclusively. There is this difference: If a minister of munitions were created by law he would have legal authority back of his decisions, while the chairman of the War Industries Board has not the basis of law for his decision. Now, with that distinction aside, there is no difference in function between the two plans proposed. With the President first in command of all the executive departments, and his supervising approval of our coordinating in the fashion here shown, I think there is no defective power nor uncertainty of action in the plan proposed.

Senator BECKHAM. You think, then, that you will get just as much unity and concentration and efficiency of service under this as you would if the man at the head of this organization was a secretary of munitions?

Secretary BAKER. I think so, sir; and if it should turn out otherwise, it would be a very simple matter to come and say to you gentlemen that the chairman of the War Industries Board needed additional authority, and you undoubtedly would be willing to grant it if the need developed.

Senator FRELINGHUYSEN. Mr. Secretary, I dislike exceedingly to quote him, and I am not going to quote him by name, but two of the gentlemen to whom you have referred as probably in favor of this plan, and two of the most active general members of the Committee of National Defense, to those two, I am told, and I think without any question that one of them went to the President and advised the President that in the end if we did not do it now we would have to come to a single head. One of the others, and a man for whom I have the highest regard, told me last night that after a careful investigation of this situation he had come to that conclusion that there was no escaping a single head for this purpose, and that if we did not do it now we would do it later.

Secretary BAKER. Senator, I know that to be the fact. I do not know who the two members are.

Senator FRELINGHUYSEN. I do not wish to give the names.

Secretary BAKER. It does not matter who they are. While we were in the process of reaching the place where this form of organization was possible, there was a very great deal of recklessness on the part of everybody who wanted to go forward fast. The mind naturally ran to a munitions ministry as the way some other country had solved it. Mr. Willard, for instance, was quite clear that ultimately we would have to come to the single head, the munitions minister. When we finally got down to it and showed him how the organization would be perfected and was being perfected, and what its relations were, Mr. Willard said very frankly, "I was of that other opinion; I think this will work, but if it does not work at once, or absolutely right, as a matter of organization, the one missing thing will be very easy to supply." Mr. Willard having originally believed that we would have to come to the single minister, realizing the inconvenience of it and the duplication that it necessarily entailed, now believes that this will work and that if it does not work that it is exactly the right step to take now.

Senator FRELINGHUYSEN. How recently have you talked to Mr. Willard?

Secretary BAKER. Yesterday.

Senator FRELINGHUYSEN. And he told you that yesterday?

Secretary BAKER. Yes, sir.

Senator KIRBY. Mr. Chairman, if we are not to continue longer, or if we are to continue after recess, I think it is time for lunch, and if we are not to continue to-day, to continue to some other time. Of course, if we are going to continue the examination and conclude the entire examination now I have no objection to continuing here until it is finished.

The CHAIRMAN. It is in the control of the committee.

Senator KIRBY. I suggest that we take a recess.

The CHAIRMAN. Until what time?

Senator KIRBY. Until Monday. If we could not finish until Monday, unless we can finish this afternoon. If the committee thinks we can finish the entire investigation this afternoon, I say it ought to be finished.

The CHAIRMAN. What is the pleasure of the committee?

Secretary BAKER. My time is entirely at your disposal, gentlemen.

Senator KIRBY. I move that we adjourn until Monday, unless it is the consensus of opinion that we can finish this afternoon.

Senator HITCHCOCK. I think we should go on this afternoon.

Senator KIRBY. I move that we take a recess until half past two.

Senator HITCHCOCK. I second the motion.

The motion was carried.

(Thereupon, at 1.20 o'clock p. m. the committee took a recess until 2.30 o'clock p. m. on the same day.)

AFTER RECESS.

The committee reconvened at 2.30 o'clock p. m., Senator HITCHCOCK presiding.

The ACTING CHAIRMAN. The committee will please come to order. The chairman is compelled to leave and asks me to take the chair. At the time of the taking of recess the Secretary was still engaged in explaining the work of his new organization.

Secretary BAKER. I had finished that so far as I had any contribution to make, unless questions are to be asked.

The ACTING CHAIRMAN. Are there any other questions to ask the Secretary as to the changes which have been made in the department?

Senator WARREN. Under this scheme, Mr. Secretary, each one of these agencies, as depicted on the charts, would have the duty of speeding up and organizing the industries.

Secretary BAKER. The War Industries Board would have knowledge of the general industrial condition of the country for the use of the various departments which are coordinated to it.

Senator WARREN. Would they have the power to speed up and issue orders?

Secretary BAKER. No. If the War Industries Board were to recommend the placing of a contract for a thousand rifles with the A. B. C. factory the progress of that order through that factory and the power for speedier production would lodge with the production department of the Ordnance Department.

Senator WARREN. Then, if an addition was thought necessary to the factory it would be the Ordnance Department which would conduct negotiations for that?

Secretary BAKER. The Ordnance Department; yes, sir.

Senator WARREN. And in the case of uniforms for troops it would be the Quartermaster Department to conduct negotiations for them?

Secretary BAKER. Yes.

Senator WARREN. Then, in that regard the speeding up of industrial operations of the actual increase of productive capacity would be subject to the jurisdiction of four or five departments in the War Department?

Secretary BAKER. As to each industry only one, but as to several industries, several.

Senator WARREN. As to several industries, several?

Secretary BAKER. Yes; that is to say, the Ordnance Department will speed up production in a factory producing ordnance material, and the Quartermaster General's Department in a department producing quartermaster's stock.

Senator WARREN. Then, if an increased supply, we will say, of saddle blankets was thought necessary, increase in the productive capacity, that would be attended to by the Ordnance Department?

Secretary BAKER. I think they would both be in the Quartermaster Department.

Senator WARREN. But the blankets for the men would be attended to by the Quartermaster Department?

Secretary BAKER. Yes, sir.

Senator WARREN. Does this new scheme contemplate any change in the functions of the War Industries Board?

Secretary BAKER. A very wide change, Senator. The War Industries Board, up till now, has dealt with the question of selecting contractors, recommending them to the several departments, to supply committees of the industry. Most of that funcion is no longer left with the War Industries Board. It deals with the capacities and facilities of the country as a matter of information, while the actual making of the contracts and making of the terms of the contracts is left in the department itself and not in the War Industries Board, so that nobody who gave information on the War Industries Board, or was consulted by it, would have any sort of relation to a contract for supplies in which he might be interested, or in which he had a similar interest.

Senator WARREN. The question of housing the men, for instance, additional home facilities for workmen who were called upon to come to a town where a factory was located without housing facilties, the question of those increased housing facilities would come to the Ordnance Department if the factory happened to be making ordnance, and to the Quartermaster's Department if the factory happened to be making Quartermaster's supplies?

Secretary BAKER. Probably ultimate, yet there would be one intervening step. The whole question of labor supply in this plan is remitted to the Labor Department, and the question of moving a body of labor from one place to another, and the conditions under which the labor, when moved, would live and work, is in the Labor Department rather than in either the War Industries Board or the War Department.

Senator WADSWORTH. Mr. Secretary, do you not think that section ought to be handled by the supply department?

Secretary BAKER. It would have to be handled by the supply department on the advice of the Labor Department.

Senator WADSWORTH. Why bring the Labor Department into it?

Secretary BAKER. Because this is the only department that knows or has means of knowing.

Senator WADSWORTH. Could not the War Industries Board have a bureau under it which could take care of that so the whole thing could be coordinated?

Secretary BAKER. Yes; perfectly possible, but it would duplicate nine-tenths of the work already done by the Department of Labor.

Senator WADSWORTH. Proper executive orders, of course, could prevent that duplication, could they not?

Secretary BAKER. No; I think not. I think the labor the War Department was doing would have to be done, nevertheless, because it is only part of a larger work. The places where the two fields rather meet that contract are the places where there would be duplication of effort.

Senator WADSWORTH. Then, as I understand it, it is your idea that under this system the question of housing would be under the Labor Department?

Secretary BAKER. Yes.

Senator WADSWORTH. I thought it was somewhat closer and more intimately related to this whole industrial proposition, or problem, which is a big side of it, the industrial side, that it would be wise to concentrate it so it would work singly.

Secretary BAKER. It is probably the most difficult problem we have. At present it is being met in this fashion: The several departments, possibly the Ordnance Department, I do not know of an instance in the Quartermaster Department; all the cases I know are either in the Ordnance Department or in the Shipping Board, but a committee is working on that, headed by

Mr. Eidleitz. When a contract is about to be placed at a particular factory they inspect the housing facilities as to their adequacy, and, in the way of supplementing them, whether by increased transportation facilities or by a better use of existing housing facilities, or by adding to them, and by contracts which provide for plant extension an effort is made to decide the housing problem.

Senator WEEKS. What do you mean by a housing expert?

Secretary BAKER. I mean by that, such a man as Mr. Eidleitz, who for a great many years has studied the problem of housing industrial workers.

Senator WEEKS. Where?

Secretary BAKER. In New York, I think. Mr. Eidleitz is relatively unknown to me, but he came to me recommended as the most expert person in the country on the subject.

Senator WEEKS. Recommended by whom?

Secretary BAKER. I could not recall all the persons who agreed to that, but among them Mr. Gompers, Mr. Ralph Easley, Secretary Wilson, I think—I am not sure of Secretary Wilson—and a pretty large and representative committee of coworkers and employees who were studying the question at the outset.

Senator WEEKS. Has he been a builder of houses or simply studying the welfare conditions?

Secretary BAKER. I think he has been a builder of houses.

Senator FLETCHER. Mr. Eidleitz testified before the Commerce Committee yesterday that he and his firm had been architects and builders for a great many years in New York and had large experience in the construction of buildings. He is an architect, I think, mainly, and a contractor, too.

Senator WADSWORTH. You say he is working with the Labor Department now?

Secretary BAKER. He will work with the Labor Department, but at the present moment—what I meant to say is he is working with a representative of the Ordnance Department and with the Shipping Board and with the Navy. They have a conference committee, with Mr. Eidleitz at the head of it, and they are attempting to deal with each case as it arises by inspection and representation.

Senator WADSWORTH. Just such a case as that to my mind is a pretty good illustration. Why would it not be better for him to work with the War Munitions Board, which is at the top of the pinnacle, according to these charts, of this whole program?

Secretary BAKER. Senator, if he were to view comprehensively the housing problem, he would have to work with two others who have dealt comprehensively with the general labor problem. Housing, of course, is not merely a question of finding a place for the man to eat and sleep, but it is a question of finding a place where a man may take his family when he moves from one place to another.

Senator WADSWORTH. Yes; I understand that.

Secretary BAKER. And it is a question of contented labor as well as mere protection, so he would have to take it in with the general labor problem.

Senator WADSWORTH. Does not the general labor problem naturally fall under this heading?

Secretary BAKER. It is so related that it has to be worked out in conjunction with it, but I do not think it ought to be regarded as so inseparable a part of one problem that one man has to do both, nor do I think it would be wise for one man to try to do both.

Senator FLETCHER. What does the department do with respect to housing?

Secretary BAKER. Different things in different places, sir. For the most part the relief so far actually extended has been in better transportation facilities. Take, for instance, the Locust Point situation in Baltimore, where a very large number of men are employed in shipbuilding. The first suggestion made there was the immediate erection on a very large scale of small houses. Upon investigation it was found that the men who worked at Locust Point preferred to live in Baltimore itself; they would not relish going to Locust Point to live, because of the lack of public school facilities for the children; it was remote from the different markets; it separated them and their families from recreation and amusement facilities of the city. As a consequence some additional transportation facilities in the way of additional trains on the railroads, and I think a boat or two making trips during the day shortened the time and relieved that situation. It may be necessary yet to build some houses there, but the relief so far has been chiefly in transportation facilities.

Senator WADSWORTH. Have you actually built houses anywhere?

Secretary BAKER. I think not, although at the Bethlehem Steel plant and the Midvale and perhaps others, in providing for largely increased plant facilities there was had in contemplation the fact that additional housing facilities would have to be provided.

Senator WADSWORTH. In this contemplation do you consider you have the appropriation and the authority for it if it becomes strictly necessary?

Secretary BAKER. In those two instances, yes, because there it can be included in the cost of the production and amortized. In the powder plant which the Government proposes to build, a very large housing scheme is included as part of the cost of the plant, and that is true of some others, but maybe we shall have to come to Congress and ask further authority and appropriations.

Senator WADSWORTH. I think we provided especially in the proving grounds something of the sort.

Secretary BAKER. Undoubtedly. That is remote from any central place of habitation.

Senator WADSWORTH. Had you become familiar with the housing problem in England since the war?

Secretary BAKER. Yes; I had studied that very carefully. It is of course just as different as the places are different. They have done everything in England under the munitions ministry; in some places they have aided the cities; in some places commercial bodies have aided; in some cases they have made plans by which sales could be made to a worker on the rental basis, covering the equity in the case only by governmental appropriation, but there is no uniform rule and no uniform practice.

Senator WADSWORTH. Our understanding was it was all done under the munitions ministry.

Secretary BAKER. It is all done under the munitions ministry, but each problem is taken up separately and the local possibilities exhausted.

Senator WADSWORTH. That would have to be the case in this country.

Senator WARREN. I am assuming the policy of the War Department is to first make use of existing facilities and adapt them as far as you can before entering in upon the construction of new dwelling houses.

Secretary BAKER. Yes, sir.

Senator FLETCHER. I think you will find this question of transportation very often is more important than the one of housing, and the question might be whether you had the power to commandeer, for instance, street car lines and other means of transportation. Have you examined as to that to see whether that power exists?

Secretary BAKER. I would not have any doubt about the power to commandeer any means of transportation. There is very grave doubt about the power of the Government, under existing law, to commandeer places of residence.

Senator WEEKS. When was Gen. Goethals appointed?

Secretary BAKER. I am sorry, but I can not answer that question, Senator.

Senator WEEKS. Do you remember about when?

Secretary BAKER. Well, it was near the 15th of December, so near that that date will suffice. I saw him and went over the plan with him and he went away and took several days to consider as to whether it was a plan he approved and thought he could justly say appealed to him sufficiently to be an attractive opportunity of service.

Senator WEEKS. Had he undertaken any plan of organization or done any work—thought about this general scheme which you have submitted to the committee?

Secretary BAKER. No; he had not until he came here.

Senator WEEKS. Did you submit to him what had been prepared?

Secretary BAKER. Yes; I did not personally submit it to him, but it was submitted to him. The experts previously secured by Gen. Sharpe, and in conjunction with Gen. Sharpe they took up their consultation with Gen. Goethals.

Senator WEEKS. Did it occur to you that in adopting this plan that possibly the committee might have some recommendation to make as a result of the examinations that are being made?

Secretary BAKER. Practically everything that I have done, Senator, I have done with regard to this—was conceived and in process of execution before the committee met—practically everything.

Senator WEEKS. Did you think that it might be wise to wait until the committee had completed its examination?

Secretary BAKER. No; that never occurred to me.

Senator WEEKS. As a method of cooperation, do you not think it would have been well?

Secretary BAKER. Why, no, Senator; I think not. Everything that had been done up to the last thing that was done headed up to that, and it seems to me that after the committee began to consider the problem the committee, it seemed to me.

laid most accent on the delay, and to have delayed any further would have been to justify the feeling on the part of the committee that delay was the thing I was doing.

Senator WEEKS. You do not mean the purpose of delay?

Secretary BAKER. Quite the contrary. I mean that so far as I could discover these things which the committee has found open to question about the action of the department is there has been delay here and there. Now, it does not occur to me to make any delay; I have tried to avoid making delay; it never occurred to me to make any.

Senator WEEKS. Of course the committee's one purpose was to see whether there were things to be jacked up.

Secretary BAKER. I was not anxious to hold anything in status quo, so I never could find anything to jack up, so I never jacked anything up before I found it. I have been running away with myself for eight months, Senator, and I have never stopped a second.

Senator WEEKS. I wondered if you were moved, in adopting this plan, by that very sentiment.

Secretary BAKER. No; I was not moved by that.

The ACTING CHAIRMAN. This change, by which the initiative is left with the Government purchasing agent and the War Industries Board, comes in as a secondary authority, has been made as the result of experience, has it, Mr. Secretary?

Secretary BAKER. Yes, sir; we have been aiming to that, Mr. Senator, ever since the beginning.

The ACTING CHAIRMAN. Do you think that will reduce the delays that may have resulted by having two bodies pass upon the matter?

Secretary BAKER. Undoubtedly.

The ACTING CHAIRMAN. Has any such method of prosecuting the war been adopted by any other country, as the war council?

Secretary BAKER. The war council?

Senator WEEKS. That may not be the correct title of the new board that has just been appointed.

Secretary BAKER. You mean the one which I called the war council in this chart?

Senator WEEKS. Well, the one——

Secretary BAKER. Gen. Sharpe, Gen. Crozier, Gen. Weaver, and so on?

Senator WEEKS. Yes.

Secretary BAKER. I do not know. It is substantially the same, as I understand it, as the board which exists in the British war office.

Senator WEEKS. Does exist now?

Secretary BAKER. Yes; and has from the beginning existed there.

Senator WEEKS. I noticed in one case, in the case of Gen. Sharpe, he did not remain at the head of the board, and in the other case Gen. Crozier does. Is there any particular reason for that?

Secretary BAKER. The statement is inaccurate, Senator. They both remain, respectively, as Chief of Ordnance and Quartermaster General, both on detached service, and neither has any more connection with his department than the other.

Senator WEEKS. In one case, I assumed in the case of Gen. Sharpe, that all of his duties, even if the title had not been turned over to Gen. Goethals, while in the other case Gen. Weaver was simply acting in the place and under the direction of Gen. Crozier?

Secretary BAKER. That is not the fact. Gen. Weaver is acting in the place and acting independently, and Gen. Goethals is acting in the place and acting independently.

Senator WEEKS. You mean Gen. Crozier will not have anything to do——

Secretary BAKER. So long as he is detailed to the war council he will have nothing to do with the Ordnance Department. He is in the war council.

Senator MCKELLAR. Why, then, was he recommended for Chief of Ordnance and his nomination sent in to the Senate?

Secretary BAKER. That recommendation was made in midsummer; Congress was not in session; it met with the President's approval and was sent down here as soon as the Congress assembled, but in any event I think it was a proper recommendation to be made.

Senator MCKELLAR. If he was not to have charge of the ordnance, why not, upon ascertaining that fact, or coming to that conclusion, why not withdraw his nomination and nominate him for some post that he is going to occupy, not for a post he is not going to occupy?

Secretary BAKER. His detail to the war council is subject to the continuing pleasure of the Secretary of War, and he might be detached as operating chief of ordnance at any time if the Secretary of War so determined.

Senator WEEKS. Would Gen. Sharpe be in the same category?

Secretary BAKER. Exactly; they are both subject to the action of the Secretary.

Senator WEEKS. Are you personally satisfied with the work those two officers have done?

Secretary BAKER. Why, yes; I am perfectly satisfied under the circumstances they did the best that could possibly be done.

Senator WEEKS. The best that anybody could do?

Secretary BAKER. I can not answer that. There are too many people in the world. I do not know.

Senator WEEKS. Any one that would have been likely to have been in that place?

Secretary BAKER. I am perfectly certain that there must be hundreds of men who could now look back on the experiences of the past and suggest ways in which other things might have been better done; but that anybody could, at that time, with the information they had at their disposal, do better, I am not prepared to believe.

Senator MCKELLAR. Is not the natural result of action by boards delay, is it not, to complete my question, is it not true that wherever executive action has to be submitted to a number of men and passed upon by a number of men, that the result is a greatly delayed result, over an action by individuals?

Secretary BAKER. Yes, sir; I think so.

Senator MCKELLAR. Then, would it not be better in any scheme of operation of the War Department at this time to have, as one witness expressed it here the other day, a "he" man in charge, and enough of "he" men under him to get action and to get it rapidly?

Secretary BAKER. In charge of what?

Senator MCKELLAR. In charge of the entire conduct of the war.

Secretary BAKER. Senator, I can not answer that. Of course, if you want my opinion as to whether a "he" man is better than some other kind of man, presumptively the more vigorous and virile men you get the better you are off.

Senator MCKELLAR. You mistook the question. I mean, do you not think it is better to have a man in charge rather than a board in charge of so many things? For instance, we have the Council of National Defense and a Munitions Board and a General Staff and a War College, and now it comes along and we have a Council of War. Apparently many of them are doing the same things, or their duties are so interwoven that I doubt whether one board knows what it really has authority over. Would it not be better to have it all under one man and just let him do the thing rather than have these correlated boards with divided authority and very doubtful jurisdiction?

Secretary BAKER. If you had an omniscent and omnipotent man, he would be far better than any multitude of mortals. Wherever you multiply persons, you presumptively increase wisdom and decrease speed. The object of the organization as designed is to get every question up to an individual to the extent that that is possible, but it does not obviate the necessity nor can it be obviated of a council in order that accuracy may follow speed.

Senator WEEKS. I had not thought of asking this question, but is not what is being done in the war council directly contrary to what is being done in the General Government? Congress is frequently asked and constantly turning over to the President unusual powers, not to a board and not to a department, but to one man.

Secretary BAKER. I do not want to criticise any action of Congress in the matter, Senator.

Senator WEEKS. Congress is simply doing what is recommended by the administration.

Secretary BAKER. After all, what Congress has done has been to give certain general powers to the President, and leave to the President the allocation of the exercise of those powers. Many of the functions thus conferred involve broad problems of great intricacy, about which individual judgment, unaided by counsel, perhaps would not be wise. I am not disposed to criticize what has been done.

Senator WEEKS. I do not mean to put words in Senator MCKELLAR'S mouth or thoughts in his head.

Senator MCKELLAR. Go as far as you like.

Senator WEEKS. But I thought what you said lead to that conclusion.

Secretary BAKER. Of course the main purpose of this discussion was in regard to the organization already submitted, and it seems to me, taking the Senator's own argument, that it is very much better to leave the thing coordinated under the Secretary of War than it is to discoordinate it, than to create a ministry of munitions.

Senator MCKELLAR. Very frankly, my objection to your plan is, if I understand it, and I think I do, you have decentralized the operations of the department under five distinct heads; you have five distinct purchasing agencies of the War Depart-

ment, and I think such a decentralization of power at this time, when we have centralized power in every other department of Government and in the Government itself, is a plan that will not work, and I am very frank to say to you that I disagree with that plan. I think it ought to be under one man.

Secretary BAKER. But that is not what I have.

Senator KIRBY. Is it not under the Secretary of War?

Senator MCKELLAR. It is the purchasing agents there, of which there are five.

Secretary BAKER. What I have done, however, is not to subdivide, but to centralize five separate functions under a central, single executive direction.

Senator HITCHCOCK. Those agencies have not heretofore been centralized?

Secretary BAKER. They have not been, except as the Secretary of War personally centralized them.

Senator WEEKS. I was going to say they had always been under your direction.

Secretary BAKER. In the original scheme of the War Department organization, they are reported directly to the Secretary of War. They are now brought together in a single focus and correlated in this supply and purchase section.

Senator WEEKS. Of course, no one can tell whether this is the best plan, but in your judgment it is an improvement over what we have had and will answer the purpose; is that correct?

Secretary BAKER. Exactly, Senator. More than that, I think it is the logical development of all which has gone before it.

Senator WEEKS. That is, the logical development of all up to this point?

Secretary BAKER. Up to this point.

Senator FLETCHER. Based upon your experience it is?

Secretary BAKER. It is the outgrowth of the experience of the department.

The ACTING CHAIRMAN. Suppose instead of being one war industries board, directly subordinate to the Council of National Defense, there was a war industries director?

Secretary BAKER. In fact it is that.

Senator HITCHCOCK. Who directs it?

Secretary BAKER. The chairman of the War Industries Board. Mr. Willard.

The ACTING CHAIRMAN. He has four associates?

Secretary BAKER. More than that. He has the three ally purchasing commissioners, Messrs. Lovett, Baruch, and Brookings; he has an Army representative, Gen. Beatty, and a Navy representative, Admiral Fletcher; also a representative of labor, Mr. Franey.

Senator WADSWORTH. Now, Mr. Secretary, these five purchasing agencies in the five departments are the ones which have the intimate contact with the manufacturers, are they not?

Secretary BAKER. Yes.

Senator WADSWORTH. So that under their jurisdiction will practically fall the industrial problems at close quarters?

Secretary BAKER. Under their jurisdiction will fall the industrial problem so far as it affects the purchase of supplies for which they are contracting.

Senator WADSWORTH. Of course, take it, for instance——

Secretary BAKER. Allow me to complete that, because I do not want to be confused in my answer. I do not mean to say they deal with the industral conditions of the country.

Senator WADSWORTH. They are dealing at close quarters with the industrial problem, so far as concerns supplying the Army of the United States?

Secretary BAKER. Yes.

Senator WADSWORTH. Do you think they can do that?

Secretary BAKER. I have not the least doubt about it.

Senator WADSWORTH. I have a great deal of doubt, Mr. Secretary. The chiefs of these departments, who must carry the responsibility in the initial negotiations, in the first place, are not men versed in industrial conditions.

Secretary BAKER. I think that assumption, Senator, is at variance certainly with the intention in the matter. Mr. McRoberts, for instance, who has actually been in business and is operating as the head of the procurement section of the Ordnance Department, is a man of large experience with exactly that kind of problem in civil life?

Senator WADSWORTH. He has been commissioned?

Secretary BAKER. Yes.

Senator WADSWORTH. And he is subordinate to Gen. Wheeler?

Secretary BAKER. Yes.

Senator WADSWORTH. Then, if Gen. Wheeler disagrees with Mr. McRoberts, Gen. Wheeler has the say?

Secretary BAKER. Yes.

Senator WADSWORTH. I think that is a mistake, on the industrial side.

Secretary BAKER. Well, the mistake runs all the way through, because if he disagrees with Gen. Wheeler, Gen. Wheeler can overrule him, and if I disagree with Gen. Wheeler I can overrule him, so it finally gets back to the Secretary of War, where it must come.

Senator WADSWORTH. Under your plan it must?

Secretary BAKER. Under any plan, if you are going to coordinate the needs of the man who uses an arm with the views of the man who makes it. Somebody has to be that coordinating agency. You can call him Secretary of War; you can call him anything you choose to; but there has to be one person whose mind will function on that problem and reach a conclusion.

Senator WADSWORTH. I am surprised to hear you insist on that as the only suggestion, when, to the best of my information, other countries have reached a different solution and are carrying it out successfully. They have apparently taken away from the military branches of their Governments the function of production and purchase, and have put it under the charge of men, the biggest men they can find, that are thoroughly informed on that side of the question.

Secretary BAKER. Senator, we have done that for generations in the American Army, and the greatest criticism I would make of the organization of the War Department, as I found it, was exactly that it did that thing.

Senator WADSWORTH. In what way did it do it?

Secretary BAKER. It created of the Ordnance Department a manufacturing industrial board, and it gave to the men who were in the Ordnance Department, the officers, certain preferential rank by reason of their being there. It separated them from the line of the Army so they did not have the experience of using the things they manufactured, and they had the point of view, or tended to have the point of view, of a manufacturer rather than a man who is seeking a customer, or a man who knows the customer's needs.

Senator WADSWORTH. The testimony that has come to this committee is not to that effect, Mr. Secretary, if I may say so. The criticism has been that the officers in the Ordnance Department do not understand the manufacturers; that they are merely tacticians.

Secretary BAKER. That is another criticism; but it does not militate at all against the existence of the other one.

Senator WADSWORTH. I stated it was my idea, my impression, that foreign governments had taken the industrial problem away from the military.

Secretary BAKER. Yes.

Senator WADSWORTH. In reply to that you state that is just what we have done in the Ordnance Department.

Secretary BAKER. I still state it.

Senator WADSWORTH. But the Ordnance Department is military?

Secretary BAKER. It wears uniforms and has titles.

Senator WADSWORTH. And graduates from West Point?

Secretary BAKER. Yes.

Senator WADSWORTH. And has never been in business?

Secretary BAKER. Exactly. It has never been in the Army, either. Gen. Crozier has not led troops, Gen. Wheeler has not led troops; Gen. Babbitt, Gen. Bell, and others have been manufacturers at the head of the Rock Island Arsenal or the Springfield Arsenal.

Senator WADSWORTH. They have on a very small scale been manufacturing.

Secretary BAKER. There were not many of them. Take the kind of controversy which arose in the Army. You have had detailed here to you the machine-gun controversy, and you have had, doubtless, the view expressed by Gen. Wood. Gen. Wood was a man who saw weapons as men use them, and he had one view; Gen. Crozier was a man who saw weapons as a mechanical expert, was able to judge them from a mechanic's view, the scientific and mechanical excellence of the Army itself. Now, controversy arose between those two men. It would have been very much better, I think, if Gen. Crozier had commanded troops in the field. I have recently asked the Senate to confirm Gen. Babett as a brigadier of the line in the Field Artillery. I think it is wise for a man to serve there for awhile and then go out and see service with the troops and actually use the things they make, and then come back to the Ordnance Department.

Senator WADSWORTH. Yet the intimate contact still is retained between the soldiers and the manufacturers under your plan?

Secretary BAKER. I do not think I understand what you mean by that.

Senator WADSWORTH. The Ordnance Department is headed by Army officers, and they are the ones to do the driving of the production.

Secretary BAKER. I do not think I agree to that. They may be Army officers in the sense that they wear uniforms and have a title. Mr. McRoberts is a colonel. The fact that he has

put on a uniform and is called colonel has not deprived him of any experience he brought with him.

Senator WADSWORTH. It deprived him of authority by comparison——

Secretary BAKER. No; I do not think it deprives him of authority. If he were a civilian adviser or a civilian authority, he would still have to be under the chief of division.

Senator WADSWORTH. Our minds can not meet on that.

Secretary BAKER. Let me pursue it if I can. I should like to get an agreement, because I think we ought to be able to agree about that question. Suppose instead of making Mr. McRoberts a colonel he were made the civilian chief of the procurement division of the Ordnance Department. Now, would he be less subject, do you think, to the Chief of Ordnance than he is by virtue of being a colonel?

Senator WADSWORTH. Mr. Secretary, this has no personal reference, but I would not put him in the Ordnance Department as a colonel. I would use that kind of ability as a civilian in the department that had control of the industries.

Secretary BAKER. You would put him in the munitions department?

Senator WADSWORTH. I would.

Secretary BAKER. And would he then decide not only the question of the mechanical production of the weapon but its use to soldiers?

Senator WADSWORTH. Not at all.

Secretary BAKER. Who would decide that?

Senator WADSWORTH. The soldiers.

Secretary BAKER. How would they get correlated with Mr. McRoberts?

Senator WADSWORTH. Just the same as they do in England—the Ordnance Department. It tells the munitions ministry what it wants and the munitions ministry produces it if it can.

Secretary BAKER. Then you have exactly what we have, you have two people deciding two questions and bringing them to a common meeting place. That is exactly what we have here.

Senator WADSWORTH. But all the production is under one head.

Secretary BAKER. This is all under one head.

Senator WADSWORTH. No, Mr. Secretary, it is under five heads.

Secretary BAKER. I feel as though I had only one head. It is all under me.

Senator WADSWORTH. The five bureau chiefs pass the orders?

Secretary BAKER. Yes.

Senator WADSWORTH. And under their jurisdiction the inspectors inspect the goods as they are being manufactured?

Secretary BAKER. Exactly; and that is so in the English munitions.

Senator WADSWORTH. No, Mr. Secretary, it is not so in the English ministry of munitions.

Secretary BAKER. Mr. Senator, I have seen at least three heads of departments of the English munitions ministry.

Senator WADSWORTH. Yes; all in the same department and responsible to one chief.

Secretary BAKER. Exactly. These are all in the same department and responsible to one chief.

Senator WADSWORTH. Yes, Mr. Secretary; but the British system placed, as I said so many times, the industrial problem under a separate department, regarding it as a problem so vast and so beyond the view of the average soldier man that it was wise and proper to do so, and Heaven knows it has been a success. Now my criticism of this is, if you will let me state it, that this system still leaves with the soldiers in the Army, graded according to military rank, each man subject to the orders of his superior officer, that task of speeding up the industries of the United States.

Secretary BAKER. And that, with very great deference, I think, is not an accurate description of this plan.

Senator WEEKS. Let us take the case of Col. McRoberts. There is not very much purpose in discussing personalities, but as long as we have used him as an illustration let us take his case. Undoubtedly he is a very able man in the business with which he is familiar, and he was connected with that business when commissioned by being put as the chairman of a board which had to do with credits, and solely with credits, and that is exactly what Col. McRoberts has done all his life, and he is peculiarly well fitted, perhaps none better in the United States, for that particular work. Now you have taken him from that work and put him in charge of something he probably never had anything to do with.

Secretary BAKER. Quite the contrary. What we have done is to hand Col. McRoberts the detailed plans and specifications of material desired to be bought and turned over to him the negotiations of the credits and financial working out of those contracts. That is the thing in which he is a specialist.

Senator WEEKS. Is he not going to purchase?

Secretary BAKER. He is going to make the contracts according to plans worked out by the engineering section and handed to him. Then when the contract is actually made it is turned over to the production section, which ought to be headed, and I know will be headed, by a man who is an expert in shop production.

Senator WEEKS. If you are looking for a man to make contracts, you ought to employ a lawyer.

Secretary BAKER. Oh, quite the contrary—quite the contrary.

Senator WADSWORTH. Right you are.

Senator WEEKS. I tell you when I want a contract drawn I employ a lawyer, and I have been doing business all my life.

Secretary BAKER. I am a lawyer and I do not want to make any reflections on my union, but what we lawyers always want to have clients tell us is what they want put in the contract. They think it and we pen it.

Senator WEEKS. You will be unpopular with the lawyers' union, even if you are popular with all others.

Secretary BAKER. I seem to get so little chance to practice at my trade that that may be less important than otherwise.

Senator MCKELLAR. Mr. Secretary, in creating this plan you have submitted to the committee, did you consider the very marked success of a definite plan which has been in operation in our own Navy for some time and which has been so admirably proved by the chief of that supplies division of the Navy, Mr. McGowan?

Secretary BAKER. Senator, I know Admiral McGowan. I think he is a man of the very highest capacity, and I think he has done admirably in the Navy, and the plan which has worked in the Navy is substantially duplicated in the plan now proposed for the War Department.

Senator MCKELLAR. Quite the contrary, if you will let me use one of your expressions. In the Navy, Mr. McGowan, with three exceptions, which are not material, has the absolute control of the supplies of the Navy, and in carrying out that absolute control he has officers under him, some civilians, some expert civilians, working on salaries, innumerable officers, I do not know exactly how many, but he is the executive head, and I understand that all Secretary Daniels has to do is to ratify what Mr. McGowan does, and the thing is a good job. Now it strikes me if we just had one executive head instead of those five heads, I would agree with you on this proposition, but as long as you have the supplies of our Army bought by five different officers—the plan that you have—I am frank to say I do not agree with you.

Secretary BAKER. Your plan.

Senator MCKELLAR. It is not my plan, it is the plan of the Navy Department.

Secretary BAKER. But you are approving it?

Senator MCKELLAR. I am.

Secretary BAKER. It is fatally defective from Senator Wadsworth's point.

Senator MCKELLAR. It may be. I am not answering for Senator WADSWORTH. Let him answer for himself.

Secretay BAKER. He is a naval officer.

Senator MCKELLAR. I think Admiral McGowan was not a Navy officer.

Senator WEEKS. No member of the pay corps of the Navy is a graduate of the Naval Academy or ever exercised command over troops, or ever has.

Secretary BAKER. How long has he been in the Navy?

Senator WEEKS. He has probably been in the Navy 20 or 25 years; his age is between 40 and 50.

Secretary BAKER. At least he has not been in active industrial life.

Senator WEEKS. Prior to that he was in industrial occupations for 20 years. His whole life he has been doing this work. He never exercised any command and he is not an Annapolis man.

Secretary BAKER. I am not questioning his ability to do it, Senator. I am only trying to prove there is no difference between the buttons worn by the Army and the Navy, so far as business capacity is concerned.

Senator WEEKS. There is a vast difference between a man who is a graduate of a military academy and who spends a considerable part of his life with troops, then is transferred to a technical corps, and a man always in a technical corps and is not even a graduate of the Naval Academy.

Secretary BAKER. I do not think that graduation at the Naval Academy hurts them.

Senator WEEKS. I hope not.

Senator MCKELLAR. The Senator is one himself.

Senator KIRBY. As I understood Admiral McGowan these different studies for the conduct and purchase of supplies for the Navy were all under the head of an expert in that line.

Senator MCKELLAR. And he is the expert?

Senator KIRBY. No; he is not. He swore he has eight different experts, and told what each one's experience had been and that man always stood between him and the trade and made suggestions to him and recommendations, and it came back to him just like these boards will necessarily do when it comes up for final approval on authority, as I understand it.

Secretary BAKER. As a matter of fact, Admiral McGowan had one civilian who was guiding the purchase of one line of supplies in his bureau, and by some process I discovered this morning that I now have that individual as the manager in the War Department, doing the same thing for us he did for Admiral McGowan. I hope it was amicably arranged; I did not intend to rob his bureau.

The ACTING CHAIRMAN. There has been some testimony before the committee, Mr. Secretary, and to a considerable extent it has come from manufacturing experts themselves, that the military education at West Point and the military rank in the department seems to disqualify men from understanding the manufacturing problems, one being an industrial question, with which they are not familiar and are not educated at West Point on, and they cite, for instance, the management of the arsenals during the last five years, and state that as manufacturing institutions they are gloomy failures, using the same old methods that were used 25 years ago; that they have not kept pace with modern industries because the officers in charge of them do not understand industrial questions.

Secretary BAKER. Senator, I had a long talk with the same gentleman, Mr. Colvin, who testified to that before you, some years ago, I think it was. He came to see me and gave me his views, his theory, and I confess it seemed attractive to me at the outset; I thought that modern industry had become so highly specialized and developed that in all likelihood civilian industrial experts would be more likely to give economic and efficient productive control to a purely manufacturing establishment than a military man, and I made a pretty careful inquiry into it, with this most astonishing result, which you gentlemen know better than I, because you had it constantly brought up to you, that everything the War Department makes in its arsenals it makes cheaper than it can buy from anybody.

Senator WEEKS. Mr. Secretary, I take issue with that statement.

Secretary BAKER. I am only giving you my information about it.

Senator WEEKS. I understand the information was to that effect, but I doubt if the Government can make anything cheaper than the individual. There is some evidence to that effect, but it never included all of the elements which should enter into manufacturing.

Secretary BAKER. I took the case as a test case, and I took the question of pistols, because the Colt automatic pistol, which was adopted by the Army, was a thing which was made by the Colt Co. and also made at Rock Island Arsenal and probably at the Springfield Armory. The actual fact was, at the time I investigated it, that the War Department paid the patentee of the Colt automatic pistol $2 per pistol and still made the pistols cheaper than we could buy them from the Colts, and in the cost to the Government there was included, or attempted to be included—I did not have any opportunity to go into details to see how accurate it was—a charge for overhead, plant, cost, depreciation, insurance, and those equivalent overhead items which ordinarily are included by a private manufacturer.

Senator WARREN. Interest on money?

Secretary BAKER. And interest on investment.

Senator WEEKS. And pay of officers employed doing the work, and all that?

Secretary BAKER. Yes; it was an attempt to be a perfectly accurate comparison.

Senator MCKELLAR. I agree with you entirely about that; I think those facts have been proven before our committees time and again; I know it was before the House committee several times, and I will give you another illustration in the matter of powder. When the Government was manufacturing powder at 25 or 26 cents—to be accurate, I think it was between 25 and 26 cents—at the same time the War Department was paying the private manufacturers about 35 cents per pound, and I recall distinctly that it was 9 cents difference, and in those calculations all overhead charges and interest and every other charge was charged up to the Government on the manufacture.

Senator WEEKS. I should like to make the statement that, without qualification, that assuming that—leaving out that question of profit and the pure question of manufacture—there is not and never has been a case demonstrated that that could be done.

Senator MCKELLAR. Leaving out the profit, that may be.

Secretary BAKER. Those cases are very difficult to demonstrate, and, of course, the Government manufacture is always under certain limitations which private manufacturers do not have. Congress, for instance, has provided long periods of vacation time, and things of that sort, which make the conditions of the man who works for the Government industry ideal as compared with any private industry, yet the best judgment I could get after a rather expert accountant's view of a comparison of these specific instances did not show unfavorably to Government manufacture under the control of these military men.

Senator WEEKS. After the war is over and I have time I should like to examine you further on that.

Secretary BAKER. I am sorry to put off so pleasant a task for so long, Senator.

Senator WEEKS. If no further questions on this line, I have two or three matters to bring up.

The ACTING CHAIRMAN. All right.

Senator WEEKS. I am not sure whether this is a matter you want to discuss except in executive session, and if you feel that way I will withdraw the question.

What have you done on the other side about developing terminal facilities, and have you sufficient terminal facilities in the ports where you are landing supplies?

Secretary BAKER. I would rather discuss that in executive session.

Senator WEEKS. I have several questions about that I should like to ask you. Have you examined and do you know anything about the question of bombs and detaching bombs from aeroplanes and aerial torpedoes, and the question of chlorine? Would you prefer to discuss those in executive session?

Secretary BAKER. I think I know those too slightly to be helpful to you, Senator. If you would be good enough to ask the experts on that, you can get any information you want from them, and let me supplement it with anything you have difficulty in getting, I would be obliged to you.

Senator WEEKS. I will do that in another form. Has there been any increase during the war in the building plants for heavy artillery—I mean anything from 75's to middle heavies?

Secretary BAKER. Yes.

Senator WEEKS. To what extent?

Secretary BAKER. I can not answer that. I know only of the one negotiation which I personally helped conduct, and that was in regard to Midvale and Bethlehem, but I can get for you an exact statement on that subject.

Senator WEEKS. To what extent have they developed?

Secretary BAKER. I would have to get that for you. I do not have it in mind.

Senator WEEKS. Has it been developed in your opinion sufficiently to provide us with all the heavy artillery the Army will need?

Secretary BAKER. I am sorry I can not answer that, Senator. You have before you the artillery program with prospective deliveries, and those, of course, are predicated upon plant capacity to equal that demand.

Senator WEEKS. Is that being increased or is the increase being made?

Secretary BAKER. Some has been made and some is being made.

Senator WEEKS. Do you know when that was undertaken?

Secretary BAKER. Yes; early, some of it; the Midvale and Bethlehem very early. The extension of our plants at Springfield or Watervliet—Watervliet, I believe—and Rock Island; some of them began even before we went into the war.

Senator WEEKS. Have any of those extensions been completed?

Secretary BAKER. I can not answer that, sir.

Senator WEEKS. Will they be sufficient, in your opinion, what have been undertaken, to provide artillery for the plan we now have?

Secretary BAKER. I can only say I am told that the plant facilities now in process of completion will be adequate to the program as contemplated, but whether they will turn out so I can not answer.

The ACTING CHAIRMAN. At the early outbreak of the war, Mr. Secretary, an effort was made, as I recall it, to utilize the inventive genius of the American people by providing a branch of the National Council of Defense to investigate projects, to investigate inventions. Am I right in that?

Secretary BAKER. I do not think there ever was a section on that, Senator.

The ACTING CHAIRMAN. Mr. Edison was called down here, was he not?

Secretary BAKER. Mr. Edison was called here as a member of the National Consulting Board, and that board has a very large membership and has considered a very great many suggestions, and made some of its own, very fruitfully.

The ACTING CHAIRMAN. I only speak of it because I have had, and I suppose most Senators have had, a great many applications of inventors, so called, who have come here with models and without, and with plans and without, and with great ideas they have had patented in some cases, and I have referred them to the Council of National Defense down here, and they seem to be lost in the woods. They can interview a good many different people, who can neither give them any decision nor satisfaction, and they wander around from one place to another, and, so far as I know, they never arrive.

Secretary BAKER. The agencies of that subject which occur to me at the moment are these: In the Navy Department and in the War Department there are officers who have nothing to do but scrutinize inventions and deal with inventors and suggestions, so that each department has an officer, or a group of officers, who do nothing else. In addition to that the aeronautical board, the advisory board for aeronautics, headed by Dr. Walker, of the Smithsonian Institution, and having a large number of men, is very hospitable to inventions dealing with aircraft. The Aircraft Production Board, which is a body with a legal foundation, is similarly interested in inventions about aircraft. The Bureau of Standards, under the Department of Commerce, is most helpful and ready in testing out inventions. They have tested an enormous number of them, a great many for me; men have brought me suggestions and I send them to the Bureau of Standards, and they have the best facilities for actual test there are anywhere. Those are the agencies that occur to me as actively interested in that sort of thing.

The ACTING CHAIRMAN. Has anything been found of advantage or value in the way of recent invention?

Secretary BAKER. Yes, Senator; a number of very striking things have been found.

The ACTING CHAIRMAN. Because there must be a great many thousand of men at work, judging from the number that have come from Nebraska with ideas to prevent vessels from being sunk and to stabilize aeroplanes and to arrange bomb droppers from aeroplanes, if other States are doing it in the same proportion.

Senator MCKELLAR. They are not confined to Nebraska. Mr. Secretary, I want to ask you about a statement that was made to me that the Bethlehem Steel Co. had erected a plant over near Baltimore for the purpose of carrying out certain contracts with the War Department, as I understood it, and that recently they had begun to dismantle the plant and take it away.

Secretary BAKER. That is not my information, Senator. The Bethlehem Co. had—I know this only in a casual way—but the Bethlehem Steel Co. had a plant at Sparrows Point near Baltimore, and before the war they had planned a very large addition to that plant. The part of it which was devoted to war uses is in process of completion. A certain part of their plant, which was intended to supplement their capacity for civilian and industrial manufacture, has been temporarily discontinued.

Senator MCKELLAR. This gentleman, who said he saw it yesterday, said he saw the plant being dismantled and he had seen it lately; he lives in Baltimore; and was confident the whole plant was being dismantled, and said that was his information.

Secretary BAKER. I had a talk with Mr. Schwab about it, and as I understood it, he told me the part they intended to enlarge for civilian manufacture was discontinued.

Senator MCKELLAR. I had no point in the matter only to know how it happened such a thing could be.

Secretary BAKER. No part of the plant intended for war uses is slowed up at all.

Senator WEEKS. There is one other question which may be open for discussion in open session—that is, the question of mail facilities for our men on the other side. Have you had any complaints?

Secretary BAKER. Yes; I have had more complaints of civilian mail than I have had of soldier mail. I have had some.

Senator WEEKS. These are cases that actually occurred. Troops that are in France, that are not at the battle front, have been as long as three weeks without any mail from the United States. I have brought the matter to the attention of the Post Office Department two or three times. The Postmaster General always comes back at me by saying it is the fault of the War Department.

Secretary BAKER. That is generous.

Senator WEEKS. And that the mail, generally speaking, is carried in transports and the transports do not take it. I have replied to that that there were mail steamers running, and that we had three or four of the American Line certainly as capable of carrying mail as ever, and that, as a matter of fact, there were a great many steamers going to France and to England which might carry mail every week. Now, one of the things that will keep our men over there in a better frame of mind than anything else will be to keep them in direct communication and frequent communication with their own people. They value the mail, the letters, more than they do packages or anything else, and it does seem to me a woefully bad service which prevents a group of men over there from getting mail for three weeks.

Secretary BAKER. Three weeks from when?

Senator WEEKS. Three weeks from anytime.

Secretary BAKER. You mean three weeks from the time it is sent?

Senator WEEKS. No; three weeks from the time they received one mail they get another mail; another one comes in the meantime.

Senator MCKELLAR. Before the Secretary answers that question, may I supplement what Senator WEEKS says by reading a letter dated January 9 from one of the supreme court justices of Tennessee?

> Our boy left this country for France in September and arrived in France in the early days of October. His mother has written him almost every day and sent him a number of woolen garments for the winter. We had a letter from him dated December 7 in which he said he had received only two letters from his mother and has not received the garments at all. They were mailed November 12, 1917. A great many parents of my acquaintance have not received any letters from their sons in France, and this, of course, occasioned great anxiety.

That is the kind of letter, and I just put it in my pocket as I started over. I had just received it from one of my intimate personal friends. We all receive them, and I was just wondering if we could not improve that mail service in some way.

Senator WEEKS. I think my complaint is even more to the point than that. Those men have been over there a comparatively short time, and the men with whom I am in touch have been over there a long time, and that has been the general condition of the mail facilities. This is a case of three weeks' lapse between any delivery of mail from the organization, and that has taken place within six weeks, a long time after the men reached the other side. I think there are a great many cases where letters and parcels are improperly directed, which may cause some delay in sending them, but there should be arranged a continuous flow of mail to the other side, and if it has not been brought to your attention in that way I think it should be investigated.

Secretary BAKER. It has been brought to my attention, Senator, and every effort is being made to accomplish exactly the purpose you suggest, because we realize its importance. It is a very important thing. I went to New York and at the Hoboken dock I saw more than 400,000 parcels sent by parcel post to members of our expeditionary forces about Christmas time. Each of these parcels had to be opened and matches and perishable things unwisely put in them taken out, and each separate part of the contents rewrapped in tissue papers and put in a better box to bear ocean transportation, and an entire regiment of soldiers gave up its time to doing nothing else but that. I cite that only to show the vast bulk of this mail.

Senator WEEKS. I do not for a minute question the parcels mail; I do not complain of that. I am speaking of letter mail.

Secretary BAKER. Yes.

Senator WEEKS. And that alone.

Secretary BAKER. Now, of course, letter mail and parcels mail are all mail. The Federal Government, under a contract or a series of contracts with certain steamship lines, arranged the taking of the mail. They take what they can take. The transports take the rest, and they take all they can take; they take it as fast as they can take it. The distribution problem on the other side is not simple, because the organizations are not always kept in the same place for any length of time; they move, and there is very little exactly to mail to.

Senator WEEKS. This organization has not been moved in three months.

Secretary BAKER. It may be that the case you have in mind is one in which there must be explanations of which I do not know. It is an intricate problem, but the Post Office and the War Departments appreciate its importance and are cooperating to solve the problem.

Senator MCKELLAR. Mr. Chairman, before we go into executive session I should like to offer for the record an article published in the Textile World Journal of January 6, 1918.

The ACTING CHAIRMAN. The article may be included in the record at this point.

Senator MCKELLAR. I have a letter of date December 19, 1917, to the American Association of Woolen and Worsted Manufacturers, which should be included as supplementing Mr. Stevens's testimony. He has appeared before this committee.

(The letter referred to is here printed in full, as follows:)

DECEMBER 19, 1917.

To the American Association of Woolen and Worsted Manufacturers and the National Association of Wool Manufacturers:

Your joint committee of manufacturers cooperating with the committee on supplies of the Council of National Defense reports a brief summary of its work which has now closed with the sending of the resignations requested by Mr. Julius Rosenwald, chairman of the committee on supplies of the Council of National Defense, in the letter herein set forth.

The joint committee was created in pursuance of action taken at a special meeting of the woolen goods exchange held on February 7, 1917.

As it was then manifest that war was impending, the manufacturers present at that meeting—representing both the American Association of Woolen and Worsted Manufacturers and the National Association of Wool Manufacturers—unanimously requested Col. John P. Wood, president of the National Association, in cooperation with Mr. Herbert E. Peabody, president of the American Association, to select a committee of seven members, of which Col Wood himself should be chairman, to assist the Federal Government in securing an adequate supply of woolen and worsted fabrics for the enlarged Army and Navy of the United States. The committee as designated was as follows: Col. John P. Wood, of Philadelphia, chairman; Mr. Nathaniel Stevens, president of M. T. Stevens & Sons Co., of North Andover, Mass.; Mr. Robert T. Francis, selling agent of the Pon oosue Woolen Manufacturing Co., of Pittsfield, Mass., and New York City; Mr. Moses L. Shuttleworth, agent of the Washington Mills of Lawrence, Mass., of the American Woolen Co.; Mr. Charles H. Wilson, of James & E. H. Wilson, of Pittsfield, Mass.; Mr. George C. Hetzel, president of George C. Hetzel Co., of Chester, Pa.; Mr. Spaulding Bartlett, treasurer of S. Slater & Sons (Inc.), of Webster, Mass.

Col. Wood resigned in July on the mobilization of his regiment, the First Pennsylvania Cavalry, and Mr. Nathaniel Stevens, vice chairman of your committee, was elected to succeed him. There were added to the committee: Mr. Francis R. Masters, of Lawrence & Co., of Boston and New York; Mr. C. Brooks Stevens, treasurer of the United States Bunting Co., of Lowell, Mass.; Mr. Frederick R. Edington, of the American Woolen Co., of Boston.

Messrs. C. Brooks Stevens and F. R. Edington were selected by the committee on supplies early in October for permanent duty in Washington as technical advisers to that committee. Subsequently they were elected members of our committee.

On the original appointment of the committee due notice was given to the Council of National Defense, and the first meeting of the committee was held in New York on March 28, 1917, with a representative of the depot quartermaster at Philadelphia, the principal cloth-purchasing depot of the Army. On March 30 the joint committee had its first conference in Washington, with Chairman Rosenwald and Mr. Charles Eisenman, of the committee on supplies of the Council of National Defense, and having been previously appointed by the council was thereupon formally recognized as one of the committees cooperating with the council. Thereafter until the middle of September the joint committee held almost weekly meetings in New York or in Washington.

Until Col. Wood reentered the Federal service he passed a considerable part of his time in consultation with the committee on supplies in Washington, and with the purchasing agencies of the Quartermaster and Ordnance Departments of the Army and of the Navy and Marine Corps. Mr. Stevens, since succeeding Col. Wood as chairman of the joint committee, and members of the subcommittees have had frequent conferences with the officials in Washington.

The joint committee has rendered service not only to the Army and Navy but also the American Red Cross. Moreover, the committee, through other subcommittees formed by it for the especial purpose, has taken the initiative and helped in organizing the wool-manufacturing industry for wool conservation, in promoting the import of wool and in protecting the newly developed export trade in woolen goods.

One of the first and most important tasks of your joint committee was to recommend certain changes in the specifications for Army and Navy fabrics, with a view (1) to conserving the wool supply of the Nation, (2) to make it possible for the maximum number of mills to undertake the production of these fabrics and thus to insure prompt delivery, and (3) to maintain a just and reasonable range of prices.

It is keenly to be regretted that the representatives of the Government did not see their way clear immediately to accept last spring (1917) the earnest recommendation of the joint committee and also of the wool trade of the United States, that the entire available supply of wool be taken over by the Government, in accordance with the offer of the wool trade presented through the joint committee. Had this recommendation been adopted it would have saved the Government many millions of dollars.

The early policy and recommendations of the committee are set forth in the following excerpt from our records:

"The wool manufacturers' committee most earnestly recommends, as the real heart of the problem of securing just and reasonable prices on the military fabrics of the Government, that immediate steps be taken by the Government to control the present prices of raw wool of the one-half blood, three-eighths blood, and one-fourth blood grades required for the manufacture of military fabrics. To accomplish this it is essential for the Government to control the prices of these wools in all the primary markets of the country. The wool manufacturers are eager to furnish the Government with the requisite military fabrics at a proper price, but they can not undertake to do this so long as their indispensable materials are advancing in the present uncontrolled market as they are from day to day. It is as necessary for the manufacturers to have their materials for Government fabrics guaranteed to them at a fair price as it is for the Navy to have an assured price for its supplies of coal and oil fuel.

"What has been said above of the need of Government control of raw-wool prices applies also to the various wool substitutes authorized in the manufacture of these military fabrics.

"The wool manufacturers' committee suggests that Mr. Baruch call together the raw-wool committee to devise some means whereby the advance of the wool market can be checked until the Government can place present desired contracts for military fabrics.

"The manufacturers' committee suggests further that the wool merchants agree to give prices to their customers for sufficient time to enable the mills to receive a definite answer from the Government as to whether their bids are acceptable.

"That the grade specifications for wool for overcoating, uniform cloth, and blankets be changed from 'three-eighths blood' to 'low quarter blood or finer.'

"That for shirting flannels there be added to the specifications of February 17, 1917, one made with a cotton warp and worsted weft, in which fabric the proportion of cotton shall not exceed 30 per cent, and that the carded woolen shirting flannel in No. 1243 have the proportion of cotton reduced from 40 per cent to 30 per cent.

"That an additional type of olive-drab uniform cloth be included, to be made of worsted (all wool) warp and worsted weft, weighing 14 ounces to the linear yard.

"That the overcoating (30-ounce melton) be made of all wool fiber, of which not to exceed 35 per cent may be of noils or reworked wool, the minimum strength to be 65 pounds warp way, and 50 pounds weft way.

"That the all-wool blanket specifications provide for the use of noils and reworked wool in a proportion not exceeding 35 per cent of the whole weight.

"That an additional blanket type be adopted, to be made with cotton warp and wool weft. Such blankets to be used for saddle blankets, and made available for issue to troops as a selective alternative for the all-woolen blanket.

"That the border be omitted from the blankets.

"That the Government purchase from growers, merchants, and mills at to be established uniform prices the requirements of wool and other raw materials required for the manufacture of its needs in woolen goods, and issue at fixed prices to the mills making goods for the Government the raw materials required therefor.

"That prices for the goods made for the Government be based upon an agreed cost of conversion and profit plus such uniform cost as is fixed by the Government for each kind of raw material required to make the respective fabrics."

The following further excerpt from our records states the position of the committee:

"Col. Wood spoke of the committee as representing a proposition of service, not of mere manufacturing competition. The committee was working in an entirely detached way for the primary purpose of best service and best economy to the Government itself."

Minutes of all the meetings of the joint committee have been duly kept and recorded, and periodical reports of all the activities of the joint committee, including the above, have been furnished to the Council of National Defense. For detailed information of the work of the committee these minutes and reports are permanently available. As a committee it has never made or recommended any specific purchases by the Government; it has simply recommended what it regarded as proper specifications, and has urged that these specifications should be faithfully complied with. It further recommended maximum prices on the 30-ounce olive drab overcoating and the 3-pound olive drab blanket which it regarded as reasonable and fair alike to the manufacturers and to the Government.

The members of the joint committee are officials of mills which have undertaken Government contracts, but these contracts have been matters of negotiation upon individual action and have not come before the committee for any consideration whatsoever. All the manufacturers of the country capable of making military or naval fabrics were urged by the committee, and practically the entire trade promised to undertake their share of service, but the activities of the committee ceased at that point and each manufacturer was left to make his own terms and arrange his own contract with the accredited officials of the Government, separate and apart from the committee.

The joint committee strongly recommended strict adherence to specifications securing fabric standards and at all time advised against purchases below accepted standards.

For "emergency purchases" of inferior goods, the joint committee insisted that it should not be exposed to any charge that it in any manner acquiesced therein or was in any manner responsible therefor, and that it be entirely freed from and relieved of any accountability therefor.

In this connection we submit this extract from the minutes of the meeting of September 13, 1917, in Washington:

"After a period of general discussion the joint committee called on Mr. Eisenman at his office in the Munsey Building. Mr. Eisenman asked if it were true that the committee were dissatisfied with the character of some of the goods purchased for Army use. Acting Chairman Stevens replied that it was true—that the committee were disturbed at some recent happenings, and he instanced the purchase of certain low-priced shirting fabrics.

"Mr. Eisenman asked what the joint committee would do if the Secretary of War suddenly asked for 1,200,000 more yards of shirting flannel than had been anticipated—spot goods. He explained that the troops going to France had to carry with them a six months' equipment, and went on to say that affairs were moving very rapidly and he would like to have the committee designate a man or men to stay on the job permanently in Washington. The acting chairman inquired if it were true that the committee on supplies were getting up a 20-ounce fabric. Mr. Eisenman replied that there was not a word of truth in it, and added that he wished that goods could be manufactured as rapidly as rumors.

"Mr. Eisenman stated he kept a careful record of the emergency demands of the War Department—demands for immediate delivery. Acting Chairman Stevens said, 'If you will give us a letter to keep our records straight, we will be satisfied.' Mr. Eisenman replied, 'You can have access to our records at any time.'"

Particularly to define and emphasize the position of the joint committee concerning the character and quality of goods to be accepted under emergency purchases, the committee on the following day addressed the letter to Mr. Charles Eisenman, of the committee on supplies (which is here set out):

NEW YORK, *September 14, 1917.*

MR. CHARLES EISENMAN,
Committee on Supplies, Council of National Defense,
Washington, D. C.

DEAR MR. EISENMAN: You may recall the request of Chairman Stevens at our conference with you yesterday when the emergency purchases were being considered, that if you would give us a letter to keep our record clear of responsibility for these hastily bought fabrics we would be quite satisfied. As we understood it, you were entirely willing to state that for any defects that might develop in these emergency goods your advisory committee was not accountable.

I am very sure that this would greatly ease the minds of the members of our committee, and they feel that it is due to them.

I am sending you inclosed the minutes of yesterday's meeting and a copy of the call issued to-day to the members of the executive committees of the manufacturers' associations for a preliminary conference to take up in earnest the conserving of the wool supply.

You will also note that the committee has invited Mr. Hetzel and Mr. Wilson to act as representatives in Washington. With cordial regards,

Sincerely, yours,

WINTHROP L. MARVIN,
Acting Secretary Joint Committee of Wool Manufacurers, Cooperating with the Council of National Defense.

To this letter no reply was received.

From the time of the appointment of your committee until the early autumn (1917) we had been extremely active in advising the representatives of the Government and facilitating the production of woolen fabrics by the maunfacturers of the country on a great scale for the use of the various departments of the Army and Navy. Although Messrs. Edington and Brooks Stevens were attached to the staff of the committee on supplies as technical advisers and subsequently elected to your joint woolens committee, for some time prior to their appointment and since, the advice and assistance of your committee have been rarely sought.

The circumstances regarding the existence of the Base Sorting Co. and its reported methods of operation in connection with Government O. D. clippings first came to the attention of certain members of the joint woolens committee through market rumors. The executive committee of the American Association of Woolen and Worsted Manufacturers and such of its directors as could attend met to consider the situation. Mr. Nathaniel Stevens, chairman of the joint woolens committee, and Messrs. Francis, Bartlett, and Wilson, of the committee, were asked to be present.

At this meeting, held October 17, 1917, the matter was referred to the joint woolens committee for proper investigation by the following resolution:

"*Resolved*, That the entire matter (Base Sorting Co.) be referred to the joint woolens committee, to be brought by it to the attention of the authorities in Washington."

Our chairman went to Washington the following day and asked the vice chairman of the committee on supplies for an appointment with our committee to discuss the general subject of the Base Sorting Co. He stated that he felt the matter was outside the domain of your committee and objected to discussing the subject with us.

In early December the individual members of your committee received the following letter:

COUNCIL OF NATIONAL DEFENSE,
Washington, November 28, 1917.

SIR: To obviate the present embarrassing situation in which the members of the committees appointed by me or under my direction have been placed by being called upon to act both as Government agents or advisers and also as the representatives of their respective industries, it has seemed wise to terminate the existence of your committee, and hence the tender of your resignation is requested.

You will understand that this action is not taken in derogation of the very valuable services which you and your committee have rendered the Government in the present emergency, but is necessary to relieve your committee and the council from a situation which has been the subject of criticism, and is also in the interest of establishing a more closely knit organization.

I want to assure you that we are deeply appreciative of your efforts in the service of our country and of the patriotism and good judgment that have guided your services as our advisers.

It is hoped that a committee representative of your industry will be formed by it in the near future and that in this way you will be able to continue to give us advice on the many problems which necessarily arise.

Very truly, yours,

COMMITTEE ON SUPPLIES,
By JULIUS ROSENWALD, *Chairman.*

Promptly the members of the committee transmitted their resignations to Chairman Rosenwald. So the relation of the joint committee with the Government has now been completely dissolved, and the committee respectfully presents this, its final report, to the associations responsible for its creation.

The joint committee, as stated, has insisted upon and regarded it as a vital and imperative obligation and duty to maintain a strict adherence to fabric standards for Army and Navy use to insure the comfort and protect and guard the health of every soldier and sailor in the service of our Nation.

Your committee have to state as their united conviction that the resources of the woolen manufacturers of this country were, and are, adequate to fully and properly equip the land and naval forces of our country.

All of which is respectfully submitted.

NATHANIEL STEVENS.
CHARLES H. WILSON.
MOSES L. SHUTTLEWORTH.
ROBERT T. FRANCIS.
SPAULDING BARTLETT.
GEORGE C. HETZEL.
FRANCIS R. MASTERS.

Senator FRELINGHUYSEN. I move that the committee go into executive session.

(The motion was put and carried, and the committee accordingly went into executive session, and thereafter adjourned to meet on Monday, January 14, 1918, at 10.30 o'clock a. m.)

(The following communications from the Secretary of War in connection with the Army clothing supply have been received by the committee:)

WAR DEPARTMENT,
Washington, January 14, 1918.

MY DEAR SENATOR CHAMBERLAIN: On Saturday morning one of the members of the committee said that he had just talked with the commanding officer of Camp Sherman, and that there were, as I recall it, 3,000 men there without uniforms. You will recall that I asked the Assistant Secretary to direct at once that a telegram be sent to the camp to find out the facts.

I inclose a telegram which came on Saturday, the same day upon which the statement was made, and which states that the 31,024 men now at Camp Sherman were at that time all in uniform, and that a previous shortage of approximately 7,000 coats was at that time provided for.

I send this information because, as you will recall, I ventured at the time the statement was made quite definitely to express a disbelief in its accuracy. This telegram, I think, should be called to the attention of the members of the committee, as it is of the highest importance to have them know both that this provision has been made and that the information upon which I have been relying in my testimony to the committee is not inaccurate.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate.

—

CAMP SHERMAN, OHIO, *January 12, 1918.*

GOETHALS,
Quartermaster General of the Army, Washington, D. C.

Re tel date. 31,024 men now at this camp all in uniform. Previous shortage of approximately 7,000 coats provided for.

CASE, *Camp Quartermaster.*

—

WAR DEPARTMENT,
Washington, January 15, 1918.

MY DEAR SENATOR CHAMBERLAIN: I send you a telegram which has just been received from Camp Sherman. The information in it differs from that contained in the earlier telegram which I sent you yesterday and which arrived on Saturday. Apparently the information given to you by Gen. Glenn as to the blouses was accurate. This telegram, however, shows that an adequate supply is in shipment, though not received by the time the telegram was sent.

Cordially, yours,

NEWTON D. BAKER.
Secretary of War.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate.

—

CAMP SHERMAN, OHIO, *January 15, 1918.*

GOETHALS, per HARDEMAN,
Office Quartermaster General, Washington, D. C.

Thirty-one thousand one hundred and four men now in camp. All have overcoats and woolen breeches. Twenty-four thousand two hundred and four have complete uniforms. Sixty-nine hundred not yet supplied with coats, supply of which is now in shipment.

CASE, *Camp Quartermaster.*

—

WAR DEPARTMENT,
Washington, January 12, 1918.

Hon. GEORGE E. CHAMBERLAIN,
Chairman Committee on Military Affairs, United States Senate.

MY DEAR SENATOR: Pursuant to telephonic request of your committee to The Adjutant General of the Army that a report be obtained showing in percentages the shortages of articles of equipment C, quartermaster supplies, at the different divisional camps as of January 1, or as near that date as possible, a telegram was sent all division commanders, and I now have the honor to submit to your committee, attached herewith, a tabulated sheet showing the state of equipment as disclosed by these replies.

Figures represent shortages in percentages. Where blank spaces exist no shortages were reported.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

	Bags, barrack.	Clothing.	Belts, waist.	Breeches, cotton, O. D.	Breeches, woolen, O. D.	Coats, denim.	Coats, cotton, O. D.	Coats, woolen, O. D.	Cords, hat.	Drawers, cotton.	Drawers, woolen.	Gloves, horsehide.	Gloves, riding.	Gloves, woolen, O. D.	Hats, service.
Third Regular Division	10	.....	10	10	10	10	10	10	10	10	10	10	10	10	10
Fourth Regular Division	54	.....	54	54	54	54	54	54	54	54	54	54	54	54	54
Sixth Regular Division	.....	.....	.....	.....	83	.....	.....	90	.....	.....	68	.....	.....	.....	46
NATIONAL GUARD DIVISIONS.															
Twenty-seventh, Camp Wadsworth, S. C.	2	.....	2	13	20	18	18	18	.....	1	4	77	21	16	3
Twenty-eighth, Camp Hancock, Ga.	50	.....	.....	.....	50	55	40	47	.....	.....	.....	90	75	66	.....
Twenty-ninth, Camp McClellan, Ala.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Thirtieth, Camp Sevier, S. C.	.....	.....	.....	.....	65	.....	.....	60	.....	.....	.....	.....	.....	.....	.....
Thirty-first, Camp Wheeler, Ga.	.....	.....	.....	.....	30	.....	.....	39	.....	.....	.....	.....	.....	47	7/10
Thirty-second, Camp MacArthur, Tex.	4	.....	.....	.....	9	.....	.....	21	1	.....	5	.....	11	16	1
Thirty-third, Camp Logan, Tex.	.....	.....	.....	.....	50	.....	.....	50	25	.....	.....	20	.....	.....	.....
Thirty-fourth, Camp Cody, N. Mex.	5	.....	.....	.....	50	.....	.....	50	.....	.....	.....	.....	.....	.....	.....
Thirty-fifth, Camp Doniphan, Okla.	.....	.....	.....	.....	40	.....	.....	53	.....	.....	.....	20	.....	.....	.....
Thirty-sixth, Camp Bowie, Tex.	.....	.....	.....	.....	50	.....	.....	50	.....	.....	.....	100	100	.....	.....
Thirty-seventh, Camp Sheridan, Ala.	.....	.....	.....	.....	38	.....	.....	59	.....	.....	.....	.....	.....	.....	.....
Thirty-eighth, Camp Shelby, Miss.	29	.....	.....	.....	56	.....	.....	61	.....	.....	23	.....	.....	45	.....
Thirty-ninth, Camp Beauregard, La.	50	.....	.....	.....	38	.....	.....	50	.....	.....	28	.....	.....	78	.....
Fortieth, Camp Kearney, Cal.	66	.....	.....	20	35	.....	.....	78	.....	.....	81	6	.....	.....	.....

	Bags, barrack.	Clothing.	Belts, waist.	Breeches, cotton, O. D.	Breeches, woolen, O. D.	Coats, denim.	Coats, cotton, O. D.	Coats, woolen, O. D.	Cords, hat.	Drawers, cotton.	Drawers, woolen.	Gloves, horsehide.	Gloves, riding.	Gloves, woolen, O. D.	Hats, service.
NATIONAL ARMY DIVISIONS.															
Seventy-sixth, Camp Devens, Mass					17			40				50			17
Seventy-seventh, Camp Upton, N. Y								25	2						
Seventy-eighth, Camp Dix, N. J															
Seventy-ninth, Camp Meade, Md			19		16			52				60		20	
Eightieth, Camp Lee, Va					49			50							
Eighty-first, Camp Jackson, S. C				7	48	9		73	30		5			35	
Eighty-second, Camp Gordon, Ga					17			25			10				
Eighty-third, Camp Sherman, Ohio								23							
Eighty-fourth, Camp Taylor, Ky					35				10			98		50	
Eighty-fifth, Camp Custer, Mich					25			75						20	
Eighty-sixth, Camp Grant, Ill			5		30			20	5		24	24		30	
Eighty-seventh, Camp Pike, Ark					5			6							
Eighty-eighth, Camp Dodge, Iowa								60							
Eighty-ninth, Camp Funston, Kans					50			17				50			
Ninetieth, Camp Travis, Tex								57							
Ninety-first, Camp Lewis, Wash					29	30		43			2				
Ninety-second, Camp Funston, Kans	10				4			23	20						

	Hats, denim.	Laces, leggin.	Laces, shoe.	Leggins.	Ornaments.	Shirts, flannel, O. D.	Shoes, marching.	Shoes, field.	Stockings, cotton.	Stockings, L. W.	Stockings, H. W.	Undershirts, cotton.	Undershirts, woolen.	Slickers.
Third Regular Division	10	10	10	10	10	10	10	10	10	10	10	10	10	10
Fourth Regular Division	54	54	54	54	54	54	54	54	54	54	54	54	54	54
Sixth Regular Division				44		44	48	100		53			64	
NATIONAL GUARD DIVISIONS.														
Twenty-seventh, Camp Wadsworth, S. C				13		15	1	11	76	19	79	14	4	15
Twenty-eighth, Camp Hancock, Ga	90	50			95			15	27		95	8		35
Twenty-ninth, Camp McClellan, Ala														
Thirtieth, Camp Sevier, S. C					100			40						65
Thirty-first, Camp Wheeler, Ga								1						
Thirty-second, Camp MacArthur, Tex		20	20	1	100	3		10		8			5	4
Thirty-third, Camp Logan, Tex		50		25	75									
Thirty-fourth, Camp Cody, N. Mex					100									84
Thirty-fifth, Camp Doniphan, Okla		32			90					13				
Thirty-sixth, Camp Bowie, Tex														
Thirty-seventh, Camp Sheridan, Ala	92							92		16			10	31
Thirty-eighth, Camp Shelby, Miss										50			34	
Thirty-ninth, Camp Beauregard, La						10				18			16	6
Fortieth, Camp Kearney, Cal								78		39			45	
NATIONAL ARMY DIVISIONS.														
Seventy-sixth, Camp Devens, Mass		58		56				48		19	91			
Seventy-seventh, Camp Upton, N. Y		96								30				10
Seventy-eighth, Camp Dix, N. J				5				1						
Seventy-ninth, Camp Meade, Md		90				4								
Eightieth, Camp Lee, Va		100			46					48				
Eighty-first, Camp Jackson, S. C					100					40			7	5
Eighty-second, Camp Gordon, Ga				8						20			10	
Eighty-third, Camp Sherman, Ohio		99			100									59
Eighty-fourth, Camp Taylor, Ky		100	25		100									70
Eighty-fifth, Camp Custer, Mich		100	50		75									
Eighty-sixth, Camp Grant, Ill		8	25	12	37	25		10		21			19	
Eighty-seventh, Camp Pike, Ark					100									
Eighty-eighth, Camp Dodge, Iowa														
Eighty-ninth, Camp Funston, Kans					100	15	7	7						
Ninetieth, Camp Travis, Tex														
Ninety-first, Camp Lewis, Wash		99				1				3			1	
Ninety-second, Camp Funston, Kans						8				24			25	

	Overcoats.	Ponchos.	Trousers, denim.	Pins, shelter-tent.	Shelter halves.	Brassards, red.	Brassards, blue.	Whistles and chains.	Chevrons.	Leggins, mounted.	Bars, mosquito.	Bed sacks.	Cots.	Blankets.
Third Regular Division	10	10	10	10	10	10	10	10	10	10	10	10	10	10
Fourth Regular Division	54	54	54	54	54	54	54	54	54	54	54	54	54	54
Sixth Regular Division	44												80	16
NATIONAL GUARD DIVISIONS.														
Twenty-seventh, Camp Wadsworth, S. C	1	60												
Twenty-eighth, Camp Hancock, Ga			90	6						80	40			
Twenty-ninth, Camp McClellan, Ala														
Thirtieth, Camp Sevier, S. C					30									
Thirty-first, Camp Wheeler, Ga					5									
Thirty-second, Camp MacArthur, Tex	3	4		1	½							4		
Thirty-third, Camp Logan, Tex						5	75	15	50					
Thirty-fourth, Camp Cody, N. Mex														
Thirty-fifth, Camp Doniphan, Okla									10	34				
Thirty-sixth, Camp Bowie, Tex					5									
Thirty-seventh, Camp Sheridan, Ala			91											
Thirty-eighth, Camp Shelby, Miss		2			27									
Thirty-ninth, Camp Beauregard, La					50									
Fortieth, Camp Kearney, Cal	7	14	57	72										
NATIONAL ARMY DIVISIONS.														
Seventy-sixth, Camp Devens, Mass					24					58		11		
Seventy-seventh, Camp Upton, N. Y				19	80									
Seventy-eighth, Camp Dix, N. J	5													
Seventy-ninth, Camp Meade, Md		6												
Eightieth, Camp Lee, Va				21	50								100	
Eighty-first, Camp Jackson, S. C			90	70										
Eighty-second, Camp Gordon, Ga	5	18		26	26									
Eighty-third, Camp Sherman, Ohio		58			65									

	Overcoats.	Ponchos.	Trousers, denim.	Pins, shelter-tent.	Shelter halves.	Brassards, red.	Brassards, blue.	Whistles and chains.	Chevrons.	Leggins, mounted.	Bars, mosquito.	Bed sacks.	Cots.	Blankets.
NATIONAL ARMY DIVISIONS—continued.														
Eighty-fourth, Camp Taylor, Ky		20		50	70				50					
Eighty-fifth, Camp Custer, Mich														
Eighty-sixth, Camp Grant, Ill				23	23									
Eighty-seventh, Camp Pike, Ark	1													
Eighty-eighth, Camp Dodge, Iowa														
Eighty-ninth, Camp Funston, Kans									60	10				50
Ninetieth, Camp Travis, Tex					82									
Ninety-first, Camp Lewis, Wash			28											
Ninety-second, Camp Funston, Kans		14			100									

WATERS OF ALASKA AND THE PACIFIC COAST.

The VICE PRESIDENT. Are there further documents, petitions, or memorials?

Mr. POINDEXTER. I ask to have printed as a Senate document the report of the United States Coast and Geodetic Survey on the neglected waters of the Pacific coast, Washington, Oregon, and California, by E. Lester Jones, Superintendent of the United States Coast and Geodetic Survey, Department of Commerce. It is an extremely valuable statement of the needs of the coast survey of the waters of Alaska and the Pacific coast of the United States. I have a letter here from the Superintendent of the Coast Survey stating that the very limited number of copies which he was able to have printed——

Mr. HARDWICK. Mr. President, I trust the Senator will not present that out of order. It is not in order now.

Mr. POINDEXTER. I may have misunderstood the Chair, but I understood the Chair to ask if there were any other requests for documents to be printed.

Mr. HARDWICK. No.

Mr. POINDEXTER. Or petitions or memorials.

The VICE PRESIDENT. The Chair did so ask.

Mr. POINDEXTER. That was my understanding.

The VICE PRESIDENT. It is in order unless there is an objection.

Mr. HARDWICK. If the Senator can have it done without debate, I do not object.

Mr. SMOOT. It is already a departmental document, and the Committees on Printing of both Houses have agreed, and the Senate committee is not going to recommend the printing as public documents of the documents issued by the different departments of the Government. If they do, much of the printing of all the departments of our Government will be thrown upon Congress instead of being paid out of the funds appropriated to those departments for printing purposes. So I object.

The VICE PRESIDENT. The Chair understands that there is objection.

LANDS FOR RESERVOIR PURPOSES.

Mr. PHELAN, from the Committee on Public Lands, to which was referred the bill (S. 3646) to grant rights of way over Government lands for reservoir purposes for the conservation and storage of water to be used by the city of San Diego, Cal., and adjacent communities, reported it with amendments and submitted a report (No. 239) thereon.

AMENDMENT OF ESPIONAGE LAW.

Mr. CULBERSON. From the Committee on the Judiciary I report back favorably without amendment the bill (S. 3522) to amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, and I submit a report (No. 238) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there any objection?

Mr. HARDWICK. Mr. President, I should like to have the bill read before I can consent to its consideration.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

A bill (S. 3522) to amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.

Be it enacted, etc., That section 3 of title 1 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, be, and the same is hereby, amended so as to read as follows:

"SEC. 3. Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies, or with intent to obstruct the sale by the United States of bonds or other securities of the United States or the making of loans by or to the United States, and whoever, when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the United States, to the injury of the service or of the United States, shall be punished by a fine of not more than $10,000 or imprisonment for not more than 20 years, or both."

Mr. CULBERSON, from the Committee on the Judiciary, submitted the following report:

The Committee on the Judiciary, which has had under consideration S. 3522, being a bill to amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, report the same to the Senate and recommend its passage without amendment.

The object of the bill is to amend section 3 of Title I of the act referred to, commonly known as the espionage act, by adding to it ", or with intent to obstruct the sale by the United States of bonds or other securities of the United States or the making of loans by or to the United States," so that as amended section 3 of the act aforesaid will read as follows:

"SEC. 3. Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies, or with intent to obstruct the sale by the United States of bonds or other securities of the United States or the making of loans by or to the United States, and whoever, when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the United States, to the injury of the service or of the United States, shall be punished by a fine of not more than $10,000 or imprisonment for not more than 20 years, or both."

The bill is recommended by the Department of Justice and the Treasury Department, as shown by the following letters from the Attorney General and the Secretary of the Treasury:

DEPARTMENT OF JUSTICE,
OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., January 10, 1918.

Hon. CHARLES A. CULBERSON,
Chairman Committee on the Judiciary,
United States Senate.

MY DEAR SENATOR: During the past six months the attention of this department has been called to many instances of the making of false reports or statements intended to interfere with the successful floating of the liberty loans. Whether these acts have been committed by those who are actively favoring the cause of the enemy or whether they are committed with other motives, they are equally disloyal and injurious to the interests of the United States.

There seems at present to be no law upon the statute books which makes such acts criminal. The Secretary of the Treasury and the Federal Reserve Board have been and are much concerned over this situation, and I transmit herewith a copy of a letter from the former, dated January 9, 1918. I desire to say that I earnestly concur in the views expressed as to the necessity of the legislation, and also in the request of the Secretary of the Treasury that an amendment of the espionage act covering this point be adopted at the earliest possible moment.

I transmit herewith for the assistance of your committee a draft of such an act as I think would be sufficient to meet the evil.

Respectfully,

T. W. GREGORY, *Attorney General.*

THE SECRETARY OF THE TREASURY,
Washington, January 9, 1918.

MY DEAR MR. ATTORNEY GENERAL: I have your letter of the 2d of January and am glad to note that you agree with me regarding the necessity for an amendment to the espionage act providing that it shall be a criminal offense to make or convey false reports or false statements with the intent to obstruct the sale of United States bonds or other securities of the Government. The phraseology of the proposed amendment as suggested by you is entirely acceptable to me, and I shall appreciate it if you will bring it to the attention of the Judiciary Committees of the two Houses of Congress, together with this letter.

I consider the adoption of such an amendment most important. Since the United States entered the war a number of instances have been brought to the attention of this department in which efforts have

been made to interfere with the successful financing of the war. No argument is needed to show the necessity for the amendment, and I think it highly important that it be enacted at the earliest possible moment.

Sincerely, yours, W. G. McADOO.

Hon. THOMAS W. GREGORY,
Attorney General.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. GALLINGER. Mr. President, I want to ask the Senator from Texas a question. I notice that the bill proposes to make it a crime for any man to make a suggestion that the bonds of the United States should not be purchased. The bonds of the United States which have already been issued are below par; and if one man should ask another if he thought it was a good investment to take the bonds of the third issue, and the one of whom the question was asked replied: "I am afraid not, because the others are below par," would that be a crime?

Mr. CULBERSON. It would not under the proposed statute.

Mr. GALLINGER. I want to know how far-reaching this proposed law is to be.

Mr. CULBERSON. Let the report on the bill be read, Mr. President.

Mr. BORAH. Mr. President, if this is going to lead to debate, some of us would like to get through with the morning business. If there is going to be debate on the bill, I am going to object to its consideration.

Mr. CULBERSON. The report is short, and I ask that it be read.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. FRANCE. Mr. President, this is a very important matter, and I believe it should be considered only when a quorum is present. Therefore I object to the present consideration of the bill.

The VICE PRESIDENT. Then the bill goes to the Calendar.

Mr. CULBERSON. Mr. President, I ask that the report accompanying the bill may be printed in the RECORD immediately following the bill.

The VICE PRESIDENT. Without objection, that action will be taken.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 3661) authorizing the acquisition of certain lands in the District of Columbia for parkway purposes; to the Committee on the District of Columbia.

By Mr. JONES of Washington:

A bill (S. 3662) to establish the Mount Baker National Park in the State of Washington; to the Committee on Public Lands.

A bill (S. 3663) authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. POINDEXTER:

A bill (S. 3664) prohibiting any person, lessor, or sublessor from making a larger charge for rooms, apartment houses, hotel rooms, etc., than the rate charged for such rooms, houses, or dwellings on the 1st day of December, 1917; to the Committee on the Judiciary.

By Mr. GORE:

A bill (S. 3665) to enable the Secretary of Agriculture to establish plants in connection with land-grant colleges for the drying or dehydration of fruits and vegetables, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. GALLINGER:

A bill (S. 3666) granting an increase of pension to Wesley J. Ladd (with accompanying papers); to the Committee on Pensions.

By Mr. FRANCE:

A bill (S. 3667) providing for the conservation of certain foodstuffs in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SHAFROTH:

A bill (S. 3668) providing that the same war taxes on incomes and salaries shall apply to salaried officers of the United States, including Senators and Representatives in Congress, as upon all other persons subject to tax; to the Committee on Finance.

By Mr. HARDWICK:

A bill (S. 3669) to amend an act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907; to the Committee on Immigration.

By Mr. WARREN:

A bill (S. 3670) to promote the settlement and agricultural development of United States reclamation projects; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. OWEN:

A bill (S. 3671) conferring jurisdiction on the Court of Claims for adjudging the rights of the Otoe and Missouria Tribes of Indians for compensation on a basis of guardian and ward, and conferring jurisdiction on the Court of Claims to adjust the claims between the Otoe and Missouria Tribes of Indians and the Omaha Indians, to certain moneys received by the Omaha Indians; to the Committee on Claims.

By Mr. SHERMAN:

A bill (S. 3672) granting an increase of pension to Christian Marxmiller; to the Committee on Pensions.

By Mr. NEW:

A bill (S. 3673) for the relief Francis J. Mattler; to the Committee on Military Affairs.

A bill (S. 3674) granting a pension to John D. Ball;

A bill (S. 3675) granting an increase of pension to Richard Hardesty;

A bill (S. 3676) granting a pension to Curtis Harlin Lewis, jr.;

A bill (S. 3677) granting an increase of pension to James M. Alloways (with accompanying papers); and

A bill (S. 3678) granting an increase of pension to Taylor Edwards (with accompanying papers); to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 3679) granting a pension to Mary B. Hawkins (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 3680) granting an increase of pension to Marion Davis;

A bill (S. 3681) granting an increase of pension to William H. Cliff;

A bill (S. 3682) granting an increase of pension to Robert R. Robinson;

A bill (S. 3683) granting an increase of pension to Martin V. B. Clark (with accompanying papers); and

A bill (S. 3684) granting an increase of pension to Elias B. Bell (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 3685) granting a pension to Anthon O. Kruger (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 3686) granting an increase of pension to James Hood; to the Committee on Pensions.

By Mr. HALE:

A bill (S. 3687) granting an increase of pension to Ivory D. White; and

A bill (S. 3688) granting an increase of pension to Mary Howard (with accompanying papers); to the Committee on Pensions.

By Mr. REED:

A bill (S. 3689) authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. H. Hogan, at Kansas City, Mo.; and

A bill (S. 3690) authorizing the Postmaster General to cancel or readjust the terms of star-route and screen-wagon contracts; to the Committee on Post Offices and Post Roads.

By Mr. CHAMBERLAIN:

A bill (S. 3691) to provide for reimbursement of actual expenses or flat per diem for enlisted men of the Army traveling on duty under competent orders;

A bill (S. 3692) to amend section 1199, Revised Statutes of the United States; and

A bill (S. 3693) to prescribe the personnel of the Army Nurse Corps, the qualifications for appointment and the method of appointment therein, the pay, allowances, and leave of absence of members of said corps and the conditions under which they may be retired; to the Committee on Military Affairs.

A bill (S. 3694) for the relief of Amy E. Hall (with accompanying papers); to the Committee on Claims.

A bill (S. 3695) granting a pension to Murtha Doyle (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 3696) granting a pension to Anna Bryson; to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 3697) for the relief of First Lieut. A. W. Jackman, retired; to the Committee on Military Affairs.

A bill (S. 3698) for the relief of J. L. Borroun and Francis P. Bishop; to the Committee on Agriculture and Forestry.

A bill (S. 3699) for the relief of Mattie R. Mayer;

A bill (S. 3700) for the relief of John McW. Ford; and

A bill (S. 3701) for the relief of Laura E. Graves; to the Committee on Public Lands.

By Mr. HARDING:

A bill (S. 3702) to reimburse the Navajo Timber Co., of Delaware, for a deposit made to cover the purchase of timber; to the Committee on Claims.

A bill (S. 3703) granting an increase of pension to William H. Phillips;

A bill (S. 3704) granting an increase of pension to Barton O'Neal;

A bill (S. 3705) granting an increase of pension to William H. Morgan;

A bill (S. 3706) granting a pension to Thomas J. Scanlon;

A bill (S. 3707) granting an increase of pension to Wesley Woodard (with accompanying papers);

A bill (S. 3708) granting an increase of pension to Robert D. Hunter (with accompanying papers);

A bill (S. 3709) granting an increase of pension to Zachariah R. Thornton (with accompanying papers);

A bill (S. 3710) granting an increase of pension to James Hickman (with accompanying papers);

A bill (S. 3711) granting an increase of pension to Berlie Cross (with accompanying papers); and

A bill (S. 3712) granting a pension to Mary Rumbold (with accompanying papers); to the Committee on Pensions.

By Mr. SHAFROTH:

A joint resolution (S. J. Res. 127) providing for printing the report of the Chief of the Children's Bureau, Department of Labor; to the Committee on Printing.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SHEPPARD submitted an amendment proposing to appropriate $25,000 for the relief, civilization, and education of the Alabama and Coushatta Indians located in Polk County, Tex., etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. NELSON submitted an amendment proposing to appropriate not to exceed $50,000 of the funds derived from the sale of timber from the Red Lake Indian Forest, Minn., to be expended by the Secretary of the Interior in the logging, booming, towing, and manufacturing of timber at the Red Lake Agency sawmill, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate $4,000 for the improvement of the road between the Cass Lake Indian School and village, in the State of Minnesota, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. WARREN submitted an amendment proposing to appropriate $750,000 for investigating the disease of tuberculosis in animals, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. JONES of Washington submitted an amendment proposing to appropriate $750,000 for the current and contingent expenses of the Bureau of Indian Affairs, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

WORLD PEACE.

Mr. NORRIS. I ask unanimous consent for a reprint of Senate Document 139, Sixty-third Congress, first session.

Mr. SMOOT. What is the document?

Mr. NORRIS. It is a sermon by T. M. C. Birmingham, and the title of it is "World Peace Under American Leadership." It has already been printed as a Senate document, but the copies are exhausted.

Mr. SMOOT. The Senator does not want a reprint, but a certain number of extra copies should be printed. Is that what the Senator desires?

Mr. NORRIS. Of course, that would satisfy me; but I propose a reprint, as it is now a document of the Sixty-third Congress.

Mr. SMOOT. No; it remains a public document forever. If the Senator wants a thousand extra copies printed, he can make that request.

Mr. NORRIS. I have no objection what the particular form is, so that there may be a reprint. I will make a request for the printing of 1,000 extra copies.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The order was reduced to writing, as follows:

Ordered, That 1,000 additional copies of Senate Document 139, Sixty-third Congress, first session, entitled "World Peace Under American Leadership," be printed for the use of the Senate document room.

INTERNATIONAL POLICY.

Mr. BORAH submitted the following resolution (S. Res. 194), which was referred to the Committee on Foreign Relations:

Whereas most wars originate in the imperialistic designs of powerful nations to absorb and exploit smaller or weaker peoples; and

Whereas such designs, whenever successful, have always resulted in the political, economic, and moral degradation of the peoples whose rights were violated; and

Whereas the future progress and happiness of mankind depend upon the establishment of harmonious relations between the different peoples of the world, and such harmonious relations can only exist after each nation is made secure in the enjoyment of its political and economic freedom; and

Whereas all nationalities, constituting as they do the individuals of international law, have an inalienable right to the free disposition of themselves and to the international recognition of their separate political entity; and

Whereas history records that diplomatic congresses held upon the termination of wars have uniformly confined themselves to recognizing the advantages of the stronger powers regardless of the rights of other peoples affected thereby; and

Whereas such congresses have bartered away the interests of the weaker nations to promote the advantages and aggrandizement of the stronger powers; and

Whereas agreements resulting from such congresses create or perpetuate strained conditions, and, by countenancing injustice, sow the seed of later wars; and

Whereas the future peace conference is expected to decide the fate of humanity for generations; and

Whereas the readjustment to be brought about is therefore of vital importance to each nationality and people; and

Whereas peace conferences of the past have ignored the claims of small and subject nationalities by denying them representation at the conferences and by allowing their fate to be decided by indifferent, biased, or hostile parties; and

Whereas the declared purpose of the present war is to preserve and extend democracy among the nations of the world, most of the belligerents having repeatedly stated that this war is being fought in defense of the rights and integrity of small nations; and

Whereas the exclusion of any small or subject nation from participating in the conference held to establish world democracy and conclusive peace would be contrary to the import of the above declarations, and such exclusion is certain to result in the ignoring of their rights and interests, as has been the case in all past conferences; and

Whereas to deny any people admission into the commonwealth of nations would be an offense to the moral sense of mankind: Therefore be it

Resolved by the Senate of the United States:

1. That it is indispensable to the future permanent peace of the world that the national political and economic rights of small and subject nationalities be restored and conceded.

2. That if the coming peace is not to be illusory it must be inspired by justice alone and not by strategic consideration of the selfish, economic interests of the few strong powers; that the terms of peace should exclude all provisions which give any nation an advantage, privilege, or concession not equally shared in by other nations; and that hereafter when outside assistance is required by any country for the development of its potentialities the opportunity to share in this development shall be free and open to all other countries on equal terms.

3. That the right of each small and subject nationality to separate, deliberate representation at the peace conference be recognized, and that its case and interest be discussed and determined in open, public session.

4. That the nations that have declared themselves champions of world democracy and of the liberties of small and subject nations make their position clear to the world by pledging themselves to favor the admission of separate, deliberate representatives of all nationalities into the peace conference.

5. That in no case should anyone be disturbed because of race, language, or religion, nor on that account be subjected to intolerant treatment; that everyone has a right to civil equality, to liberty of conscience and religion, to the free use of his language, and the pursuit of happiness.

6. That the repatriation of all persons exiled or forcibly removed from their homes for whatever alleged reason is the first obligation of the power immediately responsible therefor.

7. That complete restitution should be made by such power for all private property destroyed and full reparation for all damage done, and that this should be guaranteed by the power immediately responsible therefor.

8. That secret diplomacy, one of the traditions of autocratic and personal governments, the chief weapon of despotism, and the most prolific source of the world's disturbance, is also the one indispensable instrument for the oppression of small nations; that it has, and can have, no place in a democratic world and should be rejected and discarded by all civilized nations.

THE COMMITTEE ON EDUCATION AND LABOR.

Mr. SMITH of Georgia submitted the following resolution (S. Res. 195), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Education and Labor or any subcommittee thereof be, and hereby is, authorized, during the Sixty-fifth Congress, to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee or any subcommittee thereof may sit during the sessions or recesses of the Senate.

REHABILITATION OF CRIPPLED SOLDIERS AND SAILORS.

Mr. NORRIS. I submit a resolution asking for certain information from the Secretary of War, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 193), as follows:

Resolved, That the Secretary of War be directed to furnish to the Senate such information as the War Department has or can readily obtain on the rehabilitation and vocational reeducation of crippled soldiers and sailors.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

INCOME-TAX PRIMER.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 33) of the House of Representatives, which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 500,000 extra copies of the Income Tax Primer, prepared by the Bureau of Internal Revenue for the information and assistance of taxpayers, 150,000 copies for the use of the Senate, 350,000 for the use of the House of Representatives, the same to be distributed through the folding rooms.

THE PRESIDENT'S PEACE POLICY.

Mr. LEWIS. Mr. President, on January 11 I submitted a resolution, being Senate resolution 181, having for its object the approval of the peace message of the President of the United States. I then asked that it lie upon the table. It was my intention to address myself to the resolution, but since then certain Senators have tendered certain forms of amendments or separate resolutions. In view of what has transpired from Europe, I think it would be now appropriate, as the Senator from Idaho [Mr. BORAH] has tendered a resolution and had it referred to the Committee on Foreign Relations, and the Senator from Oklahoma [Mr. OWEN] having done likewise, that I should move that my resolution now go to that committee in order that it may be treated at once in connection with other resolutions that may now be before the committee on the same subject.

The VICE PRESIDENT. The resolution will be referred to the Committee on Foreign Relations.

THE WHEAT SUPPLY.

Mr. FRANCE. Mr. President, I desire to state that on January 9 I submitted a resolution, which I considered to be of some importance, and at that time I gave notice that when the proper opportunity presented itself I should desire to speak briefly on the subject. Unless there is some other important matter to come up to-day at the close of morning business. I desire then to address the Senate briefly on the resolution.

WITHDRAWAL OF PAPERS.

On motion of Mr. BORAH, it was

Ordered, That the papers accompanying the bill (S. 1483, 65th Cong., 1st sess.) granting increase of pension to Emma E. Normoyle be withdrawn from the files of the Senate, no adverse report being made thereon.

On motion of Mr. NEW, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying S. 4009, Sixty-fourth Congress, first session, providing that Nathan Manzer be considered to have been honorably discharged from the military service of the United States, no adverse report having been made thereon.

THE GARABED INVENTION—CONFERENCE REPORT.

Mr. JAMES submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the resolution (H. J. Res. 174) for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 5.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, and 7, and agree to the same.

OLLIE M. JAMES,
T. P. GORE,
FRANK B. BRANDEGEE,
Managers on the part of the Senate.

CHARLES B. SMITH,
ROBERT CROSSER,
JOHN I. NOLAN,
Managers on the part of the House.

The conference report was agreed to.

WAR CABINET—DIRECTOR OF MUNITIONS.

Mr. HITCHCOCK. Mr. President, I desire to give notice that on Monday next, immediately after the close of the morning business, I shall ask the privilege to address the Senate on the subject of the creation of a war cabinet, and also in support of the bill on the calendar proposing to create the office of director of munitions.

Mr. WADSWORTH. Mr. President, I desire to give notice at this time that on Tuesday next, at the close of the morning business, I shall ask the privilege to address the Senate on the legislation first referred to by the Senator from Nebraska [Mr. HITCHCOCK].

INTERNATIONAL BIMETALLISM (S. DOC. NO. 168.)

Mr. THOMAS. Mr. President, in the Annalist of the 7th of January appears an article entitled "A move for international bimetallism," from the pen of my colleague [Mr. SHAFROTH]. It is a most valuable contribution upon a subject which will soon become one of the issues of the hour. I ask to have it printed as a Senate public document. It is very short, and will comprise only between four and six printed pages.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

DEATH OF MAJ. A. P. GARDNER.

Mr. JAMES. Mr. President, I present resolutions adopted by the House of Representatives of the State of Kentucky upon the death of Maj. Augustus P. Gardner, paying high tribute to his distinguished service. I ask that they be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

IN HOUSE OF REPRESENTATIVES,
January 16, 1918.

[Adopted.]

Whereas Augustus P. Gardner, soldier, statesman, and patriot, in all the acts of his splendid life an ideal American, on the afternoon of January 14 passed away while in the service of his country at Camp Wheeler, Macon, Ga.: Now

Be it resolved by the House of Representatives of the Commonwealth of Kentucky, That the membership of this body hereby expresses profound sorrow on learning of the loss of this great leader of opinion and of men, and unites with all true Americans in tribute to his gallantry, and to the inspiration afforded by his ideals to the young manhood of the country he so loved that in her defense he yielded up his life.

Resolved further, That expression of our sympathy and sorrow be, and the same is, hereby extended to the widow and family of Maj. Gardner, and that a copy of these resolutions, properly certified by the clerk of the house, be forwarded to his family at Hamilton, Mass.

A copy.
Attest:

ELI BERRY,
Chief Clerk, House of Representatives.

SERVICE UNDER DOMINICAN REPUBLIC.

The VICE PRESIDENT. Morning business is closed.

Mr. SWANSON. There is a bill on the calendar, which has been reported favorably by the Committee on Naval Affairs, which I desire to have disposed of this morning. I therefore ask unanimous consent for the immediate consideration of the bill (S. 3006) to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was read, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized, in his discretion, to detail to assist the Dominican Republic, officers and enlisted men of the United States Navy and the United States Marine Corps: *Provided*, That officers and enlisted men so detailed be, and they are hereby, authorized to accept from the Government of the Dominican Republic offices under said Government with compensation and emoluments from the said Dominican Republic, subject to the approval of the President of the United States: *Provided further*, That while so detailed such officers and enlisted men shall receive, in addition to the compensation and emoluments allowed them by the Dominican Republic, the pay and allowances of their rank or rating in the United States Navy or United States Marine Corps, as the case may be, and they shall be entitled to the same credit, while so serving, for longevity, retirement, foreign-service pay, and for all other purposes that they would receive if they were serving with the United States Navy or Marine Corps in said Dominican Republic.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RETIRED OFFICERS OF THE NAVY AND MARINE CORPS.

Mr. SWANSON. I move that the Senate proceed to the consideration of the bill (S. 3126) to provide temporary promotion for retired officers of the Navy and Marine Corps performing active duty during the period of the present war.

The VICE PRESIDENT. The question is on the motion of the Senator from Virginia.

Mr. GALLINGER. Let the bill be read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That during the present emergency any commissioned or warrant officer of the Navy or Marine Corps of the United States on the retired list may, while performing active duty pursuant to law, be temporarily advanced to and commissioned in such higher grade or rank on the retired list not above that of lieutenant commander in the Navy or major in the Marine Corps as the President may determine, and any officer so advanced shall, while on active duty, be entitled to the same pay and allowances as officers of like grade or rank on the active list: *Provided*, That any such commissioned or warrant officer who has been so advanced in grade or rank by reason of this act shall, upon his relief from active duty or in any case not later than six months after the termination of the present war, revert to the grade or rank on the retired list and to the pay and allowance status, except as to longevity pay, which he would have held had he not been temporarily promoted as provided by this act: *Provided further*, That a retired officer, whether or not employed on active duty, shall receive longevity pay according to his total service on the active list plus his total period of active duty while on the retired list.

Mr. GALLINGER. Mr. President, I will ask the Senator from Virginia if there is any similar statute relating to officers of the Army?

Mr. SWANSON. The officers of the Army are treated more liberally than the officers of the Navy will be treated under this proposed law.

Mr. GALLINGER. Are they given increased pay when they are called from the retired list to the active list for temporary duty?

Mr. SWANSON. Under the law covering the Army a retired officer called to active service receives the pay for the grade in which he serves on active duty; in the Navy, under this proposed law, it is provided that the officer of the Navy or Marine Corps on the retired list—

may, while performing active duty pursuant to law, be temporarily advanced to and commissioned to such higher grade or rank on the retired list not above that of lieutenant commander of the Navy or major in the Marine Corps, as the President may determine.

Under the provision in respect to the Army, when a retired officer is put on active duty he is subject to promotion, and when he retires he retires at the increased rank obtained during his service. There is no such provision in this bill in regard to the Navy. In the Navy, when a retired officer is put on active duty, he will get such pay and emoluments as he is entitled to as an officer on active duty, and he may be promoted up to the rank provided in the bill; but when he is retired he is retired at the same rank he held when he originally retired.

Mr. GALLINGER. So that, if this bill should become a law, it would not fully equalize the pay as between the Army and the Navy?

Mr. SWANSON. It would not altogether do so.

Mr. GALLINGER. But it would tend to equalize it?

Mr. SWANSON. It does this: It gives longevity pay; and that longevity pay is computed in the case of the officer and the enlisted man according to the term of his active service, including both the active service before retirement and the active service when again called to active duty. The bill seems to me to be just.

It might also be proper, when officers and enlisted men of the Navy and Marine Corps are in active service, to give them the same advantages in proportion as are given to officers and enlisted men in the Army. The Navy Department, however, did not recommend that at this time, and the committee did not go any further than the department recommended.

Mr. GALLINGER. While this bill will doubtless cost a good deal of money—and I suppose we have an abundance of that in the Treasury—it does not seem to discriminate in favor of the Navy, and I do not object to it.

Mr. SMOOT. Mr. President, I notice that the bill which was just passed on the motion of the Senator from Virginia [Mr. SWANSON] had been favorably reported upon by the Secretary of the Navy. The report on this bill contains no recommendation from the Secretary of the Navy, but is accompanied by a letter of Leof M. Harding, captain, retired, United States Marine Corps.

Mr. SWANSON. Mr. President, if the Senator will read that letter he will see that the writer wanted this bill to be amended further than was desired by the department. He wanted the bill amended to permit a naval officer to be retired after he had been on active service with the rank to which he may have been promoted on account of his active service; but we did not include such an amendment. The writer of the letter, which the Senator from South Carolina [Mr. TILLMAN] included in the report, was anxious that the bill recommended by the Navy Department be amended so as to conform to the statute which relates to the Army under similar circumstances.

Mr. SMOOT. This is what the report states in connection with that matter:

2. Inclosure (a), which has the approval of the department, covers all that is requested, save that it does not give the officer promoted thereunder the relative rank to which his period of service entitles him.

Do I understand the Senator to say that this bill adheres to the position taken by the Navy Department?

Mr. SWANSON. I understand it does. The department recommended this bill, but the writer of the letter referred to wanted the bill amended in the respects suggested by him.

If the Senator will permit me and will listen to me a moment, I desire to call his attention to the fact that in the Army when a retired officer is called to active duty, though he may have been retired as a first lieutenant, in the course of his subsequent active duty he may be promoted to be a captain or a major, and when he retires he does not retire with the rank he held when originally retired, but he retires with the rank to which he has been promoted during his second period of active service. That is not true in the case of the Navy. When a naval officer is called to active duty he is paid the full pay of his grade, and under this bill he may be promoted up to the grade of lieutenant commander. The law which was passed last year continues in force, but when an officer is retired under this bill he retires with the rank at which he was retired originally. He is entitled, however, to additional longevity pay, which is not the case under the existing law. All that this bill does is to give him his longevity pay when he retires. It ought to go further.

Mr. SMOOT. I am perfectly willing to take the statement of the Senator. The object of the bill, then, is that where an officer has been retired and is called into active service, the length of service shall apply to his longevity pay?

Mr. SWANSON. Yes. That is, he gets longevity pay according to his active service before he was retired and his active service since he was retired. When he is retired again he goes back to the rank and pay at which he was originally retired, with longevity pay added to it.

Mr. SMOOT. I think he is entitled to that, and if that is all the bill does, I have no objection to it.

Mr. SWANSON. That is all the bill does. I should have no objection to the bill going further. It is limited to this emergency and six months thereafter. When these retired officers are put on active duty during the war and take all the risk and dangers of war, I should not object to letting them be retired with rank and pay proportionate to their active service; but this bill does not go that far, as the department did not recommend it.

Mr. SMOOT. I have no objection, then, Mr. President.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The Senator from Virginia moves that the Senate proceed to the consideration of the bill referred to by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3126) to provide temporary promotion for retired officers of the Navy and Marine Corps performing active duty during the period of the present war. It proposes that during the present emergency any commissioned or warrant officer of the Navy or Marine Corps of the United States on the retired list may, while performing active duty pursuant to law, be temporarily advanced to and commissioned in such higher grade or rank on the retired list not above that of lieutenant commander in the Navy or major in the Marine Corps as the President may determine, and any officer so advanced shall, while on active duty, be entitled to the same pay and allowances as officers of like grade or rank on the active list, provided that any such commissioned or warrant officer who has been so advanced in grade or rank by reason of this act shall, upon his relief from active duty or in any case not later than six months after the termination of the present war, revert to the grade or rank on the retired list and to the pay and allowance status, except as to longevity pay, which he would have held had he not been temporarily promoted as provided by this act, and provides further that a retired officer, whether or not employed on active duty, shall receive longevity pay according to his total service on the active list plus his total period of active duty while on the retired list.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DISPOSITION OF EFFECTS OF DECEASED SAILORS.

Mr. SWANSON. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3129), to provide for the disposition of the effects of deceased persons in the naval service.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia?

Mr. GALLINGER. Mr. President, let the bill be read for information first.

The PRESIDING OFFICER. The bill will be read.

The Secretary read the bill; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes that hereafter all moneys, articles of value, papers, keepsakes, and other similar effects belonging to deceased persons in the naval service, not claimed by their legal heirs or next of kin, shall be deposited in safe custody, and if any such moneys, articles of value, papers, keepsakes, or other similar effects so deposited have been, or shall hereafter be, unclaimed for a period of two years from the date of the death of such person, such articles and effects shall be sold and the proceeds thereof, together with the moneys above mentioned, shall be deposited in the Treasury to the credit of the Navy pension fund, provided that the Secretary of the Navy is authorized and directed to make diligent inquiry in every instance after the death of such person to ascertain the whereabouts of his heirs or next of kin and to prescribe such regulations as may be necessary to carry out the foregoing provisions; provided, further, that claims under the provisions of the bill may be presented at any time within five years after such moneys or proceeds have been so deposited in the Treasury and, when supported by competent proof in any case after such deposit in the Treasury, shall be certified to Congress for consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BRIG. GEN. LITTLETON W. T. WALLER.

Mr. SWANSON. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3131) for the relief of Brig. Gen. Littleton W. T. Waller, United States Marine Corps.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes and directs the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to Brig. Gen. Littleton W. T. Waller, United States Marine Corps, the sum of $318.90, this being the amount stolen from the public funds of the United States at the navy yard, Norfolk, Va., by a private in the Marine Corps, and which amount was reimbursed to the Government by the said Littleton W. T. Waller, he having been held only technically responsible for the loss.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SMOOT obtained the floor.

Mr. SWANSON. Mr. President, I have not finished. I hope the Senator will let me finish with these naval bills.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Virginia?

Mr. SMOOT. Yes; I yield to the Senator, but what we ought to do is to start at the beginning of the calendar and go through these bills.

Mr. SWANSON. These are war measures.

Mr. SMOOT. Very well; I yield.

COMPENSATION OF PERSONS ACTING AS FIREMEN.

Mr. SWANSON. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3130) to amend section 1570 of the Revised Statutes of the United States.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend section 1570 of the Revised Statutes of the United States to read as follows:

SEC. 1570. Every seaman, landsman, or marine who performs the duty of a fireman on board any vessel of war shall be entitled to receive, in addition to his compensation as seaman, landsman, or marine, a compensation at the rate of 33 cents a day for the time he is employed as fireman.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RETIREMENT OF CHIEF WARRANT OFFICERS.

Mr. SWANSON. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3400) to regulate the pay of retired chief warrant officers on active duty.

The PRESIDING OFFICER. Is there objection?

Mr. GALLINGER. Let the bill be read for the information of the Senate.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes that any retired chief warrant officer who has been on active duty since August 29, 1916, or who may hereafter perform active duty, and whose record is creditable, shall, during such time as he has been or may hereafter be, on active duty, and from the time his service on the active list after date of commission, plus his service on active duty while on the retired list, is equal to six years, receive the pay and allowances that are now, or may hereafter be, allowed a lieutenant (junior grade), United States Navy; and shall, during such time as he has been, or may hereafter be, on active duty, and from the time such total service is equal to 12 years, receive the pay and allowances that are now, or may hereafter be, allowed a lieutenant, United States Navy.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL OFFICERS ABSENT WITHOUT LEAVE.

Mr. SWANSON. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3404) to authorize the President to drop from the rolls any Naval or Marine Corps officer absent without leave for three months, or who has been convicted of any offense by the civil authorities, and prohibiting such officer's reappointment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President to drop from the rolls of the Navy or Marine Corps any officer thereof who is absent from duty without leave for a period of three months or more, or who, having been found guilty by the civil authorities of any offense, is finally sentenced to confinement in a State or Federal penitentiary, provided that no officer so dropped shall be eligible for reappointment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

QUARTERS FOR OFFICERS OF NAVY AND MARINE CORPS.

Mr. SWANSON. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3406) to authorize the Secretary of the Navy to determine where and when there are no public quarters available for officers of the Navy and Marine Corps.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia?

Mr. GALLINGER. Let the bill be read first for the information of the Senate.

The PRESIDING OFFICER. The bill will be read.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes that hereafter the Secretary of the Navy may determine where and when there are no public quarters available for persons in the Navy and Marine Corps, or serving therewith, within the meaning of any acts or parts of acts relating to the assignment of quarters or commutation therefor.

Mr. GALLINGER. Mr. President, I will ask the Senator from Virginia to tell us what that means. Surely the Secretary of the Navy, without legislation, can ascertain whether or not there are public quarters available for these persons.

Mr. SWANSON. Mr. President, under existing law no man can have commutation of quarters in the Marine Corps or the Navy as long as there are quarters at the barracks. There is no way under the law for the Secretary of the Navy, as there is for the Secretary of War, to determine when there are not quarters available there. Consequently, there is always trouble with the Comptroller of the Treasury as to whether or not this commutation should be paid, because there is no officer designated to determine whether or not there are quarters there, and thus to give the officers commutation.

As I understand, a different condition prevails in the War Department. The Secretary of War determines whether there are quarters at these barracks or posts for officers; and when it is determined that there are not, then it is definitely fixed that the officer is entitled to commutation of quarters. This bill simply gives authority for the Secretary of the Navy to fix it definitely, so that the Comptroller of the Treasury can determine whether or not commutation is payable.

Mr. GALLINGER. Is there a statute in this regard relating to Army officers?

Mr. SWANSON. As I understand, there is a statute that authorizes the Secretary of War to determine whether or not there are quarters for officers of the Army at these barracks. I can not say definitely, but I have that impression. The general law is that an officer can not have commutation unless it is shown that he can not have quarters in the barracks. There

is no specific method fixed by law at present to determine who shall decide that question. Consequently, the question is left open for the Comptroller of the Treasury to pass on.

Mr. LODGE. At present the commutation of quarters for the officers is held up on the ground that there is nobody to decide the question.

Mr. GALLINGER. If that is all there is to it, I have no objection.

Mr. LODGE. That is all there is to it. I think it is very desirable that the bill should be passed, in justice to the officers.

Mr. SWANSON. It does not change the law. It simply authorizes somebody to decide that question specifically.

The PRESIDING OFFICER. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EX-PAYMASTERS' CLERKS.

Mr. SWANSON. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3427) for the relief of certain ex-paymasters' clerks.

Mr. SMOOT and Mr. GALLINGER. Let it be read first.

The PRESIDING OFFICER. The bill will be read.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes that any person who was serving as a paymaster's clerk in the United States Navy on March 2, 1915, and who rendered similar service after said date in compliance with orders from the Navy Department, shall be credited for such service as though the same was rendered as a paymaster's clerk, whether such service was in the office to which he had been originally appointed or otherwise, and for the period of such service shall be entitled to the pay and allowances as provided by law for a paymaster's clerk prior to March 3, 1915.

Mr. SMOOT. Mr. President, I will ask the Senator from Virginia to explain this bill.

Mr. SWANSON. Under the old law, Mr. President, when a paymaster was appointed he named his clerk, and that clerk was a paymaster's clerk until the paymaster was removed or went somewhere else. Then he went back to civil life and his appointment ceased. Subsequently we changed that law, and fixed by law the status of a paymaster's clerk. That having been fixed by law and a specific examination prescribed, the paymaster did not have to select his clerk. He had to stand an examination. In the meantime some paymasters' clerks were covered into the Paymaster's Clerks' Corps, before this Paymaster's Clerks' Corps was perfected.

The Comptroller of the Treasury held that the appointments of all paymasters' clerks appointed by the paymasters ceased, and that they could not get their pay. This new method was inaugurated in 1913 or 1914. At that time we made them pay clerks, not paymaster's clerks; so a parcel of clerks were designated to act in the meantime, because the work could not stop. The Comptroller of the Treasury held that they were not paymasters' clerks and not pay clerks. Consequently it has been impossible for those people to get their pay during the time when the change of the system from paymasters' clerks to pay clerks was going into effect. The department has asked to have this bill passed to take care of that class of people, who were left in that situation, though they were directed to do the work and did the work until the position of pay clerk could be established.

Mr. SMOOT. Do they have any rank at all in the Navy?

Mr. SWANSON. They are called pay clerks.

Mr. SMOOT. What is their rank, if they have one?

Mr. SWANSON. The rank is fixed. A pay clerk is a chief warrant officer, like a chief yoeman. A pay clerk is not a commissioned officer; he is a warrant officer.

Mr. SMOOT. Is he entitled to a pension?

Mr. SWANSON. He is entitled to a pension, like other people that serve in the Navy, after a certain length of service. The pay clerks go on battleships; they are here in Washington, and they are subject to the orders of the Navy Department.

Mr. SMOOT. Then this bill is for the purpose of allowing the auditor to pay the clerks during the time the change was being made from appointment by the paymaster himself to appointment by the Government in pursuance of examination?

Mr. SWANSON. During the time the change was being made from paymaster's clerk to pay clerk. The Comptroller of the Treasury has held that they were not paymaster's clerks, and they had not qualified for pay clerks, but they did the work. This bill is simply to authorize the payment of compensation to the people who served during this period of transition. It does not increase the pay of anybody. It simply gives pay to people who were denied pay by the Comptroller of the Treasury.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from New Hampshire?

Mr. SWANSON. I do.

Mr. GALLINGER. During that period these men discharged certain duties, I suppose, did they?

Mr SWANSON. They discharged the duties of the office. They were directed to discharge these duties as paymaster's clerks, but that office had been abolished.

Mr. GALLINGER. And they were not paid for the services?

Mr. SWANSON. And they were not paid. This is to get rid of that condition.

Mr. GALLINGER. Of course, the bill ought to pass, then.

Mr. LODGE. It covers only a very few men.

Mr. FLETCHER. Mr. President, I shall not object to taking up this bill, but I was wondering if we could not take up the calendar. If that were done, would not these bills be reached soon?

Mr. SWANSON. There are only three or four more. They are very important. These naval officers are leaving all the time.

Mr. FLETCHER. There are a number of us who are interested in bills on the calendar, and it seems to me that we ought to take up the bills in their order. I am not disposed to object, however.

Mr. LODGE. It will take us only a few minutes to complete these bills.

Mr. SWANSON. We have only three or four more, and these naval officers are leaving every day.

The PRESIDING OFFICER. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time and passed.

PAYMENT OF GUN POINTERS AND GUN CAPTAINS.

Mr. SWANSON. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3445) to authorize the payment of gun pointers and gun captains while temporarily absent from their regular stations, and for other purposes.

Mr. GALLINGER. Mr. President, I will ask the Senator how many more of these bills he has?

Mr. SWANSON. There are only three more.

Mr. GALLINGER. The Senator will recall the fact that the Senator from Maryland [Mr. FRANCE], who some time ago gave notice that he desired to discuss briefly a certain matter, renewed that suggestion this morning, saying that he would ask permission to do so at the close of the morning business.

Mr. SWANSON. I was not aware of that.

Mr. GALLINGER. I think the wishes of the Senator from Maryland ought to be regarded. If it will not take much time to consider the three other bills I shall not object to the Senator proceeding with them.

Mr. SWANSON. It will take only a very little time. These bills are unanimously reported from the Naval Affairs Committee, and they are very necessary for these officers.

Mr. GALLINGER. I trust other Senators will not interpose any business that will prevent the Senator from Maryland making the brief address which he gave notice some time ago he desired to make.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent for the consideration of the bill referred to by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that during the period of the present war any enlisted man of the Navy or Marine Corps who has qualified, or who may hereafter qualify, as a gun pointer or gun captain, and who has been, or may hereafter be, detailed as gun pointer or gun captain for a gun of the class for which qualified, shall be entitled to the additional pay now or hereafter provided for such qualification and detail while temporarily absent by proper authority from the place where ordinarily required to perform duty under such detail, or while performing temporary duty which is not connected with such detail as gun pointer or gun captain.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADMISSION TO NAVAL ACADEMY.

Mr. SWANSON. I ask that the Senate proceed to the consideration of the bill (S. 3402) to fix the age limits for candidates for admission to the United States Naval Academy.

Mr. SMOOT. Let it be read.

The PRESIDING OFFICER. The bill will be read.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill had been reported from the Committee on Naval Affairs with an amendment to add the following proviso:

Provided, That the foregoing shall not apply to candidates for midshipmen designated for entrance to the academy in 1918.

So as to make the bill read:

Be it enacted, etc., That hereafter all candidates for admission to the Naval Academy must be between the ages of 16 and 20 years on July 1 of the calendar year in which they enter the academy: *Provided*, That the foregoing shall not apply to candidates for midshipmen designated for entrance to the academy in 1918.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COURSE OF INSTRUCTION AT NAVAL ACADEMY.

Mr. SWANSON. I ask the Senate to proceed to the consideration of the bill (S. 3401) to authorize the President to reduce temporarily the course of instruction at the United States Naval Academy.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Naval Affairs with an amendment to strike out all after the enacting clause and insert:

That the President be, and he is hereby, authorized, during the continuance of the present war, to reduce temporarily, in his discretion, the course of instruction at the United States Naval Academy from four to three years and to graduate classes which have completed such reduced courses of instruction.

Mr. GALLINGER. The Senator from Virginia has suggested that all these bills are war measures. I suppose on that ground there is an emergency. If it were not for that reason I certainly would object to reducing the course of instruction in these academies any more than equally I should in our literary institutions. If it is absolutely necessary that these officers should be produced in larger numbers covering a given period of time, I shall not object; but I think it is a very dangerous principle if it is to be made permanent.

Mr. SWANSON. The department is very urgent about it.

Mr. GALLINGER. Is it designed that this shall be a permanent statute?

Mr. SWANSON. If the Senator will permit me, last year we permitted the course to be temporarily reduced from four years to three years during 1918. This bill extends it during the war.

Mr. GALLINGER. That is the very point I wished to be informed upon. I wanted to know if the bill is so drawn.

Mr. SWANSON. The amendment was put in by the committee so as to limit it during the war.

Mr. GALLINGER. I did not understand that, as it was read hurriedly; but if it is to extend during the period of the war, there is justification for it.

Mr. SWANSON. It is very urgent.

Mr. GALLINGER. I did not want it to be a permanent statute.

Mr. LODGE. It is limited to the war. The Senator will remember that in the Civil War this was done. We need them very much for watch officers.

The PRESIDING OFFICER. The question is on the amendment of the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the President to reduce temporarily the course of instruction at the United States Naval Academy."

STANDARDIZATION OF WAGES.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. Senate resolution 174 directing the Committee on Education and Labor to inquire into the subject of labor having to do directly or indirectly with Government work and report upon the advisability of establishing standard wages for laborers in such work.

Mr. KING. I ask that the resolution may go to the calendar.

The PRESIDING OFFICER. Without objection the resolution goes to the calendar.

ADJUDICATION OF PRIVATE CLAIMS.

Mr. SMITH of Georgia. I move that the Senate proceed to the consideration of the bill (S. 1795) to relieve Congress from the adjudication of private claims against the Government. If this motion is adopted I shall ask that the bill be temporarily laid aside so that the calendar or any other matter desired may be disposed of.

Mr. GALLINGER. I call the attention of the Senator from Georgia to the fact that the Senator from Maryland (Mr. FRANCE) some time ago gave notice that he desired briefly to address the Senate on an important matter, and he has renewed that suggestion this morning, saying that he would do so at the close of the morning business. I think the Senator from Maryland ought to be permitted to proceed.

Mr. SMITH of Georgia. So do I, but if this motion prevails I would lay the bill aside at once temporarily and it would not interfere with the speech of the Senator from Maryland.

Mr. GALLINGER. If I understand the bill the Senator is interested in it will not get my consent. There will have to be a vote to take it up if I understand the bill. I may be mistaken.

Mr. SMITH of Georgia. I will state to the Senator that the bill proposes to repeal what is known as the Crawford amendment.

Mr. GALLINGER. I shall resist the repeal in every proper way I can.

Mr. SMITH of Georgia. I want to get the bill up and let the Senate vote on it. I think there should be action on it.

The PRESIDING OFFICER. The question is on the motion of the Senator from Georgia.

Mr. GALLINGER. If the Senator insists on that I desire to debate it.

Mr. SMOOT. Does the Senator from Georgia insist on his motion?

Mr. SMITH of Georgia. I want the Senate to pass on the motion. If the motion is acted upon the pendency of the bill will not interfere at all with the Senator from Maryland.

Mr. SMOOT. But if the motion is put now and carried it makes it the unfinished business.

Mr. SMITH of Georgia. It need not be put at once. The motion can still be pending and the Senator from Maryland can proceed with his speech.

Mr. SMOOT. What I want to know is whether the Senator is going to insist on a vote?

Mr. SMITH of Georgia. Not until after the Senator from Maryland finishes his speech.

Mr. LODGE. The motion is debatable. The Senator from Maryland can speak upon it.

THE WHEAT SUPPLY.

Mr. FRANCE. Mr. President, I shall ask the indulgence of the Senate for only a few minutes. I desire to direct my discussion particularly to the subject of Senate resolution 190, submitted by me on the 28th instant, which reads as follows:

Resolved, That, in view of the serious shortage in the Nation's supply of wheat, the necessity for large exports of wheat, and the alarming report of the Department of Agriculture on December 19, 1917, upon the condition of the winter-wheat crop, that the Secretary of Agriculture and the Food Administrator be, and they are hereby, requested and directed to assemble and transmit to the Senate information as to the methods which are being employed for the conservation of an adequate supply of seed wheat for the sowing of the spring-wheat acreage and what methods are being used or are in contemplation to insure the sowing of such an extraordinarily increased acreage as is imperatively needed to meet the present grave emergency.

Mr. President, I shall speak as briefly as I may upon this general subject and subjects directly relating thereto.

Mr. President, it is now more than 10 months since the Congress declared war. We have not struck the enemy one effective blow nor have we suffered one from her mailed fist, and yet we face to-day the imminent peril of national humiliation and defeat. We have vast resources of man power, of money, and of raw materials. What, then, can be the explanation of this most unfortunate, even if temporary, situation? Our food supply is failing. Privations here already are breeding discontent. Hunger abroad, which should have been appeased with grain out of our own stores, is steadily undermining the strength and the morale of the allied powers. We face a famine of fuel. Transportation systems are choked. Productive industries are paralyzed. The imperative need for ships has not been met. Boys not equipped as soldiers have for weeks been suffering and dying in our home cantonments, while millions of men and women, eager for work and service, have huddled in heatless homes or walked the wintry streets in a wretchedness and idleness which have been forced upon them by a governmental decree. Thus in 10 months have we prepared for war. We have organized an Army, but we have to a dangerous degree disorganized a Nation.

I advert to these facts not for reprimand or for reproach. I speak with no unkindness. No partisan spirit animates me. There are no parties now. There must not be. In a fast comradeship of service and of sacrifice we must be one in the great common cause of preserving the very life of this Republic. By your votes and by mine we launched her forth upon the dangerous deeps amidst this furious, devastating storm of war, and there must be neither mutiny nor dissension until we have brought her back again safe and victorious into the port of peace. But, Mr. President, we must have courage to face realities. We must unflinchingly confront our failures. We must swiftly and scientifically search for their causes and remorselessly eradicate them. We can not fail. I have faith in our democracy and in that faith I trust implicitly the collective wisdom of the people. Therefore no vote of mine has been or ever will be cast to limit the freedom of the press or hush the voice of the masses of our people by which voice at last the truth must be expressed. I know that a just cause can not be permanently injured by unjust criticism.

I know that in war mistakes and failures in details are inevitable. They are deplorable but largely reparable. But failure to grasp the fundamental principle may well be fatal. I have already said on previous occasions that only that marvelous social integration which followed German unification made possible this monstrous creation of modern warfare. I said last April what I repeated in May and what I now reiterate:

"We must combat the wonderful organization of the German nation with an even more powerful organization of our own. We can conquer organization only with organization."

I have continually contended for such a systematic preparation as would enable us to break the iron resistance of our enemy and crush her to her knees. Our principal failure has not been a failure in the details but in the totality.

Do not misunderstand me. I am not unmindful of effective and unselfish service in every department of the Government. I do not forget the careworn Chief Executive, the men in France, those in our camps, and those in civil life who have given so nobly of their best. I would pay every tribute of honor to the heroism in the field and to the heroic devotion at countless department desks where lives are also being offered up. Each sovereign State has already tasted the cup of sorrow, bereaved of beloved sons. Maryland as well as Massachusetts mourns. Some of our brave sons have made the supreme sacrifice, and like Maj. Augustus P. Gardner, Maj. Theodore C. Janeway, professor of medicine at the Johns Hopkins University, preeminent man of science, loyal friend, a great, noble, and lovable man, gave his life gladly that his country's life might be preserved. But all this sacrifice must not be made in vain. Our officers and men have the right to be assured that they have back of them a Nation so organized as to give a support which shall not break when the utmost crushing weight of war is placed upon it. Not fully appreciative of its stupendous nature there has been a failure to scientifically apply the power of the whole Nation to our task. War is no longer a military but a national enterprise. We have been building the structure of our Nation's preparation without that comprehensive plan and coordination of action so absolutely indispensable for the utilization of every unit of power and the constant maintenance of balance and proportion. In modern warfare the military forces are but the plate and covering of the war edifice. We have reversed the rational processes of construction. We have been building our house downward from the roof and there has been an apparent inability to act upon the principle which makes it certain that the military superstructure can not be properly raised or securely upheld without the deep foundations and the immovable supporting walls of an ordinated and integrated Nation.

I urge again your attention to one pressing phase of this whole problem. In explaining my reasons for voting against the so-called "food and fuel control bill" I said:

"If we enact this bill into law we strike an all but mortal blow into the very vitals of this Nation as she is rising and slowly gathering strength to gird herself for what must be a dangerous if not a deadly combat."

To-day, Mr. President, our Nation is yet staggering from that blow. We live in a law-ordered universe. You can not cure consequences if you ignore causes, and hence the utter failure of our food legislation. The net result, so far as production is concerned, of all the ineffective agitation and unscientific legislation dealing with the inexcusable insufficiency of the food supply of the Nation is an inconsiderable increase in the acreage now seeded with winter wheat and the poorest average condition of winter wheat on December 1, 1917, ever reported in the history of the country. On December 1, 1917, the average condition of winter wheat was 79.3 per cent, as against 81.4 per cent in December, 1895, the lowest condition ever hitherto reported, and as against 85.7 per cent in December, 1916, when the crop of winter wheat at the following harvest was wholly inadequate to meet our needs. The food situation is far more alarming now than it was in May, when I urged it as an unanswerable argument for a better national organization. Mr. President, so far as I am concerned, I fail to see how the lines of the allied powers in Europe can be held through 1918 unless we can secure at least 500,000,000 bushels of wheat from our spring wheat acreage and at the same time enormously increase our next year's acreage of corn. This can not be done unless some system of industrial and agricultural organization is adopted for the effective application of adequate labor to this great task.

Where words have been so wholly futile, the remorseless logic of events and swift approaching national disaster must make it clear that not the Army only but the whole Nation must participate in the waging of this war if victory is to be ours; that war is no longer merely a series of military operations, but that it is rather a national undertaking embracing every form of productive activity, and more particularly all of those activities which are directly necessary to provide food, ships, and munitions. We must quickly solve the great and grave problems of production by the perfection of an organization for the utilization of every unit of man power and the adjustment and application of all of that power to the manifold activities which enter into the performance of our huge task of waging this war.

I hope in the near future to address the Senate upon the subject of legislation which I have again proposed, looking to such a complete organization as would meet each of our various national needs, particularly the pressing needs for food, ships, transportation, fuel, and munitions of war.

PERSONAL EXPLANATION.

Mr. THOMPSON. Mr. President, I rise to a question of personal privilege.

On January 25, 1918, there was introduced in the investigation of the packers before the Federal Trade Commission carbon copy of a letter or statement, dated April 15, 1916, purporting to have been written by L. A. Carton, treasurer of Swift & Co., to R. C. McManus, attorney of Swift & Co., concerning the alleged activity at Washington of W. H. Gates, of Denver, Colo., who at that time was chairman of the Democratic State central committee of Colorado. The President, Mr. Tumulty, several Senators, one Representative, and myself are mentioned.

I dislike to avail myself of this privilege, and would not if it were not that others are involved with me in this statement, and it places me, as doubtless it does all the persons mentioned, in an entirely false position. I desire to here read the statement as a part of my remarks:

APRIL 15, 1916.

Mr. R. C. MCMANUS, *Office:*

Mr. W. H. Gates, chairman of the Democratic State committee of Colorado, whom you met in my office the first of this week, returned from Washington and New York to-day, and while in Washington met some of the President's advisers, who told him that the President was unwilling to do anything to disturb business, and that he did not approve the Borland resolution, and the advice that he had concerning it did not appeal to him, according to Mr. Tumulty.

While in Washington Mr. Gates had an interview in which the Borland bill and the causes leading up to it were discussed by Senator SHAFROTH, of Colorado; Senator THOMAS, of Colorado; Congressman TAYLOR of Colorado; Senator W. J. STONE, of Missouri; Senator REED, of Missouri; Senator Thornton, of Louisiana; and Senator HOKE SMITH, of Georgia, who are all unfavorable to the resolution and to the agitation now going on in Washington by the radicals in the cattle associations.

He also saw Senator THOMPSON, of Kansas, of the firm of Thompson & Robertson, lawyers, Wahlenmaier Building, Kansas City, Kans., who is a personal friend of Mr. Gates, and Mr. Gates laid a great deal of stress upon the Senator's friendship, and believed that we would make no mistake in keeping close to him, and that we could reciprocate by giving his firm some of the legal business we have to do in Kansas City; and I believe it would be in the interests of the situation to consider Mr. Gates's request. Mr. Gates says THOMPSON is a poor man, and for that reason should not be in Washington, but that he thought so much of him personally that he gave $1,000 against his campaign expenses.

Mr. A. D. White was with me during Mr. Gates's stay in the office, and was enabled to tell Mr. Gates a good many things that transpired at the hearing in Washington, and has now gone with Mr. Gates in a car, and will give him a ride around the parks and arrange to take him to lunch, if the opportunity offers.

Mr. Gates requested us to call on him whenever we think he can be of service. He says de Ricqles prides himself on the fact that he is a graduate of Yale and holds himself too important to have to do with the ordinary cattlemen, except as he may instruct them in what they should do and not do in prepared address, and hopes through his activities to be elected to public office.

L. A. CARTON.

This document is of a very questionable character, to say the least. It is entirely hearsay and could not be received as evidence in any court, being the alleged statement of a third party,

an entire stranger to me, made to a fourth party, another stranger, in attempting to detail an alleged conversation he is supposed to have had with W. H. Gates concerning the latter's visit to Washington and the results of conversations had with the President, Mr. Tumulty, other Congressmen, and myself relative to our attitude toward the Borland resolution for the investigation of the packers, which was at that time before the House of Representatives. This resolution never reached the Senate for consideration.

Briefly, I wish to say that the statement as to myself was never made, and was wholly false in all its material parts.

When this matter first came out and was submitted to Mr. Gates he emphatically denied that he had ever made the statements, or others of like import, to anyone at any time or place. Again, I am sure the President was favorable to the Borland resolution, because, as I am informed, when that failed to get through Congress the President ordered the present investigation before the Federal Trade Commission. I have also talked with some of the other Senators mentioned in the statement who are said to have been opposed to the Borland resolution, but who, in fact, were favorable to it. In justice to Senator Thornton, now deceased, I wish to say he was not in the Senate at all at that time, his term having expired March 3, 1915. As to myself, I was unqualifiedly favorable to the resolution and would have voted for it had it ever reached the Senate. I had also favored the Doolittle resolution, which was of similar import, and had talked with Congressman DOOLITTLE, who represents the fourth Kansas district, about his resolution several times, and had agreed to support it and help get it through the Senate when it reached this body. Neither resolution ever reached the Senate. However, I did vote for the $250,000 appropriation for this investigation by the Federal Trade Commission contained in the sundry civil bill, which passed the Senate April 11, 1917.

Concerning the inference that the law firm of which I am a member, doing business at Kansas City, Kans., was to receive or had received important and remunerative business from the packers, presumably as a result of my vote or influence as a Senator; also, the statement that Mr. Gates contributed $1,000 to my campaign expenses during my candidacy for Senator, which is supposed to be his source of influence with me, I wish to say that neither myself as an individual nor the law firm of which I am a member ever received or had any promise of receiving or any understanding that either myself or my firm in the future should receive any business or promise of any kind from the packers; nor have I ever been requested to use my position as Senator to aid in the project mentioned in the supposed letter, nor did Mr. Gates ever contribute $1,000 or any other sum to me for campaign expenses or any other political purpose.

Last Monday I voluntarily offered my testimony in the hearing before the Federal Trade Commission, and at its conclusion Mr. Francis J. Heney, who has charge of the investigation, acting for the Government and concerning my connection with the matter, voluntarily stated:

"Mr. HENEY. I think that in justice to Senator THOMPSON it is proper for me to state at this time that from my inquiries, outside of Senator THOMPSON'S statement, I am perfectly confident that Senator THOMPSON is entirely innocent, and never did anything that was not entirely proper and straight in this matter."

The PRESIDING OFFICER. The question is on the motion of the Senator from Georgia [Mr. SMITH].

THE WAR WITH GERMANY AND AUSTRIA.

Mr. OWEN. Mr. President, for some time I have had under consideration presenting to the Senate a concurrent resolution which I wish at the proper moment to introduce and to have referred to the Committee on Foreign Relations. It is a resolution which may have a far-reaching consequence in relation to this war if promptly acted on, as it should influence the morale both of the United States and the nations cooperating with the United States, and affecting the morale of those who are opposed to us. It is as follows:

Senate concurrent resolution 17.

Resolved by the Senate (the House of Representatives concurring), The United States declared a state of war existing between the Imperial Government of Germany and the Imperial and Royal Government of Austria and the United States because of their repeated willful violations of the rights of the people of the United States under the acknowledged principles of international law; the sinking of unarmed merchant vessels and of hospital and Red Cross ships; the destruction of the lives of unoffending American citizens on their lawful business on the high seas on many occasions; filling the United States with spies and secret agents; conspiring the wholesale destruction of American industries by arson, by explosions, and murder; systematically promoting sedition and treason among our citizens, and the criminal violation of our laws by the German and Austrian aliens residing in the United States; endeavoring to incite the hostility and aversion of other nations against the United States, and to pursuade Mexico and Japan to make war upon the United States, and many other wrongful acts contrary to the laws of nations and in violation of justice and of humanity; and for the further reason that it had finally become known to the United States from indisputable evidence that the military masters of Germany and Austria had deliberately and secretly conspired to bring about an elaborately prepared offensive war by which and through which they intended, first, to dominate Europe, nation by nation, and then to dominate the other unprepared nations of the earth and establish a military world dominion.

For many years past the governing powers of Germany and Austria have by world-wide intrigue carried on a systematic attempt to disorganize public opinion in the United States and in the other nations of the world for the purpose of breaking down the powers of resistance of other nations against this conspiracy for world dominion by exciting nation against nation and internal disorders among the nations that might oppose this sinister design.

The United States has not forgotten that the military rulers of Germany and Austria deliberately prevented international agreements at the various Hague conventions for arbitration of international differences, abatement of armaments, and world peace.

The United States recognizes this war as an offensive war of the completely prepared German and Austrian military autocracies against the unsuspecting and inadequately prepared democracies of the world in pursuance of the policy laid down in the first and second articles of the secret treaty of Verona of November 22, 1822, in which the autocratic rulers of Prussia and Austria solemnly pledged their powers to each other to overthrow all "representative" governments on earth, the consummation of which design the Prussian and Austrian autocratic group has steadily and secretly kept in view, and that this war had for its objects the premeditated slaughter and robbery of the innocent peoples of other nations for the sordid and base purposes of annexation, indemnity, robbery, and commercial profit by military force and terrorism and ultimate world dominion.

The United States finally recognized the unavoidable necessity of meeting the forces of this military conspiracy on the battle fields of Europe in order to prevent the military rulers of Germany and Austria succeeding in the first step of mastering Europe as a means to mastering and robbing America.

The United States can not be deceived by those military leaders of Germany and Austria who now, before their own people, pretend to be waging a war of defense and to desire an honorable peace, but whose every act has clearly demonstrated to the whole world that they deliberately planned and are still persisting in this unspeakably brutal war, with their sinister purposes unchanged, and which they are still attempting to carry out by terrorism, intrigue, and systematic falsehood and deceit at home and abroad.

The United States can not confide in any statement or promise emanating from such a perfidious source until the German and Austrian people in fact and in sober truth can control the conduct of their agents and compel them to observe the rules of morality and good faith.

The United States did not enter this war for material advantage or for any selfish purpose, or to gratify either malice or ambition.

The United States will not approve of forcible annexations or mere punitive indemnities, even on the misguided people of Austria or of Germany, but demands the complete evacuation of all territory invaded during the present war by the German and Austrian troops, and the restoration and indemnity of Belgium, Serbia, Roumania, and Montenegro.

The United States believes that righting the wrong done to the French people by the Prussian Government in 1871 in the matter of Alsace-Lorraine will remove long-pending grievances due to previous military aggression and will promote future world peace.

The United States believes that a readjustment of the frontiers of Italy should be effected along clearly recognized lines of nationality; that an independent Polish state should be established over territory indisputably occupied by Polish people; that the peoples of Austria-Hungary, of the Balkans, and of the Ottoman Empire should have the right of autonomous development.

The United States will favor recognizing and protecting by an international alliance the territorial integrity of all nations, great and small; the maintenance of the right of unembarrassed self-determination of all nations, and the right of such nations to manage their own affairs by internal self-government; and safeguarding the rights of backward peoples by international agreement.

The United States will favor extending international credits for the restoration of all places made waste by war.

The United States will insist that the oceans and high seas and international waterways and canals shall be open on equal terms to the citizens of all nations; that all nations shall have the untaxed right of access to the sea of their goods in bond, through any intervening territory to the seaports of other nations, with equal access to shipping facilities.

The United States will favor the removal, as far as possble, of all economic barriers and the establishment of equal trade conditions among all the nations of the world consenting to peace and associating themselves for its maintenance, without interfering with the right of any nation to govern its own imports and exports.

The United States will insist that adequate guaranties shall be given and taken to the end that national armaments on land and sea should be reduced to the lowest points consistent with domestic safety.

The unbounded ambition and deceit of the Prussian military autocrats are again exposed in shameless nakedness before the German and Austrian people, their allies, and the world at large in their present demands of annexation of adjacent Russian territory and other demands contemplating the domination of the Russian and Polish people in flat violation of their own Reichstag's recent pledges against annexation and indemnity.

The United States feels for the Russian people the liveliest sympathy in their great losses in life and property at the hands of the German and Austrian autocrats, as well as their magnificent and glorious struggles in behalf of freedom and democratic world peace.

Having passed through many severe tests and trials in establishing popular government in America, the people of the United States, through their own directly elected representatives, desire to extend to the Russian people the cordial hand of fellowship in their new-found freedom and to assure their democratic brothers in Russia that we earnestly desire to render them, so far as possible, every assistance they may need and which they themselves desire.

The United States will favor an open-minded and absolutely impartial adjustment of all colonial claims based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the population concerned must have equal weight with the claims of the Governments whose titles are to be determined.

The United States recognizes that a general association of civilized nations must be formed under specific covenants for the purpose of affording mutual guaranties of political independence and territorial integrity to nations, great and small alike, and of maintaining world peace, and believes that under such a system dissatisfied peoples now held under subjection to dominating nations for strategical purposes could be safely given their liberty and autonomy, as the rights of the dominant nation would be made safe by the general association of nations and the subject nation would cease to be a coveted asset against future war.

The United States believes that under such general association of nations it should be a violation of international law and the highest international crime for any nation, on any alleged ground, to invade by military power the territorial limits of another nation, and that the penalty for such invasions should be the immediate international blockade of the invading and offending nation, an embargo on all mail, express, and freight to and from such nation, and the suppression of such invasion by the combined forces of the general association of nations organized for the protection of world peace.

The United States believes that all future international treaties should be made in the open, where all the world may know of the proceedings in the framing of such treaties, and that secret diplomacy and international intrigue should end.

The United States desires to be on friendly terms, political, commercial, and social, with the people of every nation, including those now under the control of the German and Austrian military autocracies, and to restore as speedily as possible these friendly relations with the German and Austrian people as soon as they organize a Government responsible to the will of the people of Germany and Austria and whenever they shall themselves demonstrate a willingness to deal with the other nations of the world on a basis of equality, justice, and humanity and are willing to abandon the atrocious and detestable doctrine of making war for annexation, indemnity, and profit.

The United States entered this war to protect the rights of its own citizens to life and liberty, to protect its own future, to make the world safe from the future menace of military despotism, dynastic ambitions, or competing armaments, to establish permanent world peace on a basis of international justice, righteousness, and humanity, and, in cooperation with the self-governing belligerent nations, will maintain these principles, whatever the cost, with firmness and resolution until these ends are fully accomplished. „

Mr. President, this resolution is intended to be an expression of the opinion of the representatives of the United States, setting forth certain reasons which justify the United States in declaring a state of war existing between the governing powers of Germany and Austria and the United States, and the principles of a program by which world peace can be restored and maintained.

On January 8, in an address to the two Houses of Congress, the President of the United States set forth the principles for which the United States was contending in this war. The wide publicity given the views of the President has been of great service in cohering the opinions of the civilized peoples of the world as to the conditions upon which peace might be established with safety to the world.

The reasons justifying the passage of this resolution are as follows:

German intrigue and German propagandists, employed by thousands throughout Russia and throughout Europe, are representing the message of the President as emanating from the despotic head of a plutocratic autocracy; that the opinions expressed by the President are not the opinions of the people of the United States or of their representatives; that it is a mere piece of camouflage to cover the ulterior purposes of a commercial autocratic government in the United States; that our going into the war was merely intended to protect the loans which we had made the allies, and so forth, and so forth, ad nauseam.

Leon Trotzky, the present minister of foreign affairs of the bolsheviki government of Russia, spent a few months in New York City during 1917, and undertook to run a little Socialist newspaper there, the Novi Mir, which was vigorously suppressed by the New York police. Trotzky tried to make speeches in the public highways upon the Marxian philosophy of socialism, and the New York police somewhat harshly suppressed his efforts to thus spread his doctrines, with the result that he is of the opinion (very wrongfully though it be) that there is no liberty of speech in reality in the United States; that there is less liberty in the United States than there is in Russia. He has the opinion that might be entertained by some persons on the east side of New York City, where conditions of life are very hard and very drastic. Such foreign opinions are injurious to us and to our interests. They are utterly erroneous and ought to be adequately corrected by every means at our disposal.

It is of great importance to the peace of the world that American opinions should be so clearly and frankly stated that no man, whether friend or enemy, should doubt what American opinion is. It is, therefore, of great importance, in my judgment, that the representatives of the people of the United States, independently of the President, should confirm in their own way the declaration of principles made by the President of the United States on January the 8th, which did in fact represent the judgment of an overwhelming majority of the people of the United States. I think that the President's message ought to be ratified by mass meetings held by the people in every State in the Union, as well as confirmed by independent congressional action. I understand that on Lincoln's birthday there will be loyalty meetings throughout the United States called by the various labor unions, and at that time I think the people of the United States ought in mass meetings to ratify the declarations made by the President of the United States, and that the Congress of the United States should waste no time in declaring in its own way the opinions of the people of the United States, so as to strengthen and to give greater force to the message which the President delivered to Congress on the 8th of January.

Mr. President, the resolution which I have submitted represents, in my judgment, the substantial opinion of the American people. President Wilson spoke these opinions in his own masterful way on the 8th of January, and it is due to the people of the world that the Senate of the United States and the House of Representatives should declare in their own way the American opinion, so that the President of the United States will have behind his voice the legislative branch of the Government and the people of the United States, not only for the purpose of emphasizing these opinions, but for the purpose of making it impossible for German and Austrian intrigue to break the forces of the principles of liberty and world peace for which America stands.

Mr. President, I think, as a matter of public information, it is well to submit for the RECORD the facts which justify the declarations made in this proposed resolution. They have for the most part been gathered together in a very compact form by Prof. Samuel B. Harding, professor of European history in Indiana University, in his Topical Outline of the War, with the various authorities upon which the facts depend, to which I call the attention of the Senate and to which I call the attention of the people of the United States, because they ought to understand what the fundamental causes of the war are, the historical background of the war, the fact that Germany and Austria deliberately planned this war, and the other features which are essential to a complete comprehension of what this war means, what is necessary for the people of the United States to do to bring it to a successful conclusion. I ask, without reading, to place in the RECORD from the Topical Outline of the War sections 3, 4, 5, and 6, which give in a compact form the evidence that justifies the statements which have been made in the resolution itself.

The PRESIDING OFFICER. Without objection, leave is granted.

The matter referred to is as follows:

II. HISTORICAL BACKGROUND OF THE WAR (1870–1914).

I. FOUNDATION AND CHARACTER OF THE PRESENT GERMAN EMPIRE.

1. Franco-German War (1870–71) and the treaty of Frankfort. France to pay an indemnity of $1,000,000,000 and to cede Alsace-Lorraine.

2. Formation of the German Empire; its undemocratic character. (See C. D. Hazen, the Government of Germany; War Cyclopedia, under "Autocracy," "Bundesrat," "German Constitution," "Kaiserism," "Reichstag.")

(a) The number of States in the Empire is 25, with one imperial territory (Alsace-Lorraine). The list includes four kingdoms, six grand duchies, five duchies, seven principalities, and three free cities. Each of these States has its separate State government, subordinate to that of the Empire.

(b) The King of Prussia is hereditary "German Emperor," with full direction of military and foreign affairs.

(c) The Federal Council (Bundesrat) is a council of ambassadors appointed by the rulers of the separate States, and responsible to them. It oversees the administration and initiates most legislation, and is the most powerful body in the Empire. The States are represented unequally in it. Prussia, which contains two-thirds of the population of Germany, has 17 votes out of a total of 61. (If we include the 3 votes allotted to Alsace-Lorraine in 1911, which are "instructed" by the Emperor, Prussia has 20 votes in the Bundesrat.) Bavaria has 6 votes, Saxony and Wurttemberg 4 each, and the other States fewer.

(d) The Reichstag is the representative chamber of the legislature. It is composed of 397 members, of whom Prussia elects 236. Representative districts are very unequal in population. "A Berlin deputy represents, on the average, 125,000 votes; a deputy of East Prussia, home of the far-famed Junkers, an average of 24,000." The members are elected by manhood suffrage for a term of five years; but the Emperor may (with the consent of the Bundesrat) dissolve the Reichstag at any time and order new elections.

(e) The administration of the Empire is in the hands of a ministry, headed by the imperial chancellor. Unlike the ministers of true parliamentary governments, the German ministers are responsible to the Emperor and not to the legislative chamber. They do not need, therefore, to resign their offices when defeated in the Reichstag.

II. THE TRIPLE ALLIANCE AND THE TRIPLE ENTENTE.

1. The triple alliance formed by Germany, Austria, and Italy (1882). Germany's main object was to safeguard herself against an attempt by France to recover Alsace-Lorraine. As France recovered strength, Germany plotted new aggressive designs against her.

2. Germany attempted in 1904–5 to form a secret alliance with Russia and France against Great Britain. Failure of the attempt, owing to France's unwillingness to give up hope of recovering Alsace-Lorraine. The evidence of this attempt was published in 1917 in a series of letters signed "Willy" and "Nicky," which passed between the Kaiser

and the Czar, and which were discovered in the Czar's palace after his deposition. (See War Cyclopedia, under "Willy and Nicky correspondence.")

3. Formation of the triple entente.

(a) Dual alliance of France and Russia formed (1891–1894) as a counterpoise to the triple alliance.

(b) Settlement of England's disputes with France over certain African questions, etc. (1904), and with Russia over Persia, etc. (1907), established the triple entente (good understanding) between those powers.

"France and England were face to face like birds in a cockpit, while Europe under German leadership was fastening their spurs and impatient to see them fight to the death. Then suddenly they both raised their heads and moved back to the fence. They had decided not to fight, and the face of European things was changed." (Fullerton, Problems of Power, p. 57.)

III. THREE DIPLOMATIC CRISES: 1905, 1908, 1911.

1. First Morocco crisis, 1905–6. (See Conquest and Kultur, 120–126; War Cyclopedia, under "Morocco question," etc.)

(a) French interests in Morocco; slight interests of Germany.

(b) The Tangier incident. The Kaiser, landing from his yacht in Tangier, challenged France's policy in Morocco.

(c) Delcassé, French minister of foreign affairs, dismissed on Germany's demand. "We are not concerned with Mr Delcassé's person, but his policy is a menace to Germany, and you may rest assured we shall not wait for it to be realized." (German ambassador to France, in published interview.)

(d) France brought to the bar of Europe in an international conference at Algeciras, which, in the main, sanctioned her Moroccan policy.

(e) The purpose of Germany in this crisis, as in those which follow, was to humiliate France and to test the strength of the triple entente. These were struggles to increase German prestige.

2. Crisis over Austria's annexation of Bosnia and Herzegovina in 1908. (See War Cyclopedia, under "Bosnia-Herzegovina," "Congress of Berlin," "Pan-Slavism," "Slavs," etc.)

(a) These Provinces freed from direct rule of the Turks by Serbia and Russia, but handed over by the Congress of Berlin to Austria to administer (1878).

(b) Austria seized the occasion offered by the "Young Turk" revolution of 1908 to annex Bosnia and Herzegovina and refused to refer the question to a European congress for settlement.

(c) Russia (as yet unrecovered from the Russo-Japanese war) was forced to acquiesce when the Kaiser "took his stand in shining armor by the side of his ally." Humiliating submission imposed on Serbia. (See below, ch. iv, I 2 a.)

3. Second Morocco crisis, in 1911. (See Conquest and Kultur, 120–126; War Cyclopedia, under "Morocco question.")

(a) Agadir affair: German cruiser *Panther* sent to Agadir as a protest against alleged French infractions of the Algeciras agreement and "*to show the world that Germany was firmly resolved not to be pushed to one side.*" (Speech of the German chancellor to the Reichstag.)

(b) Great Britain, in spite of political difficulties at home, warned Germany that in case of war she would help France.

(c) Adjustment of the Moroccan question. Germany accepted compensation from France elsewhere in return for recognition of French protectorate over Morocco. (Treaty of November 4, 1911.)

(d) Furious resentment of the German military party at this outcome. "The humiliation of the Empire is so much the greater since it is the Emperor himself who had engaged the honor of the German people in Morocco." (Rheinisch-Westfälische Zeitung.)

4. Hardening of the German resolve not to accept another diplomatic defeat. "It is not by concessions that we shall secure peace, but by the German sword." (Speech in Reichstag, applauded by the German Crown Prince.)

IV. BAGDAD RAILWAY AND THE "MIDDLE EUROPE" PROJECT CONSTITUTE OTHER GROUNDS OF CONFLICT.

1. *Germany* supplants England as the protector of Turkey against Russia. Speech of the Kaiser at Damascus, 1898: "The 300,000,000 Mohammedans who live scattered over the globe may be assured of this, that the German Emperor will be their friend at all times."

2. The Bagdad Railway. Designed to connect Bagdad with Constantinople and the central European railways. Germany obtains concession from Turkey for its construction in 1902–3. Political as well as economic motives involved. Threat to British rule in Indian by proposed extension to the Persian Gulf. (See the President's Flag Day address with evidence of Germany's plans, note 15; Conquest and Kultur, sec. 8; War Cyclopedia, under "Berlin to Bagdad," "Corridor," etc.)

3. The "Middle Europe" project: This may be defined briefly as a plan for "a loosely federal combination for purposes of offense and defense, military and economic, consisting primarily of the German Empire and the dual monarchy [Austria-Hungary], but also including the Balkan States and Turkey, together with all the neutral States—Roumania, Greece, the Scandinavian kingdoms, and Holland—that can be drawn within its embrace." (W. J. Ashley, in introduction to F. Naumann's Central Europe, translated by Christabel M. Meridith, 1916.)

The plan includes the domination of this group State by Germany through (a) its control of the common financial and economic policy and (b) its control of the military forces, based on universal military service. (Compare Prussia's control within the German Empire.) (See Conquest and Kultur, sec. 8; War Cyclopedia, under "Mittel-Europa," etc.; the President's Flag Day Address, notes 15–17.)

4. Union of the middle Europe project and the Bagdad Railway project in a Berlin-to-Bagdad plan.

"The plan was to throw a broad belt of German military power and political control across the very center of Europe and beyond the Mediterranean into the heart of Asia; and Austria-Hungary was to be as much their tool and pawn as Serbia or Bulgaria or Turkey or the ponderous States of the East. Austria-Hungary, indeed, was to become part of the central German Empire, absorbed and dominated by the same forces and influences that had originally cemented the German States themselves. The dream had its heart at Berlin. It could have had a heart nowhere else! It rejected the idea of solidarity of race entirely. The choice of peoples played no part in it at all. It contemplated binding together racial and political units which could be kept together only by force—Czechs, Magyars, Croats, Serbs, Roumanians, Turks, Armenians—the proud States of Bohemia and Hungary, the stout little Commonwealths of the Balkans, the indomitable Turks, the subtile peoples of the East. These peoples did not wish to be united. They ardently desired to direct their own affairs; would be satisfied only by undisputed independence. They could be kept quiet only by the presence or the constant threat of armed men. They would live under a common power only by sheer compulsion and await the day of revolution. But the German military statesmen had reckoned with all that and were ready to deal with it in their own way." (President Wilson, Flag Day Address, June 14, 1917.)

"Across the path of this railway to Bagdad lay Serbia, an independent country whose sovereign alone among those of southwestern Europe had no marriage connection with Berlin, a Serbia that looked toward Russia. That is why Europe was nearly driven into war in 1913; that is why Germany stood so determinedly behind Austria's demands in 1914 and forced war. She must have her 'corridor' to the southeast; she must have political domination all along the route of the great economic empire she planned. She was unwilling to await the process of 'peaceful penetration.'" (The President's Flag Day Address, with Evidence of Germany's Plans, note 15.)

V. TRIPOLITAN AND BALKAN WARS, 1911–1913.

(See War Cyclopedia, under "Balkan Wars," "Constantinople," "Drang nach Osten," "Young Turks.")

1. War of Italy with Turkey over Tripoli (1911–12). Claims of Italy on Tripoli; weakness of Turkey following Young Turk revolution of 1908; unfavorable attitude of Italy's allies (Germany and Austria) to the war as endangering their relations with Turkey. Treaty of Lausanne (Oct. 15, 1912) transfers Tripoli from Turkish to Italian rule.

2. War of Balkan allies against Turkey (1912–13).

(a) Secret league of Greece, Serbia, Bulgaria, and Montenegro to expel Turkey from Europe and liberate their fellow Christians from Turkish misrule. War declared October 16, 1912.

(b) Inability of the great powers, because of their own divergent aims, to restrain the Balkan allies.

(c) Success of the allies. By the treaty of London (May 30, 1913) Turkey was to surrender all territories in Europe except Constantinople and a small strip of adjacent territory (Enos-Midia line).

III. INDICATIONS THAT GERMANY AND AUSTRIA PLANNED AN AGGRESSIVE STROKE BEFORE JUNE 28, 1914.

I. AUSTRIA PROPOSED AN ATTACK ON SERBIA IN 1913.

(See War Cyclopedia, under "Austria and Serbia, 1913.")

1. Austria's proposal to Italy (Aug. 9, 1913, the day before the peace of Bucharest).

"Austria has communicated to us and to Germany her intention of taking action against Serbia, and defines such action as defensive, hoping to bring into operation the casus foederis of the triple alliance." * * * (Italian minister of foreign affairs in dispatch of Aug. 9, 1913. Revealed by Ex-Prime Minister Giolitti in speech of Dec. 5, 1914. See Collected Diplomatic Documents, p. 401.)

2. Italy declined the proposal, as (apparently) did Germany also. The declination of the latter was probably due to the fact that German military preparations were not yet completed. (See below, V 1.)

"If Austria intervenes against Serbia it is clear that a causus foederis can not be established. It is a step which she is taking on her own account, since there is no question of defense, inasmuch as no one is thinking of attacking her. It is necessary that a declaration to this effect should be made to Austria in the most formal manner, and we must hope for action on the part of Germany to dissuade from this most perilous adventure." (Reply of Prime Minister Giolitti to above dispatch, ibid.)

II. SECRET MILITARY REPORT ON STRENGTHENING THE GERMAN ARMY (MARCH 19, 1913).

This report came into the possession of the French minister of war in some unexplained way soon after it was drawn up; it was published in French Yellow Book No. 2; Collected Diplomatic Documents, pages 130–133.

The following extracts occur in the part headed "Aim and obligations of our national policy, of our army, and of the special organizations for army purposes":

1. Minds of the people must be prepared. (See Conquest and Kultur, secs. 15–16; War Cyclopedia, under "Pan-Germanism," "Pan-Germans urge war in 1913," etc.)

"We must allow the idea to sink into the minds of our people that our armaments are an answer to the armaments and policy of the French. We must accustom them to think that an offensive war on our part is a necessity in order to combat the provocations of our adversaries. * * * We must so manage matters that under the heavy weight of powerful armaments, considerable sacrifices, and strained political relations an outbreak [of war] should be considered as a relief, because after it would come decades of peace and prosperity, as after 1870. We must prepare for war from the financial point of view; there is much to be done in this direction." (Collected Diplomatic Documents, p. 131.)

2. "Stir up trouble in the north of Africa and in Russia."

"We must not be anxious about the fate of our colonies. The final result in Europe will settle their position. On the other hand, we must stir up trouble in the north of Africa and in Russia. It is a means of keeping the forces of the enemy engaged. It is, therefore, absolutely necessary that we should open up relations, by means of well-chosen agents, with influential people in Egypt, Tunis, Algeria, and Morocco in order to prepare the measures which would be necessary in the case of a European war. * * * The first attempt which was made some years ago opened up for us the desired relations. Unfortunately these relations were not sufficiently consolidated." (Ibid., p. 132.)

3. Small States to be coerced. (See War Cyclopedia, under "Neutralized State," "Netherlands, German view," etc.)

"In the next European war it will also be necessary that the small States should be forced to follow us or be subdued. In certain conditions their armies and their fortified places can be rapidly conquered or neutralized; this would probably be the case with Belgium and Holland, so as to prevent our enemy in the west from gaining territory which they could use as a base of operations against our flank. In the north we have nothing to fear from Denmark and Scandinavia. * * * In the south Switzerland forms an extremely solid bulwark, and we can rely on her energetically defending her neutrality against France and thus protecting our flank." (Ibid., p. 132.)

4. No guaranty to Belgium for security of her neutrality. (See Conquest and Kultur, sec. 11; War Cyclopedia, under "Belgium, Neutralization of.")

"Our aim must be to take the offensive with a large superiority from the first days. * * * If we could induce these States (on our northwestern frontier) to organize their system of fortification in such a manner as to constitute an effective protection for our flank, we could abandon the proposed invasion. * * * If, on the contrary, their defensive organization was established against us, thus giving definite

advantage to our adversary in the west, we could in no circumstances offer Belgium a guaranty for the security of her neutrality." (Ibid., p. 133.)

5. Short-term ultimatum to be issued. (See War Cyclopedia, under "Serbia, Austrian ultimatum.")

"The arrangements made with this end in view allow us to hope that it will be possible to take the offensive immediately after the complete concentration of the army of the Lower Rhine. An ultimatum with a short time limit, to be followed immediately by invasion, would allow a sufficient justification for our action in international law." (Ibid., p. 133.)

6. Prizes of the war. (See Conquest and Kultur, sec. 17.)

"We will * * * remember that the Provinces of the ancient German Empire, the county of Bergundy (Franche Comte, acquired by Louis XIV) and a large part of Lorraine, are still in the hands of the French; that thousands of brother Germans in the Baltic Provinces (of Russia) are groaning under the Slav yoke. It is a national question that Germany's former possessions should be restored to her." (Ibid., p. 133.)

III. CHANGED ATTITUDE OF THE KAISER—INTERVIEW WITH KING ALBERT OF BELGIUM (NOVEMBER, 1913).

1. Circumstances of the interview; held in the presence of Gen. von Moltke (chief of the German General Staff) and reported to Jules Cambon, the French Ambassador at Berlin, "from an absolutely reliable source." Published in French Yellow Book, No. 6; Collected Diplomatic Documents, pages 142–143. (See War Cyclopedia, under "Albert I," "William II," etc.)

2. War with France regarded by the Kaiser as inevitable. (See War Cyclopedia, under "William II, ambitions.")

"This conversation, it appears, has made a profound impression on King Albert. I [Cambon] am in no way surprised at the impression he gathered, which corresponds with what I have myself felt for some time. Enmity against us is increasing, and the Emperor has ceased to be the friend of peace.

"The person addressed by the Emperor had thought up till then, as did all the world, that William II, whose personal influence had been exerted on many critical occasions in support of peace, was still in the same state of mind. He found him this time completely changed. The German Emperor is no longer in his eyes the champion of peace against the warlike tendencies of certain parties in Germany. William II has come to think that war with France is inevitable, and that it must come sooner or later. * * *

"Gen. von Moltke spoke exactly in the same strain as his sovereign. He, too, declared war to be necessary and inevitable, but he showed himself still more assured of success, 'for,' he said to the King (Albert), 'this time the matter must be settled, and your Majesty can have no conception of the irresistible enthusiasm with which the whole German people will be carried away when that day comes.'" (Collected Diplomatic Documents, p. 142.)

3. Cambon's comment on the interview.

"As William II advances in years, family traditions, the reactionary tendencies of the court, and especially the impatience of the soldiers, obtain a greater empire over his mind. Perhaps he feels some slight jealousy of the popularity acquired by his son, who flatters the passions of the Pan-Germans, and who does not regard the position occupied by the Empire in the world as commensurate with its power. Perhaps the reply of France to the last increase of the German Army [German Army law of 1913, cited below; France met this by increasing her military service from two years to three years], the object of which was to establish the incontestable supremacy of Germany is, to a certain extent, responsible for his bitterness, for, whatever may be said, it is realized that Germany can not go much further.

"One may well ponder over the significance of this conversation. The Emperor and his chief of the general staff may have wished to impress the King of the Belgians and induce him not to make any opposition in the event of a conflict between us. * * *" (Ibid., p. 143.)

IV. GERMAN PUBLIC OPINION AS REPORTED BY FRENCH DIPLOMATIC AND CONSULAR AGENTS (JULY 30, 1913).

(In French Yellow Book, No. 5; Collected Diplomatic Documents, pp. 136–142.)

1. The Moroccan settlement considered a diplomatic defeat. (See Conquest and Kultur, sec. 16.)

"* * * Here is a synthesis of all these opinions: The treaty of the 4th November is a diplomatic defeat, a proof of the incapacity of German diplomacy and the carelessness of the Government (so often denounced), a proof that the future of the Empire is not safe without a new Bismarck; it is a national humiliation, a lowering in the eyes of Europe, a blow to German prestige, all the more serious because up to 1911 the military supremacy of Germany was unchallenged, and French anarchy and the powerlessness of the Republic were a sort of German dogma." (Collected Diplomatic Documents, p. 136.)

2. Forces making for peace.

"There are in the country forces making for peace, but they are unorganized and have no popular leaders. They consider that war would be a social misfortune for Germany, and that caste pride, Prussian domination, and the manufacturers of guns and armor plate would get the greatest benefit, but above all that war would profit Great Britain." Those favoring peace included "the bulk of the workmen, artisans, and peasants, who are peace-loving by instinct," etc. But the classes which prefer peace to war "are only a sort of make-weight in political matters, with limited influence on public opinion, or they are silent social forces, passive and defenseless against the infection of a wave of warlike feeling." (Ibid., p. 137–138.)

3. Forces making for war. (See War Cyclopedia, under "Arbitration, German Attitude," "Disarmament, German Attitude," "German Military Autocracy, Propaganda for War," "Militarism or Disarmament," "Pan-Germans Urge War in 1913," "War, German View," etc.)

"There is a war party, with leaders and followers, a press either convinced or subsidized for the purpose of creating public opinion; it has means both varied and formidable for the intimidation of the Government. It goes to work in the country with clear ideas, burning aspirations, a determination that is at once thrilling and fixed." (Collected Diplomatic Documents, p. 139.) It included the following:

(a) Those who regard war as inevitable, and hence "the sooner the better."

(b) Those influenced by economic reasons—"overpopulation, overproduction, the need for markets and outlets," etc.

(c) Those influenced by "Bismarckism." "They feel themselves humiliated at having to enter into discussions with France, at being obliged to talk in terms of law and right in negotiations and conferences where they have not always found it easy to get right on their side, even when they have a preponderating force."

(d) Those influenced by "a mystic hatred of revolutionary France," and others who acted from "a feeling of rancor."

4. Social classes included in the war party. (See Conquest and Kultur, sec. 16; War Cyclopedia, under "Coal and Iron as Cause of War," "German Diplomacy," "Junker," "Peace Terms, German Industrialists on," "Peace Terms, German Opinion as to," "Peace Terms, German Professors on," "Treitschke," etc.)

(a) The country squires (junkers), who wish to escape the imposition of inheritance taxes ("death duties") "which are bound to come if peace continues. * * * This aristocracy is military in character, and it is instructive to compare the Army List with the year book of the nobility. War alone can prolong its prestige and support its family interest. * * * This social class, which forms a hierarchy with the King of Prussia as its supreme head, realizes with dread the democratization of Germany and the increasing power of the Socialist Party, and considers its own days numbered." (Collected Diplomatic Documents, p. 140.)

(b) The capitalist class ("higher bourgeoisie") including the manufacturers of guns and armor plate, big merchants who demand bigger markets, and all who "regard war as good business." Among these are "doctrinaire manufacturers" who "declare that the difficulties between themselves and their workmen originate in France, the home of revolutionary ideas of freedom—without France industrial unrest would be unknown." (Ibid., p. 140.)

(c) University professors, etc. "The universities, if we except a few distinguished spirits, develop a warlike philosophy. Economists demonstrate by statistics Germany's need for a colonial and commercial empire commensurate with the industrial output of the Empire. There are sociological fanatics who go even further. * * * Historians, philosophers, political pamphleteers, and other apologists of German Kultur wish to impose upon the world a way of thinking and feeling specifically German. They wish to wrest from France that intellectual supremacy which, according to the clearest thinkers, is still her possession." (Ibid., p. 140–141.)

(d) Diplomatists and others "whose support of the war policy is inspired by rancor and resentment. * * * German diplomatists are now in very bad odor in public opinion. The most bitter are those who since 1905 have been engaged in the negotiations between France and Germany; they are heaping together and reckoning up their grievances against us, and one day they will present their accounts in the war press. It seems as if they were looking for grievances chiefly in Morocco, though an incident is always possible in any part of the globe where France and Germany are in contact." (Ibid., p. 141.)

5. Must war be considered inevitable?

"The opinion is fairly widely spread, even in pan-German circles, that Germany will not declare war in view of the system of defensive alliances and the tendencies of the Emperor. But when the moment comes, she will have to try in every possible way to force France to attack her. Offense will be given if necessary. That is the Prussian tradition.

"Must war then be considered as inevitable? It is hardly likely that Germany will take the risk, if France can make it clear to the world that the entente cordiale and the Russian alliance are not mere diplomatic fictions but realities which exist and will make themselves felt. The British fleet inspires a wholesome terror. It is well known, however, that victory on sea will leave everything in suspense. On land alone can a decisive issue be obtained." (Ibid., pp. 141–143.)

V. EXTRAORDINARY MILITARY MEASURES OF GERMANY TAKEN BEFORE JUNE 28, 1914.

(See Conquest and Kultur, sec. 16; War Cyclopedia, under "Egypt," "German Army act, 1913," "German intrigue against American peace," "Kiel Canal," "Sinn Fein," "South Africa," etc.)

1. Laws of 1911, 1912, and especially 1913 increased the German Army in time of peace from 515,000 to 866,000 men. Great increase of machine-gun corps, aviators, etc. Enormous stocks of munitions prepared. Exceptional war tax levied of $225,000,000. Special war fund (for expense of mobilization, etc.) increased from $30,000,000 to $90,000,000.

2. Reconstruction of Kiel Canal (connecting Baltic and North Sea) hastened so as to be ready in early summer of 1914. Fortifications of Helgoland, etc., improved.

3. Strategic railways constructed leading to Belgian, French, and Russian frontiers.

"Germany had made ready, at heavy outlay, to take the offensive at a moment's notice, and to throw enormous forces across the territories of two unoffending and pacific neighbors (Belgium and Luxemburg) in her fixed resolve to break through the northern defenses of France, and thus to turn the formidable fortifications of the Vosges. She has prepared for the day by bringing fully equipped and admirably constructed railways up to her neighbors' frontiers, and in some places across them. * * * An immense sum of money has been sunk in these railways, * * * and there is not the least prospect of an adequate return on them as commercial ventures. They are purely military and strategical preparations for war with France." (See Fortnightly Review for February, 1910, and February, 1914, and New York Times Current History, I, 1000–1004.)

4. Exportation of chemicals used in making explosives greatly reduced in 1913–14, and importation of horses, foodstuffs, and fats (used in nitroglycerin) greatly increased to provide war stocks. Great purchases of beds and hospital supplies in May, 1914; embargo on stocks of foreign pneumatic tires in Germany; hasty collection of accounts by German merchants; transfer of bank balances, etc., from beginning of July, etc. (See Le Mensonge du 3 Août, 1914, pp. 9–10.)

5. Recall of reservists from South America, etc., in May and June, 1914.

6. Exceptional grand maneuvers of 1914. Ordered in May, these massed "500,000 men in Cologne, the Grand Duchy of Baden, and Alsace-Lorraine for the month of August." (Le Mensonge du 3 Août, 1914, p. 9.)

7. Preparations for stirring up revolt in the British Empire:

(a) In South Africa. Reply of the Kaiser (in 1913) to a communication from the future rebel leader, Col. Maritz: "I will not only acknowledge the independence of South Africa but I will even guarantee it, provided the rebellion is started immediately." (Speech of Gen. Botha at Cape Town, July 25, 1915. See Rose, Development of the European Nations, 5th ed., II, p. 379.)

(b) In British India. On July 8, 1915, indictments were brought in the Federal court at San Francisco against 98 persons, including German consuls, at which time the Federal district attorney said: "For more than a year prior to the outbreak of the European war certain Hindus in San Francisco and certain Germans were preparing openly for war with England. At the outbreak of the war Hindu leaders, members of the German consulate here, and attachés of the German Government, began to form plans to foment revolution in India for the purpose of

freeing India and aiding Germans in their military operations." The leaders of these defendants plead guilty to the charges against them in December, 1917. (See War Cyclopedia, under "German intrigue against American peace.")

"Consideration of all testimony leads to the conviction that the India plot now before the Federal court here [in Chicago] is but a very small part of the whole conspiracy. * * * The defendants appear to have traveled far and wide in promotion of their alleged work. And always, testimony indicates, German consuls were aware of what was going on and ready to give things a push. Pro-Germanism all over the United States, Canada, Mexico, Brazil, Hawaii, Manila, China, Indo-China, Siam, Java, and various parts of Africa has been brought into the case. No part, according to the testimony, seems to have been detached. All blended into the whole scheme, which is alleged to have had its inspiration and propulsion in Berlin." (Christian Science Monitor, Oct. 19, 1917.)

8. Coaling arrangements made for German naval vessels (June 14, 1914):

"A German cruiser—the *Eber*—was in dock at Cape Town a few days before the outbreak of war, and got away just in time. An intercepted letter addressed to the commander contained certain instructions from Berlin which were dated June 14, 1914. These instructions revealed a complete system for coaling the German Navy on the outbreak of war through secret-service agents in Cape Town, New York, and Chicago.

"The commander of the *Eber* was given the names of shippers and bankers with whom he could deal confidentially, the essence of the plan being that a collier would leave Table Bay [Cape Colony] ostensibly bound for England, but really to meet a German warship at an agreed rendezvous. Naturally, so far as Cape Town is concerned, the arrangements have been upset, owing to the discovery; and this, perhaps, explains why German cruisers have been more in evidence in North Atlantic waters than in the southern ocean." (Cape Town correspondent of London Times, issue of Oct. 6, 1914.)

VI. CONCLUSION.

Before June 28, 1914, Germany willed, if not war, at least another trial of diplomatic strength in which the threat of war should enter as a decisive factor.

"There is a whole category of facts to which we do not temporarily attach a decisive importance, for the spirit of mathematics can invoke in its favor the benefit of coincidence. * * * It is a question of various measures taken by Germany (the state or individuals) long before the menace of war was appreciable. * * * Certain persons would see in those measures, of which the war has demonstrated the utility, the proof that Germany had months before taken the resolve to launch the European war in 1914. When one has seen the German Government at work, this hypothesis is not extravagant." (Le Mensonge du 3 Août, 1914, pp. 9–10.)

"Not as weak-willed blunderers have we undertaken the fearful risk of this war. We wanted it. Because we had to wish it and could wish it. May the Teuton devil throttle those whiners whose pleas for excuses make us ludicrous in these hours of lofty experience! We do not stand and shall not place ourselves before the court of Europe. Our power shall create new law in Europe. Germany strikes. If it conquers new realms for its genius, the priesthood of all the gods will sing songs of praise to the good war. * * * We are waging this war not in order to punish those who have sinned, not in order to free enslaved peoples and thereafter comfort ourselves with the unselfish and useless consciousness of our own righteousness. We wage it from the lofty point of view and with the conviction that Germany, as a result of her achievements and in proportion to them, is justified in asking, and must obtain, wider room on earth for development and for working out the possibilities that are in her. The powers from whom she forced her ascendancy in spite of themselves still live, and some of them have recovered from the weakening she gave them. * * * Now strikes the hour for Germany's rising power." (Maximilian Harden, editor of Die Zukunft; see New York Times Current History, III, p. 130.)

"It now appears beyond the possibility of doubt that this war was made by Germany pursuing a long and settled purpose. For many years she had been preparing to do exactly what she has done with a thoroughness, a perfection of plans, and a vastness of provision in men, munitions, and supplies never before equaled or approached in human history. She brought the war on when she chose, because she chose, in the belief that she could conquer the earth, nation by nation." (Senator Elihu Root, speech in Chicago Sept. 14, 1917.)

IV. THE AUSTRO-SERBIAN CONTROVERSY.

I. INTRODUCTION: PRIOR RELATIONS OF SERBIA, AUSTRIA, AND RUSSIA.

1. Previous history of Serbia: Its fleeting greatness under Stephen Dushan (died 1355); conquered by Turks, 1458; self-governing principality from 1830; independent of Turkey, 1878; territory greatly increased through war with Turkey 1912–13. Revival in recent years of "Greater Serbia" movement, directed largely against Austria-Hungary, which held Croatia, Bosnia, and Herzegovina, lands which by nationality and speech were Serbian. Compare Piedmont's unification of Italy against Austrian resistance. (See War Cyclopedia, under "Kingdom of the Serbs, Croats, and Slovenes.")

2. Serbia's relations with Austria-Hungary:

(a) Political estrangement due to Austria's high-handed annexation of Bosnia in 1908, and the thwarting by Austria and Italy in 1913 of Serbia's desire for an outlet to the Adriatic. Declaration exacted of Serbia in 1909 (March 31):

"Serbia recognizes that the fait accompli regarding Bosnia has not affected her rights. * * * In deference to the advice of the great powers, Serbia undertakes to renounce from now onward the attitude of protest and opposition which she has adopted with regard to the annexation since last autumn. She undertakes, moreover, to modify the direction of her policy with regard to Austria-Hungary, and to live in future on good neighborly terms with the latter." (British Blue Book, No. 4; Collected Diplomatic Documents, p. 4.)

(b) Tariff disputes over importation of Serbian pigs into Austria-Hungary. A prohibitive tariff was imposed in 1906.

(c) Continued agitation of Serbian revolutionary societies (especially the Narodna Odbrana) against the "dangerous, heartless, grasping, odious, and greedy enemy in the north," who "robs millions of Serbian brothers of their liberty and rights and holds them in bondage and chains." (Austro-Hungarian Red Book, No. 19; Collected Diplomatic Documents, p. 465.)

(d) German plans for Berlin-Bagdad railway required that Serbia should be controlled by Austria. (See above, ch. II, IV 4.)

3. Russia's interest in Serbia—founded upon kinship in blood, language, and religion, and on Russian aid in the past against Turkey (in 1806–1812, 1829–30, 1877–78). This interest was well known, and Austria and Germany recognized that their policy toward Serbia might lead to war with Russia. (See War Cyclopedia, under "Pan Slavism.")

"During the Balkan crisis he [the Russian minister for foreign affairs] had made it clear to the Austrian Government that war with Russia must inevitably follow an Austrian attack on Serbia." Report of British Ambassador to Russia. British Blue Book, No. 139; Collected Diplomatic Documents, p. 101.)

"We were perfectly aware that a possible warlike attitude of Austria-Hungary against Serbia might bring Russia upon the field, and that it might therefore involve us in a war, in accordance with our duty as allies." (German White Book; Collected Diplomatic Documents, p. 406.)

II. THE SERAJEVO ASSASSINATION (JUNE 28, 1914).

1. Assassination of the Austrian Crown Prince Franz Ferdinand and his wife, while on an official visit to Serajevo, the capital of the Austrian Province of Bosnia. Failure of first attempt at assassination by explosion of a bomb; success of second attempt some hours later by revolver shots. The assassins were Austrian subjects of Serbian nationality. (See War Cyclopedia, under "Seravejo.")

2. Opportuneness of the crime for Austria. (See Ramsay Muir, Britain's Case Against Germany, p. 152.)

III. AUSTRIAN NOTE TO SERBIA (JULY 23, 1914).

1. Preliminaries: Secret investigation of the crime by the Austrian court at Serajevo. (Reports of the alleged results in Collected Diplomatic Documents, pp. 490–494; Austrian Red Book, Appendix 8, and German White Book, Appendix; summary, pp. 416–417.) Quieting reports as to its intentions issued by Austrian Government, but preparations made in secret for rigorous measures against Serbia.

"A reckoning with Serbia, a war for the position of the Austro-Hungarian Monarchy as a great power, even for its existence as such, can not be permanently avoided." (Austrian minister at Belgrade to Austrian Government, July 21, 1914. In Austrian Red Book, No. 6; Collected Diplomatic Documents, p. 452.)

2. Conference at Potsdam (July 5, 1914) at which the terms of the note were practically settled. The holding of such a conference has been denied by German newspapers, but the denial is not convincing. (See War Cyclopedia, under "Potsdam conference"; New York Times, Current History, September, 1917, pp. 469–471.)

3. General character of the note. In effect an ultimatum to which unconditional acceptance must be given within 48 hours. Humiliating character of its demands. (See War Cyclopedia, under "Serbia, Austrian ultimatum.")

"I had never before seen one State address to another independent State a document of so formidable a character." (Sir Edward Grey, British Secretary for Foreign Affairs, in British Blue Book, No. 5; Collected Diplomatic Documents, p. 13.)

"The demands of that [the Austrian] Government are more brutal than any ever made upon any civilized State in the history of the world, and they can be regarded only as intended to provoke war." (German Socialist newspaper Vorwärts, July 25, 1914.)

4. Some specific demands. The numbers attached are those of the note itself. (See British Blue Book, No. 4; Collected Diplomatic Documents, pp. 3–12.)

"2. To dissolve immediately the society called Narodna Odbrana [the chief society for Serbian propaganda], to confiscate all its means of propaganda, and to proceed in the same manner against other societies and their branches in Serbia which engage in propaganda against the Austro-Hungarian Monarchy. The Royal [Serbian] Government shall take the necessary measures to prevent the societies dissolved from continuing their activity under another name and form."

"3. To eliminate without delay from public instruction in Serbia, both as regards the teaching body and also as regards the methods of instruction, everything that serves, or might serve, to foment the propaganda against Austria-Hungary."

"5. To accept the collaboration in Serbia of representatives of the Austro-Hungarian Government for the suppression of the subversive movement directed against the territorial integrity of the monarchy.

"6. To take judicial proceedings against accessories to the plot of June 28 who are on Serbian territory; delegates of the Austro-Hungarian Government will take part in the investigation relating thereto."

5. Denial by Germany that she was consulted by Austria before sending the note.

"We therefore permitted Austria a completely free hand in her action toward Serbia, but have not participated in her preparations." (German White Book; Collected Diplomatic Documents, p. 406.)

This denial was, and is, generally disbelieved. (See Ramsay Muir, Briton's Case against Germany, p. 8, and the evidence concerning the Potsdam conference.) Germany's claim that she was ignorant of the Austrian ultimatum was from the outset preposterous and against all reason. Intimately allied with Austria-Hungary and for a decade the dominating power in the diplomacy of the central powers in the Balkans and the Near East, is it possible to believe that she did not examine into and even give direction, in broad outline at least, to the policy of her ally at this critical stage in the development of her Pan-German program? The purpose of the denial, apparently, was to satisfy Italy (Austria's other ally), which certainly was not consulted.

6. Circumstances making a peaceful outcome more difficult: Absence of most of the foreign ambassadors from Vienna for their summer vacations; immediate withdrawal of Austrian minister of foreign affairs to a remote mountain resort, etc., etc.

7. Widespread anxiety over the situation, as threatening the peace of Europe. Russia, England, and France make urgent endeavors—

(a) To induce Serbia to go as far as possible in meeting the demands of Austria.

(b) To obtain an extension of the time limit in order (1) that the powers might be enabled to study the documentary material promised by Austria embodying the findings of the court at Serajevo; and (2) to permit them to exercise a moderating influence on Serbia. Sharp refusal of Austria to extend the time limit. (For later proposals see ch. 5.)

IV. SERBIAN REPLY TO THE AUSTRIAN NOTE (JULY 25, 1914).

(See British Blue Book, No. 39; Collected Diplomatic Correspondence, pp. 31–37.)

1. To the gratification of Europe, Serbia—

(a) Accepted 8 of the 10 Austrian demands.

(b) Returned a qualified refusal to the other two.

As to No. 5, the Serbian Government said that they "do not clearly grasp the meaning or the scope of the demand, * * * but they declare that they will admit such collaboration as agrees with the principle of international law, with criminal procedure, and with good neighborly relations."

As to No. 6, they returned a temperate refusal (founded, according to Austrian claim, upon a deliberate misunderstanding of the nature of the demand): "It goes without saying that the Royal [Serbian] Government consider it their duty to open an inquiry against all such persons as are, or eventually may be, implicated in the plot, * * * and who happen to be within the territory of the kingdom. As regards the participation in this inquiry of Austro-Hungarian agents or authorities appointed for this purpose by the Imperial and Royal [Austro-Hungarian] Government, the Royal [Serbian] Government can not accept such an arrangement, as it would be a violation of the constitution and of the law of criminal procedure; nevertheless, in concrete cases communications as to the results of the investigation in question might be given to the Austro-Hungarian agents."

(c) In conclusion, Serbia suggested reference to The Hague Tribunal or to the great powers, in case its reply was not considered satisfactory.

2. Austria, to Europe's amazement, found this reply dishonest and evasive. (See Austro-Hungarian Red Book, No. 34; Collected Diplomatic Documents, pp. 506–514.)

Two hours after receiving it the Austrian minister left Belgrade with all his staff. Grave apprehensions were felt that this break of diplomatic relations would be followed by European war.

The Austrian foreign minister declared to the Russian ambassador (July 28) that his Government could "no longer recede, nor enter into any discussion about the terms of the Austro-Hungarian note." (British Blue Book, No. 93; Collected Diplomatic Documents, p. 70.)

V. AUSTRIA DECLARES WAR ON SERBIA JULY 28, 1914.

1. In spite of the efforts at mediation of Great Britain, Russia, and France, Austria declared war on Serbia July 28, 1914.

2. Demand of Germany that the war be "localized"—i. e., that no other power interfere with Austria's chastisement of Serbia.

3. Belgrade bombarded July 29–30, and the war begun.

VI. CONCLUSIONS.

1. Austria and Germany wanted war with Serbia, and their chief fear was lest something might, against their wills, force them to a peaceful settlement; hence the haste and secrecy which attended their measures.

"The impression left on my mind is that the Austro-Hungarian note was so drawn up as to make war inevitable; that the Austro-Hungarian Government are fully resolved to have war with Serbia; that they consider their position as a great power to be at stake; and that until punishment has been administered to Serbia it is unlikely that they will listen to proposals of mediation. This country [Austria-Hungary] has gone wild with joy at the prospect of war with Serbia, and its postponement or prevention would undoubtedly be a great disappointment." (British ambassador at Vienna, July 27, 1914. In British Blue Book, No. 41; Collected Diplomatic Documents, p. 38.)

"He [the German secretary of state] admitted quite freely that Austro-Hungarian Government wished to give the Serbians a lesson, and that they meant to take military action. He also admitted that Serbian Government could not swallow certain of the Austro-Hungarian demands. * * * Secretary of state confessed privately that he thought the note left much to be desired as a diplomatic document." (British chargé at Berlin to Sir Edward Grey, July 25, 1914. British Blue Book, No. 18; Collected Diplomatic Documents, p. 22.)

"In the Viennese note to Serbia, whose brazen arrogance has no precedent in history, each phrase bears witness that Austria-Hungary desired the war. * * * Only a war, for which the best minds of the army were thirsting * * * could cure the fundamental ills of the two halves of the Austrian Empire and of the monarchy. Only the refusal, and not the acceptance, of the claims put forward in the note could have profited Vienna

"The question has been asked, Where was the plan of campaign elaborated, in Vienna or Berlin? And some hasten to reply: In Vienna. Why do people tolerate the propagation of such dangerous fables? Why not say the thing that is (because it must be), namely, that a complete understanding in all matters existed between Berlin and Vienna." (Maximilian Harden, in Die Zukunft for Aug. 1, 1914; quoted in G. Alexinsky, Russia and the Great War, 129–130.)

2. Austria's object was to reduce Serbia to a state of vassalage as a step to Austrian hegemony in the Balkan Peninsula. Her promises not to destroy Serbia's sovereignty or to annex her territory, therefore, failed to satisfy Serbia's friends.

"Austria demanded conditions which would have placed Serbia under her permanent control." (Prof. Hans Delbrück, a noted professor and statesman of Germany, in Atlantic Monthly, for Feb., 1915, p. 234.)

3. Germany's objects were:

(a) To recover her prestige, lost in the Agadir affair (1911) and over the Balkan Wars (1912–13).

(b) To strengthen her ally Austria, and so increase her own power.

(c) To humiliate Russia and the triple entente, and to disrupt or render harmless the latter.

(d) To promote the central European—"Berlin to Bagdad"—project and open a trade route to Saloniki, the most favorably situated seaport for the commerce of central Europe with the East.

4. To advance these ends, Germany and Austria deliberately incurred the grave risk of a general European war.

For reading references on Chapter IV, see page 37.

V. FAILURE OF DIPLOMACY TO AVERT WAR—GERMANY AND AUSTRIA AT WAR WITH RUSSIA AND FRANCE.

I. OUTLINE OF EVENTS, JULY 21 TO AUGUST 6, 1914.

July 21. Secret orders preliminary to mobilization issued in Germany. These measures, including the movement of troops toward the French frontier, continued up to final mobilization. (See Le Mensonge du 3 Août, 1914, pp. 14–25; Nineteenth Century and After, Issue for June, 1917.)

July 23. Austrian note sent to Serbia.

July 25. Reply of Serbia. Austrian minister quits Belgrade, severing diplomatic relations.

July 27. Sir Edward Grey proposed a conference at London on the Serbian question. France, Russia, and Italy accepted; Germany refused.

July 28. Austria declared war on Serbia.

July 29. Russian mobilization on the Austro-Hungarian frontier.

July 30. Bombardment of Belgrade. General mobilization in Russia begun.

July 31. "Threatening danger of war" proclaimed in Germany. Germany sent ultimatums to Russia and to France.

August 1. Orders for general mobilization in France and in Germany. Declaration of war by Germany against Russia. Italy declared that she would remain neutral since "the war undertaken by Austria and the consequences which might result, had, in the words of the German ambassador himself, an aggressive object." (British Blue Book, No. 152; Collected Diplomatic Documents, p. 107.)

August 2. Occupation of Luxemburg by Germany. Demand that Belgium also permit German troops to violate its neutrality.

August 3. Belgium refused the German demand. Germany declared war on France.

August 4. Germany invaded Belgium. Great Britain declared war on Germany.

August 6. Austria-Hungary declared war on Russia.

II. PROPOSALS FOR PRESERVING PEACE.

1. A conference at London proposed by Sir Edward Grey (July 27). To be composed of the German and Italian ambassadors to Great Britain, as friends of Austria, and the French ambassador and Grey himself, as friends of Russia. Its purpose: To discover "an issue which would prevent complications."

"If it is borne in mind how incomparably more difficult problems had been successfully solved by the conference of ambassadors at London during the Balkan crisis, it must be admitted that a settlement between the Austrian demands and the Serbian concessions in July, 1914, was child's play compared with the previous achievements of the London conference." (I Accuse, p. 155.)

The proposal was accepted by Russia, France, and Italy. It was declined by Germany (without consulting Austria) on the ground that she "could not call Austria in her dispute with Serbia before a European tribunal." (German White Book; Collected Diplomatic Documents, p. 409.) Grey explained that it "would not be an arbitration, but a private and informal discussion"; nevertheless, Austria and Germany continued to decline.

2. Germany proposed (July 26) that France "exercise a moderating influence at St. Petersburg." The French foreign minister in reply "pointed out that Germany on her part might well act on similar lines at Vienna, especially in view of the conciliatory spirit displayed by Serbia. The [German] ambassador replied that such a course was not possible, owing to the decision not to intervene in the Austro-Serbian dispute." (Russian Orange Book, No. 28; Collected Diplomatic Documents, p. 276.)

3. Germany proposed direct negotiations between Russia and Austria over the Serbian question (July 27). Austria declined these direct negotiations, even though proposed by her ally. (Was this due to collusion between the two Governments?)

4. The Kaiser (who unexpectedly returned to Berlin on July 26 from a yachting cruise) attempted to act as "mediator" between Russia and Austria; but apparently he confined himself to the effort to persuade Russia "to remain a spectator in the Austro-Serbian war without drawing Europe into the most terrible war it has ever seen." (Kaiser to Tsar, July 29, in German White Book, exhibit 22; Collected Diplomatic Documents, pp. 431–432.)

"Neither over the signature of the Kaiser nor over that of his foreign minister does the record show a single communication addressed to Vienna in the interests of peace." (J. M. Beck, The Evidence in the Case, p. 112.)

5. The Tsar proposed, in a personal telegram to the Kaiser (July 29), "to give over the Austro-Serbian problem to The Hague Tribunal." (Collected Diplomatic Documents, p. 542.) This telegram is omitted from the German White Book! "The acceptance of the Tsar's proposal would doubtless have led to peace, and for this reason it was declined." (I Accuse, p. 187, note.)

6. Proposal by Grey (July 29) that Austria should express herself as satisfied with the occupation of Belgrade and the neighboring Serbian territory as a pledge for a satisfactory settlement of her demands and should allow the other powers time and opportunity to mediate between Austria and Russia.

King George of England, in a personal telegram (July 30) to the Kaiser's brother, said: "I rely on William applying his great influence in order to induce Austria to accept this proposal. In this way he will prove that Germany and England are working together to prevent what would be an international catastrophe." (Collected Diplomatic Documents, p. 539.)

Grey's expressed opinion (July 29) was that "mediation was ready to come into operation by any method that Germany thought possible if only Germany would 'press the button' in the interests of peace." (British Blue Book, No. 84; Collected Diplomatic Documents, p. 64.)

7. Proposal of Russian foreign minister (July 30): "If Austria, recognizing that the Austro-Serbian question has assumed the character of a question of European interest, declares herself ready to eliminate from her ultimatum points which violate the sovereign rights of Serbia, Russia engages to stop her military preparations." (Russian Orange Book, No. 60; Collected Diplomatic Documents, p. 288.)

Reply of German Foreign Minister that "he considered it impossible for Austria to accept our proposal." (Russian Orange Book, No. 63; Collected Diplomatic Documents, p. 289.)

8. Second proposal of Russian foreign minister (July 31): "If Austria consents to stay the march of her troops on Serbian territory; and if, recognizing that the Austro-Serbian conflict has assumed the character of a question of European interest, she admits that the great powers may examine the satisfaction which Serbia can accord to the Austro-Hungarian Government without injury to her rights as a sovereign State or her independence, Russia undertakes to maintain her waiting attitude." (Russian Orange Book, No. 67; Collected Diplomatic Documents, p. 291.)

This proposal remained unanswered.

9. Austria declared (August 1) that she was then "ready to discuss the grounds of her grievances against Serbia with the other powers." (Russian Orange Book, No. 73; Collected Diplomatic Documents, p. 293.)

Sir Edward Grey comments: "Things ought not to be hopeless so long as Austria and Russia are ready to converse." (British Blue Book, No. 131; Collected Diplomatic Documents, p. 97.) From July 30 onward "the tension between Russia and Germany was much greater than between Russia and Austria. As between the latter an arrangement seemed almost in sight." (British ambassador at Vienna, in British Blue Book, No. 161; Collected Diplomatic Documents, p. 117.)

But it was then too late, as Germany had already resolved upon war, and was preparing her ultimatums which precipitated the conflict.

III. GERMAN ULTIMATUMS AND DECLARATIONS OF WAR AGAINST RUSSIA AND FRANCE.

1. A council of war, held at Potsdam on the evening of July 29, apparently decided definitely to make war on France and Russia.

"Our innermost conviction is that it was on this evening that the decision of war was reached. The 5th of July, before his departure for a cruise on the coasts of Norway, the Kaiser had given his consent to the launching of the Serbian venture. The 29th of July he decided for war." (Le Mensonge du 3 Août, 1914, p. 38.)

"People who are in a position to know say that those occupying the leading military positions, supported by the Crown Prince and his retainers, threatened the Emperor with their resignation en bloc if war were not resolved on." (I Accuse, p. 189.)

2. General mobilization of Russian army (July 30–31). This was grounded not merely on the measures of Austria, but also on "the measures for mobilization (against Russia) taken secretly, but continuously, by Germany for the last six days." (French Yellow Book, No. 118; Collected Diplomatic Documents, p. 223.)

The Tsar assured the Kaiser: "It is far from us to want war. As long as the negotiations between Austria and Serbia continue, my troops will undertake no provocative action. I give you my solemn word thereon." (German White Book; Collected Diplomatic Documents, p. 411.)

For evidence of German mobilization against France beginning as early as July 21, see Nineteenth Century and After, issue for June, 1917. Consult also I Accuse, pp. 194–201; War Cyclopedia, under "Mobilization Controversy."

3. German ultimatum to Russia (July 31, midnight) demanding that the Government "suspend their military measures by midday on August 1" (twelve hours).

Demand addressed to France (July 31, 7 p. m.) as to "what the attitude of France would be in case of war between Germany and Russia?" (French Yellow Book, No. 117; Collected Diplomatic Documents, p. 223). The French Prime Minister answered (August 1, 1.05 p. m.) that "France would do that which her interests dictated." (German White Book, Exhibit 27; Collected Diplomatic Documents, p. 434.)

4. Declaration of war against Russia at 7.10 p. m. on August 1, following Russia's failure to demobilize. (Russian Orange Book, No. 76; Collected Diplomatic Documents, p. 294.)

Orders for a general mobilization of the French army were signed at 3.40 p. m. the same day.

5. Declaration of war against France on August 3 (French Yellow Book, No. 147; Collected Diplomatic Documents, p. 240.)

This declaration contained charges that France had already violated German territory, e. g., by dropping bombs from aeroplanes on railway tracks near Nuremburg). These charges are now shown to be falsehoods. (Le Mensonge du 3 Août, 1914, pp. 130–230; pamphlet entitled, German Truth and a Matter of Fact, London, 1917.) To avoid possible clashes through hot-headedness of her troops and underofficers, France withdrew her troops 10 kilometers (about six miles) within her own frontiers. On the other hand German bands repeatedly crossed the French frontier, and even killed a French soldier on French soil before the declaration of war. (French Yellow Book, No. 106.)

Similar falsehoods were inserted in the Austrian declaration of war on Serbia, and in the German declaration of war on Russia. Falsehood and forgery were used with Machiavellian unscrupulousness by Germany in the conduct of her foreign affairs. (Compare Bismarck's changes in the "Ems dispatch" at beginning of Franco-German war and his diabolical pleasure that war with France thus became certain. Bismarck, Autobiography, II, p. 101. See War Cyclopedia, under "German Government, Moral Bankruptcy," etc.)

IV. GERMAN RESPONSIBILITY FOR THE WAR.

The testimony is overwhelming not only that Germany planned with Austria an aggresive stroke in 1914, but that in the end it was she who willed the war. (See War Cyclopedia, under "War, Responsibility for.")

"The constant attitude of Germany who, since the beginning of the conflict, while ceaselessly protesting to each power her peaceful intentions, has actually, by her dilatory or negative attitude, caused the failure of all attempts at agreement, and has not ceased to encourage through her ambassador the uncompromising attitude of Vienna; the German military preparations begun since the 25th of July and subsequently continued without cessation; the immediate opposition of Germany to the Russian formula (of July 29–31), declared at Berlin inacceptable for Austria before that power had ever been consulted; in conclusion, all the impressions derived from Berlin bring conviction that Germany has sought to humiliate Russia, to disintegrate the Triple Entente, and if these results could not be obtained, to make war." (Viviani, French Minister for Foreign Affairs, July 31, in French Yellow Book, No. 114; Collected Diplomatic Documents, p. 221.)

"Never in the history of the world has a greater crime than this been committed. Never has a crime after its commission been denied with greater effrontery and hypocrisy." (I Accuse, pp. 208–9.)

"The German Government contrived the war jointly in concert with the Austrian Government, and so burdened itself with the greatest responsibility for the immediate outbreak of the war. The German Government brought on the war under cover of deception practiced upon the common people and even upon the Reichstag (note the suppression of the ultimatum to Belgium, the promulgation of the German White Book, the elimination of the Tsar's dispatch of July 29, 1914, etc.)." (Dr. Karl Liebknecht, German Socialist, in leaflet dated May 3, 1916. See War Cyclopedia, under "Liebknecht on German War Policy.")

"The object of this war (on the part of the opponents of Germany) is to deliver the free peoples of the world from the menace and the actual power of a vast military establishment controlled by an irresponsible government which, having secretly planned to dominate the world, proceeded to carry the plan out without regard either to the sacred obligations of treaty or the long-established practices and long-cherished principles of international action and honor; which chose its own time for the war; delivered its blow fiercely and suddenly; stopped at no barrier either of law or mercy; swept a whole continent within the tide of blood—not the blood of soldiers only, but the blood of innocent women and children also and of the helpless poor; and now stands balked but not defeated, the enemy of four-fifths of the world. This power is not the German people. It is the ruthless master of the German people. It is no business of ours how that great people came under its control or submitted with temporary zest to the domination of its purpose; but it is our business to see to it that the history of the rest of the world is no longer left to its handling." (President Wilson's reply to the Pope's peace proposals, August 27, 1917.)

For reading references on Chapter V, see page 37.

VI. VIOLATION OF BELGIUM'S NEUTRALITY BRINGS IN GREAT BRITAIN.

I. WHY GREAT BRITAIN WAS EXPECTED TO STAY OUT.

1. Embittered state of party relations growing out of the budget struggle of 1909–11, the limitation of the veto of the House of Lords in 1911, violence of the suffragettes ("the wild women"), and the passage by the House of Commons of the Irish home-rule bill (May 25, 1914).

2. Serious threat of rebellion in northern Ireland (Ulster) against putting in force Irish home-rule act. Organization of armed forces under Sir Edward Carson; "gun running" from Germany.

3. Widespread labor troubles, especially among the railway workers.

4. Unrest in India, following administrative division of the Province of Bengal; boycott movement; revolutionary violence attending Nationalist (Hindu) agitations.

5. Unwarlike character of the British people; a "nation of shopkeepers" supposedly unready for the sacrifices of war. Progress of pacifist opinions ("Norman-Angellism").

6. Lack of an army adequate for use abroad. Composed of volunteers ("mercenaries") instead of being based on compulsory service, it was regarded (in the Kaiser's phrase) as "contemptible."

II. BRITISH DIPLOMACY AND THE WAR.

1. Sir Edward Grey, Secretary for Foreign Affairs, labored unremittingly for peace. (See War Cyclopedia, under "Grey and British Policy, 1914.")

"Sir Edward Grey deserves more than any other the name of the 'peacemaker of Europe.' * * * His efforts were in vain, but his merit in having served the cause of peace with indefatigable zeal, with skill and energy, will remain inextinguishable in history." (I Accuse, pp. 247–248.)

"No man in the history of the world has ever labored more strenuously or more successfully than my right honorable friend, Sir Edward Grey, for that which is the supreme interest of the modern world—a general and abiding peace. * * * We preserved by every expedient that diplomacy can suggest, straining to almost the breaking point our most cherished friendships and obligations, even to the last making effort upon effort and hoping against hope. Then, and only then, when we were at last compelled to realize that the choice lay between honor and dishonor, between treachery and good faith, and that we had at last reached the dividing line which makes or mars a nation worthy of the name, it was then, and only then, that we declared for war." (Prime Minister Asquith, at the Guildhall, London, Sept. 4, 1914.)

"Shoulder to shoulder with England we labored incessantly and supported every proposal," etc. (German White Book; in Collected Diplomatic Documents, p. 410.) Similar admissions that Great Britain strove sincerely and energetically for peace are found in other passages in the German White Book. Later the German Chancellor, von Bethmann Hollweg, declared: "The inner responsibility [for the war] lies on the Government of Great Britain. * * * England saw how things were moving, but did nothing to spoke the wheel." (Speech in Reichstag, Dec. 2, 1914.) This statement, however, is palpably false.

2. British fleet kept together after the summer maneuvers (July 27). Importance of this step.

"I pointed out [to the Austrian ambassador] that our fleet was to have dispersed to-day, but we had felt unable to let it disperse. We should not think of calling up reserves at this moment, and there was no menace in what we had done about our fleet; but, owing to the possibility of a European conflagration, it was impossible for us to disperse our forces at this moment. I gave this as an illustration of the anxiety that was felt [over the Serbian question]." (Sir Edward Grey, in British Blue Book, No. 48; Collected Diplomatic Documents, p. 43.)

3. Her liberty of action reserved; Great Britain was free from engagements (July 29).

"In the present case the dispute between Austria and Serbia was not one in which we felt called upon to take a hand. Even if the question became one between Austria and Russia we should not feel called upon to take a hand in it. It would then be a question of the supremacy of Teuton or Slav—a struggle for supremacy in the Balkans; and our idea had always been to avoid being drawn into a war over a Balkan question. If Germany became involved and France became involved, we had not made up our minds what we should do; it was a case that we should have to consider. * * * We were free from engagements, and we should have to decide what British interests required us to do. I thought it necessary to say that, because * * * we were taking all precautions with regard to our fleet, and I was about to warn [the German ambassador] not to count on our standing aside, but that it would not be fair that I should let [the French ambassador] be misled into supposing that this meant that we had decided what to do in a contingency that I still hoped might not arise." (Sir Edward Grey to the French ambassador, in British Blue Book, No. 87; Collected Diplomatic Documents, pp. 65–66.)

4. Germany's "infamous proposal" of July 29 (following the Potsdam council of that date, at which war apparently was resolved upon). In return for British neutrality in case of war between Germany and France, the German chancellor promised: (a) Not to aim at "territorial acquisitions at the expense of France" in Europe; (b) a similar undertaking with respect to the French colonies was refused; (c) the neutrality of Holland would be observed as long as it was respected by Germany's adversaries; (d) in case Germany was obliged to violate Belgium's neutrality, "when the war was over Belgian integrity would be respected if she had not sided against Germany."

"He [the German chancellor] said that should Austria be attacked by Russia a European conflagration might, he feared, become inevitable, owing to Germany's obligations as Austria's ally, in spite of his continued efforts to maintain peace. He then proceeded to make the following strong bid for British neutrality. He said that it was clear, so far as he was able to judge the main principle which governed British policy, that Great Britain would never stand by and allow France to be crushed in any conflict there might be. That, however, was not the object at which Germany aimed. Provided that neutrality of Great Britain were certain, every assurance would be given to the British Government that the Imperial Government aimed at no territorial acquisitions at the expense of France, should they prove victorious in any war that might ensue.

"I questioned his excellency about the French colonies, and he said that he was unable to give a similar undertaking in that respect. As regards Holland, however, his excellency said that so long as Germany's adversaries respected the integrity and neutrality of the Netherlands Germany was ready to give His Majesty's Government an assurance that she would do likewise. It depended upon the action of France what operations Germany might be forced to enter upon in Belgium, but when the war was over Belgian integrity would be respected if she had not sided against Germany." (British ambassador at Berlin, in British Blue Book, No. 85; Collected Diplomatic Documents, p. 64.)

5. This proposal was emphatically rejected by Great Britain. "What he asks us in effect is to engage to stand by while French colonies are taken and France is beaten, so long as Germany does not take French territory as distinct from the colonies." (Sir Edward Grey, in British Blue Book, No. 101; Collected Diplomatic Documents, p. 77. Compare Germany's attitude over Great Britain's proposal for a naval compact in 1912—see ch. I, IV 6 c.)

The proposals of July 29 may be regarded as "the first clear sign of a general conflict, for they presumed the probability of a war with France in which Belgium, and perhaps England, might be involved, while Holland would be left alone." (J. H. Rose, Development of the European Nations, 5th ed., II, p. 387.)

6. Grey holds out the prospect of a league of peace (July 30). In his reply to the foregoing proposals, the British foreign secretary adds:

"If the peace of Europe can be preserved, and the present crisis safely passed, my own endeavor will be to promote some arrangement to which Germany could be a party, by which she could be assured that no aggressive or hostile policy would be pursued against her or her allies by France, Russia, and ourselves, jointly or separately. I have desired this and worked for it, as far as I could, through the last Balkan crisis, and, Germany having a corresponding object, our relations sensibly improved. The idea has hitherto been too Utopian to form the subject of definite proposals, but if this present crisis, so much more acute than any that Europe has gone through for generations, be safely passed, I am hopeful that the relief and reaction which will follow may make possible some more definite rapprochement between the powers than has been possible hitherto." (British Blue Book, No. 101; Collected Diplomatic Documents, p. 78.)

Germany made no reply to the above suggestion.

7. Would Great Britain keep out if Germany respected Belgium's neutrality? (Aug. 1.)

"He [the German ambassador] asked me [Sir Edward Grey] whether, if Germany gave a promise not to violate Belgium's neutrality, we would engage to remain neutral.

"I replied that I could not say that; our hands were still free, and we were considering what our attitude should be. All I could say was that our attitude would be determined largely by public opinion here, and that the neutrality of Belgium would appeal very strongly to public opinion here. I did not think that we could give a promise of neutrality on that condition alone.

"The ambassador pressed me as to whether I could not formulate conditions on which we would remain neutral. He even suggested that the integrity of France and her colonies might be guaranteed.

"I said that I felt obliged to refuse definitely any promise to remain neutral on similar terms, and I could only say that we must keep our hands free." (British Blue Book, No. 123; Collected Diplomatic Documents, p. 93.)

8. Great Britain not to come in if Russia and France rejected reasonable peace proposals; otherwise she would aid France (July 31).

"I said to German ambassador this morning that if Germany could get any reasonable proposal put forward which made it clear that Germany and Austria were striving to preserve European peace, and that Russia and France would be unreasonable if they rejected it, I would support it at St. Petersburg and Paris, and go the length of saying that if Russia and France would not accept it His Majesty's Government would have nothing more to do with the consequences; but, otherwise, I told German ambassador that if France became involved we should be drawn in." (Sir Edward Grey, in British Blue Book, No. 111; Collected Diplomatic Documents, p. 86.)

9. Great Britain gives naval assurance to France (Aug. 2), following the German declaration of war on Russia (Aug. 1) and the invasion of Luxemburg.

"I am authorized [by the British Cabinet] to give an assurance that, if the German fleet comes into the Channel or through the North Sea to undertake hostile operations against French coasts or shipping, the British fleet will give all the protection in its power." (Sir Edward Grey to the French ambassador, in British Blue Book, No. 148; Collected Diplomatic Documents, p. 105.)

This assurance was given as the result of an arrangement of several years' standing whereby the French fleet was concentrated in the Mediterranean and the British by agreement in the North Sea. "It did not bind us to go to war with Germany unless the German fleet took the action indicated." (Sir Edward Grey to the British ambassador at Paris, in British Blue Book, No. 148; Collected Diplomatic Documents, p. 105.)

III. NEUTRALITY OF LUXEMBURG AND OF BELGIUM VIOLATED.

1. Luxemburg invaded by German troops (Aug. 2). This was in violation of the treaty of London (1867), as well as of her rights as a neutral State in general. (See Hague Convention of 1907, arts. 2–5; War Cyclopedia, under "Luxemburg," "Neutral Duties," "Neutrality," "Neutralized State.")

2. Special status of Belgium as a neutralized State. Based upon the treaty of London (1839), by which Belgium became "an independent and perpetually neutral State, * * * bound to observe such neutrality toward all other States," and Prussia, France, Great Britain, Austria, and Russia became the "guarantors" of her neutrality. The German Empire was the successor to Prussia in this guarantee. Confirmation of Belgium's neutrality in 1870, by treaties between Great Britain and Prussia and Great Britain and France. (See War Cyclopedia, under "Belgium, Neutralization.")

"Had Belgium been merely a small neutral nation, the crime [of her violation] would still have been one of the worst in the history of the modern world. The fact that Belgium was an internationalized State has made the invasion the master tragedy of the war. For Belgium represented what progress the world had made toward cooperation. If it could not survive, then no internationalism was possible. That is why, through these years of horror upon horror, the Belgian horror is the fiercest of all. The burning, the shooting, the starving, and the robbing of small and inoffensive nations is tragic enough. But the German crime in Belgium is greater than the sum of Belgium's misery. It is a crime against the basis of faith on which the world must build or perish." (Walter Lippman, in Annals of the American Academy of Political and Social Science, July, 1917.)

3. German reassurances to Belgium in 1911 and 1914.

"Germany will not lose sight of the fact that the neutrality of Belgium is guaranteed by international treaty." (German minister of war, in the Reichstag, Apr. 29, 1911. See Belgian Gray Book, No. 12; Collected Diplomatic Documents, p. 306.)

"The troops will not cross Belgian territory." (German minister to Belgium, early on Aug. 2, 1914, to Brussels journalists. In H. Davignon, Belgium and Germany, p. 7.)

"Up to the present he [the German minister to Belgium, on Aug. 2] had not been instructed to make us an official communication, but that we knew his personal opinion as to the feelings of security which we had the right to entertain toward our eastern neighbors." (Belgian minister for foreign affairs, in Belgian Gray Book, No. 19; Collected Diplomatic Documents, p. 309.)

4. France officially assured Great Britain and Belgium of her resolve to respect Belgium's neutrality (July 31 and Aug. 1), in response to an inquiry addressed by Great Britain to both France and Germany. (British Blue Book, Nos. 115 and 125; Belgian Gray Book, No. 15; Collected Diplomatic Documents, pp. 87, 94, 307.)

5. Germany declined to give such an official assurance (July 31)—apparently on the ground that "any reply they might give could not but disclose a certain amount of their plan of campaign in the event of war ensuing." (British Blue Book, No. 122; Collected Diplomatic Documents, p. 92.)

6. Germany demanded (Aug. 2 at 7 p. m.) permission to pass through Belgium on the way to France, alleging (falsely) that France intended to march into Belgium, and offering to restore Belgium and to pay an indemnity at the end of the war. Should Belgium oppose the German troops, she would be considered "as an enemy," and Germany would "undertake no obligations" toward her. (Belgian Gray Book, No. 20; Collected Diplomatic Documents, pp. 309–311.)

7. Belgium refused such permission (Aug. 3). "The Belgian Government, if they were to accept the proposals submitted to them, would sacrifice the honor of the nation and betray their duty toward Europe." (Belgian Gray Book, No. 22; Collected Diplomatic Documents, p. 312.)

8. German armed forces entered Belgium on the morning of August 4. Belgium thereupon appealed to Great Britain, France, and Russia, as guaranteeing powers, to come to her assistance in repelling the invasion.

9. Germany's justification of her action:

(a) Plea of necessity. "Gentlemen, we are now in a state of necessity, and necessity knows no law. Our troops have occupied Luxemburg and perhaps have already entered Belgian territory. Gentlemen, this is a breach of international law. * * * We know * * * that France stood ready for an invasion [this statement was false]. France could wait, we could not. * * * The wrong—I speak openly—the wrong we thereby commit we will try to make good as soon as our military aims have been attained. He who is menaced as we are and is fighting for his highest possession can only consider how he is to hack his way through." (Chancellor von Bethmann-Hollweg, in the Reichstag, Aug. 4, 1914. See War Cyclopedia, under "Bethmann-Hollweg," "Kriegs-Raison," "Notwendigkeit.")

(b) Charge that Belgium had violated her own neutrality by concluding military conventions with England in 1905 and 1912 directed against Germany. This claim is based on a willful misinterpretation of documents discovered by Germany in Brussels after the taking of that city. (Collected Diplomatic Documents, pp. 350–367.)

"That a wrong was done to Belgium was originally openly confessed by the perpetrator. As an afterthought, in order to appear whiter, Cain blackened Abel. In my opinion, it was a spiritual blunder to rummage for documents in the pockets of the quivering victim. * * * To calumniate her in addition is really too much. (Karl Spitteler, a Swiss, quoted in I Accuse, p. 234.)

(c) Military expediency was the real reason. This is shown, among other indications, by an interview (Aug. 3, 1914) between the German minister for foreign affairs and the Belgian minister to Germany.

German Minister: "It is a question of life or death for the Empire. If the German armies do not want to be caught between the hammer and the anvil they must strike a decisive blow at France in order then to turn back against Russia."

Belgian minister: "But the frontiers of France are sufficiently extended to make it possible to avoid passing through Belgium."

Foreign minister: "They are too strongly fortified." (H. Davignon, Belgium and Germany, p. 14.)

IV. GREAT BRITAIN ENTERS THE WAR.

1. Appeal of King Albert of Belgium to King George (Aug. 3): "Remembering the numerous proofs of Your Majesty's friendship and that of your predecessor, and the friendly attitude of England in 1870 and the proof of friendship you have just given us again, I make a supreme appeal to the diplomatic intervention of Your Majesty's Government to safeguard the integrity of Belgium." (Belgian Gray Book, No. 25; Collected Diplomatic Documents, p. 313.)

2. Great Britain's ultimatum to Germany (August 4) asking assurance by midnight that "the demand made upon Belgium will not be proceeded with, and that her neutrality will be respected by Germany." (British Blue Book, No. 153, 159; Collected Diplomatic Documents, pp. 107–109.)

3. War declared by Great Britain (about midnight, August 4). The "scrap of paper" utterance.

The account of the last interview (about 7 p. m., August 4) of the British ambassador with the German Chancellor is instructive: "I found the Chancellor very agitated. His excellency at once began a harangue, which lasted for about 20 minutes. He said that the step taken by His Majesty's Government was terrible to a degree; just for a word—'neutrality'—a word which in war time had so often been disregarded, just for a scrap of paper Great Britain was going to make war on a kindred nation who desired nothing better than to be friends with her. All his efforts in that direction had been rendered useless by this last terrible step, and the policy to which, as I knew, he had devoted himself since his accession to office had tumbled down like a house of cards. What we had done was unthinkable; it was like striking a man from behind while he was fighting for his life against two assailants. He held Great Britain responsible for all the terrible events that might happen. I protested strongly against that statement, and said that in the same way as he and Herr von Jagow (German Foreign Minister) wished me to understand that for strategical reasons it was a matter of life and death to Germany to advance through Belgium and violate the latter's neutrality, so I would wish him to understand that it was, so to speak, a matter of 'life and death' for the honor of Great Britain that she should keep her solemn engagement to do her utmost to defend Belgium's neutrality if attacked. That solemn compact simply had to be kept, or what confidence could anyone have in engagements given by Great Britain in the future? The Chancellor said: 'But at what price will that compact have been kept? Has the British Government thought of that?' I hinted to his excellency as plainly as I could that fear of consequences could hardly be regarded as an excuse for breaking solemn engagements, but his excellency was so excited, so evidently overcome by the news of our action, and so little disposed to hear reason that I refrained from adding fuel to the flame by further argument." (British Blue Book, No. 160; Collected Diplomatic Documents, p. 111. See War Cyclopedia, under "Scrap of Paper.")

4. Great Britain's reasons for entering the war:

(a) Her obligations to Belgium under the treaty of 1839.

(b) Her relations to France growing out of the entente cordiale (1904). These ties were strengthened in subsequent years by consultations of British and French naval experts, but no promise of anything more than diplomatic support was given until August 2, 1914.

"We have agreed that consultation between experts is not, and ought not, to be regarded as an engagement that commits either Government to action in any contingency that has not yet arisen and may never arise. The disposition, for instance, of the French and British fleets, respectively, at the present moment is not based upon an engagement to cooperate in war.

"You have, however, pointed out that if either Government had grave reason to expect an unprovoked attack by a third power it might become essential to know whether it could in that event depend upon the armed assistance of the other.

"I agree that if either Government had grave reason to expect an unprovoked attack by a third power, or something that threatened the general peace, it should immediately discuss with the other whether both Government's should act together to prevent aggression and to preserve peace; and if so, what measures they would be prepared to take in common." (Sir Edward Grey to the French ambassador, Nov. 22, 1912; see New York Times Current History, I, p. 283.)

"There is but one way in which the Government could make certain at the present moment of keeping outside this war, and that would be that it should immediately issue a proclamation of unconditional neutrality. We can not do that. We have made the commitment to France [of Aug. 2, 1914] that I have read to the House, which prevents us doing that." (Sir Edward Grey in the House of Commons, Aug. 3, 1914; New York Times Current History, I, p. 289.)

(c) Self-interest—the realization that Germany's hostility to her was implacable, and that if Great Britain was not to surrender her position as a great power in the world, and possibly a goodly portion of her colonial possessions, she must ultimately fight Germany; if so, better in alliance with France and Russia than alone at a later time.

5. Great Britain's declared war aims.

"We shall never sheathe the sword which we have not lightly drawn until Belgium recovers in full measure all and more than all that she has sacrificed, until France is adequately secured against the menace of aggression, until the rights of the smaller nationalities of Europe are placed upon an unassailable foundation, and until the military domination of Prussia is wholly and finally destroyed." (Prime Minister Asquith, Nov. 9, 1914.)

"I say nothing of what the actual conditions of peace will be, because those are things which we must discuss with our allies and settle in common with them. But the great object to be attained * * * is that there shall not again be this sort of militarism in Europe, which in time of peace causes the whole of the Continent discomfort by its continual menace, and then, when it thinks the moment has come that suits itself, plunges the Continent into war." (Sir Edward Grey, House of Commons, Jan. 26, 1916.)

"What we and our allies are fighting for is a free Europe. We want a Europe free not only from the domination of one nationality by another, but from hectoring diplomacy and the peril of war, free from the constant rattling of the sword in the scabbard, from perpetual talk of shining armor and war lords. In fact, we feel we are fighting for equal rights; for law, justice, peace; for civilization throughout the world as against brute force, which knows no restraint and no mercy.

"What Prussia proposes, as we understand her, is Prussian supremacy. She proposes a Europe modeled and ruled by Prussia. She is to dispose of the liberties of her neighbors and of us all. We say that life on these terms is intolerable. And this also is what France and Italy and Russia say. We are fighting the German idea of the wholesomeness, almost the desirability, of ever recurrent war. Germany's philosophy is that a settled peace spells degeneracy. Such a philosophy, if it is to survive as a practical force, means eternal apprehension and unrest. It means ever-increasing armaments. It means arresting the development of mankind along the lines of culture and humanity. * * *

"The allies can tolerate no peace that leaves the wrongs of this war unredressed. Peace counsels that are purely abstract and make no attempt to discriminate between the rights and the wrongs of this war are ineffective if not irrelevant.

"* * * The Prussian authorities have apparently but one idea of peace, an iron peace imposed on other nations by German supremacy. They do not understand that free men and free nations will rather die than submit to that ambition, and that there can be no end to war till it is defeated and renounced." (Sir Edward Grey to correspondent of Chicago Daily News, in June, 1916.)

Mr. OWEN. Now, Mr. President in support of that there is a tremendous amount of historical evidence. I want to call attention to certain volumes which have dealt with this matter particularly and which I wish to put in the RECORD in order that those who desire to know what the facts are may find the bibliography immediately at hand. So without reading I ask to print in the RECORD a list of these books which are of immediate present import.

The PRESIDING OFFICER. Without objection, leave is granted.

The matter referred to is as follows:

Germany's War Mania.
Gems of German Thought. (Archer.)
Hurrah and Hallelujah. (Bang.)
Pan Germanic Doctrine. (Harpers.)
Out of Their Own Mouths. (Appleton.)
Der Deutsche Chauvinismus. (Nippold.)
Das Annexionistische Deutschland. (Grumbach.)
My Four Years in Germany. (Gerard.)
Juge par Enx. (Themes.)
Obstacles to Peace. (McClure.)
Ten Pamphlets. (War information series, Committee on Public Information.)
Germany and the Next War. (Von Bernhardi.)
I Accuse. (Doran & Co., N. Y.)
The Crime. (Doran & Co., N. Y.)
The Diplomatic Facts of the War. (Seymour.)
The Immediate Causes of the Great War. (Chipwood.)
Fallacies and Facts. (Lord Roberts.)
The Diplomacy of the Great War. (Ballard.)
Because I am a German. (Fernan.)
The Evidence in the Case. (Beck.)
Who Wanted the European War. (Guglielmo Ferrero—Clarendon Press.)
German Annexationist Aims. (Grumbach.)
How the Nations Waged War. (Kennedy.)
Topical Outline of the War. (Prof. Samuel B. Harding, Indiana University.)

Mr. OWEN. By the Committee on Public Information, comprising the Secretary of State, the Secretary of War, and the Secretary of the Navy, and under the immediate supervision of Mr. George Creel, there was printed not long since, on November 15, 1917, a volume called "Conquest and Kultur," which sets forth the philosophy of the Pan-German group or the Prussian military autocratic group, giving the opinions of the various leaders of the German Empire, beginning with the Kaiser himself, and including Von Bethmann-Hollweg, Von Heydebrand, and various other leaders—military, political, and educational. I want to call attention to this particular volume, and I want to call especial attention to certain declarations made in it, showing that this war was planned upon the neighboring nations of the German and Austrian Empires and that they contemplated making war upon the United States.

On page 11 of this document will be found a statement attributed to Maj. N. A. Bailey, and made to W. T. Hornaday, on August 11, 1915, a statement which was called to the attention of the Senate by the Senator from Illinois [Mr. LEWIS] some months ago, and which ought to be printed in full in the RECORD so that people who wish to know about it may see it. He says:

At the close of the Spanish-American War I was returning on the *Santee*, I think it was, from Santiago, Cuba, to Montauk Point. * * * On board there was a military attaché from Germany, Count von Goetzen, a personal friend of the Kaiser. There was also an attaché from some South American country, possibly Argentina.

Apropos of a discussion between Count von Goetzen and myself on the friction between Admiral Dewey and the German admiral at Manila, von Goetzen said to me: "I will tell you something which you better make note of. I am not afraid to tell you this because, if you do speak of it, no one would believe you and everybody will laugh at you.

"About 15 years from now my country will start her war. She will be in Paris in about two months after the commencement of hostilities. Her move on Paris will be but a step to her real object—the crushing of England. Everything will move like clockwork. We will be prepared and others will not be prepared. I speak of this because of the connection which it will have with your own country.

"Some months after we finish our work in Europe we will take New York and probably Washington and hold them for some time. We will put your country in its place with reference to Germany. We do not intend to take any of your territory, but we do intend to take a billion or more dollars from New York and other places. The Monroe doctrine will be taken charge of by us, as we will then have put you in your place, and we will take charge of South America, as far as we want to. I have no hostility toward your country. I like it, but we have to go our own way. Don't forget this, and about 15 years from now remember it and it will interest you."

Mr. President, this statement would have been utterly incredible except for the amount of evidence which has come from every direction, and from every quarter of the globe, which shows that this forecast was based upon known facts. The fact that America must stand the brunt of this German war, if William II can have his way, is shown by what the American Ambassador, James W. Gerard says in his book, "My Four Years in Germany." He refers to an interview which he obtained on October 22, 1915. He had tried from the preceding spring to have an interview with the Kaiser, who refused to see him, although we were at peace with Germany. Finally, Gerard wrote a note to the chancellor saying:

Some time since I requested an interview with the Kaiser. You need not give yourself any further trouble about the request.

JAMES W. GERARD.

Thereupon the interview was granted. It took an hour and a quarter, during which time the Emperor talked vehemently and angrily to Gerard. Referring to this interview, Mr. Gerard says:

The Emperor was standing, so, naturally, I stood also; and according to his habit, which is quite Rooseveltian, he stood very close to me and talked very earnestly. * * * He showed, however, great bitterness against the United States and repeatedly said, "America had better look out after this war," and "I shall stand no nonsense from America after the war. * * * I was so fearful in reporting the dangerous part of this interview, on account of the many spies, not only in my own embassy but also in the State Department, that I sent but a very few words in a roundabout way by courier direct to the President.

A. Curtis Roth, former American vice consul at Plauen, gives evidence of this same condition, if any evidence were needed, as follows:

The Germans became imbued with the ideas that America must be made to suffer, that America must indemnify the German people, and behind these ideas were the German Army and Navy, the pan-Germans, the agrarians, conservatives of all hues, and the National Liberals, the national German committees * * * and the German Government. * * *

In April, 1915, I was with a party of German officers at Bad Elster in southeastern Saxony. Maj. Liebster, an acquaintance of mine * * * joined our party. * * * Maj. Liebster sought the occasion for a conversation with me and among other things said: "We are keeping books on you Americans. It's a long account and we haven't missed any details. Rest assured that that account will be presented to you some day for settlement. * * * We are keeping the account in black and white * * * with customary German thoroughness."

Mr. President, in Ambassador Gerard's book he makes a quotation from Von Tirpitz which, I think, it is worth while to

place in the RECORD, and which, without reading, I ask leave to insert, showing that Von Tirpitz intended to make war on the United States when Germany had succeeded in conquering Europe.

The PRESIDING OFFICER. Without objection, leave is granted.

The matter referred to is as follows:

[From page 249 of "My Four Years in Germany," by James W. Gerard.]

During this winter of submarine controversy an interview with Von Tirpitz, thinly veiled as an interview with a "high naval authority," was published in that usually most conservative of newspapers, the Frankfurter Zeitung. In this interview the "high naval authority" advocated ruthless submarine war with England and promised to bring about thereby the speedy surrender of that country. After the surrender, which was to include the whole British fleet, the German fleet, with the surrendered British fleet added to its force, was to sail for America and exact from that country indemnities enough to pay the whole cost of the war.

After his fall Von Tirpitz, in a letter to some admirers who had sent him verses and a wreath, advocated holding the coast of Flanders as a necessity for the war against England and America.

Mr. OWEN. Mr. President, one of the most striking recent evidences of this Hohenzollern conspiracy is an article by a German captain of industry named August Thyssen, to which I want to call the attention of the Senate. There is a very illuminating description of who August Thyssen is by the Marquise de Fontenoy, which I ask the Secretary to read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

AUGUST THYSSEN ON KAISER.

That old August Thyssen should have made so vitriolic an attack upon the Kaiser and against his dynasty as that contained in his extraordinary pamphlet recently addressed to the business men of the vaterland, and which has just reached the United States, may be regarded as a very significant and noteworthy sign of the times.

It is altogether amazing that the pamphlet should ever have been permitted to get into print and into circulation, that any copies thereof should have been allowed to get out of Germany into foreign countries, and also that the bold author should be still at liberty instead of confined in the deepest of dungeons, with all his possessions confiscated to the crown, for he makes no bones about charging the Kaiser in person with extortion and blackmail, with savage persecution of those who opposed his wishes and with willful deceit and fraud.

He likewise sets forth the promises of immense tracts of British and French territory made by Emperor William to German business men prior to the summer of 1914, in order to secure their support for the war which he had in view, Thyssen himself being offered a grant of 30,000 acres in the mining districts of Australia and the entire Dominion of Canada, for exploitation by means of a syndicate. Thyssen refused to take these pledges seriously and has been in the Emperor's black books ever since.

GERMANY'S INDUSTRIAL CHIEF.

Now, in order to appreciate the importance of the pamphlet it is necessary to explain just who August Thyssen is. If Albert Ballin, Emil von Rathenau, the members of the dynasty of Stumm, the Henckel-Donnersmarcks, etc., are the captains of finance and industry of Germany, then August Thyssen is the captain general. He may be compared to a sort of blend between Charles M. Schwab, of the Bethlehem Steel Works, and the late J. Pierpont Morgan, and has often been described as the king of the steel, iron, and coal industries of central Europe.

He was bitterly opposed to the present war, which he insists could have been avoided if England had been represented at the court of the Kaiser by the president of some great steamship company and Germany had been represented in the same way at the court of St. James by some great Rhenish or Westphalian ironmaster or manufacturer.

FOREIGN INVESTMENTS LOST.

An ardent advocate of the internationalism of commerce, Thyssen possessed until the beginning of the war huge mines, ironworks, docks, and even harbors, in British India, in other English colonial dependencies, as well as in France and in Russia, all of which have been sequestrated by the Governments of these three powers as property belonging to the German foe. If Holland gets dragged into the fray, in spite of her endeavors to preserve her neutrality, Thyssen's vast system of docks and shipbuilding works at Vlaardingen, near Rotterdam, will likewise be lost to him.

These he secured some seven or eight years ago in behalf of the Vulcan Iron & Steamship Building Co., of Germany, which he controls, and he had given a contract for the construction of an additional large, new harbor, with a depth of 30 feet, also a dry dock large enough to hold the biggest battleships, and huge wharves at Vlaardingen, when the war began. The entire property is surrounded by a lofty wall, so as to insure complete privacy. Thyssen's ironworks in France were situated at Montigny and at Maisieres, while his docks in France were at Caen. His principal base in Russia, until the summer of 1914, was at Nikolsieff, on the Black Sea, where he owned practically everything in sight.

August Thyssen is about 78, in every sense of the word a self-made man, having started some 50 years ago with a capital of $6,000.

Mr. OWEN. Mr. President, this article, which I desire to call to the attention of the country, is as follows:

I am writing this pamphlet—

Says August Thyssen—

because I want to open the eyes of Germans, especially of the business community, to facts. When the Hohenzollern wanted to get the support of the commercial class for their war plans, they put their ideas before us as a business proposition. A large number of business and commercial men were asked to support the Hohenzollern war policy on the ground that it would pay them to do so.

Let me frankly confess that I am one of those men who was led to agree to support the Hohenzollern war plan when this appeal was made to the leading business men of Germany in 1912–13. I was led to do so, however, against my better judgment.

In 1912 the Hohenzollerns saw that the war had become a necessity to the preservation of the military system, upon which their power depends. In that year the Hohenzollerns might have directed, if they had desired, the foreign affairs of our country so that peace would have been insured in Europe for at least 50 years. But prolonged peace would have resulted certainly in the break-up of our military system, and with the break-up of our military system the power of the Hohenzollerns would come to an end. The Emperor and his family, as I said, clearly understood this, and they therefore, in 1912, decided to embark on a great war of conquest.

But to do this they had to get the commercial community to support them in their aims. They did this by holding out to them hopes of great personal gain as a result of the war. In the light of events that have taken place since August, 1914, these promises now appear to have been supremely ridiculous, but most of us at the time were led to believe that they would probably be realized.

I was personally promised a free grant of 30,000 acres in Australia and a loan from the Deutsch Bank of £150,000, at 3 per cent, to enable me to develop my business in Australia. Several other firms were promised special trading facilities in India, which was to be conquered by Germany, be it noted, by the end of 1915. A syndicate was formed for the exploitation of Canada. This syndicate consisted of the heads of 12 great firms; the working capital was fixed at £20,000,000, half of which was to be found by the German Government.

There were, I have heard, promises made of a more personal character. For example, the "conquest of England" was to be made the occasion of bestowing upon certain favored and wealthy men some of the most desirable residences in England, but of this I have no actual proof.

Every trade and interest was appealed to. Huge indemnities were, of course, to be levied on the conquered nations, and the fortunate German manufacturers were, by this means, practically to be relieved of taxation for years after the war.

These promises were not vaguely given. They were made definitely by Bethmann-Hollweg on behalf of the Emperor to gatherings of business men, and in many cases to individuals. I have mentioned the promise of a grant of 30,000 acres in Australia that was made to me. Promises of a similar kind were made to at least 80 other persons at special interviews with the chancellor, and all particulars of these promises were entered in a book at the trades department.

But not only were these promises made by the chancellor; they were confirmed by the Emperor, who, on three occasions, addressed large private gatherings of business men in Berlin, Munich, and Cassel in 1912 and 1913. I was at one of these gatherings. The Emperor's speech was one of the most flowery orations I have listened to, and so profuse were the promises he made that were even half of what he promised to be fulfilled, most of the commercial men in Germany would become rich beyond the dreams of avarice.

The Emperor was particularly enthusiastic over the coming German conquest of India. "India," he said, "is occupied by the British. It is in a way governed by the British, but it is by no means completely governed by them. We shall not merely occupy India. We shall conquer it, and the vast revenues that the British allow to be taken by Indian princes will, after our conquest, flow in a golden stream into the Fatherland. In all the richest lands of the earth the German flag will fly over every other flag."

Finally the Emperor concluded:

"I am making you no promises that can not be redeemed, and they shall be redeemed if you are now prepared to make the sacrifices which are necessary to secure the position that our country must and shall occupy in the world. He who refuses to help is a traitor to the Fatherland; he who helps willingly and generously will have his rich reward."

All sounded, I admit, tempting and alluring, and though there were some who viewed rather dubiously the prospect of Germany being able to conquer the world in a year, the majority of business and commercial men agreed to support the Hohenzollern war plans. Most of them have since wished they had never paid any attention to them.

According to the promises of the Hohenzollern, victory was to have been achieved in December, 1915, and the promises made to myself and other commercial men in Germany when our money for the Kaiser's war chest was wanted were to have been then redeemed.

But this is what has happened in reality: In December of 1916 the chancellor, Bethmann-Hollweg, began to have interviews once more with business men. The purpose of these interviews again was to get more money from them. Guaranties were asked from 75 business men in Germany, including myself, that they would undertake to subscribe £200,000,000 to the next war loan. I was personally asked to guarantee a subscription of £200,000. I declined to give this guaranty; so did some others. I was then favored with a private interview with Bethmann-Hollweg's private secretary, who told me that if I declined to give the guaranty and subsequently the money I would lose a contract I had with the war office. But not only that—I was threatened with the practical ruin of my business if I did not give the guaranty.

I described this demand as blackmail of the worst sort and refused to guarantee a mark to the war loan. Two months later I lost my contract, and the greater part of my business has been taken over at a figure that means confiscation. Moreover, I am not to get paid until after the war, but am to receive 4 per cent on the purchase price. Every man who declined to promise a subscription to the amount he was asked has been treated in the same manner.

The majority of men, however, preferred to pay to being ruined, and so the Hohenzollerns in the main got their way. But, apart from the blackmailing of men who refused to pay any more money into the Hohenzollern war chest, let us see how the Hohenzollerns' promises are working out. A circular was sent out last March to a large number of business men by the foreign trade department which contained the following suggestion:

"It will be wise for employers who have foreign trade interests to employ agents in foreign countries who can pass themselves off as being of French or English birth. German agents and travelers will probably for some time after the war have difficulty in doing business not only in enemy countries but in neutral countries. There will undoubtedly be a personal prejudice against Germans that would probably make it difficult for representatives of German firms to do business. Although this prejudice will not interfere with German trade, as it will be merely of a personal character, it will facilitate trading transactions if employers will employ agents who can pass as French or English, preferably, or as Dutch, American, or Spanish."

So this is the prospect we are faced with after the war. The meaning of this circular in plain language is this. So loathed and hated have Germans become outside their own country that no one will want to have any personal dealings with them after the war.

A large number of businesses are, moreover, being secretly bolstered up with State aid. A condition of this aid is that the owners of the businesses receiving it shall agree to accept a considerable degree of State control over their business after the war.

This is part and parcel of a plan on the part of the Hohenzollerns to get the commercial classes thoroughly into their grip before the end of the war, and so minimize the chances of a revolution.

These men who have agreed to accept aid now for their businesses, and State control after the war, have received a notification from the foreign trade department to the effect that, with proper organization, Germany ought to recover her prewar trade three years after peace is declared. Here is the Hohenzollern method of redeeming promises. We are to get back our prewar trade three years after peace is declared, and to do this we must submit to have our trading transactions controlled and supervised by the State.

Can any German to whom such prospects are held out by the Emperor fail to see that he has been bamboozled and humbugged and fooled into supporting a war from which the utmost he can hope to gain is to come out of it without national bankruptcy?

This article is not needed to establish the fact that this world war was deliberately prepared by the German Government because that is otherwise overwhelmingly established. It is only of interest as one of innumerable circumstantial evidences which may be of interest at this time.

Mr. President, the manner in which German opinion has been influenced in supporting these plans is described in a very careful way by the introduction to the work called "Germany's War Mania," published by Dodd, Mead & Co. Without reading it, I ask permission to insert in the RECORD a part of that introduction describing the manner in which German opinion has been influenced by the Hohenzollern government.

The PRESIDING OFFICER (Mr. LEWIS in the chair). There being no objection, consent is granted.

The matter referred to is as follows:

INTRODUCTION.

The prevailing idea in Great Britain is that the sinister influence which brought on the present war has been the policy, secret and hidden, of a small group of militarists around the Kaiser, a policy to which the German people have been compelled to assent after its results were upon them.

Nothing can be more mistaken than this idea. Germany's plans for world conquest were not secretly conceived by a small clique. They were not concealed from the German people and were not without the sympathy of the German nation.

Never, even under the extremest form of democracy, has the ruling class so taken the people into its confidence, so openly sought and aroused a favorable public opinion, so continuously bid for general support, so thoroughly explained its intentions and plans as has Germany in developing her policy of Pan-Germanic conquest during the last quarter of a century. There has not been in the history of the world an educational campaign of such a size, of such thoroughness, and so completely organizing and utilizing all channels for arousing interest and gaining support.

German newspapers and periodicals, German Government and military officials, German educators and authors, German leagues and associations have been preaching these ideas and aims and policies far and wide to the German millions every hour of the day, both before and especially since William II came to the throne in 1888.

The purpose of this book is to give to English readers an authoritative account of this war mania, a veritable German gospel of blood and iron, which has been deliberately brought into being by the artificial stimulation of Teutonic sentiment for the last 43 years.

Out of the mouths of the German leaders themselves the chapters of this book lay bare precisely what German ideals and aims, policies and plans have been; from the Kaiser himself, from his highest governmental officials, from his military chiefs, from his foremost educators, from his leading molders of opinion—from their own words this picture of Germany's world policy has been created. This book is not a commentary on Germany's ideas, not an outsider's deductions from her policies, not a study of what she might be driving at, but actual statements from her own political, military, and intellectual leaders as to what she wants and how she expects to get it.

Among many other evidences that Berlin and Vienna conspired to start the war, I quote Baron Beyens, the Belgian minister at Berlin, and the American ambassador, Henry Morgenthau, at Constantinople, who quotes the Italian ambassador at Constantinople as having been given the same information by Baron Wangenheim, the German ambassador at Constantinople:

Berlin and Vienna were at one in their desire for immediate and inevitable hostilities. The paternity of the scheme, as well as of the procedure employed, which are, on account of their very cleverness, worthy of a Bismarck, is attributed here in the diplomatic world to a German rather than an Austrian brain. The secret had been well guarded, and the execution of the scheme followed with marvelous rapidity. (Baron Beyens, the Belgian minister at Berlin, to M. Davignon, Belgian minister for foreign affairs, Berlin, July 26, 1904. The Belgian Grey Book, No. 2.)

On August 18, 1914, as American ambassador at Constantinople, I called on the Marquis of Pallavicini, the Austro-Hungarian ambassador, to congratulate him on the Emperor's eighty-fourth birthday. * * * The conversation then turned to the war, which was in its third week, and his excellency told me that when he visited the Emperor in May His Imperial Majesty had said that war was inevitable because of conditions in the Balkans. * * *

A still more remarkable confirmation came to me from Baron Wangenheim, the German ambassador at Constantinople. In an outburst of enthusiasm after the arrival of the *Goeben* and the *Breslau* in the Dardanelles, * * * the German ambassador informed me that a conference had been held in Berlin in the early part of July [1914] at which the date of the war was fixed. This conference was presided over by the Kaiser; the Baron Wangenheim was present to report on conditions in Turkey. Moltke, the chief of staff, was there, and so was Grand Admiral von Tirpitz. With them were the leaders of German finance, the directors of the railroads, and the captains of industry. * * * Each was asked if he were ready for the war. All replied in the affirmative except the financiers, who insisted that they must have two weeks in which to sell foreign securities and arrange their loans. * * *

It was not to me alone that Baron Wangenheim told the story of this Berlin conference. Only recently the Marquis Garroni, the Italian ambassador at Constantinople, announced that Baron Wangenheim said the same thing to him, Italy at that time being a member of the triple alliance. My diary shows that the conversation with the German ambassador took place on August 26. This was about six weeks after the fateful council in Berlin, * * * and all the details of the meeting were still fresh in Baron Wangenheim's mind. (Henry Morgenthau, former American ambassador to Turkey, in New York World, Oct. 14, 1917.)

Mr. OWEN. Mr. President, I have placed in the RECORD some of the evidence justifying the statements of fact in the proposed concurrent resolution. I desire and request that the resolution be referred to the Committee on Foreign Relations in order that it may be considered.

The PRESIDING OFFICER. There being no objection, the concurrent resolution will be so referred.

ADJUDICATION OF PRIVATE CLAIMS.

Mr. MYERS. Mr. President, I think the calendar ought to be called. The session is well advanced, and the calendar has not been called for some time.

The PRESIDING OFFICER. There is a motion pending to that effect; and if the Senator will permit the Chair to do so, the Chair will submit the motion for disposition.

Mr. MYERS. Certainly.

The PRESIDING OFFICER. The pending motion is the motion of the Senator from Georgia [Mr. SMITH] that the Senate proceed to the consideration of the bill (S. 1795) to relieve Congress from the adjudication of private claims against the Government.

Mr. SHIELDS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	Myers	Smith, Ga.
Bankhead	Hardwick	New	Smith, Md.
Borah	Henderson	Norris	Smith, Mich.
Brandegee	Hollis	Nugent	Smoot
Calder	James	Overman	Stone
Chamberlain	Johnson S. Dak.	Pittman	Sutherland
Colt	Kellogg	Poindexter	Swanson
Curtis	Kirby	Pomerene	Tillman
Fernald	Lewis	Shafroth	Warren
Gallinger	McCumber	Sheppard	
Gore	McKellar	Shields	
Gronna	Martin	Smith, Ariz.	

Mr. McKELLAR. I desire to announce the unavoidable absence of the junior Senator from Delaware [Mr. WOLCOTT] on public business.

Mr. SHEPPARD. The senior Senator from Delaware [Mr. SAULSBURY] is absent on account of illness.

Mr. SMITH of Michigan. My colleague [Mr. TOWNSEND] is absent because of important committee work to which he is assigned.

Mr. GRONNA. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness in his family.

Mr. SUTHERLAND. I desire to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

Mr. MYERS. My colleague [Mr. WALSH] is still detained by illness.

The PRESIDING OFFICER. The roll call discloses but 45 Senators, not a quorum, present. The Chair asks to have the absentees called.

The Secretary called the names of the absent Senators and Mr. TRAMMELL and Mr. WEEKS answered to their names when called.

Mr. KIRBY. I wish to state that my colleague [Mr. ROBINSON] is detained on public business.

Mr. FRELINGHUYSEN, Mr. JONES of Washington, Mr. HARDING, Mr. VARDAMAN, Mr. JOHNSON of California, Mr. MCNARY, Mr. WADSWORTH, Mr. JONES of New Mexico, and Mr. STERLING entered the Chamber and answered to their names.

The PRESIDING OFFICER. The call discloses the presence of 56 Senators. A quorum is present. The Senator from Georgia [Mr. SMITH] is recognized.

Mr. SMITH of Georgia. Mr. President, the bill which I have asked the Senate to consider is one by which it is proposed to repeal what is known as the Crawford amendment. It is practically the bill introduced by Mr. MANN in the last House of Representatives and which passed the House, but which did not reach a vote in the Senate. There were two bills——

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. GALLINGER. For information, does the Senator say that Mr. MANN introduced a bill to repeal the Crawford amendment?

Mr. SMITH of Georgia. Yes.

Mr. GALLINGER. I do not remember it.

Mr. SMITH of Georgia. He did. He introduced a bill and passed it through the House.

Mr. GALLINGER. I do not think so.

Mr. SMITH of Georgia. I am sure this bill is practically the Mann bill. It came over to the Senate and was referred to the Judiciary Committee. I was chairman of a subcommittee to which the bill was referred. The Senator from Tennessee [Mr. SHIELDS] and the Senator from Utah [Mr. SUTHERLAND] were members of the subcommittee. We made a few amendments to the Mann bill. One, and the most important, was a provision that allowed by certiorari cases to be carried from the Court of Claims to the Supreme Court of the United States.

This is the bill which Mr. MANN passed through the House with a few minor amendments added. The Judiciary Committee made a few amendments and reported it favorably during the last Congress. There were pending in the Court of Claims a number of suits brought under what are known as the Bowman and the Tucker Acts and the judiciary act. Under those acts certain churches and schoolhouses and public institutions that were used and damaged during the Civil War were permitted to go into the Court of Claims and establish their damages, and certain persons, if they could show they were loyal to the Union during the war, were permitted to make somewhat similar claims.

There were pending in the Court of Claims several hundred of these suits. The parties had prepared their testimony and had gone to considerable expense under congressional authority allowing the suits. Under this authority given by the Government to sue no individual could recover without proof of loyalty to the Union during the war.

Now, on an appropriation bill, on the last day of the session of the Senate, as I recall it, in 1915 Senator Crawford offered an amendment withdrawing the jurisdiction from the Court of Claims as to all these suits brought under what are known as the Bowman and Tucker Acts and the judiciary act. A point of order would have thrown out the amendment, but was not made. It was not carefully considered. It went over to the House, and it was so late that, as I understand, they took the bill as it was, because they did not believe it was possible, if they objected to the Crawford amendment, to pass the legislation. We were about to adjourn, and any change of the bill in the House would have prevented action.

Mr. JAMES. Mr. President, the Senator ought to state there, because I recall it very clearly, that the reason why no point of order was made on the amendment offered by Senator Crawford was because it was understood over here that if a point of order was made they would take advantage of the parliamentary situation and prevent the passage of the bill.

Mr. GALLINGER. Mr. President, if the Senator from Georgia will permit me, it might illuminate the subject a little to say that there were 1,033 claims in that bill, and the friends of those 1,033 claimants were willing to take pretty much anything to let the bill go through.

Mr. SMITH of Georgia. Yes; the people who were provided for were forced to sacrifice the people whose cases were pending in the courts to make possible action on the bill.

Mr. GALLINGER. In other words, there were 1,033 claims trumped up 50 years after the war, and our friends who are so assiduous in getting this class of claims through were willing to take them with the Crawford amendment. That is all there was to it.

Mr. JAMES. The term "trumped up" is not true or fair. All these claims were passed on by the Court of Claims of the United States. I do not take it the Senator is quite willing to have that broad accusation stand against the courts of this country.

Mr. GALLINGER. I shall discuss that in my own time and in my own language.

Mr. JAMES. And I will reply to it in my own way.

Mr. GALLINGER. And I shall quote from a distinguished Democratic Senator who on this floor, in response to an inquiry from me, said there was not an honest claim in the list, and we ought to cut them out.

Mr. JAMES. I do not think the Senate wants to be bound by what any one Senator said. It takes a majority to bind the Senate. In regard to the claims from my own State, they were every one advocated by my late colleague, Senator Bradley, of Kentucky, and supported by myself, and I wholly resent the charge that there were "trumped up" claims, so far as Kentucky is concerned, in that bill.

Mr. GALLINGER. I will not interrupt the Senator from Georgia further.

Mr. SMITH of Georgia. I wish to say I do not know a claim that is pending for an individual person from my State. There are a few claims still pending for churches and other institutions. Since I have been in the Senate one was paid to the Episcopal Church in the city of Atlanta. The church was used for months by officers and troops. It was used, I think, as a hospital. The inside of the church was torn out; and since I have been in the Senate some money was appropriated to pay back the actual cost of fixing the interior of the church. I think it was right to pay for the injury to the church. I think the Government ought to have paid it. There were several small church claims, since I have been in the Senate, that we have paid. Perhaps they have amounted to $75,000 for church and school claims. Each one that I know anything about I am sure was just. I do not know an individual in Georgia who had a claim pending in the Court of Claims when the Crawford amendment passed. Most of these claimants are stanch Republicans. They were Union men during the war. We do not provide for the payment of anything in this bill except to men who were loyal to the Union during the war.

These parties have introduced their evidence. Most of the claims that are still pending, I think, are from Kentucky, east Tennessee, western North Carolina, and West Virginia; a few are for property taken and kept by the Government. As I said, I do not know a case that is pending for an individual in the Court of Claims from my State. There are a number of church claims and school claims still pending, where suits were brought so late that the death of witnesses has prevented them from furnishing any evidence.

Mr. SHIELDS. Mr. President, I know a very large number of these claimants who reside in Tennessee. They were on a different side in the Civil War from my people. They are as honorable men as there are in the world and would not trump up or present a false claim against the United States or any person. The Senator from New Hampshire does them gross injustice. Their claims are just. They have in many instances been proven. The evidence is on file, and in some cases there were favorable reports upon them in the Court of Claims when they were there awaiting trial when the Crawford amendment was adopted.

It is true that it has been a long time since this property was appropriated by the United States in conducting the great Civil War, but this delay has been caused by circumstances which the claimants could not control. There was a long delay in enacting the statutes giving the court jurisdiction of them, and then in defining the rights of claimants. These facts are fully set forth in a report made by the chairman of the Committee on Claims upon the bill which was passed some two years ago, and to which the Crawford amendment was made.

I have no personal knowledge of the claims. It was all before my day. But from the character of the people who have them, and knowing that they are honorable people and would present none but a just claim, I think the Crawford amendment ought to be repealed, and they ought to have a day in court and have their cases tried and, if sustained, paid.

There ought to be a limit upon the presentation of the claims. There was none in the former law, but this bill provides that they must be presented within two years from the passage of the act, and when that time has elapsed there will be no more claims of this kind presented against the United States. The suits on these claims were brought under a law passed by Congress, and upon the faith of which they incurred great expense in employing counsel, bringing suit, and preparing the evidence. It is not fair or just to deny them a hearing.

Mr. GALLINGER. Mr. President, I was about to ask the Senator what he thinks about the French spoliation claims. They are 100 years old and more, twice as old as these southern claims. Does the Senator think they ought to be paid?

Mr. SHIELDS. I do not know anything about those claims.

Mr. GALLINGER. Does not the Senator think, to bring it down a little further, that the longevity claims that have been passed upon by the Court of Claims in behalf of the soldiers ought to be paid? They have all been passed upon by the Court of Claims.

Mr. SHIELDS. I will say to the Senator I am not familiar with the facts in regard to those claims, but I will make this general statement, that the United States is able to pay and ought to pay every just debt it owes.

Mr. GALLINGER. To bring it down a little nearer to the present moment, does not the Senator think that the cases for overtime work in the navy yards of the United States and work

on the part of the letter carriers of the United States, all of which have been passed upon by the Court of Claims favorably, ought to be paid?

Mr. SHIELDS. I have just made a statement that will cover every just claim. I am not familiar with the claims the Senator refers to. I know nothing about the facts nor about the law upon which they are predicated, but I do know about these claims that we are considering now in the present bill.

Mr. GALLINGER. Mr. President, I shall take only a moment, because the Senator from Utah [Mr. SMOOT] desires to address the Senate. I merely wish to say that when the last omnibus claims bill passed this body the Committee on Claims reported favorably a bill for the payment of overtime in the navy yards and other claims of that kind, and the assurance was given that that bill would receive favorable consideration if the southern claims bill passed. The southern claims bill did pass, and the other bill did not receive favorable consideration. I have introduced it twice now, at the last session and the present session, and I have a copy on my desk. I sent it to the Committee on Claims and it received no consideration whatever. Now, I want reciprocity at least if these claims 50 years old are to be paid.

Mr. SMITH of Georgia. Send it to the Judiciary Committee and we will bring in a report upon it.

Mr. GALLINGER. I sent mine to the Committee on Claims where this bill ought to have gone and where such bills always did go until the last time, when it was sent to the Committee on the Judiciary without some of us noticing that that reference was made. I sent mine to the committee that has jurisdiction over claims, and these are claims pure and simple, and nothing else.

Mr. President, that is all I care to say now. I will call attention to a good many matters connected with the payment of claims by the Government involving this inundation of claims from the South for alleged offenses on the part of Union troops 52 years ago, or thereabouts. I think there ought to be a time when it should stop, and we thought we had stopped it when for the purpose of getting through a bill involving 1,033 of these claims an agreement was made that the Crawford amendment would not be resisted, and it became a law; and now it is undertaken to repeal it.

Mr. SMOOT obtained the floor.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SMOOT. I yield.

Mr. STONE. I wish to say that it is very important that an executive session should be held this afternoon. There are a large number of ensigns who are awaiting assignment to service and other matters of almost equal importance that ought to be disposed of in some way in executive session. There are other things that I think it is important should be disposed of. I do not wish to interfere with what is going on now, but I hope that the debate about taking up this measure will not occupy the whole afternoon.

Mr. SMOOT. In answer to the Senator from Missouri, I will state that it is now 4 o'clock, and I am perfectly willing that the Senate shall go into executive session, if the Senator from Georgia is willing.

Mr. SMITH of Georgia. I do not object to going into executive session if we are to adjourn until to-morrow; but I am opposed to adjourning for two or three days while there are measures on the calendar that I consider should receive the attention of the Senate.

Mr. SMOOT. The Senator does not understand that I object to adjourning until to-morrow.

Mr. SMITH of Georgia. No; I do not understand that you are seeking to adjourn until Monday.

Mr. STONE. Of course that is a matter no one Senator can determine. If it is agreeable to the Senator from Georgia, I will move an executive session.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SMOOT. Yes; I yield.

Mr. SMITH of Georgia. I will yield for that purpose.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

ADJOURNMENT TO MONDAY.

Mr. SMITH of Georgia. At the next session of the Senate I will again move the consideration of the bill to repeal the Crawford amendment. I learn that with the understanding we would adjourn until Monday many Senators have arranged to give their entire time to committee work. For that reason I move that the Senate adjourn until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, February 4, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 31, 1918.

RECEIVERS OF PUBLIC MONEYS.

Burre H. Lien, of California, to be receiver of public moneys at El Centro, Cal., vice Philip W. Brooks, resigned.

George Weaver, of Colorado, to be receiver of public moneys at Durango, Colo., his present term expiring February 17, 1918. (Reappointment.)

John W. Cloyd, of Colorado, to be receiver of public moneys at Sterling, Colo., his present term expiring March 15, 1918. (Reappointment.)

Juan N. Vigil, of New Mexico, to be receiver of public moneys at Santa Fe, N. Mex., his present term expiring February 5, 1918. (Reappointment.)

Alexander X. Campbell, of Oklahoma, to be receiver of public moneys at Guthrie, Okla., his present term expiring February 17, 1918. (Reappointment.)

REGISTER OF THE LAND OFFICE.

Robert R. Wilson, of Kansas, to be register of the land office at Dodge City, Kans., his present term expiring February 24, 1918. (Reappointment.)

APPOINTMENT IN THE ARMY.

CHAPLAIN.

Rev. James Thomas Moore, of Virginia, to be chaplain with rank from January 19, 1918, vice Chaplain Halsey C. Gavitt, retired from active service August 1, 1917.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

To be captains with rank from October 12, 1917.

First Lieut. Martin J. O'Brien, Coast Artillery Corps, vice Capt. Charles R. Alley, placed on the detached officers' list.

First Lieut. Joseph C. Haw, Coast Artillery Corps, vice Capt. Robert C. Eddy, placed on the detached officers' list.

First Lieut. Iverson B. Summers, jr., Coast Artillery Corps, vice Capt. George F. Humbert, placed on the detached officers' list.

First Lieut. Clifford R. Jones, Coast Artillery Corps, vice Capt. Marcellus H. Thompson, placed on the detached officers' list.

First Lieut. John B. Wogan, Coast Artillery Corps, vice Capt. Geoffrey Bartlett, placed on the detached officers' list.

First Lieut. Clesen H. Tenney, Coast Artillery Corps, vice Capt. Eugene B. Walker, placed on the detached officers' list.

First Lieut. Frank E. Emery, jr., Coast Artillery Corps, vice Capt. Robert O. Edwards, placed on the detached officers' list.

First Lieut. Edward C. Wallington, Coast Artillery Corps, vice Capt. Lincoln B. Chambers, placed on the detached officers' list.

First Lieut. Carl E. Hocker, Coast Artillery Corps, vice Capt. Rufus F. Maddux, placed on the detached officers' list.

First Lieut. Richmond T. Gibson, Coast Artillery Corps, vice Capt. John R. Ellis, placed on the detached officers' list.

First Lieut. Edward B. Hyde, jr., Coast Artillery Corps, vice Capt. John B. Maynard, placed on the detached officers' list.

First Lieut. Herbert R. Corbin, Coast Artillery Corps, vice Capt. Warren R. Bell, placed on the detached officers' list.

First Lieut. Charles H. Chapin, Coast Artillery Corps, vice Capt. Lawrence T. Walker, placed on the detached officers' list.

First Lieut. William P. Cherrington, Coast Artillery Corps, vice Capt. Otto H. Schrader, placed on the detached officers' list.

First Lieut. Charles R. Finley, Coast Artillery Corps, vice Capt. Robert E. Guthrie, placed on the detached officers' list.

First Lieut. Albert W. Draves, Coast Artillery Corps, vice Capt. Norton M. Beardslee, placed on the detached officers' list.

First Lieut. Benjamin S. Beverley, Coast Artillery Corps, vice Capt. Theodore M. Chase, placed on the detached officers' list.

First Lieut. Carl L. Marriott, Coast Artillery Corps, vice Capt. Frederick A. Mountford, placed on the detached officers' list.

First Lieut. Hugh A. Ramsey, Coast Artillery Corps, vice Capt. Frederick Hanna.

First Lieut. Willis McD. Chapin, Coast Artillery Corps, subject to examination required by law, vice Capt. William C. Koenig, placed on the detached officers' list.

First Lieut. Carl S. Doney, Coast Artillery Corps, vice Capt. Frank A. Buel, placed on the detached officers' list.

First Lieut. James de B. Walbach, Coast Artillery Corps, vice Capt. Furman E. McCammon, placed on the detached officers' list.

First Lieut. Richard M. Levy, Coast Artillery Corps, vice Capt. Francis P. Hardaway, placed on the detached officers' list.

First Lieut. Ellicott H. Freeland, Coast Artillery Corps, vice Capt. Charles E. Ide, placed on the detached officers' list.

First Lieut. James C. Ruddell, Coast Artillery Corps, vice Capt. Edward L. Dyer, placed on the detached officers' list.

First Lieut. Joseph J. O'Hare, Coast Artillery Corps, vice Capt. Harry T. Pillans, placed on the detached officers' list.

First Lieut. William G. Patterson, Coast Artillery Corps, vice Capt. Willard K. Richards, placed on the detached officers' list.

First Lieut. Frank C. Scofield, Coast Artillery Corps, vice Capt. Edgar B. Colladay, placed on the detached officers' list.

First Lieut. Ferdinand F. Gallagher, Coast Artillery Corps, vice Capt. Harold F. Nichols, placed on the detached officers' list.

First Lieut. Barrington L. Flanigen, Coast Artillery Corps, vice Capt. Robert W. Clark, jr., placed on the detached officers' list.

CAVALRY ARM.

To be captains.

First Lieut. Clarence S. Maulsby, Cavalry, subject to examination required by law, from July 28, 1917, vice Capt. E. R. Warner McCabe, transferred to the Field Artillery.

First Lieut. George S. Andrew, Cavalry, from July 28, 1917, vice Capt. Wilson G. Heaton, promoted.

First Lieut. Spencer A. Townsend, Cavalry, from July 28, 1917, vice Capt. William R. Kendrick, promoted.

First Lieut. Arthur M. Jones, Cavalry, from July 28, 1917, vice Capt. Robert S. Donaldson, transferred to the Field Artillery.

First Lieut. Thomas G. Peyton, Cavalry, from July 29, 1917, vice Capt. Elkin S. Franklin, transferred to the Infantry.

First Lieut. Junius H. Houghton, Cavalry, subject to examination required by law, from July 30, 1917, vice Capt. Horace H. Fuller, transferred to the Field Artillery.

First Lieut. Douglas J. Page, Cavalry, from July 31, 1917, vice Capt. Ronald D. Johnson, transferred to the Field Artillery.

First Lieut. James N. Caperton, Cavalry, from August 2, 1917, vice Capt. Creed F. Cox, transferred to the Field Artillery.

First Lieut. Charles C. Smith, Cavalry, from August 14, 1917, vice Capt. David L. Roscoe, detailed in the Aviation Section.

First Lieut. Harrison Herman, Cavalry, from August 15, 1917, vice Capt. Joseph A. Baer, promoted.

First Lieut. William W. Dempsey, Cavalry, from August 22, 1917, vice Capt. Philip H. Sheridan, detailed in General Staff.

First Lieut. Robert R. D. McCullough, Cavalry, from August 24, 1917, vice Capt. Willis V. Morris, promoted.

First Lieut. Chapman Grant, Cavalry, from August 27, 1917, vice Capt. Alexander M. Milton, detailed in the Quartermaster Corps.

First Lieut. Duncan G. Richart, Cavalry, from September 11, 1917, vice Capt. Robert C. Brady, detailed in the Quartermaster Corps.

First Lieut. Daniel A. Conner, Cavalry, from October 2, 1917, vice Capt. Richard B. Barnitz, transferred to the Field Artillery.

To be captains with rank from July 25, 1917.

First Lieut. William E. Shipp, Cavalry, vice Capt. John Alden Degen (Quartermaster Corps).

First Lieut. Calvin De Witt, jr., Cavalry, vice Capt. Stephen M. Walmsley, transferred to Field Artillery.

First Lieut. James M. Crane, Cavalry, vice Capt. Philip W. Corbusier, detailed in the Quartermaster Corps.

First Lieut. Lucien S. S. Berry, Cavalry, vice Capt. Alexander H. Jones, detailed in the Quartermaster Corps.

To be captain with rank from July 26, 1917.

First Lieut. Victor W. B. Wales, Cavalry, vice Capt. Walter D. Smith, transferred to Field Artillery.

To be captains with rank from July 27, 1917.

First Lieut. Joseph M. Tully, Cavalry, vice Capt. Walter H. Smith, transferred to Field Artillery.

First Lieut. Pettus H. Hemphill, Cavalry, vice Capt. Byron Q. Jones, transferred to Field Artillery.

First Lieut. Hugh Mitchell, Cavalry, vice Capt. Gordon N. Kimball, resigned July 26, 1917.

First Lieut. Robert Le G. Walsh, Cavalry, vice Capt. George V. Strong, resigned July 26, 1917.

To be first lieutenants.

Second Lieut. Grayson C. Woodbury, Cavalry, with rank from October 12, 1917, vice First Lieut. Roderick R. Allen, placed on the detached officers' list.

Second Lieut. Duncan G. McGregor, Cavalry, with rank from October 12, 1917, vice First Lieut. Joseph L. Philips, placed on the detached officers' list.

Second Lieut. Thomas J. Heavey, Cavalry, with rank from October 12, 1917, vice First Lieut. Edwin D. Morgan, placed on the detached officers' list.

Second Lieut. Wallace F. Safford, Cavalry, with rank from October 12, 1917, vice First Lieut. Kramer Thomas, placed on the detached officers' list.

Second Lieut. Joshua A. Stansell, Cavalry, with rank from October 12, 1917, vice First Lieut. James R. Finley, placed on the detached officers' list.

Second Lieut. Raymond E. S. Williamson, Cavalry, with rank from October 12, 1917, vice First Lieut. Willard S. Wadelton, placed on the detached officers' list.

Second Lieut. David C. G. Schlenker, Cavalry, with rank from October 12, 1917, vice First Lieut. Hale S. Cook, placed on the detached officers' list.

Second Lieut. Harry T. Wood, Cavalry, with rank from October 12, 1917, vice First Lieut. John M. Jenkins, placed on the detached officers' list.

Second Lieut. Earl F. Knoob, Cavalry, with rank from October 12, 1917, vice First Lieut. Gordon J. F. Heron, placed on the detached officers' list.

Second Lieut. Robert E. Symmonds, Cavalry, with rank from October 12, 1917, vice First Lieut. Oron A. Palmer, placed on the detached officers' list.

Second Lieut. John R. W. Diehl, Cavalry, with rank from October 12, 1917, vice First Lieut. Samuel V. Constant, placed on the detached officers' list.

Second Lieut. Rudolph D. Delehanty, Cavalry, with rank from October 12, 1917, vice First Lieut. Wilson T. Bals, placed on the detached officers' list.

Second Lieut. William H. W. Reinburg, Cavalry, with rank from October 12, 1917, vice First Lieut. Cyrus J. Wilder, placed on the detached officers' list.

Second Lieut. Elmer H. Almquist, Cavalry, with rank from October 12, 1917, vice First Lieut. Harold C. Fellows, placed on the detached officers' list.

Second Lieut. Frank L. Carr, Cavalry, with rank from October 12, 1917, vice First Lieut. John T. Pierce, jr., placed on the detached officers' list.

Second Lieut. Frank E. Bertholet, Cavalry, with rank from October 12, 1917, vice First Lieut. Henry H. Anderson, placed on the detached officers' list.

Second Lieut. Marion Carson, Cavalry, with rank from October 12, 1917, vice First Lieut. Cornelius M. Daly, placed on the detached officers' list.

Second Lieut. Rossiter H. Garity, Cavalry, with rank from October 12, 1917, vice First Lieut. Frank L. Whittaker, placed on the detached officers' list.

Second Lieut. Frank C. Jedlicka, Cavalry, with rank from October 12, 1917, vice First Lieut. Donald S. Perry, placed on the detached officers' list.

Second Lieut. Leo B. Connor, Cavalry, with rank from October 12, 1917, vice First Lieut. Thomas S. Poole, placed on the detached officers' list.

Second Lieut. John B. Saunders, Cavalry, with rank from October 12, 1917, vice First Lieut. Meade Frierson, jr., placed on the detached officers' list.

Second Lieut. Arthur B. Custis, Cavalry, with rank from October 12, 1917, vice First Lieut. Arthur E. Pickard, placed on the detached officers' list.

Second Lieut. Desmond O'Keefe, Cavalry, with rank from October 12, 1917, vice First Lieut. Edmund M. Barnum, placed on the detached officers' list.

Second Lieut. Hal. M. Rose, Cavalry, with rank from October 12, 1917, vice First Lieut. John T. Minton, placed on the detached officers' list.

Second Lieut. Frederick J. Durrschmidt, Cavalry, with rank from October 12, 1917, vice First Lieut. Athael B. Ellis, placed on the detached officers' list.

Second Lieut. Milton W. Davis, Cavalry, with rank from October 12, 1917, vice First Lieut. George L. Morrison, placed on the detached officers' list.

Second Lieut. John B. Bellinger, jr., Cavalry, with rank from October 12, 1917, vice First Lieut. Otis Porter, placed on the detached officers' list.

TEMPORARY PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

To be majors with rank from August 5, 1917.

Capt. Richard H. Williams, Coast Artillery Corps, vice Maj. Malcolm Young, promoted.

Capt. Alfred M. Mason, Coast Artillery Corps, vice Maj. Percy Willis, promoted.

Capt. Kenneth C. Masteller, Coast Artillery Corps (General Staff Corps), vice Maj. William F. Stewart, jr., promoted.

Capt. Joseph Matson, Coast Artillery Corps, vice Maj. Kenneth C. Masteller, retained in the General Staff Corps.

Capt. Francis H. Lincoln, Coast Artillery Corps, vice Maj. Hudson T. Patten, promoted.

Capt. William H. Wilson, Coast Artillery Corps, vice Maj. Edward Kimmell, promoted.

Capt. Edward D. Powers, Coast Artillery Corps, vice Maj. Frederick W. Phisterer, promoted.

Capt. Charles E. N. Howard, Coast Artillery Corps (Quartermaster Corps), vice Maj. Robert H. C. Kelton, promoted.

Capt. Claudius M. Seaman, Coast Artillery Corps, vice Maj. Charles E. N. Howard, retained in the Quartermaster Corps.

Capt. Hugh J. B. McElgin, Coast Artillery Corps (Aviation Section, Signal Corps), vice Maj. Percy P. Bishop, promoted.

Capt. Arthur L. Fuller, Coast Artillery Corps (Signal Corps), vice Maj. Hugh J. B. McElgin, retained in the aviation section, Signal Corps.

Capt. Henry R. Casey, Coast Artillery Corps (Quartermaster Corps), vice Maj. Henry J. Hatch, promoted.

Capt. David Y. Beckham, Coast Artillery Corps (Adjutant General's Department), vice Maj. Henry R. Casey, retained in the Quartermaster Corps.

Capt. Richard C. Marshall, jr., Coast Artillery Corps (Quartermaster Corps), vice Maj. William F. Hase, promoted.

Capt. John O. Steger, Coast Artillery Corps (Quartermaster Corps), vice Maj. Richard C. Marshall, jr., retained in the Quartermaster Corps.

Capt. Rex Van Den Corput, Coast Artillery Corps, vice Maj. John O. Steger, retained in the Quartermaster Corps.

Capt. James A. Thomas, Coast Artillery Corps, vice Maj. Elijah B. Martindale, appointed lieutenant colonel in the National Army.

Capt. James D. Watson, Coast Artillery Corps, vice Maj. Francis N. Cooke, appointed lieutenant colonel in the National Army.

Capt. Frank T. Hines, Coast Artillery Corps (General Staff Corps), vice Maj. Clarence B. Smith, appointed lieutenant colonel in the National Army.

Capt. James Totten, Coast Artillery Corps, vice Maj. Frank T. Hines, retained in the General Staff Corps.

Capt. Wesley W. K. Hamilton, Coast Artillery Corps, vice Maj. William R. Doores, promoted.

Capt. Benjamin H. Kerfoot, Coast Artillery Corps, vice Maj. John C. Goodfellow, appointed lieutenant colonel in the National Army.

Capt. Edward Canfield, jr., Coast Artillery Corps (Quartermaster Corps), vice Maj. Richard T. Ellis, appointed lieutenant colonel in the National Army.

Capt. Arthur H. Bryant, Coast Artillery Corps, vice Maj. Edward Canfield, jr., retained in the Quartermaster Corps.

Capt. Edward M. Shinkle, Coast Artillery Corps (Ordnance Department), vice Maj. James F. Howell, promoted.

Capt. William R. Bettison, Coast Artillery Corps, vice Maj. Edward M. Shinkle, retained in the Ordnance Department.

Capt. Gordon Robinson, Coast Artillery Corps (Quartermaster Corps), vice Maj. Clifton C. Carter, promoted.

Capt. Claude E. Brigham, Coast Artillery Corps, vice Maj. Gordon Robinson, retained in the Quartermaster Corps.

Capt. James Prentice, Coast Artillery Corps (Aviation Section, Signal Corps), vice Maj. Leonard T. Waldron, promoted.

Capt. Howard S. Miller, Coast Artillery Corps, vice Maj. James Prentice, retained in the Aviation Section, Signal Corps.

Capt. William H. Menges, Coast Artillery Corps, vice Maj. Alexander Greig, jr., promoted.

Capt. Francis J. Behr, Coast Artillery Corps (General Staff Corps, vice Maj. James A. Ruggles, promoted.

Capt. John R. Musgrave, Coast Artillery Corps (Quartermaster Corps), vice Maj. Francis J. Behr, retained in the General Staff Corps.

Capt. Albert L. Rhoades, Coast Artillery Corps, vice Maj. John R. Musgrave, retained in the Quartermaster Corps.

Capt. William E. Murray, Coast Artillery Corps (Quartermaster Corps), vice Maj. Henry B. Clark, appointed lieutenant colonel in the National Army.

Capt. Graham Parker, Coast Artillery Corps (Quartermaster Corps), vice Maj. William E. Murray, retained in Quartermaster Corps.

Capt. Norris Stayton, Coast Artillery Corps (Quartermaster Corps), vice Maj. Graham Parker, retained in the Quartermaster Corps.

Capt. Richard Furnival, Coast Artillery Corps (Quartermaster Corps), vice Maj. Norris Stayton, retained in the Quartermaster Corps.

Capt. Ralph D. Herring, Coast Artillery Corps, vice Maj. Richard Furnival, retained in the Quartermaster Corps.

Capt. William E. De Sombre, Coast Artillery Corps (Quartermaster Corps), vice Maj. Russell P. Reeder, appointed lieutenant colonel in the National Army.

Capt. Glen F. Jenks, Coast Artillery Corps (Ordnance Department), vice Maj. William E. De Sombre, retained in the Quartermaster Corps.

Capt. Clarence B. Ross, Coast Artillery Corps (Quartermaster Corps), vice Maj. Glen F. Jenks, retained in the Ordnance Department.

Capt. Richard H. Jordan, Coast Artillery Corps (Quartermaster Corps), vice Maj. Clarence B. Ross, retained in the Quartermaster Corps.

Capt. James B. Taylor, Coast Artillery Corps (Signal Corps), vice Maj. Richard H. Jordan, retained in the Quartermaster Corps.

Capt. Brainerd Taylor, Coast Artillery Corps (Quartermaster Corps), vice Maj. James B. Taylor, retained in the Signal Corps.

Capt. Frank Geere, Coast Artillery Corps (Quartermaster Corps), vice Maj. Brainerd Taylor, retained in the Quartermaster Corps.

Capt. Charles E. Wheatley, Coast Artillery Corps (Quartermaster Corps), vice Maj. Frank Geere, retained in the Quartermaster Corps.

Capt. Adam F. Casad, Coast Artillery Corps (Ordnance Department), vice Maj. Charles E. Wheatley, retained in the Quartermaster Corps.

Capt. John E. Munroe, Coast Artillery Corps (Ordnance Department), vice Maj. Adam F. Casad, retained in the Ordnance Department.

Capt. Walter K. Wilson, Coast Artillery Corps (General Staff Corps), vice Maj. John E. Munroe, retained in the Ordnance Department.

Capt. Offnere Hope, Coast Artillery Corps (Ammunition Train), vice Maj. Walter K. Wilson, retained in the General Staff Corps.

Capt. John O'Neil, Coast Artillery Corps, vice Maj. Offnere Hope, retained in the ammunition train.

Capt. Owen G. Collins, Coast Artillery Corps (Quartermaster Corps), vice Maj. Terence E. Murphy, promoted.

Capt. Frederic H. Smith, Coast Artillery Corps, vice Maj. Owen G. Collins, retained in the Quartermaster Corps.

Capt. Charles H. Patterson, Coast Artillery Corps, vice Maj. John T. Geary, appointed lieutenant colonel in the National Army.

Capt. Lewis Turtle, Coast Artillery Corps, vice Maj. Allen D. Raymond, promoted.

Capt. Clifford Jones, Coast Artillery Corps, vice Maj. James R. Pourie, promoted.

Capt. Louis C. Brinton, jr., Coast Artillery Corps (Quartermaster Corps), vice Maj. John L. Hughes, promoted.

Capt. Paul D. Bunker, Coast Artillery Corps (Quartermaster Corps), vice Maj. Louis C. Brinton, jr., retained in the Quartermaster Corps.

Capt. Louis R. Dice, Coast Artillery Corps, vice Maj. Paul D. Bunker, retained in the Quartermaster Corps.

Capt. William M. Colvin, Coast Artillery Corps, vice Maj. John W. C. Abbott, promoted.

Capt. Henry W. Bunn, Coast Artillery Corps, vice Maj. Harry C. Barnes, promoted.

Capt. Harry L. Morse, Coast Artillery Corps, vice Maj. Stephen H. Mould, promoted.

Capt. Mark L. Ireland, Coast Artillery Corps (Quartermaster Corps), vice Maj. Granville Sevier, promoted.

Capt. Charles R. Alley, Coast Artillery Corps, vice Maj. Mark L. Ireland, retained in the Quartermaster Corps.

Capt. Lucian B. Moody, Coast Artillery Corps (Ordnance Department), vice Maj. Robert F. Woods, promoted.

Capt. Fulton Q. C. Gardner, Coast Artillery Corps (General Staff Corps), vice Maj. Lucian B. Moody, retained in the Ordnance Department.

Capt. John W. McKie, Coast Artillery Corps (Quartermaster Corps), since deceased, vice Maj. Fulton Q. C. Gardner, retained in the General Staff Corps.

Capt. James B. Dillard, Coast Artillery Corps (Ordnance Department), vice Maj. John W. McKie, retained in the Quartermaster Corps.

Capt. Carr Waller, Coast Artilley Corps, vice Maj. James B. Dillard, retained in the Ordnance Department.

Capt. David McC. McKell, Coast Artilley Corps, vice Maj. Albert C. Thompson, promoted.

Capt. Matthew A. Cross, Coast Artillery Corps, vice Maj. Ellison L. Gilmer, promoted.

Capt. Henning F. Colley, Coast Artillery Corps, vice Maj. John McBride, jr., promoted.

Capt. Albert H. Barkley, Coast Artillery Corps (Quartermaster Corps), vice Maj. James M. Wheeler, promoted.

Capt. Walter Singles, Coast Artillery Corps, vice Maj. Albert H. Barkley, retained in the Quartermaster Corps.

Capt. Rollo F. Anderson, Coast Artillery Corps, vice Maj. Harrison S. Kerrick, promoted.

Capt. Edward E. Farnsworth, Coast Artillery Corps (Quartermaster Corps), vice Maj. Frank J. Miller, promoted.

Capt. William T. Carpenter, Coast Artillery Corps, vice Maj. Edward E. Farnsworth, retained in the Quartermaster Corps.

Capt. Frank H. Phipps, Coast Artillery Corps, vice Maj. Homer B. Grant, appointed lieutenant colonel in the National Army.

Capt. Thomas Duncan, Coast Artillery Corps (Signal Corps), vice Maj. Robert B. McBride, detailed in the General Staff Corps.

Capt. Thomas M. Spaulding, Coast Artillery Corps, vice Maj. Thomas Duncan, retained in the Signal Corps.

Capt. Benjamin H. L. Williams, Coast Artillery Corps, vice Maj. Jacob M. Coward, detailed in the General Staff Corps.

Capt. Halsey Dunwoody, Coast Artillery Corps (Signal Corps), vice Maj. Philip S. Golderman, promoted.

Capt. Le Roy Bartlett, Coast Artillery Corps (Ammunition Train), vice Maj. Halsey Dunwoody, retained in the Signal Corps.

Capt. Robert C. Eddy, Coast Artillery Corps, vice Maj. Le Roy Bartlett, retained in Ammunition Train.

Capt. Julius C. Peterson, Coast Artillery Corps, vice Maj. Charles L. Lanham, promoted.

Capt. James F. Walker, Coast Artillery Corps (Ammunition Train), vice Maj. George F. Connolly, promoted.

Capt. Ellery W. Niles, Coast Artillery Corps, vice Maj. James F. Walker, retained in Ammunition Train.

Capt. Adelno Gibson, Coast Artillery Corps, vice Maj. David Y. Beckham, detailed in The Adjutant General's Department.

To be major with rank from November 17, 1917.

Capt. John L. Holcombe, Coast Artillery Corps, vice Maj. Harry W. McCauley, detailed in the Quartermaster Corps.

To be major with rank from November 29, 1917.

Capt. James S. Dusenbury, Coast Artillery Corps, vice Maj. Arthur L. Fuller, appointed lieutenant colonel in the Signal Corps.

To be major with rank from December 26, 1917.

Capt. Lloyd B. Magruder, Coast Artillery Corps, vice Maj. Louis E. Bennett, promoted.

To be majors with rank from December 29, 1917.

Capt. Sidney H. Guthrie, Coast Artillery Corps, vice Maj. Lynn S. Edwards, promoted.

Capt. Nathan Horowitz, Coast Artillery Corps, vice Maj. Alden Trotter, detailed in ammunition train.

Capt. Lloyd P. Horsfall, Coast Artillery Corps, vice Maj. Michael H. Barry, detailed in ammunition train.

Capt. Charles G. Mettler, Coast Artillery Corps (Ordnance Department), vice Maj. Theodore H. Koch, detailed in ammunition train.

Capt. Charles B. Gatewood, Coast Artillery Corps (Ordnance Department), vice Maj. Charles G. Mettler, retained in the Ordnance Department.

Capt. Joseph H. Pelot, Coast Artillery Corps (Ordnance Department), vice Maj. Charles B. Gatewood, retained in the Ordnance Department.

Capt. Morgan L. Brett, Coast Artillery Corps (Ordnance Department), vice Maj. Joseph H. Pelot, retained in the Ordnance Department.

Capt. Forrest E. Williford, Coast Artillery Corps, vice Maj. Morgan L. Brett, retained in the Ordnance Department.

Capt. Earl McFarland, Coast Artillery Corps (Ordnance Department), vice Maj. Alfred M. Mason, promoted.

Capt. Joseph A. Green, Coast Artillery Corps, vice Maj. Earl McFarland, retained in the Ordnance Department.

Capt. Alexander G. Pendleton, Coast Artillery Corps, vice Maj. Joseph Matson, promoted.

Capt. John C. Henderson, Coast Artillery Corps, vice Maj. Richard H. Williams, promoted.

To be captains with rank from August 5, 1917.

First Lieut. Martin J. O'Brien, Coast Artillery Corps, vice Capt. Richard H. Williams, promoted.

First Lieut. Joseph C. Haw, Coast Artillery Corps, vice Capt. Alfred M. Mason, promoted.

First Lieut. Iverson B. Summers, jr., Coast Artillery Corps, vice Capt. Joseph Matson, promoted.

First Lieut. Clifford R. Jones, Coast Artillery Corps, vice Capt. Francis H. Lincoln, promoted.

First Lieut. John B. Wogan, Coast Artillery Corps, vice Capt. William H. Wilson, promoted.

First Lieut. Clesen H. Tenney, Coast Artillery Corps, vice Capt. Edward D. Powers, promoted.

First Lieut. Frank E. Emery, jr., Coast Artillery Corps, vice Capt. Claudius M. Seaman, promoted.

First Lieut. Edward C. Wallington, Coast Artillery Corps, vice Capt. Arthur L. Fuller, promoted.

First Lieut. Carl E. Hocker, Coast Artillery Corps, vice Capt. David Y. Beckham, promoted.

First Lieut. Richmond T. Gibson, Coast Artillery Corps, vice Capt. Rex Van Den Corput, promoted.

First Lieut. Edward B. Hyde, jr., Coast Artillery Corps, vice Capt. John A. Berry, appointed major in the National Army.

First Lieut. Herbert R. Corbin, Coast Artillery Corps, vice Capt. James A. Thomas, promoted.

First Lieut. Charles H. Chapin, Coast Artillery Corps, vice Capt. James D. Watson, promoted.

First Lieut. William P. Cherrington, Coast Artillery Corps, vice Capt. James Totten, promoted.

First Lieut. Charles R. Finley, Coast Artillery Corps, vice Capt. Charles C. Burt, appointed major in the National Army.

First Lieut. Albert W. Draves, Coast Artillery Corps, vice Capt. William S. Bowen, appointed major in the National Army.

First Lieut. Benjamin S. Beverley, Coast Artillery Corps, vice Capt. Richard I. McKenney, appointed major in the National Army.

First Lieut. Carl L. Marriott, Coast Artillery Corps, vice Capt. Wesley W. K. Hamilton, promoted.

First Lieut. Hugh A. Ramsey, Coast Artillery Corps, vice Capt. Benjamin H. Kerfoot, promoted.

First Lieut. Willis McD. Chapin, Coast Artillery Corps, vice Capt. Arthur H. Bryant, promoted.

First Lieut. Carl S. Doney, Coast Artillery Corps, vice Capt. James K. Crain, appointed major in the National Army.

First Lieut. James de B. Walbach, Coast Artillery Corps, vice Capt. Charles L. Fisher, appointed major in the National Army.

First Lieut. Richard M. Levy, Coast Artillery Corps, vice Capt. Charles D. Winn, appointed major in the National Army.

First Lieut. Ellicott H. Freeland, Coast Artillery Corps, vice Capt. Hugh S. Brown, appointed major in the National Army.

First Lieut. James C. Ruddell, Coast Artillery Corps, vice Capt. Malcolm P. Andruss, appointed major in the National Army.

First Lieut. Joseph J. O'Hare, Coast Artillery Corps, vice Capt. Willis G. Peace, appointed major in the National Army.

First Lieut. William G. Patterson, Coast Artillery Corps, vice Capt. William Tidball, appointed major in the National Army.

First Lieut. Frank C. Scofield, Coast Artillery Corps, vice Capt. Marion S. Battle, appointed major in the National Army.

First Lieut. Ferdinand F. Gallagher, Coast Artillery Corps, vice Capt. Stanley S. Ross, appointed major in the National Army.

First Lieut. Barrington L. Flanigen, Coast Artillery Corps, vice Capt. Arthur L. Keesling, appointed major in the National Army.

First Lieut. Frederick W. Smith, Coast Artillery Corps, vice Capt. Francis H. Lomax, appointed major in the National Army.

First Lieut. Robert S. Barr, Coast Artillery Corps, vice Capt. Edmund T. Weisel, appointed major in the National Army.

First Lieut. Charles J. Herzer, Coast Artillery Corps, vice Capt. Philip H. Worcester, appointed major in the National Army.

First Lieut. William M. Cravens, Coast Artillery Corps, vice Capt. Lucian D. Booth, appointed major in the National Army.

First Lieut. John B. Martin, Coast Artillery Corps, vice Capt. Henry W. T. Eglin, appointed major in the National Army.

First Lieut. Edwin C. Mead, Coast Artillery Corps, vice Capt. Sanderford Jarman, appointed major in the National Army.

First Lieut. William T. Roberts, Coast Artillery Corps, vice Capt. George E. Turner, appointed major in the National Army.

First Lieut. Carl J. Smith, Coast Artillery Corps, vice Capt. John S. Pratt, appointed major in the National Army.

First Lieut. Dugald Mac A. Barr, Coast Artillery Corps, vice Capt. William R. Bettison, promoted.

First Lieut. James D. Mac Mullen, Coast Artillery Corps, vice Capt. Claude E. Brigham, promoted.

First Lieut. Charles W. Bundy, Coast Artillery Corps, vice Capt. James E. Wilson, appointed major in the National Army.

First Lieut. Charles D. Y. Ostrom, Coast Artillery Corps, vice Capt. George A. Taylor, appointed major in the National Army.

First Lieut. Donald M. Cole, Coast Artillery Corps, vice Capt. George L. Wertenbaker, appointed major in the National Army.

First Lieut. James C. Hutson, Coast Artillery Corps, vice Capt. George P. Hawes, jr., appointed major in the National Army.

First Lieut. Francis A. Hause, Coast Artillery Corps, vice Capt. Charles A. Clark, appointed major in the National Army.

First Lieut. Edward E. MacMorland, Coast Artillery Corps, vice Capt. Myron S. Crissy, appointed major in the National Army.

First Lieut. Henry B. Holmes, jr., Coast Artillery Corps, vice Capt. George A. Wieczorek, appointed major in the National Army.

First Lieut. Arvid M. Pendleton, Coast Artillery Corps, vice Capt. Philip Mathews, appointed major in the National Army.

First Lieut. Leslie V. Jefferis, Coast Artillery Corps, vice Capt. Sebring C. Megill, appointed major in the National Army.

First Lieut. Stuart A. Hamilton, Coast Artillery Corps, vice Capt. Henry T. Burgin, appointed major in the National Army.

First Lieut. Howard F. Gill, Coast Artillery Corps, vice Capt. Howard S. Miller, promoted.

First Lieut. Gerald R. Butz, Coast Artillery Corps, vice Capt. William H. Menges, promoted.

First Lieut. Joseph W. Barker, Coast Artillery Corps, vice Capt. John C. Ohnstad, appointed major in the National Army.

First Lieut. Shuey E. Wolfe, Coast Artillery Corps, vice Capt. William H. Peek, appointed major in the National Army.

First Lieut. Frank J. Atwood, Coast Artillery Corps, vice Capt. Walter H. Baker, appointed major in the National Army.

First Lieut. Carl C. Terry, Coast Artillery Corps, vice Capt. Albert L. Rhoades, promoted.

First Lieut. Fred G. French, Coast Artillery Corps, vice Capt. Ralph D. Herring, promoted.

First Lieut. Edward A. Murphy, Coast Artillery Corps, vice Capt. John O'Neil, promoted.

First Lieut. Jep C. Hardigg, Coast Artillery Corps, vice Capt. George W. Cocheu, appointed major in the National Army.

First Lieut. Dale D. Hinman, Coast Artillery Corps, vice Capt. Frederic H. Smith, promoted.

First. Lieut. George D. Davidson, Coast Artillery Corps, vice Capt. Earl Biscoe, appointed major in the National Army.

First Lieut. Robert E. Turley, jr., Coast Artillery Corps, vice Capt. Wade H. Carpenter, appointed major in the National Army.

First Lieut. Richard B. Webb, Coast Artillery Corps, vice Capt. Quinn Gray, appointed major in the National Army.

First Lieut. Moses Goodman, Coast Artillery Corps, vice Capt. Paul J. Horton, appointed major in the National Army.

First Lieut. Kenneth S. Purdie, Coast Artillery Corps, vice Capt. Charles H. Patterson, promoted.

First Lieut. Jules E. Piccard, Coast Artillery Corps, vice Capt. Franc Lecocq, appointed major in the National Army.

First Lieut. Robert E. Phillips, Coast Artillery Corps, vice Capt. Lewis Turtle, promoted.

First Lieut. William R. Stewart, Coast Artillery Corps, vice Capt. Clifford Jones, promoted.

First Lieut. Edgar Nash, jr., Coast Artillery Corps, vice Capt. Louis R. Dice, promoted.

First Lieut. Vincent B. Dixon, Coast Artillery Corps, vice Capt. William M. Colvin, promoted.

First Lieut. Wilmer S. Phillips, Coast Artillery Corps, vice Capt. Henry W. Bunn, promoted.

First Lieut. Otis A. Wallace, Coast Artillery Corps, vice Capt. William P. Platt, appointed major in the National Army.

First Lieut. Edgar H. Underwood, Coast Artillery Corps, vice Capt. John P. Terrell, appointed major in the National Army.

First Lieut. Howard S. Thomas, Coast Artillery Corps, vice Capt. Frank Moorman, appointed major in the National Army.

First Lieut. Paul H. French, Coast Artillery Corps, vice Capt. Harry L. Morse, promoted.

First Lieut. Horace L. Whittaker, Coast Artillery Corps, vice Capt. Charles R. Alley, promoted.

First Lieut. Gordon de L. Carrington, Coast Artillery Corps, vice Capt. Carr Waller, promoted.

First Lieut. James Q. Rood, Coast Artillery Corps, vice Capt. David McC. McKell, promoted.

First Lieut. James L. Hatcher, Coast Artillery Corps, vice Capt. Matthew A. Cross, promoted.

First Lieut. Ira B. Hill, Coast Artillery Corps, vice Capt. Henning F. Colley, promoted.

First Lieut. Berthold Vogel, Coast Artillery Corps, vice Capt. Lawrence C. Crawford, appointed major in the National Army.

First Lieut. Odes T. Pogue, Coast Artillery Corps, vice Capt. Francis M. Hinkle, appointed major in the National Army.

First Lieut. William Chason, Coast Artillery Corps, vice Capt. Alexander G. Gillespie, appointed major in the National Army.

First Lieut. Evan C. Seaman, Coast Artillery Corps, vice Capt. Edward W. Wildrick, appointed major in the National Army.

First Lieut. Clarence E. Cotter, Coast Artillery Corps, vice Capt. George M. Peek, appointed major in the National Army.

First Lieut. Gordon B. Welch, Coast Artillery Corps, vice Capt. Hartman L. Butler, appointed major in the National Army.

First Lieut. James M. Evans, Coast Artillery Corps, vice Capt. Walter Singles, promoted.

First Lieut. Cedric F. Maguire, Coast Artillery Corps, vice Capt. Rollo F. Anderson, promoted.

First Lieut. Edward E. Murphy, Coast Artillery Corps, vice Capt. William T. Carpenter, promoted.

First Lieut. Marshall M. Williams, jr., Coast Artillery Corps, vice Capt. Frank H. Phipps, jr., promoted.

First Lieut. Henry R. Behrens, Coast Artillery Corps, vice Capt. Frederick L. Martin, appointed major in the Signal Corps.

First Lieut. Edward C. Seeds, Coast Artillery Corps, vice Capt. Dana H. Crissy, appointed major in the Signal Corps.

First Lieut. Edison A. Lynn, Coast Artillery Corps, vice Capt. Chester J. Goodier, appointed major in the Signal Corps.

First Lieut. Milton P. Morrill, Coast Artillery Corps, vice Capt. William Paterson, appointed major in the National Army.

First Lieut. Guy H. Drewry, Coast Artillery Corps, vice Capt. Townsend F. Dodd, appointed lieutenant colonel in the Signal Corps.

First Lieut. Raphael S. Chavin, Coast Artillery Corps, vice Capt. George L. Van Deusen, appointed major in the Signal Corps.

First Lieut. John L. Scott, Coast Artillery Corps, vice Capt. James A. Gallogly, resigned.

First Lieut. Alva F. Englehart, Coast Artillery Corps, vice Capt. Thomas M. Spaulding, promoted.

First Lieut. Harold R. Jackson, Coast Artillery Corps, vice Capt. Benjamin H. L. Williams, promoted.

First Lieut. Morris K. Barroll, jr., Coast Artillery Corps, vice Capt. Robert C. Eddy, promoted.

First Lieut. Walter W. Warner, Coast Artillery Corps, vice Capt. Virginius E. Clark, appointed lieutenant colonel in the Signal Corps.

First Lieut. Walter F. Vander Hyden, Coast Artillery Corps, vice Capt. Stiles M. Decker, appointed major in the Signal Corps.

First Lieut. Ira A. Crump, Coast Artillery Corps, vice Capt. Raycroft Walsh, appointed major in the Signal Corps.

First Lieut. Elbert L. Ford, jr., Coast Artillery Corps, vice Capt. John P. Smith, appointed major in the National Army.

First Lieut. Samuel H. Bradbury, jr., Coast Artillery Corps, vice Capt. George E. Humbert, placed on the detached officers' list.

First Lieut. James L. Hayden, Coast Artillery Corps, vice Capt. Marcellus H. Thompson, placed on the detached officers' list.

First Lieut. Scott B. Ritchie, Coast Artillery Corps, vice Capt. Geoffrey Bartlett, placed on the detached officers' list.

First Lieut. George S. Beurket, Coast Artillery Corps, vice Capt. Eugene B. Walker, placed on the detached officers' list.

First Lieut. Burnett R. Olmsted, Coast Artillery Corps, vice Capt. Robert O. Edwards, placed on the detached officers' list.

First Lieut. Joel G. Holmes, Coast Artillery Corps, vice Capt. Lincoln B. Chambers, placed on the detached officers' list.

First Lieut. James A. Code, jr., Coast Artillery Corps, vice Capt. Rufus F. Maddux, placed on the detached officers' list.

First Lieut. William Sackville, Coast Artillery Corps, vice Capt. John R. Ellis, placed on the detached officers' list.

First Lieut. Leroy H. Lohmann, Coast Artillery Corps, vice Capt. John B. Maynard, placed on the detached officers' list.

First Lieut. Christian G. Foltz, Coast Artillery Corps, vice Capt. Warren R. Bell, placed on the detached officers' list.

First Lieut. Aaron Bradshaw, jr., Coast Artillery Corps, vice Lawrence T. Walker, placed on the detached officers' list.

First Lieut. William W. Cowgill, Coast Artillery Corps, vice Capt. Otto H. Schrader, placed on the detached officers' list.

First Lieut. Harry R. Pierce, Coast Artillery Corps, vice Capt. Robert E. Guthrie, placed on the detached officers' list.

First Lieut. Lawrence C. Mitchell, Coast Artillery Corps, vice Capt. Norton M. Beardslee.

First Lieut. Alexander H. Campbell, Coast Artillery Corps, vice Capt. Theodore M. Chase, placed on the detached officers' list.

First Lieut. Marvil G. Armstrong, Coast Artillery Corps, vice Capt. Frederick A. Mountford, placed on the detached officers' list.

First Lieut. John R. Nygaard, Coast Artillery Corps, vice Capt. Frederick Hanna, placed on the detached officers' list.

First Lieut. James L. Keane, Coast Artillery Corps, vice Capt. William C. Koenig, placed on the detached officers' list.

First Lieut. John A. Messerschmidt, Coast Artillery Corps, vice Capt. Frank A. Buell, placed on the detached officers' list.

First Lieut. Benjamin Bowering, Coast Artillery Corps, vice Capt. Furman E. McCammon, placed on the detached officers' list.

First Lieut. Henry F. Grimm, jr., Coast Artillery Corps, vice Capt. Francis P. Hardaway, placed on the detached officers' list.

First Lieut. Henry Linsert, Coast Artillery Corps, vice Capt. Charles E. Ide, placed on the detached officers' list.

First Lieut. Donald L. Dutton, Coast Artillery Corps, vice Capt. Edward L. Dyer, placed on the detached officers' list.

First Lieut. Leland A. Miller, Coast Artillery Corps, vice Capt. Harry T. Pillans, placed on the detached officers' list.

First Lieut. Arthur N. Harrigan, Coast Artillery Corps, vice Capt. Willard K. Richards, placed on the detached officers' list.

First Lieut. Percy C. Hamilton, Coast Artillery Corps, vice Capt. Edgar B. Colladay, placed on the detached officers' list.

First Lieut. Robert A. Laird, Coast Artillery Corps, vice Capt. Harold F. Nichols, placed on the detached officers' list.

First Lieut. Porter P. Lowry, Coast Artillery Corps, vice Capt. Robert W. Clark, jr., placed on the detached officers' list.

First Lieut. Joseph W. Hazell, Coast Artillery Corps, vice Capt. Robert C. Gildart, placed on the detached officers' list.

First Lieut. John B. Day, Coast Artillery Corps, vice Capt. George D. Holland, placed on the detached officers' list.

First Lieut. Nelson Dingley, 3d, Coast Artillery Corps, vice Capt. Andrew L. Pendleton, jr., placed on the detached officers' list.

First Lieut. Carl R. Adams, Coast Artillery Corps, vice Capt. George I. Thatcher, placed on the detached officers' list.

First Lieut. Edward C. Lohr, Coast Artillery Corps, vice Capt. Edwin F. Silkman, placed on the detached officers' list.

First Lieut. Byron T. Ipock, Coast Artillery Corps, vice Capt. Coleman W. Jenkins, placed on the detached officers' list.

First Lieut. George W. Hovey, Coast Artillery Corps, vice Capt. Rudolf W. Riefkohl, placed on the detached officers' list.

First Lieut. Ernest L. Bigham, Coast Artillery Corps, vice Capt. Harold B. Sampson, placed on the detached officers' list.

First Lieut. Raymond H. Schutte, Coast Artillery Corps, vice Capt. Lee R. Watrous, jr., placed on the detached officers' list.

First Lieut. Carl R. Crosby, Coast Artillery Corps, vice Capt. Charles A. French, placed on the detached officers' list.

First Lieut. Charles T. Halbert, Coast Artillery Corps, vice Capt. Raymond G. Payne, placed on the detached officers' list.

First Lieut. Claude G. Benham, Coast Artillery Corps, vice Capt. James Kirk, placed on the detached officers' list.

First Lieut. Roy D. Burdick, Coast Artillery Corps, vice Capt. Arnold Heinrich, placed on the detached officers' list.

First Lieut. Franklin A. Green, Coast Artillery Corps, vice Capt. Junius W. Jones, placed on the detached officers' list.

First Lieut. Harrie J. Rechtsteiner, Coast Artillery Corps, vice Capt. Manning M. Kimmel, jr., placed on the detached officers' list.

First Lieut. Willard W. Irvine, Coast Artillery Corps, vice Capt. Lawrence B. Weeks, placed on the detached officers' list.

First Lieut. William D. Evans, Coast Artillery Corps, vice Capt. Julius C. Peterson, promoted.

First Lieut. Clarence N. Winston, Coast Artillery Corps, vice Capt. Harry R. Vaughan, appointed major in the Signal Corps.

First Lieut. Albert M. Jackson, Coast Artillery Corps, vice Capt. Ellery W. Niles, promoted.

First Lieut. Lyle B. Chapman, Coast Artillery Corps, vice Capt. Adelno Gibson, promoted.

To be captain with rank from November 17, 1917.

First Lieut. Joseph P. Kohn, Coast Artillery Corps, vice Capt. John L. Holcombe, promoted.

To be captain with rank from November 29, 1917.

First Lieut. Robert J. Van Buskirk, Coast Artillery Corps, vice Capt. James S. Dusenbury, promoted.

To be captain with rank from December 4, 1917.

First Lieut. Frederick L. Topping, Coast Artillery Corps, vice Capt. John W. Wallis, retired from active service December 4, 1917.

To be captains with rank from December 8, 1917.

First Lieut. Thomas R. Phillips, Coast Artillery Corps, vice Capt. Ralph D. Bates, appointed major in the National Army.

First Lieut. Charles S. Erswell, jr., Coast Artillery Corps, vice Capt. William R. McCleary, appointed major in the National Army.

To be captains with rank from December 20, 1917.

First Lieut. Lewis Merriam, jr., Coast Artillery Corps, vice Capt. John P. Keeler, appointed major in the National Army.

First Lieut. Fenton G. Epling, Coast Artillery Corps, vice Capt. Robert P. Glassburn, appointed major in the National Army.

To be captain with rank from December 25, 1917.

First Lieut. Ross G. Hoyt, Coast Artillery Corps, vice Capt. George Ruhlen, jr., appointed major in the National Army.

To be captains with rank from December 26, 1917.

First Lieut. William Mayer, Coast Artillery Corps, vice Capt. Lloyd B. Magruder, promoted.

First Lieut. Hubert A. McMorrow, Coast Artillery Corps, vice Capt. Thomas A. Clark, appointed major in the National Army.

To be captains with rank from December 29, 1917.

First Lieut. Douglas G. Clark, Coast Artillery Corps, vice Capt. Sidney H. Guthrie, promoted.

First Lieut. Vernon G. Cox, Coast Artillery Corps, vice Capt. Nathan Horowitz, promoted.

First Lieut. Ralph G. Lockett, Coast Artillery Corps, vice Capt. Lloyd P. Horsfall, promoted.

First Lieut. John H. La Fitte, Coast Artillery Corps, vice Capt. Forrest E. Williford, promoted.

First Lieut. Leon C. Dennis, Coast Artillery Corps, vice Capt. Joseph A. Green, promoted.

First Lieut. Clarence L. Stevens, Coast Artillery Corps, vice Capt. Alexander G. Pendleton, promoted.

First Lieut. Caruthers A. Coleman, Coast Artillery Corps, vice Capt. John C. Henderson, promoted.

To be captain with rank from January 15, 1918.

First Lieut. William F. Lafrenz, Coast Artillery Corps, vice Capt. Guy A. Mix, appointed major in the National Army.

FIELD ARTILLERY ARM.

To be captains with rank from August 5, 1917.

First Lieut. Erwin C. W. Davis, Field Artillery, vice Capt. Charles J. Ferris, promoted.

First Lieut. Emile G. De Coen, Field Artillery, vice Capt. Walter D. Smith, promoted.

First Lieut. Arthur N. White, Field Artillery, vice Capt. Creed F. Cox, promoted.

First Lieut. Patrick L. Lynch, Field Artillery, vice Capt. Leo P. Quinn, promoted.

First Lieut. Ivan N. Bradley, Field Artillery, vice Capt. Walter H. Smith, promoted.

First Lieut. John J. McCollister, Field Artillery, vice Capt. John S. Hammond, promoted.

First Lieut. Frank A. Roberts, Field Artillery, vice Capt. Albert T. Bishop, promoted.

First Lieut. William D. Alexander, Field Artillery, vice Capt. Harold W. Huntley, promoted.

First Lieut. Herbert L. Lee, Field Artillery, vice Capt. Edwin De L. Smith, promoted.

First Lieut. Richard J. Marshall, Field Artillery, vice Capt. Ralph McT. Pennell, promoted.

First Lieut. Ralph T. Heard, Field Artillery, vice Capt. Walter S. Sturgill, promoted.

First Lieut. Harcourt Hervey, Field Artillery, vice Capt. Cortlandt Parker, promoted.

First Lieut. Francis W. Sheppard, Field Artillery, vice Capt. Richard C. Burleson, promoted.

First Lieut. Robert W. Daniels, Field Artillery, vice Capt. Joseph R. Davis, promoted.

First Lieut. John S. Winslow, Field Artillery, vice Capt. John R. Starkey, promoted.

First Lieut. George N. Ruhberg, Field Artillery, vice Capt. Rene E. DeR. Hoyle, promoted.

First Lieut. Armand Durant, Field Artillery, vice Capt. Dawson Olmstead, promoted.

First Lieut. Thomas T. Handy, Field Artillery, vice Capt. John C. Maul, promoted.

First Lieut. Frank B. Tipton, jr., Field Artillery, vice Capt. William Bryden, appointed lieutenant colonel in the National Army.

First Lieut. Stanley F. Bryan, Field Artillery, vice Capt. Francis W. Honeycutt, appointed lieutenant colonel in the National Army.

First Lieut. Oliver L. Haines, Field Artillery, vice Capt. Daniel W. Hand, appointed lieutenant colonel in the National Army.

First Lieut. Oscar I. Gates, Field Artillery, vice Capt. Albert L. Hall, promoted.

First Lieut. Gerald E. Brower, Field Artillery, vice Capt. George H. Paine, promoted.

First Lieut. William J. Jones, Field Artillery, vice Capt. Leroy P. Collins, promoted.

First Lieut. Yarrow D. Yelsey, Field Artillery, vice Capt. Ballard Lyerly, promoted.

First Lieut. William B. Dunwoody, Field Artillery, vice Capt Robert H. Lewis, promoted.

First Lieut. Charles B. Thomas, Field Artillery, vice Capt. Philip W. Booker, promoted.

First Lieut. Oliver J. Bond, jr., Field Artillery, vice Capt. Charles S. Blakely, appointed lieutenant colonel in the National Army.

First Lieut. Robert H. Ennis, Field Artillery, vice Capt. William H. Dodds, jr., appointed lieutenant colonel in the National Army.

First Lieut. Benjamin E. Carter, Field Artillery, vice Capt. Edmund L. Gruber, appointed lieutenant colonel in the National Army.

First Lieut. Henry B. Parker, Field Artillery, vice Capt. Telesphor G. Gottschalk, appointed major in the National Army.

First Lieut. Francis Fielding-Reid, Field Artillery, vice Capt. Edward F. King, appointed major in the National Army.

First Lieut. Harold R. Ristine, Field Artillery, vice Maj. Harold E. Marr, appointed major in the National Army.

First Lieut. Edmund B. Edwards, Field Artillery, vice Capt. Truby C. Martin, appointed major in the National Army.

First Lieut. Oscar L. Gruhn, Field Artillery, vice Capt. Wilbur Rogers, appointed major in the National Army.

First Lieut. Theodore W. Wrenn, Field Artillery, vice Capt. Louis R. Dougherty, appointed major in the National Army.

First Lieut. Harold W. Rehm, Field Artillery, vice Capt. Herbert B. Hayden, appointed major in the National Army.

First Lieut. John B. Pitney, Field Artillery, vice Capt. James P. Marley, promoted.

First Lieut. Clifford H. Tate, Field Artillery, vice Capt. Waldo C. Potter, promoted.

First Lieut. Ottomar O'Donnell, Field Artillery, vice Capt. John W. Downer, promoted.

First Lieut. Oliver P. Echols, Field Artillery, vice Capt. Benjamin M. Bailey, promoted.

First Lieut. Clement Ripley, Field Artillery, vice Capt. William F. Sharp, promoted.

First Lieut. Edward M. Smith, Field Artillery, vice Capt. Frank Thorp, jr., promoted.

First Lieut. John O. Hoskins, Field Artillery, vice Capt. Emery T. Smith, appointed lieutenant colonel in the National Army.

First Lieut. William Clarke, Field Artillery, vice Capt. Robert G. Kirkwood, appointed major in the National Army.

First Lieut. Albert R. Ives, Field Artillery, vice Capt. Samuel R. Hopkins, appointed major in the National Army.

First Lieut. Arthur Brigham, jr., Field Artillery, vice Capt. Donald M. Beere, appointed major in the National Army.

First Lieut. William M. Jackson, Field Artillery, vice Capt. E. R. Warner McCabe, promoted.

First Lieut. Joseph A. Sheridan, Field Artillery, vice Capt. Donald C. McDonald, promoted.

First Lieut. Hugh C. Minton, Field Artillery, vice Capt. William McCleave, appointed major in the National Army.

First Lieut. Charles W. Gallaher, Field Artillery, vice Capt. Charles D. Daly, appointed major in the National Army.

First Lieut. Laurence V. Houston, Field Artillery, vice Capt. Albert K. C. Palmer, appointed major in the National Army.

First Lieut. Stacy Knopf, Field Artillery, vice Capt. Oliver A. Dickinson, appointed major in the National Army.

First Lieut. James M. Garrett, Field Artillery, vice Capt. Leo J. Ahern, appointed major in the National Army.

First Lieut. David M. Pope, Field Artillery, vice Capt. Herman Erlenkotter, appointed major in the National Army.

First Lieut. Eugene H. Willenbucher, Field Artillery, vice Capt. John G. Tyndall, promoted.

First. Lieut. Louis C. Arthur, jr., Field Artillery, vice Capt. Otto L. Brunzell, promoted.

First Lieut. John F. Hubbard, Field Artillery, vice Capt. Clifford L. Corbin, promoted.

First Lieut. Franklin M. Davison, Field Artillery, vice Capt. Pierre V. Kieffer, promoted.

First Lieut. William E. Shepherd, jr., Field Artillery, vice Capt. Maxwell Murray, promoted.

First Lieut. Robert M. Bathurst, Field Artillery, vice Capt. Carroll W. Neal, appointed lieutenant colonel in the National Army.

First Lieut. William H. Saunders, Field Artillery, vice Capt. Donald C. Cubbison, appointed lieutenant colonel in the National Army.

First Lieut. Charles E. Hurdis, Field Artillery, vice Capt. Jacob A. Mack, appointed lieutenant colonel in the National Army.

First Lieut. Henry J. Schroeder, Field Artillery, vice Capt. John A. Crane, appointed major in the National Army.

First Lieut. James K. Tully, Field Artillery, vice Capt. Frederick A. Prince, appointed major in the National Army.

First Lieut. John M. Devine, Field Artillery, vice Capt. Thomas J. Johnson, appointed major in the National Army.

First Lieut. Harold A. Nisely, Field Artillery, vice Capt. Alfred L. P. Sands, promoted.

First Lieut. James L. Guion, Field Artillery, vice Capt. Henry H. Pfeil, promoted.

First Lieut. George D. Wahl, Field Artillery, vice Capt. Charles P. George, promoted.

First Lieut. Basil H. Perry, Field Artillery, vice Capt. Robert M. Danford, appointed lieutenant colonel in the National Army.

First Lieut. Ray H. Lewis, Field Artillery, vice Capt. Harvey D. Higley, appointed major in the National Army.

First Lieut. Solomon F. Clark, Field Artillery, vice Capt. Marshall Magruder, appointed major in the National Army.

First Lieut. Augustus M. Gurney, Field Artillery, vice Capt. Charles W. Harlow, promoted.

First Lieut. Oliver B. Cardwell, Field Artillery, vice Capt. William H. Rucker, promoted.

First Lieut. William O. Butler, Field Artillery, vice Capt. William H. Shepherd, promoted.

First Lieut. Rex W. Beasley, Field Artillery, vice Capt. Marshall G. Randol, promoted.

First Lieut. Frank Langham, Field Artillery, vice Capt. Walter E. Prosser, appointed lieutenant colonel in the National Army.

First Lieut. William F. Maher, Field Artillery, vice Capt. John N. Greely, promoted.

First Lieut. Walter F. Wright, Field Artillery, vice Capt. Webster A. Capron, promoted.

First Lieut. Sidney F. Dunn, Field Artillery, vice Capt. John E. Mort, promoted.

First Lieut. Louis W. Hasslock, Field Artillery, vice Capt. Roger S. Parrott, promoted.

First Lieut. Breckinridge A. Day, Field Artillery, vice Capt. Thomas D. Sloan, promoted.

First Lieut. Paul C. Harper, Field Artillery, vice Capt. Thomas D. Osborne, appointed lieutenant colonel in the National Army.

First Lieut. Joseph Kennedy, Field Artillery, vice Capt. William E. Larned, detailed in the Signal Corps.

First Lieut. George D. Shea, Field Artillery, vice Capt. Louis A. McKinlay, appointed lieutenant colonel in the National Army.

First Lieut. John V. D. Hume, Field Artillery, vice Capt. Harold Geiger, promoted.

First Lieut. Woodrow W. Woodbridge, Field Artillery, vice Capt. Edwin M. Watson, promoted.

First Lieut. Gervas S. Taylor, Field Artillery, vice Capt. William E. Dunn, appointed major in the National Army.

First Lieut. John G. Pennypacker, Field Artillery, vice Capt. Harold E. Miner, promoted.

First Lieut. Richard H. Schubert, Field Artillery, vice Capt. Joseph A. Rogers, promoted.

First Lieut. Edward J. F. Marx, Field Artillery, vice Capt. Frederick M. Barrows, appointed major in the National Army.

First Lieut. Wilbur C. Carlan, Field Artillery, vice Capt. Joe R. Brabson, appointed major in the National Army.

First Lieut. George R. Rede, Field Artillery, vice Capt. Leonard C. Sparks, appointed major in the National Army.

First Lieut. Gilbert P. Kearns, Field Artillery, vice Capt. John T. Kennedy, appointed major in the National Army.

First Lieut. Van Rensselaer Vestal, Field Artillery, vice Capt. Charles T. Griffith, promoted.

First Lieut. John H. Carriker, Field Artillery, vice Capt. Kenneth S. Perkins, appointed major in the National Army.

First Lieut. Peter P. Michalek, Field Artillery, vice Capt. James L. Collins, appointed major in the National Army.

First Lieut. William G. Gough, Field Artillery, vice Capt. Frederick W. Stewart, appointed major in the National Army.

First Lieut. Joseph A. Mulherrin, Field Artillery, vice Capt. Herbert A. Dargue, detailed in the Signal Corps.

First Lieut. Azel W. McNeal, Field Artillery, vice Capt. Charles P. Hollingsworth, appointed major in the National Army.

First Lieut. William B. Wright, jr., Field Artillery, vice Capt. Joseph W. Rumbough, appointed major in the National Army.

First Lieut. Victor H. Bridgman, jr., Field Artillery, vice Capt. Allan C. McBride, appointed major in the National Army.

First Lieut. Wendell L. Bevan, Field Artillery, vice Capt. Ronald D. Johnson, promoted.

First Lieut. Henry J. Macpeake, Field Artillery, vice Capt. Leo P. Quinn, placed on the detached officers' list.

First Lieut. Frank W. Lykes, Field Artillery, vice Capt. Webster A. Capron, placed on the detached officers' list.

First Lieut. Richard T. Guthrie, Field Artillery, vice Capt. Ivens Jones, placed on the detached officers' list.

First Lieut. Ittai A. Luke, Field Artillery, vice Capt. Robert C. F. Goetz, placed on the detached officers' list.

First Lieut. Roger Griswold, Field Artillery, vice Capt. John E. Hatch, placed on the detached officers' list.

First Lieut. Henry Lockwood, jr., Field Artillery, vice Capt. Herbert A. Dargue, placed on the detached officers' list.

First Lieut. Alan L. Campbell, Field Artillery, vice Capt. Vincent Meyer, placed on the detached officers' list.

First Lieut. Oscar B. Ralls, jr., Field Artillery, vice Capt. George E. Arnemann, placed on the detached officers' list.

First Lieut. John R. Larkin, Field Artillery, vice Capt. Francis T. Armstrong, placed on the detached officers' list.

First Lieut. Douglas R. Coleman, Field Artillery, vice Capt. Howard Eager, placed on the detached officers' list.

First Lieut George P. Winton, Field Artillery, vice Capt. Roland P. Shugg, placed on the detached officers' list.

First Lieut. George J. Downing, Field Artillery, vice Capt. John E. McMahon, placed on the detached officers' list.

First Lieut. Wallace W. Crawford, Field Artillery, vice Capt. Arthur R. Harris, placed on the detached officers' list.

First Lieut. Christiancy Pickett, Field Artillery, vice Capt. Jacob L. Devers, promoted.

First Lieut. Rush H. Rogers, Field Artillery, vice Capt. Lucien H. Taliaferro, promoted.

To be captain with rank from November 8, 1917.

First Lieut. John C. Adams, Field Artillery, vice Capt. Fred C. Wallace, appointed major in the National Army.

To be captains with rank from November 5, 1917.

First Lieut. Arthur C. Waters, Field Artillery, vice Capt. Harold H. Bateman, promoted.

First Lieut. Ernest T. Barco, Field Artillery, vice Capt. Philip Hayes, appointed major in the National Army.

To be captains with rank from November 13, 1917.

First. Lieut. Lester A. Daugherty, Field Artillery, vice Capt. Frank A. Turner, promoted.

First Lieut. Walter G. Witt, Field Artillery, vice Capt. George G. Seaman, promoted.

To be captain with rank from November 22, 1917.

First Lieut. Joseph E. Takken, Field Artillery, vice Capt. Charles P. Reynolds, appointed major in the National Army.

To be captain with rank from November 25, 1917.

First Lieut. Raymond J. Watrous, Field Artillery, vice Capt. George S. Gay, appointed major in the National Army.

To be captain with rank from December 5, 1917.

First Lieut. Jerome J. Waters, jr., Field Artillery, vice Capt. Carl A. Baehr, promoted.

To be captain with rank from January 2, 1918.

First Lieut. Thomas G. Hanson, jr., Field Artillery, vice Capt. Robert S. Donaldson, promoted.

CAVALRY ARM.

To be colonels with rank from January 16, 1918.

Lieut. Col. James N. Munro, Cavalry (Quartermaster Corps), vice Col. Charles W. Fenton, who died January 15, 1918.

Lieut. Col. William S. Valentine, Cavalry (Quartermaster Corps), vice Col. James N. Munro, retained in the Quartermaster Corps.

Lieut. Col. Henry C. Smither, Cavalry (Signal Corps), vice Col. William S. Valentine, retained in the Quartermaster Corps.

Lieut. Col. Roy B. Harper, Cavalry (Adjutant General's Department), vice Col. Henry C. Smither, retained in the Signal Corps.

Lieut. Col. Thomas A. Roberts, Cavalry, vice Col. Roy B. Harper, retained in The Adjutant General's Department.

To be lieutenant colonels with rank from January 16, 1918.

Maj. Leonard L. Deitrick, Cavalry (Quartermaster Corps), vice Lieut. Col. Thomas A. Roberts, promoted.

Maj. Richard B. Going, Cavalry, vice Lieut. Col. Leonard L. Deitrick, retained in the Quartermaster Corps.

To be majors with rank from January 16, 1918.

Capt. Chauncey StC. McNeill, Cavalry (Signal Corps), vice Maj. Richard B. Going, promoted.

Capt. Frank K. Ross, Cavalry (Signal Corps), vice Maj. Chauncey StC. McNeill, retained in the Signal Corps.

Capt. Herman Kobbe, Cavalry, vice Maj. Frank K. Ross, retained in the Signal Corps.

To be majors with rank from January 23, 1918.

Capt. John A. Warden, Cavalry, vice Maj. Arthur G. Fisher, resigned.

Capt. John B. Johnson, Cavalry, vice Maj. Andrew W. Smith, resigned.

To be majors with rank from January 24, 1918.

Capt. Harold L. Gardiner, Cavalry (Quartermaster Corps), vice Maj. Guy Kent, resigned.

Capt. Claude DeB. Hunt, Cavalry, vice Maj. Harold L. Gardiner, retained in the Quartermaster Corps.

INFANTRY ARM.

To be colonel with rank from August 5, 1917.

Lieut. Col. Hugh D. Wise, Infantry (Quartermaster Corps), vice Col. George B. Duncan, appointed brigadier general in the National Army.

To be lieutenant colonel with rank from August 5, 1917.

Maj. Hugh D. Wise, Infantry (Quartermaster Corps), vice Lieut. Col. Edward A. Shuttleworth, appointed colonel in the National Army.

To be majors with rank from August 5, 1917.

Capt. Edwin J. Nowlen, Infantry, additional officer, on the date he would have been promoted to fill an original vacancy had he not been retired from active service.

Capt. Sylvester C. Loring, Infantry, additional officer, on the date he would have been promoted to fill an original vacancy had he not been retired from active service.

Capt. Jacob Schick, Infantry, additional officer, on the date he would have been promoted to fill an original vacancy had he not been retired from active service.

Capt. Roy W. Ashbrook, Infantry, additional officer, on the date he would have been promoted to fill an original vacancy had he not been retired from active service.

Capt. Sam P. Herren, Infantry, additional officer, on the date he would have been promoted to fill an original vacancy had he not been retired from active service.

To be major with rank from November 29, 1917.

Capt. Harry H. Pritchett, Infantry, vice Maj. George E. Goodrich, detailed in the Signal Corps.

To be major with rank from November 30, 1917.

Capt. Edgar L. Field, Infantry, vice Maj. James W. H. Reisinger, detailed in the Quartermaster Corps.

To be majors with rank from December 1, 1917.

Capt. Earl C. Buck, Infantry, vice Maj. Charles B. Elliott, resigned commission as temporary major.

Capt. Jere Baxter, Infantry, detached officers' list, vice Maj. Edmund C. Waddill, resigned commission as temporary major.

Capt. A. Ellicott Brown, Infantry, vice Maj. Arthur M. Ferguson, detailed in The Adjutant General's Department.

Capt. James M. Lockett, Infantry, vice Maj. Harry Hawley, resigned commission as temporary major.

To be majors with rank from December 4, 1917.

Capt. Eugene Robinson, Infantry, vice Maj. Jacob W. S. Wuest, detailed in the Signal Corps.

Capt. Jesse C. Brain, Infantry, detached officers' list, vice Maj. William W. Bessell, detailed in The Adjutant General's Department.

To be major with rank from December 10, 1917.

Capt. Alexander W. Chilton, Infantry, detached officers' list, vice Maj. Joseph F. Ware, detailed in the Signal Corps.

To be major with rank from December 14, 1917.

Capt. William E. Morrison, Infantry, detached officers' list, vice Maj. Alfred W. Bjornstad, promoted lieutenant colonel.

To be majors with rank from December 19, 1917.

Capt. Donald J. MacLachlan, Infantry, vice Maj. Resolve P. Palmer, detailed in the Signal Corps.

Capt. Charles H. Rice, Infantry, vice Maj. James G. Boswell, detailed in the Signal Corps.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

CAVALRY ARM.

Second Lieut. Earle L. Hazard, Infantry, to be second lieutenant of Cavalry, with rank from October 26, 1917.

Second Lieut. Keith F. Driscoll, Infantry, to be second lieutenant of Cavalry, with rank from October 25, 1917.

INFANTRY ARM.

Second Lieut. Joseph A. Nichols, Cavalry, to be second lieutenant of Infantry, with rank from October 25, 1917.

Second Lieut. James J. Roach, Cavalry, to be second lieutenant of Infantry, with rank from October 26, 1917.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

COAST ARTILLERY CORPS.

To be captains with rank from October 12, 1917.

First Lieut. Frederick W. Smith, Coast Artillery Corps, vice Capt. Robert C. Gildart, placed on the detached officers' list.

First Lieut. Robert S. Barr, Coast Artillery Corps, vice Capt. George D. Holland, placed on the detached officers' list.

First Lieut. Charles J. Herzer, Coast Artillery Corps, vice Capt. Andrew L. Pendleton, jr., placed on the detached officers' list.

First Lieut. William M. Cravens, Coast Artillery Corps, vice Capt. George I. Thatcher, placed on the detached officers' list.

First Lieut. John B. Martin, Coast Artillery Corps, vice Capt. Edwin F. Silkman, placed on the detached officers' list.

First Lieut. Edwin C. Mead, Coast Artillery Corps, vice Capt. Coleman W. Jenkins, placed on the detached officers' list.

First Lieut. William T. Roberts, Coast Artillery Corps, vice Capt. Rudolf W. Riefkohl, placed on the detached officers' list.

First Lieut. Carl J. Smith, Coast Artillery Corps, vice Capt. Harold B. Sampson, placed on the detached officers' list.

First Lieut. Dugald Mac A. Burr, Coast Artillery Corps, vice Capt. Lee R. Watrous, jr., placed on the detached officers' list.

First Lieut. James D. MacMullen, Coast Artillery Corps, vice Capt. Charles A. French, placed on the detached officers' list.

First Lieut. Charles W. Bundy, Coast Artillery Corps, vice Capt. Raymond G. Payne, placed on the detached officers' list.

First Lieut. Charles D. Y. Ostrom, Coast Artillery Corps, vice Capt. James Kirk, placed on the detached officers 'list.

First Lieut. Donald M. Cole, Coast Artillery Corps, vice Capt. Arnold Heinrich, placed on the detached officers' list.

First Lieut. James C. Hutson, Coast Artillery Corps, vice Capt. Junius W. Jones, placed on the detached officers' list.

First Lieut. Francis A. Hause, Coast Artillery Corps, vice Capt. Manning M. Kimmel, jr., placed on the detached officers' list.

First Lieut. Edward E. MacMorland, Coast Artillery Corps, vice Capt. Lawrence B. Weeks, place on the detached officers' list.

To be captain with rank from December 5, 1917.

First Lieut. Henry B. Holmes, jr., Coast Artillery Corps, vice Capt. John W. Wallis, retired from active service December 4, 1917.

To be captain with rank from December 10, 1917.

First Lieut. Arvid M. Pendleton, Coast Artillery Corps, vice Capt. Louis B. Bender, detailed in Signal Corps.

FIELD ARTILLERY ARM.

To be captains with rank from October 12, 1917.

First Lieut. Erwin C. W. Davis, Field Artillery, vice Capt. Leo P. Quinn, placed on the detached officers' list.

First Lieut. Emile G. DeCoen, Field Artillery vice Capt. Webster A. Capron, placed on the detached officers' list.

First Lieut. Arthur N. White, Field Artillery, vice Capt. Ivens Jones, placed on the detached officers' list.

First Lieut. Patrick L. Lynch, Field Artillery, vice Capt. Robert C. F. Goetz, placed on the detached officers' list.

First Lieut. Ivan N. Bradley, Field Artillery, vice Capt. John E. Hatch, placed on the detached officers' list.

First Lieut. John J. McCollister, Field Artillery, vice Capt. Herbert A. Dargue, placed on the detached officers' list.

First Lieut. Frank A. Roberts, Field Artillery, vice Capt. Vincent Meyer, placed on the detached officers' list.

First Lieut. William D. Alexander, Field Artillery, subject to examination required by law, vice Capt. George E. Arnemann, placed on the detached officers' list.

First Lieut. Herbert L. Lee, Field Artillery, vice Capt. Francis T. Armstrong, placed on the detached officers' list.

First Lieut. Richard J. Marshall, Field Artillery, subject to examination required by law, vice Capt. Howard Eager, placed on the detached officers' list.

First Lieut. Ralph T. Heard, Field Artillery, vice Capt. Roland P. Shugg, placed on the detached officers' list.

First Lieut. Harcourt Hervey, Field Artillery, vice Capt. John E. McMahon, jr., placed on the detached officers' list.

First Lieut. Francis W. Sheppard, Field Artillery, vice Capt. Arthur R. Harris, placed on the detached officers' list.

To be captain with rank from November 5, 1917.

First Lieut. Robert W. Daniels, Field Artillery, vice Capt. Raymond B. Austin, placed on the detached officers' list.

To be captain with rank from December 5, 1917.

First Lieut. John S. Winslow, Field Artillery, vice Capt. James P. Marley, detailed in the Inspector General's Department.

To be captain with rank from January 4, 1918.

First Lieut. George N. Ruhberg, Field Artillery, vice Capt. William C. Young, detailed in the Ordnance Department.

CAVALRY ARM.

To be captains.

First Lieut. Harley C. Dagley, Cavalry, from October 4, 1917, vice Capt. Dorsey R. Rodney, detailed in the Quartermaster Corps.

First Lieut. Charles L. Clifford, Cavalry, from October 4, 1917, vice Capt. Arthur G. Hixson, detailed in Ammunition Train.

First Lieut. Gaston L. Holmes, Cavalry, from October 4, 1917, vice Capt. Robert Blaine, detailed in the Quartermaster Corps.

First Lieut. George W. Wersebe, Cavalry, from October 4, 1917, vice Capt. Guy H. Wyman, detailed in the Quartermaster Corps.

First Lieut. Milton R. Fisher, Cavalry, from October 4, 1917, vice Capt. Charles L. Stevenson, detailed in the Quartermaster Corps.

First Lieut. John S. Jadwin, Cavalry, from October 4, 1917, vice Capt. Clark P. Chandler, detailed in the Quartermaster Corps.

First Lieut. Arthur P. Thayer, Cavalry, from October 4, 1917, vice Capt. Seth W. Scofield, detailed in the Quartermaster Corps.

First Lieut. Edward R. Scheitlin, Cavalry, from October 4, 1917, vice Capt. Robert C. Rodgers, detailed in the Quartermaster Corps.

First Lieut. Edwin A. Martin, Cavalry, from October 4, 1917, vice Capt. Harold L. Gardiner, detailed in the Quartermaster Corps.

First Lieut. Jay D. B. Lattin, Cavalry, from October 4, 1917, vice Capt. Robert E. Carmody, detailed in the Quartermaster Corps.

First Lieut. Frank G. Ringland, Cavalry, from October 4, 1917, vice Capt. Albert J. Myer, jr., detailed in Ammunition Train.

First Lieut. John B. Harper, Cavalry, subject to examination required by law, from October 12, 1917, vice Capt. Daniel G. Morrissett, detailed in Ammunition Train.

First Lieut. Winchell I. Rasor, Cavalry (Signal Corps), subject to examination required by law, from October 12, 1917, vice Capt. William C. F. Nicholson, placed on the detached officers' list.

First Lieut. Oliver I. Holman, Cavalry, from October 12, 1917, vice Capt. Winchell I. Rasor, retained in the Signal Corps.

First Lieut. John J. Bohn, Cavalry, from October 12, 1917, vice Capt. Edmund S. Sayer, placed on the detached officers' list.

First Lieut. Harry B. Flounders, Cavalry (Ammunition Train), from October 12, 1917, vice Capt. Robert C. Richardson, jr., placed on the detached officers' list.

First Lieut. Grover R. Carl, Cavalry, from October 12, 1917, vice Capt. Harry B. Flounders, retained in Ammunition Train.

First Lieut. Hugh D. Blanchard, Cavalry, from October 12, 1917, vice Capt. Frank M. Andrews, placed on the detached officers' list.

First Lieut. James G. Monihan, Cavalry, from October 12, 1917, vice Capt. George F. Patten, placed on the detached officers' list.

First Lieut. Anthony J. Kirst, Cavalry, from October 12, 1917, vice Capt. Robert M. Cheney, placed on the detached officers' list.

First Lieut. William G. Simons, Cavalry, from October 12, 1917, vice Capt. Philip Gordon, placed on the detached officers' list.

First Lieut. Rexford E. Willoughby, Cavalry, from October 12, 1917, vice Capt. Sumner M. Williams, placed on the detached officers' list.

First Lieut. John D. Austin, Cavalry, subject to examination required by law, from October 12, 1917, vice Capt. Charles M. Haverkamp, placed on the detached officers' list.

First Lieut. John P. Kaye, Cavalry, subject to examination required by law, from October 12, 1917, vice Capt. Horace T. Aplington, placed on the detached officers' list.

First Lieut. Cleo D. Mayhugh, Cavalry, from October 12, 1917, vice Capt. Arthur B. Conard, placed on the detached officers' list.

First Lieut. James W. Barnett, Cavalry, from October 12, 1917, vice Capt. John P. Lucas, placed on the detached officers' list.

First Lieut. John C. Mullenix, Cavalry, from October 12, 1917, vice Capt. William M. Grimes, placed on the detached officers' list.

First Lieut. Ross McCoy, Cavalry, from October 12, 1917, vice Capt. Alexander R. Cocke, placed on the detached officers' list.

First Lieut. Howard C. Tobin, Cavalry, from October 12, 1917, vice Capt. Kenna G. Eastham, placed on the detached officers' list.

First Lieut. John A. Weeks, Cavalry, from October 12, 1917, vice Capt. Francis C. V. Crowley, placed on the detached officers' list.

First Lieut. Walter E. Buchly, Cavalry, from October 12, 1917, vice Capt. Robert McG. Littlejohn, placed on the detached officers' list.

First Lieut. Harold C. Mandell, Cavalry, from October 12, 1917, vice Capt. Burton Y. Read, placed on the detached officers' list.

First Lieut. Lester A. Sprinkle, Cavalry, from October 12, 1917, vice Capt. Roland L. Gaugler, placed on the detached officers' list.

First Lieut. Robert W. Grow, Cavalry, subject to examination required by law, from October 12, 1917, vice Capt. Geoffrey Keyes, placed on the detached officers' list.

First Lieut. Terrill E. Price, Cavalry, from October 12, 1917, vice Capt. Arthur D. Newman, placed on the detached officers' list.

First Lieut. William H. Kasten, Cavalry, from October 12, 1917, vice Capt. Edward L. N. Glass, placed on the detached officers' list.

First Lieut. Edwin Rollmann, Cavalry (Signal Corps), from October 12, 1917, vice Capt. Clifford B. King, placed on the detached officers' list.

First Lieut. Leon E. Ryder, Cavalry, from October 12, 1917, vice Capt. Edwin Rollmann, retained in the Signal Corps.

First Lieut. Richard L. Creed, Cavalry, subject to examination required by law, from October 12, 1917, vice Capt. Ralph I. Sasse, placed on the detached officers' list.

First Lieut. William M. Husson, Cavalry, subject to examination required by law, from October 12, 1917, vice Capt. William E. Shipp, placed on the detached officers' list.

First Lieut. Harry L. Putnam, Cavalry, subject to examination required by law, from October 12, 1917, vice Capt. Frank P. Amos, placed on the detached officers' list.

First Lieut. Roderick R. Allen, Cavalry, from October 12, 1917, vice Capt. James E. Shelley, placed on the detached officers' list.

First Lieut. Adolphus W. Roffe, Cavalry, subject to examination required by law, from October 12, 1917, vice Capt. William S. Wells, placed on the detached officers' list.

First Lieut. Ion C. Holm, Cavalry, from October 12, 1917, vice Capt. John A. Pearson, placed on the detached officers' list.

First Lieut. Robert C. Candee, Cavalry, from October 12, 1917, vice Capt. Olan C. Aleshire, placed on the detached officers' list.

First Lieut. Joseph L. Philips, Cavalry, from October 12, 1917, vice Capt. Kinzie B. Edmunds, placed on the detached officers' list.

First Lieut. Kenneth McCatty, Cavalry, from October 23, 1917, vice Capt. Stewart O. Elting, detailed in the Quartermaster Corps.

First Lieut. Joseph W. Geer, Cavalry, from October 23, 1917, vice Capt. Ben Lear, jr., detailed in the General Staff.

First Lieut. Edwin D. Morgan, jr., Cavalry, subject to examination required by law, from October 23, 1917, vice Capt. Morton C. Mumma, detailed in the General Staff.

First Lieut. Leslie B. C. Jones, Cavalry, subject to examination required by law, from October 25, 1917, vice Capt. William H. Cowles, detailed in the Inspector General's Department.

First Lieut. Kramer Thomas, Cavalry, from October 31, 1917, vice Capt. John Kennard, detailed in the Quartermaster Corps.

First Lieut. James R. Finley, Cavalry, from November 5, 1917, vice Capt. Orlando C. Troxel, died November 4, 1917.

First Lieut. Willard S. Wadelton, Cavalry, from November 5, 1917, vice Capt. Joseph M. Tully, placed on the detached officers' list.

First Lieut. Hale S. Cook, Cavalry, from November 5, 1917, vice Capt. John A. Barry, placed on the detached officers' list.

First Lieut. John M. Jenkins, jr., Cavalry, from November 5, 1917, vice Capt. Verne R. Bell, placed on the detached officers' list.

First Lieut. Beverly H. Coiner, Cavalry, from November 5, 1917, vice Capt. Mack Garr, placed on the detached officers' list.

First Lieut. Albert D. Chipman, Cavalry, from November 5, 1917, vice Capt. William C. Christy, detailed in the Quartermaster Corps.

First Lieut. Arthur H. Truxes, Cavalry, from November 5, 1917, vice Capt. Henry D. F. Munnikhuysen, detailed in the Quartermaster Corps.

First Lieut. Gordon J. F. Heron, Cavalry, from November 5, 1917, vice Capt. Leon M. Logan, detailed in the Quartermaster Corps.

First Lieut. Carl C. Krueger, Cavalry, subject to examination required by law, from November 5, 1917, vice Capt. James S. Mooney, detailed in the Quartermaster Corps.

First Lieut. Hugh M. Gregory, Cavalry, from November 5, 1917, vice Capt. Lindsley D. Beach, detailed in the Quartermaster Corps.

First Lieut. Oron A. Palmer, Cavalry, from November 6, 1917, vice Capt. Pearson Menoher, placed on the detached officers' list.

First Lieut. Stanley Bacon, Cavalry, from December 11, 1917, vice Capt. George B. Comly, detailed in The Adjutant General's Department.

First Lieut. Samuel V. Constant, Cavalry, subject to examination required by law, from December 19, 1917, vice Capt. Abbott Boone, detailed in the Signal Corps.

First Lieut. William C. Chase, Cavalry, from December 22, 1917, vice Capt. George A. Purington, detailed in ammunition train.

First Lieut. Norman E. Fiske, Cavalry, from December 29, 1917, vice Capt. John C. Montgomery, detailed in ammunition train.

First Lieut. Donald O. Miller, Cavalry, from December 29, 1917, vice Capt. Ralph I. Sasse, detailed in ammunition train.

To be first lieutenants.

Second Lieut. Marion Cox, Cavalry, with rank from August 9, 1917, vice First Lieut. Clarence S. Maulsby, promoted.

Second Lieut. Hugh J. FitzGerald, Cavalry, with rank from August 9, 1917, vice First Lieut. George S. Andrew, promoted.

Second Lieut. David P. Minard, Cavalry, with rank from August 9, 1917, vice First Lieut. Spencer A. Townsend, promoted.

Second Lieut. Paul J. Matte, Cavalry, with rank from August 9, 1917, vice First Lieut. Arthur M. Jones, promoted.

Second Lieut. Hugo P. Wise, Cavalry, with rank from August 9, 1917, vice First Lieut. Thomas G. Peyton, promoted.

Second Lieut. Norman R. Hamilton, Cavalry, with rank from August 9, 1917, vice First Lieut. Junius H. Houghton, promoted.

Second Lieut. Robert R. Hawes, jr., Cavalry, with rank from August 9, 1917, vice First Lieut. Douglas J. Page, promoted.

Second Lieut. Joseph S. Robinson, Cavalry, with rank from August 9, 1917, vice First Lieut. James N. Caperton, promoted.

Second Lieut. Murray H. Ellis, Cavalry, with rank from August 14, 1917, vice First Lieut. Charles C. Smith, promoted.

Second Lieut. Wolcott P. Hay, Cavalry, with rank from August 22, 1917, vice First Lieut. William W. Dempsey, promoted.

Second Lieut. Joseph I. Lambert, Cavalry, with rank from August 24, 1917, vice First Lieut. Robert R. D. McCullough, promoted.

Second Lieut. Ralph W. Rogers, Cavalry, with rank from September 7, 1917, vice First Lieut. Edwin Rollmann, detailed in the Signal Corps.

Second Lieut. William P. Medlar, Cavalry, with rank from September 11, 1917, vice First Lieut. Duncan G. Richart, promoted.

Second Lieut. Lawrence A. Shafer, Cavalry, with rank from October 4, 1917, vice First Lieut. Charles L. Clifford, promoted.

Second Lieut. Thurlby M. Rundel, Cavalry, with rank from October 4, 1917, vice First Lieut. Gaston L. Holmes, promoted.

Second Lieut. Charles B. B. Bubb, Cavalry, with rank from October 4, 1917, vice First Lieut. Jay D. B. Lattin, promoted.

Second Lieut. Paul E. McDermott, Cavalry, with rank from October 4, 1917, vice First Lieut. Frank G. Ringland, promoted.

Second Lieut. Gustav B. Guenther, Cavalry, with rank from October 4, 1917, vice First Lieut. Harry B. Flounders, detailed in ammunition train.

Second Lieut. William H. Skinner, Cavalry, with rank from October 4, 1917, vice First Lieut. Robert L. Beall, detailed in ammunition train.

Second Lieut. Leslie F. Laurence, Cavalry, with rank from October 4, 1917, vice First Lieut. William T. Haldeman, detailed in ammunition train.

Second Lieut. Horace W. Forster, Cavalry, with rank from October 4, 1917, vice First Lieut. Bertrand Morrow, detailed in ammunition train.

Second Lieut. Franklin C. Ketler, Cavalry, with rank from October 12, 1917, vice First Lieut. Oliver I. Holman, promoted.

Second Lieut. Charles Pope, 2d, Cavalry, with rank from October 12, 1917, vice First Lieut. John J. Bohn, promoted.

Second Lieut. Waldemar A. Falck, Cavalry, with rank from October 12, 1917, vice First Lieut. Grover R. Carl, promoted.

Second Lieut. Carl J. Rohsenberger, Cavalry, with rank from October 12, 1917, vice First Lieut. Hugh D. Blanchard, promoted.

Second Lieut. Crawford M. Kellogg, Cavalry, with rank from October 12, 1917, vice First Lieut. William G. Simmons, promoted.

Second Lieut. James V. McDowell, Cavalry, with rank from October 12, 1917, vice First Lieut. Cleo D. Mayhugh, promoted.

Second Lieut. Harry L. Hart, Cavalry, with rank from October 12, 1917, vice First Lieut. John C. Mullenix, promoted.

Second Lieut. James H. B. Bogman, Cavalry, with rank from October 12, 1917, vice First Lieut. Ross McCoy, promoted.

Second Lieut. Robert H. Gallier, Cavalry, with rank from October 12, 1917, vice First Lieut. Walter E. Buchly, promoted.

Second Lieut. Percy S. Haydon, Cavalry, with rank from October 12, 1917, vice First Lieut. Harold C. Mandell, promoted.

Second Lieut. David J. Chaille, Cavalry, with rank from October 12, 1917, vice First Lieut. Robert W. Grow, promoted.

Second Lieut. Albert E. McIntosh, Cavalry, with rank from October 12, 1917, vice First Lieut. William H. Kasten, promoted.

Second Lieut. Jefferson Kinney, jr., Cavalry, with rank from October 12, 1917, vice First Lieut. Leon E. Ryder, promoted.

Second Lieut. Halbert H. Neilson, Cavalry, with rank from October 12, 1917, vice First Lieut. Richard L. Creed, promoted.

Second Lieut. Leland C. McAuley, Cavalry, with rank from October 12, 1917, vice First Lieut. William M. Husson, promoted.

Second Lieut. Carl R. Johnston, Cavalry, with rank from October 12, 1917, vice First Lieut. Harry L. Putnam, promoted.

Second Lieut. Dean R. De Merritt, Cavalry, with rank from October 12, 1917, vice First Lieut. Adolphus W. Roffe, promoted.

Second Lieut. Vance W. Batchelor, Cavalry, with rank from October 12, 1917, vice First Lieut. Ion C. Holm, promoted.

Second Lieut. Truman E. Boudinot, Cavalry, with rank from October 12, 1917, vice First Lieut. Robert C. Candee, promoted.

Second Lieut. James R. Wood, Cavalry, with rank from October 12, 1917, vice First Lieut. Harrison Herman, placed on the detached officers' list.

Second Lieut. William J. Gallagher, Cavalry, with rank from October 12, 1917, vice First Lieut. Chapman Grant, placed on the detached officers' list.

Second Lieut. Charles Rudd, Cavalry, with rank from October 12, 1917, vice First Lieut. Daniel A. Conner, placed on the detached officers' list.

Second Lieut. James G. Strobridge, Cavalry, with rank from October 12, 1917, vice First Lieut. Harley C. Dagley, placed on the detached officers' list.

Second Lieut. Stephen Boon, jr., Cavalry, with rank from October 12, 1917, vice First Lieut. George W. Wersebe, placed on the detached officers' list.

Second Lieut. Harold G. Holt, Cavalry, with rank from October 12, 1917, vice First Lieut. Milton R. Fisher, placed on the detached officers' list.

Second Lieut. Walter Gunther, Cavalry, with rank from October 12, 1917, vice First Lieut. John S. Jadwin, placed on the detached officers' list.

Second Lieut. Roy V. Morledge, Cavalry, with rank from October 12, 1917, vice First Lieut. Arthur P. Thayer, placed on the detached officers' list.

Second Lieut. John W. Noble, Cavalry, with rank from October 12, 1917, vice First Lieut. Edward R. Scheitlin, placed on the detached officers' list.

Second Lieut. Herman R. Crile, Cavalry, with rank from October 12, 1917, vice First Lieut. Edwin A. Martin, placed on the detached officers' list.

Second Lieut. Joseph E. Torrence, Cavalry, with rank from October 12, 1917, vice First Lieut. John B. Harper, placed on the detached officers' list.

Second Lieut. Charles G. Hutchinson, Cavalry, with rank from October 12, 1917, vice First Lieut. James G. Monihan, placed on the detached officers' list.

Second Lieut. Chester P. Dorland, Cavalry (Signal Corps), with rank from October 12, 1917, vice First Lieut. Anthony J. Kirst, placed on the detached officers' list.

Second Lieut. Ernest D. McQueen, Cavalry, with rank from October 12, 1917, vice First Lieut. Rexford E. Willoughby, placed on the detached officers' list.

Second Lieut. Archie E. Groff, Cavalry, with rank from October 12, 1917, vice First Lieut. John D. Austin, placed on the detached officers' list.

Second Lieut. George D. Wiltshire, Cavalry, with rank from October 12, 1917, vice First Lieut. John P. Kaye, placed on the detached officers' list.

Second Lieut. Alfonso F. Zerbee, Cavalry, with rank from October 12, 1917, vice First Lieut. James W. Barnett, placed on the detached officers' list.

Second Lieut. Jackson B. Wood, Cavalry, with rank from October 12, 1917, vice First Lieut. Howard C. Tobin, placed on the detached officers' list.

Second Lieut. Arthur J. Wehr, Cavalry, with rank from October 12, 1917, vice First Lieut. John A. Weeks, placed on the detached officers' list.

Second Lieut. Robert C. Scott, Cavalry, with rank from October 12, 1917, vice First Lieut. Lester A. Sprinkle, placed on the detached officers' list.

Second Lieut. Ernest F. Apeldorn, jr., Cavalry, with rank from October 12, 1917, vice First Lieut. Terrill E. Price, placed on the detached officers' list.

Second Lieut. John R. Evans, jr., Cavalry, with rank from October 12, 1917, vice First Lieut. Arthur C. D. Anderson, placed on the detached officers' list.

Second Lieut. De Lancey Bentley, Cavalry, with rank from October 24, 1917, vice First Lieut. Nelson M. Imboden, placed on the detached officers' list.

Second Lieut. William P. Rauch, Cavalry, with rank from October 24, vice First Lieut. Randolph Dickins, placed on the detached officers' list.

Second Lieut. John A. Garvin, Cavalry, with rank from October 24, 1917, vice First Lieut. Wharton G. Ingram, placed on the detached officers' list.

Second Lieut. Daniel D. Streeter, Cavalry, with rank from October 24, 1917, vice First Lieut. Edward T. Moale, placed on the detached officers' list.

Second Lieut. Randolph Russell, Cavalry, with rank from October 24, 1917, vice First Lieut. Frederick J. Holzbaur, placed on the detached officers' list.

Second Lieut. Brock Putnam, Cavalry, with rank from October 24, 1917, vice First Lieut. Joseph M. Hurt, jr., placed on the detached officers' list.

Second Lieut. Leland L. Miller, Cavalry, with rank from October 24, 1917, vice First Lieut. Charles B. Duncan, placed on the detached officers' list.

Second Lieut. Edwin M. Sumner, Cavalry, with rank from October 24, 1917, vice First Lieut. Ferris M. Angevine, placed on the detached officers' list.

Second Lieut. William J. McChesney, jr., Cavalry, with rank from October 24, 1917, vice First Lieut. Sam G. Fuller, placed on the detached officers' list.

Second Lieut. Joseph Sheehan, Cavalry, with rank from October 24, 1917, vice First Lieut. Delmore S. Wood, placed on the detached officers' list.

Second Lieut. James M. Currin, Cavalry, with rank from October 24, 1917, vice First Lieut. Laurence C. Frizzell, placed on the detached officers' list.

Second Lieut. Thomas H. Green, Cavalry, with rank from October 24, 1917, vice First Lieut. Henry D. Jay, placed on the detached officers' list.

Second Lieut. William H. C. Grimes, Cavalry, with rank from October 24, 1917, vice First Lieut. George Sawtelle, placed on the detached officers' list.

Second Lieut. Russell C. Winchester, Cavalry, with rank from October 24, 1917, vice First Lieut. Ray Harrison, placed on the detached officers' list.

Second Lieut. James S. Rodwell, Cavalry, with rank from October 24, 1917, vice First Lieut. Charles H. Gerhardt, placed on the detached officers' list.

Second Lieut. Charles F. Choate, 3d, Cavalry, with rank from October 24, 1917, vice First Lieut. Walter H. Schulze, placed on the detached officers' list.

Second Lieut. Charles D. Ryan, Cavalry, with rank from October 24, 1917, vice First Lieut. Herbert C. Holdridge, placed on the detached officers' list.

Second Lieut. Nathaniel Holmes, Cavalry, with rank from October 24, 1917, vice First Lieut. Nicholas W. Lisle, placed on the detached officers' list.

Second Lieut. Kirk Broaddus, Cavalry, with rank from October 24, 1917, vice First Lieut. William K. Harrison, jr., placed on the detached officers' list.

Second Lieut. Paul Blackmer, Cavalry, with rank from October 24, 1917, vice First Lieut. Josiah F. Morford, placed on the detached officers' list.

Second Lieut. Herbert A. Suman, Cavalry, with rank from October 24, 1917, vice First Lieut. Ernest N. Harmon, placed on the detached officers' list.

Second Lieut. Harold de B. Bruck, Cavalry, with rank from October 24, 1917, vice First Lieut. Herbert N. Schwarzkopf, placed on the detached officers' list.

Second Lieut. Donald A. Young, Cavalry, with rank from October 24, 1917, vice First Lieut. Robert N. Kunz, placed on the detached officers' list.

Second Lieut. Hans C. Minuth, Cavalry, with rank from October 24, 1917, vice First Lieut. Charles S. Kilburn, placed on the detached officers' list.

Second Lieut. Edwin C. Gere, Cavalry, with rank from October 24, 1917, vice First Lieut. Charles R. Johnson, jr., placed on the detached officers' list.

Second Lieut. John M. Sweeney, jr., Cavalry, with rank from October 24, 1917, vice First Lieut. Mortimer H. Christian, placed on the detached officers' list.

Second Lieut. George G. Ball, Cavalry, with rank from October 24, 1917, vice First Lieut. Heywood S. Dodd, placed on the detached officers' list.

Second Lieut. Samuel C. Skemp, Cavalry, with rank from October 24, 1917, vice First Lieut. Maurice Morgan, placed on the detached officers' list.

Second Lieut. Jacob M. Carter, jr., Cavalry, with rank from October 25, 1917, vice First Lieut. Carter R. McLennan, placed on the detached officers' list.

Second Lieut. Thomas P. Hazard, Cavalry, with rank from October 25, 1917, vice First Lieut. James L. Franciscus, placed on the detached officers' list.

Second Lieut. Francis C. Dossert, Cavalry, with rank from October 25, 1917, vice First Lieut. Erskine A. Franklin, placed on the detached officers' list.

Second Lieut. George W. Ewing, jr., Cavalry, with rank from October 25, 1917, vice First Lieut. Herbert E. Watkins, placed on the detached officers' list.

Second Lieut. Crawford C. Madeira, Cavalry, with rank from October 25, 1917, vice First Lieut. Lathan A. Collins, placed on the detached officers' list.

Second Lieut. Charles P. Davis, Cavalry, with rank from October 25, 1917, vice First Lieut. John A. Hettinger, placed on the detached officers' list.

Second Lieut. Harry R. Kilbourne, Cavalry, with rank from October 25, 1917, vice First Lieut. Lloyd W. Biggs, placed on the detached officers' list.

Second Lieut. Elmer E. Finck, Cavalry, with rank from October 25, 1917, vice First Lieut. William D. Savage, placed on the detached officers' list.

Second Lieut. Harry H. Semmes, Cavalry, with rank from October 25, 1917, vice First Lieut. Kenneth McCatty, promoted.

Second Lieut. Clifford A. Eastwood, Cavalry, with rank from October 25, 1917, vice First Lieut. Joseph W. Geer, promoted.

Second Lieut. Guy A. Russell, Cavalry, with rank from October 25, 1917, vice First Lieut. Leslie B. C. Jones, promoted.

Second Lieut. Fenton S. Jacobs, Cavalry, with rank from November 5, 1917, vice First Lieut. Beverly H. Coiner, promoted.

Second Lieut. Catesby ap C. Jones, Cavalry, with rank from November 5, 1917, vice First Lieut. Albert D. Chipman, promoted.

Second Lieut. Charles Wharton, Cavalry, with rank from November 5, 1917, vice First Lieut. Arthur H. Truxes, promoted.

Second Lieut. W. Dirk Van Ingen, Cavalry, with rank from November 5, 1917, vice First Lieut. Carl C. Krueger, promoted.

Second Lieut. Herbert V. Scanlan, Cavalry, with rank from November 5, 1917, vice First Lieut. Hugh M. Gregory, promoted.

Second Lieut. Sigurd von Christierson, Cavalry, with rank from November 5, 1917, vice First Lieut. Frank H. Barnhardt, placed on the detached officers' list.

Second Lieut. Kenneth O. Spinning, Cavalry, with rank from November 10, 1917, vice First Lieut. Louis Cansler, detailed in the Signal Corps.

Second Lieut. Curt E. Hansen, Cavalry, with rank from December 1, 1917, vice First Lieut. Richard N. Mather, dismissed.

Second Lieut. Vincent P. Ryan, Cavalry, with rank from December 2, 1917, vice First Lieut. Horace K. Havlicek, died December 1, 1917.

Second Lieut. Raymond C. Blatt, Cavalry, with rank from December 11, 1917, vice First Lieut. Stanley Bacon, promoted.

Second Lieut. Clinton de Witt, Cavalry, with rank from December 22, 1917, vice First Lieut. William C. Chase, promoted.

Second Lieut. Harold J. Adams, Cavalry, with rank from December 29, 1917, vice First Lieut. Norman E. Fiske, promoted.

Second Lieut. William B. Van Auken, Cavalry, with rank from December 29, 1917, vice First Lieut. Donald O. Miller, promoted.

Second Lieut. Harold Kitson, Cavalry, with rank from January 8, 1918, vice First Lieut. Merl J. Flatt, appointment terminated.

Second Lieut. John Boles, Cavalry, with rank from January 9, 1918, vice First Lieut. Alan B. Edson, appointment terminated.

To be first lieutenants with rank from August 9, 1917.

Second Lieut. Charles B. Sweatt, Cavalry, vice First Lieut. Joseph M. Tully, promoted.

Second Lieut. John M. Sanderson, Cavalry, vice First Lieut. Pettus H. Hamphill, promoted.

Second Lieut. Charles W. Walton, Cavalry, vice First Lieut. Hugh Mitchell, promoted.

Second Lieut. James V. McConville, Cavalry, vice First Lieut. Robert LeG. Walsh, promoted.

INFANTRY ARM.

First Lieut. Joseph P. Vachon, Infantry, to be captain from May 15, 1917, vice Capt. Ralph Royce, retained in the Signal Corps on promotion.

First Lieut. Harry O. Davis, Infantry, to be captain from May 15, 1917, vice Capt. George D. Freeman, promoted.

First Lieut. Floyd Hatfield, Infantry, to be captain from May 15, 1917, vice Capt. Joseph T. McNarney, retained in the Signal Corps on promotion.

First Lieut. Earl Landreth, Infantry, to be captain from May 15, 1917, vice Capt. Charles C. Benedict, retained in the Signal Corps on promotion.

First Lieut. Richard T. McDonnell, Infantry, to be captain from May 15, 1917, vice Capt. George Pulsifer, jr., retained in the Signal Corps on promotion.

First Lieut. Harold P. Kayser, Infantry, to be captain from May 15, 1917, vice Capt. Thomas J. Hanley, jr., retained in the Signal Corps on promotion.

First Lieut. Basil D. Spalding, Infantry, to be captain from May 15, 1917, vice Capt. George E. Stratemeyer, retained in the Signal Corps on promotion.

First Lieut. Henry J. C. Humphrey, Infantry, to be captain from May 15, 1917, vice Capt. Benjamin W. Mills, retained in the Signal Corps on promotion.

First Lieut. Gordon W. Ells, Infantry, to be captain from May 15, 1917, vice Capt. George H. Blankenship, retained in the Signal Corps on promotion.

First Lieut. George L. Febiger, Infantry, to be captain from May 15, 1917, vice Capt. Henry S. Wygant, retired.

First Lieut. Theodore W. Sidman, Infantry, to be captain from May 16, 1917, vice Capt. William E. Hunt, promoted.

First Lieut. Claud E. Stadtman, Infantry, to be captain from May 17, 1917, vice Capt. Roland W. Boughton, detailed in the Quartermaster Corps.

First Lieut. Mitchell Hilt, Infantry, to be captain from May 19, 1917, vice Capt. Lorenzo D. Gasser, detailed in the Quartermaster Corps.

First Lieut. John B. Warfield, Infantry, to be captain from May 19, 1917, vice Edgar S. Stayer, detailed in the Quartermaster Corps.

First Lieut. Clarence R. Huebner, Infantry, to be captain from May 19, 1917, vice Capt. Charles G. Lawrence, detailed in the Quartermaster Corps.

First Lieut. Harold G. Lewis, Infantry, to be captain from May 19, 1917 (subject to examination), vice Capt. Sydney H. Hopson, detailed in the Quartermaster Corps.

First Lieut. Frederick McCabe, Infantry, to be captain from May 19, 1917, vice Capt. Vernon W. Boller, detailed in the Quartermaster Corps.

First Lieut. Morton L. Landreth, Infantry, to be captain from May 19, 1917, vice Capt. James E. Ware, detailed in the Quartermaster Corps.

First Lieut. Irving H. Engleman, Infantry, to be captain from May 19, 1917, vice Capt. Jason M. Walling, detailed in the Quartermaster Corps.

First Lieut. Clarence W. Emerson, Infantry, to be captain from May 19, 1917, vice Capt. Dean Halford, detailed in the Quartermaster Corps.

First Lieut. Frederick J. von Rohan, Infantry, to be captain from May 19, 1917, vice Capt. Bowers Davis, detailed in the Quartermaster Corps.

First Lieut. Frederick Schoenfeld, Infantry, to be captain from May 19, 1917, vice Capt. Robert B. Hewitt, detailed in the Quartermaster Corps.

First Lieut. Earl J. Dodge, Infantry, to be captain from May 22, 1917, vice Capt. Fred W. Pitts, retired.

First Lieut. Paul J. McDonnell, Infantry, to be captain from May 24, 1917, vice Capt. Ernest E. Haskell, promoted.

First Lieut. Eustis L. Poland, Infantry, to be captain from May 24, 1917, vice Capt. Andrew C. Wright, retired.

First Lieut. Curtis T. Huff, Infantry, to be captain from May 31, 1917, vice Capt. George W. Edgerly, detailed in the Signal Corps.

First Lieut. Paul Hathaway, Infantry, to be captain from May 31, 1917, vice Capt. Dana Palmer, detailed in the Signal Corps.

First Lieut. Clarence F. Jobson, Infantry, to be captain from June 4, 1917, vice Capt. William H. Waldron, promoted.

First Lieut. Alfred R. Hamel, Infantry, to be captain from June 4, 1917, vice Capt. Joseph K. Partello, promoted.

First Lieut. Hardin C. Sweeney, Infantry, to be captain from June 4, 1917, vice George S. Tiffany, promoted.

First Lieut. Eugene M. Landrum, Infantry, to be captain from June 4, 1917, vice Capt. Arthur M. Shipp, promoted.

First Lieut. Arthur J. O'Keefe, Infantry, to be captain from June 4, 1917, vice Capt. Allen J. Greer, detailed in the General Staff.

First Lieut. James A. Anderson, Infantry, to be captain from June 4, 1917, vice Capt. William A. Castle, detailed in the General Staff.

First Lieut. Adelbert B. Stewart, Infantry, to be captain from June 4, 1917, vice Capt. A. Owen Seaman, detailed in the General Staff.

First Lieut. William F. Lee, Infantry, to be captain from June 4, 1917, vice Capt. Fay W. Brabson, detailed in the General Staff.

First Lieut. Donavin Miller, Infantry, to be captain from June 4, 1917, vice Capt. Charles H. Mason, detailed in the General Staff.

First Lieut. George W. Teachout, Infantry, to be captain from June 4, 1917, vice Capt. George A. Lynch, detailed in the General Staff.

First Lieut. Clarence R. Oliver, Infantry, to be captain from June 5, 1917, vice Capt. Marvin E. Malloy, detailed in the Quartermaster Corps.

First Lieut. Frederick W. Huntington, Infantry, to be captain from June 5, 1917, vice Capt. John R. McGinness, died.

First Lieut. Howard J. Houghland, Infantry, to be captain from June 15, 1917, vice Capt. Arnold N. Krogstad, detailed in the Signal Corps.

First Lieut. Thomas J. Griffin, Infantry, to be captain from June 15, 1917 (subject to examination), vice Capt. Henry J. Damm, detailed in the Signal Corps.

First Lieut. Chester A. Davis, Infantry, to be captain from June 16, 1917, vice Capt. Francis J. McConnell, promoted.

First Lieut. Conrad L. Dennis, Infantry, to be captain from June 16, 1917 (subject to examination), vice Capt. Robert H. Wescott, promoted.

First Lieut. Roland R. Long, Infantry, to be captain from June 16, 1917, vice Capt. Lawrence S. Churchill, detailed in the Signal Corps.

First Lieut. Arthur Van Dine, Infantry, to be captain from June 16, 1917, vice Capt. Martin F. Scanlon, detailed in the Signal Corps.

First Lieut. Corday W. Cutchin, Infantry, to be captain from June 16, 1917, vice Capt. Davenport Johnson, detailed in the Signal Corps.

First Lieut. Charles B. Oldfield, Infantry, to be captain from June 16, 1917, vice Capt. Millard F. Harmon, jr., detailed in the Signal Corps.

First Lieut. Charles J. Allen, Infantry, to be captain from June 16, 1917, vice Capt. Clinton W. Russell, detailed in the Signal Corps.

First Lieut. John L. Dunn, Infantry, to be captain from June 16, 1917, vice Capt. George W. Krapf, detailed in the Signal Corps.

First Lieut. Raymond Wortley, Infantry, to be captain from June 16, 1917, vice Capt. Howard C. Davidson, detailed in the Signal Corps.

First Lieut. William B. Wynn, Infantry, to be captain from June 16, 1917, vice Capt. Harry M. Brown, detailed in the Signal Corps.

First Lieut. Louis A. Welch, Infantry, to be captain from June 17, 1917, vice Capt. James R. Alfonte, detailed in the Signal Corps.

First Lieut. Schiller Scroggs, Infantry, to be captain from June 18, 1917, vice Capt. William G. Ball, detailed in the Quartermaster Corps.

First Lieut. Charles A. McGarrigle, Infantry, to be captain from June 18, 1917, vice Captain Michael F. Davis, detailed in the Signal Corps.

First Lieut. Alexander P. Withers, Infantry, to be captain from June 19, 1917, vice Capt. Patrick Frissell, detailed in the Signal Corps.

First Lieut. Orville E. Lewis, Infantry, to be captain from June 20, 1917, vice Capt. Adlai H. Gilkeson, detailed in the Signal Corps.

First Lieut. Lonnie H. Nixon, Infantry, to be captain from June 20, 1917, vice Capt. Paul Hurst, promoted.

First Lieut. William F. Freehoff, Infantry, to be captain from June 20, 1917, vice Capt. George W. Wallace, retired.

First Lieut. Shelby Ledford, Infantry, to be captain from June 21, 1917, vice Capt. Campbell E. Babcock, died.

First Lieut. Austin A. Adamson, Infantry, to be captain from June 22, 1917, vice Capt. Clarence E. Partridge, detailed in Ordnance Department.

First Lieut. Charles M. Crooks, Infantry, to be captain from June 23, 1917, vice Capt. Whitten J. East, detailed in the Signal Corps.

First Lieut. William G. Livesay, Infantry, to be captain from June 27, 1917, vice Capt. Frank M. Kennedy, detailed in the Signal Corps.

First Lieut. Carl J. Lambeth, Infantry, to be captain from June 27, 1917, vice Capt. Delos C. Emmons, detailed in the Signal Corps.

First Lieut. Robert L. Christian, Infantry, to be captain from June 27, 1917, vice Capt. Tolbert F. Hardin, detailed in the Signal Corps.

First Lieut. William H. Crom, Infantry, to be captain from June 27, 1917, vice Capt. Arthur Boettcher, detailed in the Signal Corps.

First Lieut. George R. F. Cornish, Infantry, to be captain from June 27, 1917, vice Capt. Edward L. Hoffman, detailed in the Signal Corps.

First Lieut. Delphin E. Thebaud, Infantry, to be captain from June 27, 1917, vice Capt. Norman W. Peek, detailed in the Signal Corps.

First Lieut. George S. Clarke, Infantry, to be captain from June 27, 1917 (subject to examination), vice Capt. Lewis C. Davidson, detailed in the Signal Corps.

First Lieut. William F. Donnelly, Infantry, to be captain from June 27, 1917, vice Capt. John E. Rossell, detailed in the Signal Corps.

First Lieut. Adolph C. Weidenbach, Infantry, to be captain from June 30, 1917 (subject to examination), vice Capt. Allen Smith, jr., promoted.

First Lieut. Fred McI. Logan, Infantry, to be captain from July 2, 1917, vice Capt. John B. Sanford, promoted.

First Lieut. Truman Smith, Infantry, to be captain from July 14, 1917, vice Capt. G. Arthur Hadsell, promoted.

First Lieut. Joseph W. G. Stephens, Infantry, to be captain from July 18, 1917, vice Capt. Wait C. Johnson, promoted.

First Lieut. Adolph Unger, Infantry, to be captain from July 19, 1917, vice Capt. Gouverneur V. Packer, resigned line commission.

First Lieut. Richard K. Sutherland, Infantry, to be captain from July 21, 1917, vice Capt. J. Millard Little, promoted.

First Lieut. Shelby M. Tuttle, Infantry, to be captain from July 21, 1917, vice Capt. Hornsby Evans, retired.

First Lieut. Robert G. Moss, Infantry, to be captain from July 23, 1917, vice Capt. John L. Bond, promoted.

First Lieut. Emil W. Leard, Infantry, to be captain from July 24, 1917, vice Capt. Josephus S. Cecil, promoted.

First Lieut. Walter F. Adams, Infantry, to be captain from July 24, 1917, vice Capt. Edward R. Stone, promoted.

First Lieut. Joseph N. Greene, Infantry, to be captain from July 24, 1917, vice Capt. Henry A. Ripley, promoted.

First Lieut. Sereno E. Brett, Infantry, to be captain from July 25, 1917, vice Capt. Walter L. Sweeney, promoted.

First Lieut. Harry L. Reeder, Infantry, to be captain from July 25, 1917, vice Capt. Samuel W. Noyes, promoted.

First Lieut. Jay E. Gillfillan, Infantry, to be captain from July 25, 1917, vice Capt. Easton R. Gibson, detailed in the Quartermaster Corps.

First Lieut. Lester T. Gayle, jr., Infantry, to be captain from July 25, 1917, vice Capt. William B. Gracie, detailed in the Quartermaster Corps.

First Lieut. Turner M. Chambliss, Infantry, to be captain ffom July 25, 1917, vice Capt. Alvin K. Baskette, detailed in the Quartermaster Corps.

First Lieut. James N. C. Richards, Infantry, to be captain from July 25, 1917, vice Capt. George B. Sharon, detailed in the Quartermaster Corps.

First Lieut. John F. Ehlert, Infantry, to be captain from July 25, 1917, vice Capt. Harris Pendleton, jr., detailed in the Quartermaster Corps.

First Lieut. Theron G. Methven, Infantry, to be captain from July 25, 1917, vice Capt. Perrin L. Smith, detailed in the Quartermaster Corps.

First Lieut. Francis M. Van Natter, Infantry, to be captain from July 25, 1917, vice Capt. Robert C. Humber, detailed in the Quartermaster Corps.

First Lieut. Paul L. Ransom, Infantry, to be captain from July 25, 1917, vice Capt. William H. Noble, detailed in the Quartermaster Corps.

First Lieut. Rice M. Youell, Infantry, to be captain from July 25, 1917, vice Capt. James H. Como, detailed in the Quartermaster Corps.

First Lieut. James H. Holmes, jr., Infantry, to be captain from July 25, 1917, vice Capt. Thomas S. Moorman, detailed in the Quartermaster Corps.

First Lieut. Manton S. Eddy, Infantry, to be captain from July 25, 1917, vice Capt. William O. Smith, detailed in the Quartermaster Corps.

First Lieut. Charles E. Moore, Infantry, to be captain from July 25, 1917 (subject to examination), vice Capt. Robert E. Grinstead, detailed in the Quartermaster Corps.

First Lieut. Gabriel T. Mackenzie, Infantry, to be captain from July 25, 1917, vice Capt. William B. Graham, detailed in the Quartermaster Corps.

First Lieut. Erskine S. Dollarhide, Infantry, to be captain from July 25, 1917, vice Capt. Charles A. Thuis, detailed in the Quartermaster Corps.

First Lieut. Barnwell R. Legge, Infantry, to be captain from July 25, 1917, vice Capt. Franklin T. Burt, detailed in the Quartermaster Corps.

First Lieut. Alexander W. Dillard, Infantry, to be captain from July 25, 1917, vice Capt. Augustine A. Hofmann, detailed in the Quartermaster Corps.

First Lieut. Edward M. Almond, Infantry, to be captain from July 25, 1917, vice Capt. Edwin Gunner, detailed in the Quartermaster Corps.

First Lieut. Charles P. Stivers, Infantry, to be captain from July 25, 1917, vice Capt. Richard J. Herman, detailed in the Quartermaster Corps.

First Lieut. Robert C. Van Vliet, jr., Infantry, to be captain from July 25, 1917, vice Capt. Ambrose R. Emery, detailed in the Quartermaster Corps.

First Lieut. Charles L. Chaffee, Infantry, to be captain from July 25, 1917 (subject to examination), vice Capt. Irving J. Palmer, detailed in the Quartermaster Corps.

First Lieut. Bohun B. Kinloch, Infantry, to be captain from July 25, 1917, vice Capt. Max R. Wainer, detailed in the Quartermaster Corps.

First Lieut. Richard K. Smith, Infantry, to be captain from July 25, 1917, vice Capt. Frank F. Scowden, detailed in the Quartermaster Corps.

First Lieut. Percy W. Clarkson, Infantry, to be captain from July 25, 1917, vice Capt. Gilbert P. Strelinger, detailed in the Quartermaster Corps.

First Lieut. Leo S. Gerow, Infantry, to be captain from July 26, 1917, vice Capt. Edward K. Massee, resigned line commission.

First Lieut. Stuart G. Wilder, Infantry, to be captain from July 28, 1917, vice Capt. Charles W. Weeks, promoted.

First Lieut. Harry I. T. Creswell, Infantry, to be captain from August 3, 1917, vice Capt. Cyrus A. Dolph, promoted.

First Lieut. Charles E. Purviance, Infantry, to be captain from August 3, 1917, vice Capt. Albert D. Sloan, promoted.

First Lieut. Lloyd H. Cook, Infantry, to be captain from August 3, 1917, vice Capt. Lucius C. Bennett, promoted.

First Lieut. John T. Bossi, Infantry, to be captain from August 3, 1917, vice Capt. John E. Morris, promoted.

First Lieut. Charles T. Senay, Infantry, to be captain from August 3, 1917 ,vice Capt. Paul C. Galleher, promoted.

First Lieut. Egmont F. Koenig, Infantry, to be captain from August 3, 1917, vice Capt. Claude S. Fries, promoted.

First Lieut. Arthur H. Goddard, Infantry, to be captain from August 3, 1917, vice Capt. William G. Doane, promoted.

First Lieut. Peter K. Kelly, Infantry, to be captain from August 3, 1917, vice Capt. James M. Kimbrough, jr., promoted.

First Lieut. James A. Edgarton, Infantry, to be captain from August 3, 1917 (subject to examination), vice Capt. John L. Jordan, promoted.

First Lieut. Lawrence J. I. Barrett, Infantry, to be captain from August 3, 1917, vice Capt. James G. Hannah, promoted.

First Lieut. Wendell H. Woolworth, Infantry, to be captain from August 3, 1917, vice Capt. Samuel B. McIntyre, promoted.

First Lieut. John R. Brooke, jr., Infantry, to be captain from August 3, 1917, vice Capt. Charles B. Stone, jr., promoted.

First Lieut. Frank L. Culin, jr., Infantry, to be captain from August 3, 1917, vice Capt. A. La Rue Christie, promoted.

First Lieut. Daniel S. Appleton, Infantry, to be captain from August 3, 1917, vice Capt. George H. White, promoted.

First Lieut. Ralph E. McLain, Infantry, to be captain from August 3, 1917, vice Capt. Howard G. Davids, promoted.

First Lieut. Ralph C. Smith, Infantry, to be captain from August 3, 1917, vice Capt. Ernest Van D. Murphy, promoted.

First Lieut. Thomas S. Arms, Infantry, to be captain from August 3, 1917, vice Capt. Hilden Olin, promoted.

First Lieut. Raymond D. Bell, Infantry, to be captain from August 3, 1917, vice Capt. Frederick Goedecke, promoted.

First Lieut. Archelaus L. Hamblen, Infantry, to be captain from August 3, 1917, vice Capt. William S. Mapes, promoted.

First Lieut. William H. Humphreys, Infantry, to be captain from August 3, 1917, vice Capt. Samuel A. Price, promoted.

First Lieut. Paul W. Mapes, Infantry, to be captain from August 3, 1917, vice Capt. Fred E. Smith, promoted.

First Lieut. Robert C. Macon, Infantry, to be captain from August 3, 1917, vice Capt. Robert H. Sillman, promoted.

First Lieut. Frederic C. Dosé, Infantry, to be captain from August 3, 1917, vice Capt. Arthur P. Watts, promoted.

First Lieut. Stephen P. Jocelyn, jr., Infantry, to be captain from August 3, 1917 (subject to examination), vice Capt. Thaddeus B. Seigle, promoted.

First Lieut. John D. Townsend, Infantry, to be captain from August 3, 1917, vice Capt. William S. Faulkner, promoted.

First Lieut. Henry H. Worthington, Infantry, to be captain from August 3; 1917 (subject to examination), vice Capt. Ernest H. Agnew, promoted.

First Lieut. George L. Kraft, Infantry, to be captain from August 3, 1917, vice Capt. Robert O. Ragsdale, promoted.

First Lieut. John S. Switzer, jr., Infantry, to be captain from August 3, 1917, vice Capt. Fred Van S. Chamberlin, promoted.

First Lieut. James C. Cook, Infantry, to be captain from August 3, 1917, vice Capt. Joseph C. Brady, promoted.

First Lieut. Allen F. Kingman, Infantry, to be captain from August 3, 1917, vice Capt. Charles M. Gordon, jr., promoted.

First Lieut. Abraham Tabachnik, Infantry, to be captain from August 6, 1917 (subject to examination), vice Capt. John H. Page, jr., promoted.

First Lieut. William A. Rawls, jr., Infantry, to be captain from August 8, 1917, vice Capt. Clyde B. Crusan, detailed in the Quartermaster Corps.

First Lieut. Hamilton K. Foster, Infantry, to be captain from August 10, 1917 (subject to examination), vice Capt. Edwin C. McNeil, resigned line commission.

First Lieut. Constant L. Irwin, Infantry, to be captain from August 10, 1917, vice Capt. William J. Calvert, detailed in the Quartermaster Corps.

First Lieut. Willis E. Comfort, Infantry, to be captain from October 4, 1917, vice Capt. Arthur L. Bump, detailed in the Quartermaster Corps.

First Lieut. Leven C. Allen, Infantry, to be captain from October 4, 1917, vice Capt. Keith S. Gregory, detailed in the Quartermaster Corps.

First Lieut. Joseph Quesenberry, Infantry, to be captain from October 4, 1917, vice Capt. Homer N. Preston, detailed in the Quartermaster Corps.

First Lieut. Robert O. Jones, Infantry, to be captain from October 4, 1917, vice Capt. Edward H. Tarbutton, detailed in the Quartermaster Corps.

First Lieut. Oliver A. Hess, Infantry, to be captain from October 4, 1917, vice Capt. Merl P. Schillerstrom, detailed in the Quartermaster Corps.

First Lieut. Edward A. Allen, Infantry, to be captain from October 4, 1917, vice Capt. Manfred Lanza, detailed in the Quartermaster Corps.

First Lieut. Carroll M. DeWitt, Infantry, to be captain from October 4, 1917, vice Capt. Charles H. Rich, detailed in the Quartermaster Corps.

First Lieut. George L. Pepin, Infantry, to be captain from October 4, 1917, vice Capt. Paul C. Potter, detailed in the Quartermaster Corps.

First Lieut. Clarence B. Carver, Infantry, to be captain from October 4, 1917, vice Capt. William W. Harris, jr., detailed in the Quartermaster Corps.

First Lieut. Jedediah H. Hills, Infantry, to be captain from October 4, 1917 (subject to examination) vice Capt. Ralph R. Glass, detailed in Quartermaster Corps.

First Lieut. Edwin E. Schwien, Infantry, to be captain from October 4, 1917 (subject to examination), vice Capt. Ursa M. Diller, detailed in the Quartermaster Corps.

First Lieut. Dan D. Howe, Infantry, to be captain from October 4, 1917, vice Capt. Napoleon W. Riley, detailed in the Quartermaster Corps.

First Lieut. John E. Copeland, Infantry, to be captain from October 4, 1917, vice Capt. De Witt C. T. Grubbs, detailed in the Quartermaster Corps.

First Lieut. Lloyd N. Keesling, Infantry, to be captain from October 4, 1917, vice Capt. Joseph E. Barzynski, detailed in the Quartermaster Corps.

First Lieut. John H. Humbert, Infantry, to be captain from October 9, 1917, vice Capt. Philip G. Wrightson, retired.

First Lieut. Joseph L. Lancaster, Infantry, to be captain from October 12, 1917, vice Capt. Jesse B. Hunt, transferred to the detached officers' list.

First Lieut. David R. Kerr, Infantry, to be captain from October 12, 1917, vice Capt. Jesse Gaston, transferred to the detached officers' list.

First Lieut. Everett G. Smith, Infantry, to be captain from October 12, 1917, vice Capt. Jesse D. Elliott, transferred to the detached officers' list.

First Lieut. Lyman S. Frasier, Infantry, to be captain from October 12, 1917, vice Capt. Fitzhugh B. Allderdice, transferred to the detached officers' list.

First Lieut. Howard E. Hawkinson, Infantry, to be captain from October 12, 1917 (subject to examination), vice Capt. James B. Nalle, transferred to the detached officers' list.

First Lieut. Julius A. Mood, jr., Infantry, to be captain from October 12, 1917, vice Capt. George W. Edgerly, transferred to the detached officers' list.

First Lieut. Sidney S. Eberle, Infantry, to be captain from October 12, 1917, vice Capt. Charles L. Sampson, transferred to the detached officers' list.

First Lieut. Joseph N. Dalton, Infantry, to be captain from October 12, 1917, vice Capt. Frederick C. Test, transferred to the detached officers' list.

First Lieut. Charles N. Stevens, Infantry, to be captain from October 12, 1917, vice Capt. Clifford C. Early, transferred to the detached officers' list.

First Lieut. James S. Bailey, Infantry, to be captain from October 12, 1917 (subject to examination), vice Capt. Charles S. Caffery, transferred to the detached officers' list.

First Lieut. Henry C. Long, jr., Infantry, to be captain from October 12, 1917, vice Capt. Torrey B. Maghee, transferred to the detached officers' list.

First Lieut. William E. Lucas, jr., Infantry, to be captain from October 12, 1917, vice Capt. John P. Adams, transferred to the detached officers' list.

First Lieut. Victor Parks, Infantry, to be captain from October 12, 1917, vice Capt. William E. Selbie, transferred to the detached officers' list.

First Lieut. Walter A. Pashkoski, Infantry, to be captain from October 12, 1917, vice Capt. Enoch B. Garey, transferred to the detached officers' list.

First Lieut. Roscius H. Back, Infantry, to be captain from October 12, 1917, vice Capt. James G. Ord, transferred to the detached officers' list.

First Lieut. Oscar F. Carlson, Infantry, to be captain from October 12, 1917, vice Capt. Wallace C. Philoon, transferred to the detached officers' list.

First Lieut. Richard G. Tindall, Infantry, to be captain from October 12, 1917, vice Capt. Eley P. Denson, transferred to the detached officers' list.

First Lieut. Roy L. Taylor, Infantry, to be captain from October 12, 1917, vice Capt. Edwin F. Harding, transferred to the detached officers' list.

First Lieut. Leander R. Hathaway, Infantry, to be captain from October 12, 1917, vice Capt. Arthur R. Underwood, transferred to the detached officers' list.

First Lieut. German W. Lester, Infantry, to be captain from October 12, 1917 (subject to examination), vice Capt. Vernon G. Olsmith, transferred to the detached officers' list.

First Lieut. Karl Engeldinger, Infantry, to be captain from October 12, 1917, vice Capt. George M. Parker, jr., transferred to the detached officers' list.

First Lieut. Francis A. Byrne, Infantry, to be captain from October 12, 1917, vice Capt. Parker C. Kalloch, jr., transferred to the detached officers' list.

First Lieut. Harry J. Selby, Infantry, to be captain from October 12, 1917 (subject to examination), vice Capt. Maurice D. Welty, transferred to the detached officers' list.

First Lieut. Farragut F. Hall, Infantry, to be captain from October 12, 1917 (subject to examination), vice Capt. John F. Landis, transferred to the detached officers' list.

First Lieut. Orville M. Moore, Infantry, to be captain from October 12, 1917, vice Capt. Thompson Lawrence, transferred to the detached officers' list.

First Lieut. Walter R. McClure, Infantry, to be captain from October 12, 1917, vice Capt. Gregory Holsington, transferred to the detached officers' list.

First Lieut. Charles E. Speer, Infantry, to be captain from October 12, 1917, vice Capt. Sumner Waite, transferred to the detached officers' list.

First Lieut. Baldwin Williams-Foote, Infantry, to be captain from October 12, 1917, vice Capt. Samuel H. Houston, transferred to the detached officers' list.

First Lieut. Edmund Wilhelm, Infantry, to be captain from October 12, 1917, vice Capt. James R. Jacobs, transferred to the detached officers' list.

First Lieut. George H. Butler, Infantry, to be captain from October 12, 1917, vice Capt. Thomas J. Camp, transferred to the detached officers' list.

First Lieut. Frank C. Foley, Infantry, to be captain from October 12, 1917 (subject to examination), vice Capt. Wade H. Haislip, transferred to the detached officers' list.

First Lieut. Leonard R. Boyd, Infantry, to be captain from October 12, 1917, vice Capt. Max S. Murray, transferred to the detached officers' list.

First Lieut. Withers A. Burress, Infantry, to be captain from October 12, 1917 (subject to examination), vice Capt. Carl J. Adler, transferred to the detached officers' list.

First Lieut. Arthur J. Hoffmann, Infantry, to be captain from October 12, 1917, vice Capt. Clarence M. Dodson, transferred to the detached officers' list.

First Lieut. Harry L. Bennett, jr., Infantry, to be captain from October 12, 1917, vice Capt. Robert G. Calder, transferred to the detached officers' list.

First Lieut. Joseph J. McConville, Infantry, to be captain from October 12, 1917, vice Capt. Robert H. Barrett, transferred to the detached officers' list.

First Lieut. John C. Platt, jr., Infantry, to be captain from October 12, 1917, vice Capt. William A. Rafferty, transferred to the detached officers' list.

First Lieut. Thomas H. Ward, Infantry, to be captain from October 12, 1917, vice Capt. Alfred E. Sawkins, transferred to the detached officers' list.

First Lieut. Edward H. Nichols, Infantry, to be captain from October 12, 1917 (subject to examination), vice Capt. Fritz P. Lindh, transferred to the detached officers' list.

First Lieut. Lawrence B. Glasgow, Infantry, to be captain from October 12, 1917 (subject to examination), vice Capt. Francis R. Kerr, transferred to the detached officers' list.

First Lieut. Alfred D. Hayden, Infantry, to be captain from October 12, 1917, vice Capt. John W. Hyatt, transferred to the detached officers' list.

First Lieut. Melville W. F. Wallace, Infantry, to be captain from October 12, 1917, vice Capt. Dwight D. Eisenhower, transferred to the detached officers' list.

First Lieut. Paul M. Ellis, Infantry, to be captain from October 12, 1917, vice Capt. James B. Ord, transferred to the detached officers' list.

First Lieut. Kirk A. Metzerott, Infantry, to be captain from October 12, 1917, vice Capt. Joseph M. Murphy, transferred to the detached officers' list.

First Lieut. Thomas E. Mount, Infantry, to be captain from October 12, 1917, vice Capt. Leslie T. Saul, transferred to the detached officers' list.

First Lieut. John P. Pryor, Infantry, to be captain from October 12, 1917, vice Capt. Elon A. Abernethy, transferred to the detached officers' list.

First Lieut. Jewett C. Baker, Infantry, to be captain from October 12, 1917, vice Capt. Clenard McLaughlin, transferred to the detached officers' list.

First Lieut. Robert B. Moore, Infantry, to be captain from October 12, 1917, vice Capt. Davis C. Anderson, transferred to the detached officers' list.

First Lieut. Charles W. Jones, Infantry, to be captain from October 16, 1917, vice Capt. Andrew D. Chaffin, detailed in the General Staff.

First Lieut. Edward H. Cotcher, Infantry, to be captain from October 16, 1917, vice Capt. Merrill E. Spalding, detailed in the General Staff.

First Lieut. Robert S. Miller, Infantry, to be captain from October 23, 1917, vice Capt. Walter H. Johnson, detailed in the General Staff.

First Lieut. Paul N. Starlings, Infantry, to be captain from October 23, 1917, vice Capt. William B. Wallace, detailed in the General Staff.

First Lieut. Charles Porterfield, jr., Infantry, to be captain from October 23, 1917, vice Capt. William W. Taylor, jr., detailed in the General Staff.

First Lieut. Sevier R. Tupper, Infantry, to be captain from October 23, 1917, vice Capt. Edwin S. Hartshorn, detailed in the General Staff.

First Lieut. Frank E. Royse, Infantry, to be captain from October 23, 1917, vice Capt. Elvid Hunt, detailed in the General Staff.

First Lieut. Lawrence F. Stone, Infantry, to be captain from October 23, 1917, vice Capt. Elverton E. Fuller, detailed in the General Staff.

First Lieut. Aaron J. Becker, Infantry, to be captain from October 23, 1917, vice Capt. Roscoe H. Hearn, detailed in the General Staff.

First Lieut. Wilson M. Spann, Infantry, to be captain from October 23, 1917, vice Capt. Frederic G. Kellond, detailed in the General Staff.

First Lieut. James V. Ware, Infantry, to be captain from October 23, 1917, vice Capt. Charles D. Hartman, detailed in the Quartermaster Corps.

First Lieut. Robert W. Brown, Infantry, to be captain from October 24, 1917, vice Capt. John B. Shuman, detailed in The Adjutant General's Department.

First Lieut. James R. Manning, Infantry, to be captain from October 24, 1917, vice Capt. Leo A. Dewey, detailed in The Adjutant General's Department.

First Lieut. Charles L. Steel, Infantry, to be captain from October 25, 1917, vice Capt. Bartlett James, died.

First Lieut. Stuart R. Carswell, Infantry, to be captain from October 25, 1917 (subject to examination), vice Capt. Oscar K. Tolley, detailed in the Quartermaster Corps.

First Lieut. Gilbert S. Harter, Infantry, to be captain from October 25, 1917 (subject to examination), vice Capt. George C. Shaw, detailed in the Inspector General's Department.

First Lieut. John W. Cotton, Infantry, to be captain from October 25, 1917 (subject to examination), vice Capt. Walter L. Reed, detailed in the Inspector General's Department.

First Lieut. Ralph E. Wallace, Infantry, to be captain from October 25, 1917 (subject to examination), vice Capt. Vincent M. Elmore, detailed in the Inspector General's Department.

First Lieut. Lawrence W. Fagg, Infantry, to be captain from October 25, 1917 (subject to examination), vice Capt. William P. Kitts, detailed in the Inspector General's Department.

First Lieut. Maury Mann, Infantry, to be captain from October 25, 1917 (subject to examination), vice Capt. Philip J. Lauber, detailed in the Inspector General's Department.

First Lieut. Rupert L. Purdon, Infantry, to be captain from October 25, 1917 (subject to examination), vice Capt. Robert G. Peck, detailed in the Inspector General's Department.

First Lieut. Richard S. Jones, Infantry, to be captain from October 26, 1917 (subject to examination), vice Capt. Albert S. Wiliams, detailed in The Adjutant General's Department.

First Lieut. William C. Hanna, Infantry, to be captain from October 26, 1917 (subject to examination), vice Capt. Frank C. Burnett, detailed in The Adjutant General's Department.

First Lieut. Leon G. Harer, Infantry, to be captain from October 29, 1917 (subject to examination), vice Capt. Edgar A. Stadden, dismissed.

First Lieut. Edwin M. Scott, Infantry, to be captain from October 31, 1917 (subject to examination), vice Capt. Oliver P. Robinson, detailed in the General Staff.

First Lieut. Paul J. Dowling, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. Charles P. Hall, transferred to the detached officers' list.

First Lieut. John H. Jones, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. Fred C. Miller, detailed in the Quartermaster Corps.

First Lieut. Rufus E. Wicker, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. Arthur J. Davis, detailed in the Quartermaster Corps.

First Lieut. Charles L. Briscoe, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. Charles A. Meals, detailed in the Quartermaster Corps.

First Lieut. Hermann C. Dempewolf, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. William J. Connolly, detailed in the Quartermaster Corps.

First Lieut. Frank E. Hinton, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. Martyn H. Shute, detailed in the Quartermaster Corps.

First Lieut. Frank P. Tuohy, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. George T. Everett, detailed in the Quartermaster Corps.

First Lieut. John R. Hermann, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. James H. Laubach, detailed in the Quartermaster Corps.

First Lieut. Louis T. Roberts, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. Carlin C. Stokely, detailed in the Quartermaster Corps.

First Lieut. James M. Palmer, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. Manton C. Mitchell, detailed in the Quartermaster Corps.

First Lieut. Ralph A. W. Pearson, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. James A. McGrath, detailed in the Quartermaster Corps.

First Lieut. Alfred Millard, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. Eugene W. Fales, detailed in the Quartermaster Corps.

First Lieut. Harry A. Ambs, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. Carl A. Hardigg, detailed in the Quartermaster Corps.

First Lieut. William H. Bittenbender, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. Benjamin G. Ferris, detailed in the Quartermaster Corps.

First Lieut. Raymond H. Bishop, Infantry, to be captain from November 5, 1917 (subject to examination), vice Capt. Donald B. Sanger, detailed in the Signal Corps.

First Lieut. James A. Summersett, jr., Infantry, to be captain from November 6, 1917 (subject to examination), vice Capt. Henry Terrell, jr., transferred to the detached officers' list.

First Lieut. Hugh C. Gilchrist, Infantry, to be captain from November 9, 1917 (subject to examination), vice Capt. Samuel M. Parker, retired.

First Lieut. Allen T. Veatch, Infantry, to be captain from November 30, 1917 (subject to examination), vice Capt. James W. H. Reisinger, jr., detailed in the Quartermaster Corps.

First Lieut. Sigurd J. Simonsen, Infantry, to be captain from December 2, 1917 (subject to examination), vice Capt. James A. O'Brien, transferred to the detached officers' list.

First Lieut. Thomas G. Bond, Infantry, to be captain from December 19, 1917 (subject to examination), vice Capt. Otis K. Sadtler, detailed in the Signal Corps.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Lieut. Commander Charles P. Huff to be commander in the Navy from the 1st day of July, 1917.

Lieut. Grafton A. Beall, jr., to be a lieutenant commander in the Navy from the 23d day of May, 1917.

Lieut. John F. Connor to be a lieutenant commander in the Navy from the 1st day of July, 1917.

Lieut. (junior grade) John C. Latham to be a lieutenant in the Navy from the 29th day of August, 1916.

Lieut. (junior grade) Archibald McGlasson to be a lieutenant in the Navy from the 5th day of June, 1917.

Ensign William D. Bungert to be a lieutenant (junior grade) in the Navy from the 6th day of June, 1917.

The following-named captains to be rear admirals in the Navy, for temporary service, from the 1st day of January, 1918:

Hilary P. Jones and
William R. Shoemaker.

The following-named commanders to be captains in the Navy, for temporary service, from the 1st day of January, 1918:

Edward H. Watson,
Rufus Z. Johnston,
Thomas T. Craven,
Daniel W. Wurtsbaugh (additional number),
Ralph Earle,
Gatewood S. Lincoln,
Ivan C. Wettengel,
Charles M. Tozer, and
Wat T. Cluverius.

The following-named lieutenant commanders to be commanders in the Navy, for temporary service, from the 1st day of January, 1918:

Charles A. Blakely,
Macgillivray Milne,
Wilbur R. VanAuken,
Harold R. Stark,
James D. Willson,
John S. Arwine, jr.,

Austin S. Kibbee,
Martin K. Metcalf,
William Ancrum,
Butler Y. Rhodes,
Lindsay H. Lacy,
John S. Abbott,
Thomas H. Taylor,
Frank H. Sadler,
Charles E. Smith,
Frederick V. McNair,
John Rodgers,
Charles Belknap, jr.,
Daniel T. Ghent, and
John Grady.

Lieut. John C. Latham, to be a lieutenant commander in the Navy, for temporary service, from the 15th day of October, 1917.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 15th day of October, 1917:

Charles A. Baker,
Tuthill Ketcham,
Donald M. Carpenter,
Harris K. Lyle,
Gerald F. Bogan, and
Sidney E. Dudley.

Machinist Thomas A. Graham to be an ensign in the Navy, for temporary service, from the 15th day of August, 1917.

The following-named officers to be ensigns in the Navy, for temporary service, from the 15th day of January, 1918:

Alexis O. Kustel,
Frank Jurgensen,
Joseph M. Quinlan,
Grover C. Watkins,
Frederick Strohte,
Harry F. Lake, and
Walter W. Hedges.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 15th day of January, 1918:

James J. Hickey,
Robert E. Hunter,
Edward Webb,
Emory E. Church,
Thomas Gilmore,
Arthur P. Paradis,
Harry H. Mochon,
James M. Williams,
Frank H. Lemon,
Olaf J. Gullickson,
Robert P. Pitchford,
Harry A. Naille,
Louis F. Brodie,
Harry L. Wilcox, and
Oscar A. Stewart.

The following-named officers of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 15th day of January, 1918:

Parker C. Hatch,
Harold E. Herrick,
Leslie Soule, and
Thomas J. Bryce.

Commander Duncan M. Wood to be a captain in the Navy, for temporary service, from the 18th day of January, 1918.

Medical Inspector Moulton K. Johnson to be a medical director in the Navy with the rank of captain, for temporary service, from the 1st day of January, 1918.

Medical Inspector Middleton S. Elliott to be a medical director in the Navy with the rank of captain, for temporary service, from the 8th day of January, 1918.

Surg. Frederick W. S. Dean to be a medical inspector in the Navy with the rank of commander, for temporary service, from the 15th day of October, 1917.

The following-named surgeons to be medical inspectors in the Navy with the rank of commander, for temporary service, from the 1st day of January, 1918:

James S. Woodward and
Walter S. Hoen.

Surg. James A. Randall to be a medical inspector in the Navy, with the rank of commander, for temporary service, from the 8th day of January, 1918.

The following-named pay clerks to be assistant paymasters in the Navy with the rank of ensign, for temporary service, from the 1st day of January, 1918:

Charles E. Rudolph,
Frederick S. Sullivan,
Roy E. Smith,
Francis P. Kenny,
Eugene L. Gray,
Lawrence C. Fuller,
Samuel V. Dunham,
Thomas L. Sorrell,
Stephen E. Smith,
Roy L. Walford,
Maitland A. Thompson,
Ralph J. Dindot,
Clifford W. LeRoy,
Clarence W. Baker,
Rufus B. Hurst,
Vergil L. Marsh,
Charles W. Brown,
Edwin E. Mullen,
Allen C. Bridges,
Bryant B. Lipscomb, and
James E. Sanner.

Commander Luke McNamee to be a captain in the Navy from the 1st day of July, 1917.

Lieut. Commander William D. Greetham to be a commander in the Navy, for temporary service, from the 18th day of January, 1918.

Lieut. (junior grade) Samuel S. Payne to be a lieutenant in the Navy from the 28th day of February, 1917.

Ensign Walter D. Snyder to be a lieutenant (junior grade) in the Navy from the 30th day of July, 1917.

The following-named temporary assistant surgeons to be assistant surgeons in the Navy with the rank of lieutenant (junior grade) from the 18th day of January, 1918:

George A. Eckert,
Harold E. Ragle,
Edward F. Stadtherr,
Leland M. McKinlay,
Ransom H. Holcomb,
Milton B. Clayton,
John H. Robbins,
James E. Miller,
James D. Rives,
George A. Alden,
Elmer F. Lowry,
Elwood A. Sharp,
Cola Castelloe,
George L. McClintock,
Esdras J. Landis,
Edward M. Lundegaard,
Lawrence T. Hopkins,
Alton L. Grant, jr., and
Archibald O. M. Wood.

The following-named officers of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 1st day of February, 1918:

John R. Baker,
Richard C. Curtis,
Newton P. Darling,
William Rand, 3d,
Charles T. White,
Laurene M. Lombard,
Bartlett Harwood,
Herman H. Phleger,
Henry P. Lamarche,
Walter W. Weld,
Frederick W. Gardner,
Charles D. Dickey, jr.,
Russell S. Bartlett,
Harold M. Terrell,
Oliver Iselin,
Allan Cunningham,
Charles P. Curtis, jr.,
George F. Noyes,
Albert B. Crawford,
Thomas B. Price,
Oliver C. Harriman,
Bryan P. Leeb,
Bruce D. Bromley,
Louis F. Dahling,
Louis F. Eaton,
Melville D. Truesdale,
Ratcliffe C. Welles,
Leland M. Marshall,
Herbert C. Sneath,
Frank H. Brownell, jr.,
Roland I. Stringham,
Marcus B. Butler,

Vaughan C. Chambers,
Wildey C. Rickerson,
Edward C. Riley,
Homer B. Davis,
James L. Rodgers, jr.,
Thomas G. Hunter,
Irving A. Chapman,
Edward P. Street,
David D. Smead, jr.,
Raymond H. Finlay,
Amory Coolidge,
Cortland F. Ames, jr.,
Wayland H. Sanford,
Alvert V. Hall,
Henry R. Guild,
Louis C. Seavernes,
Edward Kneass,
Francis B. Thorne,
Benjamin F. McGuckin,
George C. Cutler, jr.,
Richard T. Guilbert,
Leslie A. Wiggins,
Harry A. Thornton,
Atherton K. Dunbar,
Warren D. Arnold,
Arthur B. Homer,
John C. Hurd,
Clifton B. Herd,
Arthur D. Murray,
Innis O'Rourke,
Rufus D. W. Ewing,
Ayres Boal,
Donald S. Sexton,
Heroy M. Dyekman,
Clement M. Gile,
Francis M. Knight,
Harold W. Brooks,
James B. Bergs,
Ellis W. Taylor,
Martin L. Dunn,
James W. Ryan,
George Gregory, jr.,
Earle S. Barker,
Edwin K. Hoover,
Walter Antrim,
Laurence C. Murdoch,
John N. Leonard,
Henry G. Anderson,
Edwin Nelson,
Arthur E. Childs,
Dietrich G. Schmitz,
Thomas C. Parsons,
James M. Connally,
Edmund Ocumpaugh, 3d,
Lawrence Oliphant,
Arthur McL. Bartley,
William O. Kenney,
Thomas Buel,
John F. A. Davis,
Elliott Debevoise,
John E. Sayler,
John R. Marsh,
Traver Birscoe,
Gorham Hubbard, jr.,
Harold E. Barden,
Edgar Denton, jr.,
Whitley P. McCoy,
Ransom Henshaw,
Donald Scott,
James B. Waller, jr.,
Raymond S. Thompson,
Percival W. Buzby,
Thomas C. Nicholls, jr.,
Roderick T. Smith,
Philler Lee,
Hobart M. Birmingham,
Richard E. Wheeler,
Robert N. Hoeflich,
Frederick H. Bosbyshell,
Theodore C. Briggs,
Arthur T. Lyman,
Earle H. Parkins,
Alfred V. Jannotta,
Edwin D. King,
Edward G. Shmidheiser,
Leroy H. Davidson,
Henry E. Coe, jr.,
Gustave P. Kaercher,
Norman D. Weir,
Vernon C. Bixby,
Howell W. Kitchell,
Vallette S. Church,
Joseph M. Shoemaker,
Chandler Bennitt,
Robert R. Gleason,
William M. Akin,
Julian P. Burlingham,
Thomas W. Allen,
Henry Hilton-Green,
David H. Frantz,
John Garey,
Leonard Jacob,
Frank M. Orton,
Alexander Loewy,
Newton C. Elkin,
Kenneth C. Kennedy,
Brady J. Dayton,
Philip J. Drake,
Putnam M. Morrison,
John A. Sweetser,
Frederick R. Bowes,
Raymond E. Baldwin,
Leicester S. Pettit,
John F. English,
William A. Smith,
Nelson B. Wolfe,
Thomas R. Parkhurst,
Herbert N. French,
Edward M. Shingler,
Paul R. Webb,
Jesse B. Perlman,
William H. Parsons, jr.,
John V. K. Richards,
Edgar R. Payson, jr.,
Harry L. M. Capron,
Stuyvesant Wainwright, jr.,
Louis S. Davidson,
Howell Evans,
Bainbridge D. Folwell,
Elien H. Ellison, jr.,
Francis D. Harrower,
Edwin B. Dunphy,
Ernest C. Haaren,
Alexander L. McKaig,
John H. Magee,
Laurence Schwab,
Douglas S. Moore,
John H. Russell,
Weyman S. Crocker,
Charles K. Wallace,
John I. Wylde,
Sumner F. Fuller,
Edward N. Crosman, jr.,
Lewis P. Scott,
Franklin Pettit, jr.,
Walter W. Burnham,
Henry M. Lamberton,
Lindsay Bradford,
Arthur E. Bartlett,
John G. Quinby, jr.,
William L. Kimball,
John B. Clapp,
Eliot L. Ward,
Francis S. Wilson,
Walter E. Chase, jr.,
Albert W. Findeisen,
Bradford Norman, jr.,
L. Selden Taylor,
Charles E. A. Spiegel,
Morris Phinney,
Bennet F. Schauffler,
Gilman M. Gay,
George F. Newton, jr.,
Alden Lee,
Martin J. Quinn, jr.,
William L. G. Gibson,
Jacob S. Disston, jr.,
Henry C. Taylor,
Richard S. Walker,
Joseph Winlock,

James E. Kelly,
Arthur H. Haaren,
Harold J. Wright,
Campbell Higgins,
John S. Bauman,
Samuel M. Haslett, jr.,
Clarence H. Cull,
John B. Burnham,
Charles M. Boswell, jr.,
Johnston L. Redmond,
Francis Brooks,
Thomas L. Entwisle,
John L. Graham,
Marquis Pope,
Carl O. W. Sparkman,
John deK. Bowen,
Robert J. Orr,
William W. Baer,
Marcus A. Sutcliffe,
Anthony D. Bullock,
Franklin W. Hobbs, jr.,
Addison Stillwell,
Oliver B. Jennings,
James M. Owens,
Foster M. Hampton,
Caspar S. Chisolm,
Leroy K. Howe,
Theodore C. Marceau, jr.,
Lester S. Moll,
Charles C. Savage, jr.,
Oliver P. Shattuck,
Louis M. Pratt, jr.,
John U. Lemmon, jr.,
Arleigh D. Richardson,
Harry L. Butler,
John G. Rayley,
William Durfee, jr.,
Chester J. Mattson,
Cornelius Shields,
Olin McN. Richardson,
Richard V. Dolan,
John H. Minnis,
Frederick W. Johns,
George W. Burden,
William K. B. Urquhart,
Harold J. Kline,
Thaddeus C. Jones,
Richard Williams,
J. Otto Holcomb,
John G. Cross,
Philip L. Coddington,
Wilfred I. Stiles,
George E. Finlay,
Edward M. McIlvain,
Alden Kimball,
Edgar M. Jaeger,
Francis M. Smith,
Harold M. Wright,
Edwin E. Sheridan,
Kavanaugh C. Downey,
Carl J. Koehler,
J. Willis Gale,
Gordon W. Ayer,
Nelson L. Fortin,
John P. Holland,
Carroll E. Miller,
Brothwell H. Baker,
Frank H. Storms,
Cornelius A. Wood,
Kenneth C. Woodruff,
George W. Palmer, 3d,
Burmain A. Grimball,
Fred L. McNally,
Thomas D. Shepherd,
Clarence J. O'Neill,
Albert J. Porter,
Charles A. Winter,
Thomas T. Hassell,
Elbert M. Burnett,
Stanley H. Freihofer,
Talbert N. Daughtrey,
Russell A. Beck, and
John W. Chapman.

MARINE CORPS.

Capt. John Marston, 3d, to be a major in the Marine Corps, for temporary service, from the 22d day of May, 1917.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 26th day of July, 1917:
Kirt Green,
James E. Snow,
Harry L. Jones,
Hans O. Martin, and
Robert J. Woodrich.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 28th day of August, 1917:
Bruce J. Mansfield,
Edward D. Kalbfleisch,
Chaplain G. Hicks,
Gustav H. Kaemmerling,
Colis Mitchum, and
Leo D. Hermle.

The following-named temporary second lieutenant to be a second lieutenant in the Marine Corps for a probationary period of two years from the 14th day of December, 1917:
Merton A. Richal.

The following-named temporary second lieutenant to be a second lieutenant in the Marine Corps for a probationary period of two years from the 13th day of January, 1918:
William B. Shealy.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 31, 1918.

ASSISTANT TREASURER.

Martin Vogel to be assistant treasurer at New York, N. Y.

APPOINTMENT IN THE ARMY.

First Lieut. Charles August Stammel, jr., to be first lieutenant.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Lieut. Commander Charles P. Huff to be a commander.
Lieut. Grafton A. Beall, jr., to be a lieutenant commander.
Lieut. John F. Connor to be a lieutenant commander.
Lieut. (Junior Grade) John C. Latham to be a lieutenant.
Lieut. (Junior Grade) Archibald McGlasson to be a lieutenant.
Ensign William D. Bungert to be a lieutenant (junior grade).
The following-named captains to be rear admirals:
Hilary P. Jones and
William R. Shoemaker.
The following-named commanders to be captains:
Edward H. Watson,
Rufus Z. Johnston,
Thomas T. Craven,
Daniel W. Wurtsbaugh (additional number),
Ralph Earle,
Gatewood S. Lincoln,
Ivan C. Wettengel,
Charles M. Tozer, and
Wat T. Cluverius.
The following-named lieutenant commanders to be commanders:
Charles A. Blakely,
Macgillivray Milne,
Wilbur R. Van Auken,
Harold R. Stark,
James D. Willson,
John S. Arwine, jr.,
Austin S. Kibbee,
Martin K. Metcalf,
William Ancrum,
Butler Y. Rhodes,
Lindsay H. Lacy,
John S. Abbott,
Thomas H. Taylor,
Frank H. Sadler,
Charles E. Smith,
Frederick V. McNair,
John Rodgers,
Charles Belknap, jr.,
Daniel T. Ghent, and
John Grady.
Lieut. John C. Latham, to be a lieutenant commander.
The following-named lieutenants (junior grade) to be lieutenants:
Charles A. Baker,
Tuthill Ketcham,
Donald M. Carpenter,
Harris K. Lyle,
Gerald F. Bogan, and

Sidney E. Dudley.
Machinist Thomas A. Graham to be an ensign.
The following-named officers to be ensigns:
Alexis O. Kustel,
Frank Jurgensen,
Joseph M. Quinlan,
Grover C. Watkins,
Frederick Strohte,
Harry F. Lake, and
Walter W. Hedges.
The following-named enlisted men to be ensigns:
James J. Hickey,
Robert E. Hunter,
Edward Webb,
Emory E. Church,
Thomas Gilmore,
Arthur P. Paradis,
Harry H. Mochon,
James M. Williams,
Frank H. Lemon,
Olaf J. Gullickson,
Robert P. Pitchford,
Harry A. Naille,
Louis F. Brodie,
Harry L. Wilcox, and
Oscar A. Stewart.
The following-named officers of the United States Naval Reserve Force to be ensigns:
Parker C. Hatch,
Harold E. Herrick,
Leslie Soule, and
Thomas J. Bryce.
Commander Duncan M. Wood to be a captain.
Medical Inspector Moulton K. Johnson to be a medical director with the rank of captain.
Medical Inspector Middleton S. Elliott to be a medical director with the rank of captain.
Surg. Frederick W. S. Dean to be a medical inspector with the rank of commander.
The following-named surgeons to be medical inspectors with the rank of commander:
James S. Woodward,
Walter S. Hoen, and
James A. Randall.
The following-named pay clerks to be assistant paymasters with the rank of ensign:
Carles E. Rudolph,
Frederick S. Sullivan,
Roy E. Smith,
Francis P. Kenny,
Eugene L. Gray,
Lawrence C. Fuller,
Samuel V. Dunham,
Thomas L. Sorrell,
Stephen E. Smith,
Roy L. Walford,
Maitland A. Thompson,
Ralph J. Dindot,
Clifford W. LeRoy,
Clarence W. Baker,
Rufus B. Hurst,
Vergil L. Marsh,
Charles W. Brown,
Edwin E. Mullen,
Allen C. Bridges,
Bryant B. Lipscomb, and
James E. Sanner.
Commander Luke McNamee to be a captain.
Lieut. Commander William D. Greetham to be a commander.
Lieut. (Junior Grade) Samuel S. Payne to be a lieutenant.
Ensign Walter D. Snyder to be a lieutenant (junior grade).
The following-named temporary assistant surgeons to be assistant surgeons with the rank of lieutenant (junior grade):
George A. Eckert,
Harold E. Ragle,
Edward F. Stadtherr,
Leland M. McKinlay,
Ransom H. Holcomb,
Milton B. Clayton,
John H. Robbins,
James E. Miller,
James D. Rives,
George A. Alden,
Elmer F. Lowry,
Elwood A. Sharp,
Cola Castelloe,
George L. McClintock,
Esdras J. Landis,
Edward M. Lundegaard,
Lawrence T. Hopkins,
Alton L. Grant, jr., and
Archibald O. M. Wood.
The following-named officers of the United States Naval Reserve Force to be ensigns:
John R. Baker,
Richard C. Curtis,
Newton P. Darling,
William Rand, 3d,
Charles T. White,
Laurene M. Lombard,
Bartlett Harwood,
Herman H. Phleger,
Henry P. Lamarche,
Walter W. Weld,
Frederick W. Gardner,
Charles D. Dickey, jr.,
Russell S. Bartlett,
Harold M. Terrell,
Oliver Iselin,
Allan Cunningham,
Charles P. Curtis, jr.,
George F. Noyes,
Albert B. Crawford,
Thomas B. Price,
Oliver C. Harriman,
Bryan P. Leeb,
Bruce D. Bromley,
Louis F. Dahling,
Louis F. Eaton,
Melville D. Truesdale,
Ratcliffe C. Welles,
Leland M. Marshall,
Herbert C. Sneath,
Frank H. Brownell, jr.,
Roland I. Stringham,
Marcus B. Butler,
Vaughan C. Chambers,
Wildey C. Richerson,
Edward C. Riley,
Homer B. Davis,
James L. Rodgers, jr.,
Thomas G. Hunter,
Irving A. Chapman,
Edward P. Street,
David D. Smead, jr.,
Raymond H. Finlay,
Amory Coolidge,
Cortland F. Ames, jr.,
Wayland H. Sanford,
Alvert V. Hall,
Henry R. Guild,
Louis C. Seavernes,
Edward Kneass,
Francis B. Thorne,
Benjamin F. McGuckin,
George C. Cutler, jr.,
Richard T. Guilbert,
Leslie A. Wiggins,
Harry A. Thornton,
Atherton K. Dunbar,
Warren D. Arnold,
Arthur B. Homer,
John C. Hurd,
Clifton B. Herd,
Arthur D. Murray,
Innis O'Rourke,
Rufus D. W. Ewing,
Ayres Boal,
Donald S. Sexton,
Heroy M. Dyckman,
Clement M. Gile,
Francis M. Knight,
Harold W. Brooks,
James B. Bergs,
Ellis W. Taylor,
Martin L. Dunn,
James W. Ryan,
George Gregory, jr.,
Earle S. Barker,
Edwin K. Hoover,

Walter Antrim,
Laurence C. Murdoch,
John N. Leonard,
Henry G. Anderson,
Edwin Nelson,
Arthur E. Childs,
Dietrich G. Schmitz,
Thomas C. Parsons,
James M. Connally,
Edmund Ocumpaugh, 3d,
Lawrence Oliphant,
Arthur McL. Bartley,
William O. Kenney,
Thomas Buel,
John F. A. Davis,
Elliott Debevoise,
John E. Sayler,
John R. Marsh,
Traver Birscoe,
Gorham Hubbard, jr.,
Harold E. Barden,
Edgar Denton, jr.,
Whitley P. McCoy,
Ransom Henshaw,
Donald Scott,
James B. Waller, jr.,
Raymond S. Thompson,
Percival W. Buzby,
Thomas C. Nicholls, jr.,
Roderick T. Smith,
Philler Lee,
Hobart M. Birmingham,
Richard E. Wheeler,
Robert N. Hoeflich,
Frederick H. Bosbyshell,
Theodore C. Briggs,
Arthur T. Lyman,
Earle H. Parkins,
Alfred V. Jannotta,
Edwin D. King,
Edward G. Shmidheiser,
Leroy H. Davidson,
Henry E. Coe, jr.,
Gustave P. Kaercher,
Norman D. Weir,
Vernon C. Bixby,
Howell W. Kitchell,
Vallette S. Church,
Joseph M. Shoemaker,
Chandler Bennitt,
Robert R. Gleason,
William M. Akin,
Julian P. Burlingham,
Thomas W. Allen,
Henry Hilton-Green,
David H. Frantz,
John Garey,
Leonard Jacob,
Frank M. Orton,
Alexander Loewy,
Newton C. Elkin,
Kenneth C. Kennedy,
Brady J. Dayton,
Philip J. Drake,
Putnam M. Morrison,
John A. Sweetser,
Frederick R. Bowes,
Raymond E. Baldwin,
Leicester S. Pettit,
John F. English,
William A. Smith,
Nelson B. Wolfe,
Thomas R. Parkhurst,
Herbert N. French,
Edward M. Shingler,
Paul R. Webb,
Jesse B. Perlman,
William H. Parsons, jr.,
John V. K. Richards,
Edgar R. Payson, jr.,
Harry L. M. Capron,
Stuyvesant Wainwright, jr.,
Louis S. Davidson,
Howell Evans,
Bainbridge D. Folwell,
Elien H. Ellison, jr.,
Francis D. Harrower,
Edwin B. Dunphy,
Ernest C. Haaren,
Alexander L. McKaig,
John H. Magee,
Laurence Schwab,
Douglas S. Moore,
John H. Russell,
Weyman S. Crocker,
Charles K. Wallace,
John I. Wylde,
Sumner F. Fuller,
Edward N. Crosman, jr.,
Lewis P. Scott,
Franklin Pettit, jr.,
Walter W. Burnham,
Henry M. Lamberton,
Lindsay Bradford,
Arthur E. Bartlett,
John G. Quinby, jr.,
William L. Kimball,
John B. Clapp,
Eliot L. Ward,
Francis S. Wilson,
Walter E. Chase, jr.,
Albert W. Findeisen,
Bradford Norman, jr.,
L. Selden Taylor,
Charles E. A. Spiegel,
Morris Phinney,
Bennet F. Schauffler,
Gilman M. Gay,
George F. Newton, jr.,
Alden Lee,
Martin J. Quinn, jr.,
William L. G. Gibson,
Jacob S. Disston, jr.,
Henry C. Taylor,
Richard S. Walker,
Joseph Winlock,
James E. Kelly,
Arthur H. Haaren,
Harold J. Wright,
Campbell Higgins,
John S. Bauman,
Samuel M. Haslett, jr.,
Clarence H. Cull,
John B. Burnham,
Charles M. Boswell, jr.,
Johnston L. Redmond,
Francis Brooks,
Thomas L. Entwisle,
John L. Graham,
Marquis Pope,
Carl O. W. Sparkman,
John deK. Bowen,
Robert J. Orr,
William W. Baer,
Marcus A. Sutcliffe,
Anthony D. Bullock,
Franklin W. Hobbs, jr.,
Addison Stillwell,
Oliver B. Jennings,
James M. Owens,
Foster M. Hampton,
Caspar S. Chisolm,
Leroy K. Howe,
Theodore C. Marceau, jr.,
Lester S. Moll,
Charles C. Savage, jr.,
Oliver P. Shattuck,
Louis M. Pratt, jr.,
John U. Lemmon, jr.,
Arleigh D. Richardson,
Henry L. Butler,
John G. Rayley,
William Durfee, jr.,
Chester J. Mattson,
Cornelius Shields,
Olin McN. Richardson,
Richard V. Dolan,
John H. Minnis,
Frederick W. Johns,
George W. Burden,

William K. B. Urquhart,
Harold J. Kline,
Thaddeus C. Jones,
Richard Williams,
J. Otto Holcomb,
John G. Cross,
Philip L. Coddington,
Wilfred I. Stiles,
George E. Finlay,
Edward M. McIlvain,
Alden Kimball,
Edgar M. Jaeger,
Francis M. Smith,
Harold M. Wright,
Edwin E. Sheridan,
Kavanaugh C. Downey,
Carl J. Koehler,
J. Willis Gale,
Gordon W. Ayer,
Nelson L. Fortin,
John P. Holland,
Carroll E. Miller,
Brothwell H. Baker,
Frank H. Storms,
Cornelius A. Wood,
Kenneth C. Woodruff,
George W. Palmer, 3d.,
Burmain A. Grimball,
Fred L. McNally,
Thomas D. Shepherd,
Clarence J. O'Neill,
Albert J. Porter,
Charles A. Winter,
Thomas T. Hassell,
Elbert M. Burnett,
Stanley H. Freihofer,
Talbert N. Daughtrey,
Russell A. Beck, and
John W. Chapman.

MARINE CORPS.

Capt. John Marston, 3d, to be a major in the Marine Corps.

The following-named first lieutenants to be captains in the Marine Corps:

Kirt Green,
James E. Snow,
Harry L. Jones,
Hans O. Martin, and
Robert J. Woodrich.

The following-named second lieutenants to be first lieutenants in the Marine Corps:

Bruce J. Mansfield,
Edward D. Kalbfleisch,
Chaplain G. Hicks,
Gustav H. Kaemmerling,
Colis Mitchum, and
Leo D. Hermle.

The following-named temporary second lieutenants to be second lieutenants in the Marine Corps:

Merton A. Richal and
William B. Shealy.

POSTMASTERS.

FLORIDA.

J. L. Geiger, Zephyrhills.
G. N. Denning, Winter Park.
William E. McEwen, Wauchula.
Cornelia Higgins, Warrington.
Carrie S. Abbe, Sarasota.
George D. Rhode, Punta Gorda.
M. H. Slone, Plant City.
L. M. Caswell, Perry.
Fred S. Kanode, Passagrille.
J. B. Potter, Mulberry.
William R. Dorman, Liveoak.
E. W. Irvine, Lake City.
George I. English, Greenville.
Samuel Bass, Glen St. Mary.
Arthur B. Brown, Fort Pierce.
William R. Roesch, Eau Gallie.
A. Keathley, Brooksville.
Joseph H. Humphries, Bradentown.
Silas E. Yon, Blountstown.
Samuel M. Wilson, Bartow.
Fannie P. Reeves, Avon Park.

LOUISIANA.

Fernand J. Bourgeois, St. Patricks.
Dessie H. Ford, Pleasant Hill.
Homer M. Bailey, Oakgrove.
Pearl Collins, Eros.
Thomas J. Perkins, De Quincy.
William H. Bennett, Clinton.
Luda M. Hargroder, Church Point.
John M. Melton, Bernice.
Samuel Y. Watson, Baton Rouge.
Adele N. Murdoch, Newellton.
Charles De Blieux, Natchitoches.
Des Fuqua, Naborton.
W. T. Pegues, Mansfield.
H. Ernest Benefiel, Kenner.
Overton Gauthier, Jennings.
Edgar L. Chaney, Jeanerette.
Willie K. Harris, Homer.
M. C. Wilson, Hammond.
Joseph L. Stagg, Eunice.

OHIO.

George B. Snyder, Youngstown.
Charles H. Hackett, Yellow Springs.
Wiley K. Miller, Shreve.
Jacob Fraker, Sherwood.
Benjamin G. Trew, Shawnee.
Laura Emma Jones, Shadyside.
George J. Windle, Sebring.
Barbara Crosser, Salineville.
B. S. C. McBride, St. Clairsville.
Fred H. Johnson, Quaker City.
Clarence A. Flanagan, Pleasant City.
William J. Prince, Piqua.
William B. Meyer, Oxford.
C. L. Barkman, Osborn.
Frank J. Wasmer, Oak Hill.
Andrew Hiss, Norwalk.
James P. Stewart, Niles.
Roy C. Hale, New Vienna.
Edwin E. Curran, New Straitsville.
W. T. Alberson, New Philadelphia.
William Briggs, New Holland.
H. E. Miller, New Concord.
D. F. Akers, New Carlisle.
L. W. Kunning, New Bremen.
James Sharp, Nelsonville.
D. C. Brown, Napoleon.
Patrick W. Guilday, Milford.
Frank T. Campbell, Marion.
F. C. Thomas, Malta.
Charles G. Stroup, Lynchburg.
George M. Keating, Loveland.
Custer Snyder, Lorain.
Charles E. Gain, London.
W. W. Daniels, Leroy.
Thomas P. Dodd, Larue.
Daniel McKenzie, Lakeside.
Ida H. Cline, Kings Mills.
E. E. France, Kent.
Cloyd M. Scott, Jeromesville.
O. D. Kemper, Jefferson.
Henry Holzbach, Hubbard.
Homer Gard, Hamilton.
Claude R. Kilgore, Fredericksburg.
Charles E. Yost, Fayette.
Albert G. Witte, Elmore.
Gertrude M. Bush, East Liberty.
Hoyt B. Mahon, Dunkirk.
Lewis C. Davison, Dalton.
John E. Taylor, Crooksville.
Carl C. Hadsell, Cortland.
Harry B. Mapel, Columbus Grove.
F. M. Carlin, Cleves.
John W. Sanford, Clarington.
A. R. Wolfe, Chillicothe.
Charles C. Fowler, Canfield.
John Palsgrove, Canal Winchester.
I. L. McCollough, Butler.
C. A. Weidaw, Bloomville.
J. P. Grassbaugh, Bigprairie.
James M. Fitzpatrick, Bethel.
Louis J. Golling, Bedford.
Eli R. Lash, Athens.
Solomon C. Allison, Ashville.

William H. Beam, Ansonia.
Charles L. Burns, Andover.
A. E. Stiwald, Amherst.
Stewart D. Hazlett, Ada.
Daniel W. Rumbaugh, Willard (late Chicago Junction).
J. H. Connor, West Union.
Lewis S. Baker, Weston.
Orren E. Curl, West Mansfield.
Orange V. Fritz, West Alexandria.
Louis C. Brown, Warren.
W. A. Lowry, Urbana.
Rufus R. Kurtz, Sycamore.
Edward D. Humphrey, Stockport.

SOUTH DAKOTA.

A. Rae Dendy, White River.
A. A. Closson, White Lake.
Peter Schmitt, Waubay.
Hiram H. Millard, Summit.
James Gaynor, Springfield.
Frank Wall, Selby.
Louisa E. Prouty, Pollock.
Hugh J. McMahon, Philip.
Anton Fergen, Parkston.
E. B. Wilbur, Oacoma.
Michael J. Dougherty, Mount Vernon.
Perley G. Williams, Montrose.
William J. Quirk, Kimball.
Agnes McCue, Kennebec.
T. J. Sullivan, Iroquois.
Bert T. Reeve, Howard.
John F. McGowan, Hartford.
H. B. Brown, Clark.
Charles H. McCrossen, Ashton.
William Moore, Armour.

WITHDRAWALS.

Executive nominations withdrawn from the Senate January 31, 1918.

CORPS OF ENGINEERS.

To be lieutenant colonel with rank from July 9, 1917.

Maj. Lewis H. Rand, Corps of Engineers, vice Lieut. Col. Edgar Jadwin, appointed colonel in the National Army.

To be lieutenant colonels with rank from July 13, 1917.

Maj. Edward M. Markham, Corps of Engineers, vice Lieut. Col. Herbert Deakyne, appointed colonel in the National Army.

Maj. Thomas H. Jackson, Corps of Engineers, vice Lieut. Col. William P. Wooten, appointed colonel in the National Army.

To be lieutenant colonel with rank from July 14, 1917.

Maj. George B. Pillsbury, Corps of Engineers, vice Lieut. Col. Harry Burgess, appointed colonel in the National Army.

To be lieutenant colonel with rank from July 18, 1917.

Maj. Gustav R. Lukesh, Corps of Engineers, vice Lieut. Col. James B. Cavanaugh, appointed colonel in the National Army.

To be lieutenant colonels with rank from August 5, 1917.

Maj. John R. Slattery, Corps of Engineers, vice Lieut. Col. William Kelly, appointed colonel in the National Army.

Maj. Albert E. Waldron, Corps of Engineers, vice Lieut. Col. Edward H. Schulz, appointed colonel in the National Army.

Maj. Francis A. Pope, Corps of Engineers, vice Lieut. Col. John C. Oakes, appointed colonel in the National Army.

Maj. Gilbert A. Youngberg, Corps of Engineers, vice Lieut. Col. Sherwood A. Cheney, appointed colonel in the National Army.

Maj. Edward N. Johnston, Corps of Engineers, vice Lieut. Col. Frank C. Boggs, appointed colonel in the National Army.

Maj. Clarence O. Sherrill, Corps of Engineers, vice Lieut. Col. George B. Pillsbury, appointed colonel in the National Army.

Maj. Ernest D. Peek, Corps of Engineers, vice Lieut. Col. Lytle Brown, appointed colonel in the National Army.

Maj. George R. Spalding, Corps of Engineers, vice Lieut. Col. Harley B. Ferguson, appointed colonel in the National Army.

Maj. Elliott J. Dent, Corps of Engineers, vice Lieut. Col. James A. Woodruff, appointed colonel in the National Army.

Maj. William P. Stokey, Corps of Engineers, vice Lieut. Col. John R. Slattery, appointed colonel in the National Army.

Maj. Wildurr Willing, Corps of Engineers, vice Lieut. Col. Clarence O. Sherrill, appointed colonel in the National Army.

Maj. William A. Mitchell, Corps of Engineers, vice Lieut. Col. George R. Spalding, appointed colonel in the National Army.

Maj. Mark Brooke, Corps of Engineers, vice Lieut. Col. William J. Barden, appointed colonel in the National Army.

Maj. Laurence V. Frazier, Corps of Engineers, vice Lieut. Col. Edward M. Markham, appointed colonel in the National Army.

Maj. James F. Bell, Corps of Engineers, vice Lieut. Col. Francis A Pope, appointed colonel in the National Army.

Maj. Harold C. Fiske, Corps of Engineers, vice Lieut. Col. Robert R. Raymond, appointed colonel in the National Army.

Maj. Max C. Tyler, Corps of Engineers, vice Lieut. Col. Earl I. Brown, appointed colonel in the National Army.

Maj. Ulysses S. Grant, 3d, Corps of Engineers (General Staff Corps), vice Lieut. Col. James P. Jervey, appointed colonel in the National Army.

Maj. Julian L. Schley, Corps of Engineers, vice Lieut. Col. Ulysses S. Grant, 3d, retained in the General Staff Corps.

Maj. William H. Rose, Corps of Engineers, vice Lieut. Col. Charles Keller, promoted.

Maj. Richard C. Moore, Corps of Engineers, vice Lieut. Col. Meriwether L. Walker, appointed colonel in the National Army.

Maj. Lewis M. Adams, Corps of Engineers, vice Lieut. Col. William B. Ladue, appointed colonel in the National Army.

Maj. Charles R. Pettis, Corps of Engineers, vice Lieut. Col. Clarke S. Smith, appointed colonel in the National Army.

Maj. William D'A. Anderson, Corps of Engineers, vice Lieut. Col. Spencer Cosby, promoted.

Maj. Ralph T. Ward, Corps of Engineers, vice Lieut. Col. William D. Conner, appointed colonel in the National Army.

Maj. Robert P. Howell, Corps of Engineers, vice Lieut. Col. George M. Hoffman, appointed colonel in the National Army.

Maj. Joseph H. Earle, Corps of Engineers, vice Lieut. Col. James F. McIndoe, promoted.

Maj. Thomas M. Robins, Corps of Engineers, vice Lieut. Col. Jay J. Morrow, promoted.

Maj. Roger D. Black, Corps of Engineers, vice Lieut. Col. George P. Howell, promoted.

Maj. Theodore H. Dillon, Corps of Engineers, vice Lieut. Col. Frederick W. Altstaetter, promoted.

Maj. De Witt C. Jones, Corps of Engineers, vice Lieut. Col. Lewis H. Rand, promoted.

Maj. Ernest Graves, Corps of Engineers, vice Lieut. Col. Ernest D. Peek, appointed colonel in the National Army.

Maj. Francis B. Wilby, Corps of Engineers, vice Lieut. Col. Elliott J. Dent, appointed colonel in the National Army.

Maj. Clarence S. Ridley, Corps of Engineers, vice Lieut. Col. Wildurr Willing, appointed colonel in the National Army.

Maj. Alvin B. Barber, Corps of Engineers, vice Lieut. Col. William A. Mitchell, appointed colonel in the National Army.

Maj. Jarvis J. Bain, Corps of Engineers, vice Lieut. Col. Edward N. Johnston, appointed colonel in the National Army.

Maj. Thomas H. Emerson, Corps of Engineers, vice Lieut. Col. Amos W. Fries, appointed colonel in the National Army.

Maj. Roger G. Powell, Corps of Engineers, vice Lieut. Col. Charles W. Kutz, appointed colonel in the National Army.

Maj. John N. Hodges, Corps of Engineers, vice Lieut. Col. Albert E. Waldron, appointed colonel in the National Army.

Maj. James J. Loving, Corps of Engineers, vice Lieut. Col. Thomas N. Jackson, promoted.

Maj. Edward D. Ardery, Corps of Engineers, vice Lieut. Col. Gustave R. Lukesh, promoted.

To be major with rank from July 9, 1917.

Capt. Clarence L. Sturdevant, Corps of Engineers, vice Maj. Lewis H. Rand, promoted.

To be majors with rank from July 13, 1917.

Capt. Earl J. Atkisson, Corps of Engineers, vice Maj. Edward M. Markham, promoted.

Capt. Richard T. Coiner, Corps of Engineers, vice Maj. Thomas H. Jackson, promoted.

To be major with rank from July 14, 1917.

Capt. Robert S. A. Dougherty, Corps of Engineers, vice Maj. George B. Pillsbury, promoted.

To be major with rank from July 18, 1917.

Capt. Stuart C. Godfrey, Corps of Engineers, vice Maj. Gustave R. Lukesh, promoted.

To be majors with rank from August 5, 1917.

Capt. Francis C. Harrington, Corps of Engineers, vice Maj. John R. Slattery, promoted.

Capt. Cleveland C. Gee, Corps of Engineers, vice Maj. Elbert E. Waldron, promoted.

Capt. John M. Wright, Corps of Engineers, vice Maj. Francis A. Pope, promoted.

Capt. John R. D. Matheson, Corps of Engineers, vice Maj. Gilbert A. Youngberg, promoted.

Capt. William H. Sage, jr., Corps of Engineers, vice Maj. Edward N. Johnston, promoted.

Capt. Charles J. Taylor, Corps of Engineers, vice Maj. Clarence O. Sherrill, promoted.
Capt. Edwin H. Marks, Corps of Engineers, vice Maj. Michael J. McDonough, appointed colonel in the National Army.
Capt. Earl North, Corps of Engineers, vice Maj. Curtis W. Otwell, appointed colonel in the National Army.
Capt. Albert H. Acher, Corps of Engineers, vice Maj. Ernest D. Peek, promoted.
Capt. Gilbert Van B. Wilkes, Corps of Engineers, vice Maj. George R. Spalding, promoted.
Capt. John C. H. Lee, Corps of Engineers, vice Maj. Paul S. Bond, appointed colonel in the National Army.
Capt. Frank S. Besson, Corps of Engineers, vice Maj. Elliott J. Dent, promoted.
Capt. Lindsay C. Herkness, Corps of Engineers, vice Maj. William L. Guthrie, appointed colonel in the National Army.
Capt. Albert K. B. Lyman, Corps of Engineers, vice Maj. William P. Stokey, promoted.
Capt. Frederick S. Strong, jr., Corps of Engineers, vice Maj. Wildurr Willing, promoted.
Capt. Daniel D. Pullen, Corps of Engineers, vice Maj. William A. Mitchell, promoted.
Capt. Carey H. Brown, Corps of Engineers, vice Maj. Mark Brooke, promoted.
Capt. Oscar N. Solbert, Corps of Engineers, vice Maj. Laurence V. Frazier, promoted.
Capt. Beverly C. Dunn, Corps of Engineers, vice Maj. James F. Bell, promoted.
Capt. Donald H. Connolly, Corps of Engineers, vice Maj. Warren T. Hannum, appointed colonel in the National Army.
Capt. Raymond F. Fowler, Corps of Engineers, vice Maj. Robert R. Ralston, appointed colonel in the National Army.
Capt. David McCoach, jr., Corps of Engineers (General Staff Corps), vice Maj. Harold C. Fiske, promoted.
Capt. James G. B. Lampert, Corps of Engineers, vice Maj. David McCoach, jr., retained in the General Staff Corps.
Capt. Philip B. Fleming, Corps of Engineers, vice Maj. Max C. Tyler, promoted.
Capt. John W. Stewart, Corps of Engineers, vice Maj. Julian L. Schley, promoted.
Capt. Joseph C. Mehaffey, Corps of Engineers, vice Maj. William H. Rose, promoted.
Capt. Paul S. Reinecke, Corps of Engineers, vice Maj. Richard C. Moore, promoted.
Capt. Raymond A. Wheeler, Corps of Engineers, vice Maj. Lewis M. Adams, promoted.
Capt. W. Morris Chubb, Corps of Engineers, vice Maj. Charles R. Pettis, promoted.
Capt. Howard S. Bennion, Corps of Engineers, vice Maj. W. Goff Caples, appointed colonel in the National Army.
Capt. William C. Sherman, Corps of Engineers, vice Maj. William D'A. Anderson, promoted.
Capt. Rudolph C. Kuldell, Corps of Engineers, vice Maj. Ralph T. Ward, promoted.
Capt. Roscoe C. Crawford, Corps of Engineers, vice Maj. Henry C. Jewett, appointed colonel in the National Army.
Capt. Earl G. Paules, Corps of Engineers, vice Maj. Robert P. Howell, promoted.
Capt. Bradford G. Chynoweth, Corps of Engineers, vice Maj. Arthur R. Ehrnbeck, appointed lieutenant colonel in the National Army.
Capt. Milo P. Fox, Corps of Engineers, vice Maj. Joseph H. Earle, promoted.
Capt. John C. Gotwals, Corps of Engineers, vice Maj. Thomas M. Robins, promoted.
Capt. Francis K. Newcomer, Corps of Engineers, vice Maj. Roger D. Black, promoted.
Capt. Charles F. Williams, Corps of Engineers, vice Maj. Theodore H. Dillon, promoted.
Capt. Gordon R. Young, Corps of Engineers, vice Maj. De Witt C. Jones, promoted.
Capt. Richard U. Nicholas, Corps of Engineers, vice Maj. Ernest Graves, promoted.
Capt. James A. Dorst, Corps of Engineers, vice Maj. Francis B. Wilby, promoted.
Capt. Rufus W. Putnam, Corps of Engineers, vice Maj. Clarence S. Ridley, promoted.
Capt. Lunsford E. Oliver, Corps of Engineers, vice Maj. Alvin B. Barber, promoted.
Capt. William H. Holcombe, Corps of Engineers, vice Maj. Jarvis J. Bain, promoted.
Capt. James B. Cress, Corps of Engineers, vice Maj. Thomas H. Emerson, promoted.
Capt. Charles P. Gross, Corps of Engineers, vice Maj. Roger G. Powell, promoted.
Capt. Bernard A. Miller, Corps of Engineers, vice Maj. Robert S. Thomas, appointed lieutenant colonel in the National Army.
Capt. Peter C. Bullard, Corps of Engineers, vice Maj. Harold S. Hetrick, appointed lieutenant colonel in the National Army.
Capt. Brehon B. Somervell, Corps of Engineers, vice Maj. William A. Johnson, appointed lieutenant colonel in the National Army.
Capt. Xenophon H. Price, Corps of Engineers, vice Maj. Frederick B. Downing, appointed lieutenant colonel in the National Army.
Capt. Robert W. Crawford, Corps of Engineers, vice Maj. Edmund L. Daley, appointed lieutenant colonel in the National Army.
Capt. Frederick S. Skinner, Corps of Engineers, vice Maj. Henry A. Finch, appointed lieutenant colonel in the National Army.
Capt. Dabney O. Elliott, Corps of Engineers, vice Maj. John N. Hodges, promoted.
Capt. Allen P. Cowgill, Corps of Engineers, vice Maj. James J. Loving, promoted.
Capt. George F. Lewis, Corps of Engineers, vice Maj. Edward D. Ardery, promoted.

INFANTRY.

To be colonels with rank from August 5, 1917.

Lieut. Col. Oliver Edwards, Infantry (General Staff), vice Col. George B. Duncan, appointed brigadier general in the National Army.
Lieut. Col. Hugh D. Wise, Infantry (Quartermaster Corps), vice Col. Oliver Edwards, retained in the General Staff.

To be lieutenant colonels with rank from August 5, 1917.

Maj. Oliver Edwards, Infantry (General Staff), vice Lieut. Col. Edward A. Shuttleworth, appointed colonel in the National Army.
Maj. Hugh D. Wise, Infantry (Quartermaster Corps), vice Lieut. Col. Oliver Edwards, retained in the General Staff.

To be major with rank from November 30, 1917.

Capt. Harry H. Pritchett, Infantry, vice Maj. James W. H. Reisinger, detailed in the Quartermaster Corps.

To be majors with rank from December 1, 1917.

Capt. Edgar L. Field, Infantry, vice Maj. Charles B. Elliott, resigned commission as temporary major.
Capt. Earl C. Buck, Infantry, vice Maj. Edmund C. Waddill, resigned commission as temporary major.
Capt. Jere Baxter, Infantry, detached officers' list, vice Maj. Arthur M. Ferguson, detailed in The Adjutant General's Department.
Capt. A. Ellicott Brown, Infantry, vice Maj. Harry Hawley, resigned commission as temporary major.

To be majors with rank from December 4, 1917.

Capt. James M. Lockett, Infantry, vice Maj. Jacob W. S. Wuest, detailed in the Signal Corps.
Capt. Eugene Robinson, Infantry, vice Maj. William W. Bessell, detailed in The Adjutant General's Department.

To be major with rank from December 10, 1917.

Capt. Jesse C. Drain, Infantry, detached officers' list, vice Maj. Joseph F. Ware, detailed in the Signal Corps.

To be major with rank from December 14, 1917.

Capt. Alexander W. Chilton, Infantry, detached officers' list, vice Maj. Alfred W. Bjornstad, promoted lieutenant colonel.

To be majors with rank from December 19, 1917.

Capt. William E. Morrison, Infantry, detached officers' list, vice Maj. Resolve P. Palmer, detailed in the Signal Corps.
Capt. Donald J. MacLachlan, Infantry, vice Maj. James G. Boswell, detailed in the Signal Corps.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 31, 1918.*

The House met at 12 o'clock noon.
The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:
Oh Lord, our Lord, incline Thine ear and hear our prayer. Help us to guide our frail bark along the turbulent and stormy sea of this life and bring us in Thine own good time to that haven of rest where all is peace and tranquillity.
The sands of life run swiftly, and no man knoweth when the call shall come. May we be ready to meet the summons with perfect faith and confidence in Thee our Father.

Comfort, we beseech Thee, the admirers, friends, colleagues, and the stricken family of the Senator who has passed on, under the dispensation of Thy providence, to the larger life in Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVES OF ABSENCE.

The SPEAKER laid before the House the following requests for leave of absence.

The Clerk read as follows:

Mr. MOORES of Indiana requests leave of absence until February 5 for the purpose of responding to a subpœna to testify in the United States District Court for the District of Indiana on February 1.

TOM D. MCKEOWN asks leave of absence, on account of illness.

The SPEAKER. Without objection, the requests will be granted.

There was no objection.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 3135. An act to amend section 4 of the act entitled "An act to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona."

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval, the following bill:

H. R. 195. Providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations.

CIVIL-SERVICE EXAMINATIONS.

Mr. GODWIN of North Carolina. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GODWIN of North Carolina. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 117, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

S. J. Res. 117. Joint resolution amending the act of July 2, 1909, governing the holding of civil service examinations.

The SPEAKER. Is there objection?

Mr. GILLETT. Mr. Speaker, the title does not give any information as to what the resolution is.

The SPEAKER. The Clerk will read the resolution.

The Clerk read as follows:

Resolved, etc., That the act of July 2, 1909 (36 Stats. L., No. 1), is hereby amended so as to permit the United States Civil Service Commission, during the period of the war, to hold examinations of applicants for positions in the Government service in the District of Columbia, and to permit applicants from the several States and Territories of the United States to take said examinations in the said District of Columbia. Said examinations shall be permitted in addition to those required to be held by said act of July 2, 1909 (36 Stats. L., No. 1).

The committee amendments were read, as follows:

Page 1, line 6, insert after the word "the" and before the word "war" the word "present," and on page 1, line 10, after the word "Columbia," insert the words "and elsewhere in the United States where examinations are usually held," and at the end of the resolution insert the following proviso: "*Provided*, That nothing herein shall be so construed as to abridge the existing law of apportionment."

The SPEAKER. Is there objection?

Mr. LEVER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if this is an unanimous report.

Mr. GODWIN of North Carolina. Yes, sir; it is the unanimous report of the committee.

Mr. LEVER. Does the gentleman think this will take a great length of time?

Mr. GODWIN of North Carolina. No, sir; I do not think it will; it should not.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the report is very illuminating. It gives no reasons whatever for the enactment of this legislation. It simply states that the committee make certain amendments to the resolution as it passed the Senate. Will the gentleman inform the House, which might have been done in the report, as to what is really accomplished by this resolution?

Mr. GODWIN of North Carolina. This is in response to a unanimous request from practically all the departments of the Government and the Civil Service Commission, and it does not do away with the law of apportionment, but simply for the period of the war permits examinations to be taken in the District of Columbia and elsewhere where civil-service examinations are usually held.

Mr. STAFFORD. Has not the Civil Service Commission that authority to-day?

Mr. GODWIN of North Carolina. Yes, sir; they have the authority and they are holding examinations throughout the United States every 10 days, but under some misunderstanding hundreds of people qualified to enter the service came to the District of Columbia, and they are to-day ready to serve the Government, but can not take the examination without being required to go back to their respective States, and it is considered by the department a hardship under present circumstances. This permits examinations to be taken here in the District of Columbia. That is all there is to it.

Mr. STAFFORD. Is not the gentleman in error when he says the present law forbids any person who is a resident of another State, and who is temporarily domiciled in the District, from taking an examination for the civil service here in the District?

Mr. GODWIN of North Carolina. I did not catch the question. What is the question?

Mr. STAFFORD. Is not the gentleman in error when he says that the present law forbids any person who is a resident of another State, and who is temporarily domiciled in the District, from taking an examination for the civil service here in the District?

Mr. GODWIN of North Carolina. No, sir.

Mr. STAFFORD. And is not the purpose of this resolution only to do away with the limitation that was passed some years ago as to apportionment?

Mr. GODWIN of North Carolina. No, sir; this resolution does not affect or abridge the law of apportionment.

Mr. CANDLER of Mississippi. If the gentleman will permit, I will give a concrete illustration of this.

Mr. GODWIN of North Carolina. I can give the information. The law of apportionment holds as under the present law, but under the present law any citizen abiding or domiciled here could not take examination in the District, but he is required to go back to his State and this resolution saves that extra time and expense. This is for the period of the present war.

Mr. KITCHIN. Do I understand also that the examinations will be held in the States?

Mr. GODWIN of North Carolina. They will be held in the States simultaneously.

Mr. KITCHIN. At the same time they are held in the District?

Mr. GODWIN of North Carolina. Yes; at the same time.

Mr. KITCHIN. The result is that a man who is here domiciled, say from Texas, will not be required, as he would be under the law, to go back to Texas to take this examination, nor if this passes will the man in Texas be required to come here. The Texas man who is domiciled here can take it here and also the man in Texas can take the examination there?

Mr. STAFFORD. I will say to the gentleman—and it was the basis of my question—that I know of instances where persons in departmental service here, whose homes are in Wisconsin, have taken examinations for positions in the classified service here in the District.

Mr. GODWIN of North Carolina. They took them contrary to the present law. If they were bona fide citizens of the State of Wisconsin, they should have gone back there, under the present law, to take the examination. But now if you have citizens of Wisconsin living here temporarily during the period of the present war, they may take the examination here, but they will be charged to the State of Wisconsin, and the law of apportionment will not be abridged.

Mr. STAFFORD. That is the only purpose of this resolution.

The SPEAKER. Is there objection?

Mr. STAFFORD Mr. Speaker, I withdraw my reservation.

Mr. MCLAUGHLIN of Michigan. Is not this the situation, too? There are many men, a large number of them, in the classified service who come from several States of the Union and have lived here a long time, but still claiming residence in the State from which they came. They have families—young men and young women who have grown up—and it seems to be the desire of almost every one of them to get into the public service. In those cases, where the father continues to claim his residence in the State from which he came, his children are held to be residents of that State and must return to that State if they wish to take the civil-service examination.

Now, there are thousands of those, whole families, just falling over themselves trying to get into the public service, and this would remove the restriction. Thousands of them are waiting anxiously to get the opportunity to take this civil-service examination here, all cocked and primed and ready for it, and they will get into the public service if this restriction is removed.

The SPEAKER. Is there objection?

Mr. McLAUGHLIN of Michigan. I object.

"GARABED" PATENT—CONFERENCE REPORT (NO. 274).

Mr. CROSSER. Mr. Speaker, I wish to call up the conference report on House joint resolution 174.

The SPEAKER. The Clerk will report it.

The Clerk read the title of the resolution, as follows:

Joint resolution (H. J. Res. 174) for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy.

Mr. CROSSER. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The statement was read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to House joint resolution 174, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 5.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, and 7, and agree to the same.

CHARLES B. SMITH,
ROBERT CROSSER,
JOHN I. NOLAN,
Managers on the part of the House.
OLLIE M. JAMES,
T. P. GORE,
FRANK B. BRANDEGEE,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the resolution (H. J. Res. 174) for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy, submit the following written statement explaining the effect of the action agreed on:

The House receded from its disagreement to the Senate amendment No. 1, striking out "a" and inserting "his." This makes the resolution more definite as to the discovery or invention to which the proposed assignment relates.

The House receded from its disagreement to the Senate amendment No. 2, inserting the words "and that it can substantially effect the purposes set out in section 1 of this resolution."

This language simply makes more certain, if possible, that Mr. Giragossian will be required to substantially prove his claim. The House likewise receded from its disagreement to the Senate amendment No. 3. This amendment is exactly the same as No. 2, and was inserted in order to carry out the purpose of the amendment throughout the section.

The House receded from its disagreement to the Senate amendment No. 4. This simply inserts the words "first and" before the words "original discoverer." The object of the amendment can only be to emphasize the necessity of Mr. Giragossian's being found to be the original discoverer.

The House receded from its disagreement to the Senate amendment No. 6. It simply inserts the words "as aforesaid" for the purpose of referring more definitely to the preceding language.

The House also receded from its disagreement to the Senate amendment No. 7. This amendment inserts the words "and ownership." Since the preceding language provided for the "right and title" to the "exclusive use," the words "and ownership" simply carry out the apparent intention of the language of the resolution as it passed the House.

The amendment from which the Senate receded is No. 5. The language of this amendment is as follows: "And if the Secretary of the Interior accepts the assignment of the use of said invention as provided in the first section hereof."

The House believes that this amendment would create an inconsistency in the resolution. The resolution, and particularly section 3 thereof, provided for the demonstration of said discovery or invention to a commission of five eminent scientists, who must be approved by the Secretary of the Interior. These scientists are required to certify that the discovery or invention is practicable, that it can substantially effect the purposes set out in section 1, and that Mr. Giragossian is the first and original discoverer. Then, and only then, does Mr. Giragossian receive protection against infringers. If, however, in addition to the finding and certification of the commission of eminent scientists in regard to the originality and practicability of the discovery or invention, it were made a condition precedent to Mr. Giragossian's receiving protection that the Secretary of the Interior should accept an assignment of said discovery or invention for the Government's own use free of charge, then the finding of the commission of eminent scientists, if favorable to Mr. Giragossian, would not make certain the protection he seeks.

CHARLES B. SMITH.
ROBERT CROSSER.
JOHN I. NOLAN.

Mr. CROSSER. Mr. Speaker, the resolution, as it has been changed by the agreement between the conferees of the two Houses, is in practically the same form as when it passed the House. These six amendments which have been added by the Senate and to which the House has agreed really do not change the meaning at all, and inasmuch as they make no substantial change we saw no reason for disputing about them indefinitely.

The Senate did, however, incorporate an amendment, No. 5, which, while it may seem unobjectionable, would nevertheless create an inconsistency in the resolution itself if it were permitted to remain.

The House will remember that the chief purpose of the resolution as the House passed it was the creation of a commission composed of scientists satisfactory to the Secretary of the Interior and Mr. Giragossian, and these scientists were to determine the validity of Mr. Giragossian's claim. If it should be found by them that his discovery or invention is practical and can substantially accomplish the purpose recited in the preamble, and if he should be found to be the original inventor thereof, then their certificate to that effect would give Mr. Giragossian the protection that he desires. But the Senate, apparently unmindful of the provision in regard to the certificate of the commission of scientists, incorporated in the resolution this language:

And if the Secretary of the Interior accepts the assignment of the use of said invention as provided in section 1 of this resolution.

Then Mr. Giragossian is to receive protection. That would nullify the effect of the finding of the commission of scientists and create an inconsistency in the resolution itself. The Senate, therefore, properly receded from its amendment in order to make the resolution accomplish its original purpose.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

Mr. CROSSER. Yes.

Mr. TOWNER. I am told that Mr. Giragossian has made application and received a patent.

Mr. CROSSER. No; he has not.

Mr. TOWNER. That statement is not true?

Mr. CROSSER. It is not true.

Mr. NORTON. Mr. Speaker, will the gentleman yield?

Mr. CROSSER. Yes.

Mr. NORTON. The Senate amendment No. 2 reads as follows:

And that it can substantially effect the purposes set out in section 1 of the resolution.

Mr. CROSSER. Yes.

Mr. NORTON. Now, what are "the purposes set out in section 1"?

Mr. CROSSER. For my own part I think it is absolutely useless language. It was provided originally in the resolution that he should make a demonstration, and if it should be proven that the discovery or invention is practicable and that he is the original discoverer or inventor, then Mr. Giragossian would receive the desired protection.

Mr. NORTON. As a matter of fact, is not that wording of that amendment nonsensical?

Mr. CROSSER. It does no harm, and we did not like to quarrel with the Senate about it. It simply emphasizes the meaning of the resolution, and to that I do not object.

Mr. NORTON. It is not set out in the resolution.

Mr. CROSSER. It is in the preamble.

Mr. NORTON. The preamble is not of itself a part of the resolution.

Mr. DICKINSON. Mr. Speaker, may I ask the gentleman a question?

Mr. CROSSER. Yes.

Mr. DICKINSON. In the original resolution when first presented was an appropriation asked for?

Mr. CROSSER. No; not a cent, and not a cent is asked now.

Mr. DICKINSON. When this resolution was first before the House, did it not contain an appropriation?

Mr. CROSSER. No; never a cent has been asked in the resolution. There has never been any appropriation asked.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield me some time?

Mr. CROSSER. How much time does the gentleman desire? This is a matter which has been debated two or three times before the House. I want to be courteous and fair to the gentleman, but I do not think the House wants to hear a repetition of our views on this matter, important as are the views of the eminent scientist from Wisconsin and delightful as it might be to listen to him. But what can it add? I will give the gentleman five minutes.

Mr. STAFFORD. I should like to have 10 minutes.

Mr. CROSSER. I yield 10 minutes to the gentleman.

Mr. STAFFORD. Mr. Speaker, when this resolution passed the House it was expected by its opponents, especially in view of the fact that it had been virtually vetoed by the President of the United States, that before it was returned to this body it would be in a better form in protecting the interests of the Government than in the form it was passed in the last session of Congress, when it was pocket vetoed by the President. I will not say that the other body did not attempt to improve this bill. A study of the record shows that perhaps that was their intention; but, whatever their purposes may have been, the amendment of the Senate to which attention has been called by the gentleman from North Dakota [Mr. NORTON] accomplishes no purpose. It says:

> And that it can substantially effect the purposes set out in section 1 of this resolution.

There are no purposes set out in section 1. Now, if it were the purpose of the other body to have this patent granted by congressional action only in case this discovery would substantially accomplish the purposes set out in the title, which is not a part of section 1, then I take it that the conferees should have attempted at least to modify the language so as really to strengthen the resolution rather than to leave it in the air, without any protection whatsoever to the Government. I heartily agree with the gentleman having the bill in charge [Mr. CROSSER] that the bill in its present form, even though there is some change in phraseology, is practically the same as it left the House; but I am also certain that the bill in no wise protects the interests of the Government any more than the bill that was originally sent to the President in the closing days of the last session. In view of this precedent that we are establishing, and not safeguarding the interests of the Government, I have good reason to believe that the President of the United States will return this bill with a veto, so that more than one-third of the membership of this House may register disapproval of it in its present form.

The only change which strengthens this bill over that which passed the House in the prior session is that it must be satisfactorily shown to this committee of experts that Mr. Giragossian is the original, the first discoverer of this invention. There is this other change which weakens the protection of the Government, and that is that if the Government of the United States wishes to purchase this patent it must exercise that privilege while the Congress is in session, and at a price to be determined, not by a committee of six, of whom three shall be appointed by the Secretary of the Interior and three appointed by the claimant, as originally provided, but that the award of that committee must meet the approval of this inventor; and if the award does not meet the approval of this inventor he can hold up the patent and not permit it to be purchased by the Government of the United States for the benefit of all the people of the country.

I rise at this time merely to call attention to the fact that this bill substantially is in no wise different from the bill that was vetoed by the President of the United States except in one particular, that this committee of scientists must determine that Mr. Giragossian is the first and original inventor. Other than that the protection to the Government provided in the original bill is weakened. I hope the conference report will be rejected, and if not, that the President will do as he did before, that he will veto this resolution and send his reasons to the Congress, so that we may know what the real reasons of the President were in refusing to affix his signature to the resolution presented to him two days before the adjournment of the last session of Congress.

Mr. WALSH. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Massachusetts.

Mr. WALSH. The gentleman from Ohio [Mr. CROSSER] in reply to the question of the gentleman from North Dakota [Mr. NORTON] stated that amendments No. 2 and No. 3 referred to something set out in the preamble. I want to inquire of the gentleman where the preamble is.

Mr. STAFFORD. There is no preamble. Not only that, but the title, which does set out some purposes, is not a part of section 1. The title, it is true, does set forth some purposes, and if these amendments inserted by the Senate and agreed to by the conferees had referred to the title, they might have some meaning and effect; but when we read section 1 we find there is nothing in it that refers to the attainment of the purposes of this invention. The title says it is—

> For the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy.

But that is not section 1. Section 1, after the enacting clause, says:

> That the Secretary of the Interior is hereby authorized to accept, as trustee for the United States Government, from Garabed T. K. Giragossian an assignment of the right to utilize for the Government's own use his discovery or invention, to be known as the "Garabed." Said assignment to and utilization of said discovery or invention by the United States Government shall be free of charge or expense.

Not a word that can in anywise be construed as setting forth the purposes of this resolution. Why, it is ridiculous. This whole resolution seems to have been framed at the dictation of the inventor.

Mr. NORTON. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from North Dakota.

Mr. NORTON. I want to get a couple of minutes in my own time.

Mr. STAFFORD. Then I yield to the gentleman from Illinois [Mr. KING].

Mr. KING. Has the gentleman any inside information or otherwise as to whether this free energy is going to be untaxed?

Mr. STAFFORD. I have this information, that only a few days ago, before the Committee on Appropriations, I inquired of a distinguished scientist, Dr. Stratton, head of the Bureau of Standards, and he called my attention to the fake Keeley motor and told how the head of the physical science department of Johns Hopkins University ridiculed that invention, and asked, upon a demonstration by the inventor, whether he could cut the wire which carried the electricity that started the motor; and when Dr. Rowan was refused that privilege of course the Keeley motor went up in the air; and after hearing the statement of Dr. Stratton before our committee my opinion is that this is nothing more than a fake to exploit the public to the extent of millions and perhaps hundreds of millions of dollars.

Mr. WALSH. Since there is no purpose set out in section 1 of this resolution, and the second amendment says that it shall substantially effect the purposes set out in section 1, that means that even though it accomplishes no purpose, even if he demonstrates that it accomplishes nothing, the Government can take it over.

Mr. STAFFORD. He gets his patent if it accomplishes nothing. That is the effect of it.

Mr. MOORE of Pennsylvania. Does not the gentleman understand that the purpose of this is to bring the war to a speedy conclusion, and that as soon as the bill is passed the war will close?

Mr. STAFFORD. That is the claim of the promoter, but I have heard such claims not only in war times but in peace times; and, being of a skeptical mind, I have not given serious consideration to them.

Mr. MOORE of Pennsylvania. Will the gentleman kindly make a note of the date that this bill passes? And one month thereafter the war will close.

Mr. STAFFORD. It has to have the approval of the President, and I have every expectation that he will veto it again, especially as it is in the same form as when it was presented to him, without any safeguards to the public or the Government.

Mr. CROSSER. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Speaker and gentlemen of the House, I do not agree with the gentleman from Wisconsin [Mr. STAFFORD] that this conference report should be defeated. I can not understand to save my life why any Member of this body will now seek to postpone favorable action upon a measure like this. The inventor of this wonderful machine is an Armenian, now an American citizen. His people have long

been persecuted by the Turks, and he believes that he has an invention that will help us to speedily win the war against the Turks and their brutal allies, and, gentlemen, I believe that he has exactly what he claims to have. He wants protection in this matter from the Government, and he is entitled to it. The gentleman from Wisconsin [Mr. STAFFORD] says it is a fake proposition. How does he know? Some people once said that the operation of the telephone was a fake and that the electric telegraph was a fake, that the flying of aeroplanes heavier than air was a fake. All these things have proven to be realities and wonderful agencies of man. Here is a machine, it is said, that will fly an aeroplane indefinitely, and that is what we want above the trenches of the German Army. [Applause.]

The American people are growing impatient with gentlemen who want to halt legislative action looking to the inauguration of machinery that will conquer the German Army. The Government wants to hurry the war through, and this man's proposition will speed it to a victorious end. As amended it will meet the approval of the President.

Why, gentlemen, you remember our experience with the Lewis machine gun. I understand that it was submitted to our Government, but it was not accepted, and the inventor sold it to England. This man will go to some other country with his invention if it is not accepted here. Will gentlemen force him to do that and take the responsibility of losing to our country the possibilities of this very remarkable invention? Let us adopt the conference report and give to our Government the use and benefit of this invention. [Applause.]

Mr. CROSSER. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, I rise to defend the President of the United States from the unwarranted attack which has been made on him by the gentleman from Alabama. He says he can not understand how anyone can postpone for a single minute this great discovery, and yet the President of the United States, by a pocket veto of this bill, postponed it for several months. If the President of the United States can postpone the operation of this great invention for months this House can postpone it for two or three days in order to get the bill in such shape that it will not make Congress ridiculous. That is exactly what it does in accepting the amendment—"and that it can substantially effect the purposes set out in section 1 of this resolution." There is not a line or a word in section 1 that discloses any purpose of any kind. The conference committee has seen fit to accept this absurdity, and they have rejected one amendment made by the Senate that certainly should be incorporated in the bill, namely, "and if the Secretary of the Interior accepts the assignment of said invention as provided in the first section hereof."

Have you not confidence enough in the Secretary of the Interior to believe that if here is a practical discovery—something that will be of benefit to the Government or the people—that he will accept the assignment, and if he refuses to accept it that there will be good ground for such refusal. If he refuses, then should Congress give this man this exclusive right? I say, no. Mr. Speaker, this conference report should be rejected. It will only mean deferring it for two or three days so that the bill can be put in proper shape where we all can vote for it.

Mr. CROSSER. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS of Virginia. Mr. Speaker: The gentleman from Wisconsin [Mr. LENROOT] throws a bouquet to Secretary Lane. I wish to call the attention of the House to the fact that the only two amendments that were suggested by Secretary of the Interior Lane, were accepted by the committee and written into this bill by the action of this body. When that was done, the resolution was put into the form which the Secretary of the Interior had stated would be acceptable to him. It is well to have in mind this fact in view of the strictures that have been passed upon this measure.

The gentleman from Wisconsin [Mr. STAFFORD], who has been associated with a good deal of the opposition to this resolution, has illustrated again to-day, as he has done heretofore, that he will not read the resolution. How does the gentleman propose to discuss intelligently a resolution or its effect, if he will not acquaint himself with its contents and purposes? [Applause.]

The gentleman from Wisconsin [Mr. STAFFORD] stated that one-third of this House heretofore registered its opposition to the resolution in the form in which it passed this body. That is only one of the numerous mistakes made by the gentleman from Wisconsin. So far from one-third of the House having registered its opposition to this resolution I call the attention of Members to the fact that when this body passed this resolution, the gentleman demanded a roll call, and precisely 14 of his colleagues registered themselves in the negative. A few days ago when we passed this resolution for the second time, after the amendments were inserted that were suggested by the Secretary of the Interior, the gentleman did not dare to call for the yeas and nays, so decided was the sentiment of the House in favor of the passage of the resolution. [Applause.]

What the gentleman had in mind was the vote on ordering the previous question, and not the vote on the passage of the resolution. The friends of the measure would have welcomed a call for a record vote, but the gentleman was too prudent to ask for that action, having in mind the vote of the last session.

I desire to repeat the statement heretofore made, that if there is anything of value in this alleged discovery the United States Government is given full opportunity to purchase the same and put it on the market for general use. If the committee of scientists provided for in this bill, should report that this discovery is all the inventor claims it to be, everyone will agree that the Government should take advantage of its option of purchase. The resolution provides that the Government of the United States may acquire this discovery upon the terms which it affords. Should this committee of scientists report that this alleged discovery is a fake, a Keeley fake, if you choose, then the United States will not be in any wise bound to take over the invention, or remunerate the inventor. We simply will not buy it, that will be all. The gentleman from Wisconsin [Mr. STAFFORD] referred to his conversation with some scientists who bracketed Mr. Giragossian with Mr. Keeley, of Keeley motor fame. Did that distinguished scientist in the course of a conversation intended to deride this inventor, refer in any wise to the Langley aerodrome, the prototype of the aeroplane of to-day, and the recipient of much scientific derision in its time?

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. STAFFORD. He did say specifically that he had no faith whatsoever in this Giragossian device.

Mr. SAUNDERS of Virginia. I ask the gentleman whether that scientist referred to the Langley aerodrome, the forerunner of the modern successful flying machine? Prof. Langley died almost of a broken heart in consequence of the ridicule heaped on him by the writers and scientists of his day, who undertook to demonstrate with the precision of a mathematical demonstration that aerial flight by a machine heavier than the air was physically impossible. To-day thousands of these machines are flying in every quarter of the world.

Mr. STAFFORD. The head of the Bureau of Standards, Dr. Stratton, was asked as to what his view was as to this invention and he said he had no faith whatsoever in it, and that it was allied to the Keeley fake motor.

Mr. SAUNDERS of Virginia. Yes, the gentleman has put that statement into the RECORD three times, but I am trying to test out the value of criticism of this character, recalling the numerous mistakes that these scientific gentlemen have made in the past. I ask the gentleman again, whether Dr Stratton said anything about the fake Langley aerodrome, for that in its day, particularly after it fell in the river, was regarded as a sort of scientific monstrosity.

Mr. STAFFORD. No; we were not talking about that.

Mr. SAUNDERS of Virginia. There are many other scientific discoveries which in their struggling infancy, were the subject of much scientific ridicule, but which in the result made good.

Mr. STAFFORD. He was confining his attention to this matter, which it is claimed develops energy without any outside power.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. SAUNDERS of Virginia. I ask the gentleman from Ohio to yield me one minute more.

Mr. CROSSER. I yield the gentleman one minute.

Mr. SAUNDERS of Virginia. Of course the distinguished gentleman referred to by the gentleman from Wisconsin, was trying to ridicule this invention out of court, so to say. He did not take up the general subject of scientific mistakes. Harvey's claims with respect to the circulation of the blood, were vehemently derided when first mentioned.

Mr. MILLER of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. MILLER of Minnesota. I notice that this continually refers to the purposes set out in section 1 of the resolution. I have read section 1 and I do not find that it sets out any purpose.

Mr. SAUNDERS of Virginia. Oh, that point has been discussed heretofore.

Mr. MILLER of Minnesota. I am making my inquiry in good faith. I would like to have the gentleman's view on that.

Mr. SAUNDERS of Virginia. I can not discuss in half a minute a proposition that has already been debated. My time is too short for that. These gentlemen seem disposed to heap abundant ridicule upon an amendment which was added in the Senate. Would they have us believe that the great body at the other end of the Capitol would propose an utterly ridiculous and absurd amendment? Why, I reject the suggestion! It is lese majesty.

Mr. CROSSER. Mr. Speaker, I yield four minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I frankly confess that I do not know a blessed thing about Garabed, but that apparently does not disqualify one from discussing it. I hope, at least, I would like to hope, that such an invention is possible, because I have firm faith that whatever enables us to send these scores of thousands of aeroplanes that my eloquent friend HEFLIN tells us about over the German trenches will be of value and hasten the settlement of the war. I sincerely trust that it will all fall out as he predicts. I may have doubts, but I shall smother those doubts for the time being.

Mr. Speaker, this thing, I understand, exists in the air, but I want to get down to the earth for a moment or two and say something with reference to the military camps in Texas, where we are training young men for service in the air over those same German trenches that have been referred to. In view of some things that have recently been said about conditions in certain camps in Texas, I take this occasion to read to the House, with a view of putting it into the RECORD, a letter which I think is an adequate defense of those camps against some of the slanders that have been heaped upon them. This is a letter from a reputable merchant in my State and district. He writes:

LAMPASAS, TEX., *January 26, 1918.*

Hon. JAMES L. SLAYDEN,
Washington, D. C.

MY DEAR SIR: I notice in the Houston Chronicle an address to Congress by Senator CHAMBERLAIN, wherein he is reporting a deplorable condition in the various Army camps.

This letter is prompted in part to do the officers in charge a justice and prompted still more by a desire to reach the parents of the young men now in the training camp. There is no doubt in my mind but what the conditions have been materially improved over what they were.

It just happened so that my son Albert, who has just been appointed to a position at the officers' training camp, Camp Bowie, wrote me the letter which I herewith inclose you. This young man has never had any hardships in his life. On the other hand, he has not been pampered, and I will quote you his exact words, which are as follows:

"I like the camp fine. We work from 5.45 a. m. until 10 p. m. Every minute is taken. I never worked so hard in my life, but it is fine. It is as cold as can be, but we are so busy we can't get cold, and we have good, warm clothes. I sleep on a cot on a sack full of straw, then I have two pair of Army blankets and five big Army comforts. I also have a raincoat, an overcoat, two suits of woolen O. D.'s and all the underclothes and socks I need. We also have all the grub we need; not fancy, but substantial. It sticks to the ribs. We have Army grits, bacon, light bread, beans, beans, and beans. When I get out of here I am going to be strong enough to go lion hunting with my fist. I like it fine."

I feel sure no special favors have been shown my son, and I want the parents of all these young men to feel as I do, that their sons are not in training for a picnic, but for the most serious duty that has ever confronted our people as a Nation, and that their boys are receiving the exact consideration, training, and treatment as accorded my son.

Most respectfully,

D. CULVER, Jr.

I hope the sarcastic reference in the boy's letter to his father to the diet of Boston will not cause any hostility in the breast of any of the gentlemen from that celebrated city.

Mr. GILLETT. Is the boy who writes the letter an officer?

Mr. SLAYDEN. No; he is not.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. CROSSER. Mr. Speaker, I yield two minutes to the gentleman from North Dakota [Mr. NORTON].

Mr. NORTON. Mr. Speaker, the fact that the gentleman who proposes this invention is an Armenian or Italian or belongs to any other race does not excuse the House of Representatives from passing legislation, a part of which must appear ridiculous and without meaning to any intelligent person who may read it carefully in an effort to understand it. When the resolution was before the House I proposed that an amendment be added after the word "invention," in line 7, section 1, that amendment to read:

To make possible the storage and utilization of free energy.

That describes, as nearly as I have been able to ascertain, what this invention is claimed to be. Nowhere in the resolution, excepting in the title, is it stated what the invention is or what its purpose is.

The amendment No. 2, proposed by the Senate and agreed to by the conferees, composed of Members of the House and Senate, reads:

And that it can substantially effect the purposes set out in section 1 of this resolution.

As no purpose of the invention is set out in section 1, this amendment absolutely means nothing and is, as a matter of fact, nonsensical. It is a kind and character of legislation which this Congress should not disgrace the statutes with. We are under no obligation to enact a resolution of this kind in a few minutes which will go out to the world and remain upon the statute books for all time where part of the wording is absolutely without meaning. I hope that this invention, which the inventor, Mr. Giragossian, has told me personally is a new kind of an engine for concentrating and storing a cosmic energy which has not been harnessed up for use by anyone up to the present time, and for using this energy as a motive power in much the same way that steam and electricity are used, will be a success. I have talked to the gentleman, and I may say I have a great deal of faith in his claims of a new discovery in science, and of an invention of wonderful value and importance to mankind. While I fully favor the passage of this bill, I contend, as one who has a decent respect for the intelligence and carefulness of this great legislative body, that the bill when it is passed and enacted into law should be in such form and wording that when it is carefully read by even the ordinary layman it will not bring ridicule upon Congress.

The SPEAKER. The time of the gentleman has expired.

Mr. CROSSER. Mr. Speaker, I yield three minutes to the gentleman from California [Mr. CHURCH], and after Mr. CHURCH has finished I am going to move the previous question.

Mr. MOORE of Pennsylvania. Mr. Speaker, before the gentleman from California starts I want to ask the gentleman from Ohio, the last speech having been in his favor, whether he intends to close all discussion?

The SPEAKER. The gentleman has just announced that when the gentleman from California concludes he is going to move the previous question.

Mr. CHURCH. Mr. Speaker and gentlemen, I have been keenly interested in the claims made for Mr. Giragossian's free-energy generator, and I therefore introduced House joint resolution 116, which was passed by the Congress at the last session. I also introduced the present resolution 174.

In doing so, I was profoundly convinced that I was performing a most valuable service to my country and mankind as well, if one fraction of Mr. Giragossian's claims should be practical. I do not know anything about his discovery, but I believe he will verify all that he claims.

During the recent consideration by the Congress of resolution 116 the gentleman from Ohio questioned the gentleman from Wisconsin in the following words, as we read in the CONGRESSIONAL RECORD:

If this man has an invention for the free and unlimited coinage of energy, does not the gentleman believe we would be justified in passing this bill?

The gentleman from Wisconsin answered in the negative.

Such a negative attitude plainly indicates that there is a certain class of people who will, under any circumstances, oppose the passage of this resolution. They will try in some way to mutilate the resolution so that it may not be acceptable to one of the two parties, namely, the Government and the inventor. They know plainly that this resolution is a contract, and is and should be drawn by mutual agreement between the two parties and that any omission from or addition to the resolution will nullify it. That is their aim—that is to say, to deprive our Government and people of the benefit of this great discovery. If we should all be of the same mind as the opponents of this resolution, the possible loss to our country would be beyond conception.

This man offers the Government the free use of his work, which will mean a saving to it of hundreds of millions of dollars yearly. Furthermore, the Government will most probably buy the exclusive right to the invention, and we can then sell the right of utilization to foreign countries and thereby get more than we would pay him and thus be able to give the free use of the discovery to our people.

Or the Government could raise an ample revenue through a system of royalties—a revenue which would be calculated by hundreds of millions of dollars yearly. For example, there are probably 7,000,000 farmers in this country who, on an average, would each utilize 150 horsepower for various purposes. The total would amount to upward of 1,000,000,000 horsepower, resulting in such incalculable benefit to every branch of farming industry in our country that such energy would be used

lavishly. Ten million horses of the 20,000,000 in this country may be rendered useless on account of the Garabed. Then we will have, for other uses, 50,000,000 acres of tilled land, as it is necessary to cultivate about five acres in order to feed one horse.

It will be unnecessary and tedious to go into details of all the benefits that free energy can bring. A very slight consideration of its possibilities will stagger the imagination of the most powerful mind.

Is there any sensible and righteous reason to disregard and not to give due consideration to such a work? What is this man asking in return for his magnificent offer? He is asking, as his compensation, protection for his rights only—simply a patent that shall be in conformity with the spirit and letter of our Constitution. I do believe he has just cause to ask it.

In the case of our refusal, with the resultant loss of this great discovery, what are the opponents of the resolution going to give instead to our country and mankind? Nothing.

In my opinion we should give the greatest incentive and encouragement to our inventive geniuses. They should know that we will afford every possible consideration and protection to any great epoch-making invention or discovery.

It is regrettable that, whether we like it or not, we are in the war. I am positively convinced we will be victorious, but it is our duty to make this ruinous and bloody conflict as short as possible. We should utilize every available instrument or invention that American toil or ingenuity can produce so as to lessen the horror of this war. If the Garabed can shorten this great struggle only one day, it is worth while to give every possible consideration to the matter, and pass this resolution, and pass it by unanimous vote. There are various and strong reasons for believing that this invention will play, in an unbelievably brief time, the greatest rôle in shortening this war.

Mr. Speaker, this inventor claims to have discovered the key that unlocks an unlimited ocean of energy. He says there is energy enough there to propel all of the flying machines in existence; enough to drive all the men-of-war, merchant ships, and other ocean crafts; enough to run all railroad trains, combined harvesters, traction engines, and thrashing machines; enough to draw every harrow, cultivator, and plow; enough energy to run all nitrate plants and cause them to toil ceaselessly at the will of man; enough to run all pumping plants and to draw, from unknown depths, water enough to irrigate every acre of land on earth; enough energy to make the deserts blossom as the rose, and to pump inland lakes on bad and barren lands; enough to turn all of the wheels of industry of the world; enough to lift every hammer and turn every drill; enough to run every sewing machine, washing machine, and churn; and enough to supply a little power plant in every home.

One of the strange things about these monstrous claims is, the inventor has the power to convince nearly everyone with whom he comes in contact that there is about a 50 per cent chance that he has exactly what he pretends to have. It is true there are some self-centered men who reject every new claim, however promising, unless it comes through themselves or some other favored source.

Naturally a person making such far-reaching assertions as does the party in this case, must undergo a test as to his intelligence and sincerity. Mr. Giragossian has made my office his headquarters for the last four or five months and I have had many opportunities to observe him. He is a man of rare intelligence and great sincerity of purpose. He is a deep thinker and one of the most remarkable philosophers I have ever met, and I say to you frankly, he has convinced me almost beyond the question of a doubt that he has exactly what he claims. In making this statement I am remindful of the fact that if he is correct he will become the great benefactor of the human race.

I submit to you, gentlemen, that his requests, as set forth in this resolution, are reasonable; that if he is mistaken in his claims the Government loses nothing, but if he is correct his invention will bring us untold wealth. He is not asking for an appropriation with which to develop some untried feature of his claims; he has worked it all out through years of toil by the use of his own money, time, energy, and skill. He simply asks for protection, provided he makes good, and requests that five eminent scientists be chosen who shall be approved by the Secretary of the Interior; that he shall be commissioned to make know to them his secret; to show them the working-sized engine which he has made and now has in his possession; that when this is done, if they say, "Giragossian, you have proven your claims," then the Government will protect him for the period of 17 years against patent sharks and infringers. In turn for this protection he is to give to the Government the use of his invention free of charge, to be used as the Government sees fit on all its flying ships, ocean ships, and wherever it is desirable to use it, either on land or sea. If he has what he claims, the Government will save each year hundreds of millions of dollars in the price of gasoline, coal, and other fuel. If he does not make good, the Government does not lose a cent as it assumes no financial obligation in reference to the proposition.

If this man has not what he claims, will any man here tell me why he is here in Washington spending his time, energy, and money? Does he want this resolution to pass and this committee appointed simply to provide him an opportunity to make a failure and thus disgrace himself in the eyes of his fellowmen?

Gentlemen, I submit that if this man has what he claims we need its benefits now more than any other moment in all the history of the world because it will, in a very marked degree, assist us in ending this heartless war. We need this engine on a thousand ships that we are now constructing; we need it on our almost countless airships that are now being made. If this invention is what it is claimed to be, from the green hills of Virginia fleets and flocks of flying machines can arise, defy, and cross the ocean and hover indefinitely above the intrenched enemy and rain explosives upon them until, in despair and fright, they stack their guns and quit.

Gentlemen, I submit on the part of wisdom it is well for us to give this man an opportunity to make his demonstration at the earliest possible moment for if he fails we lose nothing, but if he makes good his discovery means an epoch in the human race so far-reaching that no one can foretell its good result. It will shorten the hours of toil for every laboring man, it will increase the pleasures of life tenfold, it will make the deserts of this old world blossom as the rose, and as the first great unspeakable blessing it will end this heartless, cruel war.

The SPEAKER. The gentleman from Ohio moves the previous question.

Mr. MOORE of Pennsylvania. I make the point of order that there is no quorum present.

Mr. MILLER of Minnesota. Mr. Speaker, there is no quorum present.

Mr. MOORE of Pennsylvania. The gentleman can not browbeat the House that way——

The SPEAKER. It is not debatable. The gentleman from Pennsylvania makes the point of order there is no quorum present. He has a perfect right to make it, and the gentleman had a perfect right to move the previous question. The Chair will count. [After counting.] A hundred and forty-one gentlemen are present, not a quorum.

Mr. CRISP. Mr. Speaker, I move a call of the House.

Mr. CAMPBELL of Kansas. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Kansas rise?

Mr. CAMPBELL of Kansas. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CAMPBELL of Kansas. Is not there an automatic call of the House? Is not the question on the previous question?

The SPEAKER. There is no automatic call about it.

Mr. CAMPBELL of Kansas. Was not the question stated?

The SPEAKER. The gentleman raised the point of order that there was no quorum present before the Chair even asked anybody to vote. The gentleman from Georgia [Mr. CRISP] moves a call of the House.

The question was taken, and the Speaker announced the noes seemed to have it.

On a division (demanded by Mr. CRISP) there were—ayes 97, noes 2.

So the motion was agreed to.

The SPEAKER. The Doorkeeper will lock the door, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Anthony	Davis	Greene, Vt.	McKeown
Bowers	Dent	Hamill	McLaughlin, Pa.
Brodbeck	Dooling	Hamilton, N. Y.	McLemore
Brumbaugh	Doremus	Haskell	Maher
Caldwell	Drukker	Heintz	Mann
Campbell, Pa.	Eagle	Helvering	Martin
Cannon	Elston	Hollingsworth	Meeker
Capstick	Estopinal	Hull, Iowa	Moores, Ind.
Caraway	Fairchild, B. L.	Husted	Morin
Carew	Fairchild, G. W.	Johnson, S. D.	Mott
Chandler, N. Y.	Ferris	Kahn	Nelson
Clark, Fla.	Flynn	LaGuardia	Nicholls, S. C.
Clark, Pa.	Focht	Lobeck	O'Shaunessy
Costello	Frear	Lonergan	Parker, N. J.
Cramton	Goodwin, Ariz.	McClintic	Parker, N. Y.
Curry, Cal.	Gordon	McCulloch	Peters
Davidson	Graham, Pa.	McKenzie	Rayburn

Rowland	Sterling, Pa.	Tillman	Wilson, La.
Sabath	Sullivan	Treadway	Wingo
Scott, Pa.	Swift	Van Dyke	Winslow
Scully	Talbott	Vare	Wise
Sherley	Taylor, Colo.	Ward	
Smith, T. F.	Templeton	Watson, Va.	

The SPEAKER. A quorum is present.

Mr. CRISP. Mr. Speaker, I move to suspend with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The question is on agreeing to the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. CROSSER, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

LEAVE OF ABSENCE.

Mr. MCLEMORE, by unanimous consent, was granted leave of absence for three days, on account of illness in his family.

AGRICULTURE.

Mr. LEE of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9054.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9054, the Agricultural appropriation bill.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill, of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919.

The Clerk read as follows:

General expenses, States Relations Service: To carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," the sums apportioned to the several States and Territories, to be paid quarterly in advance, $720,000.

Mr. CAMPBELL of Kansas. Mr. Chairman, I move to strike out the last word.

My purpose in taking the floor at this time is to call the attention of the House to the serious condition that confronts the farmers of the country with respect to farm labor. Much is said by the Food Administrator and in the press throughout the country about the necessity for conserving food and economizing in its use. Conservation of food products and economy in the household will serve a great purpose, but the essential thing, a matter of the very greatest importance to the people of this country and to our allies, is the production of food in America in the coming year. This can not be done without farm labor. How is it to be secured? Service with the colors is taking men from the farms in every school district throughout the farming sections of the United States. Men who can not be spared from the farms are taken where they are essential with the colors. Something must be done to supply this labor, and I wish to call the attention of the chairman of the committee to the matter. How can it be done? We are appropriating in this bill something like $27,000,000. Properly utilized it would serve a good purpose, but it will not produce a crop in 1918 that will be available in a year from now to feed America and to aid in feeding our allies in Europe.

This is a serious thing to the farmers of the country, and even more serious to the people of the country who are not farmers, but must have food. I think we should make provision in this bill for labor to replace the farm labor that has been taken into the war from the farms. I make this suggestion: There are boys ranging from 15 to 21 years of age in every city and town in the country who are attending school. They ought to go to school, of course, but I believe that in this coming vacation these boys could acquire a knowledge and experience on farms as farm laborers that would be of value to them throughout their lives, and by enlisting for farm labor or taking employment upon the farms of the country and aiding in the production of crops they would render a great service at this time. They would be especially valuable in producing corn, in harvesting wheat and oats, in planting and taking care of and digging potatoes and all root crops. They would be especially valuable in producing sugar beets in the sugar-beet sections of the country. And without their labor, without some such labor as that, there will be a shortage of every crop that is essential and for which we have so much need. What we need above everything is production sufficient for all our needs. The farmers will have enough to eat, and have less cause for worry about the shortage of farm labor than those who do not live upon the farms.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. BORLAND. I am in thorough sympathy with what the gentleman says about the shortage of farm labor and the disastrous effects of it. Would it not be a good idea to make the Government clerks work eight hours a day and stop bringing so much farm labor here to the Capital?

Mr. CAMPBELL of Kansas. I will tell the gentleman from Missouri what I think would be a better idea than that, and that would be to send one-third of the clerks home and let the other two-thirds do all the work, whether it takes them 8 hours or 10 hours. [Applause.]

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. LITTLE. May I suggest that Carpenters' Union No. 61, of Kansas City, has sent me a resolution offering to send all its members, 1,400, into the harvest field next summer if needed?

Mr. CAMPBELL of Kansas. That is a good suggestion. I think that the young men from 15 to 21 years old might well take employment on the farms of the country, beginning on the 1st of April and ending, say, the middle of November, and get a certificate of service to their country as having done their bit at this time.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. CAMPBELL of Kansas. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to proceed for five minutes more. Is there objection?

Mr. LEVER. Mr. Chairman, pending that, I ask unanimous consent that all debate on this paragraph close in five minutes.

Mr. CAMPBELL of Kansas. I do not believe that the gentleman from South Carolina is sufficiently impressed with the importance of farm labor in food-crop production. We are providing here $27,000,000 for a lot of clerks in these departments and for a lot of scientists who will not produce an ounce of anything to eat in 1918 unless there is farm labor.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to proceed for five minutes. Is there objection?

Mr. LEVER. The gentleman from Kansas has made a very wise statement. I hope we can take it into consideration.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. QUIN. Mr. Chairman, will the gentleman yield right there?

Mr. CAMPBELL of Kansas. Yes.

Mr. QUIN. I thoroughly agree with the gentleman that we ought to have much more labor on the farm, but I think it is imaginary and impossible to get these fellows out of the cities. They have not any sense about farming to start with, and you can not get those young fellows out from under the electric lights in the cities.

Mr. CAMPBELL of Kansas. The gentleman may be correct to a certain extent, but I believe that if these young men are appealed to from a patriotic standpoint, and their parents are appealed to, they will perform this important labor on the farm.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. COX. I know the gentleman is thoroughly conversant with the situation in Kansas, as I am to the situation in Indiana. Why would not this be a solution of the problem—to require young men from the age of 15 to 19, possibly 20, to be actually enrolled, so that the President could send them to the farms in the country to help the farmers out? They are not worth a rap if you send them out from school. You could beg them until you were black in the face, and you could not get them to work. You must have power behind you.

Mr. CAMPBELL of Kansas. I am asking the chairman of the Committee on Agriculture to take an interest in this subject and to do something at an early date that will provide farm labor. I know, as the gentleman from Indiana [Mr. Cox] knows, that many farmers will let lay fallow much of their farm land in the coming year for want of farm labor.

Mr. COX. They are doing it now in the State of Indiana. They are sowing their fields in grass.

Mr. CAMPBELL of Kansas. They will have to do the same thing in Kansas and in every part of the country, because they can not get the labor to cultivate the land if something practical is not done to meet the situation.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. SLOAN. Would it not be a good suggestion that we take this advice to ourselves and speed up our own work, and then the young men of this House can go home and do some farming work during the summer? [Laughter.]

Mr. CAMPBELL of Kansas. I am anxious to do that. I will say further to the gentleman from Nebraska that I am getting ready to put in a little crop this spring myself.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. JOHNSON of Washington. I may say that while I was in the West recently I learned that in Beaverhead, Mont., the schools in the county seat, Dillon, and elsewhere in the county had agreed to run six days a week. That is, they agreed to have school on Saturday, so that the boys might work later on the farms last fall and start earlier in the spring. That is the only place where I found that idea adopted.

Mr. CAMPBELL of Kansas. I feel sure that if it is brought properly to the attention of the young men of the country and their parents farm laborers could be secured in very large numbers to raise a crop in the coming season.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. LINTHICUM. I would like to say that I had a delegation before me this morning from the fertilizer people, claiming that they can not get cars to ship fertilizer or coal to manufacture it. Is not that an important proposition?

Mr. CAMPBELL of Kansas. Yes; that is important. The reason why they can not get cars is that the railroads in recent years have not been keeping up their equipment, and the reason fertilizer may be short of the requirements is because of labor conditions. The productive labor of the country is short. And there are many young men in school who will remain in school until the middle of June or the 1st of July who might well spare two months or two months and a half out of school in the spring and the same time in the fall, and put the time in planting a crop and remaining upon the farm until the crop is gathered in November.

Mr. QUIN. Where are these schoolboys coming from?

Mr. CAMPBELL of Kansas. From the cities and towns.

Mr. QUIN. O, my God, do not you know they can not farm? [Laughter.] It will take a year to teach one of them.

Mr. CAMPBELL of Kansas. They can learn. They are generally pretty husky fellows, most of them. They stand work in trenches; they stand the hard work in the Army.

Mr. QUIN. They can not plow. They can not dig.

Mr. CAMPBELL of Kansas. There is much work they can do. They can do a great deal of work on the farm. We have provided in this bill for many instructors in farm labor. What do they do? Why, they do very little for the average farmer who knows his business. They come around and occasionally say something to a farmer that is a good suggestion. But they could materially aid in getting these boys to come from the schools into the work on the farm and help them get started in farm labor. Something of this kind must be done. Labor must be provided for the farms or we will not have food enough for all our needs in the coming year.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. SNYDER. I move to strike out the last word.

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. CAMPBELL of Kansas. I have made this suggestion because I think it is important. Much of the money appropriated by this bill will avail nothing unless there is farm labor.

Mr. LINTHICUM. I ask unanimous consent that the time of the gentleman from Kansas be extended five minutes.

The CHAIRMAN. The Chair has recognized the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Chairman, I do not claim to be a farmer, but I do come from a great agricultural district, that is also as well a great manufacturing district. There is great disturbance in the minds of the farmers of our part of the country at the present time, because they fear they are not going to get sufficient help to put in their crops this year and that they will not be able to get their crops off the fields if they do put them in, having gone through that experience last year, very much to their disadvantage.

I believe the farmers in my district are patriotic, as they are all over this country. They have worked hard and long hours, and are willing to continue to do that, but they believe that something definite should be done for them now before the time for putting in crops is past. With that in view, I understand that a measure has already been considered by the Military Affairs Committee, that gives the Secretary of War the right to furlough men back into various industries, and it is my understanding that it is the purport of that bill to take care to some extent of this particular thing that we are discussing here this morning. I myself early in the session introduced a bill to exempt farmers and farmer boys and other men under similar conditions. My measure would simply cover farms of from 50 to 100 acres. In my part of the country we have more farms of that size than larger ones. These men are terribly handicapped, and made great losses last year by not being able to harvest their crops. While they are patriotic, you can hardly expect a farmer to put in more stuff than he believes he can get out. That is what we are laboring under to-day. I certainly hope that whether some action is taken in this bill or not something will be done between now and the 1st day of March to assure the farmers of this country that they are going to have some definite assistance and an understanding with reference to getting off the crops that they put in.

Now, if I have just a minute, I should like to say a word or two about boys and girls going on the farms. In the State of New York last year we adopted that policy, and we already have a law up there for universal military training, and last year we sent thousands of boys from school and thousands of girls onto the farms, and they did good work, and many farmers certified to the benefit that they got from these boys out of the schools last year. That work will be multiplied tenfold this year.

Mr. BANKHEAD. Was that compulsory service?

Mr. SNYDER. No; it is not compulsory, but it is carried on by a system of enrollment, as the gentleman from Indiana has suggested, and the school-teachers and school superintendents throughout the State took charge of that work, listing up the boys and placing them and the girls on the farms. I want to say just this in response to my friend from the South, Mr. QUIN, that up in our country we do have in the towns and cities boys who can work on the farms; and many farmers who have got a little on the better side of farming, who have made some money, have moved into the towns. Their children have had eight or nine years on the farm, as I had when I was a boy, and they do not forget all they learned about farming. When summer comes they are only too glad to go back on the farm and give somebody the benefit of their assistance.

Mr. FESS. Had these boys who were sent out from the schools had any training on farms before?

Mr. SNYDER. Some of them had and some of them had not, and the same thing might be said about the girls who went onto the farms.

Mr. FESS. At Dayton, Ohio, there were several boys sent from the city out to the farms, but they were not adapted to the work, and the men who employed them said they could not endure them, that they did not know how to handle horses, and they really were of more loss to them than they were advantage.

Mr. SNYDER. Up in our section we did not have that condition. Many times when I was going through the country last summer I saw boys running hay rakes, running mowing machines, loading hay, on the top of the hay, and I have been in barns where they were mowing it back, and the farmers told me they were getting a good deal of help in that way. They simply had to have this help. There was no other way they could get it.

Mr. FESS. They must have exercised some discretion in their selection, did they not?

Mr. SNYDER. Very likely they did. The farmers had the right to say whether they would take a boy 15 years old or a boy 10 years old. I have seen 10-year-old boys working on the farm.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. IGOE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Young, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 174) for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

Mr. LEVER. Mr. Chairman, all this discussion is aside from this paragraph. This paragraph has to do with the appropriations for the Hatch Act. I must insist that we confine ourselves to the proper discussion of the item under consideration.

Mr. LINTHICUM. I hope the gentleman will give me five minutes along this line.

Mr. LEVER. We are expected to get this bill through this afternoon; and if every gentleman takes the floor for five minutes, we might as well close up shop, because we can not pass it to-day. Several Members around me have asked me to give them a little time, failing to realize that the Committee on Agriculture is a very busy committee. Gentlemen come in here once a day and make speeches. We have to sit here all day, and, in addition to that, we have things ahead of us that we ought to be doing. I trust gentlemen will not press this discussion, which is not germane at this point. There is a place in the bill where it will be germane, and I will be very glad to be liberal when we reach that point. It is absolutely out of place here.

Mr. LINTHICUM. It does not encourage us very much to stay here when you will not let us say anything when we do come.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes, the gentleman from Iowa [Mr. GREEN] to have five and the gentleman from Maryland [Mr. LINTHICUM] to have five.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes, the gentleman from Iowa [Mr. GREEN] and the gentleman from Maryland [Mr. LINTHICUM] each to have five minutes. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, I merely want to say, in reference to what the gentleman from Mississippi [Mr. QUIN] has said about the boys from the city being unwilling and unable to do farm work, the district wherein I live and represent is a large city district and I farm in a country district. I know that many city boys went from Baltimore into the country and did splendid work. The work that they do depends very much on the farmer who employs them. If the farmer who employs them puts them down to hard work at the beginning, without training, it is impossible for them to do good work. He must give them a little chance to get down to hard work and teach them the work at hand as they proceed. If he does this and takes an interest in them, they will surely give him great satisfaction.

I know of a young man farming next to me who had a number of young men under contract from the Johns Hopkins University, of Baltimore—city boys. I have seen those boys in his fields from early morning until sundown, doing work and doing good work. They not only did good work, but they were fine associates as well. I know there are plenty of boys in the city of Baltimore and other large cities who can and want to go and do farm work if they can get the chance. They must be taught and trained and they will be found intelligent, hard workers.

Now, I want to say a word about the fertilizer question. I had a delegation of fertilizer men before me this morning from my district, who say that it is absolutely necessary if we want big crops this year to get the fertilizer to the farmer. So far they say it has been next to impossible for the manufacturers to get fuel to run the plants, and some can not get it. Then it is absolutely impossible to get enough cars to send the fertilizer to the sections where it will soon be needed. They suggest that cars ought to be furnished for those sections where planting will soon be in operation, and then other cars for sections farther north. In this way, they tell me, the fertilizer can be supplied gradually from South to North without any great drain on the railroads.

The question of fertilizer is a serious one. If you can not get as much farm labor as desired, we will have to do more intensive farming. If we have to pay $12 a bushel for peas instead of $6 a bushel, we will have to put more fertilizer back of them to produce a crop proportioned to the cost of the seed and labor. We know that it takes just as much labor to work over a field producing 50 bushels per bushel planted as it does to work over a field well fertilized which produces 100 bushels. It does not take any more labor to produce 100 bushels with intensified farming than to produce 50 bushels on a poorly fertilized farm. I merely state this so that Members interested in this matter who want to see a big crop and the people well fed may get after the fertilizer and see that it is manufactured and gets to their farms. I believe if you do that and get the boys from the city you will produce all the crops that you need this year.

I am not a novice as to farming and farm work. I was raised on a farm and taught by a father who was a progressive farmer. He knew above all things that unless you fertilized and otherwise improved your land, you were not a farmer but a miner, taking all from the land and putting nothing back. He also knew the value of farm machinery and put this knowledge into practice. He realized that with proper farm machinery half the force on a farm could do the work, and do it with less labor. Many farmers are terribly handicapped in the early spring, when planting season arrives, by not being ready to take advantage of the weather at once. If the farmer will have his machinery, plows, and so forth, all placed in readiness for springtime and planting, he will be saved much worry and time.

I would not be adverse to helping farmers buy machinery. It saves so much labor and enables one to produce in greater abundance. You men from the farming sections impress upon your people the necessity of intensive, up-to-date farming. The farmers are awake, I am sure, but we all like a little boosting at times. It is the little fellow, the timid farmer, the one who fears debt as he fears fire—these are the men who need encouragement.

It has been said that the farmer must win the war, that it is a question of food endurance. Plenty of fertilizer and other land improvement, proper farm machinery, intensive farming, aided by the farmer boy and the trained city boy will save the day, I am sure.

Mr. ALEXANDER. Will the gentleman yield?

Mr. LINTHICUM. I would be glad to.

Mr. ALEXANDER. Does not the gentleman think that one boy raised on a farm and actively employed is worth more than two city boys?

Mr. LINTHICUM. Of course he is worth more.

Mr. ALEXANDER. Why should not the Government in the administration of the law with reference to the selective draft exhibit a little more liberal spirit and leave the boys on the farm?

Mr. LINTHICUM. I have given the gentleman's question a good deal of thought. It has occurred to me that boys taken from the farm under the new draft ought to be furloughed to produce a crop, and when the crop is produced we can consider whether they shall go back or whether we need them worse on the farm. It is a very serious question.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. GARNER having taken the chair as Speaker pro tempore, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9054, the Agricultural appropriation bill, and had come to no resolution thereon.

INCOME-TAX PRIMER.

Mr. BARNHART. Mr. Speaker, I ask unanimous consent for the immediate consideration of House concurrent resolution 33, which I ask the Clerk to read.

The Clerk read as follows:

House concurrent resolution 33.

Resolved by the House of Representatives (the Senate concurring). That there shall be printed 500,000 extra copies of the Income-Tax Primer, prepared by the Bureau of Internal Revenue for the information and assistance of taxpayers, 150,000 copies for the use of the Senate and 350,000 copies for the use of the House of Representatives, the same to be distributed through the folding room.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

AGRICULTURE.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CRISP in the chair.

Mr. GREEN of Iowa. Mr. Chairman, I do not believe the importance of the matter which has been the subject of discussion before the committee is fully understood. It has been treated largely as if it was a matter of worry on the part of the farmers. As a matter of fact, the country at large needs to worry over the subject more than the farmers. The farmers are going to have enough to eat, as far as they are concerned. There is some question whether this country will have enough

to eat, and a still more serious question whether our allies will have enough to eat. What action ought the House to take at this time? It can take no action on this bill, but it ought to be considering measures which may be adopted to relieve the situation, and one of the first is that which has already been spoken of. I entirely concur with the suggestion that a bill ought to be passed to furlough soldiers now in these camps in time to help raise the spring crops, where crops are dependent on their labor. There has been a singular strictness, if I may so term it, in reference to exemption rules. I can not understand where a man is running a 160-acre farm, producing, as we do in Iowa on our productive soil, crops of immense value to the country, with no one to help him, no way to obtain labor, why these young men should not be exempt, and I know of hundreds of cases where they are not exempt. I do not know how the crops in my State are going to be planted this spring if no provision is made for help at that critical time. Spring work on the farm can not be postponed. It can not wait. It must be done at the right time or the crop will be a failure. Moreover, as a rule, the spring work must be done by a skilled workman. The preparing of the soil and planting of the crops must be done by one who not only knows how to handle horses but also complicated machinery. He must know, too, just when each part should be done and the proper manner of doing it.

So that I say some action ought to be taken with a view of furloughing soldiers in such cases, in order that these crops may be gotten in in the spring. Then there is another matter, which, while it is not a matter for the consideration of this committee, is a matter for consideration of my own community, if I could make my voice heard that far, and for a good portion of the West. In every community out that way there is a large number of farmers who are retired. They are men who have had experience in farming, but who, of course, are no longer able to do the heavy physical work. They are able, however, to sit on a riding plow or a riding cultivator. They know how to handle horses. They know how the work ought to be done and how to give directions to persons ignorant of the work, and I hope that their patriotic impulses will be stirred so that every one of them will be out on the farm doing what he can in order to get these crops in and produce the food so necessary for the country at this time. Every State should do something in the line of what has been done in the State of New York. The gentleman from New York [Mr. SNYDER] told you something with reference to what is being done there, but his remarks were not, I think, entirely complete. As I understand it, the State of New York has opened a school for the training of boys and girls—boys not old enough to go into the Army and girls of the age from 18 to 25 who are willing to work on the farm. These boys and girls are given preliminary training, and something of that kind ought to be done in every State. I understand this work has been very successful and large numbers of boys and girls have been gotten out to do the work on the farm, and they have given considerable help. Am I correct in that?

Mr. SNYDER. The gentleman is correct, and if the gentleman will permit, I would state that the greatest number has come from around the suburbs of New York, the largest city we have.

Mr. GREEN of Iowa. There is another little trouble with the farmers themselves. They take these boys that come out from the city and then have no patience with them. As the gentleman from Mississippi [Mr. QUIN] said, they do not know how to handle horses, they do not know anything about farm work. All they have is the spirit of willingness and the desire to do something, which they do not understand. Unless our farmers themselves are going to exercise some patience in this matter the results of trying to get these boys and girls out on the farms will entirely fail. It is a time when the patriotic impulses of every person—retired farmers, boys who are in the ranks, boys and girls who are in the towns not fully employed but who might be on the farm—ought to be exercised, and I commend these questions to the House for its careful consideration, for I believe that nothing can be of more importance at this time. [Applause.]

The Clerk read as follows:

For farmers' cooperative demonstration work outside of the cotton belt, including the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, $554,800.

Mr. FOSTER. Mr. Chairman, I move to strike out the last word. What I am going to say should probably have been said at an earlier portion of the bill, when the seed item was under consideration, but I want to say this, that owing to weather conditions the last season, so far as the corn crop throughout the Middle West—Illinois, Iowa, and other States—was concerned, the corn was not matured as it ordinarily is. I have had considerable correspondence from citizens in Illinois in reference to seed corn for the coming year. It is a very serious question with the corn-growing States. I desire to ask the chairman of the committee if the Agricultural Department is taking any steps looking to the proper distribution—not free—of seed corn, so that farmers may be able to secure it in those sections of the country where corn is an important crop.

Mr. LEVER. I will say to the gentleman from Illinois that the food-production bill which we passed last year carried an appropriation of two and a half million dollars for furnishing field seed in emergencies such as the gentleman describes. There is pending before the Committee on Appropriations, I understand, a deficiency item of $6,000,000 to further supplement the funds the department now has. I am not sure that the department will recommend any additional funds for this purpose in its emergency bill which it will present to the committee later in the season. The department is purchasing seed of all descriptions to distribute to farmers for cash at cost in those localities where the seed situation is critical.

Mr. FOSTER. They are asking enormous prices for seed corn, so much so that it seems to me that it does seriously affect the corn crop for the coming year. I do not know how it is all over the West, but I know that in some portions of Illinois there is a great deal of corn, probably a majority of it, that is unfit for seed purposes this year, and that something must be done in order to secure corn from localities where the corn is suitable for planting.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. BORLAND. I do not know what the situation in regard to seed corn is, but I have recently had information that in the sorghum seed market there were indications of a corner. Does the gentleman have information or indications of a monopoly or corner in seeds for agricultural purposes at the present time?

Mr. FOSTER. I have not. The only thing I have is a letter in which they say they are asked to pay as high as $6 a bushel for ordinary seed corn.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. McKENZIE. Right in that connection I would like to state that at a public farm sale in my district a few days ago a farmer paid $32 for a bushel of seed corn.

Mr. FOSTER. That might be an exceptional case, but that is not generally the price.

Mr. McKENZIE. Of course, that was up in my district, and not down in the gentleman's district.

Mr. FOSTER. Of course, they may have money to throw away up in the gentleman's district, but I doubt if they are well enough posted in that district to know really what they ought to pay. [Laughter.] In my district the farmers are too smart to be gulled into paying $32 a bushel for ordinary seed corn.

Mr. McKENZIE. I will simply say, in my district they usually know a good thing when they see it.

Mr. FOSTER. They certainly do in their Representative, but in the purchase of seed corn I do not think they have been very wise.

Mr. BOOHER. I would like to say to the gentleman that I read a statement in one of the county papers published in my district that a certain farmer has put up 400 bushels of corn, selected corn, for seed, and was offering it to his neighbors for $2.50 a bushel.

Mr. FOSTER. That is probably not an excessive price this year.

Mr. BOOHER. That is cheap for a man to separate his corn and sell it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSTER. I would ask for one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. I want to say in my judgment this is an important matter for consideration, and if the Agricultural Department is looking out for seeds to be planted for spring it is important to get the right kind of corn for planting. Everybody who lives in a corn country knows that corn must be matured to preserve it so as to grow in the spring, and I hope that the Department of Agriculture will, in their supply of seeds to sell to farmers for cash, not overlook this fact, and I take it they will not because the corn crop in the Middle West is an immense crop and needs proper care taken to see that the seed will be supplied when the time comes.

The Clerk read as follows:

For farmers' cooperative demonstrations and for the study and demonstration of the best methods of meeting the ravages of the cotton-boll weevil, including the employment of labor in the city of Washington

and elsewhere, supplies, and all other necessary expenses, $650,140: *Provided*, That the expense of such service shall be defrayed from this appropriation and such cooperative funds as may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers, universities, colleges, boards of trade, chambers of commerce, other local associations of business men, business organizations, and individuals within the State.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. Mr. Chairman, the observations which I have to make will relate to the paragraph just before the one last read, although this refers to the same class of work. I did not want the reading of this paragraph to pass without taking the opportunity to express an appreciation of the splendid work of the county agricultural agents. In the country in which I live, a mixed farm and stock-growing country, more particularly a stock-growing country, our people were a little slow to realize the importance and the value of the work that might be done by the county agent, and it required some years and some considerable agitation to bring our people, particularly where the counties were rather limited as to funds with which to cooperate, to a point where they were willing to accept the responsibility and the cost of this cooperation. But in every case so far as I know in my State, where the county agent has been employed it is the well-nigh universal testimony that the aid rendered and the work performed by the county agent has been of very great value. It is a real pleasure, in view of the character of some Federal appointees, in view of the lack of real valuable work performed by some who get on the Federal pay roll, to find a certain class and individuals of a class of appointees who are really adapted to and prepared for their work and who do enter upon it with enthusiasm and intelligence; with an appreciation of the people among whom they labor, the problems they are called upon to solve, and of the proper diplomatic effort by which and through which they can make themselves really useful and effective, on behalf of the people they serve. The agents in my State have not, so far as I have come in contact with them, been taking on airs of superior knowledge, as some have feared they would, or minimized the value of their work by failing to come into hearty sympathy and cooperation with the men among whom they work. I have observed that they have endeavored to learn the best practices of the section and of the region as practically demonstrated, and to bring the general practice up to the best practice, and aiding in the accomplishment of that end by their scientific and practical knowledge and information. They have performed a great work. So far as I know, in my State they are men of the right stamp, kind, and character. If the character of the men, and of their work everywhere, is as it is in my section, a splendid work, highly beneficial to agriculture in its broadest sense, is being performed by these men. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Mr. Chairman, the matter of labor——

Mr. LEVER. If the gentleman will pardon me a moment. I ask unanimous consent, Mr. Chairman, that debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. MOORE of Pennsylvania. Will not the gentleman waive that? I desire to have about seven or eight minutes.

Mr. LEVER. Mr. Chairman, gentlemen say, "let it run along," but the chairman of the committee is a busy man, and so are all the members of his committee, and I would like to get through with this bill this afternoon and we are not going to do it unless gentlemen limit their time. I ask unanimous consent that debate on this paragraph and all amendments thereto close in 15 minutes. The gentleman from Michigan desires five minutes, the gentleman from Pennsylvania and the gentleman from Mississippi will take three.

Mr. MOORE of Pennsylvania. Will not the gentleman raise that a little?

Mr. BARNHART. I would like two minutes.

Mr. LEVER. The gentleman from Indiana wants two minutes. I will make it 15 minutes.

Mr. MOORE of Pennsylvania. I do not expect to speak much more on this bill and I would like to have seven or eight minutes.

Mr. LEVER. I will make it 15 minutes, the gentleman to have seven.

Mr. MOORE of Pennsylvania. I want to say something that I think the committee ought to know.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on the paragraph and all amendments thereto close in 15 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, everyone, whether from a farm or an industrial center, will agree that there ought to be ample labor for farm production. I was impressed by the remarks of the gentleman from Kansas [Mr. CAMPBELL] on that subject this morning and thoroughly agree with him that some arrangement should be made by which we can get more labor on the farm, because we need farm products, and we will continue to need them in larger degree than heretofore. But there are other things besides labor needed on the farm—fertilizer, for instance, which every Member of this House who has a farming constituency will understand. As to this phase of the question I was informed this morning that two large establishments manufacturing fertilizer, one at Baltimore and the other at Philadelphia, may be compelled to close within a very few days, throwing eight hundred or a thousand hands out of work and depriving the farmer of this essential commodity, for the want of coal to continue operations.

The other day, in making a few remarks with regard to the distribution of coal and the desirability of having some other port of exit and entry besides the port of New York to which we might ship our supplies and more equitably and speedily distribute the products of the country, including coal, I made reference to the fact that certain coal barges, then laden, were standing idle in the Delaware River because the propelling power for those barges had been taken away for war purposes. I referred to the fact that the Menhaden fishery boats had not been taken and were still plying their trade, capturing fish in the open sea and turning them in for oil.

I did not go so far as to say that they were grinding them up for fertilizer, but that is also true, and, of course, is of interest to the farmer. Since making that talk the Navy Department advises me that they had not taken the menhaden fishing boats—and there are certainly a hundred or so around the Delaware and Chesapeake Bays capable of doing sea service—because the Food Administrator had requested that those boats be let alone.

Now, the people want food fish and the Food Administrator is supposed to help the people get food fish, but the issuance of an order or request equivalent thereto by the Food Administrator indicating that the continuance of the menhaden fisheries as heretofore conducted would increase the food supply is, to those who know the situation, next to absurd. These menhaden fisheries are after oil and the residuum that goes into fertilizer. The food fish they get, as a rule, are ground up and the public obtains no food advantage therefrom. If it be claimed they produce fertilizer which facilitates the food supply we are now confronted with the fuel shortage, which threatens even the fertilizer.

It seems to me there is a hitch somewhere, due possibly to the overlapping of these myriads of new officials and clerks in Washington, to whom the gentleman from Kansas [Mr. CAMPBELL] referred. We seem not to be getting the best results as to food and fuel—certainly not at the present time.

The farmer and the industrialist are interdependent, as I have contended a hundred times upon this floor. If the industries can not get their coal the farmer may not get his fertilizer.

Close up these two establishments, one in Baltimore and the other in Philadelphia, and I warrant you that the farmer of Maine, who is a very important factor in the cultivation of the potato, even to the extent of sending his spuds down to Florida for early crops, will be unable to render the best service. Close up these industries for want of coal, and these establishments in Philadelphia and Baltimore may not be able to serve the States of Maryland or of Virginia. The difficulties confronting these two industrial plants affect New England, New York, Pennsylvania, and New Jersey, in addition to the others I have mentioned. No one can tell how far these influences extend.

I do not know how it is with the more southern fertilizer establishments. They have them—very large ones—down at Richmond, over at Charleston, at Savannah, and at Jacksonville, and I assume they are subject to the same conditions with regard to fuel that other fertilizer establishments are.

I understand this matter has been brought to the attention of the Secretary of Agriculture and that he has evinced some interest in it. I have brought it to the attention of the Fuel Administrator, but I want Congress to know how vital this matter of the holding up of the coal supply is to all the essential factors in production.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I am pleased to hear the gentleman from Wyoming [Mr. MONDELL] speak so favorably of the work being done in his State under this and similar appropriations, because this is an appropriation supplementing the appropriations now being made under what is known as the Lever law, a law for which the gentleman from South Carolina [Mr. LEVER] deserves the whole credit, not-

withstanding the fact that a distinguished gentleman in another body is claiming credit for it and in some way has been able to have his name attached to the law.

I feel that this work would be as successful in other parts of the country, in the entire country, as in Wyoming if it were carried on in all places as it has been there. And it can very easily be carried on in that very proper way. If it is not, the fault lies with the State and largely with the local community because of the plan of selection of the county agent. The Department of Agriculture cooperates with the agricultural college in this matter. The State agent is selected as the joint appointee of the Department of Agriculture and the State agricultural college. No appointment of county agent is made without the approval of the State agent. He knows the men, their names and residences, who are suited for the work, and when a county makes appropriation and provides money to put itself in line to take up this work the State agent suggests the names of men suitable for the work and who are open to employment. The men are sent, one by one, if required, to the county to undergo examination by those who are locally interested, usually a farm bureau composed of local farmers. In the first place, the State agent does not suggest the employment of any man who is not known or thought to be suitable for the work and the local people are not required to accept any man or to let their money go to pay him, even in part, unless after this investigation they are satisfied he understands their problems and is so well informed and is such character of man as to be suitable for work in the county.

If this plan of selecting county agents were known to those who have so bitterly opposed this item, I think objection would be overcome. They would see that the fault, if fault there be, lies with them or with the people of their locality and that the difficulty can be overcome.

I think this is very important work. Its value has been shown all over this country where it has been carried out properly. It can be made good work everywhere. The local authorities should pay attention to the manner in which these men are secured. No man is forced upon them. Their money goes to pay no man who is not acceptable to them, and if at any time the work of a county agent is not satisfactory communication with the State agent will result in his removal and the appointment of a capable man satisfactory to local interests.

I am glad, as I say, to hear the words of approval by the gentleman from Wyoming [Mr. MONDELL], and I believe that others who know this work and have seen enough of it to appreciate what it is will vouch for the value of it and from time to time approve the appropriations recommended by the Committee on Agriculture to carry it on.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

To enable the Secretary of Agriculture to investigate and report upon the organization and progress of farmers' institutes and agricultural schools in the several States and Territories, and upon similar organizations in foreign countries, with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations, and of improved methods of agricultural practice, including the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, $20,600.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wyoming moves to strike out the last word.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the debate on this paragraph and all amendments thereto close in five minutes.

Mr. MONDELL. Will the gentleman make that seven minutes? I think it will take me about that length of time to say what I desire, and then he had better reserve for himself about three minutes.

Mr. LEVER. I infer from that that the gentleman is about to make an attack on this item. I ask that the debate close in 10 minutes, Mr. Chairman.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MONDELL. Mr. Chairman, this item authorizes the Secretary to investigate and report upon the organization and progress of farmers' institutes and agricultural schools in the several States and Territories. The item is a good one. The investigation proposed, I have no doubt, is carried out in a way to be helpful. The institutions to be investigated and encouraged do a great deal of good. But if we are to have organizations of farmers' institutes and agricultural schools we must have farmers; and if the farmers, and particularly the best farmers—the young and virile, the vigorous and the successful farmers—are all to be drawn from the communities, there will not be a great many left to aid in the active work of these valuable institutes and schools.

Those who approved and urged the conscript law, the draft law, to which we are all loyal, now that it is upon the statute books, urged it principally upon the ground that it was to be a selective draft, and they pictured in their minds and illustrated to us in their speeches the very great advantage and benefits there would be to the country through a selection by Federal agents and local organizations of those who were to go and bear the country's burdens and fight its battles and those who were to remain behind to keep in motion the wheels of industry, the fields green and well cultivated, and to continue the great output of the product of industry and agriculture, so absolutely essential to the success of our arms.

The plan proposed and thus outlined and defended was fine. It was this idea and thought and purpose that made the draft popular. But, unfortunately—and I am blaming no one in particular; I do not know that anyone in particular should be blamed—there has been very little selection. In my State many of the counties in the State until very recently were not subject to the draft because of the fact more than the quota of men had volunteered. But where the draft was applied there was practically no selection. The young fellows in charge of ranches, with hundreds of acres under cultivation, with large herds and flocks, supervising business, and farming enterprises requiring knowledge, training, and experience, vigor, and energy, possessing every quality necessary to the successful operation of these enterprises so valuable and necessary to continue and increase the food supply of the country, were not selected to stay at home in charge of such work.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. In the main they did not ask for exemption. The very man that should be exempted under the plan and purpose proclaimed as that of the selective law is ordinarily the last man who will ask for exemption.

Now, I yield to the gentleman.

Mr. McLAUGHLIN of Michigan. A few days ago, in answer to my request of The Adjutant General of the Army to advise me if there was not some way by which the circumstances surrounding the young men who were taken from the farm might not be looked into, or looked over again, he replied that no exemptions were being made of men on account of their employment on the farm. Now, the law provides that exemption may be given, but evidently the law is being disregarded. If another law is framed along that line, it must be made in such language as that even the officers of the Regular Army will not dare to disregard it.

Mr. MONDELL. I hope that will be done. In some cases, I think, if there is any blame—and I am placing no blame anywhere—it rests with the district boards rather than upon anyone here. The idea of the selective draft was that it would catch the slacker; that it would take by the scruff of the neck the indifferent, the indolent, the shrinking—not to use the word "cowardly"—and put him on the firing line and reserve in the interest and for the benefit of his country some, at least, of the men essential to its agriculture and its industry. What I have said of our young farmers and ranchmen was true also of the men in the mines, and to some extent, at least, of those on the railroads—there was no real effort at the selection which the law contemplated and which was claimed to be its chief virtue.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Will the gentleman give me the other three minutes?

Mr. LEVER. I feel that I ought to reply to the gentleman.

Mr. MONDELL. Will the gentleman extend the time?

Mr. LEVER. I will yield to the gentleman two minutes of my time.

The CHAIRMAN. The gentleman is recognized for two minutes more.

Mr. MONDELL. At the time the draft law was under consideration I expressed the opinion that under the draft, as under volunteering in the main, the men who would go would be the men who wanted to go, the men who were willing to go. And that has been the case. The very men needed to maintain industries and sustain them and to keep the agricultural and stock-growing production of the country up to the maximum, the men that the country needs at home, are the kind of men, of course, that most want to go; young, vigorous, virile, courageous, enthusiastic, loyal, patriotic; and there was no sort of effort made, so far as I know, to select to stay at home those most needed at home, though that is the very essence and basis

of a selective draft. If the conscription law is to be valuable in the way of its selection, it is and must continue to be the duty of the men who enforce and administer it to select men under it as they are needed to go or to stay at home, and not to send every man who is willing to go and keep at home the man who outrages high Heaven with affidavits that he ought not to go. We should retain at home the man needed at home, whether he himself makes any effort to come within the exemption. I hope in the future we will have an enforcement and an administration of the selective draft in keeping with its purposes, as stated by those who most strongly indorsed and approved it.

The CHAIRMAN. The time of the gentleman from Wyoming has expired. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Total for States Relations Service, $3,150,820.

Mr. JOHNSON of Washington. I desire to ask the chairman of the Committee on Agriculture [Mr. LEVER] if he is willing at this point to return to page 45 for the consideration of the aeroplane-stock amendment which I offered on Tuesday.

The CHAIRMAN (Mr. BYRNES of South Carolina). Does the gentleman make a request for unanimous consent?

Mr. JOHNSON of Washington. I ask unanimous consent, if the chairman of the committee is willing.

Mr. LEVER. I have no objection.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to return to page 45 for the purpose of offering an amendment which the Clerk will report. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington:

"And hereafter, during the existing state of war, the Secretary of Agriculture is authorized to sell without advertisement to any individual, firm, association, or corporation, at a fair value to be determined by him, national-forest timber which he shall find is to be used for war purposes; and he is also authorized, under regulations to be prescribed by him, to permit the War Department to take from the national forests such timber as may be needed in the prosecution of the war. The Secretary of War, under regulations to be prescribed by him, is hereby authorized to sell or otherwise dispose of any of the material manufactured from such timber which is not suitable for war purposes. Any moneys received on account of such material shall be deposited in the Treasury as provided by existing law."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment just offered.

Mr. LEVER. I wonder if we may not have an understanding as to whether or not the gentleman from Wisconsin thinks he is going to press the point of order, as he has looked into this matter, I suppose.

Mr. STAFFORD. I have given some consideration to this amendment since it was submitted day before yesterday, having called up the Forestry Service to ascertain the exact operation of the cuttings on the various forest reserves, both for spruce and other timber. I may say that the form in which the amendment was presented by the gentleman before it was modified, so as to have the funds derived from these sales go into the Treasury as miscellaneous receipts, is more acceptable to my view than the modified form providing that the funds received shall be deposited in the Treasury in accordance with existing law. Where the War Department obtains permission from the Forest Service to take such timber as it sees fit, culls out what is needed for its purposes, and then manufactures the balance in the way of lumber to be sold to the public, out of appropriations for the War Department, in my opinion the receipts should be turned back into the Treasury and not, as provided in this amendment, be turned back into the Forest Service fund for the benefit of the local district.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Washington.

Mr. JOHNSON of Washington. My colleague from Michigan [Mr. FORDNEY] has an amendment to the amendment as finally presented by me which he thinks will solve that problem, and with the gentleman's permission I think he can make a statement in two or three minutes that will clarify the situation.

Mr. STAFFORD. With the reservation of the point of order pending, of course, I shall have no objection to the gentleman from Michigan or any other gentleman going ahead and explaining the proposition.

Mr. FORDNEY. Mr. Chairman, I would substitute the word "cut" for the word "manufactured" in the third line from the bottom of the amendment as printed in the CONGRESSIONAL RECORD. At the present time the Government has issued orders which have been placed in the hands of the chief of the Signal Corps on the Pacific Coast, Col. Disque, who is stationed at Portland, Oreg., which orders permit the Government to commandeer timber, no matter by whom owned, for the purpose of making rived spruce, which means split timber. The Government is commandeering timber from anybody's land and paying a certain price per thousand feet on the estimated amount of timber in the tree in such trees as are selected. Then the Government lets contracts to individuals to get out this timber and put it on cars for the Government, taking only such portion of the tree as can be worked into rived spruce, which is a very small percentage of the total product of the tree.

Mr. JOHNSON of Washington. About 10 per cent.

Mr. FORDNEY. Not to exceed 10 per cent, I would say, out of the very choicest trees that may be selected. For the trees selected the Government proposes to pay a given price per thousand feet, board measure, for all the product of the tree. Now, nine-tenths of the tree, after the portion suitable for making rived timber has been taken from it, must lie there in the woods, unless the Government may be permitted to dispose of the remainder of the tree where it lies. It will not pay the Government to take out of the woods timber which can not be worked into such lumber as the Government wants for aeroplane stock; but the balance of the timber ought to be disposed of to the contractor getting out the rived spruce or to some one, at such price as the Government may be able to obtain for it, in order to save it from loss, instead of leaving it there and letting it rot in the woods or be burned. The gentleman's amendment says "the material manufactured from such timber." Saw logs are not "manufactured" products of wood, and therefore if you substitute the word "cut" for "manufactured" it permits the Secretary of War or the Secretary of Agriculture to sell the remainder of the product of that tree where cut into logs and left in the woods.

Mr. STAFFORD. Carrying the process one step further, when the Government has carried this culled-out timber down to the factory, what would be left that might be disposed of by the War Department?

Mr. FORDNEY. I have a copy of the specifications, which call for rived spruce measured at the smallest end of the stick of timber, say 6 by 8 inches and up to from 14 inches thick to 36 inches wide, and not less than from 18 to 26 feet long.

Mr. MADDEN. What does "rived" mean?

Mr. FORDNEY. Rived means split.

Mr. MADDEN. Why does it not say so?

Mr. FORDNEY. The specifications say "rived"—to rive is to split.

Mr. JOHNSON of Washington. Let me read the specifications, to show what a tremendous proposition this is. The War Department solicits farmers, lumbermen, contractors, and everybody who can go into the work to engage seriously and earnestly in the business of spruce production. These specifications provide:

All spruce purchased must be split by wedging. The use of explosives in any manner whatever is prohibited. Cants must be 18 to 26 feet full in length; four sides clear, not more than 14 inches thick nor more than 3 feet wide on the bark surface. Annular rings must not be less than six to the inch. Grain must be straight throughout the entire length of the timber, without waves, knots, or rot. Timbers should not be hewn or squared. The heart will always be removed. In selecting trees for this purpose only the finest specimens of live trees should be fallen, and no attempt should be made to utilize dead or down trees lying on the ground or which appear to have shaky or spiral growth or have been burned. No piece with pitch-pocket evidence will be accepted. Any abuse of these conditions will result in a rejection of the material and consequent loss to the producer. The opposite page contains scaling data which will govern inspectors and control the price paid for products.

Mr. FORDNEY. Will the gentleman permit me to state, further, I am familiar with this kind of timber—spruce—and it is not generally a straight-grained wood. There are only certain kinds of timber that grow that will split straight as if sawed, and spruce is not that kind of timber. Very likely one will find it twisted in grain or growth. When split it must be perfectly straight and square or the Government will not accept it according to specifications. No expert in the world can tell whether it is straight grained or cross-grained until the tree is felled and split. Then if it is found the least bit twisted, all of the tree is rejected. Unless you permit the Government to sell the tree where it lies after it is found that it is not suitable for riving you will destroy the timber, for if the Government can not dispose of the tree where felled, then the tree is abandoned to decay or to be destroyed by fire. Why not save it?

Mr. STAFFORD. Assuming the case that the log has reached the lumber mill for some special use, and the War Department finds that it is not suitable for that special purpose, the Government might be able to use it for some other purpose.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. STAFFORD. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks that the time of the gentleman from Michigan be extended five minutes. Is there objection?

There was no objection.

Mr. FORDNEY. The timber must, before it has been accepted by the Government from the contractor, follow all of these specifications. Therefore it must be not more than 14 inches thick and 36 inches wide and not less than 18 or 26 feet long, and be absolutely straight grained, or it will not be accepted by the Government.

Mr. STAFFORD. Assuming that they do accept it and find some interior defect, what will the War Department do with the log when it gets to the lumber mill?

Mr. FORDNEY. There are some defects that are not visible before it is split. All the defects are exposed when it is split into a stick 6 by 8 inches square and from that up in size. Every defect is then visible and it must be perfcet. The defects are visible after it is rived, and the rived timber will not be accepted unless perfect, which means it must be sound and straight grained.

Mr. STAFFORD. The log is going to be rived in the forest?

Mr. FORDNEY. Right in the forest where the tree is felled.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. McLAUGHLIN of Michigan. The gentleman suggests the use of the word "cut" instead of "manufactured." Why not use the words "cut or manufactured"?

Mr. FORDNEY. Then you are going to put the Government into the manufacturing business. What I want is to protect the Government in the sale of timber in the woods after they discover that it is not suitable for Government use. If it is suitable it will be taken out and manufactured by the Government and be used for making aeroplanes. If it is not suitable it is left in the woods and ought to be disposed of by the Government and allow it to obtain a reasonable price for that portion of the timber unfit for Government use.

Mr. ROBBINS. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. ROBBINS. The gentleman's amendment only contemplates certain timber being left in the forest. Is there no timber that will be left at the mill?

Mr. FORDNEY. No, sir; the specifications call for a stick of timber squared a certain number of inches in thickness and width, when measured at the top end, not less than 6 by 8 inches and 18 to 26 feet long, absolutely straight grained when rived, not hewed or sawed, not prepared in any other way except split. Rived means split. Therefore, it must be perfectly straight, not twisty; no large knots; no defects of any kind.

Mr. JOHNSON of Washington. If the gentleman will allow me, I will read paragraph 6 of the specifications.

Mr. FORDNEY. I yield.

Mr. JOHNSON of Washington. It is as follows:

6. This method of securing spruce for airplane construction necessarily will result in leaving considerable portions of each tree in the forest. It is directed that all limbs be cut from the main trunk of that portion of the tree left on the ground, and every other possible precaution taken to prevent possibility of fire. It is by this method that the Government hopes to double the production of spruce for airplane stock so urgently required at this time.

Mr. FORDNEY. Let me say that the Government has already selected trees in forests on the Pacific coast in the county where the gentleman from Washington [Mr. JOHNSON] lives. They have marked particular trees. They have measured the diameters of the trees, estimated the length and amount of timber that the tree will cut in feet board measure, and have notified the owners that the Government "will take those trees that have been marked," and that it will pay a certain amount per thousand feet for the timber. When they sell the timber they are going to abandon all except the portion that will make rived spruce, and this provision will allow them to sell the rest of the tree at some price. The Government ought to get some money for the balance of the trees which it will abandon in the woods. If you adopt this amendment, it can do it and will not have to manufacture it and sell it as a manufactured product.

Mr. WINGO. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. WINGO. May I understand the exact status of the amendment offered by the gentleman from Michigan? Does he propose to cut out the word "manufacture" and substitute the word "cut"?

Mr. FORDNEY. Yes; so that when the tree has been felled from the stump, is lying in the woods, after a portion is taken by the Government, it can sell the balance when cut into logs, and so forth.

Mr. WINGO. I am in sympathy with the gentleman's amendment, but I would like to offer an amendment to it.

Mr. STAFFORD. Mr. Chairman, after the explanations made by the gentleman from Michigan [Mr. FORDNEY], and the gentleman from Washington [Mr. JOHNSON], I withdraw the reservation of the point of order.

Mr. LEVER. Mr. Chairman, I still have a point of order reserved against the amendment. Let me ask the gentleman from Michigan if his amendment goes in the Government can not manufacture the timber, but the Government would have the right to sell the trees now under existing law?

Mr. FORDNEY. With this amendment the Government would have the right to take the whole tree out and manufacture and dispose of it, but if thought desirable can sell the timber on the ground where it is cut instead of manufacturing; my amendment would permit this to be done.

Mr. WINGO. I think that amendment is a good one, but let me suggest that after the word "timber" you put in this language: "or such portion thereafter as may be suitable for war purposes."

Mr. FORDNEY. Yes; that is all right.

Mr. WINGO. That would clarify it.

Mr. FORDNEY. I am in sympathy with the amendment.

The CHAIRMAN. The Chair understands, then, that the gentleman from Michigan withdraws his amendment?

Mr. FORDNEY. Yes; I accept the amendment of the gentleman from Arkansas.

The CHAIRMAN. The Clerk will report the amendment proposed to the amendment of the gentleman from Washington by the gentleman from Arkansas.

Mr. LEVER. Which is to be read for information.

Mr. McLAUGHLIN of Michigan. I did not formally offer the amendment putting in the word "cut."

Mr. JOHNSON of Washington. I shall offer that. Make it read "cut or manufactured."

The CHAIRMAN. Without objection, the amendment of the gentleman from Washington will be modified as indicated by him, to which amendment the gentleman from Arkansas offers an amendment, which the Clerk will report, and the gentleman from South Carolina is reserving a point of order against all amendments.

The Clerk read as follows:

Amendment modifying the amendment offered by Mr. JOHNSON of Washington: Insert before the word "manufactured" and after the word "material," the words "cut or."

Amendment offered by Mr. WINGO to the Johnson amendment: After the word "timber," insert "or such portions of such timber."

Mr. WINGO. Mr. Chairman, I ask unanimous consent that the language may read as it would be if these amendments were agreed to.

The CHAIRMAN. Without objection, the Clerk will read the amendment of the gentleman from Washington as it would read if the modifications of the gentleman from Michigan and the amendment offered by the gentleman from Arkansas were incorporated in it.

The Clerk read as follows:

And hereafter, during the existing state of war, the Secretary of Agriculture is authorized to sell without advertisement to any individual, firm, association, or corporation, at a fair value to be determined by him, national-forest timber which he shall find is to be used for war purposes; and he is also authorized under regulations to be prescribed by him, to permit the War Department to take from the national forests such timber as may be needed in the prosecution of the war. The Secretary of War, under regulations to be prescribed by him, is hereby authorized to sell or otherwise dispose of any of the material cut or manufactured from such timber or such portions of such timber which is not suitable for war purposes. Any moneys received on account of such material shall be deposited in the Treasury as provided by existing law.

Mr. HAUGEN. Mr. Chairman, I would like to ask the gentleman a question. The timber or lumber described by the gentleman from Michigan is timber or lumber purchased for war purposes?

Mr. FORDNEY. Yes. The Government is going into the forests with experts, marking such trees as the experts may designate, and selecting them, such as are suitable for aeroplane stock; and upon marking those trees and estimating them—estimating the amount of lumber in the tree where it stands—they pay to the owner of the timber $7.50 per thousand feet for the timber in the tree. Then they take such portion only out of the woods as will make rive spruce.

Mr. HAUGEN. But the amendment provides that the Secretary of Agriculture is authorized to sell without advertisement to any individual, firm, or association.

Mr. FORDNEY. Yes; because the party who takes out this rived spruce while on the ground with his machinery, for that must all be taken out by machinery—lumbering is done on the Pacific coast with steam engines and cables and not with horses or cattle—the party who takes out the rived spruce while his machinery is on the ground will take out the balance of that tree and obtain such price as he can.

Mr. HAUGEN. But this amendment permits the sale of all timber that may be used for war purposes.

Mr. JOHNSON of Washington. I shall explain that as being in accordance with the desires of the War Department. The War Department, through the aeroplane-production section, is letting two kinds of contracts. Some of these are cost-plus contracts, and those contracts are being let to contractors—big loggers. The War Department is begging them to take the contracts.

Mr. MADDEN. What contracts—to get out the wood or to build aeroplanes?

Mr. JOHNSON of Washington. To get out the wood. In those cases the logger is invited to run his logging railroad in and take all the timber——

Mr. HAUGEN. But I understand the amendment here applies to all lumber which is used for war purposes, which might be taken for the building of ships.

Mr. WALSH. What is there in this amendment to restrict that to aeroplane timber?

Mr. JOHNSON of Washington. Nothing whatever. If the necessity arises when they need this timber to build ships, let them have it.

Mr. HAUGEN. Then what is the use of talking about aeroplanes if it applies to all timber?

Mr. JOHNSON of Washington. Because the War Department is working day and night to get aeroplane stock. The other portion of the amendment I have offered provides if a section is being logged and a logging railroad run to it, that men then—small crews of men, farmers and contractors—will go on farther into the woods and find an individual tree in the forest reserve which has been marked for them by the forester, cut that down, rive it, and cut it into bolts small enough to get it out, and sell it to the Government, without the Forest Service being required to advertise that tree for sale.

Mr. HAUGEN. After all, it resolves itself into this, that we are to sell the lumber without advertising for 30 days?

Mr. JOHNSON of Washington. No; one phase of this amendment lets the War Department take whatever timber it wants—spruce, fir, hemlock, or any other kind—and the other phase of the amendment authorizes the War Department, in connection with the Forest Service, to go in away beyond the railroad or the wagon road and get out individual trees without advertising. The forestry people claim that they are embarrassed by the fact that they can not get the men to follow the advertising process and thus can not help the War Department in its great need.

Mr. HAUGEN. I have no quarrel with the War Department, but I have some question in my mind as to whether we should open the gates to the sale of timber without advertisement. We have found it necessary in the past to guard against that very thing.

Mr. JOHNSON of Washington. I have brought, anticipating that, samples of the forest reserves' advertisements. I can tell him how the contracts run and how minimum prices are fixed. They have never had the trouble the gentleman anticipates, and in this war emergency we have got to trust the war chiefs.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. JOHNSON of Washington. I will.

Mr. SMITH of Michigan. I wish to inquire where these square timbers which are split or rived are to be manufactured?

Mr. JOHNSON of Washington. They are in the woods.

Mr. SMITH of Michigan. They split them into narrow or thin enough planks——

Mr. JOHNSON of Washington. They are reduced to long blocks.

Mr. SMITH of Michigan. Where are the blocks manufactured after that?

Mr. JOHNSON of Washington. Demand is made that they be delivered at the nearest road or logging railroad.

Mr. SMITH of Michigan. What becomes of them then?

Mr. JOHNSON of Washington. They are taken from there by the War Department probably to Rochester, N. Y.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from South Carolina——

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended one minute.

The CHAIRMAN. The Chair recognized the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. I would like to sound out gentlemen as to whether a point of order is going to be made on this proposition. If so, we are losing time. How does my colleague on the committee feel about this?

Mr. HAUGEN. I did not raise the point of order.

Mr. LEVER. Before anyone makes the point of order I would like——

Mr. McLAUGHLIN. I think no one is going to make the point of order.

Mr. MONDELL. I think I shall make the point of order——

Mr. HOWARD. I reserve the point of order.

Mr. MONDELL. Has the gentleman from South Carolina the floor?

Mr. LEVER. I will take the floor.

The CHAIRMAN. The Chair recognized the gentleman from South Carolina.

Mr. MONDELL. Will the gentleman yield to me for a moment?

Mr. LEVER. I yield.

Mr. MONDELL. As I understand it, the gentleman from Washington desires this provision solely as it relates to material needed for aeroplanes, but his amendment is of the broadest kind and character, and would embrace anything and everything that by any possibility could be held or believed or conceived or be suggested by anyone in any way as directly or indirectly to be used for war purposes. That is a rather dangerous provision to put into a bill like this without careful consideration and consultation.

Mr. JOHNSON of Washington. It gives the Secretary of War the right to say.

Mr. MONDELL. It gives the Forest Bureau the right to sell practically everything in the way of forest material without advertisement—that is what it amounts to—in time of war. If the gentleman has no thought in mind except aeroplane material, why does he not confine the amendment to aeroplane material?

Mr. JOHNSON of Washington. For the reason, if the gentleman will do me the honor to listen, the gentleman has been in Congress long enough in recent years to know that in order to get an amendment considered on this floor it has, almost in every case, to have the approval of the department behind it, and this amendment is from the Department of Agriculture.

Mr. MONDELL. Do I understand the Department of Agriculture does not want to do this with regard to aeroplane material unless they may have the bridle thrown off entirely?

Mr. JOHNSON of Washington. The gentleman misunderstands entirely, and I hope that during this war emergency he will not do any department an injustice. The Forestry Service sets timber values. No contract has ever been made so low for timber out there that there has ever been any occasion for criticism. They want to make contracts that will lead to other contracts, so as to induce a man to build a logging railroad up, say, a stream to get all spruce within reach, while other individual contractors can go on far into the woods, rive and drag our spruce blocks from localities that will not be reached by a road in the next 50 years.

Mr. MONDELL. The gentleman's idea is that the Forest Service should be relieved of the necessity of advertising in the matter of most of its sales?

Mr. JOHNSON of Washington. As a war emergency only, as the resolution says.

Mr. FORDNEY. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. FORDNEY. Let me say, in answer to the gentleman from Wyoming, that no man on God's green earth can tell what the balance of the tree that is not made into aeroplane stock is going to be manufactured into. If he does know, he knows more than any man that God Almighty has made who is in the lumber business. The balance of that tree might be manufactured into material to make dry-goods boxes or could be used for building ships or for railroad ties or for the construction of any kind of building that could be constructed out of wood, and if he can describe what that timber is to go into and what it shall be manufactured into, let him name it now.

Mr. MONDELL. Will the gentleman yield?

Mr. FORDNEY. I will yield, although I think the gentleman's proposition is without merit.

Mr. MONDELL. The gentleman talks about boxes and other kind of material for which these trees or parts of trees may be used. If that is the case the amendment would be of no value or use whatever. Boxes are not war material.

Mr. FORDNEY. We can not both talk at once, I want to say to the gentleman there is not more than 10 per cent of the product of any spruce tree that will make rived spruce, out of which to make aeroplanes. What are you going to do with the other 90 per cent, can you tell?

If you can, you can do more than I can. It may be worked into bridge timber, it may be put into railroad ties, it may be put into inch lumber, it may be put into dimension stuff, 2 by 6, 2 by 8, 2 by 10, square timber. Anything outside of lumber can be made. Can you tell? Of course you can not. Therefore, 90 per cent of that tree must be put into something or it

must be wasted, and unless you provide some way for the Government to dispose of 90 per cent of the tree, you are going to pass a law that will compel the wasting in the woods of 90 per cent of the tree. Ship timber is not made in this way. On Gray's Harbor, Wash., where those contracts are now being put into effect, they manufacture 700,000,000 feet of lumber a year. Not one-tenth of that timber will be called for shipbuilding timber. Any quantity of timber may be called for by the Government for all other purposes for which the Government is using timber, except rived spruce for the manufacture of aeroplanes.

Mr. LEVER. Mr. Chairman, we could talk here almost indefinitely on this. I think members of the committee know whether or not they wish to press the point of order. I will say to my colleagues on the committee that I talked with a member of the Forestry Service this morning, and he told me that the amendment as originally proposed by the gentleman from Washington [Mr. JOHNSON] was prepared by the legal department of the Department of Agriculture, and the Forestry Service feels there is a very great need for legislation. Why they did not submit it to the committee in the regular way I do not know.

Mr. JOHNSON of Washington. They thought the specified plan of advertising would be sufficient, and I did not appear before the committee on that account. The matter of advertising for this spruce has been given six months' trial in this emergency, and has not brought in enough. Now the War Department has taken hold, and put an agent out there. When it was thought that the bringing in of spruce by the method of advertising would be sufficient, there was no occasion to call for an amendment.

Mr. LEVER. I made my statement and said it was my intention to withdraw the reservation of the point of order, but if any Member desires to renew the reservation he may do so.

Mr. MONDELL. I desire to renew the point of order, Mr. Chairman.

Mr. HOWARD. I wanted to ask the Chair if he observed the point of order I made. I thought it had been reserved. Now, to save time, I am going to make the point of order, and if this thing is right it can go on in the Senate.

The CHAIRMAN. The Chair is ready to rule. In the opinion of the Chair this amendment is clearly subject to the point of order, and therefore the Chair sustains the point of order.

Mr. JOHNSON of Washington. I move to strike out the last word. I suspected that an uninformed somebody on the floor of this House might make a point of order against this urgent and necessary war legislation, and I presume that the Member who did it will be the first to go out into the country and cry "Let us cut red tape."

Here is a proposition that is hard to handle. Both the War Department and the Department of Agriculture have complained that they are embarrassed by their inability to make the pending laws fit the necessity for getting out their spruce. It is not an easy matter to coordinate the governmental departments, even on a matter as important as this.

Mr. HAUGEN. Will the gentleman yield?

Mr. JOHNSON of Washington. I yield.

Mr. HAUGEN. The amendment does not limit the sale of the lumber for the purposes the gentleman has discussed. Now, then——

Mr. JOHNSON of Washington. I think it does. It says "for war purposes."

Mr. HAUGEN. "War purposes" takes in the building of ships and everything that might come in the prosecution of the war.

Mr. JOHNSON of Washington. If it comes to that, why should not the Government use timber in the Government's own forest?

Mr. HAUGEN. The gentleman knows that it is customary in any department, with any contract, even of small amount, to advertise for bids.

Mr. JOHNSON of Washington. Now, then, Mr. Chairman, right when this point of order is being made, I have received this telegram:

> Legislation permitting prompt action in securing timber from Federal reservations, and authority to dispose of that portion of timber not required for aircraft purposes, will be of great assistance to this office in supplying emergency requirements in connection with our air program—

And so on. It says further:

> It is not practicable to have the desired timber logged. The operation becomes entirely too expensive to attract any commercial concern. Any assistance in this matter, I can assure you, will be of great value to this office.

Col. B. P. Disque, of the United States Army, was sent out there by this Government to urge our people to work day and night to get the spruce with which to make these thousands of aeroplanes you are bragging about, and that are going to fly into Germany. He has been placed in entire charge of the timber situation in the Northwest. He is crippled by red tape.

Mr. HAUGEN. I understood the language to be "to sell or otherwise dispose."

Mr. JOHNSON of Washington. That phrase has just been inserted by amendment of the gentleman from Arkansas [Mr. WINGO]. I do not know just what its effect will be.

Mr. HAUGEN. In what way do you propose to dispose of this lumber than by sale?

Mr. JOHNSON of Washington. I do not know. I believe the passage of this amendment will result in putting into the hands of the War Department a sufficient quantity of spruce, even if it is necessary to continue the sending in of regiments of forestry soldiers, as is now being done.

Mr. ROBBINS. If it were limited to aeroplanes, would that meet the objection?

Mr. JOHNSON of Washington. I do not know. I have tried every way I could to meet various objections. The main object is to cut the red tape that is delaying the aeroplane program.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HOWARD. Mr. Chairman, I just wanted to say a word in explanation of my making a point under the circumstances, as the gentleman from Washington has in part explained. This amendment, even if it was drawn by the legal department of the Department of Agriculture, was very loosely thrown together. I went up and took care to read it. Now, under this amendment, if they want this spruce for aeroplanes and nothing else, they can get it, but I do not propose under a loose-jointed amendment like this to see the great masses of the forests of this country absolutely depleted.

Mr. JOHNSON of Washington. This is the only Federal forest of spruce suitable for aeroplane stock in the United States.

Mr. HOWARD. It does not make any difference where it is. I would say the same thing if it were in Georgia, or in Alabama, or in any other State. I am talking about a business-like administration of the forestry affairs of this Nation by those people who pretend to speak for them.

Mr. JOHNSON of Washington. When the gentleman is dead and gone, probably the spruce will still be there.

Mr. HOWARD. I am like the gentleman from Michigan; I think two gentlemen can not talk at the same time. The gentleman is very enthusiastically supporting his amendment. But here is what could be done with respect to those contracts made out there on the Pacific coast by these big lumbermen for those tremendous spruce trees. They could go there and take one log out of each tree and use it, and absolutely devastate that forest, and use the balance of it for their commercial purposes under this amendment.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. I can not yield.

Mr. JOHNSON of Washington. Will not the gentleman yield in the interest of fairness? The gentleman wants to be fair?

Mr. HOWARD. Of course I mean to be fair, and I think I am fair.

Mr. JOHNSON of Washington. How could they do as the gentleman suggested and follow the War Department's specifications about getting out the spruce?

Mr. HOWARD. It is not a question of how they would do it. It is a question of what they would do. They are getting here under a private contract, without advertisement and without competition, the right to go into a national forest and cut any number of trees they want, and use any amount of that timber; an infinitesimal amount of it, or a third of it, or a half of it, or any other part of it, and use it for commercial purposes. Then these gentlemen can come in and take advantage of their patriotic offer to cut timber for the construction of aeroplanes, and take 99 per cent of the timber which they get for commercial purposes and use it. It is not for the Government of the United States.

If you want this particular thing to be done, perfect an amendment that will protect these great forests of trees out on the Pacific coast, and not let those men go in there and take advantage of the situation to wring profits out of it.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. TILSON. Has not the Government the right to go in there now and use 10 per cent of that timber, and waste the remainder of it?

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. MONDELL. Mr. Chairman——

Mr. LEVER. Mr. Chairman, I must insist that we move along here a little bit. This matter has been passed over. We have had two amendments offered.

The CHAIRMAN. The Chair will state the situation. This part of the bill was passed over when it was reached in its regular order, and unanimous consent was granted to the gentleman from Washington [Mr. JOHNSON] to return to it to offer an amendment. The gentleman from Washington has called that amendment up. A point of order was made to it, and the point of order has been sustained against it, and the proper thing for the committee to do is to proceed to read the part of the bill where we stopped.

Mr. MONDELL. Mr. Chairman, was a point of order made, or was it simply withheld?

The CHAIRMAN. It was made by the gentleman from Georgia [Mr. HOWARD].

Mr. LEVER. It was made and sustained.

The CHAIRMAN. The Chair is sure that the members of the committee will all agree that the Chair did not try to cut off legitimate discussion.

Mr. MONDELL. I understood the gentleman from Georgia withheld the point of order.

Mr. LEVER. The gentleman from Georgia made the point of order, and the Chair correctly sustained the point of order.

Mr. MONDELL. Mr. Chairman, I believe I am recognized.

The CHAIRMAN. The Chair is of opinion that the amendment is not in order until we reach that part of the bill where we left off.

Mr. MONDELL. I understood the Chair recognized me.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the gentleman from Wyoming may have five minutes.

Mr. JOHNSON of Washington. Mr. Chairman, the gentleman from Wyoming will admit, I think, that——

Mr. MONDELL. The gentleman from Wyoming can get five minutes by moving to strike out the last word. Five minutes is not any longer now than it will be hereafter.

Mr. JOHNSON of Washington. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Washington. Mr. Chairman, I would like to know if I can ask unanimous consent to withdraw these amendments and return again to this section of the bill for the purpose of offering a perfected amendment?

The CHAIRMAN. The Chair thinks the amendment was withdrawn by the making and sustaining of the point of order against it.

Mr. JOHNSON of Washington. Then I ask leave to offer the amendment again before the bill is disposed of—to offer an amendment relative to this use of spruce in national forests for war purposes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to offer, before the bill is disposed of, an amendment relative to the supply of spruce in national forests for war purposes. Is there objection?

Mr. LEVER. Reserving the right to object, Mr. Chairman, I will state to the gentleman from Washington that I shall not object, but I do not want him to ask leave to go back until we have completed the bill.

Mr. JOHNSON of Washington. I will try to perfect the amendment in the meantime.

Mr. HAUGEN. If the gentleman prepares an amendment, let him submit it to the chairman of the committee; and if it is thought to be wise, without thrashing the matter out again, to accept the amendment, that can be done.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that after the bill has been read through he will be permitted to return to this section and offer an amendment pertaining to the obtaining of stock from national forests, with all rights to make points of order against the amendment reserved. Is there objection?

Mr. BORLAND. Reserving the right to object, Mr. Chairman, the suggestion is made here that when the gentleman gets his amendment prepared, if the bill is not then completed, he can ask unanimous consent to recur to the proper place to offer his amendment. There is no necessity for asking unanimous consent now to offer an amendment that is not yet prepared. I think the gentleman can get unanimous consent to offer it when he has prepared it.

Mr. JOHNSON of Washington. There can not be any valid objection to getting unanimous consent now. I will prepare an amendment; I will have it rewritten.

Mr. BORLAND. I object.

The CHAIRMAN. The gentleman from Missouri objects.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wyoming moves to strike out the last word.

Mr. MONDELL. Mr. Chairman, I do not believe there is a gentleman in the floor or a member of the committee who is not favorable to such action as may be necessary to expedite the taking and securing and manufacturing of material needed for aeroplanes. None of us, until this matter was presented to-day, was aware of the fact that there was any difficulty in the procurement of this material. This is the first we have heard of it. For my part, I should be delighted to support an amendment, properly guarded, that would serve the purpose of aiding and expediting the securing of this class of material.

But, Mr. Chairman, we have had some rather unhappy experiences so far in this war in the matter of contracts and agreements under wide authorizations. We have not been saying much about them. It is not proper that we should; but we do not want to have that kind of thing increase and multiply as it undoubtedly would under this provision. As the gentleman has drawn his amendment it is as wide as the heavens. It reaches from horizon to horizon, and it would practically authorize the Forest Service to sell any and all material from the forests without advertisement. The gentleman does not want that.

Mr. JOHNSON of Washington. For war purposes.

Mr. MONDELL. "War purposes" is an all-embracing term in time of war. There is very little material used that in one way or another, under some form of construction, could not be held to be intended, directly or indirectly, for war purposes—ships, cantonments, and all of the buildings which the Government might need here, there, or elsewhere, or material which any contractor under the Government might claim to use for war purposes.

Mr. CALDWELL. Does not the gentleman realize that the reason a man throws off his coat when he goes to fight is because he wants to be unfettered? Then why would the gentleman fetter the Government, that is fighting for its very existence?

Mr. MONDELL. That all sounds very well, but it does not get anywhere or mean anything. A cavalryman going into battle would not throw the bridle off of his horse, if he had any sense. Of course, there might be spectacular gentlemen who would want to do that in order to cut a flurry and a figure, but sensible men want to guide things, even in time of war. The gentleman can very easily, by a slight modification of this amendment, confine it to timber needed in whole or in part for the manufacture of aeroplanes, and if he will do that I do not think anyone will have any objection. I can understand how the Forestry Bureau would be very glad to have the opportunity to sell as they see fit.

Mr. JOHNSON of Washington. Do they not sell it as they see fit now? Do they not specify the price in every advertisement?

Mr. MONDELL. If there are no regulations in any way hampering them in their sales, what necessity is there for any further amendment?

Mr. JOHNSON of Washington. Except time. Now, here is a contract let for 5,000,000 feet of spruce a month. That means the slaughtering and cutting down of 50,000,000 feet a month, of which 45,000,000 feet will lie unused in the woods. Is that conservation in any form? That is why this amendment is offered.

Mr. MONDELL. We do not aid the war in any way.

Mr. JOHNSON of Washington. The gentleman may think he does not.

Mr. MONDELL. And we do open wide the door and the opportunity for scandal if we relieve the bureau, as we would under this amendment, of obligation to advertise sales.

Mr. JOHNSON of Washington. Would the gentleman rather this spruce would stay in the forests for the next 50 years, or would he rather have it put to some use?

Mr. MONDELL. Oh, no; and the gentleman knows that it is not necessary that it should. It is not necessary to set fire to all the woods in the Northwest because somebody wants to burn a strip somewhere to stop forest fires. It is not necessary to invite all sorts of scandals in the sale of material in order to allow aeroplane material to be sold without advertisement. It has not been generally necessary to do that even during the war in the other and wider activities of the Government.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

For inquiries in regard to systems of road management throughout the United States and for giving expert advice on this subject, $40,040.

Mr. WALSH. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee with reference to this item and the following item. What is the difference between giving expert advice in regard to sys-

tems of road management and giving expert advice with regard to road building and road maintenance? Are there two different bureaus or officials? What is the difference?

Mr. LEVER. In a general way, the character of the work done under this item is in the laboratory. It is their research work and not their field work. The only field work they do here is in giving advice to States as to the best method of organizing for road purposes.

The next item which the gentleman refers to, investigating the best methods of road making, is really their field work.

Mr. TAGUE. Mr. Chairman, I am going to ask the indulgence of the House for just a moment to make a statement out of order and not on this bill now before the House. This morning our good friend from Michigan [Mr. FORDNEY], for whom every Member of this House has the greatest respect and admiration, made a statement in relation to the collector of internal revenue in the city of Boston. I was not present on the floor of the House at the time. If I had been I would have made a reply at that time, and would not take the time of the House now, but for the fact that I shall be called out of town to-morrow and therefore will be unable to be present to do so. I have talked with our good friend [Mr. FORDNEY] and have told him I wanted to make a statement. He has consented that I should do so. In the gentleman's statement this morning he read an advertisement in the Boston Herald, which advertised that the collector of internal revenue in the city of Boston was to give lectures on the income tax, and for these lectures they were to charge a fee of $4.

Naturally the gentleman from Michigan [Mr. FORDNEY] objected to that, as any Member of this House would feel like doing, and he gave vent to his feelings on the subject of any member of the Government doing so.

I want to say to this House—and I will ask any of the Members to verify what I have to say by calling up the collector of internal revenue, Mr. Roper, of whom Mr. FORDNEY spoke so highly, and I repeat what Mr. Roper has said to me—that the collector of internal revenue in Boston is one of the most efficient, trustworthy, painstaking officials in this Government. He has worked untiringly to build up his department to a high state of efficiency, and he has done everything in his power, not only himself but with his entire office force, to give to the public every bit of information and the best service possible. For that he has been commended by the officials here at Washington.

Now, as to this advertisement, Mr. Malley himself has given notice in the newspapers of our city that he and his assistants are willing to go to any chamber of commerce, any board of trade, any business organization and explain to the men of his district the income tax, and tell them what the law is and what it contains. He has been doing this and has been paying his expenses out of his own pocket. His men have been doing the same. The Bentley School of Accounting and Finance, taking advantage of the opportunity of having some one lecture upon this question, asked Mr. Malley if he would give a course of four lectures to the pupils of the Bentley School in the city of Boston, and he agreed to do so. He was surprised to learn that this organization had advertised these lectures, for which they were going to charge a fee. As soon as he found it out, and before the lectures were given, he sent for Mr. Bentley, compelled Mr. Bentley to withdraw the advertisement, and in the Boston Press the following Saturday compelled him to print a further advertisement, saying that Mr. Malley would not charge any fee and would not give the lectures if any fee was to be charged.

I want to say in fairness to Mr. Malley that he has won the respect of every business man in his district. I can not speak too highly of him as an official, and I know that his superiors will say, as I say, that he has given untiring of his own time to any business organization or any organization in the entire district, and also the time of any of his corps of assistants to go out and explain the income tax free gratis and at his own expense, outside of business hours. To show how he is doing this I will place in the record a news article from the Boston Globe, Friday, January 25, 1918, and another from the Boston Herald, of Wednesday, January 30, 1918, which printed the Bentley advertisement:

[From the Boston Globe, Jan. 25, 1918.]

MALLEY TO EXPOUND INCOME-TAX PUZZLE—ANNOUNCES FREE LECTURES AT CITY CLUB NEXT WEEK—COLLECTOR TO HELP PUBLIC MASTER FEDERAL REQUIREMENTS.

A course of six free public lectures on the Federal income tax will be given from 10 to 12 each morning next week by Collector John F. Malley at the Boston City Club. He will give the official information needed by individuals in meeting the Government's requirements.

Everybody is invited by the Boston City Club and by Collector Malley to come and get information directly from the internal-revenue collector. In addition to his personal services each morning Collector Malley will have present a corps of deputies to assist in the preparation of Federal returns. All you need to bring is a memorandum of your 1917 income and expenditures.

"The people are now awake to the requirements placed upon them by the new war revenue law," said Collector Malley in announcing the lecture course. "They are realizing that the filing of the returns is a purely personal duty explicitly imposed by Congress on individuals and corporations.

"The Boston City Club has generously tendered me the use of its big banquet hall. I have accepted this public-spirited offer and will personally deliver the talks and answer all questions between the hours of 10 and 12 each morning.

"This is the only course of lectures I have arranged to deliver personally. Any published announcements of private courses to be delivered by me or under my supervision or auspices are not authentic.

"There are severe penalties for failure to meet income-tax requirements. With the opportunities I am offering for information and assistance there will be slim excuse for the man or woman who after March 1 is found to be a delinquent."

[From the Boston Herald, Jan. 30, 1918.]

WILL LECTURE ON INCOME-TAX LAW—COLLECTOR MALLEY TO SPEAK AT CITY CLUB TO-DAY.

Collector of Internal Revenue John F. Malley will talk on the income-tax law requirements relating to executors, administrators, trustees, and other fiduciaries at to-day's free public lecture at the City Club at 10 o'clock. The hour between 11 and 12 o'clock will be given up to quizzes by those who desire further information relative to a particular requirement, and the collector, who has become a regular encyclopedia on income-tax law, will answer all queries.

The series of free public lectures is given by the collector in order that everyone may realize what responsibilities the Government will exact from those who come within the income-tax law. Everyone who earned a good salary or was successful in his business or profession will be compelled to make a return to the Government and pay a tax.

Collector Malley told his hearers yesterday that he and his deputies will inform the people of Massachusetts regarding the law, but that it is the duty of the individual to attend to it. If he waits until the last week he may have to take his own chances.

Yesterday Collector Malley had a big class of lawyers, trustees, bookkeepers, and others who will be called upon to make up the income-tax returns, and they volleyed him with questions. He told them that the Government would play entirely fair but would expect fair play in exchange, and any attempt to "hold out" would be discovered and the punishment fitted to the case.

Chief points about the income-tax law are that every person who earned $1,000 last year and had no wife or husband to support will have to file a statement. Any person with a wife or any woman with a husband who earned $2,000 or more will have to file a return, and any person who does not live with wife or husband is classed as single and comes within the $1,000 class.

There are several perplexing angles to the law, but the collector is holding a free lecture course to explain away the perplexities.

I feel, in fairness to Mr. Malley, that I should make this statement, as I know my good friend from Michigan is ready to accept what I say to him, because I have gone to the pains of calling Mr. Malley up by long-distance telephone, and I am stating the facts as he stated them to me.

I know that Mr. Malley has been giving these lectures. I heard him before an organization in my district where he lectured on the subject. He is going to-night to Springfield to speak before the chamber of commerce of that city on the question. I want the House and the country to know that this man is a patriotic citizen of this country and is doing his duty faithfully by his country. [Applause.]

Mr. FORDNEY. Mr. Chairman, I ask unanimous consent for one minute.

The CHAIRMAN. The gentlemen from Michigan asks unanimous consent to address the committee for one minute. Is there objection?

There was no objection.

Mr. FORDNEY. Gentlemen of the House, I made the statement this morning from a public ad which had been sent to me by a friend from Boston. After the gentleman from Massachusetts [Mr. TAGUE] communicated by telephone with Mr. Malley he made the statement to me that he has made here in the House. I do not want to do Mr. Malley an injustice. If it is true that he declined to lecture before that school, where an admission fee was charged, I do not want to do him the injustice that my statement would do him, and therefore I ask unanimous consent that I be permitted not to print in the RECORD my remarks of this morning. [Applause.]

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to withhold from the RECORD his remarks of this morning. Is there objection?

There was no objection.

The Clerk read as follows:

For investigations of the chemical and physical character of road materials, $51,220.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the Committee on Agriculture a question rather than to impart any special knowledge about this section of the bill. In Pennsylvania we have a well-organized highway department headed by a commissioner. The entire State is districted; over each district there is a local superintendent. The information has

reached us in my State that the Government is frowning upon all manner of new work, and especially on public roads, and of the character of works such as new structures is not to be carried forward during the coming season, and that the building and construction of highways further than the maintenance of those now built and required to keep up intercourse between the people. If that is true, why make these enormous appropriations? I know it is also asserted that the commissioner of banking is frowning upon any loans that are made to contractors that are undertaking new buildings the purpose being to discourage any new enterprises so that the entire energy of our people and capital of the country may be devoted to the prosecution of the war and its successful conclusion.

I understand that highways are among the first public improvements to be cut off, frowned down, and construction thereof prevented as far as possible during the coming season. If that is true, what is the necessity for these large appropriations to the highway department? I do not mean by this to say that I believe it is right, for I think that highway building should go on as much as possible. I know that in Pennsylvania, where we have embarked on a great scheme of highway improvement throughout the Commonwealth, a part of the roads are under the State supervision, laid out by State engineers, and the whole work under the protection of the State, and are to be built and maintained as State roads, and we are anxious to go on with the work, but if the General Government is going to take the position that enterprises of this kind will not be carried forward, I should like to know it, and why it is necessary, if that is so, to appropriate these large sums of money. I do not approve of it, but I would like the information. The very last work that should be curtailed and stopped is the building and improving of our public roads. Let us, by all means, continue most vigorously the improvement of our public highways.

Mr. LEVER. Mr. Chairman, as far as I know there is none, and no testimony before the committee shows that there is any purpose on the part of anybody to discourage road building in the United States. If there is such a purpose, I wish to put myself in hearty agreement with the suggestions of the gentleman from Pennsylvania, who has just taken his seat. If we are going to distribute our farm products economically and quickly during the war or after it, we must have a better system of rural roads. But even if the statement were true, the item which is immediately under consideration is an item for testing road material that may be sent into the laboratory in Washington, and the item immediately following is for the purpose of testing road materials in the field. Of course, the small sums of money that are carried in this bill for road purposes could not build many roads, and they are not for that purpose.

Mr. LONGWORTH. Mr. Chairman, I rise to oppose the amendment, and I want to ask the gentleman from Pennsylvania what the ruling is as to discouraging loans by the Federal Reserve System for the purpose of erecting new buildings?

Mr. ROBBINS. I can only say, like information that reaches most Members of Congress, I have not read the ruling, but I heard that such a ruling had been made.

Mr. LONGWORTH. I have heard so vaguely, but I have not been able to find it.

Mr. ROBBINS. I have not been able to find it in print, but I understood from a banker in Greensboro, my native place, that that was a fact.

Mr. BORLAND. I think, if the gentleman will yield to me, that I can throw some light on it. I think the whole impression has arisen from the fact that a short time ago when the coal shortage began to be felt there was an order made by the War Industry Board or priority committee that open cars should not be used for sand, brick, cement, and other material until the coal shortage was at an end. But there was no discouragement of the general contract business; it was a priority order that cars adapted for coal should be used for coal and nothing diverted for sand, cement, and brick.

Mr. ROBBINS. That is not the ruling to which I refer.

Mr. LONGWORTH. That is not the ruling the gentleman from Pennsylvania has in mind.

Mr. BORLAND. What other ruling is there that the gentleman can point out?

Mr. ROBBINS. The ruling that I refer to is the ruling that discourages banks from making loans to contractors who contemplate using the money to embark upon new constructions that are not regarded as necessary.

Mr. BORLAND. If there is any such ruling, I hope the gentleman will put it in the RECORD.

Mr. LONGWORTH. There has been a rumor of such a ruling.

Mr. SHALLENBERGER. It has also been in the public press.

Mr. LONGWORTH. But it has been in a very vague form. The purpose of my inquiry is to ascertain whether there has been a ruling which prevents Federal reserve banks from loaning money to contractors, and I would be very glad if any gentleman here could give me some information on the subject.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For investigating and reporting upon the utilization of water in farm irrigation, including the best methods to apply in practice; the different kinds of power and appliances, and the development of equipment for farm irrigation; the flow of water in ditches, pipes, and other conduits; the duty, apportionment, and measurement of irrigation water; the customs, regulations, and laws affecting irrigation; for the purchase and installation of equipment for experimental purposes; for the giving of expert advice and assistance; for the preparation and illustration of reports and bulletins on irrigation; for the employment of assistants and labor in the city of Washington and elsewhere; for rent outside of the District of Columbia; and for supplies and all necessary expenses, $82,440.

Mr. ROSE. Mr. Chairman, I move to strike out the last word. The discussion of the question of appropriations for the building of roads by the gentleman from Pennsylvania [Mr. ROBBINS] brings to my mind a meeting with the committee on roads representing the Chamber of Commerce of Johnstown. We have a live chamber of commerce in our city, and its members are very enthusiastic in the construction of good roads. Many of you know that there is located in that city one of the largest industrial plants of the country, and that it is now largely engaged in the manufacture of munitions for the Government. Owing to the present congestion in railroad traffic, the management of the plant is at times seriously handicapped in procuring the necessary materials for the conduct of the works. At the meeting referred to the question was asked whether or not the Government would assist in the construction of a road leading from Johnstown to Jenners in Somerset County, a distance of about 18 miles, so as to connect with the Lincoln Highway. The statement was made by the superintendent of the Midvale Steel Co. that if such a road was constructed the steel company would operate a line of trucks between Pittsburgh and Johnstown so as to facilitate the movement of materials required for the making of munitions and other things. I have undertaken to ascertain upon what basis the Government would render assistance, and find that the Post Office Department, the War Department, and the Agricultural Department are permitted to build roads under certain conditions. The Post Office Department may use money to establish postal express or motor routes; the War Department can appropriate money to improve roads adjacent or leading to military reservations, so that it is necessary for us to look to the Agricultural Department for present aid. Our people should have the road mentioned and they are willing to do their share in its construction.

Mr. CANDLER of Mississippi. Mr. Chairman, of course the method pursued in matters of that kind is that you have to start with your highway commissioner in your State. If the highway commissioner in the State will adopt a certain road and approve it and send that recommendation in to the Secretary of Agriculture and he approves, then the State, county, or municipality, or whatever it may be, furnishes 50 per cent of the money and the Government furnishes 50 per cent of the money under the general road act.

Mr. ROSE. Will the gentleman say that the consent of the highway commissioner of the State of Pennsylvania will bring about the construction of that road?

Mr. CANDLER of Mississippi. It will contribute to it. It has to be first approved by the State Highway Commission.

Mr. ROSE. Well, my information is that the matter is now in his hands.

Mr. CANDLER of Mississippi. When he approves it he sends the recommendation to the Secretary of Agriculture, and if the Secretary of Agriculture approves it the Government contributes 50 per cent and the State 50 per cent.

Mr. SNYDER. Does the gentleman from Mississippi know of any particular instance where the whole modus operandi has been carried out and a single road built since we passed the Federal road act?

Mr. CANDLER of Mississippi. I know some in course of construction in my own district.

Mr. SNYDER. I have not heard of any before, and I am glad that it is in the gentleman's own district.

Mr. ROSE. We have the largest city in the nineteenth congressional district of Pennsylvania, and Cambria County, where it is located, has the poorest roads in the State. I understand that the proposition mentioned by the gentleman from Mississippi has already been complied with; that it has been presented to the highway commissioner of the State. If the application be approved, then, am I to understand that the Agricultural Department will fall in line and make its proper contribution?

Mr. CANDLER of Mississippi. As I stated a moment ago, if the State highway commissioner adopts it as one of the projects in that State and sends it up to the Agricultural Department and the Secretary agrees to it, approves it, then the Government contributes 50 per cent of the cost.

Mr. ROSE. Now, I think I can see some daylight for us.

Mr. FARR. What are the county officials doing with the roads in Cambria County?

Mr. ROSE. For answer to the gentleman from Pennsylvania [Mr. FARR], let me say that the officials of Cambria County will gladly do their part, and the townships affected will do their part, and I believe that the highway commissioner will approve the plan.

Mr. CANDLER of Mississippi. That is not sufficient. You have to get the approval of the State highway commissioner in Pennsylvania.

Mr. KREIDER. Mr. Chairman, I move to strike out the last word.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KREIDER. Mr. Chairman, I rise to ask a question of the gentleman from Mississippi. I would like to know the cost of that road being built, where the Government pays 50 per cent.

Mr. CANDLER of Mississippi. I am not advised as to the full cost of it. I do not know what it is to cost a mile. It was adopted as a project.

Mr. KREIDER. If the contract is let, there must be a fixed price.

Mr. CANDLER of Mississippi. I am not advised as to the details in reference to contracts or in reference to what work is being done. All I know is this: The State Highway Commission of Mississippi adopted this, which is project No. 1 in the State, and it goes across from Tupelo, Miss., across part of Lee County, across Itawamba County into Alabama. The State highway commission adopted it and then put it up to the Secretary of Agriculture and he approved it.

Mr. KREIDER. What I am interested in is to know the cost of that road.

Mr. CANDLER of Mississippi. That I could not state, because I am not advised.

Mr. KREIDER. I want to answer the gentleman from Pennsylvania and possibly those who do not understand how this law operates. The Federal Government will contribute toward the building of a road in Pennsylvania or any other State. The Federal Government divides the appropriation made by Congress to the several States. However, first, I might say each State is entitled to that allotment. Pennsylvania has its share. That money can be used for the building of what is known as a Federal-aided road. First, the route and method of construction have to be approved by the State highway department, then by the Federal authorities. If the cost of the road does not exceed $20,000 a mile the Federal Government will pay 50 per cent, the State pays 25 per cent, and the county 25 per cent. If that road, however, costs over $20,000 a mile the Federal Government will not pay to exceed $10,000 a mile for their share.

If the road costs $35,000 a mile, as it is estimated the road will cost which is under consideration through Lebanon County, Pa., then the Federal Government will not pay over $10,000 a mile, and the $25,000, which is the excess estimated cost, will have to be divided between the State of Pennsylvania and the county of Lebanon. There are 20 miles under consideration now, at an estimated cost of $35,000 per mile, or a total of $700,000. Of this the Federal Government would pay $200,000, the State of Pennsylvania $250,000, and Lebanon County $250,000. Now, my objection to this whole proposition is this, that I understand that the Government will not approve of any road that will cost what I consider a reasonable amount. That road through Lebanon County, 20 miles, is the old Reading and Dauphin Turnpike. It should not cost over $10,000 to $15,000 per mile to construct a substantial road on that macadam roadbed; but the Government will not, it seems, approve of a road constructed at a cost of less than $35,000 per mile, which places a burden of $250,000 on little Lebanon County for 20 miles of road. In effect, the proposition to Lebanon County is, "You must pay $250,000 toward the building of this road and take the $35,000 per mile road or nothing."

Mr. BYRNES of South Carolina. If the gentleman will permit, what material is it that costs $35,000 a mile?

Mr. KREIDER. I asked the State highway commissioner, and he told me it would be constructed of limestone and cement.

Mr. BYRNES of South Carolina. Does the gentleman consider that a reasonable cost?

Mr. KREIDER. I say unreasonable at $35,000 a mile.

Mr. BYRNES of South Carolina. I think so.

Mr. KREIDER. My objection is that we must either take that or nothing.

Mr. ROSE. Of course, since the building of highways several years ago material has advanced in price, but a great many counties in Pennsylvania, it seems to me, have so much better roads than we have in our county. We have none worth speaking of.

Mr. BELL. The gentleman's county has not been on the job.

Mr. ROSE. On the job all the time.

The Clerk read as follows:

BUREAU OF MARKETS.

Salaries, Bureau of Markets: One chief of bureau, $4,500; 1 chief clerk, $2,000; 1 administrative assistant, $2,500; 1 clerk in charge of supplies and accounts, $2,250; 1 administrative assistant, $1,980; 7 clerks, class 4; 10 clerks, class 3; 1 clerk, $1,440; 26 clerks, class 2; 1 clerk, $1,380; 1 clerk, $1,320; 1 clerk, $1,300; 91 clerks, class 1; 1 clerk, $1,140; 3 clerks, at $1,100 each; 75 clerks, at $1,000 each; 5 clerks, at $1,080 each; 7 clerks, at $1,020 each; 1 clerk, $960; 24 clerks, at $900 each; 3 clerks, at $840 each; 2 clerks, at $720 each; 1 mechanical assistant, $1,380; 1 laboratory helper, $900; 1 laboratory aid, $960; 3 laboratory aids, at $900 each; 1 laboratory aid, $840; 7 laboratory aids, at $720 each; 1 photographer, $1,400; 1 photographer, $1,200; 1 supervising telegrapher, $1,620; 1 telegraph operator, $1,400; 6 telegraph operators, at $1,200 each; 7 telegraph operators, at $1,080 each; 1 telegraph operator, $1,020; 1 telephone operator, $600; 2 draftsmen, at $1,200 each; 1 draftsman, $900; 1 map tracer, $900; 1 map tracer, $720; 1 map tracer, $600; 1 map tracer, $480; 2 skilled laborers, at $900 each; 1 laborer, $840; 2 laborers, at $720 each; 4 laborers, at $660 each; 7 messenger boys or laborers, at $600 each; 7 messenger boys or laborers, at $540 each; 20 messenger boys or laborers, at $480 each; 14 messenger boys, at $420 each; 2 messenger boys, at $360 each; 1 messenger boy, $300; 1 charwoman, $540; 5 charwomen, at $480 each; 2 charwomen, at $300 each; 8 charwomen, at $240 each; in all, $387,850.

Mr. LEVER. Mr. Chairman, I offer the following committee amendment.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves the point of order.

Mr. STAFFORD. Mr. Chairman, in no paragraph of the bill is there such an inordinate increase of appropriation as in this salary list of the Bureau of Markets. We rarely find, not even in bureaus connected with the Agricultural Department, an appropriation doubled over last year's appropriation bill. Although the Congress authorized for clerical force an appropriation last year of $197,820, we find at one fell swoop this year it is being doubled, and more, to the extent of $387,850. Now, that is "going some," to use a slang expression, even for a bureau of the Agricultural Department, and particularly it is going some in these times when directions have been given to economize, so as to utilize appropriations for war purposes. Certainly some explanation should be given as to this inordinate increase in clerical-force activities of this bureau. I understand from members of the committee that there is a very energetic head of this bureau—in the phrase of the speech, a "live wire"—who is looking around for every activity in which to employ the clerical force in the department and out in the field. Why, in some of these items we find the clerical force being more than doubled. Will the chairman of the committee give some reason why this force should be doubled in the course of one year in appropriation—I will not say doubled in the extent of the personnel, but certainly doubled in the amount appropriated for this service—and, also, why you are paying the clerk in charge of supplies and accounts, a new item, $2,250, which is more than the chief clerk of the bureau receives? Rarely do we find any subordinate clerk receiving more than the chief clerk. Perhaps he was heretofore employed at this high salary under the lump-sum appropriation which allowed the head of the bureau to give him any salary that he saw fit. He is now being transferred to the statutory roll. If that is the case, the committee is rather helpless, after the abuse of the lump-sum appropriation, to correct it by reducing the salary; but there should be some harmony in salaries where you pay a clerk in charge more salary than you do a chief clerk.

Mr. LEVER. Mr. Chairman, that is the longest question I have been asked to answer in a good long time.

Mr. STAFFORD. I have been rather easy on you in the consideration of this bill.

Mr. LEVER. The general explanation of this situation is this: The Bureau of Markets is a comparatively new organization in the Department of Agriculture. It is an organization that has made rapid strides. I confess that.

Mr. GARNER. But is doing work in proportion to the funds appropriated for it.

Mr. LEVER. But, as suggested by my friend from Texas [Mr. GARNER], I believe that this bureau is doing work in proportion to the funds appropriated for it. Last year we in-

creased the amount for the Bureau of Markets very considerably, probably doubling the appropriation, although I am not sure of the exact figures. And a great many clerks were employed under the lump-fund appropriation, and these clerks are now being transferred to the statutory roll in accordance with the law.

In reference to this clerk to which the gentleman from Wisconsin calls particular attention, my information is that he was carried on the lump-fund roll last year and is transferred to the statutory roll under the law at precisely the same salary which he received under the lump fund. And that is true in all these cases here.

Mr. STAFFORD. What additional activities have been undertaken by this bureau that have occasioned this tremendous increase in clerical force?

Mr. LEVER. I could very easily explain those as we come to them in the bill, item by item.

Mr. STAFFORD. I do not wish to take the time of the committee, inasmuch as the gentleman wishes to finish to-night. Here we have an appropriation for clerical force in this bill which is double the amount of last year, and some of the items for the clerical force have more than trebled.

Mr. LEVER. For instance, I will say to the gentleman from Washington that in the marketing and distributing work of the bureau there has been an actual increase of $12,580. In market reports on fruits and vegetables there is an actual increase of $50,000. In market reports on live stock and meats there has been an actual increase of $10,000. In food-supply investigations there is no change. In the item for food-products inspection there is no change. In cotton standardization there is an apparent decrease in the item, but actually no change. In rural cooperation and organization there is no change. In State cooperation and marketing work there is an actual increase of $22,000. In the grain standardization work there is actually no change. In the enforcement of the standard-container act, which is an activity that was given to the Department of Agriculture, there is a salary increase of $1,000. In general administrative expenses there is an increase of $6,000. In the enforcement of the cotton futures there is an actual increase of $25,000. In the enforcement of the grain-standard act there is no change. In the general administrative work there is no change.

So that, even this year we are recommending for this bureau a larger increase than we have recommended for any other bureau of the Department of Agriculture. In fact, it is about the only one where we did make any substantial increases. Last year we did the same thing, for the reason, as the gentleman knows, that some years ago there was a tremendous propaganda here around the Capitol to organize a bureau of markets, as they called it, with enormous appropriations, I think running as high as $50,000,000, to build terminals and warehouses, and everything on top of the earth.

This bill has been built up out of that propaganda, as it were, but we have tried to build it up along sane and conservative lines. And I may say this to the gentleman, and I would like the members of my own committee to bear witness to the fact, that while the committee has in many cases allowed increases, we have cut their estimates in practically every one of these items here; and the committee has repeatedly warned the Bureau of Markets that the great danger ahead of it was that it would run so fast it would get tangled with its own legs and come down with a crash. The committee has been trying to hold its hands both on the bureau itself and on the demand on the outside for increased appropriations for this service.

Mr. GARNER. I would like to ask the gentleman if he knows of a bureau in the entire Agricultural Department that is doing any more good than the Bureau of Markets?

Mr. LEVER. I believe it is not only doing a good work now, but I believe it is destined to be the great bureau in the Agricultural Department.

Mr. GARNER. That is exactly what I think about it—that it is destined to be the most important bureau of the Agricultural Department.

Mr. ROBBINS. You have mentioned here the increased benefits in giving market reports to the growers of fruits and vegetables. Who gets the benefit of that knowledge?

Mr. LEVER. Any association of fruit growers or vegetable growers at their own expense, or any individual may get it at his own expense.

Mr. ROBBINS. And it is sent broadcast over the country to those who apply and who are engaged in that line of enterprise?

Mr. LEVER. That is true. And I may say to the gentleman from Pennsylvania that I believe no line of activity in the Department of Agriculture is bringing back more in money than the information that is being given by the bureau to truckers throughout the country. My colleague here, who is always interested in this particular subject, knows something about the organizations that have received the benefit of the service in his own district. So while the increases are comparatively large compared with the increases in the other bureaus of the Department of Agriculture, it must be borne in mind that this is a new service and has not settled down to a fixed appropriation.

Mr. ROBBINS. You hope now that you have gotten to a place where we can call a halt?

Mr. LEVER. I think we have reached a point now, I will say to the gentleman candidly, where we can begin to have some more definite idea of the value of the work that is being done by that bureau. Heretofore the work has been more or less experimental in its nature, because it has been an entirely new service, and a new field of operation in economics in this country.

Mr. BYRNES of South Carolina. Mr. Chairman, in reference to this item I wish to say this, that I most heartily concur in the statement made by the chairman of the committee and by the gentleman from Texas [Mr. GARNER], to the effect that no more practical work is being done by the Department of Agriculture than that which is being done by this particular bureau.

Some reference is made to the telegraphic and mail service furnished to the growers of fruits and vegetables. In two or three counties in the district that I have the honor to represent, the farmers are engaged in the growing of truck—asparagus, cantaloupes, cucumbers, beans, lettuce, potatoes, and all other kinds of vegetables and fruits.

Any grower can make an arrangement with the Office of Markets to have sent to him every morning a telegram which will give him full information as to the market price of asparagus, cucumbers, cantaloupes, etc., in every important market of the East, and in addition to that, the number of cars loaded with those products en route to the markets of the East—the number of cars being ascertained at the Potomac yards and other junction points. Any fruit growers' organization or truck growers' organization, by making that arrangement with the department, can for 25 or 50 cents receive a detailed statement every morning as to the market conditions in the East. That information also is furnished to consumers. The Office of Markets endeavors to have it published in the newspapers.

And now they have installed a new service. The representatives of the Office of Markets in Philadelphia, New York, Boston, and Chicago, and other points will serve the fruit grower or the vegetable grower and the commission house in the way I shall undertake in a moment to describe. Heretofore the common experience has been, if a grower consigns a car of cantaloupes to Boston, for example, he might receive next morning, or two days thereafter, a wire to the effect that the cantaloupes had arrived in bad condition. He would be absolutely at the mercy of the commission merchant who sends him that telegram. He had no way of ascertaining the truth of the condition as to the cantaloupes.

Now, the Office of Markets, when called upon by the grower, will inspect that car, and wire him whether or not the cantaloupes are in bad condition; and the very presence of that inspector of the Office of Markets on the ground is going to assure the fruit grower and the vegetable grower of the United States that no longer will he be defrauded by some dishonest commission merchant, who, by his dishonesty, has created a great distrust of the commission merchants among farmers. For that inspection a charge is made by the Office of Markets, but the charge is infinitesimal in comparison with the advantage and the security that the fruit or vegetable shipper has in having on hand a man who, as his representative for all purposes, can ascertain the truth of the statement made by the commission merchant.

The result is that this feature is going to encourage men to produce more truck in this country, and to produce more vegetables in this country, and more fruit. There is no service being rendered in the whole Department of Agriculture that is so practical as this service, which has been referred to by the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. KREIDER. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. KREIDER. Does the Markets Bureau undertake to dispose of produce for the benefit of the shipper, or for the shipper?

Mr. BYRNES of South Carolina. No. I am satisfied they do not. This service is to advise the shipper of the price of

vegetables or the price of fruit on particular days. Heretofore from Florida to Virginia the growers were in the dark. They shipped at times, car after car, of canteloupes or cucumbers into the city of New York when the market was flooded, and at the same time the market in Philadelphia might have been without any canteloupes or cucumbers on that day. There was no intelligent diffusion of information. But once you give the farmers a true statement of the facts, you may rely upon a better distribution of truck and vegetables, so that there will be no dumping in one city, as, for instance, in New York, while in Boston or Cleveland or Buffalo there is a great demand for the article.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. FAIRFIELD. I would like to ask the gentleman whether the Department of Agriculture in the matter of onion seed has made any investment? I received a letter the other day from a man who grows onions, and he says that he understood that the whole crop of onion seed from a certain island had been taken over by the Department of Agriculture. I refer to Bermuda onions.

Mr. LEVER. I have no definite information about that, but my recollection is that seeds such as onion seeds would be distributed through the regular distribution.

Mr. FAIRFIELD. I refer to the market for the buying of onion seed at this department. Suppose a man writes in and wants to know where he can buy onion seed. Does this department take care of that?

Mr. LEVER. A person can get that information from the Department of Agriculture easily enough. The department will put him in touch with such firms or individuals from which he can obtain the seed.

Mr. FAIRFIELD. And for the sale in the fall, of onions, potatoes, and so on, do they keep abreast of the situation, so that when a man writes in at any time he can get the information he desires as to that?

Mr. LEVER. Yes. The first service which the department did was in respect to onions in the State of Texas, and I think they have worked out a very good plan of getting to the people the information they desire.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman from Wisconsin withdraws the reservation of the point of order. The Clerk will report the amendment proposed by the gentleman from South Carolina [Mr. LEVER].

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 75, line 23, after the word "two," in the word "laborers," insert a byphen (-).

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For acquiring and diffusing among the people of the United States useful information on subjects connected with the marketing and distributing of farm and nonmanufactured food products and the purchasing of farm supplies, independently and in cooperation with other branches of the department, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distributing of farm and food products, $292,240;

Mr. DALLINGER. Mr. Chairman, I move to strike out the last word. I had intended to offer an amendment at this point, but I am satisfied that it is subject to a point of order. I do, however, wish to call the attention of the Committee on Agriculture and also the attention of the House to what appears to be an unfair discrimination against the agriculturalists residing near the large centers of population. The county which I have the honor to represent in part—Middlesex County, Mass.—while it is rather densely peopled and contains many large manufacturing establishments, at the same time is one of the leading counties in the United States in the value of its agricultural products. These agricultural products are principally the result of intensive cultivation of the soil by market gardeners, a class of skilled agriculturalists.

On December 13 of last year I received a letter from one of my constituents, who is the president of the Boston Market Gardeners' Association, inclosing some resolutions adopted by that association. These resolutions are as follows:

Whereas the Boston Market Gardeners' Association, in common with similar associations in other cities, is contributing to the support of the Market News as edited and issued by the Bureau of Markets of the United States Department of Agriculture; and

Whereas all similar service is maintained for other industries without charge: Therefore be it

Resolved, That this association protest the payment of such money by private associations, especially where such Market News is given to the public indiscriminately, and petition the Department of Agriculture to assume the entire cost of this service henceforth.

J. WINTHROP STONE,
President Boston Market Gardeners' Association.

Mr. Chairman, I took this matter up personally with the Secretary of Agriculture, who is a personal friend of mine, and he promised me that he would look into the matter very carefully. On December 27 I received from him a letter, which reads as follows:

DECEMBER 27, 1917.

Hon. FREDERICK W. DALLINGER.

DEAR MR. DALLINGER: You called at the office a short time ago and left with me a letter to you from Mr. J. W. Stone, president of the Boston Market Gardeners' Association. Mr. Stone incloses a copy of the resolutions adopted by the association petitioning the Department of Agriculture to assume the entire cost of the Market News service conducted at Boston.

The local market reporting service, such as that carried on in Boston, has been conducted during the past season in eight of the large cities of the country. In each case approximately one-half the expense involved has been assumed by the local truck growers' association, some other local organization, or by the city itself. When the strictly local nature of the work is considered, the justification for dividing the expense in this way is clearly apparent. The market gardeners around these cities have been receiving a very specialized service, which has consisted of tabulating accurately the quantities of various commodities brought in by each wagon sufficiently early to enable our representative to post the totals of the main commodities on bulletin boards in time to guide the truck growers in their selling operations. Later the agent gathers accurate price information and then prepares a popularly written article covering the morning's business on the market for the information of the housewife. So far each agent has acted independently in this work, and there has been no attempt to exchange information by wire, except in the case of Boston and Providence, where our representatives have kept in touch with each other daily by telephone.

You will see, therefore, that the benefits of this work are largely restricted to the communities in which the service operates. Although other market gardeners' associations have expended greater sums for the work than the Boston Market Gardeners' Association, they have not asked that the Department of Agriculture assume the entire financial burden. In fact, they seem to be very anxious to receive the service under the financial conditions outlined. It is of interest, also, in this connection, that while the Boston Market Gardeners' Association obligated itself to pay from $75 to $100 per month, commencing last August, it has not been called upon to do so until recently, because of the fact that the local committee on public safety assured practically all the financial burden which belonged to the association. To date the Bureau of Markets has expended approximately $1,100 in the work and the committee on public safety about $800.

It is clear, therefore, no discrimination whatever has been or is being practiced against the Boston Gardeners' Association. In view of the strictly local nature of the service, I do not think it would be proper for the Department of Agriculture to assume the entire expense of the work. It may be that the city authorities or some other appropriate local organization would be willing to continue to pay a portion of the expenses. It is immaterial, of course, to the department whether they are paid by the association or by the city authorities or by other proper organizations

I imagine that Mr. Stone has in mind the general market news service which the Bureau of Markets has been conducting for the past two or three years. This service is for the benefit of entire regions, or for the country as a whole. While the department bears all expenses connected with the collection of the information, those who desire to receive the data by telegraph are required to pay the toll charges. As indicated, the work at Boston and other cities is strictly local in character and is not in the same category as the national or regional service.

Mr. Stone's letter and its inclosures are returned herewith.

Very truly, yours,

D. F. HOUSTON.

You will notice that in this letter the Secretary makes the point that this service is local. Now, Mr. Chairman, it has been the policy—and the Secretary is carrying out this policy—to conduct the Department of Agriculture according to area and not according to population. For instance, the State of Nevada, according to the estimates of 1915, has about 100,000 people, but it has a vast area. All the publications issued by this Bureau of Markets in the State of Nevada are published without any expense to the people of Nevada and sent to anybody who pays the usual fee; but the Boston Market Gardeners' Association, which is operating in a district having a population of between one and one-half and two million people, and the other market gardeners' associations in the large centers of population have to pay one-half of the expense of getting out this publication. It seems to me that this is a wrong policy. Here are these big centers of population that are bearing the great burden of Federal taxation, and yet in order for the Government to publish this information, which is public information of great importance to the food commission and to the people generally, particularly in this time of emergency, they are asked to bear one-half of the expense. It is a small matter, but it is an unfair discrimination, and ought not to continue. [Applause.]

Mr. LEVER. I ask unanimous consent that the debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr Chairman, the discussion of this item for acquiring and diffusing useful information on subjects connected with the marketing and distributing of farm and nonmanufactured food products calls to my mind a very interesting suggestion made by the Wyoming wool growers in annual convention at Douglas, in my State, a few days ago. The wool growers suggest that as the wool clip is gathered it be assembled at central points in the country, the National Wool Growers' Association acting as the agent of the Government in that behalf, and that thereafter, to quote the words of the resolution of the association—

After wools have been concentrated and worked into commercial grades the Government representative take over, for account of the Government, such grades and amounts as are suitable for military requirements, the remaining wool to be sold either by public auction or by allotments to manufacturers for their actual milling requirements, in proportion to the available supply, and in charge of the aforesaid authorized committee.

Whether or not a procedure of this sort is practical there will be a difference of opinion, but it certainly is entitled to very careful consideration. The methods and procedure for the sale of wool in this country have never been satisfactory. They have left altogether too great a gap between the price the producer received and that which the cloth manufacturer paid for the finished wool. In Great Britain they have a system of auction sales which works very well, I am told, and the meat of the suggestion which I have just read, contained in the resolution, is in line and in harmony with the practice in Great Britain.

I am quite certain that if a plan of this sort had been followed last year, when it was presented in my presence by representatives of the National Wool Growers' Association to the Council of National Defense, it would have resulted in a very great saving to the Government—a saving of possibly 20 or 30 per cent of the price finally paid for wool by the Government. It would have given the grower as good a price as he did receive, and it would have furnished the Government with all the wool needed in the uniforms of our soldiers, so that it would not have been necessary, as it was claimed to be, to introduce shoddy in these garments. It would have equalized the distribution of the wool for use in the country generally. I think the suggestion then made was a most excellent one. It should, I think, have been adopted. But it was not. The Wool Growers' Association again suggest it to the Government, and I think it would be very well indeed if it was given careful consideration.

The wool could be gathered without difficulty at central points, the Government could take the wool it needed at a fair price easily ascertained and determined, and the balance sold, as it is in Great Britain, at auction. That would give the grower a fair price, it would protect the Government and lead to a general and equitable distribution of the wool products of the country.

The CHAIRMAN. All time has expired, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

To make investigation relating to the production, transportation, storage, preparation, marketing, manufacture and distribution of agricultural food products, including the extent, manner, and methods of any manipulation of the markets or control of the visible supply of such food products, or any of them, by any individuals, groups, associations, combinations, or corporations, $48,800.

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Committee amendment: Page 77, line 20, after the word "manufacture," insert a comma.

The amendment was agreed to.

The Clerk read as follows:

To enable the Secretary of Agriculture to investigate and certify to shippers and other interested parties the quality and condition of fruits, vegetables, and other food products when received at such important central markets as the Secretary of Agriculture may from time to time designate, subject to the payment of such fees as will cover the cost of service rendered and to such rules and regulations as he may prescribe, $113,000: *Provided*, That the certificates issued by the authorized agents of the department shall be received in the courts of the United States as prima facie evidence of the quality and condition of the products so certified.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the entire paragraph.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I took some exceptions to a portion of this paragraph when it was before the committee—the employment of inspectors by the Bureau of Markets to investigate and certify to shippers and other interested parties the quality and condition of various kinds of farm products when received at the market to which they are sent. I did so because, it seemed to me, that in this form it does not properly describe or prescribe the duty and authority of the bureau or rights of private parties. If it is a proper function of the Bureau of Markets or any branch or department of the Federal Government to enter into the business of determining between the shipper and the consignee the question of whether or not the contract between them has been complied with, to furnish evidence as the basis of a claim for a reduction of the price, or for damages, as the case may be, then the duty and authority to be performed and exercised should be given careful thought and a full and complete measure adopted in which this duty and authority shall be clearly defined and the rights and obligations of shippers and consignees clearly established.

This bureau, as has been said, is a very important branch of the department. It is doing splendid work. The chief of the bureau is one of the most intelligent, active, progressive men I know in the department. He is enthusiastic; in fact, if he has a fault it is that he is too enthusiastic—trying to do too much. The danger is, as the chairman of this committee a moment ago very well said, that he is trying to do too much and trying to go too fast. He is also in danger, in his enthusiasm, of going outside of the proper line of marketing and taking up other work, as can be pointed out in other paragraphs as well as in this, without supplementary legislation.

Mr. LEVER. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. LEVER. I think the gentleman ought to say in fairness that this proposition was put on the food-production bill in the Senate, and not at the suggestion of the chief of the bureau.

Mr. McLAUGHLIN of Michigan. I believe it was started or provided for in the food-production bill during the last session of Congress, finding its way through an amendment adopted by the Senate, and I approved it as a part of that emergency legislation. In my judgment it is not a market work at all, as this bureau in this section is directed to pursue it, and the Government ought not so to undertake it.

Mr. MONDELL. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. MONDELL. Does the gentleman think it is a proper work for any bureau of the Government to undertake?

Mr. McLAUGHLIN of Michigan. I have said that it was not proper for this bureau as here directed, and I question if it is a proper activity for the Government of the United States at all.

Mr. MONDELL. These gentlemen serve as referees, do they not?

Mr. McLAUGHLIN of Michigan. Yes; they do just what this language authorizes them to do. A large number are employed and stationed in the large markets in the country. In case of a complaint they investigate the condition of the shipment and make a certificate as to the condition in which the goods were received, and it is the basis of a claim or of settlement or evidence used in disposing of the controversy between the shipper and the consigneee.

Mr. MONDELL. Is the Government reimbursed in any way?

Mr. McLAUGHLIN of Michigan. Up to this time the Government has not been reimbursed. The men have been paid entirely out of the Treasury of the United States for such services as they performed. At my suggestion the words "subject to the payment of such fees as will cover the cost of service rendered" were incorporated in this paragraph. So far as improvement is made in the methods of the department. Those who are interested in this inspection, those who profit by it, will be required to pay for it. But my contention is that it is improper—work outside of the duties and functions of the Bureau of Markets, as now provided by law. In my judgment this paragraph as it stands ought not to be incorporated.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes more.

Mr. LEVER. Mr. Chairman, reserving the right to object, will the gentleman waive that for a suggestion? If the gentleman from Wisconsin [Mr. STAFFORD] is going to make a point of order on this I think we better have that done, so I can offer an amendment on this proposition which I think will not be subject to the point of order. Does the gentleman feel that he ought to press his point of order?

Mr. STAFFORD. The more the gentleman from Michigan [Mr. McLAUGHLIN] speaks the more I am inclined to press the point of order. Perhaps he may say something that will change my position.

Mr. McLAUGHLIN of Michigan. I am not particularly interested in the point of order. I am speaking with the idea that I may possibly influence the committee in its opinion of this item.

Mr. LEVER. There are just two ways of getting at this proposition to determine what the will of the House is on the

proposition. One is to have a vote on an amendment which is not subject to a point of order, and which carries out the general idea of this work. The other is for some gentleman to make the point of order against this, and if it be subject to the point of order, then to have it go out, and then we can discuss the proposition on its merits.

Mr. McLAUGHLIN. I shall give way and permit the Chair to pass upon the point of order raised by the gentleman from Wisconsin.

The CHAIRMAN. Does the gentleman from Wisconsin insist on the point of order?

Mr. STAFFORD. Mr. Chairman, at the invitation of the Chairman of the Committee, I make the point of order.

Mr. LEVER. Oh, I would not have the gentleman put me in that attitude. I am not suggesting an invitation at all. I am not sure that this language is subject to the point of order, and I shall argue the point of order if it is made. But I think that would clarify the situation.

Mr. STAFFORD. Then to accommodate the gentleman, and not at his suggestion, I make the point of order.

Mr. SUMNERS. Mr. Chairman, will the gentleman withhold his point of order for a few minutes?

Mr. STAFFORD. I shall be glad to.

The CHAIRMAN. Then the Chair will submit the request of the gentleman from Michigan that he be permitted to continue the discussion for five minutes. Is there objection?

Mr. LEVER. I hope the gentleman will let the point of order be decided. I shall offer another amendment which I think is clearly in order, but I think this one is.

Mr. SUMNERS. Mr. Chairman, I would like to be heard on this item before it is materially changed. I regard it as one of the most important items in this whole proposition.

Mr. LEVER. If the gentleman from Texas has any idea that he can persuade the gentleman from Wisconsin to withdraw his point of order, I shall be delighted to have him use his persuasive powers upon him.

Mr. STAFFORD. He has already had that wonderful persuasive power satisfied by my withdrawing the point of order and reserving it for the accommodation of the gentleman.

Mr. LEVER. I think we will not accomplish anything unless we get the gentleman to withdraw it absolutely.

Mr. STAFFORD. He has not asked me to withdraw it entirely. He has only asked me to reserve it, and I am accommodating him in order that he may exercise his persuasive powers to influence me further.

Mr. SUMNERS. I do not know who has the floor.

The CHAIRMAN. The gentleman from Michigan [Mr. McLAUGHLIN] had the floor, and he was temporarily deprived of it by a colloquy between the chairman of the committee and several other gentlemen. The Chair will submit the request of the gentleman from Michigan that he be permitted to address the committee. Is there objection?

Mr. LEVER. I shall not, but I shall at the end of his time object until we clear up the point of order.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, if the Chair is going to pass on the point of order and the chairman of the committee is to submit another proposition, I may want to speak on the new proposition; and as time is limited and as the chairman is disposed to refuse very much time, perhaps I had better wait until the new proposition comes up.

The CHAIRMAN. The Chair will recognize the gentleman from Texas.

Mr. LEVER. Mr. Chairman, I think we will make time in getting rid of the point of order on this proposition.

Mr. McLAUGHLIN of Michigan. I feel that way about it.

Mr. LEVER. And as I find I can not finish the bill this afternoon, I think it will be better to argue the point of order if the gentleman from Wisconsin is going to make it.

Mr. SUMNERS. The gentleman from Wisconsin has been kind enough to withhold the point of order, and I would like to be heard on the general proposition.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. SUMNERS. I hope that the gentleman from Wisconsin [Mr. STAFFORD] may not insist upon his point of order. Gentlemen, it is a fact that in the sale of agricultural products the same difficulties are met with which are met in the sale of rural credits. In the sale of rural credits we standardize rural credits, concentrate them, and establish a system of inspection, which inspires the necessary confidence which makes it practicable for people in New England, for instance, to purchase loans on farms in the gentleman's own State—on farms which they have never seen. They do not know who owns them. They make their purchases not upon their confidence in the owners nor in the land, but upon their confidence in the system of inspection. Now, in the sale of agricultural products which move from the point of production to far-away points of consumption, it is absolutely essential for systematic and economic distribution that there be this system of inspection, whether commodities are shipped for sale or move under prior sale. Without such inspection the man who purchases what he has not seen or the man who ships without prior sale are largely gambling. The only way to avoid that is for the purchaser to go to the point of production and personally inspect or the seller to accompany his commodity to the market, and of course consumers must pay for the trip in the price they pay. Now, you gentlemen know that as a matter of fact that farmers living far from the markets do not know to whom to ship their products; they do not know whether they will get a square deal if they send to these great distributing centers or not. It is imperatively necessary to any plan to reduce cost of distribution and enlarge our possibilities for production that there be somebody there who represents neither party but who serves both, performing a service to commerce similar to that of a public weigher. For these reasons I hope that the gentleman from Wisconsin will not insist upon his point of order, but permit this service to be developed in this country, so that the man who has something to sell will have confidence to send it into a far-off market, if necessary, and know that no dishonest commission man is going to defraud him out of his product and send him back this sort of statement, "Your stuff got here in bad shape. Send us $13 to pay freight."

You gentlemen who represent agricultural districts know that thing has happened, and that very thing has done more to destroy the truck-producing industry in diversified farming sections than any other one thing. Producers are not in organizations sufficiently large to bridge the full distance between production and consumption except in territories where production is specialized and highly concentrated. You all know that as a matter of fact common sense——

Mr. HAUGEN. Will the gentleman yield?

Mr. SUMNERS. I will.

Mr. HAUGEN. I am very much interested in what the gentleman says. I think he is mainly correct, but does not the gentleman think before this system can be carried out it will be necessary to pass a national law authorizing the incorporation of societies among the farmers——

Mr. SUMNERS. I do not think so. I hope to see the Government do the common-sense and necessary things and thereby insure justice without the necessity for such an organization. It would have a power which I hope may never find its way into the hands of any class of people. I am regarded here as a sort of farmers' champion, but I know they are made of the same clay as other people. They are no safer custodians of great power than any other class would be. I warn the country that we are driving them into these great organizations, and some day the country will pay for it. Say what you please, the wisest public policy is to insure class justice without the necessity for class organization to get it. This is merely an experiment—it is not an experiment, either. We all know that the man who lives out in the West, for instance, and would ship his commodities to Chicago, the ordinary, every-day farmer, he can not hire somebody to go there and see whether he is getting a square deal or not. He has nobody to watch his interests and the result is he does not take the chance; with the result that much of the productive energy of this country is not utilized. I sincerely hope that the gentleman from Wisconsin——

Mr. HAUGEN. Will the gentleman yield?

Mr. SUMNERS. I will.

Mr. HAUGEN. This is in line with the standardization act. The purpose is that somebody may determine the value of the products shipped to the market.

Mr. SUMNERS. Yes, sir.

Mr. HAUGEN. Its condition and also its value in fixing the standard, the value of the product as it is shipped.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, we are departing entirely from the old-time established policy of the individual looking after his own trade affairs and allowing Government agents to do the work for him. It is a system of paternalism that, if once inaugurated, will extend not only to the principal trade centers, as herein provided, but will extend to other localities throughout the country.

True, as stated by the gentleman from Texas [Mr. SUMNERS], it will develop in such extraordinary fashion that the amount appropriated will run into millions, if not tens of millions, of dollars. I make the point of order, Mr. Chairman, that it is legislation on the appropriation bill.

The CHAIRMAN. The Chair will hear the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LEVER. I offer the following amendment as a new paragraph.

The CHAIRMAN. The gentleman from South Carolina offers an amendment which the Clerk will report.

The Clerk read as follows:

Insert as a new paragraph, in lieu of the paragraph stricken out, the following:

"For enabling the Secretary of Agriculture to investigate and certify to shippers the condition as to soundness of fruit, vegetables, and other food products, when received at such important central markets as the Secretary of Agriculture may from time to time designate and under such rules and regulations as he may prescribe: *Provided*, That certificates issued by authorized agents of the department shall be received in all courts as prima facie evidence of the truth of the statements therein contained."

Mr. STAFFORD. Mr. Chairman, I either make or reserve the point of order.

Mr. LEVER. I will ask the gentleman to make the point of order.

Mr. STAFFORD. I make the point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. STAFFORD. The point of order is that it is legislation on an appropriation bill not authorized by existing law.

Mr. LEVER. Mr. Chairman, in answer to the suggestion of the gentleman that this is not authorized by existing law, I desire to call the Chair's attention to the act of Congress known as the food-survey law and food-control law, on page 2, and I quote to the Chair the following language.

The CHAIRMAN. Will the gentleman kindly indicate what section he is reading?

Mr. LEVER. I am reading from section 8, near the middle of page 2. It says:

For enabling the Secretary of Agriculture to investigate and certify to shippers the condition as to soundness of fruits, vegetables, and other food products, when received at such important central markets as the Secretary of Agriculture may from time to time designate and under such rules and regulations as he may prescribe:

Provided, That certificates issued by the authorized agents of the department shall be received in all courts as prima facie evidence of the truth of the statements therein contained.

And then the amount of money is stated. In the amendment I have offered we put in the amount. The Chair will recognize in the language, just read, I think, that it is the law and will continue to be the law so long as this war lasts, the identical langauge of the amendment which I have sent to the desk.

The CHAIRMAN. Will the gentleman from South Carolina let the Chair see that?

Mr. LEVER. Yes. And I would say to the Chair that this act is to remain in force, if he will notice the last section of it, during the war. While the Chair is looking at the act, I would like to modify my amendment——

The CHAIRMAN. Without objection it may be done.

Mr. LEVER (continuing). By inserting the amount, namely, "$113,000."

There was no objection.

Mr. McLAUGHLIN of Michigan. Will you amend it also by including the words I suggested in the committee, that the cost of it be paid?

Mr. LEVER. I think that would make it subject to a point of order. I am offering the exact language of the current law.

Mr. STAFFORD. Mr. Chairman, the chairman of the committee admits that the authority on which he bases this amendment is limited to the contingency as found in the enabling act, the food-survey law and the food-control law, to the duration of the war. The duration of the war is a contingency that may end at any moment.

The amendment that is offered by the chairman of the committee is not limited, as the original act is, to the duration of the war. The war may end during this present fiscal year, and if this bill was presented to the House after the war is concluded, under the rules now existing it would be subject to a point of order. Allow this amendment to be held in order in its present phraseology, and if the war comes to an end prior to the consideration of the Agricultural appropriation bill at the next session of Congress, the fact that we have undertaken this work without any such limitation as the existing law provides would make a similar provision in order. But if this authorization is limited to the existence of the war, that would present a different question. The law as it stands today only authorizes the Secretary of Agriculture to undertake this work during the existence of the war. As soon as the war terminates the authority lapses. But if this amendment is agreed to and the war terminates, he would have authority to still continue it, and under what authorization?

Under an authorization of law carried in an appropriation bill, that is contrary to the rules of the House of carrying legislation on appropriation bills. In its present form, undoubtedly, Mr. Chairman, I contend that the Chair should rule that the amendment is out of order.

Mr. Chairman, one thought further, in amplification of the idea presented just now. All this legislation of a war emergency character which was passed at the last session of Congress and which is contained in this act is limited to war emergency and war exigency, and it could be used as a vehicle to make permanent enactments in this appropriation bill for all time——

Mr. ROBBINS. And in other appropriation bills.

Mr. STAFFORD. Yes; and other appropriation bills where the appropriation would be germane. It is the vice from which the rules of the House seek to protect its legislation against having it incorporated in appropriation bills. Certainly Congress would never have authorized much of this legislation that is limited to war exigency by making it permanent for all time. Now, the gentleman from South Carolina is attempting to utilize an emergency legislative matter to make it permanent law.

Mr. ROBBINS. And it would apply to every one of the 10 bills yet to come.

Mr. LEVER. Mr. Chairman, if the Chair will indulge me for a moment, I wish to suggest to the Chair that the rule requiries that legislation on an appropriation bill can not be had; a change of existing legislation can not be had. This is neither legislation nor a change of law.

It is true that we frequently refer to the fact that some amendment is a change of permanent law. But no law is permanent. Congress can amend any act or repeal it when it sees fit to do so.

It is true that the life of this act is limited by the act itself; but until the time comes when the conditions are fulfilled it is the law of the land. I submit that the point of order can not lie.

The CHAIRMAN. The Chair is ready to rule. The gentleman from South Carolina [Mr. LEVER] offers an amendment against which the gentleman from Wisconsin [Mr. STAFFORD] lodges a point of order, claiming that it is new legislation, and that therefore it is not in order on a general appropriation bill.

Under clause 2 of Rule XXI, no amendment changing existing law shall be in order upon an appropriation bill. Therefore the question presents itself to the Chair as to whether or not the proposed amendment is new legislation. Under the act "To provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," approved August 10, 1917, there is a provision of law identical with the amendment proposed by the gentleman from South Carolina.

The gentleman from Wisconsin contends that the act of Congress that the Chair has just cited lasts only during the continuance of the war, which is an uncertain contingency, and that the Chair would not be authorized to hold the amendment is in accordance with existing law. The Chair is of the opinion that the only matter for the Chair to decide is whether the law is in existence at the time the Chair is to pass upon the amendment authorizing it, for any law may be subsequently repealed.

Mr. STAFFORD. Will the Chair permit a question in that particular?

The CHAIRMAN. The Chair would prefer not to. Section 3814 of Hinds' Precedents, volume 4, provides:

A paragraph in an appropriation bill reenacting verbatim an existing law is not subject to a point of order. On February 5, 1904, the Agricultural appropriation bill was under consideration in Committee of the Whole House on the state of the Union, when Mr. MORRIS SHEPPARD, of Texas, proposed the following amendment:

"*Provided*, That the purchase and distribution of seeds and plants by the Department of Agriculture shall be confined to such seeds as are rare, untried, and uncommon to the country, or such as can be or have been made more useful and more profitable by special breeding, or such seeds and plants as may be improved by transplantation from one part of the country to another."

Mr. Sydney J. Bowie, of Alabama, made a point of order that the proposed amendment involved legislation.

After debate, the Chairman said:

The Chair is ready to rule upon this amendment. If the Chair has made no mistake, it is a verbatim copy of the law as it now exists. That being the case, it has been held that while it is unnecessary and perhaps almost not good form, yet is not strictly subject to a point of order. It is simply reenacting a portion of the United States statutes.

The Chair is of the opinion that there is law authorizing the legislation proposed in the amendment and that the amendment simply proposes an appropriation to carry out existing law, and therefore the Chair overrules the point of order.

Mr. LEVER. Mr. Chairman, I do not recall whether or not I got the consent of the committee to modify my amendment.

The CHAIRMAN. The Chair understood the gentleman did.

Mr. STAFFORD. Mr. Chairman, I wish to inquire how long the gentleman from South Carolina intends to run to-night?

Mr. LEVER. I hope to run until half-past 5.

Mr. STAFFORD. This is an important amendment—one of the most important amendments included in the bill—and I hope the gentleman can see his way clear to move to rise and discuss it to-morrow, when we shall have a larger audience.

Mr. LEVER. Let us see, then, how much time is desired. I wish very much to dispose of this item to-night. Does the gentleman from Michigan [Mr. McLAUGHLIN] desire some time?

Mr. McLAUGHLIN of Michigan. Yes. I have an amendment on which I would like to have five minutes.

Mr. YOUNG of North Dakota. I would like to have 10 minutes before we adjourn to-night.

Mr. LEVER. On this amendment?

Mr. YOUNG of North Dakota. Yes; I would like to have 10 minutes.

Mr. GILLETT. Why not let the gentleman from North Dakota use his 10 minutes to-night, and then rise?

Mr. LEVER. I am willing to do that. But in doing so let us see if we can not reach an agreement as to this matter. I ask unanimous consent, Mr. Chairman, that the debate on this amendment and all amendments thereto may close—in how many minutes?

Mr. STAFFORD. I do not think the gentleman should try to close the debate on this amendment to-night. We can finish the bill certainly to-morrow, when we will have a larger attendance.

Mr. McLAUGHLIN of Michigan. I will say to the chairman that there will be a larger attendance to-morrow, and when this matter is read, and the Members attending know what it is, there will be requests for time.

Mr. LEVER. I know, but the gentleman from Michigan will recognize the fact that it is not up to the committee, who have to sit here all day long, to take care of those who are not here; and while this is an important amendment, if gentlemen desired to discuss it they knew it was in this bill and could have been here and protected themselves. I think the gentleman will agree that I have been pretty liberal in trying to protect everybody; but we must finish the bill to-morrow, and I am not so sure that we can do it in a couple of hours.

Mr. McLAUGHLIN of Michigan. Is not the gentleman willing to give two hours to this, an hour on a side?

Mr. LEVER. Oh, no. I ask unanimous consent that debate on this amendment and all amendments thereto may close in 30 minutes, one half to be controlled by the gentleman from Michigan [Mr. McLAUGHLIN] and the other half by myself.

Mr. STAFFORD. That would not even accommodate the gentlemen who are now here present on this side waiting to speak. There are requests for 30 minutes on this side right now.

Mr. LEVER. The gentleman from North Dakota [Mr. YOUNG] does not want to speak on this. There are 20 minutes asked for on that side and 5 minutes on this side. I ask unanimous consent that the debate on this amendment and all amendments thereto may close in 50 minutes, one half to be controlled by myself and the other half by the gentleman from Michigan.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this amendment and proposed amendments thereto close in 50 minutes, the gentleman from Michigan [Mr. McLAUGHLIN] to control 25 minutes and the gentleman from South Carolina [Mr. LEVER] to control 25 minutes. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9054, the Agricultural appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. FOCHT for one week, on account of illness.

INCREASED COMPENSATION TO POSTAL EMPLOYEES.

Mr. MOON. Mr. Speaker, by direction of the Committee on the Post Office and Post Roads, I report herewith the bill (H. R. 9414), granting increased compensation to certain officials, employees, and laborers in the Post Office Department and Postal Service, and for other purposes; and I ask unanimous consent that the bill be printed with the report (H. Rept. No. 279) and be referred to the Union Calendar.

The SPEAKER. The gentleman from Tennessee presents a bill, which the Clerk will report by title.

The Clerk reported the title of the bill.

The SPEAKER. The gentleman asks unanimous consent that the bill be put on the Union Calendar. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Wisconsin reserves all points of order on the bill, and the bill is referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. BLACK. Mr. Speaker, I ask unanimous consent that any members of the Committee on the Post Office and Post Roads who desire to do so may have five legislative days within which to file minority views.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in regard to the Garabed free-energy proposition.

The SPEAKER. Is there objection?

There was no objection.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 174. Joint resolution for the purpose of promoting efficiency for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy.

WIDOWS' PENSION BILL.

Mr. ASHBROOK. Mr. Speaker, the bill (H. R. 9093) to amend the act approved September 8, 1916, chapter 470, Statutes at Large, Sixty-fourth Congress, relating to pensions, was reported in the regular way through the basket. I have since learned that it is a privileged bill and that the report should be made to the House. I therefore wish to make that report on the bill to the House and not through the basket.

The SPEAKER. Is it a general pension bill?

Mr. ASHBROOK. Yes.

The SPEAKER. The gentleman takes the bill from the basket and reports it in the usual way of a privileged bill. The bill is ordered printed and is referred to the Committee of the Whole House on the state of the Union.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order on the bill.

PAIRS.

Mr. WILSON of Texas. Mr. Speaker, some weeks ago the gentleman from Texas [Mr. BLANTON] and the gentleman from Oklahoma [Mr. CHANDLER] placed a statement in the RECORD undertaking to show that I had violated a pair agreement. I do not know that I would have cared to make any reply if it had not been that I now hear——

Mr. GILLETT. Mr. Speaker, I rise to a point of order. I would like to know by what right the gentleman is undertaking to make this statement?

Mr. WILSON of Texas. Then I shall not state the reason, but I ask unanimous consent to extend my remarks in the RECORD in order to make a reply to those statements, for the purpose of stating the facts with reference to this entire matter.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The SPEAKER. The Chair desires to state once more, and hopes that the Members present will convey the statement to others, that the House has nothing on earth to do with pairs.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 37 minutes p. m.) the House adjourned until to-morrow, Friday, February 1, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Comptroller of the Currency, transmitting the annual report of the Comptroller of the Currency for the 12 months ending October 31, 1917 (H. Doc. No. 602); to the Committee on Banking and Currency and ordered to be printed.

2. A letter from the president of Chesapeake & Potomac Telephone Co., transmitting a report of the Chesapeake & Potomac Telephone Co. to the Congress of the United States for the year 1917 (H. Doc. No. 888); to the Committee on the District of Columbia and ordered to be printed.

3. A letter from the president of Capital Traction Co., transmitting report of the Capital Traction Co. for the year ending December 31, 1917 (H. Doc. No. 889); to the Committee on the District of Columbia and ordered to be printed.

4. A letter from the United States Food Administrator, transmitting itemized statements of purchases and disbursements made by the Unied States Food Administration and by the United States Fuel Administration for the period from December 1 to December 31, 1917, inclusive (H. Doc. No. 890); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HAYDEN, from the Committee on the Public Lands, to which was referred the bill (H. R. 273) to extend the time for cutting timber on the Coconino and Tusayan National Forests, Ariz., reported the same without amendment, accompanied by a report (No. 277), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SULZER, from the Committee on the Public Lands, to which was referred the bill (H. R. 8563) to amend the homestead law in its application to Alaska, and for other purposes, reported the same without amendment, accompanied by a report (No. 278), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 1607) for the relief of David E. Gray, reported the same without amendment, accompanied by a report (No. 275), which said bill and report were referred to the Private Calendar.

Mr. WALTERS, from the Committee on the Public Lands, to which was referred the bill (H. R. 2635) to authorize the issue of a patent to certain land in Alabama to William M. Wilson, reported the same without amendment, accompanied by a report (No. 276), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

The bill (H. R. 7721) granting an increase of pension to Robert S. Parker; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 9138) granting an increase of pension to Daniel Lawlor; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 9142) granting a pension to William E. Martin; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 9358) granting a pension to Elmer Wagar; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WALSH: A bill (H. R. 9402) to authorize credits for enlistments in the naval service of the United States in the operation of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 9403) to provide for the condemnation, acquisition, and construction by the United States of America of telegraph and telephone lines, properties, and holdings in the several States and Territories of the United States and the District of Columbia, and to provide for the operation of said telegraph and telephone lines and properties by the United States; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 9404) to fix the requirements governing the receipt, transmission, delivery, and preservation of messages of interstate telegraph and telephone companies; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9405) fixing the price for use of telephones at private residences within the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BLANTON: A bill (H. R. 9406) to increase the productive agricultural area of the United States by the reclamation of arid swamp lands therein; to the Committee on Irrigation of Arid Lands.

By Mr. GALLAGHER: A bill (H. R. 9407) to provide for the preservation of and compensation for diminishing levels of Lakes Michigan, Huron, Erie, and Ontario due to diversion or withdrawal of water from Lake Michigan at Chicago, Ill., and fixing the maximum amount of such diversion and conditions under which same is authorized; to the Committee on Rivers and Harbors.

By Mr. HICKS: A bill (H. R. 9408) to authorize additional pay for enlisted men of the Navy, and Marine Corps, and Coast Guard detained beyond the expiration of their terms of enlistment; to the Committee on Naval Affairs.

By Mr. BUTLER: A bill (H. R. 9409) to provide for the authorization of money to be used in the grading and terracing of the grounds around and adjacent to the memorial arch at Valley Forge; to the Committee on the Library.

Also, a bill (H. R. 9410) to provide for a site and public building at Lansdowne, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. BURNETT: A bill (H. R. 9411) to amend an act entitled "An act in reference to expatriation of citizens and their protection abroad," approved March 2, 1907; to the Committee on Immigration and Naturalization.

By Mr. RIORDAN: A bill (H. R. 9412) authorizing a survey of Bay Ridge and Red Hook Channels, N. Y.; to the Committee on Rivers and Harbors.

By Mr. HAYDEN: A bill (H. R. 9413) to authorize coal-mining leases in the Navajo country; to the Committee on Indian Affairs.

By Mr. MOON: A bill (H. R. 9414) granting increased compensation to certain officials, employees, and laborers in the Post Office Department and Postal Service, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. PARK; Resolution (H. Res. 240) authorizing the Postmaster of the House to employ an additional messenger; to the Committee on Accounts.

By Mr. BRITTEN: Resolution (H. Res. 241) authorizing the Committee on the Post Office and Post Roads to investigate the present system of mail censorship; to the Committee on Rules.

By Mr. RIORDAN: Joint resolution (H. J. Res. 234) directing the Secretary of the Treasury to permit the entry under bond of certain shipments of distilled spirits; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 9415) granting an increase of pension to Joseph S. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9416) granting an increase of pension to Benjamin F. Carpenter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9417) granting an increase of pension to Mathias Keller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9418) granting an increase of pension to David Bowman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9419) granting a pension to Margaret Berry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9420) granting a pension to William McCommon; to the Committee on Invalid Pensions.

By Mr. BLACK: A bill (H. R. 9421) granting a pension to Julian A. Wiggins; to the Committee on Pensions.

By Mr. BLAND: A bill (H. R. 9422) granting a pension to James M. Snoddy; to the Committee on Invalid Pensions.

By Mr. BROWNE: A bill (H. R. 9423) granting an increase of pension to Lester N. Porter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9424) granting an increase of pension to Charley S. Lunn; to the Committee on Invalid Pensions.

By Mr. BROWNING: A bill (H. R. 9425) granting an increase of pension to Matthew McGoldrick; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 9426) granting a pension to George S. Zimmerman; to the Committee on Pensions.

Also, a bill (H. R. 9427) granting an increase of pension to Charles J. Lane; to the Committee on Pensions.

By Mr. CONNELLY of Kansas: A bill (H. R. 9428) granting an increase of pension to George J. Wright; to the Committee on Invalid Pensions.

By Mr. CURRIE of Michigan: A bill (H. R. 9429) to amend an act entitled "An act for the relief of the Saginaw, Swan Creek, and Black River Band of Chippewa Indians in the State of Michigan, and for other purposes," approved June 25, 1910; to the Committee on Indian Affairs.

By Mr DILL: A bill (H. R. 9430) authorizing the issuance of patent to the Pioneer Educational Society and its successors for certain lands in the diminished Colville Indian Reservation, State of Washington; to the Committee on Indian Affairs.

By Mr. FOSTER: A bill (H. R. 9431) granting an increase of pension to Samuel Worley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9432) granting an increase of pension to William H. Freeman; to the Committee on Invalid Pensions.

By Mr. HASKELL: A bill (H. R. 9433) granting an increase of pension to Isaac L. Prescott; to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 9434) for the relief of Harlan W. Jenks; to the Committee on Claims.

By Mr. KEY of Ohio: A bill (H. R. 9435) granting an increase of pension to George W. Smith; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 9436) granting an increase of pension to Joseph S. Wiley; to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 9437) granting a pension to Minnie S. Muir; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9438) granting a pension to Richard R. Trench; to the Committee on Invalid Pensions,

By Mr. MORGAN: A bill (H. R. 9439) granting an increase of pension to Charles H. McCully; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9440) granting an increase of pension to Henry H. Brunsteter; to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 9441) granting an increase of pension to James M. Dixon; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 9442) granting a pension to Rose A. Doyle; to the Committee on Pensions.

By Mr. ROWE: A bill (H. R. 9443) granting an increase of pension to Joseph Buckle; to the Committee an Invalid Pensions.

Also, a bill (H. R. 9444) granting an increase of pension to Augustus B. Tickner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9445) to correct the military record of Oliver A. Campbell; to the Committee on Military Affairs.

Also, a bill (H. R. 9446) granting an honorable discharge to Edward S. Conkling; to the Committee on Military Affairs.

By Mr. SANDERS of New York: A bill (H. R. 9447) granting an increase of pension to William Newton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9448) granting an increase of pension to William H. Kendall; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 9449) granting an increase of pension to Thomas J. Holman; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 9450) granting an increase of pension to Jacob W. Cline; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9451) granting an increase of pension to George H. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9452) granting an increase of pension to Thomas J. Cartwright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9453) granting a pension to John D. Andrews; to the Committee on Pensions.

By Mr. WASON: A bill (H. R. 9454) granting an increase of pension to John M. Fox; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BLAND: Evidence in the case of James M. Snoddy, special pension bill (H. R. 9422); to the Committee on Invalid Pensions.

By Mr. CALDWELL: Petitions of Elmhurst Baptist Church, the Bible class of the First Methodist Episcopal Church, both of Elmhurst, N. Y., and of the Rosedale Presbyterian Church, Borough of Queens, New York City, urging the passage of a war-emergency prohibition law; to the Committee on the Judiciary.

By Mr. CARY: Resolution of the Union Label Trades Department of the American Federation of Labor, asking the repeal of the zone system for second-class mail; to the Committee on Ways and Means.

By Mr. CLARK of Pennsylvania: Petition of F. C. Schutte (treasurer), F. E. Mosher, Hon. F. E. Detzell, and 12 employees of the Erie Trust Co., praying for the passage of H. R. 7995, for the preservation of the *Niagara*, Commodore Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. DALE of New York: Resolutions of the Merchants' Association of New York, advocating a board of war control subordinate only to the President, and a director of munitions, subject to the board of war; to the Committee on Military Affairs.

Also, resolutions of the convention of short-line railroads, held in Washington, D. C., expressing approval of the taking over of the railroads of the country and suggesting amendments to Senate bill 3385; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSTER: Petition of 15 veterans of the Civil War of Iuka, Ill., urging increase of pension for Civil War soldiers; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: Memorial of the Asbury Park (N. J.) Chamber of Commerce, for the repeal of the zone system for second-class mail; to the Committee on Ways and Means.

By Mr. GRIEST: Petition of a committee of the George H. Thomas Post, No. 84, Grand Army of the Republic, Lancaster, Pa., urging the enactment of legislation to increase the pension of veterans of the Civil War to $50 per month; to the Committee on Invalid Pensions.

By Mr. HAMLIN: Papers to accompanying House bill 9332, a bill to increase the pension of George W. Griffin; to the Committee on Invalid Pensions.

By Mr. RAKER: Resolution adopted by the board of directors of Chamber of Commerce of San Francisco, Cal., concerning the proper punishment to be given those found guilty of attempt to destroy property in the United States, etc.; also, a petition of D. M. Gandier, Los Angeles, Cal., favoring the enactment of legislation preventing the manufacture and sale of all alcoholic liquors during the period of the war; to the Committee on the Judiciary.

Also, petition of John A. O'Connell, secretary Labor Temple, San Francisco, Cal., indorsing an increase in the pay of all civilian employees of the United States and of the District of Columbia; to the Committee on Appropriations.

By Mr. RANDALL: Memorial of Headquarters Committee of the Anti-Saloon League of California, requesting the Congress of the United States immediately to prohibit the manufacture and sale of all alcoholic liquors, including wines and beers, for the period of the war; to the Committee on the Judiciary.

By Mr. SANDERS of New York: Petition of 150 members of the Wyoming County Woman's Christian Temperance Union, urging the adoption of war prohibition; to the Committee on Military Affairs.

Also, petition of the congregation of the First Presbyterian Church of Medina, N. Y., urging the adoption of immediate war prohibition; to the Committee on Military Affairs.

Also, petition of J. Harte Sawens and 50 other residents of Albion, N. Y., urging war prohibition; to the Committee on Military Affairs.

Also, petition of I. A. Arnold and 42 other residents of Spencerport, N. Y., urging immediate prohibition as a war measure; to the Committee on Military Affairs.

Also, petition of William A. Day and 26 other residents of Livonia, N. Y., urging the adoption of immediate emergency war prohibition; to the Committee on Military Affairs.

By Mr. SNELL: Petition of citizens of Winthrop, N. Y., favoring the emergency war prohibition bill; to the Committee on the Judiciary.

Also, petition of citizens of Madrid, N. Y., favoring the emergency war prohibition bill; to the Committee on the Judiciary.

Also, petition of citizens of Keeseville, N. Y., favoring the emergency war prohibition bill; to the Committee on the Judiciary.

Also, resolution of Woman's Christian Temperance Union, Winthrop, N. Y., indorsing the emergency war prohibition bill; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of ex-officers of the Civil War at the Veterans' Home, Napa County, Cal., favoring bills for the relief of Volunteer officers of the Civil War; to the Committee on Military Affairs.

Also, petition of Minneapolis (Minn.) Civic and Commerce Association, favoring passage of House bill 8172, relative to traffic on our inland waterways; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Clay County (Minn.) Farm Bureau and pastor and members of First Methodist Church of Fosston, Minn., favoring legislation prohibiting manufacturing and sale of alcoholic liquor; to the Committee on the Judiciary.

By Mr. TAGUE: Petition of Massachusetts Dental Society on Senate bill 3386; to the Committee on Naval Affairs.

Also, petition of New York Publishers' Association (Inc.) on postal law; to the Committee on the Post Office and Post Roads.

Also, petition of Massachusetts Audubon Society on Senate bill 1553; to the Committee on Agriculture.

Also, petition of T. L. Lewis, Charleston, W. Va., on present coal situation; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 1, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God of Hosts, lest we forget, impress us with the truth that if ever a permanent world-wide peace obtains, it must be based upon the eternal principles of true religious convictions.

Thou has revealed Thyself as the universal Father, and therefore its corollary, the universal brotherhood of mankind.

Thou openest Thine hand and satisfiest the desire of every living thing.

The world is large enough, productive enough for all Thy children.

War is destructive. Religion is constructive. War is hate, revenge. Religion is love, peace, good will. War is contrary to reason and common sense. Religion has its source in the largest conception of life, reason, justice, mercy. War is hell. Religion is heaven.

Inspire us and all the world with these fundamentals, that a world-wide peace may come, a blessing to mankind. For Thine is the Kingdom, and the Power, and the Glory, forever. Amen.

The Journal of the proceedings of yesterday was read.

Mr. STAFFORD. Mr. Speaker, I would like to make one suggestion, as far as the Journal is concerned, before it is approved. The Journal states that the gentleman from Tennessee [Mr. MOON] offered a privileged report on a certain bill. The gentleman from Tennessee, as I understand it, did not seek to offer the bill and report as privileged, but merely asked unanimous consent to present the bill and the report and have it submitted as if it were placed in the basket. He did not claim it was privileged.

The SPEAKER. No; what the gentleman asked was to have it put on the Union Calendar.

Mr. STAFFORD. He did not claim it was privileged, as the Journal states.

The SPEAKER. The Chair knows he did not state it was privileged, but he asked unanimous consent to put it on the Union Calendar.

Mr. STAFFORD. The Journal states that the gentleman from Tennessee presented a privileged report. He did not present a privileged report, and I ask that the Journal be corrected in that particular.

The SPEAKER. Without objection, the Journal will be corrected in that respect.

There was no objection.

The Journal as corrected was approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3006. An act to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes;

S. 3126. An act to provide temporary promotion for retired officers of the Navy and Marine Corps performing active duty during the period of the present war;

S. 3427. An act for the relief of certain ex-paymasters' clerks;

S. 3445. An act to authorize the payment of gun pointers and gun captains while temporarily absent from their regular stations, and for other purposes;

S. 3402. An act to fix the age limit for candidates for admission to the United States Naval Academy;

S. 3131. An act for the relief of Col. Littleton W. T. Waller, United States Marine Corps;

S. 3401. An act to authorize the President to reduce temporarily the course of instruction at the United States Naval Academy;

S. 3129. An act to provide for the disposition of the effects of deceased persons in the naval service;

S. 3130. An act to amend section 1570 of the Revised Statutes of the United States;

S. 3400. An act to regulate the pay of retired chief warrant officers on active duty;

S. 3404. An act to authorize the President to drop from the rolls any Navy or Marine Corps officer absent without leave for three months, or who has been convicted of any offense by the civil authorities, and prohibiting such officer's reappointment; and

S. 3406. An act to authorize the Secretary of the Navy to determine where and when there are no public quarters available for officers of the Navy and Marine Corps.

EXTENSION OF REMARKS.

Mr. RUBEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein the message or address delivered by the President of the United States to the farmers of America.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks by printing the address of the President of the United States to the farmers of America. Is there objection? [After a pause.] The Chair hears none.

CIVIL-SERVICE EXAMINATIONS.

Mr. GODWIN of North Carolina. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 117.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the joint resolution, which the Clerk will report by title.

The Clerk read as follows:

S. J. Res. 117 Joint resolution amending the act of July 2, 1909, governing the holding of civil-service examinations.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I would like to have the resolution reported.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the act of July 2, 1909 (36 Stats. L., 1), is hereby amended so as to permit the United States Civil Service Commission, during the period of the war, to hold examinations of applicants for positions in the Government service in the District of Columbia, and to permit applicants from the several States and Territories of the United States to take said examinations in the said District of Columbia. Said examinations shall be permitted in addition to those required to be held by said act of July 2, 1909 (36 Stats. L., 1).

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, for the present I shall have to object.

The SPEAKER. The gentleman from Wyoming objects.

NOTIFICATION OF ILLNESS OF SOLDIERS.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent for the present consideration of the House joint resolution 228, now on the Speaker's table, which I ask to have reported.

The SPEAKER. The gentleman from Nebraska asks unanimous consent for the present consideration of the joint resolution which the Clerk will report.

The Clerk read as follows.

Joint resolution (H. J. Res. 228) to provide notification of illness of soldier.

Resolved, etc., That the Secretary of War is hereby directed, immediately upon the admission of an enlisted man or officer of the United States Army to an Army hospital in continental America, to notify by telegraph the nearest relative of such enlisted man or officer of such admission, stating the disease from which such soldier suffers and the condition of his illness, as to whether slight, serious, or critical.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, has this resolution been reported by the committee?

Mr. REAVIS. It has not.

Mr. GARNER. Does not the gentleman think the Committee on Military Affairs ought to consider this resolution?

Mr. REAVIS. Will the gentleman reserve the right to object?

Mr. GARNER. Surely.

Mr. REAVIS. Mr. Speaker and gentlemen of the House, this resolution is not directed in criticism of any custom of the War Department, for the custom now obtaining in the War Department is the custom that has always obtained in that department with reference to the notification of the nearest relative of the soldier who is ill. I am speaking largely from personal experience, but from what I have learned in the short time since this resolution was introduced I am convinced that a great many parents in America are feeling exactly as I do about it. I have received a great many letters, especially from the eastern part of the continent, asking that this resolution be urged to an immediate passage. It is the prevailing custom of the War Department not to notify the parents of their son's illness. The first notification sent by the department is the notification of death.

There is no word sent to the home regarding the illness of the soldier. I know from personal experience that sometimes lads are thoughtless, and sometimes, probably, because they are very busy, 10 days or two weeks will go by without their writing home. And the parents, knowing the custom of the War Department is not to notify in case of illness, immediately infer that the lad is in the hospital, or, at any rate, is sick. If this Nation could be assured that notification would be given the nearest relative immediately upon the admission of a soldier to the hospital, it would relieve a great deal of anxiety, because in such event, if the boy does not write home, the assurance prevails in that home that no news is good news and that his failure to write is not occasioned by reason of illness.

Then there is another consideration that inspired me to introduce this resolution. There are many parents in this Nation who, if their sons are in the hospital, if they are ill, would like to be at their side. They would like the lad to know that somebody is there who is concerned and who understands, who would like to cheer him by the realization that his father or mother or both are at hand and watching over him. And there are many parents, gentlemen, if disaster should come to the boy, who would like to sit at his bedside and hold his hand as he gropes through the shadows of the approaching night in his journey to the dark river where the ferryman is waiting to bear him across.

This sending of your sons to war is serious business. The fortitude and the courage that has been shown by the homes of this Nation in offering their sons as a sacrifice upon the altar of the Nation's ideals is the strongest assurance we have that, in spite of difficulties and obstacles, we are going through. There is not a man in this Chamber who has not witnessed scenes that demonstrated courage of this kind, which, while sad and depressing, gave assurance that the Nation is behind this conflict even to the sacrifice supreme. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to continue for three minutes longer.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to continue for three minutes longer. Is there objection?

There was no objection.

Mr. REAVIS. I remember a little incident of this kind which it was my sad privilege to see. I saw a mother standing by the doorway of her home, with a smile on her face, waving good-bye to her first born, as, brave and handsome in his new uniform, he started down the sad and solemn road that leads to war. I saw her smilingly wave good-bye to him until he turned the corner and was lost in the crowd. And then I saw the smile die away and her face twist, as she went wearily to the lonely solitude of his room and knelt by the pillow where her laddie was used to lie and sob her heart out in an agony of grief and fear as she prayed that he might come home again.

We have given to our brave women the assurance that this Nation will care for their sons. Let us give them the further assurance that we will give them immediate notification if things have not gone well with them. For that reason I have not waited for a report of the Military Committee, knowing how busy it was and how anxious the Nation is that this resolution shall be enacted. It is for that reason I have asked unanimous consent for its present consideration, that we may give the assurance to the homes of this Nation that we will advise them if anything goes wrong. [Applause.]

I hope the gentleman will not object.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, I want to suggest to the gentleman from Nebraska that he withhold his request until he can consult with the gentleman from California [Mr. KAHN] and the gentleman from Alabama [Mr. DENT]. They do not happen to be in the Chamber at this moment. The matter can be called up later in the day. I do not like to be put in the attitude of objecting to the present consideration of the resolution, but I will be compelled to do so if the gentleman insists. For that reason I ask him to withdraw it for the present, so that he may consult with these gentlemen.

Mr. REAVIS. The Military Committee is so busy with other matters that I very much fear that if we wait on the Military Committee this will be indefinitely postponed, and the time is here when the home ought to be informed that their lads are taken to the hospital ill.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. GARNER. Yes.

Mr. COOPER of Wisconsin. This is confined to soldiers and to sailors who may be taken to hospitals in continental America.

Mr. GARNER. And the report of any kind of disease they may have can be telegraphed to their parents immediately.

Mr. REAVIS. And who should know it if not their parents?

Mr. GARNER. I think it should go over until the gentleman can see the gentleman from Alabama [Mr. DENT], or the gentleman from California [Mr. KAHN], anyway.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, I object.

CIVIL-SERVICE EXAMINATION.

Mr. GODWIN of North Carolina. Mr. Speaker, I understand that the gentleman from Michigan is willing to withdraw his objection to Senate joint resolution 117, and I ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from North Carolina asks unanimous consent for the present consideration of the resolution of which the Clerk will report the title.

The Clerk read as follows:

Joint resolution (S. J. Res. 117) amending the act of July 2, 1909, governing the holding of civil-service examinations.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, I want to reserve the right to object, and say that I think before this resolution should pass the chairman ought to agree to an amendment providing for those who have come to the District of Columbia within the last 12 months. And Members will call to mind the fact that when this matter was up in the Senate Senator OVERMAN took a position there and was instrumental in putting on the civil-service law a provision which tried to do away with all these employees going into the departments from the District of Columbia. Now, it means that if the bars are thrown down all these employees are likely again to come from the District of Columbia.

Mr. DOWELL. Mr. Speaker, will the gentleman yield to a question?

Mr. FOSTER. Yes.

Mr. DOWELL. Does this resolution provide for the examination of those in the District the same as those in the States?

Mr. GODWIN of North Carolina. The law provides for the examination of those in the District as it does outside of the District, from the several States. The purpose of this bill is to permit, during the period of the present war, the examination of persons in the District of Columbia who are from other States; say, for example, citizens residing here temporarily who come from the State of Illinois. During the period of the war they would be permitted to take the examination in the District of Columbia without taking the time or going to the expense of going back to Illinois or to Tennessee or South Carolina or any other State. It does not affect the question of residence or the question of domicile. In other words, the bill provides against that. It says the law of apportionment shall not be abridged or affected. The only provision in this resolution is to permit temporary citizens from any State who happen to be here to take the examination here without forcing them to go back across the country to take it in their home States.

Mr. DOWELL. Then there is no change, as I understand, in the original law——

Mr. GODWIN of North Carolina. None whatever——

Mr. DOWELL. With reference to the selection of persons in the departments?

Mr. GODWIN of North Carolina. That is absolutely safeguarded.

The SPEAKER. Is there objection?

Mr. MONDELL. Reserving the right to object, Mr. Speaker——

Mr. FOSTER. Mr. Speaker, as to the amendment——

The SPEAKER. The gentleman from Illinois has not finished——

Mr. FOSTER. Which was placed in the civil-service law, the Senator who placed it there was very particular not only to say that the applicant must be a resident of the State but that he must be domiciled there, so that the filling of these departments all from the District of Columbia might be avoided. We all know that there are thousands here who may come from Michigan or Illinois or Pennsylvania or any other State, and it throws the doors absolutely wide open. It does not provide that those people shall be excluded after the war is over. Nobody knows how many of them may be retained.

Mr. DOWELL. As I understand it, this provision is not in the resolution?

Mr. FOSTER. No.

Mr. DOWELL. Mr. Speaker, I object.

The SPEAKER. The gentleman from Iowa objects.

QUESTION OF PERSONAL PRIVILEGE.

Mr. BLANTON rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. BLANTON. To give notice of bringing up a question of privilege.

The SPEAKER. If you are going to have the question of privilege up now, well and good.

Mr. BLANTON. I will state, Mr. Speaker, that I give notice now to the gentleman from Texas [Mr. WILSON] that next Monday I shall rise to a question of personal privilege to answer an article that he has put into the RECORD this morning, yesterday's RECORD.

The SPEAKER. The gentleman from Texas [Mr. WILSON] will take notice.

SOCIALIST STATE CONVENTION IN SOUTH DAKOTA.

Mr. LONDON. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for 10 minutes. What about?

Mr. LONDON. I received this morning a letter from the secretary of the national executive committee of the Socialist Party, in which he protests against the breaking up of a Socialist State convention by the authorities in South Dakota.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for 10 minutes on the subject indicated. Is there objection?

There was no objection.

Mr. LONDON. Mr. Speaker, I have not prepared myself for this short talk, and I speak more on impulse than in deliberation.

Only a few moments ago I read this letter from the secretary of the national executive committee of the Socialist Party. He tells me that he is in receipt of several letters from South Dakota, complaining that the authorities prohibited the holding of a Socialist convention at Mitchell, S. Dak., on January 22, 1918. He says:

Not only was the convention broken up, but a lawless mob seized Comrade William C. Rempfer—

Socialists refer to each other as "comrades"—

one of our most active comrades, and deported him from the city. The purpose of this convention was to nominate candidates for office and draft a State platform.

He writes further:

Something ought to be done about this, and I believe that Congress is a good place to unmask the capitalist anarchists that are parading under the mantle of "democracy."

I shall now read a copy of a letter from William C. Rempfer, upon which the complaint of the national secretary is based. The letter was addressed, the national secretary informs me, by Mr. Rempfer to the governor of the State of South Dakota and to Mayor J. F. Wells, of Mitchell, S. Dak.:

The convention of the Socialist Party of South Dakota, duly called for January 22, 23, and 24, met in Mitchell for the purpose of drafting a platform and nominating State candidates for the next general election, subject to referendum of the party membership.

It was an orderly political convention, conducting its business in a legal way. The sessions were public, and a representative of the city government was requested to be present at all sessions.

Imagine the surprise of the delegates when on the morning of the 23d orders were given by the police of Mitchell to disperse the convention, and the convention was dispersed by the authorities.

We were informed that Mayor Wells, who was attending a meeting of the State council of defense at Sioux Falls, had telephoned the police of Mitchell to disperse the meeting of the delegates then in session and to forbid further sessions of the convention.

If similar action is taken when the Democratic Party and the Nonpartisan League attempt to hold their conventions, Gov. Norbeck will be unanimously reelected governor of South Dakota in November, for the obvious reason that it will be impossible to nominate candidates against him.

I was duly elected delegate to the Socialist convention. A short time after our convention was adjourned sine die by the city authorities of Mitchell, news reached me that the police had ordered me out of town. About half hour later, while I was walking on the main street of the city, an automobile dashed up to the curb near me, five men sprang out, and laying hands on me from all sides, they forced me into the car. I demanded to know by what authority or under what orders I was thus treated, but in vain. Carefully guarded on all sides and ordered to keep my mouth shut, I was driven into the country a distance of 5 miles, when the car came to a stop. The ringleader opened the door and ordered me out, saying, "Ethan is 8 miles south. Don't you attempt to telephone from any farm house along the line. There are men there to stop you. And don't you ever come back to Mitchell. That's permanent." Thereupon these guardians of democracy got into the car and returned to Mitchell.

Do you countenance these two examples of mob-law methods, or do you deem it advisable to institute a thorough investigation and prosecution of the guilty offenders, even though they be public officials?

For the present I will only say that now, when the whole world is watching the work of the German social democracy, when the hope of every mother in America is that the spirit of rebellion and love of democracy and love of general peace among the German socialists will save the American boys from the trenches, when the hope of the whole world is that the revolutionary movement will wind up the war abroad and force a universal peace and compel tyrant and oppressor, plutocrat and financier, imperialist and traitor against the welfare of the people to restore the world to a normal state, it is a dastardly act, it is the act of scoundrels, to be breaking up Socialist conventions. It can do no good to America. It can do no good to the cause in which this country is engaged. It will not increase the respect for the democracy of the United States, and this Congress should take some action. Somebody should take action to condemn methods of this sort.

Mr. AUSTIN. Will the gentleman tell us what this man was doing, or what kind of a speech he was making, to provoke the law officers to arrest him?

Mr. LONDON. I do not know what speech he was delivering, but I have read before you a communication, and I base my speech upon this communication; and I furthermore say——

Mr. AUSTIN. Suppose he was inciting revolution, or opposition to the Federal draft law, for instance; what would be the gentleman's position?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Tennessee?

Mr. LONDON. I do not care to yield, but the gentleman has asked a question, and I say if this man advocated opposition to the draft, there is a law to deal with that subject, and the individual who advocated opposition to the draft should have been dealt with as an individual; but the breaking up of a convention of a political party is a denial of every principle of democracy.

Mr. AUSTIN. That depends on what the convention was doing.

The SPEAKER. Does the gentleman yield?

Mr. LONDON. I decline to yield further, and I do not care to have these interruptions. One can readily see the danger of little groups of men assuming the function of guardians of liberty. What a fine state of affairs we will have if groups of ignorant merchants with their clerks will assume to be censors of speeches and of the press and break up political conventions. If the gentleman thinks that is a good method, that that is a safe thing for democracy, he has a peculiar notion of democracy. I hope Congress will take some action to make a repetition of these offenses impossible. The importance and influence of the United States in the present world contest, the participation of the United States in this world struggle can only be effective to the extent to which people respect America as a liberty-loving country. It is not the armies of America that will count, it is the fact that this Republic is to be the carrier of ideals of democracy; that will count.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. LONDON. Pardon me one moment. Every denial by the constituted authorities of the fundamental principles of law injures the United States in the eyes of the world, and by injuring the United States it postpones the day when peace will be restored.

The SPEAKER. Does the gentleman from New York yield to the gentleman from Minnesota?

Mr. LONDON. No—well, I will yield.

Mr. MILLER of Minnesota. The gentleman had better yield, or hereafter when he asks unanimous consent to address the House he will not get it.

The SPEAKER. The gentleman from Minnesota is out of order.

Mr. LONDON. I yield to the gentleman in spite of his threat.

Mr. MILLER of Minnesota. All right.

The SPEAKER. The remark of the gentleman from Minnesota is out of order. Now, any question he wants to ask the gentleman from New York——

Mr. LONDON. I yield to the gentleman——

Mr. MILLER of Minnesota. By permission of the Chair——

Mr. LONDON. I yield for a relevant question, of course.

Mr. MILLER of Minnesota. Does the gentleman recognize any difference between disloyalty and treason and democracy?

Mr. LONDON. Oh, why should the gentleman not ask me whether I recognize any difference between a Member of Congress from Minnesota and a mule from Missouri?

Mr. MILLER of Minnesota. I do not imagine that the gentleman recognizes that there is any difference.

Mr. LONDON. They are two different propositions. The gentleman does not come from Missouri, anyway, and I would not care to designate him as the thing to which I referred. There is no comparison between democracy and the things he mentions.

Mr. MILLER of Minnesota. If the gentleman can tell the difference, his intelligence is greater than I have given him credit for heretofore.

Mr. LONDON. There is no comparison between these things, and if parliamentary practice would permit it I would call the gentleman's question by its proper name; but I prefer to be polite all the time. [Laughter.]

AGRICULTURAL APPROPRIATIONS.

On motion of Mr. LEVER, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, with Mr. CRISP in the chair.

The CHAIRMAN. When the committee rose last evening the gentleman from South Carolina [Mr. LEVER] had proposed an amendment, and on that amendment the committee had agreed that there should be 50 minutes of debate, the gentleman from Michigan [Mr. MCLAUGHLIN] to control half that time and the gentleman from South Carolina to control half. For the information of the committee the Chair will now direct the Clerk to read the amendment proposed by the gentleman from South Carolina.

The Clerk read as follows:

Page 78, in lieu of the paragraph stricken out at the top of the page, insert the following:

"For enabling the Secretary of Agriculture to investigate and certify to shippers the condition as to soundness of fruit, vegetables, and other food products, when received at such important central markets as the Secretary of Agriculture may from time to time designate and under such rules and regulations as he may prescribe: *Provided*, That certificates issued by authorized agents of the department shall be received in all courts as prima facie evidence of the truth of the statements therein contained."

Mr. LEVER. I ask the gentleman from Michigan, [Mr. MCLAUGHLIN] to use some of his time.

Mr. MCLAUGHLIN of Michigan. I yield five minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Speaker, I wish to direct my opposition to this amendment, especially to the clause which provides that the certificates issued by the agents of the Department of Agriculture shall be received as prima facie evidence in the courts. This is an attempt to change entirely the rules of evidence, and I appeal now to the lawyers of this body whether we ought to take a drastic step of that kind. The amendment has been changed by the chairman of the Committee on Agriculture by leaving out the provision for "the payment of the fees" for services of this kind by the party whose goods are examined.

Mr. LEVER. Will the gentleman permit me just for a moment?

Mr. ROBBINS. I have only five minutes.

Mr. LEVER. That was in the original proposition——

Mr. ROBBINS. I know. The gentleman has omitted it from the amendment.

Mr. LEVER. It was not done by me, but by the gentlemen on the other side.

Mr. ROBBINS. The gentleman wants to put in this amendment on the ground that it is incorporated in the general food-control bill. That does not make it a legal proposition by any means. What we propose to do here is to make the certificate of an authorized agent of the Department of Agriculture prima facie evidence in the courts.

It is unfair to establish a different method of proof in the case of loss or damage to a consignment of vegetable or fruit from that which applies in case of a shipment of coal, lumber, or merchandise. In case of perishable goods the loss may be occasioned by the negligence of the carrier "in transit," or it may be it is the result of the refusal of the consignee to promptly accept and properly care for the shipment, or the damage or loss may arise from many other causes. Now, I submit, Mr. Chairman, a mere certificate, ex parte in character and not sworn to, should not be accepted as sufficient proof of such loss.

The only proper method of establishing the facts that constitute such loss or damage would be by a deposition regularly taken upon notice and the submission of cross-interrogatories or by taking the evidence in court, where an opportunity is given to meet the witnesses and cross-examine them. This amendment is for the benefit of the farmer. The method proposed does not contain these safeguards and will work great hardship on our farmers.

The procedure here provided is contrary to the practice of all the courts in all the various Commonwealths that I know anything about. It provides that a certificate, not given under oath, but a loose certificate by an agent of the Department of Agriculture, shall be taken in the courts and accepted on the same basis as a deposition, without opportunity to cross-examine, and without an opportunity to ascertain what the facts are, and ascertain them according to the usual practice in courts of law. Here is a prima facie case made out by the mere ex parte certificate not under oath, given by any agent of the Department of Agriculture, a very unusual and unsatisfactory method of procedure.

Let us see how it will work out. If, as the gentleman said last night, a carload of asparagus or lettuce is shipped from South Carolina to the market in the city of Pittsburgh, if, when it arrives, it is in a damaged condition and the consignee refuses to accept it, all he has to do is to go to one of the agents of the Department of Agriculture and get a prima facie certificate that it is damaged, and he is not bound to accept it. Now, the consignor lives at a distance in the South, and is a vegetable grower, because that is the kind of people that are supposed to get protection under this bill, and when he undertakes to collect for his shipment he will be confronted by this ex parte certificate of the agent of the department which will estop him when he seeks to recover. It may be that he will have to go into the district court of the United States, being a citizen of another State.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. ROBBINS. I will.

Mr. COOPER of Wisconsin. I think none of us have seen the amendment or read it. Will the gentleman state what the certificate will contain, what statement of facts?

Mr. ROBBINS. There is nothing to regulate it except that it is expected that the Department of Agriculture, through the Secretary, will prescribe rules and regulations. I do not know what those will be, but I assume that they will be reasonable and just; but that is not the point; we are changing the proceedings in courts and the established rules of evidence.

I think the constitution of the gentleman's State, and I appeal to the chairman of the Agricultural Committee, for I assume he is a lawyer, must contain some provision like we have in the State constitution of Pennsylvania, wherein it is provided that "the legislature shall not pass any law regulating the practice in courts, or change the rules of evidence in any judicial proceeding."

This amendment, therefore, is wrong, wrong in principal, and it is flying in the teeth of all practice in my Commonwealth; and of course the United States courts that would try these cases in the several States are guided by the rules of evidence that apply in the State where the court is located. If we are to accept these certificates, we will establish by statute the principle that the declaration of an agent, unverified, is to be taken as prima facie evidence against the claim made by a citizen of a distant State who may be the consignor of the vegetable product. That is against the practice of our courts and the law as now administered and therefore I think the proviso ought to be stricken from the bill altogether as vicious and of no good value to legislation enacted by this Congress.

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Chairman, under the practice existing for marketing foods and vegetables the truck growers have been forced to be the greatest gamblers in the country. They invest their money in high-grade fertilizers, overhead irrigation and other expensive methods, and produce vegetables and fruit. Then, in response to attractive circulars they send them to commission merchants in the great markets of the Nation. They have turned their products over to the

railroads to be transported to the commission merchant and sold by him and the returns made. They have waited to see what the car would bring, and in too many instances it has brought nothing but a demand for a check to pay the freight, because the commission merchant has claimed that the produce when it arrived was in bad condition. The farmer has had no earthly chance to ascertain whether or not the statement was true. He could not maintain a representative in the markets of the Nation.

Now, we propose by this service, for which the appropriation of $113,000 is proposed, to have a representative of the Bureau of Markets stationed in these markets to certify to the condition of the produce whenever the grower asks that an inspection be made to ascertain whether or not the vegetables or fruit are really in bad condition. The mere presence of an inspector of the bureau, whose services are at the disposal of the farmer, will cause the commission man to hesitate to misrepresent the condition of the produce upon arrival. The hearings will show that from the State of Washington the Yakima Truck Growers' Association called on the Bureau of Markets to make such an inspection, and it saved the truck growers money. In the hearings Mr. Brand, the chief of the bureau, also gave an instance of a peach growers' association in Arkansas shipping several cars of peaches to Chicago. The Bureau of Markets, acting on the request of the truck growers' association, made an investigation and found that the commission merchants had robbed the truck and fruit growers of Arkansas, and as a result the growers were able to recover the money due them.

The evil exists and the remedy can be applied by the Bureau of Markets. The question is, shall we refuse to apply it because, as was suggested yesterday, it is paternalism. Why, 50 per cent of the appropriations provided for in the Agriculture bill is paternalistic. Unless some remedy is applied, the truck growers can not continue business. No agency but a Government agency can serve to relieve the situation. Now, the President calls on the farmers to increase their acreage. Under the methods I have described would one of you continue to plant vegetables? You would not, unless you are a natural gambler. I have known many men who were compelled to discontinue the planting of fruits and vegetables simply because there was no way of getting a square deal from the commission men. The gentleman from Pennsylvania says it would be a violation of the rules of evidence to provide that the certificate of the inspector shall be accepted as prima facie evidence of condition. You have similar provisions, providing for a similar certificate by the Interstate Commerce Commission, that it shall be received as prima facie evidence in the courts of any State as to the rates. You can look at the warehouse act and find the same thing. If he has fear that the truck grower will be injured by the certificate, the truck growers will rise and waive their rights under it, because they know it offers them the only chance to secure a square deal from the commission men. The railroads will not object. I have stood in the courthouse time after time when a grower has brought an action against a railroad company based upon a telegram from a commission merchant in some market saying his cantaloupes, for instance, arrived in bad condition. The railroad has brought in employees from the Potomac Yards, and all of the terminal yards, to show that the car was properly iced and that the fruit arrived there in good condition. In the majority of cases, I am satisfied, the railroads were not liable, and the cantaloupes did not arrive at their destination in bad condition. The truth was that the commission merchant was robbing the farmer. And they have defrauded the Colorado farmer, the grower in Washington, California, and throughout the West just as they have the truck growers of the South. Now, if we deny the use of a governmental agency here, we will discourage production at a time when it is needed and hereafter vegetables will be higher in the markets of the East at a time when we all know we ought to do what we can to make them lower. By increasing the production of perishable foodstuffs for consumption in this country we will make it possible to ship more nonperishable foodstuffs to our soldiers and our allies in Europe. [Applause.]

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, we are launching on a policy, if we adopt this amendment, the final outcome of which no one can predict. Adopt this amendment as it stands here to-day, which is limited only to inspection of truck gardening, fruits, and foodstuffs in central markets, and you will have a demand growing and growing which will finally require you to have inspection not only in the central markets but in every market of the country, not only limited to this character of produce but to live stock and to all character of shipments. As far as I know the dealings between commission merchants and truck gardeners tributary to my home city has not been such as to bring any criticism upon those commission merchants that they were not upright. Their dealings have been based on good faith, and when the farmer has shipped berries or other garden truck to the market in Milwaukee there has been no complaint that he has not received his full rights and compensation for it. But here we have the idea that every character of shipment, whether the dealings between the commission merchant and the producer are satisfactory or not, must be examined by these inspectors. This will create a horde of inspectors where there is no necessity. I grant for the sake of argument that there may be instances cited where the commission merchant has taken advantage of the producer and has not dealt fairly, but in the course of business that condition rights itself. The producer is not going to deal with a disreputable commission merchant, but by this provision, instead of merely inspecting the goods of those where they may not have had proper consideration before, you are going to oblige every shipment sent to the central markets to be examined, and that report accepted with full faith in the courts, regardless of what the commission merchant may say as to the character of the shipment. If we are going to launch on this policy of paternalism, there is no end to which it may go. I felt compelled to make the point of order yesterday against this new activity of the National Government in trying to prevent it going into a field where there is no necessity for it.

Mr. FORDNEY. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. FORDNEY. I know of an instance where a Michigan fruit grower made a shipment of peaches to Chicago. Word came back from the commission dealer that he did not receive enough for the fruit to pay the freight, and he sent a bill for $2.78, and asked the shipper to remit that amount to him. The shipper replied, "I have no more money, but can send you another carload of peaches." What are you going to do in such a case as that? [Laughter.]

Mr. STAFFORD. Oh, the gentleman can cite isolated cases, but the gentleman knows also there are hundreds of cases where there has not been any unfair dealing between the fruit grower and the commission merchant, and yet every consignment imaginable will have to be inspected and the returns of all the reputable dealings will be passed on, as well as those few instances of disreputable dealings. I answer the gentleman by saying that after that producer has ascertained that the commission merchant is not dealing fairly with him, is he going to continue to do business with him? Are you going to have Government inspectors determine who is the proper person for the gardener to deal with in the sale of produce? Perhaps the gentleman from Michigan is in favor of this paternalistic policy, and I assume he is. I assume he wants all shipments of every kind to be inspected on their arrival to determine whether the dealing between the producer and the commission merchant should continue, or allow the relations in the natural course of business to continue as they have done in the past.

Mr. BYRNES of South Carolina. Is not the gentleman mistaken in thinking that every shipment will have to be inspected? This is only where the shipper calls upon the Bureau of Markets to perform this service.

Mr. STAFFORD. But there is no such limitation at all in the provision. It has been testified here that the head of this bureau wants to enlarge his activities. If the producer is satisfied with existing arrangements with the commission merchant, why should not that condition be continued rather than force on the Government the inspection of every character of shipment of produce sent to these central distributing points?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. FAIRFIELD.]

Mr. FAIRFIELD. Mr. Chairman, I am not opposed to the principle involved in this legislation. I am not sure but that the time will come when shipments will have to be safeguarded more thoroughly to the farmer. What I object to is that in a single paragraph here in an appropriation bill legislation of such far-reaching consequence should be immediately passed upon without proper safeguarding that legislation. Who is interested in this legislation? You would think that only the shipper is involved, but not only the shipper but the common carrier, the commission merchant, and the public are all involved in legislation of this kind. To give an illustration with reference to the need of such legislation, two or three years ago a lawyer friend of mine said to me, "I had a peculiar case the other day. A commission house of this city had refused a carload of watermelons—denied payment. We brought suit for the man

who had shipped the melons. It was found out that when the melons arrived there was an unusual number of melons on the market and that the commission merchant permitted them to remain in the car for 48 hours, when the stock was practically worthless." This called my attention sharply to the problem. I learned also that men sometimes, in shipping onions and in shipping potatoes, were absolutely helpless in the hands of a commission merchant. On the other hand, however, to begin a thing like this it might be well for us to inquire as to what should be the characteristics of the inspector. He should be alert, active, and, above all else, he should be honest, for the commission men of this country are not, as a rule, dishonest. I have but little respect for that sort of a proposition which arraigns a great body of business men as being dishonest, yet it is true that again and again the farmer suffers. In my judgment this legislation ought to compel that the inspector be bonded. It ought to be safeguarded at least to that extent, and that he should be called into court the same as any other witness and examined carefully, so that all sides may have opportunity for redress if it is necessary. For that reason, gentlemen, not because I am opposed to the principle of the legislation, I think the legislation is dangerous thus quickly to be passed without studying it more thoroughly than we are capable of studying it at this time.

Mr. ROBBINS. Will the gentleman permit a question?

Mr. FAIRFIELD. I will.

Mr. ROBBINS. Does not the gentleman think any inspector who has such responsibilities as are placed on him by this bill should be subject to cross-examination?

Mr. FAIRFIELD. Absolutely.

Mr. ROBBINS. For the protection of the farmer as well as the consignee?

Mr. FAIRFIELD. Absolutely.

Mr. LEE of Georgia. I yield five minutes to the gentleman from Texas [Mr. CONNALLY].

Mr. CONNALLY of Texas. Mr. Chairman, it seems to me that I have somewhere read or heard something about it being necessary to conserve food for the purpose of winning the war. One of the cardinal principles in a rational system of conservation is that we shall utilize as much as possible the perishable foods so that the nonperishable foods may be sent to our Army.

Now, it seems to me that gentlemen take a very peculiar position when they are willing to appropriate thousands, yea, millions, of dollars, to make agricultural investigations and publish agricultural reports and bulletins, and in theorizing, and in fictional farming, and yet when it comes to permitting the Department of Agriculture to really do something practical and tangible they throw their hands up in holy horror and say it is no function of the Government.

Already you have heard a great deal here about the abuses that have crept into the system of marketing farm produce. Now, I am not speaking alone for the producer, but also for the consumer, because whenever you destroy a market for the producer you are destroying a market for the consumer. Whenever you prevent the producer from getting his perishable products to the man that is waiting to eat them, you are not only injuring the producer but you are injuring the man who is hungry. And so, gentlemen, it seems to me that this provision of the bill which authorizes the Secretary of Agriculture to permit the inspection of farm products by his inspectors and the making of a certificate to that effect is a very wholesome regulation.

Now, the gentleman from Wisconsin [Mr. STAFFORD] seemed to be very much afraid that this provision would require the inspection of all shipments. This provision is already in the food-control bill, and my information is that the Secretary of Agriculture only inspects shipments when called upon to do so. On the other hand, the gentleman from Wisconsin, I suppose, would only have an inspection made in cases where lawsuits ensue, and he would wait until all the produce and fruit had rotted and been thrown in the river or condemned by the State authorities, and then he would have the Secretary of Agriculture make a professional inspection, or post-mortem examination. [Laughter.]

Now, gentlemen, these abuses have happened in the past, and they will happen in the future unless some regulation of this kind is made.

Mr. MASON. Mr. Chairman, may I ask the gentleman a question?

Mr. CONNALLY of Texas. Yes, sir.

Mr. MASON. Is it not a fact also that these proposed inspectors will be a protection to the honest commission merchant, so far as damaged goods that have been shipped to him are concerned? He can call for an inspection. That certificate is prima facie evidence, which can not be overcome, and it is a protection not only to the producer or consumer but to every commission merchant who is honestly dealing with his customers.

Mr. CONNALLY of Texas. I am very glad indeed to have the gentleman from Illinois call that matter to my attention, and I heartily agree with that proposition, because the honest commission merchant will then have a way of convincing the shipper that he has in fact given him a square deal.

Mr. LITTLE. Will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. LITTLE. While we will admit, for purpose of argument, anyway, that the commission merchant is just as honest as everybody else, is it not a fact that the peculiar character of this commission business, which subjects the commission man to the rise and fall of the market that he can not regulate really subjects him to more temptation than anybody else?

Mr. CONNALLY of Texas. I have not been a commission merchant, and I am not sure as to how much temptation——

Mr. MOORE of Pennsylvania. Will it tempt the commission merchant any more than it will tempt the farmer to put a few bad apples in the bottom of the basket?

Mr. CONNALLY of Texas. Since the gentleman from Pennsylvania is looking at it from one direction and the gentleman from Kansas from another direction, I am going to leave it to their own settlement. But when you destroy a market for the one, you destroy it for the other.

At the last session of Congress there were loosed in this Chamber many cubic feet of oratory about the venality, the crookedness, and the general all-around cussedness of the middle man; he was castigated and villified; no term of execration was spared, and there was a loud cry for his crucifixion; Members demanded his utter destruction. Now, the functions of the middle man are necessary to healthy and normal commerce. There must be some agency to buy products and resell and distribute them to the ultimate consumer, especially where the consuming centers are far removed from the producing centers. If the Government should destroy the middle man and should fail to furnish a substitute, food would rot in producing centers, and people would starve in consuming centers. Is it not much better and wiser to permit the middle man, the broker, the commission merchant, and jobber to continue to perform the useful functions involved in the purchase, sale, and distribution of products and yet at the same time require him to act with fairness and good conscience toward sellers and buyers alike? Great quantities of perishable foods are wasted each year because of poor market conditions and transportation difficulties. Farmers and truck growers often permit products to waste rather than incur transportation charges and run the risk of receiving advices from a broker hundreds of miles away that their produce arrived in a condition so damaged as to be unmarketable. The amendment will measurably remedy that situation, and I hope that it may be adopted.

When we make it easier for the producer of foods to get a "square deal" it will also be easier for the consumer to get a "square meal." [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield three minutes to the gentleman from Illinois [Mr. JUUL].

Mr. JUUL. Mr. Chairman, this clause of the Agricultural bill seeks to appropriate $113,000 to enable the Secretary of Agriculture to investigate and certify to shippers and other interested parties the quality and condition of fruits, vegetables, and other food products when received at such important markets as the Secretary of Agriculture from time to time designates.

I think the gentlemen on this floor fail to take cognizance of the fact that the bill just speaks upon the subject of receiving. You want inspection of fruits, vegetables, when it is received. The difficulty is not happening when the fruit is received, for instance, in Chicago, it is happening about the time it is sold, and I do not imagine that many of you gentlemen have seen the yards in the big railway terminals in Chicago when fruit arrives during the summer time.

Cars arrive by the hundreds, and this difficulty of which you have spoken here to-day, shipping fruits to the great markets and instead of getting the proper checks for the produce receiving bills from the commission merchants for transportation. Many times the cause of this difficulty is not dishonesty but the fact that the fruit comes into Chicago on Saturday or on days before legal holidays, the yards are crowded with the fruit, and there is no opportunity in the time between the arrival of the fruit and the holiday to get it out of the yards and profitably marketed, so the fruit or vegetables, as the case may be, is turned over to a number of peddlers and the fruit offered to them at any price that can be gotten, and I have often seen numerous

peddlers' wagons with the peddlers crying a dozen peaches for a nickel.

You can imagine what he pays for them when he sells them at that price. You can see that condition in Chicago, and I suppose in all large centers of this country, time after time.

And I think, Mr. Chairman, that in this bill, in line 4, the gentleman having the bill in charge ought to insert in addition to the matter of inspection a proviso to enable the Secretary of Agriculture to investigate and certify to shippers and other interested parties the quality and condition of fruit, vegetables, and other food products when received and at the time of sale.

The question is not only of the condition when the fruit is received in the yards, it is a question of the condition of the fruit when it is marketed, and you can not send unlimited numbers of cars of fruit into South Water Street, the great produce street in Chicago, having these cars arrive on Saturday afternoons, and always be sure to sell it at once at prices which such fruit ought to bring.

On the receipt of vast quantities of fruit on a Saturday or the day before any day not a market day you can do one of two things, namely, let the stuff become a total loss or get for it what you can and report the result to the shipper.

I am not here to defend dishonest commission men. I hope they will put them all in jail.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman permit an interruption?

Mr. JUUL. Yes.

Mr. COOPER of Wisconsin. As to the reason that you mentioned, of this deterioration of this perishable stuff, does not the commission merchant take that into account in the prices he charges his customers? I think they do that in this city at least.

Mr. JUUL. I will say that he does take it into consideration.

Mr. COOPER of Wisconsin. Then should the farmer be obliged to bear any portion of it, if he sends the goods and they reach the commission merchant in good shape?

Mr. JUUL. That is the question. Do they reach the commission merchant in good shape? They reach the tracks in good shape, but the freight piles up by hundreds and hundreds of cars and the next day is a holiday. If the next day should be a market day, it could be sold; but if the commission merchant does not clear it up the stuff rots on the tracks.

I firmly believe in inspection both as a measure of protection for the farmer and for the protection of the reputation of the honest commission merchant, who is often confronted with enormous shipments of perishable produce.

When said shipments arrive in the great cities faster than disposition can be made of them, the middleman's only choice is to dispose of them for anything they will bring.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. JUUL. Mr. Chairman, I ask leave to insert the few words that I failed to utter.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. I yield three minutes to the gentleman from Wyoming [Mr. MONDELL].

The CHAIRMAN. The gentleman from Wyoming is recognized for three minutes.

Mr. MONDELL. Mr. Chairman, I am not enamored of paternalism, and I think we should be very careful about endeavoring to change the rules of evidence in the courts. I am much impressed by what the gentleman from Michigan [Mr. McLAUGHLIN] and the gentleman from Wisconsin [Mr. STAFFORD] and the gentleman from Pennsylvania [Mr. ROBBINS] have said relative to these matters. Yet, after all is said and done, we are indulging in paternalism to a very large extent in many lines, and if we can, along this line, indulge in a little paternalism that ought to be and could be and will be, if honestly administered, a benefit to the producer and the consumer alike, I think we may very properly do it.

It is something of an experiment. It is an experiment that may involve possibly scandal. The men employed by the Federal Government may not always be honest and conscientious and upright and fair in their judgment. But we must assume that they will be, and there is a service here that, if properly and wisely rendered, will be very valuable. We need to smooth the way between the grower and the producer and the consumer; to cut down, as far as we can, the gap of prices between the two and make the way easy to a distribution that will give the producer a fair price and honest treatment, and the consumer his product at the lowest price possible.

I am inclined to think this experiment is a wise one. We ought at least to try it out and see how it works. I am sure it will do good.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. LEVER. Mr. Chairman, I ask the gentleman from Michigan to yield some time.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. MOORE].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for three minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not object to the inspection of these perishable fruits on their receipt at any market place, nor would I object to their inspection at the point of shipment. It seems to me it would be just as important to inspect them when shipped as it would be to inspect them on their receipt, because many things happen between the time they are put on their journey and the time they arrive, and much could be said in behalf of the commission merchant in that regard.

I do not believe commission merchants are wholly dishonest. There may be a few dishonest ones amongst them, just as there may be a few men in the farming fraternity who would be inclined to take advantage of an opportunity to put a few small potatoes in the bottom of a barrel or a few bad apples in the bottom of a basket. But that should not reflect on the entire farming community. We must assume that both parties are honest, and we should realize that one depends upon the other. The commission man is essential to the farmer, because the farmer of Nebraska, for instance, can not get directly to the door of the consumer in New York or Washington. He must depend upon an intermediary to get him to the market. I do not like the wholesale denunciation of the commission man; he is the necessary middleman between the producer and the consumer. The producer and the consumer can not get together with respect to these perishable commodities without the intervention of the commission merchant; he is justified in the position he occupies.

What I do object to here is the proviso in this amendment that the certificates issued by the Government inspector shall be received in all courts as prima facie evidence of the truth of the statements therein contained, without giving the right to either party to the contrary to call him to court. I am not enough of a lawyer to discuss the rules of evidence, but it seems to me if an inspector is capable of making a certificate, he is capable of backing it up in court. I would not care to rely on the certificate of an inspector who operated wholly in a farming district, any more than I would care to rely upon the certificate of an inspector who operated wholly among the commission merchants. He may be influenced by one or the other, and if there was a controversy between the parties who unfortunately had to go to court, one or the other of them ought to have the right to summon that inspector into court to prove the accuracy of his certificate.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. REAVIS. What is there in this to prevent the inspector being called as a witness?

Mr. MOORE of Pennsylvania. Nothing, except that the certificate of the inspector shall be accepted as prima facie evidence.

Mr. REAVIS. Only prima facie, not conclusive, evidence.

Mr. MOORE of Pennsylvania. I say I am not sufficiently versed in law to discuss the rules of evidence, but several gentlemen who are lawyers have done so. I do not think a certificate issued by an inspector, who is essentially human, and who is subject to influence by farmers on the one hand or by commission merchants on the other, should be accepted in court as evidence. A party to a suit ought to have the right to summon the inspector for cross-examination.

Mr. REAVIS. There is nothing in this to prevent his summoning the inspector, and his certificate must be prima facie, not conclusive, evidence.

Mr. MOORE of Pennsylvania. If it means nothing, why is the proviso inserted?

Mr. REAVIS. Of course it means something.

Mr. MOORE of Pennsylvania. It is evident that the certificate is to be taken as evidence in the absence of the inspector.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. CANDLER].

The CHAIRMAN. The gentleman from Mississippi is recognized for five minutes.

Mr. CANDLER of Mississippi. Mr. Chairman, the present food-control law contains this item:

For gathering authoritative information in connection with the demand for and the production, supply, distribution, and utilization of food, and otherwise carrying out the purpose of section 2 of this act; extending and enlarging the market news service; and preventing

waste of food in storage, in transit, or held for sale; advise concerning the market movement or distribution of perishable products; for enabling the Secretary of Agriculture to investigate and certify to shippers the condition as to soundness of fruits, vegetables, and other food products, when received at such important central markets as the Secretary of Agriculture may from time to time designate and under such rules and regulations as he may prescribe: *Provided*, That certificates issued by the authorized agents of the department shall be received in all courts as the truth of the statements therein contained.

The amendment pending is in accordance with this provision in the food law and prescribes the amount of money that is to be appropriated.

Now, this provision pending before the House does not enact the law to make the certificates prima facie evidence. That is already in the law. It is in the food law; it is in the warehouse law; it is in the grain-grading law; it is in all the laws that have been enacted along this line on matters of this character. Therefore the argument in reference to enacting this into law necessarily falls to the ground because it is already the law. But if it is not the law it would be a good thing to put in here now. It simply shifts the burden of proof; that is all. It does not deny to the commission merchant the right to controvert it at all. It simply has this effect, that when you introduce that certificate that establishes a prima facie case. Then the other man, if he wants to controvert any statement in this certificate, can furnish the proof, if there is proof, to overcome that prima facie case made by the introduction of the certificate of the inspector. Gentlemen, this provision pending if enacted will not only protect the shipper but it will protect the transportation company; it will protect the honest commission merchant; and it will protect the public. There is not a single criticism that has been offered to this provision up to date by anybody; that is a sufficient answer to show why it ought not to become a law, because the sole purpose of it is to secure honesty in dealing between the shipper and the commission merchant who is dealing with the public. It is in the interest of fair dealing, in the interest of the protection of the man who is honest and wants to do the right thing, whether he be shipper, merchant, or consumer. The merchant who proposes to deal honestly and squarely with the man who is shipping his products to him will not object to this provision. The shipper will not object to it, because it furnishes him with the protection he ought to have. The gentleman from Wisconsin [Mr. STAFFORD] said it would create a horde of inspectors. There is no danger of that, because there will be no demand for inspection unless there is complaint and unless there is a request. Therefore, not every shipment will be inspected, but only shipments where the shipper knows or believes that his product when it left his hands was in good shape and when on reaching destination it is reported to be in bad condition, and when it is of sufficient importance for him to request the Department of Agriculture to have it inspected and see whether it is in good condition, or whether it is in bad condition. Then, when that request is made, the inspector makes that inspection and gives the certificate provided for in this provision, certifying to the good condition or the bad condition of the product as he finds the truth to be. By that the shipper secures protection, and the commission merchant at the other end of the line is protected, because if he has reported the product in bad condition correctly, if the shipment is really in bad condition the inspector goes there and the commission merchant demonstrates that fact to him, and he certifies that it is in bad condition. That satisfies the shipper, it protects the commission merchant, and it protects the public as well. Hence, I say I can not see how it is possible for this provision to do any harm, and it is fraught with much possible good. That being so, it certainly ought to be enacted into law, and I hope the amendment offered by the chairman of the committee and now pending will be adopted. [Applause.]

The CHAIRMAN. The gentleman from Michigan [Mr. MCLAUGHLIN] and the gentleman from South Carolina [Mr. LEVER] have each four minutes remaining.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, last night I called the attention of the committee to the language in the bill largely for the purpose of advising those who have not closely followed the course of these matters of the degree to which the work of the Bureau of Markets is extended, taking in, as I believe, some work that is not properly market work. The speeches that have been made telling of the outrages committed upon shippers by commission merchants can not be answered. There is no doubt of the truth of them. The only question is whether or not it is the duty of the Federal Government to provide relief for everyone who suffers on account of the lack of principle of a party at one end or the other of a contract. As I stated last evening, my principal objection is that we are undertaking to legislate concerning this very important matter in a few lines, a short paragraph, changing, as gentlemen have said, the rules of evidence and the proceedings in court—a matter which should be gone into thoroughly, and concerning which we should adopt a well-digested, well-considered measure. This change in paragraph does not relate alone to fruits and vegetables, but to all food products. It covers the entire field. When we were considering this matter in the committee I think I suggested—at least, the suggestion was made before the committee—that the one who asked the privilege of having this examination made in his behalf for his protection ought to pay the cost. My recollection is that there was no objection to that, and those words, embodying that idea, were included in the measure as presented to the House by the committee. The paragraph went out on a point of order, and the paragraph presented in its place by the chairman of the committee and held to be in order does not contain those words. I wish to offer an amendment to have those words inserted, so that the one who asks to have this inspection made, for whose benefit and protection it is made, shall pay the cost of the inspection. Otherwise this country may be covered by inspectors, and the expense will grow without limit. It is a business proposition. The one who asks for the service ought to pay for it, and I understand that in other measures similar to this, to which reference has been made and quoted for the purpose of justifying this paragraph, it is provided in every case that the cost of the inspection shall be borne by the one who asks it and for whose benefit it is made.

Mr. Chairman, I present the following amendment and ask that it be considered at the proper time.

The CHAIRMAN. The gentleman proposes an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MCLAUGHLIN of Michigan: Amend the amendment by adding at the end of the first paragraph, after the word "prescribe," the following words: "including payment of such fees as will cover the cost of the service rendered."

Mr. LEVER. Mr. Chairman, I have absolutely no objection to the amendment offered by the gentleman from Michigan. That language was contained in the bill when it was presented to the House. It went out on a point of order, and no doubt this language was a part of the language in the item which subjected the whole paragraph to a point of order. Personally I have no objection to this; in fact, I am in favor of it.

If I thought there was any serious attempt to strike this item out of the bill I would feel greatly worried about the situation, but I do not believe there can be any serious attempt in that direction. This proposes to do nothing more or less than to protect the public against thievery and robbery and dishonest dealing in this business of handling vegetables and perishable products. I presume there is no business which offers so many temptations, so many inducements to dishonest dealing, as this business of handling these highly perishable products from the producer to the ultimate consumer.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. McLAUGHLIN of Michigan. Ought not the words "other products" to be stricken out?

Mr. LEVER. I should not want to take that responsibility on the floor. What we are attempting to do is, first, to protect the honest man, the merchant who handles these products, against the relatively few dishonest men in the business. Second, we are trying to protect the consumer by assuring him that these perishables will be produced in quantities sufficiently large to enable them to be bought at a reasonable price. In the third place, we are trying to protect the producer against that element of dishonesty in the business against which he has now no protection except under this act. Gentlemen know, as has been pointed out frequently, that the shippers of vegetables and peaches are sometimes called upon to pay the expenses of the shipment when they get the returns. Testimony before the committee shows that one man selling peaches shipped to him from some part of Arkansas to Chicago for 35 cents a bushel, and the same peaches were traced and were sold in Michigan for $1.20. You ask what we want—how far shall we go—and the gentleman from Michigan suggests that there is dishonesty in all business. That is very true, but it is the duty of this Congress and every legislative body, as far as possible within the bounds of reason, to protect the public against dishonesty wherever it is found, and that is all there is in this proposition. [Applause.]

The CHAIRMAN. The time of the gentleman has expired; all time has expired. The question is, first, on the amendment to the amendment offered by the gentleman from Michigan [Mr. MCLAUGHLIN], which the Clerk will report.

The Clerk read as follows:

At the end of the first paragraph, after the word "prescribed," add the following: "including payment of such fees as will cover the cost of the service rendered."

The question was taken, and the amendment to the amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment to the amendment.

The Clerk read as follows:

Page 78, line 3, strike out after the word "other" the word "food," and insert in place thereof the words "perishable farm."

Mr. MOORE of Pennsylvania. Mr. Chairman——

The CHAIRMAN. All debate on this paragraph and amendments thereto has been closed by order of the committee.

Mr. MOORE of Pennsylvania. I ask unanimous consent for one minute.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, unless this amendment is adopted, the instruction to the Secretary of Agriculture to appoint inspectors to conduct a system of inspection would apply to meat products and to other products included in the word "food," which I think the Committee on Agriculture does not contemplate. If the amendment is adopted, striking out the word "food" and inserting "perishable farm products," it would read "vegetable and other perishable farm products," and would confine the inspection to what I believe the committee has jurisdiction over.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment to the amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the proviso.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. MOORE of Pennsylvania: Amend the amendment by striking out all after the word "prescribed."

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from South Carolina [Mr. LEVER] as amended.

The question was taken, and the amendment as amended was agreed to.

The Clerk read as follows:

For investigating, demonstrating, and promoting the use of standards for the different grades, qualities, and conditions of cotton, and for investigating the ginning grading, stapling, baling marking compressing, and tare of cotton, $45,920: *Provided* That of the sum thus appropriated $26,960 may be used for testing the waste, tensile strength, and bleaching qualities of the different grades and classes of cotton in order to determine their spinning value and for demonstrating the results of such tests.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. The language of this paragraph would seem to indicate that it was the purpose of the Department of Agriculture to establish standards. I was wondering whether this work was not properly within the purview of the Bureau of Standards.

Mr. LEVER. This work has always been done by the department under the cotton-future act.

Mr. STAFFORD. I am well aware of that, but I am asking whether the work is not more suitable for the Bureau of Standards than it is for the Department of Agriculture. The two departments recognize the difference in their respective fields of activity, the Bureau of Standards not wishing to trench on the chemical analysis or investigation of products, while the establishment of standards is left to the Bureau of Standards.

Mr. LEVER. I do not know when it started, but it seems to have grown up in the Department of Agriculture, the policy of fixing standards, and it does for grain, corn, wheat, and cotton. Practically all of the standardization work touching farm products, as far as I know, is being done by the Department of Agriculture, and I suspect it is in a better position to do it than is the Bureau of Standards, because the Department of Agriculture has more expert knowledge of the matter than has the Bureau of Standards.

Mr. STAFFORD. Only recently have we established standards as far as cereals are concerned. I recognize that the department, as far as wheat and corn and products of the soil is concerned, may be better qualified to establish those standards than the Bureau of Standards.

Mr. LEVER. I do not know what facilities the Bureau of Standards would have, and this has been going on in the department for many years.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 78, line 21. At the end of line 21 add the following: "But no money provided by this act shall be used for the purpose of buying, leasing, or operating any mill, building, machinery, or other property in carrying on the work herein authorized."

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. MONDELL. Mr. Chairman, I desire to offer an amendment on which I should like to have five minutes.

Mr. LEVER. Then I shall make it 12 minutes, 5 minutes to the gentleman from Michigan [Mr. McLAUGHLIN] and 5 minutes to the gentleman from Wyoming [Mr. MONDELL] and reserving 2 minutes for myself.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate upon this paragraph and all amendments thereto close in 12 minutes, 5 minutes to go to the gentleman from Michigan, 5 minutes to the gentleman from Montana, and 2 minutes to himself. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, my amendment is directed particularly to the paragraph for testing the tensile strength and bleaching qualities of cotton, because I believe this kind of work is not a marketing proposition and ought not to be carried on by the Bureau of Markets. The Chief of the Bureau of Markets, in answer to that criticism when he appeared before the committee, stated it would be helpful to the growers of cotton if they could have all information available from any source as to the best kind of cotton to be grown for the market, and that he would carry on the mechanical operations if they can be called that, to test the strength and bleaching qualities of cotton so as to give the advice that would be helpful to the growers of cotton, leading them to produce the kind of cotton that would market best. That is going a long way outside of the functions of the Bureau of Markets, in my judgment. We may as well establish flour mills to determine the milling qualities of different kinds of wheat, so as to arrive at which makes the best flour. Illustrations might be multiplied to show what might be done to give advice to the farmers of this country as to the kinds of crops they should grow and learn what kind would market the best, that work to be carried on by the Bureau of Markets. I do not believe that is a proper function of the Bureau of Markets, and I have suggested this as a limitation upon the activities of the bureau, that they shall not buy nor erect nor operate any mill or factory or proposition to carry on that kind of work. I sincerely believe the committee should agree with me and limit the bureau to its proper activities in making investigations and giving information strictly in regard to marketing, and not go into this line in which it proposes to engage, or may engage, unless this amendment is adopted.

Mr. MONDELL. Mr. Chairman, I move to strike out the proviso.

The Clerk read as follows:

Amendment offered by Mr. MONDELL: Page 78, line 17, after the figures "$45,920," strike out the remainder of the paragraph.

Mr. MONDELL. Mr. Chairman, great is king cotton, and tremendously active and effective are its subjects and votaries. We go further in this bill and in other legislation in the promotion of cotton, in aiding the industry in governmental activities affecting it, than in connection with any other product or class of products in the country. It is a great product, and exceedingly important and very valuable, and we should do much to promote and encourage it, but there are certain things relative to cotton which, while they may properly be undertaken by the Government, should not be undertaken on an agricultural bill or by the Agricultural Department, and the activities proposed in this paragraph are of that character. If we are to go into the work of testing the tensile strength and bleaching qualities of this product we ought to go into the work along the same lines regarding wool. It is just as important that we should in one class of products as in the other. Whether it be wool or cotton, however, the work should not be taken up by the Department of Agriculture or carried on by that department. It is properly the work of the Bureau of Standards; possibly, to a certain extent, the work of the Department of Commerce. I do not know that I would object to it; in fact, I am rather inclined to think that I should favor and assist the carrying on of the work in the proper place and under the proper agencies, but the Agricultural Department is not organized for this character of work. The Bureau of Standards is. The Agricultural Department has no business to go into manufacturing questions. That is a matter for other bureaus of the Government, if we are to undertake the work at all. Furthermore, the Bureau of Standards does investigate these questions to a certain extent. I think the bureau might properly do it to a still further extent. The amendment of the gentleman from Michigan [Mr. McLAUGHLIN] indicates the danger that the department will go further afield than we contemplate under this provision by starting mills and commercial establishments and manufactories for the purpose of demonstrating these things.

If that is to be done, which is of doubtful wisdom, it certainly should not be undertaken by the Agricultural Department. Let us keep these various activities within the departments of the Government where they properly belong. By so doing we shall be much more likely to get results that are valuable and that are useful. The Agricultural Department has no instruments or instrumentalities or machinery and apparatus to carry on this kind of work. If it had, it should not. Other departments of the Government may have them. It is an investigation plainly outside of the domain of agriculture, outside of the proper activities of the Agricultural Department, relating to commerce, relating to the use of material after it passes out of the hands of the farmer and out of the agricultural domain into the domain of commerce and manufacture. The provisions in this bill should be limited to purely agricultural activities.

Mr. LEVER. Mr. Chairman, the gentleman from Wyoming [Mr. MONDELL] usually speaks with knowledge when he makes a statement on the floor of the House, but in this instance he is speaking absolutely without knowledge of the facts he is undertaking to present. The truth about this matter is that this language has not been changed in the least. It has been carried in this bill to my knowledge for six or eight years. The standardization work of all agricultural products is being done by the Department of Agriculture. So, therefore, I trust the amendment of the gentleman from Wyoming will be voted down, and I trust also that the amendment of the gentleman from Michigan will be voted down. I confess that I do not know just what the gentleman is driving at. There are many, many other provisions in this bill of a like tenor to this that have been already passed and no such limitation has been undertaken to be attached to them. I see no reason for attaching such a limitation to this item in the bill. On the contrary, as far as I know, the Government is operating no mill or factory or gin or anything of the kind in its testing work. I think most of their work is either done in the Department of Agriculture or at certain agricultural colleges in cooperation with those colleges. I hope both amendments will be voted down.

Mr. JUUL. May I be permitted to ask the gentleman a question?

Mr. LEVER. I would be very glad to do so, but all time has expired.

The CHAIRMAN. All time under the order of the committee is closed on this item.

Mr. HAUGEN. I ask that the gentleman may have a minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. JUUL. I just want to ask the gentleman if he would accept an amendment to this section on page 78. I do not want to offer the amendment and have it voted down. On page 78, line 4——

Mr. LEVER. What is it about?

Mr. JUUL. I want to ask the gentleman if he will accept an amendment to insert after the word "received," in line 4, the words "and sold," or "at time of sale."

Mr. LEVER. I will say that has been passed, and the gentleman can not go back to it except by unanimous consent, and somebody will probably object. In addition to that, I would hate to broaden that language without a very full consideration of it by the committee.

Mr. JUUL. I just wanted to submit it to the gentleman.

Mr. LEVER. I would be very glad to have the gentleman discuss the matter with me some time and with the committee.

Mr. JUUL. I know and so does the gentleman, that inspection at the time received and inspection at the time of sale might mean a very different thing in the matter of perishable produce.

Mr. LEVER. That is very true, and I hope the Committee on Agriculture may some time have an opportunity to work out this proposition here in greater detail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming, which the Clerk will report.

The amendment was again reported.

The question was taken and the amendment was rejected.

Mr. MONDELL. Mr. Chairman, I desire to offer another amendment. Page 78, line 20, after the word "cotton" insert the words "and wool."

Mr. LEVER. Mr. Chairman, I make the point of order against that amendment that it is not germane to this section.

The CHAIRMAN. Following a decision of the Speaker, without having it at hand, where he held on a bill regulating the sale of futures as to cotton that an amendment regulating grain was not germane and sustained a point of order on it, the Chair will have to sustain the point of order here that wool is not germane to this paragraph. The Chair sustains the point of order. The Clerk will report the amendment proposed by the gentleman from Michigan.

The amendment was again reported.

The question was taken and the amendment was rejected.

The Clerk read as follows:

To enable the Secretary of Agriculture to make studies of cooperation among farmers in the United States in matters of rural credits and of other forms of cooperation in rural communities; to diffuse among the people of the United States useful information growing out of these studies, in order to provide a basis for a broader utilization of results secured by the research, experimental, and demonstration work of the Department of Agriculture, agricultural colleges, and State experiment stations, $28,280.

Mr. MORGAN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. MORGAN offers to amend, on page 79, line 5, after the semicolon, by inserting the following:

"*Provided*, That there is hereby constituted a joint committee of the Senate and House of Representatives, to consist of the chairman of the Senate Committee on Agriculture and Forestry, the chairman of the House Committee on Agriculture, and the chairmen of the Committees on Banking and Currency of the two Houses, and two other members of each of said committees, to be designated by the chairmen of the respective committees, and it shall be the duty of said joint committee to prepare, after such investigations as may be deemed necessary, and report to the Congress on or before March 1, 1918, a bill providing for the establishment of a system of short-term farm credit adapted to American needs and conditions, and the Secretary of Agriculture, in his discretion, may use not to exceed $5,000 of the sum appropriated in this paragraph to defray all necessary expenses of said joint committee."

During the reading of the above,

Mr. LEVER. Mr. Chairman, the reading of the amendment shows it is clearly subject to the point of order.

Mr. MORGAN. I hope the chairman will let it be read.

Mr. LEVER. If the gentleman desires the amendment read with the reservation of the point of order, I will not object to the gentleman's occupying five minutes.

The reading of the amendment was completed.

The CHAIRMAN. The gentleman from South Carolina reserves the point of order against the amendment.

Mr. LEVER. For five minutes.

Mr. MORGAN. Mr. Chairman, for the present, not discussing technically whether the point of order is good or not, I want to make an appeal to the able chairman of the Committee on Agriculture, the gentleman from South Carolina [Mr. LEVER], as well as to other Members of the House who might be inclined to make the point of order, not to insist on it. I know, of course, that the chairman of the Committee on Agriculture is deeply interested in this subject of providing the farmers of the United States with the very best system of credits. I know personally that he would be very glad to see legislation on this subject. He knows the history of rural-credit legislation in the Congress. He knows that it was by virtue of a similar amendment put on the Agricultural appropriation bill approved March 4, 1915, that we finally secured the passage in the Sixty-fourth Congress of a bill creating the system of land credits. I have copied almost exactly the provisions of that act approved March 4, 1915, which created this joint committee. Now, I think that committee is still in existence. I think it is a continuing committee, but I will not discuss that now. The chairman of the Committee on Agriculture was the author, I presume, of the provision which went into the Agricultural appropriation bill of 1915 and largely through his efforts the joint committee of the two Houses on rural credits was created. It reported a bill, which was referred to Committees on Banking and Currency of the two Houses. It made a report and we enacted that law establishing a great system of land credits for the farmers of the United States. But we have not finished that job; we have not completed the task that we have undertaken. We have not kept the pledge that we made to the farmers of the United States.

Here is a very important amendment. Technically it may be out of order, but it is nothing unusual to legislate on appropriation bills. Practically every appropriation bill contains new legislation. And I know of no amendment that should appeal so convincingly to the chairman of the Committee on Agriculture as the one I have presented. So, without taking further time upon this point, I sincerely hope that the chairman of the Committee on Agriculture, to whom the farmers of this country are so deeply indebted, will withdraw his point of order or not make the point of order. And I also appeal to every other Member of the House to not make the point of order in case the chairman of the Committee on Agriculture does not do so.

Mr. LEVER. Mr. Chairman, the speech of the gentleman from Oklahoma [Mr. MORGAN] is very powerful, but this is such

an important matter that it should be considered by the proper committee before being acted upon by the Committee of the Whole; and, therefore, I am constrained to make the point of order.

Mr. MORGAN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN (Mr. SAUNDERS of Virginia in the chair). Does the gentleman from Oklahoma desire to discuss the point of order?

Mr. MORGAN. No, sir.

The CHAIRMAN. The point of order is sustained. The matter seems to be new legislation.

The gentleman from Oklahoma offers another amendment, which the Clerk will report.

The Clerk read as follows:

Page 79, line 5, after the semicolon, insert:
"*Provided*, That not to exceed 90 per cent of the appropriation received in this paragraph shall be available unless the Secretary of Agriculture shall have on or before March 1, 1918, prepared and submitted to Congress a bill to provide a system of short-term farm credits for the farmers of the United States."

Mr. LEVER. I make a point of order against that, Mr. Chairman.

Mr. MORGAN. Well, I would like to be heard on that. I do not think that is subject to a point of order.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. MORGAN. Mr. Chairman, this is a limitation on the appropriation provided in the paragraph. It provides that unless the Secretary of Agriculture, who is authorized to use this appropriation of $28,280 for the purpose of investigating rural credits, shall on or before the 1st of March, 1918, prepare and submit to Congress a bill to provide a short-term system of farm credits, only 90 per cent of this appropriation shall be used. So I limit and restrict this appropriation by this amendment, and I think that, therefore, it is clearly in order under the rule that provides that amendments which limit appropriations are in order on an appropriation bill.

Mr. WALSH. Will the gentleman yield for a question?

Mr. MORGAN. Yes.

Mr. WALSH. Does not the gentleman from Oklahoma think that he himself could prepare a better and more comprehensive measure on this subject and introduce it into the House than could be done by the Secretary of Agriculture with his many and manifold duties which he now has to perform in view of this great war emergency?

Mr. MORGAN. Well, the gentleman knows that I am a very, very modest man, and I have no such idea. Why, we have been appropriating large sums of money to the Department of Agriculture, and I have great respect and admiration for the character and the ability of the Secretary of that department. In addition to that, he has a large number of experts under him who have given great study to this question. But, of course, that is not really the point involved in this matter.

Mr. WALSH. Will the gentleman permit me to say that I doubt if any of his experts are any more interested or perhaps better equipped to express an opinion in the form of a measure than is the gentleman from Oklahoma, who has given years of study to this work?

Mr. MORGAN. I certainly appreciate the very kind words of my friend from Massachusetts.

So that, Mr. Chairman, the amendment which I propose will reduce the amount upon the happening of a certain event. Under the rule, I understand, such an amendment is in order.

Mr. LEVER. Mr. Chairman, hearing the amendment read only from the desk, I take it that, in the guise of a limitation, it is really a direction to the Secretary of Agriculture to prepare a bill and submit it to Congress and, if so—and I have heard correctly the amendment—then it is clearly subject to a point of order and is not a limitation, but is a direction in the guise of a limitation.

Mr. MONDELL. Mr. Chairman, the present occupant of the chair is entirely familiar with these parliamentary questions, and he knows perfectly well that it is not his province to go speculating as to what may be the intent of the limitation. He must judge of the limitation as it is presented to him. This is a provision to the effect that only a certain portion of the appropriation shall be expended, except and contingent upon a certain act being performed. Such a limitation is entirely proper and clearly within the rule, a portion of the expenditure being contingent upon the establishment of a certain condition or situation. Where that shall have occurred, then the entire sum may be used. If it does not, only 90 per cent of it is to be used.

Mr. SLOAN. Mr. Chairman, I desire to raise another point of order against the proposition, more important, in my opinion, than the one that has been raised, and that is this: The amendment provides a direction to the head of an executive department to prepare a bill for consideration and passage by this House. In other words, it directs that the head of a department shall usurp part of the function of this, the legislative department of the Government, in drafting a bill—a feature of legislation usually as important as any other part of it. It should not be the function of the head of any department or any person connected with the Government in any way, except a Member of this House or a Member of the coordinate body, to prepare legislation for the consideration of this House or that body, and I object here and now.

Mr. MONDELL. Mr. Chairman, I object just as much as the gentleman from Nebraska [Mr. SLOAN] possibly can to the purpose of the gentleman from Oklahoma [Mr. MORGAN], who is inviting a practice which is not in harmony with our institutions, which has been infinitely harmful, under which there has been a usurpation of the prerogatives of the House, and which no Member of the House should seek to encourage, but rather to discourage. I disapprove as much as anyone possibly can the purpose of the gentleman from Oklahoma of allowing or inviting or suggesting that an executive officer should prepare legislation for us. But that proposition does not go to the question of the point of order.

Mr. SLOAN. Well, it goes, if I understand it, Mr. Chairman, to the point of order that I raised. I understand that there is a proposition raised here, and that we are not confined to one point of order, but may submit as many objections on the ground of lack of being in order as we see fit, and that is the reason why I have submitted that one.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. WALSH. Is not the gentleman aware of the fact that during this present emergency the Members of the House have apparently waived the prerogatives we have in the production of measures bearing on the emergency, and that it is now the custom for them to be prepared in the various departments and sent down here for our consideration?

Mr. SLOAN. The proof of the existence of a bad custom is no reason for the continuation of that bad custom, and the question may just as well be raised now as later. The waiver in one instance is no proof or reason why it should be waived again.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. GREEN of Iowa. I understand, then, that the gentleman concludes that Congress has not permanently abdicated its functions.

Mr. SLOAN. I hope not; and I hope that that hope will grow into a conclusion that we have not abdicated our functions. [Applause.]

Mr. ANDERSON. Mr. Chairman, of course the questions involved in this point of order have nothing to do with the merits of the proposition offered by the gentleman from Oklahoma [Mr. MORGAN]. The mere fact, however, that the amendment takes the form of a limitation upon the appropriation does not bring that amendment within the rule of the House which permits legislation in the form of a limitation upon an appropriation bill.

It is well established that the limitation must be a limitation upon the expenditure of the money itself, upon the method of expending the money, and that that limitation can not go to the point of directing the executive functions of an executive officer.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. I yield for a question.

Mr. MORGAN. Is it not a fact that this does not direct the Secretary to do anything, but simply leaves it to his discretion? It does not compel him. If he does not do this, then he can only use 90 per cent of this money.

Mr. ANDERSON. The mere fact that it is discretionary does not affect the character of the amendment at all. It is an attempt by a so-called limitation to direct or to interfere with the executive functions of an executive officer. I call the Chairman's attention to the precedent cited in the fourth volume of Hinds' Precedents, from section 3957 to 3966, many of which, it seems to me, are in point on this proposition and are conclusive against the contention of the gentleman from Oklahoma that this so-called limitation is in order.

The CHAIRMAN. The rule in relation to amendments of this character may be stated in brief, as follows: Such an amendment, to be in order, must be a negative prohibition upon the expenditure of money, and not in substance an affirmative direction to an executive officer. The House may by limitation

on a general appropriation bill forbid the use of money for a specific service, but it may not grant the appropriation for the general service on condition that an executive officer shall take a certain course in connection with the service. (IV Hinds, pp. 660–672.)

Now it is perfectly clear to the Chair that the effect of the proposed amendment is to compel an executive officer to do a certain thing not related to this paragraph, as a condition precedent to securing the benefit of the fund appropriated in this connection. He is required to write a bill on a particular subject. The amendment is in effect an affirmative direction to that effect, requiring the Secretary of Agriculture to prepare and submit to Congress before March 1, 1918, a bill providing a farm-credit system, or else lose the benefit of a portion of this appropriation. The amendment is in the form of a limitation, but is more affirmative than negative in its character. Not being a limitation, it is not protected by the rule relating to limitations.

The point of order is sustained.

Mr. MORGAN. Mr. Chairman, I send up an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Amendment offered by Mr. MORGAN: Page 79, line 5, after the semicolon, insert the following:

"*Provided*, That not to exceed 90 per cent of the amount appropriated in this paragraph shall be available unless the Joint Committee on Rural Credits appointed by the act approved March 4, 1915, entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916,' shall have, on or before March 1, 1918, prepared and reported to Congress a bill establishing a system of short-term farm credits."

Mr. LEVER. Mr. Chairman, I make a point of order on that.

Mr. MORGAN. I would like to be heard for a moment.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. MORGAN. Mr. Chairman, the act approved March 4, 1915, contains the following paragraph:

That there is hereby constituted a joint committee of the Senate and House of Representatives, to consist of the chairman of the Senate Committee on Agriculture and Forestry, the chairman of the House Committee on Agriculture, and the chairmen of the Committees on Banking and Currency of the two Houses, and two other members of each of said committees, to be designated by the chairmen of the respective committees, and it shall be the duty of said joint committee to prepare, after such investigations as may be deemed necessary, and report to the Congress on or before January 1, 1916, a bill or bills providing for the establishment of a system of rural credits adapted to American needs and conditions. The sum of $10,000 is hereby appropriated, the same to be immediately available, out of any funds in the Treasury not otherwise appropriated, to defray all necessary expenses of said joint committee, payment of said expenses to be made upon vouchers approved by the chairman of said joint committee, who shall be selected by the committee.

Mr. Chairman, that is not a rule of the House, but an act of Congress, which created a joint committee on rural credits, requiring that committee to report a bill or bills on that subject. That committee was created by the Sixty-third Congress. It acted during the Sixty-fourth Congress, and I maintain that that committee is still in existence, because the act names who shall be on that committee. So we have to-day under that law a Joint Committee on Rural Credits, authorized to act upon this subject. Now, my amendment simply limits the appropriation to 90 per cent unless that committee which is now in existence shall make an additional report. The Chair will take judicial notice, so to speak, of the fact that this committee has only partially completed its work. As I say, it was created by an act of the Sixty-third Congress. The committee acted and expended their money during the Sixty-fourth Congress. I do not know whether all of that $10,000 was expended or not, but I will assume that the committee did not expend it all. I do know from personal knowledge that it was during the Sixty-fourth Congress that the committee did all their work. I want to know why that committee is not in existence to-day, and if it is in existence, why it is not a proper amendment to limit this appropriation unless there is a report of that joint committee which is now in existence, not by virtue of a rule but by virtue of an act of Congress passed by the two Houses and approved by the President. That act is upon the statute books to-day. It never has been repealed. I want to know why that committee can not act to-day, and why this limitation is not proper under the rule. I hope that the Chair on investigation will conclude that that committee is in existence, and that they can act to-day, and that my amendment is proper under the rule.

The CHAIRMAN. There are a great many precedents in this connection, for this question of order has been ruled on time and again. The Chair will read one citation before announcing his ruling.

On February 15, 1907, the naval appropriation bill was under consideration in the Committee of the Whole House on the state of the Union, and Mr. WEBB of North Carolina offered the following amendment, as a limitation.

Add after the word "act" in line 14, page 81: "*Provided*, That before the construction of these vessels shall be begun, a test shall be made with the service 12-inch projectile fired against a 12-inch Kruppized armor plate at a range of 5,000 yards, to ascertain whether such projectile fired with service pressure will penetrate such armor plate."

This amendment proposed to make the appropriation contingent upon the test provided. It was offered as a limitation. A point of order was made against it, and sustained. Now the amendment under consideration proposes that the benefit of the appropriation included in this paragraph shall not be enjoyed by the Department of Agriculture until a certain committee shall do a certain thing. This committee was required to report on, or before a certain date. To be definite on or before January 1, 1916. That time has passed.

Mr. MORGAN. It did not do so.

The CHAIRMAN. The question very naturally arises whether that committee can now make a report. Having failed to discharge the duty imposed by the act that created it, the committee is in the judgment of the Chair, functus officio, and no longer capable of reporting. This amendment therefore proposes to make the benefit of the appropriation in this paragraph contingent upon the action of a committee which is without power to act. It is therefore not, fairly speaking, a limitation at all. The Chair sustains the point of order.

Mr. MORGAN. Mr. Chairman, I move to strike out the last word. I regret very much that a point of order was sustained against each of the amendments which I have offered. I regret that the distinguished chairman of the Committee on Agriculture felt that it was his duty to make the points of order. Under my pro forma amendment I wish to say a few words about short-term farm credit. Here is an appropriation of $28,280, supposed to be largely for the purpose of having the Department of Agriculture investigate rural credits. If you will go back for several preceding Congresses you will find that this same appropriation has been in this bill. It is a question whether such appropriation ought to be made unless the Department of Agriculture actually produces results. We want results, not mere investigations. Now, I have been through the reports of the Secretary of Agriculture, going back five or six years. So far the Secretary of Agriculture has proposed no concrete plan for short-term farm credit. He no doubt has accumulated much information on the subject. But what good does that do, if Congress does not act on the information. We have an abundance of information now. We are prepared to act. The Secretary of Agriculture is no doubt prepared to submit a plan. This would be a basis for action. There is no practical advantage in adding to the store of information in the minds of the rural credit experts in the Agricultural Department if we can not utilize that knowledge to some practical purpose and make it contribute to the prosperity of the farmers and the general prosperity of the whole country. The time has come when we should call upon the Secretary of Agriculture to present a definite plan. The plan or plans suggested could be acted upon by the Committees on Banking and Currency of the two Houses. These committees could report thereon and the Congress could act. By this course the thousands of dollars we are appropriating would bring practical results.

It is admitted by all that an increased production of food products is essential to the winning of the war. But what has the National Government done, through legislative or by Executive action to equip the farmers for larger production?

If the farmers are to enlarge their business and extend their farming operations, they must have better credit facilities. Credit is a factor in the business of farming as it is in industrial and commercal pursuits.

Why should not Congress proceed at the earliest date possible to complete our rural-credit system by creating a short-term credit system that will enable the farmers to secure short-time loans at a low rate of interest and upon favorable terms? In certain sections of the West there was a failure of the wheat crops last year. Seed wheat was high. It required a large amount of money to buy this seed wheat. The farmers did not have the money. The local banks did not have it. The farmers needed credit, but the credit was not obtainable. The result was, in certain sections of the West, the wheat acreage was reduced rather than enlarged. All because Congress had not established a short-term farm credit system through which the farmers might have obtained ample credit to purchase seed and improve their equipment for farming.

Mr. WALSH. Will the gentleman yield?

Mr. MORGAN. Yes.

Mr. WALSH. What sort of proof does the gentleman think ought to be required to show that the farmers are receiving real benefit from the legislation enacted in their interest?

Mr. MORGAN. I think there ought to be some other proof than the fact that we are appropriating the money and that the number of department employees is increasing.

I noticed the other day that the Secretary of the Treasury proposed to create a great corporation, with a capital of $500,000,000 to help finance business corporations which were engaged in producing munitions of war, or things necessary to win the war. We have assumed control of the railroads and must finance them. But nobody seems to recognize the importance of financing the farmers. It is true Congress, by the act of July 17, 1916, established a new system of long-time-mortgage credit. But this is in its infancy and is unsuited to supplying the farmers with credit for the purchase of seed and implements and in the employment of labor. I maintain that to provide our farmers with a short-term farm credit system is a war measure. It should be acted upon promptly to give our farmers the benefit of it for the season of 1918.

Notwithstanding the fact that my amendments have been ruled out of order on this bill, I sincerely hope Congress may see the wisdom of my suggestions and act favorably thereon at an early date.

Further, I wish to say that I have introduced in the House House bill 8827, to provide a system of short-term credit for the farmers of the United States. It, in my judgment, would prove to be of immense benefit not only to our farmers but the public generally. It would encourage our farmers and enable them to enlarge the amount of their annual products, both through an enlarged acreage in cultivation and by doing better farming. While this would, to an extent, increase the earnings of the farmers, it would insure our own people and our allies with the necessary food to win the gigantic war in which we are engaged.

The Clerk read as follows:

To enable the Secretary of Agriculture to cooperate with the several States in the employment of agents to acquire and diffuse useful information connected with the distribution and marketing of farm products through investigational, demonstrational, or extension methods, $61,500.

Mr. ROBBINS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 79, line 10, after the word "methods," insert the following: "And for the purpose of procuring labor to plant and harvest the crops for the year 1918 on the farms of the United States, $261,500."

Mr. LEVER. Mr. Chairman, I reserve a point of order on the amendment.

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, I have gone through this bill, covering 89 pages and appropriating $26,943,773 for the benefit of agriculture, so denominated, and yet I find not one line or provision to meet the greatest emergency that exists in the country against the American farmer to-day—that is the scarcity of labor. I am compelled to occupy the time of this committee for a few moments to call attention to some information that was sent to me from the State board of agriculture which met at Harrisburg, in my native State of Pennsylvania, last week:

218,000 STATE FARMS LOOKING FOR LABORERS—MEMBERS OF BOARD OF AGRICULTURE PREDICT DECREASED PRODUCTION.

HARRISBURG, PA., *January 24, 1918.*

Resolutions adopted by the State board of agriculture at the joint meeting of the board and allied bodies last night, declaring that the draft should be extended to include people in all walks of life, and that there should be conscription of labor if necessary to see that hands are provided for the farms, will be sent to the national authorities at Washington. Conferences of men active in the board were held to-day with a view of ascertaining what steps should be taken to secure men, and representative farmers will likely go to Washington.

The speeches at the closing session of the board and at the joint meeting dealt with conditions which speakers declared would be alarming on the farms this year. Predictions of decreased production instead of an increase as asked were freely made.

On the same date at an agricultural convention in Blair County, which is just east of and almost adjoining the county in which I live, in the district which I represent, this statement appears:

31 FARMERS TO QUIT BUSINESS—LABOR SHORTAGE FORCES BLAIR COUNTY MEN TO SELL LANDS—BEDFORD COUNTY HIT.

ALTOONA, PA., *January 23, 1918.*

Thirty-one farmers residing in the southern end of Blair County are advertising their stock and implements for sale and preparing to go out of business by next April. Among the farms are some of the largest and best in Blair County, in the rich agricultural belt of the Morrisons Cove, a producing section surpassed by Lancaster County only.

A few of the farmers have made sufficient money to retire, but almost all are discontinuing farming because they have not sufficient help.

The same condition exists in Bedford County. It is estimated there will be a 10 per cent reduction in operating farms in Blair County by next April.

This situation is acute in Pennsylvania. It is so in all the Eastern States, and this is the reason of it: Large wages are paid in ammunition factories, at the coal mines, and in various industries, and these public works have drained the farms of the ordinary labor that was employed in that occupation. On top of that came along this selective draft, taking away the farmers' sons, so that there is no one left to operate the farms.

What are the remedies that are offered—and I have listened to the debate here while this bill has been discussed for six days past—and what suggestion has been made to meet this exigency? Four remedies are mentioned: First, it was suggested that we take the boys and girls from the towns and put them on the farms as volunteers to do the farm work. That was tried last year and proved a failure. It would not work. And, second, some patriot has brought forth the proposition that we employ and bring over a great quantity of cheap labor from China and operate our farms by Chinese coolie labor, but that is met with opposition by residents of the Pacific coast; they will not tolerate that kind of labor in competition with American workmen in the United States. A third suggestion made is the one I saw in the Official Bulletin, issued by George Creel, which we all read or do not read, as the case may be, that they propose to bring over 106,000 laborers from Porto Rico and perform our farm labor by aid of these new citizens. I congratulate my friends from the South upon this proposal, because they know very well that no Porto Rican would ever come north to work on an American farm. He would go to Florida or some State near the Gulf and grow lettuce or crocus bulbs and that would be the extent of his farming. Porto Ricans have no knowledge of farming as this industry is conducted in the United States. There is a fourth method suggested by the State Agricultural Board of Pennsylvania, as indicated by the resolution above quoted, that I think is entitled to the serious consideration of this Congress, and it is entitled to the thoughtful consideration of any man on this floor who represents a farming constituency and who wants to take care of their interests in this bill. That is the plan by which we will draft every man, woman, and child in all walks of life between the ages of 16—I fix the age at 16 because under the laws of Pennsylvania and most of the States we can not force anyone under 16 to work; they should go to school—and 60 years of age. Not to force them arbitrarily to work, not by compelling them to labor, but to take stock of our man power from which we can draw labor to use on the farm, if they are willing to farm, during the summer of 1918. This appropriation—and I appeal to the chairman who represents the majority party in this House—is necessary, every dollar of it, but we must add to it a sum large enough to enable the department to send this labor when thus mobilized to the farms where it is needed. The President of the United States in addressing the farmers of Illinois yesterday appealed to them to increase the production of the farms of our country, but he is singularly silent as to where the labor is to be procured to plant the crop and cultivate and harvest the same during the coming season.

The President states in an admirable address to the farmers, delivered yesterday at the University of Illinois, as follows:

And their response to the demands of the present emergency has been in every way remarkable. Last spring their planting exceeded by 12,000,000 acres the largest planting of any previous year, and the yields from the crops were record-breaking yields.

In the fall of 1917 a wheat acreage of 42,170,000 was planted, which was 1,000,000 larger than for any preceding year, 3,000,000 greater than the next largest, and 7,000,000 greater than the preceding five-year average.

But I ought to say to you that it is not only necessary that these achievements should be repeated, but that they should be exceeded.

How is the American farmer to meet this clarion call to high duty, with the demand for labor to help him growing more exasperating with each passing day? Is the Department of Agriculture going to come to his relief by aiding him in securing laborers? Not one cent of all the millions here appropriated is to be used for this imperative purpose. The farmer is invited to perform a greater task in 1918 than he did in 1917 with far less hands to do the work. He can not do it. Furthermore in this address we find this consolation for the farmer:

Farmers have not been exempted from the draft. I know that they would not wish to be. I take it for granted they would not wish to be put in a class by themselves in this respect.

Of course, the farmers do not wish to be placed in a class and branded as that part of our people who seek to avoid the draft for occupational reasons. The farmers are patriotic. They have always been patriotic. In all our wars the farmers of our country have been our first and greatest defenders. They will be such in this war. But we must not allow their love of country and patriotic zeal to cause them to leave the farms to such an extent as to cause a shortage of food for ourselves and our

allies, and endanger the success of our gallant soldiers in their battle for liberty.

What then is the farmer to do but turn, as I now urge, to the Department of Agriculture for help? Are we going to deny our farmers this relief? I sincerely hope not.

Mr. Chairman, the President of the United States in his address further adds—

In certain agricultural sections despair prevails over the scarcity of labor. Farmers have said they could see no prospect of planting new crops this year or of harvesting them if they did so—

from which it appears that the President is alive to the crisis that confronts the American farmer. The President's suggestion is that in the second draft the key men who are engaged in agricultural pursuits will be exempt, and that only the ordinary farm laborer will be taken off the farm. This will not supply the deficiency that now exists. The draft that has already been enforced has taken the farmers and farmer boys to such an extent that the scarcity of labor has been accentuated throughout all the agricultural districts of the country, and this to such an extent that farmers are giving up their farms. They were scarcely able to harvest their crops last summer, and they will not face another such period of hardship, trial, and disappointment, and they can not be expected to do so.

This condition of our farming community imposes upon us, as national legislators, an imperative duty. We must act. We must remember, and be guided by this principle that "that is the best Government which desires to make the people happy, and knows how to make them happy."

Farmer boys pleaded earnestly with the exemption boards, either for a stay of the draft or for exemption on account of occupation, and they were almost uniformly refused; hence they will take no chances on the future draft. Those that are left do not expect to receive any better consideration in the future than their brothers have in the past.

Another suggestion made by the President is as follows:

200,000 SOLDIERS TO HELP.

At harvest time 200,000 soldiers are to be furloughed to return to the farms and assist in the gathering of the crops. In some sections of the United States the wheat harvest begins in May, so that some of the men now in the camps may be called upon in part for this service before going to France.

And this will prove futile for the reason that Pennsylvania alone will require a greater number on the farms than the 200,000 which it proposes to release. The President does not seem to comprehend the extent and magnitude and the insurmountable difficulties that exist in the rural communities because of the scarcity of labor.

Near industrial centers the men have simply forsaken the farms. In the counties of Westmoreland and Butler, in western Pennsylvania, which I have the honor to represent, the ordinary laborer at a coal mine is paid $5 per day; a miner with little skill or experience can earn from $5 to $15 per day. The boy who drives the mule in the mine is allowed $5.15 per day. In the large industrial plants where munitions are made the ordinary mechanic can earn $10 per day; and, although the cost of living is high, these liberal wages have attracted the labor from the farms, and only those who own the land now cling to its cultivation as a means of livelihood. The tenant class and those who work by the month on farms and the day laborers have removed from the land and have gone into industrial employment.

Mr. Chairman, it is not a question of future speculation, it is a question of meeting the irrepressible condition, that now confronts the American farmer and is driving him from his regular avocation; but the critical side of this situation is not confined alone to the farmer. The wheat crop was short last year and the corn crop did not mature well, and we are now engaged in devising means to piece out the wheat crop so that we may have bread, or war bread, until the new harvest comes in July. We must not only feed the American people and the American Army but we must feed the armies of our allies in England, France, and Italy, and they must have the best, because they are now fighting our war; and, in addition to this, the population of England, France, Italy, and even Norway, Sweden, Denmark, and Spain are drawing on us heavily for food, and will continue to draw on us until normal peace conditions come again.

What, therefore, will it profit us to arm and equip one and one-half million men and send them to Europe and have one and one-half million men more in training camps if we are unable to ration them in the field and feed them while training here at home.

If America has fallen down in her military preparations, as Democratic Senators have repeatedly asserted, in my judgment we are now about to fall down in our food production.

Statistics from my own State of Pennsylvania show it, and our farmers in convention as above quoted aver it, and I venture to assert that the same conditions exist in every State east of the Mississippi River, and especially in the great industrial Eastern and Middle States.

What is the use, Mr. Chairman, of appropriating almost $27,000,000 for various purposes and schemes in this Agricultural bill when we overlook the one great need of governmental assistance and aid in procuring laborers for the farmer?

For instance, we are here appropriating $1,900,000 for the Weather Bureau, $5,700,000 for the Forestry Service, $1,200,000 for the Bureau of Chemistry, $1,900,000 for the Bureau of Markets, and $3,150,000 for the States Relations Service and not one penny to obtain labor or labor-saving machinery for our farmers to assist them in planting their crops, cultivating and caring for the same, and harvesting them when matured. It is proposed by this amendment to divert only $261,500 from being used "to acquire information about the distribution and marketing the farm products," to obtaining laborers for the farmers to relieve them in their dire distress, and the chairman of the Committee on Agriculture, from South Carolina, raises a point of order, and the chairman of the Committee of the Whole House, from Virginia, rules it out of order. Such being the case, there is little relief for the farmer in this sort of legislation, in my opinion.

Truly the South is in the saddle and "we are riding for a fall."

Forestry can wait. States Relations Service can stop. The Bureau of Markets can give up a portion of its millions. The patient, patriotic American farmer needs part of these millions to help him in his stupendous task of feeding the world in arms. We must win this war, and our prime necessity is food.

Mr. Chairman, I think there should have been $5,000,000 appropriated for this purpose in this bill, and cut down some of the other appropriations mentioned above, and placed in the hands of the Secretary of Agriculture with explicit instructions that he secure farm laborers, wherever he could get them, to be engaged on the farms of the United States until the war is over and then transport them back to the place from whence they came. Some of these laborers might be procured in western Canada, some of them in Porto Rico, some of them in Mexico, and a vast number of them in the large cities of America. This plan will not draw labor from any organized industry, or take a single man or woman from the ranks of organized labor. It applies solely and entirely to the great body of people in our large cities who are either unemployed, or work in unessential employments, from which they can be easily spared during this short emergency for this great purpose.

In this discussion, Mr. Chairman, there is another matter that is pressing for the attention of Congress. In connection with this situation, the young farmer boys and others that remain at home, even though they may be exempted, as the President suggests, feel the stigma and disgrace at being pointed out and called slackers. Our draft law was passed for the purpose of mobilizing the whole Nation for the purpose of war, and it should be amended and extended, so that it would include every man, woman, and child between the ages of 16 and 60, and all those who are physically able to bear arms should be drafted between the ages of 21 and 30, and the others, when physically able, given industrial employment necessary to sustain the Army. Those that are sent into the mills and factories to manufacture munitions and other supplies, and those that are sent into transportation lines, to transport the same, and those that are sent back to the farms, to produce the most essential commodity of all, namely, the food supply of the Nation, should all be entitled to wear a badge inscribed with the words, "United States service, special detail," and they should have a uniform to wear when they are off duty, with their friends, in the towns, or about their homes, on off days and in the evenings, and they should be required to wear these uniforms. By this means it would become generally known, and it would be well understood, that all are soldiers and all are serving the country, only in different pursuits, and in different occupations, and the stigma and disgrace of being at home would be removed entirely, and we would be truly a united people, all serving alike our common country.

Mr. Chairman, out of this great mass of people between the ages of 16 and 60 we would be able to have sufficient laborers to cultivate our farms, to operate our mills and factories, and to carry on our great lines of transportation and all other business necessary in the time of war, and the American farmer, who is now hard pressed and is our most neglected citizen, would be relieved of his unbearable burden, and would be elevated again to the place he has hitherto occupied, as the leader in our greatest industrial pursuit.

Mr. Chairman, this movement from the land to the towns and cities which is taking place with increased volume each year has produced an alarming situation in the United States. So imperceptibly has it occurred that the danger produced thereby has not yet become apparent to our people.

The war has challenged attention to it for the first time. Buckley in his great work of civilization states that the first evidence of decay of the great nations of the past occurred when the farmers deserted the soil and turned to city life and industrial pursuits.

Rome's fall dated from the time when the farms of the Pyrennes were deserted by the farmers' sons, who joined the Roman legions or settled in Rome, and became part of the Roman rabble that clamored only for "bread and the circus."

The United States Government must now face this growing menace. We have registered our industries, and they are under Government control. The President has taken over our systems of transportation, and they are operated by a Director General of Railroads. Our greatest industry, our most essential source of production, namely, our farms, are as yet entirely neglected. With the cities of the United States full of men and women who could work on the farms, if properly registered, directed and controlled, no step has been taken toward registering and systematizing this source of labor, and yet the entire farming community of the United States is short of labor to such an extent that farms are being abandoned, cultivation is declining, and production of food is rapidly diminishing.

Mr. Chairman, this annual appropriation bill for the Department of Agriculture is the place, and this is the time, to start a great movement to correct this trouble, and to start the means to prevent this approaching calamity.

If we are to win this war quickly, as we will ultimately win it, if we are to support our soldiers in the field with food, clothing, medicine, and other supplies, we must start earnestly and at once this movement back to the land, and we must register the great body of our men and women who can be spared to help during the war in this great work of increasing the food supply of the world, and this must be done during the summer of 1918. If we help our farmers by the legislation I here propose, we will bring back to them the happy days and prosperous times of which Macauley speaks when he says:

Then none was for a party;
Then all were for the State;
Then the great men helped the poor,
And the poor man loved the great;
Then lands were fairly portioned;
Then spoils were fairly sold;
The Romans were like brothers
In the brave day of old.

Mr. LEVER. Mr. Chairman, I do not want to be heard on the point of order because I think it is self-evident.

The CHAIRMAN. Does the gentleman from Pennsylvania wish to be heard on the point of order?

Mr. ROBBINS. I have said everything I wish to say, Mr. Chairman, except that I want leave to extend and revise my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Does the gentleman contend there is authority in the law for this amendment?

Mr. ROBBINS. Mr. Chairman, the amendment makes no change, except that it gives $200,000 more to be used for this purpose. It simply adds that to the provisions of this section, which, if the Chair will read, he will see is germane to the amendment. The section provides for the employment of agents to acquire and diffuse useful information in connection with the distribution and marketing of farm products through investigational, demonstrational, or extension methods, and the amendment I have proposed simply means that that investigation shall be carried forward for the purpose of securing farm labor. It is certainly germane to the purpose of the section and it ought not to go out on that ground on a point of order. If it is to go out upon the ground that it increases the appropriation, then I shall willingly permit the $200,000 to be stricken out and allow it to stand at $61,500, and then allow the Secretary to use any part of the appropriation he pleases for this purpose, because I believe this great outcry for labor will become so pressing that the Secretary will use all this money for that purpose and not for the other purposes.

The CHAIRMAN. This amendment proposes to give the Secretary authority to procure and pay for labor to work on the farms. Does the gentleman maintain that there is any authority in existing law under which the Secretary can do that? If there is not, then, of course, this plainly enlarges his power and would be out of order.

Mr. ROBBINS. It brings the department under this provision, to make investigation and report and open the way for increasing the labor on the farms. Under some authority of law he proposes to import from Porto Rico labor to the extent of 106,000 men.

The CHAIRMAN. But this is authority to the Secretary of Agriculture to procure and pay for labor. It is not an investigation, but is to furnish labor on the farms. The gentleman can not cite me to any statute that gives that authority. Of course the amendment is legislation and is plainly out of order.

Mr. ROBBINS. I do not have any statute to cite to the chairman. I am not aware that there is any.

Mr. TOWNER. Mr. Chairman, I think perhaps the Chair misinterprets the amendment. It does not give the authority, as I understand it, to the Secretary to procure labor or do anything of that kind but merely to inquire into the best methods of doing it.

The CHAIRMAN. The Chair will read the amendment:

And for the purpose of procuring labor to plant and harvest the crops for the year 1918 on the farms of the United States.

That is to be inserted after line 10, on page 79.

Mr. ROBBINS. Mr. Chairman, it is just enlarging the duty of these agents. That is the purpose of it. The Chairman is, putting a construction upon it that I did not have in mind. In addition to this investigation which they are making, acquiring and diffusing information, my amendment provides that they shall also inquire where labor can be procured.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. LEVER. I take it the Chair is trying to ascertain if there is any law which authorizes the Secretary of Agriculture to procure labor for any purpose. There is no such law.

Mr. ROBBINS. That is not the purpose of this amendment. These agents are to inquire where it can be procured. If they can report that 500,000 men can be procured in Porto Rico or 1,000 men in Mexico or 10,000 men in western Canada, then this provides that an investigation shall be made and these facts reported and steps taken to get this labor, and the American farmer relieved from his present perilous situation. It is not that the Secretary of Agriculture is to hire men to do the harvesting.

Mr. LEVER. The Secretary of Agriculture would not have the authority unless we give it to him to make that kind of an inquiry.

Mr. TOWNER. Mr. Chairman, of course, the language is that this amount shall be expended to acquire and diffuse information. "To acquire," of course, is a very broad term, also "to diffuse" is a broad term, and "useful information" is also a broad term. If in any way this amendment merely adds to this statement particulars which are within the general and broad terms used, of course, it is not subject to the point of order. If the Chair interprets it as granting actually an extension of powers to the Secretary to secure labor, I grant that it would be subject to the point of order.

The CHAIRMAN. The gentleman from Iowa correctly states the principle. If this amendment was merely intended to afford the means to enable the Secretary of Agriculture to enlarge his activities in this connection, without enlarging his powers, the amendment would be plainly in order. If it goes further and affords additional powers to the Secretary it is new legislation and is out of order. The Chair will again read the amendment:

And for the purpose of procuring labor to plant and harvest the crops for the year 1918 on the farms of the United States, $261,500.

It is apparent to the Chair that the amendment extends authority to the Secretary of Agriculture in excess of that contemplated by the paragraph, and the gentleman must reframe his amendment to make it in order. The point of order to the amendment in its present form is sustained.

Mr. ROBBINS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 79, line 9, after the word "products" insert the following: "and the procuring of farm labor."

Mr. LEVER. Mr. Chairman, I make the point of order against that amendment on two grounds. First, it is not germane to the section of the bill and in the second place it is not authorized by law. I desire to call the attention of the Chair to the fact that the authority given to the Secretary of Agriculture is contained in the organic act creating that department, and I shall read that for the information of the Chair:

There shall be at the seat of government a Department of Agriculture, the general design and duties of which shall be to acquire and diffuse among the people of the United States useful information on

subjects connected with agriculture in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

Now, of course, I know that labor is very vital to agriculture, but it is not any more vital to agriculture than it is to manufacture. I have never seen in my connection with this bill the authority of the fundamental act stretched to any such limit as this. In the second place, this proposition would not be germane to this paragraph because this paragraph deals entirely with the proposition of the employment of agents to acquire, disseminate, and diffuse useful information connected with the distribution and marketing of farm products through certain methods.

Now, the gentleman's amendment proposes that we shall procure information about farm labor. Certainly the two propositions are not related to each other and can not be germane. I insist upon the point of order.

Mr. ROBBINS. Mr. Chairman, I think the amendment offered is entirely germane, and in order to test the proposition and determine accurately we must look at the clause in which it appears and the purpose of the clause. Now, the clause reads thus:

To enable the Secretary of Agriculture to cooperate with the several States in the employment of agents to acquire and diffuse information connected with—

What?—

with the distribution and marketing of farm products—

And now comes the amendment—

and the procurement of farm labor through investigational, demonstrational, or extensional methods.

Why is not that a germane amendment to the proposition in this clause? It does not put in anything that is new. It certainly does not disturb the existing provisions of the bill. It gives to these agents one additional duty, not new or unrelated to those already delegated, but a duty connected with farming. This investigation is concerned with farms. The labor that is proposed to be considered is farm labor. It is germane, and it is certainly pertinent and it is certainly in point with the very purpose of this section. Why is it not proper to insert it here? I need not advert to the great merits of the proposition, because it is not necessary; but I do impress upon the Chairman not to send it out on a point of order on the ground argued by the gentleman—that it is not germane to the purpose of the section. It is most pertinent and most germane to ascertain not only how these farm products are to be marketed but ascertain the labor that is to be used in connection therewith, whether for planting, harvesting, or marketing the same. I deny that it is not a germane proposition, and I ask the Chair to sustain it and not send it out on a point of order.

Mr. STAFFORD. Mr. Chairman, only a few minutes ago, in the consideration of the second paragraph on page 78, when the gentleman from Wyoming [Mr. MONDELL] offered an amendment, after the word "cotton," in line 20, to insert the words "and wool," the then occupant of the chair, the Chairman of the Committee of the Whole, held that it was out of order, and for this reason, that the Speaker of the House had on many occasions decided that you could not add a different provision to that incorporated in a paragraph where it related to only one subject matter. The point now made by the chairman of the committee that it is not germane applies to this amendment here, because this amendment seeks to extend the activities of this Bureau of Markets to a different subject other than that provided by this paragraph. In its present phraseology that is the only authority that this bureau has for the performance of this duty. It is limited to the extent of information connected with the distribution and marketing of farm products. Now it is proposed to extend that activity to the extent of procuring farm labor. The chairman of the committee has called the attention of the Chair to the organic act on which all this legislation is fundamentally based, that it is limited to acquiring and diffusing among the people useful information on subjects connected with agriculture. I wish to call the attention of the Chair in construing that authority to the fact that the Congress has since then created a department, first, of Commerce and Labor, and later divided that department into two—one the Department of Commerce and the other the Department of Labor—and there is at the present time authority in the Department of Labor to perform this very useful work and it is now being carried on. So in the construction by the Chair of that activity or the function of the respective departments the Chair should take into consideration the authority that is vested in the Department of Agriculture and the authority that is vested in the Department of Labor. I respectfully submit, as suggested by the chairman of the committee, that there is no authority in law under the Department of Agriculture to give this additional authority to the Bureau of Markets and, further, that it is not germane.

Mr. TOWNER. Mr. Chairman, if the Chair will pardon me for a moment. The gentleman from Wisconsin [Mr. STAFFORD] states that the Chair rightfully held that to add "wool" to "cotton" in the provision that was under consideration a short time ago was not germane for the reason that another subject could not be added. The gentleman is correct about the judgment of the Chair being correct, but it is upon another ground. It has been held, and it is well established, that when one item is contained in a bill another item may not be added to it. If, however, two items are contained in a bill then another item may be added to it. The proposition is not that items may not be added, but the proposition is as to when and under what circumstances items may be added. I suggest for the Chair's consideration this thought: It is true that in the provisions of this paragraph and in the provisions of the fundamental law which establishes the Department of Agriculture it gives authority to the Secretary to acquire and diffuse useful information regarding subjects connected with agriculture. Now, there is nothing outside of that domain that is suggested by this amendment. When gentlemen say that labor is a subject outside the domain of agriculture, certainly gentlemen do not understand of what agriculture consists. To an extent that does not exist in another occupation or employment; labor is the essential of agriculture. Nine-tenths of agriculture is labor. To say that a proposition regarding labor is not germane to the consideration of the subject of agriculture is certainly, in my judgment, entirely unfounded.

The provision that the gentleman suggests here by way of amendment is not to change the subject of investigation. It is not even to extend it. It is merely to particularize and to say that part of this useful information shall be that regarding labor on the farm. Can it be held that that is not germane to the proposition we have under consideration? I submit, Mr. Chairman, that is going very far afield for the purpose of defeating a very useful amendment.

The CHAIRMAN (Mr. SAUNDERS of Virginia). The Chair has followed the discussion on this point of order with interest. It has been instructive and profitable. The Chair does not wish to be too technical in his rulings, and at the same time he desires to keep within the precedents, and also within the rule of reason. All parliamentary rulings ought to be founded in reason.

If the paragraph under consideration proposed to acquire and diffuse information connected with and relating to the farm, the amendment would be plainly in order, because labor is concerned with and immediately related to the farm. But that is not the purpose of the paragraph. The paragraph contemplates the acquisition and diffusion of useful information connected with the distribution and marketing of farm products. It goes no further.

The ascertainment of the whereabouts of an available labor supply is in no wise related to the collection and diffusion of information concerning the distribution and marketing of farm products. Very plainly, it seems to me, this amendment is not germane to the subject matter of the paragraph. Therefore it violates the rule relating to germaneness. The Chair sustains the point of order.

The Clerk read as follows:

For general administrative expenses in connection with the lines of investigation, experiment, and demonstration conducted in the Bureau of Markets, $19,635.

In all, for general expenses, $961,705.

Mr. FESS. Mr. Chairman, I move to strike out the last word, in order to call the attention of the committee to an item of publicity. Here is an appropriation that approaches a million dollars, a very large proportion of which goes to the collection of information and the distribution or diffusion of the same. So I take it that the diffusion of this information is one of the chief agencies, and it is to that feature that I want to call the attention of the committee.

Here in our system of Government we endeavor to take the public into our confidence and legislate very largely through public opinion, and in so doing the mails are literally flooded with material gathered from various sources and, I presume, sent broadcast, probably to a selected list. I do not know, but I am of the opinion that there is a good deal of it that is not of the value that would warrant its distribution. I am not inclined to criticize, but I hold in my hand, for example, the allotment that reached my office day before yesterday. It all came in one envelope. It comes touching the Bureau of Markets. I have not made a sufficient examination to know whether the information is collated and would be of real value. One sheet is a report of the meat conditions. Another relates to daily

wholesale price of fresh meats. Another sheet relates to live stock at stockyards, with special reference to the receipts. Another one is the same subject continued. Accompanying this list came inclosed three letters, each signed by the chief of the bureau, and each one calling attention to the specific information of the sheet accompanying. What I call your attention to is this, that the mails are literally flooded with this sort of information. I have this word from a publisher in Ohio:

We received this morning on one mail 14 letters, all with free "press dope" inside. And, as the publishing company gets its mail several times a day, owing to the nature of the business, some idea may be gained of the enormous amount of absolutely worthless stuff that is being sent out, for the same thing is being enacted in every newspaper office in the country.

He makes the statement that there is not a single newspaper in that section that prints any of this, and at the same time the mails are crowded, and the mail facility, in a sense, is quite seriously interrupted.

I have another letter from a different section of the State, in which the writer says:

I am not inclined to criticize, but I am inclosing for your inspection a portion of some mail received to-day, which will give you some idea of the demands made on the newspapers. Of course they should do what they can to help, and I believe they are willing to do so, but while they are performing this service they should be protected from imposition.

Now, I admit that when the Government sends out this matter it is no command that the newspapers are to print it. I presume it refers simply to information that the publishers can read and upon which they may write editorials. From that standpoint the information, if important, will serve a good purpose. But I now refer to an incident that I want the committee to know

In my office last week appeared one of these innocent publicity agents who wanted me to give information touching whether my home was observing the rules and recommendations that have been published by Mr. Hoover on the conservation of food.

I am entirely in sympathy, I will say to the committee, with the campaign to conserve food. I was reared upon corn bread, and do not like it at all, but I will eat it, if necessary, so that the boys across the sea may have the wheat they otherwise would be denied. I am perfectly willing to do it, and am willing to make any other sort of necessary sacrifice. But I think that it is a woefully cheap performance for departments or Government agencies to send persons about in order to find some one in public office who would be willing to have his name appear in the papers to the effect that his family is observing this rule and that rule. This character of publicity provokes ridicule in the minds of the great masses. I have seen it in the Washington papers here, bringing in the families of the Cabinet officers and other various men and women high in station. These elaborated rehearsals of official Washington in its table observances have the virtue of furnishing copy I admit, but I am wondering what effect that sort of story is having upon the people throughout the country. In my judgment, it is not having a salutary effect, but rather creates a sense of disgust of an otherwise very creditable as well as important effort. I must confess that when the innocent individual came to me for what she claimed was interesting information, that she might write, as she had in other cases, a beautiful story, I was so outraged with the general itching for cheap publicity so apparent in many quarters that I did not treat her very courteously. I am not here making a public confession or apology, but I do think the Government ought not to undignify itself in such methods of publicity that are being conducted quite generally to-day. I am making the criticism as a friend of food conservation. At this particular time it would appear to me that the mails ought not to be flooded with so much of this—what would the newspaper boys call it?

SEVERAL MEMBERS. Bunk!

Mr. FESS. I would not want to use the word "bunk," but I do think this "canned stuff" should at this time give the mails relief and conserve the print paper, which has now come to be a real crisis.

The Clerk read as follows:

Enforcement of the United States grain standards act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States grain standards act, including such rent and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $456,580.

Mr. STEENERSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last word.

Mr. STEENERSON. Mr. Chairman, Congress on August 10 last passed the Food Administration law, under authority of which the prices of food and farm products are regulated. The act is broad enough to cover many other things. I notice in the first section that it covers "foods, feeds, fuel, including fuel oil and natural gas, and fertilizer and fertilizer ingredients, tools, utensils, implements, machinery, and equipment required for the actual production of foods, feeds, and fuel."

Now that the products of the farm have been regulated in price, I wanted to know why this authority granted by this act was not extended to the other things, and I wrote to the Food Administration on January 15 about it, as follows:

JANUARY 15, 1918.

UNITED STATES FOOD ADMINISTRATION,
Washington, D. C.

DEAR SIRS: Please advise me what, if any, steps have been taken to control the price of "tools, utensils, implements, machinery, and equipment required for actual production of food, feeds, and fuel," embraced in the food-control act approved August 10, 1917.

Respectfully, ——— ———.

I received in reply this letter:

UNITED STATES FOOD ADMINISTRATION,
Washington, D. C., January 18, 1918.

Hon. HALVOR STEENERSON,
House of Representatives, Washington, D. C.

DEAR SIR: I received your letter of January 15 asking for information in regard to the steps that had been taken for controlling the prices of tools, utensils, implements, machinery, and equipment required for actual production of food, feeds, and fuel.

This matter is under the control of and is being handled by the Department of Agriculture, who have entire charge thereof.

In the Executive order providing for the organization of the United States Food Administration, the only powers delegated to the United States Food Administrator are those with reference to foods, feeds, and their derivative products, the language of said Executive order being as follows:

"Said United States Food Administrator shall supervise, direct, and carry into effect the provisions of said act and the powers and authority therein given to the President so far as the same apply to foods, feeds, and their derivative products."

Since the power of the United States Food Administrator is limited to that delegated to him by the President, the Food Administration has never had any power to take steps for controlling the prices of tools, utensils, implements, machinery, and equipment

Trusting that this satisfactorily answers your letter, I am,

Faithfully, yours,

HERBERT HOOVER.

Then I wrote to the Department of Agriculture, asking what they had done, and so far I have received no answer. But I want to point out that on December 4—that is, three or four months after this act was passed—the President made an address to Congress, in which he said:

"Recent experience has convinced me that the Congress must go further in authorizing the Government to set limits to prices. The law of supply and demand, I am sorry to say, has been replaced by the law of unrestrained selfishness. While we have eliminated profiteering in several branches of industry it still runs impudently rampant in others. The farmers, for example, complain with a great deal of justice that, while the regulation of food prices restricts their incomes, no restraints are placed upon the prices of most of the things they must themselves purchase; and similar inequities obtain on all sides."

The papers this morning contain a letter written by the President to the farmers, in which he repeats the statement that Congress should extend the authority. He says:

"The impression which prevails in some quarters that while the Government has sought to fix the prices of foodstuffs, it has not sought to fix other prices to determine the expenses of the farmer is a mistaken one."

Then he goes on to speak about other regulated prices. Then he says:

"I have every reason to believe that the Congress will extend the powers of the Government in this important, and even essential, matter so that the tendency to profiteering which is showing itself in too many quarters may be effectively checked."

It was no doubt an oversight on the part of the Chief Executive that he overlooked the fact that the authority to control the prices of the things that the farmer buys was in the law. I do not suppose that the President can remember all these things. He is charged with grave responsibilities, and no doubt it is impossible for any human being to remember all of these laws that we have passed giving him power. But he has many Cabinet officers and assistant Cabinet officers, many of whom are learned men, doctors of philosophy and scientists of note.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota is recognized for five minutes more.

Mr. STEENERSON. I say he has Cabinet officers and assistants in each of these departments whose duty it is to aid him in executing and administering the laws of Congress and to remind him if he overlooks anything of importance. And it seems to me they ought not to let the President announce to the farmers of the United States that Congress has failed to act in this matter. We know that the executive department under the charge of the Attorney General several weeks ago agreed with the Harvester Trust to postpone the prosecution of that monopoly. That institution controls the principal tools and implements, the harvesters and mowers and reapers, and so forth, that the farmers have to buy and which have been increased in price to an enormous extent. That trust is now engaged in profiteering at the expense of the farmer, whose grain has been reduced in price under this food-control act, but their prosecution is postponed by the Department of Justice.

Some one ought to inform the Chief Executive that Congress is not lacking; that it passed this law on August 20, which confers, through the President's order, on the Department of Agriculture, as Mr. Hoover says, the power to regulate these prices of which the farmers most complain. It seems to me it would be a good idea to insert in this bill an appropriation for the employment and equipment of flappers, or climenoles. That term may be new to you, but our reliable friend, Gulliver, who visited an island floating in the air some years ago, told us that in that country the people were very scientific; they were addicted to the study of geometry and all the natural sciences, and, in fact, on all their ornamental robes they had pictures of the sun, moon, and stars, and that they were so absorbed in those scientific studies that it was sometimes necessary to remind them of their important duties close at hand; and therefore they had employed climenoles—that is, people who had fixed upon long poles blown bladders filled with dried peas or little pebbles—and when these dignitaries in high station forgot that there was some important duty to perform the climenoles just flapped them on the face and woke them up, so they would know what was going on. [Laughter.]

Now, would it not be a good idea to include in this bill an appropriation for about 16 climenoles, to furnish their own equipment, so that they could remind our executive officers that we had passed last year a law giving full authority to regulate the prices of farm implements and farm machinery and fertilizers, and that the Department of Agriculture now neglects to take any steps to enforce it? These climenoles, it seems to me, would be very desirable and useful. [Laughter.]

Gulliver's description of these people is as follows:

> Their heads were all reclined either to the right or to the left; one of their eyes turned inward and the other directly up to the zenith. Their outward garments were adorned with the figures of suns, moons, and stars, interwoven with those of fiddles, flutes, harps, trumpets, guitars, harpsichords, and many more instruments of music unknown to us in Europe. I observed here and there many in the habit of servants, with a blown bladder fastened like a flail to the end of a short stick, which they carried in their hands. In each bladder was a small quantity of dried peas, or little pebbles (as I was afterwards informed). With these bladders they now and then flapped the mouths and ears of those who stood near them, of which practice I could not then conceive the meaning. It seems the minds of these people are so taken up with intense speculations that they neither can speak nor attend to the discourses of others without being aroused by some external taction upon the organs of speech and hearing, for which reason those persons who are able to afford it always keep a flapper (the original is climenole) in their family as one of their domestics, nor ever walk abroad or make visits without him. And the business of this officer is, when two or three or more persons are in company, gently to strike with his bladder the mouth of him who is to speak, and the right ear of him or them to whom the speaker addresses himself. This flapper is likewise employed diligently to attend his master in his walks, and upon occasion to give him a soft flap on his eyes, because he is always so wrapped up in cogitation that he is in manifest danger of falling down every precipice and bouncing his head against every post, and in the streets of jostling others or being jostled himself into the kennel. (A Voyage to Laputa, ch. II.)

The Clerk read as follows:

> Hereafter, in the performance of the duties required of the Bureau of Markets in the administration or enforcement of provisions of acts (United States cotton-futures act, 39 Stat. L., 476; United States grain-standards act, 39 Stat. L., 482; United States warehouse act, 39 Stat. L., 486; standard-container act, 39 Stat. L., 673; and the acts making annual appropriations for the Department of Agriculture) relating to the Department of Agriculture, the Secretary of Agriculture, or any representative authorized by him for the purpose, shall have power to administer oaths, examine witnesses, and call for the production of books and papers.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I should like to ask what is the need for inserting the new authority for representatives of the department authorized by the Secretary of Agriculture to administer oaths, examine witnesses, and call for the production of books and papers? Under existing law, as I recall it, that authority is given only to the Secretary of Agriculture. If my memory serves me right, last year there was considerable discussion on the floor of the House as to whether this power should be extended to any person other than the Secretary of Agriculture. Am I right in that recollection?

Mr. LEVER. I think the gentleman is. I was just about to say that this whole matter was referred to a subcommittee. I see only one member of that subcommittee present, the gentleman from Minnesota [Mr. ANDERSON], and I shall be very glad to yield to him to make a statement.

Mr. ANDERSON. May I say that as a member of the subcommittee I never saw this provision, and the only time I was consulted about it was over the telephone. I am not saying this in criticism of the chairman of the subcommittee, but simply to absolve myself from any responsibility for the provision, because I did not draw it, and never saw it until after it was in the bill.

Mr. LEVER. The language submitted in the Book of Estimates reads as follows:

> Hereafter, in the performance of the duties required of the Department of Agriculture by the provisions of this act relating to the Bureau of Markets, the Secretary of Agriculture shall have power to administer oaths, examine witnesses, and call for the production of books and papers.

It was suggested in the committee that it might be wise to enumerate the acts which the committee had in mind, relating to the Bureau of Markets, and therefore the enumeration is made in the bill.

Mr. STAFFORD. My objection is largely to conferring this power on field representatives of the department to go in and compel the production of books and papers; in other words, the right of search. As I recall the argument on that question a year ago, this was severely contested by the leading lawyers of the House, especially the distinguished lawyer from Pennsylvania, Mr. GRAHAM. He thought it was too drastic a power to be vested in any field representative. To make the discussion brief, to curtail the argument, if the gentleman wishes to offer that as contained in last year's bill, simply striking out the words "or any representative authorized by him for the purpose," I shall not have anything further to say.

Mr. LEVER. I will be glad to accept the amendment, because the gentlemen who had charge of this are not present, and I am not well informed on it.

Mr. HAUGEN. I think what the gentleman has reference to is another provision that was in the bill a year ago, and that is modified considerably.

Mr. STAFFORD. No.

Mr. HAUGEN. This bill came out of conference in a modified form.

Mr. LEVER. Yes; that is true.

Mr. HAUGEN. It seems to me if we are to have anything, we ought to have what the bill provides.

Mr. STAFFORD. In last year's bill the phraseology was as follows:

> Hereafter, in the performance of the duties required of the Department of Agriculture by the provisions of this act relating to the Bureau of Markets, the Secretary of Agriculture shall have power to administer oaths, examine witnesses, and call for the production of books and papers.

Mr. HAUGEN. If we are going to incorporate that language, we might as well strike out the whole thing, because that does not mean anything. To confer that power on the Secretary of Agriculture means nothing, because the Secretary of Agriculture is not going to administer oaths. He must delegate that power all along the line to those who are administering the law.

Mr. STAFFORD. That very subject was under consideration last year and it was severely contested on the floor here as to whether we should confer on field agents, mere inspectors, the authority to go into a person's private establishment and compel him to produce books and papers.

Mr. LEVER. Let me say to the gentleman that if he is going to insist on his point of order, probably the best thing to do under the circumstances would be to offer the language of the present act as an amendment.

Mr. STAFFORD. I have no objection to that.

Mr. LEVER. What does the gentleman from Iowa say as to that?

Mr. HAUGEN. If that is to be offered, we might just as well strike out the whole thing. Everybody knows the Secretary of Agriculture is not going to administer oaths to anybody. If that power is not to be delegated to those who administer the law, of course it will be of no effect.

Mr. LEVER. I appreciate what the gentleman says in that respect.

Mr. ANDERSON. May I interrupt right there?

Mr. LEVER. Yes.

Mr. ANDERSON. I think the gentleman from Iowa [Mr. HAUGEN] is mistaken as to the effect of the provision. The solicitor held, as I recall, that the general authority to the Secretary of Agriculture was an authority to anybody in the department, and the purpose of the language—"or any representative authorized by him for the purpose"—was to limit the authority to persons who were specifically authorized by the Secretary of Agriculture to require the production of witnesses, their examination under oath, and so forth. In other words, the purpose of this provision was a limiting one rather than an extending one.

Mr. LEVER. I think it is not divulging committee secrets to say I believe that is what the gentleman from Minnesota [Mr. ANDERSON] had in mind when he suggested in the committee that this matter be looked into, and, as I say, a subcommittee was appointed to prepare a substitute for the langauge of the present law, and that committee reported this language to the full committee, and the committee included it.

Mr. ANDERSON. I had two objections to the proposition. One of them was this, that if this general power to administer oaths was to be given it ought to be given in respect only to administrative laws. By that I mean such acts as are enumerated here.

Mr. LEVER. Yes.

Mr. ANDERSON. And not to the provisions of the general appropriation bill. I am not willing to consent to this provision unless there is stricken out of it the language which makes it applicable to the general provisions of any appropriation bill, because no man under the sun can possibly keep track of this proposition if it is to apply to every single item in every appropriation bill. Clearly it ought to be confined to the administrative acts which the Department of Agriculture is authorized to administer, such as the cotton futures act, the grain grade standards act, and acts of that sort.

Mr. HAUGEN. The bill reported by the committee last year gave to the Secretary of Agriculture the power of seizure, and under it he might seize books and such things, a power which was seriously objected to by the gentleman from Pennsylvania [Mr. GRAHAM]. The bill was amended in the Senate, and it came out of conference in the form of the present law.

Mr. LEVER. I think the gentleman is referring to that provision now.

Mr. HAUGEN. No; I am referring to this one provision.

Mr. STAFFORD. Mr. Chairman, on the statement made by the gentleman from Minnesota and the gentleman from Iowa I think it is better to have the point of order made and submit either last year's phraseology, and permit the gentleman from Minnesota and the gentleman from Iowa, in collaboration with the chairman of the committee, to arrive at some revised form to meet the needs of the service. I make the point of order that it contains new legislation on an appropriation bill not authorized by law.

Mr. LEVER. Mr. Chairman, I concede the point of order.

The CHAIRMAN (Mr. SAUNDERS of Virginia). The Chair sustains the point of order.

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Hereafter, in the performance of the duties required of the Department of Agriculture by the provisions of this act relating to the Bureau of Markets, the Secretary of Agriculture shall have power to administer oaths, examine witnesses, and call for the production of books and papers.

Mr. MONDELL. Mr. Chairman, I reserve a point of order on the amendment.

Mr. LEVER. That is the exact language of the existing law now.

Mr. ANDERSON. If it is existing law, in the ordinary sense in which that term is used, why reenact it here?

Mr. McLAUGHLIN of Michigan. In the act in which that provision occurs it is an emergency for the present war.

Mr. MONDELL. Is the amendment in the exact form of existing law without change or modification?

Mr. LEVER. It is.

Mr. MONDELL. Then why reenact it here?

Mr. LEVER. Does the gentleman object making it permanent law by the word "hereafter"?

Mr. MONDELL. I understood the gentleman to say that it was permanent law.

Mr. LEVER. I think it is. And I do not know that there is any necessity of carrying it in the bill at all.

Mr. MONDELL. Whatever the law is, we ought not to attempt at this time without due consideration to amend it.

Mr. LEVER. Well, Mr. Chairman, I will ask unanimous consent to withdraw the amendment.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. ANDERSON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 81, in lieu of the paragraph ruled out, insert the following: "Hereafter, in the performance of the duties required of the Bureau of Markets in the administration or enforcement of provisions of acts (United States cotton-futures act, 39 Stat. L., p. 476; United States grain-standards act, 39 Stat. L., p. 482; United States warehouse act, 39 Stat. L., p. 486; standard container act, 39 Stat. L., p. 673) relating to the Department of Agriculture, the Secretary of Agriculture, or any representative authorized by him for the purpose, shall have power to administer oaths, examine witnesses, and call for the production of books and papers."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment. Do I understand the gentleman to say that under the general phraseology of existing law the Secretary of Agriculture has a right to depute the authority to administer oaths, examine witnesses, and call for the production of books and papers?

Mr. ANDERSON. The gentleman states it a little broader than is justified. The provision about which we have been talking was contained in the so-called food-survey act and applied only to the provisions of that act. It did not apply, as I remember it now, to the general appropriation acts for the Department of Agriculture. It was inserted as an emergency proposition under the food-survey act as a war proposition.

Mr. STAFFORD. Will the gentleman kindly direct the attention of the committee to the provision in the food-survey act?

Mr. ANDERSON. I do not know that I can direct attention to the particular provision. I am giving my impression of it, and I may be entirely wrong.

Mr. STAFFORD. Why not allow this to remain as it is and, if necessary, it can be amended in the Senate.

Mr. ANDERSON. Very well; Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the provisions of the act of April 26, 1910, entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded Paris greens, lead arsenates, and other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes," $94,490.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. This item just read, and the two preceding it, are very illuminating as illustrating the ways of bureaucracy. The Congress was persuaded in 1910 that it was of some importance that we should have legislation for preventing the manufacture, sale, and transportation of adulterated or the misbranding of Paris green and other insecticides, fungicides, and for regulating the traffic therein, and so forth. Probably it was important that there should be legislation on the subject, although it would seem that our general legislation to prohibit and prevent adulteration and misbranding ought to apply to these bug poisons.

But we legislated on the subject specifically, and they have built up in the Department of Agriculture quite a neat little division, which now spends, or we propose to give it the opportunity to expend, $131,240. How on earth they can find ways to spend that much money for the purpose of preventing the manufacture, sale, and transportation of misbranded or adulterated bug powders I do not know. But if we are to divide the prohibitive statutes, the prohibitions by the Government up into sections, with a separate appropriation for each as we have done in this case, we would soon find the prevention of adulteration and misbranding would cost more than even this great war that we are engaged in.

One does not need to be fully informed as to what might be necessary for the purpose of carrying out this insecticide act to realize that $120,000 could not be legitimately or properly or necessarily expended in a year for that purpose. If it can be, then there is no limit to the sum to which the expenditures of the Government may mount in the ordinary administration of

acts of prohibition and acts to prevent fraud. No department under the Government does better work than the Agricultural Department, and no department is more disposed to create new bureaus, new divisions, to reach out for new authority, to expend money in the domain of other departments, to duplicate work, and to extend its activities unnecessarily, than this same most worthy department.

That is a characteristic tendency of all good administrative departments, and there is where the duty of Congress and the committee comes in—to check the enthusiasm, to check the ambition, to check the desire of men who may be well intentioned to spend public money unnecessarily and uselessly.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. TILSON. Does the gentleman know just how they go about this? Do they send inspectors over the country inspecting establishments?

Mr. MONDELL. I have not any idea, but I have no doubt they have racked their brains to find the most expensive and indirect methods to carry out the provisions of the act. If that were not true, they could not have possibly built up a statutory roll of $26,750 in Washington.

Mr. TILSON. I note they have only three inspectors, and the rest all seem to be clerks.

Mr. MONDELL. Quite likely clerks and clerks and more clerks.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

The Clerk read as follows:

Experiments and demonstrations in live-stock production in the cane-sugar and cotton districts of the United States: To enable the Secretary of Agriculture, in cooperation with the authorities of the States concerned, or with individuals, to make such investigations and demonstrations as may be necessary in connection with the development of live-stock production in the cane-sugar and cotton districts of the United States, including the erection of barns and other necessary buildings, and the employment of persons and means in the city of Washington and elsewhere, $60,000.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word. The use of money made under this appropriation and the paragraph on the preceding page, 84, for demonstrations on reclamation projects, justify the criticism I made some time ago and the limitation on the use to be made of money that was proposed by one of my amendments to a former paragraph. The testimony shows that in these projects, temporary and experimental in their nature, money has been expended for the construction of permanent buildings, ordinary structures at very large expense, houses costing three, four, and five thousand dollars; barns, to be used for experimental purposes, costing five and six and seven thousand dollars. Evidently it was not intended that such use was to be made of the money; but when an effort is made to limit or direct or forbid its use for purposes not intended by the act, not contemplated by Congress, certainly objection is made, and amendments directing the use of money and intended to prevent its use otherwise than as Congress expressly provides are defeated.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. TOWNER. I am informed, and I would like to know whether the gentleman is able to give a confirmation of the statement, that there have been erected, under the authority granted here to cooperate with the authorities of States or of individuals, barns, sheds, and structures of that kind on the property of individuals who obtain the individual benefit, as a method or means of experimentation. Does the gentleman know whether that is true?

Mr. McLAUGHLIN of Michigan. I think as to expenditure of money under this particular item that is not true. In the State of Louisiana, where this work is largely done, land has been acquired by the Federal Government by gift or purchase for the temporary use of the Federal Government, and projects are in process there, and the money has been used for the erection of buildings on that land, and except as the land has been acquired temporarily or for temporary use in these experiments what the gentleman has said is not exactly true.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. STAFFORD. Is this the item that originated because Congress placed sugar, that ultimately would go on the free list, and the plea was made by the Representatives of the State of Louisiana, by reason of such enactment, that the injury that would come to the cane-sugar producers of that State made it necessary to establish some experimental work to see whether cattle production and diverse industries could not be established in its place?

Mr. McLAUGHLIN of Michigan. The gentleman is entirely right about that. That was the origin of the item.

Mr. STAFFORD. Now that the need for it is past, the item still keeps running on.

Mr. McLAUGHLIN of Michigan. Has the need of it passed? Mr. Chairman, the price of sugar is high on account of the war, but the need for relief of the people of this country from the effects of the Underwood tariff law will not cease as long as that law is on the books. It is true that this particular item was suggested and urged very strongly by Representatives and Senators from the State of Louisiana, who stated to us that the sugar industry had been destroyed as the result of the reduction of the tariff on sugar and the prospect of its entire removal, and insisted that it was absolutely necessary that something be done by way of teaching the people of that part of the country to engage in new lines of agriculture, and it was urged that a temporary station should be established in the sugar-cane section of the State for the purpose of experiments in the production of other crops and in the feeding and growing of live stock.

In that temporary experiment, however, they have gone further than was contemplated by the committee and, I am sure, by Congress by the erection of permanent buildings much more expensive than was necessary and in the purchase of a large number of animals. If it had been thought that the money was to be expended in that way, refusal or permission so to expend it would have been carried in the act. I have pointed out matters of similar character time and time again in the House, following the method I have used on the committee, and have urged incorporation in these acts limitations upon the activities of officials and agents of the department in the way of spending money, so as to make impossible the expenditure of money altogether contrary to the intention of Congress.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

Mr. TILSON. Reserving the right to object, Mr. Chairman, if the gentleman from Michigan has not explained just how this money is to be expended, I would like to have one minute in which to ask the gentleman from South Carolina to explain just how the money has been expended in times past.

Mr. LEVER. Mr. Chairman, I make the request six minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments close in six minutes. Is there objection?

There was no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan that he proceed for five minutes?

There was no objection.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, it was the understanding that money should not be used for the purchase of animals, that the work should be done by way of advice and instruction to those who are engaged or wish to engage in the business, by experiments made with and upon animals, the property of residents of that section of the country, but no limitations having been put by Congress and an immense sum of money having been appropriated, they started upon a large project and purchased a large number of animals. There are hundreds of them on these projects now, and expensive buildings have been constructed for temporary use, but built as permanent structures. It all illustrates the need of this Congress imposing limitations upon the use of money. Just as I suggested a few moments ago by amendment on these experiments as to testing the tensile strength and use of waste of cotton, that no money should be appropriated in the erection of buildings, the leasing of property, the acquisition of real estate or expensive personal property to carry on these experiments, purely manufacturing, mercantile propositions and not marketing propositions, under the Bureau of Markets. The House did not agree with me and no limitations have been placed. I mention these two items—the reclamation project and the project in Louisiana designed to relieve the people of that section of the country from the natural effect of the Underwood tariff law—as glaring instances of the laxness of Congress while appropriating money, at the same time properly and definitely to restrict the use of the money.

Mr. ANDERSON. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. ANDERSON. I think the gentleman might well include the following item relating to experiments upon dry land, semiarid land, and of that appropriation last year $19,000 was spent for the construction of buildings and $7,000 additional is proposed to be used for the construction of buildings this year

Mr. McLAUGHLIN of Michigan. Yes; and if the committee will notice, it is under an item that calls for investigations and experiments, and permanent houses, costing $2,000, $3,000, and $4,000, and, if my memory is right, the construction of barns costing, I think, as high as $7,000 were erected.

To show the disposition further of these gentlemen to spend the public money, authority was given in the appropriation for the Bureau of Animal Industry to assist in the encouragement of the production of dairy animals and the dairy industry in sections that had been freed of the cattle tick, and it was expressly stated that the money should not be used for the purchase of breeding animals, believing that was expenditure they might make if not forbidden. The result was they did not buy animals for breeding purposes but they bought animals, using thousands and thousands of dollars, for every other conceivable purpose.

Mr. MONDELL. And then bred them?

Mr. McLAUGHLIN of Michigan. I do not know whether they bred them or took precautions they would not breed. I did not follow the work in that particular. They avoided and evaded the law, and precise limitations should be made upon these lump-sum appropriations.

Mr. LEVER. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I yield.

Mr. LEVER. I do not know I caught the gentleman's statement or not. Does the gentleman say the department has spent large sums of the cattle-tick appropriation for the purpose of buying stock; and if so, upon what authority does the gentleman make that statement?

Mr. McLAUGHLIN of Michigan. There is a subdivision in which it says $50,000 may be used by the Bureau of Animal Industry for encouraging the production of live stock and making investigations and experiments and demonstrations by way of developing the dairy industries in the areas freed of the cattle tick, and money was at one time used, as I have stated, for the purchase of animals; but such use of money is not now made, because Congress changed the wording of the appropriation and expressly forbid such use; that is, forbid the purchase of animals for any purpose.

Mr. LEVER. I have never heard of it.

Mr. McLAUGHLIN of Michigan. And spent out of that money not money appropriated for exterminating cattle ticks, but money appropriated for encouraging dairying in tick-freed areas. That kind of work is also conducted by the Bureau of Plant Industry through the county agents and others employed in extension work. Therefore there is duplication of work.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. TILSON. Mr. Chairman, the gentleman from South Carolina [Mr. LEVER] usually makes a fair and frank statement in regard to the items in his bill. I should like to have him, in this connection, state to the committee fairly and frankly just how the sum of $60,000 or the $40,000 in the next paragraph are spent. Are we conducting an experimental stock farm, and if so, what are we doing with the proceeds, if there are any proceeds?

Mr. LEVER. I will say very frankly to the gentleman that both of these items were inserted in the bill upon the floor of the House. Neither one of them was suggested by the Department of Agriculture, so far as I know, unless it was the live stock in the reclamation project in the West. At both of these stations, which are permanent stations, I will say to the gentleman, and they are likely to be there for all time or until the experiments have been concluded, that they are undertaking to deal with investigations. For instance, at the Louisiana station of the raising of mules, hogs, cattle, and dairy animals. They make investigations as to the utilization of native grasses and feeds and food, of sorghum, and various and sundry kinds of problems that enter into the live-stock industry. That is true also in a different way of the station on the reclamation project.

Mr. TILSON. A regular experimental station?

Mr. LEVER. It is nothing more nor less than a regular experiment station established for regional investigation.

Mr. TILSON. It was established, as I remember, for meeting a temporary emergency.

Mr. LEVER. The statement was made on the floor of the House, when this matter was under consideration, by the now Senator from Louisiana that he thought it would be a temporary proposition.

Mr. TILSON. That was understood, I will state to the gentleman.

Mr. LEVER. The representative of the Department of Agriculture, before our committee, has never made a statement that the reclamation proposition is a temporary proposition. He has made the statement repeatedly that there are big problems to solve and this work will likely continue for many years until the problems can be thoroughly investigated.

Mr. TILSON. The necessary permanent buildings have been erected?

Mr. LEVER. Yes.

Mr. TILSON. And the expenditure of $100,000 in these two items is apt to be continued indefinitely for the continuation of experiments?

Mr. LEVER. It is very likely to be made for an indefinite period for the conduct of these experiments, but, if the House wishes to do it, they can vote those propositions out and stop them.

Mr. TILSON. Then, in order to meet a temporary emergency, we have gone into permanent experimental work in a State where we were called upon to meet a particular emergency problem?

Mr. LEVER. I do not think that is quite a fair statement of the proposition.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. LEVER. I will.

Mr. SHALLENBERGER. Can the climatic conditions that surround them in Louisiana, a semiarid district, be said to constitute a temporary condition? Are not those conditions constant?

Mr. TILSON. Was it not the intention to turn Louisiana, after the sugar industry had ceased to be profitable or ceased to exist by reason of the Underwood tariff bill, into a live-stock country, and was not this to be an experiment to try it out and see whether it would work or not?

Mr. LEVER. I will say to the gentleman frankly that I have never been deceived about this item, even if other Members have. I regard it as a permanent institution that will long remain after I am dead and gone. And that is true of the reclamation station.

Mr. TILSON. According to the present course of events, it seems that that is apt to be the result.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Experiments in dairying and live-stock production in semiarid and irrigated districts of the western United States: To enable the Secretary of Agriculture to conduct investigations and experiments in problems connected with the establishment of dairying and meat-production enterprises on the semiarid and irrigated lands of the western United States, including the purchase of live stock, the erection of barns and other necessary buildings, and the employment of necessary persons and means in the city of Washington and elsewhere, $40,000.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

I am very much interested in the statement made by the gentleman from Michigan [Mr. McLAUGHLIN] in regard to the Louisiana item which was read, and which applies, of course, with equal or greater force to the item to which I have addressed my amendment. In this case a very large proportion of the appropriation has been used for permanent buildings, but, as the gentleman from South Carolina, the chairman of the committee, says, this item originated on the floor of the House. Members are responsible for it. The committee is, however, responsible for the regulation of the expenditures under all these items. I am inclined to think that the gentleman from Michigan is not entirely accurate in suggesting that there have been large expenditures made out of the appropriations for demonstrations on reclamation projects for buildings. I am not fully informed on the subject, but am under the impression that no considerable part of that appropriation has been so spent.

Mr. McLAUGHLIN of Michigan. I will say to the gentleman that I had in mind those experiments on the semiarid district, the one on the middle of page 85.

Mr. MONDELL. The item just read?

Mr. McLAUGHLIN of Michigan. The item just read.

Mr. MONDELL. A large proportion of that appropriation has been expended for permanent buildings. If any considerable portion of the reclamation item has been used for buildings, or for anything but temporary buildings, it has been misapplied, because, while that work is important and valuable, it is not necessary or wise to build expensive buildings. The Reclamation Service does some work along these lines, and the service does not spend any considerable amount of money for buildings. It erects such temporary buildings

as may be necessary, buildings costing at the outside a few hundred dollars apiece, and those are the only buildings that are necessary or justified in connection with any of these enterprises. It is true that if the committee starts out with the purpose and intent of establishing a permanent demonstration station permanent and more expensive buildings may be necessary. But that is not true with regard to the character of the work on the reclamation projects. It is valuable, useful, and helpful, but I hope it is not used to any considerable extent for building. I know the Reclamation Service does not use its funds in that way, and the Agricultural Department should not.

The Clerk read as follows:

That not to exceed $63,000 of the lump-sum appropriations herein made for the Department of Agriculture shall be available for the purchase, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of the field work of the Department of Agriculture outside the District of Columbia: *Provided*, That not to exceed $13,000 of this amount shall be expended for the purchase of such vehicles, and that such vehicles shall be used only for official service outside the District of Columbia, but this shall not prevent the continued use for official service of motor trucks in the District of Columbia: *Provided further*, That the Secretary of Agriculture shall, on the first day of each regular session of Congress, make a report to Congress showing the amount expended under the provisions of this paragraph during the preceding fiscal year.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. What is the necessity for authorizing the Secretary of Agriculture to purchase motor boats? I believe there is no such authority under existing law. We do authorize him to purchase automobiles for use on the forest reserves and in other activities of the department.

Mr. LEVER. The statement is made in reference to this item that there is no authority in the law to buy a motor boat. The Comptroller of the Treasury has decided that. So it requires specific authority to do so, and this is to give the authority, which is new. And the motor boats are used in connection with the Forestry Service, largely in Alaska. I think there are probably half a dozen or more of them.

Mr. STAFFORD. I would have no objection to giving the authority to the Secretary of Agriculture to purchase motor boats for use in Alaska, but I am not willing to allow them to purchase motor boats in the field service to be used for pleasure and to go around on joy rides at all seasons of the year.

Mr. LEVER. I certainly agree with the gentleman on that proposition.

Mr. STAFFORD. I can not see any necessity, perhaps, for having motor boats in Alaska, except in the southern waters. The streams up there are frozen most of the time. What is the necessity for them?

Mr. JOHNSON of Washington. There is no other means of transportation in certain parts of Alaska, except on the railroads in the interior. In many parts there is no way to go except by water.

Mr. STAFFORD. Are they small pleasure boats?

Mr. JOHNSON of Washington. Yes; the boats are of small tonnage, driven by motors, and are the prevailing boats used there. They are called fish boats, largely, but they are a little better than fish boats; they are ocean-going boats of 15 or 20 tons.

Mr. STAFFORD. What has the gentleman to say about limiting the authorization for motor boats for use in Alaskan waters?

Mr. LEVER. I will say to the gentleman candidly that I think Alaska is the only place where they use these motor boats. It may be, however, that in some of the national forests they might have lake conditions, as we have in Alaska. I am not sure of that. I would hate to do that.

Mr. STAFFORD. We have some very desirable lakes in the national forests where it would be very nice to have a motor boat.

Mr. HAUGEN. If the gentleman will permit, I think a few are used in connection with the investigation of oysters and various things of that kind.

Mr. STAFFORD. In that connection the Secretary of Commerce has had authorized under an appropriation last year a large boat for that very purpose. There is no use in duplicating activities. That is a work for the Department of Commerce.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes; I yield to the gentleman.

Mr. WALSH. Has not the gentleman from Washington [Mr. JOHNSON] had experience in transportation up in Alaska by means of motor boats, and does he not own one in that vicinity?

Mr. JOHNSON of Washington. Yes; but I was very glad to get rid of it.

Mr. LEVER. If the gentleman from Wisconsin has an amendment he can offer it.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order if the gentleman will accept an amendment.

Mr. LEVER. We will accept it.

Mr. STAFFORD. No. I will not present the amendment at present.

The CHAIRMAN. The pro forma amendment is withdrawn.

The Clerk read as follows:

Eradication of foot-and-mouth and other contagious diseases of animals. In case of an emergency arising out of the existence of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious disease of animals which, in the opinion of the Secretary of Agriculture, threatens the live-stock industry of the country, he may expend in the city of Washington or elsewhere, out of any money in the Treasury not otherwise appropriated, the sum of $1,000,000, which sum is hereby appropriated, or so much thereof as he determines to be necessary in the arrest and eradication of any such disease, including the payment of claims growing out of past and future purchases and destruction, in cooperation with the States, of animals affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations: *Provided*, That the payment for animals hereafter purchased may be made on appraisement based on the meat, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any animal shall exceed three times its meat or dairy value, and except in case of an extraordinary emergency, to be determined by the Secretary of Agriculture, the payment by the United States Government for any animal shall not exceed one-half of any such appraisements: *Provided further*, That so much of the appropriation of $2,500,000 made by the Agricultural appropriation act of March 4, 1915, for the fiscal year ending June 30, 1916, for the arrest and eradication of foot-and-mouth disease, rinderpest, contagious, pleuropneumonia, or other contagious or infectious disease of animals as remains unexpended at the close of the fiscal year 1918, is hereby reappropriated and made available for expenditure during the fiscal year ending June 30, 1919, for the objects mentioned in said appropriation act, including necessary investigations to determine whether said diseases have been completely eradicated in districts where they previously existed.

Mr. LEVER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 87, line 15, after the word "contagious," strike out the comma.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KREIDER. Mr. Chairman, I rise for the purpose of asking the chairman of the committee whether the payment of one-half of the value of the cattle as appraised by the Federal Government is in any way contingent on the State paying to the owner of the cattle the other half, or whether the Government pays its half regardless of the State, where the cattle are located and condemned, paying anything?

Mr. LEVER. My understanding is that the Government pays its half regardless of what action the State takes, but the Government is always desirous of having the State pay the other half, and always tries to make such arrangements before going into a State. This matter has not been fresh in my mind for two or three years, because there has not been any outbreak of foot-and-mouth disease in the last three years. I am a little hazy in my recollection of it.

Mr. KREIDER. Well, I have no amendment prepared, but it occurs to me that for the protection of the owner of the cattle it would be a splendid idea to make the payment by the Federal Government conditioned upon the State paying also one-half.

Mr. LEVER. Here is the other end of that proposition: I think the gentleman will see it in a moment. This disease is so fearfully contagious and dangerous that I do not think the Federal Government could afford to cease its efforts to stamp it out simply because a State might be recalcitrant or belligerent or refuse to do its duty. If the foot-and-mouth disease should spread generally in this country it would practically wipe out the live-stock industry, so far as cattle is concerned; and while it would be desirable we can not afford to stand back on account of a State refusing to do its duty.

Mr. TILSON. Would it not result in the man not receiving anything at all?

Mr. LEVER. That might be the result.

Mr. KREIDER. I grant that that is possible, but I do not believe it would be probable. I think it would result in proper action being taken by the several States, providing that the owner of the cattle should be reimbursed for at least half by the State, and then the Government could pay the other half.

Mr. LEVER. I assure the gentleman that it would be a very desirable thing to do. Many of our appropriations are being made on that theory. But this is a matter of extreme exigency. When we are dealing with the foot-and-mouth disease it is like dealing with a house on fire. It must be dealt with promptly. We can not afford to take chances of a State not having the money or the legislature not being in session, or something of that kind, that would interfere with the work.

Mr. KREIDER. But is it not a fact that the actual taking of the cattle and slaughtering of them is under the police powers of the several States, and can only be done upon proper legislation by the State?

Mr. LEVER. Yes.

Mr. KREIDER. Now, if this appropriation and money available for this purpose were based upon a law of the State which would compel the State to pay the other half, it seems to me that the property owner, the cattle owner, the live-stock owner, would be reimbursed more nearly the value of the cattle which have been slaughtered than by this way, because his loss not only consists in the destruction of the cattle, but another contingent loss that is possibly as great as the loss of the cattle themselves, which the owner must bear.

Mr. LEVER. Let me say to the gentleman that, as he will recall, in the last outbreak of the foot-and-mouth disease we had a very serious difficulty with one State. Of course the Federal Government has the power which it can use and by indirection bring about a situation such as that which the gentleman has in mind. The Federal Government can quarantine any State against the spread of this disease and can keep the quarantine over that State until the State does adopt the methods and policies that the Government has outlined for all the States in the Union, and I think that is the way they have been getting at it in the past.

Mr. KREIDER. Is there any way in which we might perfect this bill so as to take care of that?

Mr. LEVER. This language, I will say to my friend, carried us through the greatest outbreak of foot-and-mouth disease that the country ever saw, and it has been very carefully worked out, and it would be dangerous to tamper with it.

Mr. WALSH. Mr. Chairman, I move to strike out the last two words, in order to ask the chairman of the committee, along the line suggested by the gentleman from Pennsylvania [Mr. KREIDER], upon what theory does the department proceed whereby it is willing to pay for the cattle which may be diseased under the foot-and-mouth disease item and not pay for property, such as a citrous tree, or a tree afflicted with white-pine blister rust?

I understand there is a prohibition that none of those appropriations shall be expended in payment for property destroyed in attempting to wipe out the citrus canker or the white-pine blister rust. Yet they are permitted to pay for an animal which is killed in an attempt to wipe out the foot-and-mouth disease. Will the gentleman state the reason for the distinction that has been made?

Mr. LEVER. I am not sure that this is a departmental theory at all. I am inclined to think it is more the theory of the committee which reported these items than it is of the department itself; and I am not sure that the committee has any definite theory about the matter except this: In my own mind I should think that on account of the great contagiousness and infectiousness of the foot-and-mouth disease, and the tremendous interests involved in it if it should spread over the country, it has been felt that the payment in part for the losses suffered is the best method of eradicating the disease. In other words, you get closer cooperation from the people, and you bring about a more certain eradication of the disease. For example, if a man has a very valuable animal that has foot-and-mouth disease, if he knows his loss has got to be a total loss, and if the animal is worth $500 or $1,000, or $5,000, he may undertake to conceal the fact that this valuable animal has the disease in the hope that he may effect a cure; but if he knows that the Federal Government and the State government, acting together, will reimburse him for at least a part of his loss, that man is very likely to report the fact of the disease in his herd. I think that is the theory upon which we act.

Mr. WALSH. But upon the legal proposition, does not the gentleman think that the Government would have authority to kill the diseased animal without providing any compensation, the same as it has authority to destroy a tree without compensation?

Mr. LEVER. The Federal Government itself, except on its own property, of course, would not have authority to kill any of these animals. The Federal Government in fighting the foot-and-mouth disease has to act largely through the police powers of the State; but the principle is the same. Of course the State governments, I think, under their police powers, would have the right to kill these animals without making any compensation whatever; but the committee have gone on the theory that it is a wise policy, from the standpoint of stamping out the disease, to make some compensation.

Mr. WALSH. And the disease has been apparently stamped out.

Mr. LEVER. The disease has been absolutely stamped out.

Mr. FESS. The tree, being stationary, will not spread the disease so rapidly as the cattle which are shipped, and in that way, if not properly handled, will spread the disease so much more rapidly. Therefore the necessity of dealing with it immediately.

Mr. LEVER. Therefore the necessity of dealing with it immediately and vigorously.

Mr. WALSH. But from the standpoint of fair play, it does seem as though the man who has his property destroyed in the one case because of the danger of communicating disease should not be discriminated against in another case of destruction because of a similar danger, simply for the reason that his property is stationary and does not, perhaps, enter into interstate commerce.

Mr. FESS. I admit that from the standpoint of the individual there ought not to be a difference, but from the standpoint of public health there ought to be a vast difference.

Mr. LEVER. I think that is the view of the committee.

Mr. McFADDEN. Mr. Chairman, I rise in opposition to the amendment, to ask the chairman of the committee a question. This bill appropriates $1,000,000 to be expended in the city of Washington and elsewhere, and also provides for any balance from last year's appropriation. Can the gentleman tell us how much remains of last year's appropriation?

Mr. LEVER. Five hundred and eighty-one thousand two hundred and forty-eight dollars and twenty-eight cents.

Mr. McLAUGHLIN of Michigan. I move to strike out the last word, for the purpose of making a suggestion to the chairman of the committee. Line 20, page 86, authorizes the payment of claims growing out of past and future purchases and destruction of animals. Is it proper at this late day to authorize the Secretary of Agriculture to pay old and stale claims? The Secretary of Agriculture considered a great many claims, and I think settled every one; but under this language he would be authorized to reach away back into the years of the past and pay claims that might be presented. It seems to me that this bill, which provides for the future alone, ought to appropriate only for the payment for future purchases and destruction of animals in case a new outbreak arises.

Mr. LEVER. Let me make this suggestion to the gentleman from Michigan: This matter was not taken up by the committee. This language has been well worked out. As I said a moment ago, it carried us through the worst outbreak of foot-and-mouth disease that we have had. Does not the gentleman think it would be inadvisable to attempt to amend this language on the floor without pretty full consideration?

Mr. McLAUGHLIN of Michigan. If there is any doubt as to the effect of the change, I would say yes.

Mr. LEVER. I will say very frankly that I do not know whether there are any outstanding claims. I assume that there are not.

Mr. McLAUGHLIN of Michigan. I do not think there are any outstanding claims.

Mr. LEVER. I do not think so, either.

Mr. McLAUGHLIN of Michigan. But this leaves the door wide open.

Mr. LEVER. I think we had better leave the language as it is.

Mr. HAUGEN. What would the gentleman say to striking out the words "past and future"? Then the bill would read—claims growing out of purchases and destruction.

Mr. LEVER. Does the gentleman think that in a matter as delicate as this we ought to try to amend it on the floor of the House?

Mr. HAUGEN. I do not think it is very important.

Mr. LEVER. I wish the gentleman would not press it. We had better leave it as it is. It has been passed upon.

Mr. ANDERSON. In the time of the gentleman from Michigan I wish to ask the gentleman from South Carolina if he can state how much of last year's appropriation was expended for the foot-and-mouth disease?

Mr. LEVER. My recollection of the testimony before the committee is that about $17,000 was so expended.

Mr. ANDERSON. In looking over the report of the expenditures in the Department of Agriculture I found that something like $600,000 was allotted for the foot-and-mouth disease, and I was wondering what the balance of that $1,000,000 was allotted for and how it was spent—for these other contagious diseases?

Mr. LEVER. The clerk of the committee informs me that my recollection is correct. They spent $17,000 out of the fund last year for the eradication of the foot-and-mouth disease, and I think the balance went back to the Treasury.

Mr. ANDERSON. In looking over the expenditures of the department I find that they made an allotment of $600,000 and some odd for the foot-and-mouth disease. I do not know what the balance of the $1,000,000 was allotted for. What I wanted

to ascertain was whether any part of the million dollars was expended for the outbreak of other diseases.

Mr. GOOD. How much has been expended, all told, for eradicating the foot-and-mouth disease in the last outbreak?

Mr. LEVER. I can not tell the gentleman, but it has been several million dollars—quite a considerable sum. I think the first appropriation was $2,000,000, and since that we have been carrying a million dollars appropriation in the bill for several years, but not all of that has been expended.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. LEVER. Certainly.

Mr. SHALLENBERGER. Can this money be used to eradicate tuberculosis?

Mr. LEVER. The appropriation in this item?

Mr. SHALLENBERGER. Yes; it says "or other contagious or infectious diseases of animals which, in the opinion of the Secretary of Agriculture, threatens the live-stock industry of the country."

Mr. LEVER. This appropriation is for an emergency arising out of the existence of the foot-and-mouth disease, rinderpest, contagious pleuropneumonia—yes; I think so. I presume it might be used for tuberculosis.

The Clerk read as follows:

To make surveys to determine the actual distribution of the pink bollworm in Mexico and to exterminate local infestations in Mexico near the border of the United States, in cooperation with the Mexican Government or local Mexican authorities, $25,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. The bill appropriates all told $500,000 for the elimination of the pink bollworm. As I recall, we appropriated $250,000 in the last Congress——

Mr. LEVER. We appropriated $300,000—$250,000 in the deficiency act and $50,000 in the Agricultural appropriation bill.

Mr. STAFFORD. How much of that $300,000 has been expended up to the present time?

Mr. LEVER. About $175,000; or, in other words, the amount appropriated will have been used by June 30 of this year.

Mr. STAFFORD. What is the condition of the pest at the present time so far as the United States is concerned?

Mr. LEVER. The pink bollworm made its appearance at three places in Texas—Hearne, Beaumont, and the Trinity Bay neighborhood. The outbreak at Hearne was not very serious, and I assume from the testimony before the committee that that has practically been taken care of. They had only one infection.

The situation at Beaumont is not so certain, because the worm was found in the cotton seed and some of the cotton seed has been sent throughout the country and has been planted this year. In the Trinity Bay section the situation is still considered serious. The State of Texas has passed a law creating a cotton free zone, I think of about 50 or 75 miles in width, in the hope of preventing the spread of the pink bollworm. Someone asks what a free cotton zone is. It is a zone in which no cotton is permitted to be grown.

Mr. STAFFORD. Were any hearings had before the committee as to this item? I have searched the various pamphlets furnished me but was unable to locate the hearing on this item.

Mr. LEVER. Yes; it is in the statement of Dr. Marlatt, of the Federal Horticultural Board.

Mr. STAFFORD. I have read some of the hearings in regard to the cotton boll weevil and it was stated that the cold weather had resulted in keeping down the spread of that pest. Has the cold weather had a similar effect on the pink bollworm?

Mr. LEVER. The pink bollworm, as I understand it, is not affected by climatic conditions as much as the cotton boll weevil is. Another thing brought to the attention of the committee was that the pink worm is a very, very much more serious menace to the cotton industry of the United States than the boll weevil ever had time to be. Now, this amount of money carried here, $500,000, is to be used as set out in the bill. It was sent up to us in a lump sum and the committee, of its own initiative, segregated the items. The gentleman will notice that $400,000 of the $500,000 is really an insurance fund, which is on all fours with the item that we have passed for the foot-and-mouth disease. The other $100,000 will be used as set out in the bill.

Mr. STAFFORD. What is the logic of the gentleman's position that the pest be controlled, as indicated by him, and $125,000 available during the remainder of this year, already provided, and $400,000 deficiency appropriation under the guise of an insurance fund that may be utilized? If this pest becomes a menace to the cotton industry of the South, why can not they come before Congress, as they did last year, and receive the large appropriation awarded them by the Committee on Appropriations?

Mr. LEVER. The department estimated $800,000 for the work in a supplemental estimate sent in in the regular way. The committee considered the matter very carefully and I considered it very carefully myself. I concluded, and the committee agreed with me, that it should be reduced $300,000, and this, at my suggestion, was done. We concluded that $500,000 would be a sufficient fund to make us safe against the invasion of this worm. I felt this way about it: If we had had the foresight when the boll weevil was first introduced into this country to have taken vigorous, active measures against it, such as we are trying to do in this case, we might have saved the cotton situation. The fact about the matter is that the production of cotton has been decreasing year after year for the past four or five years. This past season's crop amounts to only about 11,000,000 bales, and that is not the world consumption of cotton; it is hardly two-thirds of the world consumption. Now, if we are to be invaded by another pest, which they say is worse than the boll weevil, I foresee that the cotton industry of this country is practically doomed.

Mr. STAFFORD. You change the language of the authorization from that carried in the prior acts so to permit the Department of Agriculture to go into Mexico and have surveys made either in collaboration or without collaboration of the Mexican Government and local authorities.

Mr. LEVER. Let me say to the gentleman on that point that I recognize what he has in mind. It is an unusual proposition and necessarily would require an explanation. The pink worm came into Mexico from Egypt about 1911. We discovered it in one or two Mexican localities in 1915 or 1916. It has been confined in Mexico to one or two small areas. The Laguna district is the largest area, and it affords a good situation for us to work upon, because the cotton planters of that district in a large measure are Americans and are large planters, willing to cooperate to the very limit. They have tendered to this Government 125 or 130 acres for experimental purposes. They are willing to clean up their seed and quarantine themselves, and do all that is necessary to try to wipe out this pest.

The other area in Mexico is nearer the Texas border, about 30 miles from Texas, and the infection is not so serious. Very little cotton is planted in that area. What we are trying to do is to make a drive on the seat of the trouble, which is the Laguna district in Mexico and the Trinity Bay district in Texas. If we can wipe the thing off the continent we are in pretty good shape to keep it out.

Mr. STAFFORD. Applying the logic of the gentleman's position, if we establish this as a precedent, we will be going into all countries of the world to stamp out such things as anthrax and all other pests that affect the commerce of this country.

Mr. LEVER. The answer to that is this. Here is a country, Mexico, which is torn by an internal war, which really has no very stable government. Revolution is sweeping back and forth over this very area.

Mr. STAFFORD. The same thing is true of Russia, as far as anthrax is concerned.

Mr. LEVER. Oh, I want to make my statement, for I am very earnest about this matter.

Mr. STAFFORD. So am I.

Mr. LEVER. Here is this country, a neighbor of Mexico, and here is a pest in Mexico within 30 miles of our border which absolutely threatens to destroy one of the greatest crops. Is it not wise for us to establish a precedent, which I hope we will be sensible enough not to follow except where absolutely necessary, under the most extraordinary circumstances—is it not wise for us, is it not good statesmanship for us to go down there and try to wipe out this thing, get at the seat of the trouble and completely eradicate it and relieve ourselves from the constant menace of this thing coming in from time to time?

Mr. GARNER. Mr. Chairman, if the gentleman will permit, I believe it is more economical in the long run to undertake to stamp this thing out in Mexico than it is to continue to fight it along the border.

Mr. STAFFORD. Following the logic of the gentleman's position, it is more economical to go to the source of all these pests, abroad or otherwise.

Mr. GARNER. This Congress will be appropriating for an indefinite period from year to year in order to keep this from coming into this country. It is a part of economy, in my judgment, to use the largest amount of money you can toward stamping this out of Mexico, so as not to have to appropriate in the future from year to year to keep it out of this country. I investigated the thing pretty closely when they were about to close up one-half of my district.

Mr. STAFFORD. I realize that last year the gentleman was energetic, and properly so, in trying to secure the $250,000 emergency appropriation. That has accomplished some good,

but that appropriation was limited in its effect to this country. If it has had its effect, why should we go to foreign realms and establish a precedent that may come back to plague us in the future?

Mr. GARNER. I just explained to the gentleman that in my judgment—of course it may not be very good—if we make this appropriation and make it available to fight this in Mexico, we will be able to save money in the future by keeping it out of this country from Mexico.

Mr. STAFFORD. If the gentleman will permit. Have not the present means been effective in suppressing, as far as it could, the pest in Texas?

Mr. GARNER. Indeed it has.

Mr. STAFFORD. What is the need of adopting new methods?

Mr. HEFLIN. Not yet.

Mr. GARNER. It is not entirely eliminated, of course.

Mr. HEFLIN. There are 5,000 acres now in Texas which has not been eradicated.

Mr. STAFFORD. That is because, maybe, of the limited time at disposal of the Government.

Mr. LEVER. If the gentleman from Wisconsin will permit——

Mr. BLANTON. Will the gentleman allow me a suggestion?

Mr. LEVER. If the gentleman will let me handle this——

Mr. BLANTON. I would like to add this suggestion: Along the border in certain places, for instance—the Rio Grande River is an imaginary stream, by the way—these eggs can be carried across by the wind. You can not control it. It may be brought across by Mexicans or Americans or by the wind, or in other ways, and you have to get at the source of this in order to stop it.

Mr. STAFFORD. As I understand from the statement of the chairman of the committee, the two localities where this pest is present in Mexico are not near the border, where the winds from the south can not carry it across the Texas border?

Mr. BLANTON. But it is coming over the border all the time.

Mr. LEVER. One infected place in Mexico is within 30 miles of the border and the other, the Laguna district, is about 150 miles.

Mr. SLAYDEN. Not the Texas border?

Mr. LEVER. I will ask the gentleman from Texas [Mr. SLAYDEN] how far it is from the Texas border.

Mr. SLAYDEN. About 200 miles.

Mr. LEVER. I got the impression in my mind it was a farther distance. Now, I want to appeal to the gentleman from Wisconsin. This worm does not travel very far of its own accord, but may be transported hundreds of miles, largely on account of being in the seed or in the lint. It is being transported from the Laguna district into the Texas district. It is carried most largely in the seed of cotton, in railroad cars, automobiles, and things of that kind. It can go a couple of hundred miles a day in a passenger coach, for instance.

Mr. MONDELL. Will the gentleman yield?

Mr. LEVER. I will.

Mr. MONDELL. Does the gentleman know how long this pink bollworm has been known in Mexico as an enemy to cotton; how long it has been operating there, and how extensively?

Mr. LEVER. My recollection is that it has been in Mexico since 1911, and it was discovered in the United States in 1916.

Mr. MONDELL. The gentleman does not know the origin of it as an enemy of cotton?

Mr. LEVER. It is an Egyptian pest; it came from Egypt.

Mr. STAFFORD. Why would it not meet conditions if this money should be continued in the phraseology of existing law——

Mr. LEVER. The gentleman means the sundry civil bill?

Mr. STAFFORD. We are going pretty far when we are going to consider local conditions in another country.

Mr. GARNER. Let me explain to the gentleman——

Mr. STAFFORD. Permit me to say this: If the pink bollworm was on the increase and the ravages were continuing, I think perhaps we might go to the experiment of going to a foreign country. Everything essential that is necessary I wish to do——

Mr. GARNER. I know that the gentleman does——

Mr. STAFFORD (continuing). In eradicating this pest, but I question whether we should go into a foreign country and disturb local conditions there to stamp out the pest there.

Mr. GARNER. Let me give you an illustration. These gentlemen who are undertaking to fight this pest probably know more about it, technically, than the gentleman from Wisconsin or myself.

Mr. STAFFORD. Naturally.

Mr. GARNER. Here is a border 600 or 700 miles long along this country in which cotton can be raised. There is not a great deal of it raised on the Mexican side at this time. Now, let us suppose this pest does spread in Mexico and it gets up and down the river for 600 miles, the change in the tide of the river and the flow of it would bring the pest to this side.

Mr. STAFFORD. The gentleman is supposing a case that does not exist.

Mr. GARNER. It undoubtedly will exist if it continues in Mexico. If it does it will come along the river and we will have to fight continuously to get anything on this floor.

Mr. STAFFORD. When that condition confronts us we will meet it, but it is now two or three hundred miles away from the border.

Mr. GARNER. I am trying to impress on the gentleman that when the condition develops it will cost us two or three times as much as now.

Mr. GILLETT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GILLETT. Will the Chair kindly state what is before the House? There has been an interlocutory conversation going on here for 30 minutes, which may be interesting to the gentlemen but not to the committee generally, and I make the point of order that the gentlemen are not in order.

Mr. STAFFORD. Mr. Chairman, I am not satisfied at the present time from the statement made that there is warrant for us going ahead to allow the Secretary of Agriculture to go into the business of revising and reforming conditions there.

A MEMBER. Mr. Chairman, the regular order.

Mr. STAFFORD. Mr. Chairman, I make the point of order on the paragraph. It changes existing law.

Mr. LEVER. Mr. Chairman, this item is fairly subject to a point of order, in my judgment, and I am not going to argue a position I can not sustain.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. Mr. Chairman, I offer an amendment in lieu of the paragraph stricken out.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

In lieu of the paragraph stricken out on the point of order insert the following:

"On account of the menace to cotton culture in the United States arising from the existence of the pink bollworm in Mexico, the Secretary of Agriculture, in order to prevent the establishment and spread of such worm in Texas and other parts of the United States, is authorized to make surveys and determine its actual distribution in Mexico; to establish, in cooperation with the States concerned, a zone or zones free from cotton culture on or near the border of any State or States adjacent to Mexico; and to cooperate with the Mexican Government or local Mexican authorities in the extermination of the local infestations near the border of the United States. For rent outside of the District of Columbia and for the employment of such persons in the city of Washington and elsewhere as the Secretary of Agriculture may deem necessary, $500,000."

Mr. LEVER. That is identical with the language in the act.

Mr. STAFFORD. I understand the amendment is the same as in this bill?

Mr. LEVER. Yes.

Mr. STAFFORD. Under the phraseology I admit the department has the right to conduct surveys in Mexico.

Mr. LEVER. Yes.

Mr. McLAUGHLIN of Michigan. In carrying on any of its operations as to extermination in Mexico.

Mr. LEVER. I am inclined to think the department is exercising the power now to cooperate in exterminating this insect, under this language, in Mexico. I will be very frank with the committee.

Mr. McLAUGHLIN of Michigan. I will say that in many of these matters we have to rely on the Secretary. And if it is true even in a small part, as he tells us it is, it will be very well for us to stamp it out in Mexico right along the border. I hope the gentleman from Wisconsin will not object to the use of a little money in Mexico.

Mr. MONDELL. Mr. Chairman, I desire to speak on the amendment.

Mr. LEVER. Will the gentleman from Wyoming excuse me just a moment? Mr. Chairman, I understand that the parliamentary situation is this, That all of the language of the bill relating to the pink bollworm went out on the point of order made by the gentleman from Wisconsin.

The CHAIRMAN. The Chair, as soon as the gentleman from Wyoming had concluded, was going to ask the extent to which the gentleman from Wisconsin wanted his point of order to apply. The principle of it not only includes the language on page 88, but down as far as line 10 on page 89.

Mr. LEVER. I assume if any part of this item is sustained it will carry out the balance of the item.

The CHAIRMAN. The Chair would rule that way.

Mr. MONDELL. Mr. Chairman, I believe the appropriation should be made. I think there is a condition warranting the

appropriation of a large sum of money to be used as necessary and when necessary, in view of a situation in which it seems altogether probable that we may be able to entirely stamp out an insect pest which is a very great menace to a very great industry. It is very clear that the item will in some form go in the bill. The money will be appropriated. It ought to be appropriated and used in the way in which the item was segregated by the Committee on Agriculture. That is the proper form, and in view of that fact I want to appeal to the gentleman from Wisconsin [Mr. STAFFORD] to withdraw his point of order and allow the item to go in as the committee segregated it and in the form in which it, the committee, wisely approved it. There is certainly nothing gained by striking out the language of the committee, drawn after careful consideration, and then making the same appropriation in a different form and in a form which does not give the department that free hand in the extermination of the pest which it ought to have in order to be effective.

If we are to attempt to stamp out this pest, let us go where it is, whether it be in Mexico or in the United States, and do the work. We might spend millions on our side of the line and never get anywhere, whereas the expenditure of a few thousand dollars on the Mexican side might accomplish all we seek to accomplish.

I hope the gentleman will withdraw his point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, does the gentleman from Wisconsin intend to act on the suggestion of the gentleman from Wyoming [Mr. MONDELL]? If not, I move to strike out the last word. I want to get some information on this subject.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. Mr. Chairman, if this appropriation became effective, as intended in the bill, there would be one, two, three, or four methods of expenditure. First, there would be an expenditure of $50,000 to prevent the removal of cotton and cotton seed from Mexico into the United States.

Mr. LEVER. That is quarantine work.

Mr. MOORE of Pennsylvania. I assume that money would go for the employment of men, would it not?

Mr. LEVER. It would go for disinfecting cars and seeing to it that there were no worms in the seed or in the lint.

Mr. MOORE of Pennsylvania. It would not be for material, but for the services of individuals?

Mr. LEVER. Entirely.

Mr. MOORE of Pennsylvania. The next item, if the plan here is carried out, no matter how the Secretary gets the money, is for $25,000 to make surveys to determine the actual distribution of the pink worm in Mexico. That means the employment of individuals, does it?

Mr. LEVER. Yes; the employment of individuals.

Mr. MOORE of Pennsylvania. Twenty-five thousand dollars for that.

Mr. LEVER. We think the infection, or the pest, is confined to two districts in Mexico. It may be possible that he is somewhere else, but what we want to do is to get him on this continent.

Mr. MOORE of Pennsylvania. I want to find out how the money is to be spent. The next item is for $25,000 to investigate the pink worm in Mexico and elsewhere. That means the employment of more men?

Mr. LEVER. That means the employment of half a dozen experts to work in cooperation with the farmers in the Laguna district.

Mr. MOORE of Pennsylvania. That makes a total appropriation thus far of $100,000. The next item is an important one. It provides $400,000 to conduct surveys and inspections in Texas, or in any State where the pest may appear. Does that go wholly for the employment of individuals?

Mr. LEVER. It is very largely for the employment of individuals. The method they adopted in the Trinity Bay district was to go into a cotton field and pull up the cotton by the roots and cut it down and pile it up and pour kerosene on it and burn it up and absolutely get rid of it.

Mr. MOORE of Pennsylvania. Will there be any instruction of farmers in connection with this? That might be what is called "survey work"?

Mr. LEVER. I think the Secretary would stretch his authority if he attempted to do that under this item.

Mr. MOORE of Pennsylvania. The plan is for the expenditure, in all, of $500,000 for the employment of individuals in various ways in Texas and Mexico?

Mr. LEVER. I will say to the gentleman that our hope is that practically the only expenditure that will be made will be a portion of the $100,000 appropriation. We hope that it will not be necessary to encroach upon the $400,000 fund, because we hope to keep this worm out of Texas.

Mr. MOORE of Pennsylvania. I hope that will be done.

Mr. LEVER. And if so, we could not expend any more.

Mr. MOORE of Pennsylvania. Texas is a very large State. We will concede that. But the expenditure of $500,000 for this purpose means the employment—if you wanted to figure it out this way—of 100 men at $5,000 per year, or 200 men at $2,500 a year, or 250 men at $2,000 a year, or 500 men at $1,000 a year; or, if these men were employed merely for the purpose of pulling up cotton plants it would mean that if you paid $500 per annum you could employ a thousand men for this work.

Mr. LEVER. The fact is you would not have to employ many men on a per annum salary. You would only employ these men when you found an infestation somewhere, and probably a large number of laborers in the community—farmers and farmers' boys, white and black—who could go into a field and pull up the cotton stalks and pile them up and pour kerosene on them and put a match to it. Of course, you would have to have some experts in the crowd.

Mr. MOORE of Pennsylvania. That is what I want to get at. I would like to know the number of experts and lecturers who may use up this $500,000. If it is for common labor, such as the gentleman has described, I would not have much objection to it; but it seems to me we ought to stop employing so many of these "lecturers" at good salaries to tour the country.

Mr. LEVER. I agree with the gentleman fully on that. Let me say this: I believe I try to be frank with this committee——

Mr. MOORE of Pennsylvania. The gentleman always is.

Mr. LEVER. I take it that the very nature of this work would preclude the necessity of employing any very large number of experts, that the larger portion of this money, if it is used at all, would be used in payment of these day laborers in the community where the outbreak took place.

Mr. MOORE of Pennsylvania. Does Texas offer to cooperate in any way?

Mr. LEVER. I will ask my colleague on the committee [Mr. YOUNG of Texas] to answer that.

Mr. MOORE of Pennsylvania. It is apparently a Texas proposition, for the present.

Mr. LEVER. Let me answer that suggestion. I want to say, as pointed out so strongly by the gentleman from Texas [Mr. YOUNG] the other day, this cotton proposition is not a sectional proposition any more than the cattle proposition is a sectional one. For some reason or another—God in His providence knows more about that than we do—we are all dependent upon a certain number of States for the cotton production of this world, and especially for the cotton production of this country. Now, here is a worm which the entomologists tell us is the most destructive pest that has ever threatened the cotton industry. The query is, Are we going to fight that vigorously in the interest of all the Nation, or not? It is going to take money. I appreciate that. But if we had spent $500,000 at the outbreak of the boll weevil in Texas and had adopted the drastic remedies that we are proposing here, both through the State of Texas—which is cooperating nicely—and the Federal Government, we probably would have saved the cotton situation in the South.

Mr. MOORE of Pennsylvania. This pink worm is of Egyptian origin, as I understand.

Mr. LEVER. Yes; it is found in Egypt, the Hawaiian Islands, the Philippine Islands, and, I think, in Brazil and in Mexico.

Mr. MOORE of Pennsylvania. There was a movement some years ago in the East to prevent the importation of certain Egyptian cotton, due to the prevalence of this pink worm in Egypt. We have an interest in this matter.

Mr. LEVER. That is right, and we carry an appropriation in this bill for that purpose; and they have a concern in Boston where they put cotton seed coming from Egypt under very high pressure to kill the worm.

Mr. MOORE of Pennsylvania. If this bill passes, will the Secretary of Agriculture have authority to prevent the invasion of this country at other points than Texas?

Mr. LEVER. Oh, yes; undoubtedly.

Mr. HEFLIN. If the gentleman from Pennsylvania [Mr. MOORE] will permit me, I will state that this pink bollworm is in three cotton districts in Mexico. In one of the cotton districts in Mexico he reduced the cotton yield one-third in one year, and he has made it impossible to grow cotton in the Hawaiian Islands. He is the most dangerous pest that ever came into our country and I trust that the gentleman from Wis-

consin will withdraw his point of order and let this provision become a law as soon as possible. With this appropriation of $500,000 we hope to prevent the spread of the pink bollworm in the cotton belt of the United States. Help us to destroy this terrible pest.

Mr. PAIGE. I move to strike out the last word. As a cotton manufacturer I want to say that I believe this is the best item in this Agricultural bill. I agree fully with the gentleman from Wyoming [Mr. MONDELL], and I trust that if it is not too late the gentleman from Wisconsin [Mr. STAFFORD] will withdraw the point of order. [Applause.]

Mr. YOUNG of Texas. The gentleman from Pennsylvania [Mr. MOORE] asked a question as to what Texas has done or contemplates doing with reference to the elimination of this pest that threatens the cotton industry of the country. Let me give just a little history. So far as Texas is concerned, we did not know there was such a pest until last year. This pest came across the border from Mexico—from the Laguna district and from the district just across from Del Rio. It was discovered in Texas during the crop-growing season of the past year. Prior to the discovery of this worm it was not unlawful for cotton seed to be shipped out of Mexico up into Texas or anywhere else in the cotton belt, for the purpose of crushing the seed. So last year some 12 or 14 cotton mills in Texas purchased cotton seed in Mexico and brought it over on the Texas side to be crushed by these oil mills. It was a legitimate business. It was discovered that in the shipments of seed this pink bollworm was being brought into Texas. Now, what happened? Some of this seed went to the mill at Beaumont, Tex.; some went to Houston, Tex.; and some went to Galveston, Tex. That is down near the border line of Mexico; but two shipments of that came to the northeast Texas, and 12 carloads came into my own town in northeast Texas to be pressed. Immediately upon the discovery of the fact that this seed was coming from infested districts quarantine regulations were made, and no seeds can be shipped out of Mexico into Texas or any other part of the United States now.

What did the Government do? The Government followed the history of the shipments of this seed. They went to the vicinity of each oil mill that purchased this seed and found out whether or not these oil-mill people had sold any of this seed for planting in their vicinity. In my own town, across the street where I live, my brother-in-law planted eight acres of cotton from these seeds. During the growing of the crop there would come a stranger, an agent of the Government, who would go through the patch examining stalk after stalk of the cotton. Nobody knew what his purpose was until late in the season, when it developed that he had found that the cotton-oil mill people in that town had sold this seed to my brother-in-law, who planted this patch. He was examining to see whether the insect reproduced itself in the crop. That is what was done all over Texas in the vicinity of these oil mills where the seed had been shipped.

What was the result as finally obtained? In the field in the vicinity of Hearne, where the seed had been pressed that had come out of Mexico, they discovered one infestation. That is below the central part of the State. There was one local infestation. The greatest infestation was around Beaumont and Trinity Bay section of the country between Beaumont and Galveston, where there was a general infestation.

But you must understand that that section of Texas is not the cotton-growing section of Texas. It has only little patches, little farms; whereas when you get to the central and northern part of the State the whole country is one great cotton plantation. So we did not find as big a problem to deal with in the lower section of Texas as we would have if it had struck the black-land section where you will find as much as a thousand acres in one field of cotton.

Now, when they discovered this infestation at Hearne they destroyed the field. The localities contributed and paid the man whose field was destroyed. The Government did not do it. The Government agents discovered the insect and labor was employed and the field destroyed. They are destroying the stalk, the matter on which they live, in the Trinity Bay section and the Beaumont section. That is the only way we know how to do it—destroy the cotton stalk on which the insect lives. The fly, from which the weevil comes—you gentlemen have all seen the little cannel fly, the pink weevil comes from a similar one—deposits the eggs on the little boll, and when the eggs hatch the insect goes into the boll and destroys it. They live on nothing but cotton.

Now, as to the destruction of the cotton, I am here to say that I know of one county in my district where the insect has not come but where the boll weevil has come. It attacks the square and the square falls and children have gone into these fields—merchants have put up notices offering prizes—children have gone into these fields and collected these little squares by the multiple of thousands and have taken them in and got their reward. Then they burn these squares that contain the eggs of the insect that will destroy the crop.

Now, what has Texas done? The legislature was in session at the time this Hearne farm infestation was found.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes.

Mr. STAFFORD. Will the gentleman permit me to make a statement?

Mr. YOUNG of Texas. Certainly.

Mr. STAFFORD. Mr. Chairman, after conferring with gentlemen on the committee about the phraseology of the amendment as carried in the bill and considering the form of the pending amendment, as I was not so fully aware when I made the point of order of the phraseology of the authorization of last year, the only difference is that the department will be limited in going to Mexico to that district near the border, whereas under the paragraph in the bill they can go anywhere. I will say that my making the point of order was under some misunderstanding of the present law, and therefore I withdraw it. [Applause.] The gentleman from South Carolina can offer the phraseology that is contained in the bill as a substitute to the pending amendment and thus, I suppose, will accomplish what he had in mind.

Mr. LEVER. Mr. Chairman, I thank the gentleman from Wisconsin [Mr. STAFFORD] for that suggestion and for his fairness in this matter, and I ask unanimous consent to withdraw the amendment which I offered, so that the original matter of the bill may be incorporated.

The CHAIRMAN. The gentleman from Wisconsin withdraws his point of order, and the gentleman from South Carolina asks unanimous consent to withdraw the amendment which he has offered. Is there objection? [After a pause.] The Chair hears none. The gentleman from South Carolina now asks unanimous consent that the matter heretofore stricken out of the bill on a point of order may be considered and reinserted as a part of the bill. Is there objection?

There was no objection.

The CHAIRMAN. The bill now stands as it was before the point of order was made.

Mr. STAFFORD. Mr. Chairman, as the first paragraph alone was read, is it not advisable to read all of the paragraphs and have them all considered as one?

The CHAIRMAN. The Chair will order that that be done. The bill now stands as it was before the gentleman made his point of order.

Mr. WALSH. Mr. Chairman, I submitted a request that the gentleman from Texas might be allowed to proceed for five minutes more.

The CHAIRMAN. The Chair will put that request now. The gentleman from Massachusetts asks unanimous consent that the gentleman from Texas may have an additional five minutes. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I suggest that it would be better, first, to read the items in the bill.

The CHAIRMAN. The Clerk will read the balance of the paragraph.

The Clerk read as follows:

To prevent the movement of cotton and cotton seed from Mexico into the United States, including the regulation of the entry into the United States of railway cars and other vehicles, and freight, express, baggage, or other materials from Mexico, and the inspection, cleaning, and disinfection thereof, $50,000.

To make surveys to determine the actual distribution of the pink bollworm in Mexico and to exterminate local infestations in Mexico near the border of the United States, in cooperation with the Mexican Government or local Mexican authorities, $25,000

To investigate in Mexico or elsewhere the pink bollworm as a basis for control measures, $25,000.

To conduct surveys and inspections in Texas or in any other State to detect any infestation and to conduct such control measures, including the establishment of cotton-free areas, in cooperation with the State of Texas or other States concerned, as may be necessary to stamp out such infestation, to establish in cooperation with the States concerned a zone or zones free from cotton culture on or near the border of any State or States adjacent to Mexico, and to cooperate with the Mexican Government or local Mexican authorities, or otherwise, by undertaking in Mexico such measures for the extermination of the pink bollworm of cotton as shall be determined to be practicable from surveys showing its distribution, $400,000: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of crops or other property injured or destroyed.

Mr. YOUNG of Texas. Mr. Chairman, the question was asked, What has Texas done? The legislature was in session when this discovery was made. We did not know how serious it was—nobody did. The legislature immediately appropriated $10,000, but they did something better than the appropriation,

The legislature passed a law by which the matter could be handled, and but for the enactment of that statute we would have been without authority to handle it. That law provided a certain quarantine regulation, very drastic, and under that statute the governor of our State only a few days ago, exercising the authority given him by the statute, threw a quarantine district around every section of the infested part of the State, making it broad enough so that where this insect has been discovered no man can plant or grow one stalk of cotton this coming year, and by doing that, stamping it out in that way. Having no new cotton planted in that territory, there is nothing on which the insect can breed or thrive. By the exercise of this power we believe that this insect will be driven out of existence during the present year, and with this appropriation I believe that we can do what was done in Florida with the appropriation that you gave for the protection of the citrus-fruit industry. I believe that we can wipe out the insect in one year's time. Texas heretofore has grown from four to four and a half million bales of cotton to go forth and clothe the world, although this year only three million bales. With this appropriation, I feel that this industry will not be wiped out, and that that great State may still continue to give to civilization that which goes to bless humanity. [Applause.]

Mr. CANDLER of Mississippi. Mr. Chairman, I want to call the attention of the House to the following statement by D. R. Coad, United States Bureau of Entomology, Delta Laboratory, Tallulah, La. This statement gives a short history of this pink bollworm and demonstrates what a destructive pest it is, and, therefore, the necessity for the appropriation provided for in this bill. Here is the statement, and I hope the House will give it full consideration:

The cotton industry in the United States to-day faces one of the greatest menaces with which any agricultural industry has ever been threatened, a menace which threatens its very existence. This is the establishment within our cotton belt of the famous or, more properly, infamous pink bollworm of cotton. We have long been threatened with the introduction of this pest from Asiatic and African countries. Later it was discovered in the cotton fields of our immediate neighbor, Mexico. Now it has been found in the fields of our own cotton belt. Its establishment there and spread over this country must be prevented. My purpose here is to tell you something of what steps are being taken to accomplish this end and to describe something of the problem before the men intrusted with this important task. Before dealing with this phase of the question, however, I wish to outline briefly something of the characteristics and injury of this pest as well as its history in other countries.

The pink bollworm resembles the boll weevil in that it passes through several different forms in the course of its life cycle. However, instead of producing a weevil in the adult stage, as is the case with the old familiar enemy, a moth or "miller" is developed. This moth lays the eggs, which hatch and produce the larvæ or grubs. These develop into a quiescent stage, called the pupa, and this in turn produces the moth, which starts the cycle off again. As is the case with the boll weevil, the pink bollworm accomplishes its damage in the larval or grub stage. The moth deposits the eggs on the cotton boll or square, and as soon as the young worms hatch they bore into the interior of the form, where they feed in much the same manner as the larva of the boll weevil. However, there is this important difference: The boll weevil prefers the squares and attacks the bolls only when necessary, while the pink bollworm reverses this order and, whenever possible, selects large, well-developed bolls for its attack. Incidentally the difficulties which would accompany cotton production in the presence of both these pests may readily be imagined, since one would specialize on the squares and the other on the bolls. Instead of being competitors, they would be allies in the battle against the farmer.

ATTACKS IMMATURE SEED.

The larval period during the summer lasts from 20 to 30 days, during which time it continues to travel through the cotton form, and when in the bolls it usually concentrates its attack on the immature seed. It then pupates, and the adult moth soon emerges. The normal life cycle or period from egg to egg is ordinarily from 35 to 50 days during the summer. Thus this pest may produce from four to six overlapping generations in the course of the season. The last brood in the fall, instead of producing adult moths, forms a cell inside the hull of the cotton seed, which it has hollowed out, or, in many cases, fastens two hulls together and remains in the cell between them. In this manner the worm passes the winter and is ready to produce a moth in the spring. However, it has been shown that in case of necessity the worm can remain alive in this cell for several years.

The actual injury of the pink bollworm to the cotton crop is in part precisely the same as that of the boll weevil. The feeding of the worms causes the bolls and squares to fall to the ground in many cases and frequently as much as 50 per cent of the crop of an infested field is lost in this manner. This by no means ends the injury, however, as wherever a single worm attacks a large boll and confines its attention to a single lock it forces the premature opening of the boll, thus greatly injuring the fiber of the uninfested locks. In addition, the inclusion of the infested locks in a bale produces a stained cotton, which is severely penalized in classing. The seed-feeding habit of the worm also causes great loss. The oil yield of the seed is reduced by several per cent and the germination is so seriously injured that it is frequently necessary to plant double the ordinary amount in order to secure a stand.

The methods of dissemination of this insect are, of course, of great importance. Flight, the method by which the boll weevil spreads from State to State, is of very slight importance, as the adult moth is a very weak flyer and has a decided tendency to stay under cover as much as possible. By far the most important method of spreading is in the seed. As I have already mentioned, the worms seal themselves up within the seed in the fall to spend the winter. These seed cells go through the gins uninjured and wherever these seed are transported the moths will emerge in the spring and seek cotton. Consequently cotton seed or anything containing cotton seed moved from infested to noninfested territory is exceedingly likely to carry the infection. Some years back when the danger of importing this pest into this country was first considered a study was made of the baled cotton lint coming to our mills from Egypt. This cotton was roller ginned, and it was found that some seed passed around the ends of the rollers and others slipped through damaged rollers, so that the baled lint contained a considerable number of seed. These seed were found to frequently contain live pink bollworms. Calculations based on the examination of 37 bales showed that we were importing 16,000 live pink bollworms annually, and in the ordinary distribution of this cotton about 300 of these worms would go to the southern mills located within the zone of cotton cultivation. This very grave danger was eliminated by a system of quarantine, which I will discuss a little later.

IS WIDELY DISTRIBUTED.

This pest is now so widely distributed over the globe that it is difficult to determine its original home, but all indications are that it was a native of Africa. From there it has been distributed so that it is now present in all cotton-raising countries of Asia, including India, Japan, China, and others. In Africa it is found in all cotton-raising countries, including Egypt. It was introduced on the American Continents in both Brazil and Mexico. In many of these countries it is difficult to secure accurate estimates as to the damage, but all reports are unanimous in that the loss is very great. In Hawaii the pest forced the abandonment of cotton cultivation. In Egypt the minimum yearly loss is estimated at 10 per cent of the value of the crop, and the normal damage is much greater than this. In India the minimum annual loss is placed at more than $10,000,000. Further information on the depredations of this pest being received from time to time indicate that there is hardly any limit except the cotton crop itself to the extent of its damage.

As exemplifying the manner in which this pest may be introduced and spread, I wish to describe the importation into Brazil and Mexico. With the very laudable view of improving the staple of their cotton, the Brazilian Government in 1913 and again in 1914 imported considerable quantities of planting seed from Egypt. These seed were distributed widely throughout Brazil, and it was found in 1915 that this had resulted in the establishment of pink bollworm in all cotton-growing regions of the country. It would be difficult to devise a more thorough and effective method of distribution for the pest. In 1916 these worms caused as high as 50 per cent loss in production at many points. The ultimate effect of this importation on the cotton industry in Brazil remains to be seen, but the best that can be hoped is a permanent decrease of the crop which may easily result in making cotton production unprofitable in that country.

FROM EGYPT TO MEXICO.

The introduction into Mexico was produced in much the same manner. In 1912 a supply of Egyptian seed was imported and planted near Monterey. This produced such a good crop that there was a great demand for the seed the following year, and they were planted throughout the entire Laguna district, which is the principal cotton-producing section of Mexico. Some time before this importation representatives of our Department of Agriculture had visited the Mexican cotton-growing sections and had found that Mexico at that time possessed no cotton pests which we did not have. In view of this and the fact that cotton cultivation in Mexico and in the United States is practically continuous at several points along the border the quarantine regulations against Mexican cotton were not nearly so stringent as those against other countries. In 1916 permits were requested for the importation of a large amount of Mexican seed. Owing to rebel activities, the Mexican oil mills had discontinued operations and the seed from three crops had accumulated. In order to realize on this stock of seed they were offered to Texas mills at very low prices. In all, 467 carloads of these seed from the interior of Mexico were admitted into this country, and these were distributed to 10 Texas mills distributed throughout the State. Shortly after this the pink bollworm was discovered in Mexico. Immediately all further importation of seed was stopped and all seed which had crossed the border was traced to the mills receiving them. Conditions at each mill were studied very carefully, with the view of determining the possibility of infestation of adjacent cotton, and it was deemed advisable to organize a force of scouts to watch the cotton surrounding these mills throughout the season. This work was undertaken by the Federal Horticultural Board, under the charge of Dr. W. W. Hunter, and has been continued by that office in cooperation with the Texas State agricultural departments throughout the subsequent developments. A force of inspectors was organized and all cotton which seemed in any danger of infestation was examined once a week throughout the season of 1917. All inspections were negative until on September 8, 1917, at which time a live pink bollworm was found in the field Hearne. Immediately a force of 25 entomologists were assembled at this point and all fields in the neighborhood were most thoroughly examined. Traces of the worm were found in four or five fields and the worm itself was found in two fields.

About 500 laborers were assembled immediately and these were put to the task of completely cleaning up all the cotton fields within the zone of infestation. For this purpose the plants were first cut down and then gathered and piled. The fields were then raked and, as a final measure, laborers were sent down every row on their hands and knees picking up every scrap of cotton plant remaining on the ground. All of this material was saturated with oil and burned. Seed cotton gathered from the fields was treated in a like manner and every effort was made to completely destroy everything which stood the slightest chance of harboring a pink bollworm. In all, 105 acres were treated in this manner at Hearne. The cotton and cotton seed which had been shipped from this district was traced up and its disposal was very carefully supervised.

BEAUMONT FINDS INFESTATION.

Following this, the examinations at other points were continued and in a very short time an infestation near Beaumont was reported. Investigation in that neighborhood showed that there were in reality two distinct infestations present. The Beaumont oil mill had received 184 cars of the Mexican seed and it was found that these were responsible for the infestation of a considerable number of the fields in that vicinity which were planted with seed secured from the Beaumont mill. In addition, however, a much larger infestation which was apparently of some years' standing was found southwest of Beaumont, extending practically around Trinity Bay. This infestation was traced as rapidly as possible and was soon found to include parts of five counties in the neighborhood of Galveston, Houston, and Beaumont. The infestation in the district around the Beaumont oil mill was found to be very light,

but the other infestation proved to be very heavy in spots. Considerable attention was devoted to tracing the origin of this second infestation, and it was finally determined to be very probably due to cotton blown ashore during the hurricane of 1915. At that time a considerable number of bales of cotton imported from the Laguna district of Mexico were on the docks at Galveston. These were blown off the docks and northward onto the shores of Trinity Bay. They were later salvaged from where they had been deposited by the tide and in order to get them out through the marshy ground the bales were broken open. Undoubtedly a considerable amount of cotton was left and the worms contained in this produced an infestation which persisted during 1916 without discovery.

A large force of both entomologists and laborers were assembled at Beaumont and started immediately on the task of cleaning up these infested fields as had been done at Hearne. Large forces of laborers were organized and furnished with complete camp outfits. Motor trucks were provided and the most thorough possible campaign of extermination was inaugurated. In all approximately 3,000 acres were found to be infested, and of this something over 2,300 acres has been cleaned up to date. Work is progressing on the remainder as rapidly as possible. All cotton originating in these fields is being traced and effective measures are being taken for its safe disposal.

EMBARGO AGAINST MEXICO.

Beginning in 1912 quarantine measures aiming at the prevention of the introduction of the pink boll worm into this country were instituted. At first these consisted of quarantines against the importation of seed from all countries except Mexico. Then the discovery of worms in Egyptian bales was made and the importation of these bales was prohibited. Experiments soon showed that by a new system of fumigation in a partial vacuum it was possible to kill the worms within the bales. Since that time large fumigating plants have been erected at the principal ports of entry and now all foreign lint entering this country is passed through the vacuum fumigation processes under Federal supervision. Following the discovery of the pink boll worm in Mexico the importation of Mexican cotton was absolutely prohibited. In addition, quarantines were promulgated providing for the inspection and fumigation of almost everything entering this country from Mexico except the natives themselves. All cars, regardless of their contents, are inspected, and since many of them contain old cotton seed from previous shipments they are carefully fumigated. The contents, whenever in the least suspicious, are treated in a like manner, and every step which can possibly be taken to prevent any chance of introduction is very carefully carried out.

On December 28, 1917, a Texas law became effective giving most drastic powers of quarantine. Among other things the governor is authorized to prohibit the planting of cotton at any point along the Texan brder which appears subject to infestation from Mexico. In addition, this law provides for the prohibiting of cotton cultivation around any areas in Texas found to be infested with the boll worm. This power will be utilized and the districts around Hearne and Beaumont will be declared cotton free for the next three years. In this connection the Federal and State agents are doing all possible in advising and instructing the farmers in the use of substitute crops. In addition, all quarantines which I have mentioned will be strictly enforced and additional zones promulgated as may be necessary. The work of scouting at all suspected points will also be continued most vigorously.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to return to page 45 for the purpose of submitting an amendment.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to return to page 45 for the purpose of submitting an amendment. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, let it be read first for information.

The CHAIRMAN. The Clerk will report the amendment for information.

The Clerk read as follows:

Page 45, add a new paragraph after line 11, as follows:
"That during the existing state of war the Secretary of War is authorized to make sales, without advertisement, at a fair valuation, to be determined by him, of national forest timber to be used, so far as suitable, for the construction of aeroplanes."

Mr. JOHNSON of Washington. Mr. Chairman, I have eliminated from the amendment proposed a day or two ago all of the contentious matter, leaving the amendment to cover the actual necessities. I think I can convince the membership of the advisability of this by referring to a statement from the office of the Signal Officer of the United States Army, dated December 1, in which he calls upon the North Pacific country to furnish twice the amount of spruce for aeroplane stock that was being furnished at that time.

Mr. STAFFORD. I do not know whether there is any objection by anybody else, but there is no objection on my part.

Mr. NORTON. Reserving the right to object——

Mr. WINGO. Will the gentleman yield for a question?

Mr. JOHNSON of Washington. Certainly.

Mr. WINGO. As I gathered from the reading of the gentleman's amendment, there is no provision to take care of the question which the gentleman from Michigan [Mr. FORDNEY] raised yesterday.

Mr. JOHNSON of Washington. I am afraid that can not be done at this time. If the gentleman will remember, the amendment as offered heretofore carried two new legislative provisions, one of which opened up a way through which the War Department could go into the forest reserve and take timber without charge, use part, and sell the remainder. The Navy Department has the right to take without charge forest-reserve timber, the railroad engineering building in Alaska has that right, the Reclamation Service has that right, but the War Department has not. But, Mr. Chairman, I realize that I had too much new legislation in one item offered as a paragraph of an appropriation bill. So in eliminating the War Department free-gift provision I had, of course, to cut out the War Department sales provision. I have reduced the amendment to the first and immediate necessity. While the Army appropriation bill is being considered in committee I hope to see adopted a paragraph giving the War Department the right to forest-reserve products; also to permit the War Department to cut and sell timber on certain military reservations. My present amendment does only one thing; it provides that the advertising requirement be suspended, so that men can go into the forest reserves and bring out pieces of spruce.

Mr. WINGO. Does the gentleman's amendment authorize the Secretary of War to go ahead and sell the waste timber after the heart timber has been taken out of the tree for aeroplane stock?

Mr. JOHNSON of Washington. No; that phase is not now touched. The War Department will pay its price per thousand in the tree, and the Agricultural Department, through its Forestry Bureau, will receive that money. Whoever rives out the log will get the prices offered by the War Department for spruce pieces and the bonus as well.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. MONDELL. Mr. Chairman, a point of order was reserved by the chairman of the committee on an amendment I offered on page 16, an amendment to the meat-inspection item. The proposed amendment increases the appropriation for meat inspection by $100,000, that sum to be used for the inspection of horses and horse meat for export. I desire to ask the gentleman from South Carolina if he intends to insist upon the point of order?

Mr. LEVER. Mr. Chairman, I took that matter up with the Secretary of Agriculture, and he informs me that he has had the matter up with Mr. Hoover, of the Food Administration, and that they have found there is no demand for horse meat in this country and little, if any, in foreign countries with which we are allied in this war. Personally, I think it is bad legislation psychologically for us to write in the bill any suggestion relative to horse meat, and I feel I must make the point of order, and I do make the point of order.

Mr. MONDELL. Mr. Chairman, this matter came up through the desire of certain horse growers in the West to find a market for their product, and the desire of others who have viewed with alarm the growing shortage in meats for export to utilize for export meats such as certain people of Europe have been accustomed to use. The State Department has had the question up with some of the European governments as to whether or not a certain amount of horse meat could be used in the countries of the allies where the people have been accustomed to the use of such meat. I am inclined to think that those negotiations have not come to a conclusion; that is my latest information. I think it is quite probable that our allies, some of them, may conclude that they can relieve the situation in regard to meat by the utilization of the meat of some of our horses not suitable for other purposes, but the item is clearly subject to the point of order, and therefore if the gentleman insists upon it the amendment goes out. I regret that he does insist on it, because I think that a condition may arise under which the State Department, even the Food Administration, may desire to have such meats inspected for export to the civilian populations of the territory of some of our allies who are unable to secure other meats. The gentleman seems to think that psychologically it is not wise. I yield to his psychological objection.

Mr. LEVER. I make the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Mr. RUBEY. Mr. Chairman, a few days ago we had authority to return to an item on page 45, the paragraph beginning line 12 to 17, which went out on a point of order. At that time I offered an amendment, but at the time we had the item up for discussion the gentleman from Michigan offered an amendment, and I have embodied his amendment in my amendment and have made a slight change in the phraseology, and I offer the following substitute for the amendment which I offered and ask that I may have unanimous consent to modify my former amendment by offering this one.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

Mr. ANDERSON. That is subject to the reservation of the point of order?

The CHAIRMAN. Of course.

Mr. LEVER. I reserve the point of order.

The CHAIRMAN. It was stated it was subject to the reservation of the point of order.

The Clerk read as follows:

Mr. RUBEY offers the following amendment, to be inserted on page 45, following the amendment just adopted: After line 11 insert the following:

"Whenever the Secretary of Agriculture shall find the expenses of travel can be reduced thereby, he may, in lieu of the actual traveling expenses, under such regulations as he may prescribe, authorize the payment of not exceeding 2 cents per mile for a motorcycle or 6 cents per mile for an automobile used for necessary travel on official business in the Forest Service: *Provided*, That there shall be no payment of mileage for use or travel of motorcycle or automobile furnished or owned or maintained by the Government of the United States."

Mr. ANDERSON. Will the gentleman yield for a question?

Mr. RUBEY. I will.

Mr. ANDERSON. Is it contended this language shall be permanent legislation now?

Mr. RUBEY. No. I left out the word "hereafter." It is not permanent legislation.

Mr. STAFFORD. If the gentleman will permit, the very language as submitted is permanent in form, and will be so considered, I believe.

Mr. RUBEY. It says "whenever the Secretary shall determine."

Mr. STAFFORD. That is enacting language for all time.

Mr. RUBEY. I do not think so.

Mr. STAFFORD. In my judgment it is.

Mr. ANDERSON. I have no objection to trying this proposition out for a year.

Mr. RUBEY. I would ask the gentleman from Wisconsin this question: Suppose, instead of the word "whenever," we should say "should the Secretary of Agriculture determine"?

Mr. STAFFORD. That is the same. That is continuing it for all time and not restricting it to this appropriation bill. Why not insert there "during the fiscal year 1919"?

Mr. RUBEY. I have no objection to that. I will, by unanimous consent, modify the amendment by inserting after the word "whenever" the words "during the fiscal year 1919."

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to modify his amendment as indicated. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment as modified.

The Clerk read as follows:

Modification of amendment: After the word "whenever," in the first line of the amendment, insert the words "during the fiscal year ending June 30, 1919."

The CHAIRMAN. The question is on agreeing to the amendment as modified.

The amendment was agreed to.

Mr. BORLAND. Mr. Chairman, I offer an amendment as a new paragraph, following line 9 on page 89.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 89, following line 9, insert the following as a new paragraph:

"No part of any amount herein appropriated shall be used to pay salaries or for personal services in any department, bureau, or office in the District of Columbia which does not, subject to the provisions and exceptions of section 7 of the legislative, executive, and judicial appropriation act, approved March 15, 1898, require eight hours of labor each day."

Mr. LEVER. Mr. Chairman, I would like to be recognized a moment. I ask unanimous consent that the debate on this amendment and all amendments thereto may close in five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the debate on this amendment and all amendments thereto shall terminate at the expiration of five minutes. Is there objection?

There was no objection.

Mr. BORLAND. Mr. Chairman, I suppose that the great majority of farmers in this country would be somewhat surprised to learn that the great Agricultural Department of the United States maintains a seven-hour working day. I think they would be rather surprised to find that to be so in time of peace, because I am confident the matter has never been called to their attention. And I think they would be more surprised than ever to find that that condition exists in time of war. I think they would be intensely surprised to find it at a time when they are urged to speed up the production of food products in this country, and when they realize, as they must realize, the shortage of labor. The farms are crying for labor. They are asked to put on high pressure in the production of food, and yet the Department of Agriculture in Washington is overmanned and underworked. Any department in Washington that can do its work in seven hours, with 137 days off of the yearly calendar that are not working days, is overmanned and underworked.

Now, the farmers of the United States, I undertake to say, are willing to do their full share. I have heard a great deal in this debate about the shortage of labor. No man realizes that more than the farmer. The farms are, as I said, crying for labor. The mines are crying for labor. The shops are crying for labor. The railroads are crying for labor. The manufactories are crying for labor. There is a shortage of labor everywhere, and yet in the face of that fact most of the departments in Washington are working on a seven-hour day, with long vacations, numerous holidays, and numerous sick leaves. In the face of that they are bringing and attempting to bring to Washington thousands of new employees to work in the Navy Department and in the War Department and in some branches of the Treasury Department and State Department. They have already brought here between ten and twenty thousand new employees, and they have men now scouring the country to-day trying to bring additional employees to Washington.

If there is a shortage in the departments in Washington, if any department needs extra clerical help, there is one way to remedy it, and that is for the Department of Agriculture and the Interior Department and the Department of Labor and all these departments that are working on a seven-hour day to go on an honest basis of eight hours a day. [Applause.] When they do that and release the surplus number of clerks that they are now using and paying, whether they are using them or not, then those surplus clerks will be available for the department that needs them, and will be available without further exhausting the already overtaxed labor supply of the United States. [Applause.]

Why, we are asking men now to pay enormous taxes. What does that mean? It means an enormous production, for taxes can only be paid out of production. Productive toil is the only source that the Government can levy upon, and men must produce or they can not support the Government. They can not produce without labor, and the Government has no right to augment the labor shortage. It is an indefensible thing to think that the labor market is being affected and the shortage is being made more stringent by the bringing of thousands of young people here to Washington who ought to be engaged on the farm and in the productive toil of the country.

Now, the chairman of the committee may say, as the chairman of every committee has said, "Why tie this can on me? Why put this on my bill?" It is a duty on the part of every committee to put it on every bill, because unfortunately our bills are divided up among a number of committees. [Applause.] And I say the American taxpayer will not excuse any committee or any chairman of a committee for attempting to shove the thing aside, as regards his committee.

Mr. LEVER. Mr. Chairman, will the gentleman yield? I will say to the gentleman that I propose to let this committee say——

Mr. BORLAND. I do not say that the gentleman has taken that position, but I want to forestall his taking that position.

Mr. LEVER. I have not any time. I have closed the debate.

Mr. BORLAND. The gentleman ought not, and will not. I think, take the position that the Committee on Agriculture, of all the committees of the House, ought to be unwilling to establish an eight-hour day in the Department of Agriculture.

Now, I just want to show what the business men in the United States think about this situation, and I will send to the Clerk's desk, to be read in my time, a letter I have received from a wholesale grocer of Kansas City.

The Clerk read as follows:

KANSAS CITY, MO., *June 29, 1917.*

Hon. W. P. BORLAND,
Washington, D. C.

DEAR MR. BORLAND: You have favored an eight-hour day for employees of the United States Government at Washington, and you still favor it. You are right. We favor it. Fight it out on this line if it takes all summer, and if we can do anything to help the cause, let us know.

We have never heard of a serious argument why these employees of the Government should not work eight hours a day. If there is such an argument, we would like to read it. The last quibble which we saw was to the effect that a seven-hour day was best for the United States Government clerks because it gave them a chance to spend more money with the Washington shopkeepers.

If you know of any arguments in favor of a seven-hour day which serious-minded people can read with patience, let us have the literature.

Yours, truly,

RIDENOUR-BAKER GROCERY CO.
J. C. LESTER, *Vice President.*

Mr. BORLAND. Gentlemen, I would be glad to have a vote on this proposition. [Applause and cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. BORLAND].

The amendment was agreed to.

Mr. LEVER. Mr. Chairman, I would like to call the attention of the gentleman from Missouri to the fact that the chairman of the committee did not oppose the amendment.

The CHAIRMAN. The Clerk will read.

The Clerk resumed and completed the reading of the bill.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments and with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Agricultural appropriation bill (H. R. 9054) and had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. WALSH. Mr. Speaker, I ask for a separate vote on the amendment on page 27, increasing the appropriation for the distribution of valuable seeds—the congressional seed-distribution item.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CANDLER of Mississippi: Page 27, line 24, strike out the figures "$242,320" and insert in lieu thereof "$363,480."

The SPEAKER. The question is on agreeing to the amendment.

The question being taken, on a division (demanded by Mr. CANDLER of Mississippi) there were—ayes 33, noes 60.

Mr. SAUNDERS of Virginia. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum. The Doorkeeper will lock the doors. The Sergeant at Arms will notify absentees. Those in favor of the Candler amendment will, when their names are called, vote "aye," those opposed "no." The Clerk will call the roll.

The question was taken; and there were—yeas 121, nays 157, not voting 150, as follows:

YEAS—121.

Almon	Drane	King	Rubey
Ashbrook	Eagle	Langley	Russell
Austin	Farr	Larsen	Sabath
Ayres	Ferris	Lazaro	Sanders, La.
Barkley	Fields	Lee, Ga.	Saunders, Va.
Beakes	Fisher	Lesher	Sears
Bell	Flood	Little	Sells
Blackmon	Gard	Littlepage	Shallenberger
Booher	Garland	McAndrews	Sisson
Brand	Garrett, Tenn.	McArthur	Smith, Idaho
Brumbaugh	Garrett, Tex.	McKeown	Snook
Burnett	Goodwin, Ark.	Mays	Steagall
Byrnes, S. C.	Gray, Ala.	Miller, Wash.	Taylor, Ark.
Caldwell	Greene, Mass.	Moon	Thomas
Candler, Miss.	Harrison, Va.	Morgan	Thompson
Cantrill	Hastings	Neely	Timberlake
Caraway	Hawley	Nicholls, S. C.	Venable
Carlin	Heaton	Nolan	Vinson
Carter, Okla.	Heflin	Oldfield	Walton
Clark, Fla.	Hensley	Oliver, Ala.	Watkins
Clark, Pa.	Hilliard	Oliver, N. Y.	Watson, Va.
Claypool	Hood	Overstreet	Weaver
Connally, Tex.	Huddleston	Park	Webb
Connelly, Kans.	Hull, Tenn.	Polk	Whaley
Cooper, W. Va.	Igoe	Powers	Wilson, Tex.
Crisp	Jacoway	Quin	Wingo
Dale, N. Y.	Johnson, Ky.	Rainey	Wright
Decker	Jones, Va.	Raker	Young, Tex.
Dickinson	Kehoe	Robinson	
Dies	Kiess, Pa.	Rodenberg	
Dominick	Kincheloe	Rouse	

NAYS—157.

Anderson	Dowell	Hayden	Lundeen
Baer	Dunn	Hayes	Lunn
Beshlin	Dyer	Helm	McClintic
Black	Elliott	Hersey	McCormick
Bland	Elston	Hicks	McFadden
Blanton	Emerson	Humphreys	McLaughlin, Mich.
Borland	Esch	Husted	Madden
Buchanan	Fairfield	Ireland	Magee
Campbell, Kans.	Fess	James	Mansfield
Cannon	Fordney	Johnson, Wash.	Mapes
Cary	Foss	Jones, Tex.	Mason
Classon	Francis	Juul	Meeker
Coady	Freeman	Kearns	Merritt
Cooper, Ohio	Fuller, Ill.	Keating	Mondell
Cooper, Wis.	Gandy	Kelly, Pa.	Moore, Pa.
Cox	Garner	Kennedy, Iowa	Morin
Cramton	Glass	Kinkaid	Mott
Crosser	Glynn	Kitchin	Mudd
Currie, Mich.	Gordon	Knutson	Nelson
Dale, Vt.	Gould	Kraus	Nichols, Mich.
Dallinger	Graham, Ill.	Kreider	Norton
Darrow	Graham, Pa.	La Follette	Osborne
Dempsey	Green, Iowa	Lea, Cal.	Paige
Denison	Greene, Vt.	Lever	Parker, N. J.
Denton	Hadley	Linthicum	Parker, N. Y.
Dillon	Hamilton, Mich.	Lobeck	Phelan
Dixon	Hamilton, N. Y.	London	Platt
Doolittle	Haugen	Lonergan	Purnell
Ramseyer	Scott, Iowa	Steenerson	Walsh
Randall	Scott, Mich.	Sterling, Ill.	Wason
Reed	Shackleford	Sumners	Welling
Robbins	Sherley	Sweet	Welty
Roberts	Sherwood	Temple	Wheeler
Rogers	Sinnott	Tilson	Williams
Romjue	Sloan	Towner	Wood, Ind.
Rose	Smith, Mich.	Treadway	Woods, Iowa
Rucker	Smith, C. B.	Vestal	Young, N. Dak.
Sanders, Ind.	Snell	Voigt	
Sanford	Snyder	Volstead	
Schall	Stafford	Waldow	

NOT VOTING—150.

Alexander	Ellsworth	Key, Ohio	Siegel
Anthony	Estopinal	LaGuardia	Sims
Aswell	Evans	Lehlbach	Slayden
Bacharach	Fairchild, B. L.	Lenroot	Slemp
Bankhead	Fairchild, G. W.	Longworth	Small
Barnhart	Flynn	Lufkin	Smith, T. F.
Bowers	Focht	McCulloch	Stedman
Britten	Foster	McKenzie	Steele
Brodbeck	Frear	McKinley	Stephens, Miss.
Browne	French	McLaughlin, Pa.	Stephens, Nebr.
Browning	Fuller, Mass.	McLemore	Sterling, Pa.
Burroughs	Gallagher	Maher	Stevenson
Butler	Gallivan	Mann	Stiness
Byrns, Tenn.	Gillett	Martin	Strong
Campbell, Pa.	Godwin, N. C.	Miller, Minn.	Sullivan
Capstick	Good	Montague	Swift
Carew	Goodall	Moores, Ind.	Switzer
Carter, Mass.	Gray, N. J.	Olney	Tague
Chandler, N. Y.	Gregg	O'Shaunessy	Talbott
Chandler, Okla.	Griest	Overmyer	Taylor, Colo.
Church	Hamill	Padgett	Templeton
Collier	Hamlin	Peters	Tillman
Copley	Hardy	Porter	Tinkham
Costello	Harrison, Miss.	Pou	Van Dyke
Crago	Haskell	Pratt	Vare
Curry, Cal.	Heintz	Price	Walker
Davidson	Helvering	Ragsdale	Ward
Davis	Holland	Ramsey	Watson, Pa.
Dent	Hollingsworth	Rankin	White, Me.
Dewalt	Houston	Rayburn	White, Ohio
Dill	Howard	Reavis	Wilson, Ill.
Dooling	Hull, Iowa	Riordan	Wilson, La.
Doremus	Hutchinson	Rowe	Winslow
Doughton	Johnson, S. Dak.	Rowland	Wise
Drukker	Kahn	Sanders, N. Y.	Woodyard
Dupré	Kelley, Mich.	Scott, Pa.	Zihlman
Eagan	Kennedy, R. I.	Scully	
Edmonds	Kettner	Shouse	

So the amendment was rejected.

The following pairs were announced:

Until further notice:

Mr. O'SHAUNESSY with Mr. BURROUGHS.

Mr. PRICE with Mr. GEORGE W. FAIRCHILD.

Mr. SULLIVAN with Mr. BRITTEN.

Mr. SCULLY with Mr. HUTCHINSON.

Mr. BYRNS with Mr. BENJAMIN L. FAIRCHILD.

Mr. TALBOTT with Mr. BROWNING.

Mr. MARTIN with Mr. FREAR.

Mr. HOLLAND with Mr. GILLETT.

Mr. EAGAN with Mr. KENNEDY of Rhode Island.

Mr. ALEXANDER with Mr. CARTER of Massachusetts.

Mr. BARNHART with Mr. COPLEY.

Mr. STEELE with Mr. BUTLER.

Mr. BRODBECK with Mr. ANTHONY.

Mr. COLLIER with Mr. DAVIS.

Mr. ASWELL with Mr. CHANDLER of New York.

Mr. CAMPBELL of Pennsylvania with Mr. BACHARACH.

Mr. DILL with Mr. DAVIDSON.

Mr. CAREW with Mr. BROWNE.

Mr. BANKHEAD with Mr. CRAGO.

Mr. DENT with Mr. COSTELLO.

Mr. CHURCH with Mr. BOWERS.

Mr. DEWALT with Mr. CHANDLER of Oklahoma.

Mr. DOOLING with Mr. CURRY of California.

Mr. DOREMUS with Mr. GOOD.

Mr. HARDY with Mr. KELLEY of Michigan.

Mr. GALLIVAN with Mr. MCCULLOCH.

Mr. HAMILL with Mr. MCKENZIE.

Mr. KETTNER with Mr. EDMONDS.

Mr. ESTOPINAL with Mr. KAHN.

Mr. MCLEMORE with Mr. MILLER of Minnesota.

Mr. GODWIN of North Carolina with Mr. LONGWORTH.

Mr. DOUGHTON with Mr. GRIEST.

Mr. KEY of Ohio with Mr. HOLLINGSWORTH.

Mr. FOSTER with Mr. ELLSWORTH.

Mr. HAMLIN with Mr. LUFKIN.

Mr. DUPRÉ with Mr. GOODALL.

Mr. HOUSTON with Mr. FOCHT.

Mr. GALLAGHER with Mr. HULL of Iowa.

Mr. HELVERING with Mr. SWIFT.

Mr. EVANS with Mr. HASKELL.

Mr. GREGG with Mr. FULLER of Massachusetts.

Mr. MAHER with Mr. LEHLBACH.

Mr. OLNEY with Mr. MOORES of Indiana.

Mr. FLYNN with Mr. GRAY of New Jersey.
Mr. MONTAGUE with Mr. PETERS.
Mr. HOWARD with Mr. MCKINLEY.
Mr. RAGSDALE with Mr. PORTER.
Mr. TAGUE with Mr. SANDERS of New York.
Mr. SMALL with Mr. TINKHAM.
Mr. OVERMYER with Mr. SIEGEL.
Mr. STEPHENS of Mississippi with Mr. PRATT.
Mr. RAYBURN with Mr. ROWE.
Mr. POU with Mr. SLEMP.
Mr. SIMS with Mr. STINESS.
Mr. SHOUSE with Mr. RAMSEY.
Mr. THOMAS F. SMITH with Mr. WHITE of Maine.
Mr. RIORDAN with Mr. STRONG.
Mr. STERLING of Pennsylvania with Mr. WATSON of Pennsylvania.
Mr. STEPHENS of Nebraska with Mr. ROWLAND.
Mr. SLAYDEN with Mr. WARD.
Mr. TAYLOR of Colorado with Mr. WILSON of Illinois.
Mr. STEDMAN with Mr. WINSLOW.
Mr. VAN DYKE with Mr. WOODYARD.
Mr. WHITE of Ohio with Mr. SWITZER.
Mr. TILLMAN with Mr. REAVIS.
Mr. WILSON of Louisiana with Mr. TEMPLETON.
Mr. WALKER with Mr. FRENCH.
Mr. WISE with Mr. MCLAUGHLIN of Pennsylvania.
Mr. PADGETT with Mr. ZIHLMAN.

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

Mr. LEVER. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross.

There was no demand for a separate vote.

The other amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I wish to make a motion to recommit the bill with instructions.

The SPEAKER. Is the gentleman against the bill?

Mr. McLAUGHLIN of Michigan. I am not, but I am a member of the committee.

The SPEAKER. If there is any gentleman opposed to the bill who wishes to make a motion to recommit, the Chair will recognize him. If not, the Chair recognizes the gentleman from Michigan.

The Clerk read as follows:

Mr. MCLAUGHLIN of Michigan moves to recommit the bill to the Committee on Agriculture with instructions to report the same back forthwith with an amendment as follows: On page 13, line 19, strike out "$250,000" and insert "$500,000."

Mr. LEVER. I move the previous question on the motion to recommit.

The previous question was ordered.

Mr. McLAUGHLIN of Michigan. That is increasing the tuberculosis item.

Mr. LEVER. I make the point that it is not debatable.

The SPEAKER. The question is on the motion to recommit.

The question was taken.

Mr. LINTHICUM. I demand the yeas and nays.

Mr. MONDELL. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 139, nays 142, not voting 147, as follows:

YEAS—139.

Anderson	Dyer	Hamilton, N. Y.	McCormick
Austin	Elliott	Hawley	McFadden
Beakes	Elston	Hayes	McLaughlin, Mich.
Bland	Emerson	Hersey	Madden
Campbell, Kans.	Esch	Hicks	Magee
Cannon	Fairfield	Hull, Iowa	Mapes
Cary	Farr	Husted	Meeker
Chandler, Okla.	Fess	Ireland	Miller, Wash.
Clark, Pa.	Fields	James	Mondell
Classon	Fordney	Johnson, Wash.	Moore, Pa.
Cooper, Ohio	Foss	Juul	Morgan
Cooper, W. Va.	Francis	Kearns	Morin
Cooper, Wis.	Freeman	Kennedy, Iowa	Mott
Cramton	Fuller, Ill.	Kiess, Pa.	Mudd
Currie, Mich.	Gandy	Kinkaid	Nelson
Dale, Vt.	Garland	Knutson	Nichols, Mich.
Dallinger	Glynn	Kraus	Nolan
Darrow	Gould	La Follette	Norton
Dempsey	Graham, Ill.	Langley	Osborne
Denison	Graham, Pa.	Linthicum	Paige
Dillon	Greene, Mass.	Little	Parker, N. J.
Dowell	Greene, Vt.	Lobeck	Parker, N. Y.
Dunn	Hadley	Lundeen	Platt
Dupré	Hamilton, Mich.	McArthur	Powers
Purnell	Scott, Iowa	Sterling, Ill.	Waldow
Randall	Scott, Mich.	Sweet	Walsh
Reed	Sells	Temple	Wason
Robbins	Shallenberger	Thomas	Wheeler
Roberts	Sinnott	Tilson	White, Me.
Rodenberg	Sloan	Timberlake	Williams
Rogers	Smith, Idaho	Towner	Wood, Ind.
Rose	Smith, Mich.	Treadway	Woods, Iowa
Sanders, Ind.	Snell	Vestal	Woodyard
Sanford	Snyder	Voigt	Young, N. Dak.
Schall	Steenerson	Volstead	

NAYS—142.

Almon	Dominick	Kelly, Pa.	Rubey
Ashbrook	Doolittle	Kincheloe	Russell
Ayres	Drane	King	Sabath
Baer	Eagle	Kitchin	Sanders, La.
Barkley	Ferris	Larsen	Saunders, Va.
Bell	Fisher	Lazaro	Sears
Beshlin	Flood	Lea, Cal.	Shackleford
Black	Gallivan	Lee, Ga.	Sherley
Blackmon	Gard	Lesher	Sherwood
Blanton	Garner	Lever	Sisson
Booher	Garrett, Tenn.	Littlepage	Slemp
Brand	Garrett, Tex.	London	Smith, C. B.
Brumbaugh	Godwin, N. C.	Lonergan	Snook
Buchanan	Goodwin, Ark.	Lunn	Stafford
Burnett	Gordon	McAndrews	Steagall
Byrnes, S. C.	Gray, Ala.	McClintic	Sumners
Caldwell	Harrison, Miss.	McKeown	Taylor, Ark.
Candler, Miss.	Harrison, Va.	Mansfield	Taylor, Colo.
Cantrill	Hastings	Mays	Thompson
Caraway	Haugen	Moon	Venable
Carlin	Hayden	Neely	Vinson
Carter, Okla.	Heflin	Nicholls, S. C.	Walton
Clark, Fla.	Helm	Oldfield	Watkins
Coady	Hensley	Oliver, Ala.	Watson, Va.
Collier	Hilliard	Oliver, N. Y.	Weaver
Connally, Tex.	Hood	Overstreet	Webb
Connelly, Kans.	Huddleston	Park	Welling
Cox	Hull, Tenn.	Phelan	Welty
Crisp	Humphreys	Polk	Whaley
Crosser	Igoe	Quin	White, Ohio
Dale, N. Y.	Jacoway	Rainey	Wilson, Tex.
Decker	Johnson, Ky.	Raker	Wingo
Denton	Jones, Tex.	Ramseyer	Wright
Dickinson	Jones, Va.	Robinson	Young, Tex.
Dies	Keating	Romjue	
Dixon	Kehoe	Rouse	

NOT VOTING—147.

Alexander	Ellsworth	Key, Ohio	Rucker
Anthony	Estopinal	Kreider	Sanders, N. Y.
Aswell	Evans	LaGuardia	Scott, Pa.
Bacharach	Fairchild, B. L.	Lehlbach	Scully
Bankhead	Fairchild, G. W.	Lenroot	Shouse
Barnhart	Flynn	Longworth	Siegel
Borland	Focht	Lufkin	Sims
Bowers	Foster	McCulloch	Slayden
Britten	Frear	McKenzie	Small
Brodbeck	French	McKinley	Smith, T. F.
Browne	Fuller, Mass.	McLaughlin, Pa.	Stedman
Browning	Gallagher	McLemore	Steele
Burroughs	Gillett	Maher	Stephens, Miss.
Butler	Glass	Mann	Stephens, Nebr.
Byrns, Tenn.	Good	Martin	Sterling, Pa.
Campbell, Pa.	Goodall	Mason	Stevenson
Capstick	Gray, N. J.	Merritt	Stiness
Carew	Green, Iowa	Miller, Minn.	Strong
Carter, Mass.	Gregg	Montague	Sullivan
Chandler, N. Y.	Griest	Moores, Ind.	Swift
Church	Hamill	Olney	Switzer
Claypool	Hamlin	O'Shaunessy	Tague
Copley	Hardy	Overmyer	Talbott
Costello	Haskell	Padgett	Templeton
Crago	Heaton	Peters	Tillman
Curry, Cal.	Heintz	Porter	Tinkham
Davidson	Helvering	Pou	Van Dyke
Davis	Holland	Pratt	Vare
Dent	Hollingsworth	Price	Walker
Dewalt	Houston	Ragsdale	Ward
Dill	Howard	Ramsey	Watson, Pa.
Dooling	Hutchinson	Rankin	Wilson, Ill.
Doremus	Johnson, S. Dak.	Rayburn	Wilson, La.
Doughton	Kahn	Reavis	Winslow
Drukker	Kelley, Mich.	Riordan	Wise
Eagan	Kennedy, R. I.	Rowe	Zihlman
Edmonds	Kettner	Rowland	

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

On the vote:

Mr. HELVERING (against) with Mr. SWIFT (for).

Until further notice:

Mr. POU with Mr. DAVIS.

Mr. THOMAS F. SMITH with Mr. WILSON of Illinois.

Mr. VAN DYKE with Mr. SWITZER.

Mr. DEWALT with Mr. MCCULLOCH.

Mr. GALLAGHER with Mr. LONGWORTH.

Mr. CLAYPOOL with Mr. GOODALL.

Mr. GLASS with Mr. VARE.

Mr. PADGETT with Mr. ZIHLMAN.

Mr. RUCKER with Mr. HEATON.

The result of the vote was announced as above recorded.

The SPEAKER. The question now is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. LEVER, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that the engrossing clerk may correct the totals if there should be any correction.

The SPEAKER. The gentleman from South Carolina asks that the engrossing clerk may correct the totals. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT UNTIL MONDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet on next Monday. Is there objection. [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

By unanimous consent, Mr. BURROUGHS was granted leave of absence for the day, on account of illness.

EXTENSION OF REMARKS.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, on what subject?

Mr. FERRIS. I want to print a short editorial on the war—peace and against war.

Mr. NORTON. And prosperity?

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. The gentleman from Massachusetts objects.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 36 minutes p. m.), under its previous order, the House adjourned to meet Monday, February 4, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the president of the Georgetown Gas Light Co., transmitting detailed statement of the business of the Georgetown Gas Light Co., together with a list of stockholders for the year ending December 31, 1917 (H. Doc. No. 891); to the Committee on the District of Columbia and ordered to be printed.

2. A letter from the Postmaster General, transmitting report regarding the transmission of postal matter to and from members of the American expeditionary forces in France (H. Doc. No. 892); to the Committee on the Post Office and Post Roads and ordered to be printed.

3. A letter from the president of the Washington Railway & Electric Co., transmitting report of the Georgetown & Tennallytown Railway Co. for the year ending December 31, 1917 (H. Doc. No. 893); to the Committee on the District of Columbia and ordered to be printed.

4. A letter from the president of the Washington Railway & Electric Co., transmitting report of the Washington Interurban Railroad Co. for the year ending December 31, 1917 (H. Doc. No. 894); to the Committee on the District of Columbia and ordered to be printed.

5. A letter from the president of the Potomac Electric Power Co., transmitting report of the Potomac Electric Power Co. for the year ended December 31, 1917 (H. Doc. No. 895); to the Committee on the District of Columbia and ordered to be printed.

6. A letter from the president of the Washington Railway & Electric Co., transmitting report of the City & Suburban Railway of Washington for the year ended December 31, 1917 (H. Doc. No. 896); to the Committee on the District of Columbia and ordered to be printed.

7. A letter from the president of the Washington Railway & Electric Co., transmitting report of the Washington Railway & Electric Co. for the year ended December 31, 1917 (H. Doc. No. 897); to the Committee on the District of Columbia and ordered to be printed.

8. A letter from the president of the East Washington Heights Railway, transmitting annual report for the year ended December 31, 1917 (H. Doc. No. 898); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SHOUSE, from the Committee on the Library, to which was referred the resolution (S. J. Res. 107) authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury, reported the same without amendment, accompanied by a report (No. 280), which said resolution and report were referred to the House Calendar.

Mr. GOULD, from the Committee on the Library, to which was referred the resolution (H. J. Res. 154) authorizing the erection of a memorial in Washington to the memory and in honor of the members of the various orders of sisters who gave their services as nurses on battle fields, in hospitals, and on floating hospitals during the Civil War, reported the same without amendment, accompanied by a report (No. 281), which said resolution and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MOORE of Pennsylvania: A bill (H. R. 9455) to make valid certain certificates of naturalization; to the Committee on Immigration and Naturalization.

By Mr. BORLAND: A bill (H. R. 9456) authorizing the Postmaster General to cancel or readjust the terms of star-route and screen-wagon contracts; to the Committee on the Post Office and Post Roads.

By Mr. GLASS: A bill (H. R. 9457) authorizing national banks to make contributions to the American National Red Cross; to the Committee on Banking and Currency.

By Mr. GRAHAM of Pennsylvania: A bill (H. R 9458) to prevent and punish the sale of Army and Navy uniforms to persons not authorized to wear them; to the Committee on the Judiciary.

By Mr. CARY: A bill (H. R. 9459) to increase the pensions of the widows of the War with Mexico; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9460) to regulate the hours of duty of the officers and members of the fire department of the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 9461) to pension widow and minor children of any officer or enlisted man who served in the War with Spain or Phillipine insurrection; to the Committee on Pensions.

By Mr. HICKS: A bill (H. R. 9462) to prescribe the personnel of the Navy Nurse Corps, the qualifications for appointment, and the method of appointment therein, the pay, allowances, and leave of absence of members of said corps, and the conditions under which they may be retired; to the Committee on Naval Affairs.

By Mr. FRANCIS: A bill (H. R. 9498) providing for the free transportation of officers and enlisted men of the Army, Navy, and Marine Corps of the United States, and of members of the Nurse Corps of the Army and Navy; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 9463) granting an increase of pension to James L. Henderson; to the Committee on Pensions.

By Mr. CALDWELL: A bill (H. R. 9464) granting a pension to Margaret Jackson; to the Committee on Pensions.

Also, a bill (H. R. 9465) granting a pension to William F. W. Gordon; to the Committee on Pensions.

Also, a bill (H. R. 9466) granting a pension to Louisa Donnelly; to the Committee on Pensions.

Also, a bill (H. R. 9467) for the relief of Thomas Campbell; to the Committee on Military Affairs.

By Mr. CURRIE of Michigan: A bill (H. R. 9468) granting a pension to Ida M. Van Epps; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9469) granting a pension to Carrie L. Kibbe; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 9470) granting an increase of pension to Charles Owens; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 9471) granting an increase of pension to Cyrus Riffle; to the Committee on Invalid Pensions.

By Mr. GRAY of Alabama: A bill (H. R. 9472) granting an increase of pension to James Powers; to the Committee on Invalid Pensions.

By Mr. GREGG: A bill (H. R. 9473) for the relief of the legal representatives of Sarah J. Montgomery, deceased; to the Committee on War Claims.

By Mr. HAMILTON of New York. A bill (H. R. 9474) granting a pension to George H. Roberts; to the Committee on Invalid Pensions.

By Mr. HILLIARD: A bill (H. R. 9475) for the relief of Elizabeth T. Wells; to the Committee on Military Affairs.

By Mr. KEARNS: A bill (H. R. 9476) granting a pension to Chester A. Dryden; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 9477) granting an increase of pension to William Ducy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9478) granting a pension to Nancy Ault; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 9479) granting an increase of pension to J. R. Evans; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 9480) granting an increase of pension to George T. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9481) granting an increase of pension to Christian Marxmuller, alias Christopher Miller; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 9482) granting a pension to Mahalah A. Palmer; to the Committee on Invalid Pensions.

By Mr. MILLER of Minnesota: A bill (H. R. 9483) granting a pension to Frank Bachmeyer; to the Committee on Pensions.

Also, a bill (H. R. 9484) granting a pension to George A. Holmes; to the Committee on Pensions.

Also, a bill (H. R. 9485) granting a pension to Carlos Forsman; to the Committee on Pensions.

By Mr. MUDD. A bill (H. R. 9486) granting a pension to E. P. Aler; to the Committee on Pensions.

Also, a bill (H. R. 9487) for the relief of Charles C. Serrin; to the Committee on Military Affairs.

By Mr. RAINEY: A bill (H. R. 9488) granting a pension to Abigail Butts; to the Committee on Invalid Pensions.

By Mr. ROGERS: A bill (H. R. 9489) granting a pension to George F. Cook; to the Committee on Invalid Pensions.

By Mr. SHALLENBERGER: A bill (H. R. 9490) granting an increase of pension to R. H. Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9491) granting a pension to Marion Burnham; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 9492) granting an increase of pension to Christian Gulbranson; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 9493) granting an increase of pension to Edgar Parks; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 9494) granting a pension to Millie B. Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9495) granting a pension to George F. Harter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9496) granting an increase of pension to Phoebe Miller; to the Committee on Invalid Pensions.

By Mr. OSBORNE: A bill (H. R. 9497) granting a pension to Sarah A. Dow; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Petition of Association of Lithuanian Patriots of America, relative to independence for Lithuania; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Memorial of Union Label Trades Department of the American Federation of Labor, asking repeal of the second-class postage provisions of the war-revenue bill; to the Committee on Ways and Means.

Also, petition of Prairie Club of Chicago, Ill., opposing the granting of grazing privileges in the national parks and of shooting in the bird reservations; to the Committee on the Public Lands.

By Mr. MOORE of Pennsylvania: Memorial of tenth annual convention of the Union Label Trades Department of the American Federation of Labor, favoring elimination of section in war-revenue bill dealing with second-class postage; to the Committee on Ways and Means.

Also, memorial of Tyrone Chamber of Commerce, protesting against periodical postage amendment; to the Committee on Ways and Means.

Also, memorial of Asbury Chamber of Commerce, protesting against zone system for second-class mail; to the Committee on the Post Office and Post Roads.

By Mr. RAKER: Petition of Henry Adams, Veterans' Home, Cal., favoring volunteer officers' retired-list bill; to the Committee on Military Affairs.

Also, memorial of National Council, Sons and Daughters of Liberty, favoring passage of House bill 4892, relative to immigration law; to the Committee on Immigration and Naturalization.

Also, petition of Columbia Post, No. 141, Department of California and Nevada, Grand Army of the Republic, favoring increase in pensions of ex-Union soldiers of the Civil War; to the Committee on Invalid Pensions.

By Mr. STEENERSON: Petition of citizens of Halstad, Minn., protesting against the proposed repeal of the second-class mail rates provision of the war-revenue act; to the Committee on the Post Office and Post Roads.

SENATE.

MONDAY, *February 4, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we open the Senate this morning with a very great burden upon our hearts. We hear of our boys at the front receiving their first baptism of fire and blood. Our hearts go out to them. We present them to Thee, O God, asking Thy guidance and Thy blessing upon them. We pray that they may feel the support of a united country, and that they may have the courage which springs out of a consciousness of the pureness of their flag and the united support of a mighty Nation back of them. We pray Thee speedily to bring to them and their arms and to their flag the victory which comes to the unconquerable will of men who do right in Thy sight. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. VARDAMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE PRESIDENT. In accordance with an order heretofore made by the Senate, that upon the 22d day of February in each year, or if that day should fall on Sunday then on the day following, immediately after the reading of the Journal, Washington's Farewell Address should be read to the Senate by a Senator designated for the purpose by the presiding officer, the Chair announces the appointment of the Senator from Rhode Island [Mr. GERRY] to read the address this year.

CRIPPLED SOLDIERS AND SAILORS (S. DOC. NO. 173).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of January 31, 1917, certain information relative to the rehabilitation and vocational reeducation of crippled soldiers and sailors, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

WASHINGTON GAS LIGHT CO. (H. DOC. NO. 891).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Gas Light Co. for the year ended December 31, 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

WASHINGTON RAILWAY & ELECTRIC CO. (H. DOC. NO. 897).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Railway & Electric Co. for the year ended December 31, 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

GEORGETOWN & TENNALLYTOWN RAILWAY CO. (H. DOC. NO. 893).

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown & Tennallytown Railway Co. for the year ended December 31, 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

WASHINGTON INTERURBAN RAILROAD CO. (H. DOC. NO. 894).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Interurban Railroad Co. for the year

ended December 31, 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

CITY & SUBURBAN RAILWAY CO. (H. DOC. NO. 896).

The VICE PRESIDENT laid before the Senate the annual report of the City & Suburban Railway Co. of Washington for the year ended December 31, 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

POTOMAC ELECTRIC POWER CO. (H. DOC. NO. 895).

The VICE PRESIDENT laid before the Senate the annual report of the Potomac Electric Power Co. for the year ended December 31, 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

CAPITAL TRACTION CO. (H. DOC. NO. 889).

The VICE PRESIDENT laid before the Senate the annual report of the Capital Traction Co. for the year ended December 31, 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

EAST WASHINGTON HEIGHTS TRACTION RAILROAD (H. DOC. NO. 898).

The VICE PRESIDENT laid before the Senate the annual report of the East Washington Heights Traction Railroad Co. for the year ended December 31, 1917, which was referred to the Committee on the District of Columbia and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the chief clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions filed by the court in the following causes:

William Ioder *v.* United States (S. Doc. No. 169); and

Benjamin K. Roberts, Harris L. Roberts, and Helen F. C. Roberts, guardians of Benjamin S. Roberts, jr., heirs of Benjamin S. Roberts, deceased, *v.* United States (S. Doc. No. 170).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 3135. An act to amend section 4 of the act entitled "An act to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona; and

H. J. Res. 174. Joint resolution for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate a memorial to the Congress of the United States from the house of delegates and the officers of the American Medical Association, praying for the repeal of section 209 of the war-revenue act, which will be referred to the Committee on Finance.

Mr. GALLINGER. Mr. President, I am not in the habit of asking that telegrams be inserted in the RECORD, but the two brief telegrams I send to the desk are of such great importance I ask that they may be read.

The PRESIDING OFFICER. Without objection, the Secretary will read.

The Secretary read as follows:

NEW YORK, N. Y., *February 1, 1918.*

Hon. J. H. GALLINGER,
United States Senate, Washington, D. C.:

Coal famine fast forcing shutdown of New England mills and cutting off Army cloth urgently needed by Government. Can not another large inactive Navy collier be immediately put en route from coal-loading ports to Boston? Many other mills on verge of closing.

FREDERICK S. CLARKE,
Acting President National Association of Wool Manufacturers.

BOSTON, MASS., *February 1, 1918.*

Hon. JACOB H. GALLINGER,
United States Senate, Washington, D. C.:

Coal situation very critical. New England mills will soon be closed and supplies needed for Army and Navy cut off unless coal is provided at once. Shutdowns will result in thousands being unemployed, and great suffering certain unless relief comes quickly.

A. F. BEMIS,
President National Association of Cotton Manufacturers.

Mr. GALLINGER. Mr. President, all I can do about that matter, which is a very serious one, is to have these telegrams inserted in the RECORD with the expectation that the officials who possibly can give relief will have their attention called to them.

Mr. McLEAN. I have a brief resolution adopted by the Equal Suffrage League of Bridgeport, Conn., which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolution adopted at a meeting of the Bridgeport Equal Suffrage League, the Stratford Equal Suffrage League, and the Fairfield Equal Suffrage League, in Bridgeport, January 31, 1918.

Resolved, That this meeting most earnestly urges Senator GEORGE P. MCLEAN to vote for the Federal suffrage amendment and to work for its passage, thus demonstrating the faith of this country in the democracy for which we and our allies are fighting; and be it also

Resolved, That Senator GEORGE P. MCLEAN be requested to see that this resolution is read into the CONGRESSIONAL RECORD.

Mr. JONES of Washington. I have a resolution adopted unanimously by the Pastors' Federation of the City of Washington and the District. I ask that it may be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

PASTORS' FEDERATION ON WINE AND BEER SITUATION IN FRANCE.

Resolved, That we rejoice in the unparalleled efforts of our Secretaries of War and the Navy to safeguard our fighting forces morally, which has had a large measure of success in cantonments and ships, and urge more drastic action to insure their protection when on leave and especially when in foreign service.

—

Whereas Gen. Pershing issued an order more than a month ago, forbidding our soldiers in France to "buy or receive as a gift" the stronger liquors, but specifically excepting beer and light wines, which both Houses of Congress had previously refused to except in legislation for soldiers and others; and

Whereas the extension of this order to include all intoxicating drinks, which it was reported he was discussing with the French Government, has not been made; and

Whereas silence on the part of the American people might seem to give consent to the present un-American distinction in favor of beer and wine, which will seem to excuse if not sanction their use at home as well as abroad; and

Whereas there has been no official action, so far as the public is informed, to stop the shipment to foreign breweries of American grain, now spared for our allies at the sacrifice of our people and all needed by them for food: Therefore

Resolved, That we join the National Legislative Conference, representing all temperance forces, in asking the President to request the British and French Governments to forbid their people to sell or give any alcoholic beverage, beer, or wine, or any other to any of our fighting forces; be it further

Resolved, That inasmuch as the grain we can spare only by sacrifice is being used, directly and indirectly, to produce intoxicants abroad that imperil our common cause in their influence upon the fighting men, the munition workers, the food supply, the funds and the transportation, we urge joint war prohibition by Great Britain, France, and the United States be proposed by our own Government either by the President or by Congress. We can not regard as a valid reason in any country for not prohibiting beer and wine for the war, especially not in our own, the fear that working men would refuse to sacrifice these drinks even when it was required as a patriotic necessity. There has been no labor revolt in any of our "dry" cities when put under prohibition, and labor leaders of "dry" States, as shown in the House amendment debate, have generally approved prohibition after trial—the labor petitions against prohibition having come from States that have not tried prohibition. Nor do we accept the statement that for the President to prohibit beer would necessarily "put the country on a whisky basis" since the President is fully authorized to commandeer all distilled liquors in bond or stock for redistillation to prevent use of foodstuffs for future manufacture of munition alcohol, which redistillation could be done at a very small cost for assembling, since 60 per cent of the whisky is in one State, and the cost of redistillation would be less than 2 cents a gallon, according to official chemist.

Above petition was adopted unanimously by Pastors' Federation of Washington, D. C., on January 28, 1918.

Mr. JONES of Washington presented a petition of the Trades and Labor Council of Hoquiam, Wash., praying for an increase in the salaries of all civil-service employees, which was referred to the Committee on Appropriations.

Mr. LODGE. Mr. President, I present a letter in the nature of a petition from the president of the National Association of Cotton Manufacturers. I ask that it may be read into the RECORD.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

THE NATIONAL ASSOCIATION OF COTTON MANUFACTURERS,
Boston, Mass., February 1, 1918.

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

MY DEAR SENATOR LODGE: Notwithstanding that you are probably fully aware of the critical condition of our New England mills in respect to a supply of fuel, it seemed to me my duty as president of this association to send you direct information, which I did to-day, as per the following telegram:

"Coal situation very critical. New England mills will soon be closed and supplies needed for Army and Navy cut off unless coal is provided at once. Shutdowns, thousands unemployed, and great suffering certain unless relief comes quickly."

Believe me, very respectfully, yours,

A. F. BEMIS, *President.*

Mr. LODGE presented a petition of sundry citizens of Brookline, Mass., praying for the creation of a war cabinet, which was referred to the Committee on Military Affairs.

He also presented resolutions adopted by the Massachusetts Chiropody Association, of Boston, Mass., favoring the establishment of a chiropodist corps in the Army, which were referred to the Committee on Military Affairs.

Mr. JOHNSON of South Dakota. I present a communication from Rev. D. M. Brown, pastor of the First Congregational Church, of Estelline, S. Dak., which I ask to have printed in the RECORD.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

ESTELLINE, S. DAK., *January 25, 1918.*

Hon. THOMAS STERLING and Hon. EDWIN S. JOHNSON, *Senators;* Hon. CHARLES H. DILLON, Hon. ROYAL C. JOHNSON, and Hon. HARRY L. GANDY, *Representatives, of the State of South Dakota.*

MY HONORABLE AND DEAR SIRS: The injection of partisan politics into the governmental business of waging a world war is most reprehensible and disloyal. Speeding up war measures and affairs is one thing, and breaking down the confidence of the people and weakening their cooperation with the Government is quite another thing. The United States has but one President, Woodrow Wilson. He is Commander in Chief of the Army and Navy. The presence of Theodore Roosevelt in Washington at this time, and his criticisms adverse to the administration and its management of the war preparations detract in every way possible from the spirit of winning the war and embarrass the people and Government of the United States. Such things as these greatly help the Kaiser. The suffering and blood of our young manhood, at home and abroad, cry out against these partisan outbreaks and devilish thrusts now being made by an ex-President and those who follow in his trail.

Yours, most respectfully,

D. M. BROWN,
Pastor of Congregational Church.

Mr. WEEKS presented a resolution adopted by the Middlesex-Essex Pomona Grange, No. 28, Patrons of Husbandry, of Massachusetts, and a petition of sundry citizens of Lowell, Mass., praying for national prohibition, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Boston, Mass., and a petition of sundry citizens of Lawrence, Mass., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES.

Mr. FLETCHER, from the Committee on the Judiciary, to which was referred the bill (S. 1735) to create an additional judge in the southern district of Florida, reported it with an amendment.

Mr. ASHURST, from the Committee on the Judiciary, to which was referred the bill (S. 714) providing for an additional judge for the district of Arizona, reported it with an amendment, and submitted a report (No. 240) thereon.

Mr. MYERS, from the Committee on Military Affairs, to which was referred the bill (S. 922) for the relief of Orion Mathews, reported it without amendment, and submitted a report (No. 241) thereon.

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (H. R. 6361) to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war, reported it with amendments.

Mr. TILLMAN, from the Committee on Naval Affairs, to which was referred the bill (S. 3403) for the relief of Paymaster Alvin Hovey-King, United States Navy, reported it without amendment and submitted a report (No. 242) thereon.

FUNERAL EXPENSES OF THE LATE SENATOR BRADY.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred S. Res. 187, submitted by Mr. BORAH on the 18th ultimo, reported it favorably without amendment, and it was considered with unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of the Hon. JAMES H. BRADY, late a Senator from the State of Idaho, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

DEMOCRACIES AGAINST AUTOCRACIES.

Mr. FLETCHER. I report favorably from the Committee on Printing a resolution touching the printing of a document, and I ask unanimous consent for its present consideration.

The resolution (S. Res. 196) was read, as follows:

Resolved, That the pamphlet submitted by the Senator from Florida [Mr. FLETCHER] on July 12, 1917, entitled "An International Confederation of Democracies under a Constitution," by David Lubin, delegate to the United States International Institute of Agriculture, be printed as a Senate document.

Mr. SMOOT. If I am not mistaken, the Committee on Printing decided not to print that document.

Mr. FLETCHER. The committee ordered it to be reported favorably.

Mr. SMOOT. At the meeting held last Saturday?

Mr. FLETCHER. At the meeting held last Saturday. It was done before the Senator came in, perhaps.

Mr. SMOOT. It was certainly done before I came into the committee meeting if it was agreed to.

Mr. FLETCHER. It was agreed to. I reported it pursuant to the action of the committee. I think the Senator was a little late in getting in.

Mr. SMOOT. Yes; I was late—about 10 minutes.

Mr. FLETCHER. It does not cost very much.

Mr. SMOOT. Of course, if the committee has decided that it should be printed as a public document, I am not going to object to the consideration of the resolution; but I think, Mr. President, we have printed enough such documents prepared by a certain individual, and as it is costing the Government of the United States I do not know how much each year, I think it ought to cease some time or other.

The VICE PRESIDENT. Is there objection to the consideration of the resolution?

Mr. OVERMAN. I wish to ask the Senator from Florida one question. I remember that in the Diplomatic and Consular appropriation bill there is an appropriation of $10,000—my recollection is—for Mr. Lubin, including salary and printing bill. Is not that appropriation sufficient to print this document?

Mr. FLETCHER. That has nothing to do with this matter. The appropriation is made to him as the American delegate to the International Institute of Agriculture at Rome.

Mr. OVERMAN. But it is made for printing, and I wish to know, because that appropriation bill will be here next week——

Mr. FLETCHER. That has nothing to do with the printing of this document.

Mr. OVERMAN. If that appropriation does not include the printing, then the appropriation of $10,000, including salary and printing, ought to be reduced that much. I have no objection to the resolution, but I wish to say that there ought not to be an appropriation made for printing in the appropriation bill and then have a separate resolution brought in for printing.

Mr. FLETCHER. This has nothing to do with the printing of the material in connection with the International Institute.

Mr. OVERMAN. That is the question I wanted to ask.

Mr. FLETCHER. It is an entirely separate and distinct matter. This has nothing to do with Mr. Lubin's work as an American delegate; but, simply as a publicist, a man of vision and farsightedness, he has some suggestions to make which I think are valuable.

Mr. SMOOT. Mr. President, I think Dr. Lubin has not very much to do as a delegate, but spends a good deal of time in writing articles upon policies that he thinks ought to be adopted by the Government of the United States.

Mr. OVERMAN. That statement is interesting to me, having charge of the appropriation bill. Does the Senator say he does not spend his time——

Mr. SMOOT. I do not say any of his time, but I suppose he spends very little of his time.

Mr. FLETCHER. Dr. Lubin is in Rome now and is there attending to his work continuously. The printing provided for in the appropriation bill is in connection with his work as a delegate to the International Institute, and his expenses far exceed his compensation. He is actually out of pocket in connection with his work as a delegate to that institute. The sum of $10,000 appropriated to him for salary and compensation for expenses does not at all cover the actual amount that he expends himself. He is there at his work all the while. Of course, he has time for other work.

Mr. OVERMAN. Let me ask the Senator a question. Dr. Lubin was appointed as a delegate before the war. During this war does he have any duties as a delegate?

Mr. FLETCHER. I understand that they go on with the work. Perhaps there is not a full attendance from all the countries.

Mr. OVERMAN. All the countries that entered into a treaty are at war.

Mr. FLETCHER. Not all of them, but some of them are. There are 52 nations participating in the International Institute of Agriculture.

Mr. OVERMAN. I wish to ask the Senator whether he thinks that during the war this appropriation ought to be continued? Are there any conventions held? He is a delegate to a certain convention and receives $3,500. If there is no convention held, is it necessary to make the appropriation?

Mr. FLETCHER. I think the appropriation ought to be continued, by all means, because they are doing a great deal of work collecting statistics and data. Dr. Lubin is engaged continuously in that work. Of course, the war is not going to last forever, and even while the war is on there is a great deal to do, and he is giving it his undivided attention. The data which they have collected are very valuable data, and they furnish to the respective Governments very valuable information and material. I think the appropriation, by all means, ought to be continued.

Mr. JONES of Washington. I ask the Senator what he considers to be the special value of this document?

Mr. FLETCHER. I think it has some very thoughtful discussion and some important suggestions that are of international importance.

Mr. JONES of Washington. Are they new suggestions?

Mr. FLETCHER. I think they are quite new.

Mr. JONES of Washington. I think the resolution ought to go to the calendar. I should like to examine it and find out about the matter.

Mr. FLETCHER. If the Senator objects to present consideration, it will have to go to the calendar.

The VICE PRESIDENT. The resolution will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of South Carolina:

A bill (S. 3713) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes; to the Committee on Interstate Commerce.

By Mr. SIMMONS:

A bill (S. 3714) to provide further for the national security and defense, and for the purpose of assisting in the prosecution of the war, to provide credits for industries and enterprises in the United States necessary or contributory to the prosecution of the war, and for other purposes; to the Committee on Finance.

By Mr. FRELINGHUYSEN:

A bill (S. 3715) for the relief of sundry building and loan associations; to the Committee on Claims.

By Mr. JONES of Washington:

A bill (S. 3716) to amend paragraph No. 2 of section 1207 of an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917; to the Committee on Finance.

By Mr. JOHNSON of South Dakota:

A bill (S. 3717) granting an increase of pension to John Magorien (with accompanying papers); and

A bill (S. 3718) granting an increase of pension to Paleman S. Castle (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 3719) for the relief of Mary J. McLaughlin; to the Committee on Military Affairs.

By Mr. WEEKS:

A bill (S. 3720) for the relief of Ellen Driscoll; to the Committee on Claims; and

A bill (S. 3721) granting a pension to Sarah I. Westcott (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 3722) granting an increase of pension to Godfrey Bohrer (with accompanying papers);

A bill (S. 3723) granting a pension to Ben F. Perkins (with accompanying papers); and

A bill (S. 3724) granting a pension to Josh De Grafinreid (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 3725) granting an increase of pension to Thomas E. Keith (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 3726) for the relief of Owen S. Willey; to the Committee on Naval Affairs.

By Mr. DILLINGHAM:

A bill (S. 3727) granting a pension to Olive A. Foster (with accompanying papers); to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 3728) granting an increase of pension to Spencer Phillips; and

A bill (S. 3729) granting a pension to Harrison Pierson; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. NELSON submitted an amendment relative to the Wisconsin band of Pottawatomie Indians, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. PENROSE submitted an amendment relative to an increased allowance for postal employees, intended to be proposed by him to the Post Office appropriation bill; which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

ADJUDICATION OF PRIVATE CLAIMS.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the bill (S. 1795) to relieve Congress from the adjudication of private claims against the Government, which was ordered to lie on the table and be printed.

FUNERAL EXPENSES OF THE LATE SENATOR HUGHES.

Mr. FRELINGHUYSEN submitted the following resolution (S. Res. 197), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of the Hon. WILLIAM HUGHES, late a Senator from the State of New Jersey, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. THOMPSON subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the foregoing resolution, reported it without amendment, and it was considered by unanimous consent and agreed to.

EMPLOYMENT OF ADDITIONAL CLERK.

Mr. FLETCHER submitted the following resolution (S. Res. 198), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Commerce of the United States Senate be, and it is hereby, authorized to employ an additional clerk at the rate of $120 per month, to be paid from the miscellaneous items of the contingent fund of the Senate, until the end of the present session of the Sixty-fifth Congress.

COST OF OFFICERS' UNIFORMS.

Mr. TOWNSEND. Mr. President, I noticed from the reading by the Secretary that the Senator from North Carolina [Mr. OVERMAN] reported this morning, from the Committee on the Judiciary, a bill for protecting the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war. That reminds me of the fact that the Senator from Washington [Mr. JONES] introduced a bill on January 9 relative to protecting the officers of the Army and the Navy against the robbers who constantly prey upon these officers whenever their necessities require them to purchase from these human sharks, and I am wondering what is the status of the Jones bill.

Mr. CHAMBERLAIN. Mr. President, that bill is now before the Committee on Military Affairs, but the committee has been so engaged all of the time that it has been difficult to report any bill; but we do hope to get that bill acted upon by the committee in a very short time. The Secretary of War is to appear before the committee in a very little while. I think the department itself has the power to permit the purchase of uniforms in the Quartermaster's Department, and I do not know why it is not allowed; but we are going to bring that matter up at a very early date.

Mr. TOWNSEND. I am very glad to hear that statement. I know the committee have been very busy and I am not criticizing them at all, but I feel that this question of profiteering at the expense of our soldiers and sailors is a live one which should be solved. The question of increasing the allowance for quarters or commutations for officers of the Army and Navy is also of the utmost importance. I hope when we get through with these other matters which seem to be especially emergent now, that the men who are making supreme sacrifices for their country will not be longer neglected. Our officers are obliged to pay a profit of from 100 to 1,000 per cent to dealers who for their nefarious conduct in this particular should be branded and treated as enemies of their country. At nearly every place where our soldiers or Federal employees are collected they are surrounded by profiteering landlords and dealers in supplies. This Congress should deal effectively with these worse than alien enemies.

A STUDY OF THE UNITED STATES SENATE.

Mr. FLETCHER. Mr. President, I have here a document entitled "A Study of the United States Senate." I should like to

have it referred to the Committee on Printing with a view of having it printed as a document.

The VICE PRESIDENT. It will be so referred.

HOUSE BILL REFERRED.

H. R. 9054. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, was read twice by its title and referred to the Committee on Agriculture and Forestry.

DISTRICT ATTORNEY FOR RHODE ISLAND.

Mr. GERRY. Mr. President, I ask unanimous consent for the present consideration of the bill (S. 2116) to increase the salary of the United States district attorney for the district of Rhode Island.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed. The Senator from Rhode Island asks unanimous consent for the present consideration of the bill named by him. Is there objection?

Mr. SMOOT. Mr. President, I am not going to object to the consideration of this bill, but I shall object to the consideration of any other bill on the calendar out of its order.

Mr. GALLINGER. Mr. President, when the bill the consideration of which is asked for by the Senator from Rhode Island was once before the Senate, I asked that it should be postponed until I could ascertain what were the salaries of similar officials in the other New England States. I find there is a great discrepancy in those salaries. This bill, as a matter of fact, gives a larger salary to the district attorney in Rhode Island than the salary of the district attorney in New Hampshire; but I presume there are some special reasons for that increase. Inasmuch as the committee has examined the bill, I will make no objection to its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2116) to increase the salary of the district attorney for the district of Rhode Island, which had been reported from the Committee on the Judiciary with an amendment, in line 5, after the words "rate of," to strike out "$5,000" and insert "$3,500," so as to make the bill read:

Be it enacted, etc., That from and after the passage of this act the salary of the United States district attorney for the district of Rhode Island shall be at the rate of $3,500 a year.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HITCHCOCK. Mr. President, a few days ago I gave notice that to-day I should present to the Senate as concisely as possible the reasons which have led the Committee on Military Affairs to recommend the passage of two bills. One creates the office of director of munitions; the other creates a war cabinet of three persons. In both cases, of course, the President would make the appointments.

The Military Affairs Committee voted to support these bills after a month and a half of almost continuous daily meetings. During this time it took much testimony—most of it public and now in printed form, and some of it of such a confidential nature that it was not reduced to writing.

By the 20th of January the committee was practically a unit in reaching the conclusion that the disclosures called for drastic action. When I say the committee I mean those members of it who had been in regular attendance at the hearings and who were familiar with the testimony. The question then arose as to what action the committee should take. Should it merely present the testimony to the Senate and denounce the various officials whose departments or bureaus had failed to perform their work?

The committee might have done that; that was perhaps the natural course to take; that is the course often taken by committees, where departments are found to have broken down and failed in their duties; but, Mr. President, the committee felt that such a report would be inadequate; the committee felt that it would not do simply to make scapegoats of a few officials; it felt that the higher duty of the committee was to point out a remedy for the future, and so it reported these bills.

At this point, Mr. President, I deem it proper to say that, without regard to the action taken by the Democrats of the committee, the action of the Republican members was particularly patriotic and loyal. They waived any possible political benefit which their party might have derived from denouncing those in power, and willingly joined their Democratic associates in pointing out what they felt would remedy the evils in the future.

Mr. MYERS. Mr. President, may I ask, for information, if both of the bills referred to have been reported? I was under the impression that only one of them had been reported.

Mr. HITCHCOCK. The bill providing for the director of munitions was formally reported. The committee voted to report the other bill; but, there being some question as to whether it had the right to report a bill under any objection when it had not been first formally introduced, a formal report has not yet been made, and I may say is being withheld for a variety of reasons. The one which moves me particularly is the hope that, after a proper exposition of the situation, the President himself and his advisers may be led to look with favor upon the bill, and may possibly suggest some amendments to it which would meet with presidential approval. So, Mr. President, the committee took that action. We felt we ought to do our part to give to the Executive in this hour of crisis up-to-date, approved, and tried governmental machinery to conduct the great affairs of war.

We found in the present system such an obsolete and cumbersome organization as to make efficiency very difficult and well-nigh impossible. We found in the War Department, particularly, provisions for checks, delays, debates, and disagreements, but little or no provision for action and decision.

We found the war machine much better equipped with brakes than with motive power. We found divided responsibility and doubtful authority in many places.

These conditions are particularly serious in the bureaus of the War Department charged with the duty of supplying and equipping the Army. Confusion of authority, red tape, circumlocution, and incapacity have borne their natural fruit. Nine months after we entered the war and three months after our men were gathered in cantonments, in the dead of winter, we found tens of thousands of men without overcoats, tens of thousands lacking woolen breeches, tens of thousands without woolen blouses, and other serious shortages. We found most of the machine-gun companies unable to drill two months after they were formed because they had no machine guns. Even in December we found 1,200 machine guns still kept in storage for some foolish and inexplicable reasons while each camp had only been supplied with about 80 machine guns.

We found hundreds of thousands of men drilling with wooden sticks for weeks and months because of mistakes and delays in ordering rifles last spring. We found men sent to France without opportunity for rifle or machine-gun practice. We found a distressing amount of sickness in most camps and an unnecessary mortality due to lack of clothing and to overcrowding. The overcrowding we found due to a failure to provide an adequate number of tents. We found camp hospitals without drainage, plumbing, or heat, and sick men without nurses.

We found that we must depend on overworked and overstrained France for machine guns for ground use until nearly the end of this year, and that not over one-tenth of the new Browning machine guns on which we are to rely can be delivered before August.

We found that the first heavy artillery of American make can not be received until July, and not much before 1919 can we expect to use in France American heavy artillery in any great quantity. What we get before this fall we must buy from England.

Mr. KIRBY. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Arkansas?

Mr. HITCHCOCK. I yield.

Mr. KIRBY. The Senator in his discussion says, "We found" at the beginning of practically every sentence, and I want to know if he means by that that the committee found, or is that his own individual interpretation of what the evidence discloses?

Mr. HITCHCOCK. I mean those who attended the meetings.

Mr. KIRBY. Then, I will ask if the committee has made any finding at all as such and reported anything?

Mr. HITCHCOCK. It has not.

Mr. KIRBY. Has it made any findings as a committee?

Mr. HITCHCOCK. As I have said, it voted to report two bills to remedy the troubles which it found.

Mr. KIRBY. That is what I wanted to know.

Mr. HITCHCOCK. We found that we are only now, nine months after entering the war, just beginning work on two great powder plants, costing $90,000,000, the powder from which will not be available until next August. We found that we need a million pounds of powder a day more than America is producing. We found that the need of this powder was known last spring, and that now for the first time we are beginning to build the factories in which the powder is to be made.

We found that though the Medical Department asked for hospital ships last July they have not yet been ordered, though sick and wounded men are now already beginning to come home, and it will take three months to equip the ships.

I do not deny that we also found much that was creditable and satisfactory. The task undertaken was a huge one and much of the work has been ably done. Personally, I know that some of the War Department officials who have been most severely criticized have worked desperately hard. This comment covers the Secretary of War himself, who has had a burden of detail which has kept him at his office all day and far into the night most of the time. These considerations lead me to hold a defective organization responsible for the shortcomings to a greater degree than any individual or group of individuals.

If a high-class business man could be made director of munitions and be given power to buy all supplies needed by the various bureaus of the War Department, he would soon bring order out of disorder, cut red tape, stop delays, and furnish the Army with its supplies promptly and economically. We would then locate and centralize responsibility and authority. The business of supplying the department would be run on up-to-date methods of great business concerns. Great Britain had to come to it. France had to come to it.

In both cases it was resisted. In both cases it proved necessary, and has been a tremendous success.

I have here, and I should like to read it if I had the time, a speech delivered in the House of Commons during the last year by the Minister of Munitions; and, as one of the members of the House of Commons said after the Minister of Munitions took his seat, it reads like a tale of Arabian Nights, so great have been the accomplishments of the Ministry of Munitions since it was established in Great Britain—an enormous increase in production, an enormous reduction of costs, a great increase in the efficiency of the ammunition. Compare that with the disorder, the confusion, the delays, the blunders of our supply departments in the Army!

West Point makes a good soldier, but it spoils a business man, as a rule. To undertake to place in the hands of a West Point graduate, educated for war, the great business duty of going out into the business world and getting supplies in enormous quantities is folly.

No amount of hard work can compensate for lack of business sense and experience. Some of the reported blunders almost surpass belief. I am told, Mr. President, on good authority, that we have ordered 21,000,000 pairs of shoes for our Army, and they will all be delivered before June. What are we going to do with 21,000,000 pairs of shoes for an army of 1,300,000 men? Why, Great Britain, in the three and one-half years she has been in the war, with her enormous army, has not ordered as many shoes as that. Apparently it was an effort to make up for the lack of overcoats by giving an excess of shoes.

Mr. MYERS. Mr. President, may I ask the Senator if he considers that statement authoritative?

Mr. HITCHCOCK. I do, and I have verified it.

Mr. WILLIAMS. Who made the statement?

Mr. HITCHCOCK. I can not tell the Senator where I got it first. I have made inquiry, though, at sources which I deem authoritative, and that is a fact; and I may say, in addition to that, that they have even been considering ordering 7,000,000 pairs more.

Mr. WILLIAMS. The Senator has the statement upon hearsay, and he is giving his hearsy to the country without stating the source of the information.

Mr. HITCHCOCK. Well, Mr. President, I do not want to involve anyone in difficulties by what I may say.

Mr. WILLIAMS. Then, if that is the case, would it not have been wiser if the Senator had not repeated it?

Mr. HITCHCOCK. I am perfectly willing for the Senator to dispute it and bring in any evidence to the contrary. The inquiry that I have made to verify many of my statements has been among men who have come here to serve the Government during the war, and I dislike to get any of those men into trouble; but I assure the Senator they are men in position to know what the records show.

Mr. WILLIAMS. It is all mere hearsay, after all; is it not?

Mr. BECKHAM. Mr. President, may I ask the Senator a question?

Mr. HITCHCOCK. I yield.

Mr. BECKHAM. Was there any evidence before the committee as to this large number of orders for shoes?

Mr. HITCHCOCK. No; that particular figure may not have been before the committee, Mr. President. The fact was before the committee, however, that the Quartermaster Department had supplied the various camps with shoes so small that the men could not wear them. I have learned the reason for that, and it is a very interesting reason, that I should like to give. It seems that the records which they have been using to decide upon the sizes for shoes are the records of the Civil War; and during the Civil War so many boys in their teens were taken into the service that the sizes of shoes were phenomenally small; so that instead of making any study of what the average size ought to be for grown men, they have been making hundreds of thousands of boys' shoes to supply the present Army.

Mr. FLETCHER. Mr. President, may I ask the Senator a question?

Mr. HITCHCOCK. I yield.

Mr. FLETCHER. Of course, it is realized that shoes wear out and you have to keep on supplying them. It seems to me it becomes important to know when these shoes were to be delivered.

Mr. HITCHCOCK. They were to be delivered by June of this year.

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Massachusetts?

Mr. HITCHCOCK. I yield.

Mr. WEEKS. I wish to call to the attention of the Senator from Nebraska the fact that the committee hearings contain a list of the contracts made for shoes, and, of course, the total number of pairs of shoes ordered; and it is between twenty and twenty-one million pairs.

Mr. HITCHCOCK. I did not remember that fact. I am sure of the figures, however. I have no doubt of it in the world, because I did not content myself with one verification.

Mr. WARREN. Mr. President, will the Senator permit me to interrupt him?

Mr. HITCHCOCK. I yield.

Mr. WARREN. Does the Senator know whether any portion of that large number of shoes was ordered for our allies? I am asking for information. I do not know myself.

Mr. HITCHCOCK. It was reported as having been ordered for our Army. I do not suppose the War Department could have ordered anything for our allies. They make their own purchases, under proper regulations. I hope our allies will be kind enough to take some of the surplus off of our hands, however. [Laughter in the galleries.]

The VICE PRESIDENT. The occupants of the galleries must keep quiet. The Chair is not going to say that very many times more in the Senate.

Mr. HITCHCOCK. Mr. President, I am told that one order of iron bolts affords a picturesque example of the methods used in the supply department. This order specified 325 different sizes of iron bolts, and it provided that the manufacturers should supply exactly the same number of each of the 325 sizes. Here were sizes commonly used and sizes rarely used, sizes current and sizes obsolete; and this genius in the department is reported to have ordered 170,688 of each of the 325 sizes! The order was sent back to the War Department twice, because the commercial world could not believe that such a preposterous order was intended; and the order embraced over 100 carloads of bolts.

Mr. VARDAMAN. What are those bolts used for?

Mr. HITCHCOCK. I suppose they are used in construction work, probably in France. I am glad to say that the matter has been sent back a third time. This time to Gen. Goethals, and I have every reason to believe that the order will be modified.

I am told that some genius in one of the War Department bureaus succeeded in shipping to France in our much-needed cargo space a carload of sawdust, and that when it was received there by an American official engaged in the work of construction behind the lines he swore a streak that was blue and long about the follies of the War Department here, because if there is anything that is common and anything easily obtained in France it is sawdust.

Mr. TOWNSEND. Mr. President, does the Senator mean a carload or a cargo?

Mr. HITCHCOCK. I understood it was a carload. I hope it was not a cargo.

I have understood that 150 tons of meat taken over to France in one of our cargo ships, and receipted for on the other side, was brought back to Hoboken, and then they discovered that it had spoiled on the way, because the refrigerating plant had been turned off, and the compartment in which this 150 tons of meat was located had never been opened.

SEVERAL SENATORS. Why?

Mr. HITCHCOCK. Echo answers, "Why?" Why do a lot of these things happen?

Mr. MARTIN. Mr. President, I will ask the Senator if that is a mere rumor, or if he has any evidence of the correctness of the statement?

Mr. HITCHCOCK. That is a report that was widely published some months ago and never denied by anybody.

Mr. MARTIN. I do not know that anybody is called on to deny all the vague rumors that are published in the press, but I suggest to the Senator that it is hardly likely to be true.

Mr. WILLIAMS. Would the Senator mind telling me where it was published?

Mr. HITCHCOCK. It was published in the Philadelphia Ledger by Mr. Colcord, who for three months has been rendering a great service to his country by visiting shipyards, discovering the facts, and exposing the evils; among other things, exposing the folly of the Shipping Board's prediction that it would build 6,000,000 tons of ships this year when everybody with information knew that half that tonnage was barely possible.

Mr. WILLIAMS. I did not catch the man's name.

Mr. HITCHCOCK. Mr. Colcord, of the Philadelphia Ledger, a man who has been on the ground and has been investigating day after day.

Mr. WILLIAMS. He was the father of this report?

Mr. HITCHCOCK. He was the man who published the report, and no man has denied it.

Mr. WEEKS. Mr. President, if I may interrupt the Senator once more, I will remind him that that matter was brought up in the committee, and either the Quartermaster General or the Secretary of War was asked the question if it was true, and he stated that it was and added some other matters connected with it.

Mr. WILLIAMS. What was that—about the sawdust or the meat?

Mr. WEEKS. The spoiled meat.

Mr. MYERS. Mr. President, may I ask the Senator if he does not consider the fact that that meat was returned to this country a blunder of somebody on the other side in shipping it back? How can he charge that as a blunder to the purchasing department on this side?

Mr. HITCHCOCK. It was a blunder of somebody in the Quartermaster Department who was on the ship and did not unload it; and I will say, furthermore, that that is not the only case in which cargoes have been brought back to this country. The fact is that we have taken over munitions of war in our ships and brought tons and tons of those same munitions of war back to this country because ballast was not conveniently to be had on the other side. It has been brought back as ballast and made the extra trip across the ocean.

Mr. MYERS. The Senator does not deny, then, it seems to me, that the blunder there was a blunder of somebody perhaps in the Quartermaster Department on the other side in the execution of matters and not a blunder of anybody in the purchasing department on this side.

Mr. HITCHCOCK. Possibly it was. I have not located the blunderer. I am telling of the egregious blunders that are occurring and which are costing this country dearly and embarrassing us in the war.

Mr. MARTIN. Mr. President, I will ask the Senator if he has brought these matters to the attention of the War Department?

Mr. HITCHCOCK. In many cases I have.

Mr. MARTIN. The Senator is mentioning them here on the floor of the Senate. It seems to me he should have brought them to the attention of the department.

Mr. HITCHCOCK. I have made myself a nuisance to the Secretary of War by bringing things to his attention; and, in my opinion, the Secretary of War ought not to be troubled with these details. He is completely overwhelmed with complaints and details all the time. He has little time to plan out the great affairs of the war.

Mr. MARTIN. Mr. President, I have been to him a good many times and he has heard what I had to say with the utmost patience and has found a way to remedy nearly everything that I have brought to his attention; and in the case of those things that he did not remedy he gave some good reasons why he did not.

Mr. HITCHCOCK. I indorse what the Senator says, that Secretary Baker has been patient, painstaking, and energetic, whenever a matter has been called to his personal attention, to remedy it; but running a war does not consist simply in listening to complaints and remedying them. The Secretary of War ought not to be compelled to have such matters come to him.

Mr. President, I am giving too much time to these small matters. I have larger ones ahead.

I am told that three different orders were made out for bags for gas masks. One was for a million bags, another for 2,000,000 bags, while a third was for 5,000,000 bags.

Mr. WILLIAMS. Mr. President, does the Senator object to telling us who told him that?

Mr. HITCHCOCK. I shall not give names for any statement I make.

Mr. WILLIAMS. Very well.

Mr. HITCHCOCK. But the Senator, if he will inquire of the proper authorities, will find that those orders were given, and that it was a civilian who discovered the thing and took it personally to the Secretary of War.

Mr. WILLIAMS. I hope the Senator will not misunderstand me and not conclude that I am being hypercritical; but the Senator is taking the country into his confidence, and he is doing it without giving his authority.

Mr. HITCHCOCK. Well, what I say will be open to criticism and open to refutation; and I shall hope that some Senator will stand here upon the floor and undertake to correct some of the statements of fact I make.

Mr. WILLIAMS. As far as that is concerned, it is an ordinary rule of pleading, you know, to enter a general denial when there is no evidence. I enter a general denial.

Mr. HITCHCOCK. I shall leave it to the jury.

Fortunately, one of the civilian committeemen outside of the War Department discovered the conflicting orders and the enormous aggregate, and secured a revision.

I merely cite these things to show the degree of ability we have in our supply departments in the War Department at the present time, what they are doing, what they are trying to do, and what they are failing in doing.

Mr. President, if at the time we entered the war we had created the office of director of munitions, and if the President had placed in it a high-class business man of big vision and broad experience, things would have been different. He would have ascertained at once how many men he had to provide for and what each would require, and when they gathered in the September camps the supplies would have been ready for them. That is the habit and the fashion of the business world. That is the way they do business. We have a great country, full of great facilities for making these things, and they were not used.

The President and the Secretary of War have evidently realized the defect in the existing system and have attempted to change it without legislation and therefore without success.

First, they organized the Advisory Commission of the Council of National Defense, with its many and various committees of civilians. Still failing to get successful results they next organized the General Munitions Board. After that board had been in operation for some time they reorganized again and created the War Industries Board. Still finding inefficiency and a failure to get results they then took Gen. Crozier out of the Ordnance Department, Gen. Sharpe from the Quartermaster's Department, and, with several other officers, placed them in a war council. Then a director of purchases was selected to preside over the five purchasing bureaus of the War Department.

Unfortunately, however, the able officer who was placed in the position of director of purchases was himself only a colonel, and he was supposed to give orders to major generals and brigadier generals under him. These major generals and brigadier generals are heads of various supply bureaus in the War Department. The plan was unworkable, even if the officer himself is as capable as a business man.

Mr. GORE. Does that still continue?

Mr. HITCHCOCK. I do not know certainly. Some of the changes have become obsolete. It has been a regular kaleidoscope here of changing bureaus, until it has been confusion worse confounded, and anyone coming to town bringing an idea, bringing a plan, attempting to help the Government has worn himself tired in trying to find where to go. Every Senator knows that difficulty. There is probably not a Senator here upon the floor who has not found it from time to time almost impossible where to advise his constituents to go. He starts them out on the road to the War Department, and they have been referred to a bureau and then to a division and then to a colonel and then to a major and then to a captain, down finally to a lieutenant, and then finally they have run out of the basement and been unable to find anyone with authority to act. It is like the old story of a man who started to go somewhere in the country and followed the directions which were given him. He first walked upon a broad highway, and then he was directed into a country road. Then he was directed into a cow path, and he followed the cow path until it turned into a squirrel track and ran up a tree. [Laughter.] It has been very much that way, Mr. President, with people who have undertaken to do business here in Washington during these war times.

Mr. McKELLAR. Will the Senator yield?

Mr. HITCHCOCK. I yield.

Mr. McKELLAR. In reference to the statement the Senator made a few moments ago about the number of shoes that had been ordered, on page 893 of the hearings it will be found that there were ordered and contracted for between March 27, 1916, and December 31, 1917, 21,117,612 pairs of shoes. I just wanted the actual facts to be shown.

Mr. HITCHCOCK. I thank the Senator for this proof. I have not undertaken to delay the Senate with proof. I am stating facts as I have found them.

But to go back. Finally the Secretary of War or some one in authority has realized the impossibility of the colonel acting as a superior officer to Maj. Gen. Goethals and the other major generals and brigadier generals at the head of the supply departments in the War Department, and now the next step has been taken. Since the introduction and its report to the Senate of the bill providing for a director of munitions another step has been taken. By administrative orders the office of surveyor of purchases was created, with rather vague and doubtful authority and somewhat undefined duties. He has no power to make war purchases, because legislation is necessary to vest him with power. The power under legislation is in the officers in the War Department. The President can not give the surveyor of purchases power to take away authority from the officers. The legislation must come from Congress. All this new official can do as a matter of law is to give advice. In this position has been placed one of the best of business men, Mr. Edward Stettinius, a man of broad experience, big vision, and acknowledged ability in his line. He served the allies for many months, and if he were vested with power he would be, in my opinion, a great director of munitions. But the same folly has once again been created in putting a strong man merely in an advisory position for the purpose apparently of avoiding an acceptance of the self-evident reform which has been in existence in England for nearly two years and in France for about the same length of time.

All of these experimental efforts are made when experience shows that the simple, direct, and effective method is to change the law; to take the power of purchase out of the hands of military men and put it in the hands of a business man who will act on business methods in making purchases and in planning ahead for purchases. So much for the director of munitions.

Mr. President, this brings me to the war cabinet. This bill has been received with a strange degree of antagonism, yet it is based on experience in Great Britain and to some extent in France. Great Britain found the same weakness which we have found, and overcame it by establishing a war cabinet.

Some question was raised the other day as to the character of the war cabinet in Great Britain, so I applied to the British Embassy here for information. This is the information I get. The war cabinet is composed as follows:

Mr. Lloyd-George, Lord Milner, Lord Curzon, Mr. Bonar Law, Mr. G. N. Barnes, Gen. J. C. Smuts.

Mr. Bonar Law is the only member of the war cabinet holding a portfolio, and none of the others are chiefs of any departments. They have no departments to run.

That is what our war cabinet ought to be. We have been told through the press that in high places this is considered as an invasion of the President's right and authority. If so, Congress invaded his right and his authority when it created recently the Department of Labor. If so, it has invaded his authority every time in recent years when it has added a member to the Cabinet. Congress is the only power that can create these executive departments, and the creation of them is intended to facilitate the exercise of administrative power belonging to the President.

As a matter of fact, this bill is no different from any other bill which creates an office whose occupant is to be named by the President and confirmed by the Senate. The three men appointed to the war cabinet by the President would be his personal selection. They would be subject to his instructions. They would perform powers vested in him. They would be subject to removal by him, with cause or without. He would have the power, if he pleased, to appoint Secretary Daniels, Secretary Baker, and Secretary McAdoo to the war cabinet, provided they retired from the positions which they now hold in the three great departments of which they are the heads. He could appoint all three of them or any one of them to membership in the war cabinet.

A consideration of this fact, Mr. President, demonstrates that it is not intended, and could not be intended, by the creation of a war cabinet to embarrass the President or to curtail his power. His powers would remain just the same afterwards as before. As a matter of fact, the creation of a war cabinet is intended to aid in carrying on the war. It is intended to give to the President additional powers and machinery through which to act. It is intended to strengthen the administration and to coordinate Government functions which are now operating more or less without coordination. It neither adds to nor subtracts from the presidential power. He has now the power to coordinate all the heads of departments and bureaus and boards of government, but he does not do it and can not do it; neither could any other man in the Executive office. His power to coordinate is only theoretical and nominal, because he lacks the machinery of government through which to exercise it.

We all know that even in peace times the office of President is burdensome beyond the strength of the ordinary man. From early morning until bedtime he is under a pressure. He has close relations with the 10 executive heads of great departments, is liable to visits from nearly a hundred Senators and more than 400 Representatives, distinguished out-of-town visitors, governors of States, mayors of cities, writers of books, seekers for office. It is not necessary for me to recite the many tasks that call on the President's time and the heavy burden he struggles under. A vast correspondence is constantly arriving at the White House, the diplomatic representations of other nations take some of his time, and in war times like these it might well take all of the President's time in the study of the delicate and intricate foreign relations which mean so much to the United States. He is his own foreign minister. Legislative matters often require much study and many conferences. Thousands of commissions and tens of thousands of letters must be signed. A daily program of current reading follows. This indicates the presidential life in time of peace. Suddenly the Nation is plunged into war. Congress could do nothing better than to vest in the President a lot of additional powers. He appointed men to exercise them so that now he has the oversight not only of the executive departments represented by the two so-called Cabinet meetings each week but of many additional war bureaus. Some exist by authority of Congress, some without it. Let me mention some of them:

1. The Board Controlling Priority of Freight Shipments.
2. The Raw Materials Board.
3. The War Industries Board.
4. The Food Administration.
5. The Fuel Administration.
6. The Shipping Board.
7. The Aircraft Production Board.
8. The Allies' Purchasing Board.
9. The War Trade Board.
10. The Director General of Railroads, and a number of others, all exercising great functions of war.

Can the President coordinate them? Can he give the time to bring them together and harmonize them in the proper work without any machinery to do it? It is utterly beyond the possibility. These great war bureaus should be focused in some authority that would harmonize them and coordinate them. That is what is proposed in the bill for a war cabinet of three men. At present these bureaus are running independently and sometimes running wild. The nearest approach to a coordination is an occasional conference of one bureau with another or with the President.

Mr. President, yesterday I found in the New Republic an article by William Hard entitled "The Senate speaks," from which I shall undertake to read two paragraphs. It illustrates from Biblical story the real desire that the Military Committee has in reporting these bills. It is the desire to strengthen and hold up the hands of the President. Mr. Hard says:

Mr. President, much is said about "holding up the hands" of the President.

Aaron and Hur held up the hands of Moses. They were the first recorded holders up of hands. They held up the hands of Moses, but they did not hold them up by saying they were up. They held them up by holding them up. For the hands of Moses were heavy. They were heavy with many labors. And Jethro said to him:

"What is this that thou doest to the people? Why sittest thou thyself alone? Thou wilt surely wear away, both thou and this people that is with thee; for this thing is too heavy for thee; thou are not able to perform it by thyself alone."

And so his hands were heavy. He insisted on being the whole legislative overhead as well as the whole administrative overhead of Israel. He insisted till there came a war. And his hands were so heavy that he let them down. And when he let them down, Amalek prevailed. And doubtless many of the children of Israel stood afar off, helping by applauding. But Aaron and Hur went up to the hill where Moses sat, and they took a stone and put it under him, and stayed up his hands, the one on the one side and the other on the other, and Amalek was discomfited with the edge of the sword.

Aaron and Hur were not lip-service loyalists and lackeys. They have been traduced. Aaron and Hur were the first historic special war cabinet.

Mr. President, it is not going to do any good for us to say the President can do it alone. We have got to furnish him with the machinery if we want to help him.

I have said a weak attempt at coordination was made by Congress. We created a Council of National Defense, but unfortunately we placed upon it, or authorized the President to place upon it, six overworked Cabinet officers. You can not get good service from overworked men. You can not get plans. You can not get valuable services from men who are buried up to their eyes in work from early morning until late at night. England tried it and failed, and every other country that has tried it has failed.

This body of weary men meets only twice a week in the Council of National Defense, and often there are only three of them there. The others are called hither and yon. The only vital force in the organization of the Council of National Defense is the director, Mr. Gifford. He has rendered a great service, but it has been only an advisory service. Mr. Gifford is merely an advisor. We have brought great men here to Washington—great business men—but merely placed them in advisory positions instead of positions where they would have power to act.

Let me return to the members of the Council of National Defense. When war came two, at least, of their departments were thrown into a feverish state of activity—the War and Navy Departments. They were enormously expanded and enlarged. Their chiefs were overwhelmed with a great burden of increased work. They are at their desks from early morning till late at night. They have no time even to think of anything outside of their immediate pressing problems. To give them outside functions and responsibilities means to overburden them and make certain that the work will not be done. Therefore, when we took a number of these overworked department chiefs and constituted them a Council of National Defense we did a vain thing. To be of any value as a coordinating body the Council of National Defense should be composed of men having no other duties and vested with full power. Being composed of men already overworked, the council has proved to be merely a name, without activity, without energy, and without life. Realizing this fact, an effort was put forth to make it a reality by adding to it an "advisory commission" of men from the business world. This brought to Washington many able men who served on various committees of the advisory commission of the Council of National Defense. But it added to the complication and confusion. These men found they had in law no power. They found no organization or coordination. One by one they have gradually become discouraged and many have already resigned and retired to private life. Many of those still persisting talk freely of the disorder and lack of system in the war activities of the Government, and all of them believe that we ought to have something the equivalent of a war cabinet.

Look at the situation as it presents itself to-day, nine months after we entered the war, and even before we have fought a battle.

I have already spoken of the supply departments of the Army. Now let us look at some of the activities entirely outside of any of the 10 executive departments. Take the matter of transportation. It is not too much to say that the great transportation system of the United States has broken down. It is a gigantic wreck to-day; even travel has become difficult. Freight shipments are demoralized to such an extent as the country has never known anything of. Anticipating troubles of this sort, Congress authorized the control of shipments, and the granting of priority of shipments became one of the functions of government. How is it exercised?

It is exercised in such a way as to make "confusion worse confounded"; and on some of the roads 80 per cent of the freight has been traveling on priority orders, with no discrimination and no one to select. Every department of Government, apparently, from the smallest quartermaster's clerk up to the highest official, was permitted to blue-tag Government shipments and give them priority regardless of whether there was any hurry for their transportation or not. There was no one to coordinate, no one to differentiate, no one to select, and the great mass of Government shipments was permitted to clog the channels of transportation. Anchors for ships not yet built were rushed to their places of destination months before they could possibly be used. Hundreds of carloads of piles for construction work were rushed across the country and allowed to remain upon the cars for weeks, because the time had not yet come to use them. There was no supreme power, apparently, to limit the enormous and dangerous control of priority shipments, and the whole transportation system of the country was thrown into confusion. There was no one to coordinate priority orders with the needs of the country; no one to differentiate, to select; and the great mass of Government shipments was permitted to clog the channels of transportation, regardless of whether there was any hurry for those shipments or not. A priority order has become a joke.

Mr. SMITH of Georgia. Then, Mr. President, were we not responsible for passing such a broad law, allowing these priority orders?

Mr. HITCHCOCK. Well, Mr. President, I suppose we must assume our share of the responsibility; but if there had been a war cabinet, where the director of priority orders would come in contact through the cabinet with the Administrator of Fuel, with the Administrator of Food, with the Shipbuilding Board, with the Aircraft Board, and with the other War Department activities, there would have been some coordination of faculties, and priority shipments would have had some relation to their importance.

Mr. SMITH of Georgia. Then, Mr. President, does not the Senator really think that we, in passing the legislation, ought to have put a limitation upon the use of priority orders so as to have made it impossible for this confusion to have arisen?

Mr. HITCHCOCK. That would undoubtedly have made matters better.

Take the matter of contracts for production. Obviously, in contracting for production of supplies for Europe, some sort of regard should have been had for the capacity of our ships to take them, yet various bureaus have rushed production in factories to an enormous extent until there are now piled up on the docks of a few great harbors nearly 2,000,000 tons or more of freight awaiting shipment, and every day adds to the mass and makes the confusion more confounded, and the pile grows larger day by day. Some of the men who had been manufacturing these products ought to have been employed in building ships; and they would have been so employed if there had been a war cabinet to coordinate these two great energies. Here again there has been no power to coordinate between production and transportation across the Atlantic. Now, we must begin to curtail production.

Again, in the selection of factories for the manufacture of goods, care should have been exercised not to congest population beyond the housing possibilities, but enormous contracts have been made which required the concentration of tens of thousands of workmen without anyone planning ahead for the housing of the extra men.

Again, it may be said that one of the inevitable results of the war is that manufacturing institutions engaged in peacetime occupations will find a falling off in the demand, and factories will become to some extent idle. That occurs in every country; and where the demand falls off those factories will become unprofitable and may have to close. They should receive Government orders; Government orders should be distributed to them. Instead of supplying work to these factories the tendency has been to mass the work in factories of a few States and congest the labor population, so that to-day there are thousands of factories in the country with facilities for doing Government work, or capable of being transformed so they can do Government work, which have lost a large share of their occupations of peace and are not in receipt of any Government work, so that the lines of idle men are already appearing in those Central and Western States, while there is an enormous shortage of labor in the congested regions. If we had had some power of coordinating the work of various bureaus, this evil would not have resulted. Our industrial establishment is likely to break down. We have had no one to coordinate; no one who was in touch with the Aircraft Board, the Shipping Board, the War Supply Department, or any of the other departments requiring production; no one to coordinate them and see that all of the mass of production was not centered within a few miles.

Take the matter of the Fuel Administration. Congress authorized the control of the fuel of the country, and an attempt has been made to control prices, supply, and distribution, but it has apparently been made without any successful effort to coordinate the work with other functions of the Government. To-day we have a fuel famine in the country, not because we lack productive mines but because they have not been permitted to operate. Lack of knowledge, lack of transportation, and lack of harmony between the Fuel Administration and other functions of the Government are the causes of the breakdown.

I am impersonal in what I say. I am not attributing any part of the failure to the Fuel Administrator, though some would attribute it to him; but I am saying that it is the system which is chiefly at fault—the failure to have any coordination between his bureau and the others.

If there had been some authority which could have brought the Fuel Administration into close contact with the mining and labor interests of the country and with the war industries of the coun-

try, as well as into conference with the Priority of Shipments Board and other branches of the Government, much of the present breakdown could have been prevented. But the Fuel Administration, like the Food Administration, the War Industries Board, the Raw Materials Board, the Priority of Shipments Board, the Shipping Board, the Aircraft Production Board, and all of the other boards, was running an independent course. Its activities were not focused with the other activities at any point. Its decisions were reached and its orders were made practically as though the others did not exist. It started trouble last summer by fixing prices for coal at such figures as to make impossible the operation of hundreds of small mines. It reached a climax in midwinter by closing arbitrarily for more than a week thousands of industries, throwing millions of laborers and clerks out of work and causing the loss of millions of dollars.

The Aircraft Production Board, straining every nerve to secure aircraft and aircraft materials, already two months behind on its program, found its production interfered with. The allied Governments, purchasing in this country products necessary to the war, found some of their factories embarrassed. The Shipping Board, waiting for materials from certain plants, found their program interfered with. Almost every other department of the Government stood aghast at the revolutionary character of an order that they had no knowledge of until it appeared in the public press. I know it may be said that there was a conference, but, as a matter of fact, the thing which had been discussed at the conference was not the thing which was brought out in Mr. Garfield's order. It is true that following the order constantly increasing lists of exceptions were made so as to remedy in part the evil that had been inflicted and the damage that had been done, but the illustration shows the evils of Government bureaus operating without coordination. It is safe to say if there had been a war cabinet to which this order could have been submitted to the acid test of its effect on the various branches of the Government and industry it never would have been issued in its existing form.

Take the Shipping Board. That was an authority of law created nearly a year and a half ago, in the fall of 1916, months before we got into the war. It has been running as an independent branch of the Government, coordinating with nothing else whatever. For months it was more than a dismal failure; it was a farce and almost a crime. Even since it got into more vigorous operation it has been enormously handicapped and embarrassed because there has been little or no coordination of its energies and operations with the energies and operations of other branches. It has needed materials; it has needed labor; and every effort should have been made to get the materials and get the labor supply in priority over every other activity of Government. It is a matter of common report, however, that enormous delays have occurred in our shipyards because of their failure to receive materials as well as because labor has been diverted in other directions. I have been told on what I deem reliable authority that 1,000 carloads of ship plates made for the Shipping Board, loaded upon cars at the place of manufacture, were lost in the congestion of freight for more than a month while the shipyards waited anxiously for their arrival. Production of war materials for Europe has been rushed to completion in factories by labor which should have been employed in building ships; and, as I have said, 2,000,000 tons of freight rushed to production are piled up now on our docks and can not be transported because of the lack of ships. These things would have been coordinated if we had had a war cabinet, if we had had some one to coordinate, bring together, and focus these functions of government that are now running wild. Now we have the products filling every warehouse, sidetrack, and dock without the ships to carry them.

The present condition of our shipbuilding is nothing less than shocking. The present supply of shipping is worse than alarming. I am afraid to go too deeply into the figures, for one might be charged with giving information of value to the enemy were one to tell the truth about the present supply of shipping. All who are informed as to the present supply of our shipping were thunderstruck at the statements of Secretary Baker before the Military Affairs Committee. His sanguine predictions as to our ability to ship men to Europe and to supply them when there are exaggerations of the wildest sort.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. HITCHCOCK. I do.

Mr. PENROSE. I am curious to know whether any explanation has occurred to the Senator as to how the Secretary of War was so widely apart from the facts in this connection. Had he not been informed, or did his sanguine disposition and hopeful nature lead him to predict a result which the facts did not justify? I am quite curious to know what explanation the Senator has of the attitude of the Secretary of War on this vital question.

Mr. HITCHCOCK. Well, Mr. President, I really am not able to explain and I would not like to attempt to explain the motives which led the Secretary of War to make such a statement. I consider it reckless. I think it a terrible thing to mislead the people when the facts are ascertainable. My own opinion is that the Secretary of War has not been in touch with the Shipping Board; that there has been nothing to coordinate the Shipping Board with the other functions of Government; and that there has not been knowledge in high places of what the actual facts were. That is my idea. I do not think the Secretary of War purposely misled the country. Let any Senator take a pencil and paper and figure the matter out for himself. Under the most favorable circumstances it takes 5 tons of shipping to supply one man in France. I mean by that that the ships must sail regularly, cross rapidly, and be loaded and unloaded promptly. These figures take no account of the transports necessary to take men across the ocean. They contemplate only the supplying of men over there. It makes no allowances for sinkings, no allowances for delays, no allowances for bad loading, all of which have already occurred and are still occurring. It makes no allowances for hospital ships that will be needed.

Now, figure up what total tonnage of shipping in constant and effective operation would be necessary to supply a million men in France, supposing we could get them over there. We find that for supply alone it will require 5,000,000 tons of shipping in constant use. Where is that shipping? When are we going to get 5,000,000 tons of shipping? The figures of our shipping have been presented. They are available in the offices of the Shipping Board. I wish I could hope that we will have 5,000,000 tons of shipping for cargo supply a year from now. I hope it, but there is not a brilliant prospect of having it even a year from now.

These figures—5 tons of shipping per man—contemplate only the supplying of the men. They make no allowance for sinkings, no allowance for delays, no allowance for bad loadings, all of which have already occurred; and I have been informed that under the management of the Quartermaster Department our ships have been running at an efficiency of from only 30 to 60 per cent, due to delays, due to bad loadings, due to mistakes and blunders.

Mr. WILLIAMS. Mr. President, I hate to bother the Senator——

Mr. HITCHCOCK. I am perfectly willing to be interrupted.

Mr. WILLIAMS. Does the Senator mind giving his authority for that statement?

Mr. HITCHCOCK. That it takes 5 tons of shipping per man?

Mr. WILLIAMS. No; that the efficiency has been only 30 per cent. The Senator said he was informed of it, but he did not state by whom.

Mr. HITCHCOCK. That is the estimate, and I have made it 30 to 60 per cent because it is an estimate. It has been made by men in whose judgment I have a good deal of confidence; not by one man, but by a number of different men. I have endeavored to verify it. I can not vouch for it absolutely. I hope the efficiency is 100 per cent; but if it is 100 per cent it will still take 5,000,000 tons of shipping to supply our soldiers over there.

Mr. WILLIAMS. Still, the information as to the efficiency is such that the Senator does not care to give it?

Mr. HITCHCOCK. I prefer not to give it. I am even going to avoid putting into the RECORD the actual supply of shipping. I have got it here. I know what the shipping was on the 30th of November. I know what part of it was passenger vessels and tankers, and I have subtracted them, and what part of it was not and can not be in trans-Atlantic waters, and I have subtracted that. The result is so pitifully small that I agree with some others who believe that we are facing an enormous disappointment when the truth finally becomes known to the War Department. It will not do to have a few hundred thousand men or five hundred thousand men or a million men over there and not be able to supply them. We would be face to face with one of the greatest disasters of the world if such a thing occurred. It would be folly to get into such a disaster, and it is a miserable thing for us to live in a fool's paradise and to think that we can do the impossible.

We all know that the total tonnage of shipping available now to the United States is nothing like enough to supply a million men. We all fear that it will not approximate that amount a year from now, even if we build 3,000,000 tons this year, and there are no sinkings and no losses. Yet the Secre-

tary of War, who is compelled to depend on shipping to get his Army and supplies across the ocean, is so out of touch with the Shipping Board and shipping authorities and shipping information that he makes a statement that is absolutely preposterous. I have no doubt of his sincerity, but his act indicates again the extent to which one department is out of touch with another department with which it ought to be coordinated.

We apparently have no authority to plan out a program. No one is deciding how much shipping we have, how much is available for soldiers, how much is available for supplies, and what the margin of safety must be, and the result is that the Secretary of War himself is grossly misled into making an official statement to Congress so exaggerated as to convey an entirely false impression as to what we can do and what we are doing. I can not believe that the Secretary intended it as a gigantic bluff to Germany. I can not believe that he intended to deceive the American people. I think he simply revealed the fact that he did not know; that he was out of touch.

Another feature of the ship-construction program is discouraging, and that is the failure of anybody to provide housing facilities for men who are necessary to build the ships. When the plans were made to construct hundreds of ships at high speed at various places along the coast, enormous contracts were let for the purpose and plans made on a vast scale. The Shipping Board in the past seemed to feel that all it had to do was to let the contracts or order the ship construction to Tom, Dick, Harry, anybody. Now, it has awakened to the fact that the plans can not be carried out without the expenditure of millions of dollars in providing housing accommodations for the tens of thousands of men that are to be drawn together at the shipyards. This means more delay. If we had had a war cabinet to coordinate the various functions of government, that cabinet would have had a housing committee at work upon plans for housing ship employees months ago, but without the proper coordination the ship-building program was stunted and checked because nobody has looked out for the housing question.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. HITCHCOCK. I yield.

Mr. GALLINGER. This very morning I transmitted to the Shipping Board a series of resolutions adopted by the Portsmouth (N. H.) Chamber of Commerce on this very point. We have a navy yard there, and the number of employees has been largely increased, and two contracts have been let for the building of ships in the immediate vicinity of Portsmouth—one for wooden ships and one for steel ships. They now find precisely the condition which the Senator has stated—that there is no possibility of taking care of the employees. The chamber of commerce appeals to the Government to provide money and immediately proceed in some way to meet the requirements of the men who must be employed if we are to get any ships built in Portsmouth.

Mr. PENROSE. Mr. President, will the Senator permit an interruption at that point? I do not want to interrupt the Senator if it disturbs him.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. HITCHCOCK. Certainly.

Mr. PENROSE. I do not know whether the Senator intends to refer also to a question intimately connected with that of housing, and that is the question of transportation. I know that at Hog Island, near Philadelphia, that immense shipbuilding plant is almost inaccessible to the many thousands of men who have to go there and come back every day; and even up to the present time no actual, definite action has been taken to provide transportation.

Mr. HITCHCOCK. That is very true, Mr. President. We have undertaken at Hog Island to construct a Government plant for shipbuilding——

Mr. PENROSE. And the men can not get there.

Mr. HITCHCOCK. What we need is ships. We need them this year. We will not get a ship out of that great shipyard until 1919—not one. It is the greatest shipyard we are to have, and it will not begin to deliver ships until next year. We contracted for 200 wooden ships along the Alantic coast last summer. A contract was made with a certain concern that got its lumber from the South. I think the contract was made in July. Along about October or November it was discovered that while they could get all the yellow pine they needed from the South for the upper timbers for those 200 ships they could not get any lumber for the keels, that must be laid first, and the floor timbers. So in November they woke up to the fact that they would have to send to Oregon for the floor timbers and the keels, and only now are those coming across the country, and it will be 60 days before all of those will be delivered.

Mr. OVERMAN. Mr. President, why could they not get the timber in the South?

Mr. HITCHCOCK. I am told that there was none large enough there. I do not know any better reason.

Mr. WILLIAMS. That is evidently not true, Mr. President. There is plenty of lumber in the southern pine forests large enough for keels. Everybody knows that who knows anything about the South.

Mr. HITCHCOCK. Well, this is testimony that developed before the Commerce Committee, and I am not very familiar with it; but the fact is that while the contract was made last June or July it was not until November that they woke up to the fact that they had to send to Oregon for the lumber for the keels that must be first laid; and the yards are piled high now with lumber that can not be used because it is only for the upper part of the vessels.

Mr. VARDAMAN. Mr. President, will the Senator give me the name of the company that has made that contract?

Mr. HITCHCOCK. I will say to the Senator from Mississippi that I am not able to do that. It is just a detail that I have mentioned here incidentally.

Mr. VARDAMAN. I suppose I could get it from the records.

Mr. HITCHCOCK. I think it will come out before the Senator's committee. It has already come out there, I think.

Mr. President, the confusion in governmental affairs here is pathetic. It is sickening. I remember that when I was a young man I went to Hampton Court, near London—that great estate which Cardinal Wolsey, I think, finally was compelled to give Henry VIII. One of the interesting features of Hampton Court is a wonderful maze, constructed of some English evergreen growing higher than a man's head. People enter that maze with the idea of finding their way out, and other people stand upon platforms to watch them in their struggles to get out of the place they go into so merrily. They go around and around, and they look through the verdant walls, and they see other people going around, and in a little while there are hundreds of people going through there, and none of them is able to get out without a guide.

It is very much that way here at Washington. People have come to Washington, bright and fresh and hopeful and patriotic, with the idea of rendering some service. They have come to their Senator or their Representative; he has taken them to one department after another, and sometimes after weeks of footsore and patient labor they have discovered that they absolutely need a guide to get out, because of the confusion worse confounded in our governmental organization.

Mr. THOMAS. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Colorado.

Mr. THOMAS. The Senator, of course, will realize that those conditions, which are unhappily true in every department, are not the result of the war. They have been in existence for more than two generations, and of course they are constantly becoming more complicated.

The Senator doubtless recalls that during the administration of President Taft a very efficient commission was appointed to look into that situation, and to recommend to Congress certain legislation doing away with it. They made an exhaustive report, with recommendations, which, of course, was designed to outline, and I think did outline, some appropriate legislation. The report, if my memory serves me correctly, was filed with the Committee on Ways and Means of the House, where it was pigeonholed, and never has been heard of since. Does not the Senator think that the Congress of the United States is in a very large degree to blame for that situation?

Mr. HITCHCOCK. Possibly; but, Mr. President, I am impressed by the need of a business organization. What we need in the Government at Washington at the present time is a business organization for carrying on these great affairs, and we will not get efficiency until we get it.

Mr. STONE. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Missouri.

Mr. STONE. I have heard nearly all the speech of the Senator—all except for a few moments, when I was called out. I have listened to it with great interest. As to the particular matter adverted to in the colloquy between the Senators from Nebraska and Colorado, I desire to say that for some reason or other I have not been subjected to the confusion and inconvenience referred to in trying to reach the proper men in the departments.

Now, Mr. President, I think I have an average number of constituents who come to see me, desiring to communicate with this department or that one about the same kind of things that other Senators have to deal with; and I have had very little difficulty, practically none, in finding the officer who could be directly communicated with. That has been my experience.

Mr. HITCHCOCK. I congratulate the Senator; and, having discovered that there is one Senator here who knows the ins and outs of the Government, I shall apply to him in the future when I find myself confused.

Mr. STONE. If the Senator will do so, and will notify me that he desires to see some particular officer of the Government about any particular thing, while I have no means, so far as I am advised, nor right to any means, so far as I am advised, of obtaining the information desired, if the Senator can not find it and will advise with me I will undertake to tell him whom to see.

Mr. HITCHCOCK. I thank the Senator.

Mr. WILLIAMS. Mr. President, would the Senator mind my asking him a very simple question, almost an idiotic one?

Mr. HITCHCOCK. Not at all.

Mr. WILLIAMS. I notice that the bill for which the Senator is vouching mentions, I think, "three distinguished men" of "demonstrated ability" who are to form a war council. Will the Senator please tell me by whom they are to be distinguished, and before whom they are to demonstrate their ability? And then, after he is through with that, will he please tell me what three men he would pick out, or dare pick out, now?

Mr. HITCHCOCK. It is very well known that the President of the United States will have the authority to select the three distinguished men of demonstrated executive ability.

Mr. WILLIAMS. The President of the United States has already selected a Secretary of the Navy and Secretary of War and a Secretary of State who, in his opinion, are three distinguished gentlemen of demonstrated ability. What I am trying to get at is this: You are talking about the need of business ability in connection with this war. I venture to say right now you can not name three men that you would dare offer to take the place.

Mr. HITCHCOCK. I shall not undertake to do it anyhow. I never expect to be elected President of the United States, and until I am I certainly would not undertake to do it.

Mr. WILLIAMS. I am talking about the three men you would recommend the President to appoint. You can not name them.

Mr. HITCHCOCK. I shall not name them. I shall not make the effort.

Mr. WILLIAMS. You can not.

Mr. HITCHCOCK. I am here for the purpose of demonstrating that we will not have coordination of our forces and a bringing together of these various departments and bureaus until we have a coordinating body. I am here to say that the President does not and can not, on account of the limitations of the human system, coordinate them. I am here to say that it is folly to think that the Secretary of War, the Secretary of the Navy, or any other Government officer can perform coordinating functions when he is up to his eyes from early morning until late at night in the details of his own department, and it is because he can not do it——

Mr. WILLIAMS I should like to ask the Senator from Nebraska another question. If it be impossible for the President of the United States to select a fit man for the Secretary of the Navy or the Secretary of War and vest him with authority to carry on this war, then how is it possible for the same man being still President of the United States to select three distinguished gentlemen of demonstrated ability? And one more question.

Mr. HITCHCOCK. Let me answer that.

Mr. WILLIAMS. Will the Senator please inform me how he can add to the strength of a chain by putting one more link in it?

Mr. HITCHCOCK. The trouble is the chain lacks the link now; it is not together. I want to bring the chain together. You have got to have a link to bring the chain together. You have not only two pieces of chain, but you have a dozen pieces of chain. Now, bring them together. It is not a question of strength, but of unity.

Mr. WILLIAMS. And a chain is only so strong as the weakest link in it. The trouble is I do not want to add another link to the chain. He is not proposing to take off any links.

Mr. HITCHCOCK. I am proposing that these 8 or 10 separate and independent departments of the Government that each of which is now running on a single track without any coordination shall be brought up into one station, where they will be united, where they will be focussed, where they will come in contact with each other, and where somebody having authority will say to the Fuel Administrator and to the Food Administrator and to the Shipping Board and all the other boards and bureaus, "Let us see your plans; we want to compare them and coordinate them and work together."

Mr. WILLIAMS. One more question and I will let the Senator from Nebraska alone. You say you want somebody who shall be able to do this thing, vested with authority to do it, and that somebody is to be the President of the United States, who is already very fully vested with authority.

Mr. HITCHCOCK. No; the Senator misunderstands me. The President appoints the men and the men do the coordinating.

Mr. WILLIAMS. But the President can now appoint the men, and the men now do the coordinating.

Mr. HITCHCOCK. He can not. They can not have any power unless it is given by Congress.

Mr. WILLIAMS. The President has already appointed those same men as Secretary of War, Secretary of the Navy, and Secretary of the Treasury, and these three men are already trying to coordinate.

Mr. HITCHCOCK. They are not. They can not. It is impossible. They are occupied.

Mr. WILLIAMS. How can anybody else named by the President do what these three can not do, and how could the President have any ability superior to that which he now has if we pass the bill?

Mr. HITCHCOCK. The Senator, I hope, will now desist from him questioning and let me cover my ground. I am not criticizing the Secretary of War or the Secretary of the Navy or any other Secretary. I have endeavored to avoid personal criticism. I am excusing them. I am saying that the system is such that even if the Secretary of War runs the War Department in a good way and the Secretary of the Navy runs his department as well as he knows how and the Food Administrator runs his as well as he knows how, and the Fuel Administrator as well as he knows how, if they have separate plans they are in the predicament of the five brothers who built a house. There is an old story of an uncle with much money, who called in his five nephews and said, "Boys, here is a great amount of money. I want you to build a house. Buy all the materials that you please. Each of you build a part of the house." They arranged among themselves that one should build one side, one should build the other, one should build one end, and another the other end, and the fifth one was to build the top. They were good workers; they were able men; they knew how to build. One built his end high and short, while the other built his end low and long. One built a long side that was low and the other built a short side that was high. The fifth boy built the roof. After they got the portions together they would not work. There had been no architect, there had been nobody to plan; each one had done his own part, but there was nobody to give the master plan, and it was not a house at all.

Mr. WILLIAMS. If the Senator will allow me——

Mr. HITCHCOCK. Now, I am presenting the consideration that a poor architect would have been better than none; that even a poor adviser and coordinator would have been better than none. That is the predicament we are in to-day. The various bureaus are running each independently, and they are not being coordinated.

Mr. WILLIAMS. But you say that this aulic council which you propose to organize will be the somebody to do the coordination. The President of the United States will be——

Mr. HITCHCOCK. It will be the three men under the President. He has no time to do it.

Mr. WILLIAMS. But the President will appoint them.

Mr. HITCHCOCK. He will appoint them.

Mr. WILLIAMS. But the source of authority after all is with the President.

Mr. HITCHCOCK. Absolutely.

Mr. WILLIAMS. Absolutely?

Mr. HITCHCOCK. Absolutely.

Mr. WILLIAMS. If the President has not enough brains now, how can you give him brains by an act of Congress?

Mr. HITCHCOCK. The President has brains.

Mr. WILLIAMS. I rather had the idea the way the Senator was talking that he thought he did not have.

Mr. HITCHCOCK. If the President of the United States had the brain of Omniscience and the genius of perfection he could not do all these things. He could not run the great foreign affairs of the United States; he could not be his own prime minister; he could not be Commander in Chief of the Army and Navy; he could not dictate the legislation of the country; he could not do everything. Human limitations make it impossible. He has got to operate through others. He runs the War Department through the Secretary of War; he runs the Navy Department through the Secretary of the Navy; and he runs the various bureaus through the head of the bureau. He ought to coordinate them also through three men chosen for the purpose. He can not do it personally.

Mr. President, another evidence of the failure to make the departments work together and to coordinate their efforts may be seen in the food situation. While in and near New York they

have nearly 2,000,000 tons of freight piled up and waiting for ships, we had down in New Orleans last week 250,000 tons of shipping, with only 83,000 tons of food and feed with which to load them. In one place there was freight waiting for ships, in another place ships waiting for freight; so the shipping has to lie idle and wait for food and feed to arrive. Out West at the present time we have hundreds of millions of bushels of corn that can not be moved from the farms for lack of cars.

The actual corn shipments in the last two months have been only 50 per cent of what they were a year ago. With the vast corn supply actually wasting and spoiling on western farms we have dairymen and other owners of cattle and live stock in the East actually feeding wheat to their live stock because the market is bare of corn. In January we shipped to Europe only one-fifth as much corn as we should have shipped and as we promised to ship. Yet that corn is available in the West in quantities never before known. Where is the power in the Government to equalize the priority orders and shipping privileges so that the shipping of food and fuel will be planned months in advance and carried out in accordance with the plans? It does not exist, and it will not exist until we have a war cabinet.

Secretary Baker says we have plans. I am sorry I can not agree with him. If there has been one thing more conspicuous by its absence than any other in the operation of the various departments and bureaus at Washington since we went into this war, it has been planning for the future. I do not deny that the various departments and bureaus have planned as far as they could for what they immediately had to do, but who has prepared a master plan which will harmonize and coordinate the other plans? Nobody. There was nobody who could do it. The President could not.

The President, in the daily press, is quoted as objecting to any change in the law on the ground that he alone has the responsibility for the conduct of this war. Mr. President, I would not be surprised if the President should object to this legislation. He belongs to a school of political philosophers who believe that all legislation should originate in the Executive. He believes that the initiative should not be taken in the legislative body, that it should all come from the Chief Executive. There are some advantages in that idea; I recognize them. It makes order; it makes leadership; it makes system.

But, Mr. President, shall the Congress of the United States abdicate its powers, abdicate its duties? Look at the countries across the sea; democracies, in a way, like ours. Does the Parliament abdicate its duty in Great Britain? When Parliament feels that things are not going satisfactorily it upsets the cabinet. The representatives of the people indicate from time to time what they want done. In France it is the same. There have been four or five changes of the French ministry since this war started, and at last they have got an efficiency both in France and Great Britain that they never had before. Shall the Congress of the United States not even have the power to change the machinery through which things are done by enacting a law?

The President has given his reason, as far as I know, only in the press, and as it has been given by the press it is that he alone has responsibility for the conduct of the war. He means exclusive responsibility, apparently. The mere statement presents an absurdity. It would be a monstrous wrong to hold him responsible for the 2,000,000 tons of freight piled up in and around New York. It would be a monstrous wrong to hold him responsible for the breakdown of railroad transportation. It would be a monstrous wrong to hold him responsible for the muddle and jumble of priority of shipments. It would be a monstrous wrong to hold him responsible for the shortcomings of the Ordnance and the Quartermaster Departments. It would be a monstrous wrong to hold him responsible for the suffering unnecessarily of sick in the cantonments of the country. It would be a monstrous wrong to hold him responsible for the delay in the construction of a powder factory, so that it is only to be built nine months after the war broke out, although its necessity was known last summer. It would be a monstrous wrong to hold him responsible for this and other shortcomings, because, as I have said, nothing but the genius of perfection and the power of omniscience would make it possible for a man to be responsible for these things, and then he would be more than a man. He can not at one time design and conduct our difficult and delicate foreign policy and perform the duties of Commander in Chief of the Army and Navy or organize and design all the legislation for Congress to pass, dictate all the industrial, financial, and political activities of the country, and look after the expenditure of $250,000,000 a week. It is out of the question and out of reason.

The President has announced his opposition to both these bills. He does not want the committee to report the cabinet bill, we hear, and if the press reports are true he objects even to the discussion of this legislation in Congress, it is said. I am not surprised at that attitude, because I know the school to which he belongs, and I think it is very unfortunate. In the main, I have been one of those who have followed the President. It is only on very rare occasions that I have made an exception, and at all times I have had the highest admiration for him. On great occasions he rises to the supreme height of greatness. There are perhaps two great men in the world to-day—one is Lloyd George and the other is Woodrow Wilson. But the President can not do these things; it is beyond human power. He needs help, he needs machinery, and it is our duty to give it.

This is one of those cases in which I believe it my conscientious duty to bring this measure before the Senate in this way. I believe it should come before the country in this way, and I am confident that the intelligent public opinion of the United States will approve of this thing which Great Britain found necessary and which we shall find necessary to bring order out of chaos, to bring efficiency to our great business of war.

I agree with the chairman of the committee, Senator CHAMBERLAIN, that the President does not know the real situation. He can not give two months to an investigation, as we have done. He is like a king surrounded by a court. He hears practically only one side. The people who complain do not reach the President nor even the members of his Cabinet. They write to their Senators or Representatives. We must listen. We should investigate; we should remedy. It is we who have the responsibility. We declared the war; we levied the taxes; we authorized the sale of billions of dollars in bonds, for which we mortgaged the future. We created the present machinery of government. We alone can change it.

The French Parliament and the British Parliament do not shirk their responsibilities. They go much further than we do or than we could go. When dissatisfied with conditions of the war, those parliaments go so far as to upset the administration by an adverse vote and thus bring about a change in cabinets. That can not be done in this country, but we can change the machinery when we find it wrong. Since this war began four such complete changes at least have occurred in France and one in Great Britain, to say nothing of some minor changes. Shall the Congress of the United States not even be permitted to mend defective machinery? Can one of these great committees of Congress not be permitted to report its conclusions on a pending bill? Shall the Senate be prevented from discussing bills duly reported and widely demanded by public opinion? I can not believe that our duty to the people would be performed by such a weak abdication of responsibility. To use a slang phrase, it is "up to us."

We appropriated billions of dollars, and we find much of that money used to make 2,000,000 tons of munitions of war piled up on the docks because we lack the ships to send it to Europe, while the pile grows larger day by day. We know this is due to a failure to coordinate production and transportation. We say the answer is a war cabinet.

We drafted a great army of men from the people and provided abundant money for their clothing, arms, and equipment, but we find that while they have 20 pairs of shoes apiece, tens of thousands have suffered for lack of clothing and tens of thousands have had to drill with wooden guns. We say the answer is a director of munitions. We supposed the various agencies of government created by law to carry on the war would all work to a single plan in harmony and accord. We find there has apparently been no one to plan ahead, no one to bring unity of action, no one to coordinate the many different functions of government, and we say the supreme need of the hour to win the war is a war cabinet of three men to do these things.

Mr. WILLIAMS. Mr. President, I have listened with a great deal of attention and respect to the speech just made by the Senator from Nebraska [Mr. HITCHCOCK]. Jeremiah and his lamentations are not in it with the Senator from Nebraska. He begins away back yonder and tells us that we have no ships. He tells us that we have not this nor that nor the other thing that we need and that every one of us knows we need. He has drawn an indictment against the executive departments of the Federal Government that is very strong. During the course of his remarks he said that he might be accused of giving information useful to the enemy if he disclosed all that he knew. He has disclosed about all he did know, and he gave information very useful to the enemy.

Mr. President, the human memory is a treacherous and a foolish thing. It leads a man whither it will. Mine leads me right now back to a day in this Senate when men were standing here wanting to stop the shipment of munitions and food to Great Britain and to the allies. They proposed measures then almost as foolish as this aulic council now suggested. Of course, if we had stopped the munitions and food from going to Great

Britain, Great Britain would merely have said, "Very well; find your own ships. You have none. We will take ours out of the North Atlantic trade. If you can not send us munitions and can not send us food, there is nothing else that we want from you." My memory goes back almost irresistibly to that day.

That was the German game then. The German game now is muckraking this administration. If the Senator from Nebraska is right in what he has said, we are whipped already; we are out of this war game right now, because he has drawn and attempted to prove an indictment against the Executive authority of the United States Government that shows not only inefficiency but it proves stupidity. He comes here with a measure to invest the President with more power in order to prove that the President can become efficient with more power when he has been inefficient, in his opinion, with less power.

Mr. President, these aulic council propositions have been tried from time to time everywhere. Even the Austrian Empire, I will inform the Senator from Nebraska, has had sense enough to do away with the aulic war council. Napoleon Bonaparte forced that.

The Senator might go back a little further in history and find that the senate of Carthage came very near ruining Hannibal's war plans. The Senator could go back a little in our history and find out that the Continental Congress came very near ruining George Washington with its committees upon the conduct of the war.

If the Senator will he can find that it was the typical committees of Congress that came very near ruining Lincoln and Grant in the Civil War. He can go below Mason and Dixon's line and find that the Confederate congress came very near ruining Robert E. Lee and Jefferson Davis while they were carrying on war.

If there is anything that any man ought to know who has any sense at all it is that Congress or a committee can not carry on a war and can not furnish the brains to anybody else to carry it on. Here is this stupid bill, a stupid thing demanding "three distinguished men of demonstrated ability" to be appointed by the President of the United States to carry on the war, a so-called war cabinet. "Distinguished" by whom? *Ability* "demonstrated" before whom? After you are through with it all, as the Senator just confessed in answer to a question, it all goes back to the President of the United States and the President has got to "distinguish" them and their ability has got to be "demonstrated" before the President, and here is the President already not only armed with the duty but charged with the responsibility of distinguishing men and of recognizing demonstrated ability. If the President is a fool, how are you going to give him brains by an act of Congress? If the President of the United States is not a fool, what is the need of your legislation?

The Senator quoted from somebody back in the Bible. I have forgotten just how it did go. "Thou art not able to hold up thy hands by thyself alone," and "they stayed his hands one on one side and the other on the other."

I suppose the Senator from Nebraska [Mr. HITCHCOCK] is going to stay them up on one side and the Senator from Massachusetts [Mr. WEEKS] or the Senator from Pennsylvania [Mr. PENROSE], probably, stay them up on the other side. [Laughter.] Great God, Senators, if the President of the United States has not brains enough to perform the functions of his great office, he can not be lent brains by this "staying up of hands."

My memory goes back treacherously to the time when men were standing upon this floor wanting an embargo on all American commerce with Europe, but I need not dwell upon it; the balance of you know about it. Now, the Senator from Nebraska has made his argument; he has drawn an indictment, and a powerful indictment, too, against some inefficiency that all of us know and that all of us recognize. I will tell you the trouble with the Senator from Nebraska and the trouble with the Senator from Oregon [Mr. CHAMBERLAIN], both of whom I love very well—especially one of them. I will tell you the trouble with you: You have been engaged as chairman and members of an investigating committee for four or five weeks, and the business of an investigating committee is to look at specks. Everything that is called to its attention is a speck. It becomes speck obsessed. After you got through with the investigation you came out, and you drew a circle with chalk on the blackboard, and you filled it plumb full of specks, and you wrote on it, "This is the sun." It is no more the sun than my sole is my foot. [Laughter.]

The American people have faced this situation with magnificent efficiency and I am tired of hearing them muckraked. No people at any time in the whole history of the world turned around from a complete peace establishment, devoted to peace and pacifism as a passion, with the apostle of democracy at the head of the procession, Thomas Jefferson himself, and within nine months converted themselves so nearly completely into a war machine. My boys are there and your boys are there, my sons-in-law are there and yours are there. I deny the right of any man to draw this indictment against the American people or against the American people's Executive's control.

The Senator from Oregon tells me, and the Senator from Nebraska tells me, that the trouble with the President and the Secretary of War is that "they do not know"; that they "can not find out"; that it is "impossible for them to know." Well, will you, in God's name, then tell me how it is possible for the Senator from Nebraska and the Senator from Oregon to know—how they are going to find out? They are not the superiors of the President and his Secretary in native ability or brains or information.

Why should we have had all this thing? Why should it all have come here? Was not everybody trying to do his level best? The Senator from Oregon told us the other day in his speech that the efforts of the Secretary of War had been "commendable"; the Senator from Nebraska pays a high tribute to him to-day; and they both pay a high tribute to the President of the United States. Has not each one of us, here as a Senator, there as the Secretary of War, over there as the President, over yonder as the Secretary of the Navy, out there as the Secretary of the Treasury, been trying to do his level best?

This is a remarkable thing: Unlike the War between the States; unlike the Mexican War; unlike the Spanish-American War, not one charge of moral crookedness has been made against any man. In the Civil War there were plenty of such charges made and sustained; in the Spanish-American War there were plenty of them made and sustained; in the Mexican War there were plenty of them made and sustained; in the War of the Revolution there were plenty of them made and sustained.

Here stand 100,000,000 people ready to fight Germany by themselves, if necessary, and they can whip her by themselves. Nobody knows but that the Germans may go over the line between the British and the French to-morrow; and France may be put out of the war. If she is, then Italy will be put out. Roumania is already out; Russia is already out. Then we two English-speaking peoples can whip Germany by ourselves, and will have it to do. It may take us a long time to do it, but we will do it. We have got the blood; we feel "the mettle of our pastures"; we have the boys, and even those of us who would be a Government liability instead of a Government asset, still have the spirit.

What is the use of standing here and muckraking this administration? It is charged that we have ordered too many shoes. My God, if we have, we can sell them later on. [Laughter.] They will go at a very good price. It is also said that we sent some munitions abroad and had to bring them back. Did we? I do not know whether we did or not. The Senator from Nebraska declined to give his authority for the statement, and I doubt it. I mean I doubt the truthfulness of his informant; not his truthfulness, of course. But suppose we did. Here is your circle on the blackboard with specks all around in it. Under it is written, signed by the Senator from Nebraska, "This is the sun."

You know it all reminds me a little of a fellow who once went to see a statue, and he said, "It is a magnificent statue; the head is divine; the breast is superb; the legs, the legs of an athlete; the arms, the arms of an athlete; but there is a little defect on the right heel;" and he went out and wrote 346 pages on the defects in the right heel of that statue. [Laughter.]

What is the use in it? What is the sense of it? Can we not help one another win this war? The Senator says he might be accused of giving information useful to the enemy. Great God, I suppose so. He might be accused of it. The information would not be useful to anybody except the enemy. I doubt if it would be useful to the enemy, but certainly it would not be useful to anybody else. Are we not all trying to do our very best? Is there a Republican on the other side of the Chamber who is not behind the American people in this war, except a few fool pacifists that have pretty nearly passed out of political existence? [Laughter.] Do we not know the task before us? Do we not know we have got to win? Does not the Senator from Michigan know it, and does not the Senator from Wyoming know it, as well as I, from Mississippi? Do we not know we have got to win, and that the only way in God's world to win is to support the men who happen to be in authority? I do not care who put them there.

Oh, this idle talk about passing a bill for a war cabinet "in order to strengthen the arms of the President," to "hold up his hands"! I should think when it came to the question of somebody strengthening my arms or holding up my hands, I

would be the best judge; and I imagine the President is the best judge of whether he wants that sort of strengthening or not. You know that is not the intention of it, as well as I do; you know it is a usurpation by the legislative of executive authority; and, if you are lawyers, you know that it is absolutely unconstitutional.

Do you know what I would do if I were President of the United States and you dared pass that war cabinet bill on me? I would veto it first; and then if you passed it by a two-thirds majority, I would utterly refuse to obey it, upon the ground that the Constitution invested certain duties and liabilities in me, and that I could not forsake them.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. WILLIAMS. I do.

Mr. GALLINGER. Does not the Senator think that, if the President did what the Senator suggests, he would come pretty nearly making himself liable to impeachment?

Mr. WILLIAMS. Not unless two-thirds of a brute force impeached me, and in violation of the Constitution; no. There might be a two-thirds majority to impeach me in violation of the Constitution, as they tried to impeach Andrew Johnson under similar circumstances when he refused to obey the tenure of office bill.

Mr. GALLINGER. And they came very near doing it.

Mr. WILLIAMS. They came very near doing it, yes; and there is no page of American history more shameful and more discreditable—"shameful," did I say?—"shameless"—than the page of American history that records the attempted impeachment of Andrew Johnson for sustaining his powers as the Executive under the Constitution against the usurpation of the Congress of the United States.

Mr. GALLINGER. Mr. President, if the Senator will permit me, I desire to say that is the Senator's opinion, but other men honestly differ from the Senator in that conclusion.

Mr. WILLIAMS. That may be. I do not doubt that there are men everywhere who honestly differ with pretty nearly every proposition one can state.

Mr. President, I heard a Senator here the other day on the floor of the Senate complaining because they did not have any plan of campaign for the war here in Washington—when the war is being fought in Belgium and in France. Did you ever hear anything as stupid as that since the day you were born—quarreling with an administration in America, 3,000 miles from the field of battle, about not having a war plan? That is worse than the old Aulic Council of Austria that could not make itself heard even from Vienna to Campo-Formio. How do you expect a lot of men here, gathered together accidentally, colonels, lieutenant colonels, and majors, to draw a war plan to fight a war in Europe? Either Pershing will fight the war or Pershing ought to be put out of commission; and, in my opinion, Pershing can fight that war; and, in my opinion, if Pershing and Bliss put together can not fight it we have plenty of other men who can; but of all things in the world I know that the Congress of the United States can not give either one of them one particle of useful information or suggestion. With all due respect to the intelligence of distinguished Senators, Members of this august body, of which I am one, I do not think a single one of them could give Pershing an idea that Pershing would care to entertain for three seconds, or could give Bliss one. Yet the Senator said, "We have been nine months at war, and we have no plan of war, no plan of campaign." Why, Robert E. Lee carried his plan in his head, so did Stonewall Jackson, so did Napoleon Bonaparte, so did the Duke of Wellington, so did the Duke of Marlborough, so did Prince Eugene, so did Julius Cæsar, so did Hannibal. Do you suppose that Pershing or Bliss would regard any hints from me or from you about it? What do you know about it? You know less than I do, and I know nothing. [Laughter.]

Then Senators complain and say they have been down to the departments, and "their constituents did not know where to go"; that one man would send their constituents to another man, and the other man would send them to a third man, and the third man might send them to a fourth man. Who are your constituents and what did they want—Army contracts? If so, it is a pretty lucky thing that it was rather hard to find the proper fellow to deal with, and that several fellows had to pass on it before they could get dealt with at all. I have not had any trouble. I am like the Senator from Missouri. I suppose I have got about as much senatorial business as the average Senator, but I have never found any trouble, because I always address the man in charge, and he sends the communication to the proper official. I do not go down with constituents, and I will not do it. I do not go to the departments with constituents hunting one official and then hunting another, and when men come to me with useful ideas I communicate their ideas to the proper official.

The Senator says that even in peace times the President is oppressed with work. Of course he is, and therefore in war times you want to vest him with the duty of selecting "three distinguished men of demonstrated ability," as if he did not have work enough to do already. Why, Senators, if there is anything that is foolish, it is the idea of trying to rebuild in America in the twentieth century the old obsolete aulic council, which had to map out campaigns for war, plans for war, at Vienna and send them out to all the Austrian junkers while they were fighting the freemen of France. Go back to the stupid days of the Confederate Congress when it wanted to interfere with Robert E. Lee, and when Robert E. Lee, in a moment of his highest chivalry and courage, sent his resignation to Jefferson Davis and said when he came back from Gettysburg: "The test of merit in my profession is success. I have failed." And Jefferson Davis said: "If you are not a soldier, Gen. Lee, the South has none. Your resignation will not even be considered."

Why, I heard a Senator complaining the other day about Gen. Crozier. Crozier has been kicked upstairs. What more do you want? Do you want to humiliate the man? If you can get rid of him and get somebody in his place, that is all you want, is it not?

Then you have been complaining about the Quartermaster General. By the way, he seems to have come out on top, as near as I can judge; he seems to have known more about it than his critics did.

Mr. President, I did not come into the Senate this morning with any idea of making a speech. I have just returned from the funeral of one of the dearest friends I have ever had in my life, and I thought this morning about him while the discussion was proceeding. He was as loyal and true to the United States Government as a man could be. A Welshman by blood, an Irishman by birth, and a loyal, true American citizen, he was one of the first men to exceed in insight into this trouble. I remember four or five days after war was declared in Europe I introduced a bill to enable the United States to buy and build ships, because I knew we would have to have them. I did not get any votes for it; I could not even get the Foreign Relations Committee to call a meeting to consider it. Later it took the administration four or five or six weeks to discover the necessity of it, and yet here is the Senator from Nebraska this morning, to quote his own language, saying, "We have no ships." Why? Is it the fault of the President, the fault of the Shipping Board, or the fault of any of the executive departments? It is your fault, and the fault of every one of you. I introduced that bill within four or five days after war was declared in Europe, after Belgium was invaded, and every man, it seemed to me, with a particle of common sense ought to have known that was the first thing we had to do—to get ships to carry our products to Europe; and whether we were to remain neutral or whether we were to enter the war made no difference; but here stands a Member of the Congress of the United States to-day complaining that we have no ships. Whose fault is that? It is yours; it is not the fault of the Executive.

Mr. President, why can we not drop this? Why can we not just quit this thing of looking at specks on the sun, and nothing else, and writing pages about the heel of Achilles, when the balance of Achilles is all right? Why can we not go ahead and uphold the arms of the President in the way the President wants them upheld? He is the best judge. Who doubts his patriotism? Who doubts his honesty? Who doubts his loyalty? Who doubts his courage? Who doubts his gentleness under it all—a gentleman with the strength of a man and the gentleness of a woman? What do Senators hope to attain by this agitation? They do not expect the bill to pass. I doubt if any of you expect it to pass. You know the President is going to veto it if it should pass. I can understand why I, as a Democrat, in ordinary peace times might want to put a Republican President in a hole, and I can understand how a Republican in ordinary peace times might want to put a Democratic President in a hole, but I do not understand why any Democrat wants to put a Demcoratic President in a hole during a war. You know the bill is never going upon the statute books as a law, as well as you know your name. Then why are you agitating for it? Just to show where you stand? Well, you might send a private telegram to the Kaiser, telling him, if you wanted to, or you might tell anybody outside. What is the object of it? What is the intent? What is the desire of the heart that makes the mouth speak? Do you just want to see if you can get a popular sentiment behind the thing and have the President

veto it, so as to make him temporarily unpopular? I dare say you would not confess that that was your motive; and yet, if that be not your motive, what is your motive? What do you expect to attain by it—not a law upon the statute books, for the President has already told you, as I would have told you in his place, that he does not propose to have Congress usurp executive functions, and that so long as he is the President of the United States and vested by the Constitution of the United States with certain duties and responsibilities, he is going to exercise the one and perform the other.

Suppose we just quit all this now, or quit it after to-day's session, and just unite with one idea, and that is, to wage war in order that we may put an end to war as a constantly contemplated national purpose, whether in Prussia or anywhere else; that we shall resort to a universal compulsory military service temporarily in America, in order that we may put an end to the hellish system all over the world for all time to come; that we shall wage war in order to have a just, enduring, and lasting peace; and that we shall wage it as Americans, not as Democrats or Republicans, not as northerners or as southerners, but let my boy go with the boy of the man from Massachusetts, side by side, and fight for liberty and a chance for liberty to have a place under the sun against Prussian militarism, autocracy, tyranny, cruelty, rape, murder, and rapine.

Mr. REED. Mr. President, with some hesitancy, because of the character the debate has assumed, I rise to speak to the bill under discussion.

I think we shall gain little by challenging either the motives of Senators who propose this legislation or the motives of those who oppose it. It is getting to be too much the habit for men to clinch an argument, or to supply the lack of argument, by a polite insinuation that their opponent is a friend of the Kaiser. That is one of the things that ought to be stopped in this Chamber. I hope it finally stopped when the Senator from Mississippi [Mr. WILLIAMS] stopped speaking.

I am opposed to the position taken by the Senator from Nebraska [Mr. HITCHCOCK]; yet I know that in this Senate Chamber and in the country there is not a more sincere patriot. There are but few, if any, more thoughtful, painstaking, or laborious men in all the country than GILBERT HITCHCOCK. I know that his motives in presenting this bill are of the highest. I know that the motives of the chairman of the committee, the Senator from Oregon [Mr. CHAMBERLAIN], in conducting the investigation by the Military Affairs Committee, have been those of a patriot, of a lover of country and of universal liberty. I have no patience with the policy of impugning the motives of all men who, seeing faults, seek to correct those faults. Neither have I patience with those who describe the conditions that have been disclosed by these investigations as "mere flyspecks on the firmament," or as "slight defects in the heel of a perfect statue."

Mr. President, if 7,000 men in the cold winter are compelled to leave their homes and are not furnished with sufficient clothing, that is not a flyspeck. That is a serious matter.

If soldiers are permitted to die in hospitals because of a want of proper medical attention, that is not "a speck." That is a tragedy, all the sadder because it befell those who were willing to yield bodies and lives in the service of country.

If cannon that might have been obtained have not been provided, that is not "a speck." It may mean the loss of a battle and the sacrifice of thousands of precious lives.

If ships have not been bunkered with coal, although the coal was available, that is not "a speck." That is a grievous wrong, for ships are vital to the winning of this war. Whoever so grossly blundered committed that character of offense which Napoleon characterized as "worse than a crime." It may well be questioned whether such a blunderer should further hold authority.

So I might at great length catalogue and comment upon the many failures and mistakes developed by the investigations, but those I have cited will suffice. I utterly decline to accord with the view that they or any of them are "mere trifles," "mere specks," bits of thistledown to be blown away by a breath of satire. They can not be obliterated by a sneer. They are matters of serious, of grave, of almost tragic importance. They should be so met, so considered, and such action as Congress should take ought to be fearlessly taken.

But, Mr. President, disappointing as these conditions are, we must in all fairness along with them take into account the great things that have been achieved. My distinguished friend from Nebraska [Mr. HITCHCOCK] and my friend, the chairman of the committee [Mr. CHAMBERLAIN], are as willing to do that as is the Senator from Mississippi [Mr. WILLIAMS]. They, however, maintain that the highest patriotism requires the searching out of defects and in applying proper remedies. For this I commend them, but at the same time I think they might have been a little more generous in giving credit for that which has been accomplished.

Mr. President, it must be borne in mind that we were plunged into this war without preparation. It should not be forgotten that every man in this body believed, as did the President of the United States, that we would escape being drawn into the conflict.

In this state of almost total unpreparedness we were thrown into the war. We needed ships. The Senator from Mississippi did not discover that fact. Shortly after the first shot of the European war was fired a bill for the purchase of ships was brought forward and was debated for weeks. It was defeated by the almost solid vote of the other side of the Chamber, aided by some Senators of this side. Yet I do not severely criticize my brothers on the other side of the Chamber. They could not look ahead and see the conditions that now confront us. They did not see them. If they had, they would have voted for the bill.

Mr. President, it has been said upon this floor that the military machine has broken down. If the statement had been that the military machine had failed in some respects, but that in the main it had been successful, it would have been more nearly correct. You can not justly say that a machine that put 1,500,000 men into the field in eight months' time is a complete failure. You can not say that a machine that has carried some hundreds of thousands of men across the ocean without the loss of a single life is a total failure. You can not say that a machine that is now producing a fleet of airplanes that will soon obscure the sun above the great cities of Germany has "broken down." You can not, in justice, assert that a machine that has laid the keels of ships which will within 12 months represent a greater tonnage than has been produced in a similar period of time by all the nations of the earth has "ceased to function."

And yet, while we may point to these and other illustrious and splendid examples, it does not follow that we should not call attention to defects and to mistakes wherever they exist. So long as the criticisms are made for the purpose of helping, the critic should be applauded. The man who discovers and calls attention to a serious oversight or wrong policy in order that correction may result is engaged in a more patriotic work than the individual who seeks to hide them beneath a camouflage of adjectives. An honest critic is of more value than a hundred incense burners.

This war can not be won upon paper. It can not be won with speeches. It can not be gained by laudation. Fine phrases will not take the place of cannon. On the battle front you can not supply the lack of rifles by assertions that they exist. This war must be fought with men and with metal. The men and metal must be put upon the field. Every man who succeeds in pointing out, every committee that succeeds in demonstrating, that there is a rotten spot anywhere in our preparations is doing a good work and should be commended for that work.

Now, Mr. President, I come very briefly to a consideration of these two bills.

It will be observed that they both distinctly and absolutely relate to the prosecution of the war in the sense that they deal with the very movements of the Army and Navy. They are not like the fuel or the food regulations, which have to do with the domestic concerns of the civil population. These bills relate to the carrying on by our armed forces of the conflict between the United States and Germany. Therefore, in my judgment, they come within the control of that provision of the Constitution which provides that the President of the United States shall be the Commander in Chief of the Army and of the Navy.

I think there is a very clear line of distinction between the passage by Congress of a bill which deals with the furnishing of supplies, with the furnishing of moneys, with the creation of the machinery that ultimately results in making the Army and the Navy, or in supplying the Army and Navy, and another class of legislation that attempts to control the actions of the Army and the Navy after they have been created and a state of war exists. When we come to the latter class, I believe the President is, as the Constitution says, "the Commander in Chief," with all that term implies. He has the right therefore to say where the Army shall go, and where the Navy shall go, and how and when and where they shall fight. In a word, the Constitution has placed upon the President the duty and has granted him the power "to formulate the plans" for the war and "to direct and procure their execution."

With that preliminary statement, let me call attention to what is known as the war-cabinet bill.

SEC. 2. That said war cabinet—

Now, notice the language—

shall have jurisdiction and authority as follows—

Jurisdiction and authority—

(a) To consider, devise, and formulate plans and policies, general and special, for the effectual conduct and vigorous prosecution of the existing war, and, in the manner hereinafter prescribed, to direct and procure the execution of the same.

Let me scan that, to make it plainer:

Said war cabinet shall have jurisdiction * * * to * * * formulate plans * * * for the * * * prosecution of the existing war, and * * * to direct * * * the execution of the same.

Mr. President, if you can put that power in a war cabinet, and if the war cabinet exercises that power, what is there left to the President? Instead of being the Commander in Chief of the Army, with the power to make plans for the movements of the Army, the plans are, according to this bill, to be made by a war council. Instead of being the Commander in Chief, with the power and the authority to execute the plans he has made for the movements of the Army, he finds that power has been by this bill taken from him and reposed in a cabinet unknown to the Constitution.

If we were to pass the bill in its present form, would not the war cabinet, that possessed the power "to make the plans for the war," "to prosecute the war," and "to direct the execution of the plans for the prosecution of the war," be in fact the commander? Would not the President become a mere figurehead directed by the war cabinet?

I shall not take the time of the Senate to read the other provisions of this bill. Senators who read them will find that the objection I raise runs throughout the bill. While there are certain paragraphs of it that provide that particular things shall be done with the direction or the sanction of the President, the paragraph I have read has no such limitation, and you will find other paragraphs in the bill without limitation. For those reasons I think it is not a bill that should be passed.

There is another view——

Mr. KNOX. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. REED. I yield to the Senator from Pennsylvania.

Mr. KNOX. Before the Senator from Missouri passes to the other point he is about to make, I should like to inquire what significance he attaches to the following words, which are not a part of the preamble, but are a part of the first section of the bill:

That there is hereby created a war cabinet, to be composed of three distinguished citizens of demonstrated executive ability, to be appointed by the President, by and with the advice and consent of the Senate, through which war cabinet the President may exercise such of the powers conferred on him by the Constitution and the laws of the United States as are hereinafter mentioned and described.

What significance does the Senator attach to that provision as qualifying the subsequent vesting of powers in the war cabinet. Would or would they not be all subject to the provision that the war cabinet shall be under the direction of the President?

I am inquiring for information. I never saw the bill until this moment.

Mr. REED. I grant, of course, the rule of construction that all of a bill must be considered together, and that the words just read by the Senator must be taken in connection with the other provisions of the bill, and yet I do not think that the words are controlling. I think that the specific power is found in the language I read a few moments ago in paragraph (a).

Mr. KNOX. But, Mr. President, may I not inquire if the Senator from Missouri does not also recognize that other rule of construction, that if it is possible to give a statute a construction that would make it constitutional, that is the construction that would be placed upon it, rather than a construction that would make it unconstitutional; and does not the insertion of these words make possible a constitutional construction of the bill?

Mr. REED. The rule for which the Senator contends—that a bill shall be construed as constitutional if it can be—is a rule which is applied by the courts after Congress has acted, the courts then taking the position that they will assume that Congress did not mean to do an unconstitutional thing; and accordingly they will limit the language, even twisting it somewhat from its natural meaning, in order that they may sustain the law. That is only another way of saying that the courts might remedy that which we ought to remedy here while we are passing the statute.

I do not care to do more than state this matter. I have not taken time to go into the libraries and search the books. I give it as my opinion that this bill, as drawn, plainly impinges upon the constitutional prerogatives of the President of the United States.

Mr. KNOX. Mr. President, if I may again interrupt the Senator from Missouri——

Mr. REED. Certainly.

Mr. KNOX. I have been impressed with the argument of the Senator from Missouri, and if I had not discovered this language I certainly would have been convinced by it. I doubt very much whether the proponents of this bill contemplated that any such construction should be placed upon it as the Senator from Missouri has placed upon it; and as for myself, I certainly should insist upon an amendment, if this measure is to pass at all, so that there could be no doubt whatever of the proposition that this war council is under the authority of the President.

Mr. REED. I am glad to have the Senator say that, because I know his respect for the Constitution is such, his knowledge of the law is such that his opinion will carry great weight with this body and with the country.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. REED. Yes.

Mr. CHAMBERLAIN. I can speak, I think, for some of the committee at least when I say that in formulating the bill the committee thought that the first section would cover the whole bill; in other words, that it would all be subject to the power of the President, and the cabinet, when appointed should be subject to him entirely. That is embodied in two or three of the subdivisions of the second section of the bill, but probably it would be better to put it in all. The committee intended that it should be all under the President, and that he should have the power.

Mr. REED. I think enough has been said to show that whatever should happen to this bill, it ought to have some further consideration in the committee and the language ought to be cleared up.

Mr. President, I come to another point, that seems to terminate all chance of any practical result from this bill. What is the situation? We have a President, we have a Cabinet, appointed by the President. The President is Commander in Chief of the Army. The Cabinet members perform the various duties falling to them, one member being Secretary of War, another Secretary of the Navy, and both of these responsible to their chief. In addition to that six of the members of the Cabinet are, by a statute of Congress, made into a war council. If those bodies thus created do not coordinate and bring together all of the various authorities of the executive branch of this Government, then it is inconceivable to me that they can be brought together by the appointment of three additional men. If the Secretary of War, the Secretary of the Navy, and the President of the United States do not constitute a war council having the power to coordinate and bring together every function of the executive department and of the war and naval forces of the country, then how will you accomplish it by the appointment of three other men?

It has been said by the Senator from Nebraska [Mr. HITCHCOCK] that the present war machinery is so complicated as to constitute a maze, in which we are hopelessly lost. He compares the war organization to that grove an English King planted in which people, mystified and bewildered, wander aimlessly. Mr. President, I adopt the simile and remark if the grove is made greater and larger and its ramifications more intricate, it will not help us find our way out.

We are told by these gentlemen that with the present machinery everything is chaos. If it is chaotic and if human ingenuity or lack of ingenuity is responsible for it, then where must we look for the individuals who are to be charged with the condition? Clearly, if there is chaos in the War Department, it must be charged to the Secretary of War; if there is chaos in the Navy Department, it must be charged to the Secretary of the Navy—unless, indeed, it must be charged to their chief, the President of the United States. If he did not interfere, if he allowed these Cabinet officers to act, then they are responsible. If he did interfere and caused them to act in an improper way, then the President as well as the Cabinet officers is responsible.

If it be true that the President has selected Cabinet officers who have produced chaos in the Army and in the Navy; if that indictment be a just indictment; if he has selected a man who is inefficient for Secretary of War, and a man who is inefficient for Secretary of the Navy—if he has done those things, what reason have we to believe that conditions would be at all improved if we were to command the President of the United States, by a law passed even over his veto, to select three more men? What reason have we to believe that he would select three better than those already there? How will you gain anything by compelling or requesting the President of the United States to pick more men, if those he has already selected are bad men?

If those he has already selected were fastened upon him and he could not get free from them, we might afford him a means of escape by authorizing him to select three more. But he can, in a moment, get rid of the men he already has. Not only can he remove them, but their resignations, of course, will be tendered on the instant an intimation is offered.

Mr. WILLIAMS. Mr. President——

Mr. REED. In just one moment. If, upon the other hand, the President of the United States has the wisdom to select the three men that this bill proposes to authorize him to select, then he certainly has wisdom enough to select his Cabinet; and if he selected a Cabinet and selected it wisely and prudently, and if it has been doing that which it ought to do, then we should not, against his will and over his protest, force upon him men whom he does not want, and thus add a fifth wheel to a wagon, the driver of which says he does not want that fifth wheel, that he is content with the four wheels he already has. I yield to the Senator from Mississippi.

Mr. WILLIAMS. A new link to a chain will not make it any stronger. Now, let me ask the Senator a question there. Suppose this attack upon the Secretary of War—for that is what it is—were made directly and the Congress of the United States passed a vote of lack of confidence in the Secretary of War, does the Senator doubt one minute that the Secretary of War would resign and the President would accept his resignation?

Mr. REED. I hardly know how to answer.

Mr. WILLIAMS. I know if you were Secretary of War you would resign, and I know I would if Congress passed a vote of lack of confidence in me.

Mr. REED. Mr. President, I confess to a very great desire that all of the functions and the powers of our Government should be coordinated. I confess to a feeling of chagrin that some mistakes have been made. I do not see how we are going to remedy those defects by saying to the President, "You must appoint more men, although you do not want them. Although you say you are content with the men you have, you must nevertheless appoint more men." In what manner shall we profit? Who can guarantee the President would not appoint men who would make worse mistakes than those complained of. Let me be understood, I do not charge that bad men have been selected. I only argue from the hypothesis of the proponents of the bill.

Now, let me say a word in regard to these mistakes. If I thought there was a member of the Cabinet who would not correct abuses once his attention was called to them, I would say he ought to be impeached. But the truth of the matter is that mistakes having been discovered they have been corrected in most instances, and I believe will be corrected in every instance where possible.

The fundamental error of the sponsors of these bills is well illustrated by the argument of the Senator from Nebraska. He said if we had had a war cabinet, we would not have had a mistake made in the ordering of fuel; if we had had a war cabinet, we would not have had a shortage of ships or a lot of goods piled upon the docks that could not be moved, and so forth. Mr. President, how do we know we would not have had all these misfortunes? How do you know your war cabinet, if created, would not have made worse mistakes than have been made by the Secretary of War or the General Staff?

The Senator states if you had the Secretary of War and the Secretary of the Navy and the Secretary of the Treasury in a war cabinet, it would be satisfactory to him; yet the Senator's chief argument for the bill is the alleged inefficiency of two of these men. In what way would the situation be bettered if their titles of office were to be slightly altered. If you took them out of the Cabinet positions they now hold and in which inefficiency is charged, and put them into another room and painted over the door "War Cabinet," would you thereby increase their intelligence, their patriotism, their earnestness? If when you changed the titles you also changed the duties, the case would be different. But observe the duties of the war cabinet are in substance the duties of the Secretaries of War and Navy, on top of which are to be added the great duties of the President.

Mr. President, the trouble that nearly every reformer makes is in seeing the evil that is and multiplying it very many times over in his imagination, and then in conjuring up some remedy which he confidently assumes to be perfect in both theory and practice. The reformer always asserts for the child of his brain absolute infallibility. The proponents of this bill insist that there have been mistakes made by Cabinet officers, and now they say: Give us a war cabinet, even though it be composed of the very men who have made the mistakes, and it will make no mistake. But if you had had a war cabinet, it would have inevitably made mistakes, because it would have been human, and the same gentlemen who now urge this bill could then probably have made a very forcible argument about as follows: "Abolish the war cabinet and let us have just an ordinary Cabinet, and we will have done with all these mistakes."

With all due modesty, I suggest that the proper thing is not to condemn a system because there has been a mistake, but to find the mistake and correct it. A good system should never be destroyed because some individual has blundered. I have used the illustration before, and venture to repeat it. There are some men who if they find the plumbing out of order in their house know no other remedy than to burn down the house and build a new one of a different kind, and perhaps get worse plumbing in the new house than they had in the old one. But there are other men who wisely say: "This old house was built by honest workmen; it kept us from wind and storm these many years. True, the plumbing is out of order, but we will not for that cause destroy the house; we will simply fix the plumbing." So it is that we find men who because some mistakes have come to us in the great haste of preparation in this war think the thing to do is to destroy the system, take the authority from those officers who have heretofore had it, and create a new machinery, and then they assume that the new machinery will work with infallibility. But that is the greatest mistake men ever made in the world, for the new machine is as liable to go wrong as the old machine; it has no especial virtues or powers.

Ah, but somebody says these three men would be together; everything would be considered and coordinated by them. Mr. President, the Secretary of War, the Secretary of the Navy, and the President of the United States are compelled to be together, and are together almost every day of their lives. The great war plans are supposed to be worked out through the War College and by the General Staff, and after they have all been thus worked out they are brought up through the Secretaries of War and the Navy to the President of the United States. If that be not coordination, can we get coordination by appointing three other men to possess powers that will in the very nature of things conflict to a greater or less extent with the powers of the Secretary of War, the Secretary of the Navy, and the President of the United States. We are much more likely to produce a conflict than a coordination of powers.

Mr. STONE. Or to subordinate the powers of the President and the Secretary to the three men.

Mr. REED. I accept the amendment of my colleague to subordinate the power of the President, to subordinate the power of the Secretary of War, to subordinate the power of the Secretary of the Navy to three other men; to place the Secretary of War and place the Secretary of the Navy and place the President of the United States in a position where before they can move they must obtain the consent of the three other men. If that be not complicating the machinery, if that be not increasing the size of the maze and the difficulties of the road that must be traveled, if that be not the creation of additional red tape, then I do not understand the import of the bill.

I know the purpose of the authors of this bill. It is a good one. I know the intention was good; but when the President, charged with these responsibilities, declares he does not want this legislation, and when this legislation pertains absolutely to the movement of the Army and the Navy and of the Military Establishment, that comes within the special prerogatives of the President, I do not see what is to be gained by attempting to force the legislation upon him.

It is well known to all of you that I have been one of the men in the Senate who have stood for the independence of the legislative branch. I have held it to be utterly abominable to claim that Congress can not originate its own legislation. I have held it to be unwise that the will of Congress should be interfered with in any way by outside influences or by intrigue or by lobbying, whether it come from a high or a low source. I still hold to that doctrine. But just as I would repel every attempt to take away from Congress its constitutional power, so will I stand here and elsewhere and insist that Congress shall not attempt to take away those powers which the Constitution has vested in the Executive of the country.

Now, let me offer a word, which I hope I can do without injuring the sensibilities of any man. I think it is not wise to press this legislation for the reasons I have given. I think that if we were to force this legislation upon the President and if we were to appoint men under this pressure from Congress he would certainly be superhuman if he did not appoint men who would do exactly as he wanted them to do. Thus you would have added only three more men, and the President would still exercise, as he ought to exercise, his powers under the Constitution of the United States.

But, Mr. President, I think the thing to do is to not press this legislation. I think the thing to do is to let this matter stop. At the same time I believe that Congress should try to discover every mistake that has been made. But the inquiry should be pursued not in malice but really with the hope of correcting the blunders of the past and thus strengthening our arms for the future.

Remember, as we criticize how easy it is for the brain that is incapable of evolving a great plan once the plan has had birth in the brain of another, once it has been put into execution, to point to a fault here and to a failure there, how easy it is to then recklessly condemn the whole. I appeal for a different sentiment in this body and in the country. I appeal for free criticism, but for kindly criticism. I appeal for constructive criticism, and I insist that as we apply that constructive criticism we should also give credit where credit is due. Behold what has been accomplished. From their homes a million five hundred thousand men have been mobilized in camps. If every rifle was not at once ready every rifle will soon be ready. If we did not have factories capable of making all the cannon needed, behold the factories are now at work creating the armament that will, as we hope, under the providence of God win the war. If we do not have powder factories, let those of us who thought this country so far removed from the conflicts of Europe that we would never become involved in her quarrels, who sat supinely confident of our isolation and our greatness, take our share of the responsibility for lack of the powder mills.

As we pause to look at what has been accomplished, I point to the fact that the greatest fleet of aeroplanes ever conceived in the brain of man will soon be in the skies and over the battle line. If the hospitals have not been all that we desire—and I with all of you execrate the physicians who allowed boys to needlessly die—remember that that superb representative of the medical profession, Gen. Gorgas, has promised investigation and rectification and punishment for the guilty.

As we look upon this scene remember that we have been obliged to mobolize industries from the Atlantic to the Pacific, to transform factories, to train men; and we have even been obliged to send men armed with rifles, members of the military, into the forests to cut down the trees. Remember that everywhere there are millions of hammers pounding at this moment. Sparks are flying from hundreds of thousands of anvils. Countless wheels are whirring. Amidst the snows of the forest men are, with tireless arms, hewing the timbers for a mighty fleet. Great freight trains are rushing across the continent laden with munitions of war. Ships are sailing from every American port laden with food for the gallant nations that fight by our side. Remember that Uncle Sam is gathering the wealth and power of the earth in his mighty arms, and that he will not fail to render a good account on Europe's blood-drenched battle fields. Remember that back of all this is something better than armament—the deathless courage and determination of the American people to win this great conflict. Let no man discourage the people; let no man seek to put out in the hearts of the people that flame of patriotic ardor which burns to-day. Let us have done with whatever there may be of politics. Let us, I say again, relentlessly pursue these mistakes to the end that they may be corrected. But let us not try to win this war by seeking to deprive the President of the powers conferred upon him by the Constitution of the fathers.

SOLDIERS AND SAILORS' CIVIL RELIEF.

Mr. OVERMAN. I move that the Senate proceed to the consideration of the bill (H. R. 6361) to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war.

Mr. SMOOT. What is the calendar number?

Mr. OVERMAN. It is not on the calendar. It was reported this morning from the Judiciary Committee.

The VICE PRESIDENT. The question is on the motion of the Senator from North Carolina to proceed to the consideration of the bill indicated by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. STONE rose.

Mr. OVERMAN. As the bill is now the unfinished business, I yield to the Senator from Missouri to move an executive session.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened and (at 4 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 5, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 4, 1918.

ASSISTANT TREASURER OF THE UNITED STATES.

Willard D. Vandiver, of St. Louis, Mo., to be assistant treasurer of the United States at St. Louis, Mo. (Reappointment.)

SOLICITOR FOR THE DEPARTMENT OF LABOR.

John W. Abercrombie, of Anniston, Ala., to be Solicitor for the Department of Labor, vice John B. Densmore, resigned.

NAVAL OFFICER OF CUSTOMS.

John B. Nash, of Boston, Mass., to be naval officer of customs in customs collection district No. 4, with headquarters at Boston, Mass. (Reappointment.)

SURVEYOR GENERAL.

Louis H. Mooser, of California, to be surveyor general of California, vice Frank H. Gould, deceased.

PROMOTIONS IN THE PUBLIC HEALTH SERVICE.

Asst. Surg. Walter Matthew Jones to be passed assistant surgeon in the Public Health Service, to rank as such from December 11, 1917.

Asst. Surg. William Howard Slaughter to be passed assistant surgeon in the Public Health Service, to rank as such from December 9, 1917.

Asst. Surg. James Gayley Townsend to be passed assistant surgeon in the Public Health Service, to rank as such from December 6, 1917.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

Maj. Llewellyn P. Williamson, Medical Corps (General Staff), to be lieutenant colonel from January 1, 1918, vice Lieut. Col. Nelson Gapen, retired from active service December 31, 1917.

Maj. William R. Davis, Medical Corps, to be lieutenant colonel from January 1, 1918, vice Lieut. Col. Llewellyn P. Williamson, retained in the General Staff.

FIELD ARTILLERY ARM.

To be first lieutenants with rank from August 30, 1917.

Second Lieut. Thurston E. Wood, Field Artillery, vice First Lieut. Sidney G. Brady, promoted.

Second Lieut. John M. Johnson, Field Artillery, vice First Lieut. George A. Pollin, promoted.

Second Lieut. William O. Reeder, Field Artillery, vice First Lieut. David E. Finkbiner, promoted.

Second Lieut. William K. Kolb, Field Artillery, vice First Lieut. Chauncey F. Ruoff, promoted.

To be first lieutenants with rank from October 12, 1917.

Second Lieut. William R. Gerhardt, Field Artillery, vice First Lieut. Erwin C. W. Davis, promoted.

Second Lieut. Theodore E. Buechler, Field Artillery, vice First Lieut. Emile G. De Coen, promoted.

Second Lieut. Frederick E. Tibbetts, jr., Field Artillery, vice First Lieut. Arthur N. White, promoted.

Second Lieut. Samuel D. Ringsdorf, Field Artillery, vice First Lieut. Patrick L. Lynch, promoted.

Second Lieut. Redmond F. Kernan, jr., Field Artillery, vice First Lieut. Ivan N. Bradley, promoted.

Second Lieut. Theodore L. Futch, Field Artillery, vice First Lieut. John J. McCollister, promoted.

Second Lieut. Russell L. Meredith, Field Artillery, vice First Lieut. Frank A. Roberts, promoted.

Second Lieut. William I. Wilson, Field Artillery, vice First Lieut. William D. Alexander, promoted.

Second Lieut. Harold A. Cooney, Field Artillery, vice First Lieut. Herbert L. Lee, promoted.

Second Lieut. John T. Knight, jr., Field Artillery, vice First Lieut. Richard J. Marshall, promoted.

Second Lieut. Miles A. Cowles, Field Artillery, vice First Lieut. Ralph T. Heard, promoted.

Second Lieut. Lawrence McC. Jones, Field Artillery, vice First Lieut. Harcourt Hervey, promoted.

Second Lieut. Gordon G. Heiner, jr., Field Artillery, vice First Lieut. Francis W. Sheppard, promoted.

Second Lieut. Edward J. Wolff, jr., Field Artillery, vice First Lieut. William J. Jones, placed on the detached officers' list.

PROVISIONAL APPOINTMENT, BY TRANSFER, IN THE ARMY.

INFANTRY ARM.

Second Lieut. Leonard Lucado Mintgomery, Cavalry, to be second lieutenant of Infantry, with rank from October 26, 1917.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

INFANTRY ARM.

Second Lieut. Charles W. Harris, United States Army, retired, to the grade of captain in the Infantry arm with rank from July 1, 1916.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

FIELD ARTILLERY ARM.

To be first lieutenants with rank from August 9, 1917.

Second Lieut. Leon A. Des Pland, jr., Field Artillery, vice First Lieut. Clarence E. Bradburn, promoted.

Second Lieut. Charles W. McCleary, Field Artillery, vice First Lieut. Sherman L. Kiser, promoted.

Second Lieut. John L. Gammell, Field Artillery, vice First Lieut. Emer Yeager, promoted.

Second Lieut. James W. Emerson, jr., Field Artillery, vice First Lieut. Marion C. Heyser, promoted.

Second Lieut. Ward H. Maris, Field Artillery, vice First Lieut. Idus R. McLendon, promoted.

Second Lieut. Roderick S. Patch, Field Artillery, vice First Lieut. Michael J. Fibich, promoted.

To be first lieutenants with rank from October 24, 1917.

Second Lieut. Joseph W. Del Alamo, Field Artillery, vice First Lieut Yarrow D. Vesely, placed on the detached officers' list.

Second Lieut. Richard W. Hocker, Field Artillery, vice First Lieut. Charles B. Thomas, placed on the detached officers' list.

Second Lieut. William McK. Dunn, Field Artillery, vice First Lieut. Oliver J. Bond, jr., placed on the detached officers' list.

Second Lieut. Willard S. Simpkins, Field Artillery, vice First Lieut. Benjamin E. Carter, placed on the detached officers' list.

Second Lieut. Rene J. Le Gardeur, jr., Field Artillery, vice First Lieut. Edmund B. Edwards placed on the detached officers' list.

Second Lieut. Corydon H. Sutton, jr., Field Artillery, vice First Lieut. Theodore W. Wrenn, placed on the detached officers' list.

Second Lieut. Henry M. Ladd, jr., Field Artillery, vice First Lieut. Harold W. Rehm, placed on the detached officers' list.

Second Lieut. Gustav E. Moe, Field Artillery, vice First Lieut. Clifford H. Tate, placed on the detached officers' list.

Second Lieut. Philip Ramer, Field Artillery, vice First Lieut. Ottomar O'Donnell, placed on the detached officers' list.

Second Lieut. Ozro F. Rideout, Field Artillery, vice First Lieut. Oliver P. Echols, placed on the detached officers' list.

Second Lieut. Floyd C. Marshall, Field Artillery, vice First Lieut. Clement Ripley, placed on the detached officers' list.

Second Lieut. Harris M. Findlay, Field Artillery, vice First Lieut. Albert R. Ives, placed on the detached officers' list.

Second Lieut. Thomas F. Furness, Field Artillery, vice First Lieut. William M. Jackson, placed on the detached officers' list.

Second Lieut. Joseph L. Corcoran, Field Artillery, vice First Lieut. Stacy Knopf, placed on the detached officers' list.

Second Lieut. Dana M. Hubbard, Field Artillery, vice First Lieut. David M. Pope, placed on the detached officers' list.

Second Lieut. Clyde W. White, Field Artillery, vice First Lieut. Eugene H. Willenbucher, placed on the detached officers' list.

Second Lieut. Preston S. Hoyt, Field Artillery, vice First Lieut. Francis W. Sheppard, placed on the detached officers' list.

Second Lieut. Clifford A. Laflin Field Artillery vice First Lieut. Robert M. Bathurst, placed on the detached officers' list.

To be first lieutenants with rank from October 25, 1917.

Second Lieut. Willis W. Hubbard, Field Artillery, vice First Lieut. Charles E. Hurdis, placed on the detached officers' list.

Second Lieut. Fairfax S. Landstreet, Field Artillery, vice First Lieut. Henry J. Schroeder, placed on the detached officers' list.

Second Lieut. Floyd W. Stewart, Field Artillery, vice First Lieut. Harold A. Nisley, placed on the detached officers' list.

Second Lieut. Fairfax D. Downey, Field Artillery, vice First Lieut. Fenton H. McGlachlin, placed on the detached officers' list.

Second Lieut. Bernard C. Law, Field Artillery, vice First Lieut. James L. Guion, placed on the detached officers' list.

Second Lieut. George F. Downey, jr., Field Artillery, vice First Lieut. George D. Wahl, placed on the detached officers' list.

Second Lieut. Andrew Carrigan, jr., Field Artillery, vice First Lieut. Ray H. Lewis, placed on the detached officers' list.

Second Lieut. Harley Latson, Field Artillery, vice First Lieut. Augustus M. Gurney, placed on the detached officers' list.

Second Lieut. John V. Thompson, Field Artillery, vice First Lieut. Oliver B. Cardwell, placed on the detached officers' list.

Second Lieut. Carl Z. Draves, Field Artillery, vice First Lieut. Rex W. Beasley, placed on the detached officers' list.

Second Lieut. Archibald D. Fisken, Field Artillery, vice First Lieut. Frank Langham, placed on the detached officers' list.

Second Lieut. Samuel C. Holliday, Field Artillery, vice First Lieut. William F. Maher, placed on the detached officers' list.

Second Lieut. Emory M. Hoover, Field Artillery, vice First Lieut. Joseph Kennedy, placed on the detached officers' list.

Second Lieut. William M. Garrison, Field Artillery, vice First Lieut. Gilbert P. Kearns, placed on the detached officers' list.

Second Lieut. Leon J. Paddock, Field Artillery, vice First Lieut. John H. Carriker, placed on the detached officers' list.

Second Lieut. Bryan C. Curtis, Field Artillery, vice First Lieut. Peter P. Michalek, placed on the detached officers' list.

Second Lieut. Harry N. Nicholls, Field Artillery, vice First Lieut. Wendell L. Bevan, placed on the detached officers' list.

Second Lieut. Arthur N. Selby, Field Artillery, vice First Lieut. Frank W. Lykes, placed on the detached officers' list.

Second Lieut. Thomas H. McKoy, jr., Field Artillery, vice First Lieut. Alan L. Campbell, placed on the detached officers' list.

Second Lieut. Walter A. Phillips, Field Artillery, vice First Lieut. Oscar B. Ralls, placed on the detached officers' list.

Second Lieut. Stuart M. Canby, Field Artillery, vice First Lieut. Christiancy Pickett, placed on the detached officers' list.

Second Lieut. Harry Y. Stebbins, Field Artillery, vice First Lieut. Ernest T. Barco, placed on the detached officers' list.

Second Lieut. Edmund D. Margrave, Field Artillery, vice First Lieut. Lester A. Daugherty, placed on the detached officers' list.

Second Lieut. Harry Darby, jr., Field Artillery, vice First Lieut. Harry B. Berry, placed on the detached officers' list.

Second Lieut. Samuel P. Griffitts, Field Artillery, vice First Lieut. Robert W. Yates, placed on the detached officers' list.

Second Lieut. Joseph W. Loef, Field Artillery, vice First Lieut. Ben M. Sawbridge, placed on the detached officers' list.

Second Lieut. Charles B. Bonner, Field Artillery, vice First Lieut. Warren D. Davis, placed on the detached officers' list.

Second Lieut. Arthur L. Warren, Field Artillery, vice First Lieut. Dominic J. Sabini, placed on the detached officers' list.

Second Lieut. Thomas K. Vincent, Field Artillery, vice First Lieut. Herman Feldman, placed on the detached officers' list.

Second Lieut. Merritt H. Greene, Field Artillery, vice First Lieut. Charles M. Stephens, placed on the detached officers' list.

Second Lieut. William B. Weakley, Field Artillery, vice First Lieut. David S. Doggett, placed on the detached officers' list.

Second Lieut. William B. Tucker, Field Artillery, vice First Lieut. Arthur D. Ruppel, placed on the detached officers' list.

Second Lieut. Philip D. Tryon, Field Artillery, vice First Lieut. Stephen H. Cordill, placed on the detached officers' list.

Second Lieut. Ary C. Berry, Field Artillery, vice First Lieut. Moe Neufeld, placed on the detached officers' list.

Second Lieut. George Davidson, jr., Field Artillery, vice First Lieut. Harry Hollander, placed on the detached officers' list.

Second Lieut. David L. Ruffner, Field Artillery, vice First Lieut. Edmond C. Fleming, placed on the detached officers' list.

Second Lieut. Mark M. Serum, Field Artillery, vice First Lieut. Miles M. Elder, placed on the detached officers' list.

Second Lieut. Louis H. Penney, Field Artillery, vice First Lieut. William W. Belcher, placed on the detached officers' list.

Second Lieut. Ross B. Warren, Field Artillery, vice First Lieut. Robert F. Blodgett, placed on the detached officers' list.

To be first lieutenant with rank from November 5, 1917.

Second Lieut. Addison H. Douglass, Field Artillery, vice First Lieut. Robert W. Daniels, promoted.

To be first lieutenant with rank from December 5, 1917.

Second Lieut. Arthur E. Fox, Field Artillery, vice First Lieut. John S. Winslow, promoted.

To be first lieutenant with rank from January 4, 1918.

Second Lieut. Lewis A. Bond, Field Artillery, vice First Lieut. George N. Ruhberg, promoted.

CAVALRY ARM.

Second Lieut. Ralston D. Livingstone, Cavalry, to be first lieutenant from October 24, 1917, to fill an existing vacancy.

INFANTRY ARM.

To be first lieutenant with rank from July 9, 1917.

Second Lieut. Charles A. Drake, Infantry, vice First Lieut. Lindsay McD. Silvester, promoted.

To be first lieutenant with rank from July 13, 1917.

Second Lieut. James L. Ballard, Infantry, vice First Lieut. Herbert M. Pool, promoted.

To be first lieutenants with rank from August 7, 1917.

Second Lieut. Earl E. Major, Infantry, vice First Lieut. George D. Murphey, promoted.

Second Lieut. Lloyd C. Parsons, Infantry, vice First Lieut. Mord P. Short, promoted.

Second Lieut. Claudius M. Easley, Infantry, vice First Lieut. William C. Rose, promoted.

Second Lieut. Claude G. Hammond, Infantry, vice First Lieut. George C. Elsey, promoted.

Second Lieut. Henry V. Dexter, Infantry, vice First Lieut. Maxon S. Lough, promoted.

Second Lieut. Ted H. Cawthorne, Infantry, vice First Lieut. Ford Richardson, promoted.

Second Lieut. Edward Harrah, Infantry, vice First Lieut. John T. Rhett, promoted.

Second Lieut. Nelson Hill, Infantry, vice First Lieut. Livingston Watrous, promoted.

Second Lieut. Robert W. Corrigan, Infantry, vice First Lieut. J. Pendleton Wilson, promoted.

Second Lieut. Richard H. Elliott, Infantry, vice First Lieut. Charles S. Little, promoted.

Second Lieut. Robert H. Lord, Infantry, vice First Lieut. Herbert A. Wadsworth, promoted.

Second Lieut. Mose K. Pigman, Infantry, vice First Lieut. Medorem Crawford, jr., promoted.

Second Lieut. Otto J. Endres, Infantry, vice First Lieut. Albert M. Jones, promoted.

Second Lieut. John J. Hannigan, Infantry, vice First Lieut. John E. Creed, promoted.

Second Lieut. Ruthford L. Herr, Infantry, vice First Lieut. Gerald E. Cronin, promoted.

Second Lieut. Herbert G. Esden, Infantry, vice First Lieut. Glenn P. Wilhelm, promoted.

Second Lieut. Norman Spencer, Infantry, vice First Lieut. Albert S. Kuegle, promoted.

Second Lieut. Hunter L. Girault, Infantry, vice First Lieut. Theodore R. Murphy, promoted.

Second Lieut. Rex W. Minckler, Infantry, vice First Lieut. Matthew J. Gunner, promoted.

Second Lieut. George A. Jackson, Infantry, vice First Lieut. Henry Terrell, jr., promoted.

Second Lieut. Roy F. Lynd, Infantry, vice First Lieut. Thomas J. Camp, promoted.

Second Lieut. Hugo J. Endres, Infantry, vice First Lieut. Harry A. Musham, promoted.

Second Lieut. Wade H. Johnson, Infantry, vice First Lieut. Frank C. Mahin, promoted.

Second Lieut. Robert C. Patterson, Infantry, vice First Lieut. Dale F. McDonald, promoted.

Second Lieut. Francis W. Kernan, Infantry, vice First Lieut. Edward H. Bertram, promoted.

Second Lieut. John N. McNaughton, Infantry, vice First Lieut. Hayes A. Kroner, promoted.

Second Lieut. Samuel I. Speevack, Infantry, vice First Lieut. Harry L. Twaddle, promoted.

Second Lieut. Maximilian Clay, Infantry, vice First Lieut. John H. Harrison, promoted.

Second Lieut. Frederick S. Schmitt, Infantry, vice First Lieut. William R. White, promoted.

Second Lieut. Calvert H. Arnold, Infantry, vice First Lieut. Philip Caldwell, promoted.

Second Lieut. Clarence L. Morton, Infantry, vice First Lieut. William H. Gill, promoted.

Second Lieut. George S. Prugh, Infantry, vice First Lieut. d'Alary Fechet, promoted.

Second Lieut. Homer F. Tate, Infantry, vice First Lieut. Basil D. Edwards, promoted.

Second Lieut. Harold Montague, Infantry, vice First Lieut. Wade H. Haislip, promoted.

Second Lieut. Kenyon H. Clark, Infantry, vice First Lieut. Walter M. Robertson, promoted.

Second Lieut. Cyril M. Stillson, Infantry, vice First Lieut. Max W. Sullivan, promoted.

Second Lieut. Richard H. Johnston, Infantry, vice First Lieut. John N. Smith, jr., promoted.

Second Lieut. John B. Cockburn, Infantry, vice First Lieut. Stephen J. Chamberlin, promoted.

Second Lieut. George T. Fleet, Infantry, vice First Lieut. Edward C. Rose, promoted.

Second Lieut. Clifton M. Brown, Infantry, vice First Lieut. Ralph C. Holliday, promoted.

Second Lieut. Arthur Bloch, Infantry, vice First Lieut. William G. Weaver, promoted.

Second Lieut. Edward J. Rasch, Infantry, vice First Lieut. Adrian K. Polhemus, promoted.

Second Lieut. Walter B. Flynn, Infantry, vice First Lieut. Henry C. McLean, promoted.

Second Lieut. Otto W. Neidert, Infantry, vice First Lieut. Frank J. Riley, promoted.

Second Lieut. Edwin S. Beall, Infantry, vice First Lieut. Benjamin F. Delamater, jr., promoted.

Second Lieut. Ralph E. Bower, Infantry, vice First Lieut. Carl J. Adler, promoted.

Second Lieut. Charles W. Ogden, Infantry, vice First Lieut. George H. Gardiner, promoted.

Second Lieut. Peter W. Ebbert, Infantry, vice First Lieut. Alfred L. Rockwood, promoted.

Second Lieut. George L. Eberle, Infantry, vice First Lieut. George W. Polhemus, promoted.

Second Lieut. Marcus B. Bell, Infantry, vice First Lieut. Floyd C. Hecox, promoted.

To be first lieutenants with rank from August 8, 1917.

Second Lieut. Henry Pascale, Infantry, vice First Lieut. Carl A. Hardigg, promoted.

Second Lieut. Frank R. Marston, Infantry, vice First Lieut. Carl L. Cohen, promoted.

Second Lieut. George W. Swift, Infantry, vice First Lieut. William T. Pigott, jr., promoted.

Second Lieut. Lorraine D. Fields, Infantry, vice First Lieut. Herbert J. Lawes, promoted.

Second Lieut. Remington Orsinger, Infantry, vice First Lieut. Robert C. Williams, promoted.

Second Lieut. William S. Morris, Infantry, vice First Lieut. Paul X. English, promoted.

Second Lieut. Joseph W. Bollenbeck, Infantry, vice First Lieut. Paul Murray, promoted.

Second Lieut. Kenneth C. Bell, Infantry, vice First Lieut. William D. Faulkner, promoted.

Second Lieut. Arnold Michelson, Infantry, vice First Lieut. Edgar A. Stadden, promoted.

Second Lieut. Thomas F. Keasler, Infantry, vice First Lieut. Frederic V. Hemenway, promoted.

Second Lieut. Monroe M. Friedman, Infantry, vice First Lieut. Clarence M. Dodson, promoted.

Second Lieut. Lee C. Lewis, Infantry, vice First Lieut. Percie E. Rentfro, promoted.

Second Lieut. Cyrus J. Rounds, Infantry, vice First Lieut. Carl J. Ballinger, promoted.

Second Lieut. John D. Forsythe, Infantry, vice First Lieut. Richard T. Taylor, promoted.

Second Lieut. Samuel L. Alexander, Infantry, vice First Lieut. George LeR. Brown, jr., promoted.

Second Lieut. Albert D. Johnson, Infantry, vice First Lieut. John R. Baxter, promoted.

Second Lieut. Roger W. Morse, Infantry, vice First Lieut. Robert H. Barrett, promoted.

Second Lieut. Leslie T. Lathrop, Infantry, vice First Lieut. Ernest J. Carr, promoted.

Second Lieut. Andrew A. Cook, Infantry, vice First Lieut. Patrick J. Hurley, promoted.

Second Lieut. Lewis A. Maury, Infantry, vice First Lieut. Donald R. McMillen, promoted.

Second Lieut. Dan W. Flickinger, Infantry, vice First Lieut. Hugh B. Keen, promoted.

Second Lieut. Robert D. Porter, Infantry, vice First Lieut. Samuel J. Heidner, promoted.

Second Lieut. Ralph E. Richards, Infantry, vice First Lieut. John H. VanVliet, promoted.

Second Lieut. Chester G. Hadden, Infantry, vice First Lieut. Douglass T. Greene, promoted.

Second Lieut. Ralph H. Wooten, Infantry, vice First Lieut. Clarence H. Danielson, promoted.

Second Lieut. Kenneth B. Bush, Infantry, vice First Lieut. Francis R. Fuller, promoted.

Second Lieut. Donald C. Williams, Infantry, vice First Lieut. John E. Ardrey, promoted.

Second Lieut. Russell D. Barnes, Infantry, vice First Lieut. David B. Falk, promoted.

Second Lieut. Victor Patterson, Infantry, vice First Lieut. Henry P. Perrine, promoted.

Second Lieut. Thorgny C. Carlson, Infantry, vice First Lieut. Dennis E. McCunniff, promoted.

Second Lieut. Lyman C. Ward, Infantry, vice First Lieut. Paul W. Newgarden, promoted.

Second Lieut. James D. Brown, Infantry, vice First Lieut. Dana Palmer, promoted.

Second Lieut. Harold C. McClelland, Infantry, vice First Lieut. Alexander M. Patch, jr., promoted.

Second Lieut. Robert C. Brunson, Infantry, vice First Lieut. William A. Rafferty, promoted.

To be first lieutenants with rank from August 9, 1917.

Second Lieut. Walter E. Wynne, Infantry, vice First Lieut. Frank B. Jordan, promoted.

Second Lieut. Norman L. Baldwin, Infantry, vice First Lieut. Alfred E. Sawkins, promoted.

Second Lieut. Roger Howell, Infantry, vice First Lieut. Roy M. Smith, promoted.

Second Lieut. Kenneth McIntosh, Infantry, vice First Lieut. Fritz T. Lindh, promoted.

Second Lieut. Fred R. Wolff, Infantry, vice First Lieut. James L. Bradley, promoted.

Second Lieut. Arthur C. Carlton, Infantry, vice First Lieut. Willis J. Tack, promoted.

Second Lieut. Robert V. Finney, Infantry, vice First Lieut. Weldon W. Doe, promoted.

Second Lieut. Peter F. Connor, Infantry, vice First Lieut. Woodfin G. Jones, promoted.

Second Lieut. Philip D. Wessen, Infantry, vice First Lieut Paul C. Paschal, promoted.

Second Lieut. Clement D. Johnston, Infantry, vice First Lieut John S. Parkinson, promoted.

Second Lieut. Edward J. Hardin, Infantry, vice First Lieut. Rudolph G. Whitten, promoted.

Second Lieut. Harman P. Agnew, Infantry, vice First Lieut. Louis T. Byrne, promoted.

Second Lieut. Floyd Lyle, Infantry, vice First Lieut. William R. Orton, promoted.

Second Lieut. Francis W. Stone, jr., Infantry, vice First Lieut. Francis H. Forbes, promoted.

Second Lieut. Don C. Faith, Infantry, vice First Lieut. Rufus S. Bratton, promoted.

Second Lieut. Charles B. Herrick, Infantry, vice First Lieut. Thomas G. Lanthier, promoted.

Second Lieut. Raymond Orr, Infantry, vice First Lieut. Jefferson R. Davenport, promoted.

Second Lieut. Thomas H. Austin, Infantry, vice First Lieut. Harry M. Brown, promoted.

Second Lieut. James W. Anderson, Infantry, vice First Lieut. Thomas H. Monroe, promoted.

Second Lieut. Edgar T. Fell, Infantry, vice First Lieut. Cedric W. Lewis, promoted.

Second Lieut. Archibald R. MacKechnie, Infantry, vice First Lieut. Clifford J. Mathews, promoted.

Second Lieut. Joseph B. Kilbride, Infantry, vice First Lieut. Howard P. Milligan, promoted.

Second Lieut. Francis H. Wilson, Infantry, vice First Lieut. Frank W. Milburn, promoted.

Second Lieut. Walter A. Mack, Infantry, vice First Lieut. J. Warren Weissheimer, promoted.

Second Lieut. Arthur F. Williams, Infantry, vice First Lieut. Isaac Gill, jr., promoted.

Second Lieut. William H. Pender, Infantry, vice First Lieut. Jens A. Doe, promoted.

Second Lieut. John C. Kernan, Infantry, vice First Lieut. Lester L. Lampert, promoted.

Second Lieut. Maxton H. Flint, Infantry, vice First Lieut. Parley D. Parkinson, promoted.

Second Lieut. Edward M. Bates, Infantry, vice First Lieut. Charles W. Ryder, promoted.

Second Lieut. Edward J. Gorman, Infantry, vice First Lieut. Omar N. Bradley, promoted.

Second Lieut. Charles S. Pettee, Infantry, vice First Lieut. Paul J. Mueller, promoted.

Second Lieut. Elmer E. Hagler, jr., Infantry, vice First Lieut. Leland S. Hobbs, promoted.

Second Lieut. Sidney H. Negrotto, Infantry, vice First Lieut. Vernon Evans, promoted.

Second Lieut. Gustav J. Braun, Infantry, vice First Lieut. Roscoe B. Woodruff, promoted.

Second Lieut. Frederick V. Burgess, Infantry, vice First Lieut. Lewis C. Davidson, promoted.

Second Lieut. Everett L. Upson, Infantry, vice First Lieut. Dwight D. Eisenhower, promoted.

Second Lieut. Walter R. Curfman, Infantry, vice First Lieut. Harold W. James, promoted.

Second Lieut. Don F. Pratt, Infantry, vice First Lieut. James B. Ord, promoted.

Second Lieut. Ralph E. Mooney, Infantry, vice First Lieut. John E. Rossell, promoted.

Second Lieut. Willard A. Reddish, Infantry, vice First Lieut. Whitten J. East, promoted.

Second Lieut. Ernest R. Percy, Infantry, vice First Lieut. Sidney C. Graves, promoted.

Second Lieut. Marcellus L. Countryman, jr., Infantry, vice First Lieut. Jo H. Reaney, promoted.

Second Lieut. John C. Shaw, Infantry, vice First Lieut. John W. Leonard, promoted.

Second Lieut. Harry L. Stoner, Infantry, vice First Lieut. John A. McDermott, promoted.

Second Lieut. James M. Arthur, Infantry, vice First Lieut. Clyde R. Eisenschmidt, promoted.

Second Lieut. Donald Van P. Yewell, Infantry, vice First Lieut. James A. Van Fleet, promoted.

Second Lieut. Asa F. Coleman, Infantry, vice First Lieut. Louis A. Merillat, jr., promoted.

Second Lieut. Charles J. McIntyre, Infantry, vice First Lieut. Edward G. Sherburne, promoted.

Second Lieut. Phillip M. Oviatt, Infantry, vice First Lieut. Michael F. Davis, promoted.

Second Lieut. Edwin H. Randle, Infantry, vice First Lieut. Luis R. Esteves, promoted.

Second Lieut. Francis M. Rich, Infantry, vice First Lieut. Stuart C. MacDonald, promoted.

Second Lieut. Edwin G. Watson, Infantry, vice First Lieut. Metcalfe Reed, promoted.

Second Lieut. Leon F. Sullivan, Infantry, vice First Lieut. Benjamin G. Ferris, promoted.

Second Lieut. Walter C. Armstrong, Infantry, vice First Lieut. Charles S. Ritchel, promoted.

Second Lieut. William B. Townsend, Infantry, vice First Lieut. Thomas G. Hearn, promoted.

Second Lieut. Hunter McGuire, Infantry, vice First Lieut. Donald Henley, promoted.

Second Lieut. Andrew L. Tucker, Infantry, vice First Lieut. Alfred S. Balsam, promoted.

Second Lieut. Steven V. Wilson, Infantry, vice First Lieut. Otto A. B. Hooper, promoted.

Second Lieut. Edwin R. Rinker, Infantry, vice First Lieut. Howard Donnelly, promoted.

Second Lieut. John H. Gibson, Infantry, vice First Lieut. John N. Robinson, promoted.

Second Lieut. George W. Gering, Infantry, vice First Lieut. Tom Fox, promoted.

Second Lieut. Cecil M. Neal, Infantry, vice First Lieut. Jacob J. Gerhardt, promoted.

Second Lieut. Jay W. Sechler, Infantry, vice First Lieut. Vernon E. Prichard, promoted.

Second Lieut. Walter E. Ditmars, Infantry, vice First Lieut. Robert B. Lorch, promoted.

Second Lieut. Paul H. Darrington, Infantry, vice First Lieut. Adlai H. Gilkeson, promoted.

Second Lieut. John W. Spaulding, Infantry, vice First Lieut. Gilbert S. Brownell, promoted.

Second Lieut. Sidney B. Scott, Infantry, vice First Lieut. Richard C. Stickney, promoted.

Second Lieut. Ralph H. Countryman, Infantry, vice First Lieut. Philip K. McNair, promoted.

Second Lieut. Edwin E. Aldridge, Infantry, vice First Lieut. Jesse B. Hunt, promoted.

Second Lieut. Edwin B. Crabill, Infantry, vice First Lieut. John B. Duckstad, promoted.

Second Lieut. Reade M. Ireland, Infantry, vice First Lieut. John R. Mendenhall, promoted.

Second Lieut. Edmund W. Hill, Infantry, vice First Lieut. Norman Randolph, promoted.

Second Lieut. Alfred M. Shearer, Infantry, vice First Lieut. Joseph M. Murphy, promoted.

Second Lieut. James R. Campbell, jr., Infantry, vice First Lieut. Leroy H. Watson, promoted.

Second Lieut. Edward A. Mullen, Infantry, vice First Lieut. Henry H. Dabney, promoted.

Second Lieut. James O. Tarbox, Infantry, vice First Lieut. John H. C. Williams, promoted.

Second Lieut. Harry F. Rusch, Infantry, vice First Lieut. Oscar A. Straub, promoted.

Second Lieut. Raymond F. Edwards, Infantry, vice First Lieut. John Keliher, promoted.

Second Lieut. Oren A. Mulkey, Infantry, vice First Lieut. Thomas F. Taylor, promoted.

Second Lieut. Charles C. Bond, Infantry, vice First Lieut. Marshall H. Quesenberry, promoted.

Second Lieut. Byron C. Brown, Infantry, vice First Lieut. Robert L. Williams, promoted.

Second Lieut. Forrest M. Harmon, Infantry, vice First Lieut. Charles C. Herrick, promoted.

Second Lieut. Ralph C. Flewelling, Infantry, vice First Lieut. Latham L. Brundred, promoted.

Second Lieut. Frank H. Terrell, Infantry, vice First Lieut. Leslie T. Saul, promoted.
Second Lieut. Harold R. Priest, Infantry, vice First Lieut. Charles A. Bayler, jr., promoted.
Second Lieut. Jabez G. Gholston, Infantry, vice First Lieut. Fred B. Inglis, promoted.
Second Lieut. Robert A. McClure, Infantry, vice First Lieut. Richard P. Kuhn, promoted.
Second Lieut. Frederick N. Vinson, Infantry, vice First Lieut. John A. Street, promoted.
Second Lieut. Francis B. McCollom, Infantry, vice First Lieut. Sidney Herkness, promoted.
Second Lieut. Reginald D. Pappe, Infantry, vice First Lieut. William E. Chambers, promoted.
Second Lieut. Joseph B. Wirt, Infantry, vice First Lieut. Warren W. Carr, promoted.
Second Lieut. Graham R. Schweickert, Infantry, vice First Lieut. Thomas L. Martin, promoted.
Second Lieut. Normon P. Williams, Infantry, vice First Lieut. Geoffrey P. Baldwin, promoted.
Second Lieut. Charles H. Riggin, Infantry, vice First Lieut. John B. Bennet, promoted.
Second Lieut. Winfield W. Smith, Infantry, vice First Lieut. Kenneth M. Halpine, promoted.
Second Lieut. Milton R. Barclay, Infantry, vice First Lieut. William R. Wilson, promoted.
Second Lieut. Harold C. Wasgatt, Infantry, vice First Lieut. R. Potter Campbell, promoted.
Second Lieut. Wannie L. Bartley, Infantry, vice First Lieut. Richard C. Burmingham, promoted.
Second Lieut. Normon J. McMahon, Infantry, vice First Lieut. Felix R. McLean, promoted.
Second Lieut. Donald M. Bartow, Infantry, vice First Lieut. John E. Martin, promoted.
Second Lieut. Hilbert A. C. Jensen, Infantry, vice First Lieut. Paul B. Parker, promoted.
Second Lieut. Frank A. Pattillo, Infantry, vice First Lieut. William E. Morehause, jr., promoted.
Second Lieut. Paul L. Singer, Infantry, vice First Lieut. Joseph H. Grant, promoted.
Second Lieut. Joseph L. Ready, Infantry, vice First Lieut. Arthur M. Ellis, promoted.
Second Lieut. James B. Scarr, Infantry, vice First Lieut. Maurice L. Miller, promoted.
Second Lieut. Lloyd R. Rogers, Infantry, vice First Lieut. Abram V. Rinearson, promoted.
Second Lieut. Charles C. Riticor, Infantry, vice First Lieut. Benjamin A. Yancey, promoted.
Second Lieut. Earl C. Flegel, Infantry, vice First Lieut. George J. Newgarden, jr., promoted.
Second Lieut. Abner W. Goree, Infantry, vice First Lieut. John D. Miley, promoted.
Second Lieut. Herbert B. Wheeler, Infantry, vice First Lieut. William E. Coffin, jr., promoted.
Second Lieut. Charles C. Nathan, Infantry, vice First Lieut. Spencer A. Merrell, promoted.
Second Lieut. Crittenden A. C. Tolman, Infantry, vice First Lieut. Robert K. Whitson, promoted.
Second Lieut. William E. Tidwell, Infantry, vice First Lieut. Otto F. Lange, promoted.
Second Lieut. James K. Cubbison, Infantry, vice First Lieut. Harlan F. Mumma, promoted.
Second Lieut. Howard F. Ross, Infantry, vice First Lieut. Alexander M. Weyand, promoted.
Second Lieut. Arthur J. Lacouture, Infantry, vice First Lieut. Walter D. Mangan, promoted.
Second Lieut. Clifford M. Olivetti, Infantry, vice First Lieut. Elon A. Abernethy, promoted.
Second Lieut. Josiah B. Mudge, jr., Infantry, vice First Lieut. Nelson B. Russell, promoted.
Second Lieut. Hugh S. Lee, Infantry, vice First Lieut. Henry P. Blanks, promoted.
Second Lieut. Wilbur S. Elliott, Infantry, vice First Lieut. Bartlett James, promoted.
Second Lieut. Kirk E. B. Lawton, Infantry, vice First Lieut. Elkin L. Franklin, promoted.
Second Lieut. Neil S. Edmond, Infantry, vice First Lieut. Hubert R. Harmon, promoted.
Second Lieut. Harold Haney, Infantry, vice First Lieut. Weir Riche, promoted.
Second Lieut. Tully C. Garner, Infantry, vice First Lieut. John F. Goodman, promoted.
Second Lieut. Wilmer Brinton, jr., Infantry, vice First Lieut. Blaine A. Dixon, retired.
Second Lieut. Forrest M. Record, Infantry, vice First Lieut. James A. Merritt, retired.
Second Lieut. Luther W. Dear, Infantry, vice First Lieut. Edward A. Everts, retired.
Second Lieut. Frederick C. Shantz, Infantry, to fill an original vacancy.
Second Lieut. Martin D. McAllister, Infantry, to fill an original vacancy.
Second Lieut. George W. Booth, Infantry, to fill an original vacancy.
Second Lieut. William R. Colbern, Infantry, to fill an original vacancy.
Second Lieut. Marcel A. Gillis, Infantry, to fill an original vacancy.
Second Lieut. John W. Carroll, Infantry, to fill an original vacancy.
Second Lieut. Joshua S. Bowen, Infantry, to fill an original vacancy.

TEMPORARY PROMOTIONS IN THE ARMY.

CAVALRY ARM.

To be captains with rank from August 5, 1917.

First Lieut. Charles C. Smith, Cavalry, vice Capt. Hugh S. Johnson, appointed lieutenant colonel in the National Army.
First Lieut. Harrison Herman, Cavalry, vice Capt. Samuel R. Gleaves, appointed major in the National Army.
First Lieut. William W. Dempsey, Cavalry, vice Capt. Charles F. Martin, promoted.
First Lieut. Robert R. D. McCullough, Cavalry, vice Capt. Willis V. Morris, promoted.
First Lieut. Chapman Grant, Cavalry, vice Capt. Frank P. Amos, promoted.
First Lieut. Duncan G. Richart, Cavalry, vice Capt. James Goethe, promoted.
First Lieut. Daniel A. Connor, Cavalry, vice Capt. Varien D. Dixon, promoted.
First Lieut. Harley C. Dagley, Cavalry, vice Capt. Verne La S. Rockwell, promoted.
First Lieut. Charles L. Clifford, Cavalry, vice Capt. George B. Comly, promoted.
First Lieut. Gaston L. Holmes, Cavalry, vice Capt. Charles G. Harvey, promoted.
First Lieut. George W. Wersebe, Cavalry, vice Capt. Richard M. Thomas, promoted.
First Lieut. Milton R. Fisher, Cavalry, vice Capt. George B. Rodney, promoted.
First Lieut. John S. Jadwin, Cavalry, vice Capt. Christian A. Bach, promoted.
First Lieut. Arthur P. Thayer, Cavalry, vice Capt. David H. Biddle, promoted.
First Lieut. Edward R. Scheitlin, Cavalry, vice Capt. William F. H. Godson, promoted.
First Lieut. Edwin A. Martin, Cavalry, vice Capt. George W. Winterburn, promoted.
First Lieut. Jay D. B. Lattin, Cavalry, vice Capt. Lewis Foerster, promoted.
First Lieut. Frank G. Ringland, Cavalry, vice Capt. William P. Moffet, promoted.
First Lieut. John B. Harper, Cavalry, vice Capt. Archibald F. Commiskey, promoted.
First Lieut. Winchell I. Rasor, Cavalry (Signal Corps), vice Capt. William A. Cornell, promoted.
First Lieut. Oliver I. Holman, Cavalry, vice Capt. Winchell I. Rasor, retained in the Signal Corps.
First Lieut. John J. Bohn, Cavalry, vice Capt. George J. Oden, promoted.
First Lieut. Harry B. Flounders, Cavalry (ammunition train), vice Capt. Edward Calvert, promoted.
First Lieut. John C. Garrett, Cavalry, vice Capt. Harry B. Flounders, retained in ammunition train.
First Lieut. Grover R. Carl, Cavalry, vice Capt. Edmund S. Sayer, promoted.
First Lieut. Hugh D. Blanchard, Cavalry, vice Capt. Bruce Palmer, promoted.
First Lieut. James G. Monihan, Cavalry, vice Capt. James E. Fechet, promoted.
First Lieut. Anthony J. Kirst, Cavalry, vice Capt. Frederick N. Jones, promoted.
First Lieut. William G. Simmons, Cavalry, vice Capt. John A. Wagner, promoted.
First Lieut. Rexford E. Willoughby, Cavalry, vice Capt. Archie Miller, promoted.
First Lieut. John D. Austin, Cavalry, vice Capt. William S. Wells, promoted.
First Lieut. John P. Kaye, Cavalry, vice Capt. Robert M. Nolan, promoted.
First Lieut. Cleo D. Mayhugh, Cavalry, vice Capt. Henry Gibbins, promoted.

First Lieut. James W. Barnett, Cavalry, vice Capt. Arthur Poillon, promoted.

First Lieut. John C. Mullenix, Cavalry, vice Capt. James A. Shannon, appointed major in the National Army.

First Lieut. Ross McCoy, Cavalry, vice Capt. George A. Purington, promoted.

First Lieut. Howard C. Tobin, Cavalry, vice Capt. George W. Biegler, promoted.

First Lieut. John A. Weeks, Cavalry, vice Capt. Francis W. Glover, promoted.

First Lieut. Walter E. Buchly, Cavalry, vice Capt. Timothy M. Coughlan, promoted.

First Lieut. Harold C. Mandell, Cavalry, vice Capt. James Huston, promoted.

First Lieut. Lester A. Sprinkle, Cavalry, vice Capt. Jonathan M. Wainwright, appointed major in the National Army.

First Lieut. Robert W. Grow, Cavalry, vice Capt. Lewis S. Morey, appointed major in the National Army.

First Lieut. Terrill E. Price, Cavalry, vice Capt. Adna R. Chaffee, appointed major in the National Army.

First Lieut. William H. Kasten, Cavalry, vice Capt. William N. Haskell, appointed major in the National Army.

First Lieut. Edwin Rollmann, Cavalry (Signal Corps), vice Capt. Harry L. Hodges, appointed major in the National Army.

First Lieut. Leon E. Ryder, Cavalry, vice Capt. Edwin Rollmann, retained in the Signal Corps.

First Lieut. Richard L. Creed, Cavalry, vice Capt. John H. Howard, appointed major in the National Army.

First Lieut. William M. Husson, Cavalry, vice Capt. Gordon Johnston, appointed major in the National Army.

First Lieut. Harry L. Putnam, Cavalry, vice Capt. Clarence Lininger, appointed major in the National Army.

First Lieut. Roderick R. Allen, Cavalry, vice Capt. Innis P. Swift, appointed major in the National Army.

First Lieut. Adolphus W. Roffe, Cavalry, vice Capt. Herbert H. White, appointed major in the National Army.

First Lieut. Ion C. Holm, Cavalry, vice Capt. Thomas M. Knox, appointed major in the National Army.

First Lieut. Robert C. Candee, Cavalry, vice Capt. Walter J. Scott, appointed major in the National Army.

First Lieut. Joseph L. Philips, Cavalry, vice Capt. Kenyon A. Joyce, appointed major in the National Army.

First Lieut. Kenneth McCatty, Cavalry, vice Capt. Lewis W. Cass, appointed major in the National Army.

First Lieut. Joseph W. Geer, Cavalry, vice Capt. William C. Gardenhire, appointed major in the National Army.

First Lieut. Edwin D. Morgan, jr., Cavalry, vice Capt. Robert F. Tate, appointed major in the National Army.

First Lieut. Leslie B. C. Jones, Cavalry, vice Capt. Levi G. Brown, appointed major in the National Army.

First Lieut. Kramer Thomas, Cavalry, vice Capt. Oscar A. McGee, appointed major in the National Army.

First Lieut. James R. Finley, Cavalry, vice Capt. George M. Russell, appointed major in the National Army.

First Lieut. Willard S. Wadelton, Cavalry, vice Capt. Oliver P. M. Hazzard, appointed major in the National Army.

First Lieut. Hale S. Cook, Cavalry, vice Capt. Richard B. Going, promoted.

First Lieut. John M. Jenkins, jr., Cavalry, vice Capt. Hamilton Bowie, promoted.

First Lieut. Beverly H. Coiner, Cavalry, vice Capt. Albert E. Phillips, promoted.

First Lieut. Albert D. Chipman, Cavalry, vice Capt. Benjamin O. Davis, promoted.

First Lieut. Arthur H. Truxes, Cavalry, vice Capt. Edward C. Wells, promoted.

First Lieut. Gordon J. F. Heron, Cavalry, vice Capt. Kerr T. Riggs, promoted.

First Lieut. Carl C. Krueger, Cavalry, vice Capt. John A. Pearson, promoted.

First Lieut. Hugh M. Gregory, Cavalry, vice Capt. William G. Meade, promoted.

First Lieut. Oron A. Palmer, Cavalry, vice Capt. Guy Kent, promoted.

First Lieut. Stanley Bacon, Cavalry, vice Capt. Frederick Mears, promoted.

First Lieut. Samuel V. Constant, Cavalry, vice Capt. Eugene J. Ely, promoted.

First Lieut. William C. Chase, Cavalry, vice Capt. Arthur G. Fisher, promoted.

First Lieut. Norman E. Fiske, Cavalry, vice Capt. Matt C. Bristol, promoted.

First Lieut. Donald O. Miller, Cavalry, vice Capt. Horace N. Munro, promoted.

First Lieut. Richard D. Gile, Cavalry, vice Capt. Henry T. Bull, promoted.

First Lieut. Wilson T. Bals, Cavalry, vice Capt. William H. Cowles, promoted.

First Lieut. Cyrus J. Wilder, Cavalry, vice Capt. John K. Herr, promoted.

First Lieut. Harold C. Fellows, Cavalry, vice Capt. Joseph F. Taulbee, promoted.

First Lieut. John T. Pierce, jr., Cavalry, vice Capt. Andrew W. Smith, promoted.

First Lieut. Henry H. Anderson, Cavalry, vice Capt. Rodman Butler, appointed major in the National Army.

First Lieut. George M. Herringshaw, Cavalry, vice Capt. Lewis Brown, jr., appointed major in the National Army.

First Lieut. Thomas F. Limbocker, Cavalry, vice Capt. Allan M. Pope, appointed major in the National Army.

First Lieut. Cornelius M. Daly, Cavalry, vice Capt. Joseph B. Kuznik, appointed major in the National Army.

First Lieut. Richard B. Trimble, Cavalry, vice Capt. Emil P. Pierson, appointed major in the National Army.

First Lieut. Arthur S. Harrington, Cavalry, vice Capt. John T. Sayles, appointed major in the National Army.

First Lieut. Frank L. Whittaker, Cavalry, vice Capt. G. Winter, appointed major in the National Army.

First Lieut. Philip H. Sherwood, Cavalry, vice Capt. William W. Edwards, promoted.

First Lieut. Robert S. La Motte, Cavalry, vice Capt. Walter F. Martin, appointed major in the National Army.

First Lieut. George M. Gillet, jr., Cavalry, vice Capt. Henry J. McKenney, appointed major in the National Army.

First Lieut. Arthur E. Pickard, Cavalry, vice Capt. Frank T. McNarney, appointed major in the National Army.

First Lieut. James F. Dewhurst, Cavalry, vice Capt. William E. W. MacKinlay, appointed major in the National Army.

First Lieut. Donald S. Perry, Cavalry, vice Capt. Basil N. Rittenhouse, appointed major in the National Army.

First Lieut. Thomas S. Poole, Cavalry, vice Capt. William R. Taylor, appointed major in the National Army.

First Lieut. Frederick G. Rosenberg, Cavalry, vice Capt. Philip Mowry, appointed major in the National Army.

First Lieut. Frederick R. Lafferty, Cavalry, vice Capt. Otto W. Rethorst, appointed major in the National Army.

First Lieut. Carl H. Strong, Cavalry, vice Capt. William B. Renziehausen, appointed major in the National Army.

First Lieut. Robert L. Beall, Cavalry (Ammunition Train), vice Capt. Ralph C. Caldwell, appointed major in the National Army.

First Lieut. Meade Frierson, jr., Cavalry, vice Capt. Robert L. Beall, retained in ammunition train.

First Lieut. Arthur T. Lacey, Cavalry, vice Capt. Alvin S. Perkins, appointed major in the National Army.

First Lieut. David W. Craig, Cavalry, vice Capt. Robert M. Barton, appointed major in the National Army.

First Lieut. Edmund M. Barnum, Cavalry, vice Capt. James E. Abbott, appointed major in the National Army.

First Lieut. Thomas A. Dobyns, jr., Cavalry, vice Capt. Selwyn D. Smith, appointed major in the National Army.

First Lieut. John T. Minton, Cavalry, vice Capt. Frederick G. Turner, appointed major in the National Army.

First Lieut. William T. Haldeman, Cavalry (Ammunition Train), vice Capt. Orlando C. Troxel, appointed major in the National Army.

First Lieut. Edward S. Bassett, Cavalry, vice Capt. William T. Haldeman, retained in Ammunition Train.

First Lieut. Edward F. Shaifer, Cavalry, vice Capt. Wade H. Westmoreland, appointed major in the National Army.

First Lieut. George M. Peabody, jr., Cavalry, vice Capt. Ralph N. Hayden, appointed major in the National Army.

First Lieut. Athael B. Ellis, Cavalry, vice Capt. Charles J. Naylor, appointed major in the National Army.

First Lieut. Harrie K. Dalbey, Cavalry, vice Capt. Carl H. Muller, appointed major in the National Army.

First Lieut. John W. McDonald, Cavalry, vice Capt. Henry A. Meyer, jr., appointed major in the National Army.

First Lieut. Victor Kerney, Cavalry, vice Capt. Frank Keller, appointed major in the National Army.

First Lieut. David H. Blakelock, Cavalry, vice Capt. Copley Enos, appointed major in the National Army.

First Lieut. Rinaldo L. Coe, Cavalry, vice Capt. William S. Martin, appointed major in the National Army.

First Lieut. Harold J. Duffey, Cavalry, vice Capt. Robert C. Collins, appointed major in the National Army.

First Lieut. Jay K. Colwell, Cavalry, vice Capt. Irwin L. Hunsaker, appointed major in the National Army.

First Lieut. Amory C. Cotchett, Cavalry, vice Capt. Clifton R. Norton, appointed major in the National Army.

First Lieut. Otis Porter, Cavalry, vice Capt. Charles R. Mayo, appointed major in the National Army.

First Lieut. Arthur C. D. Anderson, Cavalry, vice Capt. Arthur J. Lynch, appointed major in the National Army.

First Lieut. Emory M. Mace, Cavalry, vice Capt. Rowson Warren, appointed major in the National Army.

First Lieut. Harry H. Dunn, Cavalry, vice Capt. Edward M. Offley, appointed major in the National Army.

First Lieut. George L. Morrison, Cavalry, vice Capt. John T. Donnelly, appointed major in the National Army.

First Lieut. Renn Lawrence, Cavalry, vice Capt. Edwin L. Cox, appointed major in the National Army.

First Lieut. Joseph A. Covington, Cavalry, vice Capt. Edward R. Coppock, appointed major in the National Army.

First Lieut. John L. Rice, Cavalry, vice Capt. Peter J. Hennessey, appointed major in the National Army.

First Lieut. Nelson M. Imboden, Cavalry, vice Capt. George Grunert, appointed major in the National Army.

First Lieut. Randolph Dickins, Cavalry, vice Capt. William R. Pope, appointed major in the National Army.

First Lieut. John N. Steele, Cavalry, vice Capt. Olney Place, appointed major in the National Army.

First Lieut. Eugene M. Dwyer, Cavalry, vice Capt. Sidney D. Maize, appointed major in the National Army.

First Lieut. Wharton G. Ingram, Cavalry, vice Capt. Thomas P. Bernard, appointed major in the National Army.

First Lieut. Edward S. Moale, Cavalry, vice Capt. Clarence A. Dougherty, appointed major in the National Army.

First Lieut. Adrian St. John, Cavalry, vice Capt. Isaac S. Martin, appointed major in the National Army.

First Lieut. Frederick J. Holzbaur, Cavalry, vice Capt. George R. Somerville, appointed major in the National Army.

First Lieut. George H. Carruth, Cavalry, vice Capt. Milton G. Holliday, appointed major in the National Army.

First Lieut. Robert M. Carswell, Cavalry, vice Capt. Robert R. Love, appointed major in the National Army.

First Lieut. Walter C. Merkel, vice Capt. Edmund A. Buchanan, appointed major in the National Army.

First Lieut. Joseph M. Hurt, jr., Cavalry, vice Capt. Edward A. Keyes, appointed major in the National Army.

First Lieut. George I. Speer, vice Capt. Orlando G. Palmer, appointed major in the National Army.

First Lieut. Charles B. Duncan, Cavalry, vice Capt. William W. Overton, appointed major in the National Army.

First Lieut. Ferris M. Angevine, Cavalry, vice Capt. Albert B. Dockery, appointed major in the National Army.

First Lieut. Julian W. Cunningham, Cavalry, vice Capt. Edmund L. Zane, appointed major in the National Army.

First Lieut. Sam G. Fuller, Cavalry, vice Capt. Emmet R. Harris, appointed major in the National Army.

First Lieut. Clinton A. Pierce, Cavalry, vice Capt. Troop Miller, appointed major in the National Army.

First Lieut. Thomas M. Cockrill, Cavalry, vice Capt. Daniel D. Gregory, appointed major in the National Army.

First Lieut. Dehmore S. Wood, Cavalry, vice Capt. John E. Hemphill, appointed major in the National Army.

First Lieut. Arthur Vollmer, Cavalry, vice Capt. Howard C. Tatum, appointed major in the National Army.

First Lieut. Otto B. Trigg, Cavalry, vice Capt. John A. Barry, promoted.

First Lieut. George W. L. Prettyman, Cavalry, vice Capt. William W. Gordon, promoted.

First Lieut. Thomas M. Turner, Cavalry, vice Capt. Casper W. Cole, appointed major in the National Army.

First Lieut. Horace L. Hudson, Cavalry, vice Capt. Rudolph E. Smyser, appointed major in the National Army.

First Lieut. Lawrence C. Frizzell, Cavalry, vice Capt. Rowland B. Ellis, appointed major in the National Army.

First Lieut. Jean F. Sabin, Cavalry, vice Capt. George A. F. Trumbo, appointed major in the National Army.

First Lieut. Robert F. White, Cavalry, vice Capt. Robert McC. Beck, jr., appointed major in the National Army.

First Lieut. Henry D. Jay, Cavalry, vice Capt. Leonard W. Prunty, appointed major in the National Army.

First Lieut. Ray L. Burnell, Cavalry, vice Capt. William M. Cooley, appointed major in the National Army.

First Lieut. Arthur W. Hartman, Cavalry, vice Capt. Emory J. Pike, appointed major in the National Army.

First Lieut. John W. Berry, Cavalry, vice Capt. John H. Read, jr., appointed major in the National Army.

First Lieut. Joseph N. Marx, Cavalry, vice Capt. John Cocke, appointed major in the National Army.

First Lieut. George Sawtelle, Cavalry, vice Capt. Thomas H. Cunningham, appointed major in the National Army.

First Lieut. Ray Harrison, Cavalry, vice Capt. Ralph M. Parker, appointed major in the National Army.

First Lieut. William F. Daugherty, Cavalry, vice Capt. William H. Bell, appointed major in the National Army.

First Lieut. John T. Cole, Cavalry, vice Capt. Walter H. Neill, appointed major in the National Army.

First Lieut. Stephen H. Sherrill, Cavalry, vice Capt. Howard R. Smalley, appointed major in the National Army.

First Lieut. Charles H. Gerhardt, Cavalry, vice Capt. Thomas A. Rothwell, appointed major in the National Army.

First Lieut. Walter H. Schulze, Cavalry, vice Capt. Victor S. Foster, appointed major in the National Army.

First Lieut. Herbert C. Holdridge, Cavalry, vice Capt. Oscar Foley, appointed major in the National Army.

First Lieut. Albert C. Smith, Cavalry, vice Capt. Frederick D. Griffith, jr., appointed major in the National Army.

First Lieut. Nicholas W. Lisle, Cavalry, vice Capt. Charles McH. Eby, appointed major in the National Army.

First Lieut. Percy G. Black, Cavalry, vice Capt. Ephraim F. Graham, appointed major in the National Army.

First Lieut. Albert C. Stanford, Cavalry, vice Capt. William A. McCain, appointed major in the National Army.

First Lieut. Laurence B. Meacham, Cavalry, vice Capt. Vaughn W. Cooper, appointed major in the National Army.

First Lieut. Louis Le R. Martin, Cavalry, vice Capt. Harold B. Johnson, promoted.

First Lieut. William K. Harrison, jr., Cavalry, vice Capt. Albert H. Mueller, promoted.

First Lieut. Josiah F. Morford, Cavalry, vice Capt. Allan F. McLean, promoted.

First Lieut. Ernest N. Harmon, Cavalry, vice Capt. Charles Burnet, appointed major in the National Army.

First Lieut. Joseph S. Tate, Cavalry, vice Capt. Jens E. Stedje, appointed major in the National Army.

First Lieut. Arthur M. Harper, Cavalry, vice Capt. Herman S. Dilworth, promoted.

First Lieut. John W. Confer, jr., Cavalry, vice Capt. Frank B. Kobes, promoted.

First Lieut. Herbert N. Schwarzkopf, Cavalry, vice Capt. Ronald E. Fisher, appointed major in the National Army.

First Lieut. Robert N. Kunz, Cavalry, vice Capt. Talbot Smith, appointed major in the National Army.

First Lieut. Charles S. Kilbourn, Cavalry, vice Capt. John V. Spring, jr., promoted.

First Lieut. Charles R. Johnson, jr., Cavalry, vice Capt. Norman H. Davis, promoted.

First Lieut. Bertrand Morrow, Cavalry (Ammunition Train), vice Capt. Charles Telford, promoted.

First Lieut. Coalter B. Compton, Cavalry, vice Capt. Bertrand Morrow, retained in ammunition train.

First Lieut. Folsome R. Parker, Cavalry, vice Capt. Olan C. Aleshire, promoted.

First Lieut. Guy H. Dosher, Cavalry, vice Capt. George M. Lee, appointed major in the National Army.

First Lieut. Cecil R. Neal, Cavalry, vice Capt. Henry S. Terrell, appointed major in the National Army.

First Lieut. Myer S. Silven, Cavalry, vice Capt. Richard W. Walker, appointed major in the National Army.

First Lieut. William H. Symington, Cavalry, vice Capt. James B. Henry, jr., appointed major in the National Army.

First Lieut. Philip B. Fryer, Cavalry, vice Capt. Alexander M. Milton, detailed in the Quartermaster Corps.

First Lieut. Donald C. Hawley, Cavalry, vice Capt. Emil P. Laurson, promoted.

First Lieut. Vernon L. Padgett, Cavalry, vice Capt. Jerome G. Pillow, appointed major in the National Army.

First Lieut. Jay W. MacKelvie, Cavalry, vice Capt. Frederick E. Shnyder, promoted.

First Lieut. Francis T. Bonsteel, Cavalry, vice Capt. Thomas F. Van Natta, jr., promoted.

First Lieut. William E. Barott, Cavalry, vice Capt. James A. Mars, promoted.

First Lieut. Wallace F. Hamilton, Cavalry, vice Capt. John C. Montgomery, promoted.

First Lieut. Frank Nelson, Cavalry, vice Capt. Carl Boyd, promoted.

First Lieut. William E. McMinn, Cavalry, vice Capt. Stephen W. Winfree, promoted.

First Lieut. Edmund M. Crump, Cavalry, vice Capt. George E. Nelson, promoted.

First Lieut. Herman F. Rathjen, Cavalry, vice Capt. Thomas L. Sherburne, promoted.

First Lieut. Daniel J. Keane, Cavalry, vice Capt. Emil Engel, promoted.

First Lieut. Milo J. Warner, Cavalry, vice Capt. Emmett Addis, promoted.

First Lieut. Le Roy Davis, Cavalry, vice Capt. Harry L. King, promoted.

First Lieut. Anthony J. Tittinger, Cavalry, vice Capt. Walton Goodwin, jr., promoted.

First Lieut. Max D. Holmes, Cavalry, vice Capt. David H. Scott, promoted.

First Lieut. Charles A. Ellis, Cavalry, vice Capt. Robert Sterrett, appointed major in the National Army.

First Lieut. Demas L. Sears, Cavalry, vice Capt. Robert C. Richardson, promoted.

First Lieut. Bankston E. Mattox, jr., Cavalry, vice Capt. Robert M. Campbell, promoted.

First Lieut. Frank H. Barnhart, Cavalry, vice Capt. Charles C. Winnia, appointed major in the National Army.

First Lieut. John A. Moschner, Cavalry, vice Capt. Frank B. Edwards, appointed major in the National Army.

First Lieut. George E. Harrison, Cavalry, vice Capt. Robert P. Brady, detailed in the Quartermaster Corps.

First Lieut. Wesley J. White, Cavalry, vice Capt. Stephen C. Reynolds, promoted.

First Lieut. Alton W. Howard, Cavalry, vice Capt. George H. Baird, appointed major in the National Army.

First Lieut. Nolan Ferguson, Cavalry, vice Capt. Daniel D. Tompkins, appointed major in the National Army.

First Lieut. Richard W. Carter, Cavalry, vice Capt. William V. Carter, promoted.

First Lieut. Kenneth Rowntree, Cavalry, vice Capt. E. Kearsley Sterling, appointed major in the National Army.

First Lieut. George A. King, Cavalry, vice Capt. Joseph H. Barnard, appointed major in the National Army.

First Lieut. James B. Lockwood, Cavalry, vice Capt. Charles B. Amory, jr., promoted.

First. Lieut. Lionel L. Meyer, Cavalry, vice Capt. Kinzie B. Edmunds, promoted.

First Lieut. Frederick H. L. Ryder, Cavalry, vice Capt. Charles S. Hoyt, promoted.

First Lieut. John W. Weeks, Cavalry, vice Capt. James J. O'Hara, promoted.

First Lieut Theodore B. Apgar, Cavalry, vice Capt. Roy W. Holderness, promoted.

First Lieut. Jefferson B. Osborn, Cavalry, vice Capt. James S. Greene, promoted.

First. Lieut. Mortimer H. Christian, Cavalry, vice Capt. Gerald C. Brant, promoted.

First. Lieut. Marcus R. Monsarratt, Cavalry, vice Capt. George C. Lawrason, promoted.

First Lieut. Fabius B. Shipp, Cavalry, vice Capt. Arthur H. Wilson, promoted.

First Lieut. James J. Cecil, Cavalry, vice Capt. Frank K. Ross, appointed major in the Signal Corps.

First Lieut. George A. Moore, Cavalry, vice Capt. Victor M. Whitside, appointed major in the Signal Corps.

First Lieut. James M. Shelton, Cavalry, vice Capt. Cushman Hartwell, appointed major in the Signal Corps.

First Lieut. Albert R. Kuschke, Cavalry, vice Capt. Frank L. Van Horn, appointed major in the Signal Corps.

First Lieut. George W. Gay, Cavalry, vice Capt. William C. F. Nicholson, promoted.

First Lieut. Forsyth Bacon, Cavalry, vice Capt. George Dillman, promoted.

First Lieut. Ralph L. Joyner, Cavalry, vice Capt. Philip J. R. Kiehl, promoted.

First Lieut. Roscoe S. Parker, Cavalry, vice Capt. Richard B. Barnitz, transferred to the Field Artillery.

First Lieut. Heywood S. Dodd, Cavalry, vice Capt. Berkeley T. Merchant, promoted.

First Lieut. Kent C. Lambert, Cavalry, vice Capt. Hugh H. Broadhurst, promoted.

First Lieut. George E. Huthsteiner, Cavalry, vice Capt. Arthur W. Holderness, promoted.

First Lieut. Richard B. Lloyd, Cavalry, vice Capt. Daniel G. Morrissett, detailed in Ammunition Train.

First Lieut. Maurice Morgan, Cavalry, vice Capt. Albert J. Myer, jr., detailed in Ammunition Train.

First Lieut. Gilbert E. Bixby, Cavalry, vice Capt. Robert E. Carmody, detailed in Ammunition Train.

First Lieut. Eugene Burnet, Cavalry, vice Capt. Harold L. Gardiner, detailed in the Quartermaster Corps.

First Lieut. Charles F. Houghton, Cavalry, vice Capt. Robert C. Rodgers, detailed in the Quartermaster Corps.

First Lieut. Harry A. Buckley, Cavalry, vice Capt. Clark P. Chandler, detailed in the Quartermaster Corps.

First Lieut. James E. Slack, Cavalry, vice Capt. Charles L. Stevenson, detailed in the Quartermaster Corps.

First Lieut. Culver S. Mitcham, Cavalry, vice Capt. Joseph P. Aleshire, detailed in the Quartermaster Corps.

First Lieut. William O. Johnson, Cavalry, vice Capt. Robert Blaine, detailed in the Quartermaster Corps.

First Lieut. Harold B. Gibson, Cavalry, vice Capt. Guy H. Wyman, detailed in the Quartermaster Corps.

First Lieut. John D. Hood, Cavalry, vice Capt. Seth W. Scofield, detailed in the Quartermaster Corps.

First Lieut. Charles S. Lawrence, Cavalry, vice Capt. Louis A. O'Donnell, promoted.

First Lieut. Melvin S. Williamson, Cavalry, vice Capt. Henry R. Smalley, promoted.

First Lieut. Evarts W. Opie, Cavalry, vice Capt. John G. Quekemeyer, promoted.

First Lieut. Frank P. Stretton, Cavalry, vice Capt. Joseph C. King, promoted.

First Lieut. Paul Hurlburt, Cavalry, vice Capt. George L. Converse, jr., promoted.

First Lieut. Aaron Y. Hardy, Cavalry, vice Capt. Donald A. Robinson, promoted.

First Lieut. Earl B. Wilson, Cavalry, vice Capt. Bruce L. Burch, promoted.

First Lieut. Edmund J. Engel, Cavalry, vice Capt. Edgar M. Whiting, promoted.

First Lieut. John E. Grant, Cavalry, vice Capt. Alexander R. Cocke, placed on the detached officers' list.

First Lieut. Jack M. Reardon, Cavalry, vice Capt. Francis C. V. Crowley, placed on the detached officers' list.

First Lieut. Lewis Mesherry, Cavalry, vice Capt. Frank P. Amos, placed on the detached officers' list.

First Lieut. Lewis A. Weiss, Cavalry, vice Capt. James E. Shelley, placed on the detached officers' list.

First Lieut. Francis E. Cheney, Cavalry, vice Capt. William S. Wells, placed on the detached officers' list.

First Lieut. Robert P. Mortimer, Cavalry, vice Capt. John A. Pearson, placed on the detached officers' list.

First Lieut. Lee T. Victor, Cavalry, vice Capt. Olan C. Aleshire, placed on the detached officers' list.

First Lieut. Henry C. Caron, Cavalry, vice Capt. Kinzie B. Edmunds, placed on the detached officers' list.

First Lieut. William W. Powell, Cavalry, vice Capt. William C. F. Nicholson, placed on the detached officers' list.

First Lieut. Robert F. Merkel, Cavalry, vice Capt. William M. Grimes, placed on the detached officers' list.

First Lieut. Carroll A. Powell, Cavalry, vice Capt. Edmund S. Sayer, placed on the detached officers' list.

First Lieut. Frank C. De Langton, Cavalry, vice Capt. Robert C. Richardson, placed on the detached officers' list.

First Lieut. Ivan N. Waldron, Cavalry, vice Capt. Frank M. Andrews, placed on the detached officers' list.

First Lieut. Carter R. McLennan, Cavalry, vice Capt. George F. Patten, placed on the detached officers' list.

First Lieut. Frederick Gearing, Cavalry, vice Capt. Robert M. Cheney, placed on the detached officers' list.

First Lieut. Geoffrey Galwey, Cavalry, vice Capt. Philip Gordon, placed on the detached officers' list.

First Lieut. Louis G. Gibney, Cavalry, vice Capt. Sumner M. Williams, placed on the detached officers' list.

First Lieut. William D. Adkins, Cavalry, vice Capt. Charles M. Haverkamp, placed on the detached officers' list.

First Lieut. John B. Hartman, Cavalry, vice Capt. Horace T. Aplington, placed on the detached officers' list.

First Lieut. Harry C. Jones, Cavalry, vice Capt. Arthur B. Conard, placed on the detached officers' list.

First Lieut. James E. Simpson, Cavalry, vice Capt. John P. Lucas, placed on the detached officers' list.

First Lieut. Charles J. Booth, Cavalry, vice Capt. Kenna G. Eastham, placed on the detached officers' list.

First Lieut. William T. Hamilton, Cavalry, vice Capt. Robert McG. Littlejohn, placed on the detached officers' list.

First Lieut. Richard C. Boyan, Cavalry, vice Capt. Burton Y. Read, placed on the detached officers' list.

First Lieut. Edward K. Jones, Cavalry (Signal Corps), vice Capt. Roland L. Gaugler, placed on the detached officers' list.

First Lieut. Harry P. Shaw, Cavalry, vice Edward J. Jones, retained in the Signal Corps.

First Lieut. Frederick F. Duggan, Cavalry, vice Geoffrey Keyes, placed on the detached officers' list.

First Lieut. Harry H. Baird, Cavalry, vice Capt. Albert J. Myer, jr., placed on the detached officers' list.

First Lieut. Francis H. Waters, Cavalry, vice Capt. Daniel G. Morrissett, placed on the detached officers' list.

First Lieut. William T. Bauskett, jr., Cavalry, vice Capt. Arthur D. Newman, placed on the detached officers' list.

First Lieut. Carlisle B. Cox, Cavalry, vice Capt. Edward L. N. Glass, placed on the detached officers' list.

First Lieut. Walter L. Bishop, Cavalry, vice Capt. Clifford B. King, placed on the detached officers' list.

First Lieut. Donald R. McComas, Cavalry, vice Capt. Ralph I. Sasse, placed on the detached officers' list.

First Lieut. Liburn B. Chambers, Cavalry (Signal Corps), vice Capt. William E. Shipp, placed on the detached officers' list.

First Lieut. John W. Burke, Cavalry, vice Capt. L. B. Chambers, retained in the Signal Corps.

First Lieut. Charles W. Jacobson, Cavalry, vice Capt. William G. Elliott, promoted.

First Lieut. Edgar R. Garlick, Cavalry, vice Capt. Verne R. Bell, promoted.

First Lieut. Henry P. Ames, Cavalry, vice Capt. Henry W. Baird, promoted.

First Lieut. Richard F. Leahy, Cavalry, vice Capt. Murray B. Rush, promoted.

First Lieut. Howard C. Okie, Cavalry, vice Capt. William D. Geary, promoted.

First Lieut. William L. Gibson, Cavalry, vice Capt. Richard H. Kimball, promoted.

First Lieut. James L. Franciscus, Cavalry, vice Capt. Frederick S. Snyder, promoted.

First Lieut. Eddie J. Lee, Cavalry, vice Capt. John Kennard, detailed in the Quartermaster Corps.

First Lieut. Elmer P. Gosnell, Cavalry, vice Capt. Sloan Doak, promoted.

To be captains with rank from November 3, 1917.

First Lieut. Raymond D. Adolph, Cavalry, vice Capt. Edgar W. Taulbee, appointed major in the National Army.

First Lieut. Donald A. Stroh, Cavalry, vice Capt. Chauncey St. C. McNeill, appointed major in the Signal Corps.

First Lieut. Russell T. George, Cavalry, vice Capt. Richard D. Gile, appointed captain in the Signal Corps.

To be captains with rank from November 5, 1917.

First Lieut. Thomas C. McCormick, Cavalry, vice Capt. Leland Wadsworth, jr., promoted.

First Lieut. Erskine A. Franklin, Cavalry, vice Capt. William R. Henry, promoted.

First Lieut. Wallace H. Gillett, Cavalry, vice Capt. George F. Patten, promoted.

First Lieut. Robert D. Thompson, jr., Cavalry, vice Capt. Lindsley D. Beach, detailed in the Quartermaster Corps.

First Lieut. John E. Maher, Cavalry, vice Capt. James S. Mooney, detailed in the Quartermaster Corps.

First Lieut. John E. Selby, Cavalry, vice Capt. Leon M. Logan, detailed in the Quartermaster Corps.

First Lieut. Arthur L. Marek, Cavalry, vice Capt. Henry D. F. Munnikhuysen, detailed in the Quartermaster Corps.

First Lieut. Herbert E. Watkins, Cavalry, vice Capt. William C. Christy, detailed in the Quartermaster Corps.

First Lieut. Raymond L. Newton, Cavalry, vice Capt. Mack Garr, placed on the detached officers' list.

First Lieut. William R. Irvin, Cavalry, vice Capt. Verne R. Bell, placed on the detached officers' list.

First Lieut. Alfred L. Baylies, Cavalry, vice Capt. John A. Barry, placed on the detached officers' list.

First Lieut. Lathan H. Collins, Cavalry, vice Capt. Joseph M. Tully, placed on the detached officers' list.

First Lieut. Ralph B. Skinner, Cavalry, vice Capt. Orlando C. Troxel, deceased.

To be captain with rank from November 6, 1917.

First Lieut. Candler A. Wilkinson, Cavalry, vice Capt. Pearson Menoher, placed on the detached officers' list.

To be captain with rank from November 13, 1917.

First Lieut. Milton A. Lowenberg, Cavalry, vice Capt. Robert M. Cheney, promoted.

To be captain with rank from November 17, 1917.

First Lieut. John A. Hettinger, Cavalry, vice Capt. Richard E. Cummins, promoted.

To be captains with rank from November 23, 1917.

First Lieut. George A. Goodyear, Cavalry, vice Capt. Alexander L. James, jr., promoted.

First Lieut. Paul H. Morris, Cavalry, vice Capt. Philip Gordon, promoted.

To be captain with rank from November 28, 1917.

First. Lieut. Francis E. S. Turner, Cavalry, vice Capt. Cuthbert P. Stearns, appointed major in the Signal Corps.

To be captain with rank from November 29, 1917.

First Lieut. Guy D. Thompson, Cavalry, vice Capt. Homer M. Groninger, promoted.

To be captain with rank from December 11, 1917.

First Lieut. George A. Parsons, Cavalry, vice Capt. John K. Brown, promoted.

To be captain with rank from December 22, 1917.

First Lieut. David W. Barton, Cavalry, vice Capt. Richard D. Newman, promoted.

To be captain with rank from December 28, 1917.

First Lieut. Martin R. Rice, Cavalry, vice Capt. Sumner M. Williams, promoted.

To be captains with rank from December 29, 1917.

First Lieut. Philip C. Clayton, Cavalry, vice Capt. Ernest G. Cullum, promoted.

First Lieut. Hans E. Kloepfer, Cavalry, vice Capt. William W. Erwin, promoted.

First Lieut. Edward A. Everett, jr., Cavalry, vice Capt. Ralph I. Sasse, detailed in ammunition train.

To be captain with rank from January 16, 1918.

First Lieut. Herbert A. Myers, Cavalry, vice Capt. Herman Kobbe, promoted.

To be captains with rank from January 23, 1918.

First Lieut. Norman N. Rogers, Cavalry, vice Capt. John A. Warden, promoted.

First Lieut. Temple E. Ridgely, Cavalry, vice Capt. John B. Johnson, promoted.

To be captain with rank from January 24, 1918.

First. Lieut. Harry W. Maas, Cavalry, vice Capt. Claude DeB. Hunt, promoted.

INFANTRY ARM.

To be lieutenant colonels with rank from August 5, 1917.

Maj. Alfred W. Bjornstad, Infantry, vice Lieut. Col. A. La Rue Christie, retired.

PROVISIONAL APPOINTMENTS IN THE ARMY.

INFANTRY ARM.

To be second lieutenants with rank from October 25, 1917.

George Stanley Victor Little, second lieutenant, Infantry Officers' Reserve Corps.

Gordon F. Stephens, first lieutenant, Infantry Officers' Reserve Corps.

William MacGregor Hall, second lieutenant, Infantry Officers' Reserve Corps.

William Oscar Nelson, captain, Infantry Officers' Reserve Corps.

Pierce Butler, jr., second lieutenant, Infantry Officers' Reserve Corps.

Albert Carder Ames, second lieutenant, Infantry Officers' Reserve Corps.

Charles Lawrence Bolte, second lieutenant, Infantry Officers' Reserve Corps.

William A. Moss, second lieutenant, Infantry Officers' Reserve Corps.

Eugene Crehan Callahan, second lieutenant, Infantry Officers' Reserve Corps.

William Howell Duncan, second lieutenant, Infantry Officers' Reserve Corps.

John Bliss Brainerd, jr., second lieutenant, Infantry Officers' Reserve Corps.

Theodore F. Wessels, second lieutenant, Infantry Officers' Reserve Corps.

Edward Law, second lieutenant, Infantry Officers' Reserve Corps.

Sherman K. Burke, second lieutenant, Infantry Officers' Reserve Corps.

Arthur J. McChrystal, second lieutenant, Infantry Officers' Reserve Corps.

Reynier Jacob Wortendyke, jr., second lieutenant, Infantry Officers' Reserve Corps.

Malcolm Fraser Lindsey, second lieutenant, Infantry Officers' Reserve Corps.

William Smith, second lieutenant, Infantry Officers' Reserve Corps.

Jean Elsworth Nelson, first lieutenant, Infantry Officers' Reserve Corps.

Kirkwood Duval Scott, second lieutenant, Infantry Officers' Reserve Corps.
Horace Oscar Cushman, second lieutenant, Infantry Officers' Reserve Corps.
William Maine Hutson, second lieutenant, Infantry Officers' Reserve Corps.
Thomas Maury Galbreath, jr., second lieutenant, Infantry Officers' Reserve Corps.
Carter Glass, jr., second lieutenant, Infantry Officers' Reserve Corps.
Lambert Alexander Wood, second lieutenant, Infantry Officers' Reserve Corps.
Thomas Phillips, second lieutenant, Infantry Officers' Reserve Corps.
David Henry Finley, second lieutenant, Infantry Officers' Reserve Corps.
Robert Sayre Fitz Randolph, second lieutenant, Infantry Officers' Reserve Corps.
Eli A. Barnes, second lieutenant, Infantry Officers' Reserve Corps.
Richard Francis Bailey, second lieutenant, Infantry Officers' Reserve Corps.
Myron Morris Andrews, second lieutenant, Infantry Officers' Reserve Corps.
Richard Stillings Hevenor, second lieutenant, Infantry Officers' Reserve Corps.
Albert Edward Purchas, jr., second lieutenant, Infantry Officers' Reserve Corps.
Bryan Grimes Dancy, second lieutenant, Infantry Officers' Reserve Corps.
Vinton Lee James, jr., second lieutenant, Infantry Officers' Reserve Corps.
William F. Campbell, second lieutenant, Infantry Officers' Reserve Corps.
Louis Tulane Bass, second lieutenant, Infantry Officers' Reserve Corps.
Charles J. Carey, second lieutenant, Infantry Officers' Reserve Corps.
Stuart Cutler, second lieutenant, Infantry Officers' Reserve Corps.
Elbert Gary Spencer, second lieutenant, Infantry Officers' Reserve Corps.
John Reuben Boatwright, second lieutenant, Infantry Officers' Reserve Corps.
Graeme K. Howard, second lieutenant, Infantry Officers' Reserve Corps.
Lester Nelson Allyn, second lieutenant, Infantry Officers' Reserve Corps.
Henry Lester Barrett, second lieutenant, Infantry Officers' Reserve Corps.
Howard W. Sears, second lieutenant, Infantry Officers' Reserve Corps.
Raphael Semmes, second lieutenant, Infantry Officers' Reserve Corps.
Robert Edward McDonald, second lieutenant, Infantry Officers' Reserve Corps.
Elmer R. Ames, second lieutenant, Infantry Officers' Reserve Corps.
Thomas Samuel Morrison, jr., second lieutenant, Infantry Officers' Reserve Corps.
Raymond R. Tourtillott, second lieutenant, Infantry Officers' Reserve Corps.
George Albert Hadd, second lieutenant, Infantry Officers' Reserve Corps.
Leo Augustine Dunbar, second lieutenant, Infantry Officers' Reserve Corps.
James S. Candee, second lieutenant, Infantry Officers' Reserve Corps.
Joseph Purnell Cromwell, second lieutenant, Infantry Officers' Reserve Corps.
Harry Mash Mayo, jr., second lieutenant, Infantry Officers' Reserve Corps.
Bernard P. Hoey, second lieutenant, Infantry Officers' Reserve Corps.
Arleigh Lyle Willis, second lieutenant, Infantry Officers' Reserve Corps.
Eustace Peabody Strout, second lieutenant, Infantry Officers' Reserve Corps.
Wallace William Parker, first lieutenant, Infantry Officers' Reserve Corps.
Ray Maxey Hare, second lieutenant, Infantry Officers' Reserve Corps.
Walter Francis Mullins, second lieutenant, Infantry Officers' Reserve Corps.
Henry Lord Page King, second lieutenant, Infantry Officers' Reserve Corps.
Craig Parsons Cochrane, second lieutenant, Infantry Officers' Reserve Corps.
Harry W. Koster, second lieutenant, Infantry Officers' Reserve Corps.
Alfred James McMullin, second lieutenant, Infantry Officers' Reserve Corps.
Eugene Elliot Pratt, second lieutenant, Infantry Officers' Reserve Corps.
Julien Hequembourg Needler, second lieutenant, Infantry Officers' Reserve Corps.
Frank Joseph Knell, second lieutenant, Infantry Officers' Reserve Corps.
Gerald Leonard Marsh, second lieutenant, Infantry Officers' Reserve Corps.
William A. Wieland, second lieutenant, Infantry Officers' Reserve Corps.
John Conrad Cattus, second lieutenant, Infantry Officers' Reserve Corps.
Edmond Sheppard Donoho, second lieutenant, Infantry Officers' Reserve Corps.
Donald Newman Swain, second lieutenant, Infantry Officers' Reserve Corps.
John Frank Mead, second lieutenant, Infantry Officers' Reserve Corps.
Charles McFarland Petty, second lieutenant, Infantry Officers' Reserve Corps.
Harold A. Black, second lieutenant, Infantry Officers' Reserve Corps.
Robert Joseph McElroy, second lieutenant, Infantry Officers' Reserve Corps.
George Phillip Seneff, second lieutenant, Infantry Officers' Reserve Corps.
Henry C. Boehme, second lieutenant, Infantry Officers' Reserve Corps.
Russell G. Ayres, first lieutenant, Infantry Officers' Reserve Corps.
William A. Wappenstein, second lieutenant, Infantry Officers' Reserve Corps.
Charles H. Owens, second lieutenant, Infantry Officers' Reserve Corps.
Carter Collins, second lieutenant, Infantry Officers' Reserve Corps.
Clarence Earle Lovejoy, second lieutenant, Infantry Officers' Reserve Corps.
William Ayres Gray, jr., second lieutenant, Infantry Officers' Reserve Corps.
Hays Matson, second lieutenant, Infantry Officers' Reserve Corps.
George Edwin Abrams, second lieutenant, Infantry Officers' Reserve Corps.
Clifton Rodes Breckinridge, jr., second lieutenant, Infantry Officers' Reserve Corps.
Charles McKnight, jr., first lieutenant, Infantry Officers' Reserve Corps.
Richard Lee Tayloe, second lieutenant, Infantry Officers' Reserve Corps.
Albert D. Foster, second lieutenant, Infantry Officers' Reserve Corps.
Ralph Eberlin, second lieutenant, Engineer Officers' Reserve Corps.
Edward T. Harrison, second lieutenant, Infantry Officers' Reserve Corps.
Donald P. Spalding, second lieutenant, Infantry Officers' Reserve Corps.
Ercil D. Porter, second lieutenant, Infantry Officers' Reserve Corps.
Warner Harwood, second lieutenant, Engineer Officers' Reserve Corps.
Clyde Alexander Fowler, second lieutenant, Infantry Officers' Reserve Corps.
Laurence Jerome Potter, second lieutenant, Infantry Officers' Reserve Corps.
Claude Alfred White, first lieutenant, Infantry Officers' Reserve Corps.
Brayton Wilbur, second lieutenant, Infantry Officers' Reserve Corps.
John Franklin Farnsworth, second lieutenant, Infantry Officers' Reserve Corps.
Chester Boothe Blakeman, second lieutenant, Infantry Officers' Reserve Corps.
Henry Norris Bakken, second lieutenant, Infantry Officers' Reserve Corps.

Archer L. Lerch, second lieutenant, Infantry Officers' Reserve Corps.
Rodney S. Sprigg, second lieutenant, Infantry Officers' Reserve Corps.
Milton W. Emmett, second lieutenant, Infantry Officers' Reserve Corps.
John Arthur Pierce, second lieutenant, Infantry Officers' Reserve Corps.
Wendell Lapsley Clemenson, second lieutenant, Infantry Officers' Reserve Corps.
Jonathan W. Edwards, second lieutenant, Cavalry Officers' Reserve Corps.
William Hill Thomas, second lieutenant, Infantry Officers' Reserve Corps.
Charles James Deahl, jr., second lieutenant, Infantry Officers' Reserve Corps.
Frank Macdonald Ogden, second lieutenant, Infantry Officers' Reserve Corps.
Bruce Field Higgenbotham, second lieutenant, Infantry Officers' Reserve Corps.
William Otway Owen, second lieutenant, Infantry Officers' Reserve Corps.
Arcadi Gluckman, second lieutenant, Infantry Officers' Reserve Corps.
Reginald Dunham Grout, second lieutenant, Infantry Officers' Reserve Corps.
Dale Milton Hoagland, first lieutenant, Field Artillery Officers' Reserve Corps.
Charles Augustin Campbell, jr., second lieutenant, Infantry Officers' Reserve Corps.
Maurice Webster Ocheltree, first lieutenant, Infantry Officers' Reserve Corps.
Roy T. Rouse, second lieutenant, Infantry Officers' Reserve Corps.
Ivan B. Snell, first lieutenant, Infantry Officers' Reserve Corps.
Wendell Westover, second lieutenant, Infantry Officers' Reserve Corps.
James Wilson Rice, first lieutenant, Infantry Officers' Reserve Corps.
William Edgar, second lieutenant, Infantry Officers' Reserve Corps.
Gustav Henry Lamm, second lieutenant, Infantry Officers' Reserve Corps.
James Polk Gammon, second lieutenant, Infantry Officers' Reserve Corps.
James Arthur Giacomini, second lieutenant, Engineer Officers' Reserve Corps.
Henry K. White, second lieutenant, Infantry Officers' Reserve Corps.
Alva William Snyder, second lieutenant, Infantry Officers' Reserve Corps.
Ralph Pierce Van Zile, second lieutenant, Field Artillery Officers' Reserve Corps
Talbot Bass Fowler, of South Carolina.
Matthew Francis Garvey, second lieutenant, Infantry Officers' Reserve Corps.
Samuel Littler Metcalfe, of Texas.
Frank Wilbur Halsey, of Texas.
Kirby Green, of Georgia.
Myron Joseph Conway, of Texas.
Harold Clifton Reed, second lieutenant, Infantry Officers' Reserve Corps.
Samuel Hamilton Ladensohn, second lieutenant, Infantry Officers' Reserve Corps.
Clyde Arthur Ames, second lieutenant, Infantry Officers' Reserve Corps.
Irwin Lytle Lummis, second lieutenant, Infantry Officers' Reserve Corps.
Joseph Glenn Babb, of Missouri.
Hollis Benjamin Hoyt, sergeant, Company C, First Regiment, Vermont National Guard.
Clarence Morrill Collord, second lieutenant, Infantry Officers' Reserve Corps.
Russell Leamer McKown, of Iowa.
Frederick Wright Hackett, second lieutenant, Infantry Officers' Reserve Corps.
Roy George Rom, of Wisconsin.
Fred H. Reynolds, second lieutenant, Infantry Officers' Reserve Corps.
Van Courtright Walton, of Ohio.
Matthew Weaver Steele, second lieutenant, Infantry Officers' Reserve Corps.
Lawrence Walter Marshall, of Minnesota.
John August Otto, of Texas.
Joseph Burton Sweet, of Wisconsin.
Walter David Luplow, second lieutenant, Infantry Officers' Reserve Corps.
Carey Jarman, of Maryland.
John Horatio Helmer, second lieutenant, Infantry Officers' Reserve Corps.
Sidney Preswick Howell, second lieutenant, Infantry Officers' Reserve Corps.
Henrik Antell, of New York.
John Lionel Weeks, of South Carolina.
Arthur Gustavus Levy, of Vermont.
Lewis R. Bylngton, second lieutenant, Infantry Officers' Reserve Corps.
Cecil W. Borton, second lieutenant, Infantry Officers' Reserve Corps.
Donald Finnerman, second lieutenant, Infantry Officers' Reserve Corps.
Harper Allen Holt, second lieutenant, Infantry Officers' Reserve Corps.
Leon Lightner Kotzebue, of Texas.
Leander Ivon Shelley, second lieutenant, Infantry Officers' Reserve Corps.
Arvid P. Croonquist, second lieutenant, Infantry Officers' Reserve Corps.
James Edward Cole, jr., second lieutenant, Infantry Officers' Reserve Corps.
Roger Morton, of Missouri.
Gunther Orsinger, second lieutenant, Infantry Officers' Reserve Corps.
Gregory Alexander Harrison, of California.
Paul McCauley Boston, of Illinois.
Elmer Leroy Mott, second lieutenant, Infantry Officers' Reserve Corps.
Thomas Reed Holmes, of Maryland.
Harold Whitcomb Batchelder, second lieutenant, Infantry Officers' Reserve Corps.
Jay Hawenstine Cushman, of Kansas.
John Percy Redwood, second lieutenant, Infantry Officers' Reserve Corps.
Robert Henry Engle, of Illinois.
Samuel Young Dinkins, of South Carolina.
Roscoe Irwin Mac Millan, of Kansas.
Nicholas Dodge Woodward, private, One hundred and fifteenth Infantry.
Henry Robert Horak, of Kansas.
James Francis Burke, second lieutenant, Infantry Officers' Reserve Corps.
Henry Carroll Switzer, of South Carolina.
William Kenneth Dickson, of South Carolina.
Clarence Ames Martin, captain, Three hundred and twentieth Infantry.
Elmer John Croft, of Minnesota.
Mark Gerald Brislawn, of Washington.
Edgar Leon Noel, of Kansas.
Henning Linden, second lieutenant, Infantry Officers' Reserve Corps.
Gerold Edward Luebben, second lieutenant, Infantry Officers' Reserve Corps.

To be second lieutenants with rank from October 24, 1917.

First Lieut. Harry A. Seymour, Philippine Scouts.
First Lieut. Edward J. Oliver, Philippine Scouts.
Second Lieut. Ralph K. Fletcher, Philippine Scouts.
Second Lieut. Thomas R. McCarron, Philippine Scouts.
Second Lieut. LeRoy Warring Wilson, One hundred and twenty-second Infantry.
First Lieut. Oscar Peace Hilburn, One hundred and twenty-fourth Infantry.
Second Lieut. Ray Archie Martin, Second Infantry, Arkansas National Guard.
Second Lieut. Thomas Franklin Troxell, Company G, One hundred and fifteenth Infantry.
Second Lieut. Thomas Entrekin Hibben, One hundred and fiftieth Field Artillery.
Pvt. Vance Lawton Richmond, Company I, One hundred and sixty-third Infantry.
Pvt. (First Class) Earle Trask Loucks, Company M, Twenty-second United States Infantry.
Corpl. Alfred Dorrance Cameron, Company B, One hundred and sixty-first Infantry.
Corpl. Herbert Sutherland Havens, Company L, Seventh Infantry, New York National Guard.
Corpl. Joseph Eldridge Pierce, Twenty-fifth Recruit Company, General Service Infantry.

Corpl. John Goldthwait Davis, Company L, One hundred and seventh Infantry.
Sergt. William Euart Gladstone Cooper, Company F, Thirty-eighth Infantry.
Pvt. (First Class) George Hunter Passmore, United States Military Academy Detachment Engineers.
Corpl. Wayne Marshall, Company L, Seventh Infantry, New York National Guard.
Sergt. George Orenthus Allen Daughtry, jr., One hundred and twenty-first Infantry.
Sergt. Eugene Joseph Minarelli Fitz-Gerald, First Disciplinary Battalion.
Pvt. Frank Brevard Hayne, jr., One hundred and forty-first Field Artillery.
Sergt. Newton Gale Bush, Company G, Second Infantry, Georgia National Guard.
Sergt. Paolo Hoffoss Sperati, Headquarters Company, Thirty-second Infantry.
Corpl. Alan Lindsay Hart, Troop D, First Cavalry, Virginia National Guard.
Supply Sergt. Worden Henry Cowen, Machine Gun Company, One hundred and fifty-eighth Infantry.
Pvt. Russell Lincoln Bonnell, Troop D, First Cavalry, Pennsylvania National Guard.
Pvt. (First Class) Harold Louis Morian, Company C, Third Engineers.
Pvt. (First Class) LeRoy Welling Nichols, Seventh Infantry, New York National Guard.
First Sergt. Francis Dundas Ross, Company D, One hundred and fortieth Infantry.
Pvt. Keith Francis Driscoll, Troop D, First Cavalry, New York National Guard.
Sergt. Harvey J. Silvestone, Company C, Second Regiment, United States Engineers.
Sergt. Charles Martin Chamberlain, jr., One hundred and sixty-first Infantry.
Sergt. Harry Barnes Sepulveda, Second Company, Coast Artillery Corps.
Pvt. (First Class) Sherman Lawrence Hougen, Battery E, One hundred and forty-seventh Field Artillery.
Pvt. Melvin Pratt Spalding, Company I, Seventh Infantry, New York National Guard.
Pvt. Bernard Meredith, Troop B, First Cavalry, Virginia National Guard.
Corpl. Harold G. Johnstone, Company D, First Telegraph Battalion, Signal Corps.
Sergt. Manoah Newton Swetnam, Quartermaster Corps.
Corpl. William Fenton Newton, Ordnance Department.
Corpl. Andrew Frederick Hassel, Sixth Company, Coast Artillery Corps.
Second Lieut. Edward Reynolds Schauffler, Infantry, National Guard, United States.
Second Lieut. Louis Arthur Kuerzi, Infantry, National Guard, United States.
Second Lieut. Orlando Cobden Brown, Infantry, National Guard, United States.
Second Lieut. Frank Henry Hollingsworth, Infantry, National Guard, United States.
Second Lieut. Keelah Bouve, Infantry, National Guard, United States.
Second Lieut. Thomas Aloysius O'Brien, Infantry, National Guard, United States.
Second Lieut. Edward Andrew O'Malley, jr., Infantry, National Guard, United States.
Second Lieut. Francis M. Fuller, Infantry, National Guard, United States.
Second Lieut. Sidney Abdill Sands, Infantry, National Guard, United States.
Second Lieut. Christian Allen Schwarzwaelder, Infantry, National Guard, United States.
Second Lieut. Allan Benjamin Clayton, Infantry, National Guard, United States.
Second Lieut. Howard Nichols Merrill, Infantry, National Guard, United States.

To be second lieutenants with rank from October 26, 1917.

Thomas White Proctor, of Massacsusetts.
Robert Francis Kelley, of Massacsusetts.
Second Lieut. George Jabez Leftwich, jr., Infantry Officers' Reserve Corps.
Second Lieut. Neely Powers, Infantry Officers' Reserve Corps.
Second Lieut. Harrison Gardner Reynolds, Infantry Officers' Reserve Corps.
Second Lieut. Trevor Washington Swett, Infantry Officers' Reserve Corps.
Second Lieut. George Read, jr., Infantry Officers' Reserve Corps.
Second Lieut. James Clayton Clements, Infantry Officers' Reserve Corps.
Charles Huntington Jacobs, of Massachusetts.
Second Lieut. Hanford Mac Nider, Infantry Officers' Reserve Corps.
Second Lieut. Alexander Dickson Wilson, Infantry Officers' Reserve Corps.
Second Lieut. Edward Newton Wigton, Infantry Officers' Reserve Corps.
Second Lieut. Eric Frederick Pihlgard, Infantry Officers' Reserve Corps.
Second Lieut. Leslie N. Ross, Infantry Officers' Reserve Corps.
Second Lieut. Arthur Warren Mudge, jr., Infantry Officers' Reserve Corps.
Second Lieut. Thomas Harry Nicholl, Infantry Officers' Reserve Corps.
Second Lieut. James Leslie Hubbell, Infantry Officers' Reserve Corps.
Second Lieut. Benjamin Hoyt Decker, Infantry Officers' Reserve Corps.
Second Lieut. Walter Alexander Dumas, Infantry Officers' Reserve Corps.
Second Lieut. Edwin Emerson Keatley, Infantry Officers' Reserve Corps.
Second Lieut. W. R. Barksdale Stevens, Infantry Officers' Reserve Corps.
Earle Lucas Hazard, of California.
Second Lieut. Moses Taylor, jr., Infantry Officers' Reserve Corps.
George Holladay McKee, of Georgia.
Second Lieut. Leet Wilson Bissell, Infantry Officers' Reserve Corps.
Second Lieut. William Blackburn White, Infantry Officers' Reserve Corps.
Second Lieut. George Comfort Parkhurst, Infantry Officers' Reserve Corps.
Second Lieut. Luther Wight Turner, Infantry Officers' Reserve Corps.
Second Lieut. William Hornbeek Deyo, Infantry Officers' Reserve Corps.
Second Lieut. Francis Wesley Dunn, Infantry Officers' Reserve Corps.
Second Lieut. Don Magruder Scott, Infantry Officers' Reserve Corps.
Second Lieut. Allen Wylie Cook, Infantry Officers' Reserve Corps.
Second Lieut. Robert Edward Wysor, jr., Infantry Officers' Reserve Corps.
Second Lieut. Robert Dechert, Infantry Officers' Reserve Corps.
Second Lieut. James E. Wharton, Infantry Officers' Reserve Corps.
William Ozman Wyckoff, of New York.
Carleton Smith, of the District of Columbia.
Paul Conover Gripper, of California.
Second Lieut. Martin Dunlap Barndollar, jr., Infantry Officers' Reserve Corps.
Second Lieut. Raymond Clarence Alley, Infantry Officers' Reserve Corps.
Second Lieut. Francis C. Lewis, Infantry Officers' Reserve Corps.
Second Lieut. Lewis Simons, Infantry Officers' Reserve Corps.
Second Lieut. James Harold Day, Infantry Officers' Reserve Corps.
Second Lieut. James Moore Austin, Infantry Officers' Reserve Corps.
Second Lieut. Albert Watson Vinal, Infantry Officers' Reserve Corps.
Second Lieut. Paul Grattan Corker, Infantry Officers' Reserve Corps.
Second Lieut. Hiram Russell Ide, Infantry Officers' Reserve Corps.
Second Lieut. James Alfred Rogers, Infantry Officers' Reserve Corps.
Second Lieut. Randolph Randall Brown, Infantry Officers' Reserve Corps.
Second Lieut. Leon Roy Mead, Infantry Officers' Reserve Corps.
Second Lieut. Harold Cyrill Conick, Infantry Officers' Reserve Corps.
Second Lieut. Loren A. Wetherby, Infantry Officers' Reserve Corps.

Second Lieut. James Joseph Coghlan, Infantry Officers' Reserve Corps.
Second Lieut. Samuel Hazzard Cross, Infantry Officers' Reserve Corps.
Second Lieut. Carl Unversacht Luers, Infantry Officers' Reserve Corps.
Second Lieut. Bernard Butler McMahon, Infantry Officers' Reserve Corps.
Second Lieut. Carlton Banigan, Infantry Officers' Reserve Corps.
Second Lieut. Winchester Kelso, jr., Infantry Officers' Reserve Corps.
Second Lieut. George Edwin Fingarson, Infantry Officers' Reserve Corps.
Second Lieut. Leaver Richardson, Infantry Officers' Reserve Corps.
Second Lieut. Lawrence Mitchell York, Infantry Officers' Reserve Corps.
Second Lieut. James Frank Lilley, Infantry Officers' Reserve Corps.
Second Lieut. Elwood Miller Stokes Steward, Infantry Officers' Reserve Corps.
Second Lieut. Herbert Leroy Scales, Infantry Officers' Reserve Corps.
Second Lieut. Ernest Albert Rudelius, Infantry Officers' Reserve Corps.
Second Lieut. Joseph Welch Emery, jr., Infantry Officers' Reserve Corps.
Second Lieut. William Lee Blanton, Infantry Officers' Reserve Corps.
Second Lieut. Harold Eugene Sturcken, Infantry Officers' Reserve Corps.
Second Lieut. Milton Petersen, Infantry Officers' Reserve Corps.
Second Lieut. Gillette Hill, Infantry Officers' Reserve Corps.
Second Lieut. Stuart Mortimer Firth, Infantry Officers' Reserve Corps.
Second Lieut. Porter Pise Wiggins, Infantry Officers' Reserve Corps.
Second Lieut. Eugene Willford Markey, Infantry Officers' Reserve Corps.
Second Lieut. Barnard Pierce, Infantry Officers' Reserve Corps.
Second Lieut. Robert Armstrong Cochran, Infantry Officers' Reserve Corps.
Second Lieut. Proctor Calvin Gilson, Infantry Officers' Reserve Corps.
Second Lieut. Paul Bacon Matlock, Infantry Officers' Reserve Corps.
Second Lieut. Charles Wordsworth Nevin, 2d, Infantry Officers' Reserve Corps.
Second Lieut. William Lambert Kleitz, Infantry Officers' Reserve Corps.
Second Lieut. Orville William Harris, Infantry Officers' Reserve Corps.
Second Lieut. Stanley Raymond Putnam, Infantry Officers' Reserve Corps.
Second Lieut. Harold Dean Comey, Infantry Officers' Reserve Corps.
Second Lieut. John Thomas Zellars, Infantry Officers' Reserve Corps.
Second Lieut. Alexander Coldclough Dick, Infantry Officers' Reserve Corps.
Second Lieut. Richard Alfred McClure, Infantry Officers' Reserve Corps.
Robert Kinloch Massie, jr., of Kentucky.
Second Lieut. Twomey Michael Clifford, Infantry Officers' Reserve Corps.
Second Lieut. Harry Andrew Welsch, jr., Infantry Officers' Reserve Corps.
Second Lieut. Tranny Lee Gaddy, Infantry Officers' Reserve Corps.
Second Lieut. Dennis Joseph O'Toole, Infantry Officers' Reserve Corps.
Second Lieut. Melvin Holmes Leonard, Infantry Officers' Reserve Corps.
Second Lieut. Ben Corley Marable, Infantry Officers' Reserve Corps.
Second Lieut. Arthur Adolph Weiskopf, Infantry Officers' Reserve Corps.
Second Lieut. Francis Osborn Noble, Infantry Officers' Reserve Corps.
Second Lieut. John Adams Ballard, Infantry Officers' Reserve Corps.
Second Lieut. Harry Hood Martin, Infantry Officers' Reserve Corps.
Herbert T. Perrin, of Ohio.
Second Lieut. Arthur Wallace Pope, jr., Infantry Officers' Reserve Corps.
Second Lieut. Joseph Bartholomew Conmy, Infantry Officers' Reserve Corps.
Second Lieut. Emons Bert Whisner, Infantry Officers' Reserve Corps.
Second Lieut. George Wesley Griner, jr., Infantry Officers' Reserve Corps.
Second Lieut. Hugh Tullock Mayberry, Infantry Officers' Reserve Corps.
Second Lieut. Charles Duke Pearce, jr., Infantry Officers' Reserve Corps.
Second Lieut. Edward Dickinson McDougal, jr., Infantry Officers' Reserve Corps.
Philip Wager Lowry, of Massachusetts.
Charles Paine Winsor, of Massachusetts.
Second Lieut. John Doble, Infantry Officers' Reserve Corps.
Second Lieut. Moses McKay Darst, Infantry Officers' Reserve Corps.
Second Lieut. Robert Reese Smith, Infantry Officers' Reserve Corps.
Second Lieut. Evan C. Dresser, Infantry Officers' Reserve Corps.
Second Lieut. James Gates Carr, Infantry Officers' Reserve Corps.
Second Lieut. Daniel Ely Farr, Infantry Officers' Reserve Corps.
Second Lieut. Chester McNutt Woolworth, Infantry Officers' Reserve Corps.
Second Lieut. Roland Malone Glenn, Infantry Officers' Reserve Corps.
Second Lieut. Harry Staples Robertson, Infantry Officers' Reserve Corps.
Second Lieut. Lawrence Moss Arnold, Infantry Officers' Reserve Corps.
Second Lieut. Arthur Reynolds Knott, Infantry Officers' Reserve Corps.
Second Lieut. Samuel O'Connor Neff, Infantry Officers' Reserve Corps.
Second Lieut. Philip Edward Brown, Infantry Officers' Reserve Corps.
Second Lieut. Olaf Phillips Winningstad, Infantry Officers' Reserve Corps.
Second Lieut. Raymond Merlin Myers, Infantry Officers' Reserve Corps.
Second Lieut. Paul Snowden Russell, Infantry Officers' Reserve Corps.
Second Lieut. Herbert Coleman Smith, Infantry Officers' Reserve Corps.
Second Lieut. Edward Nahum Mitchell, Infantry Officers' Reserve Corps.
Second Lieut. James Albert Van Sant, Infantry Officers' Reserve Corps.
Second Lieut. William Eugene Stanley, Infantry Officers' Reserve Corps.
Second Lieut. Frank Shepherd Spruill, jr., Infantry Officers' Reserve Corps.
Second Lieut. George Arthur Davis, Infantry Officers' Reserve Corps.
Second Lieut. Laurin L. Williams, Infantry Officers' Reserve Corps.
Second Lieut. George Van Wyck Pope, Infantry Officers' Reserve Corps.
Second Lieut. Edwin Manly Allison, Infantry Officers' Reserve Corps.
Second Lieut. George Ellsworth Butler, Infantry Officers' Reserve Corps.
Second Lieut. Edgar Lewis Clewell, Infantry Officers' Reserve Corps.
Second Lieut. Herbert Arthur Buermeyer, Infantry Officers' Reserve Corps.
Leo Roy Moody, of California.
Second Lieut. William McLean Christie, Infantry Officers' Reserve Corps.
Second Lieut. Leon Draper Gibbens, Infantry Officers' Reserve Corps.
Second Lieut. Mark Merton Grubbs, Infantry Officers' Reserve Corps.
Second Lieut. Robert Alexander Kinloch, Infantry Officers' Reserve Corps.

Second Lieut. Joel Rankin Burney, Infantry Officers' Reserve Corps.
Second Lieut. Franklin Prague Shaw, Infantry Officers' Reserve Corps.
Second Lieut. Winfield Harrison Scott, Infantry Officers' Reserve Corps.
Second Lieut. Arthur Gilles Davidson, Infantry Officers' Reserve Corps.
Second Lieut. Harold Ashlyn White, Infantry Officers' Reserve Corps.
Second Lieut. Campbell Nelson Jackson, Infantry Officers' Reserve Corps.
Second Lieut. Joel Albert Fite, Infantry Officers' Reserve Corps.
Second Lieut. James Alexander Black, Infantry Officers' Reserve Corps.
Second Lieut. Clarence R. Peck, Infantry Officers' Reserve Corps.
Second Lieut. Glenn Gordon Hall, Infantry Officers' Reserve Corps.
Second Lieut. Charles Clifford Gillette, Infantry Officers' Reserve Corps.
Second Lieut. Walace Eugene Hawkins, Infantry Officers' Reserve Corps.
Second Lieut. Ralph Morton McFaul, Infantry Officers' Reserve Corps.
Second Lieut. Forrest Prow Barrett, Infantry Officers' Reserve Corps.
Second Lieut. Beal Hendrix Siler, Infantry Officers' Reserve Corps.
Second Lieut. Emmett George Lenihan, Infantry Officers' Reserve Corps.
Second Lieut. Edward Hines, jr., Infantry Officers' Reserve Corps.
Second Lieut. Bird Little, Infantry Officers' Reserve Corps.
Second Lieut. Evan Charles Williams, Infantry Officers' Reserve Corps.
Second Lieut. James Allan O'Neill, Infantry Officers' Reserve Corps.
Second Lieut. Coulter Malcolm Montgomery, Infantry Officers' Reserve Corps.
Second Lieut. Einar Walter Chester, Infantry Officers' Reserve Corps.
Second Lieut. James Allen Griffin, Infantry Officers' Reserve Corps.
Second Lieut. Guy Cummins McKinley, jr., Infantry Officers' Reserve Corps.
Second Lieut. Gordon Prescott Savage, Infantry Officers' Reserve Corps.
Second Lieut. Harold Hugh McClune, Infantry Officers' Reserve Corps.
Second Lieut. Kingsley Barham, Infantry Officers' Reserve Corps.
Second Lieut. Lester Earl MacGregor, Infantry Officers' Reserve Corps.
Second Lieut. Harold Pearson Gibson, Infantry Officers' Reserve Corps.
Second Lieut. Lloyd Ross Besse, Infantry Officers' Reserve Corps.
Second Lieut. Willard John Mason, Infantry Officers' Reserve Corps.
Second Lieut. Percival Robert Bowey, Infantry Officers' Reserve Corps.
Second Lieut. Hugh Merle Elmendorf, Infantry Officers' Reserve Corps.
Second Lieut. William Nevin Given, Infantry Officers' Reserve Corps.
Second Lieut. Charles Fearn Sutherland, Infantry Officers' Reserve Corps.
Second Lieut. Lance Edward Gowen, Infantry Officers' Reserve Corps.
Second Lieut. Edward Payson Hayward, Infantry Officers' Reserve Corps.
Second Lieut. Gilbert Everhard Parker, Infantry Officers' Reserve Corps.
Second Lieut. Francis Beeston Myer, Infantry Officers' Reserve Corps.
Second Lieut. Arthur Seymour Nevins, Infantry Officers' Reserve Corps.
Second Lieut. Gustave Villaret, jr., Cavalry Officers' Reserve Corps.
Second Lieut. Horace Edward Watson, Infantry Officers' Reserve Corps.
Second Lieut. Lester Austin Webb, Infantry Officers' Reserve Corps.
Second Lieut. Royal Crosby Carpenter, Infantry Officers' Reserve Corps.
Second Lieut. Edwin Sanders Van Deusen, Infantry Officers' Reserve Corps.
Second Lieut. Robert Stanley Boykin, Infantry Officers' Reserve Corps.
Second Lieut. Edward Morris Ford, Infantry Officers' Reserve Corps.
Second Lieut. William Lawrence Phillips, Infantry Officers' Reserve Corps.
Second Lieut. George Alfred Hunt, Infantry Officers' Reserve Corps.
Second Lieut. Kenneth Gray Reynolds, Infantry Officers' Reserve Corps.
Second Lieut. Robert Hardwick Warren, jr., Infantry Officers' Reserve Corps.
Second Lieut. Vyse Beckwith Whedon, Infantry Officers' Reserve Corps.
John Walcott, of Massachusetts.
Second Lieut. Philip Harrison Condit, Infantry Officers' Reserve Corps.
Second Lieut. John Ernest Dahlquist, Infantry Officers' Reserve Corps.
Second Lieut. Russell Symonds Fisher, Infantry Officers' Reserve Corps.
Second Lieut. Luther Kennedy Brice, Infantry Officers' Reserve Corps.
Second Lieut. John Mitchell Dale, Infantry Officers' Reserve Corps.
Second Lieut. Jack Edward Duke, jr., Infantry Officers' Reserve Corps.
Second Lieut. Tom Sherman Brand, Infantry Officers' Reserve Corps.
Second Lieut. Charles Morris Ankcorn, Infantry Officers Reserve Corps.
Second Lieut. James Robinson Urquhart, Infantry Officers' Reserve Corps.
Second Lieut. John Walter Saladine, jr., Infantry Officers' Reserve Corps.
Second Lieut. Morrill Watson Marston, Infantry Officers' Reserve Corps.
Second Lieut. Morrison Chalmers Wood, Infantry Officers' Reserve Corps.
Second Lieut. Alymer Bluford Atkins, Infantry Officers' Reserve Corps.
Second Lieut. Robert Robinson, Infantry Officers' Reserve Corps.
Second Lieut. John Dwight Filley, jr., Infantry Officers' Reserve Corps.
Second Lieut. William Edward Bergin, Infantry Officers' Reserve Corps.
Second Lieut. John Olis Crose, Infantry Officers' Reserve Corps.
Second Lieut. Samuel Robert Epperson, Infantry Officers' Reserve Corps.
Leslie Fisher Tanner, of Louisiana.
Second Lieut. Frederick Levenworth Bramlette, Infantry Officers' Reserve Corps.
Second Lieut. Benjamin Wilson Venable, Infantry Officers' Reserve Corps.
Second Lieut. Myron Everhart Bagley, Infantry Officers' Reserve Corps.
Second Lieut. John Lawrence Murphy, Infantry Officers' Reserve Corps.
Second Lieut. John William Freels, Infantry Officers' Reserve Corps.
Second Lieut. Eugene Faber Gillespie, Infantry Officers' Reserve Corps.
Second Lieut. George Warren Setzer, jr., Infantry Officers' Reserve Corps.
Second Lieut. James Bragdon Mudge, Infantry Officers' Reserve Corps.
Second Lieut. Allan Hanson Snowden, Infantry Officers' Reserve Corps.
Second Lieut. Earl Leslie Renhstorff Askam, Infantry Officers' Reserve Corps.
Second Lieut. Irvin Levi Swanson, Infantry Officers' Reserve Corps.
Second Lieut. Philip Delano Richmond, Infantry Officers' Reserve Corps.
Second Lieut. William Walter Timmis, Infantry Officers' Reserve Corps.
Second Lieut. Gayle McFadden, Infantry Officers' Reserve Corps.

Second Lieut. Burt Eugene Skeel, Infantry Officers' Reserve Corps.
Second Lieut. Henry Augustus Brickley, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Patrick Barry, jr., Infantry Officers' Reserve Corps.
Second Lieut. Roger Wisner, Infantry Officers' Reserve Corps.
Second Lieut. Merril Virgil Reed, Infantry Officers' Reserve Corps.
Second Lieut. A. Pledger Sullivan, Infantry Officers' Reserve Corps.
Second Lieut. Douglas Outlaw Langstaff, Infantry Officers' Reserve Corps.
Second Lieut. Ralph Watson Hickey, Infantry Officers' Reserve Corps.
Second Lieut. George Keyes Page, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Lewis Reese, Infantry Officers' Reserve Corps.
Second Lieut. William Burbridge Yancey, Infantry Officers' Reserve Corps.
Second Lieut. Leo James McCarthy, Infantry Officers' Reserve Corps.
Second Lieut. Griffin Duff Vance, Infantry Officers' Reserve Corps.
Second Lieut. Earl Franklyn Paynter, Infantry Officers' Reserve Corps.
Second Lieut. Joseph Michael O'Grady, Infantry Officers' Reserve Corps.
Second Lieut. Clifford Ruskin Wright, Infantry Officers' Reserve Corps.
Second Lieut. Donald McGill Marshman, Infantry Officers' Reserve Corps.
Second Lieut. John Scott Coleman, Infantry Officers' Reserve Corps.
Second Lieut. Harrison Bruce Beavers, Infantry Officers' Reserve Corps.
Second Lieut. Elbridge Colby, Infantry Officers' Reserve Corps.
Second Lieut. Herbert Daskum Gibson, Infantry Officers' Reserve Corps.
Pvt. Goulding Kumler Wight, Seventh Regiment, New York National Guard.
Second Lieut. Harry Squire Wilbur, Infantry Officers' Reserve Corps.
Second Lieut. Albert Sigfred Johnson, Infantry Officers' Reserve Corps.
Second Lieut. Clarence Otis Black, Infantry Officers' Reserve Corps.
Second Lieut. Paul Blassengame Robinson, Infantry Officers' Reserve Corps.
Second Lieut. William Lamont Coulter, Infantry Officers' Reserve Corps.
Second Lieut. Glen Elroy McCarthy, Infantry Officers' Reserve Corps.
Second Lieut. Joseph Henry Hinwood, jr., Infantry Officers' Reserve Corps.
Second Lieut. Russell Fleming Walthour, jr., Infantry Officers' Reserve Corps.
Second Lieut. James Crawford DeLong, Infantry Officers' Reserve Corps.
Second Lieut. Joseph Patrick Lawlor, Infantry Officers' Reserve Corps.
Second Lieut. Timothy Asbury Pedley, jr., Infantry Officers' Reserve Corps.
Second Lieut. Charles Norton Owen, Infantry Officers' Reserve Corps.
Second Lieut. Charles Russell Gideon, Infantry Officers' Reserve Corps.
Second Lieut. Archie MacInnes Palmer, Infantry Officers' Reserve Corps.
Second Lieut. Jack Breeden Chadwick, Infantry Officers' Reserve Corps.
Second Lieut. John Raymond Bair, Infantry Officers' Reserve Corps.
Second Lieut. James Sullins Varnell, Infantry Officers' Reserve Corps.
Second Lieut. Arthur Ferdinand Dahlberg, Infantry Officers' Reserve Corps.
Second Lieut. Russell Comstock Chapman, Infantry Officers' Reserve Corps.
Second Lieut. Edwin Turner Bowden, Infantry Officers' Reserve Corps.
Second Lieut. Eugene Mark Frederick, Infantry Officers' Reserve Corps.
Second Lieut. Cassius Hayward Styles, Infantry Officers' Reserve Corps.
Second Lieut. Fisher S. Harris, Infantry Officers' Reserve Corps.
Second Lieut. Frederick John Slackford, Infantry Officers' Reserve Corps.
Second Lieut. George Fisher Dashiell, Infantry Officers' Reserve Corps.
Second Lieut. Ray Edison Porter, Infantry Officers' Reserve Corps.
Second Lieut. Frank Exley Barber, Infantry Officers' Reserve Corps.
Second Lieut. Julian Erwin, Infantry Officers' Reserve Corps.
Second Lieut. John Earl Brannan, Infantry Officers' Reserve Corps.
Second Lieut. George Washington Brodie, jr., Infantry Officers' Reserve Corps.
Second Lieut. Waldron Joseph Cheyney, Infantry Officers' Reserve Corps.
Second Lieut. Edward Russell Jobson, Infantry Officers' Reserve Corps.
Second Lieut. Albert Sidney Lewis, jr., Infantry Officers' Reserve Corps.
Edward Seguin Couch, of Connecticut.
Second Lieut. William Joseph Devine, Infantry Officers' Reserve Corps.
Second Lieut. Edward Huger Carpenter, jr., Infantry Officers' Reserve Corps.
Second Lieut. Charles Campbell Brooks, Infantry Officers' Reserve Corps.
Second Lieut. Gordon Kaemmerling, Infantry Officers' Reserve Corps.
Second Lieut. Francis Relyea Holmes, Infantry Officers' Reserve Corps.
Second Lieut. William Volney Rattan, Infantry Officers' Reserve Corps.
Second Lieut. Rosswell Eric Hardy, Infantry Officers' Reserve Corps.
Second Lieut. Wilbur Copley Herbert, Infantry Officers' Reserve Corps.
Second Lieut. Ross Martin, Infantry Officers' Reserve Corps.
Second Lieut. Alexander McCook Craighead, Infantry Officers' Reserve Corps.
Second Lieut. William Mason Smith, jr., Infantry Officers' Reserve Corps.
Second Lieut. James Mansfield Symington, Infantry Officers' Reserve Corps.
Second Lieut. Herron White Miller, Infantry Officers' Reserve Corps.
Second Lieut. Maurice Russel Fitts, Infantry Officers' Reserve Corps.
Second Lieut. Marvin Rood Dye, Infantry Officers' Reserve Corps.
Second Lieut. Emanuel Reyenthaler Wilson, Infantry Officers' Reserve Corps.
Second Lieut. William Irving Truitt, Infantry Officers' Reserve Corps.
Second Lieut. Lloyd Zuppann, Infantry Officers' Reserve Corps.
Second Lieut. John Kirkland Rice, Infantry Officers' Reserve Corps.
Second Lieut. Hammond Davies Birks, Infantry Officers' Reserve Corps.
Second Lieut. James Holden Hagan, Infantry Officers' Reserve Corps.
Second Lieut. Lester Smith Ostrander, Infantry Officers' Reserve Corps.
Second Lieut. Edward Tannahill White, Infantry Officers' Reserve Corps.
Second Lieut. Edward Allen Whitney, Infantry Officers' Reserve Corps.
Second Lieut. Arthur Brinton Jopson, Infantry Officers' Reserve Corps.
Charles Paul Cullen, of Rhode Island.
Second Lieut. Frederick Harold Gnarini, Infantry Officers' Reserve Corps.
Second Lieut. Roscoe Bunyan Ellis, Infantry Officers' Reserve Corps.
Second Lieut. John Albert Langan, Infantry Officers' Reserve Corps.
Second Lieut. Jeremiah Emmet Murphy, Infantry Officers' Reserve Corps.
Second Lieut. Edward Gibson Perley, Infantry Officers' Reserve Corps.

Second Lieut. Frank Milton Conroy, Infantry Officers' Reserve Corps.
Second Lieut. Charles Spurgeon Johnson, Infantry Officers' Reserve Corps.
Second Lieut. Albert Ralph Boomhower, Infantry Officers' Reserve Corps.
Second Lieut. Hugh Andrew Wear, Infantry Officers' Reserve Corps.
Second Lieut. George Allan Miller, Infantry Officers' Reserve Corps.
Second Lieut. David Loring, jr., Infantry Officers' Reserve Corps.
Second Lieut. Stockbridge Carleton Hilton, Infantry Officers' Reserve Corps.
Second Lieut. James Dixin Everett, Infantry Officers' Reserve Corps.
Gordon Congdon King, of New York.
Second Lieut. Jackson Roger Sharman, Infantry Officers' Reserve Corps.
Second Lieut. Harvey Clark McClary, Infantry Officers' Reserve Corps.
Second Lieut. Willard James Freeman, Infantry Officers' Reserve Corps.
Second Lieut. Jay Melvin Fields, Infantry Officers' Reserve Corps.
Second Lieut. George Anthony Horkan, Infantry Officers' Reserve Corps.
Second Lieut. Samuel Craumer Thompson, Infantry Officers' Reserve Corps.
Second Lieut. Harry Winant Caygill, Infantry Officers' Reserve Corps.
Second Lieut. Emery St. George, Infantry Officers' Reserve Corps.
Second Lieut. John Lloyd Phillips, Infantry Officers' Reserve Corps.
Second Lieut. Berthoud Clifford, Infantry Officers' Reserve Corps.
Second Lieut. James Elson Jeffres, Infantry Officers' Reserve Corps.
Second Lieut. Epler Cadwell Mills, Infantry Officers' Reserve Corps.
Harry Emerson Storms, of New Jersey.
Second Lieut. Orlo Harry Quinn, Infantry Officers' Reserve Corps.
Second Lieut. Ernest Rollen Hoftyzer, Infantry Officers' Reserve Corps.
Second Lieut. John W. Scott, Infantry Officers' Reserve Corps.
Second Lieut. Lewis Anderson Page, Infantry Officers' Reserve Corps.
Second Lieut. John Manning Battle, Infantry Officers' Reserve Corps.
Second Lieut. John Roach Sproul, Infantry Officers' Reserve Corps.
Second Lieut. Virgil Conkling, Infantry Officers' Reserve Corps.
Second Lieut. William Russell Silvey, Infantry Officers' Reserve Corps.
Second Lieut. Alexander Oscar Gorder, Infantry Officers' Reserve Corps.
Second Lieut. Charles Edmund Garbrick, Infantry Officers' Reserve Corps.
Second Lieut. Forrest Adair Roberts, Infantry Officers' Reserve Corps.
Second Lieut. Alonzo Franklin Myers, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Ellsworth Martin, Infantry Officers' Reserve Corps.
Second Lieut. Max John Berg, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Jennings Guilbeau, Infantry Officers' Reserve Corps.
Second Lieut. Hugh James Hannigan, Infantry Officers' Reserve Corps.
Second Lieut. John Joseph Mathison, Infantry Officers' Reserve Corps.
Second Lieut. Milo Victor Buchanan, Infantry Officers' Reserve Corps.
Second Lieut. Kearie Lee Berry, Infantry Officers' Reserve Corps.
Second Lieut. William Emmett Wiley, Infantry Officers' Reserve Corps.
Second Lieut. Earl Parker Kemp, Infantry Officers' Reserve Corps.
Second Lieut. William Elbridge Chickering, Infantry Officers' Reserve Corps.
Second Lieut. Wilbur Reece McReynolds, Infantry Officers' Reserve Corps.
David Dean Barrett, of Colorado.
William Willard Burke, of Colorado.
Arthur Dudley Fay, of Massachusetts.
William Barney Pitts, of North Carolina.
Thomas Harry Ramsey, of Nevada.
Second Lieut. Paul Delmar Davis, Infantry Officers' Reserve Corps.
Second Lieut. Lewis Burnham Rock, Infantry Officers' Reserve Corps.
Second Lieut. Gaillard Pinckney, Infantry Officers' Reserve Corps.
Second Lieut. Benjamin Franklin O'Connor, jr., Infantry Officers' Reserve Corps.
Second Lieut. Fred Currie Milner, Infantry Officers' Reserve Corps.
Second Lieut. William Parks Driskell, jr., Infantry Officers' Reserve Corps.
Second Lieut. George Kenney Bowden, Infantry Officers' Reserve Corps.
Second Lieut. Lloyd Wallace Georgeson, Infantry Officers' Reserve Corps.
Second Lieut. Francis Marion Darr, Infantry Officers' Reserve Corps.
Second Lieut. William Clarke Webster, Infantry Officers' Reserve Corps.
Second Lieut. Francis Thomas Ward, Infantry Officers' Reserve corps.
Second Lieut. Frederick William Wendt, Infantry Officers' Reserve Corps.
Second Lieut. William C. Thurman, Infantry Officers' Reserve Corps.
Second Lieut. Robert Eviston Shideler, Infantry Officers' Reserve Corps.
Second Lieut. Oliver William Fannin, Infantry Officers' Reserve Corps.
Second Lieut. Charles Frost Craig, Infantry Officers' Reserve Corps.
Second Lieut. Arthur Leland Turner, Infantry Officers' Reserve Corps.
Second Lieut. Henderson Donaldson Emery, Infantry Officers' Reserve Corps.
Second Lieut. Oscar K. Wolber, Infantry Officers' Reserve Corps.
Second Lieut. Russell Slocum, Infantry Officers' Reserve Corps.
Second Lieut. Karl Eugene Henion, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Lindsay Creekmore, Infantry Officers' Reserve Corps.
Second Lieut. George Orial Clark, Infantry Officers' Reserve Corps.
Second Lieut. William Carrington Stettinius, Infantry Officers' Reserve Corps.
Second Lieut. Russell J. Potts, Infantry Officers' Reserve Corps.
Second Lieut. William Hoover Craig, Infantry Officers' Reserve Corps.
Second Lieut. John Rupley Schwartz, Infantry Officers' Reserve Corps.
Second Lieut. Thaddeus C. Knight, Infantry Officers' Reserve Corps.
Second Lieut. Ollie William Reed, Infantry Officers' Reserve Corps.
Second Lieut. Frank Ewell Boyd, Infantry Officers' Reserve Corps.
Second Lieut. Louis Wilsom Maddox, Infantry Officers' Reserve Corps.
Clark Olds Tayntor, of Pennsylvania.
Ernest Eugene Stansbery, of Arkansas.
Second Lieut. Malvern Jesse Nabb, Infantry Officers' Reserve Corps.
Second Lieut. Andrew Henry Hilgartner, Infantry Officers' Reserve Corps.
Second Lieut. John Clyde Glithero, Infantry Officers' Reserve Corps.
Second Lieut. Eugene Phillip Watkins, Infantry Officers' Reserve Corps.
Second Lieut. Richard Noble Armstrong, Infantry Officers' Reserve Corps.
Second Lieut. Philip John Sexton, Infantry Officers' Reserve Corps.
Second Lieut. W. Fulton Magill, jr., Infantry Officers' Reserve Corps.

Second Lieut. Harry Curry, Infantry Officers' Reserve Corps.
Second Lieut. Ethan Allen Hitchcock Shepley, Infantry Officers' Reserve Corps.
Second Lieut. Otis Bearl Adams, Infantry Officers' Reserve Corps.
Second Lieut. Millard Fillmore Staples, Infantry Officers' Reserve Corps.
Second Lieut. Hugh Henderson Drake, Infantry Officers' Reserve Corps.
Second Lieut. Joseph Herbert Kelleher, Infantry Officers' Reserve Corps.
Second Lieut. Benjamin Risher Sleeper, Infantry Officers' Reserve Corps.
James Joseph Kelley, of Massachusetts.
Walter Byron Fariss, of Kansas.
Second Lieut. Robert John Wagoner, Infantry Officers' Reserve Corps.
Second Lieut. William Edgar Vernon, Infantry Officers' Reserve Corps.
Second Lieut. Felix V. Embree, Infantry Officers' Reserve Corps.
Second Lieut. William Thomas Makinson, Infantry Officers' Reserve Corps.
Second Lieut. Clarence Ewir Allen, jr., Infantry Officers' Reserve Corps.
George F. Herrick, of Illinois.
Second Lieut. Joseph Williams McCall, jr., Infantry Officers' Reserve Corps.
Second Lieut. John Richard Hunneman, Infantry Officers' Reserve Corps.
Second Lieut. Winfred Earl Merriam, Infantry Officers' Reserve Corps.
Second Lieut. Laurence MacHatton Tharp, Infantry Officers' Reserve Corps.
Clive A. Wray, of New York.
Second Lieut. Donald Potter Vail, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Brevard Steel, Infantry Officers' Reserve Corps.
Second Lieut. Douglas Brooks Baker, Infantry Officers' Reserve Corps.
Second Lieut. Harold Hunter White, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Watson Butler, Infantry Officers' Reserve Corps.
Second Lieut. Everett Busch, Infantry Officers' Reserve Corps.
Second Lieut. Frank Gordon Busteed, Infantry Officers' Reserve Corps.
Second Lieut. Frank Laurie Scott, jr., Infantry Officers' Reserve Corps.
Second Lieut. John Wilbur Heisse, Infantry Officers' Reserve Corps.
Douglas Geoffrey McGrath, of New Jersey.
Stephen Clough Peabody, of Massachusetts.
Max Bernstein, of New York.
Herschel Vespasian Johnson, of North Carolina.
Second Lieut. William Bernard Clark, Infantry Officers' Reserve Corps.
Second Lieut. Stewart Darden Hervey, Infantry Officers' Reserve Corps.
Second Lieut. James Lee Blanding, Infantry Officers' Reserve Corps.
Second Lieut. Frank Joyce Pearson, Infantry Officers' Reserve Corps.
Second Lieut. J. Gordon Hussey, Infantry Officers' Reserve Corps.
Second Lieut. Lester Thomas Miller, Infantry Officers' Reserve Corps.
Second Lieut. Leo Donovan, Infantry Officers' Reserve Corps.
Second Lieut. George Edwin Kirk, Infantry Officers' Reserve Corps.
Second Lieut. Frank Welch Hayes, Infantry Officers' Reserve Corps.
Second Lieut. Vincent Rochester Bartlett, Infantry Officers' Reserve Corps.
Second Lieut. Samuel Merrill Bemiss, Infantry Officers' Reserve Corps.
Second Lieut. Richard Lawrence Holbrook, Infantry Officers' Reserve Corps.
Second Lieut. James King Hoyt, jr., Infantry Officers' Reserve Corps.
Second Lieut. Julian Gilliam Hart, Infantry Officers' Reserve Corps.
Second Lieut. William Murray Leffingwell, Infantry Officers' Reserve Corps.
John Theodore Sunstone, of Maryland.
Second Lieut. Arthur Bee McDaniel, Infantry Officers' Reserve Corps.
Second Lieut. Harold Henry Schaper, Infantry Officers' Reserve Corps.
Second Lieut. Randall Thomas Kendrick, Infantry Officers' Reserve Corps.
Second Lieut. Percy McCay Vernon, Infantry Officers' Reserve Corps.
Second Lieut. Samuel Ward Perrott, Infantry Officers' Reserve Corps.
Second Lieut. Jay Albert Richardson, Infantry Officers' Reserve Corps.
Second Lieut. Milton Whitney, jr., Infantry Officers' Reserve Corps.
Second Lieut. Emile James Boyer, Infantry Officers' Reserve Corps.
Second Lieut. Harry Melvin Bardin, Infantry Officers' Reserve Corps.
Second Lieut. Joseph Phocion Guillet, Infantry Officers' Reserve Corps.
Second Lieut. Leander Forest Conley, Infantry Officers' Reserve Corps.
Second Lieut. Paul Patrick Reily, Infantry Officers' Reserve Corps.
Second Lieut. Peter J. Lloyd, Infantry Officers' Reserve Corps.
Second Lieut. Paul Stuart Buchanan, Infantry Officers' Reserve Corps.
Second Lieut. Cranston Gullatt Williams, Infantry Officers' Reserve Corps.
Second Lieut. Lewis Berkeley Cox, Infantry Officers' Reserve Corps.
Second Lieut. Theodore Morton Cornell, Infantry Officers' Reserve Corps.
Launcelot Minor Blackford, of Virginia.
Frederick Webster Deck, of the District of Columbia.
Second Lieut. Fernand George Dumont, Infantry Officers' Corps.
First Lieut. Stephen Young Mann, Infantry Officers' Reserve Corps.
Joseph Houston Payne, of Kentucky.
Second Lieut. George Elmer Braker, jr., Infantry Officers' Reserve Corps.
Second Lieut. Paul Vincent Kellogg, Infantry Officers' Reserve Corps.
Second Lieut. Langdon Douglas Wythe, Infantry, Officers' Reserve Corps.
Second Lieut. John Osborne Flautt, jr., Infantry Officers' Reserve Corps.
Second Lieut. Giles Frederic Ewing, Infantry Officers' Reserve Corps.
Second Lieut. Fred William King, Infantry Officers' Reserve Corps.
Second Lieut. Ivy Winfred Crawford, Field Artillery Officers' Reserve Corps.
Second Lieut. John Stone Fishback, Field Artillery Officers' Reserve Corps.
Robert Saxton Downing, of New York.
Second Lieut. Clement Austin Reed, Infantry Officers' Reserve Corps.
Second Lieut. George Mountford Hancock, Infantry Officers' Reserve Corps.
Pvt. Jesse Benjamin Smith, Twenty-second United States Infantry.
Selden Spencer Smith, of Minnesota.
Second Lieut. John Reed Hodge, Infantry Officers' Reserve Corps.
Second Lieut. Arthur Richard Walk, Infantry Officers' Reserve Corps.
Second Lieut. Leslie Egner Toole, Infantry Officers' Reserve Corps.
Second Lieut. Lewis Aloysius List, Infantry Officers' Reserve Corps.
Second Lieut. James Frederick Johnson, jr., Infantry Officers' Reserve Corps.
Second Lieut. Francis Murray Brady, Infantry Officers' Reserve Corps.
Second Lieut. Eubert Harrison Malone, Infantry Officers' Reserve Corps.
Second Lieut. Wayne William Schmidt, Infantry Officers' Reserve Corps.
Second Lieut. Theodore Wright Crossen, Infantry Officers' Reserve Corps.
Second Lieut. James Footville Butler, Infantry Officers' Reserve Corps.

Second Lieut. Herbert Gerhard Peterson, Infantry Officers' Reserve Corps.
Second Lieut. Truman Morris Martin, Infantry Officers' Reserve Corps.
Capt. Herman Livingston Rogers, Field Artillery Officers' Reserve Corps.
Second Lieut. Veno Earl Sacre, Cavalry Officers' Reserve Corps.
Second Lieut. Warner Bernie Van Aken, Infantry Officers' Reserve Corps.
Second Lieut. Richard Gardiner Plumley, Infantry Officers' Reserve Corps.
Charles Rexford Davis, of New York.
Second Lieut. Cecil Leland Rutledge, Infantry Officers' Reserve Corps.
Second Lieut. Theodore Christian Gerber, Engineer Officers' Reserve Corps.
Second Lieut. Charles John McCarthy, jr., Infantry Officers' Reserve Corps.
Second Lieut. Robert William Duthie, Infantry Officers' Reserve Corps.
James Nathaniel McClure, of Kentucky.
Second Lieut. Garth Bly Haddock, Infantry Officers' Reserve Corps.
Second Lieut. Maurice Thompson Moore, Infantry Officers' Reserve Corps.
Second Lieut. Charles Hutchins McMahon, Infantry Officers' Reserve Corps.
Second Lieut. Lawrence Leonard William Meinzen, Infantry Officers' Reserve Corps.
Capt. Courtland Marcus Hulings, Infantry Officers' Reserve Corps.
Second Lieut. Alan Erlenborn, Infantry Officers' Reserve Corps.
Second Lieut. George Le Conte Ramsey, Infantry Officers' Reserve Corps.
Second Lieut. John Johnson Albright, Infantry Officers' Reserve Corps.
Second Lieut. Robert Jones King, Infantry Officers' Reserve Corps.
Raymond Edwin Vermette, of Kansas.
Second Lieut. Alexander Adair, Infantry Officers' Reserve Corps.
Second Lieut. Edward Streicher Rothrock, Infantry Officers' Reserve Corps.
Second Lieut. Grant Alexander Schlieker, Infantry Officers' Reserve Corps.
Second Lieut. Raymond Joseph Hurley, Infantry Officers' Reserve Corps.
Elmer Ellsworth Stone, jr., of California.
Burnett Forrest Treat, of Kansas.
Second Lieut. William Grant Hilliard, jr., Infantry Officers' Reserve Corps.
Second Lieut. Albert Cushing Cleveland, Infantry Officers' Reserve Corps.
Second Lieut. Leslie Marshall Skerry, Field Artillery Officers' Reserve Corps.
Second Lieut. Walter Carper Phillips, Infantry Officers' Reserve Corps.
Second Lieut. Anthony Joseph Touart, Infantry Officers' Reserve Corps.
Second Lieut. Henry Percy Gray, Infantry Officers' Reserve Corps.
Second Lieut. Dan Harold Riner, Infantry Officers' Reserve Corps.
Second Lieut. Robert Morriss Browning, Infantry Officers' Reserve Corps.
Second Lieut. Malcolm Palmer Bail, Infantry Officers' Reserve Corps.
Second Lieut. Arthur E. Easterbrook, Field Artillery Officers' Reserve Corps.
Second Lieut. Gordon Cumming, Infantry Officers' Reserve Corps.
Second Lieut. Raymond Boyd Jauss, Infantry Officers' Reserve Corps.
Second Lieut. Thaddus Ernest Peterson, Infantry Officers' Reserve Corps.
Second Lieut. Harry John Collins, Infantry Officers' Reserve Corps.
Second Lieut. Edgar V. Maher, Infantry Officers' Reserve Corps.
Guy Blanton Hazelgrove, of Virginia.
George Anderson King, jr., of the District of Columbia.
Second Lieut. Henry Paul Hollowell, Infantry Officers' Reserve Corps.
Second Lieut. Chester Franklin Price, Infantry Officers' Reserve Corps.
Second Lieut. Harley Martin Kilgore, Infantry Officers' Reserve Corps.
Second Lieut. Richard Johnson Broyles, Infantry Officers' Reserve Corps.
Second Lieut. Will Ellis May, Field Artillery Officers' Reserve Corps.
Second Lieut. William Rinehart Jutte, Field Artillery Officers' Reserve Corps.
Second Lieut. John Norris Zigler, Infantry Officers' Reserve Corps.
Second Lieut. Herbert Clinton Smith, Infantry Officers' Reserve Corps.
Second Lieut. Plautus Iberns Lipsey, Infantry Officers' Reserve Corps.
Second Lieut. Marshall Hood McCarthy, Infantry Officers' Reserve Corps.
Second Lieut. Henry Ide Eager, Infantry Officers' Reserve Corps.
Second Lieut. George Prather Van Ripper, Infantry Officers' Reserve Corps.
Edmund Serle Bell, of Pennsylvania.
Second Lieut. Archie Winning Hutton, Infantry Officers' Reserve Corps.
Second Lieut. Charlton Mayer Theus, Infantry Officers' Reserve Corps.
Second Lieut. Harold Reimers Bechtel, Infantry Officers' Reserve Corps.
Thomas Harry Frost, of Georgia.
First Lieut. Robert Ernest Archibald, Infantry Officers' Reserve Corps.
Second Lieut. Harold Bayless Alexander, Infantry Officers' Reserve Corps.
Second Lieut. Buhl Moore, Infantry Officers' Reserve Corps.
Second Lieut. Jesse Faust Wentz, Ordnance Officers' Reserve Corps.
Second Lieut. Henry Donald Paton, Infantry Officers' Reserve Corps.
Second Lieut. Felix Tabor Simpson, Infantry Officers' Reserve Corps.
Second Lieut. Chauncey Vernon Crabb, Infantry Officers' Reserve Corps.
Second Lieut. Harry Joseph Rockafeller, jr., Infantry Officers' Reserve Corps.
Second Lieut. Frank Columbus David, Infantry Officers' Reserve Corps.
Second Lieut. John White Easley, Infantry Officers' Reserve Corps.
Second Lieut. Adrain Robert Brian, Infantry Officers' Reserve Corps.
Second Lieut. Burton Loren Lucas, Infantry Officers' Reserve Corps.
Elijah Garrett Arnold, of California.
Second Lieut. Russell R. Riddell, Infantry Officers' Reserve Corps.
Second Lieut. Walter Russell Ketcham, Infantry Officers' Reserve Corps.
Second Lieut. George Stephen Wear, Infantry Officers' Reserve Corps.
Second Lieut. Wilbur Fisk Littleton, Infantry Officers' Reserve Corps.
Second Lieut. William Huger Labouisse, Infantry Officers' Reserve Corps.
Second Lieut. Walter Throckmorton Scott, Infantry Officers' Reserve Corps.
Elizur Kirke Hart Fessenden, of Massachusetts.
John Emmett Curran, of Oklahoma.
Second Lieut. John Wilson O'Daniel, Infantry Officers' Reserve Corps.
Second Lieut. John Snader McCloy, Field Artillery Officers' Reserve Corps.
Second Lieut. Frederick Winant, jr., Infantry Officers' Reserve Corps.
Second Lieut. Smith Goodwin Fallaw, Infantry Officers' Reserve Corps.
Harry Dalton Kendrick, of Ohio.
Second Lieut. Howard Wallace Cowan, Infantry Officers' Reserve Corps.
Second Lieut. Walter Eugene Perkins, Infantry Officers' Reserve Corps.
Evan Haynes, of California.
Second Lieut. Joseph Richard Busk, Infantry Officers' Reserve Corps.

Second Lieut. Alonzo Loveland Johnston, Infantry Officers' Reserve Corps.
Second Lieut. Andrew Lyman Cooley, Infantry Officers' Reserve Corps.
Second Lieut. Harry Frank Thompson, Infantry Officers' Reserve Corps.
Second Lieut. Leonard Corydon Barrell, Infantry Officers' Reserve Corps.
Second Lieut. James Aloysius McCarthy, Infantry Officers' Reserve Corps.
Second Lieut. Carl McKee Innis, Field Artillery Officers' Reserve Corps.
Second Lieut. William Henry Allen, Infantry Officers' Reserve Corps.
Second Lieut. William Ernest Paschal, Infantry Officers' Reserve Corps.
Second Lieut. Faxon H. Bishop, Field Artillery Officers' Reserve Corps.
Benjamin Witwer Pelton, of New York.
Second Lieut. Joseph William McKenna, Infantry Officers' Reserve Corps.
Second Lieut. Lyman Hague Thompson, Infantry Officers' Reserve Corps.
Second Lieut. Francis Aaron Cochrene, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Brounlee Longre, Infantry Officers' Reserve Corps.
Second Lieut. Paul Leon Porter, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Cherrington Vicars, Infantry Officers' Reserve Corps.
Second Lieut. Losco Lafayette McDaniel, Infantry Officers' Reserve Corps.
Second Lieut. Stanley Joseph Grogan, Field Artillery Officers' Reserve Corps.
Sergt. Henri Wolbrette, First Infantry Machine Gun Company, Louisiana National Guard.
Second Lieut. Robert Brice Waters, Infantry Officers' Reserve Corps.
Second Lieut. Lloyd Bidwell Jones, Infantry Officers' Reserve Corps.
Second Lieut. Stonewall Jackson, Infantry Officers' Reserve Corps.
Hamilton Fish Armstrong, of New Jersey.
Corpl. Henry Carrington Jordan, First Field Artillery, Virginia National Guard.
Robert Elting Woodward, of the District of Columbia.
Gerald Preshaw, of Kansas.
William Kenyon Lloyd, of Arkansas.
Second Lieut. Harold Quentin Moore, Infantry Officers' Reserve Corps.
Second Lieut. Reuben Samuel Parker, jr., Infantry Officers' Reserve Corps.
Second Lieut. Ward Rathbun Clark, Infantry Officers' Reserve Corps.
Second Lieut. Charles Davis Jencks, Infantry Officers' Reserve Corps.
Second Lieut. Warner Beardsley Gates, Infantry Officers' Reserve Corps.
Francis Scott Fitzgerald, of Minnesota.
Second Lieut. Max Albert Tuttle, Field Artillery Officers' Reserve Corps.
Second Lieut. William Miller Bouknight, Field Artillery Officers' Reserve Corps.
Farlow Burt, of Missouri.
Warren Joseph Clear, of Massachusetts.
Second Lieut. Philip Henry Didriksen, Infantry Officers' Reserve Corps.
Second Lieut. Oscar Joseph Neundorfer, jr., Infantry Officers' Reserve Corps.
Second Lieut. Westwood Bowden Hays, jr., Infantry Officers' Reserve Corps.
Second Lieut. Henry Atwater Van Dyke, Infantry Officers' Reserve Corps.
Frederick Aloysius Norton, of Massachusetts.
Allen Williamson Talley, of New York.
Second Lieut. Wellborn Saxon Priddy, Infantry Officers' Reserve Corps.
Second Lieut. O. D. Wells, Infantry Officers' Reserve Corps.
Second Lieut. Russell Thurston Fry, Infantry Officers' Reserve Corps.
William Baker Norris, jr., of Missouri.
Second Lieut. Leonard Myrton Gaines, Infantry Officers' Reserve Corps.
Second Lieut. Madison Percy Jones, Artillery Officers' Reserve Corps.
Second Lieut. Ross Berry Smith, Infantry Officers' Reserve Corps.
Second Lieut. Samuel Irvine Anderson, Infantry Officers' Reserve Corps.
Second Lieut. Philip Rice Hough, Infantry Officers' Reserve Corps.
Second Lieut. Walter B. Huff, Infantry Officers' Reserve Corps.
Second Lieut. Merle J. Adams, Infantry Officers' Reserve Corps.
Second Lieut. Jefferson Aloysius Healy, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Bennett Woodburn, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Kenneth Johnson, Infantry Officers' Reserve Corps.
Second Lieut. James William Payne, Infantry Officers' Reserve Corps.
Capt. Arthur Paulfrey Terry, Infantry Officers' Reserve Corps.
Second Lieut. William B. Wilson, Field Artillery Officers' Reserve Corps.
Second Lieut. Stanley French Griswold, Infantry Officers' Reserve Corps.
Second Lieut. John Thomas Dibrell, Infantry Officers' Reserve Corps.
Wilbur Thomas Hooven, jr., of New Jersey.
Second Lieut. Edmund Jones Lilly, jr., Field Artillery Officers' Reserve Corps.
Second Lieut. Stephen David Lankester, Infantry Officers' Reserve Corps.
Oliver R. Hayes, of Massachusetts.
Second Lieut. Daniel Hall Ripley, Infantry Officers' Reserve Corps.
Second Lieut. Eugene Goldsmith Shrock, Infantry Officers' Reserve Corps.
Cornelius Edward Ryan, of Massachusetts.
Second Lieut. Raymond William Miller, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Garlot Hannan, Infantry Officers' Reserve Corps.
Second Lieut. Henry Gottfritz Young, Infantry Officers' Reserve Corps.
Second Lieut. John Edwin Hull, Infantry Officers' Reserve Corps.
Second Lieut. Charles Augustus Rawson, Infantry Officers' Reserve Corps.
James Franklin Corn of Kentucky.
Second Lieut. Barkley Edward Lax, Infantry Officers' Reserve Corps.
Second Lieut. Earle Edward Horton, Infantry Officers' Reserve Corps.
Second Lieut. Carl Mark Rutan, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Francis Bresnahan, Infantry Officers' Reserve Corps.
Second Lieut. John Campbell Cleave, Infantry Officers' Reserve Corps.
Second Lieut. Koger Marion Still, Infantry Officers' Reserve Corps.
Second Lieut. Alexander Hamilton Garnjost, Infantry Officers' Reserve Corps.
Second Lieut. Herbert F. Thomas, Field Artillery Officers' Reserve Corps.
Second Lieut. Donald Weldon Brann, Infantry Officers' Reserve Corps.
Samuel Joseph Arthur Kelley, of Massachusetts.
Arthur Arnold Baker, of Kansas.
Joseph Nathan Arthur, of South Carolina.
Second Lieut. Gilman Kimball Crockett, Infantry Officers' Reserve Corps.
Second Lieut. Thomas Edison Roderick, Infantry Officers' Reserve Corps.
Second Lieut. Wallace Alan Mead, Infantry Officers' Reserve Corps.
James Henry Howe, of Mississippi.
Second Lieut. James Sherman Medill, Infantry Officers' Reserve Corps.
Second Lieut. John Jurey Howard, Infantry Officers' Reserve Corps.
Second Lieut. James Kennedy Moorhead, Infantry Officers' Reserve Corps.
Second Lieut. John Cleveland Robinson Hall, Infantry Officers' Reserve Corps.

Robert Artel Case, of Iowa.
Second Lieut. Ray Winfield Harris, Infantry Officers' Reserve Corps.
John James Lyons, of Nebraska.
Second Lieut. Elbert Wilson Lockwood, Infantry Officers' Reserve Corps.
Second Lieut. Charles Fuller Frizzell, jr., Infantry Officers' Reserve Corps.
Second Lieut. William Benjamin Oliver, jr., Field Artillery Officers' Reserve Corps.
Second Lieut. Robinson Earl Duff, Infantry Officers' Reserve Corps.
Second Lieut. Leon Wilcomb Hilliard, Infantry Officers' Reserve Corps.
Second Lieut. David Jenkins Ewing, Infantry Officers' Reserve Corps.
Second Lieut. Walter Colen Blalock, Infantry Officers' Reserve Corps.
Second Lieut. William Arthur Reid, Infantry Officers' Reserve Corps.
Second Lieut. Hamilton Johnston, Infantry Officers' Reserve Corps.
Second Lieut. Raymond Godfrey Lehman, Infantry Officers' Reserve Corps.
Second Lieut. Irvine Callander Scudder, Infantry Officers' Reserve Corps.
John Russell Deane, of California.
Richard Zeigler Crane, of Massachusetts.
George William Smith, of Vermont.
Hilliard Vincent MacGowan, of New York.
Second Lieut. George Smith Berry, jr., Infantry Officers' Reserve Corps.
Second Lieut. Carl Harms Schroeder, Infantry Officers' Reserve Corps.
Second Lieut. Guy Sidney Williams, Infantry Officers' Reserve Corps.
Second Lieut. William Claude Briggs, Infantry Officers' Reserve Corps.
Second Lieut. Christopher Sutton Robinson, Infantry Officers' Reserve Corps.
Second Lieut. William Cadwalader Price, jr., Infantry Officers' Reserve Corps.
Second Lieut. Paul Samuel Beard, Infantry Officers' Reserve Corps.
Norman Bemis Chandler, of Massachusetts.
Richard Ogle Welch, of Maryland.
Second Lieut. Richard Head Trippe, Infantry Officers' Reserve Corps.
Second Lieut. Roswell Herbert Bill, Infantry Officers' Reserve Corps.
Second Lieut. Harry Arthur Robinson, Field Artillery Officers' Reserve Corps.
Second Lieut. Wright Helm Johnson, Infantry Officers' Reserve Corps.
Second Lieut. George William Clover, Infantry Officers' Reserve Corps.
Second Lieut. Francis Xavier Callahan, Field Artillery Officers' Reserve Corps.
Second Lieut. Percy Lee Manefee, Infantry Officers' Reserve Corps.
Second Lieut. Donald Bentley Doan, Infantry Officers' Reserve Corps.
Second Lieut. Edwin Allan Smith, Infantry Officers' Reserve Corps.
Second Lieut. Harvey Gwin Thomas, Infantry Officers' Reserve Corps.
Edward Walter Moses, of Missouri.
Second Lieut. Richard Grant, Infantry Officers' Reserve Corps.
Second Lieut. James Leftwich Harrison, Field Artillery Officers' Reserve Corps.
Second Lieut. Roy Shedrick Meek, Infantry Officers' Reserve Corps.
Second Lieut. Floyd C. Harding, Infantry Officers' Reserve Corps.
Second Lieut. Rolfe Saunders Sample, Infantry Officers' Reserve Corps.
Second Lieut. Wesley Clayton Thompson, Infantry Officers' Reserve Corps.
Charles Byron McColley, of Iowa.
Second Lieut. Robert Edward Kennington, Infantry Officers' Reserve Corps.
Second Lieut. Percy Lee Sadler, Infantry Officers' Reserve Corps.
Second Lieut. George Luther Morrow, Infantry Officers' Reserve Corps.
Second Lieut. Robert Weed Doyc, Infantry Officers' Reserve Corps.
Second Lieut. William Cecil Rymer, Field Artillery Officers' Reserve Corps.
Virgil Lourie Blanding, of Illinois.
George Franklin Ludington, of Maryland.
Henry Fletcher Martin, of Florida.
Alan Grant Paine, of Washington.
Irving Smith, jr., of New Jersey.
Frederic Clayton Stiles, of Illinois.
Eugene Raymond Vawter, of West Virginia.
Second Lieut. Charles Robert Woody, Infantry Officers' Reserve Corps.
Second Lieut. Hugh Coy Courtright, Infantry Officers' Reserve Corps.
Second Lieut. Evan Marshall Sherrill, Infantry Officers' Reserve Corps.
Wendell Tyng Smith, of Maine.
Second Lieut. James Wylie Arnold, Infantry Officers' Reserve Corps.
Second Lieut. Bernard Franklin Hurless, Infantry Officers' Reserve Corps.
Second Lieut. Dorsey Gooch Myers, Infantry Officers' Reserve Corps.
Second Lieut. Louis James Hablas, Infantry Officers' Reserve Corps.
Second Lieut. George Winslow Washburn, Field Artillery Officers' Reserve Corps.
Second Lieut. Lynn Helm, jr., Field Artillery Officers' Reserve Corps.
James Archibald Edmond, of Texas.
Second Lieut. Raymond Mathias Heckman, Infantry Officers' Reserve Corps.
Francis Robert Dunlop Holran, of New Jersey.
Second Lieut. Harold Tibbitts Gallager, Infantry Officers' Reserve Corps.
Second Lieut. Allan Prescott Tappan, Infantry Officers' Reserve Corps.
Second Lieut. Beverly Daniel Evans, jr., Infantry Officers' Reserve Corps.
Robert Frayser Wilson, of Missouri.
Second Lieut. Milton Jarrett Norman, Infantry Officers' Reserve Corps.
Second Lieut. James Watson Porch, Infantry Officers' Reserve Corps.
Second Lieut. John Henry Hilldring, Infantry Officers' Reserve Corps.
Second Lieut. William Jennings Davis, Infantry Officers' Reserve Corps.
Second Lieut. Emory Adolphus Peek, Infantry Officers' Reserve Corps.
Pvt. Edward Adolph Vosseler, Company B, Seventh Infantry, New York National Guard.
Second Lieut. William Donald McMillin, Infantry Officers' Reserve Corps.
Second Lieut. Arthur Breckinridge Wade, Infantry Officers' Reserve Corps.
Second Lieut. James Gideon Kyle, Infantry Officers' Reserve Corps.
Second Lieut. John Hurst Rodman, Infantry Officers' Reserve Corps.
Second Lieut. William Dan Powell, Infantry Officers' Reserve Corps.
Second Lieut. Hulsey Beall Cason, Field Artillery Officers' Reserve Corps.
Second Lieut. Samuel John Cole, Infantry Officers' Reserve Corps.
Second Lieut. Louis Patrick Tiers, Infantry, Officers' Reserve Corps.
Second Lieut. David Lamson Wood, jr., Infantry Officers' Reserve Corps.
George Giltner Bell, of Kansas.
Capt. Edward Thorp Lane, jr., Infantry Officers' Reserve Corps.
James Fairbank Smith, of Illinois.
Second Lieut. William Charles Louisell, Infantry Officers' Reserve Corps.
Second Lieut. Herbert Benjamin Wilcox, Infantry Officers' Reserve Corps.
Second Lieut. Edward Russell White, Infantry Officers' Reserve Corps.

First Lieut. Harold Thompson Ammerman, Infantry Officers' Reserve Corps.
Second Lieut. Paul Harwood Plough, Infantry Officers' Reserve Corps.
Second Lieut. Jesse Eckard Whitt, Infantry Officers' Reserve Corps.
Second Lieut. William Emanuel Goe, Infantry Officers' Reserve Corps.
Henry Seton, of New York.
Second Lieut. William Leonard Ritter, Infantry Officers' Reserve Corps.
Second Lieut. Robert Winchell Patterson, Infantry Officers' Reserve Corps.
Second Lieut. Marion Herman Cardwell, Infantry Officers' Reserve Corps.
Second Lieut. Charles Patterson Whiteman, Infantry Officers' Reserve Corps.
Joseph Atherton Richards, of California.
Ellis De Vern Willis, of Iowa.
Gerald Fessenden Beal, of Massachusetts.
Second Lieut. Charles Henry Sears, Infantry Officers' Reserve Corps.
Second Lieut. Druid Emmet Wheeler, Infantry Officers' Reserve Corps.
Second Lieut. Charles Royall Lugton, Infantry Officers' Reserve Corps.
Second Lieut. Michael Johann Perret, Infantry Officers' Reserve Corps.
Charles Herbert Eypper, of New Jersey.
Second Lieut. Stewart Elvin Reimel, Infantry Officers' Reserve Corps.
Second Lieut. Douglas Power Newell, Infantry Officers' Reserve Corps.
Second Lieut. Kendall Jordan Fielder, Infantry Officers' Reserve Corps.
Second Lieut. Frederick Page Geyer, Infantry Officers' Reserve Corps.
Second Lieut. George Joseph Trimble, Infantry Officers' Reserve Corps.
Second Lieut. William Curtis De Ware, Infantry Officers' Reserve Corps.
Second Lieut. Hugh Donald Adair, Infantry Officers' Reserve Corps.
William Ellery Loring, of Massachusetts.
Second Lieut. Lester Clinton Wing, Infantry Officers' Reserve Corps.
Second Lieut. Joseph Robbins Bibb, Infantry Officers' Reserve Corps.
Joseph C. Behan, jr., of New York.
Benjamin Hilsdon Bartholow, of New York.
Irving McNeil Ives, of New York.
John Raeburn Green, of Missouri.
Second Lieut. Reginald R. Bacon, Infantry Officers' Reserve Corps.
Second Lieut. James Danial Tucker, Infantry Officers' Reserve Corps.
Second Lieut. Russell Conwell Snyder, Field Artillery Officers' Reserve Corps.
Second Lieut. David Broome Van Pelt, Infantry Officers' Reserve Corps.
Second Lieut. Harry Ezra Pond, Infantry Officers' Reserve Corps.
Second Lieut. Harvey Allan Tonnesen, Infantry Officers' Reserve Corps.
Second Lieut. Shuyler Bailey Marshall, jr., Infantry Officers' Reserve Corps.
Second Lieut. Neal Tuttle, Infantry Officers' Reserve Corps.
Second Lieut. William Hubbell Emerson, Infantry Officers' Reserve Corps.
Second Lieut. George Eddy Cook, Infantry Officers' Reserve Corps.
Second Lieut. George Chalmers McDermid, Infantry Officers' Reserve Corps.
Second Lieut. George Washington Young, jr., Infantry Officers' Reserve Corps.
Second Lieut. Pete Crisspell Black, Infantry Officers' Reserve Corps.
Second Lieut. Eugene Hill Mitchell, Infantry Officers' Reserve Corps.
Second Lieut. Leslie Harrod Blank, Infantry Officers' Reserve Corps.
First Lieut. Donald Stevens Grimm, Infantry Officers' Reserve Corps.
Second Lieut. Benton Lamar Boykin, Infantry Officers' Reserve Corps.
Second Lieut. Walter Michael Eugene Sullivan, Infantry Officers' Reserve Corps.
Second Lieut. Kameil Maertens, Infantry Officers' Reserve Corps.
Raymond John Considine, of Pennsylvania.
Second Lieut. Allan James Kennedy, Infantry Officers' Reserve Corps.
John Clark Cutrer, of Mississippi.
Clifton Rogers Gordon, of California.
Second Lieut. Martin Luther Howard, Infantry Officers' Reserve Corps.
Second Lieut. Leo Joseph Farrell, Infantry Officers' Reserve Corps.
Second Lieut. Bradford Seely Covell, Field Artillery Officers' Reserve Corps.
Second Lieut. James Galt Elder, Infantry Officers' Reserve Corps.
Second Lieut. Walter Shea Wood, Infantry Officers' Reserve Corps.
Second Lieut. Frank Owen Stephens, Infantry Officers' Reserve Corps.
Second Lieut. William Henry Quarterman, jr., Field Artillery Officers' Reserve Corps.
Second Lieut. Benjamin Brandon Bain, Infantry Officers' Reserve Corps.
Second Lieut. Ira Clarence Eaker, Infantry Officers' Reserve Corps.
Second Lieut. Tom Dunbar Halliday, Infantry Officers' Reserve Corps.
Second Lieut. Paul Harrison Arthur, Infantry Officers' Reserve Corps.
Second Lieut. Stanton Louis Bertschey, Infantry Officers' Reserve Corps.
Warren Miles Amerine, of Georgia.
Second Lieut. Romeyn Beck Hough, jr., Infantry Officers' Reserve Corps.
Second Lieut. Henry Cowles Merritt, jr., Infantry Officers' Reserve Corps.
Second Lieut. Cheney L. Bertholf, Infantry Officers' Reserve Corps.
Second Lieut. Dudley Edwards Bell, Infantry Officers' Reserve Corps.
First Lieut. Clarence Bovaird Nixon, Infantry Officers' Reserve Corps.
Second Lieut. William Carl Glass, Field Artillery Officers' Reserve Corps.
Sidney Clifford, of Rhode Island.
Harry Lee Franklin, of Kentucky.
Isham Rowland Williams, of North Carolina.
Second Lieut. Edwin L. Collins, Infantry Officers' Reserve Corps.
Second Lieut. John Bestor Meriweather, jr., Infantry Officers' Reserve Corps.
Second Lieut. John Franck Dahringer, Infantry Officers' Reserve Corps.
Second Lieut. Frank George Hinman, Infantry Officers' Reserve Corps.
Second Lieut. Robert Edward Lee Cook, jr., Infantry Officers' Reserve Corps.
Second Lieut. Colbert Sullivan, Infantry Officers' Reserve Corps.
Second Lieut. Grahame Molloy Bates, Infantry Officers' Reserve Corps.
Second Lieut. Walter Rooke Evans, Infantry Officers' Reserve Corps.
Second Lieut. Robert Quail Whitten, Infantry Officers' Reserve Corps.
Second Lieut. Edward Reese Roberts, Field Artillery Officers' Reserve Corps.
Second Lieut. Donald L. Bressler, Infantry Officers' Reserve Corps.
Second Lieut. Walter Ernst Lauer, Infantry Officers' Reserve Corps.
Second Lieut. Albert Hugh Dumas, Infantry Officers' Reserve Corps.
Second Lieut. Paul Shober Jones, Infantry Officers' Reserve Corps.
Second Lieut. Paul Thompson Baker, Infantry Officers' Reserve Corps.
Louis Samuel Nast Phillipp, of Tennessee.
Second Lieut. Albert Woodbury Emmons, Infantry Officers' Reserve Corps.
Second Lieut. Robert Porter Bell, Infantry Officers' Reserve Corps.

Second Lieut. Harold William Keller, Infantry Officers' Reserve Corps.
Second Lieut. Edwin William Piburn, Infantry Officers' Reserve Corps.
Second Lieut. James Clyde Williams, Infantry Officers' Reserve Corps.
Second Lieut. James Johnston McCutcheon, Infantry Officers' Reserve Corps.
Second Lieut. William Henry Clark, jr., Infantry Officers' Reserve Corps.
Second Lieut. Kenneth Stoddard Whittemore, Infantry Officers' Reserve Corps.
Second Lieut. Albert Carl Maack, Field Artillery Officers' Reserve Corps.
Second Lieut. Addison Leavens Martin, Infantry Officers' Reserve Corps.
Second Lieut. Mack Morgan Lynch, Infantry Officers' Reserve Corps.
Second Lieut. Henry Philip Folwell, Infantry Officers' Reserve Corps.
Sergt. Robert Perry Mahon, jr., Company K, First Infantry, Louisiana National Guard.
Judson Gordon Martell, of Massachusetts.
Second Lieut. Frank Huber Partridge, Infantry Officers' Reserve Corps.
Second Lieut. Franklin Knight Kennedy, jr., Infantry Officers' Reserve Corps.
Second Lieut. George Claiborne Royall, jr., Field Artillery Officers' Reserve Corps.
Second Lieut. Herbert Crittenden Segur, Infantry Officers' Reserve Corps.
Second Lieut. Lynwood Herbert Smith, Field Artillery Officers' Reserve Corps.
Leo Vivian Cowin, of Pennsylvania.
David Pinckney Powers, of Virginia.
Second Lieut. Stewart Alexander McHie, Infantry Officers' Reserve Corps.
Robb Steere MacKie, of New York.
Second Lieut. Derrill de Saussure Trenholm, Infantry Officers' Reserve Corps.
Second Lieut. John Stafford Marion Cromelin, Field Artillery Officers' Reserve Corps.
Second Lieut. Walter Raymon Gartin, Quartermaster Section, Officers' Reserve Corps.
Second Lieut. Michael Edmond Halloran, Field Artillery Officers' Reserve Corps.
Second Lieut. Idwal Hubert Edwards, Infantry Officers' Reserve Corps.
Second Lieut. Paul James Vevia, Field Artillery Officers' Reserve Corps.
Second Lieut. Ralph Burnham Gibson, Infantry Officers' Reserve Corps.
Second Lieut. Henri de La Chapelle, Infantry Officers' Reserve Corps.
Second Lieut. James Barclay Smith, Infantry Officers' Reserve Corps.
Second Lieut. Kenneth Victor Elliott, Infantry Officers' Reserve Corps.
Second Lieut. Martin Sims Read, Infantry Officers' Reserve Corps.
Richardson Bronson, of Connecticut.
Second Lieut. Paul Steele, Infantry Officers' Reserve Corps.
Fred Thurston Marsh, of New Hampshire.
Second Lieut. Luther Nathaniel Johnson, Infantry Officers' Reserve Corps.
Second Lieut. Archibald Ralph Gordon, Infantry Officers' Reserve Corps.
Earle Rowe Spaulding, of Nebraska.
Second Lieut. Stanley Augustus Anderson, Infantry Officers' Reserve Corps.
Second Lieut. Robert Emmett Cummings, Infantry Officers' Reserve Corps.
Second Lieut. Philip Gerald Carroll, Infantry Officers' Reserve Corps.
Second Lieut. Winter Davis Horton, Infantry Officers' Reserve Corps.
Second Lieut. Harry Fayette Schoonover, Infantry Officers' Reserve Corps.
Second Lieut. Francis Letcher Lafon, Infantry Officers' Reserve Corps.
Second Lieut. Louis Simmons Stickney, Infantry Officers' Reserve Corps.
Tarlton Fleming Parsons, of Virginia.
Second Lieut. John Bethea Stratford, Infantry Officers' Reserve Corps.
First Lieut. John Ralston Graham, Infantry Officers' Reserve Corps.
Second Lieut. George Henry Gillin, Infantry Officers' Reserve Corps.
Second Lieut. James Larkin Dikes, Infantry Officers' Reserve Corps.
Second Lieut. Ben Curtis McComas, Infantry Officers' Reserve Corps.
Second Lieut. Kenneth B. Gunn, Infantry Officers' Reserve Corps.
Second Lieut. Maurice Garver Stubbs, Infantry Officers' Reserve Corps.
Pvt. Boniface Campbell, Battery F, Fifteenth Field Artillery.
Cyril Kelly Richards, of Missouri.
Second Lieut. Archibald Andrew Fall, Infantry Officers' Reserve Corps.
Second Lieut. Vernon William Aikins, Infantry Officers' Reserve Corps.
Second Lieut. Frank Romaine Schucker, Infantry Officers' Reserve Corps.
Second Lieut. George Stewart Warren, Infantry Officers' Reserve Corps.
Second Lieut. John Weeks Cunningham, Infantry Officers' Reserve Corps.
Second Lieut. Roland Sylvester Dingley, Infantry Officers' Reserve Corps.
Second Lieut John Leo Davey, Infantry Officers' Reserve Corps.
Second Lieut. Sam Berto Hearn, Field Artillery Officers' Reserve Corps.
Second Lieut. William Goode Wilson, Infantry Officers' Reserve Corps.
Second Lieut. Harry Walker Farmer, Infantry Officers' Reserve Corps.
Second Lieut. James Martin Belwood, Field Artillery Officers' Reserve Corps.
Second Lieut. James Patrick O'Reilly, Infantry Officers' Reserve Corps.
Second Lieut. Henry Oscar Swindler, Infantry Officers' Reserve Corps.
Second Lieut. Delos Grosvenor Smith, Infantry Officers' Reserve Corps.
Second Lieut. Alfred Leslie Haig, Infantry Officers' Reserve Corps.
Second Lieut. Haskell Allison, Infantry Officers' Reserve Corps.
Second Lieut. Fred Othello Mills, Infantry Officers' Reserve Corps.
Second Lieut. Herman P. Quentin, Infantry Officers' Reserve Corps.
Second Lieut. George Downes Parnell, Infantry Officers' Reserve Corps.
Second Lieut. Bruce Glenn Kirk, Infantry Officers' Reserve Corps.
Second Lieut. William Dacre Hamilton, Infantry Officers' Reserve Corps.
Second Lieut. Davis Jones, Infantry Officers' Reserve Corps.
Second Lieut. Russell Skinner, Infantry Officers' Reserve Corps.
Second Lieut. John Hager Randolph, Infantry Officers' Reserve Corps.
Second Lieut. Bernard Amander Bingham, Infantry Officers' Reserve Corps.
Second Lieut. Burwell Alexander Atkinson, Infantry Officers' Reserve Corps.
Second Lieut. John Ashby Jones, Infantry Officers' Reserve Corps.
Second Lieut. Norris Adron Wimberley, Infantry Officers' Reserve Corps.
Second Lieut. Herbert Ralph Kerbow, Infantry Officers' Reserve Corps.
Second Lieut. Lloyd Leander Boughton, Infantry Officers' Reserve Corps.
Stephen Edward Hurley, of Illinois.
Second Lieut. Marquis George Eaton, Infantry Officers' Reserve Corps.
Second Lieut. Gerald William Norman, Infantry Officers' Reserve Corps.
Robert Leonard Hooven, of New Jersey.
Walton Alfred Elliott, of Iowa.

Second Lieut. John Alexander Klein, Infantry Officers' Reserve Corps.
Second Lieut. Arthur Harold Luse, Infantry Officers' Reserve Corps.
Second Lieut. Clayton Seraska Whitehead, Infantry Officers' Reserve Corps.
Second Lieut. William Arthur Swift, Infantry Officers' Reserve Corps.
Second Lieut. John Edwin Grose, Infantry Officers' Reserve Corps.
Second Lieut. Robert Creighton Wright, Infantry Officers' Reserve Corps.
Second Lieut. Kilburn Roby Brown, Infantry Officers' Reserve Corps.
Second Lieut. Carl Bullitt Rauterberg, Infantry Officers' Reserve Corps.
Second Lieut. Everett Latimer Rice, Infantry Officers' Reserve Corps.
Second Lieut. Lawrence A. Kurtz, Infantry Officers' Reserve Corps.
Second Lieut. Leland Thompson, Infantry Officers' Reserve Corps.
Second Lieut. Martin Stevenson Chester, Engineer Officers' Reserve Corps.
Second Lieut. Francis Marion Dudley, Infantry Officers' Reserve Corps.
Second Lieut. Marcel Henry Mial, Field Artillery Officers' Reserve Corps.
Second Lieut. Clarence Allen Ludlum, jr., Infantry Officers' Reserve Corps.
Second Lieut. William Connor Samford, Infantry Officers' Reserve Corps.
Second Lieut. Harry Reichelderfer, Infantry Officers' Reserve Corps.
Second Lieut. Joseph Samuel Snyder, Infantry Officers' Reserve Corps.
Second Lieut. Rufus Harold Milne, Infantry Officers' Reserve Corps.
Samuel Francis Cohn, of Nebraska.
Second Lieut. Alexander Russell Bolling, Infantry Officers' Reserve Corps.
Second Lieut. Duncan Thomas Boisseau, Infantry Officers' Reserve Corps.
John Thomas Lucey, jr., of New Jersey.
Second Lieut. James Leonard Garza, Infantry Officers' Reserve Corps.
Second Lieut. Evan Jervis Morris, Infantry Officers' Reserve Corps.
Second Lieut. Walter Brighton Davis, Infantry Officers' Reserve Corps.
Second Lieut. Robert Francis Campbell, Infantry Officers' Reserve Corps.
Second Lieut. John Dunbar Chambliss, Infantry Officers' Reserve Corps.
Second Lieut. Lewis Charles Beebe, Coast Artillery Corps, Oregon National Guard.
John Augustus Rodgers, of Pennsylvania.
Second Lieut. Sam Murray, Infantry Officers' Reserve Corps.
Second Lieut. George Joseph Kilgore, Infantry Officers' Reserve Corps.
Second Lieut. Lewis Church Chamberlin, Infantry Officers' Reserve Corps.
Second Lieut. Horace Deming Wilce, Infantry Officers' Reserve Corps.

To be second lieutenant with rank from October 31, 1917.

Edward Hanson Connor, jr., of Kansas.

To be second lieutenant with rank from November 29, 1917.

Thomas Newton Stark, of South Carolina.

PORTO RICO REGIMENT OF INFANTRY.

To be second lieutenants with rank from October 26, 1917.

Edgardo Vazquez, jr., second lieutenant, Infantry Officers' Reserve Corps.
Virgil Norberto Cordero, second lieutenant, Infantry Officers' Reserve Corps.
Mario Cordero, second lieutenant, Infantry Officers' Reserve Corps.
Timoteo Sapia, of Porto Rico.
Juan Luis Oliver, of Porto Rico.
Edwardo Andino Romanach, of Porto Rico.
Guillermo Geddes Latimer, of Porto Rico.
Rafael Pirazzi, of Porto Rico.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 4, 1918.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

Brig. Gen. Peyton C. March to be major general.
Brig. Gen. Edwin B. Babbitt to be brigadier general.

CHAPLAIN.

Rev. Melvin Verne Oggel to be chaplain.

MEDICAL CORPS.

To be first lieutenants.

Charles August Stammel, jr.
Albert Gordon Bower.
Arthur Russell Porter, jr.
Virgil Heath Cornell.
Everett Le Compte Cook.
Ralph Leslie Cudlipp.
James Brent Anderson.
George Perry Ross.
Ebner Holmes Inmon.
William Alger Shaw.
Theo. Wallace O'Brien.

DENTAL CORPS.

To be first lieutenants.

John Godfrey Urban.
Carl Stevenson Emmert.
William Henry Siefert.
Samuel J. Lewis.
James Henry O'Reilly.
Frederick Werner Miller.
James Alfred Curtis, jr.
James Jay Weeks.
John Nelson White.
Homer Lash Sams.
George Magnor Krough.
Wayne W. Woolley.
Edward Wallace Barr.
Fernando Emilio Rodriguez.
John Leigh Davis.
Joseph Henry Jaffer.
Adolph August Meyer.
Howard Clayton Feyler.
William Ferdinand Scheumann.
Alonzo Gooch McCue, jr.
Campbell Hopson Glascock.
Austin Freeman Roberts.
William Frederic Wieck.
Thomas Herbert Veale.
Lawrence Joseph Dunn.
Carl Reuben Oman.
Leslie Albert Gould.
Harold Avery Curtis.

PROVISIONAL APPOINTMENTS IN THE ARMY.

CAVALRY ARM.

Ralston Dean Livingston to be a second lieutenant.

FIELD ARTILLERY ARM.

Leon C. Swager to be second lieutenant.

COAST ARTILLERY CORPS.

Leon J. Walrath to be second lieutenant.
Harold Stacey Macomber to be second lieutenant.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

CAVALRY ARM.

To be second lieutenants.

Leonard Over.
Carlton B. Rettig.
Samuel O. Taylor.
John S. McCloy.
Robert Driscoll.
George S. Warren.

FIELD ARTILLERY ARM.

To be second lieutenants.

George Wesley Norrick.
Lynn Helm, jr.
Fred P. Clark.
Frank Starr Pope.
Alfred G. Ford.
Edward Reese Roberts.

COAST ARTILLERY CORPS.

To be second lieutenants.

Harry Lee Campbell.
Lawrence W. Fox, jr.

INFANTRY ARM.

To be second lieutenants.

Walter A. Stover.
James R. Lowry, jr.

APPOINTMENTS IN THE NATIONAL ARMY.

GENERAL OFFICERS.

To be major generals.

Brig. Gen. William C. Langfitt.
Brig. Gen. John E. McMahon.
Brig. Gen. William G. Haan.

To be brigadier generals.

Col. John B. McDonald.
Col. Edward A. Millar.
Col. DeRosey C. Cabell.
Col. Thomas H. Rees.
Col. George W. Gatchell.
Col. P. D. Lochridge.
Col. Nathaniel F. McClure.
Col. Peter C. Harris.
Col. Munroe McFarland.
Col. William R. Sample.
Col. Eli A. Helmick.
Col. John S. Winn.
Col. Robert L. Howze.
Col. Clement A. F. Flagler.
Col. Charles D. Rhodes.
Col. William W. Harts.
Col. Charles Crawford.
Col. William S. Graves.
Col. Frank D. Webster.
Col. Joseph D. Leitch.
Col. Robert Alexander.
Col. William C. Davis.
Col. Francis C. Marshall.
Col. Edgar Jadwin.
Col. James A. Ryan.
Col. Fred W. Sladen.
Col. Harry H. Bandholtz.
Col. Peter Murray.
Col. Paul A. Wolf.
Col. Tiemann N. Horn.
Col. Palmer E. Pierce.
Col. William Chamberlaine.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

Capt. Richard H. Williams, to be major.
Capt. Alfred M. Mason, to be major.
Capt. Kenneth C. Masteller, to be major.
Capt. Joseph Matson, to be major.

CORPS OF ENGINEERS.

To be first lieutenants.

Second Lieut. Simon Medine.
Second Lieut. Samuel L. Kuhn.
Second Lieut. Louis Graham.
Second Lieut. Roy M. McCutchen.
Second Lieut. William Lohmeyer, jr.
Second Lieut. William A. Clark.
Second Lieut. Aubrey H. Bond.
Second Lieut. Hubert W. Collins.
Second Lieut. Harold J. McDonald.
Second Lieut. Maurice P. van Buren.
Second Lieut. Frederick S. H. Smith.
Second Lieut. Frank B. Hastie.
Second Lieut. Harold Van V. Fay.
Second Lieut. Oscar R. Peterson.
Second Lieut. Thomas K. Meloy.
Second Lieut. Robert A. Love.
Second Lieut. Bennet H. Bowley, jr.
Second Lieut. Robert D. Ingalls.
Second Lieut. William L. G. Mackenzie.
Second Lieut. Walter L. Medding.
Second Lieut. Warren A. Lyon.
Second Lieut. Roger W. Parkhurst.
Second Lieut. Albert C. Lieber, jr.
Second Lieut. Robert K. Munroe.
Second Lieut. James A. Bjerregaard.
Second Lieut. Eugene F. Gaebler.
Second Lieut. William C. Atwater.
Second Lieut. Henry E. Strout, jr.
Second Lieut. John A. Strang.
Second Lieut. George E. Robinson.
Second Lieut. Frank C. Rogers.
Second Lieut. Philip N. Cristal.
Second Lieut. Clifford H. Springer.
Second Lieut. Edward P. Morton.
Second Lieut. Langley S. Homer.
Second Lieut. George J. Nold.

MEDICAL CORPS.

Maj. William H. Tefft to be lieutenant colonel.
Maj. Llewellyn P. Williamson to be lieutenant colonel.

TEMPORARY PROMOTIONS IN THE ARMY.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

To be lieutenant colonels.

Maj. Dennis P. Quinlan.
Maj. Gouverneur V. Packer.

QUARTERMASTER CORPS.

To be colonels.

Lieut. Col. Alexander M. Davis.
Lieut. Col. Richmond McA. Schofield.
Lieut. Col. Robert S. Smith.
Lieut. Col. Arthur W. Yates.

To be lieutenant colonels.

Maj. Morton J. Henry.
Maj. William Elliott.
Maj. James A. Logan, jr.
Maj. Salmon F. Dutton.

MEDICAL CORPS.

To be colonels.

Lieut. Col. Louis T. Hess.
Lieut. Col. Christopher C. Collins.
Benjamin J. Edger, jr.
Samuel M. Waterhouse.

To be lieutenant colonels.

James D. Heysinger.
Lloyd L. Smith.
John B. Huggins.
William H. Tefft.
Llewellyn P. Williamson.
William R. Davis.
Leartus J. Owen.
Robert M. Culler.
Frank W. Weed.

ORDNANCE DEPARTMENT.

To be colonels.

Kenneth Morton.
Samuel Hof.

SIGNAL CORPS.

To be colonels.

Daniel J. Carr.
Leonard D. Wildman.

To be lieutenant colonel.

Alfred T. Clifton.

CORPS OF ENGINEERS.

To be colonels.

Lieut. Col. Charles Keller.
Lieut. Col. Spencer Cosby.
Lieut. Col. James F. McIndoe.
Lieut. Col. Jay J. Morrow.
Lieut. Col. George P. Howell.
Lieut. Col. Frederick W. Altstaetter.
Lieut. Col. Lewis H. Rand.
Lieut. Col. Thomas H. Jackson.
Lieut. Col. Gustave R. Lukesh.

To be captains.

First Lieut. Edmond H. Levy.
First Lieut. Thomas D. Stamps.
First Lieut. Bartley M. Harloe.
First Lieut. Starr C. Wardrop.
First Lieut. Girard B. Troland.
First Lieut. Llewellyn M. Griffith.

COAST ARTILLERY CORPS.

To be colonels.

Lieut. Col. Louis R. Burgess.
Lieut. Col. James A. Shipton.
Lieut. Col. William Chamberlaine.
Lieut. Col. George H. McManus.

Lieut. Col. Edward J. Timberlake.
Lieut. Col. James M. Williams.
Lieut. Col. Alston Hamilton.
Lieut. Col. John C. Gilmore, jr.
Lieut. Col. Joseph L. Knowlton.
Lieut. Col. Joseph Wheeler, jr.
Lieut. Col. Robert E. Callan.
Lieut. Col. Edwin Landon.
Lieut. Col. Clarence H. McNeil.
Lieut. Col. Joseph P. Tracy.
Lieut. Col. Percy M. Kessler.
Lieut. Col. Johnson Hagood.
Lieut. Col. George T. Patterson.
Lieut. Col. Frank K. Fergusson.
Lieut. Col. William E. Cole.
Lieut. Col. Marcellus G. Spinks.
Lieut. Col. Jacob C. Johnson.
Lieut. Col. Robert E. Wyllie.
Lieut. Col. William Forse.
Lieut. Col. Malcolm Young.
Lieut. Col. Laurence C. Brown.
Lieut. Col. Harry L. Steele.
Lieut. Col. Thomas F. Dwyer.
Lieut. Col. James B. Mitchell.
Lieut. Col. Alfred S. Morgan.
Lieut. Col. Charles H. Hilton.
Lieut. Col. Edward L. Glasgow
Lieut. Col. Percy Willis.
Lieut. Col. Joseph B. Douglas.
Lieut. Col. John R. Procter.
Lieut. Col. John B. Christian.
Lieut. Col. Frederick W. Phisterer.

To be lieutenant colonels.

Maj. Malcolm Young.
Maj. Laurence C. Brown.
Maj. Harry L. Steele.
Maj. Thomas F. Dwyer.
Maj. James B. Mitchell.
Maj. Alfred S. Morgan.
Maj. Charles H. Hilton.
Maj. Edward L. Glasgow.
Maj. Percy Willis.
Maj. William F. Stewart, jr.
Maj. Joseph B. Douglas.
Maj. Hudson T. Patten.
Maj. Edward Kimmell.
Maj. John R. Procter.
Maj. John B. Christian.
Maj. Frederick W. Phisterer.
Maj. Robert H. C. Kelton.
Maj. Percy P. Bishop.
Maj. Henry J. Hatch.
Maj. William F. Hase.
Maj. William R. Doores.
Maj. James F. Howell.
Maj. Jesse C. Nicholls.
Maj. Henry W. Schull.
Maj. Clifton C. Carter.
Maj. Stanley D. Embick.
Maj. William H. Monroe.
Maj. Leonard T. Waldron.
Maj. Ernest A. Greenough.
Maj. Alexander Greig, jr.
Maj. James A. Ruggles.
Maj. Terence E. Murphy.
Maj. Harry W. Newton.
Maj. Allen D. Raymond.
Maj. James R. Pourie.
Maj. John L. Hughes.
Maj. John W. C. Abbott.
Maj. Harry T. Matthews.
Maj. Harry C. Barnes.
Maj. Stephen H. Mould.
Maj. Louis S. Chappelear.
Maj. Granville Sevier.
Maj. Robert F. Woods.
Maj. Albert C. Thompson.
Maj. Ellison L. Gilmer.
Maj. John McBride, jr.
Maj. Richard K. Cravens.
Maj. George O. Hubbard.
Maj. James M. Wheeler.
Maj. Harrison S. Kerrick.
Maj. Frank J. Miller.
Maj. Philip S. Golderman.
Maj. Charles L. Lanham.
Maj. George F. Connolly.
Maj. John S. Johnston.
Maj. Joseph S. Hardin.
Maj. Louis E. Bennett.
Maj. George L. Hicks, jr.
Maj. Lynn E. Edwards.

FIELD ARTILLERY ARM.

To be colonels.

Lieut. Col. John E. Stephens.
Lieut. Col. Thomas E. Merrill.
Lieut. Col. Fox Conner.
Lieut. Col. Henry W. Butner.
Lieut. Col. Henry L. Newbold.
Lieut. Col. Ernest D. Scott.
Lieut. Col. Lucius R. Holbrook.
Lieut. Col. Harrison Hall.
Lieut. Col. Wright Smith.
Lieut. Col. Alfred A. Starbird.
Lieut. Col. Charles R. Lloyd.
Lieut. Col. Oliver L. Spaulding, jr.
Lieut. Col. Conrad H. Lanza.
Lieut. Col. Lewis S. Ryan.
Lieut. Col. Howard L. Landers.
Lieut. Col. William H. Burt.

To be lieutenant colonels.

Maj. Lewis S. Ryan.
Maj. Howard L. Landers.
Maj. William H. Burt.
Maj. Clarence N. Jones.
Maj. Frederick B. Hennessy.
Maj. Laurin L. Lawson.
Maj. Morris E. Locke.
Maj. John W. Kilbreth.
Maj. James H. Bryson.
Maj. Roger O. Mason.
Maj. William S. Browning.
Maj. Joseph F. Barnes.
Maj. William P. Ennis.
Maj. Dennis H. Currie.
Maj. Beverly F. Browne.
Maj. Raymond S. Pratt.
Maj. Alden F. Brewster.
Maj. Norton E. Wood.
Maj. Albert S. Fuger.
Maj. William N. Michel.
Maj. Ernest S. Wheeler.
Maj. Lesley J. McNair.
Maj. Walter D. Smith.
Maj. Creed F. Cox.
Maj. Leo P. Quinn.
Maj. Walter H. Smith.
Maj. Albert T. Bishop.
Maj. Harold W. Huntley.
Maj. Edwin De L. Smith.

To be majors.

Capt. Charles J. Ferris.
Capt. Walter D. Smith.
Capt. Creed F. Cox.
Capt. Leo P. Quinn.
Capt. Walter H. Smith.
Capt. John S. Hammond.
Capt. Albert T. Bishop.
Capt. Harold W. Huntley.
Capt. Edwin De L. Smith.
Capt. Ralph McT. Pennell.
Capt. Walter S. Sturgill.
Capt. Sherman Miles.
Capt. Cortlandt Parker.
Capt. Richard C. Burleson.
Capt. Joseph R. Davis.
Capt. John R. Starkey.
Capt. Rene E. De R. Hoyle.
Capt. Dawson Olmstead.
Capt. John C. Maul.
Capt. Albert L. Hall.
Capt. George H. Paine.
Capt. Leroy P. Collins.
Capt. Ballard Lyerly.
Capt. Robert H. Lewis.

Capt. Phillip W. Booker.
Capt. Fred T. Cruse.
Capt. James P. Marley.
Capt. Waldo C. Potter.
Capt. John W. Downer.
Capt. Benjamin M. Bailey.
Capt. William F. Sharp.
Capt. Frank Thorp, jr.
Capt. E. R. Warner McCabe.
Capt. Donald C. McDonald.
Capt. John G. Tyndall.
Capt. Otto L. Brunzell.
Capt. Clifford L. Corbin.
Capt. Pierre V. Kieffer.
Capt. Charles T. Harris, jr.
Capt. Maxwell Murray.
Capt. Alfred L. P. Sands.
Capt. Henry H. Pfeil.
Capt. Charles P. George.
Capt. Charles W. Harlow.
Capt. William H. Rucker.
Capt. William H. Shepherd.
Capt. Marshall G. Randol.
Capt. John N. Greely.
Capt. Webster A. Capron.
Capt. John E. Mort.
Capt. James H. Burns.
Capt. Everett S. Hughes.
Capt. Thomas J. Smith.
Capt. Roger S. Parrott.
Capt. Thurman H. Bane.
Capt. Thomas D. Sloan.
Capt. Harold Geiger.
Capt. Claude B. Thummell.
Capt. Edwin M. Watson.
Capt. Harold E. Miner.
Capt. Joseph A. Rogers.
Capt. Charles T. Griffith.
Capt. Ronald D. Johnson.
Capt. Jacob E. Devers.
Capt. Lucien H. Taliaferro.
Capt. Harold H. Bateman.
Capt. Frank A. Turner.
Capt. George G. Seaman.

To be majors with rank from December 5, 1917.

Capt. Franz A. Doniat.
Capt. Carl A. Baehr.
Capt. Robert S. Donaldson.

CAVALRY ARM.

To be colonels.

Lieut. Col. Frank M. Caldwell.
Lieut. Col. James J. Hornbrook.
Lieut. Col. William F. Clark.
Lieut. Col. Samuel G. Jones.
Lieut. Col. Melvin W. Rowell.
Lieut. Col. Lawrence J. Fleming.
Lieut. Col. Oren B. Meyer.
Lieut. Col. Charles J. Symmonds.
Lieut. Col. Charles W. Fenton.
Lieut. Col. Edward D. Anderson.
Lieut. Col. George P. White.
Lieut. Col. Louis C. Scherer.
Lieut. Col. Robert J. Fleming.
Lieut. Col. Edwin B. Winans.
Lieut. Col. William T. Johnston.
Lieut. Col. Harold P. Howard.
Lieut. Col. Elmer Lindsley.
Lieut. Col. William J. Glasgow.
Lieut. Col. Frank S. Armstrong.
Lieut. Col. James G. Harbord.
Lieut. Col. Samuel D. Rockenbach.
Lieut. Col. Kirby Walker.
Lieut. Col. Alexander M. Miller.
Lieut. Col. Charles B. Drake.
Lieut. Col. Harry O. Williard.
Lieut. Col. John P. Wade.
Lieut. Col. Ola W. Bell.
Lieut. Col. Abraham G. Lott.
Lieut. Col. Samuel F. Dallam.
Lieut. Col. William Kelly, jr.
Lieut. Col. Alfred E. Kennington.
Lieut. Col. Edward P. Orton.
Lieut. Col. Robert B. Powers.
Lieut. Col. Francis H. Pope.
Lieut. Col. Herman A. Sievert.
Lieut. Col. Pierce A. Murphy.
Lieut. Col. Frederick T. Arnold.

To be lieutenant colonels.

Maj. Alexander M. Miller.
Maj. Charles B. Drake.
Maj. Harry O. Williard.
Maj. John P. Wade.
Maj. Ola W. Bell.
Maj. Abraham G. Lott.
Maj. Samuel F. Dallam.
Maj. William Kelly, jr.
Maj. Henry C. Whitehead.
Maj. William D. Chitty.
Maj. Alfred E. Kennington.
Maj. Edward P. Orton.
Maj. Robert B. Powers.
Maj. Francis H. Pope.
Maj. Herman H. Sievert.
Maj. George E. Mitchell.
Maj. Pierce A. Murphy.
Maj. Frederick T. Arnold.
Maj. James N. Munro.
Maj. William S. Valentine.
Maj. Henry C. Smither.
Maj. Roy B. Harper.
Maj. Thomas A. Roberts.
Maj. Edgar A. Sirmyer.
Maj. Frank R. McCoy.
Maj. Clarence R. Day.
Maj. Willard H. McCornack.
Maj. Guy V. Henry.
Maj. Wallace B. Scales.
Maj. Conrad S. Babcock.
Maj. Charles C. Farmer, jr.
Maj. Grayson V. Heidt.
Maj. Albert N. McClure.
Maj. Holland Rubottom.
Maj. Aubrey Lippincott.
Maj. Henry W. Parker.
Maj. William H. Winters.
Maj. Douglas McCaskey.
Maj. Samuel B. Pearson.
Maj. Freeborn P. Holcomb.
Maj. Albert A. King.
Maj. Daniel Van Voorhis.
Maj. Julien E. Gaujot.
Maj. Delphey T. E. Casteel.
Maj. Joseph R. McAndrews.
Maj. George E. Lovell.
Maj. Frank L. Case.
Maj. John H. Lewis.
Maj. Harry N. Cootes.
Maj. Charles W. Van Way.
Maj. Wilson G. Heaton.
Maj. Edward Davis.
Maj. James M. Burroughs.
Maj. Dorsey Cullen.
Maj. Charles H. Boice.
Maj. Daniel H. Gienty.
Maj. William J. Kendrick.
Maj. George T. Bowman.
Maj. John S. Fair.
Maj. Robert J. Reaney.
Maj. Sherrard Coleman.
Maj. William F. Herringshaw.
Maj. Joseph A. Baer.
Maj. Charles F. Martin.
Maj. Willis V. Morris.
Maj. Walter S. Grant.
Maj. Charles M. Wesson.
Maj. Morton C. Mumma.
Maj. Frank P. Amos.
Maj. Julian A. Benjamin.
Maj. James Goethe.
Maj. Varien D. Dixon.
Maj. Verne La S. Rockwell.
Maj. George B. Comly.
Maj. Charles G. Harvey.
Maj. Richard M. Thomas.
Maj. George B. Rodney.
Maj. Alexander H. Davidson.
Maj. Christian A. Bach.
Maj. David H. Biddle.
Maj. William F. H. Godson.

Maj. George W. Winterburn.
Maj. Lewis Foerster.
Maj. William P. Moffet.
Maj. Archibald F. Commiskey.
Maj. William A. Cornell.
Maj. George J. Oden.
Maj. James E. Shelley.
Maj. Edward Calvert.
Maj. Edmund S. Sayer.
Maj. Bruce Palmer.
Maj. James E. Fechet.
Maj. Philip W. Corbusier.
Maj. Frederick M. Jones.
Maj. John A. Wagner.
Maj. Archie Miller.
Maj. William S. Wells.
Maj. William H. Clopton, jr.
Maj. Robert M. Nolan.
Maj. William O. Reed.
Maj. Henry Gibbins.
Maj. Charles O. Thomas, jr.
Maj. Edmond R. Tompkins.
Maj. Arthur Poillon.
Maj. George A. Purington.
Maj. George W. Biegler.
Maj. Francis W. Glover.
Maj. Laurence S. Carson.
Maj. Timothy M. Coughlan.
Maj. Alexander B. Coxe.
Maj. James Huston.

To be majors.

Capt. Charles F. Martin.
Capt. Willis V. Morris.
Capt. Walter S. Grant.
Capt. Charles M. Wesson.
Capt. Morton C. Mumma.
Capt. Frank P. Amos.
Capt. Julian A. Benjamin.
Capt. James Goethe.
Capt. Varien D. Dixon.
Capt. Verne La S. Rockwell.
Capt. George B. Comly.
Capt. Charles G. Harvey.
Capt. Richard M. Thomas.
Capt. George B. Rodney.
Capt. Alexander H. Davidson.
Capt. Christian A. Bach.
Capt. David H. Biddle.
Capt. William F. H. Godson.
Capt. George W. Winterburn.
Capt. Lewis Foerster.
Capt. William P. Moffet.
Capt. Archibald F. Commiskey.
Capt. William A. Cornell.
Capt. George J. Oden.
Capt. James E. Shelley.
Capt. Edward Calvert.
Capt. Edmund S. Sayer.
Capt. Bruce Palmer.
Capt. James E. Fechet.
Capt. Philip W. Corbusier.
Capt. Frederick N. Jones.
Capt. John A. Wagner.
Capt. Archie Miller.
Capt. William S. Wells.
Capt. William H. Clopton, jr.
Capt. Robert M. Nolan.
Capt. William O. Reed.
Capt. Henry Gibbins.
Capt. Charles O. Thomas, jr.
Capt. Edmond R. Tompkins.
Capt. Arthur Poillon.
Capt. George A. Purington.
Capt. George W. Biegler.
Capt. Francis W. Glover.
Capt. Lawrence S. Carson.
Capt. Alexander B. Coxe.
Capt. Timothy M. Coughlan.
Capt. James Huston.
Capt. Leonard L. Deitrick.
Capt. Richard B. Going.
Capt. Hamilton Bowie.
Capt. Frederick J. Herman.
Capt. Ben Lear, jr.
Capt. George P. Tyner.
Capt. William A. Austin.
Capt. Consuelo A. Seoane.
Capt. Emory S. West.
Capt. Eben Swift, jr.
Capt. Albert E. Phillips.
Capt. John Alden Degen.
Capt. George F. Bailey.
Capt. Clarence C. Culver.
Capt. Benjamin O. Davis.
Capt. Edward C. Wells.
Capt. Harry B. Jordan.
Capt. Frank P. Lahm.
Capt. Kerr T. Riggs.
Capt. John A. Pearson.
Capt. William G. Meade.
Capt. Guy Kent.
Capt. Frederick Mears.
Capt. Alden M. Graham.
Capt. Eugene J. Ely.
Capt. C. Emery Hathaway.
Capt. Arthur G. Fisher.
Capt. Matt C. Bristol.
Capt. Horace N. Munro.
Capt. Seth W. Cook.
Capt. David L. Roscoe.
Capt. Herbert E. Mann.
Capt. Henry T. Bull.
Capt. Frank E. Davis.
Capt. John C. Pegram.
Capt. Henry E. Mitchell.
Capt. William H. Cowles.
Capt. John K. Herr.
Capt. Philip H. Sheridan.
Capt. Joseph F. Taulbee.
Capt. Andrew W. Smith.
Capt. William W. Edwards.
Capt. John A. Barry.
Capt. William W. Gordon.
Capt. Harold B. Johnson.
Capt. James P. Castleman.
Capt. Albert H. Mueller.
Capt. Allan F. McLean.
Capt. Herman S. Dilworth.
Capt. Frank B. Kobes.
Capt. John V. Spring, jr.
Capt. Norman H. Davis.
Capt. Charles Telford.
Capt. Olan C. Aleshire.
Capt. Emil P. Laurson.
Capt. Frederick E. Shnyder.
Capt. Thomas F. Van Natta, jr.
Capt. James A. Mars.
Capt. John C. Montgomery.
Capt. Dorsey R. Rodney.
Capt. Alexander M. Milton.
Capt. Carl Boyd.
Capt. Stephen W. Winfree.
Capt. George E. Nelson.
Capt. Thomas L. Sherburne.
Capt. Emil Engel.
Capt. Emmet Addis.
Capt. Harry L. King.
Capt. Arthur G. Hixson.
Capt. Walton Goodwin, jr.
Capt. David H. Scott.
Capt. Robert C. Richardson.
Capt. Robert M. Campbell.
Capt. George B. Hunter.
Capt. Stanley Koch.
Capt. Stephen C. Reynolds.
Capt. William V. Carter.
Capt. Henry C. Pratt.
Capt. Charles B. Amory, jr.
Capt. Kinzie B. Edmunds.
Capt. Charles S. Hoyt.
Capt. James J. O'Hara.
Capt. Roy W. Holderness.
Capt. James S. Greene.
Capt. Gerald C. Brant.
Capt. George C. Lawrason.
Capt. Arthur H. Wilson.
Capt. William C. F. Nicholson.
Capt. George Dillman.
Capt. Philip J. R. Kiehl.
Capt. Charles L. Scott.

Capt. James H. Dickey.
Capt. Ralph Talbot, jr.
Capt. William N. Hensley, jr.
Capt. Berkeley T. Merchant.
Capt. Hugh H. Broadhurst.
Capt. Arthur W. Holderness.
Capt. Louis A. O'Donnell.
Capt. William W. West, jr.
Capt. Reynold F. Migdalski.
Capt. Henry R. Smalley.
Capt. Robert Blaine.
Capt. Frederick T. Dickman.
Capt. George W. De Armond.
Capt. John G. Quekemeyer.
Capt. Frank M. Andrews.
Capt. Joseph C. King.
Capt. George L. Converse, jr.
Capt. Donald A. Robinson.
Capt. Bruce L. Burch.
Capt. Edgar M. Whiting.
Capt. Edward G. Elliott.
Capt. Guy H. Wyman.
Capt. Verne R. Bell.
Capt. Henry W. Baird.
Capt. Alexander H. Jones.
Capt. Charles L. Stevenson.
Capt. Frank K. Chapin.
Capt. Henry L. Watson.
Capt. Murray B. Rush.
Capt. Augustine M. Robins.
Capt. William D. Geary.
Capt. Clark P. Chandler.
Capt. Richard H. Kimball.
Capt. Abbott Boone.
Capt. William L. Moose.
Capt. Frederick S. Snyder.
Capt. William C. Christy.
Capt. Sloan Doak.
Capt. Leland Wadsworth, jr.
Capt. Seth W. Scofield.
Capt. William C. McChord.
Capt. William R. Henry.
Capt. George F. Patten.
Capt. Robert M. Cheney.
Capt. Lawrence W. McIntosh.
Capt. Richard E. Cummins.
Capt. Alexander L. James, jr.
Capt. Robert C. Rodgers.
Capt. Philip Gordon.
Capt. Horace M. Hickam.
Capt. Homer M. Groninger.
Capt. Stewart O. Elting.
Capt. John K. Brown.
Capt. Richard D. Newman.
Capt. William H. Garrison, jr.
Capt. Sumner M. Williams.
Capt. Henry W. Hall.
Capt. Edwin V. Sumner.
Capt. Arthur E. Wilbourn.
Capt. Ernest G. Cullum.
Capt. William W. Erwin.

INFANTRY.

To be colonels.

Lieut. Col. Robert C. Williams.
Lieut. Col. Robert Alexander.
Lieut. Col. William O. Johnson.
Lieut. Col. James R. Lindsay.
Lieut. Col. Fred W. Sladen.
Lieut. Col. Henry T. Ferguson.
Lieut. Col. Henry G. Learnard.
Lieut. Col. Peter Murray.
Lieut. Col. Paul A. Wolf.
Lieut. Col. George D. Moore.
Lieut. Col. Willis Uline.
Lieut. Col. Charles C. Clark.
Lieut. Col. Vernon A. Caldwell.
Lieut. Col. Edmund L. Butts.
Lieut. Col. Henry J. Hunt.
Lieut. Col. Charles Miller.
Lieut. Col. Truman O. Murphy.
Lieut. Col. William H. Bertsch.
Lieut. Col. Ross L. Bush.
Lieut. Col. John B. Bennet.
Lieut. Col. Melville S. Jarvis.
Lieut. Col. John W. Heavey.
Lieut. Col. Harry J. Hirsch.
Lieut. Col. La Roy S. Upton.
Lieut. Col. Harry A. Smith.
Lieut. Col. George C. Saffarrans.
Lieut. Col. Palmer E. Pierce.
Lieut. Col. Charles G. French.
Lieut. Col. Lutz Wahl.
Lieut. Col. William P. Jackson.
Lieut. Col. John L. Hines.
Lieut. Col. Matthias Crowley.
Lieut. Col. John J. Bradley.
Lieut. Col. Douglas Settle.
Lieut. Col. John S. Switzer.
Lieut. Col. Herbert O. Williams.
Lieut. Col. George D. Guyer.
Lieut. Col. William F. Grote.
Lieut. Col. Isaac C. Jenks.
Lieut. Col. Hanson E. Ely.
Lieut. Col. Lewis S. Sorley.
Lieut. Col. William M. Morrow.
Lieut. Col. Benjamin F. Hardaway.
Lieut. Col. Albert C. Dalton.
Lieut. Col. Joseph C. Castner.
Lieut. Col. Edward Sigerfoos.
Lieut. Col. Ralph H. Van Deman.
Lieut. Col. John F. Madden.
Lieut. Col. John McA. Palmer.
Lieut. Col. Paul B. Malone.
Lieut. Col. William F. Creary.
Lieut. Col. Harry F. Rethers.
Lieut. Col. Herschel Tupes.
Lieut. Col. George H. Shelton.
Lieut. Col. Isaac Newell.
Lieut. Col. Lawrence B. Simonds.
Lieut. Col. Frederick W. Lewis.
Lieut. Col. Dennis E. Nolan.
Lieut. Col. James N. Pickering.
Lieut. Col. William A. Burnside.
Lieut. Col. Reynolds J. Burt.
Lieut. Col. Russell C. Langdon.
Lieut. Col. Harry H. Tebbetts.
Lieut. Col. Frank C. Bolles.
Lieut. Col. James W. Clinton.
Lieut. Col. Alexander T. Ovenshine.
Lieut. Col. Henry E. Eames.
Lieut. Col. Carroll F. Armistead.

To be lieutenant colonels.

Maj. James A. Moss.
Maj. Benjamin T. Simmons.
Maj. Thomas A. Pearce.
Maj. William F. Creary.
Maj. Harry F. Rethers.
Maj. Herschel Tupes.
Maj. George H. Shelton.
Maj. Isaac Newell.
Maj. Lawrence B. Simonds.
Maj. Frederick W. Lewis.
Maj. Dennis E. Nolan.
Maj. James N. Pickering.
Maj. William A. Burnside.
Maj. Reynolds J. Burt.
Maj. Russell C. Langdon.
Maj. Harry H. Tebbetts.
Maj. Frank C. Bolles.
Maj. James W. Clinton.
Maj. Alexander T. Ovenshine.
Maj. Henry E. Eames.
Maj. Carroll F. Armistead.
Maj. Paul Giddings.
Maj. Edward S. Walton.
Maj. Alfred T. Smith.
Maj. Fred L. Munson.
Maj. Thomas M. Anderson, jr.
Maj. John E. Hunt.
Maj. Claude H. Miller.
Maj. Harold B. Fiske.
Maj. John H. Hughes.
Maj. George W. Helms.
Maj. Rufus E. Longan.
Maj. Edward A. Roche.
Maj. Henry M. Dichmann.
Maj. Halstead Dorey.
Maj. Edgar T. Conley.

Maj. Charles H. Bridges.
Maj. John Robertson.
Maj. James V. Heidt.
Maj. Patrick H. Mullay.
Maj. Monroe C. Kerth.
Maj. Lambert W. Jordan, jr.
Maj. Harvey W. Miller.
Maj. Daniel G. Berry.
Maj. Ralph E. Ingram.
Maj. Robert C. Davis.
Maj. Joseph F. Janda.
Maj. Alvan C. Read.
Maj. William A. Phillips.
Maj. Ira C. Welborn.
Maj. Alexander E. Williams.
Maj. Charles W. Exton.
Maj. Edgar Ridenour.
Maj. Chauncey B. Humphrey.
Maj. G. Maury Cralle.
Maj. Joseph F. Gohn.
Maj. James H. Bradford, jr.
Maj. David L. Stone.
Maj. Patrick A. Connolly.
Maj. John B. Schoeffel.
Maj. Walter T. Bates.
Maj. Englebert G. Ovenshine.
Maj. Robert J. Maxey.
Maj. George N. Bomford.
Maj. Benjamin P. Nicklin.
Maj. John W. French.
Maj. Cromwell Stacey.
Maj. Campbell King.
Maj. Robert O. Van Horn.
Maj. Hanson B. Black.
Maj. Joseph L. Gilbreth.
Maj. Irving J. Carr.
Maj. Theodore A. Baldwin.
Maj. Eleutheros H. Cooke.
Maj. Arthur L. Conger.
Maj. Hugh A. Drum.
Maj. James B. Allison.
Maj. Halsey E. Yates.
Maj. Wilson B. Burtt.
Maj. Oliver S. Eskridge.
Maj. James W. Furlow.
Maj. George D. Freeman, jr.
Maj. Harry A. Hegeman.
Maj. William B. Gracie.
Maj. John L. Jordan.
Maj. Lindsey P. Rucker.
Maj. William G. Fleischhauer.
Maj. Samuel A. Price.
Maj. Perrin L. Smith.
Maj. Charles L. Willard.
Maj. Rufus B. Clark.
Maj. William A. Carleton.
Maj. Lochlin W. Caffey.
Maj. William S. Faulkner.
Maj. Ernest H. Agnew.
Maj. Robert O. Ragsdale.
Maj. Austin A. Parker.
Maj. Charles M. Gordon, jr.
Maj. Fred Van S. Chamberlain.
Maj. William N. Hughes, jr.
Maj. Sylvester Bonnaffon, 3d.
Maj. Robert C. Humber.
Maj. Joseph C. Brady.
Maj. John H. Page, jr.
Maj. Parker Hitt.
Maj. Paul W. Beck.
Maj. Robert I. Rees.
Maj. John J. Miller.
Maj. Jesse M. Cullison.
Maj. William H. Noble.
Maj. Wilbur A. McDaniel.
Maj. Evert R. Wilson.
Maj. Philip Powers.
Maj. Clenard McLaughlin.
Maj. Edward B. Mitchell.
Maj. James H. Como.
Maj. Harol D. Coburn.
Maj. Allen J. Greer.
Maj. Robert Whitfield.
Maj. Abraham U. Loeb.
Maj. Constant Cordier.
Maj. James M. Loud.
Maj. J. De Camp Hall.
Maj. Davis C. Anderson.
Maj. Robert D. Carter.
Maj. Douglas Potts.
Maj. Vincent M. Elmore.
Maj. Benjamin R. Wade.
Maj. George E. Goodrich.
Maj. Edwin S. Hartshorn.
Maj. Clark R. Elliott.
Maj. Ralph B. Lister.
Maj. Harry E. Comstock.
Maj. William R. Standiford.
Maj. Frederick S. Young.
Maj. Thomas S. Moorman.
Maj. Charles H. Morrow.
Maj. Brady G. Ruttencutter.
Maj. Jennings B. Wilson.
Maj. William O. Smith.
Maj. Clarence K. LaMotte.
Maj. George M. Holley.
Maj. Edgar S. Stayer.
Maj. Charles H. Errington.
Maj. George C. Shaw.
Maj. Charles E. Reese.
Maj. Robert S. Knox.
Maj. William A. Castle.
Maj. Harry D. Blasland.
Maj. Edward H. Andres.
Maj. Thomas J. Rogers.

To be majors.

Capt. Paul W. Beck.
Capt. Robert I. Rees.
Capt. John J. Miller.
Capt. Jesse M. Cullison.
Capt. William H. Noble.
Capt. Wilbur A. McDaniel.
Capt. Evert R. Wilson.
Capt. Philip Powers.
Capt. Clenard McLaughlin.
Capt. Edward B. Mitchell.
Capt. James H. Como.
Capt. Harol D. Coburn.
Capt. Allen J. Greer.
Capt. Robert Whitfield.
Capt. Abraham U. Loeb.
Capt. Constant Cordier.
Capt. James M. Loud.
Capt. J. DeCamp Hall.
Capt. Davis C. Anderson.
Capt. Robert D. Carter.
Capt. Douglas Potts.
Capt. Vincent M. Elmore.
Capt. Benjamin R. Wade.
Capt. George E. Goodrich.
Capt. Edwin S. Hartshorn.
Capt. Clark R. Elliott.
Capt. Ralph B. Lister.
Capt. Harry E. Comstock.
Capt. William R. Standiford.
Capt. Frederick S. Young.
Capt. Thomas S. Moorman.
Capt. Charles H. Morrow.
Capt. Brady G. Ruttencutter.
Capt. Jennings B. Wilson.
Capt. William O. Smith.
Capt. Clarence K. La Motte.
Capt. George M. Holley.
Capt. Edgar S. Stayer.
Capt. Charles H. Errington.
Capt. George C. Shaw.
Capt. Charles E. Reese.
Capt. Robert S. Knox.
Capt. William A. Castle.
Capt. Harry D. Blasland.
Capt. Edward H. Andres.
Capt. Thomas J. Rogers.
Capt. Edwin J. Bracken.
Capt. George W. England.
Capt. Clyde B. Parker.
Capt. Alvin C. Voris.
Capt. Frank R. Curtis.
Capt. Fred L. Davidson.
Capt. George E. Kumpe.

Capt. Milo C. Corey.
Capt. Arthur M. Ferguson.
Capt. De Witt W. Chamberlin.
Capt. Walter H. Johnson.
Capt. Robert G. Rutherford, jr.
Capt. Robert E. Grinstead.
Capt. Albert S. Williams.
Capt. William B. Graham.
Capt. Charles J. Nelson.
Capt. E. Alexis Jeunet.
Capt. Charles H. Danforth.
Capt. Gideon H. Williams.
Capt. Fred W. Bugbee.
Capt. Leonard T. Baker.
Capt. Charles S. Frank.
Capt. Franklin S. Leisenring.
Capt. Charles F. Andrews.
Capt. Allan L. Briggs.
Capt. James M. Petty.
Capt. John B. Shuman.
Capt. Charles G. Lawrence.
Capt. Frederic G. Kellond.
Capt. William P. Kitts.
Capt. Walter Harvey.
Capt. Frank B. Davis.
Capt. Harry D. Mitchell.
Capt. Ode C. Nichols.
Capt. Kirwin T. Smith.
Capt. William W. Bessell.
Capt. Frank C. Burnett.
Capt. Collin H. Ball.
Capt. A. Owen Seaman.
Capt. Clifford U. Leonori.
Capt. Benjamin H. Pope.
Capt. Julian L. Dodge.
Capt. Herman Glade.
Capt. Frank S. Bowen.
Capt. Robert H. Peck.
Capt. Ward Dabney.
Capt. William W. Taylor, jr.
Capt. Russell C. Hand.
Capt. George A. Herbst.
Capt. Philip J. Lauber.
Capt. Thomas M. Hunter.
Capt. Elverton E. Fuller.
Capt. William S. Neely.
Capt. Frank H. Adams.
Capt. George C. Lewis.
Capt. William H. Patterson.
Capt. Leonard J. Mygatt.
Capt. Elliott M. Norton.
Capt. Roscoe H. Hearn.
Capt. Morris M. Keck.
Capt. Auswell E. Deitsch.
Capt. Joseph C. Kay.
Capt. Walter C. Jones.
Capt. La Vergne L. Gregg.
Capt. Bertram P. Johnson.
Capt. Bruno T. Scher.
Capt. Gustave A. Wieser.
Capt. Charles R. W. Morison.
Capt. Walter L. Reed.
Capt. Ira F. Fravel.
Capt. Ned M. Green.
Capt. J. Alfred Moss.
Capt. Charles F. Leonard.
Capt. Franklin P. Jackson.
Capt. John S. Chambers.
Capt. James Regan.
Capt. Gilbert M. Allen.
Capt. John Randolph.
Capt. Clyde B. Crusan.
Capt. Sherman A. White.
Capt. William H. Clendenin.
Capt. John M. Craig.
Capt. William G. Ball.
Capt. Charles Abel.
Capt. Walter E. Gunster.
Capt. William R. Kendrick.
Capt. Horace F. Sykes.
Capt. Oliver P. Robinson.
Capt. George K. Wilson.
Capt. Gerrit Van S. Quackenbush.
Capt. Sydney H. Hopson.
Capt. William E. Gillmore.
Capt. William E. Persons.
Capt. James G. Taylor.
Capt. H. Clay M. Supplee.
Capt. Alex M. Hall.
Capt. Elliot M. Caziarc.
Capt. Carl C. Jones.
Capt. Alfred J. Booth.
Capt. Joseph A. Marmon.
Capt. Rinaldo R. Wood.
Capt. Leonard H. Cook.
Capt. Horatio I. Lawrence.
Capt. William B. Wallace.
Capt. Shepard L. Pike.
Capt. Henry G. Stahl.
Capt. Roy C. Kirtland.
Capt. Alfred C. Arnold.
Capt. Vernon W. Boller.
Capt. Wallace McNamara.
Capt. David A. Henkes.
Capt. Guy A. Bucker.
Capt. Robert G. Peck.
Capt. Robert J. Binford.
Capt. Sheldon W. Anding.
Capt. William G. Murchison.
Capt. Elvin H. Wagner.
Capt. Thomas W. Brown.
Capt. Otis R. Cole.
Capt. Shelby C. Leasure.
Capt. Charles F. Herr.
Capt. Fred H. Turner.
Capt. Edwin O. Saunders.
Capt. Arthur L. Bump.
Capt. Willis E. Mills.
Capt. Harry W. Gregg.
Capt. Staley A. Campbell.
Capt. John R. Brewer.
Capt. Leo A. Dewey.
Capt. John P. McAdams.
Capt. Thomas T. Duke.
Capt. Edward G. McCleave.
Capt. Hugh A. Parker.
Capt. James E. Ware.
Capt. Kenneth P. Williams.
Capt. William A. Alfonte.
Capt. Charles E. Swartz.
Capt. Benjamin D. Foulois.
Capt. Goodwin Compton.
Capt. Launcelot M. Purcell.
Capt. Charles T. Smart.
Capt. Girard L. McEntee.
Capt. John Scott.
Capt. George C. Marshall, jr.
Capt. John C. Waterman.
Capt. Alfred A. Hickox.
Capt. John E. Green.
Capt. Jason M. Walling.
Capt. Robert L. Weeks.
Capt. Charles A. Hunt.
Capt. Harry S. Adams.
Capt. Gilbert H. Stewart.
Capt. Frederick F. Black.
Capt. David H. Bower.
Capt. Hiram M. Cooper.
Capt. Benjamin F. Miller.
Capt. Charles M. Blackford.
Capt. Walter O. Boswell.
Capt. Deshler Whiting.
Capt. Gulielmus V. Heidt.
Capt. Emory S. Adams.
Capt. Ralph W. Drury.
Capt. John C. Fairfax.
Capt. Fred C. Miller.
Capt. Charles L. Mitchell.
Capt. Robert J. West.
Capt. Odiorne H. Sampson.
Capt. Albert Hardman.
Capt. William E. Holliday.
Capt. Jesse M. Holmes.
Capt. Maynard A. Wells.
Capt. Hans O. Olson.
Capt. Charles A. Thuis.
Capt. Claremont A. Donaldson.
Capt. Franklin T. Burt.
Capt. Rutherford S. Hartz.
Capt. Charles S. Hamilton.

Capt. Oscar K. Tolley.
Capt. Joseph F. Ware.
Capt. Harry L. Jordan.
Capt. Dean Halford.
Capt. Ralph W. Kingman.
Capt. Donald D. Hay.
Capt. Philip G. Wrightson.
Capt. George W. Ewell.
Capt. Claire R. Bennett.
Capt. Bowers Davis.
Capt. John McE. Pruyn.
Capt. Henry W. Fleet.
Capt. Charles G. Sturtevant.
Capt. Francis H. Burr.
Capt. John C. Ashburn.
Capt. Charles H. Mason.
Capt. Nicholas W. Campanoli.
Capt. John G. Macomb.
Capt. L. Worthington Moseley.
Capt. Joseph O. Mauborgne.
Capt. Joseph M. Cummins.
Capt. Thomas C. Musgrave.
Capt. Converse R. Lewis.
Capt. Robert M. Lyon.
Capt. Benjamin E. Grey.
Capt. Elvid Hunt.
Capt. Jacob W. S. Wuest.
Capt. Max B. Garber.
Capt. Corbit S. Hoffman.
Capt. E. Llewellyn Bull.
Capt. Truman W. Carrithers.
Capt. George F. Roselle.
Capt. Charles F. Severson.
Capt. Reuben C. Taylor.
Capt. C. Stockmar Bendel.
Capt. Robert E. Boyers.
Capt. Burt W. Phillips.
Capt. Ben F. Ristine.
Capt. William C. Russell.
Capt. Roland W. Boughton.
Capt. Keith S. Gregory.
Capt. Homer N. Preston.
Capt. Jesse Gaston.
Capt. William F. Harrell.
Capt. Jesse D. Elliott.
Capt. Edward H. Tarbutton.
Capt. Carroll B. Hodges.
Capt. Fitzhugh B. Allderdise.
Capt. James M. Churchill.
Capt. Philip H. Bagby.
Capt. Luther R. James.
Capt. Andrew D. Chaffin.
Capt. Ernest B. Smalley.
Capt. Frederick W. Boschen.
Capt. Manfred Lanza.
Capt. Louis Farrell.
Capt. James B. Nalle.
Capt. John J. Burleigh.
Capt. Manuel M. Garrett.
Capt. Augustine A. Hofmann.
Capt. James Blyth.
Capt. Edwin Gunner.
Capt. Resolve P. Palmer.
Capt. Edward E. McCammon.
Capt. Philip Remington.
Capt. Charles H. Rich.
Capt. Paul C. Potter.
Capt. Albert T. Rich.
Capt. David P. Wood.
Capt. Edgar Z. Steever, 3d.
Capt. Philip B. Peyton.
Capt. Frederick B. Terrell.
Capt. Charles A. Dravo.
Capt. James G. McIlroy.
Capt. Richard J. Herman.
Capt. Edward L. Hooper.
Capt. Iring J. Phillipson.
Capt. Edmund B. Gregory.
Capt. Gordon R. Catts.
Capt. Ursa M. Diller.
Capt. Edwin Butcher.
Capt. Russell V. Venable.
Capt. Arthur J. Davis.
Capt. Martin C. Wise.
Capt. Walter S. Drysdale.
Capt. Charles A. Meals.
Capt. Matthew H. Thomlinson.
Capt. Joseph A. Atkins.
Capt. Augustus B. Van Wormer.
Capt. Thomas L. Crystal.
Capt. Arthur C. Budd.
Capt. Ralph R. Glass.
Capt. Erle M. Wilson.
Capt. Merrill E. Spalding.
Capt. John D. Burnett.
Capt. John S. Davis.
Capt. Robert B. Hewitt.
Capt. William F. D. Simpson.
Capt. Richard R. Pickering.
Capt. Lowe A. McClure.
Capt. William R. Scott.
Capt. William W. Harris, jr.
Capt. Napoleon W. Riley.
Capt. James B. Woolnough.
Capt. Walter S. Fulton.
Capt. Sherburne Whipple.
Capt. Harry Hawley.
Capt. Thomas N. Gimperling.
Capt. Hugh L. Walthall.
Capt. John B. Richardson.
Capt. Anton C. Cron.
Capt. George W. Edgerly.
Capt. Oscar W. Hoop.
Capt. John C. Moore.
Capt. William F. Pearson.
Capt. Harry H. Bissell.
Capt. Charles B. Elliott.
Capt. John B. Corbly.
Capt. Fitzhugh L. Minnigerode.
Capt. Charles L. Sampson.
Capt. John M. True.
Capt. Bruce R. Campbell.
Capt. John C. French.
Capt. Benjamin B. McCroskey.
Capt. Cassius M. Dowell.
Capt. Albert B. Kaempfer.
Capt. Charles W. Mason.
Capt. Allan R. Williams.
Capt. Aristides Moreno.
Capt. William L. Patterson.
Capt. Charles W. McClure.
Capt. Ambrose R. Emery.
Capt. Edmund C. Waddill.
Capt. Rolland W. Case.
Capt. Norman F. Ramsey.
Capt. De Witt C. T. Grubbs.
Capt. Thomas W. Hammond.
Capt. Calvin P. Titus.
Capt. William C. Miller.
Capt. Arthur W. Lane.
Capt. Bernard Lentz.
Capt. Frederick C. Test.
Capt. Owen S. Albright.
Capt. Fred H. Baird.
Capt. Clifford C. Early.
Capt. George F. Waugh.
Capt. Allan Rutherford.
Capt. William S. Weeks.
Capt. Charles S. Caffery.
Capt. Louis A. Kunzig.
Capt. John P. Bubb.
Capt. Joseph E. Barzynski.
Capt. Ben. W. Field.
Capt. Bloxham Ward.
Capt. Paul H. Clark.
Capt. Thomas H. Lowe.
Capt. James W. H. Reisinger, jr.
Capt. Rupert A. Dunford.
Capt. Charles C. Bankhead.
Capt. John P. Adams.
Capt. Ira Longanecker.
Capt. William C. Whitener.
Capt. Frederick J. Ostermann.
Capt. William J. Connolly.
Capt. Everett D. Barlow, jr.
Capt. Lawrence E. Hohl.
Capt. James G. Boswell.
Capt. Arthur D. Minick.
Capt. Paul R. Manchester.
Capt. Byard Sneed.

Capt. Oscar Westover.
Capt. Martyn H. Shute.
Capt. Fred A. Cook.
Capt. George G. Bartlett.
Capt. Henry B. Clagett.
Capt. Richard H. Jacob.
Capt. Ralph A. Jones.
Capt. Hugo D. Schultz.
Capt. Jacob E. Fickel,
Capt. Jesse W. Boyd.
Capt. Ebenezer G. Beuret.
Capt. Rush B. Lincoln.
Capt. Walter F. L. Hartigan.
Capt. Bruce Magruder.
Capt. George H. Huddleson.
Capt. George C. Keleher.

POSTMASTERS.

ILLINOIS.

J. C. Dorfler, Area.
John W. Troy, Arthur.
Edward J. Cushing, Assumption.
Edward Johnston, Atkinson.
Dewey T. Queen, Auburn.
John Geiss, Batavia.
Philip H. Sopp, Belleville.
Patrick S. McPherson, Benld.
William G. Cloyd, Bement.
M. J. Sullivan, Braidwood.
Henry Werth, Breese.
Sanford D. Metcalfe, Brocton.
W. T. Holifield, Brookport.
Mabel Minger, Buckley.
M. M. Brown, Bunker Hill.
Clarence H. Hunt, Cambridge.
Ross Lee, Casey.
Alexander Perkins, Cerro Gordo.
John E. Rethorn, Chandlerville.
James E. Jontry, Chenoa.
Clyde W. Schoener, Cicero.
Wilson M. Bering, Decatur.
David L. Wright, Effingham.
A. A. Dobson, Elburn.
Peter Petri, Eureka.
Frances C. Sweeney, Fort Sheridan.
Leslie G. Horrie, Gardner.
Michael P. Bergen, Gillespie.
J. M. Rumsey, Golconda.
Robert E. Downing, Golden.
Michael F. O'Connor, Harvard.
Matthew Bollan, Havana.
Richard F. Corley, Herrick.
William M. Dooley, Highland Park.
Leo T. L. Neff, Iliopolis.
M. D. Brubaker, Iuka.
Clifford W. Brewer, Knoxville.
Charles F. Buck, Lacon.
Jinks V. Sperry, La Harpe.
Henry C. Johnson, Lawrenceville.
James F. Harrison, Leaf River.
Joseph F. Traband, Lebanon.
Harry E. Buckles, Le Roy.
Harry Holland, Marion.
Ira W. Metcalf, Momence.
Charles E. Moffitt, Monticello.
John H. McGrath, Morris.
William H. Clear, Mount Pulaski.
J. J. Baker, Mount Vernon.
E. M. Dieter, Naperville.
Joseph S. Grimes, National Stock Yards.
James T. Hinds, Newman.
Andrew J. Eckhoff, Nokomis.
Walter R. Lovett, Onarga.
Thomas Moyer, Paris.
Katherine M. McClements, Park Ridge.
Wilbur A. Woods, Pawpaw.
Samuel Shockey, Ramsey.
Jacob Sand, Roanoke.
John Coleman, Rochelle.
Melville S. Yoho, Roseville.
John R. Barclay, Rutland.
Virgil J. Swarm, St. Elmo.
Frank Stone, Shelbyville.
D. F. Le Roy, Streator.
E. Wynette Herlocker, Table Grove.
Benjamin F. Neal, Toledo.
B. L. Greeley, Tremont.
Cleve B. Schroeder, Vermont.
William E. Hess, Wilmette.
B. F. Moberley, Windsor.
Harry B. Fasmer, Yorkville.

KANSAS.

Eugene W. Perkins, Beverly.
Elliott S. Irvin, Coffeyville.
Robert A. Watt, Edna.
Harvey C. Peterson, Eskridge.
Gustave Ziesenis, Eudora.
Herman L. Haasis, Florence.
Edward F. Hudson, Fredonia.
Hugh O'Hara, Frontenac.
Raymond E. Stotts, Garden City.
Maggie Dowell, Gaylord.
Sophia M. Dickerson, Gypsum.
Charles H. Harvey, Haddam.
John C. Girk, Halstead.
Marion E. Henderson, Haven.
W. A. Corrigan, Haviland.
Aubrey J. Roberts, Herndon.
Baty W. Hamar, Howard.
Madison D. Gallogly, Hoxie.
James K. Stinson, Marquette.
Mildred K. Johnston, Meade.
L. F. Niece, Natoma.
A. F. Hamm, Nortonville.
M. V. Dunlap, Osawatomie.
Walter B. Ford, Oskaloosa.
L. A. Walker, Parsons.
Francis W. Boyd, Phillipsburg.
Elmer H. Epperson, Scott City.
William McHaley, Toronto.
Owen F. McLean, West Mineral.
Edwin L. Helper, Winfield.

KENTUCKY.

Olive Haddox, Allensville.
Henry H. Poage, Brooksville.
Fannie G. Taylor, Campbellsville.
P. C. Mayhugh, Eddyville.
James M. Richardson, Glasgow.
E. T. Schmitt, Louisville.
Mayme D. Cogar, Midway.
William M. Back, Monticello.
Jacob Roll, Newport.
F. A. Casner, Providence.
Robert C. Stockton, Richmond.
Jacob Fisher, Russell.

NEBRASKA.

Isaac T. Merchant, Adams.
R. E. Harmon, Auburn.
Clarence R. Tweed, Bassett.
George W. Norris, Beaver Crossing.
Marie A. Lybolt, Brunswick.
James C. Frandsen, Dalton.
George Beckler, Deshler.
James W. Carson, Edgar.
Robert G. Hall, Fairmont.
Andrew B. Anderson, Florence.
Edwin Cutts, Giltner.
James J. McCarthy, Greeley.
Fritz A. Rasmussen, Hershey.
Orren Slote, Litchfield.
Ira Lucy, Long Pine.
C. F. Beushausen, Loup City.
Joseph J. Heelan, Mullen.
John S. Callan, Odell.
Fred Wolter, Ohiowa.
Lizzie Smith, Riverton.
William T. Cropper, Sargent.
John C. Voline, South Auburn.
Edward H. Hines, Thedford.

NEVADA.

George A. Myles, Austin.
John B. S. Fleming, Jarbidge.
W. C. Ruddell, jr., Lovelocks.
William J. Bonner, Mason.
Jessie E. Burnett, McGill.
A. A. Carman, Ploche.
George Foley, Round Mountain.

OKLAHOMA.

Charles W. Amspacher, Apache.
Peter H. McKeown, Billings.
J. N. Hopkins, Boswell.
Lea M. Nichols, Bristow.
James E. Wallace, Broken Bow.
A. R. Duncan, Carmen.
James H. Cunningham, Carnegie.
W. P. Madden, Cheyenne.
Albert L. Kates, Claremore.
Samuel R. Hawks, jr., Clinton.
W. A. Prince, Crescent.
Bonnie Bacon, Davidson.
Blanche Holcomb, Delaware.
John L. Lillibridge, Dover.
Robert E. Lee Woods, Duncan.
L. D. Flint, Fairland.
Joseph B. Wilson, Fairview.
James W. Hinson, Fletcher.
John Huskey, Fort Towson.
Marion B. Carley, Geary.
W. T. Kniseley, Glencoe.
T. J. Way, Haskell.
Willis W. Christopher, Kusa.
Robert Landers, Lawton.
George M. Massingale, Leedey.
J. L. Avey, Lindsay.
Eva Gill, Milburn.
Guy M. Coffman, Morrison.
John S. Thompson, Mulhall.
C. J. Woodson, Okarche.
W. M. Davis, Okemah.
Joseph E. McCutchan, Pawnee.
Willard E. Merry, Perry.
A. C. Smith, Ponca City.
William Barrowman, Purcell.
A. S. Foreman, Sallisaw.
W. S. Livingston, Seminole.
Edward Learnard, Shattuck.
Julian B. Boyett, Stuart.
A. B. Cunningham, Tahlequah.
Grover C. Fulton, Tar River.
Willie E. Hunt, Thomas.
John M. Crutchfield, Tulsa.
Thomas J. Brown, Tuttle.
Harry J. Dray, Weatherford.
J. S. Barham, Wewoka.

PENNSYLVANIA.

Claude W. Freeman, Austin.
Oscar E. Letterer, Berwick.
Charles M. Harder, Catawissa.
John J. Ryan, Centralia.
J. K. Smith, Charleroi.
William A. Shear, Coudersport.
Frank F. Sumney, Dravosburg.
Joseph Nelson, Fayette City.
O. M. Koller, Fleetwood.
William H. McQuilken, Glen Campbell.
Harry W. Fee, Indiana.
E. S. Taylor, Kennett Square.
Louis N. Spencer, Lancaster.
Charles E. Putnam, Linesville.
Robert E. Urell, Mansfield.
J. Blaine Wise, Marianna.
John H. Kensinger, Martinsburg.
Matthew C. Fox, jr., Media.
Frank P. Craig, Mercer.
Harry B. Krebs, Mercersburg.
C. M. Touchstone, Moores.
Charles H. Carter, Mount Pocono.
John H. Shields, New Alexandria.
William S. Clegg, New Bloomfield.
Oscar F. Weiand, Perkasie.
Grant Piper, Petersburg.
Thomas McGuire, Pleasantville.
Edward J. Hutchinson, Polk.
Henry J. J. Lemon, Port Allegany.
A. C. M. Crozier, Port Royal.
Charles N. Seltzinger, Reading.
John C. Werts, Reedsville.
George C. Schrecongost, Sagamore.
Daniel Clarey, Sayre.
Edward Raker, Shamokin.
Finlay H. Failing, Shinglehouse.
John C. Nicholson, Six Mile Run.
Solomon H. Smith, Smithton.
Charles A. Smith, Swarthmore.
Winifred H. Rose, Tioga.
John Adams, Vandergrift.
J. R. Detwiler, Williamsburg.
Hugh Gilmore, Williamsport.

RHODE ISLAND.

James S. Scully, Crompton.
Thomas H. Galvin, East Greenwich.
William R. Congdon, Wickford.

TENNESSEE.

J. K. Tate, Bolivar.
William Thomas, Brownsville.
Emily T. St. John, Harriman.
Luke C. Peak, Jefferson City.
Ernest D. Sneed, Moscow.
F. B. Cowan, White Pine.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 4, 1918.*

The House met at 12 o'clock noon.

The Rev. William Couden, of Washington, D. C., offered the following prayer:

Our Heavenly Father, wilt Thou illumine, reenforce, and cheer the membership of this legislative body endeavoring to serve our Nation. Guide our chosen leaders. Crystallize public thought and direct public action by the highest and noblest ideals. We do not ask Thee to side with us, but we desire that we shall be found unfailingly with Thee. Unify us, one and all in this Nation, to Thy will.

Bless the Members of this House personally. Forgive their sins. Lead them through this day. And at last by Thy grace bring them to life everlasting, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, February 1, 1918, was read and approved.

SPECIAL SESSION OF HOUSE.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent for an order for a special session to be held on Sunday, February 10, 1918, for the purpose of holding memorial services in honor of the late ELLSWORTH R. BATHRICK, a Representative from the fourteenth Ohio district.

The SPEAKER. The gentleman from Ohio [Mr. SHERWOOD] asks unanimous consent that there be a special session of the House on February 10, at 12 o'clock noon, for the purpose of memorializing the late Representative BATHRICK. Is there objection?

There was no objection.

EAST ST. LOUIS RIOTS.

Mr. JOHNSON of Kentucky. Mr. Speaker, the special committee which was appointed under House resolution 128 for the purpose of investigating the interference with interstate-commerce traffic and other matters in East St. Louis went over there and took about 5,000 pages of testimony during the five weeks the committee was there. We now find that to publish 500 copies of the testimony would cost about $5,100, and the amount of money now at the disposal of the committee is not sufficient to have the printing done. The report upon the matter is now almost completed. I have been requested by the committee to ask unanimous consent that some photographs of the scenes which have been described in the testimony, but which can not be described accurately in the report, be published with the report of the committee.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that, in printing the report of the select committee which went to East St. Louis to investigate matters there, it may be permitted to print certain photographs for the illumination of the situation. Is there objection?

Mr. MONDELL and Mr. DYER rose.

The SPEAKER. The gentleman from Wyoming is recognized.

Mr. MONDELL. Mr. Speaker, reserving the right to object, how voluminous is the committee's report?

Mr. JOHNSON of Kentucky. Well, I have made the first draft of it, and thus far it has only been submitted to one Member, and that is the gentleman from Wisconsin [Mr. COOPER], and as soon as I can do so I wish to submit it to the others. But it would take, in my judgment, about as much as five or six columns of a newspaper.

Mr. MONDELL. And the committee is of the opinion that this report will contain sufficient information without the general publication of the testimony?

Mr. JOHNSON of Kentucky. Perhaps, but we wish to make a report as voluminous and explanatory of the situation as possible, since the committee has not the money with which to have the testimony printed. Various witnesses discussed scenes which the members of the committee visited and with which they are familiar, but which they are unable to portray, except by the use of photographs.

Mr. MONDELL. It is the opinion of the committee that the use of a few photographs—how many?

Mr. JONHSON of Kentucky. Well, between 50 and 20.

Mr. MONDELL. Will add very much to the value of the report?

Mr. JOHNSON of Kentucky. We think the report will not be complete without them.

Mr. MONDELL. And that by publishing the photographs it will not be necessary to publish the testimony?

Mr. JOHNSON of Kentucky. That is our idea.

Mr. MONDELL. And it will aid in illuminating the report so that the publication of the testimony will not be necessary?

Mr. JOHNSON of Kentucky. That is the intention.

Mr. MONDELL. How long will it delay publication?

Mr. JOHNSON of Kentucky. I have not gone into that, but I can not very well see how the making of a few cuts will delay it very long.

Mr. DYER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Kentucky whether or not, in his judgment and opinion, the publication of the hearings will be worth the money many times over?

Mr. JOHNSON of Kentucky. No; I do not.

Mr. DYER. As for future reference and future use?

Mr. JOHNSON of Kentucky. No; I do not. The report is now being thoroughly indexed, and everything pertaining to the matter is being put upon an invoice, the whole thing to be put into a congressional box and placed here in the file room, or wherever it belongs, so that it will always be accessible to anybody who may want it; but I do not believe $5,100 should be spent to print it.

Mr. DYER. I will ask the gentleman how many lives were lost in East St. Louis as the result of these riots, to the best of his judgment, from the hearings had there?

Mr. JOHNSON of Kentucky. Well, that is a matter of dispute. I think something like 50 corpses were actually viewed. Then these photographs show that it is possible that some number of the negroes, at least, were burned in the several hundred houses that were burned. One photograph shows the partial remains of a negro who was burned in one of them, and the supposition is that other negroes were burned in the others. That is one of the reasons why we want to use these photographs instead of relying on words alone to describe the situation.

Mr. DYER. Mr. Speaker, my information is that the testimony taken by this committee, which rendered great service to the country, shows that there were several hundred—at least three or four hundred—human lives destroyed in these race riots.

Mr. JOHNSON of Kentucky. The report will show the number, and will contain a statement showing what the coroner said about it, and also show what those who visited the morgue said about it. Whatever more people may have been killed in the riots may possibly be shown from these photographs. But I can say to the gentleman that there is nothing to show that anything like the number indicated by him lost their lives in that unfortunate riot.

Mr. DYER. I understand the gentleman requests leave that he be permitted to include certain photographs in the report or that they do not want to publish the report. What is the gentleman's request?

Mr. JOHNSON of Kentucky. Simply that some of the photographs be published in the report that the committee will make.

Mr. DYER. Mr. Speaker, the House of Representatives did an extraordinary thing, thoroughly called for and just, in my opinion, in sending to East St. Louis one of the most splendid representative committees of this House to look into this question. They did splendid service. They did great work that will be worth many times the expense that the House has gone to, or that it can go to, in the publication of this report, and I believe that in view of everything that happened down there in East St. Louis, Ill., and of the hundreds of lives that were destroyed without the least possible excuse—men, women, and children burned and thrown into the river—I think, under the conditions, every bit of information that is possible to obtain on this matter ought to be had and published to the world. This committee obtained this information in the examination of witnesses sworn to tell the truth, and I for one am going to insist as best I can in this House that the whole report, every bit of testimony they took, including the photographs, be included in this information and published.

The SPEAKER. The only point now is whether these photographs will be included in this report. It is not desired to print the testimony.

Mr. DYER. I understand it is not the intention of the committee to print the proceedings.

The SPEAKER. Anybody has the right to demand it if he can.

Mr. JOHNSON of Kentucky. The committee is not at all opposed to publishing the testimony taken, but the appropriation that has been made for this investigation will not warrant the publication of it, because we have not got money enough left to publish it, and we have already had these photographs taken, and the simple request now is to use those photographs in the report.

The SPEAKER. Is there objection?

Mr. LITTLE. Reserving the right to object, Mr. Speaker, how much is there left? You say it will cost about $5,100 to print this?

Mr. JOHNSON of Kentucky. To print 500 copies of that.

Mr. LITTLE. How much have you toward that?

Mr. JOHNSON of Kentucky. I do not know exactly, but I think approximately $800 or $1,000.

Mr. LITTLE. I understood at first that you wanted permission not to print it, but I understand there is no such request here now.

Mr. JOHNSON of Kentucky. Oh, no.

Mr. LITTLE. I should object to not printing that, but I have no objection to including the photographs, and I hope you will.

Mr. LENROOT. Reserving the right to object, Mr. Speaker, I desire to ask whether or not the committee is unanimous in its recommendation?

Mr. JOHNSON of Kentucky. The committee is unanimous in this request.

Mr. LENROOT. I mean in its report.

Mr. JOHNSON of Kentucky. I just said I have made only the first draft, and only Mr. COOPER of Wisconsin had seen that. The gentleman evidently did not hear me.

Mr. LENROOT. I mean on the general conclusion. Is the committee unanimous?

Mr. JOHNSON of Kentucky. I think so; but whether the committee is unanimous in the way I have written it or not, I do not know. We will find out in the next few days.

Mr. LENROOT. In his report the gentleman is trying to carry out the unanimous judgment of the committee?

Mr. JOHNSON of Kentucky. Yes. Whether I have accomplished that or not I do not know yet.

Mr. LENROOT. What does the gentleman expect to accomplish by the publication of these photographs?

Mr. JOHNSON of Kentucky. It will give the description of things that we can not describe by words.

Mr. LENROOT. In what respect? I do not quite understand. To illustrate, for instance.

Mr. JOHNSON of Kentucky. Well, to illustrate, there were three negroes on a street car who lived in St. Louis. They had been over in St. Clair County, 12 or 15 miles beyond St. Louis, fishing. They did not live in East St. Louis, and they had nothing whatever to do with the riot or its cause there. These three negroes were taken off that street car and killed. The man was beaten to death; the son was shot to death. I said three of them were killed; only two of them were killed. The negro woman was taken off and almost scalped and dragged around on the ground until she was unconscious. A photograph of that was taken at the time.

Mr. LENROOT. At the time?

Mr. JOHNSON of Kentucky. The correctness of that photograph was verified. We took testimony showing that that was the truthful situation. That photograph shows soldiers in uniform, with their guns, standing there, and they did not interfere.

Mr. LENROOT. Those photographs were taken at the time of the actual occurrences?

Mr. JOHNSON of Kentucky. All of them were not. Some of them were taken while the testimony was being taken. For instance, it was charged that some of the industries there and the railroads were importing negro help from the South for the purpose of breaking a strike, particularly one at the Aluminum Ore Co. While we were engaged in taking testimony regarding that feature of it a bunch of negroes turned up from the South—negroes who had been gotten there under false promises. They were compelled to accept smaller wages than had been promised

them. They were compelled to sleep in box cars, without any bed or bedding. They were generally mistreated, and the committee authorized at the time to have their photographs taken, and they were photographed during the progress of the trial. We have a number of things like that.

Mr. GARNER. Question!

A MEMBER. Regular order, Mr. Speaker.

Mr. COOPER of Wisconsin. Mr. Speaker, I was not in when the gentleman from Kentucky made his request. Being a member of that committee, I would like to know what the request was.

Mr. JOHNSON of Kentucky. The request was to have the photographs included with the report of the committee.

The SPEAKER. Is there objection? The regular order has been called for a number of times.

Mr. DYER. Then I shall have to object for the present.

Mr. JOHNSON of Kentucky. I wish it understood that while the gentleman objects "for the present," his objection will be permanent, because I will not renew the request; and if he wants to cut these negroes out from the benefit of this showing, let him do it.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 3131. An act for the relief of Brig. Gen. Littleton W. T. Waller, United States Marine Corps; to the Committee on Claims.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval, the following bill and joint resolution:

H. R. 3135. An act to amend section 4 of the act entitled "An act to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona."

H. J. Res. 174. Joint resolution for the purpose of promoting efficiency for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. FOCHT, for one week, on account of illness; and

To Mr. SANDERS of Louisiana, indefinitely, on account of illness.

QUESTION OF PRIVILEGE.

Mr. BLANTON. Mr. Speaker, I rise to present a question of privilege.

The SPEAKER. The gentleman will present it. In the first place, he has to state what the question of privilege is without making a speech about it.

Mr. BLANTON. Mr. Speaker, on the 31st day of January the gentleman from Texas [Mr. WILSON], just before the close of the session on that day, obtained unanimous consent to extend his remarks in the RECORD. Following that permission he had published in the RECORD a five-page article, every portion of which was in violation of the custom of this House under the rule as to extending remarks. He attacked my integrity, my veracity, and standing as a gentleman and a Member of this House.

The SPEAKER. In what language did he attack it?

Mr. BLANTON. First, concerning remarks that I made in this House on the 8th day of January explaining my absence at the time that the vote was taken on the national prohibition amendment, he states that the remarks made by me at that time concerning a pair were absolutely false, without any foundation, and he states in that connection that the representations I made——

The SPEAKER. Is that what he said, or is that the inference?

Mr. BLANTON. That is what he says in the article.

Mr. WILSON of Texas. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. WILSON of Texas. If I may be permitted to deny here the statement already made——

The SPEAKER. No; the other gentleman from Texas [Mr. BLANTON] has the floor.

Mr. BLANTON. And I refuse to be interrupted right now, Mr. Speaker.

Mr. WILSON of Texas. Mr. Speaker, a parliamentary inquiry. If I did not say that his statement was absolutely false, as he has just stated, has he a right to speak here to a question of personal privilege?

The SPEAKER. The Chair is trying to acertain whether he has a question of privilege or not.

Mr. WILSON of Texas. I leave that to the RECORD.

Mr. BLANTON. I will point out the statements——

The SPEAKER. Will the gentleman from Texas please quote the language and not state what he thinks is the language?

Mr. MADDEN. Read the language.

Mr. BLANTON. May I have the article read by the Clerk?

The SPEAKER. Not that whole article; no.

Mr. BLANTON. The whole article, if the Speaker pleases, is teeming——

The SPEAKER. The Chair does not want to hear any remarks about what the article says, but he wants the gentleman to read the particular language that he says constitutes a question of personal privilege.

Mr. BLANTON. I will proceed to read it:

The primary purpose of these gentlemen—

Referring to myself and the gentleman from Oklahoma [Mr. CHANDLER]—

is to build up or repair their political fences in their respective districts.

That, I take it, impugns the motive of myself and my colleague.

The SPEAKER. Will the gentleman please read the citation that he says constitutes the basis for a personal privilege?

Mr. BLANTON. Without comment?

The SPEAKER. Without comment.

Mr. BLANTON. I will do so. I cite the following paragraphs, viz:

I should have replied to these statements sooner. Whether intentionally or not, they each selected a time when I was absent to make them. Also about this time I sustained a broken rib, due to a fall on the ice, and have been slow in getting some of the records.

* * * * * * *

Now, Mr. BLANTON concedes that there was a special verbal agreement qualifying the written agreement. In a Western Union telegram to me, dated the 20th of December, 1917, at Hondo, Tex., he says: "The only thing said about release was that if I returned then we could release and vote." That is a very unreasonable statement and would be a dishonorable agreement where three were involved. He says nothing about the return of the third party and nothing about my return, but he contemplates my presence. This feature of it merely shows that he understood from our conversation that I would likely be present to vote. But the gentleman contradicts himself in his statement before the House.

* * * * * * *

He stated:

I sent a telegram to Mr. WILSON of Texas, urging him as his colleague and particular friend since college days, to support the prohibition amendment, thus permitting the States to pass upon the question once for all, and stated that if he would vote for prohibition to pair Mr. CHANDLER and myself with some other negative vote.

All of this statement is true except the vital part of it, the one fact intended to be conveyed and impressed, namely, that he authorized me to pair them with a negative vote, provided I would vote for prohibition.

* * * * * * *

The telegram has two periods in it, and I specifically call your attention to the last one and the sentence following: "Pair CHANDLER and me with some other negative vote, and don't deny the States this privilege." There is no "if" in this sentence; there is no such condition anywhere imposed in the telegram. "And don't deny the States this privilege" is an appeal and not a condition. I can submit this telegram to a thousand fair-minded people and would receive a thousand answers all alike—that there is no such condition in it; yet look at the statement the gentleman solemnly made before this House. Unfortunately, this telegram, though in my office, was not delivered to me until the morning after the vote. But I needed no such authority from Mr. BLANTON by telegram, as I had it through our agreement, as I stated. The telegram is exactly in line with our agreement. Mr. BLANTON sent this telegram before it appeared in the daily papers that he was not present when the vote on national prohibition was taken and was not paired.

* * * * * * * *

The gentleman made his race against Judge W. R. Smith right next to the district I represent, and I heard that one of the principal talking parts of his platform was that Congress did not meet until 12 o'clock noon, and that he was condemning Judge Smith for not having stopped such a practice, and promising if elected he would bring about a reform in this respect and force the Congress to meet at 8 o'clock a. m.

* * * * * * *

The point is, it all shows that the gentleman who comes before this House and charges me with a dishonorable act is not a stranger to controversies where his veracity is involved.

* * * * * * *

The SPEAKER. The Chair thinks that the gentleman from Texas [Mr. BLANTON] has a question of privilege; not very well defined, but in three or four places, as far as read, the intimation of the lack of veracity is very plain, and the gentleman will proceed now to speak in line with that.

Mr. BLANTON. Mr. Speaker, this is really no time for Members or citizens to engage in private quarrels, when a murderous public enemy yet unwhipped is grappling at our throats; but I

owe it as a duty to myself, my family, my district, and my country not to let these false charges go unnoticed and unchallenged.

On January 8, on the floor of this House, in a modest way, and without feeling, I explained why I was absent when the vote was taken on national prohibition, and so forbearing and considerate was I that nowhere in my remarks did I reflect upon the gentleman from Texas [Mr. WILSON] or upon anyone else. I challenge him to point out the word, clause, sentence, or paragraph that in any way reflects upon him, for it nowhere states that he voted or even intimates that he violated a pair. I thought too much of the good name of my State and of the good reputation of the delegation of which I have the honor to form a part than to thus expose a family skeleton and let the world know that a Texas Member had ruthlessly Prussianized a sacred written agreement by violating a pair with his college friend and colleague when he was 2,000 miles away. Yet in the article he extended in the RECORD he states "that I intended to reflect upon his character, and that such statement, if believed by anybody, does reflect upon his character; that my statement was false in many respects, maligns and slanders him; and that it forms an issue between us that involves our veracity." The gentleman further intimates that I inspired the pair clerk, Mr. Small, to make the statement which he signed and addressed to the gentleman from Oklahoma [Mr. CHANDLER] and myself, and which the former inserted into the RECORD on January 9, which statement he says is false, yet he intimates that it was worded by me.

I accept his challenge and the issue as made by him and will attempt, first, to prove that my said statement of January 8 is in every particular absolutely true, and, second, that I neither inspired nor worded the statement made by the pair clerk, Mr. Small, but that he prepared it himself and submitted it to the Republican pair clerk, Mr. Hollingsworth, for approval before he delivered it, and, furthermore, that Mr. Small's statement is true.

Mr. Speaker, to save the time of the House, I will ask permission to print in the RECORD my statement made January 8 and the statements made by the pair clerk, Mr. Small, and the gentleman from Oklahoma [Mr. CHANDLER].

Mr. WILSON of Texas. Mr. Speaker, I shall object unless he adds mine.

Mr. BLANTON. Then I will ask to have it read by the Clerk. I merely wanted to save the time of the House in reading it.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Mr. KITCHIN. Mr. Speaker, I desire to prefer a request for unanimous consent, and if it be granted, then, at the conclusion of the remarks to be made, I shall move to adjourn. I ask unanimous consent that the gentleman from Texas [Mr. BLANTON] be permitted to address the House for three minutes.

The SPEAKER. Is there objection?

Mr. ROBBINS. Mr. Speaker, on what subject?

Mr. BLANTON. I desire to explain my absence from the House at the time of the taking of the vote on the prohibition question. It is a personal matter.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Texas [Mr. BLANTON] is recognized for three minutes.

Mr. BLANTON. Mr. Speaker, I have been criticized—by one not in my district, however—for being absent on the 17th day of December when the vote on the prohibition amendment was taken. Shortly after the convening of the present session of this Congress, learning that there would be few matters considered before the holiday recess, I had agreed upon a pair with my colleague from Texas [Mr. GREGG] on the prohibition amendment. Later on he informed me that he was inclined to support the resolution, that he had about made up his mind to support it, and I released him from the agreement. On the 7th day of December Mr. T. A. CHANDLER, of Oklahoma, Mr. JAMES C. WILSON, of Texas—my colleague—and myself signed a written agreement to pair both on the national prohibition amendment and the woman-suffrage amendment, Mr. T. A. CHANDLER, of Oklahoma, and myself pairing in favor both of prohibition and suffrage, and Mr. JAMES C. WILSON, of Texas, against both measures, agreeing, however, that should all three of us be present whenever the vote was taken on either measure that then we should be released from the pair and all could vote. This signed written agreement was filed with the pair clerk on the 7th day of December, 1917, after which I left for Texas and Mr. CHANDLER left for Oklahoma, both Mr. CHANDLER and myself relying implicitly upon our pair duly executed and filed.

Having in my district 58 counties running 566 miles east and west, from Mineral Wells to El Paso, and several hundred miles north and south, from Lubbock to Rock Springs and Presidio, with over 400,000 people in it, and being the largest district in the United States, while over 90 per cent of the people are loyal, patriotic, dependable citizens standing solidly behind their flag, President, and Government, yet because of socialistic propaganda and ignorance of condtions there existed some disloyal seditious sentiment, three men having already been sent to the Federal penitentiary for such crime, and, moreover, many boys from my district stationed at Camp Bowie were dying, and some at Camp Travis were dying, I went to my district and drove in an automobile, through freezing weather part of the time, over 100 miles a day, making two, three, four, and even five speeches a day, and making a personal inspection of conditions at said camps, and upon one day especially I remember I drove 167 miles from Abilene, Tex., to Junction, speaking at Ballinger, Paint Rock, Eden, and Junction in behalf of our Government policies, no politics, however, being in any of my speeches. On the 15th day of December I received a telegram from Dr. A. J. Barton, president of the Antisaloon League of Texas, from Washington, indicating that the prohibition cause might be embarrassed by my pair with Mr. WILSON, and asking me to wire Mr. KITCHIN to change pair to some one else provided Mr. WILSON could be induced to vote for prohibition. I immediately wired Mr. KITCHIN on December 15 that provided Mr. WILSON of Texas would support the prohibition amendment, then to change my pair to benefit the prohibition cause.

Also, on December 15 I wired Dr. A. J. Barton that I had complied with his request and had wired Mr. KITCHIN, authorizing him to change pair if Mr. WILSON of Texas would vote for prohibition, and that if necessary to count Mr. WILSON'S vote for prohibition I would return immediately. On the 16th day of December, from Albany, I sent a telegram to Mr. WILSON of Texas, urging him as his colleague and particular friend since college days to support the prohibition amendment, thus permitting the States to pass upon the question once for all, and stated that if he would vote for prohibition to pair Mr. CHANDLER and myself with some other negative vote.

The SPEAKER. The time of the gentleman has expired.

Mr. BLANTON. Mr. Speaker, may I have two minutes additional?

The SPEAKER. The gentleman from Texas asks unanimous consent to speak for two minutes additional. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. I received no reply from Mr. WILSON. Also, on December 16 I wired Mr. E. Y. WEBB, chairman of the Committee on the Judiciary, that in case Mr. WILSON would vote for the prohibition amendment to pair Mr. CHANDLER and myself with some one else.

Also, on December 16 I wired Mr. GREGG, of Texas, and others, urging that they support the prohibition amendment.

I refer to page 669 of the Appendix to the RECORD of last session for remarks I made on October 5, 1917, in favor of the passage of the national prohibition amendment and predicted that it would pass the House early in the December session. I missed only seven days' sessions of the House, as during my entire absence the House met only on the 11th, 12th, 13th, 14th, 15th, 17th, and 18th days of December.

I will state on the prohibition question I am further already on record. On April 9 I introduced a joint resolution (H. J. Res. 40) proposing an amendment for national prohibition, which is practically the same resolution introduced by Senator SHEPPARD that passed this House on the 17th of December, and on the 19th of April I introduced a bill (H. R. 3565) to suspend the manufacture of and all traffic in intoxicating liquors for beverage purposes during the war. On May 8 I introduced an amended bill (H. R. 4248) to suspend the manufacture of and all traffic in intoxicating liquors for beverage purposes during the war, and on May 9 I got Senator KENYON to introduce a copy of this last amended bill in the Senate. These matters, I take it, place me upon record on this question as being unalterably in favor of national prohibition, and I ask unanimous consent that these documents may go into the RECORD in connection with my remarks.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by inserting these telegrams, and so forth. Is there objection?

Mr. WALSH. Mr. Speaker, I think the gentleman's statement is sufficiently clear as to what the telegrams contain, and I object.

Mr. BLANTON. And in order to have the whole matter clearly before you, I will have the Clerk also read the statement made by the Democratic pair clerk, Mr. Small, which on January 9 was inserted in the RECORD by the gentleman from Oklahoma [Mr. CHANDLER], which is as follows.

The Clerk read as follows:

Mr. CHANDLER of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a statement by one of the pair clerks of the House.

The SPEAKER. The gentleman asks unanimous consent to print in the RECORD a statement from one of the pair clerks of the House. Is there objecflon?

There was no objection.

The statement is as follows:

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., January 8, 1918.

MESSRS. THOMAS L. BLANTON, M. C., and T. A. CHANDLER, M. C.,
House of Representatives, Washington, D. C.:

MY DEAR SIRS: On day before yesterday you requested me, as pair clerk of the House of Representatives, to make you a statement in writing as to the facts concerning the pair made between you and Hon. JAMES C. WILSON, giving the reason why the pair was not observed and did not appear in the CONGRESSIONAL RECORD.

About two weeks before the vote was taken on the constitutional amendment for national prohibition, Hon. THOMAS BLANTON, Member of Congress from the sixteenth Texas district, came to me and stated that he had a pair upon the votes to be taken upon the constitutional questions of national prohibition and woman suffrage, Mr. BLANTON stating that he was for both these propositions and that Mr. WILSON would be against both, and that they would secure some other Member who would vote as Mr. BLANTON would in the matter. (Pairs upon these constitutional questions are in the same proportion as the vote, and as it requires a two-thirds majority for legislation of this character, it would take two Members for either of these amendments to protect one Member voting against.) On the next day Mr. BLANTON came to me with Mr. T. A. CHANDLER, Member of Congress from Oklahoma, and handed to me a pair, which was out of the ordinary for the reason that it was a typewritten agreement, with the names of Messrs. BLANTON and CHANDLER voting for the prohibition amendment and Mr. WILSON voting against the prohibition amendment inserted in the pair and duly signed by each of them, and I told them, as pair clerk, that the pair would go into the RECORD.

Two or three days before the vote was taken on the prohibition amendment Mr. WILSON came to me and said he had expected to leave the city, but that as he had not desired to have the pair changed to some one else who would vote as he would in order that he might vote.

Now, pairs are simply agreements between Members of Congress, the idea being that one vote will offset the other, and should one or all Members concerned in a pair or an agreement made between Members be absent, these agreements and pairs are observed. After such an agreement is made it is never altered by the pair clerks except by the consent or permission of those concerned.

Therefore, when Mr. WILSON requested the pair clerks to release him we had nothing to do with it, as the matter was between Messrs. BLANTON, of Texas, CHANDLER of Oklahoma, and Mr. WILSON of Texas. I told Mr. WILSON that if he would communicate with Messrs. BLANTON and CHANDLER, and they would agree to do so, of course it would be all right; otherwise I would put the pair up for the RECORD.

In the meantime Hon. CLAUDE KITCHIN, the Democratic floor leader, handed me a telegram from Mr. BLANTON, which is as follows:

"Am making three speeches a day in my district, embracing 58 counties, in effort to wipe out all disloyalty and force absolute support behind Government. If WILSON of Texas will support prohibition amendment, then change my pair to benefit cause, or if necessary I will return immediately."

Mr. WILSON came back to see me and said, so far as Mr. BLANTON was concerned, he was willing to release him (Mr. WILSON) from the pair. Mr. Hollingsworth, who represents the minority in the matter of pairs, who was present, asked Mr. WILSON how he expected to protect Mr. CHANDLER. Mr. WILSON said that he had no agreement with Mr. CHANDLER, and then we cited Mr. WILSON to the signed agreement, with all names filled in, and which is as follows:

"Mr. Speaker: We, the undersigned, have paired on the resolutions for the national prohibition amendment and the national woman suffrage amendment, THOMAS L. BLANTON, of Texas, and T. A. CHANDLER, of Oklahoma, each voting both for national prohibition and national woman suffrage, and JAMES C. WILSON, of Texas, voting against both of these said resolutions, and we request that this agreement be printed in the RECORD.

(Signed) "THOMAS L. BLANTON, of Texas.
"T. A. CHANDLER, of Oklahoma.
"JAMES C. WILSON." [Name later erased.]

Mr. WILSON then said that he intended to vote anyway. I went to Mr. FERRIS, of Oklahoma, and, although it was late, we made an effort to communicate with Mr. CHANDLER as to whether he wanted to hold Mr. WILSON to the pair, as it was my plain duty as pair clerk to have the pair as made announced for printing in the RECORD. Mr. WILSON came to the pair clerk's desk again, and with him was Mr. MORGAN, of Oklahoma, who stated that he was not willing to state whether or not Mr. CHANDLER would be willing to release Mr. WILSON from the pair, after the matter had been explained to him. Mr. WILSON then left and returned after a few minutes and said that he was going to vote and asked to see the signed pair, which he took and said as he intended to vote, would not have his name on it, and then erased his name from the agreement, which he had, according to his own statement, signed.

Mr. BLANTON'S telegram released Mr. WILSON from the pair, provided he intended to vote for the prohibition amendment, and on the final vote he voted against the amendment, so that he had no release from Mr. BLANTON and did not claim to have any from Mr. CHANDLER. We, the pair clerks, could not put the pair into the RECORD because Mr. WILSON had erased his name, and there was nothing to hold him to the agreement, as he had announced his intention of voting.

This is how the matter happened, and no one regrets as much as do the pair clerks that you both were left unprotected on the vote, as we knew when you left the city it was with the understanding that you would be taken care of.

With highest personal regard, I am,

Very respectfully, yours, W. E. SMALL, Jr.,
Pair Clerk, House of Representatives.

Mr. BLANTON. I realize that a pair is merely a gentleman's agreement between Members, yet section 2 of Rule VIII of the rules governing this House provides:

Pairs shall be announced by the Clerk, after the completion of the second roll call, from a written list furnished him, and signed by the Member making the statement to the Clerk, which list shall be published in the RECORD as a part of the proceedings.

The gentleman from Texas [Mr. WILSON] starts out by saying that the gentleman from Oklahoma [Mr. CHANDLER] and myself each selected a time when he was absent to make our statements, indicating that we took an unfair advantage of him, stating that about that time he had sustained a broken rib due to a fall on the ice. On January 8 the House met at 12 o'clock noon and adjourned at 2.31 p. m., and it was during this short session that I made my statement on the floor of the House, after the Democratic leader [Mr. KITCHIN] had requested such time for me. Am I to be blamed because Mr. WILSON was absent from even this short session of the House and was unaware of the proceedings going on in the Legislative Chamber? On this date he did not even dream that he had a broken rib. On January 9 the House met at 12 o'clock noon, and within a few minutes after the prayer and the reading of the Journal the gentleman from Oklahoma [Mr. CHANDLER] requested and obtained unanimous consent from the House to print in the RECORD the statement made by the pair clerk, Mr. Small. Are we to be condemned because the gentleman from Texas [Mr. WILSON] preferred to remain away and not be present when important business was being transacted by the House? He did see fit that day—January 9—to come on the floor of the House long enough to answer a roll call—his office getting notice by electric bell in plenty of time for him to answer either the first or second call of the roll—and he saw fit to appear on the floor of the House on the next day—January 10—and remain long enough to be marked present at three different roll calls occurring at least 40 minutes apart. The RECORD shows that he was on the floor of the House at least sufficiently long to be marked present at roll call on the 16th, 17th, 18th, 19th, 21st, 22d, 23d, 24th, 25th, and 26th days of January.

Mr. WILSON of Texas rose.

The SPEAKER. Does the gentleman from Texas yield to his colleague?

Mr. BLANTON. I do not.

Mr. WILSON of Texas. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WILSON of Texas. If the gentleman has the right to speak to a question of personal privilege, has he a right to make an attack on me?

The SPEAKER. He has not.

Mr. WILSON of Texas. Well, he is making one.

The SPEAKER. The gentleman from Texas will keep within the strict limits of the rule.

Mr. BLANTON. If I get out of it, Mr. Speaker——

The SPEAKER. The Chair will take care of that. [Laughter.]

Mr. BLANTON. He says that he should have replied to these statements sooner, but gives as his excuse for waiting from January 8 to January 31 to explain why he scratched his name from a sacred written agreement with two of his colleagues and violated a pair the following: "Also about this time I sustained a broken rib, due to a fall on the ice, and have been slow in getting some of the records I wish to introduce in connection with my statement."

Mr. WILSON of Texas rose.

The SPEAKER. Does the gentleman from Texas yield to his colleague?

Mr. BLANTON. I absolutely do not.

Mr. WILSON of Texas. Mr. Speaker, if the Speaker is going to watch gentlemen and call him down I will not rise again, but he is getting on to me now. [Laughter.]

The SPEAKER. The gentleman has his remedy; if the gentleman from Texas makes any remarks about him that are improper, he can have the words taken down. The gentleman will leave out all remarks as to the other gentleman from Texas giving excuses. If the gentleman wants to deny the statements made by Mr. WILSON of Texas, he has a right to do so.

Mr. BLANTON. The only record he has introduced besides my telegrams to him already in his office was my telegram to the gentleman from Colorado [Mr. TAYLOR], as everything else was printed in the CONGRESSIONAL RECORD on the desk of every Congressman, and his secretary in two hours' time could have gotten from the efficient service of the Western Union a copy of the said telegram by requesting it.

The extended remarks of the gentleman from Texas [Mr. WILSON] did not appear in the RECORD until last Friday morning, January 31, and though being ready then to reply, I promptly gave notice on the floor of the House that I would rise to this privilege to-day, as he was absent then, and he having accused us of purposely presenting the other matters in his absence, and I knowing that the House would adjourn Friday not to meet until to-day, and feeling certain that it would be a bare chance for him to be present to-day without such notice, I notified him through the RECORD to be present to-day, and being present he can not again accuse me of acting in his absence.

Now I will prove that every statement made by me on January 8 is absolutely true.

(1) I said I had been criticized for my absence by one not in my district. The man making this criticism was the commercial secretary of the chamber of commerce at Brownwood, Tex.—but now is such officer no longer—who so far forgot the courtesy, hospitality, and love of fairness proverbial in central west Texas as to attempt to speak for the loyal, patriotic citizens of Brownwood and Brown County, in trying to engage in cheap politics by placing in the daily press of Texas an insulting telegram to me, relative to my having been invited to speak at Brownwood by leading, substantial citizens of Brown County.

(2) I said that after the convening of this session I learned that there would be few matters considered before the holiday recess. The RECORD proves this, for after January 7, the House met only seven times and was in session only 40 hours before it recessed for the holidays, and while in Texas I missed only 40 hours of the House proceedings.

(3) I said that I first agreed to pair with my colleague from Texas [Mr. GREGG], but being later informed by him that he felt inclined to support the prohibition resolution, I released him. I have neither mentioned this matter to him nor asked him for a statement, because I did not want to involve my colleague in a controversy, but he is here present, and I now give him an opportunity to deny it if it is not absolutely true, and you see he does not deny it. And he had no intention of being away from Washington.

Mr. GARNER. Mr. Speaker, my colleague made a statement that the gentleman from Texas [Mr. GREGG] was present. I have looked around the Chamber, and I do not see him.

The SPEAKER. The Chair thinks that ought not to go in the RECORD.

Mr. BLANTON. I thought the gentleman from Texas [Mr. GREGG] was present, because I understood he was to be present.

Mr. GARNER. I do not see him, and I do not think my colleague wants that statement to go unchallenged.

Mr. BLANTON. I will say that if the gentleman from Texas [Mr. GREGG] denies that he first agreed to pair and was later released by me I will resign my position. I will let it go in and let it stand for all that it is worth, and if the gentleman from Texas [Mr. GREGG] denies it I will agree to resign.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. GARNER. Do I understand my colleague desires to make a statement in the RECORD that his colleague, Mr. GREGG, of Texas, is in the Chamber and does not deny this, when, as a matter of fact, he is not in the Chamber?

Mr. BLANTON. Oh, no; and I thank my colleague for his suggestion. I am glad the gentleman made the suggestion, because I was mistaken in thinking he was here.

Mr. GARNER. I only wanted to call the gentleman's attention to it.

Mr. BLANTON. I am glad the gentleman called my attention to it, because I thought Mr. GREGG was here.

(4) I said:

On the 7th day of December Mr. T. A. CHANDLER, of Oklahoma; Mr. JAMES C. WILSON, of Texas—my colleague—and myself signed a written agreement to pair both on the national prohibition amendment and the woman-suffrage amendment, Mr. T. A. CHANDLER, of Oklahoma, and myself pairing in favor both of prohibition and suffrage, and Mr. JAMES C. WILSON, of Texas, against both measures, agreeing, however, that should all three of us be present whenever the vote was taken on either measure that then we should be released from the pair and all could vote. This signed written agreement was filed with the pair clerk on the 7th day of December, 1917, after which I left for Texas and Mr. CHANDLER left for Oklahoma, both Mr. CHANDLER and myself relying implicitly upon our pair duly executed and filed.

Now, all of us are agreed that the written pair agreement was signed up and delivered to the pair clerk on the afternoon of December 7.

But the gentleman from Texas [Mr. WILSON] asserts that he is positive on the following points: (1) That he had only one conversation with me about pairing, and that was the one he had at the time he signed his name to the pair agreement; (2) that such conversation resulting in the signing of his name to the agreement occurred on the afternoon of December 7 at a time when the House had either adjourned or recessed; (3) that at the time he signed the agreement no other name was signed to it; (4) that I asked him to pair with me and Mr. TAYLOR of Colorado, and that I did not mention Mr. CHANDLER; (5) that at the time he signed it, he said, "BLANTON, I will sign it with this understanding, if I am here I will have the right to vote, provided I get you a pair in my stead, and that I said, "That is all right. If either one of us is here, he will have that privilege"; (6) that I made a false statement when on December 20, concerning what had been said at the time he signed the agreement, I wired him, "What I told you was that I would furnish two votes against yours; that I had wired TAYLOR of Colorado and expected him to join me in pair, but if he did not CHANDLER would," he asserting that the telegram I sent to the gentleman from Colorado [Mr. TAYLOR] was sent after he signed the agreement, which he says occurred at a time on the afternoon of December 7, when the House had either adjourned or recessed; (7) that I asked him if he was opposed to the prohibition and suffrage resolutions; (8) that he told me that he was thinking of going to Santo Domingo. Now I shall attempt, my colleagues, to prove that this gentleman is mistaken in each one of these positive assertions.

On December 6, after I had released my colleague from Texas, Mr. GREGG, I told Mr. WILSON of it, and mentioned the fact that it was very imperative that I should go to Texas, calling his attention to seditious sentiment which was growing as a result of a speech made by the Hon. Oscar Callaway and a lot of socialistic propaganda that was being discussed in Texas, and of the bad health conditions prevailing at Camp Bowie and Camp Travis, and I asked him if he would not pair with me and let me go, as I would not leave under any circumstances unless I arranged for my vote to count on both prohibition and suffrage. without hesitation he replied, "Yes; I will pair with you, for to tell the truth, BLANTON, on account of conditions in my district, I would rather pair on these two questions than to vote." I thanked him, told him that it would be a special favor to me, that I would prepare the agreement, and I then left him. On this day, December 6, the House met at 12 o'clock noon and adjourned at 12.54 p. m., being in session only 54 minutes. During this short session I went to the pair clerk, Mr. Small, at his desk on the floor of the House, and learned from him that on all constitutional questions, such as the proposed prohibition and suffrage amendments, Members in pairing were required to have two affirmative votes against one negative vote. I then told Mr. Small, whom I had never met or had any dealings with before, as I had always voted and never paired before, that I had a pair on both national prohibition and woman suffrage, that I was for both of these measures, and that Mr. WILSON of Texas would be against them both, and that we would secure some other Member that would vote as I did and arrange the pair. He said all right, and I left him, shortly after which the House adjourned. Now for the proof. In the pair clerk's statement, which the gentleman from Oklahoma published in the record January 9, Mr. Small says:

About two weeks before the vote was taken on the constitutional amendment for national prohibition, Hon. THOMAS BLANTON, Member of Congress from the sixteenth Texas district, came to me and stated that he had a pair upon the votes to be taken upon the constitutional questions of national prohibition and woman suffrage, Mr. BLANTON stating that he was for both these propositions and that Mr. WILSON would be against both, and that they would secure some other Member who would vote as Mr. BLANTON would in the matter. (Pairs upon these constitutional questions are in the same proportion as the vote, and as it requires a two-thirds majority for legislation of this character, it would take two Members for either of these amendments to protect one Member voting against.) On the next day Mr. BLANTON came to me with Mr. T. A. CHANDLER, Member of Congress from Oklahoma, and handed to me a pair which was out of the ordinary for the reason that it was a typewritten agreement, with the names of Messrs. BLANTON and CHANDLER voting for the prohibition amendment and Mr. WILSON voting against the prohibition amendment inserted in the pair and duly signed by each of them, and I told them, as pair clerk, that the pair would go into the RECORD.

Hence you see that Mr. Small proves conclusively that it was on December 6 when I told him that the gentleman from Texas [Mr. WILSON] and myself had arranged to pair and would file it with him as soon as we could find a third man to comply with the rule, for he says that the pair agreement was actually filed with him the next day after I had this conversation, and it is agreed that the pair agreement was filed with him on the 7th of December, on the evening of which the House adjourned not to meet again until December 11.

Likewise on December 6 I met my colleague, the gentleman from Oklahoma [Mr. CHANDLER], at one of the elevators, and he agreed, merely as a favor to me, that if I called on him to pair he would do so. At that time he had no intention of leaving Washington, but expected to be here when the votes mentioned were to be taken, and for this reason I preferred, if possible, to find some man voting affirmatively who might not be here, in order to save a vote for the cause I espoused. That night in my office I had the pair agreement drawn up on the typewriter, leaving the names in the body blank, and I then signed it myself with pen and ink and put it in my pocket to get executed by the others the next day. On the morning of December 7 I learned from my friend and colleague, the gentleman from California [Mr. RAKER], that the gentleman from Colorado [Mr. TAYLOR] was then in Colorado and would probably not return in time to vote, so I immediately prepared the following telegram:

WASHINGTON, D. C., *December 7, 1917.*

Hon. EDWARD T. TAYLOR, M. C.,
Glenwood Springs, Colo.:

KITCHIN advises House will vote on national prohibition 19th and woman suffrage 20th. Understand you favor both; so do I, and want both of us counted. WILSON of Texas strong anti, offers to pair, but under rules takes two for one. Please authorize me by wire immediately to enter pair of record. Also please agree not to call up your H. R. 4431 until January, as I may have to leave on urgent matter and won't leave without such agreement. Kindly agree and answer immediately.

THOMAS L. BLANTON.

Mr. Speaker, at this point I would like to submit that telegram to the membership of the House, and I want that part of the Western Union certification showing that it was filed at 12.30 p. m., December 7, to go into the RECORD.

Mr. WILSON of Texas. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield to his colleague?

Mr. BLANTON. I most certainly do not, Mr. Speaker.

Mr. WILSON of Texas. I just want to know if that is the only telegram the gentleman sent to Mr. TAYLOR of Colorado?

Mr. BLANTON. I will yield to the gentleman.

Mr. WILSON of Texas. I just wanted to know if that is the only telegram you sent to Mr. TAYLOR of Colorado?

Mr. BLANTON. Absolutely so; one and only one, and it was filed 30 minutes after the House met on January 7, long before you thought of signing that agreement.

Mr. WILSON of Texas. Will you permit another inquiry? Why did you send in it——

Mr. TAYLOR of Colorado rose.

The SPEAKER. To whom does the gentleman yield?

Mr. BLANTON. I yield first to the gentleman from Texas.

Mr. WILSON of Texas. Was that sent after your conversation with me?

Mr. BLANTON. That was after my first conversation with you on the 6th.

Mr. MADDEN. Mr. Speaker, I make the point of order that these gentlemen ought not to address each other in the first person.

The SPEAKER. That point of order is sustained.

Mr. WILSON of Texas. And you claim that you had two conversations with me about this pair agreement?

Mr. BLANTON. There is no question in the world about that.

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Colorado?

Mr. BLANTON. Yes; I gladly yield to my friend from Colorado.

Mr. TAYLOR of Colorado. I think possibly it is only fair to both these gentlemen for me to say that I was away from home when this telegram came, and after returning home I assumed it was too late then for me to pair with the gentlemen, so I never really answered the telegram at all.

Mr. BLANTON. I attach no blame to the gentleman. On that day, December 7, the House met at 12 o'clock noon, and immediately after the prayer and the reading of the Journal I took the above telegram to the branch office of the Western Union on the House corridor floor in the Capitol and delivered it for transmission, and this telegram shows by the indorsements on it that the Western Union filed it for transmission at exactly 12.30 p. m., which was within 30 minutes after the House met. And the gentleman from Texas [Mr. WILSON] must have overlooked this very important and absolutely convincing fact when he got a copy of this message from the Western Union and inserted it in his extended remarks to prove a contention the very opposite of which it absolutely established. After waiting about three hours for an answer from Colorado and getting none, I concluded that the gentleman from Colorado was probably on his way back to Washington, which would give prohibition the benefit of his vote, and I concluded to take advantage of the kind offer of the gentleman from Oklahoma [Mr. CHANDLER] before adjournment and use him in the pair if I did not receive an answer from Colorado in time. I therefore found Mr. WILSON of Texas and presented the written agreement to him, already signed by me in ink, and he read it over, and then, without any hesitation, signed his name with a pencil. I then told him that the pair clerk had informed me that it was necessary on constitutional questions to have two affirmative votes for one negative; that I had wired Mr. TAYLOR of Colorado to join me in the pair, and that if he did not agree to do so, Mr. CHANDLER of Oklahoma would, as I had already seen him about it, and I called his attention to the fact that he ought to feel very important to offset two opposing votes with his one. I never at any time asked him how he stood, for I have known him since we were boys, we being college mates together at the University of Texas nearly 25 years ago, and I have known for years that he was a strong antiprohibitionist. Moreover, just a few days before this I had prepared a careful, correct poll of the Members on this issue of prohibition, and I knew that we had enough votes of men who would stand hitched and who were going to be here to pass the resolution by the necessary two-thirds vote and have at least seven extra votes additional. He did not tell me that he expected to go to Santo Domingo, but when he agreed to pair I understood that he was going to remain in Washington, and believed that he was merely doing me a favor as an old friend, and I also believed him when he said that he really preferred to pair than to vote on the question, as I knew what he meant when he referred to the conditions in his district. He reserved no conditions whatever; but it was I who said, just as I was leaving him, "Now, WILSON, if I get back before these votes are taken, and we are all three here, we can then release each other and vote." I left; found the gentleman from Oklahoma [Mr. CHANDLER], and he signed the agreement with a pencil, and we then went together to the Speaker's desk. As this was my first pair I was under the impression that it had to be presented to the Speaker, and as this one agreement was to cover the vote both on prohibition and woman suffrage, and there was a chance of suffrage going over until after the holidays, I thought that it ought to be entered in the RECORD to prevent possible loss or misplacement, and by inspecting it you will see that I had it addressed to the Speaker, and ended it with the following: "And we request that this agreement be printed in the RECORD."

And, Mr. Speaker, I want to offer this original pair for inspection of the Members to see that my name is signed in ink and that the other two gentlemen's names are signed in pencil, and that this request is in the pair—" and we request that this statement be printed in the RECORD."

The SPEAKER. Does the gentleman ask to print that statement in the RECORD?

Mr. BLANTON. Oh, no; that statement is in the agreement. I was just merely reading the agreement itself, where we three gentlemen requested the Speaker to insert that agreement in the RECORD.

So, when the gentleman from Oklahoma [Mr. CHANDLER] and myself went to the Speaker's desk, just after the vote on the Austrian war resolution had been concluded, I handed the agreement to the Speaker and requested that he have it printed in the RECORD. He handed it back to me and informed me that printing it was unnecessary, as all I had to do was to hand it to the pair clerk. I then went with the gentleman from Oklahoma [Mr. CHANDLER] to the pair clerk's desk and handed the agreement to Mr. Small and asked him if we could depend upon him to see that it was recorded when the vote was taken, so that we would not lose our vote, and he assured us both that he would give the matter careful attention, and see that it was properly entered. In a few minutes the House adjourned at 4.34 p. m., not to meet again until December 11. Hearing nothing from Colorado, I went to the gentleman from California [Mr. RAKER], who very kindly assured me that no advantage would be taken of me in my absence on bill H. R. No. 4431, which was a bill seeking to appropriate $5,000,000 to start the Government into the farming business, against which bill, as a member of the committee, I had filed a minority report, and the fight I made against it caused it to die a natural death within the past few days. I was against it, because I did not believe that the Government, through its employees, should compete with farmers on the farms. I went to Texas firmly believing that my vote was protected.

Here is the pair agreement, and as he did not make a very good job of rubbing his name off, it is still plainly discernible:

Mr. Speaker, we, the undersigned, have paired on the resolutions for the national prohibition amendment and the national woman's suffrage amendment, THOMAS L. BLANTON, of Texas, and T. A. CHANDLER, of Oklahoma, each voting both for national prohibition and national woman's suffrage, and JAMES C. WILSON, of Texas, voting against both of said resolutions, and we request that this agreement be printed in the RECORD.

(Signed) THOMAS L. BLANTON, *of Texas.*
T. A. CHANDLER, *of Oklahoma.*
JAMES C. WILSON, *of Texas.*

And I want you to note again that my signature is in ink and the other two are in pencil.

Mr. Speaker, the gentleman from Oklahoma [Mr. CHANDLER] is present, and I would like to call on him to state at this time to the House——

The SPEAKER. It is a very bad practice for one Member to call on another sitting in his seat. The Chair saw that done in the Senate once, but does not think it ought to be followed in the House.

Mr. BLANTON. Then may I have the privilege of yielding at this time to my colleague, Mr. CHANDLER, to ask me a question?

The SPEAKER. The gentleman from Oklahoma [Mr. CHANDLER] has not exhibited any disposition to ask any questions. [Laughter.]

Mr. BLANTON. Then I will state, Mr. Speaker and colleagues, that Mr. CHANDLER will corroborate every word that I have spoken on the floor of this House concerning transactions had with him.

On December 15 I received the following night message from the president of the Anti-Saloon League of Texas, which I will ask the Clerk to read.

The SPEAKER. Without objection, the Clerk will read.

The Clerk read as follows:

WASHINGTON, D. C., *December 14, 1917.*

Hon. THOMAS L. BLANTON,
Abilene, Tex.:

Vote on resolution for national prohibition Monday. Understand you are paired with Mr. WILSON. Wire Mr. KITCHIN to change pair to someone else, provided we can induce Mr. WILSON to vote for prohibition. Also wire me your reply.

A. J. BARTON.

Mr. BLANTON. I immediately complied with Dr. Barton's request by sending the following messages, which I will ask the Clerk to read.

The SPEAKER. Without objection, the Clerk will read.

The Clerk read as follows:

ABILENE, TEX., *December 15, 1917.*

Hon. CLAUDE KITCHIN,
Democratic House Leader, Washington, D. C.:

Am making three speeches a day in my district, embracing 58 counties, in effort to wipe out all disloyalty and force absolute support behind Government. If WILSON of Texas will support prohibition amendment, then change my pair to benefit cause, or if necessary I will return immediately.

THOMAS L. BLANTON.

ABILENE, TEX., *December 15, 1917.*

Dr. A. J. BARTON,
Care Edwin C. Dinwiddie, Washington, D. C.:

Have wired KITCHIN, as requested. In case WILSON will support amendment, this authorizes change of pair, or, if necessary to count his vote, I will come immediately. My district embraces 58 counties, from Mineral Wells to El Paso. Much socialistic pro-German sentiment; much existing because of ignorance of conditions. Am making three speeches a day in effort to force absolute loyalty to our Government, without which we can not win this war. I am using automobiles and driving sometimes over 100 miles a day. From poll made by me before I left, we had several votes to spare.

THOMAS L. BLANTON.

Mr. BLANTON. After speaking at Abilene before a big Red Cross meeting Saturday afternoon, December 15, I drove 50 miles to Hamlin, through freezing weather, speaking there that night to a large crowd, and after the speaking I got another auto and drove 25 miles to catch a train for Moran, where I spoke Sunday noon to a large crowd, and then drove to Albany. Understanding from Dr. Barton's telegram that the gentleman from Texas [Mr. WILSON] was favorably considering the idea of voting for prohibition yet was in a state of indecision, and thinking that I might help to influence him, and thinking possibly Mr. CHANDLER might have left Washington, after reaching Albany I sent the following telegram, which I will ask the Clerk to read.

The SPEAKER. Without objection, the Clerk will read.

The Clerk read as follows:

ALBANY, TEX., *December 16, 1917.*

Hon. JAMES C. WILSON,
House Office Building, Washington, D. C.:

As your colleague and particular friend since college days, I urgently implore and beseech you to give the States an opportunity to pass upon the prohibition question. If you are willing to make this sacrifice of your personal convictions by voting affirmatively you will be granting the sacred right of petition to several million loyal, patriotic American men and women, who are themselves now making every sacrifice to win the war. Pair CHANDLER and me with some other negative vote, and don't deny the States this privilege.

THOMAS L. BLANTON.

Mr. BLANTON. And as an extra precaution I sent the following message, which I will ask the Clerk to read.

The SPEAKER. Without objection, the Clerk will read.

The Clerk read as follows:

ALBANY, TEX., *December 16, 1917.*

Hon. E. Y. WEBB,
Chairman Judiciary Committee, Washington, D. C.:

Am paired with WILSON of Texas. If he will support resolution then pair me with some other negative vote. Please see that my vote counts for prohibition in a pair. Please wire me the result immediately after vote. I am eliminating an infernal undercurrent of seditious sentiment out of my district and am lining up my 58 counties solidly behind the Government.

THOMAS L. BLANTON.

Mr. BLANTON. Now, the gentleman from Texas [Mr. WILSON] says that while my telegram was in his office he did not see it until after the vote was taken, yet he says that it shows that he was considered by me released without condition because he says he has a period in it between the "If you will vote affirmatively" and "Pair CHANDLER and me," and he has written out the "period" in the message.

Now, Mr. Speaker, I submit from the Western Union Telegraph Co. a certified copy of the message, showing that there is no punctuation written out into it whatever [applause] and that the gentleman from Texas [Mr. WILSON] was absolutely without authority when he wrote into the message which he inserted in his extended remarks here the word "period."

Mr. WILSON of Texas. Mr. Speaker, here is the original, and I submit it to the jury down there.

The SPEAKER. Does the gentleman yield?

Mr. BLANTON. I want to be absolutely fair——

The SPEAKER. Does the gentleman from Texas yield?

Mr. BLANTON. I do, because I want to be fair.

Mr. WILSON of Texas. Well, here it is. It is the one delivered to me, and it has got the "period" in it.

Mr. BLANTON. Now, Mr. Speaker and my colleagues, the telegram which the gentleman from Texas [Mr. WILSON] has handed me is not the original message which was delivered to him, but a copy from the Western Union Telegraph Co. delivered since then. It is not the original message delivered to him on the 16th of December.

Mr. WILSON of Texas. BLANTON, you are mistaken about that. It is the only one I have.

The SPEAKER. The gentleman must not address his colleague by name or in the second person; it is against the rule.

Mr. WILSON of Texas. I want to state it is the only message I had delivered to me by the Western Union.

Mr. BLANTON. Now, it is well known that under the rules of the Western Union, no punctuation is transmitted in a message unless such punctuation is written out in the message. I submit to you the original carbon copy of this message which is the carbon of the original sent to the gentleman, and also another copy certified to be correct by the Western Union, and you will see that no punctuation is written out, and therefore I feel sure that it is not written out "period" in the original that was delivered to the gentleman. He admits that it was in his office. Who received it there?

The SPEAKER. The time of the gentleman has expired.

Mr. BLANTON. Mr. Speaker, I ask my colleagues for sufficient time to answer——

Mr. COX. Mr. Speaker, I object.

Mr. GALLIVAN. Mr. Speaker, I object.

The SPEAKER. Objection is made.

Mr. BLANTON. Mr. Speaker and my colleagues, in view of the fact that the extended-remarks statement made by the gentleman was extended in the RECORD without giving me a chance to answer, I ask unanimous consent of my colleagues to permit me to put the balance of this speech in the RECORD.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WILSON of Texas. Mr. Speaker, I want to reserve the right to object for I have no idea what is in that and I do not think anybody else can have any idea. If it were submitted to me I might agree to it.

Mr. BLANTON. There is nothing——

The SPEAKER. Is there objection?

Mr. WILSON of Texas. If it is no worse than what has already been stated, I am willing.

The SPEAKER. Is the gentleman objecting or not?

Mr. WILSON of Texas. I will for the present.

Mr. BLANTON. I did not object to the gentleman——

The SPEAKER. But the gentleman objects.

Mr. WILSON of Texas. Well, let it go in.

The SPEAKER. The gentleman withdraws his objection. Is there objection?

Mr. GALLIVAN. I object, Mr. Speaker.

The SPEAKER. The gentleman from Massachusetts objects.

LEAVE OF ABSENCE.

By unanimous consent Mr. BURROUGHS was granted leave of absence to-day on account of illness.

LEAVE TO ADDRESS THE HOUSE.

Mr. WILSON of Texas. Mr. Speaker, may I have half a minute by unanimous consent?

The SPEAKER. The gentleman from Texas asks unanimous consent for two minutes. Is there objection?

Mr. GALLIVAN. I object, Mr. Speaker.

Mr. WILSON of Texas. I ask for half a minute.

Mr. GALLIVAN. I withdraw my objection as to half a minute.

Mr. WILSON of Texas. I just wish to say that I have a statement here, that is already in the RECORD, and I would like unanimous consent for that statement to appear as of to-day instead of the 31st, so that this all can go together. It is my statement. Furthermore, I want to deny absolutely that I had two conversations with the gentleman from Texas [Mr. BLANTON] about this matter, but only had one, right back there, of about five minutes. That is all I wish to say.

Mr. BLANTON. Mr. Speaker, I object.

The SPEAKER. The gentleman from Texas [Mr. WILSON] asks unanimous consent——

Mr. BLANTON. I object unless all of mine goes in, too.

The SPEAKER. The other gentleman from Texas [Mr. BLANTON] objects. This is unanimous-consent day. The Clerk will report the first bill.

NATURALIZATION OF RESIDENT ALIENS.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 3132) to amend section 2171 of the Revised Statutes of the United States relating to naturalization.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 3132) to amend section 2171 of the Revised Statutes of the United States, relating to naturalization.

Be it enacted, etc., That section 2171 of the Revised Statutes of the United States be amended so when amended it shall read as follows:

"SEC. 2171. No alien who is a native citizen or subject, or a denizen of any country, State, or sovereignty with which the United States are at war at the time of his application, shall be then admitted to become a citizen of the United States; but persons resident within the United States or the Territories thereof on the 6th day of April, in the year 1917, who had before that day made a declaration according to law of their intentions to become citizens of the United States, or who, by the existing laws of the United States, were on that day entitled to become citizens without making such declaration, may be admitted to become citizens thereof, notwithstanding they shall be alien enemies at the times and in the manner prescribed by the laws heretofore passed on that subject: *Provided*, That nothing herein contained shall be taken or construed to interfere with or prevent the apprehension and removal, agreeably to law, of any alien enemy at any time previous to the actual naturalization of such alien."

Also, the following committee amendment was read:

Page 1, line 8, strike out the word "are" and insert the word "is."

Mr. STAFFORD. Will the gentleman from California yield?

Mr. RAKER. Yes; I yield to the gentleman.

Mr. STAFFORD. I understand that this is virtually reenacting existing law so as to extend to all alien enemies resident in this country who have declared their intention to become citizens prior to the declaration of war the right to qualify in full citizenship in case they can meet the qualifications?

Mr. RAKER. In case they can meet the qualifications, having taken out their first papers and having resided in the United States five years before the date fixed in the bill, and having passed a thorough inspection by the Department of Labor, the Bureau of Immigration, and also other departments of the Government. And if they meet them all the court shall admit them; otherwise not.

Mr. STAFFORD. Can the gentleman estimate as to the number of alien enemies resident in this country who made declaration of intention to become citizens prior to the declaration of war, and upon whom the declaration of war placed a ban as to their final papers for citizenship?

Mr. RAKER. I had a memorandum of that in my pocket, but I went down to a committee meeting this morning and have not been able to get my coat.

There are a number of thousands of them. I think there are many thousands that come under the gentleman's inquiry. But in this bill they must not only have made their application and taken out their first papers, but they must actually have been a resident for five years at the date of the declaration of war. And the present bill contains only two amendments. Some one on the committee thought that the word "are" should be changed to "is," and then we changed the words "June 18, 1912," to the "6th of April, 1917."

Mr. COX. Will the gentleman yield?

Mr. RAKER. I will.

Mr. COX. I am very much interested in the gentleman's bill, and I want to put this question to the gentleman in order to see whether or not the bill covers this particular case in my own town. A Lutheran minister in my town came to this country when he was 17 years of age. I will give the hypothetical facts.

He went to the State of Iowa, and moved into ex-Speaker Henderson's district, where he sought the Speaker's advice as to whether or not it would be necessary for him, who came here as a minor, to take out naturalization papers. It occurs to me that the Speaker told him there would be no necessity for it, as he would be a naturalized American citizen when he became 21 years of age. Soon thereafter the Spanish-American War broke out, and he volunteered as a private and went all through the war, after which he entered college. Roaming around for four or five years, at school, and preaching here and there, about six or seven years ago, or possibly five years ago, he learned he was not an American citizen. He promptly applied and took out his first papers. Now, about four months ago he sought to join the Army as a chaplain. Of course, he ran up against the Federal statute which prevented him not only from becoming a chaplain, but plainly stating that he was not an American citizen.

This man is as intensely patriotic as any other man in the United States. There is no controversy about that at all. Now, will the gentleman's bill take care of a man of this kind and permit him to take out his second papers and become an American citizen?

Mr. RAKER. That is the very purpose of this bill.

I want to illustrate another case. A young man, say, 26 years of age, a fine specimen of manhood, took out his first papers a number of years ago. He went to New Jersey and joined the National Guard and went down to the Mexican border, and was under the flag and in the service, and received an excellent discharge. He comes back to the town in which he lives, marries an American girl, and of course she becomes an alien. Now, since the declaration of war he has been compelled to leave the town and leave his wife, and go to some other place, when his whole heart and his whole soul is with this country. He wants to take out his second papers in order that he may enlist if the Government will not draft him, so that he can fight for this country.

And there is not only that case, but there are many others that have been called to my attention where men who have taken out their first papers desire to join the Army, to join the Navy, and to make a sacrifice of their lives, if desired, and their property for this country; and the purpose of this bill is to relieve those conditions.

Mr. MONDELL. Will the gentleman yield?

Mr. RAKER. I yield to the gentleman from Wyoming for a question.

Mr. MONDELL. Mr. Speaker——

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. SAUNDERS of Virginia). The gentleman will state it.

Mr. STAFFORD. This being a House bill and the gentleman having the floor and being in charge of the bill, is he entitled to an hour?

The SPEAKER pro tempore. He is. The statement to the contrary was an inadvertence on the part of the Chair. He asked the clerk at the desk, and the clerk said the gentleman's time had expired. Of course the gentleman is entitled to an hour.

Mr. MONDELL. Mr. Speaker, will the gentleman yield now?

The SPEAKER pro tempore. Does the gentleman from California yield to the gentleman from Wyoming?

Mr. RAKER. I yield for a question.

Mr. MONDELL. I thought I could give the gentleman an illustration that would interest him.

Mr. RAKER. I yield for that illustration.

Mr. MONDELL. Recently my attention was called to the case of an ordained minister of German birth who has lived in this country for 26 years. He made his declaration 20 years ago. He was under the impression that he had completed his citizenship. He is now about to be registered as an alien enemy.

There is not any more loyal citizen under the flag. He is a splendid man. He is in an exceedingly embarrassing position. There are many men in the country as loyal as any men who live in the country who are somewhat in that position, unable to become full-fledged citizens, and in the position of being registered as alien enemies—a position that ought to be overcome.

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

Mr. RAKER. I yield to the gentleman from Wisconsin.

Mr. LENROOT. Does the gentleman think if this bill is passed it will relieve the case he speaks of, of a man who made the declaration 20 years ago?

Mr. MOORE of Pennsylvania. If the gentleman pleases, that has been settled in the Morena case, recently decided by the Supreme Court.

Mr. LENROOT. That is the reason why I am asking the question.

Mr. MONDELL. The man has been voting all that time, assuming that he had citizenship.

Mr. LENROOT. I want to ask the gentleman from California whether or not in his opinion this bill modifies or repeals, so far as alien enemies are concerned, the present law? Is there not a limitation in the present naturalization law?

Mr. RAKER. I do not quite catch the gentleman's question.

Mr. LENROOT. The gentleman knows that under the present naturalization law if the declarant does not take out his final papers within seven years after making the declaration, his declaration falls, and he is not entitled to become a citizen.

Mr. BURNETT. Yes; that is under a late decision.

Mr. MOORE of Pennsylvania. Yes. That is in the Morena case, recently decided by the Supreme Court.

Mr. LENROOT. I want to ask the gentleman this question: Under the language of the bill would it let in any of those whose right had expired by reason of the seven-year limit?

Mr. RAKER. As I view it, and as the committee went over its language, and taking it as we have from the act of 1813, that has been on the statute books over 100 years, we made only those two changes, changing the word "are" to "is" and changing the date from 1812 to 1917, the date of the declaration of war.

I want to make this distinction, that this would apply to those whose original applications were valid. That is the purpose of the bill, and that is my theory of it. Do I make myself plain?

Mr. LENROOT. Yes; I am not sure but what that is accomplished. But while the language in lines 8, 9, and 10, on page 2, recites "at the times and in the manner prescribed by the laws heretofore passed on that subject," and while, perhaps, that might be sufficient to save it, yet, on lines 2 and 3, is the language "who had before that day made a declaration according to law of their intentions to become citizens of the United States, or who, by the existing laws of the United States, were on that day entitled to become citizens, without making such declaration may be admitted to become citizens thereof," which may in itself be inconsistent with the saving clause in this section.

Mr. RAKER. If he made his application, the purpose of this bill is to take up valid applications pending, and if he has lived

here five years and has filed his application for citizenship, and the 90 days' notice is given, then the Bureau of Immigration sends out inspectors who make an analysis of this man's life from the time he comes to this country to the present time; who go to his neighbors and go to his friends and go to every place where he has been before and inquire as to his status and attitude, and who appear in court on the day here, so that if there are any suspicions against him it is for the Government officials to state them.

Mr. BURNETT. The committee did not have that purpose in view, I will state, at the time this bill was considered, and I doubt very much whether the bill as reported will cover the proposition as suggested by the gentleman. I do not know whether we ought to undertake the amendment. There are several other bills, I will state to the gentleman, one introduced by my good friend from Wisconsin [Mr. CARY], and another introduced by Judge SABATH, and others, for the purpose of enabling those whose time of seven years has expired to continue to prosecute and secure their final papers. I am a little afraid that it would possibly complicate matters to undertake to put this in this bill.

Mr. LENROOT. I am quite in sympathy with what the gentleman states, and I am in hopes that a curative bill, so far as the courts have erroneously held them properly subject to naturalization, will be passed. But does the gentleman think we ought to extend by this bill a privilege to alien enemies that would not be extended to aliens who are not enemies?

Mr. BURNETT. In reply to that I do not think it would be extended to the alien enemies. I think they would be cut off if more than seven years have expired since the filing of their first papers. I do not think it would be extended to them.

Mr. LENROOT. Not if this language is susceptible of the construction that may be given to it.

Mr. RAKER. As Judge BURNETT says, this was to cover solely the views existing in 1813 and was not intended to complicate it, so that there would be no application in the department and no application under the law. We reenact the same law that has been on the statute books for 115 years. The purpose was not to complicate any of the other matters.

Mr. LENROOT. May I make a suggestion that I think will clear it up?

Mr. RAKER. Yes.

Mr. LENROOT. In line 7, page 2, after the word "thereof," insert the words "but who are not entitled to citizenship solely because of the fact of being alien enemies." That would clear it up.

Mr. RAKER. How would it read if amended?

Mr. LENROOT. So that it would read:

Who had before that day made a declaration, according to law, of their intentions to become citizens of the United States—

Then, dropping down—

but who are not entitled to citizenship solely because of the fact of being alien enemies—

Or some appropriate language.

Mr. MOORE of Pennsylvania. Is not that anticipated by the language on lines 6, 7, and 8 of page 1?

Mr. RAKER. What does the gentleman from Alabama [Mr. BURNETT] think about the suggestion of the gentleman from Wisconsin [Mr. LENROOT]?

Mr. BURNETT. I did not quite catch the idea of my friend from Wisconsin.

Mr. LENROOT. The language in lines 1 to 4 of page 2 being absolute, that anyone who had at any time previous made a declaration should be entitled to citizenship, notwithstanding the fact of being an alien enemy, I am a little afraid that the closing language of the paragraph—

At the times and in the manner prescribed by the laws heretofore passed on that subject—

will not be sufficient to refer to the seven-year limitation.

Mr. BURNETT. I am perfectly willing to make that clear, because we did not have that decision in contemplation at all.

Mr. MOORE of Pennsylvania. I have had some correspondence with the Department of Labor on the question of validating certificates of naturalization issued in error by various courts; and in consequence thereof I have introduced a bill with the approval of the department, to correct those invalidated certificates. In my city alone there are between 3,000 and 4,000 men who obtained naturalization papers and who believe themselves to be properly naturalized, whose certificates are now invalid because of the decision of the Supreme Court in the case of Morena. I am informed that there are substantially 50,000 such invalid naturalization certificates held by people throughout the United States. The question with me is this: Do you by this bill propose to validate those certificates?

Mr. RAKER. No.

Mr. MOORE of Pennsylvania. Or permit the validation of those certificates?

Mr. RAKER. The validation of citizenship already granted?

Mr. MOORE of Pennsylvania. Yes.

Mr. RAKER. Absolutely not. This bill could not touch that, does not touch it, and relates only to allowing the court to hear the case of a man who has lived in the United States five years, who has filed his declaration of intention, and who from all the proof provided by the inspector of the Immigration Bureau, the two witnesses, the applicant himself and all neighbors, should be admitted to be an American citizen. If there is anything against him he should not be admitted; so, clearly, the case presented by the distinguished gentleman from Pennsylvania, long a member of the Committee on Immigration, does not apply to the certificates already issued, because I want to call attention to the statute on that subject, which now permits the Attorney General's Office, in section 15, page 10, of the regulations, to proceed to cancel any certificate improperly issued or issued through fraud or illegally procured.

Mr. MOORE of Pennsylvania. Will the gentleman yield further?

Mr. RAKER. Yes.

Mr. MOORE of Pennsylvania. This is a very important matter, a very serious one, affecting, I should say, hundreds of thousands of people in the United States, relatives and children of men who assume that they are citizens, but who hold invalid certificates of naturalization, made invalid by the action of the Supreme Court of the United States.

Mr. RAKER. I know, but this could not affect them and ought not to be permitted to affect them.

Mr. MOORE of Pennsylvania. I submit that it may, and I want to call attention to my reason for it. This bill in the first few lines of section 2171 cuts out, as I understand it, alien enemies while we are at war.

Mr. RAKER. All of them.

Mr. MOORE of Pennsylvania. Cuts them all out; so the question raised here a moment ago is, perhaps, answered by lines 6, 7, 8, and 9. No alien can avail himself of this privilege while we are at war with the country of which he was a citizen or subject. Therefore he is cut out.

Mr. RAKER. That is correct.

Mr. MOORE of Pennsylvania. Now, under this bill those residents in the United States who had before April 6, 1917, made a declaration according to law can become citizens. My point is this: The Supreme Court has decided that a man who has not made good within seven years after his declaration may not avail himself of the privilege of the certificate that he now holds. Is it not possible that having fixed a new date here—the 6th of April, 1917, which is more recent than that fixed by the Supreme Court, which is the expiration of the seven-year period from the passage of the act of 1906, to wit, 1913—is it not possible that those who made their first declaration within seven years of the later date may come in under the gentleman's bill?

Mr. RAKER. I think not. In other words, these applications are to be made at the times and in the manner prescribed by the laws heretofore passed on this subject. Therefore if a man makes an application for final hearing upon an application made more than seven years before, he can not be heard, and the court will deny the motion.

Mr. MOORE of Pennsylvania. Let me put a specific case. Suppose I have made a declaration of intention, and my application to perfect it comes after the seven-year limit. The Supreme Court now says that having made it beyond the seven-year limit, having permitted seven years to go by, I can not now avail myself of a certificate of naturalization which I hold and which was perfected after the seven-year limit. The gentleman in his bill states that I may become naturalized on a declaration of intention made according to law, which may have been seven years ago or some other time.

I think I could come in under the gentleman's bill. Whether that is what the gentleman intended or not I do not know.

Mr. RAKER. No; I think not.

Mr. TOWNER. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. TOWNER. I would like to call the attention of the chairman, the gentleman from Alabama [Mr. BURNETT], and the gentleman from Wisconsin [Mr. LENROOT] to the fact that it is stated here as one of the requisites that they shall make a declaration according to law. If the word following that were the conjunctive "and" instead of the disjunctive "or," the difficulty that the gentleman suggests might arise. But under the language of this provision, as the bill now stands, if at the time the declaration was made it was made according to law, then the provision of the act would apply and allow them to become naturalized. The disjunctive "or" states another condition that may arise that it is not necessary to consider under the

suggestion made by the gentleman from Wisconsin. I think clearly that if these men who would be cut off by the seven-year provision made their declarations according to law they would be allowed to take advantage of the provision.

Mr. MOORE of Pennsylvania. That is the point I have been trying to make, but the gentleman from California does not agree.

Mr. DOWELL. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. DOWELL. In regard to the decision of the Supreme Court, at the end of seven years does not the man remain in the same condition, so far as citizenship is concerned, as if he had never made an application at all? Does he not stand the same under that decision as if he had never made an application?

Mr. TOWNER. I think not, because this language is that if he makes a declaration according to law he shall have a right to take advantage of this act. That is within the power of the legislation to do. It can state how a man shall be admitted to citizenship, notwithstanding the Supreme Court says that a man can not become naturalized; Congress can say they may become naturalized if their first papers were taken out in accordance with law.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. GREEN of Iowa. On the first page, line 9, appear these words:

Shall be then admitted to become a citizen of the United States.

To what time or period does the word "then" refer to?

Mr. RAKER. That is a clear declaration which this does not affect at all.

Mr. GREEN of Iowa. The gentleman does not understand me. The word "then" must refer to some time. What time does it refer to?

Mr. RAKER. During the war. I want to say to the gentleman that has been the language for 120 years, and it has been workable and is workable now.

Mr. GREEN of Iowa. On page 2, lines 6, 7, and 8, it says:

Notwithstanding they shall be alien enemies at the time and in the manner prescribed by the laws heretofore passed—

And so forth.

Mr. RAKER. That relates back.

Mr. GREEN of Iowa. It seems to me that that involves a contradiction, to say "notwithstanding they shall be alien enemies" they shall be admitted.

Mr. RAKER. That language has been on the statute book for 120 years. It has not been changed at all, and I would not like to see it changed.

Mr. DOWELL. The point I desired to inquire about is this: I understand that the committee does not intend by this bill to include those who have filed their declaration longer than seven years but only to include those who have their declarations on file.

Mr. RAKER. In proper form and according to law, so if there was no war they could be naturalized.

Mr. DOWELL. And it declares that they may become citizens, except for the fact that they are alien enemies.

Mr. RAKER. The gentleman has correctly stated it.

Mr. DOWELL. In view of the controversy on that question—and I believe the chairman is correct about it—in view of the fact that it is controverted, should not an amendment be offered to make it clear?

Mr. RAKER. The gentleman from Wisconsin [Mr. LENROOT] has an amendment to cover it.

Mr. MONDELL. The gentleman from Wisconsin proposes an amendment intended to make it clear that those who made declarations more than seven years ago can not be naturalized. The gentleman from Iowa desires an amendment which will make it clear that they may be naturalized. The gentlemen are on opposite sides of the question. Am I correct?

Mr. DOWELL. What I was trying to get at is the intent of the committee in this bill. My interpretation is that it includes all who filed declarations longer than seven years ago.

Mr. LENROOT. My amendment will make that clear.

Mr. SLOAN. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. SLOAN. Will the gentleman yield for the purpose of offering an amendment, as follows?—

Provided, That no alien who has heretofore or who shall prior to the passage and approval of the measure, being within the draft age, plead his alienage as a ground for exemption from military duty, shall ever be permitted to become a citizen of the United States.

I understand that a good many aliens have used that as a basis for exemption.

Mr. RAKER. I hope the gentleman will not offer that amendment now, as that would complicate this matter.

Mr. BURNETT. I want to say that you can not draft an alien enemy. This bill is intended to apply only to alien enemies. The gentleman's amendment would not be germane, to start with, because this applies to alien enemies. The gentleman from Wyoming spoke a while ago about a constituent of his believing for years that he was a citizen. If he was not an alien enemy, that man, under our existing law, could file an application, because the existing law provides for that kind of cases, and he can at once become naturalized; but these men may have gone on and had their time nearly matured. Six years and nine months may have expired. They have been good citizens, and under this bill they have to prove before they can get their final papers that they are good citizens, that they are in sympathy with this country, and this is merely for the purpose of providing that cases of that kind may be permitted to get their final papers. Some of the judges in some of the Western States have decided that the law was not intended to apply to these cases, and have permitted them to take their final naturalization papers. There is a lack of harmony among the decisions of the courts on this question, some holding they could do it and others holding they could not. For the purpose of curing all of that the idea of the committee was to allow those who had filed their first papers before the war to go on and perfect those papers.

Mr. MONDELL. And the bill should stand just as the committee has reported it?

Mr. BURNETT. Exactly, except with the amendment of the gentleman from Wisconsin [Mr. LENROOT], which makes it clear. We did not intend to go into the field of enabling those whose seven years have expired to take out their papers.

Mr. MONDELL. If the gentleman thinks that that is already clear, let the bill remain as it is.

Mr. BURNETT. We think so; and that was the intention of the committee; but there is no harm in clarifying it by the amendment of the gentleman from Wisconsin [Mr. LENROOT]. I hope the gentleman from Nebraska [Mr. SLOAN] will not undertake to complicate the matter by injecting the proposition to which he refers into it, because the committee has two or three bills of like character. The committee looks with a good deal of sympathy on cases of that kind, but that is a question that ought to be thrashed out very carefully, and we ought somehow to provide that those who by gross negligence have gone on and allowed their seven years' time to expire without perfecting their naturalization shall not be provided for. It is those innocent people who fall under the decision referred to, Morena case, who, without knowing of the seven-year limitation, have allowed the time to expire without securing their papers, that we should take care of. The committee usually looks into those things with very great care, and if we should undertake now to inject those things which have ostensible merit, but which have not been thoroughly examined, into a bill of this kind, we might involve the whole matter in trouble.

Mr. MONDELL. We have so much confidence in the gentleman's committee that we desire to have the bill remain as he reported it.

Mr. BURNETT. At the same time, however, the committee has confidence in the House, and wherever the House feels the committee has not made their meaning entirely clear the committee is willing to have that defect cured by an amendment such as the gentleman from Wisconsin [Mr. LENROOT] offers.

Mr. SLOAN. The gentleman from Alabama says this is not a matter of aliens but of alien enemies.

Mr. BURNETT. Yes.

Mr. SLOAN. I call the gentleman's attention to line 6 of the bill, where it speaks of an alien and not an alien enemy. What I seek to remedy is the case of where an alien voluntarily pleaded his alienage as a reason for exemption—not that he was an alien enemy Where an alien, hereafter, before this bill goes into effect, pleads as a basis for exemption from military duty the fact that he is an alien—not an alien enemy—I think he should be forever barred from ever after becoming a citizen of the United States.

Mr. BURNETT. I think he is an alien enemy in that case.

Mr. SABATH. Answering the gentleman's question, I wish to say that the committee has reported such a bill that will take care of such cases as the gentleman has in mind.

Mr. BURNETT. Yes; the alien slacker.

Mr. SABATH. The so-called alien slacker bill.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. LENROOT] may be permitted in my time, without my losing the floor, to offer his amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, is the gentleman going to allow any debate upon this? I prefer to have the bill passed as it is.

Mr. RAKER. Let us dispose of the first committee amendment.

Mr. STAFFORD. May we have my colleague's amendment read for information?

Mr. RAKER. I ask that it be read for the information of the House.

The SPEAKER pro tempore. Without objection, the Clerk will read the amendment of the gentleman from Wisconsin, Mr. LENROOT.

The Clerk read as follows:

Page 2, line 7, after the word "thereof," insert the words "if otherwise entitled to admission."

Mr. RAKER. Mr. Speaker, let us dispose of the first committee amendment.

Mr. MONDELL. Will the gentleman yield some time in opposition to it?

Mr. RAKER. We will yield time on Mr. LENROOT's proposed amendment. Let us have the first committee amendment reported.

The Clerk read as follows:

Page 1, line 8, after the word "States," strike out the word "are" and insert the word "is."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

Mr. GOOD. Mr. Speaker, I understood the gentleman to say that this provision had been on the statute books now for 100 years. My colleague, Judge GREEN, made inquiry with regard to the word "then," appearing in line 9, and it seems to me that ought to be stricken out. It does not mean anything.

Mr. LENROOT. That is in the old act.

Mr. RAKER. The gentleman suggested that the changing of "are" to "is" is grammatical construction.

Mr. GOOD. I know, but the other has been on the books for a hundred years, the gentleman says, and it has worked so admirably——

Mr. RAKER. Personally I would like to see it stand as "are."

Mr. GOOD. It ought to be changed, and in the other amendment the word "then" ought to be stricken out, and I hope the committee will strike it out. It means nothing.

Mr. LENROOT. The gentleman is wrong about it meaning nothing.

Mr. GOOD. What does it mean?

Mr. LENROOT. It means during the existence of the war, and if you strike out "then"——

Mr. GOOD. "Shall be then admitted."

Mr. LENROOT. During the existence of the war.

Mr. GOOD. The question of the existence of the war is not referred to.

Mr. RAKER. It is clear what it means there.

Mr. ROBBINS. It means the time he applies. What is the reason for changing the existing law at all?

Mr. DOWELL. I ask to have the amendment again read.

The SPEAKER pro tempore. Without objection, the amendment will be again reported.

The amendment was again reported.

The question was taken, and the Speaker announced the ayes appeared to have it.

Mr. ROBBINS. Division, Mr. Speaker; this changes existing law.

Mr. BURNETT. It is a question of grammar as to which is the better form, "are" or "is."

The SPEAKER pro tempore. That is not in order; a division has been called for.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary question.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MOORE of Pennsylvania. This country is a Nation, is it not?

Mr. RAKER. That is why the members of the committee suggested that the word "are" be changed to the word "is."

Mr. MOORE of Pennsylvania. This is one Nation, is it not—not a Nation in which we speak of ourselves in the plural but in which we stand as one. The United States "is." If you say the United States "are," you mean we are divided up.

The SPEAKER pro tempore. Those are not parliamentary inquiries. A division was called for. Does the gentleman insist on a division?

Mr. RAKER. I thought the matter had been disposed of and the amendment had been adopted.

The SPEAKER pro tempore. No; it has not been adopted. A division was called for and then a parliamentary inquiry which was not a parliamentary inquiry, and the Chair has disposed of that now.

Mr. RAKER. What is the matter before the House?

The SPEAKER pro tempore. The question of agreeing to the amendment.

The House divided; and there were—ayes 80, noes 7.

So the amendment was agreed to.

Mr. GOOD. Will the gentleman yield for a question?

Mr. RAKER. Let us dispose of the Lenroot amendment.

Mr. GOOD. But this will come before that. Will it not be better to strike out the words "be then" and insert "during the continuance of the war be"?

Mr. RAKER. I do not believe it will.

Mr. GOOD. That is what it does mean, as the only time referred to previously is the time of making application.

Mr. RAKER. Oh, no; this has not anything to do with applications here.

Mr. GOOD. I know it has not; but if it refers——

Mr. ROGERS. A parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ROGERS. I do not understand the order in which we are proceeding, Mr. Speaker, and I desire to offer an amendment at the proper time, and I ask if this is the proper time.

The SPEAKER pro tempore. The Chair will state that this debate is not proceeding precisely in accordance with the rules of debate but under usage the House frequently indulges in. The exact parliamentary status is that the gentleman from California has the floor, and has an hour, and things have been proceeding informally, and the gentleman can move the previous question if he chooses.

Mr. ROGERS. I want to ask the gentleman from California to yield to me for an inquiry.

Mr. DOWELL. There is an amendment now pending.

The SPEAKER pro tempore. No; there is no amendment pending.

Mr. DOWELL. Is not the Lenroot amendment pending?

The SPEAKER pro tempore. That was read at the desk for information.

Mr. RAKER. Mr. Speaker, how much time have I?

The SPEAKER pro tempore. Fifteen minutes.

Mr. ROGERS. Will the gentleman yield for a question?

Mr. RAKER. I do.

Mr. ROGERS. At the top of page 2 is a limitation of time to the 6th day of April, 1917, which is the day we declared war.

Mr. RAKER. Yes.

Mr. ROGERS. Does not the gentleman think it would be proper to change that date to the date we broke off diplomatic relations, on the 2d day of February? In other words, does the gentleman think we ought to extend this privilege of citizenship in the United States to those who were inchoately enemies of the United States at that time, even though they were not in the fullest sense declared enemies of the United States?

Mr. RAKER. Well, the law having been on the statute books, to repeat again, for 125 years, I think it is good to keep it—to fix it from the date of the declaration of war.

Now, Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT] on the amendment that has been offered by unanimous consent.

Mr. KEARNS. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. KEARNS. To ask a question.

Mr. RAKER. I can not yield just now.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. KEARNS. A parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KEARNS. Is the Lenroot amendment now pending?

The SPEAKER pro tempore. It was read for information.

Mr. LENROOT. I ask unanimous consent that I may offer that amendment.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to discuss the amendment.

Mr. LENROOT. There will be time to discuss it. I am simply getting it before the House.

Mr. RAKER. I ask unanimous consent that I may yield to the gentleman to offer that amendment so that I will not lose the floor.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I want to inquire if there is to be any time for the discussion of this amendment.

Mr. RAKER. Shall I offer the amendment? Mr. Chairman, I offer the amendment.

Mr. MADDEN. The only question I wish to ask the gentleman is whether his time is limited to 15 minutes.

Mr. RAKER. Yes.

Mr. MADDEN. And at the end of that time I presume the gentleman is going to move the previous question?

Mr. RAKER. I will have to; we do not want to take another hour.

Mr. MADDEN. I think it is important that the amendment be discussed. I have no objection to discussing it, and I think time could be extended 10 minutes by unanimous consent.

Mr. RAKER. That will be all right.

Mr. MADDEN. Suppose the gentleman asks unanimous consent.

Mr. RAKER. Now, to avoid any complications, I will state when the time expires I will move the previous question. Mr. Speaker, I ask unanimous consent that my time be extended 10 minutes over the hour.

Mr. MADDEN. That will be all right.

The SPEAKER pro tempore. The gentleman from California——

Mr. ROGERS. Mr. Speaker, reserving the right to object, I want an opportunity to propose my amendment to change the date of April 6, 1917, to February 2, 1917.

Mr. RAKER. I will give the gentleman time to offer the amendment.

Mr. ROGERS. And give me two minutes in which to discuss it?

Mr. RAKER. Yes.

Mr. RUCKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RUCKER. Will not this bill be read for amendment before it is passed?

The SPEAKER pro tempore. The gentleman from California [Mr. RAKER] within his hour can move the previous question.

Mr. RUCKER. Can the bill be passed without being read?

Mr. DOWELL. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DOWELL. After the hour for general debate has expired——

The SPEAKER pro tempore. This is not an hour for general debate. The gentleman has an hour.

Mr. DOWELL. Is not time then given to offer amendments to the bill?

The SPEAKER pro tempore. If the gentleman from California does not move the previous question within the hour, or if he moves it and it is not agreed to by the House, why, of course, any gentleman who gets the floor will get an hour in his own right. That is the parliamentary status.

Mr. MADDEN. Now, Mr. Speaker, the gentleman from California has suggested that he will be willing to ask for an extension of the time for 10 minutes, and I suggest that the gentleman from Pennsylvania [Mr. MOORE] be given five minutes of the time.

Mr. RAKER. I will do that.

Mr. Speaker, I ask unanimous consent that my time be extended for 10 minutes beyond the hour, and that upon the expiration of that time the previous question be considered as ordered. And I will state to the gentleman from Wyoming [Mr. MONDELL] that I will yield to him five minutes, the gentleman from Wisconsin [Mr. LENROOT] five minutes, and to the gentleman from Massachusetts [Mr. ROGERS] two minutes, so that he can offer his amendment and the whole matter may be disposed of.

I will yield two minutes to the gentleman from Missouri to offer his amendment, and will reserve the balance of the time and distribute it among the Members as they may desire.

Mr. STAFFORD. Reserving the right to object, if the amendments that have not been read are to be offered at this time, without objection, and no opportunity is to be had to discuss them, I will have to object. I have no objection to allowing the time to be extended with a vote on the amendment to be proposed by the gentleman from Wisconsin.

Mr. RAKER. Let me make this suggestion: That those gentlemen now read their proposed amendments for information.

Mr. LENROOT. Let me make a suggestion.

Mr. RAKER. Yes.

Mr. LENROOT. This is a very short bill. Why not get unanimous consent to consider this bill in the House as in the Committee of the Whole under the five-minute rule? We will get through with it very rapidly.

Mr. RAKER. Can we not fix the time?

Mr. MADDEN. Make it 30 minutes. That will be satisfactory.

Mr. LENROOT. I think you will get through with it just about as quick.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the time be extended 20 minutes, and then we will yield the time.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that his time be extended 20 minutes and to have the same right with respect to the extent of time as he has with the hour he has now.

Mr. MADDEN. In other words, he may have the right to ask the previous question at the end of the extension of 20 minutes.

Mr. ROBBINS. Reserving the right to object, what time is that going to give to the consideration of this bill?

The SPEAKER pro tempore. Twenty minutes more.

Mr. KEARNS. Mr. Speaker——

The SPEAKER pro tempore. Just a moment. The gentleman from California asks unanimous consent for 20 minutes. He already has 6 minutes. That will make 26 additional minutes that he will control.

Mr. KEARNS. Reserving the right to object, I would like to ask the chairman whether he has parceled out all of his time?

Mr. RAKER. No; not yet.

Mr. KEARNS. Reserving the right to object, I would like to get a little of that time, in which to ask a question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none, and the time is extended 20 minutes.

Mr. RAKER. I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

The SPEAKER pro tempore. The gentleman from California means to offer the amendment that was read?

Mr. LENROOT. He stated that he would offer it, but it has not formally been offered as yet.

The SPEAKER pro tempore. Does the gentleman from California offer the amendment?

Mr. RAKER. I offer the amendment.

The SPEAKER pro tempore. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 2, line 7, after the word "thereof," insert the following: "if otherwise entitled to admission."

Mr. LENROOT. Mr. Speaker, if the amendment that has just been read be adopted it will make it clear that the provisions of this bill only apply to the case of alien enemies under the circumstances set out in the bill. Now, the gentleman from Wyoming [Mr. MONDELL] desires the bill in its original form, because he thinks if it shall remain in that form alien enemies who took out their first papers 20 years ago will be entitled to full citizenship. That is exactly what the gentleman wants, and that is exactly what this House ought not to do, because while I am in full sympathy with legislation that will take care of those cases where through inadvertence the seven-year period was passed, they should be taken care of by separate legislation applying to all aliens. I do not believe that this House wants to enact legislation that will give a greater privilege to alien enemies than it would give to those aliens who are not enemies.

Mr. STAFFORD. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. STAFFORD. Should not the qualifying clause of the amendment be inserted after the word "United States," in line 4? We have here on this second page two conditions under which alien enemies may obtain their full citizenship. First, as stated in lines 2 to 4, those who had before that day made a declaration.

Mr. LENROOT. The gentleman is taking my five minutes. Ask your question.

Mr. STAFFORD. I am pointing it out.

Mr. LENROOT. I call the gentleman's attention to the fact that the phrase preceding my amendment, "may be admitted to become citizens thereof," covers both, those who filed their declaration——

Mr. STAFFORD. The second clause is limited to those "who, by the existing laws of the United States, were on that day entitled to become citizens." It is not necessary to limit that clause, but the first clause should be.

Mr. LENROOT. The language, "who are otherwise entitled to admission," will do no harm to the second clause.

Mr. STAFFORD. It is meaningless in a way to put it where it is.

Mr. LENROOT. I do not think it would make the slightest difference in the construction of the act as to at which place those words were inserted, because the second class provided for in the bill must also be otherwise entitled to admission, so that no possible harm could result from making it cover both classes.

Mr. SCOTT of Iowa. Mr. Speaker, will the gentleman yield for a moment?

Mr. LENROOT. Yes.

Mr. SCOTT of Iowa. I want to suggest another reason why it is necessary that the amendment be placed where the gentleman from Wisconsin has put it. As the bill now stands, the test is based upon qualifications in April, 1917, so that if the amendment of the gentleman from Wisconsin were not included the interval of time since then is eliminated, and a man who has lost those qualifications since April, 1917, would still under the bill be entitled to admission.

Mr. LENROOT. That is true; but the point I wanted to make is that this House ought not to give an alien enemy a greater right of citizenship than it proposes to give to aliens who are not enemies, and if the theory or the construction of the gentleman from Wyoming should prevail, and the amendment that I have proposed should not be adopted and that the seven-year limitation should not apply, then we would say to the alien of Germany, "You may become a citizen of the United States," when we would not allow a like privilege to a citizen of England or France, and so I think the amendment should be adopted.

Mr. NORTON. Mr. Speaker, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. NORTON. Do you give a privilege to an alien enemy by the amendment that a nonalien does not have?

Mr. LENROOT. No.

Mr. NORTON. A nonalien now has the right to make a new application if he has made an application 10 or 20 years ago?

Mr. LENROOT. My amendment puts them in the same class, so far as the old declaration is concerned.

Mr. NORTON. But if a nonalien has made a declaration 15 years ago and has not acted upon it, he has the right to make a new declaration, but an alien has not?

Mr. LENROOT. That is true, during the war.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. RAKER. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for five minutes.

Mr. MOORE of Pennsylvania. Mr. Speaker, I would prefer, if this bill passes, to have it passed in its present form, without amendment. I do not believe the amendment of the gentleman from Wisconsin [Mr. LENROOT] makes it any clearer than it is. Indeed, I think the gentleman from Wisconsin rather confuses the bill by his amendment, so far as I understand his amendment and the purpose of it. He fears that unless the amendment is agreed to some preference will be given to the alien enemy over the other alien who is not an enemy, both seeking naturalization.

I call his attention and yours to the first three or four lines of this section 2171, which I think settle conclusively that question and show that the amendment of the gentleman from Wisconsin is mere surplusage. It says "no enemy who is a native citizen or a subject or a denizen of any country, State, or sovereignty with which the United States is at war at the time of his application shall be then admitted to become a citizen of the United States." Therefore the trouble he sees is anticipated and is covered by this bill. No alien enemy at a time of war can be considered for naturalization under this paragraph. Therefore there is no necessity for his amendment. The alien enemy is wiped out at the very outset.

Mr. WELTY. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Pennsylvania yield to the gentleman from Ohio?

Mr. MOORE of Pennsylvania. Yes.

Mr. WELTY. Is not the proposed amendment included in the words "on that day entitled to become citizens"?

Mr. MOORE of Pennsylvania. Why, the alien enemy under the very opening section of the paragraph is prevented while his country is at war with us from obtaining naturalization.

Now, the gentleman says his amendment will make it clear if we insert after the word "thereof," on line 7, the words "may become citizens," and so forth, if otherwise entitled to admission. As to "if otherwise entitled to admission," the law covers that. The gentleman is a good lawyer, but instead of making this proposition clear he only confuses it, because where we come to that language which admits of an alien, not an enemy alien, becoming a citizen, it states that though you take them in as on or after April, 1917, the declaration must be "according to law." And it goes on to say as to that day they are "entitled to become citizens," they must do it "under the existing laws of the United States." Why must we make it clearer than that?

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. LENROOT. The gentleman says when you come to the part referring to nonalien enemies, no portion of this bill refers to any aliens who are not alien enemies.

Mr. MOORE of Pennsylvania. The gentleman seems to make a distinction as a lawyer which I do not observe as a layman. I contend the gentleman's point is thoroughly well covered by requiring that every alien who comes forward must do so in accordance with the law then existing.

Mr. LENROOT. Only an alien enemy.

Mr. MOORE of Pennsylvania. The alien enemy is barred out by the first four lines of the section I have read and referred to several times.

Now, the gentleman should not prevent those aliens who have been denied the validity of the certificates of naturalization issued to them by the courts in accordance with the law as the courts understood it from obtaining the benefits of this act.

I should think that old alien, whose declaration has been filed for seven years and who in good faith has performed his part as a resident of this country, should have the opportunity to validate his naturalization if he is not an enemy. I feel if he can do it under this bill, perhaps it is a short cut to correcting some of the errors of the courts as they have been determined recently by the Supreme Court of the United States.

Mr. McKENZIE. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. McKENZIE. Does not the gentleman from Pennsylvania believe that this law, if enacted, should be limited only to such aliens as could not obtain their naturalization papers before the declaration of war, and not to relate back to men who might have been naturalized if they had seen fit to take the opportunity?

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. RAKER. Mr. Speaker, I yield two minutes to the gentleman from Ohio [Mr. KEARNS].

The SPEAKER pro tempore. The gentleman from Ohio is recognized for two minutes.

Mr. KEARNS. I want to ask the chairman a question. I want to know what class of persons would be covered by this phrase:

Or who, by the existing laws of the United States, were on that day entitled to become citizens without making such declaration.

Mr. RAKER. I have not the concrete cases right here——

Mr. KEARNS. Does not everyone have to make a declaration?

Mr. FESS. No.

Mr. BURNETT. The general law now provides that one who has for years labored under the misapprehension that he was a citizen will not be relegated to the long time and tedious process that he would undergo after now filing a declaration of intention, but may file his application and become a citizen at once. Now, if there be cases of that kind, of alien enemies who have believed they were citizens and who for years have been voting, like the case my friend from Wyoming [Mr. MONDELL] spoke of, they may become naturalized under the general law, and this is to take care of cases of that kind.

Mr. KEARNS. Without making a declaration of citizenship?

Mr. RAKER. Make the application and eo instanti become citizens.

Mr. KEARNS. But your bill says:

Or who, by the existing laws of the United States, were on that day entitled to become citizens without making such declaration.

What classes of persons can become citizens of the United States without making some declaration?

Mr. BURNETT. This has reference to the declaration of intention, when a man "takes out his first papers." There is a declaration of intention to start the matter. Then there is the final application for admission to citizenship. Now, instead of making that first declaration, if there be those who have been laboring under the misapprehension for years that they were citizens, they may come up and make application for citizenship, if they see fit to do so, without making the first formal declaration of intention, and then be naturalized at once.

Mr. RAKER. I yield two minutes to the gentleman from Massachusetts [Mr. ROGERS].

Mr. MONDELL. The gentleman had promised to yield five minutes to me.

Mr. RAKER. I yield two minutes to the gentleman from Massachusetts [Mr. ROGERS] first.

Mr. ROGERS. Mr. Speaker, a parliamentary inquiry before the two minutes begins.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ROGERS. I want to offer another amendment. I should much prefer to offer my amendment and have my two minutes thereon after the Lenroot amendment has been disposed of. Is that practicable under the parliamentary situation?

The SPEAKER pro tempore. If the gentleman from California [Mr. RAKER] will yield the gentleman time a little later.

Mr. ROGERS. If the gentleman from California would be willing to give me my two minutes to offer a further amendment after the Lenroot amendment has been disposed of——

Mr. RAKER. I am afraid that time will never arrive, because when the Lenroot amendment has been disposed of the previous

question will be ordered by unanimous consent, and we will go right into the disposition of the bill. But I will yield to the gentleman from Wyoming [Mr. MONDELL] first, and then the gentleman can follow him. I yield first to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, the gentleman from Wisconsin [Mr. LENROOT], who offered the amendment, stated that my position was that the bill as it now stands would permit—not compel but permit—judges of United States courts to grant citizenship papers to those coming under the purview of the bill, even though their original declaration was made more than seven years ago; and he further said that I desired to have that sort of a situation established and provided for. The gentleman is right. That is my view of the bill and my desire, for this reason: The gentleman says we would be granting a privilege to an alien enemy that we do not grant to any other alien. The gentleman from North Dakota [Mr. NORTON] very clearly indicated the difference between the two classes of cases. Any other alien may at any time come forward and make his declaration. But once you bar an alien enemy, he is barred for all time, and he can not therefore make his declaration, for there is nothing in this bill authorizing him to make that declaration. It only brings in a man whose declaration we accept, and an alien enemy could not therefore make a declaration, so we would keep him out.

Mr. LENROOT. Will the gentleman yield?

Mr. MONDELL. In just a moment. We have in our country to-day many men classed as alien enemies who made their first applications for citizenship more than seven years ago, some of whom have believed they were citizens and have been exercising the duties and responsibilities of citizenship; these men, good citizens who now find themselves regarded as alien enemies, denied the opportunity to go about over the country to attend to their business, to perform their duties, to mingle freely with their fellow citizens, have the stigma upon them of being registered as alien enemies.

The act is permissive. No judge is compelled to grant citizenship under it to anyone; and where a man shows every qualification for good citizenship, even though he made his declaration more than seven years ago, he ought to be relieved from the stigma that now rests upon him.

Mr. LENROOT. Will the gentleman yield?

Mr. MONDELL. I yield to the gentleman from Wisconsin.

Mr. LENROOT. The gentleman made a statement that was incorrect. I am sure he does not want to do that.

Mr. MONDELL. No; I do not.

Mr. LENROOT. He stated that I would bar an alien enemy for all time from making a declaration.

Mr. MONDELL. For all time during the war.

Mr. LENROOT. But why does not the gentleman say that?

Mr. MONDELL. "For the war" is for all time, so far as the matters we are discussing are concerned. After the war is over this question is no longer with us, and therefore it is "all time" as far as this bill is concerned. I am correct in regard to the statement I made. This act is only permissive; the judge decides whether a man is worthy of citizenship. I believe that a man who is so unfortunate as to be registered as an alien enemy, but who is a good, loyal man, and who the court believes ought to be made a citizen and relieved from the stigma of being an alien enemy, should be given the opportunity to become a citizen, even though this first declaration of intention was made more than seven years ago. Therefore I am not in favor of any amendment of the bill.

Mr. RAKER. I yield two minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Speaker, I am unable to agree with my friend, the gentleman from Wisconsin [Mr. LENROOT] as to the construction of this bill as it now stands. The reference to those who have heretofore filed their declarations of intention, as I understand the gentleman from Wisconsin to contend, is an absolute one, requiring the courts, if this bill is passed, to admit all such persons who have so filed their declarations. I do not think the law has been so construed.

Mr. LENROOT. That conclusion does not follow.

Mr. GREEN of Iowa. Whether the gentleman concedes that that follows from the argument or not, I think it does show it; and I think it is not the correct construction to place upon the law, which has been upon the statute books for a long time. If that were the rule, then if some anarchist or criminal came forward who had heretofore filed his declaration he would have to be admitted by the court passing upon that declaration. Such, however, I think, will not be the construction that anyone will place upon the statute. The meaning of the statute is that those may be admitted who are otherwise qualified. A man must have all the qualifications otherwise provided by the naturalization law, and in that event the fact that he is an alien enemy will not, if this bill is passed, prevent his being admitted, provided he has filed his declaration within the time required by the other statute. And if that is the rule with reference to one matter—if he must be qualified with reference to one matter, such as being a man of good character, a man who is not a criminal, a man who can speak the English language, as is ordinarily required by the judges, then he must be qualified in other respects. One of these matters required by the decision of the Supreme Court is that his declaration must have been filed within not more than seven years. So I think this amendment is not necessary.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RAKER. I yield two minutes to the gentleman from Massachusetts [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, this bill cares for Germans who declared their intention to become citizens prior to the 6th day of April, 1917, the date when we declared war. The amendment which I propose simply substitutes the date of February 2, 1917, when we broke off diplomatic relations with Germany. Why should that change be made? I think we should agree that the only risk incurred in passing this bill is that it may be taken advantage of by men who are seeking, under the cloak of citizenship, the accomplishment of purposes not friendly to the United States. From the moment when we broke off relations with Germany we were at least an inchoate enemy of Germany and Germany of us; to all practical intents and purposes we were hostile countries after that date. A man who desired to clothe himself as far as he could with the status of an American citizen so that he might utilize his declaration of intention to become a citizen for his own sinister purposes would naturally have proceeded to do so after February 2 and before April 6.

Mr. RAKER. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. RAKER. No man who filed an application at any time between February 7 and the 6th of April could ever be naturalized under this bill.

Mr. ROGERS. Why?

Mr. RAKER. They all must have had their applications on file two years before.

Mr. ROGERS. Then why not have the date put in the bill as February 2? There could be no objection to it, and on the gentleman's own statement there is every reason in logic and patriotism for the change.

Mr. RAKER. Mr. Speaker, I yield two minutes to the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER. Mr. Speaker, the whole purpose of this legislation, as I understand it, is to enable final naturalization papers to be issued in proper cases which now, in view of the ruling of the courts, can not be issued without the passage of this bill. In connection with the amendment offered by the gentleman from Wisconsin [Mr. LENROOT] I think there should be another amendment in order to make clear what I think is the intention of the committee and the purpose of this bill. In other words, the committee's intention is to allow those who, prior to April 6, 1917, filed declarations of intention to prosecute them to final action and secure naturalization.

Suppose declaration was filed six years before April 6, 1917, nearly a year has already expired since the war began, and, as existing law is construed, that time would be charged against the citizen who is seeking naturalization; therefore I think an amendment like this should be engrafted upon the bill: At the end of line 2, page 2, insert "within seven years next," so as to make it read "who had within seven years next before that day made declarations of intention," and so forth.

Mr. RAKER. The chairman and myself do not see any objection to that amendment, but we do not think it necessary.

Mr. RUCKER. It makes it clear that the time since the war shall not be charged up against the one seeking naturalization, and does not detract anything from the bill. Mr. Speaker, I offer the amendment which I have quoted.

Mr. STAFFORD. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. STAFFORD. I assume that the gentleman's amendment purposes the object that was sought after by the gentleman from Wisconsin in his amendment.

Mr. RUCKER. I think the same thing.

The SPEAKER pro tempore (Mr. SAUNDERS of Virginia). The time of the gentleman from Missouri has expired.

Mr. STAFFORD. Mr. Speaker, the gentleman from California [Mr. RAKER], having yielded to the gentleman from Missouri for the purpose of offering an amendment, is not the gentleman from Missouri entitled to an hour?

Mr. RAKER. I only yielded the gentleman two minutes.

Mr. RUCKER. If I have any such time, I yield it back.

Mr. STAFFORD. I would like to know the status of the situation. Has an amendment been offered by the gentleman from Missouri?

The SPEAKER pro tempore. The amendment is not before the House.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the amendment of the gentleman from Massachusetts and the amendment of the gentleman from Missouri may be considered as pending and lose no rights by the parliamentary situation.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that an amendment offered by the gentleman from Missouri [Mr. RUCKER] and the gentleman from Massachusetts [Mr. ROGERS] may be considered as pending without prejudice by the present parliamentary status. Is there objection?

There was no objection.

Mr. SNYDER. May I ask the gentleman a question?

Mr. RAKER. Yes.

Mr. SNYDER. I would like to know if the bill covers the case of a German alien who is now interned in Panama, who nine years ago took out his first papers but failed to take out second papers.

Mr. RAKER. I do not think it would.

Mr. SNYDER. Some of my colleagues on this side of the Chamber think that the bill covers that case. I would like an opinion on that before I am asked to vote.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. ROGERS: Page 2, line 1, after the second "the," strike out the words "6th day of April" and insert in lieu thereof "the 2d day of February."

Amendment by Mr. RUCKER: Page 2, line 2, after the word "had," insert "within seven years next."

Mr. SLOAN. Mr. Speaker, I presented an amendment calculated to prevent aliens, not alien enemies, but aliens, who have heretofore or may before the passage and approval of this measure, plead their alienage as exemption against military service from ever becoming citizens of the United States. I learn that there is a bill pending, with the recommendation of the committee behind it, House bill 5657, which will come up Wednesday next, in which the terms of my amendment are included, with the prestige of the committee's indorsement. I am pleased to withdraw the amendment I had to be considered when the other case is called up on Wednesday.

Mr. BURNETT. And I hope everybody will be here to help pass the alien-slacker bill and see that it does not go over again.

Mr. RAKER. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, this bill will not permit the naturalization of such people as the gentleman from Pennsylvania had in mind, because the court would not permit the naturalization of any man guilty of treason or of any crime against the United States.

Mr. SNYDER. That is not the case I put at all. This man is not guilty of any crime or treason, he is simply interned.

Mr. RAKER. Mr. Speaker, has the previous question been ordered?

The SPEAKER pro tempore. No; the gentleman had better move it.

Mr. RAKER. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER pro tempore. The Clerk will report the amendments.

The Clerk read as follows:

Amendment by Mr. RAKER: Page 2, line 7, after the word "thereof," insert the following: "If otherwise entitled to admission."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. MONDELL) there were—ayes 29, noes, 19.

So the amendment was agreed to.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 2, line 1, after the word "the," strike out the following: "6th day of April" and insert in lieu thereof "2d day of February."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. ROGERS) there were—ayes 29, noes 32.

So the amendment was rejected.

The Clerk read as follows:

Amendment offered by Mr. RUCKER: Page 2, line 2, after the word "had," insert "within seven years next."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. RAKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

DRAFTING ALIENS INTO UNITED STATES ARMY.

The next business on the Calendar for Unanimous Consent was House joint resolution 115, requesting the Secretary of State to open diplomatic negotiations with certain Governments with a view to obtaining their approval and sanction for action by the United States permitting the inclusion in the armed forces of the United States of such citizens of the countries of such Governments as are within the United States.

The SPEAKER pro tempore. Is there objection?

Mr. ROGERS. Mr. Speaker, because of the fact that the Secretary of State has already notified the Congress that he is engaged in completing such treaties, and because of the further fact that the gentleman from Alabama [Mr. BURNETT] proposed to bring up a bill on Wednesday next which deals with this same question, I ask unanimous consent that this resolution be stricken from the Calendar for Unanimous Consent.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent that the resolution be stricken from the calendar. Is there objection?

There was no objection.

POWER TO DETAIL NAVY AND MARINE CORPS FOR SERVICE IN DOMINICAN REPUBLIC.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6975) to authorize and empower officers and enlisted men in the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I do not see the chairman of the Committee on Naval Affairs in the Chamber at this moment.

Mr. FOSTER. He was here until just a moment ago.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. FOSTER. I suggest that the gentleman modify his request by providing that it be passed over temporarily.

The SPEAKER pro tempore. Does the gentleman so modify his request?

Mr. STAFFORD. I will be glad to accept the suggestion.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the bill may be passed over temporarily without prejudice. Is there objection?

There was no objection.

RESERVE OF PUBLIC HEALTH SERVICE.

The next business on the Calendar for Unanimous Consent was Senate joint resolution 63, to establish a reserve of the Public Health Service.

The SPEAKER pro tempore. Is there objection?

Mr. COADY. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

BRIDGE ACROSS MISSOURI RIVER, MO.

The next business on the Calendar for Unanimous Consent was the bill (S. 2688) to extend the time for constructing a bridge across the Missouri River near Kansas City, Mo., authorized by an act approved June 17, 1914.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from Missouri [Mr. ALEXANDER] whether this is not a similar proposition to a House bill that was objected to some months ago?

Mr. ALEXANDER. I can not say about that. I do not recall being present if such a bill was up for consideration. This is a Senate bill, and the purpose is to extend the time to construct the bridge across the Missouri River near Kansas City, Mo., which was authorized by an act approved June 17, 1914. The site of the bridge is between Jackson County, Mo., and Clay County, Mo. Jackson County is in the district of my colleague [Mr. BORLAND] and Clay County is in my district. We have no objection to the time being extended.

Mr. STAFFORD. Has any work whatsoever been done under this authorization?

Mr. ALEXANDER. I think not.

Mr. STAFFORD. As I recall, it has been extended once before for three years.

Mr. ALEXANDER. I think twice.

Mr. STAFFORD. What is the need of giving authorization here to keep in existence some paper corporation which is not going ahead with the work of construction?

Mr. ALEXANDER. I did not introduce the original bill in this case, and I did not introduce either of the bills to extend the time, but I have no objection to the time being extended. I will be glad to have them construct the bridge, but if they do not do it very soon——

Mr. ANTHONY. Mr. Speaker, if the gentleman will permit, I know a little something about this project. I think if the gentleman will investigate he will find that the reason no work has been done has been on account of the financial stringency the railroads have been in in the last three years. Is not that true?

Mr. ALEXANDER. Well, I could not say——

Mr. ANTHONY. The project embraces an ambitious proposition for giving one or two roads new entrances into Kansas City and they were unable to carry them out in the last three years on account of the war.

Mr. STAFFORD. Mr. Speaker, I think a railroad corporation that has had the privilege since 1914 of building a bridge and has not manifested any ability in any way whatsoever to carry out the original intention should not be coming to Congress every two or three years asking for an extension, and therefore I object.

The SPEAKER pro tempore. Objection is heard, and the bill will be stricken from the calendar.

SERVICE OF OFFICERS AND ENLISTED MEN, ETC., IN THE DOMINICAN REPUBLIC.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent to return to calendar No. 40 (H. R. 6975), which the members of the committee kindly passed over a few moments ago temporarily.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to return to the bill indicated, which was passed over temporarily. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. There is a reservation of point of order as to consideration of the bill.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized, in his discretion, to detail to assist the Dominican Republic officers and enlisted men of the United States Navy and the United States Marine Corps: *Provided*, That officers and enlisted men so detailed be, and they are hereby, authorized to accept from the Government of the Dominican Republic offices under said Government with compensation and emoluments from the said Dominican Republic, subject to the approval of the President of the United States: *Provided further*, That while so detailed such officers and enlisted men shall receive, in addition to the compensation and emoluments allowed them by the Dominican Republic, the pay and allowances of their rank or rating in the United States Navy or United States Marine Corps, as the case may be, and they shall be entitled to the same credit, while so serving, for longevity, retirement, foreign-service pay, and for all other purposes that they would receive if they were serving with the United States Navy or Marine Corps in said Dominican Republic.

The SPEAKER pro tempore. There is a reservation of the right to object.

Mr. PADGETT. Mr. Speaker, the Senate has passed a bill in identical words with the bill on the calendar, and I ask that Senate bill 3006 may be considered in lieu of the House bill.

Mr. STAFFORD. Mr. Speaker, temporarily I object until we can get some information as to the reason for the passage of this bill. I take it no one has objection to authorizing the President, as provided in the first paragraph, to depute our officers and enlisted men for service in the Dominican Republic, but the proposal as embodied in the proviso whether we shall allow our officers who are detailed there to accept from the Government of the Dominican Republic compensation for their services in addition to the pay that they are receiving from the United States should be considered.

Mr. PADGETT. This is identical with the bill we passed in the preceding Congress for Haiti, a part of the same island, and which we are administering under like conditions. It is identical with the bill which was passed in the last Congress.

Mr. STAFFORD. Well, can the gentleman, in view of that statement, give the House any advice as to how much money the Haitian Republic is paying to our naval officers or other officers in the performance of outside work on that island?

Mr. PADGETT. It is a small amount; I do not know; but we undertook to reorganize the government of Haiti altogether and to establish a gendarmerie or constabulary force and to officer that force. Conditions there, the gentleman knows, are not at all pleasant or agreeable, and it is all under the jurisdiction of the President, has to meet his approval, and the language and provisions are the same as we provided for Haiti.

Mr. STAFFORD. We send officers to the Philippines, and perhaps the service there is not as agreeable as on our coasts here in continental United States, and yet we do not pay them any additional amount except 10 per cent for foreign service.

Mr. PADGETT. We pay 10 per cent additional.

Mr. STAFFORD. And why should we permit these to receive additional compensation over that which they are receiving on the pay roll of the United States?

Mr. PADGETT. The conditions down there are different, and the conditions are so unfavorable they have to deny themselves many things that they are justly entitled to such additional compensation as the Government there is willing to pay and the President is willing for them to receive. It is working splendidly in the Haitian Republic.

Mr. STAFFORD. Well, how many naval officers have been delegated to Haiti?

Mr. PADGETT. It is a small number; I do not remember. Gen. Cole was there for one, and Col. Butler, son of our Representative from Pennsylvania, and I should say, just guessing, something like 15 or 20, or maybe 25, on the whole island.

Mr. STAFFORD. And how much additional compensation are they receiving, or is anyone receiving, so we may have some facts on which to base an understanding of the policy of allowing foreign governments to contribute to the compensation of our own officers when performing work in a foreign land?

Mr. PADGETT. I could not give the gentleman that. That was arranged by the State Department and the President, and I do not know the amount, but it is a small amount in the aggregate as compared with the value of the services they are rendering. It is very important that we should have this legislation.

Mr. STAFFORD. I do not question the policy of deputing to the President the right to send officers there to carry out treaty arrangements, to collect fiscal revenue, and so forth, but I think it is questionable whether our Government should attempt the policy of allowing foreign governments to pay for their services when they are receiving their full compensation as officers of the United States.

Mr. PADGETT. Well, it is true they are receiving that, but considering the conditions under which they are laboring and the denials they have to submit to I think it is equitable.

Mr. STAFFORD. What additional services are they obliged to perform in addition to their regular duties?

Mr. PADGETT. Well, they have the whole administration of that government there. They are organizing a constabulary there, looking after the civil administration. They have taken over absolutely the Government of Santo Domingo; they have displaced the legislative body, all of their civil officers resigned, and the President placed Admiral Knapp in charge there as naval governor, and we have the whole administration of the island and the Republic of Santo Domingo.

Mr. STAFFORD. Is it not possible under the stress and strain of the existing conditions that the naval officers who are deputed for service there should be assigned to service in other parts of the world in connection with the war and civilians used in their places? The gentleman says there are 12 or 15 in Haiti.

Mr. FARR. About 25.

Mr. PADGETT. I said 20 or 25.

Mr. STAFFORD. About 25 in Haiti. Now, suppose a like number of officers are to be sent to Santo Domingo for collection purposes and administrative purposes——

Mr. PADGETT. But you could not administer the government down there at the time they took it in the revolution with civil officers.

Mr. STAFFORD. I am putting the question whether it is not possible at present, because we are dealing with the present and not with past conditions.

Mr. PADGETT. I think not; no, sir, I think not.

Mr. FARR. I will make this statement to the gentleman and give a concrete instance of the splendid work they are doing down there. A year ago there was about $15,000 in the treasury of Santo Domingo, and under the administration of our officers there is $1,250,000 there.

Mr. STAFFORD. Will the gentleman answer why that work has not been performed by civilians rather than by naval officers?

Mr. FARR. I would doubt the wisdom of that. Civilians would not have the power, influence, or the respect that the naval officers have; and, in justice to these officers, every one of them wants to go to France, but they are doing such excellent and needed work there that that desire on their part is

put aside by the Navy Department. I am sure if the gentleman had visited those places or could get information from any member of the House Committee on Naval Affairs who recently was there, there would be no hesitancy on his part in having this bill made a law. The men have assumed a tremendous additional responsibility. If I was ever proud of the representatives of our Navy and our Army—and I have a high regard for their ability, integrity, and patriotism—it was when I saw the work they were doing so magnificently at Santo Domingo, Port au Prince, and other places visited by the members of the Committee on Naval Affairs.

Mr. ROBBINS. Who is it, may I ask the chairman of the committee, that is to fix this compensation that is to be paid to our naval officers in addition to the regular salary?

Mr. PADGETT. The President of the United States.

Mr. ROBBINS. I understood a moment ago that our young officers in charge had taken over the entire administration of this island?

Mr. PADGETT. Under the direction of the President of the United States.

Mr. ROBBINS. And to supplant the legislature and the police and the military power they had there, as well as the civil government?

Mr. PADGETT. We are administering the whole Government of Santo Domingo.

The SPEAKER pro tempore. Is there objection?

Mr. ROBBINS. Wait a moment, please. Then our own people would fix the compensation they are to be paid out of the treasury of the island? Does not that seem to be a one-sided proposition? What do the natives says about that?

Mr. PADGETT. The condition in Haiti was a little different. In Haiti a treaty was made, because there was a government in force there, but the revolution in Santo Domingo came on in such circumstances that we took absolute control, and there is no government in Santo Domingo except the government which the United States is administering. And they have to do that.

Mr. DOWELL. Regular order!

The SPEAKER pro tempore. The regular order is, Is there objection? [After a pause.] The Chair hears none.

Mr. PADGETT. Mr. Speaker, I ask that the bill S. 3006 be considered in lieu of the House bill. It is identical in language.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that the bill S. 3006 be considered in lieu of the House bill. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 3006) to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes.

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized, in his discretion, to detail to assist the Dominican Republic, officers and enlisted men of the United States Navy and the United States Marine Corps: *Provided*, That officers and enlisted men so detailed be, and they are hereby, authorized to accept from the Government of the Dominican Republic offices under said Government with compensation and emoluments from the said Dominican Republic, subject to the approval of the President of the United States: *Provided further*, That while so detailed such officers and enlisted men shall receive, in addition to the compensation and emoluments allowed them by the Dominican Republic, the pay and allowances of their rank or rating in the United States Navy or United States Marine Corps, as the case may be, and they shall be entitled to the same credit, while so serving, for longevity, retirement, foreign-service pay, and for all other purposes that they would receive if they were serving with the United States Navy or Marine Corps in said Dominican Republic.

Mr. PADGETT. Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. PADGETT, a motion to reconsider the vote by which the bill was passed was laid on the table; and, also, the House bill, of similar tenor, was ordered to lie on the table.

EXTENSION OF REMARKS.

Mr. BLANTON. Mr. Speaker, I renew my request for unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MADDEN. Reserving the right to object, does the gentleman intend to put anything into what he says under leave to print that he has not said upon the floor?

Mr. BLANTON. Nothing; only to finish the remarks I intended in answering the charges made. There will be nothing that will violate the rules of the House.

Mr. MADDEN. I just wanted to have the gentleman confine himself——

Mr. BLANTON. It will be to finish answering the charges that have been made.

The SPEAKER pro tempore. Is there objection?

Mr. COX. I object, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Indiana objects.

The Clerk will report the next bill.

JUDICIAL DISTRICTS IN OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill H. R. 5558, to amend section 101 of the Judicial Code.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 5558) to amend section 101 of the Judicial Code.

Be it enacted, etc., That section 101 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved May 3, 1911, as amended by the act approved February 20, 1917, be, and the same is hereby, amended to read as follows:

"SEC. 101. That the State of Oklahoma is divided into two judicial districts, to be known as the eastern and western districts of Oklahoma. The eastern district shall include the territory embraced on the 1st day of July, 1916, in the counties of Adair, Atoka, Bryan, Craig, Cherokee, Creek, Choctaw, Coal, Carter, Delaware, Garvin, Grady, Haskell, Hughes, Jefferson, Johnston, Latimer, Le Flore, Love, McClain, Mayes, Muskogee, McIntosh, McCurtain, Murray, Marshall, Nowata, Ottawa, Okmulgee, Okfuskee, Pittsburg, Pushmataha, Pontotoc, Rogers, Stephens, Sequoyah, Seminole, Tulsa, Washington, and Wagoner. Terms of the district court for the eastern district shall be held at Muskogee on the first Monday in January, at Vinita on the first Monday in March, at Tulsa on the first Monday in April, at South McAlester on the first Monday in June, at Ardmore on the first Monday in October, and at Chickasha on the first Monday in November of each year. The western district shall include the territory embraced on the 1st day of July, 1916, in the counties of Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, Major, Noble, Oklahoma, Osage, Pawnee, Payne, Pottawatomie, Roger Mills, Texas, Tillman, Washita, Woods, and Woodward. Terms of the district court for the western district shall be held at Oklahoma City on the first Monday in January, at Enid on the first Monday in March, at Guthrie on the first Monday in May, at Lawton on the first Monday in September, and at Woodward on the second Monday in November: *Provided*, That suitable rooms and accommodations for holding court at Woodward are furnished free of expense to the United States. The clerk of the district court for the eastern district shall keep his office at Muskogee and the clerk for the western district at Guthrie, and shall maintain an office in charge of himself or a deputy at Oklahoma City."

Mr. MOORE of Pennsylvania. Mr. Speaker, no word of explanation has been given about this bill. I see the gentleman from Oklahoma [Mr. MORGAN] here.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for one hour.

Mr. MORGAN. Mr. Speaker, I will be glad to answer any questions that anybody has to ask me.

Mr. MOORE of Pennsylvania. Mr. Speaker——

Mr. DYER. Just make a statement of what the bill is.

Mr. MORGAN. I will make a statement, Mr. Speaker.

There are two United States court districts in Oklahoma, the eastern and the western and there is nothing in this bill which affects the eastern district. All the changes are made in the western district. The only changes made there are in the district of my colleague, Mr. THOMPSON, and in my district. The bill amends the present law in two particulars, viz, the times or dates for holding court in the various court towns, and adds Cotton County in the law, which is on the west side of the State, but was inadvertently or by some error omitted from the statutes naming the counties constituting the western United States court district.

Mr. MADDEN. Does the gentleman want the time changed?

Mr. MORGAN. For instance, under the present arrangement the court is held at Enid in June. Now, in June the farmers there are busy in their wheat harvest. That is a wheat country, and on account of the harvesting they are very busy. The judge says that it is a hardship, an inconvenience, to the farmers to be called on for jury duty or as witnesses up in that section of the State at that time of the year. So the Enid term is changed from June to March. And this change would tend to make it more convenient for the farmers. There is a change of term of court at Woodward. Under the existing law court is held at Woodward, beginning the Monday in November which date comes the day before election on election years. This has a tendency to keep court officers, attorneys, jurymen, and witnesses away from the polls on election day, so it is changed to the second Monday of November.

Mr. MOORE of Pennsylvania. Mr. Speaker, I am the only gentleman who has addressed the Chair for some time.

The SPEAKER pro tempore. The gentleman from Oklahoma has control of the time.

Mr. MOORE of Pennsylvania. I had addressed the Chair several times, and other gentlemen who did not address the Chair were recognized.

The SPEAKER pro tempore. The Chair has not recognized anybody. The Chair asked the gentleman from Oklahoma to whom he yielded. He controls the time.

Mr. MOORE of Pennsylvania. I recognize the rules provide that a gentleman who desires to present an interrogatory should rise and address the Chair and say "Mr. Speaker."

The SPEAKER pro tempore. The Chair asked the gentleman from Oklahoma if he yielded, and to whom, and that is all the Chair can do.

Mr. KEARNS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KEARNS. Does all this come out of the gentleman's one hour of time? [Laughter.]

The SPEAKER pro tempore. To whom does the gentleman from Oklahoma yield?

Mr. MORGAN. I will yield to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Does one judge cover these judicial districts now?

Mr. MORGAN. No, sir; two judges.

Mr. MOORE of Pennsylvania. There are two judges?

Mr. MORGAN. Yes.

Mr. MOORE of Pennsylvania. This bill does not contemplate the appointment of a new judge?

Mr. MORGAN. No, sir.

Mr. MOORE of Pennsylvania. Nor is it leading up to the creation of a new judgeship?

Mr. MORGAN. No.

Mr. MOORE of Pennsylvania. That was the question that seemed to be agitating the minds of certain gentlemen on this side.

Mr. ROBBINS. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER pro tempore. Does the gentleman from Oklahoma yield to the gentleman from Pennsylvania?

Mr. MORGAN. Yes.

Mr. ROBBINS. Does this establish any new places of holding court?

Mr. MORGAN. It does not.

Mr. ROBBINS. Does this bill grant authority for building half a dozen public buildings out there next year?

Mr. MORGAN. No, sir. We have already public buildings authorized or constructed in all the court towns.

Mr. ROBBINS. It says here, "Suitable rooms must be provided without expense to the United States Government."

Mr. MORGAN. That is at Woodward. That provision was in the original act. Since that time Congress has authorized the expenditure of $110,000 for erecting a building at Woodward, and a part of the money has been appropriated.

Mr. THOMPSON. Mr. Speaker, will my colleague yield?

Mr. MORGAN. Yes

Mr. THOMPSON. That is the reenactment of the present statute.

Mr. ROBBINS. This is a provision for holding court at Woodward free of expense to the Government?

Mr. THOMPSON. Yes.

Mr. MORGAN. That was put in the law establishing Woodward as a court town.

Mr. ROBBINS. Does the gentleman say there has been an appropriation for the erection of a Federal building there?

Mr. MORGAN. Yes; it has been authorized, and I think $35,000 has been appropriated.

Mr. TILSON. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. Yes.

Mr. TILSON. The gentleman has answered that no new judges are required and no new courthouses are to be built. Are there any new clerks required to conduct this court that are not already provided?

Mr. MORGAN. No more.

Mr. DOWELL. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. Yes.

Mr. DOWELL. Does this transfer any county from one judicial district to another?

Mr. MORGAN. It does not. The only change made in the counties is this: In the amendment to the law some two years ago Cotton County was omitted. So under the present law there is some question whether the United States court has jurisdiction over Cotton County. So we simply put in that county, which was left out before by inadvertence.

Mr. DOWELL. Then, do I understand that the intention of this bill is merely to change the day of holding court for some of the divisions in this district?

Mr. MORGAN. Yes; at Oklahoma City, Guthrie, Enid, and Woodward. It makes no change at Lawton.

Mr. DOWELL. That is the only purpose of the bill?

Mr. MORGAN. That is the only purpose of the bill, except to put in Cotton County, which was left out by inadvertence from the other bill.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. Yes.

Mr. SMITH of Michigan. Does not the judge already have the right to fix the time of holding his court without this bill?

Mr. MORGAN. No. The law says the court shall be held in each town and fixes the day court convenes, but it does not say how long the court shall last.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. MORGAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will call the next bill.

LEGAL SERVICES TO CREEK NATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 906) making an appropriation to Stuart, Lewis, Gordon & Rutherford in payment of legal services rendered by them to the Creek Nation.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER pro tempore. Objection is heard. The bill will be stricken from the calendar. The Clerk will report the next bill.

Mr. HASTINGS. Mr. Speaker, will the gentleman reserve his objection for a moment?

Mr. STAFFORD. I will reserve my objection.

Mr. HASTINGS. Mr. Speaker, I want to say, in explanation of this bill, that it was passed by the last Congress in exactly the same language as the present bill. It is in payment of the legal services rendered by the firm of Stuart, Lewis, Gordon & Rutherford to the Creek Tribe of Indians.

The Creek Tribe of Indians was one of the Five Civilized Tribes in Oklahoma, and prior to the enactment of the Curtis Act, approved June 28, 1898, this tribe or nation of Indians had the right to enact its own laws, expend its own money, and employ its own attorneys, just the same as any State of the Union. On January 7, 1898, when it had this right, under an act of its legislature this firm of attorneys was employed to represent the Creek Tribe. They rendered the services, extending over a period of some two or three years.

In October, 1900, they passed an appropriation act to pay for these services rendered, but in the meantime, between the time of the employment of the firm and the act making the appropriation for the payment of these services, Congress passed an act requiring all acts of the Five Civilized Tribes to be approved by the President of the United States.

There is no question but that these services were rendered. The Creek national council, I believe, unanimously, or almost so, passed this act appropriating $7,000 for the payment of these services.

Mr. STAFFORD. Will the gentleman yield for a question in that particular?

Mr. HASTINGS. I will.

Mr. STAFFORD. Secretary of the Interior Hitchcock, in a report dated November 7, 1900, addressed to the President, as appears on page 6 of the report, called his attention to the fact that these attorneys performed services for this nation without complying with the requirement of section 2103 of the Revised Statutes, which provided that no contract with an Indian nation shall be valid until approved by the Secretary of the Interior. That act in the Revised Statutes has been in existence and on the statute books since 1870. These attorneys did not comply with the law, and for that reason the Secretary of the Interior advised the President to reject the claim, and the President did reject the claim.

Mr. HASTINGS. Let me say to the gentleman that the Secretary of the Interior was in error in making that report. If you read the Secretary's report you will note that it was received that day, and on the same day that it was received it was recommended to the President for disapproval. Let me say that section 2103 does not apply to contracts with the Five Civilized Tribes, and for 75 years prior to the passage of the

Curtis Act, on June 28, 1898, the Creek Tribe of Indians, the Cherokee Tribe of Indians, and the other Five Civilized Tribes passed their own appropriation acts, employed their own attorneys, paid them without any supervision whatever by the Government of the United States, and expended untold millions of dollars.

Mr. STAFFORD. Will the gentleman yield for a question?

Mr. HASTINGS. I will.

Mr. STAFFORD. The gentleman has stated that section 2103, containing these restrictions, does not apply to the Five Civilized Tribes.

Mr. HASTINGS. It never applied to any of the Five Civilized Tribes.

Mr. STAFFORD. I have the section before me, and I ask the gentleman to show wherein there is any qualification of this general language in the opening paragraph—

No agreement shall be made by any person with any tribe of Indians or individual Indians not citizens of the United States for the payment or delivery of any money or thing of value, in present or in prospective, or for the granting or procuring of any privilege—

Which exempts the Five Civilized Tribes from that section.

Mr. HASTINGS. I want to say to the gentleman that I was the attorney for the Cherokee Tribe of Indians for some 25 years, and I say without any qualification that the Five Civilized Tribes, to my own knowledge, for 75 years prior to the passage of the Curtis Act, enacted legislation affecting their several tribes, made their own appropriations, elected their own officers, employed their own counsel, and that those contracts of employment were never submitted under section 2103 to the Secretary of the Interior for approval, and that during the course of those 75 years they appropriated untold millions of dollars. I want to say that the employment of these attorneys on January 7, 1898, was a legal employment; that they had a right to employ these attorneys, and they employed the best firm of attorneys, or as good a firm of attorneys, as there was in the old Indian Territory, which is now eastern Oklahoma.

Mr. MONDELL. Does the gentleman from Wisconsin intend to insist on the point of order?

Mr. STAFFORD. I intend to insist on my objection.

Mr. MONDELL. Then, Mr. Speaker, there is no purpose in this discussion at this time.

Mr. HASTINGS. I will say that this matter was up last year, and the minority leader [Mr. MANN] examined it very closely——

Mr. MONDELL. The gentleman knows that if the objection is made the bill will go off the calendar. Why waste time? Let me suggest to the gentleman that his bill is on the wrong calendar anyway. It is a private bill and belongs on the Private Calendar. Whenever objection is made it will go to the Private Calendar. It occurs to me that if the gentleman desires consideration of the bill, as he undoubtedly does—and I think the bill has a considerable amount of merit—it ought to be placed on the Private Calendar and considered when private bills are considered, as it will eventually have to be.

Mr. CARTER of Oklahoma. If the gentleman will yield to me——

The SPEAKER pro tempore. Is there objection?

Mr. HASTINGS. I should like to yield to my colleague from Oklahoma [Mr. CARTER].

Mr. MONDELL. I shall have to object if there is to be any considerable discussion.

Mr. CARTER of Oklahoma. I only wish to make a short statement. In addition to what the gentleman from Oklahoma [Mr. HASTINGS] has said, the members of the Five Civilized Tribes are citizens of the United States. My colleague [Mr. HASTINGS] told you of conditions with reference to the Five Civilized Tribes previous to the passage of the act of June 28, 1898, but I do not believe the House caught the force of that statement quite clearly. Here was the situation: Prior to this time the governments of each of the five tribes was an entity unto itself. They were separate sovereignties, each having a chief, a council, judicial tribunals, schools, treasurers, accounting officials, and other fiscal officers. The official acts of these tribal officers as such did not come under the jurisdiction of any branch of the United States Government, but they were accountable to the tribal councils and tribal courts, not to Congress and the departments, as is the case now.

Their authority, their power to act, emanated not directly from the Federal Government but from the tribunals of the tribe. Therefore, the sections of the Revised Statutes referred to by the gentleman from Wisconsin, while containing no specific language of exemption, did not at that time apply to the Five Civilized Tribes, and the courts have so held.

Mr. STAFFORD. Has the gentleman given consideration also to the recommendation of the present Secretary of the Interior in his letter addressed to the former chairman of the Committee on Indian Affairs under date of March 8, 1916, which he closes with these words?—

In view of the record of disapproval by the President on November 17, 1900, of the claim as then presented by said attorneys, and as 15 years have elapsed since the disapproval without any further action being taken by said attorneys to renew the claims, which seem to be without merit, and I recommend that no further action be had on H. R. 10872.

Mr. CARTER of Oklahoma. The answer to that is that when the Secretary made that statement he was not fully advised of the facts in connection with this matter, as sometimes does occur. Let me just state that one of the gentlemen who was a party to this contract was at one time a Federal judge.

Mr. HASTINGS. Two of them.

Mr. CARTER of Oklahoma. Yes; two of them were Federal judges and resigned their positions to resume the practice of law. Certainly two gentlemen who had risen to that high estate would not submit a contract of this character to come before Congress that had no merit in it.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER pro tempore. Objection is heard. The bill will be stricken from the calendar.

LOYAL CREEK INDIANS.

Mr. IGOE. Mr. Speaker, I ask unanimous consent to call up No. 53 on this calendar, and I would like to state——

The SPEAKER pro tempore. The gentleman asks unanimous consent to take up a bill out of its order. Is there objection?

Mr. LENROOT. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is made. The Clerk will report the next bill.

The Clerk read the title of the bill (H. R. 3568) to pay the balance due the loyal Creek Indians on the award made by the Senate on the 16th day of February, 1903.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER pro tempore. Objection is made. The bill will be stricken from the calendar. The Clerk will call the next bill.

UNITED STATES COURT FOR THE EASTERN DISTRICT OF MISSOURI.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 294) to provide for the appointment of an additional judge of the district court of the United States for the eastern district of Missouri.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object——

Mr. COX. Reserving the right to object, what is the necessity for this additional judge?

Mr. IGOE. Mr. Speaker, I understand there is going to be objection to this bill, so I will ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. IGOE. Now, Mr. Speaker, in view of that fact I ask that I be permitted to call up the other bill, extending the time for the completion of the bridge, which is very important to St. Louis, as the time expires on the 15th of this month, and there will not be another unanimous-consent day before that time.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent to call up the bill referred to. Is there objection?

Mr. STAFFORD. Reserving the right to object, it is the fifth bill on the calendar; has the gentleman any admonition that we are not going to continue to consider bills on the Unanimous Consent Calendar.

Mr. IGOE. In view of the fact that it took two hours for the first bill, I am apprehensive that we will not reach it.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. I object.

The SPEAKER pro tempore. The Clerk will call the next bill.

ADDITIONAL JUDGES, SUPREME COURT, DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (S. 2489) to create two additional associate judges of the Supreme Court of the District of Columbia.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. ROBBINS. Mr. Speaker, reserving the right to object, who has charge of the bill? This is to create two additional judges, and I would like to have some explanation of the necessity for it.

Mr. WEBB. This is a Senate bill, and I am ready to make any explanation. It is the same bill that passed the House by unanimous consent a year ago. It increases the District judges by two. For 38 years there has been no increase whatever in the number of judges for that court. In the city of Washington the population since that time has increased 70 or 80 per cent, and the business before the court has increased 200 or 300 per cent. The civil calendar is now 1,000 cases behind. These judges work two on the law side, two in equity, and two on the criminal work. There is not a calendar in the United States of any Federal court that is so deplorably congested as this court here in Washington. I have made some investigation as to how much these judges work. All of them begin court at 10 o'clock in the morning, sit until 12, with 30 minutes for lunch, and they sit on many days until 6 and 8 o'clock in the evening. It is a hard-working bench. Justices Gould and Stafford have worked 14 years in this court, and by the hardest and most painstaking labor they have not been able to keep with the calendar, and year by year it increased until now, as I say, they are 1,000 cases behind on the civil docket. If you go down to-morrow to caveat a will or with a civil suit it will take two years before you can get a trial by jury.

The bar, the people, and the judges regard the situation as almost a public denial of justice. Many defendants who appeal to that court have to wait two years, until their cases are almost forgotten.

Mr. COX. Will the gentleman yield?

Mr. WEBB. Certainly.

Mr. COX. This is to increase the number of associate judges of the Supreme Court of the District?

Mr. WEBB. Yes.

Mr. COX. Does this court consider cases on appeal?

Mr. WEBB. Yes; that is a small part of their business. Those are only court cases appealed from police-court justices, where a man is imprisoned for more than a year. This court has the widest jurisdiction of any court in America.

Mr. COX. It has two jurisdictions.

Mr. WEBB. Yes.

Mr. COX. Original and appellate.

Mr. WEBB. Yes.

Mr. COX. On the civil side what is the original jurisdiction?

Mr. WEBB. Anything in excess of $500.

Mr. COX. What is the jurisdiction in criminal cases?

Mr. WEBB. Where the punishment is anything over a year.

Mr. COX. What is the appellate jurisdiction in civil cases?

Mr. WEBB. Anything between $5 and $500.

Mr. COX. How many judges are on the bench now?

Mr. WEBB. Six; the chief justice and five associate justices.

Mr. COX. And the number has never been increased?

Mr. WEBB. Not for 38 years.

Mr. COX. Mr. Speaker, this increase might be needed, and yet it is a hard matter to make up my mind what we ought to do. In my opinion if we had Judge Anderson from Indiana down here, you would not need anybody, except possibly one other man. I might say that the State of Indiana has not had an increase in the number of Federal judges since it was a State.

I am not here to pass any eulogy upon Judge Anderson; but, as far as work is concerned, the lawyers know that they are in a court room when they get in there. In the last five or six years, with a population of nearly 3,000,000 in the State of Indiana, with as large criminal cases as has ever been tried in the United States, cases that involve from four weeks to three months in preparing them, he not only disposed of those hundreds of cases in Indiana, but has had plenty of time to go to the city of Chicago and try cases there.

How did he do it? He did it by work. I speak authoritatively because I have been in his court. When he adjourns to convene to-morrow at 8.30, it means that the lawyers and the witnesses must be there at 8.30. When he adjourns at 12 o'clock for one hour for lunch, it means that court comes in at that time, and he sits until 6 and 8 o'clock in the evening.

Among the cases that he has tried in the last three or four years were the Terra Haute cases, where 120 men were sent to the penitentiary. That ran for about 10 weeks. The great national dynamite cases took over three months, and he recently closed out a lot of cases involving a trial of 10 weeks, and yet his docket is up.

Mr. FESS. Will the gentleman yield?

Mr. COX. Yes.

Mr. FESS. I think the gentleman's statement is very informing and important on this particular occasion. I wondered if this is not the same court to which our friend, Judge Covington, was appointed?

Mr. WEBB. The same court.

Mr. FESS. If the work is so pressing, how could he afford to take another position under the Government?

Mr. WEBB. He has not entered upon any other position; he has taken this place at the request of the President to act with the commission in an advisory capacity.

The only way it has affected his judicial duties is that he does not take a case for a time—for a week or two. He is sitting on the bench now, and he confers with the other members of the commission in an advisory capacity. I want to say further that these judges have less vacation than any judges that I know of in America. That court is always open. They are practically the governors of the District of Columbia. They have every kind of jurisdiction in that court; they have habeas corpus cases, will cases, all kinds of cases against the heads of these departments, all civil and criminal suits. As I said, I do not know of any court in America that works harder. I wish we had all Judge Andersons down there, but I know that Mr. Justice McCoy worked until he got sick, and I know that Justice Gould did the same thing. He is to-day suffering from an attack of bronchial pneumonia. He worked himself until he could hardly resist it. I would not ask this judgeship unless I was firmly convinced, after thorough investigation, that it is needed. The Committee on the Judiciary unanimously reported this, and it was unanimously passed by the House last Congress, and the condition has been gradually getting worse in proportion, as it has been for the last 10 years.

Mr. FESS. Mr. Speaker, I do not want to put a captious question, nor a facetious one, but if this court is so pressed why should one of the judges be appointed to go to Arizona to settle a matter, as was the case not long ago?

Mr. COX. Did he not also go to California?

Mr. FESS. It seems to me that is a leading question—to know why this is done—if this work is so pressing in this court.

The SPEAKER pro tempore. Is there objection?

Mr. COX. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Indiana objects, and the bill is stricken off the calendar.

OREGON & CALIFORNIA RAILROAD CO.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 5489) to authorize the Secretary of the Interior to exchange for lands in private ownership lands formerly embraced in the grant to the Oregon & California Railroad Co.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I believe this bill applies to many thousands of acres of timberlands that were formerly included in the Central Pacific Railroad grant.

Mr. HAWLEY. Mr. Speaker, the purpose of the bill is to enable the Government to consolidate the holdings it has in the Oregon & California land grant by an exchange in equal value for private lands. For instance, in one section of that country there are operating companies cutting timber off their own land, and all of the even-numbered sections are practically now in private ownership. These operating companies have constructed their roads and are removing the timber from their own land. That will leave the Government land 40 acres here, 160 acres there, and sometimes a whole section in another place entirely isolated, so that the timber becomes practically valueless upon it. There is not enough left to pay any other company for going in there and constructing miles of railroad out to these areas and cutting the timber off them. Furthermore, when they remove the timber from the privately owned land, leaving a forty or an eighty or another area exposed to the winds, the wind blows down the trees, and they litter the ground and subject the section to the danger of fire, and after a very short time the trees blown down become valueless.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. MONDELL. This is, as I understand it, legislation suggested by the Interior Department, to enable them to administer those lands in a proper way?

Mr. HAWLEY. Yes. The Government lands have all been appraised under the act providing for the disposition of the land, and the Government knows exactly the value of every 40 acres in the tract. It is proposed that they shall exchange these tracts for exactly the same value of privately owned lands, to be determined by the Government what is the value of their own land and what is the value of the privately owned land, and it will increase the salability of the Government lands and also the price the Government gets for the timber.

Mr. STAFFORD. Will the gentleman inform the House what is the purpose of the committee amendment as found in the first

proviso, on page 2, lines 14 and 15, after the word "lands," inserting the words "and timber," so that it reads:

Provided, That all lands and timber secured by virtue of such exchange shall be disposed of in accordance with the terms and provisions of said act of revestment.

Mr. HAWLEY. Because under the law disposing of the grant land the timber is to be sold separate from the land. The timber is to be sold and the land is to be sold after the timber is removed, and this gives the Government the same authority over the lands acquired by exchange as it has now over the lands acquired from the Oregon & California Railroad Co.

Mr. STAFFORD. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, is this the bill in which a few years ago we gave the proceeds of the timber to the State of Oregon, practically all of it?

Mr. LENROOT. Fifty per cent.

Mr. HAWLEY. Fifty per cent.

Mr. FOSTER. And only about 10 per cent of it went to the Federal Treasury?

Mr. HAWLEY. Yes.

Mr. FOSTER. I think we ought to pass it, because we have given it all away, anyhow.

Mr. HAWLEY. If the gentleman will yield, this will increase the value of the timber and increase the proportion which will go to the Treasury of the United States.

Mr. FOSTER. The Federal Government gets practically nothing out of it now, and I think we ought to give it all to them.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior, in the administration of the act of June 9, 1916 (39 Stat. L., p. 218), is hereby authorized and empowered, in his discretion, to exchange lands formerly embraced within the grant to the Oregon & California Railroad Co. and revested in the United States by said act for other lands of approximately equal aggregate value held in private ownership, either within or contiguous to the former limits of said grant, when by such action he will be enabled thereby to consolidate the holding of timberlands by the United States: *Provided*, That all lands secured by virtue of such exchange shall be disposed of in accordance with the terms and provisions of said act of revestment.

SEC. 2. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

Mr. DOWELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. DOWELL. I desire to offer an amendment to section 1.

The SPEAKER. Wait until the Clerk completes the reading of the bill.

The committee amendments were read as follows:

Page 1, line 4, after the word "sixteen," insert the following: "entitled 'An act to alter and amend an act entitled "An act granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad, in California, to Portland, in Oregon," approved July 25, 1866, as amended by the acts of 1868 and 1869, and to alter and amend an act entitled 'An act granting land to aid in the construction of a railroad and telegraph line from Portland to Astoria and McMinnville, in the State of Oregon,' approved May 4, 1870, and for other purposes."

Page 2, line 14, after the word "lands," insert the words "and timber."

The question was taken, and the amendments were agreed to.

Mr. DOWELL. Mr. Speaker, I desire to offer an amendment.

Mr. FERRIS. Mr. Speaker, before the gentleman offers the amendment I want to say a word or two about the bill regarding the matters developed in general debate. This bill I introduced at the suggestion of the Interior Department. It was drawn and framed by them and dropped in the basket. This has to do with exchange of land, part of which was recovered from the Oregon and California land grant about a year ago. Fifty years ago Congress made a grant of land to the Oregon and California Land Grant Co. on certain conditions. The company never complied with the law. The Committee on Public Lands last year brought into the House a bill for the recovery of about $50,000,000 worth of land and the bill passed the House and Senate and became a law and is the law. The gentleman from Illinois [Mr. FOSTER] says that we gave it all away. We were pretty generous to the State of Oregon. I thought so then and I think so now, but the fact remains that we did put about $20,000,000 into the reclamation fund, we did put about $5,000,000 in the Treasury, or it will be done when this land and timber is all sold and completed, so that the legislation then accomplished was not altogether an idle thing to do nor altogether an empty thing to do. Of course, the State of Oregon, I think, shared very bountifully in the disposition of the proceeds of the land, but it was part of the public land and Oregon had been denied the privilege of taxes on the land and the Federal Government has recouped the expenditure. This gives Oregon 50 per cent, amounting to about $25,000,000, when it is closed, and 40 per cent to the reclamation fund, or $20,000,000 and 10 per cent to the Government, which will be about $5,000,000——

Mr. FOSTER. Did not the original bill provide that all those back taxes should be paid to the State of Oregon?

Mr. FERRIS. Out of the proceeds, but not out of the Government part. The Government gets 10 per cent. I want to say about this immediate provision that the Secretary of the Interior says it is a burning necessity that this exchange be made, and it is great hindrance and encumbrance to the Government in the sale of the timber and the sale of the land if it is not made, and in order that the record may not in any way mislead the House I want to read what the Secretary says:

The scattered holdings of timberlands by the United States will seriously interfere with the advantageous disposition thereof, for the reason that the lands are for the greater part exceedingly rough and mountainous, involving heavy initial outlay before successful logging operations can be set on foot, as well as a corresponding expenditure to maintain such operations. It follows, as a matter of course, that successful logging operations in this region call for the ownership of timberlands in large bodies, and that prices paid for timberlands will be, to a large degree, affected by the possibilities of thus blocking them up for future operations.

The House will recall the Oregon and California land grant was made of alternate sections, and the recovery is on alternate sections, so there are interspersed, spotted pieces of ground owned by private individuals. This exchange must be of equal value. It is of advantage to the Government, and I presume will be of advantage to the logging companies that make the exchange. It is as the department desires it. The committee considered it carefully and we were unanimous in reporting it.

Mr. DOWELL. Mr. Speaker, carrying out the suggestion of the gentleman from Oklahoma, I desire to offer an amendment by adding, after the word "hereby," in line 13, the word "advantageously."

Mr. FERRIS. I did not catch what the gentleman wants.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 13, right after the word "hereby," insert the word "advantageously."

Mr. FERRIS. Of course, it is already in his discretion whether to make the trade at all.

Mr. DOWELL. That is true; but if the word "advantageously" is here, it means it has to be for the benefit of the Government in the exchange.

Mr. FERRIS. Unless some member of the committee has some objection, I have not.

Mr. HAWLEY. The whole bill is for the advantage of the Government, and I do not see any objection to it.

Mr. DOWELL. Then there can be no objection to this amendment, because it is to the advantage of the Government.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. HAWLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

QUARTERS FOR VOCATIONAL EDUCATION BOARD.

The next business in order on the Calendar for Unanimous Consent was (S. J. Res. 110) to amend an act entitled "An act to provide for the promotion of vocational education," approved February 23, 1917.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the subject of the rental of quarters for the Vocational Education Board has been under consideration by the Committee on Appropriations. The chairman of the Committee on Appropriations desires to be present when this resolution is considered, and I ask unanimous consent that the resolution be passed without prejudice.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to pass the resolution without prejudice. Is there objection? [After a pause.] The Chair hears none.

AMENDING POSTAL LAWS.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 7230) to amend the postal laws.

The Clerk read the title of the bill.

Mr. RANDALL. Mr. Speaker, I ask unanimous consent that this bill be passed on the calendar without prejudice.

The SPEAKER. The gentleman from California asks unanimous consent to pass the bill over without prejudice. Is there objection? [After a pause.] The Chair hears none.

BRIDGE ACROSS MISSISSIPPI RIVER AT ST. LOUIS.

The next business on the Calendar for Unanimous Consent was the bill (S. 3081) to extend the time for the completion of the municipal bridge approaches and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri.

The SPEAKER. Is there objection?

Mr. MONDELL and Mr. STAFFORD rose.

The SPEAKER. The gentleman from Wyoming [Mr. MONDELL] is recognized.

Mr. MONDELL. Mr. Speaker, I should like to have some explanation of the purpose of the bill.

Mr. IGOE. Mr. Speaker, I will say to the gentleman that this bridge has been in process of construction and building since 1906. There have been several extensions of the time by Congress. At the present time the city has spent about $6,000,000, and the bridge over the river and on the Missouri side has been completed, and a large part of the work on the Illinois side has been completed. In Illinois, however, the city of St. Louis has no right of condemnation except under the authority of the act of Congress. At the time that the bridge was started the city was denied by the State of Illinois the right of condemnation, and so the act of Congress was relied upon. The courts have sustained that power under the act of Congress. Now, the purpose of this is to give the time for the completion of the bridge, more particularly upon the east side of the river.

Mr. MONDELL. The gentleman states the purpose of the bill is to give additional time. That is evidently an important purpose and there seem to be also other purposes. On lines 4 and 5 of the bill there is added additional legislation in the words "and also extensions or additions thereto."

Mr. IGOE. I will say to the gentleman that that relates to the approach. As I stated, the only power we have to condemn on the other side of the river comes from the Congress. If we undertook to acquire an additional foot of ground after what we have now we might be cut off with the contention that the land we have there now has exhausted our power, inasmuch as the authority we have now expires in a few days. And in order to safeguard, this has been put in there.

It is not intended to build another bridge and we must rely, if we need additional land and can not secure it by purchase from the owners on that side of the river, on the powers given to us in this legislation, which have been sustained by the courts. I will say to the gentleman that every step in the construction of this bridge has been fought from some direction. When it was sought to get the property on the east side of the river the property owners contested the right of the city. I am not saying who instigated it, but the whole power of the city was contested all the way through.

Mr. MONDELL. The section also contains some additional language, evidently intended to extend the authority granted in that section to these additions and extensions. There are certain words omitted from the bill as printed that occur in the present law. After the words "United States," at the end of section 2, the words "and of said States, respectively," are in the present law. Those words are omitted. What was the purpose of omitting those?

Mr. IGOE. May I ask the gentleman from what he is reading now?

Mr. MONDELL. From the bill I have.

Mr. IGOE. In what line?

Mr. MONDELL. The last line, at the end of the bill. The present provisions with relation to this bill are to the effect that the city may acquire by lawful appropriation, condemnation in the States of Illinois and Missouri by making proper compensation therefor, and so forth, and shall have all the authority necessary and proper for construction, maintenance, and operation of the bridge consistent with the laws of the United States and of the States, respectively. Those last words are omitted from the present bill.

Mr. IGOE. I have no objection to incorporating those words. I think, however, it is covered in line 5, where it provides that it is to be ascertained according to the laws of the States within which the same is located.

Mr. MONDELL. That has reference to the location and condemnation.

Mr. IGOE. Exactly, and that is all this has reference to, "consistent with the laws of the United States."

Mr. MONDELL. Has reference to the construction, maintenance, and operation?

Mr. IGOE. Well, we are going to use it.

Mr. MONDELL. Was there no purpose in the omission of the language I have referred to?

Mr. IGOE. I will say to the gentleman, none that I am aware of. We just want the right to continue the construction of this bridge and the right to condemn which we had originally from Congress. That is all we wish.

Mr. LENROOT. Reserving the right to object, what purpose does the gentleman think is accomplished in section 1 by including the words "extensions or additions thereto"?

Mr. IGOE. I will say to the gentleman this, that there has been a great controversy about the location of the approach to the bridge, as to whether it should be in one place or another. At the present time the city has acquired the right of way and some of the railroads now contend that in order that they may use it other connections must be made, and the purpose of putting that in is to take care of the question, if it should be raised, that the particular land that has been acquired now is the only land that we may be permitted to use. There are railroads coming from different directions, as the gentleman knows, on the east side of the river, and we are hopeful, especially in the present emergency, since the bridge has been or can be taken over by the Government, that if it is necessary to acquire additional land, and the city must acquire it, we may proceed to secure it.

Mr. LENROOT. That is true as far as section 2 is concerned, but it has no relation to section 1. The original act is silent on the question of extensions or additions, and all that section 1 does is to extend the time for the completion of something so far as extensions and additions are concerned that was not authorized in the original act.

Mr. IGOE. As I see it, it is put in there so that we are not confined absolutely to the very land that we have now acquired by purchase or condemnation.

Mr. LENROOT. But so far as section 1 is concerned, let me suggest to the gentleman that you are not given any more leeway than you had under the original act.

Mr. IGOE. Well, that may be true if that is so.

Mr. LENROOT. And it simply complicates and renders ambiguous the language of the section when in that section you include something.

Mr. IGOE. I think perhaps it makes it clear. It says "approaches." Now, they may have several of them. I do not see that the language injures anything, and it may be of service to us in acquiring this land. The city has expended, as I say, $6,000,000, and we have had a time fighting to get this thing completed.

Mr. STAFFORD. Mr. Speaker, I did not grasp the explanation that the gentleman gave as to the reason for eliminating from the original law the phraseology "and of said States, respectively."

Mr. IGOE. I have no objection to that going in.

Mr. STAFFORD. It is very questionable authority, indeed, to grant to a municipality the right to condemn and operate in an adjoining State without proceeding in consonance with the law of that State.

Mr. IGOE. This is a municipal bridge. It is not a private corporation. All the rights we have to operate come from the act of Congress. The State of Illinois has given us nothing.

Mr. STAFFORD. You recognize that in condemning you must proceed in accordance with the laws of the State of Illinois?

Mr. IGOE. That is provided for in the bill. There is no question about that. In lines 2, 3, 4, and 5 it is provided that it shall be condemned according to the laws of the State.

Mr. STAFFORD. You intend, also, so far as maintenance and operation are concerned, to comply with the laws of the State?

Mr. IGOE. That may be a very serious question. I would not want to go into that. Suppose the State of Illinois should want to hamper an instrument of interstate commerce. We might debate for a day or for days the wisdom of it. All we want now, I will say to the gentleman, is the extension of this time and permission to go ahead as we have been going.

Mr. STAFFORD. Does the gentleman want to offer an amendment?

Mr. IGOE. We have but a few days, and the matter has been considered by the committee, and the engineers have not raised any question about that, nor has the War Department. I would like to see the bill go through. Personally I have no objection, but there is so much involved in it for the city of St. Louis that I would like very much to see it go through.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the time for the construction and completion of the municipal bridge approaches and also extensions or additions thereto, which said construction and completion was authorized by an act entitled "An act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved June 25, 1906, be, and the same is hereby, extended for the period of three years from the date of the passage of this act.

SEC. 2. That for the purpose of carrying into effect the objects of this act the city of St. Louis may receive, purchase, and also acquire by lawful appropriation and condemnation in the States of Illinois and Missouri upon making proper compensation therefor, to be ascertained according to the laws of the State within which the same is located, real and personal property and rights of property, and in order to facilitate and support interstate commerce, may make any and every use of the same necessary and proper for the acquirement, construction, maintenance, and operation of said municipal bridge approaches, and extensions or additions thereto, consistent with the laws of the United States.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. IGOE, a motion to reconsider the vote whereby the bill was passed was laid on the table.

HARRY GRAHAM.

The SPEAKER. The gentleman from Kentucky [Mr. FIELDS] is recognized.

Mr. FIELDS. Mr. Speaker, I move to suspend the rules and pass Senate bill 1418.

The SPEAKER. The gentleman from Kentucky moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (S. 1418) to authorize the President of the United States to appoint Harry Graham captain of Infantry.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. STAFFORD. I do not know, in my service, of a Member receiving recognition to suspend the rules on a private bill.

The SPEAKER. This is a kind of war matter, to get a soldier into the Army.

Mr. STAFFORD. I recognize that there is a power in the Speaker to entertain that motion. I have stated to gentlemen who have asked me about this bill to-day that I did not intend to make any objection to it. But I think, for the sake of consistency of practice, it is better to have the gentleman make a request for unanimous consent to have the bill considered, and not make a precedent of calling up private bills under suspension of the rules.

Mr. FIELDS. This does not break a precedent. I will do that.

Mr. STAFFORD. We have never suspended the rules to pass a private bill, so far as I know.

The SPEAKER. The gentleman from Kentucky [Mr. FIELDS] asks unanimous consent for the present consideration of the bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States, in his discretion, be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, Harry Graham, formerly a captain of Infantry, a captain of Infantry, to take rank at the foot of the list of captains of Infantry; and that no back pay or allowances shall accrue as a result of the passage of this act, and there shall be no increase in the total number of captains of Infantry now authorized by law by reason of the passage of this act.

The SPEAKER. Is there objection?

Mr. GREEN of Iowa. Reserving the right to object, Mr. Speaker, I would like to have the gentleman explain the necessity of the bill.

Mr. FIELDS. Mr. Speaker, this man, who had served 18 years in the Army, went to the Army service school at Fort Leavenworth, Kans., for a year's training, from which he was to be graduated in the spring of 1916. He had passed all of a series of examinations except one prior to May 10, 1917. On that date the last examination was given.

The question upon which students were examined on that day was the sketching of a certain area of land. After they had turned in their sketches the academic board thought they had discovered evidences of cheating in some of the sketches turned in. Two of the students charged with cheating admitted their guilt. The only complaint against the sketch of this man was that two contours in his sketch, of 900 and 1,000 feet, respectively, bore indications of having been traced from an original map, or in some respects were so perfect that they looked as though they might have been traced, which was not authorized and which was a violation of the rules. When questioned as to whether or not he had traced the original map, Capt. Graham said that he had not. They then asked him if he would be willing to resketch the area and take his grade on his second sketch. He said, "Yes; if necessary." They then directed him to make a second sketch, and he did; and as to the grade on that, the officer under whose charge he made this sketch reported that it was worth about B, which was between 90 and 95 per cent, which showed the ability of the man, especially in view of the fact that the last sketch was made in less time than the first one and under unfavorable atmospheric conditions. It rained a part of the time while he was making the second sketch.

But the next morning the board told him that they would not graduate him, because they believed he had traced these two lines. He said: "I will not leave this school in disgrace. I am not guilty of the charge, and if you do not graduate me I will demand a court-martial." They refused to graduate him, and he did demand a court-martial. The court-martial found him guilty, not by any evidence, not by any man's knowledge of his guilt, but, apparently, because in the opinion of one officer of the school two lines in his sketch bore evidence of having been traced from the original map. But the testimony showed that the two lines in question did not coincide with the two original contours in their entirety. Now, it stands to reason that if I lay a paper down over a map and trace a line or two lines from the lines in the original map the traced lines will coincide with the lines in the original map in their entirety.

Yet the gentleman who made the complaint admitted on the witness stand, as shown by the testimony, that the lines in the sketch did not coincide with the lines in the original map in their entirety; but they found him guilty, and under the law the only sentence that could be imposed was dismissal from the Army.

He is a valuable officer. Up to the time that he went to this service school he had as good a record as a flier as had been made by any officer at that time. After his dismissal Gen. Squier recommended his appointment as a major in the Signal Corps to fill one of the 425 vacancies created by Congress some time last June, I believe, and recommended him in the highest terms, as will be shown by Gen. Squier's letter which is printed in the report on the bill. In view of all the facts which are set out in the report on the bill your committee was of the opinion that this man should be restored to the service. First the Senate committee held hearings, and that committee unanimously recommended the passage of the bill. It passed the Senate without opposition. It came to the House Military Committee, and the House committee made a thorough investigation, and that committee unanimously recommended the passage of the bill.

Mr. McKENZIE. Will my colleague yield?

Mr. FIELDS. I will.

Mr. McKENZIE. I wish my colleague would state to the Members of the House that there was no motive for this so-called tracing, because he would not have got any higher grade or any further promotion.

Mr. FIELDS. I was just coming to that point. It is fair to assume that back of any wrong there must be a motive. This man had no motive, could have had no motive, for cheating in this examination. In the other branches on which he had passed examination he had a general average of 83.9 per cent; 75 per cent was sufficient to graduate him. The grades in these examinations were posted on the school bulletin board every morning after they were made; therefore every student knew his grade and knew his relative class standing. This man, Capt. Graham, knew his grade. He knew where he stood in his class. If he had made 100 per cent in this last examination, it would not have promoted him above the student next above him in class standing. If he had made zero, it would not have put him below the student next below him. Therefore he had nothing to gain by cheating. It could not help him in his class standing. It would not help in his graduation, because he would be graduated anyhow. Therefore, Mr. Speaker, there was no motive, and the prosecution did not attempt to show any motive. It is just a case of this kind: That an Army officer said in his opinion a certain thing had happened, and because one of the faculty said it was his opinion the other fellows took it for granted that it was so.

Mr. GREEN of Iowa. Will the gentleman yield further?

Mr. FIELDS. I will.

Mr. GREEN of Iowa. Mr. Speaker, this seems to be a very peculiar case, and I would ask the gentleman if the findings of the court-martial against him were unanimous?

Mr. FIELDS. The findings of the court-martial were unanimous. The members of the court were all members of the school

faculty, and all but two of them recommended a lesser penalty than was inflicted; but as I understand under the law they could not give it to him.

Mr. GREEN of Iowa. As a general thing, I presume the gentleman would not recommend that we review the findings of a court-martial, because we are very apt to hear only one side? In these hearings that were had by the Senate committee, were the officers who sat on the court-martial given a hearing? Were they present at all?

Mr. FIELDS. I did not read the Senate hearings, except the Senate report, but I did read the record of the trial.

Mr. GREEN of Iowa. The gentleman does not know then that the other side of the case was represented by the parties who had made this finding?

Mr. FIELDS. I do not know that they were here in person. Of course, they had the records of the court.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. FIELDS. I yield to the gentleman.

Mr. SLAYDEN. Is it not true that certain responsible officials in the War Department have so far revised their opinion about the case of Capt. Graham as to recommend him for a commission in the Signal Corps?

Mr. FIELDS. It is true that he has been recommended, and he has on his uniform to-day; but it is only a temporary appointment. He talked with me and with the gentleman from Ohio [Mr. FESS] this afternoon and was in his uniform. He was recommended by Gen. Squier.

Mr. FESS. Under whom he served.

Mr. FIELDS. Yes. Under whom he served.

Mr. SLAYDEN And he would not have been recommended unless he had a good character and was a man of ability.

Mr. LENROOT. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. LENROOT. The gentleman states that the court-martial that found Mr. Graham guilty had no evidence other than the map. Was Mr. Graham represented by counsel?

Mr. FIELDS. Yes.

Mr. LENROOT. Did he testify himself?

Mr. FIELDS. He did.

Mr. LENROOT. Was there any other testimony?

Mr. FIELDS. No other testimony except the testimony of this officer, who testified that in his opinion the map had been traced, and two other officers who looked at it and acquiesced in the opinion of the other officer who thought it had been traced.

Mr. LENROOT. Was this case reviewed by the Secretary of War?

Mr. FIELDS. I presume so.

Mr. LENROOT. Does not the gentleman know?

Mr. FIELDS. It was approved by the Secretary of War.

Mr. LENROOT. Does the Secretary of War recommend the passage of this bill?

Mr. FIELDS. We have had no report from the Secretary of War on the bill.

Mr. LENROOT. Has there been no report from the War Department on the bill?

Mr. FIELDS. There has not?

Mr. LENROOT. Is not that quite unusual?

Mr. FIELDS. The case was gone into thoroughly by the committee. We had the records of the court-martial, which the committee thought was sufficient.

Mr. LENROOT. Do I understand that the Committee on Military Affairs in an important matter of this kind will recommend a bill to this House without asking for a report, either from the War Department or without having any representatives of the War Department before the committee with reference to it?

Mr. FIELDS. That is what the committee did.

Mr. LENROOT. I am surprised.

Mr. SHALLENBERGER. Let me say that the Chief Signal Officer of the Army, who recommended this man, appeared before us by letter and requested that he be commissioned.

Mr. FIELDS. Yes; and I will say that the Chief Signal Officer, under whom this man served, recommended his appointment and said that he was morally fit for the position.

Mr. ROBBINS. Will the gentleman yield?

Mr. FIELDS. First, I will ask that the Clerk read the letter of Gen. Squier recommending the reappointment of this officer.

The Clerk read as follows:

NOVEMBER 20, 1917.

From: The Chief Signal Officer.
To: The Adjutant General.
Subject: Commission.

1. It is recommended that Harry Graham be given a temporary commission as major, Signal Corps, United States Army, under the provisions of the act approved July 24, 1917.

2. Mr. Graham is mentally, morally, and physically qualified to perform the duties of the office for which he is recommended. He is a citizen of the United States, born February 16, 1874, at Newark, Ohio, is 44 years of age, and his address is Hotel Ebbitt, Washington, D. C.

3. The services of Mr. Graham are required for immediate duty with troops, and to fill one of the 425 vacancies in the grade of major existing under the authority of letter of Chief of Staff, dated August 13, 1917. (File W. C. D. 9556–27, 321.9 Misc. Div.)

4. Mr. Graham was formerly an officer in the United States Army and was dismissed on account of sentence of general court-martial, which was published in General Orders, 12, War Department, series 1917.

GEORGE O. SQUIER,
Major General, Chief Signal Officer.

Mr. ROBBINS. Will the gentleman yield?

Mr. FIELDS. I will.

Mr. ROBBINS. I notice the recommendation which has been read refers to a temporary position, a commission in the Signal Corps. The bill proposes to give him a permanent position as a captain of Infantry. Why is that, if you rely on the recommendation of Gen. Squier, which is only for a temporary commission?

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. GREEN of Iowa. If this man had passed the examination, would he be entitled to the position provided for by this bill?

Mr. FERRIS. He would. He was a captain then. In fact, he has lost many marks by this dismissal. If it had not been for this the man would probably have been a major or a lieutenant colonel by now.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. FIELDS. I will.

Mr. MILLER of Minnesota. In the judgment of Gen. Squier this man is worthy of occupying a position in the Army during this war. Is it too much to presume that he might fill the duties of that position in a time of peace?

Mr. FIELDS. Certainly not.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. HUDDLESTON. As I understand, he is now a captain in the Army?

Mr. SHALLENBERGER. He has a temporary position.

Mr. HUDDLESTON. This is to put him in the Regular Army, so that he will have a position for life.

Mr. FIELDS. To place him where he was before he was railroaded out of the service.

Mr. HUDDLESTON. The position he would have been in if he had remained in.

Mr. FIELDS. No; he was a captain and had served 18 years.

Mr. HUDDLESTON. I understood he was a cadet.

Mr. FIELDS. No; he was in the Spanish War. He was in the National Guard when the war broke out and afterwards, when the war was over he volunteered in the Regular Army, and by his own efforts he rose to a captaincy, and he was a captain at the time this charge was preferred against him.

Mr. HUDDLESTON. He was taking the examination at the officers' school?

Mr. FIELDS. Yes.

Mr. HUDDLESTON. Can the gentleman point out any difference between this and that of any other case of an officer cashiered under court-martial? A regular court-martial was held here, and very frequently they are held, and men are being constantly dismissed as officers of the Army. Are we to go back of these judgments of courts-martial and undertake to try these cases before committees of Congress and try to do justice here? If so, why shall we not go back of the courts-martial in the cases of private soldiers who are tried and executed? Are we to establish a precedent in Congress of reopening these courts-martial and trying the cases ex parte before committees?

Mr. FIELDS. Let me say to the gentleman that no man in this House or elsewhere will go further to uphold the hands of the Military Establishment in the proper discharge of its duties than I; but there are men in the Military Establishment as there are in civil life who fail to realize that with every right there goes a corresponding duty, and with each power there goes a corresponding responsibility. This does not occur often, I admit, but when it does occur the Congress of the United States can not afford to close its eyes to its own responsibility.

Mr. HUDDLESTON. Are there any precedents for this?

Mr. FIELDS. Wait until I finish my statement. If there ever was a time in the history of the country when the Army officers should realize that they are expected to measure up to their full responsibilties, it is now. We are calling the bloom of the manhood of the Nation under this draft, and if we are going to say that all military men are creatures of perfection, that they could not possibly make a mistake, and thereby issue to them a license to cashier men out of the Army arbitrarily,

we are doing an injustice to the men of the Nation upon whom we have imposed the draft, and I for one am unwilling to do it.

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. HUDDLESTON. Has the Congress of the United States ever passed a special bill in such a case as this?

Mr. FIELDS. I think many of them.

Mr. HUDDLESTON. Will the gentleman state one.

Mr. FIELDS. I have not the precedents at hand.

Mr. SNYDER. Will the gentleman give me the date of the court-martial?

Mr. FIELDS. The 5th day of July, 1916, as I remember, and the order was carried into effect in January, 1917.

Mr. LENROOT. The Secretary of War has had it fully within his power to reinstate this man, has he not?

Mr. FIELDS. I suppose the Secretary of War could reinstate the man.

Mr. LENROOT. This House then is asked to do this, so far as I know, unprecedented action because the Secretary of War refuses to do justice to this man. Is that it?

Mr. FIELDS. It is the principle involved.

Mr. LENROOT. It is the same principle involved in the House that is involved with the Secretary of War.

Mr. FIELDS. And Congress can not shirk its responsibility. This case would not stand a minute in any civil court in the United States. Congress creates the Military Establishment. If the Military Establishment does not properly discharge its duties, it is the duty of Congress to see that it is done.

Mr. LENROOT. It is the position of the gentleman that the Secretary of War has not properly discharged his duty in this case?

Mr. FIELDS. I say this man should not have been dismissed from the Army, let the responsibility fall where it may.

Mr. MILLER of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. MILLER of Minnesota. I am not certain as to how these proceedings go, but my understanding is that the findings of a court-martial first go to the Judge Advocate General in Washington, and if he approves them that is practically all there is to it.

Mr. FIELDS. Certainly.

Mr. MILLER of Minnesota. And the Secretary is seldom, if ever, called upon to pass independently on the subject. I do not know whether this was passed on by the Secretary.

Mr. SNYDER. The gentleman stated that the Secretary did approve these findings.

Mr. FIELDS. They were approved officially, in a formal way.

Mr. SLOAN. Does the gentleman mean to state that the Secretary of War could reinstate this man, if he saw fit, under his power as Secretary of War?

Mr. FIELDS. He could have disapproved the findings.

Mr. SLOAN. But not now? He can not go back now and reinstate a man at this time?

Mr. FIELDS. No; I think not.

Mr. SLOAN. I am in full harmony with the proposition of the gentleman, and I think it is very important that this Congress exercise its privilege and power and right some of these wrongs. I know it is the practice to ask the Secretary of War to do these things, but he refuses to do it, and a number of injustices are done some of the best men of America right now. I have one in mind, because the Secretary of War would not do——

Mr. MILLER of Minnesota. Is this just the situation, that the Secretary, having approved the finding, might have done so in a perfectly pro forma manner without a knowledge of the facts?

Mr. FIELDS. We know it is impossible for him to look into all the details of the many, many cases of this character.

Mr. MILLER of Minnesota. And undoubtedly that was the case. But having done that, it is out of his jurisdiction, and he could not reinstate the man, and the President of the United States could not.

Mr. LENROOT. But the Secretary of War could have made a report to this Congress.

Mr. FIELDS. The report would have been that the man had been dismissed by order of a general court-martial, and we already had that fact before us and a record of the trial.

Mr. MILLER of Minnesota. The President himself can not do it. The only body on earth that can reinstate the man is the Congress of the United States.

Mr. KEARNS. Will the gentleman yield?

Mr. FIELDS. I will.

Mr. KEARNS. As I understand the statement, there was no evidence brought against this man at all?

Mr. FIELDS. There was absolutely no evidence against him, except the opinion of one man, and that opinion was acquiesced in by two other men.

Mr. KEARNS. And that was that the two maps looked so much alike that one might be a tracing. I understand he made two drawings.

Mr. FIELDS. No; there was an original map covering an area of about 2½ miles.

Mr. KEARNS. And they thought that had been copied?

Mr. FIELDS. They thought one line of 900 feet and the other of 1,000 feet had been copied.

Mr. KEARNS. And he made another drawing. Did the second correspond with the first drawing?

Mr. FIELDS. He was graded between 90 and 95 per cent on the second drawing.

Mr. GARRETT of Texas. Mr. Speaker, regular order.

Mr. FIELDS. I hope this bill may be passed.

The SPEAKER. Is there objection?

Mr. FESS. Will the House permit me for half a minute?

The SPEAKER. The regular order has been demanded.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio be permitted to proceed not to exceed five minutes.

Mr. FESS. I just want one minute.

Mr. FIELDS. Just one minute I will make it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. Mr. Speaker, and Members of the House, I have gone over this very carefully, have avoided saying anything because the gentleman from Kentucky was making a full statement and an accurate one. The only evidence against Capt. Graham in this entire matter is that the map drawing was so well done that those who examined it, or the one who examined it, said that it could not have been done without having been traced. There was no other evidence. It was a case in which a professor did not believe a person under him sent out to do a piece of work could have done it so perfectly and at the same time fairly, and after he had made the recommendation those associated with him would not turn it down. Now, I can appreciate the situation of a man who has charge of any sort of work where he sends somebody to do a responsible piece of work that there is an ability that is found here. And I further state that not only in map drawing but in many other lines of life there is a sort of genius in which men or women will do work so perfect that those who can not do it so well say that it could not have been done fairly. I think that is really the situation here, and I do not think that this officer should be punished.

The SPEAKER. The time of the gentleman has expired. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States, in his discretion, be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, Harry Graham, formerly a captain of Infantry, a captain of Infantry, to take rank at the foot of the list of captains of Infantry; and that no back pay or allowances shall accrue as a result of the passage of this act, and there shall be no increase in the total number of captains of Infantry now authorized by law by reason of the passage of this act.

Mr. LENROOT. Mr. Speaker, I only desire to take about two minutes on this proposition. I did not object to the unanimous consent for the consideration of this bill, although I realize there is grave danger of a very dangerous precedent being made in giving unanimous consent for the consideration of any bill to set aside the findings of a court-martial; but I only want to say that while I am on the floor of this House it must not be taken as a precedent for the giving of unanimous consent for the consideration of bills of this character where the Committee on Military Affairs has not referred the bill to the Secretary of War or has not given the Government an opportunity to appear before it and present its side of the case.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FIELDS, a motion to reconsider the vote by which the bill was passed was laid on the table.

AN EDITORIAL BY MARTIN H. GLYNN.

Mr. FERRIS. Mr. Speaker, I want to ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS extended his remarks by inserting the following:

IT BECOMETH AND BEHOOVETH MR. WADSWORTH, MR. LODGE, MR. CHAMBERLAIN, MR. ROOSEVELT, AND ALL THEIR PHONOGRAPHIC CULT TO CHIRP LIKE A CRICKET, NOT ROAR LIKE A LION.

[An editorial by former Gov. Martin H. Glynn, of New York, in the Times-Union, Albany, N. Y., Jan. 28, 1918.]

To-day the people of this country can be divided into two camps.

Those who wanted war at any price.

And those who hoped for peace, if peace could be maintained without the sacrifice of national honor.

Now we are at war, and we have the astonishing anomaly of the leaders of the "war buzzards" trying to gnaw the vitals out of our Commander in Chief, while the great majority of those who stood for peace while peace spelled honor are upholding the President's hands as Aaron and Hur upheld the hands of Moses in his battle with Amalek.

The present volcanic attack against the war policies of President Wilson is no haphazard incident. It is a well-laid plot, nicely trained and strategically timed. Its purpose, no matter how secretive its sponsors, how insinuating its methods, how seductive its arguments, is to give the Republican Party a majority in the next House of Representatives and to pave the way for a Republican President in 1920. From a political point of view this may be tolerable; from a patriotic aspect, in a national crisis like this, it is odious and detestable.

The business of the Nation to-day is to win the war, and the political leaders, who for party gain or personal aim lay the slightest obstacle in the way of the happy consummation of this business, clothe themselves in a diabolical livery and surround their political machinations with a brimstone scent, a sulphurous odor offensive to people who revere patriotism in politics but abhor politics in patriotism.

For months Col. Roosevelt has been injecting politics into the war through his articles in the Kansas City Star and Metropolitan Magazine. With craft and caution he has planted a bomb, intended to blow President Wilson out of political existence, and in this "Guy Fawkes" plot he has had the unctious assistance of Senator LODGE, of Massachusetts, and the crafty support of Senator WADSWORTH, of New York. But cunning and unctiousness can not win a contest like this. The mountain of truth is too big to be discolored by such daubing brushes, the facts too potent to be minimized by impish dissimulation or distorted by cunning castigation.

The Bible says he who draws the sword shall perish by the sword. Well, Roosevelt and his followers first drew the political sword in this dispute, and with their assumptive valor they should not cry for quarter before the blade of their own rapier.

For 16 years before the present Democratic administration the Republican Party was the custodian of the welfare of this Nation, and in all these 16 years it did but little to put this country on a basis of adequate preparation for war. Grover Cleveland started the American Navy on its way to imperial strength, but Theodore Roosevelt, as President of the United States, inaugurated a naval program that curtailed the Cleveland policy. Great as our Navy is to-day, it would be far greater still if the policy of Cleveland had prevailed and the plans of Roosevelt buried in the bottom of the sea. And as it was with the Navy, so was it with the Army, for Theodore Roosevelt left the Army of the United States weaker than he had found it seven years before.

No sooner, however, had Woodrow Wilson, with his panoramic view of the history of the world in peace time and in war time, his thorough knowledge of Democratic aspirations and economic possibilities, his sympathy with the masses and his consideration of the classes—no sooner had he become President of the United States than the wheels of progress were set in motion to equip this Nation as years before she should have been equipped for the solution of pressing national problems and the handling of contingencies of an international nature.

The rehearsal of all the legislation of President Wilson to carry out this progressive program would be superfluous here. The world knows it by heart. It insures him a splendid place in the annals of statesmanship. It is the unmistakable triumph of the democratic yearning with which the heart of mankind throbs and pulses to-day. And it carried Woodrow Wilson to wonderful victory in 1916 against an avalanche of money and a labyrinth of intrigue.

His Federal reserve bank law, which Mulhall, the famous English economist, said was of more worth to the world than the Panama Canal, saved this country, with the advent of the war, from the most stupendous panic in history and enabled us to ride the tumultous waters of "world-war" finance with hardly a squeak or a tremor of our old ship of state. Without this Federal reserve bank to-day the United States would be grinding and pounding on the rocks of disaster.

Nor is this all.

From a vision almost prophetic came the Federal revenue bill which wrung a lordly portion of governmental revenue from internal taxes instead of from tariff imposts which under the baneful influence of war dwindled to a sum insufficient to provide lubrication for our gears of Government, let alone provide fuel for the Treasury boiler that makes the wheels of national life go round.

Our national experience since the war started must carry conviction to every fair-minded American that for these two measures alone we owe an ineffable debt of gratitude to the wisdom and statesmanship of Woodrow Wilson.

And of our military realm we have the self-same tale.

Theodore Roosevelt may indulge himself in all the weird juggling of language that pleases his fancy; he may insensate himself in such inspirational riot of emotional frenzy as may give fire to his tongue and flare to his imagination; but the fact remains undeniable, ineffaceable, irremovable, that in two years of ante bellum days Woodrow Wilson did more to put our Army and our Navy on a footing of war than both William Howard Taft and Theodore Roosevelt did in the whole 11 years of their supine reign.

During these two years preparedness for a possible war was pushed by President Wilson as fast as the sentiment of the country would permit and quite as fast as even the most violent of his present-day critics then deemed expedient or politic.

Suddenly, however, conditions created by the autocratic dogmatism of Germany disregarding treaties and throwing promises to the winds, hurled us into the seething whirlpool of war. Then the very men who had been at the helm of the ship of state for 16 years, the men whose policies had weakened the Army and stunted the Navy, began to howl because we could not equip a million men over night and put them in the trenches of France in a day. They forgot the experience of England; they forgot the experience of France; they forgot their own neglect of our martial strength; they forgot everything but their own personal advertisement and their own political advancement.

Mythology tells us that Minerva sprang full-armed from the mind of Jupiter, and despite the fact that the age for mythological miracles has passed, these acrimonious critics demanded that the United States whittle rifles out of the air and by some sort of prestidigitorial art transform a million civilians into full-trained soldiers between the sinking and the rising of the sun. What these critics had failed to do in 16 years, they insist that Woodrow Wilson should do in 16 days. The wind listeth in the night, the dew falls, the stars come out, the moon works her magic charm, and behold at dawn a full-grown mushroom whitens the lawn where at sunset only an embryonic stalk snuggled in the grass. This is the kind of marvel, this the kind of impossible legerdemain that Col. Roosevelt and his school demand should be duplicated in our military world. They demand that an invincible army be created overnight out of wind and dew, starlight and moonshine. But they fail to provide the Aladdin's lamp with which to work the miracle; they fail to furnish the necromantic art wherewith to ram into a night the task of a decade.

And this miracle, too, they demand in the teeth of the hoary-headed truth that from the days of Washington, Franklin, and Adams this Nation has set its face against a militaristic policy. A large Army, a potential Military Establishment, has been the ghost that has given this country sleepless nights for 140 years—a factitious whost, perhaps; but nevertheless a ghost hypnotic in its influence and awesome in its sway. And the Navy, too, has been hampered by a short-sighted sentiment of the great interior part of the country whose congressional Representatives persistently opposed large naval appropriations from fear of retrenchment against the "home-town" projects of their own native heaths. For this ingrained repugnance to a big army, an adequate navy, neither the Republicans of to-day or the Democrats of to-day are to blame. The fault lies at the door of the predominant sentiment of the Nation since 1776. And as we have sown: so to-day we reap.

Gen. Winfield Scott, one of the world's greatest soldiers, compressed an historic situation in a nutshell when he said, "Republics are never prepared for war."

The business of republics is peace: the business of autocracies is war.

Autocracy lives by the sword. The father and grandfather of Frederick the Great said so; Frederick himself said so; and so saith the Kaiser, and the Crown Prince, too.

A love and a craving for peace, however, form the very genesis of a republic. To this genesis republics are true; from this genesis republics depart only at the call of honor or the command of necessity.

Hence it is, though critics may forget, the people remember, that in eight months of war the United States, under the leadership of Woodrow Wilson, has done twice as much, and even more, than England and France did in the corresponding period of time. The accusations, the exaggerations, the fabrications, the distortions of supercilious censors and envious-fanged contemners of the Wilsonian policies wear such a flimsy gossamer covering as to expose this political plot in all its naked hideousness.

We make no claim that the administration has created sunbeams out of cucumbers or performed feats beyond the pale of human possibility, but we do maintain that its efforts have been amazing, its accomplishments beyond compare in the history of modern warfare.

We have not whipped the Kaiser yet, but we will whip him if calumniating critics do not dampen the fires of enthusiasm or grease the tracks whereon must ride our national chariots of war. We have more men in France to-day than Roosevelt knows or Germany suspects, and a million more are waiting for the ships.

We have an Army so well cared for that the death rate in our ranks for the four months ending January 1, 1918, averaged only 7.5 per thousand—a death rate, mind you, less than the death rate for men of a like age in peaceful avocations at home. Compare this with the death rate of 20.14 per thousand under the good old Republican rule of the days of the Spanish-American War. Compare these figures, and then applaud the Roosevelt charges, if you can!

True, we have made some mistakes, but in the magnitude of our undertaking some mistakes were inevitable, unavoidable. In balance though with the wondrous achievements these mistakes have been trivial and not worthy of the attention of the men who minimize their talents by trying to magnify molehills into mountains.

And furthermore, unlike the Spanish-American War, in which Mr. Roosevelt was a king-pin:

We have no Army contract scandals.

We have no embalmed-beef horrors.

We have no fat, old generals going to war in carriages and leading battle charges from easy rocking chairs.

We have no unpleasant gossip about the appointment of political generals and society admirals.

We have no round-robin letters from presumptious and inferior officers demoralizing discipline and exalting self.

In the face of these facts the wild rantings of Roosevelt and his fellow-political conspirators are boomerangs, pestilential to the ears and revolting to the sensibilities of others, but harmful only to the men who hurl them. On the estimation of thoughtful people these critics make no indelible impression. They may ruffle the surface of the pool of comment, but they stir not the depths of public opinion. And with Roosevelt, Lodge, and Wadsworth as the chief creators of this curtain of camouflage political fire, fed by the tissues of ambitious misrepresentation, fanned by the sinister winds of political oratory, there stalks forth from memory's closet the skeleton of Alger's embalmed beef with its concomitant stench; there looms into view the commander of the United States forces in Cuba, too fat to ride a horse, going into battle in a carriage, and lolloping in a portable bathtub while our soldiers had no medicines to conquer tropic ills; there looms into view this self-same commander of the United States forces in Cuba fighting his battles from the sensuous folds of a soporific hammock, while through the stupidity and carelessness of an inefficient military medical force our soldier boys found typhoid fever more deadly than bullets from the Spanish guns.

And so, in view of these verities which no political manipulation can snatch from history's page; in view of the official funereal-hued glories and the official scarlet-tinged scandals of the Spanish-American War; in view of Alger's embalmed beef of odoriferous memory; in view of inferior ships purchased by the Government at superior prices; in view of the stigma and disgrace that typhoid fever killed more of our soldiers than Spanish bullets sent to their graves; in view of the cable which Dewey cut to save the Navy from the malefic influence of Republican politics at Washington; in view of Army contracts which brought a blush to the cheek and rage to the heart of the Nation; in view of

the attempt to deprive Schley of his share of glory in the Santiago victory; in view of the papier-mâché generals created as a sort of "iron-cross" reward for services rendered the good old Republican Party on many a bloodless field of politics; in view, in fine, of the bathos and the pathos of flagrant Republican mismanagement in the Spanish-American War, it becometh and behooveth Mr. WADSWORTH, Mr. LODGE, Mr. CHAMBERLAIN, Mr. Roosevelt, and all their phonographic cult to chirp like a cricket, not roar like a lion.

MARTIN H. GLYNN.

Mr. BLANTON. Mr. Speaker, I renew my request to revise and extend my remarks.

The SPEAKER. The gentleman from Texas asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. WILSON. Mr. Speaker, I wish to make objection to that.

The SPEAKER. Is the gentleman objecting?

Mr. WILSON of Texas. Yes, sir.

The SPEAKER. The gentleman from Texas [Mr. WILSON] objects.

Mr. BLANTON. It is too late, Mr. Speaker.

The SPEAKER. No; it is not.

STATUE OF JAMES BUCHANAN.

Mr. LINTHICUM. Mr. Speaker, I move to suspend the rules and pass House joint resolution No. 70, authorizing the erection on public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States.

Mr. STAFFORD. Mr. Speaker, I make a point of order there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of no quorum. Evidently there is none.

ADJOURNMENT.

Mr. FOSTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 50 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 5, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the president of the Washington Gas Light Co., transmitting detailed statement of the business of the Washington Gas Light Co., with a list of its stockholders, for the year ending December 31, 1917 (H. Doc. No. 899); to the Committee on the District of Columbia and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required for the support of an interallied institute for the restoration and re-education of crippled soldiers (H. Doc. No. 900); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Attorney General submitting a supplemental estimate of appropriation required by the Department of Justice for the detection and prosecution of crimes, fiscal year 1918 (H. Doc. No. 903); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of communication of the Alien Property Custodian, submitting an estimate of appropriation to pay outstanding bills for supplies and equipment and to maintain his organization to carry out the provisions of the trading-with-the-enemy act during the remainder of the fiscal year 1918 (H. Doc. No. 904); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication submitting a supplemental estimate of appropriation required by the Postal Service for wrapping twine and tieing devices. office of Fourth Assistant Postmaster General, for the fiscal year 1918, payable from postal revenues (H. Doc. No. 905); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting deficiency estimates of appropriation required by the War Department for reimbursement to certain disbursing officers of the Army for the fiscal year 1915 and for prior years (H. Doc. No. 906); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Interior, transmitting copy of a letter from the Commissioner of the General Land Office transmitting report of the withdrawals and restorations contemplated by the statutes approved June 25, 1910 (H. Doc. No. 907); to the Committee on the Public Lands and ordered to be printed.

8. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting proposed clauses of legislation authorizing accounting officers of the Treasury to allow credits in the accounts of certain disbursing officers of the Army (H. Doc. No. 908); to the Committee on Claims and ordered to be printed.

9. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting supplemental estimate of appropriations required by the Navy Department for the fiscal year 1918 (H. Doc. No. 909); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Secretary of the Treasury, transmitting estimate of an urgent deficiency appropriation required for the United States Public Health Service for the current fiscal year (H. Doc. No. 910); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. KEY of Ohio, from the Committee on Pensions, to which was referred the bill (H. R. 9506) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Amy and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 282), which said bill and report were referred to the Private Calendar.

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes, reported the same with amendment, accompanied by a report (No. 283), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7779) granting an increase of pension to William E. Kirkpatrick; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7954) granting an increase of pension to Orville H. Mills; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KITCHIN: A bill (H. R. 9499) to provide further for the national security and defense and, for the purpose of assisting in the prosecution of the war, to provide credits for industries and enterprises in the United States necessary or contributory to the prosecution of the war, and for other purposes; to the Committee on Ways and Means.

By Mr. ASWELL: A bill (H. R. 9500) to amend the act of Congress approved March 4, 1913 (37 Stats., p. 869), to increase the limit of cost for the enlargement, extension, remodeling, rebuilding, reconstruction, or improvement of the post office and courthouse at Alexandria, La.; to the Committee on Public Buildings and Grounds.

By Mr. EVANS: A bill (H. R. 9501) to provide funds for indigent farmers to purchase wheat for spring planting; to the Committee on Appropriations.

By Mr. HUDDLESTON: A bill (H. R. 9502) providing for an examination of the Tombigbee and Black Warrior Rivers with a view to further improving the same so as to afford a minimum navigable depth of 8 feet; to the Committee on Rivers and Harbors.

By Mr. HOWARD: A bill (H. R. 9503) to revise and amend the provisions of sections 3242, 3258, 3279, 3281, and 3450 of the Revised Statutes in so far as concerns the punishment imposed for the violation of said sections; to the Committee on the Judiciary.

By Mr. WEBB: A bill (H. R. 9504) to amend section 4067 of the Revised Statutes by extending its scope to include women; to the Committee on the Judiciary.

By Mr. FARR: A bill (H. R. 9505) for the relief of retired commissioned warrant officers detailed on active duty; to the Committee on Naval Affairs.

By Mr. KEY of Ohio: A bill (H. R. 9506) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; committed to the Committee of the Whole House.

By Mr. CARY: A bill (H. R. 9507) for the erection of a public building at Milwaukee, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9508) to establish a fish hatchery and fish station in the fourth congressional district of Wisconsin; to the Committee on the Merchant Marine and Fisheries.

By Mr. HOUSTON: A bill (H. R. 9509) relating to marriage among the uncivilized native tribes of Alaska; to the Committee on the Territories.

By Mr. LEA of California: A bill (H. R. 9510) authorizing an adjustment of the boundaries of the California National Forest, in the State of California; to the Committee on the Public Lands.

By Mr. MILLER of Minnesota: Resolution (H. Res. 242) to require the Committee on Public Information to furnish information relative to work of propaganda; to the Committee on Foreign Affairs.

By Mr. SIMS: Joint resolution (H. J. Res. 235) granting to certain persons in active war service an extension of time within which applications for insurance may be made under section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 9511) granting an increase of pension to John P. Newton; to the Committee on Pensions.

Also, a bill (H. R. 9512) granting an increase of pension to Malinda McClanahan; to the Committee on Pensions.

Also, a bill (H. R. 9513) granting an increase of pension to William H. Scott; to the Committee on Pensions.

By Mr. AYRES: A bill (H. R. 9514) granting an increase of pension to Francis M. Belt; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 9515) granting a pension to James M. Vint; to the Committee on Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 9516) granting an increase of pension to Moses Goldstein; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9517) granting a pension to Henry Blankenship; to the Committee on Pensions.

By Mr. CANTRILL: A bill (H. R. 9518) granting an increase of pension to Jackson Cornett; to the Committee on Pensions.

Also, a bill (H. R. 9519) granting a pension to George Bunch; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 9520) for the relief of George Killeen; to the Committee on Claims.

By Mr. DECKER: A bill (H. R. 9521) granting a pension to Elmer D. Hopper; to the Committee on Pensions.

Also, a bill (H. R. 9522) granting a pension to William J. Walker; to the Committee on Pensions.

Also, a bill (H. R. 9523) granting a pension to John E. Tingley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9524) granting a pension to William Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9525) granting an increase of pension to Elba A. Love; to the Committee on Pensions.

Also, a bill (H. R. 9526) granting an increase of pension to Henry J. Olmsted; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9527) granting an increase of pension to Daniel E. Alexander; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9528) granting an increase of pension to Lucius S. Hitchcock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9529) granting an increase of pension to David Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9530) for the relief of Thomas E. Coleman; to the Committee on Military Affairs.

By Mr. DILLON: A bill (H. R. 9531) Granting a pension to Arabella A. Dean; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 9532) granting an increase of pension to Lucius F. Renne; to the Committee on Invalid Pensions.

By Mr. FULLER of Massachusetts: A bill (H. R. 9533) granting a pension to Luella M. Peterson; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: A bill (H. R. 9534) granting a pension to Edward P. Rae; to the Committee on Invalid Pensions.

By Mr. GODWIN of North Carolina: A bill (H. R. 9535) for the relief of Josie N. Styron; to the Committee on Claims.

By Mr. HAMLIN: A bill (H. R. 9536) granting an increase of pension to Mary F. Kenaday; to the Committee on Pensions.

Also, a bill (H. R. 9537) granting a pension to Sarah Haggord; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 9538) for the relief of William H. Dooley; to the Committee on Military Affairs.

By Mr. HOWARD: A bill (H. R. 9539) granting a pension to John F. Brannam; to the Committee on Pensions.

Also, a bill (H. R. 9540) granting a pension to John A. Ford, alias John Adams; to the Committee on Pensions.

By Mr. HUDDLESTON: A bill (H. R. 9541) to correct the military record of George Openshaw; to the Committee on Military Affairs.

By Mr. KIESS of Pennsylvania: A bill (H. R. 9542) granting a pension to Uriah Adams; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 9543) granting an increase of pension to William H. Nesbitt; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 9544) granting an increase of pension to Nancy Ollis; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 9545) granting a pension to Lou Patriquin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9546) granting a pension to Robert H. Sheaffer; to the Committee on Pensions.

By Mr. MERRITT: A bill (H. R. 9547) granting a pension to Adaline A. Perry; to the Committee on Invalid Pensions.

By Mr. ROBBINS: A bill (H. R. 9548) granting an increase of pension to Nicholas Long; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 9549) granting a pension to Nancy J. Jones; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9550) granting an increase of pension to Joseph Brewer; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 9551) granting an increase of pension to Elisha Driscol; to the Committee on Invalid Pensions.

By Mr. SINNOTT: A bill (H. R. 9552) granting a pension to Edyth C. Dideon, widow of Otto E. Dideon; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 9553) granting a pension to Hiram P. Sloan; to the Committee on Pensions.

By Mr. STEPHENS of Nebraska: A bill (H. R. 9554) granting an increase of pension to Squire Grissom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9555) granting a pension to Jennie V. Leap; to the Committee on Invalid Pensions.

By Mr. STERLING of Illinois: A bill (H. R. 9556) granting a pension to Alexander Kightlinger; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 9557) for the relief of the trustees and parties who are now or who may hereafter become interested in the estate of James A. Chamberlain under the terms of his will; to the Committee on Claims.

By Mr. VAN DYKE: A bill (H. R. 9558) granting an increase of pension to Thomas Horan; to the Committee on Pensions.

By Mr. WHITE of Maine: A bill (H. R. 9559) granting an increase of pension to Charles R. Mansfield; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 9560) granting an increase of pension to Edward A. Bentz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9561) granting a pension to Joseph K. Bellemey; to the Committee on Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 9562) granting a pension to Frank Jankowski; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Declaration of loyalty by the National Coffee Roasters' Association; to the Committee on the Judiciary.

Also (by request), a resolution of the New York Bureau of Legal First Aid, asking for investigations of recent constitutional violations, mob violence, oppressive censorship, and into the working of the draft law, especially in New York; to the Committee on the Judiciary.

Also (by request), a resolution of the American Liberty Defense League, demanding investigations of recent constitutional violations, mob violence, oppressive censorship, and into the working of the draft law, especially in New York; to the Committee on the Judiciary.

Also (by request), a resolution of the New York State Bar Association, objecting to the prohibition amendment in its present form; to the Committee on the Judiciary.

Also (by request), resolution of the National Association of Bedding Manufacturers, urging that price regulation be extended to cotton; to the Committee on Agriculture.

Also (by request), resolution of the Federation of Lithuanians of Chicago, asking that the political independence of Lithuania be recognized; to the Committee on Foreign Affairs.

Also (by request), resolution of security holders of the Boston & Maine Railroad, relative to effect of Federal control upon their interests; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial of the American Medical Association, praying for the repeal of section 209, war-revenue act; to the Committee on Ways and Means.

Also (by request), petition of H. A. Clarke, Washington, D. C., demanding suffrage "as a whole" for the District of Columbia; to the Committee on the District of Columbia.

By Mr. BLAND: Evidence in the case of James M. Vint, special pension bill; to the Committee on Pensions.

By Mr. CARY: Resolution of the Association of Lithuanian Patriots of America, commending the President's war-aims message, and asking for the freedom and independence of Lithuania; to the Committee on Foreign Affairs.

Also, resolutions of the Indiana Republican Editorial Association, favoring a war cabinet, director of munitions, opposing Government ownership of utilities, and favoring legislation to end profiteering; to the Committee on Military Affairs.

Also, resolution of the security holders of the Boston & Maine Railroad, relative to the effect of Federal control; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Pennsylvania: Petition of M. E. Peck, A. B. Stevens, and H. W. Church, praying for the passage of House bill 7995, for the preservation of the *Niagara*, Commodore Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. CURRY: Petition of six rural carriers of the third California district, asking for an increase in salary and giving reasons therefor; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Resolution adopted at a mass meeting at the New Star Casino, New York City, favoring the Rankin resolution to acknowledge political independence of Ireland; to the Committee on Foreign Affairs.

Also, petition of Borden's Condensed Milk Co., favoring the daylight-saving plan; also resolutions, adopted at a meeting of the security holders of the Boston & Maine Railroad, relative to effect of Federal control upon interests of security holders in that railroad; to the Committee on Interstate and Foreign Commerce.

Also, petition of Burton F. White, chairman of coal committee, Hotel Association of New York City, urging legislation providing for a survey of the disused canals from the anthracite region of Pennsylvania to tidewater, with a view to use in getting coal to New York, Boston, and other industrial centers; to the Committee on Rivers and Harbors.

By Mr. DENISON: Petition of the following-named citizens urging repeal of zone rate system: A. J. Doughty, Thompsonville; Charles Gogue, Pittsburg; Ben Grant, Pittsburg; Luther Morefield, route No. 1, Pittsburg; Charles Wright, Thompsonville, route No. 1; C. H. Burr, R. F. D., Thompsonville; A. Jochim, route No. 1, Pittsburg; Roy Doughty, R. F. D., Thompsonville; S. A. Doughty, R. F. D., Thompsonville; W. H. Holland, R. F. D., Thompsonville; J. E. Fireash, R. F. D., Thompsonville; D. H. Blue, route No. 1, Thompsonville; J. Davis, route No. 1, Pittsburg; E. B. Doughty, Thompsonville; Raymond O. Smith, R. F. D., Carrier Mills; Walter Malone, R. F. D., Thompsonville; and Dallie Malone, R. F. D., Thompsonville, all in the State of Illinois; to the Committee on the Post Office and Post Roads.

By Mr. FULLER of Massachusetts: Petition of Luella M. Peterson, to have her name restored to the pension roll; to the Committee on Invalid Pensions.

By Mr. HAMLIN: Papers to accompany H. R. 8585, granting a pension to Eugene V. Wayne; to the Committee on Pensions.

By Mr. HILLIARD: Petition of Nathan Wallace, of Denver, Colo., urging the adoption of legislation creating a corps of podiatrists in the Army; to the Committee on Military Affairs.

Also, memorial adopted by Great Council of Colorado, Improved Order of Red Men, pledging their support to the Government and urging the formation of a league of nations to enforce peace at the conclusion of the present war; to the Committee on Foreign Affairs.

Also, papers to accompany H. R. 8319, granting a pension to Arthur F. Sewell; to the Committee on Pensions.

By Mr. KIESS of Pennsylvania: Petition of citizens of the fifteenth Pennsylvania district, favoring universal military training; to the Committee on Military Affairs.

By Mr. LEA of California: Resolution unanimously adopted by a county convention of representatives of various churches, unions, and leagues of Humboldt County, favoring war prohibition; to the Committee on the Judiciary.

By Mr. LINTHICUM: Memorial of the Marine Engineers' Beneficial Association, No. 5, asking support for House bill 7913; to the Committee on Rivers and Harbors.

By Mr. LONGWORTH: Petition of many residents of Cincinnati, Ohio, and vicinity, for the establishment of a pharmaceutical corps in the United States Army; to the Committee on Military Affairs.

By Mr. MOORE of Pennsylvania: Petition of the City Council of Erie, Pa., and of members of the Pennsylvania Soldiers and Sailors' Home, Erie, Pa., for the preservation, etc., of the restored naval brig *Niagara;* to the Committee on Naval Affairs.

By Mr. RAINEY: Petition of J. E. Thompson and other citizens of Manchester County, Ill., favoring a Federal tax on dogs; to the Committee on Ways and Means.

Also, loyalty declaration of the National Coffee Roasters' Association; to the Committee on the Judiciary.

By Mr. ROGERS: Evidence to accompany House bill 9489, for pension to George F. Cook; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: Memorial of Toledo Printing Pressmen's Union, No. 55, Toledo, Ohio, urging that war profits be taxed to pay laborers for enforced idleness under the fuel order, and protesting against the Chamberlain compulsory training law; also a resolution of the International Association of Machinists, Lodge No. 105, Toledo, Ohio, protesting against any form of compulsory or universal military training; to the Committee on Military Affairs.

By Mr. VARE: Memorial of Civic Club, of Philadelphia, on pending postal legislation; to the Committee on the Post Office and Post Roads.

SENATE.

TUESDAY, *February 5, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we know that beneath the flow of our human thought and purpose and desire runs the current of Thine own unchanging law, and Thy law makes for righteousness. We seek to bring our policies and ideals into conformity with Thy revealed will, and we can only accomplish this through Thy presence and inspiration. So at the beginning of another day's session of this Senate we turn our hearts to Thee and ask for inspiration and guidance in the work of the day. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. THOMAS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

WITHDRAWAL OF PUBLIC LANDS (H. DOC. NO. 907).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report from the Commissioner of the General Land Office relative to withdrawal and restoration of public lands, which, with the accompanying paper, was referred to the Committee on Public Lands and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the following bills:

S. 1418. An act to authorize the President of the United States to appoint Harry Graham captain of Infantry;

S. 3006. An act to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes; and

S. 3081. An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 3132. An act to amend section 2171 of the Revised Statutes of the United States relating to naturalization; and

H. R. 5558. An act to amend section 101 of the Judicial Code.

WAR POWERS OF THE PRESIDENT.

Mr. THOMAS. Mr. President, apropos of the debate yesterday concerning the war powers of the President and the constitutionality of the bill proposing the establishment of a war council, I desire to read into the RECORD a short extract from the address delivered by Hon. Charles E. Hughes before the American Bar Association on September 5 last. Referring to this identical subject on that occasion, Mr. Hughes said:

The war powers under the Constitution are carefully distributed. To Congress is given the power "to declare war." The proposal to add "to make peace" found no favor, as this was deemed to belong to the treaty-making power vested in the President and Senate. To the President was given the direction of war as the Commander in Chief of the Army and the Navy. It was not in the contemplation of the Constitution that the command of forces and the conduct of campaigns should be in charge of a council or that as to this there should be a division of authority and responsibility. The prosecution of war demands in the highest degree the promptness, directness, and unity of action in military operations which alone can proceed from the Executive. This exclusive power to command the Army and the Navy and thus to direct and control campaigns exhibits not autocracy but democracy fighting effectively through its chosen instruments and in accordance with the established organic law.

PETITIONS AND MEMORIALS.

Mr. MYERS. I present resolutions in the nature of a petition in favor of certain legislation, which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Resolutions of Farmers' Convention of Montana in support of Senate bill 3439.

Whereas it has been called to the attention of the delegation members of the Farmers' Convention of the State of Montana, duly assembled at Bozeman, Mont., that Senator MYERS did, on the 9th day of January, introduce in the Senate of the United States a certain bill known as Senate bill 3439, known as a bill for the relief of certain homestead and desert-land entrymen; and

Whereas such legislation is of vital importance to the farmers of this State, in that it provides that any valid homesteader who has made entry for not more than 320 acres of public land, including entrymen on ceded Indian land, may at any time after the passage of such legislation, within 90 days after the date of such passage, file in the local land office the required notice of intention to make final proof and thereupon be accorded to the right to make such proof and secure patent for the land so entered, provided that such entryman has resided upon his entry for a period of at least seven months; and

Whereas it is the belief of this assembly that such special legislation as is proposed by Senator MYERS's bill will be of great aid to a struggling homesteader, and will assist the farmers of this State in increasing their crops, thereby materially assisting our country in its world struggle for democracy: Now, therefore, be it

Resolved, That this convention, duly assembled, go on record as approving the bill introduced by Senator MYERS and heartily indorse and approve the interest shown by Lieut. Gov. McDowell in his efforts on behalf of the farmers and homesteaders of this State and Nation in attempting to secure the passage of such needed legislation as Senate bill 3439; and be it further

Resolved, That a copy of this resolution be spread upon the minutes of our meeting, a copy forwarded to Secretary Lane, of Washington; a copy sent to Senator MYERS and Senator WALSH at Washington, D. C.; and that the press of Montana be asked to lend all aid possible in securing the passage of Senator MYERS's bill for the relief of homesteaders.

Dated this 25th day of January, 1918.

FARMERS' CONVENTION,
By W. L. BEERS, *Chairman*.
C. E. POTTER, *Secretary*.

Mr. GRONNA. I have here two telegrams from a trainmen's organization in my State, one from Dickinson and the other from Grand Forks. They are very brief, and I ask that they be printed in the RECORD.

Mr. SMITH of Arizona. Are those private telegrams?

Mr. GRONNA. No, sir; they are not private telegrams. They are from a railroad organization.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

DICKINSON, N. DAK., *February 3, 1918*.

Senator A. J. GRONNA,
Washington, D. C.:

Trainmen oppose any Federal employees' compensation act. Request you to use your influence to defeat such and support any employers' liability act.

F. L. FLANAGAN,
Secretary B. R. T. No. 779.

GRAND FORKS, N. DAK., *February 4, 1918*.

A. J. GRONNA,
Washington, D. C.:

We urge your cooperation in defeating section 9 of bills H. R. 8172 and S. 3385, now pending, or any form of workmen's compensation law which may be introduced in Congress, and will appreciate your support in helping strengthen the present employers' liability law.

L. F. ELY,
President B. of R. T. No. 463.

Mr. GRONNA. I present resolutions adopted by the Woman's Club of Mayville, N. Dak., favoring the repeal of the law increasing the rates on second-class mail matter. I move that the resolutions be referred to the Committee on Post Offices and Post Roads.

The motion was agreed to.

Mr. SHERMAN. I present a petition on woman suffrage from citizens of Normal, Ill., which I ask may be referred to the Committee on Woman Suffrage. It is one of very many that I have received. I do not present the others, but I submit this as a fair sample of those I have received.

The VICE PRESIDENT. The petition will be referred to the Committee on Woman Suffrage.

Mr. JONES of Washington. I have a telegram from D. C. Imrie, president of Federal Employees' Union No. 9, of Tacoma, Wash., protesting against the eight-hour rider to the Agricultural appropriation bill. I move that it be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. JONES of Washington. I also present a telegram from W. W. Wolcott, of Seattle, Wash., general chairman of the Milwaukee Railroad, representing the Brotherhood of Railroad Trainmen, opposing any proposed workmen's compensation law, but urging that the employers' liability act be strengthened. I move that it be referred to the Committee on Interstate Commerce.

The motion was agreed to.

Mr. SMITH of Arizona. I take this occasion to congratulate the Senator in sending these matters to the committee without having them printed in the RECORD. We are very short of paper now and are paying a good price for it, and anything that burdens the RECORD except what occurs on the floor the Committee on Printing is very anxious to suppress.

The VICE PRESIDENT. The Chair takes occasion to say, though the opinion of the Chair may not amount to anything, that if the rules of the Senate were changed and we returned to the ancient method of presenting petitions to the Senate of the United States we would accomplish the purpose in the mind of every Senator.

Mr. SMITH of Arizona. There is a rule on the subject.

Mr. JOHNSON of South Dakota. I have received a telegram from the Southern Clark County Branch of the American Defense Society, of South Dakota, which I ask to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WILLOW LAKE, S. DAK., *February 2, 1918*.

Senator EDWIN S. JOHNSON,
Senate Chamber, Washington, D. C.:

The Southern Clark County Branch of the American Defense Society passed a resolution especially urging you to support the bill for a war cabinet as a wise and patriotic measure.

W. J. BENNER, *Secretary*.

Mr. JONES of New Mexico. I present resolutions adopted at a meeting of the Democrats and citizens of the city of Roswell, N. Mex., in mass meeting assembled, expressing hearty approval of and indorsing the administration of President Wilson. I ask that the resolutions be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

ROSWELL, N. MEX., *January 23, 1918*.

We, the Democrats and citizens of the city of Roswell, N. Mex., in mass meeting assembled, adopt the following resolutions:

Resolved, That speaking for ourselves more as American citizens than as Democrats, and speaking by these resolutions, as we believe, the almost unanimous voice of the people of eastern New Mexico, we commend with whole-hearted approval and indorsement the administration of Woodrow Wilson, who blends in his splendid manhood and unequal statesmanship the great qualities of Washington and Lincoln, and particularly do we commend and indorse, as above words of praise, his war administration in the midst of difficulties that would have appalled a less gifted leader.

Resolved, That we also commend with heartiest approval and indorsement the administration of the war office by Secretary Baker, and pledge to him and to the President our continued and patriotic support and devotion.

Resolved, That particularly we denounce the Chamberlain bill to create a war cabinet as a Pandora's box of infinite and endless evils, and if insisted upon as certain to bring about great public excitement, division, and confusion.

Resolved, That our Senators and Representative in Congress are hereby instructed to hold up the hands of the constituted head of the Nation and his advisers in this great life-and-death struggle for demo-

cratic free government, and to vote against and do all in their power to defeat the bill to establish a war council and virtually supersede the President in the conduct of the war.

Resolved, That copies of these resolutions be sent by the secretary of this meeting, duly signed by the chairman and attested by the secretary, one to each the President, the Secretary of War, our Senators and Representative in Congress, and that the Hon. A. A. JONES and Hon. WILLIAM B. WALTON be, and they are hereby, requested to lay these resolutions respectively before the United States Senate and United States House of Representatives.

JOHN T. MCCLURE, *Chairman.*
H. A. POORBAUGH, *Secretary.*

Mr. HALE. I present resolutions adopted by the Chamber of Commerce of Portland, Me., which I ask to have printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Resolutions.

Whereas the repeated and apparently increasing number of attempts to destroy property in various sections of the United States, accompanied in many instances by loss of life, warrants the most drastic treatment of those found guilty of such actions, whether successful or unsuccessful: Be it

Resolved by the Chamber of Commerce of Portland, Me., That we urgently invoke the United States Government and the Department of Justice thereof to bend every effort to investigate the causes of these outrages, and, wherever the same can be traced to the action of alien enemies or of citizens aiding and abetting such alien enemies, that the extreme penalty provided by law for actions of treason be rigidly enforced, to the end that law and order may prevail in this country and thereby facilitate the expeditious and successful prosecution of this war; and be it further

Resolved, That a copy of these resolutions be transmitted to the governor of Maine, our Representatives in Congress, the Department of Justice, and the Chamber of Commerce of the United States, with a request that similar action be taken.

—

This is to certify that the above is a true copy of the resolution unanimously adopted by the board of managers of the Chamber of Commerce of Portland, Me., in session Tuesday, January 22, 1918.

Attest: W. B. MOODY,
Executive Secretary.

Mr. WADSWORTH presented resolutions adopted by the State Board of the Christian Woman's Board of Missions, of New York; of the West Side Woman's Christian Temperance Union, of Buffalo, N. Y.; and of sundry citizens of West Barre, N. Y., favoring national prohibition, which were ordered to lie on the table.

He also presented a petition of Beacon Hill Grange No. 828, Patrons of Husbandry, of Saratoga County, N. Y., praying for the continuation of the present system of rural free delivery and also for an increase in the salaries of rural letter carriers, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of the State of New York, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a petition of the Home Defense Company, of Elmira, N. Y., praying for the repair, preservation, care, and future maintenance of the brig *Niagara*, which was referred to the Committee on Naval Affairs.

Mr. MCLEAN presented a petition of sundry citizens of New Haven, Conn., praying for the emancipation and self-government of Lithuania, etc., which was referred to the Committee on Foreign Relations.

He also presented a petition from the Past Exalted Rulers' Association, Benevolent Protective Order of Elks, of Connecticut, praying for the establishment of a league of nations to safeguard an enduring peace, etc., which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Hebron and Columbia, in the State of Connecticut, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

INCOME-TAX PRIMER.

Mr. SMITH of Arizona. From the Committee on Printing I report back, with amendments, House concurrent resolution 33, providing for the publication of what is known as the Income-Tax Primer. The committee has amended the resolution as to the number to be printed, and I ask unanimous consent for its present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

The amendments were, before the word "thousand" in line 3 to strike out "five hundred" and insert "three hundred and fifty"; before the word "thousand" in line 5 to strike out the words "and fifty"; and before the word "hundred" in line 6 to strike out "three" and insert "two," so as to make the concurrent resolution read:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 350,000 extra copies of the Income-Tax Primer, prepared by the Bureau of Internal Revenue for the information and assistance of taxpayers, 100,000 copies for the use of the Senate, 250,000 copies for the use of the House of Representatives, the same to be distributed through the folding rooms.

The amendments were agreed to.

The concurrent resolution as amended was agreed to.

AMERICAN INSTRUCTORS OF THE DEAF (H. DOC. NO. 172).

Mr. SMITH of Arizona, from the Committee on Printing, to whom the subject was referred, reported the following resolution (S. Res. 199), which was considered by unanimous consent and agreed to:

Resolved, That the proceedings of the twenty-first meeting of the Convention of American Instructors of the Deaf, held at Hartford, Conn., June 29 to July 4, 1917, transmitted to the Senate as provided for in an act approved January 26, 1897, be printed as a Senate Document, with illustrations, and that 500 additional copies be printed and bound for the use of said convention.

CRIPPLED SOLDIERS AND SAILORS (H. DOC. NO. 173).

Mr. SMOOT. Mr. President, the Surgeon General, complying with the order of the Secretary of War, transmitted, in response to a Senate resolution of January 31, 1918, information upon the rehabilitation and vocational reeducation of crippled soldiers and sailors. Included in it are three illustrations, and in order that the Public Printer may print them, there must be an order of the Senate. I ask that the illustrations may be printed to accompany the document.

The VICE PRESIDENT. Without objection, it is so ordered.

The order was reduced to writing, as follows:

Ordered, That the illustrations accompanying the letter of the Secretary of War, transmitting a report of the Surgeon General upon the rehabilitation and vocational reeducation of crippled soldiers and sailors, be printed to accompany the said document.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLIS:

A bill (S. 3730) to amend the war-revenue act in relation to taxation of legacies and inheritances, and for other purposes; to the Committee on Finance.

By Mr. CULBERSON:

A bill (S. 3731) to amend section 4067 of the Revised Statutes by extending its scope to include women; to the Committee on the Judiciary.

By Mr. MCKELLAR:

A bill (S. 3732) to authorize the reinstatement of honorably discharged soldiers and sailors to former positions in Government service and restoration to eligible register of the names of honorably discharged soldiers and sailors; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 3733) granting an increase of pension to James H. Allen (with accompanying papers); and

A bill (S. 3734) granting an increase of pension to Edwin Doan; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 3735) to provide for enlistments in the National Guard of the District of Columbia, and for other purposes; and

A bill (S. 3736) to provide for the payment of six months' pay to the widow, children, or other designated dependent relative of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct; to the Committee on Military Affairs.

By Mr. WEEKS:

A bill (S. 3737) granting a pension to John H. Amrock; to the Committee on Pensions.

By Mr. PENROSE:

Abill (S. 3738) for the relief of Rose McIlwain; to the Committee on Claims.

A bill (S. 3739) for the relief of Jacob Metzinger (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 3740) granting an increase of pension to Theodore L. Aney;

A bill (S. 3741) granting an increase of pension to James M. P. Brookens;

A bill (S. 3742) granting a pension to Alice M. Waters;

A bill (S. 3743) granting a pension to Charles V. Harris;

A bill (S. 3744) granting an increase of pension to Harry V. Hafner;

A bill (S. 3745) granting an increase of pension to Thomas H. Birnley; and

A bill (S. 3746) granting a pension to Bradford S. Donahugh; to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 3747) granting an increase of pension to Evan T. Jay (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 3748) fixing the grades of the commissioned officers of the Medical Corps and of the Medical Reserve Corps of the United States Army, on active duty, and for other purposes; to the Committee on Military Affairs.

By Mr. TILLMAN:

A bill (S. 3749) to reorganize the Dental Corps of the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. HALE:

A bill (S. 3750) granting a pension to Samuel Bond (with accompanying papers); and

A bill (S. 3751) granting an increase of pension to Cyrus Wood (with accompanying papers); to the Committee on Pensions:

By Mr. SMITH of South Carolina:

A bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes; to the Committee on Interstate Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment proposing to appropriate $46,750.27 to pay to the county of Ferry, State of Washington, that part of the local taxation for which the lands allotted to the Colville Indians in that county are equitably responsible, during the period they were held in trust from 1900 to 1914, inclusive, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate $22,761.11 to pay to the county of Stevens, State of Washington, that part of the local taxation for which the lands allotted to the Colville Indians in that county are equitably responsible, during the period they were held in trust from 1900 to 1914, inclusive, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. POMERENE submitted an amendment proposing that the Postmaster General shall have authority to investigate conditions arising from contracts for supplies with a view to adjusting compensation and adjust the same in cases where the facts disclose the necessity for such adjustment, intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

ALLOWANCES TO SOLDIERS' FAMILIES.

Mr. HITCHCOCK. I send to the desk and ask to have read a resolution, after which I shall ask for its consideration.

The resolution (S. Res. 200) was read, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate to what extent, if any, allowances to soldiers' families for the month of November, 1917, have been paid; also to what extent they have been paid for the month of December, 1917, and also for the month of January, 1918.

Mr. HITCHCOCK. Mr. President, the reason for making the inquiry is that we have widespread complaint in the West that allowances for soldiers' families have not been paid in many cases from the very start. I think the Senate ought to have this information.

The resolution was considered by unanimous consent and agreed to.

CALLING OF THE ROLL.

Mr. TOWNSEND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Nelson	Smith, S. C.
Beckham	James	New	Smoot
Chamberlain	Johnson, Cal.	Norris	Sterling
Colt	Johnson, S. Dak.	Nugent	Stone
Culberson	Jones, N. Mex.	Overman	Sutherland
Cummins	Jones, Wash.	Penrose	Swanson
Curtis	Kenyon	Pittman	Thomas
Dillingham	King	Poindexter	Thompson
Fernald	Kirby	Reed	Townsend
Frelinghuysen	Knox	Shafroth	Trammell
Gallinger	Lodge	Sheppard	Vardaman
Gronna	McCumber	Sherman	Wadsworth
Hale	McKellar	Shields	Warren
Harding	McLean	Simmons	Watson
Hardwick	McNary	Smith, Ariz.	Weeks
Henderson	Martin	Smith, Ga.	Wolcott
Hitchcock	Myers	Smith, Mich.	

Mr. GRONNA. I wish to state that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent, due to illness in his family. I ask that this announcement may stand for the day.

Mr. MYERS. On account of the state of health of my colleague [Mr. WALSH] he is still detained from attendance upon the Senate.

Mr. KIRBY. I desire to announce that my colleague, the senior Senator from Arkansas [Mr. ROBINSON], is detained by illness.

Mr. WOLCOTT. I wish to announce that my colleague [Mr. SAULSBURY] is detained from the Senate by illness.

The VICE PRESIDENT. Sixty-seven Senators have answered to the roll call. There is a quorum present.

IMPORTS OF MERCHANDISE.

Mr. GALLINGER. Mr. President, I ask unanimous consent to have inserted in the RECORD tables showing the importation of merchandise and agricultural products into this country during the quarters ending September 30, 1915 and 1916, December 31, 1915 and 1916, and March 31, 1916 and 1917, under the Underwood-Simmons tariff law, as compared with similar periods in 1912 under the Payne-Aldrich tariff law. The figures were prepared by the Hosiery Manufacturers' legislative committee, of New York City, and are accurate.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

The tables referred to are as follows:

Imports of merchandise and agricultural products during the quarter ending Sept. 30, 1916 and 1915, under the Underwood law, and same quarter in 1912 under the Payne law, using for comparison products having the most extreme foreign competition.

[Minus mark (—) denotes decrease.

Products.	1916 values.	1915 values.	Difference (increase).	1912, Payne law.
Cotton cloth	$2,641,846	$1,379,323	$1,262,523	$1,547,464
Lace and lace articles	2,561,506	2,364,276	197,230	3,401,878
Nets and nettings	645,353	333,647	311,706	142,999
Watches and parts	1,359,083	749,390	609,693	628,244
Handkerchiefs (linen)	818,089	660,559	157,530	808,528
Yarns (linen)	378,051	183,877	194,174	190,361
Fish	5,368,438	4,457,185	911,253	3,872,092
Fruits and nuts	12,072,949	8,304,926	3,768,023	8,798,129
Plate glass	5,204	2,507	2,697	64,127
Other glassware	592,399	492,412	99,987	1,665,494
Hides and skins	43,205,834	30,565,722	12,640,112	32,430,394
Leather and tanned skins	3,594,452	1,829,533	1,764,919	2,203,262
Tin plate	71,377	26,159	45,218	57,317
Paper and manufactures	7,343,333	5,582,840	1,760,493	5,128,985
Perfumery, etc	847,131	651,125	196,006	439,595
Films and plates	353,311	332,671	20,640	457,767
Seeds	9,463,708	7,220,462	2,243,246	6,255,508
Vegetables	2,079,102	1,437,560	641,542	2,439,811
Silks and manufactures	49,322,956	28,497,251	20,825,705	26,085,070
Wood pulp	6,238,152	4,019,279	2,218,873	4,237,733
Wool manufactures	4,663,394	4,396,708	266,686	4,927,399
Eggs	263,089	151,356	111,733	34,394
Meat and dairy products	5,190,380	5,121,530	68,850	3,572,714
Enameled ware	45,749	42,223	3,526	157,675
Total, 24 products	159,124,886	108,802,521	50,322,365	109,546,941
Aluminum scrap	179,665	404,885	— 225,220	368,778
Manufactures of aluminum	10,423	70,611	— 60,188	98,591
Automobiles and parts	125,158	148,191	— 23,033	489,015
Breadstuffs	5,663,923	5,275,883	— 211,960	4,568,001
Clocks and parts	20,404	50,280	— 29,876	226,633
Stockings (cotton)	46,940	135,307	— 88,367	676,118
Cutlery	91,361	167,790	— 76,429	598,480
Leather goods	1,298,448	1,576,194	— 277,746	2,624,745
Embroideries (cotton)	878,348	1,465,292	— 586,944	2,497,349
Knit goods, less hose	115,846	338,288	— 222,442	103,188
Oil cloth and linoleum	72,670	180,227	— 107,557	489,720
Artificial silk	380,145	755,676	— 375,531	910,369
Laths and shingles	1,660,890	1,743,919	— 83,029	1,142,158
Wool—Classes 1, 2, 3	11,449,909	16,241,162	—4,791,253	9,705,829
Total, 14 products	21,393,530	28,553,705	—7,160,175	24,498,974
Increase	159,124,886	108,802,521	50,322,365	109,546,941
Total, 38 products	180,518,416	137,356,226	43,162,190	134,045,915

Imports of merchandise and agricultural products during the quarter ending December, 1916 and 1915, under the Underwood law, and same quarter in 1912 under the Payne law, using for comparison products having the most extreme foreign competition.

[Minus mark (—) denotes decrease.]

Products.	1916 values.	1915 values.	Difference (increase).	1912, Payne law.
Aluminum scrap	$362,152	$234,694	$127,458	$1,520,468
Breadstuffs	9,465,248	6,829,345	2,635,903	3,855,752
Cotton cloths	3,411,220	2,235,795	1,175,425	2,171,922
Watches and parts of	1,241,947	914,844	327,103	762,592
Nets and nettings (cotton)	484,949	344,879	140,070	182,408
Linen yarns	363,879	202,983	160,896	183,546
Linen handkerchiefs	934,998	711,172	223,826	770,834
Eggs	383,395	121,757	261,638	93,128
Fish	7,705,094	5,801,779	1,903,315	5,130,756
Fruits and nuts	16,807,684	13,020,399	3,787,285	13,133,927
Plate glass	5,376	2,075	3,301	76,623
Hides and skins	38,114,630	37,005,783	1,108,847	31,359,212
Enameled ware	90,068	57,982	32,086	129,854

Imports of merchandise and agricultural products during the quarter ending December, 1916 and 1915, under the Underwood law, and same quarter in 1912 under the Payne law, etc.—Continued.

Products.	1916 values.	1915 values.	Difference (increase).	1912, Payne law.
Tin plate	$44,032	$17,137	$26,895	$176,922
Leather and tanned skins	4,939,443	3,190,026	1,749,417	2,393,343
Paper and manufactures of	7,613,617	6,880,991	732,626	5,824,583
Silk and manufactures of	49,594,707	40,377,632	9,217,075	32,291,359
Vegetables	4,842,387	2,271,991	2,570,396	3,379,423
Wood pulp	12,446,667	4,557,545	7,889,122	4,117,107
Total, 19 products	158,851,493	124,778,809	34,072,684	107,556,759
Manufactures of aluminum	15,407	49,183	— 33,776	93,932
Automobiles and parts	108,040	204,600	— 96,560	697,520
Clocks and parts of	35,690	143,804	— 108,114	235,964
Lace and lace articles (cotton)	2,412,939	2,937,620	— 524,681	264,553
Stockings (cotton)	12,114	83,197	— 71,083	480,092
Knit-goods, less stockings	97,364	375,539	— 278,175	74,812
Embroideries (cotton)	1,155,004	2,258,147	— 1,103,143	3,982,215
Glass, less plate-glass	630,307	647,637	— 17,330	1,640,489
Cutlery	86,199	223,658	— 137,459	576,778
Leather gloves	1,657,014	1,707,408	— 50,394	2,178,345
Oil cloths and linoleum	82,488	125,239	— 42,751	481,412
Perfumery, etc	770,929	821,295	— 50,366	582,560
Films and plates	253,744	409,079	— 155,335	387,746
Meat and dairy products	4,059,585	7,243,470	— 3,183,885	4,186,437
Seeds	7,629,086	8,353,345	— 724,259	3,652,918
Artificial silk	223,774	1,076,614	— 852,840	783,903
Laths and shingles	1,588,520	1,662,547	— 74,027	966,650
Wool—Classes 1, 2, 3	14,418,252	26,965,240	— 12,546,988	8,937,159
Manufactures of wool	3,547,033	4,376,646	— 829,613	4,034,082
Total, 19 products	38,783,489	59,664,268	— 20,880,779	34,237,647
From increase list	158,851,493	124,778,809	34,072,684	107,556,759
Total, 38 products	197,634,982	184,443,077	13,191,905	141,794,406

Imports of merchandise and agricultural products during the quarter ending March, 1917 and 1916, under the Underwood law, and same quarter in 1912 under the Payne law, using for comparison products having the most extreme foreign competition.

[Minus mark (—) denotes decrease.]

Products.	1917 values.	1916 values.	Difference (increase).	1912, Payne law.
Breadstuffs	$10,213,545	$2,711,519	$7,502,026	$4,166,152
Cotton cloths	3,632,593	2,714,340	918,253	2,469,469
Watches and parts of	1,346,001	824,820	521,181	465,848
Linen yarns	504,199	369,107	135,092	182,384
Eggs	601,526	182,671	418,855	63,387
Fish	5,569,242	4,022,649	1,546,593	2,026,919
Fruits and nuts	12,084,108	9,519,581	2,564,527	8,088,811
Plate glass	6,696	6,128	568	68,026
Hides and skins	62,417,150	36,898,810	25,518,340	26,373,469
Tin plate	188,013	116,746	71,267	118,047
Leather and tanned skins	6,641,120	4,030,711	2,590,409	1,749,247
Paper and manufactures of	8,995,862	6,443,476	2,552,386	3,720,165
Silk and manufactures of	46,518,544	43,804,660	2,713,884	24,151,034
Leather gloves	1,627,015	995,557	631,458	2,308,268
Perfumery, cosmetics, etc	872,768	722,511	150,257	397,075
Films and plates	485,099	280,689	204,410	345,591
Vegetables	8,039,016	2,297,840	5,741,176	6,271,273
Laths and shingles	1,162,270	844,995	317,275	268,403
Manufactures of wool	4,645,763	4,570,308	75,455	4,211,731
Total, 19 products	175,550,530	121,377,118	54,173,412	87,445,327
Aluminum scrap	9,433	404,851	— 395,418	723,825
Manufactures of aluminum	12,714	25,867	— 13,153	91,117
Automobiles and parts	106,384	196,031	— 89,647	559,435
Clocks and parts	14,932	44,766	— 29,834	135,162
Enameled ware	5,586	80,845	— 75,259	173,791
Glass, less plate glass	480,315	561,294	— 80,979	1,331,592
Cutlery	77,591	154,213	— 76,622	454,051
Oilcloths and linoleums	82,284	149,613	— 67,329	603,881
Linen handkerchiefs	150,800	404,890	— 254,090	253,403
Cotton nets and nettings	477,736	549,896	— 72,160	42,509
Cotton lace and lace articles	2,334,752	3,223,312	— 888,560	3,144,689
Cotton embroideries	548,028	1,733,107	— 1,185,079	78,642
Stockings	29,559	99,764	— 70,205	987,703
Knit goods, less stockings	99,091	291,689	— 192,598	160,860
Artificial silk	419,574	889,647	— 470,073	353,093
Seeds	8,176,313	8,511,487	— 335,174	8,296,691
Meat and dairy products	2,946,703	6,680,272	— 3,733,569	369,046
Wood pulp	973,032	3,952,452	— 2,979,420	3,345,569
Wool—Classes 1, 2, 3	49,239,955	62,869,764	—13,609,809	9,888,753
Total, 19 products	66,204,782	90,823,760	—24,618,978	30,991,815
From increase list	175,550,530	121,377,118	54,173,412	87,445,327
Total, 38 products	241,755,312	212,200,878	29,554,434	118,437,142

THE FUEL SITUATION.

Mr. MYERS. Mr. President, I observe from the morning newspapers that the fuel situation in this part of the country is again acute. I have received a telegram upon that situation which I shall read. It is as follows:

FROMBERG, MONT., *February 2, 1918.*

HON. H. L. MYERS,
United States Senate, Washington, D. C.:

Miners employed here will work four Sundays in February and donate amount earned to Red Cross. I will give one-seventh net earning for month to same fund. Similar plan adopted by miners and mine owners in every State would increase tonnage and help finance Red Cross for this year.

J. C. MCCARTHY.

The signer of this telegram is the most extensive mine owner in Montana. If the patriotic course indicated in the telegram should be followed by the mine owners and miners of the country generally it would contribute a great deal of benefit to the Red Cross and to the improvement of the fuel situation.

Mr. SMITH of Arizona. Mr. President, because of the confusion in the Chamber, I did not hear what the Senator from Montana read, but I rise to a parliamentary inquiry. Is it not proper, as a point of order, during the morning hour for a Senator to object to another Senator reading any telegram, except by unanimous consent of the Senate?

The VICE PRESIDENT. The Chair is of the opinion that, under the order of the presentation of petitions and memorials, nothing can be done except to present a petition or a memorial, and that if a Senator proceeds to make a speech or to read a document during that time it is subject to a point of order.

Mr. SMITH of Arizona. I want to give notice that I shall hereafter make such point of order. I do not like to make my friend from Montana an example, but I have a very unpleasant duty placed upon me by the Committee on Printing of attempting to save as much as I can of the expense of printing. While it is very unpleasant to me, especially with a friend as dear to me as is the Senator from Montana, I want to give notice that hereafter I, or some other member of the Committee on Printing who may be present, will in the morning hour object to the reading of telegrams, editorials, or like matter into the CONGRESSIONAL RECORD.

Mr. MYERS. Mr. President, I was making a few remarks in the Senate; I had the floor in my own right, and was speaking on a subject that is of vital importance to the people of this country. Whenever I may feel so disposed I shall always in the future take the floor when I can get recognition and make remarks on matters which I consider pertinent to the welfare of the country. Of course, it is the privilege of any Senator on the floor to rebuke me for doing so if he sees fit.

Mr. SMITH of Arizona. Mr. President, I am amazed, in view of the very temperate and sweet-humored way in which I handled my friend from Montana that he should feel that any criticism was directed at him; it is a little surprising.

I want, however, to now give notice to the Senate that nothing else will be read into the RECORD, if I am in the Chamber during the morning hour, except by unanimous consent.

Mr. SMOOT. Mr. President, I think it is worth while for the Senate to know that we have not enough paper on hand to print the permanent RECORD. If we undertook to print the permanent RECORD to-day according to law, we should not have print paper enough to print the daily RECORD.

Mr. SMITH of Michigan. How about the Official Bulletin? Is there enough paper for that?

Mr. SMOOT. It does not require the same kind of paper to print that publication.

Mr. SMITH of Michigan. It is white paper.

Mr. MYERS. Mr. President, whenever I get recognition to to make any remarks in this body I shall read as a part of my remarks whatever I may see fit, whether or not it may meet with the approval of any other Member of this body.

HOUSE BILLS REFERRED.

H. R. 3132. An act to amend section 2171 of the Revised Statutes of the United States relating to naturalization, was read twice by its title and referred to the Committee on Immigration.

H. R. 5558. An act to amend section 101 of the Judicial Code, was read twice by its title and referred to the Committee on the Judiciary.

The VICE PRESIDENT. Morning business is closed.

WAR CABINET.

Mr. WADSWORTH. Mr. President, pursuant to a notice which I gave a few days ago, I ask the privilege of addressing the Senate upon a topic of great importance and one which I approach with a considerable degree of humility.

We are living in grave times, Senators. History is being written in gigantic characters, and events are transpiring of such tremendous importance and of such significance as to stagger, I may say, even the imaginations of men. I doubt very much whether any one man can correctly analyze what is going on in the world to-day or prophesy with any great degree of accuracy what its outcome will be. Suffice it to say that we

Senators realize that the future of civilization is at stake; that the outcome of the tremendous struggle now going on will, without any doubt, affect the peoples of the world and their Governments for centuries to come. We realize, I am sure, also that the outcome of this great contest must necessarily have a most profound effect upon the future of this great Republic.

Questions are presented before us which can not be trifled with. There is no room or ground for levity. This is no time or place for any man to indulge in personalities or to give way to his prejudices, if he may have prejudices. I take it that this is a time in the history of our country when we should approach the discussion of these topics in the broadest possible way and in the fairest possible spirit, and, if I may be permitted to do so, let me venture the hope that in such discussion as takes place in this Chamber personalities be omitted and that Senators here forget the words "Republican" or "Democrat" and think only of our country.

In the first week of February, 1917—12 months ago—the German ambassador was handed his passports as a result of Germany's announcement that she intended to prosecute ruthless submarine warfare against our merchant shipping in those great zones she had marked out upon the ocean. Although two months elapsed before the Congress declared, in the first week of April, 1917, that a state of war existed between the United States and the Imperial German Government, the date of the dismissal of the German ambassador must rightfully mark the commencement of our preparation for war. And the fact is that in February and March of 1917 our Government did inaugurate certain measures in the War and Navy Departments, calculated to anticipate the inevitable. Our condition of unpreparedness—and let us be entirely frank about this matter as we proceed—with respect to the Army at least, was pathetic in the extreme, when one considers the man power and the resources of the United States. We had a mere handful of men, for the most part ill equipped and organized along obsolete lines. Even for that small force there was no reserve of supplies worthy of the name. Indeed, Senators, we were so blind as to permit one of our Government rifle factories to operate much below its capacity all through the year 1916, and the other Government rifle factory to cease altogether making rifles during that period. The condition in these two factories in that period is but one example of the result of our neglect. In the broader field of industrial preparation little, if anything, of an effective nature was done. It is true that some statistics and inventories of our industrial resources had been prepared in 1916 by the advisory commission of the Council of National Defense, but that commission was without power to lay down any plan to which the Government might adhere, and, indeed, there was no department of the Government authorized by statute or otherwise to take up such work in an authoritative, definite, and constructive way. Thus, so far as the mobilization and control of industry and the creation and supplying of an Army were concerned, we were forced to start de novo.

Senators, as we look back now, we have learned, I hope, a great lesson; a lesson learned at the expense of many, many lives and millions of dollars. I am sure that we have learned that our failure to see beyond the ends of our noses has prolonged this ghastly war and postponed that day when mankind shall be released from its terrors and the future of this beloved Republic made absolutely secure. What a blessing it would have been had America possessed a merchant marine, a reserve supply of weapons and equipment, and a body of citizens trained as soldiers and sailors to use them. Let us hope that we shall never be caught this way again.

Starting with nothing, or next to nothing, we embarked at a moment's notice upon a tremendous effort, which the Committee on Military Affairs, in its hearings during the last seven weeks, has been tracing and analyzing. We have been able to cover the ground in part only. In fact, were the committee to endeavor to cover all the activities which might justify an inquiry, it could not finish its work during this session of Congress. I think no member of the committee underestimates the task which confronted the Government and the people in the spring of 1917. It was stupendous—the more so, because we had not even laid a foundation prior to that time. That great things have been done during these 12 months can not be denied—things that we can all be proud of.

Mr. President, from time to time in public statements various Government officials have pointed out some of those things which are to our credit. Perhaps I may be permitted at this time to give credit to the War Department and the Government generally for two or three of the most conspicuously creditable things, for I think this discussion should be absolutely fair and that we should analyze correctly what has been done and, if necessary, what has not been done. When one considers the mental attitude and psychological condition of the American people at the time we went into this war, then considers the revolutionary character of the selective-draft law, and then follows down and traces the operation of that law, I think one will gladly admit that the operation of that law and the working of its machinery have been a remarkable and conspicuous success, far beyond the expectations and hopes, I think, of a great majority of the men who sit in this Chamber.

It is true, as has been said by the Secretary of War, that we have collected in our cantonments and divisional encampments approximately 1,500,000 men, a great portion of them through the selective-draft system and the remainder through a volunteer system. My recollection of the last figures is—and this is something to the credit of American industry and enterprise—that the first 800,000 of those men were transported over our railroads without the loss of a life. What the record has been as regards the remaining number of the 1,500,000 men I do not know; but, in any event, taking the Army in the aggregate, the record of troop transportation, so far as the avoidance of accident and the loss of life is concerned, is one that has been remarkable.

Another thing, Mr. President, that we ought to remember at this time is that the American Army has been fed as well as, if not better than, any other army on the face of the earth during this period; and the credit for that great task, the training of soldier cooks in the quartermaster's cooking schools and in putting them to work in the cantonments in time to serve a hot meal—their first meal—to the soldiers as they arrived—the credit for that should not be denied. It is one of the things in which foresight and organizing ability were shown; and we ought to be grateful for it, and I am glad to pay tribute to the officers and men who accomplished that great feat.

That other great things have been left undone must be admitted. The credit for the things accomplished can be assigned to several individuals. The blame for the shortcomings ought not, in my judgment, to be laid upon any individual. Criticism should be directed against our system or, rather, the lack of any cohesive system.

The Committee on Military Affairs commenced its labors by an inquiry into the management and operations of some of the bureaus of the War Department. We first took up the Ordnance Bureau and endeavored to take stock, as it were, of our ordnance supplies and the progress being made toward an adequate supply.

Next we conducted an inquiry into the Quartermaster General's office. With respect to the supplies which must come as a result of the operation of the Ordnance Bureau and the Quartermaster Bureau the committee, in my judgment, discovered a distressing state of affairs. Grave differences of opinion exist upon some of the points brought out. I shall not at this time indulge in a discussion of the rifle controversy or the machine-gun controversy or the artillery program or the general shortage of ordnance supplies as brought out by our investigation into the Ordnance Bureau; nor do I intend to discuss the question of clothing supply or collateral subjects as brought out by our inquiry into the Quartermaster Bureau. The Senate and the country are reasonably familiar with the details of these matters. There were other matters, too, which were discussed in executive session—matters of the greatest importance, but of such a nature as to forbid their discussion in public.

As we proceeded, however, those of us who attended the hearings every day and listened to all the testimony became deeply impressed with the conviction that purchase and production and initial distribution of the vast amount of supplies must be essentially an industrial operation and that military men, no matter how distinguished and capable in their profession, are, with very rare exceptions, inexperienced in such matters and therefore incapable of bringing about the best results in the shortest possible time. We found also that in addition to this fundamental handicap, these supply bureaus were further handicapped, and very seriously, by a condition which springs from years of routine operation, regulated and checked, down to the last crossing of a "t" and dotting of an "i," which condition is popularly described as due to "red tape." The military channels through which a matter must proceed are so long and so tortuous, and so numerous and so minute are the formalities and departmental customs which must be followed, that exceedingly grave delays have occurred. Some of the incidents might be regarded as uproariously funny were the situation less serious. In a word, we found the machinery slow and creaking and in some important instances the engine "stalled."

The President of the United States, in a statement issued several days ago, expressed the opinion, as I remember it, that

were the Congress to repeal some of the restrictive legislation, or words to that effect, the machinery of the War Department might be liberated from unnecessary restraints. As one member of the Committee on Military Affairs, Mr. President, I hope that the administration, at the earliest possible moment, will inform the committee just what laws stand in the way of effective operation in the War Department. If there are some such laws, if there are too many checks and balances due to the existence of statutes, if they do impede our progress and make it the more difficult for us to wage this war, we should be told about them.

It is impossible for an individual Senator or a committee of the Senate to search out these matters without the guidance and assistance of the men who are endeavoring to operate under the statutes, and I take this occasion to express the hope that if such laws are now upon the statute books and are restricting our operations we shall be promptly informed, so that the Congress can come to the help of the War Department, for the Congress wants to help the War Department; and if they will point the way, we will do it.

In addition to the Army officers who appeared before us, we obtained exceedingly valuable testimony from representatives of some of our great manufacturing plants, which have received orders from the supply bureaus and are expected to turn out the weapons and equipment of the soldier in tremendous quantities. Their testimony, I believe, broadened our view of the situation and painted more vividly the great picture of industrial effort; and from it we gathered the deep impression that there was lack of comprehension of the manufacturer's problems on the part of official Washington; lack of coordination; an inability to reach prompt decisions. Many, many instances were recited to our committee, Senators, which illustrated the extreme difficulty that the manufacturer encounters when dealing with officers of the Government—instances citing the change in specifications of a given article over and over again, often by wire to the manufacturer who has already started to tool his plant to turn out the article, and apparently without any comprehension on the part of the officer who sent the telegram as to what effect that telegram changing the specifications had upon the output.

In one instance a contract had been placed for frames of motor trucks, a comparatively simple article to manufacture. The order was given, the contract made, for 2,500 of them. The manufacturer went home and started work on them. His plant was equipped for it. Within the following six weeks 36 changes were made, by telegraph or mail, in the specifications of so simple a thing as the frame of a motor truck, and the manufacturer, as I remember, testified that those changes in specifications set him back at least those six weeks and cost the concern $100,000.

Instances of that sort bear out the statement I have already made, that there is a lack of comprehension of manufacturing difficulties here in Washington in the departments of the Government, largely manned, as they were and are, by military men.

Then we had before us some of the exceedingly able civilians who were summoned to Washington just before or soon after our entrance into the war and who have devoted their time and efforts in helping the Government. Senators are acquainted with a large number of them. These men have lived close to the problem for many months; they have watched the working of the machinery at close range; they are thoroughly informed upon the situation; and they have told us about it not only in open session, but in executive session. Each and every one of them has pointed out and explained the defects which the members of the committee had begun to suspect before they appeared before us. Each of them has suggested one or more remedies, one or more improvements, and all their suggestions are in the same direction, to wit, the proper centralization of authority—an authority established preferably by statute, an authority whose decisions may be promptly reached and accepted as final.

Comment was made on the floor of the Senate yesterday afternoon as to the nature and character of the bills which the Committee on Military Affairs has in one instance reported to the calendar, and in the other instance ordered introduced, and subsequently reported. One Senator described that legislation as "stupid." I might say to that Senator and others who heard him that that legislation springs quite largely from the testimony given to the Committee on Military Affairs by men who can not be described by that Senator or any other Senator as stupid men.

We have had before us in open session Mr. Daniel Willard, the president of the Baltimore & Ohio Railroad, and at the time of his appearance the chairman of the War Industries Board. In discussing the organization of the Government for war-making purposes as existing at the time of his appearance, he expressed the hope that they would get along all right, but he pointed out what he termed a fundamental weakness—lack of authority to compel coordination.

Mr. Baruch appeared before the Committee on Military Affairs in open session; and he, too, in the most explicit terms—and he is a member of the advisory commission of the Council of National Defense—stated that we must have centralization of authority in order to compel coordination amongst the different parts of our war-making machinery.

Mr. Gifford, the director of the Council of National Defense, who probably is more familiar with this problem than any other man in Washington, and across whose desk comes all these things, for he is the director and manager of the office of the advisory commission as well as of the Council of National Defense, most explicitly stated that what we needed was a centralized authority, some authority armed by the statute.

We had before that committee the chairman of the war committee of the Chamber of Commerce of the United States, Mr. Catchings. Mr. Catchings had been the first assistant to Mr. Stettinius during the time that Mr. Stettinius was managing the purchases for Great Britain. He assisted Mr. Stettinius in that work, and they purchased something like $3,000,000,000 worth of goods in this country for Great Britain. They did it under a centralized authority. They made a tremendous success of it. It is astounding to hear him say how simple it all was, when properly organized. Mr. Catchings stated most explicitly before our committee that he and his war committee of the United States Chamber of Commerce have been working for six or seven months here in Washington—and they represent all the chambers of commerce of the United States, a large number of boards of trade and business men's organizations, aggregating 7,000 of the most prominent and successful business men of the country. For six or seven months, Senators, Mr. Catchings and his committee have been endeavoring to persuade the officials here in Washington that something must be done to centralize control and authority, and they have had conference after conference, always insisting upon that one thing in order to make America effective.

Mr. Howard Coffin, now chairman of the Aircraft Board, appeared before us and gave us a most illuminating discussion of the general industrial problem. He, too, urges centralization, particularly in planning the utilization of industry.

Senators, I submit that these men are not stupid men. I submit that they know more about this problem than any Senator on this floor. I submit that they know more about it as business men than the average Government official. They have been trained in it, and they have been watching it at close quarters for months and months; and I think I am not far from the truth, Mr. President, when I say that the legislation which the Military Affairs Committee has proposed springs in large measure from that expert testimony, from men who are utterly disinterested and have only one thought in view—the mobilization of America's industries, in support of the President and of the Government for the winning of the war.

So much for the character of the testimony that we heard; and there was much of it, some of it given in executive session which I am not at liberty to repeat, but which was exceedingly interesting.

It is apparent that these last 12 months might be properly defined as the formative period of our efforts. This great American giant has been stumbling and groping, exerting his tremendous strength, without always knowing what he was doing or where he was going. Perforce, we have had to experiment, and we have had to endure endless conferences and references from one department to another, from one official to another. We have known some of the things we have wanted to do, and we have tried to do them. We have forgotten some of the things equally important that we ought to have done, and it has been nobody's business to think of them. We have had in Washington a large number of able advisers; many of them have thought of the things which have not yet been done, but none of them have been clothed with power to do them, and few of them have been able to find an agency of the Government where a decision could be had and the work started. Several groups of distinguished men, official and unofficial, have endeavored to plan things out in advance, but it has often been the case that the plans of one group did not coordinate with the plans of another group, and there was no place in Washington where the needs of the situation and the plans to meet them could be brought together, coordinated, and settled upon. I realize full well, Senators, that some may contend that the President of the United States, the Commander in Chief of the Army and the Navy, the leader of the Nation in this war, can make all these decisions, and that there is, therefore, no need for any additional element in our war-time machinery. My contention is that, be he ever so able,

no President—no human being—can perform such a task. It is utterly impossible for one man to examine into all these intricate questions. The days and the nights are not long enough to permit of his doing such a thing. He carries, even in time of peace, a terrific burden, and to ask him to assume the task of studying and planning these tremendous, intricate, industrial, social, economic, and military undertakings is to ask the impossible.

I have described the period through which we have just passed as formative and experimental in its character. I would be content that this same state of affairs continue for a short time were I convinced that the war would end in a short time. We could probably proceed for a little while longer, and if a satisfactory end were surely in sight we would not need to concern ourselves very much with our war-making machinery. But I entertain the deep conviction that the end is not in sight; that we shall have to travel a long, hard road before we reach the goal. I feel certain that the strain will grow more and more severe as the months go by. America's effort must constantly expand; we must send more and more troops abroad; we must build more and more ships to carry them; we must grow more and more food to feed them and to feed our allies also; we must make use of an ever-increasing percentage of our mines, transportation facilities, and manufacturing facilities in order that these men may be armed to a degree surpassing the armament of our enemies; that they may be fed and clothed and cared for.

In my judgment the only way to beat the German Army is to put against it a force so superior not only in numbers, esprit, and morale, but in artillery and all the equipments of war as to eventually crush it, and there is a long, hard road for us to travel before we reach that stage. We can do it, but we must have the machinery here at home for doing it. Indeed, as I view this situation, we are only upon the threshold of this tremendous undertaking, and as time goes on it will demand of the country and absorb from the country more and more of its man power and its resources. Convinced as I am that this prospect is surely before us, I am not satisfied that we have the kind of organization and machinery that can stand the strain.

That is the only thought I have in mind upon this question—can America perform this task? I know that she can, provided we have the organization that will stand the strain.

Now, let us go back for a moment and discuss the machinery that we now have. I took the liberty a few days ago of having hung upon the walls of this Chamber some charts. I regret exceedingly that they are too small to permit of their letters being read at a distance. Perhaps I can discuss the organization as depicted on those charts in such a way as to make it reasonably plain.

In the first place, the Chart I is the chart showing the organization of the War Department itself when we went into the war and as it continued to operate during the summer and the autumn. That organization, you will see, resulted in the supply bureaus of the War Department, headed, respectively, by the Quartermaster General, the Chief of Ordnance, the Chief Signal Officer, the Chief of Engineers, and the Medical Department reporting direct to the Secretary of War and not through the General Staff. It was possible, therefore, for the five different supply bureaus in the War Department to report over the heads of the Chief of Staff and go direct to the Secretary of War and, if possible, persuade him to do what anyone of those individuals thought ought to be done. I congratulate, and the committee I think congratulates, the Secretary of War for having changed that organization and endeavored to organize the interior machinery of the War Department upon modern military lines.

The reorganization is depicted in the Chart II, which shows the War Department's bureaus divided into two groups, one group the supply bureaus and the other group the administrative bureaus, each reporting to an assistant, and those assistants reporting through the Chief of Staff to the Secretary of War. That is the organization of the War Department as it exists to-day. You will see that the five supply bureaus—Quartermaster, Ordnance, Engineers, Signal Corps, Medical Department—report to an assistant, as it is termed.

The Secretary of War explained to the committee how that was to operate. He said that Col. Pierce was to be placed in the position of assistant to compel the coordination of the five purchasing bureaus. Col. Pierce, of course, as the Senator from Nebraska [Mr. HITCHCOCK] said yesterday, is outranked by the five major generals who respectively command the five supply bureaus under him. The Secretary of War said they could easily avoid that handicap by making Col. Pierce a major general forthwith. In the press recently we have been informed that Mr. Stettinius has been appointed in some capacity to assist in the coordination of the purchasing of the War Department. It is difficult to understand just where he comes in. Probably his authority is advisory. Under the law and under military usage he can not have any authority except of an advisory nature, and it is possible and, indeed, probable, that he is the assistant of Col. Pierce.

That brings up the question of how an individual from civil life, an expert in his business, can help out the military supply operations without having authority definite and absolute. I have never had the pleasure of meeting Mr. Stettinius, have only heard of him, but if he takes advice from one humble individual he will decline to put on a uniform; for the instant he does it the consciousness of relative rank must invade his mind. He will be subject to the orders of some one else, and once again the great talents of the business man will not be exerted to their full efficiency.

The Committee on Military Affairs has proposed in the bill creating a department of munitions to have it headed by a civilian not subject to the orders of any military officer, a man who can grasp great business problems, a man clothed with authority to go out and do things and furnish the different branches of the Government with the needed supplies.

The interior reorganization of the War Department without question constituted a great improvement upon the organization that existed prior to December, but it does not meet, in my humble judgment, the real point at issue in this discussion. It affects only the War Department, and such civilians as they have summoned to assist it have not been clothed with authority to act. They are very largely performing an advisory function.

Now, the Secretary of War explained to us with a chart the general organization of the war-making machinery of the Government, not only the War Department, but all the other departments, bureaus, and commissions that have something to do with helping us win the war.

As everyone knows, at the head of the entire organization stands the President of the United States, under the Constitution and the laws our Commander in Chief. No one in his senses would propose that any other office be created to take away from the President the power that the Constitution confides in him. It can not be done. It is unthinkable.

Under him are several departments or agencies of the Government operating in compliance with the old-time statutes or through Executive orders more recently authorized by acts of Congress. Let us see what they are. I confine the list to those departments and agencies which may be properly classified as belonging to the war-making machinery. We find the War Department, the Navy Department, the Aircraft Board, the Shipping Board, the Food Administration, the Fuel Administration, the Railway Administration, the War Trade Board, and the Treasury Department, coupled with the Federal Reserve Bank System, charged with financing the war. These departments, boards, and commissions have been created in conformance with statutes enacted by the Congress. In addition, we have the Council of National Defense, composed of six Cabinet officers, with the Secretary of War as chairman, charged with the general planning and coordination of all our agencies, but utterly lacking in power to enforce its decrees. Under the Council of National Defense we have the advisory commission, composed of leaders of industry and finance, but possessing no power and performing no function but that of giving advice. We have a large number of committees and subcommittees of the advisory commission, each charged with the mobilization and organization of a particular industry, but without any power or function except that of giving advice. Out of the Council of National Defense and the advisory commission and its multitudinous committees has grown the body known as the War Industries Board, whose effort is directed toward mobilizing, organizing, and coordinating all of the resources and industries of the country for the supply of our forces on land and sea. The War Industries Board lacks power to enforce any of its arrangements. It, with all its subcommittees—and there are several—simply gives advice. Then there is a commission regulating the purchases of the allies; it, too, is without definite power. It may be that I have forgotten some of the statutory agencies and some of the advisory agencies which go to make up this vast and complicated machine. In any event, the list, as recited, is long enough. It must be apparent to every sensible man that it is utterly impossible to get any teamwork out of this conglomeration of ambitious and scattered agencies, official and unofficial, unless we create some agency that shall guide and control them all in those matters in which teamwork is essential for the accomplishment of great results.

There is not a business corporation on earth that could do business for one year's time with such an organization as we have in our war-making machinery to-day. Ask any business man; ask any man versed in the usages and customs of industry.

This war, Senators, is a great industrial effort. It is a great conflict between industries, the marshaled industries of America and her allies against the marshaled industries of the Teutonic powers. Ask any man accustomed to handling great industrial problems if the organization as depicted upon this Chart III, the organization of the war-making machinery of the United States Government to-day, is a proper and efficient organization, and he is compelled to answer in the negative. It can not be done. It will do some things, of course. It will do some things well. It will do some great things, but it can not do all the things at the time when they ought to be done; it is impossible.

Now, let us see how it works or how it endeavors to work at this time. And mind you, Senators, my criticism is not directed against any individual, against any one department. This question is not one of persons. It is not one of individual bureaus or departments. It is one of organization.

The Army needs vast amounts of supplies. It purchases them through five purchasing bureaus. The Navy needs vast amounts of supplies. It purchases its supplies largely through one bureau. The Shipping Board needs a tremendous amount of material. The allies need a tremendous amount of material. The chart No. III is an exact copy of the chart given to the Committee on Military Affairs by the Secretary of War. On it are recited the War Department and its bureaus, the Navy Department and its bureaus, the Ship-Building Board, and the allied purchases. That was the picture given to us by the Secretary of War. But, Senators, the Food Administration has been forgotten, and so has the Railway Administration, each of them purchasing enormous quantities of supplies. They, too, must be coordinated. According to the system now in vogue when any one of those purchasing agents, and there are something over a dozen, makes up its mind that it wants to buy some article it proceeds to the office of the War Industries Board, and is there referred to the committee on clearances, which consists of half a dozen gentlemen who advise the purchasing officers, as they arrive, where they can buy the goods and at what price. They advise them. Then those officers go back to their respective departments and the whole effort of placing the orders and making the purchases, speeding up the industries, disciplining industry, mobilizing industry, taking care of the transportation, planning them out in advance, is scattered down through at least a dozen different governmental agencies.

Senators, you know that it can not be coordinated under any such system. When those officers reach that point where they are advised as to the place they can get their supplies and what price they shall pay, there should be the authority to compel them to take that advice. There is no centralized agency that will discipline and organize the industries of America, and discipline is part of this effort. A dozen or more purchasing agencies of the Government can not do it. They each go out

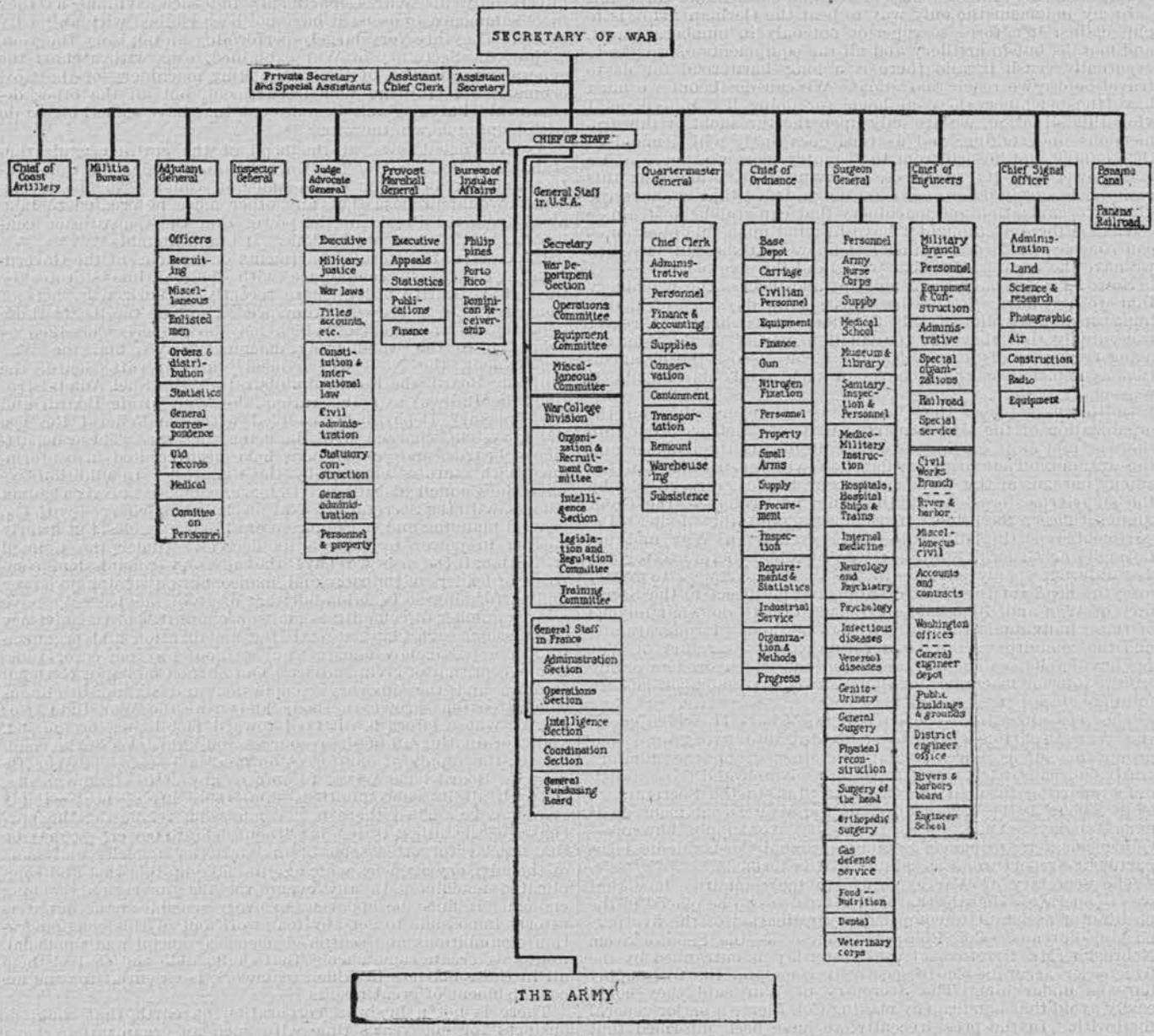


CHART I.—WAR DEPARTMENT, OLD REORGANIZATION.

and do the best they can, and they are working day and night, but there is no system to it. It is apparent to any man who looks at that chart that there is no system there.

Now, what is the proposal of the Committee on Military Affairs? Is it a new and strange proposal? Is it an experiment in government? Not at all, Mr. President. England had a purchasing system approximately like the one depicted on that chart. She had to come to a ministry of munitions. She did it in the early part of 1915. Why? Because without it she did not have the organization, she did not have the centralized authority that would make it possible for English industries to respond to the needs of the British Army and the British Navy. (See Chart IV.)

Canada at the very beginning of the war in like manner was compelled to establish a department of munitions, where authority could be centralized. I have had the pleasure of having a talk with the gentleman who organized the Canadian department of munitions. He was in Washington during the early part of the summer advising with the officials of our Government how to organize this great task of production. I am informed that he has been summoned back to Washington, and is here now. They want his advice again after an interval of several months' time. He can point out to any man who will listen the necessity for centralized authority in the mobilization of industry.

France had to come to it. They established a ministry of munitions for exactly the same reason, in order to attain efficient organization.

Senators, during the last seven or eight months this Government of ours and this people of ours have been going through exactly the same experience that the peoples of France, of England, and of Canada went through when they first went into this war. So there is nothing strange in the proposal, there is nothing revolutionary, there is nothing disturbing about it. If it is adopted in whole or in part it will not set back the wheels of machinery one day.

Now, what is the proposal? We all know that the Army needs a vast amount of steel for forgings for heavy artillery. We know that the Navy needs a vast amount of steel. We know that the Shipping Board needs a vast amount of steel. We know that the allies purchasing in this country need a vast amount of steel. The proposal of the committee, not expressed in so many words, is that in such a case the purchase of the steel for those four agencies shall be centralized in one department, so that the steel-producing industry of the country can be organized for one great purpose—can de disciplined, as it were. Is it not sensible? These departments are all buying the same thing. Why not have one man buy it and give him the authority to speed up the production, to make the proportionate allotment of the contracts in the different steel mills? The truth of the situation is to-day, there being no plan for allotting contracts and for placing Government orders, that it has been done very unevenly. Some parts of the country are overloaded with Government orders and other parts of the country have not any, and they could have had them had there been any centralized authority to plan out the distribution of the orders,

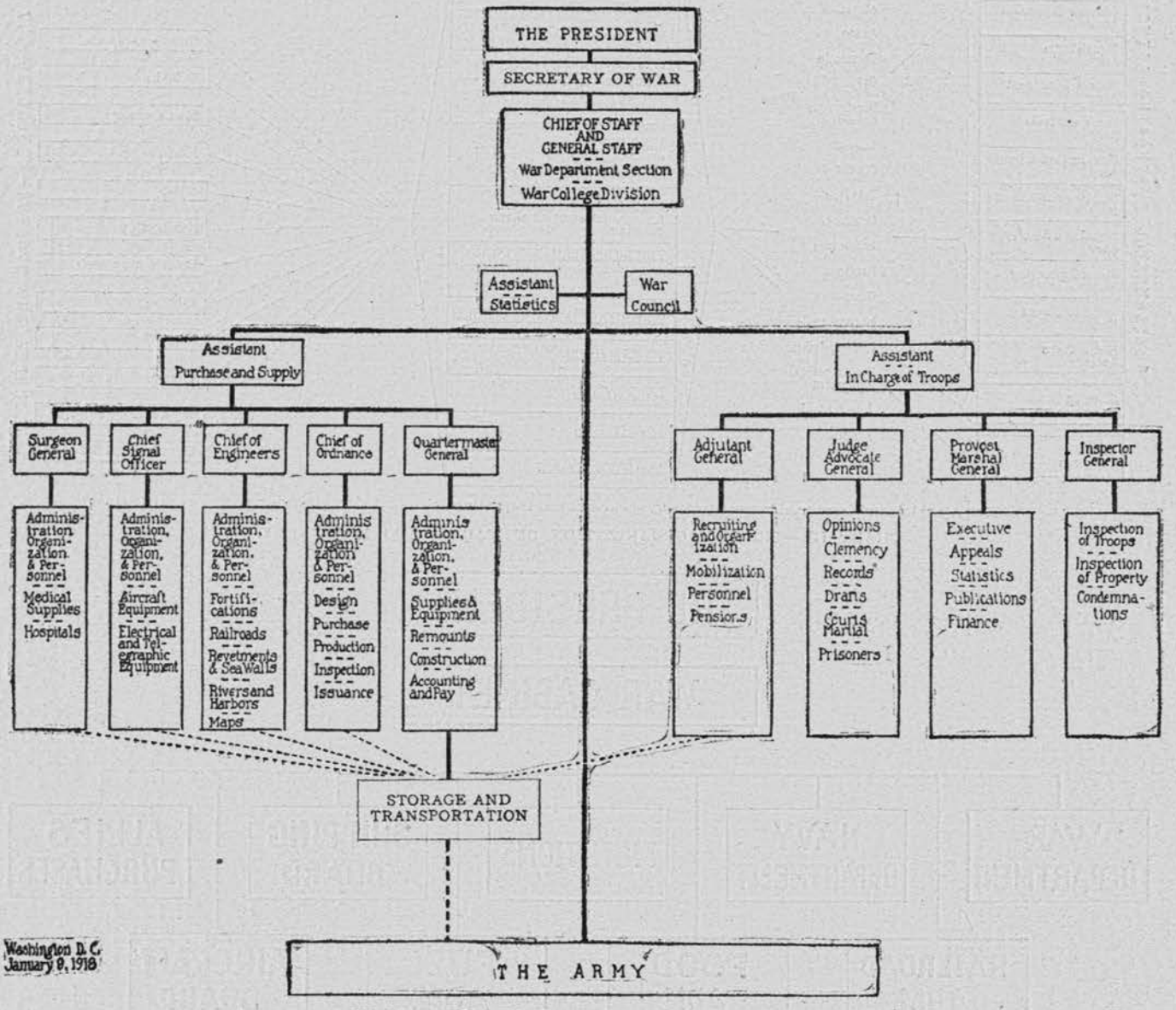


CHART II.—WAR DEPARTMENT REORGANIZATION.

Take the question of lumber. The War Department purchases an enormous amount of lumber with which to build the cantonments; the Shipping Board purchases a tremendous amount of lumber for use in the shipyards and in the building of wooden ships. I have no doubt the allies purchase lumber. I know that the Aircraft Board purchases vast amounts of lumber. Why not have the lumber purchased by one agency? Why scatter the effort? Why not organize and discipline and coordinate the lumber production? Would that set back the wheels of machinery one day if it were done? Senators, it would speed it up. We have too many agencies, all trying to do the same thing.

Take cement. The Army uses an enormous amount of cement. The Engineer Corps buys it; the Quartermaster's Department buys it; I have no doubt the Signal Corps buys cement for building operations. Undoubtedly the Shipping Board buys cement; undoubtedly the Navy buys cement; and it is probable that the allies purchase cement. Why not have one man buy it all? Is there any answer to that? Would you organize a corporation upon any other ground? I think not. So one can go all through a long list of what might be termed the principal articles, the chief articles, which we need in this great effort of war.

What does the bill propose to do? It proposes to create an agency to be known as the director of munitions, to be appointed by the President, by and with the advice and consent of the Senate. I will read just one paragraph from this bill, which will illustrate its spirit and what it means, and the reading of it is an answer to some of the criticisms that have been made against it. The bill provides for a director of munitions:

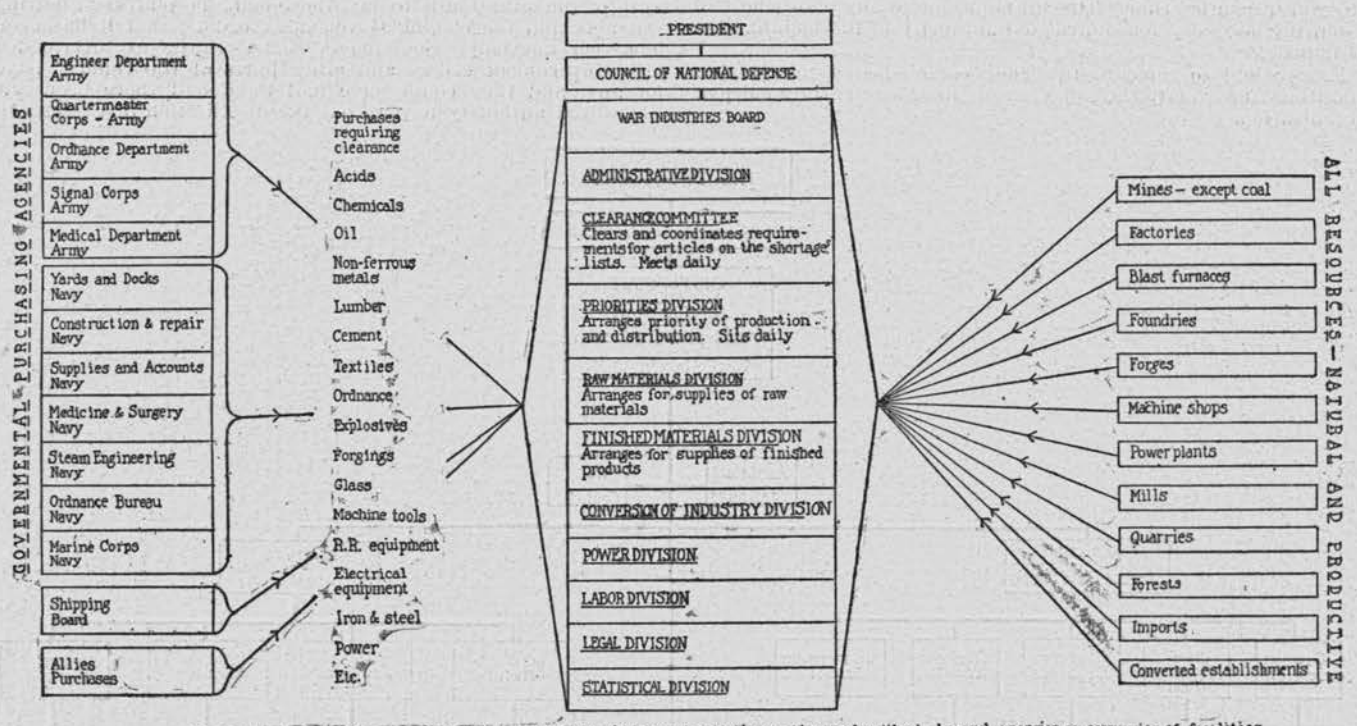
who, under the President, shall have and shall exercise, either directly or through any other agents or agencies of the Government that the President may designate for the purpose—

There is nothing compulsory about it, Senators—

full power to purchase and to provide for, supervise, and control the procurement, manufacture, transportation, and distribution of such munitions of war as the President, in furtherance of the purposes of this act, shall designate from time to time.

The bill leaves it entirely in the hands of the President to say just how far centralized purchasing shall go.

ORGANIZATION AND FUNCTIONS OF WAR INDUSTRIES BOARD



NOTE: A "war industry" is construed to mean any industry which cannot meet the war-time needs without abnormal expansion or conversion of facilities

CHART III.—PRESENT ORGANIZATION OF WAR-MAKING MACHINERY.

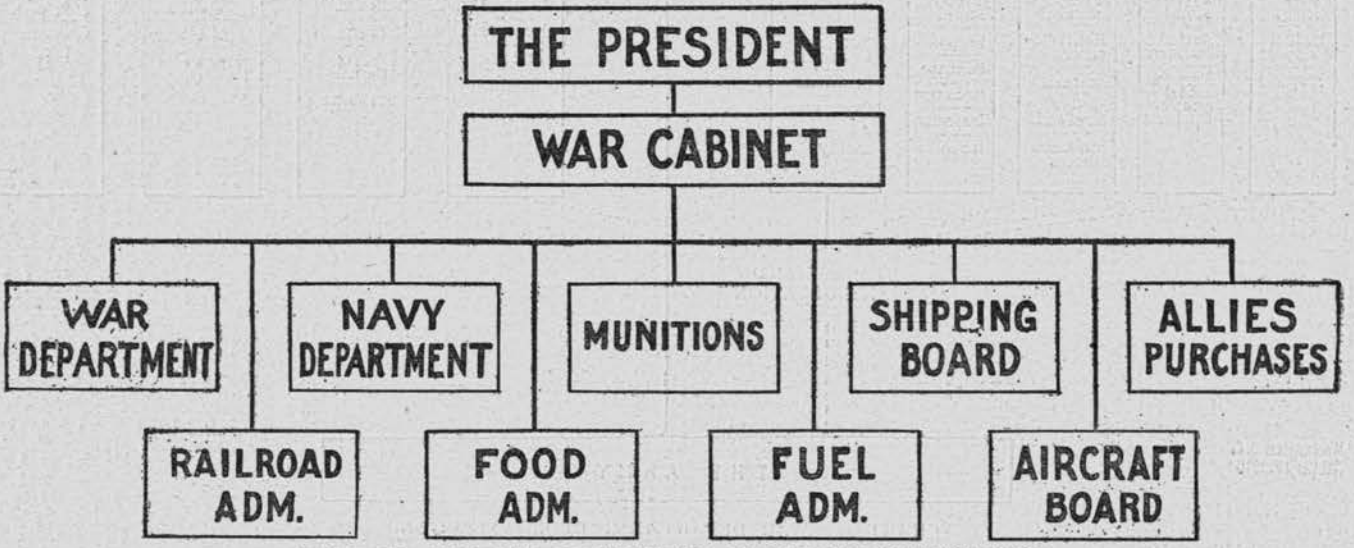


CHART IV.—PROPOSED ORGANIZATION OF WAR-MAKING MACHINERY.

The argument has been raised upon the floor of the Senate that the naval purchasing system must not be interfered with; that it is a splendid system. So it is; we all admit it. There is nothing in this bill that interferes with the Navy purchasing system, unless the President, in his wisdom, shall decide that some of the things purchased by the Navy might better be purchased by the director of munitions. Can we not trust the Secretary of the Navy and the President to see to it that the efficiency of the Navy is not injured in a matter of this kind?

There have been some rather interesting developments of this question of munition buying in other countries. The most elaborate and perhaps the most successful effort has been made in England. I do not pretend to be familiar with all of its operations by any means. I refer to the British ministry of munitions. I have learned some exceedingly interesting things about it. They established such a munitions ministry in the early part of 1915. No Englishman in his senses would advocate its abolition. Senators, it saved the British Army, because it enabled the British industries to turn out the guns and the shells for the use of that army in Flanders and in France; it enabled the British industries to supply the equipment that the British soldiers were sadly lacking; in some respects lacking just as our soldiers lack them to-day. They have gone very far in that development.

They do not purchase, as I understand, everything used by the army and the navy; they purchase the things which they can most advantageously purchase under a centralized authority; and they follow those purchases down to the last detail. I am informed that in London they have a great building filled with samples of things purchased by the British ministry of munitions; everything that is purchased has a sample or model deposited in that museum. If one implement, we will say, is purchased in two different designs, closely approximating each other, the proper official in that museum will ask, "Why are you not purchasing this thing in a uniform design instead of in two different designs?" And promptly the design is made uniform. The manufacturers can go to that museum and see before their eyes just what the Government wants; can see the article itself. They can copy it; they can discuss with the officer in charge whether or not they can make that article. It is not always sufficient to send a manufacturer some blue print of the thing you want him to make. Very often he can not tell from the blue print, except after long deliberation, whether or not his factory can turn out that article; but when he can see the article itself on the counter, as it were, and the parts of that article laid out around it, showing how it is put together, then he can tell whether or not he can make it. That is what ought to be done in the United States, and it can not be done unless you have a department of munitions. We ought to have some central place where manufacturers can go and sit down and talk business; where they can find out what is expected of them, take the orders from the Government, and go back and fill the orders. We have not anything like that to-day.

Now, let us analyze, if we can, some of the things that have happened in this country as the result of the lack of centralized planning power and the lack of a business organization. The purchasing bureaus of the Army—Ordnance, Quartermaster, Engineers, Signal Corps, and Coast Artillery—have gone out into the market and placed orders for large quantities of material. I am speaking now of things as they have occurred during the last 10 months, and really we ought to call it 12 months, because we started placing orders in February or March, 1917. The Navy Department has done the same. The commission having charge, informally, of the allies' purchases have done likewise. The Food Administration has purchased great quantities of food for shipment overseas. The Aircraft Board has purchased and shipped a large amount of finished and semifinished material. The Shipping Board has purchased vast quantities of steel and timber. The Fuel Administration has been actively in the field, with results painfully familiar to us all. Purchasing officers of these departments and bureaus have decreed priority in shipment for these goods in thousands and thousands of instances—no one of these officials having any regard for what the other officials were doing along the same line. In the eastern part of the country it has actually occurred that the goods shipped under Government priority orders vastly exceeded in amount the goods shipped for normal purposes without such orders. On one railroad line in the eastern district, for one month, 86 per cent of all the freight carried was labeled with the Government blue-tag priority order. The railways, while they remained under private control and even since they have come under governmental control have had no means of planning in advance for this tremendous traffic. There is no place in Washington for them to go to get the plan. Shipments have been crisscrossed across the country on Government blue-tag orders without the slightest regard for convenience or even for necessity. Each official, of course, was doing his best, but necessarily was running blind. An eastern railway, for example, which taps the anthracite region of Pennsylvania, has been ordered to ship a carload of anthracite coal under Government priority order to an Indian agency in Wyoming, regardless of the fact that Wyoming has its own coal fields. Pine lumber has been ordered shipped from Tonawanda, in western New York, on the banks of the Niagara River, to the Carolinas, the home of the pine tree. These are but examples, and one could multiply them almost indefinitely. Mind you, I am not attacking the individuals who did these things; in most cases they could not help it; they had no plan to go by, and they have no plan to go by this very day.

What has been the result? A hopeless jam and congestion of our railway facilities. Something has been said about the tonnage now piled up at our Atlantic coast docks. The Senator from Nebraska [Mr. HITCHCOCK] stated that 2,000,000 tons were thus piled up. The testimony that has come to me through most authoritative channels is that, of the aggregate tonnage mentioned by the Senator, 1,300,000 tons belong to France and Italy alone. Every Senator on this floor knows how France and Italy want that material; every Senator on this floor knows the conditions, particularly in Italy. Some of these supplies have been on those docks for over six months; some of them are deteriorating, and it would not be surprising if some of that material was actually out of date by this time. That is a serious thing; that is not a little, laughable incident, Senators; it is an exceedingly serious thing. The channel of supply for Italy has been blocked to that extent, and she can not fight without supplies. Why is the channel blocked? Because no one planned to keep it open. There is nobody here in Washington, as I see it, charged with the duty and the authority to plan. That is the kind of thing that has come to the Military Affairs Committee in testimony in open session and in executive session. The docks at some of our Atlantic seaports have become warehouses and a great stream of manufactured goods has overflowed the docks. In some places locomotive boilers and great piles of shells and other important material have been dumped out upon the ground and lie rusting in the winter weather. We have seen photographs of those things in the Sunday editions of the newspapers.

Thousands of cars are being used for storage purposes; they can not be handled; they are indefinitely withdrawn from the transportation systems of the country. Is any one man or any one department of the Government to blame? Not at all. The blame rests with our failure to systematize the effort. We have manufactured and shipped millions of tons of goods to the seaboard, helter-skelter, pell-mell, with little or no thought as to how we could find the dockage or the ships to transport them across the ocean. Is it strange that the railway transportation system has broken down? The use of the expression "breakdown" has been criticized, but I leave it to the frank judgment of the Senate if the transportation system of the United States has not broken down.

Let us take as a further and more specific example the coal situation. We have plenty of coal in the mines of the United States. The great problem is to distribute it to those who need it—the industries, the public utilities, the municipalities, the householders. Early in the summer of 1917 the question of the regulation of the price of coal came up. Prices at that time were exceedingly high, $5 and $6 a ton for new contracts. A prominent Cabinet officer, realizing that the price situation might become unbearable both for the Government and the public, gathered together a great meeting of coal producers. At that meeting, after a thorough discussion, in which men who had been in the business all their lives and who knew it from top to bottom participated, an agreement was reached to the effect that coal would be sold at the mouth of the mine for $3 a ton.

Mr. LODGE. For not more than $3 a ton?

Mr. WADSWORTH. For not more than $3 a ton. This price would have permitted all of the mines of the country to continue to operate; some with large profits, others with small profits.

May I digress just for a moment to discuss in a few sentences this matter of large profits in time of war as contrasted with what we are pleased to term small or reasonable profits? Apparently there is a school of thought which insists that the price of an article, if it is to be fixed by the Government, shall be fixed at such a level as to permit average or reasonable profits to be made. The men who adhere to that school of thought seem to forget, as in the case of coal mines, that some mines find it much more expensive to mine their coal than other mines,

and that if the Government attempts to establish an average price, based upon the average cost of producing coal, those mines whose cost is above the average cost of production will close down. That is as plain as can be. The men who adhere to the same school of thought say, "Yes; but we must not, and will not, permit the coal mine which produces coal at the lowest cost to make exorbitant profits out of a price fixed on a level sufficiently high to protect a mine that produces at the highest cost." That is called extortion, and great flaring headlines are put in the newspapers as to what they are going to do to the coal barons, the men who indulge in extortionate robbery of the public. "We are going to put the price down where the coal barons' profits will be reasonable," but when they do it they drive out the little coal mine from production.

What is the remedy of the Government? The excess-profits tax, of course. It is perfectly plain. The price should be fixed at a level high enough to keep the small mine in operation. That price, of course, will give the big mine a profit deemed too large. But along comes the excess-profits tax and takes away from the owner of the big mine the excess part of his profits and puts the money into the Treasury. The people get the money back again; it helps pay for the war, and all the coal mines continue to operate.

Now, that was not done. Nobody planned it.

Mr. HITCHCOCK and Mr. SHERMAN addressed the Chair.

The PRESIDING OFFICER (Mr. FRELINGHUYSEN in the chair). Does the Senator from New York yield, and to whom?

Mr. WADSWORTH. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. I will say to the Senator from New York that another very admirable plan was presented to the Secretary of War by one of the distinguished and very successful business men who have been brought to Washington, and had that plan been accepted and put into effect by Mr. Garfield, the Administrator of Fuel, undoubtedly a much improved condition would have resulted. If the Senator will permit me, I will outline it.

Mr. WADSWORTH. I shall be very glad if the Senator will do so.

Mr. HITCHCOCK. He proposed to the Secretary of War that the Government, in the case of bituminous coal especially, establish a price slightly above the cost, so as to permit a reasonable or a small profit, and take from the coal producers 25 per cent of their coal at that price, that coal to be used by the Government in Government operations, to be distributed to churches and charities, and to be used in domestic consumption by poor people who require only a few tons during the winter. He proposed that for the other 75 per cent of the product of the mines the mines be permitted to charge what the supply and demand would justify.

If that plan had been adopted all of the coal mines of the country would have been in operation, the production would have been stimulated to its utmost, the poor people would have been permitted to buy coal at the lowest price; the Government would have received its coal at the lowest price—as low, at least, as at present—and industries operating at a considerable profit alone would have been compelled to pay the price called for by supply and demand.

I fully agree with my friend the Senator from New York that the excess-profits tax is a remedy by which the unreasonable profits or the excess profits can be taken from mines making a large profit and given to the Government; but I maintain also that this other plan which was presented to the Secretary of War, if it had been carried out, would have guaranteed to the great mass of the American people who are poor the lowest possible price and an abundant supply of coal. But that plan was not accepted. It received very little attention.

Mr. THOMAS. Mr. President, may I ask the Senator from Nebraska a question?

Mr. WADSWORTH. Mr. President, I will yield to the Senator from Colorado; but in doing so let me say that I do not want to prolong my occupancy of the floor. I want to finish as soon as I get a chance.

Mr. THOMAS. If it interrupts the Senator unduly, I will not insist. I simply wanted to ask the Senator from Nebraska whether the plan which he has just outlined also included transportation and distribution?

Mr. HITCHCOCK. I am not prepared to speak on that point. It fixed the price at the mines and would have guaranteed cheap coal to the poor people and to the Government. I suppose it contemplated transportation under Government orders.

I thank the Senator.

Mr. SHERMAN. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Illinois.

Mr. SHERMAN. If it will not interrupt the continuity of the Senator's remarks, I will interpolate that in one of the principal coal-producing areas of the western country—I think as a direct result of the order that was made—30 per cent of the entire number of miners have been idle. That was before the Fuel Administration's order came to shut down.

Mr. WADSWORTH. Mr. President, I departed from my own argument a moment ago to discuss the remedy which the people have against what are termed extortionate prices, namely, the excess-profits tax, and the failure apparently on the part of some people in public life to realize that the supreme thing to be achieved in all this war effort is production. The matter of price is not so important as to have the goods. It does very little good to have eggs selling at 12 cents a dozen if there are not any eggs. It does no good to have coal at $2 a ton at the mouth of the mine if there is not enough coal; that is all.

Now, let me continue sketching what happened with respect to the coal situation.

I have said that at that meeting, attended by the coal operators, in which men participated who have been in the business all their lives and who knew it from top to bottom, an agreement was reached to the effect that coal would be sold at the mouth of the mine for not more than $3 a ton. This price would have permitted all of the mines of the country to continue to operate; some with large profits, others with small profits. The matter seemed to have been settled, and the public rejoiced at the reduction from $5 or $6 per ton down to $3 per ton. Within a few hours, however, literally within a day or two, other departments of the Government, mind you, showing the lack of coordination, speaking through their administrative heads, stepped in and announced that that price would not do; that it was excessive and extortionate; and the whole agreement was cast to the winds. Incidentally, the whole coal trade was thrown into confusion. No operator could tell what the Government intended to do with him; thousands of consumers of coal made up their minds that they were going to get coal cheaper than upon the basis of $3 per ton at the mine and postponed buying their winter supply.

That is human nature. Charts have been shown to the Committee on Military Affairs depicting the production of coal week by week and month by month through last summer and last autumn, and the charts show a distinct and severe falling off in the production of coal on the day following the refusal of the Secretary of War to agree to the $3 price. Downhill it went for weeks; and it was only later, when other measures were taken to relieve the situation, that the line on the chart showed an upward tendency. We lost that much coal at a time when it could have been transported. This condition of uncertainty existed for weeks, seriously affecting the production of coal in the United States from week to week and month by month. The production of coal sharply declined immediately following the upsetting of the $3 per ton price agreement. The small mines, hundreds of them, could not produce profitably and curtailed their operations. Later on the Fuel Administration was established, in compliance with the statute of the Congress, and there ensued long deliberation and considerable haggling over the price to be fixed by that administration. Finally it was fixed at $2 per ton, and in some instances at figures slightly in excess of that amount, and more mines closed. By that time the autumn season had overtaken us. Thousands of individuals and business concerns had postponed putting in their winter supply of coal. Coal production has decreased, and when actual winter overtook us the prices fixed by the Fuel Administration were made more liberal, and a desperate effort was made to mine and transport the coal to the points where it was needed for the winter. And, of course, the effort failed—it is failing to-day, Senators—for it is absolutely impossible for the railroads of the United States to transport, together with their other business, a sufficient amount of coal from day to day through the winter months to supply the great industrial and coal-consuming centers, such as the cities of New York, Boston, Philadelphia, and the industrial centers of New England and the Middle Atlantic States. The storms and blizzards of the winter are bound to make it impossible, and every coal operator and every railroad man has known this for years and years.

Hundreds of cars of coal strike the Jersey shore of New York Harbor, transported from the coal fields. When the coal arrives there much of it is frozen in one solid chunk in the cars, and it can not be unloaded. That is what happens in the wintertime. It has to be thawed out by steam, and you have to burn coal in order to thaw coal. It is a condition, of course, that should have been planned against. I do not blame any one man for not planning for it. You can not lay all the blame on the Fuel Administration. You can not lay it all on the Secretary of War. You can not lay it on the railroads, headed as they are now by Mr. McAdoo. Possibly we could not have evolved a machinery of

government which could have planned that early in the game; but I cite this as an illustration of what may happen to the country later on in some other matter, if we do not have some authority here in Washington to plan out the broad problems that will confront us, to help us prepare ourselves to meet the emergencies that may overtake us.

It is absolutely essential that a great proportion of the winter's coal supply be transported and put in the bins of the consumers during the summer and autumn season. There were instances where that was done. Large manufacturing plants put in thousands of tons of coal, as they have always done and as they must do in order to tide them through the winter. What kind of reception did they get when that fact became known? Great headlines in the newspapers saying, "Such-and-such a corporation is hoarding coal"; veiled threats from the Government here in Washington that that kind of practice must stop; that it was robbery of the people; when, as a matter of fact, it was really a simple precaution practiced every year for generations, a precaution that must be practiced by every great consumer of coal, or else his plant can not run through the winter.

As a result of this lack of planning—and that is all it is, a lack of planning, Senators, planning which should have been done in June, July, and August—we have great communities in the East and North starving for coal and an order issued by the Fuel Administration closing down thousands of factories and throwing out of work hundreds of thousands of men and women, costing millions of dollars in wages and delayed product, and crippling for the time being those very activities upon which we must depend for the winning of the war.

Again, on this question of planning, just let us remember how this order was put out. I am not going to discuss whether it was a wise order or not. The officers of the Aircraft Production Board testified to the Military Affairs Committee last week that they never heard of that order of the Fuel Administrator, which would close down every factory that burned coal, until the night it was published. Can you conceive of such a system, or such a lack of system, continuing in this country with any hope of being effective in war time?

Mr. President, let us picture to ourselves a great department of the Government like the Aircraft Board and the Signal Corps of the Army, working together and also with the Navy on this tremendous aviation program, involving the operation of some 450 manufacturing establishments. Without the slightest notice to that department, another department of the Government issues an order that closes all the establishments. Can we endure such a system? Can it be possible that anyone will deny that it is essentially a faulty system that permits such a thing to occur? That order was issued without the slightest notice to the gentlemen who are purchasing goods for our allies in this country; and several of the factories manufacturing goods for Great Britain and our other allies were closed down. They had no notice in advance, and it took them two or three days to get it straightened out. It took the Aircraft Board a couple of days to get it straightened out. There was no planning, no place in Washingon, apparently, where those things could be thought out on a sound basis, and instructions given to the different departments and different commissions to work together; no teamwork. The situation must have been somewhat desperate, Senators, because the Official Bulletin, published by the department presided over by Mr. Creel, in its issue of January 19, published to the people and to the world a list of all the munition factories in the United States that had been made exempt under that order; and when something is said upon the floor of the Senate about giving information useful to the enemy, it might be well to suggest that the censor of the United States be censored!

Mr. President, I insist that this painful situation has resulted from an utter lack of planning, from a lack of vision. The plain fact is that we have no agency in our war Government to-day charged with the duty of projecting its vision far into the future, anticipating the emergencies which may arise, and laying the plans by which we can meet and overcome those emergencies. I have cited the coal situation as an illustration of the penalty we must pay unless we reorganize this great effort along business lines, unless we centralize somewhere in our Government the authority and power to compel coordination between all those departments, commissions, boards, and bureaus.

We can not tell to-day just what the future may hold for us. Other emergencies will overtake us, and if we are wise and prudent and farsighted we shall establish some agency in our Government, whether it be called a war cabinet or by some other name, and it matters not at all to me whether you call it a war cabinet or not. I do not even insist that it be the result of the passage of an act of Congress. If it can be done without the passage of a bill, well and good. I do not care so very much how many men are placed on it. I do not care how they are defined in the Executive order that places them on it, or how they may be defined and described in the bill establishing such a board. My only plea is that something of that sort be done, and done soon.

I think I am safe in saying that the Committee on Military Affairs have no overweening pride of authorship about this particular bill. We have listened to this testimony. We have had before us some of the most distinguished gentlemen in the United States, men who know what they are talking about.

These men have come before us and told us what was in their hearts. In many respects they expressed alarm at the present situation, not that anyone was failing to do his duty, not that anyone was unwilling to work hard day and night, but simply that the organization under which we are endeavoring to carry on the greatest industrial effort that the world has ever seen was such as to threaten failure. That is all.

I want some agency to coordinate these great efforts, some men who can sit around a council table every day, morning, noon, and night, and devote their whole time and their every ability for planning out in advance the methods of meeting and overcoming the emergencies which will confront us in the future. If we do not do this we are more than likely to have another breakdown. It may come, Senators, in some other direction; I do not know; you do not know. We know something of the breakdown to-day with respect to coal and transportation. We know what the penalty is; we know how we are suffering; we know how our efforts in this war have been handicapped, cruelly so. There were 150 ships in New York Harbor two weeks ago unable to sail because they did not have coal. Is not that a penalty? We ought to take every means within our power to prevent a repetition of any such penalty being inflicted upon us.

Senators, if we are to win this war, and we have got to win it, we can not afford to have any breakdown anywhere. The situation is always difficult. We shall always make some mistakes. We shall always be perplexed here and there. No one would minimize that possibility. We must not be blind to the possibility. We must arm ourselves against its dangers, and the nation that is forearmed against danger is the nation that will repel danger.

Mr. SMOOT. May I suggest to the Senator from New York that he ask that the diagrams be put in the RECORD in connection with his speech, because I think his speech could hardly be understood without the diagrams.

Mr. WADSWORTH. I shall endeavor to have that done.

Mr. SMOOT. Will the Senator ask unanimous consent for that purpose?

Mr. WADSWORTH. I ask unanimous consent, then, in response to the suggestion, that the diagrams upon the wall may be reproduced in the RECORD.

The PRESIDING OFFICER. Is there objection? There being none, that will be the order.

During the delivery of Mr. WADSWORTH's speech,

The PRESIDING OFFICER. The Senator from New York will suspend for a moment. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. A bill (H. R. 6361) to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war.

Mr. OVERMAN. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. If there is no objection, that will be the order.

After the conclusion of Mr. WADSWORTH's speech,

Mr. THOMAS. Mr. President, on Friday morning, after the close of the morning business, I will submit to the Senate some remarks upon the bill which has been under discussion by the Senator from New York.

In view of the temporary absence from the Chamber of the Senator from North Carolina [Mr. OVERMAN], having charge of the unfinished business, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gore	Jones, Wash.	Nelson
Beckham	Hale	Kenyon	New
Chamberlain	Hardwick	King	Norris
Culberson	Henderson	Kirby	Overman
Cummins	Hitchcock	Knox	Penrose
Curtis	Hollis	Lodge	Pittman
Fletcher	James	McCumber	Poindexter
France	Johnson, Cal.	McKellar	Pomerene
Frelinghuysen	Johnson, S. Dak.	McNary	Ransdell
Gerry	Jones, N. Mex.	Myers	Shafroth

Sheppard	Smith, Ga.	Thomas	Underwood
Sherman	Smith, S. C.	Thompson	Vardaman
Shields	Smoot	Tillman	Williams
Simmons	Stone	Townsend	Wolcott
Smith, Ariz.	Sutherland	Trammell	

Mr. CURTIS. I desire to announce the absence of the Senator from Arizona [Mr. ASHURST], the Senator from North Dakota [Mr. GRONNA], the Senator from South Dakota [Mr. JOHNSON], and the Senator from Idaho [Mr. NUGENT] on official business.

Mr. KIRBY. I wish to announce the absence of my colleague [Mr. ROBINSON], on account of illness.

The PRESIDING OFFICER (Mr. NEW in the chair). Fifty-nine Senators have answered to their names. There is a quorum present.

SOLDIERS AND SAILORS' CIVIL RELIEF.

Mr. OVERMAN. I ask that the Senate proceed to the consideration of the unfinished business, House bill 6361.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6361) to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war, which had been reported from the Committee on the Judiciary with amendments.

Mr. OVERMAN. I ask that the formal reading of the bill be dispensed with and that the amendments of the committee be acted upon as they are reached in the reading.

The PRESIDING OFFICER. If there be no objection, such will be the order of the Senate. The Chair hears none.

The Secretary proceeded to read the bill.

The first amendment of the Committee on the Judiciary was, on page 1, line 8, before the word "military," to strike out "the," so as to make the section read:

SEC. 100. That for the purpose of enabling the United States the more successfully to prosecute and carry on the war in which it is at present engaged, protection is hereby extended to persons in military service of the United States in order to prevent prejudice or injury to their civil rights during their term of service and to enable them to devote their entire energy to the military needs of the Nation, and to this end the following provisions are made for the temporary suspension of legal proceedings and transactions which may prejudice the civil rights of persons in such service during the continuance of the present war.

The amendment was agreed to.

The next amendment was, on page 3, line 1, after the words "Nurse Corps," to strike out "field clerks who have taken the oath as members of the military forces of the United States" and insert "Army field clerks; field clerks, Quartermaster Corps; civilian clerks and employees on duty with the military forces or detailed for service abroad in accordance with provisions of existing law," so as to read:

SEC. 101. (1) That the term "persons in military service," as used in this act, shall include the following persons and no others: All officers and enlisted men of the Regular Army, the Regular Army Reserve, the Officers' Reserve Corps, and the Enlisted Reserve Corps; all officers and enlisted men of the National Guard and National Guard Reserve recognized by the Militia Bureau of the War Department; all forces raised under the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917; all officers and enlisted men of the Navy, the Marine Corps, and the Coast Guard; all officers and enlisted men of the Naval Militia, Naval Reserve force, Marine Corps Reserve, and National Naval Volunteers recognized by the Navy Department; all officers of the Public Health Service detailed by the Secretary of the Treasury for duty either with the Army or the Navy; any of the personnel of the Lighthouse Service and of the Coast and Geodetic Survey transferred by the President to the service and jurisdiction of the War Department or of the Navy Department; members of the Nurse Corps; Army field clerks; field clerks, Quartermaster Corps; civilian clerks and employees on duty with the military forces or detailed for service abroad in accordance with provisions of existing law; and members of any other body who have heretofore or may hereafter become a part of the military or naval forces of the United States.

The amendment was agreed to.

The next amendment was, on page 4, line 3, after the words "military service," to insert "or with reference to a person secondarily liable under such right"; so as to make the clause read:

(3) The term "person," as used in this act, with reference to the holder of any right alleged to exist against a person in military service or with reference to a person secondarily liable under such right, shall include individuals, partnerships, corporations, and any other forms of business association.

Mr. WOLCOTT. I ask that this amendment may be passed over.

Mr. OVERMAN. I have no objection, Mr. President.

The PRESIDING OFFICER. No objection having been offered, the amendment will be passed over.

The next amendment was, on page 4, after line 23, to insert:

SEC. 103. Whenever, pursuant to any provision of this act, the enforcement of any payment or the performance of any act is stayed, postponed, or suspended, or the entry or enforcement of any judgment or determination is stayed, postponed, or suspended, or liable to be set aside, then, with respect to the obligation or liability of any person who may be secondarily liable by reason of such contract or obligation, including guarantors, sureties, and indorsers, during the time of such stay, postponement, or suspension, or while such judgment or determination can be set aside, on the application of the person thus secondarily liable, by leave of court, such contract or obligation shall be construed as if such payment were not due or the time for the performance of such act had not arrived, provided that any interest falling due in the meantime be paid.

Mr. WOLCOTT. I ask that this amendment may be passed over.

Mr. OVERMAN. All right.

The PRESIDING OFFICER. No objection having been offered, the amendment will be passed over.

The next amendment was, under the subhead "General relief," on page 6, line 2, after the words "made if," to insert "it appears by the affidavit filed that," so as to read:

SEC. 200. That in any action or proceeding commenced in any court if there shall be a default of an appearance by the defendant the plaintiff before entering judgment shall file in the court an affidavit setting forth facts showing that the defendant is not in military service. If unable to file such affidavit plaintiff shall in lieu thereof file an affidavit setting forth either that the defendant is in the military service or that plaintiff is not able to determine whether or not defendant is in such service. If an affidavit is not filed showing that the defendant is not in the military service, no judgment shall be entered without first securing an order of court directing such entry, and no such order shall be made if it appears by the affidavit filed that the defendant is in such service until after the court shall have appointed an attorney to represent defendant and protect his interest and the court shall on application make such appointment.

The amendment was agreed to.

The next amendment was, on page 8, line 1, after the words "defendant to," to strike out "comply with the judgment or order sought" and insert "conduct his defense," so as to make the section read:

SEC. 201. That at any stage thereof any action or proceeding commenced in any court against a person in military service during the period of such service or within 60 days thereafter may, in the discretion of the court in which it is pending, on its own motion, and shall, on application to it by such person or some person on his behalf, be stayed as provided in this act, unless, in the opinion of the court, the ability of the defendant to conduct his defense is not materially affected by reason of his military service.

The amendment was agreed to.

The next amendment was, on page 9, line 15, after the word "others," to insert: "Where the person in military service is sued as a principal or as primarily obligated for any debt or damages, along with others who are sued as surety or as secondarily liable for such debt or damages, then such others not in military service may be proceeded against to final judgment if it shall be made to appear to the court that such person primarily liable has been adjudicated a bankrupt prior to the commencement of his military service," so as to make the section read:

SEC. 204. That any stay of any action, proceeding, attachment, or execution ordered by any court under the provisions of this act may, except as otherwise provided, be ordered for the period of military service and three months thereafter or any part of such period, and subject to such terms as may be just, whether as to payment in installments of such amounts and at such times as the court may fix or otherwise. Where the person in military service is a codefendant with others the plaintiff may nevertheless by leave of court proceed against the others. Where the person in military service is sued as a principal or as primarily obligated for any debt or damages, along with others who are sued as surety or as secondarily liable for such debt or damages, then such others not in military service may be proceeded against to final judgment if it shall be made to appear to the court that such person primarily liable has been adjudicated a bankrupt prior to the commencement of his military service.

Mr. OVERMAN. I ask that this amendment may be passed over, as a similar amendment went over on the request of the Senator from Delaware [Mr. WOLCOTT].

The PRESIDING OFFICER. Without objection, it is so ordered.

The next amendment was, under the subhead "Rent, installment contracts, mortgages," on page 10, line 13, after the word "occupied," to insert "solely," and in line 16, after the word "action," to insert "or proceeding," so as to make the clause read:

SEC. 300. (1) That no eviction or distress shall be made during the period of military service in respect of any premises for which the agreed rent does not exceed $50 per month, occupied solely for dwelling purposes by the wife, children, or other dependents of a person in military service, except upon leave of court granted upon application therefor or granted in an action or proceeding affecting the right of possession.

The amendment was agreed to.

The next amendment was, under the subhead "Insurance," on page 14, line 18, before the word "interest," to strike out "a vested" and insert "an," and in line 23, after the word "this," to strike out "act" and insert "article," so as to make the clause read:

SEC. 401. That the benefits of this article shall apply to any person in military service who is the holder of a policy of life insurance, when such holder shall apply for such benefits on a form prepared in accordance with regulations which shall be prescribed by the Secretary of the Treasury, and in all cases where under the terms of the contract of insurance any person other than the insured has an interest therein the consent of such other person shall be included in such application. Such form shall set forth particularly that the

application therein made is a consent to such modification of the terms of the original contract of insurance as are made necessary by the provisions of this article and by receiving and filing the same the insurer shall be deemed to have assented thereto, to the extent, if any, to which the policy on which the application is made is within the provisions of this article. The original of such application shall be sent by the insured to the insurer, and a copy thereof to the Bureau of War-Risk Insurance.

The amendment was agreed to.

The next amendment was, on page 15, line 5, before the word "Bureau," to strike "Second. That the" and insert "The"; in line 6, after the word "shall," to strike out "send to every person in the military service" and to insert "issue through suitable military and naval channels"; in line 7, after the word "explaining," to strike out "in simple language"; in line 8, after the word "and," to strike out "inclosing" and insert "shall furnish"; and in line 9, after the word "forms," to strike out "for the making of applications" and insert "to be distributed to those desiring to make application," so as to make the clause read:

The Bureau of War-Risk Insurance shall issue through suitable military and naval channels a notice explaining the provisions of this article and shall furnish forms to be distributed to those desiring to make application for its benefits.

The amendment was agreed to.

The next amendment was, in section 402, on page 15, line 12, after the word "any," to strike out "person" and insert "insured"; in the same line, after the words "respect of," to strike out "contracts of insurance" and insert "policies"; in line 15, after the word "policies," to strike out "held by," and insert "insuring"; in line 16, after the word "such," to strike out "contracts" and insert "policies"; in line 17, after the word "were," to strike out "made" and insert "issued"; and in line 22, after the word "made," to insert "or in respect of any policy on which there is outstanding a policy loan or other indebtedness equal to or greater than 50 per cent of the cash surrender value of the policy," so as to make the section read:

SEC. 402. That the benefits of this act shall be available to any insured in military service in respect of policies in force under their terms up to but not exceeding a face value of $5,000, irrespective of the number of policies insuring such person whether in one or more companies, when such policies were issued and a premium was paid thereon before September 1, 1917; but in no event shall the provisions of this article apply to any policy on which premiums are due and unpaid for a period of more than one year at the time when application for the benefits of this article is made or in respect of any policy on which there is outstanding a policy loan or other indebtedness equal to or greater than 50 per cent of the cash surrender value of the policy.

The amendment was agreed to.

The next amendment was, in section 403, on page 16, line 9, after the words "respect of," to strike out "contracts of insurance" and insert "policies," so as to make the section read:

SEC. 403. That the Bureau of War Risk Insurance shall, subject to regulations, which shall be prescribed by the Secretary of the Treasury, compile and maintain a list of such persons in military service as have made application for the benefits of this article, and shall (1) reject any applications for such benefits made by persons who are not persons in military service; (2) reject any applications for such benefits in excess of the amount permitted by section 402; and (3) reject any applications in respect of policies otherwise not entitled to the benefits of this article. Said bureau shall immediately notify the insurer and the insured in writing of every rejection or approval.

The amendment was agreed to.

The next amendment was, in section 404, on page 16, line 18, after the word "companies," to strike out "the Bureau of War Risk Insurance shall, in its discretion, select which of such applications shall be rejected, and where necessary for bringing" and insert "and the insured shall not in his application indicate an order of preference, the Bureau of War Risk Insurance shall reject such policies as have the inferior cash surrender value, so as to reduce"; in line 25, before the word "shall," to insert "and where necessary for this purpose," so as to make the section read:

SEC. 404. That when one or more applications are made under this article by any one person in military service in respect of insurance exceeding a total face value of $5,000, whether on one or more policies or in one or more companies, and the insured shall not in his application indicate an order of preference, the Bureau of War-Risk Insurance shall reject such policies as have the inferior cash surrender value, so as to reduce the total benefits conferred within the face value of $5,000, and where necessary for this purpose shall direct the insurer to divide any policy into two separate policies. The said bureau shall immediately notify the insurer and the insured in writing of such selection.

The amendment was agreed to.

The next amendment was, in section 405, on page 17, line 4, after the word "policy," to strike out "of insurance"; in line 6, after the word "and," to strike out "to"; in line 7, after the word "which," to insert "has been brought within"; and in the same line, after the word "article," to strike out "have been extended," so as to make the section read:

SEC. 405. That no policy which has not lapsed for the nonpayment of premium before the commencement of the period of military service of the insured, and which has been brought within the benefits of this article, shall lapse or be forfeited for the nonpayment of premium during the period of such service or during one year after the expiration of such period: *Provided*, That in no case shall this prohibition extend for more than one year after the termination of the war.

The amendment was agreed to.

The next amendment was, in section 408, page 19, line 3, after the name "United States," to strike out "in" and to insert "to"; in line 4, before the word "amount," to strike out "nearest"; and in the same line, after the word "of," to strike out "round figures" and to insert "that multiple of $100 nearest," so as to read:

SEC. 408. That the Secretary of the Treasury shall, within 10 days thereafter, deliver each month to the proper officer of each insurer, bonds of the United States to the amount of that multiple of $100 nearest to the monthly difference certified in respect of each insurer.

The amendment was agreed to.

The next amendment was, in section 409, page 19, line 21, after the word "upon," to strike out the words "the value of"; and in line 22, after the word "article," to insert "subject only to any lien existing at the time the policy became subject to this act," so as to make the section read:

SEC. 409. That the bonds so delivered shall be held by the respective insurers as security for the payment of the defaulted premiums with interest. To idemnify it against loss, the United States shall have a first lien upon any policy receiving the benefits of this article, subject only to any lien existing at the time the policy became subject to this act, and no loan or settlement shall be made by the insurer on such policy which may prejudice the security of such lien.

The amendment was agreed to.

The next amendment was, in section 603, page 27, line 24, after the word "thereafter," to insert:

Provided, That wherever under any section or provision of this act a proceeding, remedy, privilege, stay, limitation, accounting, or other transaction has been authorized or provided, the due exercise or enjoyment of which may extend beyond the period herein fixed for the termination of this act, such section or provision shall be deemed to continue in full force and effect so long as may be necessary to the exercise or enjoyment of the proceeding, remedy, privilege, stay, limitation, accounting, or transaction aforesaid.

The amendment was agreed to.

The next amendment was, in section 604, page 28, line 10, before the word "act," to strike out "rights" and to insert "relief," so as to make the section read:

SEC. 604. That this act may be cited as the soldiers' and sailors' civil relief act.

The amendment was agreed to.

Mr. OVERMAN. Mr. President, several Senators have advised me they would like to have this bill go over until tomorrow, not having had time to examine it. The reading of the bill having been concluded, I ask unanimous consent that it may be temporarily laid aside and that it remain the unfinished business.

The PRESIDING OFFICER. It is so ordered, without objection.

THE CALENDAR.

Mr. SMOOT. I ask unanimous consent that the Senate proceed to the consideration of the calendar under Rule VIII, and consider bills only to which there is no objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

BILLS PASSED OVER.

The bill (S. 1786) to amend certain sections of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and for other purposes, was announced as first in order.

Mr. SMOOT. Mr. President, at the request of a Senator who is absent I ask that that bill go over.

The PRESIDING OFFICER. The bill will go over.

The joint resolution (S. J. Res. 39) to appropriate $3,000,000 to enable the Secretary of Agriculture to prosecute the work of eradicating the southern cattle tick was announced as next in order.

Mr. SMOOT. Let that resolution go over.

The PRESIDING OFFICER. The joint resolution will go over.

The joint resolution (S. J. Res. 53) authorizing the President to appoint two additional Assistant Secretaries of Agriculture, and for other purposes, was announced as next in order.

Mr. SMOOT. Mr. President, the chairman of the Committee on Agriculture and Forestry is not present, and I understand that there is an amendment intended to be offered to this joint resolution. I therefore ask that the joint resolution may go over.

The PRESIDING OFFICER. The joint resolution will go over.

Mr. SMOOT. In order that the Senate may understand, Mr. President, that we are considering bills on the calendar, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Johnson, Cal.	Penrose	Sutherland
Chamberlain	Jones, N. Mex.	Poindexter	Thomas
Culberson	Jones, Wash.	Pomerene	Townsend
Cummins	Kenyon	Reed	Trammell
Curtis	Kirby	Shafroth	Underwood
Dillingham	Knox	Sheppard	Vardaman
France	McKellar	Sherman	Wadsworth
Gerry	McNary	Shields	Warren
Hale	Martin	Smith, Ariz.	Watson
Hardwick	New	Smith, Ga.	Williams
Hollis	Norris	Smith, S. C.	
Henderson	Overman	Smoot	

The PRESIDING OFFICER. Forty-six Senators having answered to their names, there is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. RANSDELL, Mr. STONE, Mr. THOMPSON, and Mr. WOLCOTT answered to their names when called.

Mr. PITTMAN, Mr. JAMES, Mr. BANKHEAD, Mr. STERLING, Mr. TILLMAN, and Mr. MCCUMBER entered the Chamber, and answered to their names.

The PRESIDING OFFICER. Fifty-six Senators having answered to their names, there is a quorum present.

CESSIONS OF TERRITORY BY WISCONSIN AND MINNESOTA.

The bill (S. 2180) to approve mutual cessions of territory by the States of Wisconsin and Minnesota and the consequent changes in the boundary line between said States was considered as in Committee of the Whole, and read, as follows:

Be it enacted, etc., That Congress hereby consents to and approves of the cession by the State of Wisconsin to the State of Minnesota of the following-described territory, to wit:

All that territory formerly a part of the town of Buffalo, in the county of Buffalo and State of Wisconsin, which lies northerly and westerly of the following-described line, to wit: Commencing at the point in the center line of the main channel of the Mississippi River above Island No. 72, where the center line of the channel running between Island No. 72 and Island No. 71 intersects the center line of said main channel, and running thence easterly and southeasterly along the center line of the channel between said islands and between said Island No. 72 and the main Wisconsin shore to the center line of the main channel of said river, being lot No. 3 in section No. 1, township No. 18 north, of range No. 11 west of the fourth principal meridian, and commonly known and described as Island No. 72 in the Mississippi River, duly made by the act of the Legislature of the State of Wisconsin, known as chapter 64 of the session laws of 1917, approved April 9, 1917, and assented to and accepted by the State of Minnesota by act of its legislature, known as chapter 116 of the session laws of 1917, approved March 26, 1917, an authenticated copy of which act has been duly filed in the office of the secretary of state of the State of Wisconsin, and by the written acceptance of the governor of the State of Minnesota filed in the office of the secretary of state of the State of Wisconsin on the 24th day of April, 1917; and the boundary line between the said States at the location of said cession is hereby described and declared to be as follows, to wit: Commencing at the point of intersection of the center line of the main channel of the Mississippi River with the center line of the channel running between Island No. 72 and Island No. 71 and running thence easterly and southeasterly along the center line of the channel between said islands and between said Island No. 72 and the main Wisconsin shore to the center line of the main channel of said river.

SEC. 2. That Congress hereby consents to, and approves of, the cession by the State of Minnesota to the State of Wisconsin of the following-described territory, to wit:

All that territory formerly a part of the town of La Crescent, in the county of Houston and State of Minnesota, which lies easterly of the following-described line, to wit: Commencing in the northeast quarter of section No. 11, township No. 104 north, range No. 4 west of the fifth principal meridian, at the point of intersection of the center line of the west channel of the Mississippi River with the center line of the main east channel of said river and running thence southeasterly along the center line of said west channel to its intersection with the center line of said east channel of said river in the easterly part of section No. 24 in said township and range, duly made by the act of the Legislature of the State of Minnesota known as chapter 116 of the session laws of 1917, approved March 26, 1917, and assented to and accepted by the State of Wisconsin by act of its legislature known as chapter 64 of the session laws of 1917, approved April 9, 1917, an authenticated copy of which act has been duly filed in the office of the secretary of state of the State of Minnesota, and by the written acceptance of the governor of the State of Wisconsin, filed in the office of the secretary of state of the State of Minnesota on April 17, 1917; and the boundary line between the said States at the location of said cession is hereby described and declared to be the center line of the west channel of the Mississippi River beginning at the point of intersection of said center line with the center line of the main east channel of said river, in the northeast quarter of section No. 11, township No. 104 north, range No. 4 west of the fifth principal meridian, and running thence southeasterly to the point of intersection of the said center line of said west channel with the center line of the main east channel of said river, in the easterly part of section No. 24, in said township and range.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REGISTRATION REGULATIONS.

The concurrent resolution (H. Con. Res. 9) authorizing the printing in one document the act to increase temporarily the Military Establishment, the registration regulations, and the proclamations of the President fixing June 5, 1917, as date of registration was announced as next in order.

Mr. SMITH of Arizona. Mr. President, I do not think that resolution ought to remain longer on the calendar. The time has passed when the printing of the documents covered by the resolution would be of any value. I do not see the necessity of expending any money in that direction now, and I therefore move that the concurrent resolution be indefinitely postponed.

The motion was agreed to.

RETIREMENT SYSTEM IN LIGHTHOUSE SERVICE.

The bill (S. 1004) to provide for the retirement of officers and employees of the Bureau of Lighthouses and the Lighthouse Service was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That hereafter all officers and employees engaged in the field service or on vessels of the Lighthouse Service who shall have reached the age of 65 years, after having been 30 years in the active service of the Government, may, at their option, be retired from further performance of duty; and all such officers and employees who shall have reached the age of 70 years shall be compulsorily retired from further performance of duty: *Provided*, That the annual compensation of persons so retired shall be a sum equal to one-fortieth of the last annual pay received for each year of active service in the Lighthouse Service, or in a department or branch of the Government having a retirement system, not to exceed in any case thirty-fortieths of the last annual pay received: *Provided further*, That such retirement pay shall not include any amount on account of subsistence or other allowance.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for a retirement system in the Lighthouse Service."

SALARIES OF LIGHTHOUSE KEEPERS.

The bill (S. 1005) to regulate the salaries of keepers of lighthouses was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, in line 10, after the word "average," to insert the word "of," and in the same line, after the numerals "$700," to insert the words "per annum," so as to make the bill read:

Be it enacted, etc., That section 4673 of the Revised Statutes of the United States be amended to read as follows:

"SEC. 4673. The Secretary of Commerce is authorized to regulate the salaries of the respective keepers of lighthouses in such manner as he deems just and proper, but the whole sum allowed for such salaries shall not exceed an average of $700 per annum to each keeper; and the authority herein granted to regulate the salaries of keepers of lighthouses shall not be abridged or limited by the provisions of section 7 of the general deficiency appropriation act approved August 26, 1912, as amended by section 4 of the legislative, executive, and judicial appropriation act approved March 4, 1913."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AIDS TO NAVIGATION.

The bill (S. 993) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments.

The first amendment was, in section 1, page 1, line 11, after the name "John," to strike out "Rogers" and insert "Rodgers," so as to make the section read:

That the Secretary of Commerce is hereby authorized to establish, provide, or improve the following aids to navigation and other works in the Lighthouse Service, under the Department of Commerce, in accordance with the respective limits of cost hereinafter respectively set forth, which shall in no case be exceeded:

THIRD LIGHTHOUSE DISTRICT.

Constructing or purchasing and equipping a lighthouse tender to replace the tender *John Rodgers*, worn out in service in the third lighthouse district, or in the Lighthouse Service generally, $180,000.

The amendment was agreed to.

The next amendment was, in section 4, page 3, before the word "furnishing," to strike out "That for" and insert "For," so as to make the section read:

SEC. 4. For furnishing the principal isolated light stations with telegraph, telephone, or radio communication systems, so far as funds permit, to be expended in cooperation with the Treasury Department, in connection with the coast communication system of the Coast Guard, $100,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BUSINESS PASSED OVER.

The bill (S. 1725) to stimulate the production of food upon private and public lands within reclamation projects, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The PRESIDING OFFICER. It is so ordered.

The resolution (S. Res. 91) extending the authority of and provision for the committee appointed under Senate resolution 92, Sixty-third Congress, first session, to investigate the charges of alleged attempts to influence legislation was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 101) directing the Secretary of the Navy to furnish copies of the official dispatches upon which was based the statement of the chairman of the Committee on Public Information in regard to the encounter of the American fleet with submarines, together with other information about said Committee on Public Information, was announced as next in order.

Mr. SWANSON. Let that resolution go over.

The PRESIDING OFFICER. It is so ordered.

The joint resolution (S. J. Res. 25) providing for the appointment of a joint committee to be known as the joint committee on the conduct of the war was announced as next in order.

Mr. OVERMAN. Let that joint resolution go over.

The PRESIDING OFFICER. It is so ordered.

The concurrent resolution (S. Con. Res. 10) authorizing the appointment of a joint committee to investigate the causes of the recent riots in East St. Louis, Ill., and to report thereon was announced as next in order.

Mr. KENYON. Let that go over.

The PRESIDING OFFICER. It is so ordered.

The bill (S. 2717) prescribing rules for the government and regulation of the land and naval forces during the period of the existing war with Germany was announced as next in order.

Mr. HARDWICK. Let that bill go over.

The PRESIDING OFFICER. It is so ordered.

The joint resolution (S. J. Res. 2) proposing an amendment to the Constitution of the United States conferring upon women the right of suffrage was announced as next in order.

Mr. SMOOT. Let the joint resolution go over.

The PRESIDING OFFICER. It is so ordered.

The bill (S. 2854) to amend the naturalization laws was announced as next in order.

Mr. HARDWICK. May I inquire if that is the bill introduced by the Senator from New York [Mr. CALDER]?

The PRESIDING OFFICER. It is.

Mr. HARDWICK. I should not like to have that bill passed in his absence, and I therefore ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

MINING ON INDIAN RESERVATIONS.

The bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations was announced as next in order.

Mr. SMOOT. Let that go over.

Mr. SMITH of Arizona. I hope the Senator from Utah will not insist on that bill going over.

Mr. SMOOT. I suggest that the bill go over, and I will confer with the Senator about it.

Mr. SMITH of Arizona. I do not know when we will take up the calendar again.

Mr. SMOOT. I have no doubt there will be ample opportunity to take up the calendar again.

Mr. SMITH of Arizona. I am extremely anxious that that bill shall pass, and, if I can do so without trespassing upon the time of the Senate, I should like to say just a word in regard to it. Perhaps the Senate is not aware that nearly 50 per cent of the land in the State of Arizona is held in reserves. This bill gives the right to mine the valuable metals on such reservations, and the benefit of it to a great extent will go to the Indians themselves. It seems perfect folly to withhold from some sort of enterprise and development these great resources that are lying unused and will lie unused for the next hundred years if some such action as this is not taken. I appeal to the Senator from Utah on the next call of the calendar not to object to the consideration of this bill. I will consent to its going over now, although I should very much like to have the bill acted upon immediately.

Mr. SMOOT. I will say to the Senator from Arizona that he is familiar with the grounds of my objection to this class of legislation. Between now and the time when the calendar is again called I will consult with the Senator and see if some kind of an amendment can not be framed upon which we can agree that will make the bill more specific, so that if it should ever be attempted in the future to point to the bill as a precedent, the bill itself will show that it could not be so considered.

Mr. SMITH of Arizona. I am in hearty sympathy with the Senator's objection to establishing a precedent looking in the direction of the leasing of the public lands of the United States, but the very title and purpose of this bill, in my opinion, take it entirely out of that line of proposed legislation.

The PRESIDING OFFICER. Objection being made, the bill will go over.

JOHN FLANIGAN.

The bill (S. 387) for the relief of John Flanigan was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to John Flanigan $300 for a team of horses lost and destroyed in a flood in 1914 while they were being used by the employees of the Indian Bureau in the survey of Indian lands in Arizona.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALFRED CLUFF AND OTHERS.

The bill (S. 388) for the relief of Alfred Cluff, Orson Cluff, Henry E. Norton, William B. Ballard, Elijah Hancock, Mrs. Susan R. Saline, Oscar Mann, Celia Thayne, William E. Cox, Theodore Farley, Adelaide Laxton, Clara L. Tenney, George M. Adams, Charlotte Jensen, Sophia Huff, Peter H. McBride, and David Edward Adams was announced as next in order.

Mr. OVERMAN. I think that bill had better go over until the Senator who introduced it or some member of the committee is present to explain it.

The PRESIDING OFFICER. The bill will be passed over.

Mr. OVERMAN subsequently said: Mr. President, I understand that a bill similar to Senate bill 388 has heretofore passed the Senate, and I withdraw my objection to the consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate bill 388?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with amendments, on page 2, line 11, before the word "to," to strike out "and," and on the same page, line 12, after the numerals "$7,500," to insert "to Mrs. M. J. Ellsworth, of Mesa City, Ariz., $2,500, and to the heirs of J. H. Frisby, late of Provo, Utah, $3,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Alfred Cluff, of Mesa, Ariz., $2,500; to Orson Cluff, of Mesa, Ariz., $3,000; to Henry E. Norton, of Pima, Ariz., $5,000; to William B. Ballard, of Pima, Ariz., $3,500; to Elijah Hancock, of Eden, Ariz., $6,000; to Mrs. Susan R. Saline, of Pima, Ariz., $6,000; to Oscar Mann, of Provo Bench, Utah, $2,500; to Celia Thayne, of Orangeville, Utah, $5,000; to William E. Cox, of Union, Utah, $2,500; to Theodore Farley, of Provo Bench, Utah, $2,500; to Adelaide Laxton, of Show Low, Ariz., $1,000; to Clara L. Tenney, of Taylor, Ariz., $5,000; to George M. Adams, of Show Low, Ariz., $3,000; to Charlotte Jensen, of Eagar, Ariz., $5,000; to Sophia Huff, of Bluewater, N. Mex., $1,500; to Peter H. McBride, of Pima, Ariz., $5,000; to David Edward Adams, of Central, Ariz., $7,500; to Mrs. M. J. Ellsworth, of Mesa City, Ariz., $2,500, and to the heirs of J. H. Frisby, late of Provo, Utah, $3,000, in full compensation for loss and damage sustained by reason of the eviction and expulsion of the persons aforesaid from lands at the place known as Forest Dale, in Apache County, Ariz., which were settled and cultivated by the parties aforesaid as part of the public domain in the year 1878, which said lands so settled upon and improved were, at the time of settlement thereon by said persons hereinbefore set out, part and parcel of the public domain and public lands of the United States of America, but thereafter, and to wit, during the year 1882, the northern boundary line of the White Mountain or San Carlos Indian Reservation was removed and extended north about 10 miles, more or less, the result of which said extension of said boundary line did cause said lands theretofore settled upon by the persons herein above mentioned and said settlement of Forest Dale to be included within and made a part and parcel of said Indian reservation, and by reason of said inclusion of said lands aforesaid and said settlement of Forest Dale aforesaid, within said Indian reservation, the persons hereinbefore mentioned were evicted; and said sums aforesaid are hereby appropriated to be used and utilized for the purpose of reimbursing the persons aforesaid for their improvements, crops, personal property, and value of appurtenances incident to the homestead rights of said persons aforesaid seized, taken, and destroyed: *Provided, however,* That the Secretary of the Treasury shall make no payment to any of the above-named persons, or to their personal representatives, for any of said losses and damages sustained by reason of the eviction and expulsion of said persons from said lands until and unless the Secretary of the Interior shall have ascertained and determined that in his opinion and judgment the amounts proposed to be paid to the said above-named persons for such loss and damage aforementioned are fair, just, equitable, and in proportion to the losses and damages sustained by the

above-named persons: *Provided further*, That none of the moneys proposed to be paid by this act shall be paid to any person other than the claimant named herein or his or her personal representative, and that no lieu of any kind or nature shall be recognized by the Secretary of the Interior in making payment hereunder, and that no attorney's lien shall attach to any amount of money appropriated under this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Alfred Cluff, Orson Cluff, Henry E. Norton, William B. Ballard, Elijah Hancock, Mrs. Susan R. Saline, Oscar Mann, Celia Thayne, William E. Cox, Theodore Farley, Adelaide Laxton, Clara L. Tenney, George M. Adams, Charlotte Jensen, Sophia Huff, Peter H. McBride, David Edward Adams, Mrs. M. J. Ellsworth, and the heirs of J. H. Frisby."

SUSPENSION OF PAYMENTS ON PUBLIC-LAND ENTRIES.

The bill (S. 2865) for the suspension of payments on public lands by entrymen in the military or naval service of the United States was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That if any person has made entry prior to July 1, 1917, under any of the public-land laws of the United States upon which payments are required, including the entry of ceded Indian lands, shall have enlisted or shall have been drafted into the military or naval service of the United States the time within which such payments are required shall be suspended during the period of such military or naval service.

Mr. SMOOT. I see the Senator from Montana [Mr. MYERS] is present in the Chamber, and I should like to ask the Senator if we did not pass similar legislation to this at the last session of Congress?

Mr. MYERS. No bill for this purpose has become a law. This measure was drawn by the department, and sent down with the request that it be introduced.

Mr. SMOOT. I know it is a department bill, and I am quite sure we passed a similar bill; but I am not positive whether the House passed it or whether it became a law.

Mr. MYERS. I am sure it has not become a law.

Mr. SMOOT. I presume it will not hurt to pass it again.

Mr. MYERS. The department drew the bill and asked that it be introduced; that is all I know about it.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FLATHEAD INDIAN RESERVATION, MONT.

The bill (S. 932) to provide for stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont., was considered as in Committee of the Whole. It proposes to amend the act of April 23, 1904 (33 Stat. L., 302), entitled "An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana," and all amendments thereto, by adding thereto the following section:

SEC. 26. That the Secretary of the Interior be, and he hereby is, authorized and directed to designate as valuable for stock-watering purposes such of the unallotted and unreserved lands of the Flathead Indian Reservation which border on streams as may be subject to settlement and disposal under sections 9 and 13 of this act. Lands so designated shall be disposed of under the terms of this act, subject to the condition, which shall be expressed in all patents issued for lands so designated, that existing trails crossing said lands shall be kept open to the extent necessary to provide access for live stock to streams adjacent to said lands. The Secretary of the Interior is authorized and directed to perform all acts necessary to the enforcement of this condition.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SELECTION OF LIEU LANDS.

The bill (S. 934) authorizing the State of Montana to select other lands in lieu of lands in section 16, township 2 north, range 30 east, within the limits of the Huntley irrigation project and the ceded portion of Crow Indian Reservation in said State, was considered as in Committee of the Whole. It authorizes the State of Montana to select, in lieu of lands in section 16, township 2 north, range 30 east, within the limits of the lands withdrawn for the Huntley irrigation project and formerly within the ceded portion of the Crow Indian Reservation in Montana, other unappropriated surveyed nonmineral public lands of equal area situated within the limits of that State in the manner provided in the act approved February 28, 1891 (26 Stat. L., 796), entitled "An act to amend sections 2275 and 2276 of the Revised Statutes of the United States providing for the selection of lands for educational purposes in lieu of those appropriated for other purposes"; but such selection of lands by the State shall be a waiver of its right to the lands in section 16; and the homestead entries heretofore erroneously allowed for a portion of section 16 shall become valid, subject to future compliance with the law applicable thereto.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CITY OF BOZEMAN, MONT.

The bill (S. 936) to authorize the Secretary of the Treasury to convey to the city of Bozeman, Mont., certain land for alley purposes was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to convey, by quitclaim deed, to the city of Bozeman, Mont., for the purpose of a public alley, and for no other purpose, all the right, title, and interest of the United States in and to a strip of land 10 feet in width off of the rear of the Federal building site in the city of Bozeman; but the adjacent and abutting property owners shall also quitclaim to the city a strip of land of sufficient width to create a 17½-foot alley; and the city of Bozeman shall open the alley and improve and maintain it as other public alleys of the city are improved and maintained.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CULTIVATION OF HOMESTEADS.

The bill (S. 937) to amend an act entitled "An act to amend sections 2291 and 2297 of the Revised Statutes of the United States, relating to homesteads," was considered as in Committee of the Whole. It proposes to amend the provisions pertaining to cultivation by entrymen of homestead lands as set forth in the section of the act approved June 6, 1912, entitled "An act to amend section 2291 and section 2297 of the Revised Statutes of the United States, relating to homesteads," so as to read as follows:

Provided further, That the entryman shall, in order to comply with the requirements of cultivation herein provided for, cultivate not less than one-sixteenth of the area of his entry, beginning with the second year of the entry, and not less than one-eighth, beginning with the third year of the entry, and until final proof, except that in the case of entries under section 6 of the enlarged homestead law double the area of cultivation herein provided shall be required: *And provided further*, That whenever the lands entered are covered with a growth of poles, brush, and scrub timber the entryman in lieu of cultivation required herein may make improvements upon his entry by slashing, clearing, or in any other way preparing the land for cultivation, said improvements to aggregate an amount of not less than $150: *And provided further*, That the above provision as to cultivation shall not apply to entries under the act of April 28, 1904, commonly known as the Kinkaid Act, or entries under the act of June 17, 1902, commonly known as the reclamation act, and that the provisions of this section relative to the homestead period shall apply to all unperfected entries as well as entries hereafter made upon which residence is required.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 939) relating to the duties of registers of United States land offices and the publication in newspapers of official land-office notices was announced as next in order.

Mr. SMOOT. Let that bill go over.

Mr. MYERS. Mr. President, I should just like to say that that bill has passed the Senate twice in exactly the same form, once during the last Congress.

Mr. SMOOT. I know it has.

The PRESIDING OFFICER. The bill will be passed over.

FORT PECK INDIAN RESERVATION, MONT.

The bill (S. 955) providing for noncontiguous homestead entries within the former Fort Peck Indian Reservation, Mont., of land of the character described in the enlarged homestead act of February 19, 1909, was considered as in Committee of the Whole. It proposes that any person who has made or shall make homestead entry subject to the provisions of the act approved May 30, 1908 (35 Stats., p. 558), entitled "An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana," etc., of land of the character provided by the enlarged homestead act approved February 19, 1909 (35 Stats., p. 639), and who is unable, because there is no vacant land of like character contiguous to his original entry, to enter additional land, may be permitted to make an additional entry, also subject to said act of May 30, 1908, of noncontiguous land of the character described in the enlarged homestead act, above cited, which shall not, together with the original entry, exceed 320 acres; such additional entry to be in reasonably compact form and subject to the general provisions of the homestead laws relating to improvements, cultivation, and final proof, provided that the land originally entered and that covered by the additional entry shall have first been designated under the aforesaid enlarged homestead act.

Mr. SMOOT. Mr. President, I want to ask the Senator from Montana if this is not a bill to which there is an objection on the part of the department?

Mr. MYERS. No, Mr. President; the department has no objection to this bill. The bill was passed by the Senate during the last Congress. The department has no objection to it. It has never passed the House, but it passed the Senate during the last Congress.

Mr. SMOOT. I may be mistaken, Mr. President, but I understood that there was an objection by the department to the passage of this bill; and I call the Senator's attention to the fact that there is no report from the department in regard to it.

Mr. MYERS. It was reported on at the last Congress.

Mr. SMOOT. Does the Senator say that this identical bill passed at the last session of Congress?

Mr. MYERS. Oh, yes; it passed at the last session of Congress.

The PRESIDING OFFICER. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COCONINO AND TUSAYAN NATIONAL FORESTS, ARIZ.

The bill (S. 389) to extend the time for cutting timber on the Coconino and Tusayan National Forests, Ariz., was considered as in Committee of the Whole. It proposes to extend the rights of the Saginaw & Manistee Lumber Co., and its successors in interest, to cut and remove the timber from such of the lands within the Coconino and Tusayan National Forests as were reconveyed to the United States, subject to outstanding timber-right contracts held by said company, under the rules, regulations, and conditions imposed by the Secretary of the Interior at the time of said reconveyance, to and until the 31st day of December, anno Domini 1950, provided that said company executes and enters into an agreement with the Secretary of Agriculture to comply with such additional requirements as may be mutually agreed upon to promote forest-fire protection, reforestation, and forestry administration; but the act shall not be construed to confer upon said company any other rights in addition to those held by the company at the time of said reconveyance, and in the absence of the execution of such an agreement, the act shall neither extend nor restrict the present rights of said company.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN MONTANA.

The joint resolution (S. J. Res. 24) to permit of the disposition of certain lands in Montana ceded by the Crow Indians, was considered as in Committee of the Whole.

The Secretary read the joint resolution, as follows:

Resolved, etc., That nothing contained in section 31 of the act of March 3, 1891, entitled "An act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1892, and for other purposes," shall hereafter be so construed as to prohibit the offering at public sale of any tract of land affected thereby, which is otherwise subject to such offering, under the provisions of section 2455, United States Revised Statutes, as amended by the act of March 28, 1912 (37 Stat. L., p. 77): *Provided*, That in no order for an offering of such lands shall a minimum price be fixed less than the price therefor fixed by existing laws.

SEC. 2. That all lands not otherwise reserved that have been withdrawn or classified as coal lands, or are valuable for coal, restored to entry under the authority of the act approved April 27, 1904 (33 Stats., p. 352), entitled "An act to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect," shall be subject to disposal in the same manner and under such terms and conditions as have been or may be provided for the disposition of nonmineral lands opened to entry or sale by the aforesaid act: *Provided*, That such disposals and the lands affected thereby shall be subject to all the provisions of the act approved June 22, 1910 (36 Stats., p. 583), entitled "An act to provide for agricultural entries on coal lands," hereby extended thereto.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 950) to provide for the nonmineral entry of lands withdrawn, classified, or reported as containing coal, phosphate, nitrate, potash, oil, gas, or asphaltic minerals in Alaska was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

RIGHTS TO SETTLERS ON RECLAMATION PROJECTS.

The bill (S. 44) granting additional rights to settlers on reclamation projects was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That any person otherwise qualified to enter a homestead under the laws of the United States who shall have made entry of a tract less than 160 acres within or under any reclamation project, or who, having made an entry of any area under such project, has been required to release or surrender a part thereof, that the same may confom in extent to the farm unit prescribed for such project or the part thereof embracing the land so entered by him, may make an additional homestead entry of so much land open to such entry, and not within or under any reclamation project or withdrawn in anticipation of the initiation of such, as with the land which he theretofore entered or was permitted to retain, as shall amount to 160 acres.

SEC. 2. That any person otherwise qualified to enter a homestead under the laws of the United States who shall have made entry of a tract of less than 160 acres outside of a reclamation project may make an additional entry of a farm unit subject to entry within a reclamation project of such area as added to his original entry will not exceed 160 acres.

SEC. 3. That all laws in relation to homesteads shall be applicable to such additional entries.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TIMBER FOR MINING PURPOSES.

The bill (S. 26) authorizing the cutting of timber for mining purposes by corporations organized in one State and conducting mining operations in another was considered as in Committee of the Whole. It proposes that section 1 of an act entitled "An act authorizing the citizens of Colorado, Nevada, and the Territories to fell and remove timber on the public domain for mining and domestic purposes," approved June 3, 1878, chapter 150, page 88, volume 20, United States Statutes at Large, and section 8 of an act entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891, as amended by an act approved March 3, 1891, chapter 559, page 1093, volume 26, United States Statutes at Large, and the several acts amendatory thereof, be extended so that it shall be lawful for the Secretary of the Interior to grant permits to corporations incorporated under a Federal law of the United States or incorporated under the laws of a State or Territory of the United States, other than the State in which the privilege is requested, said permits to confer the same rights and benefits upon such corporations as are conferred by the aforesaid acts upon corporations incorporated in the State in which the privilege is to be exercised, provided that all such corporations shall first have complied with the laws of that State so as to entitle them to do business therein; but nothing herein shall operate to enlarge the rights of any railway company to cut timber on the public domain.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 23) granting to the State of Nevada 7,000,000 acres of land in said State for the use and benefit of the public schools of Nevada and the State university of the State of Nevada was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

ROCKY MOUNTAIN NATIONAL PARK.

The bill (S. 1555) to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915, was announced as next in order.

Mr. SMOOT. I think that bill had better go over.

Mr. SHAFROTH. Mr. President, I hope the Senator will not object to the consideration of the bill. It passed the Senate at the last Congress, and the provision repealed is one that is not proper in a bill of this kind. The passage of the bill is recommended by the Secretary of the Interior, and it seems to me we ought to pass it.

Mr. SMOOT. I shall not object, although I will say to the Senator that I am not in favor of this legislation, because in the act creating the park there is a limitation of a certain amount on the sum which may be expended annually for the maintenance of the park. This bill simply repeals the limitation, so that hereafter the appropriations can be $100,000 annually, or any other sum, instead of $10,000. But I am not going to object, the Senate having passed the bill.

Mr. SHAFROTH. Mr. President, in answer to the remarks of the Senator from Utah I will say that this limitation of $10,000 is perfectly ridiculous in this case. A limitation of $10,000 in the case of a park that gets more visitors than any other three national parks in the entire United States is not sufficient, as a matter of fact, to pay for patrolling the park, let alone the various other expenditures that are necessary. The question of appropriations for the park will come before the Appropriations Committee when they are needed, but it seems to me the bill ought to pass.

Mr. SMOOT. In answer to the Senator I will say that the bill establishing the park would not have passed originally if it had provided for an annual expenditure of more than $10,000. The presence of that limitation in the bill was one of the reasons for its passage. As I say, however, I am not going to object to the consideration of the bill at this time, it having passed the Senate once before.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It repeals the last proviso of section 4 of an act entitled "An act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes," approved January 26, 1915, which is as follows:

Provided, That no appropriation for the maintenance, supervision, or improvement of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CONSOLIDATION OF NATIONAL FOREST LANDS.

The bill (S. 93) to consolidate national forest lands, was announced as next in order.

Mr. POINDEXTER. Let that bill go over, Mr. President.

Mr. MYERS. Mr. President, I appeal to the Senator who objected to the consideration of the bill to let it be read and see if there is any objection to it. It is greatly needed, I think.

Mr. SMOOT. Mr. President, I will say that the bill was sent to me by the Secretary of the Interior with the request that I introduce it. I introduced it at the last session of Congress, and it was passed. The object of the bill is to allow the consolidation of lands within forest reserves, so that the administration of the forests will be better attended to than it has been in the past, and it will do away with the many individual bills for the transfer of lands within forest reserves for the same purpose.

Mr. MYERS. The bill was very fully considered in committee, and I hope the objection will be withdrawn.

Mr. STERLING. Mr. President, in looking over the report of the committee in regard to this bill I find a letter from the Secretary of the Interior recommending certain amendments. I will ask the Senator from Utah if that suggestion of the Secretary of the Interior has been followed?

Mr. SMOOT. I will say to the Senator that the letter from the Secretary of the Interior was dated May 18, 1916, and the clerk of the committee has put in that letter without noting that the amendments suggested were made in the bill as it has been reported.

Mr. MYERS. The amendments were made. I called attention to them myself and had them made.

Mr. POINDEXTER. Mr. President, I will say that the letter from the Secretary of the Interior set out in the report states that he sees no reason for the passage of the bill, so evidently he is not very much interested in it. I will look into it, however, and take it up at another time.

Mr. SMOOT. He asks that the bill be referred to the Secretary of Agriculture, as of course the forest reserves are under that department, and if the Senator will turn over the page he will find a letter from the Acting Secretary of Agriculture stating that the department would approve the passage of the bill.

Mr. POINDEXTER. I have examined it.

The PRESIDING OFFICER. Does the Senator from Washington insist upon his objection?

Mr. POINDEXTER. I do.

The PRESIDING OFFICER. The bill will be passed over.

AGRICULTURAL ENTRIES ON ALASKAN COAL LANDS.

The bill (S. 95) to provide for agricultural entries on coal lands in Alaska was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That from and after the passage of this act homestead claims may be initiated by actual settlers for public lands of the United States in Alaska known to contain workable coal, oil, or gas deposits, or that may be valuable for the coal, oil, or gas contained therein, and which are not otherwise reserved or withdrawn, whenever such claim shall be initiated with a view of obtaining or passing title with a reservation to the United States of the coal, oil, or gas in such lands, and of the right to prospect for, mine, and remove the same; and any settler who has initiated a homestead claim in good faith on lands containing workable deposits of coal, oil, or gas, or that may be valuable for the coal, oil, or gas contained therein, may perfect the same under the provisions of the laws under which the claim was initiated, but shall receive the limited patent provided for in this act: *Provided, however*, That should it be discovered at any time prior to the issuance of a final certificate on any claim initiated for unreserved lands in Alaska that the lands are coal, oil, or gas in character, the patent issued on such entry shall contain the reservation required by this act.

SEC. 2. That upon satisfactory proof of full compliance with the provisions of the laws under which the entry is made and of this act the entryman shall be entitled to a patent to the lands entered by him, which patent shall contain a reservation to the United States of all the coal, oil, or gas in the land so patented, together with the right to prospect for, mine, and remove the same. The coal, oil, or gas deposits so reserved shall be subject to disposal by the United States in accordance with the provisions of the laws applicable to coal, oil, or gas deposits or coal, oil, or gas lands in Alaska in force at the time of such disposal. Any person qualified to acquire coal, oil, or gas deposits, or the right to mine and remove the coal or to drill for and remove the oil or gas under the laws of the United States, shall have the right at all times to enter upon the lands entered or patented, as provided by the provisions of this act, for the purpose of prospecting for coal, oil, or gas therein, upon the approval by the Secretary of the Interior of a bond or undertaking to be filed with him as security for the payment of all damages to the crops and improvements on such lands by reason of such prospecting. Any person who has acquired from the United States the coal, oil, or gas deposits in any such land, or the right to mine, drill for, or remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining and removal of the coal, oil, or gas therefrom, and mine and remove the coal or drill for and remove the oil or gas upon payment of the damages caused thereby to the owner thereof, or upon giving a good and sufficient bond or undertaking in an action instituted in any competent court to ascertain and fix said damages: *Provided*, That the owner under such limited patent shall have the right to mine the coal for use on the land for domestic purposes at any time prior to the disposal by the United States of the coal deposits: *Provided further*, That nothing in this act shall be construed as authorizing the exploration upon or entry of any coal deposits withdrawn from such exploration and purchase: *And provided further*, That nothing herein contained shall be held or construed to authorize the entry or disposition of withdrawn or classified coal lands or lands valuable for coal, oil, or gas under section 2306, United States Revised Statutes, or acts amendatory thereof or supplemental thereto, commonly known as soldiers' homestead law.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REGISTERS AND RECEIVERS OF DISTRICT LAND OFFICES.

The bill (S. 102) relating to the temporary filling of vacancies occurring in the offices of register and receiver of district land offices was considered as in Committee of the Whole. It authorizes the Secretary of the Interior, in case of the death, resignation, or refusal or inability to act of any register or receiver of any distict land office, to designate some employee of his department to perform the duties of such officer until the disability of such officer is removed or his successor is appointed and qualified, provided that the person so designated shall receive the same compensation as would be allowed to a regularly appointed register or receiver while so acting.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS TO MEMBERS OF FORMER LIFE-SAVING SERVICE.

The bill (S. 352) granting pensions to certain members of the former Life-Saving Service was considered as in Committee of the Whole. It provides that any person who served in the former Life-Saving Service of the United States as a keeper or surfman, and who, on account of disability due to a wound or injury received or disease contracted in said Life-Saving Service in line of duty, has been or is entitled to be carried on the pay rolls for a period of one year or more under the provisions of section 7 of the act approved May 4, 1882, and who ceased to be a member of said service on account of such disability, and whose disability still continues, shall, upon making due proof of such facts according to such rules and regulations as the Secretary of the Interior may prescribe, be placed on the pension roll of the United States and be entitled to receive a pension, provided that the rate, commencement, and duration of such pension shall be governed by the provisions and limitations of the general pension laws, and for the purpose of this act the rank of a surfman and keeper shall be held to be equivalent to that of a seaman and warrant officer of the United States Navy, respectively; provided further that no person shall receive a pension under any other law at the same time or for the same period that he is receiving a pension under the provisions of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF WORK OF PUBLIC HEALTH SERVICE.

The bill (S. 994) extending the benefits of care and treatment by the Public Health Service to seamen on vessels used in the service of the United States was considered as in Committee of the Whole. It provides that the seamen on all vessels belonging to and used in the service of the United States, or any department or branch thereof, whose care and medical treatment are not otherwise provided for by the Government, shall be entitled to such privileges of care and treatment by the Public Health Service as are now accorded to the seamen on documented vessels of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PORT WASHINGTON PIERHEAD LIGHT STATION, WIS.

The bill (S. 1462) to establish a fog signal at the Port Washington Pierhead Light Station, Wis., was considered as in Committee of the Whole. It authorizes the Secretary of Commerce to establish a fog signal at the Port Washington Pierhead Light Station, Wis., at a cost not to exceed $4,000, which sum is appropriated by the bill out of any money in the Treasury not otherwise appropriated.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AIDS TO NAVIGATION.

The bill (S. 1463) to establish aids to navigation at Fond du Lac Harbor, Wis., was considered as in Committee of the Whole. It authorizes the Secretary of Commerce to establish aids to navigation at Fond du Lac Harbor, Wis., at a cost not to exceed $5,000, which sum is appropriated by the bill out of any money in the Treasury not otherwise appropriated.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EIGHT-YEAR LIMITATION ON RATIFICATION OF CONSTITUTIONAL AMENDMENTS.

The joint resolution (S. J. Res. 90) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. STERLING. Let that go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

HOMESTEAD ENTRIES BY MINORS.

The bill (S. 1849) permitting minors of the age of 18 years or over to make homestead entry of the public lands of the United States, was considered as in Committee of the Whole. It proposes that any minor of the age of 18 years or over, and otherwise qualified under the public-land laws, shall be permitted to make homestead entry, under and subject to the homestead laws of the United States, provided that no minor shall be permitted to make final proof upon such an entry or receive patent therefor until he or she shall have attained the age of 21 years; and provided further that such entryman shall comply with all the requirements of the homestead laws as to cultivation and improvement of the land entered.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 3388) to amend the emergency shipping-fund provisions of the urgent deficiency appropriation act approved June 30, 1917, so as to empower the President and his designated agents to take over certain transportation systems for the transportation of shipyard and plant employees, and for other purposes, was announced as next in order.

Mr. SMOOT. I will ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

SIGNING OF OFFICIAL PAPERS OF INTERIOR DEPARTMENT.

The joint resolution (S. J. Res. 104) authorizing the assistant to the Secretary of the Interior to sign official papers and documents was considered as in Committee of the Whole. It authorizes the assistant to the Secretary of the Interior to sign such official papers and documents as the Secretary may direct.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FLATHEAD INDIAN RESERVATION, MONT.

The bill (S. 940) to provide for the payment for certain lands within the former Flathead Indian Reservation, in the State of Montana, was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That in all cases where lands within the former Flathead Indian Reservation which were classified and appraised during the years 1912 and 1913 by the commission appointed for that purpose under authority of the act of June 25, 1910, have been appraised at an amount in excess of the amount at which similar lands were appraised by the Flathead Commission of 1907 and 1908, persons who have between August 26, 1910 and June 14, 1911, settled upon, or between said dates filed applications to enter, such lands, and which applications have been or may hereafter be allowed, shall not be required to pay more for the lands so settled upon or entered by them than the highest amount specified by the Flathead Commission of 1907 and 1908 for lands of like character and similar classification.

SEC. 2. That in all cases where patents shall be issued for land paid for under the foregoing sections of this act there shall be transferred, from any funds belonging to the United States not otherwise appropriated, to the credit of the Indians for whose benefit such lands are disposed of, such an amount as shall equal the difference between the amount so paid under said sections and the amount at which the lands so paid for have been appraised or reappraised by the commission of 1912 and 1913.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALBERT O. BROWN.

The bill (S. 2886) for the relief of Albert O. Brown was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Interior to allow the homestead application of Albert O. Brown, Phoenix 033,328, for the southeast quarter section 17, township 1 south, range 2 east, Gila and Salt River meridian, subject to the reclamation law, and to allow said entryman, in complying with the requirements of the homestead laws, credit for his residence upon and cultivation of said land prior to the date of the passage of the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

J. G. SEUPELT.

The bill (S. 1084) for the relief of J. G. Seupelt was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands, with amendments, on page 1, line 5, after the word "price," to strike out "to be determined in such manner as the Secretary of the Interior may prescribe," and, on page 2, line 6, after the words "after the," to strike out "date of the approval of this act or within 90 days after appraisal if not appraised prior to the passage of this act," and insert "execution and acceptance of the survey of the island," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to permit one J. G. Seupelt to enter under the homestead laws, at the appraised price a certain unsurveyed island in the Colville Indian Reservation, Wash., known as "Hog Island," containing about 152 acres, located in the Columbia River, and within sections 26 and 35, township 30 north, range 36 east, of the Willamette meridian, in the State of Washington: *Provided*, That proceeds arising hereunder shall be subject to the provisions of section 6 of the act of March 22, 1906, volume 34, United States Statutes at Large, page 81: *Provided further*, That the right of entry by the said Seupelt shall be exercised within 90 days after the execution and acceptance of the survey of the island: *And provided further*, That the land hereby disposed of shall be subject to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country, until otherwise provided by Congress.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCES MACK MANN.

The bill (S. 2487) permitting Frances Mack Mann to purchase certain public lands, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment, on page 1, line 12, after the word "acres," to insert "in the State of Colorado," so as to make the bill read:

Be it enacted, etc., That Frances Mack Mann be permitted to purchase lot 11, comprising 3.71 acres; lot 12, comprising 1.58 acres; lot 13, comprising 28.38 acres; lot 16, comprising 39.67 acres, all situate in the east half of the northwest quarter of section 6, township 2 south, range 72 west of the sixth principal meridian, containing 73.33 acres, in the State of Colorado, at $1.50 per acre.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 3311) to increase and expedite the supply of munitions of war was announced as next in order.

Mr. MARTIN. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF CRIMINAL CODE.

The bill (S. 3470) to amend section 35 of the Criminal Code of the United States was considered as in Committee of the Whole. It proposes to amend section 35 of the Criminal Code of the United States, to read as follows:

SEC. 35. And whoever shall purchase, or receive in pledge, from any person any arms, equipment, ammunition, clothing, military stores, or other property furnished by the United States, under a clothing allowance or otherwise, to any soldier, sailor, officer, cadet, or midshipman in the military or naval service of the United States or of the National Guard or Naval Militia, or to any person accompanying, serving, or retained with the land or naval forces and subject to military or naval law, shall be fined not more than $500 and imprisoned not more than two years.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FURLOUGHS TO ENLISTED MEN OF THE ARMY.

The bill (S. 3471) to authorize the Secretary of War to grant furloughs without pay and allowances to enlisted men of the Army of the United States was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 1, line 3, after the word "whenever," to insert "during the continuance of the present war," so as to make the bill read:

Be it enacted, etc., That, whenever during the continuance of the present war, in the opinion of the Secretary of War the interests of the service or the national security and defense render it necessary or desirable, the Secretary of War be, and he hereby is, authorized to grant furloughs to enlisted men of the Army of the United States with or without pay and allowances or with partial pay and allowances, and, for such periods as he may designate, to permit said enlisted men to engage in civil occupations and pursuits.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISTINCTIVE BADGES FOR EXEMPTED MEN.

The bill (S. 3472) to authorize the Secretary of War to provide and issue distinctive buttons or badges to men drafted or volunteering for enlistment in the military forces who are exempted or rejected, and to provide a penalty for unlawfully wearing, procuring, or manufacturing the same, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with amendments, on page 1, line 4, after the word "issue," to insert "upon payment of a reasonable charge therefor"; on page 2, line 6, after the word "persons," to strike out "without charge therefor" and insert "upon payment of a like charge"; in line 11, after the word "issued," to strike out "and" and insert "said charge being intended"; and in line 12, after the word "same," to strike out "out of any appropriations heretofore or hereafter made for expenses incident to or necessary for the registration, selection, or draft of persons available for military service," so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he hereby is, authorized and directed to provide and issue, upon payment of a reasonable charge therefor, to all men who, under the provisions of an act to authorize the President to increase temporarily the Military Establishment of the United States, approved May 18, 1917, or of any law hereafter enacted, have heretofore been or shall hereafter be, drafted into the military service but subsequently exempted therefrom, or who heretofore or hereafter having volunteered for military service shall have been or shall be rejected for any cause, a distinctive button or badge of such design, size, and composition as he shall determine and adopt, and to cause a new button or badge to be issued to such persons upon payment of a like charge whenever during the present emergency the button or badge originally issued shall have been lost, destroyed, or rendered unfit for use without fault upon the part of the person to whom it was issued, said charge being intended to meet the cost of procuring, providing, and distributing the same.

SEC. 2. That it shall be unlawful for any person other than the one who has been drafted and exempted or who has volunteered and been rejected, as aforesaid, to wear said button or badge, or other button or badge approximating the design thereof, or for any person by misrepresentation to procure the issuance of either an original or substitute button or badge, or for any person, partnership, association, or corporation without the authority of the Secretary of War therefor to manufacture said button or badge or other button or badge approximating the design thereof; and any person, partnership, association, or corporation who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $500 or by imprisonment for not more than six months, or by both such fine and imprisonment.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF NATIONAL-DEFENSE ACT.

The bill (S. 3526) to amend section 11 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That the first paragraph of section 11 of chapter 134, 39th Statutes, page 173, be, and the same hereby is, amended to read as follows:

"The Corps of Engineers shall consist of 1 Chief of Engineers, with the rank of brigadier general; 23 colonels; 30 lieutenant colonels; 72 majors; 152 captains; 148 first lieutenants; 79 second lieutenants; and the enlisted men hereinafter enumerated. The Engineer troops of the Corps of Engineers shall consists of seven regiments and two mounted battalions."

SEC. 2. That the second paragraph of section 11 of chapter 134, 39th Statutes, page 173, be, and the same hereby is, amended to read as follows:

"Each regiment of Engineers shall consist of 1 colonel; 1 lieutenant colonel; 2 majors; 11 captains; 12 first lieutenants; 6 second lieutenants; 2 master engineers, senior grade; 1 regimental sergeant major; 2 regimental supply sergeants; 2 color sergeants; 1 sergeant bugler; 1 cook; 1 wagoner for each authorized wagon of the field and combat train; 1 band; and 2 battalions."

SEC. 3. That the fourth paragraph of section 11 of chapter 134, 39th Statutes, page 174, be, and the same hereby is, amended to read as follows:

"Each band of a regiment of Engineers shall consist of 1 band leader; 1 assistant band leader; 1 first sergeant (drum major); 2 band sergeants; 4 band corporals; 2 musicians, first class; 4 musicians, second class; 13 musicians, third class; and 2 cooks."

Mr. CHAMBERLAIN. Mr. President, I desire to suggest two amendments to this bill. They are indicated in a copy of the bill which I am sending to the desk, so that the Secretary will be able to note what the amendments are. I found out, after the committee had reported the bill, that it overlooked an amendment to the statutes which was made in the war-risk insurance bill. The proposed amendments are to make the bill conform to the law as it now stands.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. On page 1, line 3, before the word "first," it is proposed to insert the words "last sentence of the," so that, if amended, it will read:

That the last sentence of the first paragraph.

The amendment was agreed to.

The SECRETARY. It is also proposed to strike out, on page 1, lines 7, 8, 9, and 10, and on page 2, lines 1, 2, 3, and 4, down to and including the word "enumerated," in the following words:

The Corps of Engineers shall consist of 1 Chief of Engineers, with the rank of brigadier general; 23 colonels; 30 lieutenant colonels; 72 majors; 152 captains; 148 first lieutenants; 79 second lieutenants; and the enlisted men hereinafter enumerated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOINT RESOLUTION PASSED OVER.

The joint resolution (S. J. Res. 49) authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States, was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

LANDS IN MONTANA.

The bill (S. 935) for the relief of settlers on certain railroad lands in Montana, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment, on page 2, line 7, before the words "public lands" to insert the word "surveyed," so as to make the bill read:

Be it enacted, etc., That in the adjustment of the grants to the Northern Pacific Railroad Co., if any of the lands within the indemnity limits of said grants through that portion of the former reservation for the Gros Ventre, Piegan, Blood, Blackfoot, and River Crow Indians lying south of the Missouri River in the State of Montana be found in possession of an actual bona fide qualified settler under the homestead laws of the United States who has made substantial improvements thereon and such land has been adjudged by the Secretary of the Interior to inure to the Northern Pacific Railway Co. under the grants made to its predecessor in interest, the Northern Pacific Railroad Co., the Northern Pacific Railway Co. upon request of the Secretary of the Interior may file a relinquishment of said lands in favor of the settler and shall then be entitled to select an equal quantity of other lands in lieu thereof from any of the surveyed public lands within the State of Montana, not mineral and not otherwise appropriated at the date of selection, to which it shall receive title the same as though originally granted: *Provided, however*, That lands withdrawn or classified as coal lands may be selected by said company, and as to such lands it shall receive a restricted patent as provided by the act of June 22, 1910.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONDEMNED CANNON FOR EVERETT, WASH.

The bill (S. 302) authorizing the Secretary of the Navy to make donation of condemned naval guns and cannon balls to the John Wannebo Camp, No. 9, United Spanish War Veterans, Everett, Wash., to be placed in public parks, was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to supply to John Wannebo Camp, No. 9, United Spanish War Veterans, Everett, Wash., two condemned naval guns formerly in use on board a vessel under the command of Admiral Dewey engaged in the Battle of Manila Bay, together with an assortment of cannon balls, same to be placed in a public park of the said city of Everett.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PAYMENTS TO ADMIRAL CAPERTON AND OTHERS.

The bill (S. 3446) to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes," approved March 4, 1917, was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to pay out of the appropriation "Pay, miscellaneous," in the "Act making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes," approved March 4, 1917, to the following-named officers, the officers at the time the expenses were incurred having the designated ranks, the amounts set opposite their respective names, said sums being the amounts expended by these officers for quarters and subsistence while absent from their ships on special temporary duty under proper orders in connection with the salvage operations of the United States ships *H-3* and *Milwaukee*: Admiral William B. Caperton, United States Navy, $32; Pay Inspector Joseph Fyffe, United States Navy, $32; Maj. Richard M. Cutts, United States Marine Corps, $7; Lieut. Augustin T. Beauregard, United States Navy, $32; Lieut. (Junior Grade) Howard M. Lammers, United States Navy, $31.50.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FRED C. KONRAD.

The bill (S. 179) to correct the naval record of Fred C. Konrad was considered as in Committee of the Whole.

The bill was reported from the Committee on Naval Affairs with an amendment, to strike out all after the enacting clause and insert:

That Fred C. Konrad, formerly an electrician, first class, in the United States Navy, shall receive the benefits conferred by section 1754 of the Revised Statutes of the United States, relative to preference for appointment to civil offices, in the same manner and to the same extent as if he had been honorably discharged from the naval service by reason of sickness incurred in the line of duty.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Fred C. Konrad."

ADJUDICATION OF PRIVATE CLAIMS.

The bill (S. 1795) to relieve Congress from the adjudication of private claims against the Government was announced as next in order.

Mr. GALLINGER. Let the bill go over.

The PRESIDING OFFICER. Objection being made, the bill goes over.

LANDS AT M'MINNVILLE, OREG.

The bill (S. 2784) to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OREGON NATIONAL FOREST.

The bill (S. 3225) to reserve as a part of the Oregon National Forest certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That all of the land contained within the grant by the United States to the Oregon & California Railroad Co. that was revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of Oregon & California Railroad Co. *v.* United States (238 U. S., 393), and an act of Congress approved June 9, 1916, that lies within that part of the Oregon National Forest that is described in the proclamation of the President under date of June 17, 1892, and designated as Bull Run National Forest, be, and the same hereby is, reserved and set aside as a part of the Oregon National Forest.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DESERT-LAND ENTRIES.

The bill (S. 2315) to extend the time within which final proof is required to be submitted upon any lawful pending desert-land entry made prior to July 1, 1915, such extension not to exceed three years from the date of allowance thereof, was considered as in Committee of the Whole.

The bill was reported from the Committee on the Public Lands with an amendment, on page 2, line 3, before the word "act," to strike out "the" and insert "this," so as to make the bill read:

Be it enacted, etc., That the provisions of the last three paragraphs of section 5 of the act of March 4, 1915, entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year 1915, and for prior years, and for other purposes," be, and the same are hereby, extended and made applicable to any lawful pending desert-land entry made prior to March 4, 1915: *Provided*, That in cases where such entries have been assigned prior to the date of this act the assignees shall, if otherwise qualified, be entitled to the benefits hereof.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXCHANGE OF LANDS IN UTAH.

The bill (S. 97) authorizing the exchange of certain lands in the State of Utah for the protection of the water supply of Salt Lake City was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to issue patent to the Gray Trust Co., incorporated under the laws of the State of Utah, for the following described lands: West half northwest quarter, southeast quarter northwest quarter, southwest quarter, west half northeast quarter, west half southeast quarter, section 22, township 1 north, range 2 east, Salt Lake meridian, containing 440 acres, upon the transfer by the said Gray Trust Co. to the United States of the southeast quarter, east half southwest quarter, southwest quarter southwest quarter, section 36, township 1 north, range 2 east, and northeast quarter, section 2, township 1 south, range 2 east, Salt Lake meridian, containing 440 acres: *Provided*, That the Attorney General of the United States shall certify that a good and sufficient title to the reconveyed lands will vest in the Government: *Provided further*, That the lands reconveyed to the United States shall forthwith become a part of the Wasatch National Forest.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IRRIGATION AND RECLAMATION.

The bill (S. 94) to amend section 3 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes," approved March 3, 1901 (31 Stat. L., p. 1133), was considered as in Committee of the Whole, and the bill was read, as follows:

Be it enacted, etc., That section 3 of the act of Congress approved March 3, 1901 (31 Stat. L., p. 1133), be, and the same is hereby, amended to read as follows:

"That section 4 of the act of August 18, 1894, entitled 'An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes,' be, and the same is hereby, amended so that the 10-year period within which any State shall cause the lands applied for under said act to be irrigated and reclaimed, as provided in said section, as amended by the act of June 11, 1896, shall begin to run from the date of approval by the Secretary of the Interior of the State's application for the segregation of such lands; and if actual construction of reclamation works is not begun within three years after the segregation of the lands or within such further period as shall be allowed by the Secretary of the Interior, the said Secretary of the Interior in his discretion may restore such lands to the public domain; and if the State fails, within 10 years from the date of such segregation, to cause the whole or any part of the lands so segregated to be so irrigated and reclaimed, the Secretary of the Interior may in his discretion continue said segregation for a period not exceeding five years, or may, in his discretion, restore such lands to the public domain upon the expiration of the 10-year period, or of any extension thereof."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

E. D. PARTRIDGE.

The bill (S. 92) to authorize the Secretary of the Interior to issue patent for certain lands in the State of Utah to E. D. Partridge was considered as in Committee of the Whole. It proposes, upon the payment of $1.25 per acre, to cause patent to issue to E. D. Partridge for the following-described lands in the State of Utah: The northwest quarter of the southeast quarter, the east half of the southwest quarter, and the northwest quarter of the southwest quarter, section 5, township 6 south, range 3 east, Salt Lake meridian.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SEVIER NATIONAL FOREST LANDS.

The bill (S. 2931) for the relief of Thomas Sevy was considered as in Committee of the Whole, and the bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, in his discretion, to accept title to the following described lands, either in whole or in part, upon certification by the Secretary of Agriculture that the lands are chiefly valuable for national forest purposes and approximately equal in value to the lands to be given in exchange therefor: The east half of section 32; the north half of the

northwest quarter and the south half of the southwest quarter of section 32, township 35 south, range 4 west of Salt Lake base and meridian, situate in the Sevier National Forest; and to issue to Thomas Sevy in lieu thereof patents to the following-described areas, or to such parts thereof as are found by the Secretary of Agriculture to be approximately equal in value to the lands conveyed: The northeast quarter, the north half of the southeast quarter, the southwest quarter of the southeast quarter, the southeast quarter of the northwest quarter, and the southwest quarter of section 31, township 37 south, range 5 west of Salt Lake base and meridian: *Provided*, That the lands conveyed to the Government shall thereupon become parts of the Sevier National Forest and subject to all laws and regulations applicable thereto: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture shall jointly report to Congress, in detail, the factors upon which the valuations were made.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CYRENA E. YOUNG.

The bill (S. 100) to authorize the Secretary of the Interior to issue patent for certain lands in the State of Utah to Cyrena E. Young was announced as next in order.

Mr. POINDEXTER. Let that bill go over.

The PRESIDING OFFICER. It is so ordered.

SEVIER NATIONAL FOREST LANDS.

The bill (S. 972) to authorize an exchange of lands with Henry Blackburn was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment to strike out in line 6 the word "east" and insert "west," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to accept title to the southwest quarter of the southeast quarter of section 19, township 39 south, range 6 west, Salt Lake meridian, and to convey in exchange therefor to Henry Blackburn, of Orderville, Utah, title to the northeast quarter of the northeast quarter of section 30, township 39 south, range six west, Salt Lake meridian, and upon reconveyance the land deeded to the United States shall thereupon become part of the Sevier National Forest and subject to all laws and regulations applicable thereto.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSOLIDATION OF LANDS.

The bill (S. 101) to authorize the consolidation of Government lands and of privately owned lands, and for other purposes was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, on page 1, line 6, to strike out the words "public domain including," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and empowered in cases where privately owned lands are situate in noncontiguous bodies or areas within the reservations, or within oil, coal, or other withdrawals, made under the act of June 25, 1910 (36 Stat. L., p. 847), to exchange public lands of the United States either within or without such reservations or withdrawals for such privately owned lands, to the end and with the object that as nearly as practicable the lands in private ownership and those held by the Government shall each form single and compact bodies: *Provided*, That the lands so exchanged shall be of approximately equal character and value and the exchange shall only be made in the event the public interests are benefited thereby. The land to be conveyed to the United States by any one landowner under such exchange shall be so conveyed by a single act or instrument of conveyance, and the lands to be conveyed to the private owners in exchange therefor by the United States shall be described in a single list or schedule and conveyed by a single patent.

SEC. 2. That in estimating and determining the value of lands to be given in exchange pursuant to this act, the Secretary of the Interior may consider and give effect to all factors contributing to or affecting such land, including any added or special value which will be possessed by the lands to be conveyed by the private owners as a consequence of relation to other lands owned by said private owners.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ENLISTED MEN OF NAVY AND MARINE CORPS.

The bill (S. 3128) to authorize additional pay for enlisted men of the Navy and Marine Corps detained beyond the expiration of their terms of enlistment was considered as in Committee of the Whole.

The bill was reported from the Committee on Naval Affairs with an amendment, to insert after the enacting clause the words "That section 1422 of the Revised Statutes of the United States be, and is hereby, amended to read as follows," so as to make the bill read:

Be it enacted, etc., That section 1422 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 1422. That it shall be the duty of the commanding officer of any fleet, force, squadron, or vessel acting singly, and of the commanding officer of any shore command beyond the continental limits of the United States, to send to the United States, in some public or other vessel as he may deem for the best interests of both the men and the Government, for discharge at the expiration of their terms of enlistment, all enlisted men of the Navy and Marine Corps entitled to discharge and desiring to go there, unless in his opinion the detention of such men for a longer period is essential to the public interests, in which case he may detain them, or any of them, so long as the public interests demand: *Provided*, That no such enlisted man shall be held, under the provisions of this section, for more than 30 days after arrival in a United States port. All such enlisted men sent to the United States, or detained in accordance with the provisions of this act shall be subject in all respects to the laws and regulations for the government of the Navy until their arrival in the United States and their regular discharge. And any enlisted man of the Navy or Marine Corps held beyond the expiration of his completed term of enlistment for any cause other than the investigation of charges or for punishment, shall receive, for the time he is so held, in addition to the sum of all pay he was receiving at the time of expiration of the term beyond which he is so held, an amount equal to one-fourth thereof: *Provided further*, That the shipping articles shall hereafter contain the substance of this section."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read, "A bill to amend section 1422 of the Revised Statutes authorizing additional pay for enlisted men of the Navy and Marine Corps detained beyond the expiration of their terms of enlistment."

AMENDMENT OF ESPIONAGE ACT.

The bill (S. 3522) to amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The PRESIDING OFFICER. The bill will go over.

SAN DIEGO WATER SUPPLY.

The bill (S. 3646) to grant rights of way over Government lands for reservoir purposes for the conservation and storage of water to be used by the city of San Diego, Cal., and adjacent communities, was announced as next in order.

Mr. MYERS. I object to the consideration of that bill.

The PRESIDING OFFICER. It will go over.

ADDITIONAL JUDGE IN FLORIDA.

The bill (S. 1735) to create an additional judge in the southern district of Florida was announced as next in order.

Mr. SMOOT. I notice that there is on the calendar a bill of similar character providing for an additional judge in the district of Arizona. I should like to ask the Senator from North Carolina if the committee in reporting those two bills were unanimous?

Mr. OVERMAN. I heard the discussion in the committee, but I was called out of the committee room when this bill was ordered reported, and I can not speak of it on that point. I think Senate bill 714, to which the Senator from Utah refers, was agreed to without any controversy, and it was ordered to be reported favorably.

Mr. SMOOT. We are creating so many additional judgeships of late that I thought we ought to have some explanation.

Mr. OVERMAN. Arizona is a very large State. The judge there is a hard-worked man. He has only had four weeks' holiday and they have a very large docket there. There is a great deal of smuggling. It is true there are only four places in which the court is held in the district, as I recollect, but the distance is 400 miles from one place to another, and he is holding court very nearly all the time.

Mr. SMOOT. That is not the case in the southern district of Florida.

Mr. OVERMAN. I can not say as to that.

Mr. SMOOT. Let the bill go over, and I will look into it.

The PRESIDING OFFICER. Objection having been made, the bill goes over.

DEMOCRACIES VERSUS AUTOCRACIES.

The next business on the calendar was Senate resolution 196, to print the pamphlet entitled "An International Confederation of Democracies Under a Constitution" as a Senate document.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The resolution will go over.

ADDITIONAL JUDGE IN ARIZONA.

The bill (S. 714) providing for an additional judge for the district of Arizona was considered as in Committee of the Whole.

The bill was reported from the Committee on the Judiciary with an amendment to strike out all of section 2 of the bill and

to renumber section 3 so as to stand as section 2, making the bill read:

Be it enacted, etc., That the President of the United States shall appoint, by and with the advice and consent of the Senate, an additional judge for the district of Arizona, who shall reside in said district and shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

SEC. 2. That the clerk of the district court for the district of Arizona and the marshal and district attorney for said district shall perform the duties appertaining to their offices, respectively, for said court.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ORION MATHEWS.

The bill (S. 922) for the relief of Orion Mathews was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That in the administration of the pension laws and laws conferring rights and privileges upon honorably discharged soldiers, Orion Mathews, late of Battery D, Second Regiment United States Artillery, shall be held and considered to have been honorably discharged as a private from said battery and regiment on the 22d day of March, 1865: *Provided*, That no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PAYMASTER ALVIN HOVEY-KING.

The bill (S. 3403) for the relief of Paymaster Alvin Hovey-King, United States Navy, was considered as in Committee of the Whole. It authorizes the Comptroller of the Treasury to consider appeals from settlements of the Auditor for the Navy Department under date of April 25, 1916, in which settlements certain disallowances were made in the accounts of Paymaster Alvin Hovey-King, United States Navy, and in which cases the time within which appeal may lawfully be made to the comptroller has expired.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. MARTIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened and (at 3 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 6, 1918, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 5, 1918.

COLLECTOR OF CUSTOMS.

Edmund Billings to be collector of customs for customs collection district No. 4, with headquarters at Boston, Mass.

NAVAL OFFICER OF CUSTOMS.

H. Otto Wittpenn to be naval officer of customs in customs collection district No. 10, with headquarters at New York, N. Y.

SURVEYOR OF CUSTOMS.

Joseph A. Maynard to be surveyor of customs in customs collection district No. 4, with headquarters at Boston, Mass.

CONSULAR SERVICE.

CLASS 8.

Lloyd Burlingham to be a consul of class 8.
Leonard G. Dawson to be a consul of class 8.
Shelby F. Strother to be a consul of class 8.
Harry L. Walsh to be a consul of class 8.
Romeyn Wormuth to be a consul of class 8.

COAST GUARD.

Third Lieut. of Engineers Paul Revere Smith to be second lieutenant of Engineers.

POSTMASTERS.

GEORGIA.

D. F. Davenport, Americus.
Vivian L. Stanley, Dublin.
J. A. Stokes, Gordon.
W. Custis Nottingham, Macon.

MONTANA.

John J. Courtney, Antelope.
T. C. Armitage, Billings.
Elmer C. Sprague, Box Elder.
Lulu C. Woolson, Brady.
William Krofft, Choteau.
Fred T. Tasa. Flaxville.
Robert B. McNeil, Inverness.
Richard T. Sjordal, Kremlin.
Grant Robinson, Lewistown.
Rose M. Sargent, Nashua.
Israel A. Oakes, Plentywood.
Letta Conser, Plevna.
L. H. Adams, Somers.
Lizzie Gorsuch, Winnett.

PENNSYLVANIA.

Albin P. Yarnall, Ashbourne.
James W. Taylor, Dallastown.
Andrew Wahl, Evans City.
E. K. Eichelberger, Hanover.
John Orth, Marietta.
Edward S. Haws, Narberth.
Albert K. Kneule, Norristown.
James W. Hatch, North Girard.
J. B. Esch, Spangler.
John H. Krumbine, Vintondale.
James H. Alcorn, Waterford.
C. J. D. Strohecker, Zelienople.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 5, 1918.*

The House met at 12 o'clock noon.

Rev. William Couden, of Washington, D. C., offered the following prayer:

Father of all souls, Thou hast kept us through the dark hours of the night; lead us through the complexities of the day's dangers, opportunities, and responsibilities.

In times past Thou hast blessed our country. Continue Thy blessing upon us in these critical present times. Strengthen us on land and sea, at home and abroad. Give us wisdom and skill in the use of our powers and resources. And back of all our outward might and organization, make us strongest of all in personal and social righteousness, justice, and faith; for Christ's sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2116. An act to increase the salary of the United States district attorney for the district of Rhode Island.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2116. An act to increase the salary of the United States district attorney for the district of Rhode Island; to the Committee on the Judiciary.

S. 3126. An act to provide temporary promotion for retired officers of the Navy and Marine Corps performing active duty during the period of the present war; to the Committee on Naval Affairs.

S. 3427. An act for the relief of certain ex-paymasters' clerks; to the Committee on Naval Affairs.

S. 3445. An act to authorize the payment of gun pointers and gun captains while temporarily absent from their regular stations, and for other purposes; to the Committee on Naval Affairs.

S. 3402. An act to fix the age limit for candidates for admission to the United States Naval Academy; to the Committee on Naval Affairs.

S. 3129. An act to provide for the disposition of the effects of deceased persons in the naval service; to the Committee on Naval Affairs.

S. 3130. An act to amend section 1570 of the Revised Statutes of the United States; to the Committee on Naval Affairs.

S. 3400. An act to regulate the pay of retired chief warrant officers on active duty; to the Committee on Naval Affairs.

S. 3404. An act to authorize the President to drop from the rolls any Naval or Marine Corps officer absent without leave for three months, or who has been convicted of any offense by

the civil authorities, and prohibiting such officer's reappointment; to the Committee on Naval Affairs.

S. 3406. An act to authorize the Secretary of the Navy to determine where and when there are no public quarters available for officers of the Navy and Marine Corps; to the Committee on Naval Affairs.

S. 3401. An act to authorize the President to reduce temporarily the course of instruction at the United States Naval Academy; to the Committee on Naval Affairs.

LEAVE TO ADDRESS THE HOUSE.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that on Thursday morning, immediately after the reading of the Journal, the gentleman from Connecticut [Mr. TILSON] may have opportunity to address the House for 40 minutes. He desires to have a definite time fixed in view of the fact that he expects to have here some exhibits of considerable weight and volume, and have them here at a given time.

The SPEAKER. Are the exhibits going to be loaded or not? [Laughter.]

Mr. MONDELL. The gentleman has promised that they shall not be loaded.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that on Thursday morning, after the reading of the Journal and the disposition of the business on the Speaker's table, the gentleman from Connecticut, Col. TILSON, shall have 40 minutes in which to address the House on the subject of explosives, not to interfere with privileged matters one way or other, or appropriation bills, conference reports, and so forth. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. GREGG, by unanimous consent, was granted leave of absence indefinitely, on account of illness.

HOUSING EMPLOYEES, EMERGENCY FLEET CORPORATION.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes, be made a special order to follow the disposition of the Diplomatic and Consular appropriation bill.

Mr. MADDEN. Reserving the right to object, Mr. Speaker, is this the bill for the housing of the men to build the ships?

Mr. ALEXANDER. Yes.

Mr. MADDEN. Does it deal with any other subject?

Mr. ALEXANDER. No.

Mr. MADDEN. What does the bill propose to do?

Mr. ALEXANDER. It authorizes the expenditure of $50,000,000 to be expended at the shipyards at which the United States is building ships under the control and direction of the Emergency Fleet Corporation.

Mr. MADDEN. Has the gentleman from Missouri any information as to the number of shipyards that are in operation now, building ships for the Emergency Fleet?

Mr. ALEXANDER. I think 132.

Mr. MADDEN. One hundred and thirty-two yards?

Mr. ALEXANDER. Yes.

Mr. MADDEN. Where they are building ships or building yards?

Mr. ALEXANDER. There are two or three yards that the Government is constructing that are not yet completed and at which they are not yet building ships, and it is at those yards particularly—for instance, Newport News, Va.; Hog Island, Pa.; and that of the Submarine Boat Corporation at Newark, N. J.—where these housing facilities are the most urgent at this time. If we would speed up this shipbuilding program, I think the gentleman from Illinois will agree with me that we must make arrangements for increased transportation and housing facilities at once. We now have about 180,000 men employed in the shipyards building ships for the Government, and the turnover of labor amounts, as Admiral Bowles says, to 500 or 600 per cent, and it is absolutely necessary to make provision for housing these men if we would speed up the shipbuilding program and increase the number of men from 180,000 to 300,000 men.

Mr. MADDEN. I agree that it is one of the most important things we have on hand, and if anything can be done to facilitate the building of ships and putting them into the water and getting them ready for transportation, we ought to do it. Does the gentleman think we will be able to get the increased number of men if we have the houses?

Mr. ALEXANDER. I think so.

Mr. MADDEN. Does anybody know how long it will take to build these houses after we authorize them?

Mr. ALEXANDER. The bureau of the Fleet Corporation, having this matter in charge, has been giving it great study for some time past; their plans are not fully developed yet, and it is impossible to determine in advance how long it will take and what the expenditure will be. This bill authorizes the expenditure of $50,000,000. It will be necessary for the Fleet Corporation to go to the Committee on Appropriations and submit their plans and get an appropriation made available at once for the balance of this fiscal year and for the next fiscal year to prosecute this work.

Mr. MADDEN. It seems to me the matter is so urgent that we ought not to have to wait. We ought to pass this bill and make the appropriations in the bill and let the Committee on Appropriations wait awhile, and let us get the ships moving.

Mr. ALEXANDER. This is a Senate bill. It was referred to the Committee on the Merchant Marine and Fisheries, and it is reported to the House with a unanimous report, and the committee feel the urgency of beginning the work at the earliest possible date. For that reason I am making this request at this time.

The SPEAKER. Is there objection?

Mr. MONDELL. Reserving the right to object, when was the bill reported?

Mr. ALEXANDER. Yesterday.

Mr. MONDELL. The bill was reported yesterday. The Members of the House are not familiar with it. I do not think it is very good practice to fix by unanimous consent a time for the consideration of a measure the provisions of which are not generally understood. It seems to me there would probably be no objection to having a time fixed later, before we get through with the consideration of the diplomatic bill, and I hope that the gentleman will withdraw his request for the present and make it a little later. I should have to object at this time in view of the fact that the Members are not familiar with the bill.

Mr. ALEXANDER. I sincerely hope the gentleman will not do so. I have word from the chairman of the Committee on Foreign Affairs that it will take at least two days to dispose of the diplomatic appropriation bill, and there will be ample time for the gentleman from Wyoming and the Members of the House to inform themselves about the provisions of this bill before it comes up for consideration if the unanimous-consent request is granted.

Mr. MONDELL. Mr. Speaker, that information should be had to a certain extent before the House by unanimous consent fixes a special time for the consideration of a measure. I presume that there will be no objection if the gentleman proffers his request before we conclude consideration of the diplomatic bill. There will be plenty of time.

Mr. ALEXANDER. I will certainly renew my request from day to day, because I do not care to carry the responsibility myself for any unnecessary delay.

Mr. EDMONDS. Mr. Speaker——

Mr. MOORE of Pennsylvania. May I ask the gentleman——

Mr. COX. I demand the regular order.

The SPEAKER. The regular order is, Is there objection to the request of the gentleman from Missouri [Mr. ALEXANDER]?

Mr. MONDELL. For the present I shall have to object.

LEAVE TO EXTEND REMARKS.

Mr. POWERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. On what subject?

Mr. POWERS. On the coal situation.

The SPEAKER. Is there objection?

There was no objection.

CIVIL-SERVICE EXAMINATIONS.

Mr. GODWIN of North Carolina. Mr. Speaker, I again ask unanimous consent to bring up Senate joint resolution 117, in reference to holding civil-service examinations.

The SPEAKER. The gentleman from North Carolina asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The Clerk read the title of Senate joint resolution 117, amending the act of July 2, 1909, governing the holding of civil-service examinations.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire whether the gentleman from Illinois [Mr. FOSTER], who had some objections to the bill in its present form, has withdrawn his objection? There have been objections to certain provisions of the bill raised on this side. I wish to inquire of the gentleman whether he proposes to offer any amendments in addition to those that are recommended by the committee?

Mr. GODWIN of North Carolina. The amendment suggested by Dr. FOSTER would require those from the States taking the examination in the District of Columbia to have resided here for not exceeding a year. For instance, permanent residents in the District of Columbia could not take advantage of the opportunity to take the examination in the District of Columbia. In other words, it would be restricted to those who had been here a year or less. That was the suggestion he made.

Mr. CAMPBELL of Kansas. A year or less.

Mr. GODWIN of North Carolina. A year or less, not more than a year. I have no objection to that amendment myself.

Mr. STAFFORD. Mr. Speaker, the gentleman from Pennsylvania [Mr. ROBBINS] spoke to me about the bill yesterday. He is not in the Chamber at this moment. I ask that the gentleman withdraw his request for the time being.

Mr. GODWIN of North Carolina. Did he have an amendment to suggest?

Mr. STAFFORD. The gentleman from Pennsylvania desired to offer an amendment. He is not in the Chamber at the present time.

Mr. GODWIN of North Carolina. I withdraw the request for the time being.

The SPEAKER. The gentleman withdraws his request.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9314) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919; and pending that motion, Mr. Speaker, I should like to ask the gentleman from Wisconsin [Mr. COOPER] if we can not make some arrangement about time for general debate on this bill.

Mr. COOPER of Wisconsin. Mr. Speaker, I have received requests for time from Members on this side of the Chamber aggregating more than five hours. Before the gentleman makes response to that suggestion I wish to say that among those who have asked to speak—and I think their requests indicate that the debate will be an interesting one—are two of the members of the committee who spent a number of weeks over on the battle front, and another request is from the gentleman who was consul general in Egypt and can speak with first-hand knowledge of the Armenians and Turks. In view of the important character of the bill and of the number who have asked for opportunities to speak, I do not think that five hours on this side is an unreasonable time.

Mr. FLOOD. Could the gentleman get along with four hours?

Mr. COOPER of Wisconsin. We can not get along with four hours, because there are so many who have asked for an opportunity to say something, and they are still coming in. I have had one request this morning, and now I have another from a distinguished Member of the House who asks for 10 minutes. Another equally distinguished and equally insistent gentleman wants 10 minutes more. The gentleman had better hasten to a conclusion before any more requests come in. [Laughter.]

The SPEAKER. What does the gentleman from Virginia say?

Mr. FLOOD. Could we agree to finish the general debate to-day—run on until we finish it to-day?

Mr. COOPER of Wisconsin. Oh, that is utterly impossible. There is no reason for that. I can not understand why we should hasten to a conclusion to-day and then adjourn over. Why can we not let the debate run to-day, Mr. Speaker?

Mr. KITCHIN. That is what I suggest, to let the debate run to-day, and then the gentleman from Virginia and the gentleman from Wisconsin can agree on some time.

Mr. FLOOD. We will agree to let the debate run on to-day.

The SPEAKER. Who is to control the time?

Mr. FLOOD. While we will not need half the time, I ask that the time be controlled, half by the gentleman from Wisconsin and half by myself.

The SPEAKER. The gentleman from Virginia moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Diplomatic and Consular appropriation bill; and pending that he asks that the time to-day be equally divided between himself and the gentleman from Wisconsin [Mr. COOPER]. Is there objection?

There was no objection.

The motion of Mr. FLOOD was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9314) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919, with Mr. HUMPHREYS in the chair.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Chairman, this bill carries a considerably larger amount than the appropriations heretofore made in the Diplomatic and Consular appropriation bill. For that reason I desire to address the House in reference to the splendid work that has been accomplished by that branch of our public service which is supported by the appropriation carried in this bill. Our foreign service is handled by the Department of State.

The Department of State has always been one of the very important governmental departments. It was the first department of our Government created, and has been the center of the stage during most of our history.

It was first known as the Department of Foreign Affairs, and had to do exclusively with our foreign relations; but during the very year in which it was created, 1789, an act was passed charging the Secretary of Foreign Affairs with the safekeeping of the acts and records and seals of the United States and changing the name of the department to its present name.

All through our history, in peace and in war, this department has played a great and important part, but never a more important part than during the present great crisis in the world's history. We have had great Secretaries of State, among them Jefferson, Pickering, Marshall, Madison, Monroe, Adams, Clay, Webster, Buchanan, Black, Seward, Everetts, Blaine, Bayard, Olney, Root, Knox, and Bryan, but none of these distinguished men have discharged the duties of this great office more efficiently than the courtly gentleman, the able lawyer, the dignified official who now holds it. [Applause.] The Secretary of State has a splendid corps of assistants. They have done their work quietly and unostentatiously, but with great efficiency and good to this country and to the cause of humanity. [Applause.]

I feel that at this time when such tremendous burdens and responsibilities have been placed upon the State Department, and when these responsibilities have been so splendidly and successfully met and discharged that some statement of their accomplishment is due to the Secretary and his efficient corps of assistants. [Applause.]

With the entry of the United States into the war there arose at once vital problems of coordination and cooperation between this country and the allies. What America had or could produce in men, supplies, and money had to be determined and then fitted to the needs and requirements of the various fronts. The problems of apportionment were tremendous, necessitating negotiations of great magnitude. The situation led to the sending to this country of diplomatic missions from England, France, Italy, Russia, Japan, Belgium, and a number of other countries. These missions came with intricate problems, questions for diplomatic cooperation and decision, questions of financial arrangements, and of military and naval requirements, and of general policies.

These missions carried on their negotiations through the Department of State. Their military experts were brought into relation with ours; their financial experts were put in contact with the Treasury Department; their economic and blockade experts were taken to the appropriate American authorities. Arrangements of all sorts were speedily made. The Department of State had directly to do with many of these problems, such as those concerning supplies to neutral countries contiguous to Germany, and with military and naval problems, when the military and naval activities assumed a political tinge.

The negotiations begun at the time of America's entry into the war have since been carried on with undiminished vigor, as questions of world importance have one after another arisen. In every new situation the Department of State has measured up fully to the necessities of the occasion and to the very best traditions of our Government and our country. In no instance has it fallen down. [Applause.] In no instance has a single bureau failed to give a good account of itself.

In addition to the diplomatic missions, our State Department officials received and negotiated with special commercial missions from Switzerland, Sweden, Denmark, and Norway, taking up with them the very intricate problems of supplies to be exchanged, based on the part of the United States on a determination to permit nothing to go to these countries without full guarantees that American commodities should not reach the enemy, and on the part of the others of their own welfare and economic and political needs and requirements.

The successful conduct of these negotiations constitutes one of the vital aspects of the war and reflects great credit upon the Department of State. [Applause.]

Under the direction of the Secretary of State, the special war mission, headed by Col. House, went to England and France,

carrying on toward completion the work begun by the special diplomatic and war missions which came to this country. All of us are familiar with the House mission in bringing into the war America's full strength—military, naval, financial, and economic. The discussions in Europe, as did those which took place in this country, led to a thorough and complete understanding of precisely what the allies needed from this country and exactly what this country could furnish, with the equally important decisions as to when and how they could be furnished, and under our great Secretary of the Treasury and our able and efficient Secretaries of War and Navy, we will furnish more in men and means than was expected of us in a far shorter time than had been the fondest hope of our own people or the nations with which we are associated in this war. [Applause.]

The visit of the Japanese mission to this country resulted in the exchange of notes between the Secretary of State and Viscount Ishii, which removed causes of friction between the two countries and works for peace in the Far East, making quite remote the possibility so often discussed of trouble between this country and Japan.

Under instructions from the department, a mission was sent to Russia under the distinguished leadership of the Hon. Elihu Root.

The war, with all of these new activities, has brought upon the department and its corps of workers here and abroad an avalanche of problems, many of them entirely new and most complicated. A very considerable number of these problems affect not only this country but other countries engaged on our side in the war. This makes necessary general negotiations, exchange of views between the several foreign offices and coordination of opinion, and finally unanimous decision. This necessitates a largely increased force of all classes of officials in our Diplomatic and Consular and Secret Services.

To meet these increasing burdens and supply a sufficient force to discharge the demands upon our foreign service, we are asked for a very considerable increase of appropriations over the amounts our bills have carried during the past.

The existing appropriation law carried a total of $5,082,746.66; the pending bill carries a total of $8,206,086.66, making an increase of $3,123,340. This increase is made up largely of allowances for additional clerks at embassies and legations, contingent expenses for foreign missions, the secret fund, post allowances, allowance for clerk hire at consulates, contingent expenses of consulates, relief of American citizens and prisoners of war, and other similar items.

The bill also carries provision for 25 new secretaries to our embassies and legations. When we entered the war there was, of course, a complete cessation of intercourse between Germany and the United States, and later between this country and Turkey and Austria. This meant the withdrawal of the large American embassies in Berlin, Vienna, and Constantinople, as well as the whole of the consular service in Germany, Austria-Hungary, and Turkey. The personnel thus made available was instantly absorbed while the constantly increasing intercourse between this country and the allied nations, as well as with most of the neutrals, caused such a tremendous increase of work that it was found that more secretaries, as well as clerks, in embassies and legations were absolutely necessary.

I believe the House will agree with the committee that in no item of the bill has the committee allowed a larger increase for our foreign service than the exigencies and necessities of the present emergency imperatively demand.

Even during the years before America became an actual participant in the war there was a constant expansion of the work of the State Department. Although we were neutral, the department's problems constantly increased. Caring for the interests of belligerents in various countries was one detail of the new work, while the constantly arising problems of neutrality, as well as those of protecting America's interests abroad, added more work. The department, however, undertook to carry on this work without any very great increase of appropriations, but the time has come when these increases are absolutely necessary in order to do at all efficiently the work that falls to this great department of the Government.

When the United States entered the war some of the problems involving the defense of her neutrality and other similar problems disappeared, but immediately there sprung up greater problems of another character.

Every additional letter and telegram to or from the department or to or from our embassies, legations, and consulates means, of course, additional work for the departmental personnel and for the personnel of the embassies, legations, and consulates.

Owing to the importance of the work done by the Department of State, which is the connecting link between this and all other nations, most of it is conducted by cable. This is more true now than ever before, owing to the war urgency of most of the foreign business and to the irregularity and slowness of the mails caused by the shipping situation. I am told that there has been an increase of nearly 800 per cent in this character of work. In the period from the 1st to the 15th of January, 1914, there were 28,300 words cabled. In the same period in 1918 there were 217,597 words.

Every message sent by telegraph requires the service and receives the attention of a number of high-class officials in the department, and the same is true of the cables sent from our embassies, legations, and consulates. This is only an instance of the increased work in our foreign service. The communications recorded in the Bureau of Indexes show a great increase, while the department's correspondence with the foreign service, and contra, which is carried on in pouches, shows an astonishing increase.

These facts establish the mere volume of work that has been accomplished and which progresses in increasing magnitude.

In addition to all the new war work, the ordinary functions of the department go on. While there is little which happens which does not touch or is not touched by war, there still remains the usual volume of work in connection with the protection of American citizens and interests abroad—less than before the war because of the severance of relations with several large countries, but still enough to occupy the time and attention of a staff equal to that which was maintained prior to August, 1914.

Therefore, the department has as much to do in mere quantity as it had in time of peace, and added to this is all the new war work.

First in importance among the new activities of the department comes, of course, the matter of general diplomatic intercourse between this country and those associated with us in the war, questions of politics and diplomacy, and, where the two go together, of military action and diplomacy. All this falls to the Department of State, and along with it a vast amount of labor in connection with certain coordinate branches of the Government which have vital mutual interests with America's associates in the war and no direct means of communication except through the Department of State.

There exists now the War Trade Board, charged with the enforcement of the trading with the enemy act and making up the enemy trading list. Its chairman, the Hon. Vance C. McCormick, is the department's representative on the board, and the Department of State, under the guidance of this able Pennsylvanian, is largely responsible for the policy of this board. The work of the War Trade Board involves investigation of thousands of firms the world over to ascertain if they have an enemy taint and if they should be placed on the enemy trading list, so that American citizens may not deal with them. Here the American Consular Service is utilized most extensively, consuls in all countries being used to investigate and report on the character of firms and to make recommendations as to whether licenses for exports from the United States shall be permitted. These investigations are running into the thousands.

The War Trade Board comes into close contact with the department in the matter of determining the quantity of supplies permitted to go to neutral countries contiguous to Germany and elsewhere. The questions are complex, involving the necessity, which must be determined, as to American needs as well as those of neutrals, the matter of supply and demand, of expediency and barter, which means arranging that in return for supplies from this country the other party concerned shall furnish us with commodities which they have and we need. The ramification leads to the Food Administration, where the availability of foodstuffs for export as well as the necessity for certain foods abroad is determined, and to the Treasury, where matters concerning money and supplies are settled. The department's business with the War Trade Board alone requires the services of several administrative officers, numerous clerks, and the constant consideration of the actual head of the department. The furnishing of supplies to neutrals and associates almost invariably has a political tinge which requires very careful consideration and action.

Another important work of magnitude which has come to the department is that of distribution of enemy shipping. At the outbreak of the war many enemy ships took refuge in ports which have ceased to be neutral ports. The obtaining of this highly valuable tonnage and its distribution among the allies for war operation has made necessary long and arduous negotiations.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. MOORE of Pennsylvania. With reference to the services now being rendered by the War Trade Bureau, I would like to

ask the gentleman whether American merchants are still required to apply to the Textile Alliance for leave to obtain ship space. It was the practice in certain cases for American merchants to go to the British consul general at New York or to the Textile Alliance, a British corporation, to obtain leave to do foreign business. I want to know if that condition still holds?

Mr. FLOOD. I should think not, although I am not prepared to answer the question because it has not come under my observation.

Mr. MOORE of Pennsylvania. The gentleman has referred to the work done by Mr. McCormick, and the question seems important because American merchants were being prejudiced by having to submit their business affairs to foreign agents, due, of course, to the war. In my judgment the practice ought to be discontinued since an American official is presumed to have control of that situation.

Mr. FLOOD. I agree with the gentleman, and I think perhaps he will find that that has been done, but I am not prepared to answer positively.

When we entered the war Canada was the only country in the Western Hemisphere in the war, nor in the Far East was there any country at war except Japan. Since America entered the war, Cuba, Panama, Brazil, China, and Siam have declared war, and Uruguay, Peru, Bolivia, Nicaragua, Honduras, Haiti, Santo Domingo, and Guatemala have severed diplomatic relations with Germany, thus placing themselves on the side of the United States. In the case of these Latin-American countries and China, the example of the United States undoubtedly had a potent influence. The Department of State by the distribution of the President's speeches through the Diplomatic and Consular Service and in other ways did much to bring these countries to a full realization of what the war was about, and in that way exercised a strong influence upon the action those countries subsequently took. [Applause.]

The series of exposures which the department has made, beginning with the Zimmermann note early last year, and followed by the Luxburg telegrams, the Bernstorff telegrams concerning Caillaux, and the secret German censorship regulations showing how the German press is controlled undoubtedly served to bring to the attention of Latin America as well as to the world the precise character of the German Government, with the consequent influence upon the policy of many of these countries toward Germany. Of the department's general secret service work little can be said at this time further than to most highly commend it, and to state that it has been most effective and useful.

Since America's entry into the war her foreign relations, for which the State Department is responsible, have greatly developed, and this in the face of enormous difficulties. The rationing of neutrals, for instance, involving an interference with some of the vital supplies of such countries as Holland, Denmark, and Sweden is a matter calculated to create intense irritation with the tangible risk of its developing into enmity.

Too much can not be said of the splendid manner in which the State Department has handled this delicate situation. There is no friction with any of these neutrals growing out of the course which our Government was compelled to pursue with reference to these matters. [Applause.]

There are innumerable lesser phases of departmental war work which add to the volume of labor. It falls to the department to look after the interests and to assure proper treatment for American prisoners of war in enemy hands. Of these there are now only a few, less than 150, but it is to be expected that there will be more, and elaborate machinery for their care has been created. A committee in Switzerland has been organized under the supervision of the legation at Berne which sends to the Americans in German prison camps food, money, and clothing, without which they would soon be destitute. The history of the war shows that the lot of prisoners in Germany is an unhappy one. Without food from the outside they would starve; without clothing they would freeze. Their welfare demands constant vigilance, instant protest against mistreatment, and firm demand for remedies. The department must also protect other Americans in Germany and property left behind by Americans who have departed.

In turn the Department of State is responsible for the welfare of enemy aliens in this country. Here Sweden represents Austrian interests and Switzerland Germany's, and with the legations of those two countries in Washington there is a constantly growing correspondence, involving much investigation as to the welfare of interned enemy aliens and of prisoners of war. In addition there is much work connected with the handling of enemy property by the alien property custodian.

Another feature of the department's new work concerns the welfare of subject races. In Palestine, Armenia, Syria, Poland, and various other places the plight of the people is pitiable. Several organizations have interested themselves in affording succor, and this is sent through the Department of State. Often the question of sending supplies and money involves diplomatic interchange between this country and the allies and between us and the enemy, through established neutral channels. Proper safeguards must be established to prevent relief supplies sent to occupied Poland from falling into the hands of the enemy. Similarly the department has to do with the relief of Belgium and the occupied portions of northern France.

The American Red Cross is extensively engaged in several places abroad, in Russia, Poland, the Balkans, and elsewhere. The work of the Red Cross receives the support and assistance of the department, without whose machinery the Red Cross would have difficulty in carrying on its work.

A very important and a very complicated feature of the department's work has been the negotiation, still proceeding, of treaties with several nations for reciprocal drafting of nationals. These negotiations are now about concluded.

Information is, of course, the most vital element of war. Prior to America's participation there existed a certain system of interchange of information between America's Diplomatic and Consular Service and the department. This has since been greatly expanded. The missions abroad are now kept fully informed of all essential developments. Each week the various political bureaus collate all information pertaining to their work. When the facts are brought together a review of the week is appended and then the whole is made up into "information series." These are sent to embassies and legations which are entitled to see them. They are confidential and nonconfidential. The nonconfidential contain much information of great value for publicity purposes abroad, leading to a clearer public understanding of America's aims and activities. I am told that the embassy in London receives from the department each week between fifty and seventy-five thousand words of material. In addition to this the department carries on a cabled information service. Facts from London of interest to the embassy in Rome, or possibly the legation in Peking, are speedily transmitted. The department also supervises the exchange of certain information between this country and the cobelligerents.

While war tasks accumulate many questions arise just as in the days of peace. For instance, the department has lately been most busily engaged in an effort to prevent a boundary dispute between Guatemala and Honduras becoming something worse. The questions arising out of the proper distribution of the waters of the Colorado and Rio Grande Rivers between this country and Mexico are being handled so as to avoid any dispute between the two Republics in the future. Negotiations looking toward making the Army's and the farmers' supply of nitrate certain have gone on simultaneously with the efforts to keep peace in the oil fields of Mexico. Steps have been taken for the relief of the earthquake sufferers in Guatemala, while the department was giving careful attention to the situation in Russia.

In addition to all these, the department has been making careful and efficient efforts to watch all developments in enemy countries, and has succeeded in establishing a flow of information which keeps the Government well informed as to what is happening within the enemy lines.

When peace comes the work of the department will be increased. The various problems of peace will need much attention. The Consular Service has to a considerable degree stopped its ordinary commercial work, owing to other important activities and to the disappearance of commerce. With the dawn of peace commercial activities and reports will be of more importance than ever before. For the proper promotion and protection of America's interests during the period of intensified commercial competition which is to follow the war, the Department of State must now during the war prepare for the time that is to follow. This is being done—splendidly and efficiently done. [Applause.]

All of these manifold duties the officials of the State Department, those at home as well as those abroad, under the guidance of the Secretary of State, have performed with a splendid fidelity and a singular degree of efficiency. [Applause.]

The Secretary of State, entertaining a thorough disdain for noisy notoriety, has been content, with arduous toil, to move steadily along the path of duty in the faithful, able, and splendid performance of the labors and responsibilities that appertain to his position. [Applause.]

It is said by Bacon that "the greatest builders are the builders of state." But their most important works are performed

in the closet and not before the public gaze. They are like the silent workers that in the unseen depth of the ocean lay the coral foundations of uprising islands and the enduring beams of mighty continents.

And so the impress of the mind, character, and diligence of Robert Lansing will be left upon the important and far-reaching measures that come under his consideration as an international leader, and will add to the advancement of the cause of humanity and to the prosperity, the glory, and the honor of this Republic. [Applause.]

Mr. FESS. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. FESS. In the interesting review of the activities of the State Department, diplomatically considered, the chairman mentioned the name of Col. House. Would the chairman care to state just what status he possessed while in Europe?

Mr. FLOOD. I would say that Col. House was the personal representative of the President. Men occupying similar positions and having similar functions to those of Col. House have been called confidential agents, secret agents, commissioners, and secret plenipotentiaries.

Mr. FESS. Would that include any authority whatever?

Mr. FLOOD. Yes; such authority as the President conferred upon him.

Mr. FESS. Is there any limit to that diplomatically considered; could such authority go to any extent?

Mr. FLOOD. The President is the organ of our diplomtic intercourse. The authority of his personal representative could only be limited by him.

Mr. FESS. It is rather an unusual procedure in the history of diplomacy.

Mr. FLOOD. No; we have resorted to that character of representation frequently in our history. President Washington did in negotiating a treaty of peace with Algiers. The gentleman will recall that a former President sent Mr. Blount, of Georgia, to Hawaii with paramount authority over our minister there and for the purpose of protecting American lives and interests, to bind this country in any agreement between this country and Hawaii.

Mr. FESS. That was President Cleveland.

Mr. FLOOD. Yes.

Mr. FESS. The reason I ask the question is that there has been a good deal of inquiry by Members as to the exact status, diplomatically considered, that this representative in Europe occupied. It is not that of a minister plenipotentiary nor an ambassador?

Mr. FLOOD. No. As the personal representative of the President. He was appointed in pursuance of a precedent established by Washington and followed by many of our Presidents.

Mr. FESS. Would he be received officially by any country there?

Mr. FLOOD. Theoretically he could not claim full diplomatic privileges, yet practically I assume that any man who went from this country as a personal representative of the President would be received with all the courtesies and honors that are accorded to our ambassadors.

Mr. FESS. The report, if he has one to make, will be made specifically to the President?

Mr. FLOOD. Yes.

Mr. FESS. And that information is not common property?

Mr. FLOOD. When the public interests would not be jeopardized thereby I presume that the President would make the report public; otherwise he would not, as he should not.

Mr. AUSTIN. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. AUSTIN. Is there any provision made in this bill for increasing the salaries of consular officers located in the Republic of China?

Mr. FLOOD. No; except this: This bill carries what is known as a post-allowance fund.

Under the provisions of this bill that can be used in any country in the world, and the purpose of the department, as we gathered from the hearings, was to make allowances out of that fund to all of our diplomatic and consular officers, attachés, and employees when the increased cost of living justified it.

Mr. AUSTIN. Mr. Chairman, my understanding from a friend in the foreign service in China is that on account of the increased value of the silver coin in China and the high cost of living the old standard of wages or salaries fixed in the consular and diplomatic appropriation bill is not sufficient; in other words, that their salaries were based upon a low valuation of the siver coin or currency in the Republic of China, and therefore they thought that Congress ought to increase their salaries in order to meet the increase in the value of the silver coin and the high cost of living.

Mr. FLOOD. The salaries were not in the first instance based upon the low value of the silver. They were fixed without reference to that, but when these gentlemen got our exchange in China they were able to get a good deal more money in silver than was mentioned in the appropriation. Sometimes they would get $2 for $1 and sometimes $2.25 for $1. Silver has increased in value, and of course that is not now the case with these salaries. They get now just about the salaries that they were thought to be getting all along. But the Department of State realizes that the increased cost of living in China is very great, as it is in all other countries, and it proposes, while there is no increase in the salaries carried in the bill, out of the post-allowance fund, to make allowances to officials there just as they do in other countries.

Mr. AUSTIN. Did the committee consider the question of the Government purchasing the present quarters or purchasing land for the construction of quarters for the American consul general at Hankow, China?

Mr. FLOOD. No; that was not before the committee.

Mr. AUSTIN. Has it ever been considered by the committee?

Mr. FLOOD. It never has.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. MOORE of Pennsylvania. The gentleman from Texas [Mr. SLAYDEN] inquired as to the disposition of alien property taken over by the alien property custodian. I am interested in that matter. I did not catch the answer of the gentleman from Virginia. Did I understand the gentleman from Virginia to say anything about the disposition of the alien property?

Mr. FLOOD. I said where it was not Government property and was not confiscated during the war, I thought it would be returned to the owners after the war.

Mr. MOORE of Pennsylvania. Does not the act creating the alien property custodian provide that Congress itself shall dispose of that property in its own way after the war? That is my recollection of the act.

Mr. FLOOD. I think it does.

Mr. ESCH. Mr. Chairman, if the gentleman will permit, that is correct.

Mr. MOORE of Pennsylvania. The alien property custodian, as I understand it, is merely a custodian.

Mr. FLOOD. Yes.

Mr. MOORE of Pennsylvania. He takes the property over as he discovers it or uncovers it and holds it for the disposition of Congress at the close of the war.

Mr. FLOOD. My view is—and I suppose that is the view of the gentleman—that that property that is here and has not been confiscated and sold by our alien property custodian will be returned to the people who own it after the war. That will be the will of Congress.

Mr. MOORE of Pennsylvania. Subject to the will of Congress.

Mr. FLOOD. Yes.

Mr. MOORE of Pennsylvania. The gentleman from Wisconsin [Mr. ESCH], who is on the committee, refreshes my memory. I merely wanted to know whether I got the gentleman's answer correctly. It is up to Congress to dispose of that property as it sees fit after the war.

Mr. FLOOD. Certainly; Congress could confiscate it all.

Mr. SLAYDEN. Was not that a wise reservation of power, with the thought in mind that the disposition that is made of property of aliens now in charge of our custodian would be dependent somewhat upon the treatment accorded American owners of property in Germany confiscated or taken control of by the Germans?

Mr. MOORE of Pennsylvania. Certainly. I merely wanted to emphasize the fact that the alien property custodian is a custodian merely, and has no power to dispose of property. Congress does that.

Mr. STAFFORD. Mr. Chairman, will the gentleman from Virginia permit me to make an inquiry of the gentleman from Texas?

Mr. FLOOD. Certainly.

Mr. STAFFORD. Mr. Chairman, I want to inquire whether Germany enacted its law concerning the holdings of Americans in Germany after our enactment or prior thereto?

Mr. SLAYDEN. I can not state about that, but I understood the reservation of power of Congress to dispose of the property afterwards was a step to enable us to act properly if there were reciprocity in the matter by Germany.

Mr. BANKHEAD. Mr. Chairman, will the gentleman from Virginia yield?

Mr. FLOOD. Certainly.

Mr. BANKHEAD. Mr. Chairman, the gentleman in his speech made some reference to the committee that had been appointed with headquarters at Berne, Switzerland, to look after the health and comfort of American prisoners of war. Is that a civilian committee, or is it a committee that has governmental jurisdiction from the United States, or what are its functions?

Mr. FLOOD. It is not a committee. It is the American legation at Berne. Of course, that legation has been very much enlarged for the purpose, through the friendly relations of Switzerland with Germany, of bringing about an arrangement by which our legation at Berne and the Swiss foreign office at Berne can provide for our prisoners of war in Germany.

Mr. BANKHEAD. For instance, one of the first prisoners of war captured came from my State, Alabama. Would it be possible through that legation for the relatives or parents of a particular prisoner of war to keep in touch with his whereabouts and whether he is alive?

Mr. FLOOD. As soon as they get in touch with him, certainly. It would be absolutely possible, it would be easy.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. SLOAN. I am interested in the colloquy which took place betwen the chairman of the committee and the gentleman from Ohio [Mr. FESS], with reference to the status of Col. House. I would ask if he is sent as the prerogative of the presidency itself, and not based at all upon any legislation that the Congress of the United States has ever provided? I ask this not as a matter of criticism, but as a matter of inquiry.

Mr. FLOOD. My understanding is that it is the prerogative of the President, that almost since the foundation of the Government Presidents have been sending representatives of this character to foreign nations when vital questions were concerned, to get information and to negotiate for the Executive when this class of appointees could serve a better purpose than the ambassadors and ministers and other regularly appointed and confirmed diplomatic agents.

Mr. HAMLIN. Let me refresh the gentleman's memory. President Roosevelt while President sent a man by the name of Hollander to Santo Domingo, put him on a warship and sent him down as his special representative.

Mr. FLOOD. I thank the gentleman for the reminder. I now recall that case and the debate in the Senate between Senators Bacon and Spooner in reference to it.

Mr. HAMLIN. And President Lincoln also sent one.

Mr. FLOOD. I think it has been done quite a number of times, and it has been thrashed out in the Senate frequently, and the right of the President to make such appointments has always been sustained. There can be no question about the right.

Mr. FESS. I should like to know who President Lincoln sent.

Mr. FLOOD. I said it has been done a number of times. I can not recall any instance in President Lincoln's administration, and I also said it had been thrashed out in the Senate, and the right had been fairly established years ago.

Mr. SLAYDEN. I can remind the gentleman of one very historic instance, in which a man was sent by Mr. Cleveland to Mexico when Gen. Johnson, of Savannah, was minister. It was an unfortunate selection the President made, because this man did not reflect credit. He was sent, however. These people were only sent to advise, and they had no official function to perform in the way of an officer of the Government at all.

Mr. SLOAN. I was not questioning the authority of the President, but it was an inquiry directed as just how he was sent, whether as a prerogative or whether he followed out something that legislation heretofore had paved the way for sending him.

Mr. FLOOD. As a prerogative of the President who has the jurisdiction of our foreign relations, not as the result of power conferred by legislative enactment.

Mr. FESS. Will the chairman please state and insert in the RECORD what particular power, if any, was made public that the commissioner or representative carried with him?

Mr. FLOOD. The gentleman, of course, remembers the unlimited powers given Mr. Blount in the Hawaiian matter.

Mr. AUSTIN. Mr. Chairman, in that connection I wish to ask the gentleman if I understood him correctly a while ago as to President Cleveland sending ex-Congressman Blount to Hawaii with a view to taking over the islands? My recollection of that matter is the administration sent him there to use his influence as a representative of this Government to restore the queen.

Mr. FLOOD. I did not know whether the purpose was to restore the queen or to take over the islands. I was not discussing that phase of the question; but President Cleveland sent Mr. Blount to Hawaii as his personal representative to take in consideration the situation and act in a way that would be to the best interests of this Government and this country and the Hawaiian people.

Mr. AUSTIN. Does not the gentleman well remember in the McKinley campaign following the Hawaiian incident that the charge was that President Cleveland had sent a representative there with instructions to haul down the American flag and restore the queen?

Mr. FLOOD. I would not like to stand sponser for all the things the gentleman has said in his political campaigns.

Mr. AUSTIN. That was said all over the country, and was one thing that aided very largely in creating a sentiment in the United States against the reelection of President Cleveland, that it was the intention of the administration to haul down the American flag in the Hawaiian Islands and restore the queen.

Mr. SLAYDEN. But Mr. Cleveland was not a candidate.

Mr. AUSTIN. Well, that defeated the Democratic Party.

Mr. FLOOD. I know there were charges of that kind, and doubtless the gentleman made them on the stump; but I am not discussing what the President's purposes were in sending Mr. Blount as his personal representative. I am only discussing his right to send such a representative.

Mr. AUSTIN. I misunderstood, perhaps, what the gentleman said when his attention was called to it by the Representative from Ohio, and therefore I wanted the RECORD to state what actually occurred and the reasons why he was sent there.

Mr. FLOOD. Well, I do not know those were the reasons. There were no specific instructions along that line given to Mr. Blount.

Mr. AUSTIN. "Paramount Blount."

Mr. FLOOD. He was sent there with wide and unlimited powers, with paramount authority, and he exercised the powers and authority given him.

Mr. AUSTIN. Well, he failed in his mission. The queen was not restored, the Cleveland administration refused consent to take over the islands, they established the Republic of Hawaii, and on the election of President McKinley a treaty was negotiated in the Senate and the islands became a part of the United States.

Mr. FLOOD. I do not know that he failed in his mission. That was not the question asked me and that is not what I intended to address myself to in answer. I know that he had wide and extensive powers and that he exercised the powers. Whether he was successful in exercising them I can not undertake to discuss here.

Mr. GOODWIN of Arkansas. The power conferred upon the President in sending Mr. House to Europe is on all fours with the power conferred upon the President in sending Mr. Root to Russia, is it not, as an advisor in each instance?

Mr. FLOOD. The House mission, of course, was sent with wider powers and——

Mr. GOODWIN of Arkansas. I meant to say that the authority vested in the President is the same in each instance?

Mr. FLOOD. Yes; the authority is the same in each instance.

Mr. FESS. Mr. Chairman, to be perfectly understood, I would like to state to the chairman of the Committee on Foreign Affairs that the Constitution quite specifically defines the powers of the President over these appointments—how our country shall be represented and with what authority in other countries—and by legislation these representatives have been classified in various classes; and Col. House does not fall, as I understand the chairman to state, in any of the classes, either as an ambassador, minister plenipotentiary, resident minister, or any other that we have thus far officially recognized. And what I wanted was, in no captious criticism but inasmuch as there has been a point of dispute, to say that the chairman should put in his remarks the exact status, if we can get it, of Col. House, and what particular authority, if any, he possessed when he went there, in order that the country, which has raised the question as to this particular authority, might be informed. I ask it as a member of the Committee on Foreign Affairs——

Mr. FLOOD. I will do it with great pleasure.

Mr. FESS (continuing). And not at all with captious criticism.

Mr. REED. Will the chairman of the committee yield?

Mr. FLOOD. I will.

Mr. REED. The chairman of the Committee on Foreign Affairs may perhaps enlighten me on this point: I am inter-

ested to know what the gentleman's opinion is as to Germany's position in regard to alleviating the condition of American prisoners. Does he believe that Germany will cooperate in any way to let America, or the prisoners' friends in America, alleviate their condition?

Mr. FLOOD. I believe it has to be carefully watched and the rights and interests of our prisoners insisted upon, and I believe if that is done they will be taken care of for fear of retaliation on our part if they are not.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield 40 minutes to the gentleman from Massachusetts [Mr. ROGERS], a member of the Committee on Foreign Affairs.

Mr. ROGERS. Mr. Chairman and gentlemen of the committee, I desire to address myself to-day in some detail to the status of the mail service between the United States and the members of the American Expeditionary Force in France. The House will remember that a week ago to-day a resolution was adopted without debate, which I had previously introduced, which called upon the Postmaster General to furnish the House with certain information on that subject. On January 31 the Postmaster General made his report to the House, and that report has been printed as House Document No. 892. I have here on the desk a number of copies, in case Members may care to consult it, or, of course, they can get it as usual through the document room.

Here is perhaps the key sentence of Mr. Burleson's report:

The time required to transmit postal matter from the United States to members of the American Expeditionary Force in France has been found to be from 15 to 30 days, according to the location or frequency of change of the location of the military unit to which the addressee belongs and according to the regularity of the ocean transportation.

Mr. Burleson continues:

Instances have been reported where letters from the Middle West, mailed so as to make close connection with departing French liner or fast transport, have reached addressees at the front in from 12 to 14 days.

And he proceeds:

Owing to the irregularity of sailings from New York and constant shifting of military units, about 30 days, on an average, should be allowed for the average letter from the United States to reach the camps in France.

But the substance of the report, as I said, is that the time required to transmit postal matter from the United States to the members of our expeditionary force is from 15 to 30 days.

I confess I was very much surprised at that statement of the Postmaster General. Let me say at the outset that I do not approach this matter in a controversial spirit or in a critical spirit. I have no desire to comment adversely upon the Post Office Department or upon any other department or upon any individual.

But I am impelled to say this: Although Mr. Burleson, of course, believes his statement to be true, there are at least 150,000 American soldiers in France to-day, from Gen. Pershing down to the newest recruit in the American forces, who can testify of personal knowledge that his statement does not represent the usual fact. There are 150,000 homes in the United States who from their own bitter experience know how wide of the mark his statement is.

I had expected that the Postmaster General in his report would recognize that there were very considerable postal delays, would indicate that the usual time of mail in transit was a very much greater period than that which he mentions, and that he would then go on to indicate what changes he proposed to make in order to bring about the sorely needed improvement. But he begins with the hypothesis that it takes from 15 to 30 days for the transit; he continues in a tenor which indicates that he is perfectly satisfied with the conditions to-day, and that in his judgment they are not capable of improvement.

So, under those circumstances, it becomes my first duty to set forth what I believe to be the fact as to the time which is actually required to transmit mail from the United States to members of the American Expeditionary Force in France.

Members of the House will pardon me if I allude to a personal experience which befell me in December when I was in France and on my way from Paris by train to the headquarters of the American troops. I found myself, quite by accident, in a railroad compartment seating six, with five officers of the American forces on their way back from Paris to the front. Three of them happened to be personal acquaintances. And without any suggestion of mine, because at that time I had never heard this question even discussed, they began to talk about the mail service. All of these five men are widely known on both sides of the ocean, so that it can not be argued that their experience resulted from their own obscurity or from difficulty in tracing their whereabouts. These are the facts about their experiences with the mail as jotted down by me in my journal at the time:

Gen. A had sailed from the United States on September 25. The date of this railway journey was December 11. His wife had written him daily during that time. He had received only five of her letters. He had received none by mail for 47 days.

Lieut. B had sailed from the United States on August 25. He was a subscriber to two Boston daily newspapers. He had received but five issues in all and but five letters.

Lieut. C had sailed for France on September 26. His mother had written him regularly twice a week; only four of the letters had reached him, the last dated October 23, about seven weeks prior to the time of our conversation.

Capt. D had been in France since June 1. Although his wife had written to him weekly, as he knew from other sources of information, he had received but one letter from her since his arrival.

Col. E sailed from the United States about September 20. All his wife's letters to him are numbered in the order of her writing. Letter No. 1, dated September 23, reached him November 30. A friend brought over letter No. 15, dated November 11. He had received only one other up to the date of our conversation. He had received none of the second-class mail which had been sent him.

A few days after that time, and about the middle of December, I was at a small town in which a portion of the American troops are undergoing training, not very far from general headquarters. I asked the officer in charge of the military post office if I might examine the letters which were in his post office awaiting delivery, and ascertain for myself the dates when those letters had been canceled in the United States. I secured that opportunity, and I examined, I think, every letter which had come from the United States and which was awaiting delivery to the soldiers. This was the middle of December. Not one of those letters was canceled on a date as late as November 1. In other words, as a minimum—and I can assure the Members of the House that this does not at all indicate the maximum of delay—as a minimum, at least seven weeks had elapsed between the date of cancellation in New York City, for example, and the moment when I examined them as they were there in the post office awaiting delivery.

I talked, of course, with a great many officers and soldiers of the American forces. I talked with them from Gen. Pershing down to the youngest and most recently arrived private. I never saw so uncomplaining a body of men from the top to the bottom. They had no complaint about their equipment, about their food, about their billets, or about the training methods; but almost without exception, and without any drumming up on my part, every man, from major general down, said: "Can anything be done to improve the mail situation?"

Some of them would add, "We do not care so much on our own account, but it troubles the people at home to know that we are not getting their letters." I told them—and I am sure the Members of the House would have told them—that we should and must do everything that can be done in order to bring about an improvement.

Mr. Chairman, of course, we have a war on our hands. Of course, military exigencies must come first. But the condition with which I deal is not a mere sentimental matter. It is not merely a question of the feelings of the soldiers themselves, or of their wives or parents at home. Those considerations are extremely important, but there is the military aspect, also. Upon the morale of an army hangs a very large portion of its utility and excellence. If the morale of these soldiers is suffering, their training and fighting ability will also suffer. I submit to Members of the House that nothing can be easily conceived that will tend to lower the morale of those men more than to feel either that their people at home are neglecting them by not writing or that the Postal Service is so negligent and so slack that the United States is not able to deliver their mail in a reasonable time.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield there?

Mr. ROGERS. Certainly.

Mr. GREEN of Iowa. I had an illustration of that very line called to my attention recently in the case of a soldier who had been sick for a long time, who kept writing home and asking his parents why they did not write to him. He was not able to hear from them for 30 days. At the same time they were continually writing letters to him and were unable to reach him, until I found ways of communicating with him through channels outside of the ordinary.

Mr. ROGERS. The men of the American forces abroad realize that there is a 3,500-mile ocean between their homes and themselves, and that of course they can not expect the kind of service that we demand in this country. I do not think they are unreasonable about it. I do not think that they fail to realize

that war exigencies must come first, or assert that the problem is wholly easy with a submarine-infested ocean between them and their homes.

But they do ask that everything possible shall be done. They have gotten rather beyond the point of expecting packages to reach them. They have gotten beyond the point of expecting that when packages do come they will come in an unbroken condition. Time after time it has happened that when packages arrive the wrappers have been broken and the contents have been rifled, if not altogether removed.

They have gotten over expecting to receive newspapers, simply because newspapers do not come. The soldiers recognize that things which take up bulk in trans-Atlantic liners can not, perhaps, be cared for with the same ease and celerity that letter mail can be. They ask of the American people that at least their letter mail shall be delivered to them as expeditiously and as safely as is possible.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. KNUTSON. Is the gentleman from Massachusetts aware of the fact that the conditions he speaks of as existing in Europe also exist in some of the camps in this country? For instance, Jefferson Barracks mail from Minnesota is 10 to 12 days old when it finally reaches the hands of the soldiers at Jefferson Barracks.

Mr. ROGERS. I have heard statements of that kind. But I think the problem of postal service between here and the expeditionary forces in France is an entirely different one. I prefer to-day to address myself to the over-seas aspect, which will be of even greater importance as time goes by and as our troops in France become much more numerous. If the service has failed to care for the mail of 150,000 men, what will happen when one or two million of our men are in France?

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. KEARNS. Has the gentleman made any investigation as to whether the trouble is on this side or on the other side?

Mr. ROGERS. I will come to that in a moment.

Mr. GREEN of Iowa. I intended to call the gentleman's attention to a question in relation to the case that I alluded to, which was down at San Antonio, and that is that if the postal authorities are so negligent in a case like that, what will happen to our soldiers abroad?

Mr. COOPER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. COOPER of Ohio. I have received several letters from a gentleman in my district who has a son in France, and he tells me it is almost impossible to get mail to his son. Do you know whether there is any effort being made on the part of the authorities in this country to try to see whether the mail gets to our soldiers boys in France?

Mr. ROGERS. I will give to the gentleman a copy of the report by the Postmaster General which has just been transmitted to the House, and which indicates the present prospect, or rather the lack of prospect.

Now, Mr. Chairman, at the risk of being somewhat wearisome, I am going to read extracts from 15 or 20 of the very many letters which I have received, because they present actual and recent cases. The Post Office Department will tell you, if you take this matter up with it, that it wants specific cases. It is my purpose, so far as possible, to cooperate with the Post Office Deparment by furnishing specific illustration of the conditions which I believe exist.

I shall not read into the RECORD the names of the people who have written me, but I shall be very happy indeed to furnish those names to the Post Office Department if they desire them in connection with any investigation. I shall also be very glad to offer any information that I have and to render any assistance that I can to the Post Office Department in running down the difficulties and in correcting them if possible.

I have here, for example, a letter from a man in Massachusetts, who is chairman of a local draft board. He says:

When the mails are delayed it causes both Mrs. K. and myself some worry. I am inclosing a copy of my son's letter, in which he says his mother's letter of August 12 has just been received November 29. Now, that is the kind of thing that gets on one's nerves. The longest his letters to us have been on the way was four weeks, which is not so bad. Most of them came through in three weeks, which is very good, all things considered. Either Mrs. K., my daughter, or myself write each week in turn. We do not wish to overburden the mails by writing oftener, but how we do wish that our letters could be delivered promptly and that we could feel sure that, barring accidents, he gets them all.

I think that as I proceed the Members will find that almost all the letters which discuss that phase of the case indicate that much the worse delays arise going east to France, and that, on the whole, the service coming from France is as expeditious as can perhaps be expected.

Mr. TILSON. Will the gentleman yield?

Mr. ROGERS. With pleasure.

Mr. TILSON. Does the gentleman intend later in his remarks to speak of the debarkation facilities?

Mr. ROGERS. Yes.

Mr. TILSON. And the congestion of mails at the points of debarkation?

Mr. ROGERS. Yes; I shall come to that in just a moment. I shall be very glad to have the gentleman's observations on that point, because I confess I have not the detailed information which I should like.

Mr. TEMPLE. Will the gentleman yield for a moment?

Mr. ROGERS. With pleasure.

Mr. TEMPLE. With regard to delays to mail coming this way, the letters are not always promptly sent. I have received only two letters from a soldier in France, one of which was 39 days on the way and the other 41 days on the way.

Mr. ROGERS. I was trying to put the best foot forward for the department. I think it is unquestionably true that the service is much less delayed coming this way than going the other way.

Here is a letter from the president of a national bank—and I may say that the only bright spot in this mail situation is that the delays fall upon the just and the unjust, upon the rich and the poor, upon the high and the low alike. The Postal Service favors nobody. It is equally bad to all. [Applause.]

This letter says:

I have a son in the medical branch of the service in France whose mail is sent in care of chief surgeon, lines of communication. It takes from six to eight weeks for him to receive a letter from the United States, and there were sent four Christmas packages on November 5 and about the 15th; that to 6th of January, 1918, had not reached him. These packages were all within the limit of 7 pounds and two wood cased. The first Christmas box, sent November 3, was received December 11, and then the four others not at all up until January 6.

The letters written home from France are received in from 16 to 30 days, usually in about three weeks, but the letters from the States to him are very irregular, and to obtain a reply from a letter sent to France one must figure on about 12 weeks, at the least.

Here is a letter which came to me in my absence on the other side, but which is typical of scores which I have received and of which I shall read only a few:

I am writing this letter in interest of boys in the One hundred and first Regiment now in France.

Every letter I have read, either personal or in the newspapers, the fellows all want to know why people don't write to them. I, for one, have written 35 letters and my husband complains he has only received 2. It can't be on account of the wrong address, for surely some one would write the address correctly.

I think you will agree with me that nothing would make those soldiers happier than to get mail from home.

Here is a letter from a physician in my home city of Lowell, whose son is a lieutenant in the expeditionary force:

Would again ask your help in securing better facilities for reaching the men in France with comforts of various kinds. I have sent seven parcels to him (my son) for personal use and that of his command to the value of about $140. Only one parcel has reached him—December 26—which left here October 2. One of his company received a parcel which had been opened and two or three pairs of heavy socks removed. Cases of this kind seem too frequent to be an accident.

Here is a letter from a neighbor of mine whose son is abroad:

My son has been in France since August, but has received less than a half a dozen letters from home. For the past six weeks in every letter he states the fact, "Still no mail from home." I average writing five letters a week. In his last letter he mentions on that day receiving two letters from me with widely different dates, one dated October 1, the other a date in November.

A Mrs. Quinn writes:

The family and friends have written almost daily to the young man ever since he left with the troops, but all of his letters from the other side express great surprise at not hearing from his friends, and great anxiety because he does not hear. A letter received only a few days ago by one of his friends here in Lowell inquired whether his parents were all right, and wished the friend to tell them that he was anxiously awaiting mail from them.

Mrs. Quinn was greatly distressed that their letters had not been received by the young man, as they had been faithful correspondents, and was wondering if there was any way in which Mr. ROGERS could ascertain why they had not been delivered. Of course, the failure of a single letter (or of two or three letters) to reach the young man could not be wondered at, but she can not understand why all letters from both family and friends have gone astray.

Here is a letter from a Frenchwoman:

Friends of mine who went away with the Eleventh Engineer Corps in July had as many as 15 packages addressed to them, and not one of them has been received. My two sons are on the eve of their departure for dear France to be on Gen. Pershing's staff. Now, a mother's heart is at stake. All I have left is to write and send little delicacies to my dear boys—the only children I have ever had. Yes; my sacrifice is complete, but all for the sacred cause.

A little touch of home is a whole lot to the lonely soldier in the trenches.

And we all know that that is true. [Applause.]

Here is a letter from a man in Lawrence, Mass.:

We took great pains to early forward articles to our boy in Paris, France. To be more specific, on November 8, 1917, I mailed at the Lawrence post office (personally) a package of combination paper and envelopes.

On November 9, 1917, I mailed (delivered personally) at the Lawrence post office one box with Christmas articles from all members of the family.

We have received from my boy during the last two months mail every two weeks on the average, but until he had been away from home two months, from September 12, 1917, he heard nothing from us. Up to January 18, 1918 (the date of his last letter), he had not received the articles I have mentioned.

Here is a letter from a Vermont friend:

Lots of our boys from here have had no letters; and, as I go among people, it is hard to keep spirits up when the lad is writing "no letters; why doesn't mother write?"

Here is a letter from a constituent of the gentleman from Ohio [Mr. LONGWORTH]:

There certainly must be something radically wrong. Packages, Christmas boxes, mailed and packed and examined by the Post Office Department as being in good condition before November 14 have not been received up to December 27.

I am only one who has given up all we have, our two sons, who are in the Rainbow Division. I can fully appreciate that the Government has its hands full, but we feel that some consideration and feeling should be shown those brave boys over there somewhere and those they have left.

You will notice that throughout this correspondence there is no bitterness, no vindictiveness, of attack. We find everywhere an expression of regret that the conditions are as they are, and the expression of a hope that something may be done.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. GREEN of Iowa. Recently I received a letter from a number of ladies at Council Bluffs, who are mothers of boys who are across in France, and who sent a joint communication to me. They state that of the parcels that they had sent they were satisfied that at least 90 per cent had never reached the soldiers to whom they were consigned, and never would.

Mr. ROGERS. I had a letter yesterday from Pittsburg, Kans., a town of which the gentleman from Iowa may know the location, but of which I had not previously heard, I regret to say. This letter says:

I have sent my son in France four boxes. Two I sent October 23 via New York, the others we sent since Christmas. I received a cablegram yesterday telling me he had received nothing. Can you imagine, Mr. ROGERS, a boy 19 years of age, away over there among strangers in this terrible conflict? Christmas came and nothing from mother. I do hope you will take this up and investigate this. I am only one among hundreds here in Pittsburg that have had the same experience. We pay all the postage the Government requires, and would be only too glad to insure them if we were allowed to. I insured one box for $5 to Camp Mills, N. Y., before the boys sailed; that was never received. I put in a claim here at the office two months ago. The postmaster told me to-day I might not hear about it for two years, and may never hear.

Mr. COOPER of Wisconsin. What is the date of that letter?

Mr. ROGERS. This is dated January 29.

Mr. SLOAN. Will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. SLOAN. I desire to say that Pittsburg, Kans., is considerable of a city in the southeastern part of the Sunflower State, consisting of houses built almost entirely around the residence of our distinguished colleague, Mr. PHILIP PITT CAMPBELL. [Applause.]

Mr. ROGERS. I apologize to the sunflowers. Here is a letter which the gentleman from Ohio [Mr. FESS] has just handed me, and which I will read at his request:

As I have read in this morning's paper that the question of mail to American troops in France has been brought to the attention of the House of Representatives, I am emboldened to write what I have been wanting to write for some time. And I am writing on behalf of many families of soldiers in France, as well as for myself.

I have an 18-year-old boy with the Rainbow Division in France. I have written to him every three days, or twice a week, ever since he left home. The last letter I received from him was written December 10, and at that time he had received two letters from me after arriving in France. Other boys from this town have written that they had received none of the letters their families were sending in a steady stream.

We have not heard whether our Christmas boxes ever reached the boys, for it is almost a month since we received letters from them, although about 10 days ago every officer's family here received letters; some four and six at once.

We have tried to be patient and uncomplaining, for we know the transportation difficulties and that the Government has so many problems to solve, but it is getting to be very hard. An army of homesick boys abroad and a lot of heartsick mothers at home will not be very efficient aids in winning the war. There surely is need of an investigation of the matter, and I am sure that you will do all in your power to help us keep in touch with our boys.

Here is another letter somewhat in the same vein:

As you have recently returned from the "war zone," I take this liberty to write you concerning my two brothers who are with the American Army in France.

My brothers left the States in the fall of 1917 with the One hundred and first Infantry. Since then my family has written at least two letters a week to them. In addition to this several parcels have also been sent.

I am just in receipt of a letter from my brother Charles, in which he says that he has received no news from me since he left home. All of his recent letters are written in a disheartened manner as if he were led to believe that the folks at home had forgotten him. This also applies to the letters of my other brother, Thomas.

I have three or more letters of somewhat the same character which I ask unanimous consent to have incorporated in my remarks without reading.

The CHAIRMAN (Mr. HOUSTON). The gentleman from Massachusetts asks unanimous consent to insert letters in the RECORD as a part of his remarks. Is there objection?

There was no objection.

The letters are as follows:

A soldier writing under date of January 1, 1918, to his mother asks why she did not write? Sailed August 8, 1917.

A captain writes his aunt that he has not received her letter nor from his sisters. Packages sent him failed to show up. He also sailed August 8, 1917.

My oldest son has been in France since August 12, 1917, and I have written to him every week since then, but yet he has only received one of my letters. My youngest son landed in France the latter part of last September and he has only received one of my letters and one from his sister, and during the first week of last November I sent my sons each a watch as a remembrance of Christmas and they have not received them yet, and during the second week of December last I sent my younger son a razor and wool socks and he has not received them yet.

—

A letter written in France September 22, 1917, was not delivered to me until November 2, 1917. I wrote a reply at once and posted it the same day, November 2; this was not received in France until December 19, 1917, and the reply, dated December 19, was not received here until January 20, which was, of course, a trifle better time. A member of the United States Engineers informs me that he writes every week. I do not receive one letter in three weeks. During the months of October and November I sent by first-class postage, sealed, 10 packages, the contents of each package being worth from $2 to $6, and the postage costing from 60 cents to $1.67. Not one of these packages had been received on the 19th day of December. I also sent 10 Christmas packages, all by first-class postage, some packages costing as much as $1.64. I, up to this time, have not had one of these packages acknowledged. The Post Office Department refuses absolutely to register any package, so one does not have any recourse whatever, nor any means of tracing. I also gave in October, 1917, $10 to the American Tobacco Co. to furnish 40 tobacco kits to as many soldiers, but only five have so far been acknowledged. Judging from the gratitude expressed on the 5 cards received, the other 35 could not have been received by any soldiers at the front.

What becomes of these packages? I have been informed by persons who have been in France recently that they are appropriated in France by persons handling the mails, but, of course, have no means of proving this statement. No wonder soldiers are losing their morale. Exposed to danger and hardship and then to feel themselves deserted and neglected by people at home from whom they have every right to expect care and consideration. A terrible injustice is being done. In my personal case, many sacrifices were made to send these packages, and then for them not to reach the person for whom they were intended causes one to become very skeptical to say the least.

There certainly can be no justification of delays in transit of from six to eight weeks. It would seem that parcels-post packages, in many instances, do not reach their destination at all.

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SEATTLE, *January 28, 1918.*

Hon. JOHN F. MILLER, M. C.,
Washington, D. C.

MY DEAR FRIEND JOHN: By unanimous request of the auxiliary of the Signal Corps, which is composed of the relatives of the boys of the One hundred and sixteenth Field Battalion, I am directed to ask you if there is any possibility of our being enabled to hear from our boys who are now somewhere in France and who left Camp Mills supposedly on the 25th or 26th of November, except when we pick up a morning paper and read an obituary notice, as we did Saturday morning when we read that Young Austin, with whom you are well acquainted, died of pneumonia. I have taken this matter up with the Secretary of War to see why we could not at least hear how they are but have had no reply.

Mrs. DeHahn, the police matron, with whom you are acquainted, whose only son is in France with my boy, called me up and said if she did not have some word from her boy she would go crazy. The only word we have had was written on the way over and mailed when they landed. On December 22 the auxiliary sent a Christmas cablegram to the commanding officer of the battalion, but we have never heard from it. We have sent the battalion money, knitted goods, and many other useful articles. We do not expect to have them give us their personal opinion of how the war should be operated, but we do not see why we can't have some word as to how they are getting along.

I appreciate that I can talk to you as a friend and as a fraternal brother, and I am going to ask you if you will endeavor to bring some influence to bear or offer some reasonable excuse why we can not have some word. I know I am not exaggerating when I say that I have 10 telephone calls a day from anxious parents. The maddest man in town is C. B. Bagley. His son Cecil commands Company C of the One hundred and sixteenth Battalion, and he has not had a word from him.

G. M. BUTTERWORTH.

Mr. SEARS. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. SEARS. Have these letters been called to the attention of the Post Office Department?

Mr. ROGERS. I have sent a copy of the recent letters regularly to the department. Although I have not read the names of the writers, I am willing to give them to the department and to cooperate with any investigation that it may care to make.

Mr. SEARS. Does not the gentleman think it would be well to take this matter up first with the department?

Mr. ROGERS. I have repeatedly done so. Is the gentleman from Florida familiar with the report to the House of the Postmaster General, in which he says that the time required to transmit to France letters is 15 to 30 days? That statement is the basis of my remarks, made upon no less authority than the Postmaster General himself.

Mr. SEARS. The gentleman is aware that the mails are in a congested condition, as we all know.

Mr. ROGERS. I am coming to that now.

Mr. MILLER of Washington. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. MILLER of Washington. I want to submit to the gentleman a letter along the same lines which I have received from a constituent in Seattle.

Mr. ROGERS. I will take that and print it with others without reading. The inquiry of the gentleman from Florida leads us naturally to a consideration of where this delay arises. The journey of a letter or other piece of mail from its place of posting in the United States until it is delivered to the soldier in France consists, roughly speaking, of four steps. First, the transit from the point of posting to the dock in New York or any other port which may be the embarkation point; second, the ocean voyage; third, the journey of the letter from the point of disembarkation in France to the point where it is delivered over to the military authorities somewhere in the American area; fourth, the handling by the military authorities and the delivery by them to the soldier who is the addressee. I want to take up each of the four stages.

The gentleman from Connecticut referred a few moments ago to the conditions prior to the placing of the mail on the ocean steamer. I have not as definite information on that subject as I should like. I desire, however, to read a letter which I recently received from a correspondent whom I do not know. He signs his name and gives his address:

> I was employed in the capacity of a temporary clerk in the New York post office, Station W, from December 5 to January 1. During my time in Station W was considered sentimental in regards to my care of soldiers' mail. I attributed this to my care of the packages addressed to them; they would be more cherished than the ordinary. Being transferred to the foreign station, I was surprised to find mail stacked as high as the ceiling for the warships and forces in France, so neglected they were using shovels to make passageway for workers to pass, and conditions were such that we walked upon broken packages—their contents such as puddings, candy, mufflers, handkerchiefs, socks, etc., things which would be almost impossible to replace in their respective packages.

That is substantially all the specific information I have as to conditions before letters are actually put on board the mail-carrying vessel. Of course we know that there is a slowing up of mails in this country. We know, as a gentleman suggested a little while ago, that there is difficulty even in sending mail to soldiers in American camps. And yet I think the delay which is consequent upon handling within the United States is, on the whole, rather slight.

The Postmaster General, as I have pointed out, says that the average time from the sender in the United States to the addressee in France is two to four weeks. I have shown that, if my own experience is at all a criterion, the minimum time is nearer seven weeks than two weeks. I do not think that a very large part of that disparity is to be explained by the situation which prevails on this side of the ocean.

So we come to the second stage of the journey of a letter. I had supposed that the Postmaster General would lay a good deal of emphasis upon the time consumed in the ocean transit, because we all know what conditions are on the Atlantic; that war requirements can not be made subordinate to postal exigencies; and that as long as the war lasts and the submarine is a factor delays in the 3,000 miles of ocean voyage will inevitably exist. Here is what the Postmaster General says on this point in his report:

> Mail is dispatched from New York on all available commercial liners and transports. I am informed that letter mail clears entirely with every dispatch, although occasionally, which is exceptional, the lack of space on liners or transports causes parcel post or paper mail to fall back on the next outgoing ship.

In other words, all letter mail goes on the first vessel after its arrival at the port of New York, but occasionally and exceptionally other mail, including newspapers and packages, has to wait one ship, but no more. That, I think, is a very creditable and, to me, a rather surprising state of affairs.

Then the Postmaster General gives a list of the sailings from the port of New York beginning November 1 and ending January 25. I will not read those dates in detail. They appear in his report. There were 10 in November, 5 in December, and 9 in January up to January 25. There was a departure, on an average, every three and a half days, and the maximum time intervening between the departures was seven days. I think, all things considered, that is creditable to the Post Office Department, and it indicates that the fault is not in getting the letters on board of the steamers destined for Europe.

With regard to the time consumed in the ocean transit the Postmaster General says:

> The time that elapses between the loading of the mail on a commercial liner and its arrival at a French port varies from 10 to 14 days, according to the speed of the ship or its route across the ocean. Mail on transports is loaded whenever and to the extent that the Army has space available, but it does not follow that transports sail directly for their destination immediately upon being loaded. Mail placed on transports has arrived in France sometimes in 12 days and sometimes as much as 21 days after being loaded in this country.

In other words, the Postmaster General says that sometimes only 10 days and sometimes as much as 3 weeks is consumed in the actual steamer voyage. That statement should be compared with the minimum of 7 weeks which I found in one military post office in France to have elapsed between the posting in the United States and the time when the letter was ready for delivery. It should also be noted that in the 5 weeks between November 3 and December 7, just prior to my visit to that military post office, 10 mail-carrying vessels had left New York. Yet no letter with a United States post mark as late as November 1 was there. So I think, on the whole, that neither the first step nor the second step can explain any considerable part of the delay.

I doubt, as I said a moment ago, whether the delay from the point of posting to the point of embarkation is very serious or can be very greatly reduced—perhaps a day or two at the outside. I doubt if, as long as the submarine continues to be a menace, we can very materially reduce the time at present consumed in crossing the Atlantic.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield 15 minutes more to the gentleman.

Mr. ROGERS. So we come to the third and fourth stages of the journey, from the point of disembarkation in France to the point where the letters are turned over to the military authorities, and then the time consumed in the handling and delivery by the military authorities. I am frank to say that I have not been able to get any very detailed information why the delay to eastbound mail comes in either of those two places, or both. It is only, you will observe, by the process of elimination that I am forced to the conclusion it must be somewhere either in the third or the fourth stage. Letters coming west frequently come in 3 weeks from the time they are posted by the soldier, and sometimes they come in about 2 weeks. Ocean congestion can not be the explanation of the great difference between 2 or 3 weeks and 7 or 8 weeks. It would seem that the explanation—at least in part—is that the task of collecting the letters from the various points where they are posted by the members of the expeditionary forces is very much less than the task of pushing them out to the almost infinite number of points where the letters have to go in order to be distributed to the addressees. I shall come in a moment to what I conceive to be the way to ascertain exactly what the facts are.

I have said more than once in my remarks that we are at war and that we can not except a smoothness and celerity of service which would be characteristic of peace times. We can not overlook the obstacles which are in the way of perfect service; we can not overlook the paramount things which must be cared for, even prior to the soldiers' mail. But we can fairly compare our military postal service with that of our cobelligerents. Take the case of Great Britain. The very fact that we have an ocean between us and our soldiers is only an additional reason why we should avoid all the avoidable delays. We can not avoid the unavoidable, and ocean transit is one of the unavoidable things. Great Britain, of course, does not have to contend with an ocean. But she has to load every piece of mail upon a cross-channel steamer, carry it across, and unload it at the other end. She has an army on the west front of two or three million men, perhaps twelve or fifteen times the size of ours now in France. One of the members of the British mission who has recently been in this country, and who only a few days ago returned to be surgeon general of the British forces, told me that during the first two years of the war, when he was much of the time in or near the trenches, he habitually received a letter written by his wife in the west of England one morning on the following afternoon—habitually received the letter the day following its posting in Cornwall. That illustrates the wonderful system that has been achieved in the case of Great Britain. While we can not, with an ocean in between which takes from 10 days to 3 weeks to cross, approximate that record, I think we can regard it as our goal, of course making a due allowance for the necessary time for the ocean voyage. The day I sailed home from France,

which was on the 22d day of December, three days before Christmas, the following article appeared in the Paris press. It is a signed letter by Mr. Harold Ashton, with the British Army in France, dated Friday, December 21:

FRIDAY.

Santa Claus has already arrived in the shell holes around the Hindenburg line, and the preliminaries of our fourth Christmas at the front have begun very merrily and in the most seasonable weather. This is, of course, the biggest Christmas of the war for good wishes, good cheer, and good things. It is certainly the best organized, and wonderful things are being performed to this end by the tireless officials of the army post office. It is all sheer wizardly. Regents Park Post Office is linked up with the trench line, where our soldiers lie in their fuzzy coats gazing into the mists of Flanders or watching the grim shadows of Bourlon Wood. Forty-five hours ago a lass in Aberdeen posted a pretty card to her lad at the front, she knew not where. This morning it was delivered to him as he crouched watching the frosted towers of Cambrai rising out of the haze.

THIRTY-FOUR THOUSAND BAGS IN A DAY.

The army post office in France has made preparations this Christmas for receiving 200,000 bags above the normal, equaling 25,000 bags per day. This figure has already been exceeded one day this week, 34,000 bags being received from England. Everything is working smoothly, and so well is the machinery running that the whole of the Christmas mail will be delivered to all parts of the battle front before Christmas Day. Normally the Army writes 8,500,000 letters every week. This week the number is doubled, and the lorry service has had to be increased accordingly.

I think we can agree that that was a very remarkable achievement, but I do not think we are willing to agree to that, making due allowance for the geography of our positions, we can not do exactly as well for an Army not one-tenth as large. That is the goal to be sought. We should not content ourselves with the condition which now exists, and which we all know from our correspondence is bringing about so much grief and hardship both to the soldiers and to the fathers and mothers and wives at home.

Mr. GOODWIN of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. GOODWIN of Arkansas. The gentleman is making a very interesting statement, a part of which unfortunately I have not been able to hear. I believe he has traced the American mail to the point of disembarkation in Europe. After the mail reaches Europe, into the hands of what postal authorities is it distributed, and what suggestion has the gentleman as a remedy as to that?

Mr. ROGERS. Here is what the Postmaster General says upon that point:

The time required for the railways to transport this mail to the camps or stations of the American force is from one to two days, according to the distance or location of the troops.

I am informed that this mail is turned over promptly to the duly designated mail orderlies of the military units to which it is addressed and that no mail for the troops is held at any of the field postal stations. Military orderlies open the lead-sealed sacks and distribute the individual pieces of mail to the soldiers to whom they are addressed, or mail is readdressed by them and forwarded to individual officers or men who may have been transferred to other stations.

That is all that bears on that particular point. Let me repeat this before I yield again: My criticism is not addressed to the Post Office Department or to the Postmaster General or to any other department or individual of the Government. I know what the condition is that exists. I know that the letter of the Postmaster General does not deal with the condition, which I suspect the gentleman from Arkansas and certainly I found to exist on the other side. What I want to find out is how we shall deal with the situation in the light of the facts that we know to exist in order to bring about an improvement. I have stated that in the first and second steps of the journey of a letter to France apparently no great avoidable delay occurs. The Postmaster General says that only one or two days is required to move a letter from the point of disembarkation in France to the point where it is delivered over to the military orderlies. If these statements are all true, the only place that is left for delay is after it reaches the Army in France. Yet a great deal of delay certainly ensues somewhere, because I have proven, I think, that many of these letters, perhaps most of them, take seven weeks as a minimum to reach their destination. If it is the Army that is responsible, let us see how we can help the Army to remedy the defects. If it is the congestion in New York City which is at fault, let us see how we can remedy that. If it is the railroads in France, if it is the handling of the mail by our allies in France or England, let us see what we can do to meet the defect there. But the Postmaster General, and I say this with extreme deference, does not help us very much in his report to know where the fault really is.

My proposal specifically is this: Let us have the Postmaster General or the President or Congress appoint a strong commission, men who are big men in the abstract and men who are big men in postal work. I speak of men of the type of the former First Assistant Postmaster General, Mr. Roper, and former Postmaster General Hitchcock. I do not know that either of them is available in fact. But let us have men who are strong men, men who can look into this problem from the moment the letter is posted in Arkansas or in Kansas or in Massachusetts, who can trace it all the way to New York, who can follow it across the ocean, who can follow it through its disembarkation processes on the other side, who can trace it on its way to the military authorities who receive it, and can follow every step after it passes into the hands of these military authorities. I submit that nothing tangible is being done at this moment to improve the service, and that something ought to be done, something should be done, not only in fairness to these boys and their families but, as a military measure, in fairness to the United States as a whole. We must demand that everything possible be done in order to keep at the crest the morale of our soldiers in France.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. ROGERS. I will.

Mr. GOODWIN of Arkansas. To what fact does the gentleman ascribe the fault of the fairly prompt delivery of mail after it reaches France? In other words, to what extent are soldiers being shifted from one camp to another, so as to lose their addresses from time to time?

Mr. ROGERS. The gentleman's opinion about that is as good as mine. He, too, has just been in France. Most of the men I happened to encounter, men who are from my neighborhood and whom I know personally, were located at a particular city or town or village, where they remained for a good many weeks or months. At all events, although the Postmaster General properly says that in some cases there are delays arising from the shifting of troops, it does not seem as if the unbroken testimony which my mail and, I suspect, the gentleman's mail reveals can be explained on the theory that the soldiers have been moved. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The time of the gentleman has about expired; he has but one minute more.

Mr. MILLER of Washington. Will the gentleman yield for a question?

Mr. ROGERS. Certainly.

Mr. MILLER of Washington. I would like to ask the gentleman if he did not ascertain that the ordinary mail route of mail for the American expeditionary forces was from the port of disembarkation in France to general headquarters in Paris?

Mr. ROGERS. I think that is true.

Mr. MILLER of Washington. Did not the gentleman ascertain that considerable delay was occasioned through subdistribution at that point in Paris—the Hotel Mediterranean?

Mr. ROGERS. I repeatedly heard that statement, but I did not hear it, as perhaps the gentleman did, from one who had direct knowledge.

Mr. MILLER of Washington. I would like further to ask the gentleman if, while he was at the Hotel Mediterranean, the mail headquarters in Paris, he did not see large quantities of mail there that had not been delivered and had been there for many days and some for many weeks?

Mr. ROGERS. I did not go there. The gentleman is inclined to think, from his experience, that the delay occurs in France?

Mr. MILLER of Washington. I certainly am from my investigation, and I think I will be borne out in that by every gentleman that was with the congressional party who went there.

Mr. ROGERS. That, of course, was my own impression.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. I yield the gentleman another five minutes.

Mr. ROGERS. I thank the gentleman. Of course, it is exceedingly difficult for men of the House, with every desire to be fair and to be acquisitive of information, to know exactly how responsibility should be apportioned. I have preferred in my remarks to-day to deal with the facts that I know exist and with the delays which I know occur between the time the letters are posted and the time they are delivered. I do not think it is our function, however interested we doubtless are, to attempt to try to subdivide the blame for these conditions.

Mr. COX. Will the gentleman yield?

Mr. ROGERS. In just a moment. I earnestly hope able men can be appointed to consider this whole matter in an official way, to apportion the responsibility, and to reorganize and readjust as they find necessary. It ought not to be a very difficult matter to obviate all possible delay. If the difficulty arises because of shortage of help, as I heard suggested in France a number of times, that condition can not be tolerated. If the Postmaster General has not enough help for that purpose, or if our military forces have not been assigned enough postal clerks for that purpose, they should only ask Congress for what is needed in order to have it the very next instant. [Applause.]

Mr. COX. Will the gentleman yield?

Mr. ROGERS. I yield to the gentleman.

Mr. COX. To what point in France do the military authorities take charge of our mail?

Mr. ROGERS. Of course, our troops are fairly well scattered over France, but I understand that the great bulk of our letters go to Paris for reapportionment among the several postal sectors which our Army occupies.

Mr. COX. Would the gentleman be permitted to tell the ports at which our vessels are permitted to land over there? Then that will lead me up to the other question.

Mr. ROGERS. I should prefer not to mention the name of the ports, although I think it is a matter of common knowledge that the ports in the Bay of Biscay are the ports which are mainly utilized.

Mr. COX. Then all up to that port the civil side of our Government has charge of our mail?

Mr. ROGERS. Yes.

Mr. COX. Then our Government still maintains charge and custody and control of our mail from that port through to Paris, does it?

Mr. ROGERS. That is true.

Mr. COX. It is distributed in the city of Paris still by the civil side of our Government?

Mr. ROGERS. Yes.

Mr. COX. Then it does not reach the military side of our Government until after it passes on through Paris and to the line somewhere, does it?

Mr. ROGERS. As I understand it, that is true provided the letter goes through Paris. For example, a unit stationed at one of the ports would have its mail segregated so that it would not go to Paris and come all the way back. It would be dropped at the point of disembarkation and be delivered there. But, subject to that qualification, I think the gentleman's statement is true.

Mr. COX. I have been told that we had 38 mail stations from the time that our mail landed in the port until it was finally delivered. Now, where is the main distributing point, or center, of our mail? Is it at the port, in the city of Paris, or on the line? Does the gentleman know?

Mr. ROGERS. I do not feel qualified to answer that with certainty. I should say that the main postal center was Paris. Then we have a number of military postal subdivisions or distributing points, and those are scattered about according to the location of the troops at the moment.

Mr. COX. Let me ask this question; I am trying to get information: Did the gentleman run across Mr. John Clark anywhere over there?

Mr. ROGERS. I did not.

Mr. COX. Does anyone here know where he is located there?

A MEMBER. I think he is on a homestead there. [Laughter.]

Mr. COX. A Member says he is on a homestead there, but he is not. He is a mighty big man. He is a man that has been engaged in the mail transportation for the last 20 or 25 years. In looking for a big man I do not know where you could get a bigger one, unless you could get John C. Koons.

Mr. MILLER of Washington. Will the gentleman yield for a moment? Our information in Paris was that the mail, generally, for the expeditionary force was sent to Paris, and from Paris distributed to the various military sectors.

Mr. COX. Then our mail never reaches distribution at the hands of the military until it passes out of Paris?

Mr. MILLER of Washington. No. As soon as it leaves Paris it is in the hands of the American military forces. That is what we were informed.

Mr. COX. That is just what I wanted to know.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. COX. I want to ask one more question.

Mr. COOPER of Wisconsin. I yield one minute more, in order that the gentleman may answer a question.

Mr. COX. If the fault occurs at the time the mail leaves Paris for the line, the blame attaches to the military and not to the postal department, does it not?

Mr. MILLER of Washington. I was told that while in Paris that Paris was the general distributing center. There are a lot of mail clerks detached from service in this country who are sent there in the Postal Service. At the moment they have their headquarters in Paris, and I was told that there was where the congestion occurred; that the number of clerks detached by the Post Office Department in this country was inadequate to take care of the condition there.

Mr. VAN DYKE. Will the gentleman yield for one question?

Mr. MILLER of Washington. I will.

Mr. VAN DYKE. Is it not true that the largest part of the congestion is in the city of New York at the present time, at the Chelsea terminal?

Mr. MILLER of Washington. I have no information on that.

Mr. VAN DYKE. I think, if the gentleman will look it up, he will find that the greatest congestion is in New York at the present time, because of the inadequate and insufficient force used at that terminal.

Mr. MILLER of Washington. The gentleman from Arkansas [Mr. GOODWIN] was in Paris at the same time we were, and he may give us the benefit of his inquiries.

Mr. FLOOD. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Nearly all the world is at war, Mr. Chairman, and quite all the world of importance is talking peace and yearning for it even "as the hart panteth after the water brooks." All the world, absolutely all, is war weary and hardly making an effort to conceal that fact. Even the aggressive, military Empire of Germany, while still boasting itself a conqueror, is not able to deceive the world with a mere camouflage of words, and Austria frankly confesses her anxious longing for peace. In fact, indirect negotiations for peace are on, for the speeches by foreign ministers and chancellors mean nothing less. Gradually Governments seem to be coming together on some important points that must be features of any peace treaty that will be made. Two-sevenths of the President's plan have been accepted unreservedly. When we get Von Hertling's irreducible minimum we will, I believe, be much nearer an agreement, and in the end all the great features of the plan set out in his address on January 8 in 14 specifications will be accepted as the basis of the future relations of Governments.

Mr. Chairman, I am going to venture to use the 20 minutes allotted to me by the courtesy of the chairman of the Committee on Foreign Affairs to direct attention to an agency for peace known as the Interparliamentary Union. The oldest peace organization in the country, the oldest in the world, so far as I am informed, is the American Peace Society. It has been working since 1815, the year of the Battle of Waterloo, to spare the human race such horrors as are now their daily portion.

But age is not the only measure of service. There was organized in Paris on the 21st day of October, 1888, another society that has the same purpose in view and whose services entitle it to the gratitude of the civilized world. I refer to the Interparliamentary Union for the promotion of arbitration.

It owes its existence to the initiative of William Randal Cremer, a Labor member of the British House of Commons, and to Frederic Passy, a French parliamentarian who had a long, distinguished, and useful life. From the day it was founded the Interparliamentary Union commanded the sympathy and respect of the parliaments of Europe, and it grew rapidly.

I may say in passing, Mr. Chairman, that it has been considered in Europe as of vastly more importance than in this country, due no doubt to the fact that our isolation has put us out of the theater of war. Unless we shall, as a consequence of the present war, throw ourselves into the affairs of Europe and bear a part in the solution of the problems of international boundaries, as, for instance, those of the Balkans, our position will be one of comparative freedom from the dangers that threaten the nations of Europe as it has been heretofore and as I hope to see it continue to be.

The work of the humble Labor member of the British Commons, who was the admitted author of the movement, was so much appreciated that France admitted him to membership in the jealously guarded and restricted Legion of Honor. For the same service that brought him the decoration of the Legion of Honor he was knighted by King Edward of England. Still later he received the highest honor that can come to a worker for peace. In 1903 he was given the Nobel peace prize, which carries with it a money award of about $37,000.

Although Cremer was a poor man, a carpenter and cabinetmaker, with an income less than a thousand dollars a year, he promptly gave the whole sum to the Arbitration Society of England.

The spirit that controlled the founder is the spirit that has directed the Interparliamentary Union since its foundation. It stands for the arbitration of international disputes. It does not scatter its fire and lessen the value of its work by trying to put over all sorts of reforms. This forethought of the founder has kept the union from wasting its time on Utopian projects. Its members are parliamentarians, and the work to which it is dedicated is the work of parliaments. That fact has kept it wonderfully free from the annoyance of association with some excellent but impractical people who have found nearly every other society with similar aims a happy hunting ground.

Although arbitration alone was the purpose in view when the Interparliamentary Union was organized, it has studied and resolved about the laws of war, neutrality, and kindred subjects. The influence of its more than 3,000 members in Europe has been exercised through legislative bodies and in executive councils. Great international lawyers and practical, constructive statesmen, whose names are on the membership roll of the Union, have devoted years to the effort to find a way for nations to live in amity with one another.

To-day they are studying these questions more earnestly than ever before, for there is greater need. Even those who are citizens of neutral countries are working with tremendous energy and earnestness at the solution of this great problem, for they are among the innocent victims of the barbarities of war. Being innocent and neutral helps very little. Norwegians, Danes, and Swedes have suffered nearly as much from an inadequate supply of food and other necessaries as the Germans and Austrians.

It is small wonder, Mr. Chairman, that under such circumstances the statesmen of neutral countries are submitting requests for a central organization to maintain peace throughout the world.

It was the Interparliamentary Union that put the thought of the first Hague conference into the Czar's head. That started a movement that has developed slowly, that at times has even been arrested, but has never gone backward. No country, not even militaristic Germany or Austria, would consent to see The Hague idea abandoned.

Since the union was organized there have been 18 conferences, in each of which hundreds of delegates from about two dozen parliaments sat and discussed world affairs from the point of view of national legislators.

At the seventeenth conference, held in Geneva in 1912, faith in arbitration as the means of settling certain classes of international controversies was reaffirmed and agreed to in a resolution calling for the establishment of a permanent court, presided over by professional judges, to determine judicial questions according to the rules of law and equity, and a special commission to study the question and report at the next conference was appointed.

Among the members of that commission of study was a former associate of ours on the floor of this House. I refer to Theodore Burton, to serve with whom was a privilege and honor. In his long and eminent career here he always stood for the better things in legislation and international matters.

Unfortunately the nineteenth, the conference to which the report was to have been submitted, did not assemble at Stockholm in 1914 for reasons perfectly well known.

As long ago as 1892 the fourth conference of the union, sitting at Berne, demanded international agreements to respect the inviolability of private property at sea and also suggested the neutralization of certain sea routes. As you know, President Wilson, in one of his most notable addresses, has called attention to these same questions.

The tenth conference of the union, at Brussels in 1910, asked through The Hague for reforms in the rules of naval war as follows:

(a) Abolition of the right of capture.

(b) Limitation of the right of blockade to fortified ports or places.

(c) Limitation of contraband to arms, ammunition, and instruments of war addressed to one of the belligerents.

(d) Prohibiting the destruction of vessels carrying contraband and of goods found on board, except the contraband articles themselves.

The resolution containing these demands called on the British, French, and Russian groups to urge their Governments to change their attitude with relation to this question, and urged a modification of the Declaration of London in that respect.

In 1906, at the conference in London, the union declared for the limitation of armaments. This is the language of the resolution agreed to at that time:

The Interparliamentary Conference, considering that the increase of military and naval expenditure which weighs upon the world is universally held to be intolerable, expresses the formal wish that the question of the limitation of armaments be included in the program of the next conference at The Hague.

The conference decides that each group belonging to the Interparliamentary Union shall without delay place this resolution before the Government of its country and exercise its most pressing action on the parliament to which it belongs, in order that the question of the limitation be the subject of a national study necessary to the ultimate success of the international discussion.

The last conference held, that at The Hague in 1913, was distinguished by the number of eminent men who had a part in its proceedings, the quality of the debate, and the earnestness with which opinions were pressed. The limitation of armaments was most earnestly urged. Distinguished Frenchmen, Englishmen, Italians, and Germans spoke for disarmament.

I remember well the pathetic earnestness with which representatives from some of the smaller countries pleaded for it. Belgium and delegates from the Balkan countries and Scandinavia spoke as if already in the shadow of the great social crime of 1914.

Dr. L. Quidde, of Bavaria, a member of the Diet in that country, submitted a proposal to reduce the size of the armies and navies of all countries. He presented his views so eloquently that the executive council of the union took up the study of his resolution and appointed a special commission for its consideration, headed by Tydeman, of Holland, one of the finest and wisest men I ever knew, with Erzberger, of Germany, whose name you have been made familiar with recently, and with representatives on the commission from Austria, Great Britain, France, Denmark, Sweden, Norway, and Russia.

The debate in the conference was eloquent and convincing and many distinguished men for the first time declared themselves supporters of the policy.

Prof. Quidde, by the way, has not ceased to work for peace because of the war, and has been so open about it that I fear he may be in trouble with the Kaiser.

Mr. Chairman, I have taken a few paragraphs from the history of the Interparliamentary Union just to give you an idea of what its work has been and what are its aims.

No doubt every Member of this body read the speech of the German chancellor a few days ago and saw with pleasure his declaration that he could accept unreservedly the first 4 of the 14 conditions of peace laid down by Mr. Wilson in his address to the Congress on the 8th of January.

These four demands were:

First. Open covenants of peace and no secret treaties.

And I may say in passing, Mr. Chairman, that any Member of this House who has read the secret treaties that were exposed to the horrified gaze of an amazed world by the Bolsheviki group in Russia, no matter what his previous opinion may have been, will agree with that of the President, that there should be no longer covenants of peace of a secret nature or treaties not known to the world at large. Every treaty between two great governments involves the peace and happiness of the rest of mankind as well as of the two parties directly concerned with the contract.

Second. Freedom of the seas, outside territorial waters, in peace and war alike.

Third. Equality of trade conditions for all countries.

Fourth. Reduction of armaments to the lowest point consistent with domestic safety.

These, Mr. Chairman, are all such reasonable conditions that I can not believe they will be rejected by any country with a civilized government. They are very like the terms set out in the great speech of the British premier, David Lloyd-George, and they are strikingly like those of the Bolshevikist government of Russia, and not entirely out of harmony with those put forward by France and Austria. In fact, they are conditions of permanent peace on which all can agree in principle and without which nothing worth while can be done. The President's powerful and convincing phrases will force their consideration by all belligerents whether allies or enemies.

The extracts from the history of the Interparliamentary Union that I have given you show that these four peace conditions have been demanded by that organization for years.

In 1913 there were 3,300 members of the union scattered through the parliaments of about two dozen countries. These parliamentarians have labored with their respective governments to have them agreed to.

Shall we not, in the interest of humanity, support our colleagues in other parliaments in a campaign for their acceptance? [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I yield one hour to the gentleman from Minnesota [Mr. MILLER].

The CHAIRMAN. The gentleman from Minnesota is recognized for one hour.

Mr. MILLER of Minnesota. Mr. Chairman, I want to talk to such portion of the membership of the House as finds it possible to be here at the present time on what to me is the most important subject connected with the great war. In other words, I propose to direct attention to the question of transportation from the United States to the sea, across the sea to the point of debarkation in France, and across France to the front.

We are apt to direct our attention first to the spectacular features of preparation for war. We like to dream of thousands of aeroplanes flying in the sky, smothering the enemy. We like to think of thousands of massed cannon speeding death and destruction against the enemy. We like to think of embattled millions marching beneath our flag against the foe. These are all interesting and vitally important. But before these aeroplanes can fly, before these cannon can breathe fire and destruc-

tion, before the men can attack, you must get all to the place where the foe is. Were it that Germany is coming to fight us in America the situation would be different. Germany is not coming here. We are going there, and we are going to fight the most powerful nation that has ever existed. Our problem is to mass these instrumentalities of war at the exact point at the right time to defeat Germany in the field. Now, therefore, let me direct your attention to some of the elements of the problem.

In determining to make active war on Germany this country of ours has undertaken the most stupendous military task ever undertaken by any nation. Having regard to the fact that Germany is the most powerful military nation the world has ever known, our task would be of huge proportions, taxing severely our strength, if Germany were at hand so that our Army immediately could strike her. But Germany is not at hand. Germany is not coming here. We are going there. To reach her with a fighting force which, joined with the allies, will accomplish Germany's defeat, is our problem. With due respect to the importance of training camps, proper equipment of guns and munitions, clothing, hospitals, aeroplanes, our greatest problem is transportation. Observe the elements in the problem.

First, it is necessary to gather our troops from all sections of the United States and transport them to an Atlantic port. This in itself is a great undertaking.

Many of those men must travel more than 3,000 miles. The railroad transportation system of the United States has before it a severe strain to transport these men, munitions, and supplies. There must be provided at the Atlantic ports abundant docks and terminal facilities, so that men and freight can be transferred to seagoing vessels.

It is then necessary to transport across 3,000 miles of ocean to the French port. The French port must be a suitable place of debarkation, provided with docks, terminal facilities, and railway transportation. From this port transportation must be provided entirely across the country of France to the eastern line or battle front. From the end of the railway system in France there must be provided motor and other transportation right up to the trenches. Every link in this great chain of transportation must be as good as every other link. Every feature of this transportation must be equal to our military needs. A moment's thought respecting this produces a realization that is somewhat staggering. Were our problem to transport across the Atlantic Ocean with a complete control of the sea in our hands, it would still be a tremendous one, but the sea is not exclusively ours and our allies. Our right to use the sea is disputed by the submarine, and our capacity to use it is vastly diminished by the submarine activities.

On the high seas there are hardly sufficient ships to carry on the commercial and industrial traffic essential to maintain England, France, and Italy at a point of efficiency. We must in some way secure ships sufficient to transport our troops to France and carry through all the supplies they need. In addition, we must assist England and France very materially in the production of ships to replace those being sunk by submarines. In order that we may transport our troops and supplies from this country to France with minimum loss, it is necessary that our ships be protected against submarine attacks. Providing this protection necessarily reduces very greatly the efficiency of our ships. Ships can not sail freely. They must move under conditions calculated to preserve them from harm. In no other war has transportation been so vital. In this war it forms more than 60 per cent of the entire problem.

Some officers in France told me both in the British and French Armies that transportation is 90 per cent of the job. It is necessary that we fully realize this in order that our conduct may be shaped accordingly. An army in the battle front to-day, should its supplies be cut off, would perish in 48 hours, probably in much less time. A stream of supplies coming to the men on the fighting front is as vital to the life of that army as the blood that flows through human arteries is vital to human life. Cut these streams of transportation and your army withers and dies immediately. We recall with pride, those of us who live in the North, how Gen. Sherman cut loose from his communications and marched to the sea. Many other armies have done this during the ages that are past. No army can do it to-day. The severance of communication means the immediate destruction of the army. An army in the field to-day is a greedy monster. It requires a great variety of things and in untold quantities. Its voracity is a matter of wonder, even to those accustomed to life on the front. In many sections of the English front the artillery have orders to fire every day 100 rounds. This during a quiet day, so called. During days of attack or defense against attack the number of shots is greatly multiplied. Some French guns at Verdun fired fifteen hundred, and even two thousand, rounds in a single day. These guns are always consuming ammunition and always hungry. To get this ammunition to them is a tremendous task. One of the most peculiar attacks that has been made since this war began was made by the French in their advance at Malmaison during the early days of November. That advance gave to the French victory over the Germans in a struggle for the Chemin des Dames. The advance did not cover a large area. In fact, it was very, very small. During the artillery preparation that preceded the attack in this restricted area the French fired 2,000,700 shells. Many trains were required to haul this munition to the advance depots. From these depots it had to be conveyed up to the guns. In some of the advances that have been made during the past year as many as six and seven million shells have been fired within a very few days' time. To one who goes to the front perhaps the most striking thing is the inconceivable quantity of this ammunition. There comes to him view after view, and in wonder and amazement he beholds there enormous quantities of ammunition piled up; train after train hauling it in and armies of men piling it up at the end of the railway in a great pile—millions and millions of pieces. At these advance points small dinkey railway tracks lead up as close to the front line as they can go. On these are little cars that are loaded with shells. Sometimes there is a small engine to haul them a distance, but almost always not. They are pushed up by the men, right up to the big guns, and then for a distance on, to get them as near the small guns as possible. But there eventually comes a time when all the shells must be carried up by mules or by hand, as is almost constantly done. This continuous supply of ammunition to the guns at work is absolutely essential to life for a day or a night. Cut it off and your army is paralyzed and destroyed. We have never thought in terms of transportation in America such as is necessary for us to think if we are going to carry on this war in the way that it must be fought to win.

I desire to call attention to the distinction between the conditions in France and England and those in the United States with respect to transportation. All that is necessary in France is to produce the ammunition and transport it a short distance by rail; also that the food and supplies necessary to her army be placed on trains somewhere in France and hurried to the army at the front. The total distance does not exceed three or four hundred miles, probably much less. The problem in England is relatively small. In a single day a person can leave the front trenches of the English Army in Belgium or France and go to the heart of England.

In fact, I accompanied some men who left the trenches at Paschendale at 4 o'clock in the morning, with mud on their persons from their heads to their feet, who had been wallowing in it clear up to their armpits, but to them had come the glorious hour for relief. They left the trenches at 4 o'clock one morning and they were in London that night. This gives you some idea of the small problem that England has faced in transportation compared to the one that confronts us. Across the English Channel there are two great streams of transports from Dover to Calais and from Folkstone to Boulogne.

In fact, these two great lines of commerce are closed to everything except the military needs of Great Britain, and there are those two great streams going back and forth day and night, protected by an abundance of destroyers, so that you have many constantly in view, not only those that are accompanying the boat that you are on but those that are accompanying other boats going or returning. Mine layers and mine sweepers everywhere; aeroplanes frequently at work. Thus does Great Britain adequately protect these two great lines of transports, so essential to her military needs.

Every day 10,000 men go from the front trenches of the English Army in France back to England, and 10,000 return from England to France. This is all in the carrying out of an essential program, to give the men who are living the life at the front frequent opportunity to breathe a different air and to enjoy other surroundings. A large number of ships make the transit each day carrying supplies. The efficiency of this ship transportation is splendid to behold. It has been systematized so that it moves at great speed and with no friction. In fact, this transportation, as well as production in England, has been so perfected that the British Army in its most active days has never lacked for food or munitions.

We in this Congress remember the early days of 1914, when England sent to us the Macedonian cry, "Sell us guns, sell us uniforms, sell us ammunition, shells, everything we must have to build a great army. Time is short. America must come to our relief." England looked to the United States for the great part of those things essential to the building of an army. In the time that has elapsed since then England has made herself

entirely independent of the United States as far as manufactured products are concerned. She needs raw materials. Great Britain has raised and marched into the field over 7,000,000 men and now has an army of approximately 6,000,000 men. And yet as I journeyed among the munition factories of England I found that here and there it was necessary to close parts of them down for a short period of time now and then because their production was even greater than the necessities of her army at the front. That is somewhat illuminating to us while we are in the midst of the early days of our struggle here in this country. In fact, the guns have always more ammunition than they need. It is only a few hours from any part of England and Scotland to Calais, one hour from Dover to Calais, and a very few hours from Calais to the front.

Compared to the American problem, this is a small one, indeed. America's problem has Great Britain's problem multiplied ten times. While we must remember again and again to give thought to the production of rifles, cannon, aeroplanes, clothing, and the like, we must never for a moment lose sight of the greatest problem of all, and that is transportation. This transportation is basic to our success. It is basic to our entire effort. It must be perfected before we can even start to win. It must be kept perfect in order that we may continue our military operations in an effective manner.

He who has studied the military situation during the past year knows that the United States must take the place of Russia among the allies. We must do more than that. We must turn the tide of battle distinctly in favor of the allies, and that means we will have to be stronger than Russia ever was.

At the time Russia collapsed I am reliably informed she had 10,000,000 trained men ready for battle. I do not believe this war will ever be won by the allies unless the United States at the earliest possible date places upon the western front not less than 3,000,000, and we should place there 5,000,000. We will never win the war by a revolution in Germany.

Let us not allow ourselves to be fooled all the time. There is no more chance for a revolution in Germany than there is that the devil will give up his command in hell, and so says every man that speaks with knowledge of conditions in Germany. The German Army is not weak, composed of youths and old men; the German Army is marching 9,000,000 strong, and just as strong as it ever was, to the extent of 9,000,000 men, and the German Nation is back of its army.

We are going to win this war, but it will be won only in one way, and that is by destroying the military power of Germany in the field, and unless we do that we are lost. Unless we can make our plans commensurate with that task we might as well never have started.

Some slight eruptions may occur in that country, but not sufficient to be of any particular value.

There is just one way to beat Germany, and that is to beat her army. Unless Germany is thoroughly beaten, all the men that die, all the money that is spent, will be wasted. Germany has not less than 9,000,000 men, perfectly trained, and splendidly equipped. Let no one think they consist of old men, young men, and half-starved men. I saw hundreds and thousands of prisoners, some as they were freshly taken and others that had been taken years before. They are about all alike—big, strong, husky fellows, in splendid condition. We are in a war, a hard blow-giving and blow-receiving war. We must strike a harder blow than Germany can stand. We can not hope to do it with less than 3,000,000 men. To sustain a man across the sea requires at the lowest 6 tons of shipping each year. To sustain 3,000,000 soldiers, therefore, will require 18,000,000 tons of shipping.

Mr. REAVIS. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. REAVIS. I noticed in the Washington Post that they say we require 10½ tons per man. Did the gentleman see that?

Mr. MILLER of Minnesota. I have not seen it. It has been estimated at 9 tons, but I think 6 is the quantity that England is using.

Mr. REAVIS. In the article written by a shipping expert it is stated that it requires 10½ tons.

Mr. MILLER of Minnesota. That is higher than I ever heard of.

Mr. REAVIS. England uses 7 tons, which is the amount required in crossing the channel.

Mr. MILLER of Minnesota. Between 6 and 7 tons. But I want to put this down in a conservative way.

This must be secured in two ways—by the construction of additional ships and by increasing the efficiency of all our ships. To secure maximum efficiency on the part of shipping during these days of submarine war is extremely difficult, but vital to success.

The question is asked, Where is the port of disembarkation? I am not going to give the name to you, but I will point it out on the map. There is more than one port, but there is one port that 90 per cent of our troops arrive at. The problem, as I tried to state it a little while ago, is to gather throughout the United States soldiers and then supplies and equipment, and transport all to the Atlantic seaboard, and then by ship across the sea. It is, in round numbers, 3,600 miles from New York to the spot in the Bay of Biscay to which I am pointing, and that is the spot at the mouth of an important river where the American troops are landed. It is possible by rail transportation direct from that point to go to the American expeditionary force in the field where it now is without going through Paris. That is a very important and vital matter.

Mr. PLATT. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. PLATT. Is it true that that particular port has been partially made over?

Mr. MILLER of Minnesota. I am going to discuss that in a few minutes, and then if I do not answer the gentleman's question he may bring it up again. I want to discuss for a few minutes the question of submarine activity. I stated a while ago that the Government had undertaken the greatest task in its history when it undertook to put 3,000,000 men, or even 1,000,000 men, on the fighting front in France and keep them supplied. We have got to ship them across the sea, a sea that is not ours by a long, long way. The only thing comparable to our problem—and it is not really comparable—is when Great Britain fought the South African war 18 years ago. They had to ship troops about as far or a little farther, but their problem was extremely simple compared with ours. In the first place they controlled the sea, and in the second place sent a highly trained army of organized men against an army not organized, not united, not well led, not well equipped, and of a small number in South Africa.

I do not intend to give away anything of any military value to the enemy and do not believe I will. We can not expect our people in this country to fight this war, long drawn out as it is almost certain to be, entirely on faith. They must have some facts. They must have some information as to how the battle is going. My information has been received from the most trustworthy source, and I consider it absolutely authentic. The high priest of ruthless submarine warfare—in other words, Admiral von Tirpitz—confidently told the Kaiser and his people—told them last January—that if unrestricted submarine warfare should be inaugurated England would be starved within three months and the war ended within that time.

The people of Germany were so elated at the prospect of a great victory and an early end of the war that they gave no heed to the savagery, brutality, and depravity associated with that kind of warfare. You will recall the German Admiralty planned to sink 1,000,000 tons per month. Knowing the number of tons available to the shipping of the world, it was relatively easy to predict how soon starvation must come to England. This warfare was inaugurated almost exactly a year ago. Three times four months have come and gone and the war is still going on. The only thing this year has made certain is that the constant effort and untiring energy of the allies on the sea, if continued, will end in defeat for the submarine, but the battle is a long one and a close one. All told, the Germans have constructed and placed in operation about 265 submarines. Those first sent out were relatively small.

The difficulties of navigation had not then been solved, and many of those submarines sailed away, never to return, having been lost at sea. The number of ships sunk by submarines increased enormously with the beginning of unrestricted warfare a year ago, particularly. The number of submarines destroyed during this past year likewise enormously increased. In fact, during the past 10 months three times as many submarines have been destroyed as were destroyed during the previous two and a half years of war. All told, there have been destroyed to a certainty about an even hundred submarines. A dozen more probably have been destroyed; definite figures are not obtainable; but it is hoped, and fairly probable, that submarines are just now being destroyed as fast as they are being manufactured by the Germans. We know that during the months of April and May last year the submarine sank 1,700,000 tons of English shipping alone. During these months the Germans practically made good their boast. Increased skill and effort in combating the submarine have greatly reduced the sinkings, until now it can be said the situation is fairly well in hand. These sinkings each month have gone down through 600,000 tons to 400,000 tons and for a time down to 260,000 or 270,000 tons. During the last month there has been a marked decrease in the number of

ships sunk. We do not want to be deceived by this and think the war is over. The British and the American admiralty are not deceived. The submarines can operate only with great difficulty during the long nights and stormy weather of the winter season. Most of the merchant ships are now armed, so the days have passed when the submarine can open up a combat with a merchant ship firing shells from the surface. The truth is the only ships now being sunk, or practically the only ones, are being sunk by submarines that are never seen at all. In a heavy sea a submarine that is all submerged excepting its periscope can only see a very short distance and in a very uncertain manner. Ideal weather for the submarine to operate exists when the sea is calm and the days are long. When spring returns increased sinkings will recur. It is a matter now of quite common knowledge that the moments of grave danger are just about sunrise in the morning and sunset at night, especially if the sea is calm. Why? Because during that twilight period, which is long, especially during the summer, there is that uncertainty of light which makes it, first, difficult to discover the periscope of a submarine, but, on the other hand, makes it easy for the submarine to see the hulk of the ship in bold relief and to send in a deadly shot.

The beginning of successful resistance to the submarine was coincident with the coming of the first American destroyers into the war zone. Mind you, I do not say that successful operation against the submarine only began by and was exclusively confined to the Americans that went over with the destroyers, but I say the coming of the American destroyers was coincident with the beginning of successful operation against the submarine. [Applause.] The Americans were not the sole cause of the successful warfare, not by any means, but they made a marked contribution to it. Admiral Sims at an early date insisted upon the convoy system; first, to secure protection to the ships; and second, to bring the submarine where the destroyer can get at him. The submarine is of no value unless it seeks and tries to destroy ships. If the enemy of the submarine is in the vicinity of the ships, then it finds itself in the vicinity of the submarine, where it wants to be. That was the logic of Admiral Sims in May of last year. He said, "What is the use of sending destroyers and ships of your navy scouring the seas, hunting for the submarines? The seas are vast and the submarine is small. They may seek for days and weeks and find not their quarry, but you group your ships together and put your destroyers about your ships, and you are bound to have your destroyers meet the submarine. The submarine must find the ships, and in finding the ships he meets his deadly enemy." [Applause.]

Mr. Chairman, I myself think, layman as I am, that that was the most important contribution to the successful combating of the submarine that has been made. Its significance soon became apparent to the British Admiralty, because they adopted it and have followed it, and while I may be stepping possibly to one side and digressing, I can not refrain from making this remark: Of all the able men who are now working for the United States day and night, with brain and energy and skill, we have not a better one or a more successful one than Admiral Sims across the sea [applause]; and it is the duty of this Congress and it should be the duty of the Navy of this country—and I think I am speaking in such a way as meets their approval—to give him absolute carte blanche. Whatever he recommends, carry that out.

Our naval officers when they first went over naturally received from the English the many important lessons the English had learned from experience. Admiral Sims insisted upon the value of the convoy system and in addition our destroyers put unusual pep and ginger into their work. The minute a submarine was located the American destroyers were out and made for it at full speed. No quicker is a dog of prey to scent and follow the scent with lightning speed to the quarry than the destroyer when a submarine is sighted to dive full blast at the spot where the submarine is. The convoy system has certain disadvantages, however. It decreases the efficiency of shipping for the reason that it is necessary for a ship to wait until it can be joined by other ships going to the same port and the whole supported by the convoy. The problem is to make these delays as small as possible. The essential feature is to have a liberal supply of convoying ships. The destroyer is the natural enemy of the submarine, consequently we must have many destroyers for convoy purposes. Experience has shown that raiders are not infrequently met with on the high seas during this war. I am going to go a step further and I think I will put something with that sentence after the revelations that have been coming out. Thirteen ships convoyed by two destroyers from Norway going to England were sunk and the two destroyers were themselves destroyed and sunk in a few moments' time. Why? Why, everyone knows it was not because the Germans sent the ordinary submarine or destroyer after them. The admiralties of Great Britain, America, and France know that the Germans have constructed a lot of raiders of terrific speed, probably 25 knots, mounted with large or relatively large cannon. You can draw your own conclusions as to what happened on the North Sea when they started out. At least three of them got out into the ocean. I do not know what has happened to them since. I do not know whether they have been destroyed or whether they are still afloat, but they got out and it was expected during the winter months more would come out, a real menace and peril. Protection against craft of this character must be provided for groups of ships carrying soldiers. This protection can only come from the cruiser or the battleship. For a long time Admiral Sims was compelled to patrol that part of the ocean beginning west of the coast of Ireland, extending down across Ireland, down across the western entrance of the English Channel, clear across the western coast of France and Ireland, the coast of Spain, down to the Azores Islands.

The most important thing for us to do is to furnish protection by convoy of destroyers to the ships coming from the United States carrying troops and munitions across to France. And how many destroyers do you think Sims had with which to do the whole job? I can tell you, because it is not the number now. It was just 36—not one-fifth enough—and the success that accompanied the work of Admiral Sims and the splendid officers and men under him testify to their capacity to use such instrumentalities as they are provided with to do splendid and gigantic work. That is not the number of destroyers we now have over there. I can give that without giving aid to the enemy. This number was grossly insufficient. Fortunately our Navy realized the mistake made in failing to increase the destroyer building program in large proportions at the very outbreak of the war, and some months ago started upon a very vigorous program that will produce any needed destroyers at a day I hope not too far away. Some of these new destroyers are being delivered. Permit me to insist that the first duty of our Navy is to protect the line of communication from France to America. Disaster has been narrowly averted more than once. We can not expect Providence to be with us all the time. We must fight our own battles part of the time. We must be prepared to give full protection to our ships going to France and returning from France. We have a few cruisers engaged in this work of convoying. It is most unfortunate we have not several times their number; but we have them not, and we can not get them. We have a substitute that I submit should be used. We are congratulating ourselves in this country that our Navy has manifested such a high efficiency. The Naval Committee of this House is purring sweetly in splendid satisfaction of the Navy in the war. I do not say that in any disrespectful sense. It has been rather sweetly delicious, however, to note its self-congratulation constantly. Far be it from me to take away any of that pride or any of that satisfaction. Let me suggest this Navy will never help win the war if it is locked up and hermetically sealed in some safe harbor of the United States. We have many old battleships not considered first class. They have sufficient speed and seaworthiness that they could and should be used in the place of cruisers for this convoy work. It is the duty of the Navy to send them abroad immediately and to keep them there. What I have just said is not exclusively my views. I am the mouthpiece of many men in the Navy who are doing this work. I hope somebody will hear these words and heed them. I can speak where they can not. Transportation across the Atlantic is the neck of our military bottle——

Mr. MADDEN. I suppose it would not be any secret to disclose the number of these ships that are not being used, for it would not help the enemy any.

Mr. MILLER of Minnesota. Not the slightest; and we can turn to any report of the Secretary of the Navy and find the entire list. They are now in Philadelphia; they are now in New York; they are now at Hampton Roads; and God knows they ought to be on the high seas.

Mr. MADDEN. It seems to me it might be well enough for the enemy to know that we have discontinued locking them up, but have put them in the water where they can do some destruction.

Mr. HICKS. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. HICKS. Does the gentleman know how many first-class battleships of ours are on the other side now?

Mr. MILLER of Minnesota. Yes, sir. I was informed at the time the request was made over there that they be sent over, and, frankly, I was afraid our Navy would not do it, but I made par-

ticular inquiry and followed it up and found that they have been sent, and some day they may write a glorious chapter into American history.

Mr. HICKS. We have first-class battleships abroad and——

Mr. MILLER of Washington. And no better battleships ever floated on a sea. I am here speaking of the second-class battleships now at home that have no place in the first line.

Mr. MOORE of Pennsylvania. Would the gentleman include any of the old monitors that he has referred to, that now happen to be in the Philadelphia Navy Yard, in the cross-seas service?

Mr. MILLER of Minnesota. I do not think so. England might want them to go up against the shore batteries on the North Sea. I am not speaking of all the ships that are not now on the high seas. I am speaking of a single class, and that alone, and the job that is just hungry for them out there on the high seas.

I submit that some radical reforms are necessary if we are going to secure reasonable military efficiency. Certain transports now operating across the Atlantic are under control of the Army and operating strictly under the War Department. I hope you will bear this analysis in mind. Others, and a greater number of transports, are being operated by the Navy. And it is no secret that these transports are those interned German ships that we took over, a splendid fleet of boats. The Shipping Board, in addition, is operating some merchant ships and desires to operate all the transport ships.

Now, what is it we have? We have the Army operating one line of transports, the Navy operating another line of transports, the Shipping Board operating certain merchant ships carrying supplies, and trying to get the job of operating all the transports and all the merchant ships. In other words, they wish to have charge of all this most important branch of our military service.

Now, let us just face the truth. The reason the desire exists that the Shipping Board shall operate all these ships is that it will necessitate the taking off of the American sailors that are working for $30 a month and put in their places other sailors that will be getting $90 to $125 a month. Now, you and I might possibly be willing to go the length necessary to accomplish that if we are helping American citizens. I was on the high seas a year ago, on two ships under the American flag, and I went through those ships from time to time, and there was not an American citizen in the entire crew. On this trip which I took lately across the water I went on one kind of a transport over and I came back on another. The one going over had a crew that had been picked up in New York, the best they could do, but I could not find an American citizen in the outfit below the officers. And they are getting fabulous sums. They were West Indians and Portuguese and South Americans, a rag-tag crowd from everywhere under the sun.

So, whenever anybody writes you or asks you to support a bill that will put all our transports and shipping on the high seas under our Shipping Board, do not let them fool you by stating that by so doing you are going to give some American citizen a job. You will be simply giving to some South American or some West Indian in one month more money than he or any of his ancestors earned in a year's time.

Mr. TOWNER. I would like to ask the gentleman if it is not his judgment that they should be put under one control?

Mr. MILLER of Minnesota. It is. These three systems do not work in harmony, and, doing the best they can, they only result in decreasing the efficiency of our ships to a very low point. They can not work in harmony. With the different heads and different systems and different personnel, they can not work well together, and they do not. The Army has been running transports to Hawaii, to the Philippines, Porto Rico, and Panama for 20 years now and have acquired a system and operatives that make these Army transports the best handled and most efficient that we have now. All these ships should be placed under one authority, run by one man, and under one system. We can not afford to lose a single day in making this change.

I would say that the Army should be the department having exclusive charge of all this transport system were it not for one thing, namely, that going across the Atlantic is a part of fighting the battle with the submarines, and the Navy alone can do that work. [Applause.] I do not care what kind of a master you have on your ship, whether he is an Army officer or a civilian; I do not care what you pay him; the master mind that guides that ship from the time it leaves New York until it finds a safe refuge in a harbor in France is a naval officer, as he should be, because the crossing of the sea to-day is 1 per cent navigation and 99 per cent fighting the submarine.

Mr. LONGWORTH. While the gentleman is on that subject, can he state what is the speed of the latest type of the German submarine?

Mr. MILLER of Minnesota. I can tell the gentleman what our best authority on the submarine told me, and I presume it is correct. On the surface it is not to exceed 16 knots; under the surface they can make from 8 knots down, with capacity to move very slowly under the sea, from probably 1½ to 2 knots. In other words, they have a wide range, from the slowest under the sea to their highest speed on the surface.

Mr. LONGWORTH. Can the gentleman tell me how many torpedoes the submarine can carry?

Mr. MILLER of Minnesota. They carry from 20 to 24.

Mr. LONGWORTH. Can the gentleman state, they now being able to carry 20 torpedoes, how long they can stay on the voyage from their base of supplies?

Mr. MILLER of Minnesota. I will be pleased to answer. The main base is at Zeebrugge on the North Sea. The main area of operation is across the northern part of Scotland and the upper part of Ireland and then the English Channel. Continuing, their field is the Bay of Biscay, then along the coasts of Spain and Portugal, and then out to the Azores. All trade routes from South America going to the north of Europe really converge through the Bay of Biscay. For the submarine to get into this area of operations or the western entrance to the English Channel it is necessary to make the trip from Zeebrugge around Scotland, which I am informed takes 10 days. They have a period of activity which depends somewhat upon how active they are. That is, if they fire many torpedoes and meet many ships, or fire many torpedoes at one, as soon as they have used up their 20 torpedoes they have got to stop and go home. Or if they see few ships and conserve their ammunition they have a period of activity limited by fuel and food, probably about 20 days on the average. It then takes them 10 days to go back. It then takes them about 10 days to refit at Zeebrugge. So that you have a period of activity of about two to three, or 20 days activity to 30 days of preparation. That is the latest type and their best submarine.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from New York?

Mr. MILLER of Minnesota. Certainly.

Mr. PLATT. I wish to ask a question on the point the gentleman was just speaking of a few minutes ago. I crossed a part of the Pacific Ocean a few weeks ago from Honolulu to San Francisco in a ship that was making its last trip and which was about to go into service as an Atlantic transport. The captain of that ship told me he was a Naval Reserve officer and that all the other officers of the ship were Naval Reserve officers, and that none of the crew had been enlisted in the Naval Reserve. He said he did not know whether he was to be subjected to the Shipping Board or to the Navy, and he was going into the Federal service under those circumstances.

Mr. MILLER of Minnesota. He will be lucky if he finds out. He will probably be amenable to the Army. I think that transport has been chartered by the Army and not by the Navy.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. HUMPHREYS. Going back to the point the gentleman just left, about the length of time a submarine can remain away from its base, is it true that they have ships like the *Deutschland* and that character of submarine to carry supplies out on the sea for the submarines, or is it necessary for the submarine to return to base for its supplies?

Mr. MILLER of Minnesota. I imagine it is necessary for the submarine frequently to return to its depots. There is some question as to whether there are mother submarines or not. It is thought that the *Deutschland* and one or two more may be engaged in that work, but their capacity is so limited that it makes no perceptible effect on the situation. There are very many submarine-mine layers in all this field whose sphere of activity is, of course, determined entirely on the amount of fuel they have and supplies.

Mr. SLOAN. Mr. Chairman, will the gentleman yield right there?

Mr. MILLER of Minnesota. Yes.

Mr. SLOAN. Do these recently commissioned submarines carry other means of offense and defense than these torpedoes that the gentleman was speaking of? That is, do they carry guns?

Mr. MILLER of Minnesota. Yes. Heretofore a 3-inch gun has been considered a pretty formidable weapon against the submarine. The larger submarines now have probably 4 and possibly 5-inch guns; anyhow 4-inch.

It is ridiculous to have a ship with two captains, one for the ship and the other a naval officer, who really has complete control. We can not do without the Navy. The Navy must

have charge of the operations of these ships so far as the defense against the submarine is concerned. I believe the Navy can develop efficiency in the pure transportation feature of the problem. The Shipping Board has no business to inject itself into this problem at all. [Applause.] This is a military matter, and should be handled in a strictly military fashion. Let the Shipping Board run those merchant ships that are engaged in commercial business. Consequently I am strongly of the opinion that there should be turned over to the Navy all the ships crossing the Atlantic engaged in military work, and the Navy should be put in charge. There should very likely be some one in charge of the movements of the ships—by that I mean their dispatch from port to port—one man, a civilian, selected by the President, who will operate under the Navy and who is himself skilled in transportation.

The Navy does not understand the transportation of ships to save time. Naval officers have never developed that faculty; but men whose business it has been to make money or lose money in accordance with whether their ships load or unload rapidly and move speedily or not are qualified for this kind of work, and that class of men should be utilized as the directing force for the management generally of the big fleet. But Navy officers can take charge of the actual operation of the ships on the sea. Therefore from the minute one of these ships leaves port until it arrives in the next port it would be exclusively under the control of naval officers. What we want is a master mind, accustomed to weigh the value of his ship's time and to drive that ship to its highest efficiency all the time. The Army can loan to the Navy its personnel developed in transportation work.

This one change will increase the efficiency of our ships many, many times.

The delays that now occur are sufficient to fill one with serious alarm. The Army loads its boats. The Navy loads its boats, and then they have to get the two groups together, somewhere, if they can, and then they start out. It may be that the Army has loaded such boats as it has on hand, but they are insufficient to constitute a convoy. Therefore they hold those boats until more Army boats come in and there is a sufficient number to send them across. In the meantime the Navy boats are going through the same program. If you had all the chickens under one hen they could all be looked after by the same superior power. Days and even weeks pass in assembling a sufficient number of ships to be convoyed, whereas as a fact not more than a day or two at most should ever be lost.

I wish to emphasize the necessity of these ships being placed in charge of a civilian skilled in transportation, for the reason that naval officers do not appreciate the value of time and the necessity of keeping the cargoes moving.

I wrote this a week ago, and when I picked up the paper last night I was interested to see that this view which I have here expressed is that of a very distinguished retired admiral of the Navy, who wrote an article on it and published it yesterday.

Let me illustrate. Two ships were ready to start across the Atlantic on the homeward voyage, and sailed from a port in France a distance of 40 or 50 miles. This is an actual illustration that I know of personally. They were told to stop for some additional boats that were coming, and they received this order after they had got out 40 miles; not on the high seas exactly, but up the coast and to leeward of an island, but with all communication between them and the shore shut off. The minute a boat leaves its base and goes on the high seas to-day it is lost to the world. Its wireless can not operate. If it does, its location is made known to submarines. The ship sets sail in silence and in darkness, lost to humanity and the world until next it reaches a port. Now, these two boats stayed there day after day, being joined at the end of the third day by the other boats. On the fifth day the destroyers that were to escort them through the submarine zone appeared. For some unaccountable reason the ships did not sail even then. The destroyers fooled around, going back and forth for further orders for two more days. On the eighth day, under the most unfavorable conditions that at any time existed as far as submarines are concerned, this group set forth. Why, submarines had been for a week spotting exactly where they were.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. I yield to the gentleman 10 minutes more.

Mr. MILLER of Minnesota. Submarines knew exactly the channel out of which they had to come; and is it any wonder that they were attacked twice before they got through the zone? These were all very large ships, among the very biggest and best in our Navy at the present time. I made a computation one day to see what the loss of the United States was on this delay, which nobody could explain or account for. The loss amounted to about $300,000. This is but one of many others that I could cite. This delay of eight days was due first, to the fact that two different authorities were in charge of two different classes of ships; second, it was due to an insufficient number of destroyers and to slow action on the part of those destroyers that finally were available. You remember that in this transportation business we can not afford to lose a minute. Every hour is precious. If our shipping is run at 50 per cent efficiency, it is exactly the same as though a submarine had sunk one-half of our entire tonnage. We must not only keep our ships afloat, but we must keep them moving with all possible speed. Then, too, we must build an enormous fleet of cargo ships. We made a bad start in this work. It now looks as if we were going ahead under high pressure, and yet we hear constantly that the efficiency of the shipyards here in the United States is very low, due to labor troubles. A vigorous policy is fundamentally essential in this crisis. Every man at work building a ship in this country is as much a soldier for Uncle Sam as though he stood in a front trench with a rifle and bayonet in his hand. If he fails in the performance of his work, the loss to our country is as great as though a soldier turned yellow on the firing line. Good working conditions and good pay should be given these workmen. In return they should give the utmost effort in their power to the construction of these ships. We need literally hundreds of ships to carry our supplies to France. We must have them. We have in the United States several hundred thousand troops ready to go to France. We can not send them on account of the lack of equipment and lack of ships. The great reason is lack of ships. Our attention must be focused on these vitally essential factors of our military situation if we are going to win. We have made very respectable progress in the construction of appropriate docks, warehouses, and the securing of terminal facilities at seaports in the United States. This part of the problem was right here under our eyes, and we recognized all of its elements and of its importance. It is singular that we did not have the same vision respecting the problem of debarkation in France. We got off on the left foot in France as far as port facilities are concerned, and we are still hobbling around on that one foot. What I am about to say of conditions of transportation in France I say with the utmost reluctance. As a matter of fact these ideas were forced on me against my will. These deductions are impelled by what any man can see who follows this line of transportation as I did with our troops from this country to the firing line in France.

The port of debarkation, as I stated a time ago, is where I have my pointer now on the map. That is the large port assigned to us for our use. You will observe that railway transportation must cross France almost directly to the front line. My pointer is now on the exact spot where the American boys are in the trenches, near the fortress of Toul, not far from Nancy, and I am mighty glad that at last the authorities have the good judgment to tell the truth to the American people where these men are. The Germans naturally learned early. They learned while I was there, because they pulled off a raid that captured some of the Americans. So the Germans have known it for weeks and months. The American people ought to know, and it will be satisfying to them to know exactly where their men are.

We must not be too critical of those in charge of the administration of this war program, and I hope that will be distinctly understood. We had to set sail on an unknown sea. We had to block out our way amidst difficulties and conditions that had never confronted us before. You can not expect perfection to be attained at the first jump. If we are working toward it rapidly, that is all we can expect.

Mr. KNUTSON. Will the gentleman yield?

Mr. MILLER of Minnesota. Certainly.

Mr. KNUTSON. Does not the gentleman think we have needlessly repeated blunders made by our allies in the first years of the war?

Mr. MILLER of Minnesota. I am not convinced that perhaps we have been inexcusable in many of our blunders, but I prefer not to discuss that feature of it now.

Many of the things we are now trying to do have unexpectedly arisen as the situation has evolved. In the first place, when the war started we did not expect to send any troops to France at all until the middle of the summer 1918, when we expected to send a huge army. We changed our plan by sending a division for inspirational effect. We are now trying to get into France at the earliest possible date as large a fighting force as we can. In the first days, therefore, we failed to recognize some of the needs that would arise when the big movement was on. This matter of a port in France is one of them. We have largely for our use an important port in France. It, however, is grossly inadequate for our needs. In the first place, dock facilities were

constructed for a commerce not more than one-third of that we are pouring into the place now. Fearful congestion immediately resulted when we began to send many ships across. These ships have to lie there awaiting a chance to unload. Many of them have been there for weeks before they could be unloaded. In fact, while I was there there was one ship that had been at the dock 50 days trying to unload steel billets consigned to the French. It had got some off, but in despair of ever getting it unloaded it took the balance away, carrying them back to this country, a part of its cargo.

A vastly greater dock space is needed, and I am glad to say a very considerable development in this regard is now taking place. Terminal facilities, including warehouses, railway tracks, and the like are seriously needed. Men have been doing the best they can and considerable development has occurred, but the facilities still are grossly inadequate, even for existing needs. One hesitates to contemplate a picture of conditions there should no additional facilities be provided when we have 3,000,000 men in France. The truth is we simply never can get 3,000,000 men in France, and we could not keep them there a week unless we have different port facilities. Difficulties have arisen because the French do not understand us and we do not understand the French. Their ways are not our ways. It is the height of absurdity for us to continue to use this port and have the port completely under the control of the French.

I want to repeat that for emphasis. We might as well stop now and decide on one or two things that have got to be done. This port is not our port at all. We are permitted to use it by the French Government. We are going with such a force and such a purpose that we must have a port exclusively for ourselves, under our control, one we can develop, one where we can increase the docking facilities and where we can increase the channel depth. We want one that will accommodate the largest ships, one where we can build docks and terminal facilities and not be compelled to use the antiquated, out of date, inadequate facilities provided by the French Government at this time.

This port should be turned over to us absolutely and be exclusively under our control with full permission to make all needed changes. Enormous charges are now being made because American ships are using the facilities of this port. We should make it a condition precedent to sending another ship to France that that port be turned over to us. And what I say reflects the settled conviction of the men upon whose shoulders rests the responsibility of making this war a success in the field.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. MOORE of Pennsylvania. This is very important, indeed, and I should like to know whether the United States is at all responsible for the congestion prevailing at the French port.

Mr. MILLER of Minnesota. Yes, partly; but they have been trying to do the best they could with a system that is wrong.

Mr. MOORE of Pennsylvania. Then it is not our fault.

Mr. MILLER of Minnesota. Well, it is partly our fault. Gen. Pershing has tried man after man, trying to clear up and get these supplies moving, and as man after man has tried he has been removed. Gen. Pershing gives a man one chance, and if he does not succeed out he goes. And that is the way it ought to be. But these men were up against conditions beyond their control, and the greatest transportation expert in the world could not bring order out of chaos. An Army officer who is one of the most skilled transportation experts our Army has developed, with high rank in the Army, went over on the same boat that I did to take care of the transportation inland when the time arrived that he was needed. He was not quite needed at the time on the inland transportation, and he stopped at this port. Having nothing to do, he spent his time voluntarily working night and day trying to bring order out of chaos, and when I saw him at the end of the month he said, "My God, it is hopeless unless the Americans are in full and absolute control of this port and all the facilities here."

Mr. AUSTIN. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. AUSTIN. Let me ask the gentleman, Has it not been decided upon to open three ports to be used exclusively for the Americans?

Mr. MILLER of Minnesota. I am quite confident that that is not so. Three ports are not necessary, but one is absolutely necessary, with part use of another, as circumstances require.

Now, I want to let that sink in with some insistence. The French Government is making heavy charges for the use of this port. These charges in some instances are positively fabulous.

Mr. MADDEN. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. MADDEN. Has any effort been made by any member of the Government of the United States to get the French authorities to turn this port over to the United States?

Mr. MILLER of Minnesota. I have no way of knowing, but I hope that some one is taking that course. If they have not done so, it should have been a condition precedent to sending an Army over there in the first place.

Mr. MADDEN. It seems to me that all we would have to do would be to ask for it. The Government of France certainly could not refuse to grant that request.

Mr. MILLER of Minnesota. I would say to the gentleman——

Mr. MADDEN. If we have not asked for it, I think we are very derelict.

Mr. MILLER of Minnesota. I will say to the gentleman that I think we have asked for it, and I can not put it any stronger than that. The men operating the ships are not able to understand why many of these charges are made, but they are made, and up to date there seems to be no disposition other than to pay them. There could not be any other disposition. If necessary, let us pay France a reasonable rental for the use of this port—a good rental.

Mr. COOPER of Wisconsin. Will the gentleman please tell us what those charges are for?

Mr. MILLER of Minnesota. I do not like to, but inasmuch as the gentleman has asked it I shall do so.

Mr. COOPER of Wisconsin. If there is anything that ought not to be said, do not do so.

Mr. MILLER of Minnesota. I do not want to injure the feelings of any of our friends.

Mr. COOPER of Wisconsin. Then I would not mention it.

Mr. MILLER of Minnesota. That is the only reason I refrain from giving them; but I will say to my friend that I have a list which I shall be very glad to show him privately.

Mr. MADDEN. They are the usual charges for docking——

Mr. MILLER of Minnesota. And other things.

Mr. MADDEN. And port fees and pilot fees and all that.

Mr. MILLER of Minnesota. And other things.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. LONGWORTH. Is it not true that we ourselves built a large number of those docks?

Mr. MILLER of Minnesota. We have built some extensions to those already there.

Mr. LONGWORTH. I happened to hear the Secretary of War the other day before a committee of another body devote a great deal of time to showing what magnificent work this Government had done, and the enormous amount of docks it had built, and the enormous amount of lumber necessary to transport, and the number of forests had to be cut down in France to provide lumber with which to build the docks.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. MILLER of Minnesota. Mr. Chairman, I have been an awful transgressor, but I will state to the gentleman from Wisconsin that I think I can finish in 10 minutes.

Mr. COOPER of Wisconsin. I yield the gentleman 10 minutes more.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. MILLER of Washington. Does the gentleman contend that we should have the exclusive use of the port to which he refers?

Mr. MILLER of Minnesota. Absolutely we should have control of it. We could permit French use of it as needed; but I will say that there is mighty little need that the French have for this port. What I mean is that we must have it under our absolute control.

Mr. MILLER of Washington. Does the gentleman know what arrangements are made between the British and the French regarding the port of Calais?

Mr. MILLER of Minnesota. I do not. I did not get interested in this port business until after I had been to England and to the English front or I should have made some inquiry in respect to it.

Mr. ROSE. Mr. Chairman, I would like to know the answer of the gentleman to the question of the gentleman from Ohio [Mr. LONGWORTH].

Mr. MILLER of Minnesota. I know they have been doing the best they can, but I sincerely trust the Secretary of War will find time to go over there and make a personal investigation of many things in France.

This brings me to the next step: There are not proper facilities for unloading the kind of cargo that certain ships carry. In the third place, stevedores could not be readily found for the work. In our anxiety to secure a force of stevedores to send

to this port in France, we seemed to think it was unnecessary to secure skill or experience. I do not know where these stevedores came from, but as near as I could make out they were recruited from various sections of the South—all of them colored—their main qualifications having been that at some time in their early youth they had sat on a dock and seen a steamboat pass by. Army officers who are working themselves down to skeleton form in a frantic effort to bring order out of this chaos at this port told me that in unloading ships these stevedores, by their carelessness and lack of experience, have destroyed 20 per cent of the cargoes that have been sent over. They would drop sugar and flour into the sea. They were clumsy, awkward, slow, inefficient.

I am inclined to think that conditions have improved since I left there the middle of November. God knows, I hope so, but I am speaking of it as I saw it during that period of two months and a half. I watched these men for many hours. I have never seen such inefficiency in my life on any kind of a job. Furthermore, there did not seem to be any desire to improve their efficiency. I am speaking now of the men themselves. Never was greater contrast noted than when I left this port and a few days later stood in another French port under the control of the English, and observed how the English handled their shipping and unloaded their boats. It was most humiliating to me as an American. To unload a boat does not require military training or skill. It is just plain, ordinary industrial work. Then, too, there were nowhere enough of these negro stevedores. An efficent corps of workmen of this class should be recruited in this country and sent over under military discipline and operated as a military unit. They began that just as I was leaving. If we have to pay high wages, let us pay them, but let us get efficiency. Why, I saw men there at the front, I saw the boys as they were putting their packs on their backs, getting ready to step into the trenches, and some of them did not have the kind of hats they should have—the kind adopted for the trenches. This hat was a new thing. They had not yet had a chance to get these hats, and perhaps could not have gotten them had they stayed there two weeks. Transportation from the port was pretty nearly blocked. Oh, if I could, if I felt at liberty to give you details of transportation from this port, even after it gets out of this congestion, then you would understand that we need to direct our attention to transportation in France.

This brings me to another thing. In order to get our men to the front and supplies to them, we have to ship all by a French railroad. The railroad we are using is exclusively under French control. The equipment is under French control; the trains are operated by the French. The cars that we are using are such as the French from time to time let us have.

And, by the way, our needs have to be supplied by the French. They take care of their own needs, and they are pretty certain to take care of their own needs first. It is no secret to the world, but every country in Europe is short of transportation on railways for their own needs. The cars that we use are such as the French from time to time let us have. Here again is manifested the unfortunate situation of our working in a strange land among strange people.

Mr. BLAND. Will the gentleman yield?

Mr. MILLER of Minnesota. Let me finish this; then if I can I will yield to the gentleman. The ways of the French and the Americans are not the same. The French Government should be required, as a condition precedent to our sending an army to France, to turn over to us not only this port but also a line of railroad from the port to the army in the field. This can be done, having a regard to the railway system in France. If it can not be done, we should build a railroad and build it at once; but it can be done, because from this particular port the railway facilities are such that one railroad system can be turned over to us. The condition is absolutely intolerable and prohibitive of success. We know that the German railways have been allowed to decline in efficiency to a very marked degree. Rolling stock and the roadbeds have not been kept up. The heavy wear and tear during these war years have seriously impaired the whole railway system. To a degree this has also occurred in France and England, particularly in France. The French railroad tracks are in good shape. The rolling stock is inadequate and out of repair. The gauge of the railroad is such that American rolling stock can be utilized. The United States should send to France for the use of our troops and of our Army at the earliest possible minute upward of a thousand locomotives, and many, many thousand cars. Efforts to supply the locomotives have been going on for many months, but we should have the direction and control of this railway system in our own hands. We can afford to pay the French Government liberally for the use of this railway system, and the French people must see that our exclusive control over this system is essential to our military success.

Why, at one time—it is no great secret now—15,000 of our choice troops, the Rainbow Division, if you please, put on the finest ships in our Navy, the fastest, the biggest, the grandest and best, the cream of those that Germany so kindly let us have—against their will—went to a certain port in France. When it got there the rolling stock which had been promised to unload those troops and take them to the front had been obliged to be diverted to haul French and English soldiers, more than 200,000 of them, down to the Italian front, and those men were practically cut off, were practically obliged to stay on board their ships for two weeks, lying out there at sea, short of water, short of food, and short of everything. That was not the fault of anybody on earth but the system under which we are trying to work.

In the matter of motor trucks we have not made a practical start. I say this with deliberation, notwithstanding what some gentlemen recently have said. The type of motor truck first sent over was not the one best adapted to the roads of France. The British and the French use a truck that is several times larger than the one we first sent over, and they use an enormous number of them. Back of the British lines one seems to see nothing but endless streams of motor trucks. It is hard to believe there are so many motor trucks in the world. As yet we have an insufficient number of motor trucks over there. Visiting the various camps where the American troops are located, I was everywhere met with the concern about the need of motor transportation.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MILLER of Minnesota. I will not ask for further time.

Mr. FLOOD. Mr. Chairman, I yield 30 minutes to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Chairman, I hardly think I will occupy all the time that the gentleman from Virginia has so generously yielded me. We have just listened to a very interesting address, one that I think it would be well for us all to consider and ponder carefully because it is this first-hand information that is most valuable in these times when we ought to be careful not to make mistakes.

I was very much interested in the address delivered this morning by the distinguished chairman of the Committee on Foreign Affairs outlining somewhat the history and the work of the State Department. I think we will all agree with him that it is one of the greatest departments of the Government. In one sense it is both the eyes and the ears of the President—it is through that department that he both sees and hears what is going on throughout the world and he is thus enabled to protect the rights of all the people of the United States. I sometimes think, and I have some knowledge of that department, that people fail to realize the tremendous importance of that particular department of government. I have not the slightest doubt that wars have more than once been averted by the activities of the State Department. Great questions have been settled through that department in a few days that bid fair to cost the people in treasure immense sums of money and cause rivers of blood to flow. Sometimes we are inclined to be a little niggardly when they ask for appropriations to carry on their work. Nothing that I shall say this afternoon must be construed as a criticism of the present administration of that department.

I had not thought of saying anything at all in relation to a matter that arose during the time the gentleman from Virginia [Mr. FLOOD] was addressing the House this morning. I refer to the matter raised by the gentleman from Ohio [Mr. FESS] in regard to the work of Col. House. I have heard the question asked frequently, and usually put in the nature of a criticism, as to the status of Col. House on his missions to Europe. I hold no brief for him. I do not even know him; if I ever saw him I do not remember it, and I shall not attempt to say anything either for or against him. The fact that President Wilson trusts him gives me confidence in the man. I am surprised at anybody who would question the right or the expediency of the President in these critical times to select whomsoever he might choose to go any place or anywhere at any time to ascertain for him and through him for the people of the United States vital information, first hand, that is necessary for him to have in the proper management of the affairs of this Government. That has been the practice, if I read the history of my country correctly, throughout all of its history. Other Presidents have done it. I called attention this morning when that question was raised to the fact that President Roosevelt in 1905 had designated or selected a man by the name of Jacob Hollander to

go as his special representative to Santo Domingo on a certain mission. That this designation was made by President Roosevelt appeared in a hearing had by the Committee on Expenditures in the State Department a few years ago when that committee was investigating the State Department. I have looked up that record briefly, and I find Mr. Hollander when he was before that committee stated:

The President of the United States asked me to go to Santo Domingo in March, 1905, as his agent to ascertain just what conditions were and to report to him as to the advisability of sending a mission to make a full study and a written report.

This question was asked Dr. Hollander:

You speak of this trip to Europe. Did you make more than one trip to Europe?

Dr. HOLLANDER. I made two. The first trip of investigation was made in June, 1905, while I was the representative of the President.

And then he went on to tell for what purpose he made the trip. Again he said in the course of that examination, when his attention was called to a date that the committee thought he was mistaken about:

Dr. HOLLANDER. I moved it one year later; it should have been "until I was again invited in June, 1906"; that is to say, I was sent by the President in March, 1905; I made a verbal report to him in May, 1905; I went to Europe and on my return from Europe I was sent in a cruiser to the West Indies and given this proper dignity, and when I returned I submitted my report, in September, and remained subject to the orders of the President until December 31, 1905, after which my compensation and connection terminated, and I was not employed in any wise until the conference of which I spoke in June, 1906.

There was no criticism of that. I might doubt the necessity for that appointment, but I do not doubt President Roosevelt's right to make it.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. HAMLIN. Yes.

Mr. CAMPBELL of Kansas. Does not the gentleman recognize the difference between that mission and the mission upon which Col. House last went to Europe, when he went to meet the chief statesmen of the belligerent countries allied with us—the premier of England, the premier of France, and the premier of Italy?

Mr. HAMLIN. I do not.

Mr. CAMPBELL of Kansas. They being officially recognized and Col. House being an unofficial representative of the President and not of the country?

Mr. HAMLIN. When Col. House represented the President, he represented the whole country, and I do not think the United States suffered any by reason of the fact that he may not have gone there with his pockets full of commissions or his breast decorated with all sorts of jewels and insignia.

Mr. CAMPBELL of Kansas. He was well known.

Mr. HAMLIN. He is certainly becoming well known.

Mr. CAMPBELL of Kansas. Would it not be in keeping with the dignity of this country to have had a representative of this country occupying an official position equal to those of other countries?

Mr. HAMLIN. The dignity of the United States undoubtedly has not suffered. The approval placed upon Col. House by President Wilson, by intrusting him with a great mission, is sufficient dignity to give him standing in any country and among any people or dignitaries on the face of the earth, and he needed nothing more. [Applause on the Democratic side.]

Mr. HARDY. I will ask the gentleman if the treatment accorded to Col. House did not show that he was fully recognized?

Mr. HAMLIN. Absolutely. There is no question about it.

Mr. FESS. Will the gentleman yield?

Mr. HAMLIN. Yes.

Mr. FESS. As I understand from the hearings, the gentleman was paid out of what fund?

Mr. HAMLIN. Now, I am coming to that—I am leading right up to it. You mean Dr. Hollander?

Mr. FESS. Yes. I was about to say I did not raise that question this morning, and it is a question that was pertinent.

Mr. HAMLIN. And the question I rose to discuss was the expenditure of certain moneys by the State Department, and my reference to this matter at all was occasioned by the question raised this morning by the gentleman from Ohio [Mr. FESS].

Mr. FESS. However, the gentleman will remember I did not raise the question of money matters.

Mr. HAMLIN. Not at all.

I hardly feel it is necessary to go into the question of the compensation of this man Hollander inasmuch as that is past history. Since the gentleman has asked me, however, it did develop that this fellow Hollander was paid something like $50,000 by our Government for his services and $100,000 by the Santo Domingo Government, the propriety of which transaction our committee questioned.

I do not think there was ever a time, even in times of peace, when it is not necessary for the President to have a fund from which he can pay through the State Department certain expenses incident to a certain class of official duties that it would not be policy to make public to the world. We all recognize that, and we have recognized it ever since the organization of the Government. Every other Government in the world does the same thing. The reason for it is perfectly apparent. It frequently becomes necessary, in addition to all the information the President can gather through the ordinary sources—the ambassadors, consuls, and so forth—for him to select some man in whom he has absolute confidence, as to his integrity, intelligence, and his judgment, to go on a mission and obtain first-hand facts so that when the President acts he can know that he has the actual facts. The importance of this is apparent, I think, to everyone of us. Of course, this work cost something and must be paid out of some fund. It would not do perhaps to make public the purpose of this expenditure, because if published to the world just what had been done international complications would in all probability arise from such publication. Therefore in this bill and in every other similar bill there is carried a lump sum of money—$700,000 in this bill, I see—out of which the President may pay these kind of expenses, and then report the expenditure to the Treasury Department under section 291 of the Revised Statutes by what is called a secret certificate, without specifying, without itemizing, and without disclosing the vouchers showing for what this money has been expended.

Mr. FESS. Will the gentleman yield?

Mr. HAMLIN. Yes.

Mr. FESS. I think the gentleman does not want that statement to go into the RECORD at this place, to the effect that the $700,000 in this bill is intended to pay expenses of this sort.

Mr. HAMLIN. Oh, no. I say there is carried in this bill, under the item of emergencies, and so forth, $700,000——

Mr. FESS. Which may arise out of the war and which nobody can foresee.

Mr. HAMLIN. I do not mean to say that the entire $700,000 will be thus expended, but under that emergency item of the bill there is carried the sum of $700,000.

Mr. FESS. But specifically because under the war there are situations developing in various parts of the world that we can not foresee now.

Mr. HAMLIN. There is no question about that. In ordinary peace times the appropriations under that item averaged only about $90,000, and at times, I think, it has been cut down to $50,000.

There is another thing I wish to refer to. At the time my committee made the investigation of the State Department a few years ago it went into these matters very carefully. There was then no war; there was not even a war cloud in sight; and we recommended that the amount carried under this particular item which we have been discussing in the Diplomatic and Consular appropriation bill be cut down below $90,000. But I realize that conditions have radically changed since this administration went into power in 1913. At that time there was trouble brewing in Mexico. There was an ugly situation down there. Then, in August, 1914, this awful war broke out in Europe, multiplying many times over the necessity for the performance of just such services as would be paid for out of a fund of this kind and not to be specifically reported to the Treasury Department. Under the general law every dollar that the different executive departments expend must be represented by a voucher, and all may be made public, excepting this particular kind of expenditure that I am now speaking of.

And that brings me to the real point in the case: There has been a tendency to take advantage, it seems to me, of the fact that the Secretary of State or the State Department has the right, under section 291 of the Revised Statutes, to expend money out of this fund, and then, in settlement with the Treasury, cover the purpose of the expenditure by a blanket certificate of secrecy and forever foreclose the world from a knowledge of the purpose for which this money was expended. This statement in nowise refers to the conduct of the State Department under the Wilson administration, for I have no information covering that point.

Mr. LONDON. Mr. Chairman, will the gentleman yield there for an inquiry?

Mr. HAMLIN. Yes.

Mr. LONDON. Has not a fund of $100,000,000 been put at the disposal of the President out of which such expenses could be paid?

Mr. HAMLIN. That is a different fund entirely. That is purely a war emergency fund. I am talking now about the fund that is carried in all of these Diplomatic appropriation bills, either in time of war or in time of peace.

Now, I want to call the attention of the committee to what appears to be a discrepancy in the report as compared to cer-

tain data which I have. The distinguished chairman of the Committee on Foreign Affairs, in the frank and fair way in which he always deals with the House, has published in the report filed with this bill a tabulated statement, on page 9, which was undoubtedly furnished him by the State Department, showing the amount of money appropriated during the different years, running from 1905 to 1918, inclusive, and the amount expended out of that appropriation during each of these years, and which expenditures were undoubtedly covered by secret certificates in the Treasury such as I have been talking about. I have here with me some of these so-called secret certificates. I will call your attention to one, so that you may understand it. They read like this:

By direction of the President and in pursuance of section 291 of the Revised Statutes of the United States, I hereby certify that ——— ———, the disbursing officer, has expended the sum of $——— during the period from ——— to ———, 19—, from the appropriation for emergencies arising in the Diplomatic and Consular Service, 19—, for expenses incurred during the fiscal year 19—, NATURE AND OBJECT OF WHICH EXPENDITURE IT IS DEEMED INEXPEDIENT TO MAKE KNOWN, and I hereby request the accounting officers of the Treasury, in the settlement of the accounts of the said ——— ———, to allow him in the amount above named $———.

That is what we call the secret certificate which they are permitted to file with the Treasury Department under section 291 of the Revised Statutes. That is perfectly all right. I have no criticism to make of that at all, provided that expenditure is limited to things that should really be kept secret.

But let me give you an illustration of the practice which seemed prevalent in the department several years ago. We make an appropriation in this bill each year of a certain amount of money for bringing home criminals. There is no secrecy about this item. The amount is specified always; and yet I have certificates on file in the committee room, such as the one I have read, showing that for money expended in bringing home criminals they solemnly certified that the expenditure was of a nature and for a purpose that ought not to be disclosed and covered it into the Treasury by secret certificate. We appropriated some years ago $20,000, with no secrecy about it in the world, to enable this Government to participate in the celebration of the tercentennial at Lake Champlain. That amount of money was expended and the report of it was covered by one of these secret certificates in the Treasury; and yet there was absolutely no reason for it to be kept secret.

I can name 15 or 20 different expenditures covered by secret certificates in the Treasury as to which there could be possibly no kind of reason for it. The truth is, if a Secretary of State were disposed to do it, he could go out here on the street and buy an automobile for $5,000 and pay for it out of this fund and then solemnly declare that the purpose of that expenditure was of such character and nature that it ought not to be made public, and put the certificate in the Treasury and absolutely foreclose any knowledge on the part of the public as to the purpose for which that money was expended.

Now, I am not accusing anybody of doing that. I am simply pointing out the danger. I do know that this fund has been utilized for purposes which ought not to be kept secret, but in settlement was covered by a secret certificate.

Let me point out here what seems to be misleading. I have not got the report up to date. I have tried to get it, but so far it has not come to me. In 1911 my committee made a very exhaustive examination of conditions in the State Department. At that time I wrote the Secretary of the Treasury and asked him to send me, among other things, a statement of all the money paid out of this emergency fund and covered in settlement by so-called secret certificates under section 291, Revised Statutes.

Here is his reply:

TREASURY DEPARTMENT,
Washington, August 2, 1911.

Hon. C. W. HAMLIN,
Chairman Committee on Expenditures in State Department,
House of Representatives, Washington, D. C.

SIR: In compliance with the request contained in your letter of July 18, 1911, there is submitted below a statement prepared by the Auditor for the State and Other Departments showing all moneys disbursed by the Department of State and accounted for by certificates of the Secretary of State under section 291, Revised Statutes of the United States, from July 1, 1905, to March 31, 1911:

July, 1905	$2,589.84
August, 1905	4,226.01
September, 1905	11,078.47
October, 1905	14,019.77
November, 1905	16,924.24
December, 1905	7,716.85
January, 1906	8,690.08
February, 1906	4,680.94
March, 1906	11,739.26
April, 1906	10,570.36
May, 1906	10,871.40
June, 1906	14,389.41
Quarter ended Sept. 30, 1906	29,304.72
Quarter ended Dec. 31, 1906	$16,131.98
Quarter ended Mar. 31, 1907	33,029.94
Quarter ended June 30, 1907	29,667.34
Quarter ended Sept. 30, 1907	32,677.79
Quarter ended Dec. 31, 1907	29,896.06
Period from Jan. 1 to Apr. 6, 1908	18,063.92
Period from Apr. 17 to June 30, 1908	21,682.36
Quarter ended Sept. 30, 1908	27,195.60
Quarter ended Dec. 31, 1908	21,958.25
Quarter ended Mar. 31, 1909	49,876.00
Quarter ended June 30, 1909	27,602.73
Quarter ended Sept. 30, 1909	26,561.45
Quarter ended Dec. 31, 1909	29,566.71
Quarter ended Mar. 31, 1910	32,806.49
Quarter ended June 30, 1910	15,611.16
Quarter ended Sept. 30, 1910	43,272.60
Quarter ended Dec. 31, 1910	100,081.96
Quarter ended Mar. 31, 1911	16,991.15

Respectfully,

FRANKLIN MACVEAGH, *Secretary.*

You will observe that this letter only brings it up to March 31, 1911. Recently I asked the Secretary to give me a statement of the disbursement from April 1, 1911, to June 30, 1911, so as to complete the statement for the full six fiscal years—from July 1, 1905, to June 30, 1911:

TREASURY DEPARTMENT,
Washington, October 28, 1911.

Hon. C. W. HAMLIN,
Chairman Committee on Expenditures in State Department,
House of Representatives.

SIR: Replying to your letter of October 24, 1911, I have the honor to inform you that the sum of $13,505.72 was expended by the Department of State and accounted for by certificates of the Secretary of State under section 291, Revised Statutes United States, for the period April 1 to June 30, 1911, as shown by the files of this department.

Respectfully,

J. F. CURTIS, *Acting Secretary.*

Mr. KNUTSON. Has the gentleman any figures available since 1913?

Mr. HAMLIN. I prefer not to stop to answer that now, but if the gentleman will remind me of it I will do so a little later on. You will observe, if you have the report on this bill before you, that they say that for the fiscal year 1906 there was expended under section 291, Revised Statutes, $112,080.78. As a matter of fact, unless I made a mistake in addition, and I do not think I did, there was expended $117,496.72, as that much was reported to the Treasury by secret certificates under section 291, Revised Statutes.

For 1907 they say there was expended $76,925.12. As a matter of fact there was expended, covered by these secret certificates, $108,133.98.

In 1908 they say there was expended $80,620.52. There was actually expended $102,321.03.

In 1909 they say there was expended $47,865.67. There was actually expended $126,632.58.

In 1910 they say there was $79,744.20 expended. There was actually expended $104,545.81.

For 1911 they say there was expended $89,466.63. As a matter of fact there was actually expended $173,851.43.

Mr. FLOOD. Will the gentleman permit me to ask him a question?

Mr. HAMLIN. Yes.

Mr. FLOOD. The gentleman stated that these figures were furnished to the Committee on Foreign Affairs by the State Department. The gentleman is right about that?

Mr. HAMLIN. I said I supposed they were furnished by the State Department.

Mr. FLOOD. I should like to know how the Secretary of State could expend as much money as the gentleman said in 1911, something over $173,000, when the appropriation was $90,000 and the unexpended balance $10,000, a total of $100,000?

Mr. HAMLIN. The Secretary of the Treasury in 1911 stated that they spent $173,851.43. I think I can explain it. I am not criticizing, but trying to call attention to a dangerous situation that ought to be regulated.

Mr. FESS. How was the difference made up?

Mr. HAMLIN. In a moment I will answer the questions of both the gentleman from Virginia and the gentleman from Ohio. Let me give you the total first, though. The sum total for these six years, as shown by the report of the committee, aggregates $157,419.79, whereas by the reports of the Secretary of the Treasury for the same years there was expended $615,485.23, or a difference of $458,065.44. You ask how I explain it. I will tell you how I explain it, and yet I may be wrong. There can be no kind of mistake about the figures furnished by the Secretary of the Treasury, because there came along at about the same time, or at least I have them, certified copies of the secret certificates filed by the Secretary of State with the Treasury Department covering those amounts. Now I will tell you where I think the discrepancy comes in. I take it for granted that the amount printed in the report by the committee and furnished by the State Department is in all human probability actually and truly the amount expended for secret

work that ought not to be made public. I am not saying that is not true. I apprehend that is true. But covered in the same way in the Treasury Department by these secret certificates were items aggregating $458,065.44 that were not secret and ought not to have been reported under secrecy.

Mr. FLOOD. Does the gentleman think that the Comptroller of the Treasury would permit the payment of a warrant on that fund when all the fund had been exhausted? An appropriation was made for that fund in 1911 of $90,000; there was an unexpended balance of $10,000, making $100,000. Does the gentleman think the Treasury Department would pay warrants aggregating $173,000 on that fund? Surely the gentleman does not think that there could be spent of that fund a larger amount than the fund itself.

Mr. HAMLIN. They have a system of bookkeeping down there by which in some way they borrow from one fund and pay it back out of another, and switch around until it takes a better bookkeeper than I am to know how it is done. But it is like the fellow that said a rabbit could not climb a tree; but the other fellow said that it did climb a tree, because it had to. Here is the report of the Treasury Department, with the certificates.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. HAMLIN. May I have five minutes more?

Mr. FLOOD. I yield to the gentleman five minutes more.

Mr. HAMLIN. I have the certificates for those years, and here are the figures. Any gentlemen can take them. I will print them in the RECORD. Any gentleman can figure it out for himself. This amount of money was solemnly certified to by the then Secretary of State. He said that the purposes of the expenditures ought not to be made known, and it aggregates the amount that I give you. Now, whether the fund was there or not——

Mr. FLOOD. The gentleman has just said that at times the department borrows from this fund for other funds and subsequently reimburses the fund. That seems to be the explanation.

Mr. HAMLIN. The gentleman has listened indifferently to me, or else he knows that that is not the only explanation I suggested. I do not attempt to explain. It is up to the department to make the explanation. I give the facts as they were given me by the Treasury Department.

Mr. FLOOD. Does the gentleman think that since 1912 a better system has been inaugurated?

Mr. HAMLIN. I certainly hope so. There is absolutely no partisanship in this with me. I have not yet got a report from the Secretary of State. I wrote him as soon as I got the report of the committee and saw the figures published therein. You know that under the law the executive departments must report their expenditures annually, and these reports are referred to the Committee on Expenditures for the different departments. When the Secretary of State's report came in and was referred to my committee I failed to find the usual report of the amount of money expended from the emergency fund. I called the department up on the telephone and they assured me that they would furnish me that information. I got busy and forgot it, and I presume they did. Nothing more was said about it until I got hold of the report published by the committee on this bill, and I immediately wrote the Secretary of State, asking him to kindly furnish me the amount of money spent out of the emergency fund for the years 1912–1918 covered by secret certificates in settlement with the Treasury. I told him I wanted this information, if possible, by last Saturday. On yesterday I received the following letter from him:

DEPARTMENT OF STATE,
Washington, February 2, 1918.

The Hon. COURTNEY W. HAMLIN, *Chairman,*
Committee on Expenditures in the State Department,
House of Representatives,

MY DEAR MR. HAMLIN: I have received your letter of January 29, 1917, requesting a statement of the amount of money which this department has expended, under the provisions of section 291 of the Revised Statutes, from the appropriation designated as "Emergencies arising in the Diplomatic and Consular Service" for the fiscal years 1912, 1913, 1914, 1915, 1916, 1917.

In view of the fact that there is an Executive order providing that no information of any kind shall be furnished by the Secretary of State in regard to money expended and accounted for by certificate, in pursuance of section 291 of the Revised Statutes, except upon due direction in writing from the President, I have submitted your request to the President for his direction and will take pleasure in communicating with you further as soon as his reply shall have been received.

I am, my dear Mr. Hamlin,
Very sincerely, yours,

ROBERT LANSING.

Now, then the Executive order referred to I suppose is an order issued by President Taft some years ago when we were making an examination of the State Department.

I think that it is only fair to state that I on yesterday replied to the Secretary as follows:

FEBRUARY 4, 1918.

Hon. ROBERT LANSING,
Secretary of State, Washington, D. C.

DEAR MR. SECRETARY: I am somewhat surprised at the statement in the first paragraph of your letter of date the 2d instant, in view of the fact that what purports to be information asked for by me, and which you declined to furnish without special permission from the President, has been made public in the report on the Diplomatic and Consular appropriation bill now on the Calendar of the House. Certainly if they have been furnished with the information, then I see no reason why the Committee on Expenditures in the State Department, whose duty it is to look into the expenditures of money in that department, should be denied this information.

I will state very frankly that the immediate cause of my preferring the request for this information contained in my letter of January 29, 1918, was that I had seen the report filed by the Committee on Foreign Affairs covering the expenditures made by the Department of State under section 291, Revised Statutes, for the years 1905 to 1918, and from information which I have covering a portion of this time I am led to conclude that that statement, to say the least, is misleading. However, the information which I have does not cover all the years mentioned in that report, and I was anxious to get direct information from the department so as to compare it with the statement published.

I trust that you will not hesitate to furnish it and would be glad to have it at the earliest possible time.

Very respectfully.

Mr. PLATT. Will the gentleman yield?

Mr. HAMLIN. Yes.

Mr. PLATT. Did I understand the gentleman to say that $20,000 of an appropriation openly made was put in under one of these certificates?

Mr. HAMLIN. Yes.

Mr. PLATT. Then that did not come out of this fund.

Mr. HAMLIN. No; it did not come out of this fund, and that may explain somewhat how they seemed to have expended more than was appropriated. Twenty thousand dollars was a special appropriation, but it was covered by a secret certificate in settlement with the Treasury. Why it went in under that and finally got over, I do not know. We found that about $5,000 was paid out on a banquet, hack hire, telephone, sleeping berths on the train, railroad fare, and so forth.

Mr. MOORE of Pennsylvania. I thought it was for rope and other refreshments. That is the way it is generally charged.

Mr. HAMLIN. No; they gave us the hotel bill itemized. There was plenty of wine in it.

Mr. MOORE of Pennsylvania. There is always a great reluctance to tell of the good times we have had when they spend the public money in having it.

Mr. HAMLIN. Now I am not seeking to criticize only. I want to try to correct an evil.

Mr. MOORE of Pennsylvania. I think the gentleman is doing his full duty.

Mr. PLATT. Will the gentleman yield?

Mr. HAMLIN. Yes.

Mr. PLATT. Under what law could a secret certificate be issued for a fund made by an open appropriation?

Mr. HAMLIN. There is no law for it. I could give you another instance, but I rather hesitate to do it because I have spoken of it here so often. We discovered that a portrait of Justice Day, as ex-Secretary of State, was painted at public expense as was customary. Mr. Rosenthal, of Philadelphia, was the artist. The chief clerk of the State Department called on the disbursing officer for $2,500, telling him it was to pay for painting Justice Day's portrait. The disbursing officer turned the money over to the chief clerk. Eight hundred and fifty dollars was paid to Rosenthal, he having signed a blank receipt in advance, and over his signature they filled in $2,450, but $850 only was given to Rosenthal. Where the balance of the money went we have never been able to say.

Mr. MOORE of Pennsylvania. Was that before or after we made the appropriation for the Shipping Board? [Laughter.]

Mr. PLATT. That was paid out of the emergency fund.

Mr. HAMLIN. Yes; out of the emergency fund.

Mr. KNUTSON. What year did that take place?

Mr. HAMLIN. In 1907, I believe. This is the point I am trying to make, that we ought to safeguard in every way we can the expenditure of this money. The practice to which I have referred opens the floodgates, gentlemen, and there is no question about that in the world. Mr. KNOX was Secretary of State when we made this investigation. He came before our committee and was defending in a way the practice under section 291, Revised Statutes—not defending this particular thing of which I spoke a while ago, of course, but insisting that the Secretary of State should have full leeway in these matters. He said they were bound to have this fund and bound to have this leeway, but I put this question to him: "Mr. Secretary, under your construction of that statute could you not go down town and buy you a span of matched horses and a fine carriage

and equipment out of this fund and then cover it with a secret certificate in the Treasury by saying that the purpose of this expenditure ought not to be made known?" And he answered yes, that there was no question in the world about that. I say that is not right, and there ought to be some kind of a brake or safeguard thrown around this fund.

I expect that the department will need all the money that is carried in this bill for emergency purposes, but I hope that the President and the Secretary of State will be more careful than some of their predecessors; and I ought to say for Mr. Knox that after we made this exposé he came before our committee and granted that we had rendered the country a real service, and he said that he had issued an order that not one dollar should be drawn out of this fund until the items for which the money is to be paid out shall have been stated and laid on his desk and his attention had been specifically called to it. I applauded him for that. Then when Mr. Bryan came along as Secretary of State I went down to his office and spent an afternoon with him, and called his attention to all of these things, and I said: "I hope, Mr. Secretary, that you will hold a tight hand upon the expenditure of this money that may be covered by secret certificates in the Treasury." He assured me that he would. I have not said anything to the present Secretary of State, but I am hoping—and I have no reason to think otherwise—that he is following the rule established by Mr. Knox and followed by Mr. Bryan.

Mr. PLATT. Is it not true that all of the unexpended balance are carried right along in this fund?

Mr. HAMLIN. Only during the past few years is that true. That was not the early practice. I think in 1911 or 1912 was the first time the unexpended balance was reappropriated. Before that time what was not expended went back into the Treasury, but I am inclined to think that there never was any not unexpended.

Mr. MOORE of Pennsylvania. As I understand the gentleman's statement and his reading of this letter, he rather indicates the present Secretary of State, Mr. Lansing, is holding to the secrecy method, just as it has been held to heretofore.

Mr. HAMLIN. Mr. Lansing evidently felt that he was bound by that Executive order that was issued, I presume, by Mr. Taft.

Mr. MOORE of Pennsylvania. That is to say, he was hiding behind the error that had been previously made.

Mr. HAMLIN. I have not said that it was an error, although I think it was.

Mr. MOORE of Pennsylvania. I do not understand the gentleman that way, and I put the question to him. It seems to me, from the letters the gentleman has read, that Mr. Lansing rather referred the gentleman's inquiry to the President, thinking perhaps he ought not to tell the chairman of the Committee on Expenditures in the State Department how the money had been expended until he had consulted the President.

Mr. FLOOD. I think that is not a fair statement as to Mr. Lansing.

Mr. MOORE of Pennsylvania. The letter so states.

Mr. HAMLIN. The letter just simply stated that, on account of the Executive order on file in the department requiring the Secretary of State to refer these matters to the President, he had done so.

Mr. MOORE of Pennsylvania. Exactly; and I think the gentleman was extremely diligent in trying to obtain information about these secret expenditures. He has not yet obtained the information, owing to the conditions that prevail.

Mr. HAMLIN. I do not claim credit for myself for extreme diligence. Some time ago I called up the department, and they promised me the information. I presume they forgot it; I know I did, and never thought of it until a few days ago, when I read this report. Then I sent the letter to Mr. Lansing and, if he had to refer the matter to the President, he has not had time yet to get the information to me.

Mr. MOORE of Pennsylvania. I think the gentleman has done his duty in calling the attention of the House to the fact.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. FLOOD. I yield five minutes more to the gentleman.

The gentleman from Pennsylvania [Mr. MOORE] will recall that the letter from the Secretary of State to the gentleman from Missouri was dated last Saturday. The gentleman from Missouri replied to that letter yesterday, and the Secretary of State has not had time to reply to that letter. I will say, in connection with this fund, in justice to the present occupant of that position, that last year he requested—it was, of course, before we were engaged in this war—that that fund be reduced from $200,000, which it has been for some years or prior to that time, to $150,000, and I know from statements he has made to the Committee on Foreign Affairs that he would not object in the least, beyond the fact that he is bound by the order issued by President Taft, to make any of these disclosures to the gentleman from Missouri, who is chairman of the Committee on Expenditures in the Department of State. He has invited members of the Foreign Affairs Committee to visit the State Department and go over the vouchers with him.

Mr. MOORE of Pennsylvania. But he declined to give the gentleman who is chairman of the Committee on Expenditures in the State Department information at the present time. He stated that he is bound by a law issued by President Taft some seven years ago.

Mr. FLOOD. That order has not been rescinded.

Mr. MOORE of Pennsylvania. If there is an improper practice prevailing, the gentleman who is chairman of the committee which ought to have the information is denied the information.

Mr. FLOOD. I think the Secretary of State surely would be bound by the order directed by the President to him until that order was rescinded.

Mr. MOORE of Pennsylvania. My point is the President has been conducting affairs now at least five years, and he has had opportunity to observe whether this order was a good or a bad one, and he has permitted it to prevail, and when the authorized committee asks for information the Secretary of State falls behind this order to the extent of declining the information.

Mr. FLOOD. And during these five years there has been no request made of the Secretary of State that would draw this order into question or call his or the President's attention to it.

Mr. HAMLIN. That is true. I was just going to say no criticism can be inferred from that, because I, as chairman of that committee, have not from that time until now made this request. Perhaps the Secretary's attention was never directed to this Executive order until he got my letter the other day. Now, I want to say this in conclusion, as I do not wish to trespass upon the patience of the committee.

Mr. DYER. Does the gentleman know the Executive order was that of President Taft and not that of the present President?

Mr. HAMLIN. The present President, I am satisfied, has made no such order. President Taft did make such an order, and I was served with a copy of it.

Mr. PLATT. This table covers the expenditures from 1905 until 1918?

Mr. HAMLIN. Yes.

Mr. PLATT. And each year shows the balances subtracted, the expenditures made, and the appropriations made? If these balances are carried on they are available for expenditures—that is, if they have been available only from 1911, there must be $300,000 more in the fund than appears on the surface.

Mr. HAMLIN. That was not true until 1911 or 1912. Prior to that time the unexpended money, if there was any, was automatically turned back into the Treasury.

Mr. PLATT. Are these balances added to the appropriation?

Mr. FLOOD. The gentleman does not understand that all these amounts should be added together.

Mr. PLATT. I understand these balances on the right hand had to be added to the appropriations.

Mr. FLOOD. One balances each time. The whole balance for all the year is added to the appropriation.

Mr. PLATT. Is the balance of each year carried in the appropriation of the next year? It does not show balances carried.

Mr. HAMLIN. If there were any.

Mr. PLATT. Then the balances are available to be expended in that year?

Mr. FLOOD. No; we appropriate a certain amount and the unexpended balance.

Mr. PLATT. This is carried in the table of the expenditures and the balance is to be added in each time?

Mr. FLOOD. For instance, in 1917 $200,000 and the unexpended balance was appropriated. This unexpended balance was $31,830.85 left over from the preceding year. That is to be added to the $200,000, and that is the case as to all these amounts.

Mr. WHEELER. Will the gentleman yield?

Mr. HAMLIN. I will.

Mr. WHEELER. I inferred from what the gentleman said that an order issued by former President Taft has been directed by President Wilson to be still carried out?

Mr. HAMLIN. Oh, no; I said nothing like that. We went over that a few moments ago. Perhaps the gentleman was not in the Chamber at the time.

President Taft issued an Executive order years ago to the effect that the Secretary of State could not furnish——

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. FLOOD. I yield to the gentleman five minutes more.

Mr. HAMLIN (continuing). That the Secretary of State should not furnish our committee with any further information unless first submitted to him and permission granted. And that order, of course, went into the archives of the department, and that is evidently the order referred to by Mr. Lansing.

I introduced a bill and kept introducing it for a year or two, but I could not seemingly interest anybody especially. My bill provided that there should be a permanent standing joint committee of the House and Senate, composed of three men from each House, to whom should be submitted each year all the items for which this money had been expended. If, in their judgment, some of this money was expended for something not necessary to keep secret, they could make it public. Otherwise they could keep it secret. I believed that three men in the House and three men in the Senate could be selected who would be loyal and true and patriotic, and would go over these things and never disclose anything that ought not to be disclosed. I believe something of that kind ought to be done in order that this privilege can not be abused.

I thank you very much. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Speaker and gentlemen of the Congress, I am going to speak directly during the time allotted me on the question of manning the merchant ships of the United States, those under Government control as well as those traversing the war zone, with Navy crews. I have obtained permission to use here to-day some of the testimony that was given before the Navy investigating committee. The permission was given me by Secretary Daniels, by Admiral Palmer, and by the chairman of our committee, and, with the permission of the House, I will insert that testimony in my remarks.

Ocean transportation is to-day one of the prime factors in the successful prosecution of the war. Every vessel carrying supplies across the Atlantic is in actual war service, for this over-seas traffic is a part of the line of communication from the base—the American ports—to the front and should be operated just as efficiently as any other part of our war activities. The lives of our men on the battle line and the lives of those en route depend upon the quick, safe, and certain operation of our ships. Our entrance into the great conflict has brought to America both a great responsibility and a great opportunity. We shall not shirk the one and should not fail to take advantage of the other. Our responsibility is to build and operate a merchant marine of sufficient tonnage to transport our troops to France, with the supplies of munitions and food to maintain them at the front, as well as to carry a large percentage of the foodstuffs needed by our allies. Our opportunity is to place this mercantile fleet on a permanent footing and make it American in personnel as well as in ownership and operation.

Let me quote from Commodore Miller:

In the days before the Civil War the United States had a merchant marine which was the envy of the greatest commercial nations of the Old World. The great mass of the population lived within a few miles of the coast and the desire of nearly every small boy was to run away and become a sailor. Among a seafaring people it was not difficult to find good crews for all the ships that could be built. But for the last few decades our development has been landward. We were, as a people, devoted to the mighty task of conquering a continent for civilization. We permitted a good part of our foreign trade and most of our shipping tonnage to be captured by our European rivals. It is now of no avail to lament this long neglect of the world's great waterways. In fact, it was not wholly an evil, for by concentrating on the development of the inland States we have created a remarkable railroad system, and this made possible the opening of the great agricultural region of the Mississippi.

The great question which confronts us now and which with increasing force will confront us as we augment the number of our ships is the personnel of the crews operating them. The Navy Department has no controversy with the Shipping Board in this matter. It is their desire and aim to cooperate, not combat; to assist, not retard. Only as a part, though a very important part, of the great national organization charged with the duty of carrying forward America's purposes are they concerned in the manning of merchant ships not directly under the control of the Navy. But the Navy Department, ever alert to the exigencies of every situation, stands ready to enlist and train men for this service. With the same foresight that prompted them to order supplies and contract for munitions in anticipation of their immediate needs at the outbreak of hostilities, they suggested as long ago as last summer the advisability of manning the ships to be built by the Shipping Board by naval crews. In this connection let me offer this letter from the Secretary of the Navy:

NAVY DEPARTMENT,
Washington, November 30, 1917.

DEAR MR. HURLEY: With reference to your letter of November 23, 1917, the principal question involved, relating to the placing of men trained by the Navy on the inactive list in order that they might enter the merchant marine in a civilian status, has been discussed in a conference of representatives of the Navy Department and of the Shipping Board with the result that it was mutually agreed that such plan was impracticable.

As was brought out in the conversation on Wednesday, the chief question at the present time is, of course, the efficient conduct of the war. In other words, the handling of ships crossing the war zone in the most efficient manner possible. This is, of course, the principal desire, not only of the Navy Department but of the Shipping Board and the country as a whole. The question, therefore, resolves itself into a consideration of what method shall be arrived at in order to carry out this purpose. It seems to us essential that all ships crossing the war zone should be officered and manned by men who are subject to naval discipline.

Merchant ships in the war zone are almost as vital a factor in naval operation as the regular vessels of the Navy, and it is of the highest importance that the officers and crews of these merchant ships have such training as will fit them for these military duties and be subject to naval control and discipline.

I know you will understand that the Navy is interested solely in the military and naval work ahead of us in getting troops, munitions, and supplies of all kinds across the Atlantic, and that in cooperatnig with the Shipping Board toward this end we want to do so in such a way as to assist the Shipping Board, not only in this work but in helping it to build up an American merchant marine for the future.

Limiting the question, therefore, to vessels crossing the Atlantic, as suggested at the recent conference, crews can be specially qualified for this work and be under the necessary discipline and control if recruited and trained as Naval Reservists. Under existing laws members of the Naval Reserve must be either American citizens or citizens of friendly nations who have taken out their first papers. We realize, of course, that a large percentage of the crews of American ships are now foreigners who do not come within this category, but it is probable that with the increasing number of ships these men would find ready employment on vessels not engaged in trans-Atlantic voyages.

In regard to those now serving in the merchant marine, who would be eligible for the Naval Reserve, it is hoped that a large percentage of them, both officers and men, will be willing voluntarily to be enrolled in the Naval Reserve and some satisfactory arrangements can undoubtedly be made between the Navy Department and the Shipping Board for the enrollment of a large proportion of them.

In regard to the officers who are now on American merchant vessels, short courses of training can be established in order to instruct them more fully in the procedure necessary to make the voyages safe through the war zone.

If given ample notice in advance as to the numbers and types of vessels for this trans-Atlantic trade, with the dates of readiness, we believe that the Navy Department can obtain sufficient men under present laws governing the Naval Reserves. While the Navy has already increased its training facilities, an additional call of this nature will require certain extensions of our stations which should be taken up at once. The manning of these vessels by Naval Reserve officers and crews should not in any way interfere with any plans of the Shipping Board to have the operation of these vessels while in port conducted by private companies or by the Shipping Board.

Sincerely, yours,

JOSEPHUS DANIELS,
Secretary of the Navy.

Let me also include this letter from Admiral Palmer, of the Bureau of Navigation:

DECEMBER 18, 1917.

To: Secretary of the Navy.
Subject: Personnel preparation for taking over merchant ships.

1. It is recommended that the following proposed letter be sent to the chairman of the Shipping Board. It is important that the chairman of the Shipping Board fully understand that in case the Navy is to be called on to man ships that several months' notice will be necessary:

"MY DEAR MR. HURLEY: It appears that the Shipping Board has issued the following statement to the public press:

"'The bulk of vessels under the American flag, whether engaged in trans-Atlantic trade or elsewhere, so long as they retain their character as merchantment, will continue to be manned by merchant sailors. Troopships and vessels carrying whole cargoes of munitions or supplies for the Army and Navy, however, for military reasons, will be manned by naval crews.'

"It is requested that this be verified.

"I am of the opinion that the personnel difficulties are going to be much greater than contemplated. From our own military history, where large forces have been called on for short-time enlistments, it has been impossible to have a properly trained force. For example, during the War of 1812 over half a million men were enlisted in the Army, practically all being short-time enlistments. This force was never able to effectively oppose the 16,000 British on this continent. For inexperienced men the life at sea is a greater hardship than life in the Army, and at the present time the war-zone dangers are much greater than has been the danger of our troops in previous wars.

"I believe the only method by which men of the merchant marine can be held until they become efficient, and afterwards held and detailed to the best advantage of the service, is to make enlistments in a military service for this duty for the duration of the war. This plan also conserves man power, in as much as an armed guard in addition to the regular crew would be unnecessary. I hope the plan you have decided upon will prove successful, but I think I should point out that if the Shipping Board finds it necessary to change its policy the Navy will be unable to properly take over any large increase along the line of manning and officering additional ships in less than six months, as the length of time required to build the necessary additional training stations must be added to the time required to train the first detail of crews, and there will be constantly increasing difficulties encountered in rerecruiting the personnel.

"Very sincerely, yours,

"(Signed) L. C. PALMER."

I understand no answer to these communications has been received.

Let me emphasize the point raised by both Mr. Daniels and Admiral Palmer, that of the necessity of knowing in advance what will be expected and required of the Navy Department, for the recruiting and training of a large number of men will take time, and time is all essential in our military program. I think it fair to assume that the Army will need all the ships

launched by the Shipping Board, and that they will naturally ask the Navy Department to man and operate them. Without, however, knowing the requirements in advance, the Navy can not supply the men when needed.

It is not my purpose to build up an argument which may safeguard the Navy from any just criticism or to relieve it of responsibility. The Navy will do its part. My purpose rather is to show that the war forces of the Nation can best be concentrated on the task by having a definite program announced in advance which will be steadfastly adhered to. I feel that all vessels traversing the war zone and all vessels operated by the Government should be manned by naval crews.

Briefly, the advantages to be derived from naval crews would embrace:

1. The enlistment of American seamen.
2. Continuous service for the war.
3. Creation of a marine service that would continue after the war.
4. Military control, training, and discipline.
5. Permanency of crews on particular ships, thereby insuring familiarity with the vessel, with time for drills and the establishing of cooperation between officers and crews.
6. Certainty of departures from ports.
7. Safety of ship and passengers in the war zone, due to discipline and practice.
8. Increased speed of ship.
9. Saving of fuel, due to better handling.
10. Coordination between ships and convoys.

It may be asked, Can the Navy secure a sufficient number of men for this service? Admiral Palmer says "yes," if given time to recruit and train them. Will they enlist for this service as readily as for battleship service? Those best qualified to answer, with whom I have talked, are of the opinion that they will, for to-day every merchant ship mounting guns and carrying a gun crew is in reality a battleship. Will men enlist for this merchant service knowing that the men they supplant were receiving a higher compensation? The answer to this is that the Navy has no difficulty in enlisting men now in competition with the mercantile marine. It must be remembered that this service will be on the same footing as that of the regular Navy.

It will be a different class who will come forward, men actuated by patriotic motives. It is no experiment that is being advocated—merely an enlargement of the present system, with the sailors and soldiers on the same footing as to pay, rations, allowances, and benefits.

Mr. SHERWOOD. Mr. Chairman, I would like to ask the gentleman a queston. How many of these ships have been sunk?

Mr. HICKS. I have a record of them here, which I shall be very glad to give to the gentleman if he will allow me to do so privately.

Mr. SHERWOOD. Well, I have a list of those that have been sunk.

Mr. HICKS. If the gentleman cares to make that public, he is at perfect liberty to do so, of course; but I do not want to do it, because I have been asked not to make it public.

Vessels of the merchant marine taken over by the Navy will be held for the duration of the war. They are taken over, wherever possible, with the officers who have been running them, and these officers are not transferred out of them, except for cause. It should be the endeavor to place on them a crew of reservists, rather than regular Navy men, in order that at the expiration of the war the ship, its officers, and its crew may be released from service simultaneously and no hiatus occur in the smooth operation of the vessel. This will create such a splendidly trained and disciplined body of men in the merchant marine as would not be possible to create in any other way.

Merchant crews are shifted each trip. They are in many instances untrained to seamanship and poorly qualified for the duties and indifferent to their own safety or that of the ship. Probably 70 per cent of our merchant crews are aliens, many of whom can not speak English, and are therefore unable to understand the orders given them. Owing to the above reasons and the fact that they shift after each trip it is impossible to bring them to any state of proficiency. A Navy crew would be permanent, and would improve each trip. The ship would steam faster, load more quickly, be more certain in departures, and be handled more efficiently and with greater safety given a permanent crew. Each additional knot in speed is not only a defense against the submarine but a distinct gain for the allied armies, for by cutting down the running time between ports a greater number of round trips could be made, thereby increasing to an appreciable extent the annual tonnage carried. Time saved on a voyage is tonnage added to transportation. A fundamental military maxim is "not to advance unless the train of supplies is assured." The Army can not place more men in France than it can be assured will be supplied by munitions and food as well as supported by reenforcements. No positive assurance can be given with civilian crews. They are under no definite enlistment or military authority, and could not be compelled to remain throughout the war. They could leave the service at any time, no matter how critical the situation.

Mr. PLATT. Mr. Chairman, will the gentleman yield for a question?

Mr. HICKS. Certainly.

Mr. PLATT. What prevents a little corrective discipline? Is it the provisions of the seamen's act?

Mr. HICKS. They are not enlisted men.

Mr. PLATT. Why can not a sailor at sea get drunk, whether he is an enlisted man or not?

Mr. HARDY. I think I know about the seamen's act. It does not affect it at all; not one bit.

Mr. MOORE of Pennsylvania. Under the war-risk insurance act are not these civilian seamen insured by the Government?

Mr. HICKS. Yes; my friend from Pennsylvania is correct; but instead of the Government insuring them the owners of the ships on which they serve are required to do it at the discretion of the Secretary of the Treasury. I will insert the provisions of the law:

SEC. 3a. That whenever it shall appear to the Secretary of the Treasury that the effecting of such insurance is desirable in the national interest in the case of vessels engaged in any trade, the owner of every American merchant vessel engaged in such trade shall insure the master, officers, and crew of such vessel against loss of life or personal injury from war risks as well as for compensation during detention by an enemy of the United States following capture.

Such insurance shall be effected either with the Bureau of War Risk Insurance or in insurance companies, and on terms satisfactory to the Secretary of the Treasury.

Any attempt to man ships without regularly enlisting the crews would be similar to trying to fill a bottomless pit. Men would be signed on, but there would be no certainty that they would remain with the ship after the first trip. Even if they continued in the service, many of them would not be ready to go back on the return trip, which would mean the shipping of new men unaccustomed to the ship. Regardless of the great factors of discipline and control, the above condition is inefficiency in its worst form.

It can not be pointed out too strongly or too often that personnel, with all that it implies—training, discipline, and control—is always the vital element in military operations. We will undoubtedly be able to build ships, but an efficient merchant marine is far more than a fleet of vessels. The men who man them are vital factors in their successful operation. The objects desired are to put the maximum shipping into service, to make the maximum number of trips with that shipping, and to lose the fewest ships, and also to destroy as many enemy submarines as possible. The transportation of supplies is an arm of the service, just as much as the Army autotruck and mule team which accompany the army at the front. The existence, maintenance, and efficiency of this branch of the service is immediately essential to our most effective carrying on of this war, to the success of our cause. With civilian crews the highest degree of efficiency can not be attained, for in most instances crews gathered in a haphazard manner can not become familiar with the ship, and there is no time for drills and practice. Discipline and training are both essential factors in the safe and speedy operation of a ship, and these can not be secured under civilian seamen.

Let me quote from a speech delivered by Secretary Redfield before a conference of shipping interests August 1, 1917:

The most serious factor that this country faces is that of merchant ships. There are other serious factors, but that is the most serious factor. Every call to duty comes most loudly to him who can move a ship quickly. The man who delays a ship over a day for any cause whatever, howsoever personal or intimate to himself, does wrong to his country now. It is altogether within reason to say that a single day's delay in this war, that which causes it to last another day longer than it otherwise would, may readily mean to this country 1,500 of her sons and $15,000,000 of her money wasted.

Let me also quote from Mr. Andrew Furuseth, president of the International Seamen's Union of America:

According to a census which we have taken there are about 5,000 Germans sailing under the American flag in different capacities. It may be said that they are among the highest skilled men, whether they sail in the forecastle, in the fireroom, or in the galley. Of these men, about 5,000 all told, 3,721 are in the organizations of the seamen, and figuring it up on the same basis of those outside the organization there should be at least 5,000.

For the sake of argument let us assume that 95 per cent of the Germans on our merchant ships are friendly to the United States, or at least indifferent to their native country, what about the other 5 per cent who are dangerous? How can they be weeded out of the service under the existing system of securing crews? It is suicidal for any Government knowingly to place

itself above a volcano merely because that volcano has been quiescent for a few weeks or months. Under any civilian status, after men enroll, there is no hold on them, they may leave at any time, and will not remain on the same ship. On board the vessel these men are not under naval discipline, they work only when they choose. On each watch there are men who decide not to work, and the engineer must find volunteers from other members of the crew. This reduces the speed of the ship to a great extent when speed is a vital factor in the war zone.

Every officer and every member of a crew navigating a ship in the war zone under the American flag should be an American citizen and all of them should wear the uniform of their country's service.

Testimony of Admiral Palmer, Bureau of Navigation, before the Navy investigating committee, January 8 and 9, 1918, on the subject of naval auxiliary crews.

Mr. HICKS. Mr. Chairman, I would like to take up the matter of Naval Reserves in relation to the manning of merchant ships. Admiral, I understand from newspaper reports and from other sources that there is to be a distinction drawn—a classification made, as it were—between ships doing commercial work and those performing military duties, with the former manned by civilian crews and the latter by naval crews. Can you give us any information on this subject?

Admiral PALMER. I have heard that that is to be the case, but we have not received any definite information on the subject. Admiral Benson in the Advisory Council of the Navy Department some weeks ago stated that a representative of the Shipping Board—I think it was Commissioner Donnell—that the representative of the Shipping Board had said to him they did not want the Navy to man the merchant ships, and that there was no probability of them ever doing so. Admiral Benson made that statement in the Advisory Council the other day.

I might explain that the subject was brought up by my asking for some information as to whether any steps had been taken for the Navy to take over the vessels of the merchant marine. And that inquiry was made by me for the reason that if there was anything in the air along that line we wanted to know it, because provision must be made for it immediately. It is just another case of preparation, and without preparing for it, of course, we would not be able to take care of it. As I see it, the merchant marine, if manned by the Navy, and if it includes all new ships being turned out, will require a great deal of preparation on our part in getting quarters in which to house the men and additional places and ships and instructors to train them.

Mr. HICKS. Admiral, do you think such a classification would be satisfactory, having merchant ships engaged in commercial work manned by civilians while those ships doing military service would be manned by Naval Reserves?

Admiral PALMER. I will answer that in my opinion it would be most unsatisfactory.

Mr. HICKS. It is reported that about 60,000 men will be required to man these ships. Is it possible to supply these men through the Navy Department by increasing the present authorized strength? In other words, would you be able to get enough men to man these ships?

Admiral PALMER. I can get enough from the reserves, but it would take time, and I must get definite information about it well in advance.

Mr. HICKS. But can you do it?

Admiral PALMER. Yes; the Navy can do it better than any other organization.

Mr. HICKS. Do you think that the same patriotic impulse would prompt our boys to enlist for merchant service that causes them to enlist in battleship service?

Admiral PALMER. Yes; we haven't the merchant service at present, but it is just as important as the battleship service. They are eager to get on these ships, for they are going into the war zone.

Mr. HICKS. Would you recommend that all merchant ships, whether coastwise or going into the war zone, should be manned by naval officers?

Admiral PALMER. I think that is a little beyond my province. I think more of carrying on this war, and am only thinking of vessels going to the war zone.

Mr. HICKS. All Government-owned vessels should be manned by naval officers?

Admiral PALMER. Yes.

Mr. HICKS. No matter where they ply?

Admiral PALMER. Yes.

Mr. HICKS. Now, Admiral, I wish to ask: If we could man all our ships with naval reserves, we would have more efficient crews, would we not?

Admiral PALMER. We would, undoubtedly. We would also have additional men in every ship for armed guards, whose pay would be in addition to that of the regular crew. The additional trained men will put the vessel through the zone. In peace times they would come down to whatever was the regular crew.

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Mr. HICKS. Ships manned by naval reserves would have larger crews than if manned by civilian crews, would they not?

Admiral PALMER. No; even if civilian crews were put on ships, we would increase them to a number sufficient to handle the ship. That is the trouble now; they haven't sufficient men. They go off port 10, 12, and in some cases 25 men shy. They can not make the speed. We would not be thinking only about saving money for the company in expense of upkeep and in manning the ships, but mainly about the final delivery of goods safely through the war zone.

Mr. HICKS. I agree with you that efficiency is the main consideration. I think some of the seamen's unions claim that the larger number of crews required under Government service would make up the difference in wages of civilian crews.

Admiral PALMER. I do not know what they claim. They made some claim of that kind the other day to the Secretary of the Navy. In fact, the head of the seamen's union was in to see him, and Mr. Daniels told this representative of the union, after he had stated that we needed so many more men to man these ships in order to make them safe, that the cost would be approximately the same, or words to that effect. I asked Mr. Daniels to get that statement from them so that we might answer it intelligently, but so far we have never gotten any statement.

Mr. HICKS. In your opinion it does not seem reasonable, does it?

Admiral PALMER. I do not know how many they have.

Mr. HICKS. To train 60,000 officers and men, the facilities of the Navy, with a system already in operation, must be far better than it is possible for any other organization to establish?

Admiral PALMER. Oh, yes.

Mr. HICKS. Would it not conduce to the safety of convoyed fleets to have all ships, whether merchant or war, officered and manned by naval reservists, thereby establishing a closer community of interest?

Admiral PALMER. Undoubtedly. We have a great many officers in the merchant marine now who are naval reservists. They are not on active duty, because their ships have not been taken over, but we know that there are some fine officers in the merchant marine. We have a great many of them enrolled in the reserves now at a dollar a month. We would take them over bodily and put them right in the positions they have now, and then all the officers and all the crews would be reservists, with the discipline that goes with the service.

Mr. HICKS. I would like to read a letter, and put it in the record, which was given me by an officer of a big liner I met in Liverpool. I talked to a number of merchant officers when abroad, and they were all of the same opinion, but this officer put his views in writing for me. With the permission of the committee, I will read it: "If all the officers and men in the merchant marine were enrolled into the Naval Reserve, the Government then would have full control of their services, where it would do most good. For instance, Navy men who are competent ocean navigators are doing coastwise work when their services are urgently needed in the vessels trading to the war zone with troops and supplies. Then, again, the officers and men, who are actually in the merchant ships going to the war zone, are in an awkward position. In all fights with submarines the merchant crews on these ships take an active part in the manning of the guns. In this case, should they be captured, they would take on the status of a noncombatant attacking a war vessel and according to the rules of warfare, lay themselves liable to execution."

Admiral PALMER. That is right.

Mr. BRITTEN. Mr. Hicks, may I interrupt you right there?

Mr. HICKS. Certainly.

Mr. BRITTEN. Admiral, what part does a merchant crew take in the manning of the guns in case of attack by submarine?

Mr. HICKS. They might help pass ammunition for one thing.

Admiral PALMER. Yes; they could help pass ammunition and they would help with the lookouts, but they are not qualified as lookouts and are not qualified as gun crews.

Mr. HICKS. Proceeding with the letter: "Under the laws of war a civilian may never engage in hostilities. Another thing, should any member of the crew of these ships lose an arm or a leg in one of these engagements, his career at sea is ended. In this case he can not look to the Government for any help, and shipowners are under no obligations to look after the crews of their ships injured in this way. Now, the ships running through the war zone change nearly all the members of their crews, except officers, every trip. This is not very serious in cargo ships, where man, more or less, has only himself to look after. But this takes on another aspect when taking passenger ships into consideration. There is the crew, who number 400 to 500 men, which may be 500 to 700 passengers, a total of 1,000 to 1,200 men, women, and children. Not much imagination is required to know what would happen in a ship, with that number of people on board, when torpedoed, with a new crew unfamiliar with the ship, her life-saving equipment and the means of getting to the different parts of the ship in the quickest manner. Should a Naval Reserve crew be on board, they would be attached to one ship permanently, and in an instance where the ship was in port, a good deal of time could be given to drilling the crews thoroughly in the use of life-saving appliances and in different parts of the ship. Then in case of an accident of any kind, every man would know his place without any confusion and the quickest way to get there."

Admiral PALMER. When you are speaking about Naval Reserves, the thing to keep in mind is that they all belong to the Navy and it is the discipline that counts in the Navy.

Mr. HICKS. Let me conclude the letter now: "Another thing, as things are at present, the officers in the merchant service haven't the power over the crews they should have to maintain discipline. An occurrence that happens often is this: When leaving a European or English port it is only a matter of two or three hours from the dock to the sea or war zone where the submarines are operating, often as much as half the crew are drunk lying in their bunks unfit for duty and absolutely of no use in work of any kind much less an accident. The only punishment that can be inflicted on these men for this offense is a fine of two days' pay. As these men get $2 a day and a bonus of $1 a day, in all $3 a day, and as the bonus can not be touched by fine, the man only loses $4 for this offense. Needless to say, this does not impress him very much. For a similar offense committed by a man in the Naval Reserve the punishment may be as much as two years' imprisonment, which would be something to think of."

This concludes the letter, which expresses, it seems to me, very conclusive arguments in favor of manning merchant ships engaged in trans-Atlantic trade by naval crews. There can be no question of the importance of transportation in this great conflict, and the officers who command these ships are doing war service and are entitled to have those services recognized. Naval rank would also give them the standing on shore commensurate with the duty performed. Ocean traffic is vital to the winning of the war, we must not minimize its direct or positive relation to the success of our arms, and all vessels carrying cargoes across the seas are in war service, an extremely dangerous war service. There should be no chance of a breakdown in the line of communication. It seems unwise in the extreme to man ships carrying to the fronts men as well as supplies with haphazard crews that can desert with impunity or without fear of severe punishment or render themselves unfit for service.

Mr. PETERS. Is that a hypothetical case?

Mr. HICKS. No; it is a statement of my opinion and I want to see if the admiral agrees with it in a large measure.

Admiral PALMER. I agree with it, absolutely.

Mr. HICKS. What would you do, Admiral, in order to make provisions for the manning of ships in case the Army desired the Navy to operate transports and supply ships? Suppose you were called upon to furnish, say, 10,000 men, what would you do at once? You would have to build barracks, training quarters, etc., wouldn't you?

Admiral PALMER. We would have to have barracks in which to house the men, and we would have to train them.

(In reply to inquiries in reference to the probability of being called upon to furnish a large number of men to man Army transports and supply ships the admiral said: "We must have immediate notice. I made it perfectly clear that we must have a prompt and definite statement from the War Department, if that is their intention, so that we may make arrangements and know when ships will probably be turned over so we may secure and train the men.")

Mr. OLIVER. Has the service which you have been called upon to perform, in supplying armed guards for the many ships engaged in transporting munitions and provisions, been altogether satisfactory from the Navy standards; and if not, why not?

Admiral PALMER. Previous to the United States entering the present war it was decided to put armed guards on certain merchant vessels. The Navy, when called upon for this duty, immediately furnished trained gun crews from the battleship fleet. In the beginning a few ships were armed, especially the fast United States mail steamers of the American Line, and very shortly afterwards other vessels. This initial step was gradually increased until at the present time about 186 ships have been armed and furnished with an armed guard, consisting of approximately 20 men, in command of a chief petty officer.

The important duty of command of the naval armed guards has been put in the hands of trained and experienced officers, warrant officers, and chief petty officers, who have lived up to the best traditions of the service in the performance of their difficult duties. How well these men have done is amply testified to in the numerous reports of engagements with enemy submarines and of their rise to emergency when the merchant crews, through panic or insubordination in many cases, left their stations. As a typical example of the foregoing, the case of the steamship ——— is cited. In this case, upon fire being opened upon an enemy submarine, some member of the merchant personnel passed the word to "abandon ship," and all of the engineer's force came up from below. Through the fact that the chief petty officer, Mr. ———, promptly rose to the emergency and drove the men below to their stations at the point of a revolver was due the fact that the vessel was enabled to proceed and thus escape. I will cite the case of the steamship ———: This ship, loaded with a cargo of gasoline, was attacked by gunfire by an enemy submarine. Shortly after the engagement opened bursting shells of the submarine set the ship on fire. Notwithstanding this, and with the fire burning fiercely, the armed guard fought for one and one-half hours, until the men who were passing the ammunition from forward to aft were driven from their stations by the flames. They then fought with the one remaining gun as long as it was serviceable. In the meantime the merchant crew, with the exception of the master, abandoned the ship. The master remained until the last, and it was not until the last remaining boat was actually on fire and the ship a mass of flames that the ship was abandoned by the guns' crews. They were later called alongside the submarine and the commanding officer thereof congratulated them upon the fight they put up, which he stated was the best fight he had ever seen a merchant ship give. These accounts are but a brief outline of a large number of efficient and brave performances of the dangerous duty, and are such as the country and the Navy has the right to expect from its men. In numerous instances, particularly in the first part of the war, there have been cases of friction between the merchant personnel and the armed guard. Every case of friction has been carefully investigated by a board of naval officers. In practically every instance the friction arose from the failure of the merchant personnel to carry out the orders for the safety of the ship which the Navy Department considers essential while in the war zone, and which the Navy Department has instructed the commanding officer of the armed guard to carry out. The orders of the commanding officer of the armed guard are clear and explicit.

From various steamships came the reports in particular relative to the attempt to instruct the merchant crews in gunnery: "One drawback to this instruction is that upon arrival in port the majority of the ship's force is discharged and fail to come back to the ship, and in most cases they have to teach them American before they are able to understand the orders given. As the merchant crews generally make but one trip, and as they are mostly of foreign nationality, it is difficult to train them to handle a gun." You will understand that I am quoting the language of the reports. The question of the low quality of the merchant crews is repeatedly commented on in the reports of the fast American mail liners, where, owing to the inexperience or poor quality of the firemen, they are unable to make proper speed. Not only is this most serious from the point of view of larger exposure in the danger zone but it also adds in a large degree to the amount of fuel consumed, which in these days of fuel scarcity is most important. More and more as time goes on reports come in stating that a fine spirit of cooperation exists between the merchant personnel and the members of the armed guard. One of the early causes of friction between the ship operators and the Navy Department and masters was due to the fact that the living quarters of the merchant crews were of much lower standard than those which the Navy provides for its enlisted men, and the Navy Department insisted, and correctly, that proper sanitary and cleaner accommodations should be provided for its men. The men of the Navy are of an entirely different standard from the men in the merchant marine. On the one hand, the crews of the merchant marine are mostly foreigners of a low class collected from the seven seas, about 70 per cent of whom are aliens. On the other hand, the men of the Navy are clean, well-disciplined young Americans from good American homes. In conclusion it is confidently stated that the 6,000 men of the Navy now at sea performing armed guard duty have performed this duty to the entire satisfaction of the Navy Department and have arisen to every emergency, adding to the effectiveness of the merchant marine, undoubtedly saving many ships by their presence, judgment, skill, and quick action.

Admiral Palmer, after citing numerous instances of heroism and efficient discipline on the part of gun crews, many of them thrilling in the extreme, then referred to a report made by the president of the International Seamen's Union of America.

He (the president of the seamen's union) ascertained the nationality of those who were members of the union and then arrived at the nationality of the merchant sailors who had not joined the union. Those of American nationality were 12,219 out of a total of 42,407, or less than 30 per cent. In another part of the report he states:

The number of Spaniards found in the total is 1,369. It is, however, a matter of common knowledge that Spaniards and Spanish-speaking South Americans constituted more than 50 per cent of the total number of firemen on the Atlantic Ocean. They object to the language clause of the seaman's act, and are to a large extent organized under the I. W. W. Comparatively few of them can understand any English and they make no effort to learn.

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Admiral PALMER (continuing statement made up from the combined reports of the armed guard officers). Merchant crews are shifted each trip. Many of the crew are untrained, not qualified, ignorant, degenerate, drunken, totally careless as to their own safety or that of the ship. Owing to the above reasons and the fact that they shift after each trip, it is impossible to bring them to any state of efficiency. A Navy crew would be permanent and would increase in efficiency with each trip, coal faster, load more quickly, and be handled more efficiently, given a permanent crew. Each additional knot in speed is not only a defense against the submarine, but a distinct gain for the allied armies, as it, with the cutting down of running time to port, operates to permit a greater number of round trips to be made and thereby increased the amount of tonnage carried to as appreciable an extent as though additional ships were added to the merchant marine. A fundamental military maxim is not to advance unless the train of supplies is assured. The Army can not under any circumstances place more men in France than it can be assured will be supplied. It is impossible to give any assurance under present conditions. A strike might occur at any time. Only with crews of the vessels under military control can it be guaranteed that the vessels will run properly. Military control may be Army, Navy, or some military organization established by the Shipping Board. Of the three, the Navy alone is equipped to handle the situation.

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Admiral PALMER. After conference between the Navy Department and the Shipping Board on November 30, 1917, Mr. Daniels, in a letter to Mr. Hurley, said in part [read letter already quoted].

Admiral Palmer stated that up to January 8 no reply had been received to this letter.

Mr. HICKS. Does it not seem from the fact that the Shipping Board has not replied to your letters, and also that they have made statements without consulting the Navy Department, that there is not very much cooperation between the department and the board?

Admiral PALMER. Well, I understand, as the chairman of the subcommittee mentioned here a little while ago, that Mr. Hurley is in favor of the Navy taking this work over, but the Shipping Board is evidently not a unit on that.

Mr. HICKS. May I ask you as to the radio men in the merchant service? On the merchant ships that are manned by naval gun crews, I understand at the present time that the wireless operators are not enlisted men. You contemplate, I understand, taking them over into the Navy or having the radio department at least under naval control?

Admiral PALMER. We contemplate having all the men that go through the war zone regular naval radio men. We were asked by Gen. Goethals, when he was in the Shipping Board, to arrange for a supply of radio men for all the new merchant shipping, and we started a school for that purpose. We now have about 3,000 men at this school at Harvard College, Massachusetts, training for this very work.

Mr. HICKS. How many months does it take to perfect a man in that service?

Admiral PALMER. They are enlisted or enrolled in the regular service or in the reserves in any district, and are then selected by the commandant on account of their special qualifications and are sent to the school at Harvard.

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Admiral PALMER (continuing about Naval Reserves). I sent three officers from our bureau over in charge of armed guards, so that I would have first-hand information as to what was good and what was not good and what to do in order to increase the efficiency of the service. When they returned they made a few notes, and one of them says: "On sailing from New York the storekeeper, lamplighter, boatswain, and boatswain's mate were drunk. The forecastle crew of this particular ship (and I understand it is not different from any other; in fact, much better than some) being made up almost entirely of foreigners who could not even speak broken English. There was no one available to talk to them in their own language until the second day out from New York. I personally saw a great many of the crew under the influence of liquor, in fact, to such an extent as to be incapacitated for duty. No disciplinary action can be taken in these cases; the only recourse for the captain of this ship is to log these men for a day's pay while they are unfit for duty." Then he proceeds further on in his report: "On one occasion it was necessary to partly lower the lifeboats while in the war zone and hold "abandon ship" drill as required by law and also by the Bureau of War-Risk Insurance. It so happened that the vessel entered the war zone on Sunday, and, although the vessel was holding abandon ship drill for the safety of the passengers and crew, it was necessary to pay the crew while standing by this drill 40 cents per hour overtime. On several occasions while passing through the war zone it was necessary for me to go below, at the request of the corporal of the guard, in order to stop members of the engineer's force from smoking on exposed decks, this being against the law in the war zone. These people in every case were foreigners and could not understand a word of English, and in order for me to make them understand it was necessary for me to forcibly extinguish the cigarettes. All in all, they were the most illiterate and unkempt bunch of human beings it was ever my duty to deal with. The first hour of the watch the speed of the ship was reduced from one-half to a full knot per hour. This is very dangerous in the war zone, speed being the main factor of safety. The reason for this reduction of speed is explained as follows: If any members of the engineer force decide that they do not care to go on watch they can not be made to do so. The only recourse in this case is for the engineer officer to send a representative among other watches and obtain volunteers to stand the watch of these men. The pay of the men who do not go on watch is then checked, and the men who take their watches are paid from such funds as are checked against the former. As the watches always relieve at the meal hour, after volunteers have been secured they then go below and get their meal, and this usually takes them about an hour. As a result they get pay for a four-hour watch, while actually they stand a three-hour watch, the first hour of their watch being short of men.

To the best of my knowledge this happened with every watch on the particular ship in question from New York to Liverpool, and on the return trip. I saw as many as eight names reported to the captain of the ship in one watch for this reason, the engineer officer being required to inform the captain of the number of men absent from every watch

without leave, in order that their pay may be checked. On sailing from New York the vessel was short about 12 or 15 men of the complement, it being impossible to get men before sailing. The captain of the ship stated to me that this happened on every voyage, and in many cases he sailed with as many as 20 or 25 vacancies in the ship's complement. It is a known fact that speed is the greatest factor of safety to the merchant vessel passing through the war zone, and the impaired efficiency in the engine-room force results in reduced speed. The class of personnel in the forecastle that composed the deck force was most illiterate, and the majority of them foreigners, although a great many of them had affidavits, etc., to the effect that they were citizens of the United States. One man we called on the bridge and questioned stated that he secured his affidavit from a "Dutchman," who kept a boarding house, with whom he was living. This man spoke very poor English; in fact, it was very hard to understand him at all at times. Apparently he was a Greek. The second factor of safety in the war zone is efficient lookouts. These can not be had from the crew of a vessel, as was clearly demonstrated to me. On one occasion when it was necessary to remove the passengers from this vessel after she had struck a mine, the passengers were being lowered and removed to another vessel, one of the crew of a boat transferring the passengers on coming alongside the relief ship jumped out of the boat and went aboard the relief vessel, refusing to return to his ship in order to assist in bringing off the remaining passengers. This man was declared a deserter. However, the Seaman's Union took the case up with the steamship company, and the decision that the man was a deserter was overruled. The officers of this vessel stated that almost an entire new crew took the vessel to sea on every voyage, and that there never was an opportunity to instruct any of them properly before sailing, as they reported on board at the last minute before sailing, and then many of them under the influence of liquor, and some very drunk.

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Admiral PALMER. Now, gentlemen of the committee, I have just a few more cases. These are specific instances of faulty conduct of personnel, United States and allied merchant vessels, illustrating the necessity for all tonnage trading through submarine areas being manned and operated by the Navy:

Steamship *Navajo*, August 1, 1917, 800 miles west of Ireland, shelled by submarine. Ship caught fire. Five minutes after alarm of fire crew abandoned ship. No effort made to put out flames. Boats lowered without stopping engines. Captain left ship. Third engineer took wheel and kept ship into wind. Later crew returned on board. Flames then beyond control, so captain alleged. Reabandoned her. She was afloat next morning.

Steamship *Wico*, August 6, 1917, near Isle of Gurnsey. Ship convoyed by British destroyer. Submarine sighted 500 yards distant. One shot fired immediately and submarine submerged. Captain, immediately on sighting submarine, gave orders to "abandon ship." Engines stopped as soon as alarm was sounded and deportment abandoned. Armed guard prevented ship being abandoned and at point of pistol drove the engineer force, including chief, below. Engines were started and ship resumed her voyage uninjured. Her escape undoubtedly due to presence of British destroyer. Merchant complement did everything possible to lose her. This captain did not zigzag, did not properly darken ship, did not maintain maximum speed when convoy left him; allowed unidentified vessel to close him.

Steamship *Campania*, August 6, 1917, after four-hour engagement captain stopped, turned broadside to submarine, and surrendered, abandoning vessel. He stated he was afraid there might be casualties. Submarine approached ship on surface within 500 yards before she was abandoned. Ship sunk by Germans going aboard and placing bombs in various places.

Steamship *Finland*, October 27, 1917. Torpedoed in convoy. Did not see torpedo or periscope. Did not see torpedo. Greatest confusion of merchant complement. Started to abandon ship immediately. Only loss of life caused by boat falling while lowering, spilling people into water. When manifest ship would float, people returned aboard and she made her way to port under own steam.

Steamship *Luckenbach*, October 11, 1917, in convoy. Sighted submarine 3 miles ahead of ship at 5.15 p. m. Thought it a buoy. At 5.55 sighted periscope distant 200 yards ahead. Captain avoided attack and proceeded at maximum speed. Got ahead of convoy; at dark slowed from 10 to 7 knots. Did not zigzag. Continued to show screened wake light. At 8 p. m. ship torpedoed. Submarine evidently trailed along, guided by screened wake light and assisted by slow speed without zigzag. Submarine appeared close 10 minutes after firing torpedo; could probably have been destroyed had the crew stuck to their station.

Admiral PALMER. In this statement of the president of the International Seamen's Union of America it is stated that approximately 3,300 Germans are in the merchant marine now, and I do not know how many men from the central powers.

Steamship *J. D. Archbald*, June 16, 1917, 4 p. m. Making passage from Brest to New York. Had been warned by radio that a certain locality was infested by submarines. Persisted in course through that area. Sighted submarine disguised as a fishing vessel, sail set, at 3.15 p. m., distant 7 miles. Closed it, though it was well known that submarines frequently adopted this disguise. Did not zigzag until 4.15 p. m., when submarine submerged. When ship was torpedoed crew abandoned her at once. Said they were afraid of another torpedo. This was a gross disregard of warnings and ordinary precautions.

British steamship *Idoemonus*, September 15, 1917, 3 p. m., torpedoed near land, all hands immediately abandoned ship. Ship floated. British patrol vessels arrived and towed ship where she could be beached. Otherwise would have been lost through hasty abandonment.

French steamship *Mississippi*, from Havre to New Orleans, not in convoy, but a convoy and escort in sight within distance. Torpedoed and submarine made off immediately, undoubtedly on account of convoy escort. Crew abandoned ship at once. Later a British patrol vessel happened by, put a crew aboard and brought her in. This is a typical case of hasty abandonment and only by luck was she saved.

Italian steamship *Edo*, attacked by gun fire middle of night and struck by a shell. Master and crew abandoned her at once. Next morning ship discovered by British patrol, totally abandoned. She was manned and brought into Queenstown. Crew was picked up later. Otherwise she would have been lost. If crew had stuck by ship there is not one chance in a million of that particular submarine capturing or destroying her.

Mr. HICKS. Admiral, the whole trend of your statement here shows, in fact proves, that naval men are more efficient than the ordinary merchant crews?

Admiral PALMER. Unquestionably. The outstanding fact apparent to anyone who goes thoroughly into the history of submarine sinkings is the great number of ships that have been literally thrown away by incompetent and ignorant management. Lloyd's investigations lead to the conclusion that of all ships mined or torpedoed and subsequently lost, 15 per cent could have been saved had proper use been made of the means existing on ships to keep them afloat. The percentage of vessels that never ought to have been captured or destroyed had they been manned by competent people who observed fundamental precautions must be much higher. In conclusion, I must give one more example, that while no harm resulted, most clearly illustrates present unsatisfactory conditions.

American mail steamer, first night out of Liverpool, about 10 p. m., British patrol signaled "You have bright light on port bow." Armed guard commander and chief officer investigated. They found a member of crew reading in his berth, port wide open, high-power incandescent light tied up squarely in open port. Man said he wanted to read and was entitled to fresh air, anyway. He had jeopardized lives of 800-odd people. Was not at all impressed with enormity of his crime. Only punishment he could be made to suffer was a fine of four days' pay. It is understood that even this was remitted by the shipping commissioner on arrival of vessel in an American port. The law must be strengthened to cover such cases.

Mr. COOPER of Wisconsin. I yield to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, this bill carries an appropriation of some $8,000,000. During this session we have already passed the Indian appropriation bill, carrying about $12,000,000; the Post Office appropriation bill, carrying $332,000,000; and the Agricultural appropriation bill, carrying $27,000,000. These figures are in round numbers. The debate during to-day upon the Diplomatic and Consular appropriation bill, while most interesting and informing, has touched upon many other subjects besides the bill in question. This is so practically with all of the appropriation bills, so far as the general debate is concerned. This, to my mind, is an evidence that the Members of Congress generally do not and can not fully acquaint themselves with the necessities of the large amounts of money that they annually vote from the revenues of the United States. We have yet to consider some nine other appropriation bills, all of them carrying large amounts. In the last session of this Congress we appropriated about $21,000,000,000. It is quite evident that this session will appropriate an equally large amount. In view of these very large appropriations, covering a multitude of items, I feel that the present system of having so many committees dealing with appropriations is wrong, and that we ought to resort to the more up-to-date and scientific method now in use mostly in other countries, of having one committee on appropriations. To such a committee ought to be given the responsibility of making recommendations to the House for all needed money for the operation of the Government. To such a committee also ought to be sent all estimates. Such a committee should also be given authority to employ all needed assistance in the way of experts in finance and operations of government. Such a system, in my judgment, would result in saving vast sums of money that are now needlessly appropriated and uselessly expended. The budget system, Mr. Chairman, that I suggest is not a new one. It has been urged for many years. The present chairman of the Committee on Appropriations, the gentleman from Kentucky [Mr. SHERLEY], has been an urgent advocate of it. On February 28, 1913, he delivered an able address in this House in advocacy of it. The former chairman of the Appropriations Committee, the Hon. John J. Fitzgerald, of New York, was another one who favored a budget system. His address on June 24, 1913, in the House was a most convincing argument as to its need. Both of these addresses discussed the question from a constitutional, historical, and necessity standpoint. I commend the careful reading of both of these addresses to the Members of the House. Another distinguished former chairman of the Committee on Appropriations as well as former Speaker of this House, and present Member, the gentleman from Illinois [Mr. CANNON], is another strong supporter of this proposition. In fact, it is my judgment that all who have given careful study of the question agree that it is most important and necessary. The opposition that comes to it is from the committees that now have to do with appropriations. Let me suggest to the chairman of the Committee on Appropriations, the gentleman from Kentucky [Mr. SHERLEY], that he could hasten the actual consideration of this matter in the House by calling together the chairmen of all the committees that have to do with appropriations and see if they can not get together upon a resolution to provide that all appropriations shall originate in and be reported from a single committee. Other governments have been using the budget system for years and with success. It seems time for the United States to take similar action, and especially so during the war, when our appropriations are so large.

Mr. LITTLE. Will the gentleman yield?

Mr. DYER. I yield to the gentleman.

Mr. LITTLE. Does the gentleman think a budget system would be serviceable and practicable if there were not on the floor a responsible ministry to present the budget and answer questions in regard to it?

Mr. DYER. I take it that the members of the committee themselves would in that instance be able to answer the questions of Members. Of course, the gentleman is referring to the system in the English Parliament; but if we had the budget system here, and had a substantial committee charged with this great work, they would be able to give to the Members of the House information gathered from the best experts in finance, as well as a careful study of the subject and of the estimates which would have to be submitted to them and concerning which they could make diligent inquiry before reporting the bills. Mr. Chairman, this matter has been given consideration by the people of this country as well as by Members of Congress. It is my judgment that the people generally want a budget system adopted, which is well proven by many indorsements which I have here and which I include in my remarks:

SHALL WE CONSERVE REVENUE?

[From The West at Work. Paul W. Brown. St. Louis, June 21, 1917.]

The Government is very properly conserving man power, food, ships, iron, and steel. Why not conserve revenue as well? The need of the hour is for a national budget system. Every successful private business cuts its coat according to its cloth and proportions its expenditures to each other in full view of both its means and its needs. For 50 years our Government has had no machinery to do this. Now is the time to supply it. It is easier than food conservation and just as needful.

WANTED—A NATIONAL BUDGET.

[From The West at Work. Paul W. Brown. St. Louis, June 21, 1917.]

Shall the American people, at a time when they are introducing new order and new system into the distribution of grain, meat, iron, and steel fail to follow the same common-sense procedure with respect to the distribution of Government revenue? * * *

For many years we have had every ordinary reason which consideration of economy and good sense could urge for adopting a budget system. To these the war has added two extraordinary reasons of the first importance—one touching us as individuals, the other as citizens of the Nation. * * *

The demand for a budget system is much more than the demand of the taxpayer that he be not taxed unnecessarily in a time of special difficulty in the carrying on of business; it is the demand of the patriotic business man that every dollar thrown into the war chest be made to yield its utmost to add to the offensive power of the armies of democracy. * * *

The business men of America should enlist the support of every public-spirited citizen in a demand that a budget system be immediately put in operation in the Federal Government, so that expenditures may be intelligently and economically made in this time of extraordinary demands on the resources of Government, and our economic power be used with maximum effectiveness in a world war for democracy.

WOULD INCREASE PUBLIC CONFIDENCE.

[By J. Lionberger Davis, president St. Louis Chamber of Commerce.]

The magnitude of the tasks which confront our Government makes it important to systematize its expenditures of money. A budget system, if adopted, will not only conserve the financial resources of the Government, but will have a tendency to increase the confidence of the people, who will feel that every dollar raised by taxes will purchase a dollar's worth of service to the Nation.

THE NEED FOR A BUDGET.

[By Charles Nagel, former Secretary of Commerce and Labor.]

* * * The time is most appropriate for the painstaking study of a budget system. More than that, such consideration has become imperative. If our political system is not adapted to such a scheme, then that system will have to yield, as it is being made to yield at every other point. The Executive is being charged with powers and obligations that are very foreign to Democratic conception. Combinations of industries which our courts denounced six months ago our Executive now invites, both acting in the name of public interest. In times of such tremendous peaceful revolution it can not be possible that mere inadaptibility of political machinery will stand in the way of the employment of a system which every housewife is admonished to respect. The problem is to make ends meet—as simple as that; and hard as may be the lesson, perhaps no greater benefit has ever come to us than this awakening to the responsibilities of our task.

ESSENTIAL TO JUDICIOUS EXPENDITURES.

[By B. F. Bush, president Missouri Pacific Railroad Co.]

I believe it is essential to judicious expenditure, prudential economy, and wise taxation that a budget system should be inaugurated by the Government. The experience for many years back of the business world unerringly points to the wisdom of the Government adopting the budget system, whereby its anticipated requirements and expenditures for a given period are properly classified and conditioned commensurate with the income to be derived from a conservative taxation.

It is highly important that a wise economy should govern at all times in Government affairs but more particularly so under the conditions which now obtain, when enormous disbursements are being made. * * *.

All large and important business enterprises, as well as other Governments, have established the budget system and find it a safe and reliable guide under which to conduct their operations, and with this record before us I fail to see any good reason why business principles of tried and known worth, such as underlie this system, should not be adopted and applied by our Federal Government in its important operations with regard to expenditures and collection of revenue. * * *.

NEVER NEEDED AS SORELY AS NOW.

[By John F. Shepley, president St. Louis Union Trust Co.]

* * * I consider this an opportune time for the adoption by the Federal Government of the budget system; I have no hesitation in saying that I do. * * * Our Government is making and contemplating the expenditure of sums of enormous size for purposes extraordinarily diverse and has never needed as sorely as now the aid of this system, without which the economical and judicious use of these funds is practically impossible. It is curious that a people so progressive and enlightened as our own should suffer its affairs to be administered in so haphazard and unscientific a manner.

HAPHAZARD METHODS INTOLERABLE.

[By J. F. Downing, president New England National Bank, Kansas City.]

I think it is high time that the people of the United States were demanding a budget system for the business of our Government. The haphazard methods now employed in making appropriations would not be tolerated in any well-organized business house in the United States. * * *

This plan will never be adopted unless the people demand it insistently, and I am sure every business man in the country feels that the time has arrived when there should be economy in the expenditures of the Government and business methods employed the same as for individuals and corporations.

TIME FOR ACTION.

[By Philip B. Fouke, president Funston Bros. & Co.]

With respect to the question of a national budget the time for discussion is past—the time for action has arrived. Under the pressure of war the business of the Government is being enormously expanded. While we were at peace to do without a budget was merely disgracefully wasteful. Now, when every dollar should be made to do its utmost toward the winning of the war, our carelessness becomes peril and our wastefulness a crime.

THE PRIVILEGE OF SPECIAL APPROPRIATION.

[By Jackson Johnson, chairman International Shoe Co.]

* * * In order to provide means for the payment of the enormous liability incurred by the Government for war purposes the necessity of economy in expenditures for other purposes becomes vital and makes it imperative that the Government's expenditures be handled under a budget system. Otherwise burdens of taxation will be imposed which will seriously impair business progress and development.

The disinclination of our national lawmakers to surrender their present unrestricted privilege of special appropriations for their States and districts is the only reason which will stand in the way of this so very necessary reform in our Government's system of expending its income.

HARD TO REDUCE EXCESSIVE TAXATION.

[By W. G. Lackey, vice president Mississippi Valley Trust Co.]

It has long been a matter of amazement to business men that the greatest and wealthiest business institution of the world, the United States Government, should administer its finances without a definite and prearranged budget.

* * * The time was never more opportune, I think, than now to emphasize the need of greatest scrutiny of Government expenditures, and to this end the establishment of the budget system. * * *

If we are not thoroughly systematic in handling these expenditures, the prospects of our tax burden being materially lightened after the war are not encouraging.

WHEN EVERY CITIZEN ECONOMIZES.

[By Luther Ely Smith, attorney.]

A national budget system should be established without delay. Every citizen in the land is economizing and conserving and practicing rigid self-denial to furnish the Nation with the sinews of war. Should not the Nation adopt every device possible to conserve the sinews thus furnished? Immediate installation of the most approved methods of budget making adapted to our national needs should be insisted upon earnestly and emphatically by every organ of public opinion and every citizen, to the end that all opposition and indifference may be completely dispelled. * * *

SHOULD COMMAND GENERAL SUPPORT.

[By Frederick N. Judson, attorney.]

I certainly agree that there is an urgent need for the adoption of a budget system in the administration of the financial affairs of the Federal Government. * * * The need is urgent, especially now that the Federal Government is going into such enormous expenditures and is searching out ways and means for a tremendous expansion of the Federal power of taxation.

Now is the time when such a measure should receive the support of all who are interested in the wise conduct of our governmental affairs.

DUPLICATION CREATES JOBS.

[By Sam D. Capen, former president St. Louis Business Men's League.]

The measure introduced by Senator KENYON, of Iowa, providing for a national budget should be unanimously supported. Every business man would support the measure actively if it were not for the fact that the average business man works as an individual, is not nationally organized, and the politicians know this. * * *

When we, as citizens of the United States, begin to realize—and heavy taxation will bring it close home—that we must plan our expenditures according to our income, then we will interest ourselves in forcing the politician to coordinate the work that is done by the Government in several departments in one department, and the budget system will then have a beginning.

SPECIALLY NECESSARY.

[By George W. Simmons, vice president Simmons Hardware Co.]

I am very heartily in favor of a budget system for the United States Government, and the present emergency emphasizes its need at this time to a greater extent than ever before in our history. There is so much more money now going into the hands of the Government than ever before that the average man has less of an idea than under normal conditions of how much it is going to spend. He is entitled to know in general terms how much is to be spent.

THE MINIMUM OF INEFFICIENCY.

[By C. E. Schaff, receiver, M., K. & T. Ry.]

Aside from the business considerations which have always suggested a budget system for the Federal Government, special conditions urge the adoption of such a system now that we are engaged in a war which

imposes heavy burdens. Government expenditures are certain to be tremendous during the war, and the load of taxation will be correspondingly heavy. The public is prepared to bear whatever burdens national necessities impose, but there is a special reason now that every department of Government be so organized as to discharge its functions with a minimum waste and inefficiency. A heavy burden of taxation speedily becomes irksome if public funds are not expended with practical economy. It therefore seems to me that the time is opportune for the establishment of a Federal budget system.

THE MOST EXTRAVAGANT GOVERNMENT.

[By S. E. Ragland, president, Central State National Bank, Memphis, Tenn.]

* * * This Government is in no way responsible for the holocaust that is bleeding Europe white, but since it has been forced to take a hand it has pledged its entire resources to an enterprise, the proportions of which are staggering to contemplate. The ultimate end of this enterprise is a democracy in which men, women, and little children may be free in the pursuit of happiness, but let no man deceive himself about the burdens of taxation that he will have to shoulder in the future. It, therefore, is imperative that every citizen demand that his Representative in Congress immediately start the machinery for retrenchment in the expenses of the Government. Congress should at once provide for a Government budget.

We are ready and willing to be taxed to attain our great aims, but there must from now on be no lost motion in the application of these funds. Let us immediately adopt the budget system.

[From Yale Review. The task before the country, by MEDILL MCCORMICK. July, 1917.]

The present structure of government—whether of the Nation, the States, or their subdivisions—was not built for such responsibilities, nor can the country bear the cost of the new activities, unless its Government be so reorganized as to secure a greater return to the public in proportion to the cost of public administration. During the decade preceding our entrance into the war the cost of the National Government had doubled, while the cost of government in the great industrial States had increased threefold. The ratio of taxation to the national income was so small and direct taxes formed so small a part of the sum of taxation that there was very little interest in public finance or in the efficiency of public administration. Bureaus multiplied at Washington and commissions at the State capitals. There have been no budgets, no careful and scientific methods of estimate and appropriation. With the growth of direct taxation there has come a sudden and inevitable interest in both. * * * The National Government must follow this road, and quickly; they must adopt necessary accounting and fiscal reforms, no less than a rational coordination of public administration. * * * At Washington there is no budget, no coordinated method of appropriation, no modern and uniform system of accounting, no homogeneous division of departmental responsibilities. * * *

[From the New Republic, July 14, 1917.]

* * * The inability of the House to preserve intact its power as sole originator of financial legislation is not, to be sure, a product of the war. It is an inability which has been in existence for some time, but which has for the most part been screened by parliamentary procedure. Where the House has not initiated a financial measure it has at least derived a modest satisfaction in giving to it a mock legality. * * *

* * * With the revision now made in the revenue bill, there is not an important piece of financial war legislation which has not to a great degree been initiated in the Senate.

This development, given such impetus in the three first months of the war, has not been disadvantageous in the matter of securing funds for an American offensive, but it has revealed unmistakably that present practices completely disappoint the expectation of checks and balances which the designers of the Constitution had in mind. In the Federalist, No. 58, Madison declared: "The House of Representatives can not only refuse but they alone can propose the supplies requisite for the support of the Government. They, in a word, hold the purse." Such a theory is no longer tenable. The House of Representatives does not hold the purse; it has fallen between the House, the Senate, and the administrative leaders, whose influence is wielded from the outside, until it is no longer held by anyone. At best, the lodging in the House of powers to initiate financial measures is an only partly responsible device, less accurate and less adjustable than a budget system. Opponents of such a system have heretofore demanded further proof of the need of resorting to an innovation, and that proof the war is rapidly furnishing them.—Charles Merz.

ECONOMY AND A NATIONAL BUDGET.

[From the Republican platform, 1916.]

The increasing cost of the National Government and the need for the greatest economy of its resources, in order to meet the growing demands of the people for Government service, call for the severest condemnation of the wasteful appropriations of this Democratic administration, of its shameless raids on the Treasury, and of its opposition to and rejection of President Taft's oft-repeated proposals and earnest efforts to secure economy and efficiency through the establishment of a simple, businesslike budget system, to which we pledge our support, and which we hold to be necessary to effect a needed reform in the administration of national finances.

ECONOMY AND THE BUDGET.

[From the Democratic platform, 1916.]

We demand careful economy in all expenditures for the support of the Government, and to that end favor a return by the House of Representatives to its former practice of initiating and preparing all appropriation bills through a single committee chosen from its membership, in order that responsibility may be centered, expenditure standardized and made uniform, and waste and duplication in the public service as much as possible avoided. We favor this as a practicable first step toward a budget system.

WOODROW WILSON.

[From a letter to Senator TILLMAN, Jan. 30, 1913, in CONGRESSIONAL RECORD, 63d Cong., 1st sess., Mar. 17, 1913.]

Ever since I was a boy I have been deeply interested in our methods of financial legislation. Ever since then I have insisted upon the absolute necessity of a carefully considered and wisely planned budget, and one of the objects I shall have most in mind when I get to Washington will be conferences with my legislative colleagues there with a view to bringing some budget system into existence. This business of building up the expenses of the Nation piece by piece will certainly lead us to error and perhaps embarrassment.

I was very much pleased by your reelection and shall look forward to the greatest interest to being associated with you in counsel.

Again thanking you for your splendid letter,

Cordially, yours,

WOODROW WILSON.

CHARLES E. HUGHES'S ACCEPTANCE SPEECH.

[From Republican Campaign Textbook, 1916.]

* * * It is time that we had fiscal reform. We demand a simple, businesslike budget. I believe it is only through a responsible budget, proposed by the Executive, that we shall avoid financial waste and secure proper administrative efficiency and a well-balanced consideration of new administrative proposals. * * *

WILLIAM HOWARD TAFT—THE BUDGET.

[From message to Congress, Jan. 17, 1912.]

The United States is the only great Nation whose Government is operated without a budget. This fact seems to be more striking when it is considered that budgets and budget procedures are the outgrowth of democratic doctrines and have had an important part in the development of modern constitutional rights. The American Commonwealth has suffered much from irresponsibility on the part of its governing agencies. The constitutional purpose of a budget is to make government responsive to public opinion and responsible for its acts.

THE BUDGET AS AN ANNUAL PROGRAM.

A budget should be the means for getting before the legislative branch, before the press, and before the people a definite annual program of business to be financed; it should be in the nature of a prospectus both of revenues and expenditures; it should comprehend every relation of the government to the people, whether with reference to the raising of revenues or the rendering of service.

In many foreign countries the annual budget program is discussed with special reference to the revenue to be raised, the thought being that the raising of revenue bears more direct relation to welfare than does government expenditure. Around questions of source of revenue political parties have been organized, and on such questions voters in the United States have taken sides since the first revenue law was proposed.

WILLIAM G. M'ADOO.

[From the Outlook, Mar. 7, 1917.]

Writing to The Outlook concerning the importance of a national budget Mr. McAdoo, Secretary of the Treasury, says:

"I am distinctly of the opinion that it would be well for Congress to consider the establishment of a budgetary or other fiscal plan for the purpose of more scientific treatment of the problem of Government expenditure in relation to Government income, and in this connection permit me to say that I recently submitted to the chairman of the House Committee on Ways and Means, for the consideration of that committee, a suggestion of the appointment of a joint committee of the two Houses of Congress with direction to cooperate with the Secretary of the Treasury in studying and evolving such a plan for the consideration of Congress."

ASSISTANT SECRETARY OF THE TREASURY.

[From the Nation's Business, Oct. 15, 1915.]

WASHINGTON, D. C.

EDITOR OF THE NATION'S BUSINESS: The financial methods of the Federal Government must be reorganized. The present manner of making appropriations can never be made a part of an efficient system for handling the finances of our Government. One of the greatest weaknesses of democracy is lack of responsibility and tendency to extravagant and ill-advised expenditures. We now are seeking greater efficiency in all our daily problems, and the Government needs particularly to have a body whose responsibility it shall be to consider the sources of revenue and estimate them for a result, and then itself to set a limit on the appropriations which shall be available from the estimated income to be received. The ever-increasing expenditures of the Government make most urgent demand for a budget committee.

ANDREW J. PETERS.

PRESIDENT HADLEY, OF YALE.

[From the World's Work, December, 1915, p. 198.]

"We are the only civilized Nation of importance," he says, "that attempts to carry on its public business without a budget. The result is waste, lack of coordination of expenditures, and opportunity for pushing unimportant or transient things into the foreground to the exclusion of more important or more permanent ones."

DR. NICHOLAS MURRAY BUTLER, PRESIDENT OF COLUMBIA UNIVERSITY, AN ADVOCATE OF SCIENTIFIC BUDGET MAKING.

[From the World's Work, December, 1915, p. 198.]

Congress at present "dissolves itself into nine little legislatures," each of which has almost autocratic control over expenditures and independently "appropriates money with no reference to the ability of the Government to spend."

A. L. LOWELL, PRESIDENT OF HARVARD UNIVERSITY.

[From the New York Constitutional Convention, 1915.]

Dr. LOWELL. My feeling is simply this, that the budget is a public matter. It is not a collection of private matters. It is a public matter; therefore it would be wiser to have it originate by public officials and not by a lot of people who represent private and local interests. That is really the argument I wish to make upon it, that what the public wants is somebody who represents the public. As a friend of mine said once, and I think there is some truth in it, and I think it explains a great deal of the movements in our Government, that the characteristic defect of democracy is that there is nobody whose business it is to represent the public, and to some extent that is true. That is, people represent fractions of the public. The reason for having our budget originate in our State with the governor is that he is the one

official who represents the whole public, whereas the members of the house are, in each instance, representing small sections of the public; therefore, as a body, their combined good sense is very well, but if you give each of them a chance to originate the budget you are putting that in the hands of a lot of people who represent individual interests and not the public interests. I believe myself that the reason that the power of the Government and the President, etc., has increased so much in the last 50 years is because they come nearer representing the public than a representative assembly does. If you can get the representative assembly to work as a whole, or representing all the public, on questions affecting the whole country, that would be admirable, but when you get them looking at points which affect fractions of the public they cease to represent the public and they only represent a lot of scattered interests.

Mr. CULLINAN. Our legislature and our Congress impose the tax.

Dr. LOWELL. Yes.

Mr. CULLINAN. Ought they not to say something, or have something to say, about how the tax should be appropriated in the different phases of governmental activities?

Dr. LOWELL. Perfectly so, and they do. That is, if your Government proposes an appropriation which they do not like they ought to have the right to reject it. In other words, there is no doubt they ought to have the right to refuse to vote any tax which they do not believe to be right or do not favor, but that is a very different thing from giving individual members the right to propose an expenditure which a man may think in the interests of the whole public when, in fact, it is not.

Mr. CULLINAN. You would eliminate the log-rolling feature?

Dr. LOWELL. Yes, sir; I would eliminate the log-rolling features. As it is now, we have said that each individual member shall have the right to initiate, but the governor may veto. I think the governor should initiate and the legislature should veto, so far as appropriations are concerned.

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FRANK J. GOODNOW, PRESIDENT OF JOHNS HOPKINS UNIVERSITY.

[From New York State Constitutional Convention, 1915.]

* * * Each head of department wants to extend his department, and naturally is apt to overestimate the importance of that particular branch of their work, and his check, through an efficient and effective administrative supervision, has been of value in keeping the estimates down, and also in keeping them within the revenue which is available.

There is another reason why it seems to me that there ought to be a provision for an administrative supervision of the estimates, and that is to prevent a thing that a popular government seems to be liable to, wherever you find it, and particularly where, as is usually the case, the representatives in the legislature represent local districts. That is, there is an irresistible tendency, which is to my mind one of the most dangerous tendencies of popular government, toward useless expenditures in localities for the purpose of influencing locally the influence and standing of the representatives in the legislature. There is not any use enlarging upon it. Any of you men who have been members of the legislature know what pressure is brought to bear, and how difficult it is to resist; but if you are looking at the general question of popular government, as you are, and you must in the constitutional convention, from the point of view of necessity, if popular government is to continue, as it has, as to the guarding against the evils which are apparently inevitable, it seems to me that it is necessary to provide some offset to this tendency, and that can be secured, it seems to me, only by having the estimates determined upon before they are submitted to the legislature by somebody who is representative not of this locality or of that locality but who is representative of the State as a whole. And therefore it seems to be an absolute necessity, if we are to keep down the expenditures of the State government, which are increasing at such a tremendous rapid rate, we must provide, in the first place, to check the tendency of administrative bodies toward magnifying their importance, and, secondly, to check the tendency of localities to demand the expenditure of State money for local purposes, and purposes which are not consistent with the interests of the general State as a whole.

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JOHN J. FITZGERALD, CHAIRMAN HOUSE COMMITTEE ON APPROPRIATIONS.

[From New York State Constitutional Convention, 1915.]

Our great trouble is this: That as long as times are good and money is easy and revenues are plentiful nobody cares particularly what the legislative body does in expending money, but as soon as the expenditures increase so that taxation becomes burdensome there is a general controversy as to who is at fault and who should be held responsible for the condition that embarrasses the public by levy of taxes.

We ought to have some way in the system of our Government to fix direct responsibility, and you can not fix responsibility if the power is too greatly scattered. We must concentrate the power and concentrate the responsibility. We must have some one to whom the people can go. If you have it too diffuse, while the agitation may be great, you never reach anybody.

The CHAIRMAN. And where do you suggest that concentration be put in the way of initiating these estimates?

Mr. FITZGERALD. I would put it in the executive. I would make him responsible at the outset.

* * * * * * *

If the House of Representatives and the Senate had been operating under a provision that they could not have included, except by a two-thirds vote, an item that had not been requested by the Executive, there would have been a very great difference. Mr. Gladstone, in one of his great budget speeches, laid down the principle to which I referred in this speech. He said that the proper functions of a legislative chamber—here, I will find it—"is not to augment but to decrease expenditures." Of course, he was speaking largely, with the view largely in mind of their peculiar system of government.

The CHAIRMAN. That is what it means to hold the purse strings, generally, to shut them, and not to open them.

Mr. FITZGERALD. Some persons object that we should not deprive the Representatives of the people of this right to loosen up the purse strings, but the universal condition in this country to-day is not that we must safeguard the rights of the people to get money for things. The whole curse of our condition is that everybody is doing their utmost to get it, and succeeds, and the evil that must be corrected—the evil that must be corrected is the evil of excessive expenditure.

* * * * * * *

Now, if there were some way by which that could be stopped—and it is difficult to stop it; I don't think I am immune from any of these vices or evils; I am just as human as anybody else in Congress, and I don't particularly criticize the man who does resort to these things—but we must in some way eliminate the temptation of the possibility of this kind of action; and when a man is unable to do things of that character, along that line, when he can not force up appropriations, why, then his only interest is in seeing that they appropriate properly, and it does this: It would do what is done in the governments where they had a responsible government with the budget system. If my constituents are keenly interested in some matter that requires an expenditure of public money, I would be compelled to present that matter to the department that had charge of it. They would make their investigation. And they would determine whether it was one of those things that should be included, and they would have to take the responsibility for requesting it.

They could not say John Smith forces that on us. And then the total of these submissions would be contrasted, and the administration should be compelled, to save time, to make definite and concrete recommendations as to how the money should be obtained to meet these drafts on the Treasury.

* * * * * * * *

Mr. PARSONS. As far as the Federal Government is concerned, would you have the budget made up by the Executive in connection with the river and harbor improvements and public buildings, and so on, all those things?

Mr. FITZGERALD. Well, I would very radically change our method of public buildings. We don't provide public buildings for the public service. [Laughter.]

In the great mass of cases we provide them to meet certain political exigencies of a locality. You might as well be perfectly frank about this. Congress has authorized public buildings that can not be completed within six years. Some can not be completed within four or five years after they are authorized, unless we very greatly augment the capacity of the Supervising Architect's office to turn out public buildings. Now, we spend about $20,000,000 a year for public buildings. The Supervising Architect's office is geared to turn out about $12,000,000 a year, it claims. Up to about 1900 we had authorized from the beginning of the Government about four hundred and some odd public buildings, I think. Since that time we have authorized about five hundred.

The CHAIRMAN. I saw a statement that in 1909 Congress appropriated $20,000,000 for post offices which the Postmaster General had not recommended.

Mr. FITZGERALD. Well, of course, he never recommends post offices at all.

The CHAIRMAN. Well, which he stated were unnecessary.

Mr. FITZGERALD. But I say the Postmaster General does not recommend. But I don't think there is any serious question; they have been doing that ever since I have had any knowledge of it. This is what happens on public buildings in the Federal Government: Suppose I suppress a community or district which has no large city; perhaps the largest town in it may be twenty or fifteen thousand. I may have one or two communications like that. And none of them has a public building, but across the line in some other district the town of equal size has a public building that costs $50,000 or $75,000. Now, I am a candidate for office, and I go to that town, and in my speech I announce that I propose to have a public building put there. In most of these places, unless you have a good-size city, a thousand dollars furnishes ample for postal facilities, and then they have an authorization to buy a site. And they pay New York prices out in the sagebrush country for lots, and the Government buys post offices. And then, in a community of eight or nine hundred, based upon the theory that there is a tremendous postal business, they will authorize a building of $50,000—nothing less than $50,000 and up. Then, in order to get a better building, a Member of Congress will pass a bill providing that there shall be a term of court held in this town, and maybe the court—the Federal court—will sit there three terms a year, and maybe it will take two days each term to do all the Federal court business in the town; and then, because a Federal court is to sit in that town, they need a court room and additional facilities, and they increase the amount to be expended in the building, and some other governmental activity will be provided, and the result is that you can go all over the United States and find buildings costing from $75,000 to $150,000 in communities ranging from 1,000 to 5,000 people.

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JOHN J. FITZGERALD.

[From CONGRESSIONAL RECORD, 63d Cong., 1st sess., June 24, 1913.]

If the principle enunciated by Mr. Gladstone be accepted as sound, that the constitutional duty of a legislative chamber is not to augment but to decrease expenditure, the solution of all problems confronting us may readily be solved. A few simple changes in our system will completely establish the system of responsible executive control of our budget while retaining complete control of the Treasury in the representatives of the people.

To bring about this result two things are necessary: The duty should be imposed upon the Secretary of the Treasury to revise the various estimates to be submitted to Congress, and Congress should be deprived of the power to augment any request for money or to originate legislation imposing obligations upon the Treasury. Such is the rule in Great Britain, as well as in Switzerland, where this system has been developed to its highest perfection.

These suggestions are radical, but not shots at random. When the Democratic members of the Committee on Rules had been selected for the Sixty-second Congress, I proposed a rule prohibiting amendments to appropriation bills which would increase the committee recommendations above the departmental estimates or which proposed appropriations for which no estimates had been submitted. It was a suggestion along lines that reform in the House must eventually follow; but it was not adopted, as the committee was unwilling to recommend a rule that would have deprived the individual Member or the Committee of the Whole House on the state of the Union of rights enjoyed by committees which prepare appropriation bills. I should have supported such a rule if it extended to the committees, and I am convinced that in time even more radical changes will be imperative, even though the individual Member be deprived of many privileges which he now enjoys.

[From "Constitutional Aspects of a National Budget System," by Charles Wallace Collins, in the Yale Law Journal, March, 1916.]

The provisions of the Constitution of the United States relating to public finance are as follows:

"All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills. (Art. I, sec. 7.)

"The Congress shall have power to lay and collect taxes, duties, imposts, and excises; to pay the debts and provide for the common defense and general welfare of the United States * * *; to borrow money on the credit of the United States; to raise and support armies, but no appropriation to that use shall be for a longer term than two years; to provide and maintain a Navy. (Art. I, sec. 8.)

"No money shall be drawn from the Treasury, but in consequence of appropriations made by law and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time. (Art. I, sec. 9.)

"The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration. (Art. XVI.)"

As bearing indirectly on the subject of public finance the following provisions may also be cited:

"The Congress shall have power 'to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all the powers vested by this Constitution in the Government of the United States or any department or officer thereof.' (Art. I, sec. 8.)

"Each House may determine the rules of its proceedings. (Art. I, sec. 5.)

"The President 'shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; * * * he shall take care that the laws be faithfully executed.' (Art. II, sec. 3.)"

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NEW YORK CHAMBER OF COMMERCE ON NEED FOR CONTROL OF GOVERNMENT EXPENDITURES.

[From the Commercial and Financial Chronicle, Feb. 3, 1917.]

"The following resolution, reiterating the conviction of the New York Chamber of Commerce 'that there is need of a sound economic control of public expenditures based on an authoritative examination in advance of the actual needs of each department of the Government,' was adopted at Thursday's meeting of the chamber:

"* * * In February, 1916, this chamber unanimously adopted the report of the Committee on Finance and Currency in favor of a budge policy in public financing, whereby proposed expenditures should be subordinated to the limitations of previously determined sources of income.

"* * * Therefore, be it

"*Resolved*, That the Chamber of Commerce of the State of New York reiterates its conviction that there is need of a sound economic control of public expenditures with due regard to established sources of revenue, including a uniform system of public expenditure based on an authoritative examination in advance of the actual needs of each department of the Government.

"*Resolved*, That copies of this preamble and resolution be forwarded to the Federal officials and to members of congressional committees immediately concerned."

FRANK A. VANDERLIP (*Chairman*),
WILLIAM SLOANE,
JAMES S. ALEXANDER,
For the Committee on Finance and Currency.

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A BUDGET SYSTEM.

[From the Outlook, Mar. 7, 1917.]

The need of a national budget system was never more clearly demonstrated than in the final days of the Sixty-fourth Congress. At this writing, only a few days before the session of Congress expires by legal limitation, there are several enormous and highly important appropriation bills waiting to be passed. If they are not passed there will probably have to be an extra session of Congress in order to obtain the necessary money to run the Government during the ensuing fiscal year. It is now the 28th of February and Congress must adjourn on March 4, and yet no man knows just what appropriation bills Congress will pass, if any.

* * * The only way in which Government finances can be managed in a businesslike way is by the establishment of a budget system.

* * * That this is not a visionary idea is proved by the fact that not long ago the United States Chamber of Commerce held a referendum on the question of its plan for a national budget. One hundred and fifty-two boards of trade, chambers of commerce, and similar organizations of business men in 34 States took part in the referendum. There were 573 votes in favor of and only 10 votes opposed to the budget plan. We are not here discussing the details but only the general principle of a national budget. The executive and legislative method of putting it in operation should be determined by experts, following the analogy of the Federal reserve law.

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A NATIONAL BUDGET.

[From the Outlook, Mar. 14, 1917.]

It was only a few years ago when the Sixty-second Congress appropriated for the annual expenditures of the Government over a billion dollars. The country was so astounded that the Congress was called in the newspapers "the billion-dollar Congress." We have now passed in our national expenditures the two-billion-dollar mark. Few citizens understand how this enormous growth in our expenditures and the enforced income from taxation has come about. We imagine that few Members of Congress quite understand. This is the main reason why there should be introduced into our Federal Government a budget system. * * *

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A LEGISLATIVE BUDGET.

[From the Commercial and Financial Chronicle, Mar. 3, 1917.]

* * * A financial budget has often been proposed, and if we shall ever be able to introduce modern business "system" into the processes of government this will work a vast advantage and economy in public affairs.

* * * Well, "Congress is to blame," we often say. And it is true that it could practice more, and vastly more, economy than it does. But the blame rests also on the people, and heavily, too, who make and are the Government, that system, irrespective of parties and Congresses, is not introduced into public affairs. It may be, it is, a tremendous task, but unless it is accomplished the time will not be long in coming when the "poor o'erburdened wight" will rebel. No free people can make bricks without straw, and no people can remain free who allow their own Government to oppress them. Labor alone pays the cost of Government. And for all its wealth of resources, a profligate nation will at some stage become bankrupt. If a spendthrift is one who buys anything and everything that comes in sight, a thrifty man is one who measures his need by what he can earn and what he can save.

The most significant fact of to-day in relation to government is that we have reached the limit of fair and just taxation without ever relating national need to national income.

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NEED OF A NATIONAL BUDGET.

[From Journal of Commerce, Feb. 8, 1916.]

Nothing could more forcibly emphasize the need of a national budget system in this country than the condition brought about by the war in Europe. It puts in a striking light the contrast between the Government of the United States in this respect and that of other civilized nations.

* * * * * * *

This Nation has grown from its small beginning as a union of States on a margin of the continent, with a few million inhabitants and little wealth or power, to the imperial domain from ocean to ocean and a hundred million people, without any system of responsibility for estimating the financial needs of government and proposing measures for meeting them. Every other nation of any standing has a system which requires those responsible for the administration of different branches of the Government to submit to the legislating body intelligent and intelligible statements of their needs for revenue and the purposes to which it is to be applied. They must present their estimates and their proposals for raising the revenue to meet them. Appropriation bills and revenue bills must be based upon these estimates and proposals and submitted for action by those responsible for administration, to be considered, modified under fixed rules and duly adjusted and adopted. Individual Members and groups can not bring in a flood of appropriation bills, have them referred to different committees, and logroll them through the processes of legislation by bargains and compromises, exchanging favors, and virtually trading in votes. This American practice, which ought to be particularly un-American, has insidiously grown to monstrous proportions, and it is time it were seized by the throat and strangled.

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[From "A national budget and why we need it," in the Nation's Business, Oct. 15, 1915.]

The demand for a systematic accounting of our national revenues and expenditures has grown rapidly. The national chamber has consistently stood for the principle of the budget. Its first referendum (sent out on Nov. 30, 1912), was approved almost unanimously by its members. Since that time the chamber has consistently and upon all appropriate occasions advocated the adoption of a national budget. From time to time the Nation's Business has published articles on the subject, together with opinions by eminent public men in favor of it. As we pointed out in these pages last month, President Wilson has already stated to a committee of the national chamber, who conferred with him late in May on the subject, that he expects the matter will be thoroughly discussed at the opening session of Congress.

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WHY THE UNITED STATES HAS NOT A BUDGET.

[From the Nation's Business, Oct. 15, 1915.]

A scientific summary of expenditures and revenues, in short, a national budget, has been heretofore difficult, if not practically impossible, in the United States, because, in the first place, the President, as executive head of the Nation's business, has not been directly responsible to the Nation itself for the efficiency of the departments under him; second, because heads of departments and establishments report estimates direct to Congress through the Secretary of the Treasury, which are thereupon assigned to nine different committees; third, because appropriation bills are not considered at related to each other or to the entire amount of anticipated public income; fourth, because minor officials in departments can approach committees direct for special favors for bureaus or for special legislation in an appropriation bill.

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INCREASING EXPENDITURES MAKE AN EFFECTIVE BUDGET PROCEDURE A POLITICAL AND ECONOMICAL NECESSITY.

[From "Budget making and the increased cost of government," in the American Economic Review, March, 1916.]

The political necessity for the adoption of a budget procedure lies in the fact that it is the only effective means which has ever been devised for enforcing accountability and responsibility on an executive who has sufficient power to make him a leader, i. e., to make him effective in the preparation and submission of plans proposed for adoption and to enable him efficiently and economically to execute them after they have been approved and financed. The economic necessity for the adoption of a budget procedure lies in the fact that demands for service by the Government are going to continue to increase and with this the necessity both for careful, intelligent planning by the management, and a strict censorship on the part of those who pay the bills.

FREDERICK A. CLEVELAND.

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[From "Creating Government efficiency," in the New Republic, July 29, 1916.]

The people in the States are becoming alive to the need for this sort of thing. As a result of the fact that the States have already reached a condition of deficit financing, there is an increased demand for a budget procedure which will put responsibility on the executive, not only for giving an account of himself but for preparing and submitting to the legislature a well considered finance plan based on the needs of the service. New Jersey has just passed such an executive-budget law. The Maryland Legislature has submitted to voters a constitutional amendment that will come before them at the next election. Several States have like measures under consideration. But neither statutes nor constitutional amendments can have force without a militant public opinion which will insist on a procedure requiring finance measures to be considered, criticized, discussed, approved, or

disapproved openly and publicly in the legislature—the established forum of democracy and the only form in which public business can be adequately considered with due regard to all parties in interest.

FREDERICK A. CLEVELAND.

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[From the World's Work, December, 1915.]

The public knows that the United States Government wastes money. The promises of economy made by both parties have proved equally valueless. Congressmen of both parties use the Federal Treasury as a "pork barrel" from which to satisfy the desires of their constituents—get the Treasury to pay for public buildings, Army posts, and pensions in the hope of reelection.

The public is becoming heartily sick of the pork barrel, both because of its essential dishonesty and because of its waste and inefficiency. But the pork barrel can not be abolished so long as the present system of making appropriations lasts. It is an integral part of that system. To change the existing wasteful system of appropriations necessitates a change in the Government of the United States—a much needed change from the irresponsible committee system to a system in which the Executive can be held responsible for the expenditures of his administration.—The Editors.

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[From the World's Work, December, 1915.]

* * * We should establish the budget system. This would not actually curtail the scope of Congress. That body would still retain control of the purse. It would vote money only in obedience to a request from the administrative branch, but it could grant or refuse this request as conditions justified. Its business would be that of criticism, of investigation, and of veto. This would greatly enhance the character of both chambers. It would weed out those Members whose reelection depends chiefly on their ability to get local appropriations—certainly they would be no loss to the Nation. The more serious Members—and there are plenty of them—who are really interested in the Nation's business and would like to spend their time in it, are now tormented constantly by the importunity of their constituents. The budget system would relieve them of this. They would, therefore, have all their time for serious work. Thus the Nation would not only save millions of wasted money, but would get a higher type of lawmakers. And the patriotism of localities would find more worthy outlets than campaigns to secure a lot of useless and expensive architecture.

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[From "Budget making," in American Economic Review, March, 1916.]

The time for action has now come. World events have forced upon our Government the necessity of undertakings with which our appropriating system is totally unable to cope. It is imperative that we disregard the haphazard methods we have followed hitherto and install a budget plan adapted to our governmental machinery. Whether such a change leads us from our Federal form toward the parliamentary one with its responsible ministry, as fiscal reforms in England from Magna Charta to the Lloyd-George budget have introduced the successive development to the parliamentary system of our day, need not alarm us. The truest progress in government has been through the incorporation from time to time of expedients for curing particular evils rather than in the adoption of a large scheme as a conscious experiment. The expedient most needed to-day is a device which will permit careful planning in the raising and expenditure of the public funds. This is the function of the public budget.

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[From "Constitutional aspects of a national budget system," by Charles Wallace Collins, in the Yale Law Journal, March, 1916.]

From the foregoing situation it appears quite feasible to adopt a complete national budget system without making any change in our written Constitution. A few amendments to existing statutes and few changes in the rules of the House and Senate would provide the necessary modus operandi. The transition, so far as its legal phases are concerned, could be made easily and quickly.

There are, however, practical difficulties besetting the inauguration of so radical a change in our methods of procedure in financial legislation. We have always clung to the constitutional theory of separate and coordinate governmental powers. The Constitution was framed under that influence. It has been handed down as a tradition. It has made itself felt in the governmental organizations of our States and even in the lesser units of counties and cities. How, then, could we reconcile the apparent giving over to the Executive a part of the legislative power, with our traditional theories of constitutional government?

There is a point of contact in our governmental practice where this tradition may be reexamined and clarified. It lies in the extra legal field of party activity. The development of the political party as a determining factor in national legislation has been considered largely from the practical rather than the philosophical point of view. We have never legally recognized party responsibility for legislation, yet we do hold the party in power responsible, in a loose sort of a way, for whatever legislation is passed. From the party standpoint the President and his Cabinet have one and the same interest with the Members of the majority party in the Congress. The President is recognized as the leader of his party. To his party he has a very definite function and responsibility. In consultation with his Cabinet and other members of his party he formulates the party program. He assumes the responsibility to the country for the work of his party. He does actually participate in the legislation of the Congress by having bills introduced which are regarded as administration bills and by insisting on certain legislative measures to which he considers his party pledged.

Now, here is the point of contact with the budget system. It involves a closer application of party responsibility in the particular field of public finance. Recognize the party as the working unit in legislation and legalize the position of the Executive as party leader in financial legislation. The party in power is already, in fact, held responsible for the taxes it levies and the money it spends. It is only a short step to localize this responsibility on the shoulders of the Executive and give it a definite constitutional status.

In this manner we could effectively adopt the budget system without adopting the so-called parliamentary form of government. The Congress would not lose any of its constitutional powers. It would retain a strict control over the Nation's finances, since no money could pass into or out of the Treasury without its ratification. It would also see that no money was diverted from the purpose for which it was granted. The actual financial program would be given over to the Executive to prepare, to initiate into the Congress, and to execute after the Congress has given its formal approval.

[From Financial Administration of Great Britain. Willoughby. 1917.]

* * * A budget is a definite plan or proposal for financing the business of a future period both with respect to revenues and expenditures. It is usually prepared and submitted by the executive to the legislative branch of the government for its approval, together with such collateral and supporting information as is needed to sustain the conclusions reached. Through a budget the experience of the past is made available to the legislature and to the people as a basis for consideration and arriving at determinations for the future.

It is of the utmost importance that this fundamental character and purpose of the budget should be clearly apprehended. It is the one thing which binds detached operations into a logical and harmonious system and permits consideration of the activities and the cost of the government as a whole. Without it a country can scarcely be said to have a financial system; certainly not a scientific system.

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[From Financial Administration of Great Britain. Willoughby. 1917.]

* * * The basic principle underlying the use of a budget as the central instrument for correlating all of the financial transactions of the government so that the whole problem of financing the government may be considered at one and the same time is hardly understood in this country, much less acted upon. Though the Executive is called upon to keep account of receipts and expenditures, to make reports and to submit estimates, the technical problem of having them so kept and submitted as to constitute a comprehensive report of past transactions and a work program for the future has not been satisfactorily worked out. The result is that Congress does not get before it a statement of the financial and work program of the Executive in such a form that it can clearly see its full purport. The fact that Congress does not get the information to which it is entitled is evidenced by the necessity that its committees having the consideration of appropriation bills are under of holding elaborate hearings for the purpose of securing information regarding estimate proposals. Most important of all, Congress, and not the Executive, is deemed to be the body that should formulate the definite program of receipts and expenditures. The reports and estimates that are submitted to it are not looked upon as an Executive program, but rather as data to enable Congress to perform its function as a program-framing body. The audit of accounts, instead of being made by an officer of the body granting the funds, is made by an officer of the branch of the Government whose operations are to be passed upon. Though early provision was made by the House for committees on expenditures in the executive departments, these committees have never attempted to make any thorough or systematic examination of the financial transactions of the Executive as revealed in the audited accounts. Congress thus has no effective machinery for the exercise of supervision and control over the manner in which the Executive performs its duties such as is possessed by the British Parliament in its comptroller and auditor general and its standing committee on public accounts. In respect to the granting of funds, the general principle is followed that all appropriations are morally, if not legally, obligatory; that they represent an order given by Congress to the Executive, and that it is the duty of the latter to act upon such order. The result is that the Executive feels called upon to expend all the funds voted to it, whether it deems such expenditure to be wise or not. Nothing approaching the British system of securing flexibility in the expenditure of funds by distinguishing between appropriation heads and subheads and of permitting of transfers to be effected between subheads is to be found in the American system. Finally, there is totally lacking in the National Government any organ having the duty of exercising a day-to-day supervision and control over the financial transactions of the Government such as the British Government possesses in its treasury department.

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[From Financial Administration of Great Britain. Willoughby. 1917.]

To recapitulate, it would therefore seem highly desirable to distinguish clearly between the three basic factors of the budgetary problem: (1) The formulation of a budget; (2) action upon the budget; and (3) the provision of organs and a procedure through which budgetary control may be secured.

As a matter of practical expediency, it would further seem that greater progress in the direction of reform can be anticipated if for the present attention is concentrated upon the first and last of these three factors. To neither of these can the most ardent advocate of the system of legislative determination of appropriations find any objection. So great would be the improvement resulting from proper action in respect to these factors that they may well be regarded as necessary intermediate steps before the American public is prepared to pass judgment on the second, which can only arouse intense opposition, and thus might jeopardize any progress at all. With the principle of an executively formulated budget and the principle of a proper machinery for exercising budgetary control once firmly established, the basis will be laid for a change in procedure in respect to the second—that having to do with action upon the budget—if such change is then deemed to be desirable.

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[From Need for a National Budget. H. Doc. No. 854, 62d Cong., 2d sess.]

If we follow the accepted usage of most civilized nations, we must conclude that a budget is a collection of documents assembled by an officer who is at the head of or is responsible for the administration and submitted to the legislative branch of the Government. Whatever else such a budget contains, in every case it carries with it an estimate of expenditures to be made by the Government during the coming financial period. While each nation has a revenue policy, the lack of emphasis which has been laid by nations in their budget upon the revenues and the relation of expenditures thereto has probably been due to the fact that by far the larger part of the revenues have come into the public treasury as the result of the operation of permanent law. No regular periodical action upon the part of the legislative authority has been necessary in order that revenues might be collected. As a consequence, the budget has been regarded primarily as an estimate of expenditures.

Inasmuch, however, as no nation can safely adopt for a long period a policy of expenditures which has no regard to the amount of its revenues, it has been usual in most national governments to fix the amount of the expenditures in view of the expected revenue. Where, as is the case in this country, the estimates have been a matter of legislative rather than executive responsibility, the legislature has imposed upon the treasury the duty of acquainting it with the estimated revenue for the coming budgetary period. It thus is the case

that even in political systems in which revenues are based on permanent law rather than on periodical legislative action the demands of a conservative financial policy require that expenditures shall be estimated in view of revenue possibilities. We may say, therefore, that a budget should consist of estimates of revenue as well as of expenditures.

It has been said that a budget is primarily an estimate of the expenditures made necessary by the operations of the Government. That is, it is assumed that a government already exists which operates in a given way. A budget is based upon the theory that the government for whose operations expenditures must be made is already organized and discharges certain activities whose number and extent have already been determined. The purpose of a budget is thus to finance an existing organization in order that it may successfully prosecute defined lines of work. In case it is thought desirable to have changes made in organization and in number and extent of activities, as compared with the organization and activities financed in the preceding budgetary period, these changes should be indicated at the time the budget is drawn, and in any case the changes must be determined before or at the time that appropriations are granted, since the appropriation is primarily a method of financing the existing organization and predefined activities.

Nevertheless since changes in organization and in number and extent of activities can hardly fail to affect expenditures, a budget, while primarily having to do with the expenditures made necessary by the defined operations of an existing governmental organization, must in the nature of things be concerned secondarily at any rate with questions of governmental organization and activities. It is, of course, to be borne in mind that other financial considerations primarily control the decision of these questions, but it can not be forgotten that no State can enter upon an administrative program, however desirable, the expense of which its financial resources do not admit it to assume. Thus, a comprehensive naval program is entered upon for military and not for financial reasons. But if the resources of the country are insufficient the Nation will have to forego the advantage of such a program, however marked they may be.

In this sense it may be said that a budget is in the nature of a prospectus and that its purpose is to present in summary form the facts necessary to the shaping of the policies of the Government so far as they affect its finances.

—

WILLIAM HOWARD TAFT.

[From message to Congress, June 27, 1912.]

Notwithstanding these specific constitutional requirements there has been relatively little attention given to the working out of an adequate and systematic plan for considering expenditures and estimates for appropriations; for regularly stating these in such form that they may be considered in relation to questions of public policy; and for presenting to the Congress for their consideration each year, when requests are made for funds, any definite plan or proposal for which the administration may hold them responsible.

Regular committees on expenditure have been established by the Congress for the purpose of obtaining knowledge of conditions through special investigations. During the last century over 100 special congressional investigations have been authorized to obtain information which should have been regularly submitted, and much money as well as much time has been spent by the Congress in its effort to obtain information about matters that should be laid before them as an open book; many statutes have been passed governing the manner in which reports of expenditures shall be made; specific rules have been laid down giving the manner in which estimates shall be submitted to the Congress and considered by it. From time to time special investigations have been made by heads of executive departments. During the last century many such investigations have been carried on and much money has been spent in the conduct of those, as well as by the Congress, for the purpose of obtaining facts as a basis for intelligent consideration of methods and procedure of doing business with a view to increasing economy and efficiency. From time to time Executive orders have been issued and reorganizations have taken place.

Generally speaking, however, the only conclusions which may be reached from all of this are that—

No regular or systematic means has been provided for the consideration of the detail and concrete problems of the Government.

A well-defined business or work program for the Government has not been evolved.

The reports of expenditures required by law are unsystematic, lack uniformity of classification, and are incapable of being summarized so as to give to the Congress, to the President, or to the people a picture of what has been done and of cost in terms either of economy of purchase or efficiency of organization in obtaining results.

The summaries of expenditures required by law to be submitted by the Secretary of the Treasury, with estimates, not only do not provide the data necessary to the consideration of questions of policy but they are not summarized and classified on the same basis as the estimates.

The report on revenues is not in any direct way related to the expenditures, except as the Secretary of the Treasury estimates a surplus or a deficiency, and this estimate is based on accounts which do not accurately show expenditures or outstanding liabilities to be met.

Instead of the President being made responsible for estimates of expenditures, the heads of departments and establishments are made the ministerial agents of the Congress, the President being called on only to advise the Congress how, in his opinion, expenditures may be reduced or revenues may be increased in case estimated expenditures exceed estimated revenues.

The estimates do not raise for consideration questions which should be decided before appropriations are granted, nor does the form in which estimates are required by the Congress to be presented lay the foundation for the consideration of: Subjects of work to be done; the character of organization best adapted to performing work; the character of expenditures to be made; the best method of financing expenditures.

The present law governing the preparation and submission of estimates, requiring them to be submitted each year in the same form as the year before, was passed without due consideration as to what information should be laid before Congress as a basis for action, the result being that the unsystematic and confused method before in use was made continuous.

The rules of the Congress do not provide for the consideration of estimates in such manner that any Member of Congress, any committee, or either House of Congress as a whole may have at any time the information needed for the effective consideration of a program of work done or to be done.

The committee organization is largely the result of historical development rather than of the consideration of present needs.

Inadequate provision is made for getting before each committee to which appropriations are referred all of the data necessary for the consideration of work to be done, organization provided for doing work, character of expenditures, or method of financing.

Following the method at present prescribed, the estimates submitted by each organization unit may have to be split up for consideration by Appropriation Committees of the Congress and be made the subject of several different bills; in few places are all of the estimates or appropriations asked for by a single organization unit brought together.

The estimates for appropriations requested for a single class of work are similarly divided, no provision being made for considering the amount asked for, the amount appropriated, or the amount spent for a single class of governmental activity.

Generally speaking, the estimates for expenses (or cost of each definite class of service to be rendered) are not separately shown from estimates for capital outlays (or cost of land, buildings, equipment, and other properties acquired).

While the classification and summaries of estimates do not indicate a proposed method of financing, these summaries do not show classes of work or the character of expenditures provided for and therefore can not lay the foundation for the consideration of methods of financing as a matter of governmental policy, as is contemplated under the Constitution.

The appropriations are just as unsystematic and incapable of classification and summary as the estimates; in fact, follow the same general form, making it difficult and in many cases impossible to determine what class of work has been authorized, how much may be spent for each class, or the character of expenditures to be made; nor does any one bill cover the total authorization for any particular general class of work.

Bills for appropriations—the authorizations to incur liabilities and to spend—are not considered by the committee to which measures for raising revenues and borrowing money are referred, nor are revenues and borrowings considered by committees on appropriations in relation to the funds which will be available.

So long as the method at present prescribed obtains neither the Congress nor the country can have laid before it a definite, understandable program of business, or of governmental work to be financed; nor can it have a well-defined, clearly expressed financial program to be followed; nor can either the Congress or the Executive get before the country the proposals of each in such manner as to locate responsibility for plans submitted or for results.

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RECOMMENDATIONS.

[From Need for a National Budget, H. Doc. 854, 62d Cong., 2d sess.]

The commission recommends:

1. That the President, as the constitutional head of the executive branch of the Government, shall each year submit to the Congress, not later than the first Monday after the beginning of the regular session, a budget.

2. That the budget so submitted shall contain:

"(a) A budgetary message setting forth in brief the significance of the proposals to which attention is invited.

"(b) A summary financial statement setting forth in very summary form (1) the financial condition, (2) a statement of the condition of appropriations and other data pertaining to the 'general fund' as well as to the other funds of the Government, (3) an account of revenues and expenditures for the last completed fiscal year, and (4) a statement showing the effect of past financial policy as well as of budget proposals on the general-fund surplus.

"(c) A summary of expenditures, classified by objects, setting forth the contracting and purchasing relations of the Government.

"(d) Summaries of estimates setting forth (1) the estimated revenues compared with actual revenues for a period of years, (2) estimated expenditures compared with actual expenditures for a period of years.

(e) A summary of changes in law, setting forth what legislation it is thought should be enacted, in order to enable the administration to transact public business with greater economy and efficiency, i. e., changes in organic law, which, if enacted, would affect appropriations as well as the character of work to be done.

3. That the Secretary of the Treasury be required to submit to the Congress the following detailed reports supporting the general summaries and Executive conclusions or recommendations contained in the budget, as follows:

(a) A book of estimates, containing the supporting details to the summaries of estimates of expenditure contained in the budget.

(b) A consolidated financial report, containing a detailed statement of revenues and a consolidated statement of expenditures by departments and establishments for the last five fiscal years, with such explanatory matter as is necessary to give information with respect to increases or decreases in revenue or expenditure or other relations to which it is thought that the attention of the Executive and legislative branches is to be given.

4. That the head of each department and independent establishment should be required to submit to the Secretary of the Treasury and to the Congress annual reports, which, among other things, would contain detailed accounts of expenditures, so classified as to show amounts expended by appropriations as well as by classes of work, together with the amounts of increases or decreases in stores, equipment, property, etc., including lands, buildings, and other improvements, as well as such other data or operative statistics and comment in relation thereto as may be necessary to show results obtained and the economy and efficiency of doing Government work, as well as of contracting and of purchasing.

5. That the President and heads of departments issue orders which will require that such accounts be kept, such reports be made, and such estimates be prepared as will enable them to obtain the information needed to consider the different conditions, relations, and results above enumerated before the estimates are submitted; that the President recommend to the Congress the enactment of such laws as will enable the administration to comply with the requirements of the Congress.

6. That the President recommend for the consideration of the Congress such changes in the form of appropriation bills as will enable the Government to avail itself of the benefits of the exercise of discretion on the part of the Executive in the transaction of current business in order that the Government may do work and accomplish results with economy and efficiency and as will definitely fix responsibility for failure so to exercise such discretion.

[From "Why we have a pork barrel," in the New Republic, July 22, 1916.]

The executive budget is the procedure of control over the purse that has been employed with increasing success by every country that has an efficient government and every nation that has a government which is responsible to the people; it is in harmony with the principles and precepts of democracy; it corresponds to the best practices that have been worked out in both public and private enterprises; it has been evolved by centuries of progressive experience in making management efficient; it makes the executive responsible for careful planning; it makes the legislature responsible for careful review and criticism of executive plans; it provides for full publicity in review and discussion of plans; and through this enables the people themselves to follow discussion and criticism, and makes the electorate effective in determining whom they shall trust with the conduct of affairs.

The so-called legislative budget has been urged for adoption by those who would protect the supremacy of the legislature and retain a weak executive in matters of administration; by persons who are opposed to executive leadership. In recognition of the popular unrest certain Members of Congress and leaders in State legislatures are offering this as an "American" method of doing things in contradistinction to a "foreign" or "European" or "monarchial" method. The fact is that it is not American except to this extent: That America is the only great Nation that is still continuing practices which European nations have had the wisdom to get rid of after having suffered all the evils which we have continued to suffer for a century. Stourm in his great work, "Le Budget," vividly portrays the result of giving to individual members and committees of the French Parliament the right to initiate finance bills; and in this he tells the story of logrolling methods and the "pork barrel" as faithfully as if he had been describing a session of Congress or of our State legislatures. * * *

FREDERICK A. CLEVELAND.

[From New York Constitutional Convention, 1915.]

Mr. PELLITREAU. I would like to ask the same question as to the auditor.

Dr. LOWELL. I think your auditor must be independent. Your auditor has to be a man who is wholly independent. I remember a case which I could tell you about that I came across in business myself when I was a comparatively young man.

It so happened that the auditor, who had been employed by the treasurer of a cotton mill, came in to a member of the committee of the stockholders on auditing the accounts and said to him, "The treasurer has been stealing. I thought I was employed by him to look after his subordinates, but I have learned that I was employed by the stockholders to report to them, and I report that the treasurer has been stealing."

This is not a case where we are seeking for fraud but seeking for irregularity. But in any case your auditor ought to be appointed clearly; he ought to owe his appointment to a party outside.

Mr. STIMSON. And his duties ought not therefore to be mixed up with executive duties?

Dr. LOWELL. Not in the least. He is to inspect and he ought to have no other duties, because otherwise he is investigating himself.

Mr. PELLITREAU. Should not he be appointed by the governor?

Dr. LOWELL. I should feel it would be a pity to mix up your auditor with your executives in any way. You do not want to mix these things together.

Mr. WAGNER. You have got to put the appointive power somewhere.

Dr. LOWELL. Certainly, but it ought to be outside of the executive. You may put it in your house, you may elect him, put him anywhere, but not in the hands of your executives. The probability is the best place to put him is in the legislature, but whatever you do you do not want to put him in the executive and you do not want to give him executive power.

Mr. STIMSON. And you do not want to put him in a position where he would be criticizing himself.

[From testimony of William Howard Taft before finance committee of the New York State Constitutional Convention, 1915.]

Mr. RHEES. Might I ask one question? What auditing function is there in the United States Government which has any independence of the Executive?

Mr. TAFT. Practically none. The Comptroller of the Treasury is at the head of the auditors. There are appeals from the six auditors of the Treasury to the Comptroller of the Treasury, who puts the final audit, and there is practically nothing independent of the Executive.

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Mr. RHEES. Is the Comptroller of the Treasury—does he change ordinarily with the change of the administration?

Mr. TAFT. Yes; ordinarily he does. He did not change in my day; but, then, very few did. [Laughter.]

[From "The coming of the budget system," by Charles Wallace Collins, in the South Atlantic Quarterly, October, 1916.]

In order the more rigidly to enforce the provision of the Constitution that "no money shall be drawn from the Treasury but in consequence of appropriations made by law," Congress would establish a system of definite control over the expenditure of the budget items. They would, by minute examination of the accounts, as well as by checks on the method of payment, see that the executive branch of the Government in no way exceeded the authority given by the budget. This would prevent the shifting of items or the spending of any of the money for a purpose other than that specified.

The adoption of a budget system would eliminate "logrolling" entirely. Invisible government would disappear. The whole financial system of the Government would be run for the public benefit alone. The procedure would be open and aboveboard, democratic, and businesslike. The people would know where and how the money was going. The budget would give them a concrete plan for criticism and discussion. It would bring their public business hom to them. What is now a mystery to the average man would become a topic of daily conversation. The sovereign citizen would be in a position to keep a closer watch on his public servants. Efficiency and economy would be practiced and democracy furthered on its way.

Mr. COOPER of Wisconsin. Mr. Chairman, I do not see the gentleman from Virginia [Mr. FLOOD] present; but I will ask the leader of the House, the gentleman from North Carolina [Mr. KITCHIN] if it would not be well to rise now? I will say to him that there are a number of gentlemen who have asked for time on this side, aggregating possibly two hours.

Mr. KITCHIN. I think we can very well arrange it to-morrow. The gentleman from Virginia [Mr. FLOOD] has entered the Hall.

Mr. COOPER of Wisconsin. I will say to the gentleman from Virginia that I was just saying that gentlemen have asked me for time, which, taken altogether, will amount to two hours. In view of the fact that this debate has been absolutely without a tinge of partisanship and exceedingly interesting and instructive, I hope that these gentlemen will have an opportunity to speak to-morrow.

Mr. FLOOD. I have a request for 20 minutes, and if the gentleman can get along with 1 hour and 50 minutes, I will take 20 minutes.

Mr. COOPER of Wisconsin. The gentleman from Virginia is not to control one-half of that time?

Mr. FLOOD. No; I will control 20 minutes and the gentleman will control 1 hour and 50 minutes.

Mr. COOPER of Wisconsin. That will be satisfactory.

Mr. MCFADDEN, by unanimous consent, was given leave to extend his remarks in the RECORD.

Mr. FLOOD. Mr. Chairman, I want to say for the benefit of gentlemen who heard the clear and able speech of the gentleman from Missouri [Mr. HAMLIN] that I called on the State Department a moment ago, and they stated to me, through Mr. Woolsey, the Solicitor, that they had got Mr. HAMLIN's letter of yesterday and immediately took the matter up with the President, and the President had given authority to give Mr. HAMLIN all the information he desired; that they had prepared a letter this morning and sent it down, and it was supposed to be in Mr. HAMLIN's office at the time he was addressing the committee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HUMPHREYS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9314, the Diplomatic and Consular appropriation bill, and had come to no resolution thereon.

LEAVE TO EXTEND REMARKS.

Mr. HAYDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the liberty loan.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. SNOOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the liberty loan.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by submitting a compilation of addresses delivered in the House and Senate by the various war commissions of the allied nations visiting the House.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CALENDAR WEDNESDAY.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that the business on Calendar Wednesday to-morrow be dispensed with.

The SPEAKER. The gentleman from Virginia asks unanimous consent to dispense with the business on Calendar Wednesday to-morrow. Is there objection?

Mr. BURNETT. I object.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3081. An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri.

DANIEL W. COMSTOCK.

Mr. DIXON. Mr. Speaker, I ask unanimous consent that Sunday, February 17, be set aside for addresses on the life, character, and public services of the Hon. DANIEL W. COMSTOCK, late a Representative from Indiana.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that when the Diplomatic and Consular appropriation bill is taken up again general debate shall be limited to 2 hours and 10 minutes, 20 minutes to be controlled by myself and 1 hour and 50 minutes by the gentleman from Wisconsin [Mr. COOPER].

The SPEAKER. The gentleman from Virginia asks unanimous consent that when the diplomatic and consular appropriation bill is again taken up general debate shall be limited to 2 hours and 10 minutes, 20 minutes of that time to be controlled by himself and 1 hour and 50 minutes by the gentleman from Wisconsin [Mr. COOPER]. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. FLOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 6, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of Commerce submitting a deficiency estimate of appropriation required by the Lighthouse Service for repairing and rebuilding aids to navigation on the Atlantic coast damaged by ice or storm (H. Doc. No. 911); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the Quartermaster Corps for the construction of Army quarters, storehouses, etc., Panama Canal, fiscal year 1919 (H. Doc. No. 912); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Umpqua River, bar, and entrance, Oreg. (H. Doc. No. 913); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

By Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 9354) to amend the practice and procedure in Federal courts, and for other purposes, reported the same without amendment, accompanied by a report (No. 284), which said bill and report were referred to the House Calendar.

By Mr. WEBB, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 9504) to amend section 4067 of the Revised Statutes by extending its scope to include women, reported the same without amendment, accompanied by a report (No. 285), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9534) granting a pension to Edward P. Rae, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DYER: A bill (H. R. 9563) fixing the grades of the commissioned officers of the Medical Corps and of the Medical Reserve Corps of the United States Army on active duty, and for other purposes; to the Committee on Military Affairs.

By Mr. AUSTIN: A bill (H. R. 9564) for enlistment and appointment of officers in the National Guard, District of Columbia, during the period of the war; to the Committee on Military Affairs.

By Mr. BLACK: A bill (H. R. 9565) granting increased compensation to certain officials, employees, and laborers in the Post Office Department and Postal Service, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. GARLAND: A bill (H. R. 9566) providing that an imprint shall be placed on all articles manufactured in the United States and becoming the subject of interstate commerce, and providing that no manufactured articles or goods shall be admitted to the United States unless bearing an imprint; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9567) appropriating $50,000 for payment of operating forces of public buildings for services performed; to the Committee on Appropriations.

Also, a bill (H. R. 9568) appropriating $50,000 for the erection of a monument to the memory of Robert Morris; to the Committee on the Library.

By Mr. DENT: A bill (H. R. 9569) to create in the Army the grades and establish the pay of first-class bugler and corporal bugler, to increase the pay of buglers, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 9570) to amend articles 52 and 53 of section 1342 of the Revised Statutes, as amended by an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 9571) to authorize the appointment of officers of the Philippine Scouts as officers in the militia or other locally created armed forces of the Philippine Islands drafted into the service of the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. BRODBECK: A bill (H. R. 9572) to provide for the permanent improvement of part of the Taneytown public road within the limits of the Battle Field of Gettysburg; to the Committee on Military Affairs.

By Mr. VAN DYKE: A bill (H. R. 9573) to regulate the hours of duty of the officers and members of the fire department of the District of Columbia; to the Committee on the District of Columbia.

By Mr. ALEXANDER: Resolution (H. Res. 243) for the consideration of S. 3389; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 9574) granting a pension to Reuben Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9575) granting a pension to Asa Daniel; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 9576) granting an increase of pension to Samuel McQuate; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 9577) granting an increase of pension to Baty Cecil; to the Committee on Pensions.

By Mr. BORLAND: A bill (H. R. 9578) granting an increase of pension to Benjamin C. Bridges; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 9579) for the relief of Dr. F. C. Cady; to the Committee on Claims.

By Mr. ELLIOTT: A bill (H. R. 9580) granting a pension to Orivilla Carter; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 9581) granting an increase of pension to John W. Dickens; to the Committee on Invalid Pensions.

By Mr. GODWIN of North Carolina: A bill (H. R. 9582) granting an increase of pension to Mrs. M. C. Shell; to the Committee on Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 9583) granting an increase of pension to W. K. Wakefield; to the Committee on Invalid Pensions.

By Mr. HILLIARD: A bill (H. R. 9584) granting a pension to George F. Taylor; to the Committee on Pensions.

Also, a bill (H. R. 9585) granting a pension to Bion Jay Dillon; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 9586) granting an increase of pension to William Richardson; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 9587) granting an increase of pension to A. J. Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9588) granting an increase of pension to James O. Batten; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 9589) for the relief of Margaret Barstith Stover; to the Committee on Claims.

By Mr. McCULLOCH: A bill (H. R. 9590) granting a pension to Willard Kolp; to the Committee on Pensions.

Also, a bill (H. R. 9591) granting a pension to Harry C. Miller; to the Committee on Pensions.

Also, a bill (H. R. 9592) granting an increase of pension to Jesse W. Shaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9593) granting an increase of pension to Raymond E. Fisher; to the Committee on Pensions.

Also, a bill (H. R. 9594) granting an increase of pension to John F. McDowell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9595) granting an increase of pension to John M. Robison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9596) granting an increase of pension to Eli Shidler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9597) for the relief of David B. Turnipseed; to the Committee on Military Affairs.

Also, a bill (H. R. 9598) to complete the military record of Theodore Silas Steffy and for an honorable discharge; to the Committee on Military Affairs.

By Mr. POWERS: A bill (H. R. 9599) granting a pension to Joel Bryant; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 9600) granting an increase of pension to Henry Stephan; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 9601) granting a pension to Elizabeth Jones; to the Committee on Pensions.

By Mr. SLEMP: A bill (H. R. 9602) for the relief of George T. Larkin; to the Committee on Claims.

Also, a bill (H. R. 9603) granting an increase of pension to Edward Collinsworth; to the Committee on Pensions.

By Mr. CHARLES B. SMITH: A bill (H. R. 9604) for the relief of Nathan B. Wilber; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 9605) granting an increase of pension to Thomas O. Forbes; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 9606) granting an increase of pension to Edwin Andrews; to the Committee on Invalid Pensions.

By Mr. TEMPLE: A bill (H. R. 9607) granting an increase of pension to James H. Johnson; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 9608) granting an increase of pension to James B. Ingalls; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9609) granting a pension to Robert J. Henderson; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the Maryville (Mo.) Commercial Club, protesting against the second-class postage rates in the war-revenue act; to the Committee on Ways and Means.

Also (by request), petition of citizens of Louisiana, Mo., in favor of H. R. 5531, creating a pharmaceutical corps; to the Committee on Military Affairs.

By Mr. BACHARACH: Petition of Charles H. Borican, Bridgeton; Chester McWilliams, Bridgeton; J. E. Stackhouse, Medford; Everett B. Townsend, Cape May Court House; William Carr, Moorestown; George R. Elwell, Bridgeton; O. D. Willis, Bridgeton; Samuel McCormick, Burlington; and A. S. Parker, Burlington, rural letter carriers, all in the second congressional district of New Jersey, asking for increase in compensation; to the Committee on the Post Office and Post Roads.

By Mr. COOPER of Wisconsin: Petition of citizens of Beloit, Wis., urging congressional action on legislation to provide for uniform physical training in public schools; to the Committee on Education.

By Mr. DALE of New York: Memorial of the Merchants' Association of New York, favoring the passage of the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of the Edward Hines Lumber Co., of Chicago, for the Sims bill, H. R. 8172; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Maryville (Mo.) Commercial Club, for the repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. HILLIARD: Papers in support of House bill 6693, granting an increase of pension to Francisco Brown; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 9584, granting an increase of pension to George F. Taylor; to the Committee on Pensions.

Also, memorial of the Hesperian Club, of Denver, Colo., urging the immediate repeal of the act increasing postage rates on periodicals; to the Committee on Ways and Means.

By Mr. McANDREWS: Evidence in support of a bill for the relief of Mrs. Margaret B. Stover; to the Committee on Claims.

By Mr. NOLAN: Petition of W. S. Scott, secretary Master Plasterers' Association, San Francisco, Cal., and four other organizations, favoring the Madden bill (H. R. 1654); to the Committee on the Post Office and Post Roads.

By Mr. O'SHAUNESSY: Memorial of Newport Lodge, No. 119, International Association of Machinists, urging the passage of H. R. 7356, the Keating bill; to the Committee on Appropriations.

By Mr. REED: Evidence in support of H. R. 9075, granting a pension to Arzanna Nesbitt; to the Committee on Invalid Pensions.

By Mr. SCHALL: Resolution of the Minneapolis branch of Women's Foreign Missionary Society, protesting against increasing postage rate on periodicals; to the Committee on Ways and Means.

By Mr. SNELL: Petition of members of First Baptist Church, Plattsburg, N. Y., favoring immediate nation-wide prohibition for the duration of the war; to the Committee on the Judiciary.

By Mr. WEBB: Petition of the Pastors' Association of Washington, D. C., for passage of resolution requesting President to ask British and French Governments to forbid their people to sell or give beer, wine, or other intoxicants to American soldiers; also to enact joint war prohibition with us, so that American grain sent abroad at our sacrifice may not be used to make intoxicants or in place of grain so used; to the Committee on the Judiciary.

SENATE.

WEDNESDAY, *February 6, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we rejoice in the abundance of Thy blessings to us, in the vast resources that Thou hast put at our command, in the institutions that we hold dearer than life, in the privilege of building upon the noble work of our forefathers who laid the foundations of our civil institutions. We pray that we may be kept true to the highest and best in our national history, and with visions for the future may we press on to accomplish the Divine will in us as a Nation. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. OVERMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed a bill (H. R. 5489) to authorize the Secretary of the Interior to exchange for lands in private ownership lands formerly embraced in the grant to the Oregon & California Railroad Co., in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. JONES of Washington presented a telegram in the nature of a memorial from Federal Employees' Union No. 34, of Blaine, Wash., remonstrating against the adoption of the so-called Borland amendment to the Agricultural appropriation bill increasing the hours of labor of Government employees, which was referred to the Committee on Agriculture and Forestry.

Mr. PHELAN presented a petition of the Alameda Citizens' Committee, of Berkeley, Cal., praying for the Government ownership of railroads, munition factories, shipyards, etc., which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the German-American Central Verein, of Spokane, Wash., remonstrating against the rescinding of the charter of the National German-American Alliance of the United States of America, which was referred to the Committee on the Judiciary.

Mr. WARREN presented resolutions adopted by the Wyoming Woolgrowers' Association at its fourteenth annual convention, held at Douglas, Wyo., January 9 to 11, 1918, favoring a Federal dog tax and appropriation for work of exterminating predatory wild animals, which were referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted by the Wyoming Woolgrowers' Association at its fourteenth annual convention, held at Douglas, Wyo., January 9 to 11, 1918, favoring the use of pure wool for soldiers' clothing, which were referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. VARDAMAN, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3689) authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. H. Hogan at Kansas City, Mo., reported it without amendment.

Mr. ASHURST, from the Committee on Indian Affairs, to which was referred the bill (S. 3481) to authorize the logging of timber on the Red Lake Indian Forest, Minn., under the direction of the Department of the Interior, reported it with an amendment and submitted a report (No. 243) thereon.

TEACHERS' RETIREMENT BILL.

Mr. HOLLIS. Mr. President, I report back favorably without amendment from the Committee on the District of Columbia the bill (S. 3648) for the retirement of public-school teachers in the District of Columbia, and I submit a report (No. 244) thereon. I should like to ask unanimous consent for its consideration, but I do not because certain Senators in favor of the bill think it ought to be considered further. I shall ask that it go to the calendar and that the report be printed. It is the same bill which was favorably reported last year, with no substantial change. I shall ask for early action upon it.

The VICE PRESIDENT. The bill will be placed upon the calendar.

REMOVAL OF SNOW AND ICE.

Mr. SMITH of Maryland. From the Committee on the District of Columbia I report back favorably without amendment the bill (S. 3317) providing for the removal of snow and ice from the paved sidewalks of the District of Columbia, and I submit a report (No. 245) thereon.

Mr. GALLINGER. This bill comes at a very opportune time, and I hope the Senator will ask present consideration for it. A similar bill passed the Senate once before, at least.

Mr. SMITH of Maryland. This bill was introduced by the Senator from Vermont [Mr. DILLINGHAM]. He is not here. I understood that he wanted to ask for its present consideration, and I ask it in his name.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That it shall be the duty of every person, partnership, corporation, joint-stock company, or syndicate in charge or control of any building or lot of land within the fire limits of the District of Columbia, fronting or abutting on a paved sidewalk, whether as owner, tenant, occupant, lessee, or otherwise, within the first four hours of daylight after the ceasing to fall of any snow or sleet, to remove and clear away, or cause to be removed and cleared away, such snow or sleet from so much of said sidewalk as is in front of or abuts on said building or lot of land.

SEC. 2. That it shall be the duty of the Commissioners of the District of Columbia, within the first four hours of daylight after the ceasing to fall of any snow or sleet, or after the accumulation of ice on the paved sidewalks within the fire limits of the District of Columbia, in front of or adjacent to all public buildings, public squares, reservations, and open spaces in the said District owned or held by lease by said District, to cause such snow, sleet, and ice to be removed, and also to cause the same to be removed from all crosswalks of improved streets and places of intersection of alleys with paved sidewalks, and also from all paved sidewalks or crosswalks used as public thoroughfares through all public squares, reservations, or open spaces within the fire limits of said District owned or held by lease by the District of Columbia; but in the event of inability to remove such accumulation of snow, sleet, and ice without injury to the sidewalk, by reason of the hardening thereof, it shall be their duty, within the first four hours of daylight after the hardening thereof, to make reasonably safe for travel, or cause to be made reasonably safe for travel, by the sprinkling of sand or ashes thereon such paved sidewalks, crosswalks, and places of intersection of alleys with paved sidewalks, and shall, as soon thereafter as the weather shall permit, thoroughly clean, or cause to be thoroughly cleaned, said sidewalks, crosswalks, and places of intersection of alleys with paved sidewalks.

SEC. 3. That it shall be the duty of the Chief of Engineers of the United States Army, within the first four hours of daylight after the ceasing to fall of any snow or sleet, or after the accumulation of ice upon the paved sidewalks within the fire limits of the District of Columbia, to remove or cause to be removed from such sidewalks as are in front of or adjacent to all buildings owned or leased by the United States, and from all paved sidewalks or cross walks used as public thoroughfares in front of, around, or through all public squares, reservations, or open spaces within the fire limits of the District of Columbia, owned or leased by the United States, such snow, sleet, and ice; but in the event of inability to remove such accumulation of snow, sleet, and ice, by reason of the hardening thereof, without injury to the sidewalk, it shall be his duty, within the first four hours of daylight after the hardening of such snow, sleet, and ice, to make reasonably safe for travel, or cause to be made reasonably safe for travel, by the sprinkling of sand or ashes thereon, such paved sidewalks and cross walks, and shall, as soon thereafter as the weather shall permit, thoroughly clean said sidewalks and cross walks.

SEC. 4. In case the snow, sleet, and ice can not be removed from so much of the paved sidewalks within the fire limits of the District of Columbia as front upon or abut such buildings or lots of land as are not owned or held by lease by the District of Columbia or the United States without injury to said sidewalks, because of the hardening thereof, the person, partnership, corporation, joint-stock company, or syndicate in charge or control of such buildings or lots of land, whether as owner, tenant, occupant, lessee, or otherwise, shall, within the first four hours of daylight after the same has formed, make reasonably safe for travel, or cause to be made reasonably safe for travel, by the sprinkling of sand or ashes thereon, said sidewalks, and shall, as soon thereafter as the weather shall permit, thoroughly clean said sidewalks.

SEC. 5. That in the event of the failure of any person, partnership, corporation, joint-stock company, or syndicate to remove or cause to be removed such snow or ice from the said sidewalk, or to make the same reasonably safe for travel, or cause the same to be made reasonably safe for travel, as hereinbefore provided, it shall be the duty of the Commissioners of the District of Columbia, as soon as practicable after the expiration of the time herein provided for the removal thereof, or for the making of the said sidewalks reasonably safe for travel, to cause the snow and ice in front of such building or lot of land to be removed or to cause the same to be made reasonably safe, as hereinbefore, directed to be done by such person, partnership, corporation, joint-stock company, or syndicate in charge or control of such building or lot of land, and the amount of the expense of such removal or such work of making the said sidewalks reasonably safe for travel shall in each instance be ascertained and certified by the said Commissioners to the corporation counsel of the District of Columbia.

SEC. 6. That the corporation counsel is hereby directed and authorized to sue for and recover from such person, partnership, corporation, joint-stock company, or syndicate the amount of such expense in the name of the District of Columbia, together with $3 penalty for each offense, with costs, and when so recovered the amount shall be deposited to the credit of the District of Columbia.

SEC. 7. That in order to enable the said Commissioners and the Chief of Engineers of the United States Army to comply with their duties under this act and to carry it into effect there is hereby appropriated the sum of $10,000, one-half out of the general revenue fund of the District of Columbia and the other one-half out of any moneys in the Treasury not otherwise appropriated.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE COMMITTEE ON EDUCATION AND LABOR.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 195, submitted by Mr. SMITH of Georgia on the 31st ultimo, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Education and Labor, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding $1 per printed page to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

THE COMMITTEE ON POST OFFICES AND POST ROADS.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 180, submitted by Mr. BANKHEAD on the 11th ultimo, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Post Offices and Post Roads, or any subcommittee thereof, be authorized during the Sixty-fifth Congress to send for books and papers, to administer oaths, and to employ a stenographer at a price not to exceed $1 per printed page to report such hearings as may be had in connection with any subject which may be pending before the said committee; that the committee may sit during the sessions or recesses of the Senate; and the expense thereof shall be paid out of the contingent fund of the Senate.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARDWICK:

A bill (S. 3753) to amend an act entitled "An act to repeal section 3480 of the Revised Statutes of the United States"; to the Committee on the Judiciary.

By Mr. JONES of Washington:

A bill (S. 3754) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. CULBERSON:

A bill (S. 3755) to authorize the Supreme Court to prescribe forms and rules and generally to regulate pleading, procedure, and practice on the common-law side of the Federal courts; to the Committee on the Judiciary.

A bill (S. 3756) referring certain claims against the Choctaw and Chickasaw Nations of Indians to the Court of Claims; to the Committee on Indian Affairs.

By Mr. ASHURST:

A bill (S. 3757) to authorize the sale of certain lands to school district No. 28, of Missoula County, Mont.; to the Committee on Indian Affairs.

By Mr. SHEPPARD:

A bill (S. 3758) to prohibit the sale, manufacture, and importation of intoxicating liquors in the Territory of Hawaii

unless the qualified electors thereof repeal the provisions hereof; to the Committee on the Pacific Islands and Porto Rico.

By Mr. HOLLIS:

A bill (S. 3759) granting a pension to Emily E. Fitzgerald (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 3760) granting an increase of pension to David A. Sawyers (with accompanying papers);

A bill (S. 3761) granting a pension to Elizabeth J. Edson (with accompanying papers);

A bill (S. 3762) granting a pension to George McDowell (with accompanying papers); and

A bill (S. 3763) granting a pension to Willis Hood; to the Committee on Pensions.

By Mr. HALE:

A bill (S. 3764) granting a pension to Hattie E. Richardson (with accompanying papers); to the Committee on Pensions.

By Mr. REED:

A bill (S. 3765) to place the name of Thomas W. Purcell upon the Army and Navy medal of honor roll; to the Committee on Military Affairs.

A bill (S. 3766) granting a pension to Thomas Higgins;

A bill (S. 3767) granting a pension to Catherine L. Nixon Rogers (with accompanying paper);

A bill (S. 3768) granting a pension to Sarah J. Rollins;

A bill (S. 3769) granting a pension to Mary S. Dulin (with accompanying papers); and

A bill (S. 3770) granting an increase of pension to William J. Nelson (with accompanying papers); to the Committee on Pensions.

By Mr. OVERMAN:

A bill (S. 3771) authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government; to the Committee on the Judiciary.

By Mr. SMITH of Maryland:

A bill (S. 3772) for the relief of the East Lafayette Savings & Loan Association of Baltimore City, Baltimore, Md. (with accompanying papers); to the Committee on Claims.

By Mr. SIMMONS:

A joint resolution (S. J. Res. 128) granting to certain persons in the active war service an extension of time within which application for insurance may be made under section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 16, 1917; to the Committee on Finance.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMITH of South Carolina submitted an amendment providing that any moneys heretofore or hereafter received by the United States for or in connection with disposition of nitrate of soda, pursuant to section 27 of the act approved August 10, 1917, may, in the discretion of the President, be used as a revolving fund, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. KELLOGG submitted an amendment proposing that the sum of $12,000, or so much thereof as may be necessary, of the tribal funds of the Chippewa Indians in the State of Minnesota may be appropriated to pay the expenses of the general council of that tribe in looking after their affairs, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment relative to the settlement of the claims of the Chippewa Indians of Minnesota, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

THE COMMITTEE ON INDIAN AFFAIRS.

Mr. CURTIS submitted the following resolution (S. Res. 201), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-fifth Congress, to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

Mr. THOMPSON, subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the foregoing resolution, reported it favorably without amendment, and it was considered by unanimous consent and agreed to.

NEGLECTED WATERS OF THE PACIFIC COAST.

Mr. POINDEXTER submitted the following resolution (S. Res. 202), which, with the accompanying papers, was referred to the Committee on Printing:

Resolved, That the document entitled "Neglected Waters of the Pacific Coast, Washington, Oregon, and California," by E. Lester Jones, Superintendent of the United States Coast and Geodetic Survey, be printed as a Senate document.

BENJAMIN E. ROBERTS ET AL. (S. DOC. NO. 170).

Mr. SMOOT. A copy of the findings of the Court of Claims in the case of Benjamin K. Roberts and others against the United States was ordered printed by the Senate on February 4, 1918. It develops that there are certain illustrations in the findings, and I therefore ask an order of the Senate that the illustrations may be printed in connection with the document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The order was reduced to writing, as follows:

Ordered, That the illustrations accompanying the letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Benjamin K. Roberts, Harris L. Roberts, and Helen F. C. Roberts, guardian of Benjamin S. Roberts, jr., heirs of Benjamin S. Roberts, deceased, be printed with said document.

SOLDIERS' AND SAILORS' CIVIL-RIGHTS RELIEF.

The VICE PRESIDENT. The morning business is closed and the calendar, under Rule VIII, is in order.

Mr. OVERMAN. I move that the Senate proceed to the consideration of House bill 6361, the soldiers' and sailors' civil relief bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6361) to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war.

Mr. OVERMAN. Mr. President, this bill has been read through at the desk. It has passed the House of Representatives. It was introduced in the Senate last September by the Senator from Oregon [Mr. CHAMBERLAIN], the chairman of the Committee on Military Affairs. Simultaneously the bill was introduced in the House of Representatives. It has been considered by the Judiciary Committee of the Senate for some months. It was considered by the House, and passed the House practically as it is before the Senate. Then, after passing the House, it was considered by the Judiciary Committee of the Senate, and as to its merits and main features and details of the bill there is very little division of sentiment. There is some objection to the bill as to its constitutionality, but the committee thought——

Mr. HARDWICK. Will the Senator let me suggest to him that both the Senator from Tennessee [Mr. SHIELDS] and the Senator from Missouri [Mr. REED], who are interested in the measure, are now absent from the Chamber.

Mr. OVERMAN. First let me make my statement.

Mr. President, the purpose of the bill is to stay temporarily legal proceedings against soldiers who have been drafted into the military service. The stay is only temporary and is to protect the soldier against the impairment of his civil rights and contracts and property. It provides for staying an action, allowing the court to appoint in his absence an attorney to represent him, in case of default a stay of proceedings, if an attachment is issued. Also the court can stay the attachment and have an attorney appointed to represent the soldier. It stays the statute of limitations and is a stay of the collection of rent and installments on contracts and mortgages. It also provides for taking care of the soldier when he has taken out a policy of life insurance, and prevents the policy from lapsing in his absence fighting for his country, and to generally free persons in the military and naval service of the United States from harassment and injury to their term of service and make them more efficient soldiers.

Mr. GALLINGER. May I ask the Senator how long does this stay continue?

Mr. OVERMAN. Until six months after the war. It gives an opportunity for the soldier to come back and be heard in these matters in his own behalf that have been taken against him in his absence.

Mr. GALLINGER. If the Senator will permit me, I have not been able to give consideration to the bill, but one objection has been suggested to me, and that is that it will destroy the credit of the family. The wife will not be able to get the consideration that she might get under different conditions. So it may work a hardship.

Mr. OVERMAN. That was one objection urged, but I think the burdens upon the creditor are so insignificant when compared with the good it will do in this war that objection is very rarely urged now. The bill has been recommended by the Secretary of War and the Secretary of the Navy.

Mr. GALLINGER. That might be, and yet it might not be a good bill.

Mr. OVERMAN. That might be, but I am going to give you an example of the hardship that will come to the soldier in his absence. The Secretary of the Navy appeared before the Judiciary Committee and stated one case which will surprise the Senator. A man in the Navy, a sailor on the *Mayflower*, had gone to a foreign country. His property was advertised for sale under a mortgage. His wife wrote to the Secretary of the Navy and told him that the savings of a lifetime were about to be taken away. The sailor's property was advertised for sale. He owed a small balance on it. She came in person to see the wife of the Secretary, and she arranged to protect her. We have such cases as that. I have had a digest made of the letters received by the War Department showing the cases of soldiers who have been appealing to the Government to take care of their interest while they were abroad.

From Camp Gordon we have a letter of this kind:

Camp Gordon: Purchased a lot on installments. Can't pay anything on it now because his pay goes all to his mother. Fears he will lose his title.

Camp Grant: Owes $250 on a mortgage, payable $100 a week; is threatened with foreclosure, thus "losing my entire life savings of 11 years sunk in the business."

Camp Funston: Homestead claim; hopes that it will be protected.

Camp Funston: Bought a 200-acre tract on installments and can not make payments now. "It looks to me as though all the soldiers serving their country should be given at least as much time after the war to meet their obligations as they had at the time of their enlistment. It looks only fair that those who stay at home should not be allowed to take their property away from them on account of their serving in the Army."

Camp McClellan: Supports aged parents and motherless children by paying their rent. Landlord summoned mother to court for $45 rent unpaid, and threatened eviction; they will soon be put out, and his children go to an orphan asylum. He can only send $20 a month. Landlord is wealthy. The soldier wants a discharge. "Our great United States stands for everything I love, but my parental love means more."

Camp Sherman: Owes $1,000 on his house; $230 now due to bank, and doesn't know what he can do to save his home.

Fort Harrison: Has homestead claim, which will be ruined if a road is put through it as now threatened by county commissioners; can not be there nor pay lawyer to save his rights.

Camp Lewis: Payment due on 160 acres adjoining homestead, and he can not meet it. "A soldier should not be foreclosed while he is doing his bit; it gives the land sharks too good a chance. A law to this effect would benefit a great number of soldiers here."

Camp Lewis: Owes on life insurance policies, mortgage, and four personal notes, all due between January and December, 1918; has only a private's pay, now that his salary has stopped. "The failure of Congress to make provision for these cases will mean the undue sacrifice of my property, and many others."

And so on. There are hundreds of such cases.

Mr. SMITH of Michigan. Will the Senator from North Carolina let me interrupt him?

Mr. OVERMAN. Certainly.

Mr. SMITH of Michigan. Many cases have come to my notice, and I suppose to the notice of other Senators, of the absolute failure of the allotments to reach the beneficiaries. I do not know what causes the delay, but scores of beneficiaries or supposed beneficiary of the soldier's allotments have not reached them, and they do not reach them in regular orderly precision at all. They can make no calculation as to the time when they will receive their part of the soldier's pay.

Mr. OVERMAN. This has nothing to do with the allotments.

Mr. SMITH of Michigan. I know it has not, but much of the difficulty that the Senator complains of, not all of it, however, would be obviated if the beneficiaries could get their part of the allotments.

Mr. OVERMAN. I will read a digest from some other letters:

Camp Funston: Has a 60-acre farm and $550 due, besides $2,000 other debts. Since being in the Army he can't make payments, and is afraid of foreclosure. "Mind, I am not kicking on being here, but would like to have my rights if I have any coming."

Camp Wadsworth: Father ill, and mother works at $7 a week. Two months' rent due. How can he save them?

Camp Funston: Has a homestead claim. "I don't count on making any money while we are in this war, but would like to keep what little I have, so I may return at the end of the war."

Camp Lewis: Owes $100 on furniture, payable $5 a month; has paid $140 already; pays $25 a month to his wife, who is ill. "Can they take the furniture away if I fail in a payment? I do not want to beat them out of a cent, but my wife is sick."

Mr. SMOOT. In relation to the homestead of soldiers Congress has already passed legislation taking care of all such cases. No soldier will ever lose on a homestead entry by entering the war.

Mr. OVERMAN. If anybody should attempt to take it away from him, all the bill provides is that the court shall appoint some one to take care of his interests and stay any proceeding. I do not think anyone will make the attempt.

Mr. SMOOT. I am not speaking against the bill.

Mr. OVERMAN. I do not think anyone will object to the details of the bill.

Mr. GRONNA. Mr. President——

Mr. OVERMAN. I yield to the Senator.

Mr. GRONNA. I should like to state in reply to the Senator from Utah that the legislation to which he refers has reference only to the protection of the homestead rights of a soldier. I understand this is a bill providing that a homestead mortgage can not be foreclosed.

Mr. SMOOT. That is only one part of it. The case the Senator from North Carolina referred to was the case of a homesteader entering land and losing it by going into the Army. I simply answered that question by saying that Congress had taken care of that kind of a case.

Mr. OVERMAN. That particular case should be taken care of, and I hope it has been done.

Mr. SMOOT. I did not speak against the bill in any shape or form.

Mr. GRONNA. I did not understand the Senator from Utah to speak against it, but I was asking for information, if this bill does not go further than the homestead bill which was passed?

Mr. OVERMAN. Yes, sir.

Mr. GRONNA. It really protects the man's home if he has a mortgage on it. Is that correct?

Mr. OVERMAN. That is correct.

Mr. President, so far as the constitutionality is concerned, when that point was raised in the committee, a subcommittee composed of the Senator from Connecticut [Mr. BRANDEGEE], the Senator from Florida [Mr. FLETCHER], the Senator from Missouri [Mr. REED], the Senator from Vermont [Mr. DILLINGHAM], and myself concluded that there was no use to consider this bill if the Judiciary Committee should say it was unconstitutional, as one member contended. So we took the matter before the Judiciary Committee to consider the constitutionality of the bill, and the following resolution was passed by a large majority of the committee, the resolution having been introduced by the Senator from South Dakota [Mr. STERLING]:

Resolved, That it is the sense of the Committee on the Judiciary that the Congress has the power to enact a reasonable stay law, which may control the processes and proceedings of State courts, and that the subcommittee shall draft a bill accordingly.

Accordingly we proceeded to consider the bill, and we reported it back practically—

Mr. HARDWICK. Mr. President, will the Senator from North Carolina yield to me?

Mr. OVERMAN. I yield to the Senator.

Mr. HARDWICK. The Senator's committee, then, is of the opinion that Congress may impair the obligation of contracts?

Mr. OVERMAN. Not at all.

Mr. WOLCOTT. May I interrupt the Senator? In line with the suggestion which the Senator from Georgia has made, I suggest to the Senator in charge of the bill that the Judiciary Committee is of the opinion that Congress may impair the obligation of contracts.

Mr. OVERMAN. That has nothing to do with this case, as I see it. This bill only provides for a stay or delay.

Mr. HARDWICK. I understood the Senator from North Carolina to say that the committee was of the opinion that Congress could not impair the obligation of contracts, while the Senator from Delaware says the committee was of opinion that Congress could do so.

Mr. OVERMAN. I think it is the opinion of the committee that there is nothing in the Constitution to prevent Congress impairing the obligation of contracts.

Mr. HARDWICK. I wanted to get the view of the committee. For this reason, or some other reason, there is no doubt in the mind of the committee that Congress can impair the obligation of contracts whenever it pleases?

Mr. OVERMAN. That was the sense of the committee.

Mr. HARDWICK. Does the Senator entertain that view?

Mr. OVERMAN. I do not say whether I entertain that view or not, but I do say there is nothing in the Constitution that prevents Congress from impairing the obligation of contracts.

Mr. HARDWICK. All right.

Mr. OVERMAN. There is nothing in the Constitution to prevent that. I read the resolution of the Judiciary Committee, and the committee are supported by authorities from Eleventh Wallace down, to the effect that we have a right to pass this legislation.

Mr. HARDWICK. I have not heard any authorities read.

Mr. OVERMAN. I call the attention of the Senator, as he seems to want the authority, to the case of Stewart against Kahn, which seems to settle this case. That was a case on appeal from the State of Louisiana, which is reported in Eleventh

Wallace, on page 506. Has the Senator examined that case? If not, I will read an extract from it and call it to his attention.

Mr. HARDWICK. I am really asking for information more than anything else, but I assume, if the Senator pleases, that it would not be seriously contended that either Congress or any State could impair the obligation of contracts.

Mr. OVERMAN. I will not discuss that question, because I do not think it comes in here. This is only a provision for a stay.

Mr. HARDWICK. Now, following that, under State constitutions, containing provisions somewhat similar to the one I have in mind of the Federal Constitution, the State courts in many States have held that any stay law delaying the collection of debts was an impairment of the obligation of contracts.

Mr. OVERMAN. If the Senator will examine the decisions, I think he will find that most of the States have decided otherwise.

Mr. HARDWICK. No; I am not wrong about that.

Mr. OVERMAN. We have a list of the stay laws passed during the Civil War, from which it appears that nearly every State of the Union enacted a stay law, and such laws were upheld in all the courts. That is true of Pennsylvania and of a great many of the other States. Now, here is what the Supreme Court says in the case of Stewart against Kahn, which I have cited to the Senator, which is in regard to staying the statute of limitations. The case arose in Louisiana, and a constitutional question was raised. The supreme court of Louisiana upheld the law. From there it came to the Supreme Court of the United States. In deciding this case, Stewart *v.* Kahn (11 Wall., 493), the Supreme Court of the United States said:

> The Constitution gives to Congress the power to declare war, to grant letters of marque and reprisal, and to make rules concerning captures on land and water, to raise and support armies, to provide and maintain a navy, and to provide for calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasions.
>
> * * * Congress is authorized to make all laws necessary and proper to carry into effect the granted powers. The measures to be taken in carrying on war and to suppress insurrections are not defined. The decisions of all such questions rests wholly in the discretion of those to whom the substantial powers involved are confided by the laws.
>
> In the latter case the power is not limited to victories in the field, and the dispersion of the insurgent forces. It carries with it inherently the power to guard against the immediate renewal of the conflict, and to remedy the evils which have arisen from its use and progress. This act falls within the latter category. The power to pass it is necessarily implied from the powers to make war and suppress insurrection. It is a beneficent exercise of this authority. It only applies coercively the principle of the law of nations, which ought to work the same results in the courts of all the rebellious States without the intervention of this enactment. * * * The act is within the canons of construction laid down by Chief Justice Marshall in McCulloch *v.* Maryland (4 Wheat., 316).

I will also read an extract from the case of McCulloch versus Maryland (4 Wheat., 316):

> But we think the sound construction of the Constitution must allow to the National Legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, and which are not prohibited but consistent with the letter and spirit of the Constitution, are constitutional.

Mr. HARDWICK. Mr. President, if the Senator will pardon me a moment, I think possibly there is a line of distinction in those decisions, between the one the Senator has read and the ones I have in mind. It may be—and that is the reason I am asking this question—that either Congress or a State may impair the obligation of a contract as a war measure, in order to secure the prosecution of war; but I am quite confident that it has been held in a number of cases by the courts of last resort that it can not be done if a period of depression or panic came on, for instance, in order to avoid or postpone the payment of debts. The legislatures of some States, or possibly the Congress of the United States, might enact certain legislation as a war power.

Mr. OVERMAN. The Senator can not find a decision of the United States Supreme Court, can he, declaring that Congress can not impair the obligation of a contract?

Mr. HARDWICK. No; I can not. That is to say, I do not think there is any express provision of the Constitution on the question, unless the fifth amendment be construed to cover it.

Mr. OVERMAN. The Senator from Georgia undoubtedly remembers the celebrated Gettysburg case, in which the Supreme Court in its decision laid down a principle which I think governs this case, although it is not exactly in point; but the case from which I read a moment ago was exactly in point, because it upholds a stay law passed by Congress.

Mr. HARDWICK. Was it not a law passed by the legislature of a State?

Mr. OVERMAN. No; it was a law passed by Congress, and it was upheld both by the State court and the Supreme Court of the United States. That case, Stewart *v.* Kahn, has been cited with approval many times since, and I say the principle laid down should govern in this bill. It is also laid down in the case of McCulloch *v.* Maryland. I call the attention of the Senator to this language, which is in line with the great speech made here by the Senator from Pennsylvania [Mr. KNOX] on this subject, taking the position that wherever it is necessary for the efficient prosecution of the war to win the war all powers should be subordinated and all constitutional limitations fade away when we consider them in conjunction with the power granted in the Constitution to Congress to declare war and the President as Commander in Chief to fight the war.

Mr. HARDWICK. The Senator, of course, is referring to the Gettysburg case?

Mr. OVERMAN. Yes.

Mr. HARDWICK. I do not think the Senator will contend for one moment that he himself believes in that doctrine.

Mr. OVERMAN. I believe in the doctrine laid down here, which I will read, and I think the Senator will also agree to it.

Mr. HARDWICK. Just a moment. Let me call the attention of the Senator to the case cited by the Senator from Idaho [Mr. BORAH]—the Milligan case—in which it was held that the Constitution of the United States was the same in war as in peace. That opinion was rendered by the same court, although I presume at an earlier date.

Mr. OVERMAN. Let us see what the court has decided about that. Listen to this language:

> It results from the powers that are given and it is implied because of its necessity or because it is appropriate in exercising those powers. Congress has power to declare war and to create and equip armies and navies. It has the great power of taxation to be exercised for the common defense and general welfare. Having such powers, it has such other and implied ones as are necessary and appropriate for the purpose of carrying the powers expressly given into effect. Any act of Congress which plainly and directly tends to enhance the respect and love of the citizen for the institutions of his country and to quicken and strengthen his motives to defend them, and which is germane to and intimately connected with and appropriate to the exercise of some one or all of the powers granted by Congress must be valid.

Any power exercised by Congress which is necessary for the protection of the Army or to make the Army more efficient is constitutional.

Mr. HARDWICK. Now, the Senator has gotten exactly to what I wanted to find out. Would the Senator contend that Congress could do that if it were not in the exercise of the war power?

Mr. OVERMAN. I think not.

Mr. HARDWICK. That is all I wanted to ask the Senator.

Mr. OVERMAN. In the exercise of the war powers granted to the President he can do anything necessary in order to win the war and preserve the Constitution, and Congress can pass any law that is necessary to preserve the Constitution.

Mr. President, I think the decisions I have cited are in point—certainly one of them is—and the principle laid down in the Gettysburg case is a principle which ought to govern us. The Judiciary Committee themselves, with probably two exceptions, think this bill is constitutional.

Mr. HARDWICK. Mr. President, in the absence of the junior Senator from Missouri [Mr. REED], I suggest the absence of a quorum. I think he desires to speak on this bill.

The VICE PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Norris	Smith, Ga.
Borah	Henderson	Nugent	Smith, Md.
Brandegee	James	Overman	Smith, Mich.
Calder	Jones, Wash.	Phelan	Smith, S. C.
Culberson	Kellogg	Pittman	Smoot
Cummins	Kenyon	Poindexter	Sterling
Curtis	King	Pomerene	Swanson
Fernald	Kirby	Saulsbury	Thomas
France	Knox	Shafroth	Thompson
Gallinger	McLean	Sheppard	Townsend
Gronna	McNary	Shields	Trammell
Hale	Myers	Simmons	Vardaman
Harding	Nelson	Smith, Ariz.	Wolcott

Mr. GERRY. I desire to announce that the Senator from Mississippi [Mr. WILLIAMS] and the Senator from Arkansas [Mr. ROBINSON] are detained by illness.

Mr. MYERS. My colleague [Mr. WALSH] is still detained from the Senate on account of the condition of his health.

Mr. GRONNA. I have been requested to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of sickness in his family. I ask that this announcement may stand for the day.

Mr. McNARY. I desire to announce the unavoidable absence of the junior Senator from California [Mr. JOHNSON] and of the senior Senator from Vermont [Mr. DILLINGHAM] on official business.

Mr. SHEPPARD. I desire to announce that the Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Kentucky [Mr. BECKHAM], the Senator from Missouri [Mr. REED], the Senator from Florida [Mr. FLETCHER], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Wyoming [Mr. WARREN], the Senator from New Jersey [Mr. FRELINGHUYSEN], the Senator from New York [Mr. WADSWORTH], and the Senator from Indiana [Mr. NEW] are detained on the Committee on Military Affairs.

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present.

Mr. HARDWICK. Mr. President, if I may have the attention of the Senate for just a moment, I desire to say to the Senator in charge of the bill that I am not opposing the bill, because I am in sympathy with the motive that prompts the committee to report this bill and the motive that prompts Congress to pass it. I understand full well that when men go into the military or naval service of the country they ought not to be required to look after their estates or to attend court, and that there is ample reason and justification for this sort of law as a military matter—that is, if the bill does not go further than that. I am inclined to agree with the Senator just offhand—I have neither read the bill carefully nor studied the constitutional question—that under the war power Congress might, in order to insure the efficient prosecution of the war, adopt whatever provisions of this sort were necessary; but as I heard the resolution of the Committee on the Judiciary read, I want to enter my emphatic dissent to the proposition announced. It is true that in express words the Constitution of the United States does not limit the power of Congress to impair the obligation of contracts.

Mr. OVERMAN. Mr. President, I desire to say to the Senator that the resolution was not considered from every standpoint. The subcommittee reported this bill to the full committee after requesting instructions from the committee as to whether or not we had the power to pass this bill. I hope the Senator will not construe the resolution strictly, because the question the Senator is now discussing was not discussed. The only question before us was whether we ought to go ahead and enact such legislation.

Mr. HARDWICK. I am glad to hear the Senator say that, and I think that explanation ought to be made in justification of the committee's language, because if the fifth amendment of the Constitution of the United States means anything Congress can not, unless it is in the exercise of the war power, impair the obligation of contracts or pass a stay law. I do not believe that, on reflection, there are any Senators in this body who would take such a position now.

On this other question, I can say that I can see every reason why, in order that the men who have enlisted and have rallied to the colors, both in the military and the naval service, may be unvexed in mind and estate while they are risking their lives in the service of the country; they should not be troubled with lawsuits; and I am in as hearty sympathy with the Senator from North Carolina and with any other Senator on that question as I possibly can be; but I do not believe that either any State or the Congress of the United States can impair the obligation of a contract or pass a stay law, unless it be as a part of the military power conferred under the Constitution.

Mr. OVERMAN. I agree with the Senator as to that.

Mr. BRANDEGEE. Mr. President, as one member of the Judiciary Committee, I did not claim, and I do not now claim, that Congress has the right to pass a law which will impair the obligation of a contract. My claim is that this kind of a law does not impair the obligation of a contract.

I think the most illuminating decision that was before the committee when this question was up was that of Judge Woodward, of the Supreme Court of the State of Pennsylvania, in construing a State statute which was a stay law passed by that State during the Civil War.

I send to the desk, and will ask the Secretary to read, commencing where I have marked, on page 39 of the hearing before the committee, a small excerpt from the decision of Judge Woodward.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

The highest court of Pennsylvania suggested that "stay laws" were not within the prohibition of the Constitution against the impairment of the obligation of contracts if the suspension of the remedy was reasonable and for a definite term, and so considered constitutional a law the effect of which was to give a maximum stay of 3 years and 30 days. (Breitenbach *v.* Bush, 44 Pa. St., 313 (1863); cf. Clark *v.* Martin, 3 Grant (Pa.), 393 (1863).)

The opinion of Mr. Justice Woodward in this case embodies the principal arguments in favor of the constitutionality of such statutes. He says:

"The principal question upon the record is whether this section be constitutional. * * * It is a stay for a term—the term for which he (the soldier) shall be engaged. The act of Congress of the 22d of July, 1861 * * * fixed the term at not more than three years nor less than six months * * *. The term of engagement, therefore, during which the above act meant that the defendant should not be subject to civil process was three years from the date of his muster, if the war should last so long, and if not, then until it should end.

"Was the legislature authorized to enact this section?

"We have often said that stay laws, exemption laws, and limitation laws are ordinarily constitutional, though applied to existing and prior contracts, and we have followed the distinction which prevails in the Supreme Court of the United States between the obligation of a contract and the remedies furnished by law for enforcing the obligation. We understand the rule to be that whilst the legislature may not impair the obligation they may modify the remedy. * * * The time and manner in which stay laws shall operate are properly legislative questions and will generally depend * * * on the sound discretion of the legislature according to the nature of the titles, the situation of the country, and the emergency which leads to the enactment. Cases may occur where the provisions of a law may be so unreasonable as to amount to a denial of right, and call for the interposition of the court. * * * It may be inferred that in respect to contracts which do not treat of remedies we hold any law to be constitutional which gives a stay for a time that is definite and is not unreasonable, but unconstitutional if the stay be for an indefinite time, or for a time that is unreasonable, though definite. The present stay is a long one—longer than is usual—longer than can be justified except by most peculiar and pressing circumstances. * * * The enforced delay of a civil right, the deterioration of the mortgaged estate, and the consequent pecuniary loss are entitled to great consideration in judging of the reasonableness of the law.

"Yet it is impossible to separate this question of reasonableness from the actual circumstances in which the country found itself at the date of the law. Eleven States had seceded or revolted. * * * In the judgment of the President and Congress, * * * the occasion required an immense increase of the Army and Navy.

"Now, if a stay of execution for three years would not be tolerated in ordinary times, did not these circumstances constitute an emergency that justified the pushing of legislation to the extremest limit of the Constitution? * * * In the nature of things there is nothing unreasonable in exempting a soldier's property from execution while he is absent from home battling for the supremacy of the Constitution and the integrity of the Union. * * * If the term of indulgence seems long in this instance, it was not longer than the time for which the President and Congress demanded the soldiers' services. * * * Basing ourselves on what they did, constitutionally the question for us is whether the stay granted by our legislature to our citizen soldiers was unreasonable. In view of the extraordinary circumstances of the case, we can not pronounce it unreasonable. We see in it no wanton or careless disregard of the obligation of contracts, but only a sincere effort to enable the General Government to prosecute with success a war which, in its exclusive right of judgment, it resolved to wage.

"Another circumstance which bears on the reasonableness of the enactment is the provision which suspends all statutes of limitation in favor of the soldier during all the time that he is exempted from process. The provisions were reciprocal and both were reasonable."

Mr. BORAH. Mr. President, may I ask the Senator the date of that decision?

Mr. KNOX. I think that was in 1862.

Mr. BRANDEGEE. It was during the Civil War.

Mr. KNOX. Mr. President, I only want to add that this opinion is by perhaps one of the greatest chief justices that Pennsylvania has ever had—perhaps, next to Gibson and Charles, the most eminent justice that ever sat upon our bench—and it is worthy of consideration, not only because of the character of the man but, in my own judgment, because of the logic of the opinion itself.

While I am on my feet I can not refrain from stating that not only has Pennsylvania, through her courts, first pronounced for the constitutionality of this class of legislation, but that Pennsylvania was the first to enact this class of legislation for the benefit of men who had been called out in the service of their country; for in less than a week after Sumter was fired on the Legislature of Pennsylvania passed the first stay law for the benefit of the soldiers.

Mr. BORAH. Mr. President, may I ask if there is any dissenting opinion in the case in which this decision was rendered by the chief justice of Pennsylvania?

Mr. BRANDEGEE. Mr. President, I read the decision in the committee several months ago, and I do not remember; but I think there was no dissenting opinion. I think it was the unanimous opinion of the court.

Mr. BORAH. Several States of the Union have passed upon the same question, holding that the stay for a certain length of time is not the impairment of the obligation of a contract; but I was wondering if that was a unanimous opinion.

Mr. BRANDEGEE. I think it was. The Senator will find the reference on page 39 of the testimony.

Mr. NELSON. Mr. President, I will say that during the Civil War it is my recollection that many of the Northern States, if not all of them, passed such stay laws, with various modifications, and so far as I recall they were all held to be constitutional. They were held not to impair the obligation of contracts, but to be simply in the nature of a statute of limitations limit-

ing the action during the service of the soldier in the Army. The contract remains in the same force that it always did, and the same principle that allows a legislative body to pass a statute of limitations would apply in this case.

I want to say, moreover, while I am on my feet, that this statute is carefully framed so that in all cases the matter comes within the jurisdiction of the court. I call the attention of Senators to just one paragraph of the law which shows how careful the law is, and the scope of the remedy. I refer to an action where it is sought to stay the cancellation of a contract based on the installment plan. For instance, property is sold on the installment plan and a few installments are paid, but the purchaser is unable to pay the balance on account of his military service. An attempt is made to cancel the contract and the intervention of the court is sought. In connection with that I want to read this provision so that the Senate can see the scope of it, and what latitude it allows to the court. It is on page 12, paragraph (2):

> Upon the hearing of such action the court may order the repayment of prior installments or deposits or any part thereof, as a condition of terminating the contract and resuming possession of the property, or may, in its discretion, on its own motion, and shall, on application to it by such person in military service or some person on his behalf, order a stay of proceedings as provided in this act—

Now, I call the attention of Senators to this paragraph—

> unless, in the opinion of the court, the ability of the defendant to comply with the terms of the contract is not materially affected by reason of such service; or it may make such other disposition of the case as may be equitable to conserve the interests of all parties.

Here, then, the court has three courses open to it. It may cancel the contract and order the money that has been paid on it restored; or it may grant a simple stay of proceedings; or, if it finds that the soldier, for instance, in this case is able to pay, has the necessary resources, it may order the payment of the debt. So that I think when you come to examine this law in all its details it will be found to be carefully guarded; and it is certainly a law that we ought to pass in this emergency for the protection of our soldiers. It is needed more for soldiers that are taken from our large cities and manufacturing centers, perhaps, than it is in the country, for in the country, among the rural communities, there is very little in the way of sales on the installment plan. That takes place more in the large cities and in the manufacturing centers, where laborers and mechanics buy furniture and other household goods and a lot of items on the installment plan because they are unable to buy them in any other way. This law will be a great protection to them. It will also be a protection in the case of farmers who have given mortgages on their lands with a power of sale who are threatened with foreclosure. The security is there, unimpaired, and the bill simply gives a stay during the war.

Another thing in this connection——

Mr. CALDER. Mr. President, will the Senator permit an interruption right there?

Mr. NELSON. Yes, sir.

Mr. CALDER. As I understand the basis of this bill, it would cover a case of this kind: A farmer purchases a farm, and at the time of its purchase it is free and clear. He gives a mortgage back on the farm for half of its value. Let us assume that the farm is worth $10,000. Subsequently he sells the farm, and the purchaser enters the military service. The man holding the mortgage against the farm demands the interest from the soldier. He is unable to pay it. He then demands the principal. Under the terms of this bill he can not collect the principal, but he can collect the interest from the man who made the mortgage and gave his personal bond to secure it. Now, in some cases that man may be a poor, unfortunate fellow who has a few hundred dollars invested in that mortgage. Is not that a great hardship upon the man who made the original guaranty?

Mr. NELSON. No; the man who sells the land subject to the mortgage can easily protect himself at the time of selling it.

Mr. CALDER. I am assuming that this is a mortgage made before the war.

Mr. NELSON. It depends on how he sold it—whether he sold it subject to the mortgage, or whether he made the purchaser guarantee the payment of the mortgage.

Mr. CALDER. Having some knowledge of real-estate mortgages in the large cities of the country, I know of tens of thousands of cases in the city of New York where people have bought small homes of the value of five, six, or seven thousand dollars, and have given a mortgage back for half of its value. Subsequently they have sold the property subject to the mortgage. That is quite a common practice in New York City. The purchaser enters the military service. The mortgagee can collect the interest from the original drawer of the mortgage, who has no relief that I can see under the terms of this measure. Ought not something be done to have the Government take the obligation off his hands? Is it just that we should enact legislation that will require a man, under those circumstances, to stand the burden?

Mr. NELSON. It is no more unjust in his case than it is in the other case. We are protecting the soldiers, and in a certain measure this bill will prove a burden. It will prove a burden on all creditors, because it will delay the collection or the enforcement of their obligations; but this is a burden that we ought to stand in behalf of our soldiers, because the burden they bear is relatively light compared with the burdens that are borne by the soldiers in the trenches.

Mr. CALDER. If the Senator will permit me, I quite agree with the principle; but I would have the measure arranged in some way by which, instead of having the burden fall upon and perhaps destroy a man of very moderate means who happens to have originally owned property and gone on the bond of a mortgage, it will fall upon the Government.

Mr. NELSON. Would the Senator have the Government pay it?

Mr. CALDER. I would have the Government relieve the man who made the mortgage originally, who now has no interest in the property, and who ought not to be held accountable.

Mr. NORRIS. Mr. President, will the Senator yield there?

Mr. NELSON. Certainly.

Mr. NORRIS. I should like to say, in reference to the suggestion made by the Senator from New York, that in the case he puts if there had been no war, if the man had remained at home and had not been a soldier, the holder of the mortgage could disregard him, if he wanted to, and sue the original mortgagor.

Mr. CALDER. Undoubtedly.

Mr. NORRIS. So he would be in the same position now that he was before. The other man could sue him if he wanted to. He could not be required, first, to exhaust the second owner of the property. Under the law as it stands to-day, without any war, he can entirely ignore that transfer of property, if he wants to, and sue the first signer of the note on his note.

Mr. CALDER. Undoubtedly he could.

Mr. NELSON. I want to say to the Senator that unless the purchaser buying the land that is mortgaged assumes in the instrument of conveyance the obligation of the mortgage, and agrees to it, he is not personally holden in any case.

Mr. CALDER. The Senator states the case correctly; but——

Mr. NELSON. He is not personally holden in any case; and even if there were no war, as the Senator from Nebraska has well said, if the purchaser fails to take care of the mortgage, the payee of the note can go on and enforce the obligation regardless of the war.

Mr. OVERMAN. Mr. President, will the Senator yield to me?

Mr. NELSON. Certainly.

Mr. OVERMAN. A representative of these great mortgage companies from the Senator's State of New York came before our committee, and at his suggestion we put in this amendment, which, I think, will cover the case referred to by the Senator:

> Whenever, pursuant to any provision of this act, the enforcement of any payment or the performance of any act is stayed, postponed, or suspended, or the entry or enforcement of any judgment or determination is stayed, postponed, or suspended, or liable to be set aside, then, with respect to the obligation or liability of any person who may be secondarily liable by reason of such contract or obligation, including guarantors, sureties, and indorsers, during the time of such stay, postponement, or suspension, or while such judgment or determination can be set aside, on the application of the person thus secondarily liable, by leave of court, such contract or obligation shall be construed as if such payment were not due or the time for the performance of such act had not arrived, provided that any interest falling due in the meantime be paid.

Mr. CALDER. That is correct, Mr. President. I have read the amendment to which the Senator refers, but the proviso at the end of that amendment is of such a character that the foreclosure will not be stayed in the case of a mortgage unless the interest is paid.

Mr. OVERMAN. I do not see it.

Mr. CALDER. The language is:

> Provided that any interest falling due in the meantime be paid.

Mr. OVERMAN. Well, that is a small amount. It only refers to the interest. That was suggested, I think, by the representative to whom I have referred.

Mr. CALDER. I know it was, and I see it in the hearing; but, Mr. President, where the interest is not paid the obligation can be foreclosed.

That would seem to provide that the original guarantor will be required to pay the interest. He has no protection otherwise, and if this runs on for years it may destroy the man who in

good faith sold his property. He has no relief whatever. It seems to me that to that extent at least this measure will be unjust.

Mr. OVERMAN. The attorney the Senator knows to be a very prominent man, who represented the great mortgage companies, and it is his own suggestion.

Mr. CALDER. This language protects the savings bank and other concerns loaning money, but it does not protect the little fellow who purchases or builds a home and makes a mortgage for part of the purchase price and then subsequently disposes of the property. He may have only two or three thousand dollars of interest in the property; some one else takes the property over, and then he is compelled, even if the mortgage was made years ago, to take care of the interest charges while the soldier is at the war.

I submit it appears to me that the Senator in charge of this bill should prepare an amendment that will protect the little fellow who may become so badly involved.

Mr. BRANDEGEE. I do not see the hardship the Senator refers to. Why should not the man pay the interest if he has not paid the principal?

Mr. CALDER. But it is a man who has no further interest in the property that I am referring to. I purchase a piece of property from you and give you a mortgage on the property with an accompanying bond. I sell the property subject to the mortgage you hold against it. The man to whom I sell the property joins the Army or the Navy. Four years after I sold the property and before the mortgage is due he fails to pay the interest. You can not foreclose the property under the terms of this bill, but you can collect your obligation against the guarantor. Unless he pays interest he has no relief at all. That is the point I make.

Mr. BRANDEGEE. Of course, as the Senator from Minnesota [Mr. NELSON] says, this operates equally upon all. Why should that man be allowed to foreclose his mortgage or enforce contracts if other people are not allowed to enforce their contracts during the absence of the soldier? Judge Woodward said in this opinion:

> Yet it is impossible to separate this question of reasonableness from the actual circumstances in which the country found itself at the date of the law. Eleven States had seceded or revolted. * * * In the judgment of the President and Congress, * * * the occasion required an immense increase of the Army and the Navy.
>
> Now, if a stay of execution for three years would not be tolerated in ordinary times, did not these circumstances constitute an emergency that justified the pushing of legislation to the extremist limit of the Constitution? * * *

Of course it is a hardship to say that if a man owes you money you can not collect it for three years, you can not sue him for it for three years; but, as the Senator from Minnesota says, it is a hardship for the debtor to be dragged out of the country and put in the trenches in a foreign land, and you can not allow his creditors to go on and ruin him financially while he is away risking his life. Somebody has to bear a part of this burden besides the men in the trenches.

Mr. BORAH. Mr. President, as I understand the proposition of the Senator from New York, I do not know that I am clear about it, but what he complains of is that the stay is not sufficiently wide in all its purposes as a stay in the proceedings as to the collection of debts against a man who has stepped out from under the obligation of the mortgage, in a sense, by selling the property. It is not the fact that it does stay it, but it is the fact that it does not stay it as against that man. If the soldier has gone to the war and left property behind, you can not proceed against it. Should there not be a clause inserted in the bill that you could not proceed to enforce the law against the first party who was interested in the stay and who stepped out by reason of selling the mortgage?

Mr. OVERMAN. That is a question of law, and I ask the Senator if the courts would not hold that the delay of the principal would not delay the mortgage. I think we have taken care of that situation.

Mr. BORAH. If you have taken care of that it is what the Senator from New York wants taken care of.

Mr. OVERMAN. As a matter of law would it not be taken care of anyway in case the principal is protected? Would not that protect the mortgagor, the indorser, or the insurer in law?

Mr. NELSON. The Senator from Idaho [Mr. BORAH] is a very good lawyer and he knows if the court grants a stay after the mortgage given to secure a note, if you want to stay a portion of the mortgage he has to stay the note also. My opinion is that it will operate on both. If the court stays the enforcement of a real-estate mortgage that implies a stay of the note as well as of the mortgage. One is a part of the other.

Mr. BORAH. Is there not a clause in the bill which excepts from the operation of it a legal stay of interest?

Mr. NELSON. Yes; there is such a provision here.

Mr. BORAH. That is what the Senator from New York is complaining of.

Mr. NELSON. If the Senator will examine the part of the bill that has been quoted in italics I do not think it covers the class of men the Senator from New York refers to, because the man who signs the note accompanying the mortgage in the first instance is neither mortgagor nor surety of any kind, and he does not come under that paragraph at all.

Mr. CALDER. He is the guarantor of the mortgage.

Mr. NELSON. No, sir.

Mr. CALDER. He gives a bond to accompany the mortgage, agreeing to pay the mortgage.

Mr. NELSON. That is a personal obligation. That does not guarantee anybody in the first instance. He owns a piece of land. He gives a note and a mortgage bond with the mortgage. As security for his note he gives a mortgage on the land and he is neither guarantor nor surety, and when he sells the land subject to the mortgage there is no guarantee. He does not guarantee to pay the mortgage.

Mr. BORAH. He is still liable on the note. Selling the land does not relieve him from the note.

Mr. NELSON. He is liable on the note?

Mr. BORAH. Exactly.

Mr. NELSON. And if there is a collection of the mortgage it operates as a stay of the note.

Mr. BORAH. I think that is correct. As I understand this language it excepts from legal——

Mr. NELSON. But I claim this paragraph does not apply to those cases, as the Senator will see if he will read it, because the man who signs the mortgage in this case is neither guarantor, surety, or indorser. He is a principal on that note. If the Senator from Idaho will read it, he will see that the case the Senator from New York puts does not come under that category.

Mr. BORAH. I am inclined to agree with the Senator from Minnesota.

Mr. CALDER. If the Senator from Minnesota is correct in his conclusion, then I have no further complaint.

Mr. NELSON. Undoubtedly, if the Senator will read it and stop to reflect a minute, he will see. Let me put a case. Suppose the Senator owns a piece of land and borrows a thousand dollars from me. He gives his note and a mortgage to secure it. Then, after he has done that, he sells that land, subject to the mortgage, to my friend from Idaho. That is all there is in the transaction. What are you in that case? You are simply the maker of the note—neither a mortgagor nor surety nor an indorser. You are nothing but the principal on that note, and so this provision does not apply.

Mr. CALDER. If the Senator is correct in that, I am satisfied; but it would be most unjust if from the man who made the original mortgage and gave his bond to insure collection there is to be collected interest on it and he has no recourse afterwards.

Mr. NELSON. If you would assume the property subject to the mortgage, if you guaranteed in the deed the payment of the mortgage, then you would come under this provision. That is not the case the Senator puts.

Mr. CALDER. There are very few such mortgages.

Mr. NELSON. You are neither a guarantor nor a surety nor an indorser. You are a principal in respect to that note.

Mr. CALDER. I hope the Senator is correct about it, and I have no doubt he is, if he says so, because he has had large experience in matters of this kind. I have been very anxious that in preparing a measure of this kind you should not destroy some poor, unfortunate people who are interested in property, who have given a mortgage at the time of the purchase, and are then compelled to pay interest on the mortgage when the soldier could not do so.

Mr. NORRIS. If the Senator will permit me, I should like to say to him that in the illustration he gives to the Senator from Idaho [Mr. BORAH] of the purchase of property subject to a mortgage, and when a man has gone into the Army he could not foreclose the mortgage, and if he undertook to do it there would be a stay on the note and mortgage both, he does not want to foreclose a mortgage. He can ignore the mortgage entirely. He has the note of the original mortgagor and can go into court and sue on that note without saying anything about the mortgage. If the case put by the Senator was good and the Senator from Minnesota wanted to get his money right away, instead of foreclosing the mortgage he would bring a civil action on the note against the Senator, and I do not see how he would be relieved from the payment of that note.

Mr. BORAH. Does the Senator from Nebraska understand that you can proceed to sue upon a note and waive the security under such a condition as that?

Mr. NORRIS. No; my understanding is that if a man holding a note secured by a mortgage desires, he can commence an action on the note, just the same as though there had been no mortgage given, and he can prosecute it to judgment and collect it without regard to the mortgage proper; that the mortgage is only a security, and he does not even avail himself of it if he does not want to do so.

Mr. NELSON. If there is a statute permitting it, that may be true; but under the general principles of equity and under the general provisions that govern courts of equity in these matters he must exhaust his security first.

Mr. NORRIS. Yes, if the statute requires it. Of course I do not doubt that the statute could require that in the case of a note secured by a mortgage he would have to exhaust the property first; but, as a matter of fact, unless there was some affirmative requirement, I do not see any reason why he could not go into court and sue on a note without saying a word about the mortgage. It would not be any defense for a man to say that a note was secured by a mortgage.

Mr. BORAH. Mr. President, the section to which the Senator from North Carolina refers is section 103, which provides:

SEC. 103. Whenever, pursuant to any provision of this act, the enforcement of any payment or the performance of any act is stayed, postponed, or suspended, or the entry or enforcement of any judgment or determination is stayed, postponed, or suspended, or liable to be set aside, then, with respect to the obligation or liability of any person who may be secondarily liable by reason of such contract or obligation, including guarantors, sureties, and indorsers, during the time of such stay, postponement, or suspension, or while such judgment or determination can be set aside, on the application of the person thus secondarily liable, by leave of court, such contract or obligation shall be construed as if such payment were not due or the time for the performance of such act had not arrived, provided that any interest falling due in the meantime be paid.

I believe the Senator from Minnesota is correct in his construction that the party would not be guarantor or surety. In popular parlance, he might be so regarded, but in law he would not. However, the Senator from Nebraska states a different proposition, and that is whether the party in whom you are interested might not be proceeded against directly by the party suing upon the note and waiving the mortgage. My opinion is, without recent investigation, that under such circumstances the court would compel him, first, to exhaust his remedy upon the property, and if he could not exhaust his remedy upon the property by reason of the stay of proceedings the entire matter would be suspended until such time as he could.

Mr. CALDER. Another word on the subject, Mr. President. It would seem to be true, under the conclusion of the Senator from Idaho, that in a case of this character a proceeding might be taken to collect rent and other profits on real estate so that the interest might be paid before the original guarantor—the original maker of the mortgage—was called upon to pay.

Mr. BRANDEGEE. I think the Senator from New York, if I may be pardoned for saying so, is laboring under a misapprehension. This section applies only to those secondary liabilities—mortgagors, sureties, and indorsers. It has nothing to do with the original maker of the note or the original borrower. It simply provides that the person secondarily liable by reason of the contract may go into court and ask that the contract be considered as not falling due at that time, provided he pays the interest.

Mr. CALDER. I am anxious to do justice to the man secondarily liable. I do not want that man to be compelled to meet an obligation he ought not to be called upon to meet. If the lawyers in this body are certain in the matter, and I am not a lawyer, I shall say nothing further.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The amendments of the committee which have been passed over will be stated.

The SECRETARY. On page 4, at the instance of the Senator from Delaware [Mr. WOLCOTT], the following amendment was passed over: In line 3, after the words "military service," insert "or with reference to a person secondarily liable under such right," so as to make the paragraph read:

(3) The term "person," as used in this act, with reference to the holder of any right alleged to exist against a person in military service or with reference to a person secondarily liable under such right, shall include individuals, partnerships, corporations, and any other forms of business association.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The SECRETARY. The next amendment passed over is, at the bottom of page 4, to insert a new section, as follows:

SEC. 103. Whenever, pursuant to any provision of this act, the enforcement of any payment or the performance of any act is stayed, postponed, or suspended, or the entry or enforcement of any judgment or determination is stayed, postponed, or suspended, or liable to be set aside, then, with respect to the obligation or liability of any person who may be secondarily liable by reason of such contract or obligation, including guarantors, sureties, and indorsers, during the time of such stay, postponement, or suspension, or while such judgment or determination can be set aside, on the application of the person thus secondarily liable, by leave of court, such contract or obligation shall be construed as if such payment were not due or the time for the performance of such act had not arrived, provided that any interest falling due in the meantime be paid.

The amendment was agreed to.

The next amendment passed over was, on page 9, line 15, after the word "others," to insert:

Where the person in military service is sued as a principal or as primarily obligated for any debt or damages, along with others who are sued as surety or as secondarily liable for such debt or damages, then such others not in military service may be proceeded against to final judgment if it shall be made to appear to the court that such person primarily liable has been adjudicated a bankrupt prior to the commencement of his military service.

The amendment was agreed to.

Mr. STERLING. On page 4, at the end of line 23, I move to amend by inserting the words "of competent jurisdiction."

Mr. OVERMAN. Mr. President, I think that is covered by the definition of the word "court" as being "any court of competent jurisdiction"; but if there is any doubt about it, I will accept the amendment.

Mr. STERLING. I hardly think it is covered. I should not have offered the amendment unless I thought it was not covered by the previous language of the bill.

Mr. OVERMAN. I will make no objection to the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. THOMPSON. Mr. President——

Mr. OVERMAN. One moment. I have not yet concluded offering amendments on behalf of the committee. I want to offer another amendment. In section 409, at the bottom of page 19, after the word "lien," on line 26, I move to add:

That before any loan or settlement is made the written consent of the Bureau of War-Risk Insurance must be obtained.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. OVERMAN. At the end of section 408, on the same page, I move to add the words "an insurer shall furnish semi-annual statements to the Bureau of War-Risk Insurance."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. THOMPSON. Mr. President, I should like to ask the Senator from North Carolina, who is in charge of the bill, what provision there is in the bill, if any, for the protection of the rights of the plaintiff while he is in the military service in case there should be some defendant who desires to press him to a trial in his absence?

Mr. OVERMAN. The bill provides that wherever a plaintiff is absent the court will appoint an attorney to represent him and preserve his rights, in the discretion of the court.

Mr. THOMPSON. But the language of the bill seems to indicate that it applies all the way through to the defendant only. That objection could be met by the insertion of a very few words in section 201 to make it clear. I think there should be a provision to protect the plaintiff who has litigation pending. I have in mind now a case my firm has for a soldier, in which I have wondered how we could get his testimony in the prosecution of an action in which he is interested, the defendant now insisting upon a trial in his absence.

Mr. OVERMAN. The Senator means where a man sues a soldier?

Mr. THOMPSON. No; I mean where a soldier has sued some one else, where he may have a suit pending.

Mr. OVERMAN. In that case he would have a lawyer to represent him, I suppose.

Mr. THOMPSON. Certainly; but the question is, Is there any provision in this proposed law that will protect him in his civil rights in case a court should desire to force a trial in his absence? I think this is a highly important matter.

Mr. OVERMAN. In the case of a soldier who is at the front who is being sued or being pressed by the plaintiff in a case, I take it for granted he will have an attorney who will protect him, and the court would protect him without any provision in the bill. This is a stay law.

Mr. THOMPSON. That is true as to the defendant, but is not correct as to the plaintiff under the present language of the bill.

I can not understand why section 201 can not be amended so as to include the plaintiff as well as the defendant, so that the plaintiff, who may be at the front and who is prosecuting an action, might have the full protection of this proposed law.

Mr. OVERMAN. But the plaintiff is represented whenever he has a representative in court, and there is no use in seeking to protect him, because he is protected by his attorney.

Mr. THOMPSON. But supposing that the defendant in the action should try to force a trial in his absence and the court should feel inclined to permit it?

Mr. OVERMAN. He has a lawyer to protect him just as if he were present, and no court in this world would force a trial under those circumstances.

Mr. THOMPSON. I hope that is true, but for fear that there might be such a court, it does seem to me that in section 201 the plaintiff might just as well be protected as the defendant is protected and have the proceedings stayed on application, if he desires to do so. If the Senator will notice the language in section 201 he will observe that it provides—

That at any stage thereof any action or proceeding commenced in any court against a person in military service * * * may * * * be stayed.

If the language were "commenced by a soldier in the service or prosecuted against him" it would include both plaintiff and defendant. Then it would force the court, without any further consideration, to grant a continuance until the plaintiff, who may have a very important case, can be present in court. I can not see the force of any objection to such an amendment.

Mr. OVERMAN. Suppose an attorney were to make an affidavit that the plaintiff was in France and unable to be present, does the Senator suppose that any court would force an action to trial?

Mr. THOMPSON. I hope there is no such court, but I have had some difficulties along that line in the past, and I do not want to take any chances on it in the future. I do not see why the bill should not apply both to the plaintiff and the defendant in the stay of proceedings in their absence at the front.

Mr. WOLCOTT obtained the floor.

Mr. THOMPSON. Mr. President, in that connection, if the Senator from North Carolina does not see the importance of it, I desire to offer a slight amendment to section 201, which I hope he will accept, so that it will read:

That at any stage thereof any action or proceeding commenced in any court by or against a person in the military service * * * proceedings may be stayed.

I can not see what possible objection there could be to such an amendment. Will the Senator from North Carolina accept the amendment?

Mr. OVERMAN. I can not accept it.

Mr. THOMPSON. Then, Mr. President, I offer the amendment, if it is in order.

Mr. WOLCOTT. I was recognized, Mr. President.

The PRESIDING OFFICER. The Chair thought the Senator from Kansas [Mr. THOMPSON] had taken his seat, and the Chair recognized the Senator from Delaware.

Mr. THOMPSON. If the Senator from Delaware desires the floor, I certainly shall yield to him; but I had the floor.

Mr. WOLCOTT. Go ahead.

Mr. THOMPSON. No; the Senator may proceed.

Mr. WOLCOTT. Mr. President, I wish to offer an amendment to the bill. On page 9, line 3, I move to strike out the words "Vacate or" and to commence the paragraph with the word "Stay."

Mr. OVERMAN. I accept that amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Delaware.

The amendment was agreed to.

Mr. THOMPSON. I offer the amendment I suggested a moment ago, namely, on page 7, section 201, line 20, to insert the words "by or" after the word "court." I think this amendment with another amendment on page 8 will take care of the situation I have in mind.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 7, line 20, after the word "court," it is proposed to insert the words "by or," so as to read:

Commenced in any court by or against a person in military service.

The PRESIDING OFFICER. Is there objection?

Mr. WOLCOTT. I call the attention of the Senator from Kansas to the fact that if the paragraph be amended as suggested by him at the point named, there will have to be another amendment suggested at the top of page 8.

Mr. THOMPSON. That is true. I have another amendment to offer to make it read properly.

Mr. WOLCOTT. So as to make the whole thought harmonious.

The PRESIDING OFFICER. Is there objection to the amendment of the amendment of the Senator from Kansas? If not, it is adopted.

Mr. THOMPSON. To make the section read properly, and to include both plaintiff and defendant, on page 8, in line 1, after the word "of," I move to insert the words "plaintiff to prosecute the action or."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 8, line 1, after the word "of," it is proposed to insert the words "plaintiff to prosecute the action or."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. THOMPSON. With these amendments it now makes it perfectly clear that its provisions apply to both the plaintiff and defendant in any action in court. I think the bill is very important as a war measure, and that there should be no objection whatever to its passage.

Mr. CALDER. Mr. President, I desire to make an inquiry of the Senator in charge of the bill regarding section 300, which deals with the matter of rent. The first paragraph of that section provides:

That no eviction or distress shall be made during the period of military service in respect of any premises for which the agreed rent does not exceed $50 per month, occupied solely for dwelling purposes by the wife, children, or other dependents of a person in military service, except upon leave of court granted upon application therefor or granted in an action or proceeding affecting the right of possession.

There is no doubt, Mr. President, that this is an excellent provision so far as it affects the soldier or the soldier's family; but I have wondered in reading over the provision how it might affect the small home owners throughout the land. In every village and city in the country there are many industrious working people who have saved a little money, have bought homes for two families, or perhaps own two little houses, in one of which the owner lives and the other he rents. In many cases there are mortgages on the property of perhaps 60 per cent of its value. As I understand, under the terms of this provision in the bill it will be impossible for the owner to collect the rent for the premises if for any reason the soldier finds he is unable to pay it. Am I correct in that, I will ask the Senator?

Mr. OVERMAN. In reply to the Senator I will call his attention to the second section, which provides:

(2) On any such application or in any such action the court may, in its discretion, on its own motion, and shall, on application, unless in the opinion of the court the ability of the tenant to pay the agreed rent is not materially affected by reason of such military service, stay the proceedings for not longer than three months, as provided in this act, or it may make such other order as may be just.

It leaves it in the discretion of the court to do what is right between man and man.

Mr. CALDER. I have read the paragraphs and sections following the one to which I have just called the Senator's attention.

Mr. NELSON. Mr. President——

Mr. CALDER. Just a moment, please.

Mr. OVERMAN. Paragraph 4 of section 300 also provides:

(4) The Secretary of War or the Secretary of the Navy, as the case may be, is hereby empowered, subject to such regulations as he may prescribe, to order an allotment of the pay of a person in military service in reasonable proportion to discharge the rent of premises occupied for dwelling purposes by the wife, children, or other dependents of such person.

Mr. CALDER. That is correct; I have observed the provision to which the Senator refers; but let us assume that a soldier's family are living in a home for which they are paying $45 a month rent. The head of the family is drafted, as I know that some men have been drafted under the terms of the draft act, although they had wives and mothers to support, and finds himself unable to meet the rent. The soldier's income in the service amounts to about $45 a month, including his allotment, and he is paying $45 a month rent. An allotment may be made by the War or the Navy Department of $10 or $15 a month for rent. The man who has purchased a little home in good faith is compelled to stand the burden of that unpaid rent during the period of the war. I think the Government and not an individual should stand it——

Mr. OVERMAN. The exemption only extends over a period of three months.

Mr. CALDER. Some one should stand it, but it should not be the small home owner; it should rather be this great Government, which can afford to do it, instead of the small home owner, who is struggling to accumulate a little property.

Mr. OVERMAN. I presume the Senator knows the owner will not have to stand the burden during the period of the war, but only for three months at the outside.

Mr. CALDER. There is a hardship even in that to a person of small means.

Mr. OVERMAN. There may be some hardship involved here; I have no doubt about that; but this measure is designed to take care of the soldiers.

Mr. CALDER. I will say to the Senator that I sympathize completely with the object he is endeavoring to accomplish in

this measure; it is a most commendable bill, and I am going to vote for it; but I think these little matters to which I have called the Senator's attention should be considered, believing that the Government should meet these burdens, rather than the people who are themselves making a struggle for existence.

Mr. WOLCOTT. Mr. President, may I call to the attention of the Senator from New York the fact that even in the extreme case the Senator has just put there would not be visited such a great hardship upon the owner of the premises. I do not know upon what statistics the fact has been deduced, but it appears in the testimony that three months of rents, ordinarily speaking, represent just about the amount of profit that comes to the landowner from a year of tenancy. If that be true, if there is a loss of rent for the extreme period of three months, the only thing that is taken from the landowner is what might be called profit, and certainly that can not be said to be a severe hardship.

Mr. CALDER. I will say in reply to the Senator that in the case of thousands—yea, tens of thousands and perhaps hundreds of thousands—of little home owners throughout the land even the holding out of a month's rent may imperil their ability to meet their obligations to those to whom they owe interest on their mortgages and their ability to meet the taxes imposed by the city authorities. While I am in sympathy with the idea of taking care of the soldier, I am also in sympathy with the frugal workingman who has accumulated a little money and put it in a home, and whom it seems the Government is about to ask to bear a burden which the Government itself ought to bear.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. OVERMAN. On the passage of the bill I ask for the yeas and nays, having been requested to do so by several Senators who are absent and who desire to be recorded.

The PRESIDING OFFICER. The Senator from North Carolina demands the yeas and nays on the passage of the bill.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Louisiana [Mr. BROUSSARD] and vote "yea."

The roll call was concluded.

Mr. GRONNA. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of sickness in his family. If present, he would vote "yea."

Mr. JAMES. I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS], which I transfer to the senior Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. PENROSE (after having voted in the affirmative). I observe that the senior Senator from Mississippi [Mr. WILLIAMS] has not voted. I have a general pair with that Senator, but I am informed that were he present he would vote "yea." As I have already voted "yea," I will permit my vote to stand.

Mr. HARDING (when his name was called). I have a general pair with the junior Senator from Alabama [Mr. UNDERWOOD]. I am informed that if he were present he would vote as I shall vote. Therefore I am at liberty to vote. I vote "yea."

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH]. I am informed that he would vote as I intend to vote on this measure. I therefore vote "yea."

Mr. WOLCOTT (after having voted in the affirmative). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. I observe that he has not voted. I transfer that pair to the junior Senator from Arkansas [Mr. KIRBY] and will let my vote stand.

Mr. MYERS. I inquire if the junior Senator from Connecticut [Mr. MCLEAN] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. MYERS. I have a pair with the junior Senator from Connecticut, which I transfer to the Senator from Illinois [Mr. LEWIS], and vote "yea."

I wish also to announce that my colleague [Mr. WALSH] is necessarily absent on account of illness. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. If my colleague were present, I am satisfied that he would vote "yea."

Mr. BECKHAM. Has the junior Senator from West Virginia [Mr. SUTHERLAND] voted?

The PRESIDING OFFICER. He has not voted.

Mr. BECKHAM. I have a pair with that Senator, which I transfer to the Senator from Nebraska [Mr. HITCHCOCK], and vote "yea."

Mr. GERRY. I desire to announce that the Senator from Mississippi [Mr. WILLIAMS] and the Senator from Arkansas [Mr. ROBINSON] are detained by illness.

Mr. FLETCHER. I wish to announce that the members of the Military Affairs Committee are detained on official business.

Mr. THOMPSON. I desire to announce that the Senator from Illinois [Mr. LEWIS] is detained on official business.

Mr. CURTIS. I wish to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN].

The result was announced—yeas 65, nays 0, as follows:

YEAS—65.

Ashurst	Henderson	New	Smith, Mich.
Beckham	Hollis	Norris	Smith, S. C.
Borah	James	Nugent	Smoot
Brandegee	Johnson, Cal.	Overman	Sterling
Calder	Johnson, S. Dak.	Penrose	Stone
Cummins	Jones, N. Mex.	Phelan	Swanson
Curtis	Jones, Wash.	Pittman	Thomas
Dillingham	Kellogg	Poindexter	Thompson
Fletcher	Kenyon	Pomerene	Tillman
France	King	Ransdell	Townsend
Frelinghuysen	Lodge	Shafroth	Trammell
Gallinger	McCumber	Sheppard	Vardaman
Gerry	McKellar	Sherman	Wadsworth
Gronna	McNary	Shields	Wolcott
Hale	Martin	Simmons	
Harding	Myers	Smith, Ariz.	
Hardwick	Nelson	Smith, Md.	

NOT VOTING—29.

Bankhead	Gore	Owen	Walsh
Broussard	Hitchcock	Page	Warren
Chamberlain	Kendrick	Reed	Watson
Colt	Kirby	Robinson	Weeks
Culberson	Knox	Saulsbury	Williams
Fall	La Follette	Smith, Ga.	
Fernald	Lewis	Sutherland	
Goff	McLean	Underwood	

So the bill was passed.

ADDITIONAL JUDGE, SOUTHERN DISTRICT OF FLORIDA.

Mr. FLETCHER. Mr. President, on the call of the calendar yesterday I was necessarily absent on account of a hearing before the Committee on Commerce. That committee has been engaged for some weeks in investigating the Shipping Board. In my absence a bill came up and was passed over which I should like to ask unanimous consent to consider at this time. It is Senate bill 1735, to create an additional judge in the southern district of Florida.

The PRESIDING OFFICER. Unanimous consent is asked for the consideration of the bill referred to by the Senator from Florida. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1735) to create an additional judge in the southern district of Florida, which had been reported from the Committee on the Judiciary with an amendment.

Mr. SMOOT. Mr. President, yesterday I asked that this bill go over, as I thought there was no one in the Chamber who could explain it satisfactorily. Besides, the acting chairman of the committee made the statement that he believed the committee was unanimous in reporting the bill creating an additional judge for the State of Arizona, but was not unanimous in reporting the bill now under consideration. For that reason I asked that the bill go over.

I should like to ask the Senator from Florida now, in view of the fact that nearly every State in the Union is getting additional judges, whether there is any real necessity for the creation of another judicial district in Florida?

Mr. FLETCHER. Mr. President, in answer to the Senator's inquiry I will say that in the first place I believe the Senator from North Carolina [Mr. OVERMAN], who answered the Senator's question yesterday, was not in the committee room when the bill was acted upon; but there was no dissent in the committee from recommending the passage of this bill. It comes here with the approval of the committee as a whole. This bill was discussed at the same time that the bill of the Senator from Arizona was discussed. I will say that his plea in support of his own bill was used by me in supporting this bill, and it makes a showing that the judicial business in the southern district of Florida far exceeds the business in the whole State of Arizona. I am not saying this by way of criticizing the action there. I think it was entirely right. In fact, I was a member of the subcommittee that reported in favor of that bill.

I think they undoubtedly need the judge in Arizona; but certainly the additional judge in the southern district of Florida is needed to even a greater extent than the additional judge in the State of Arizona.

To call this the southern district of Florida is really a misnomer. Instead of the southern district of Florida it would better be called the eastern district, because it takes in the entire east side of the State. The State is really divided in a north-and-south direction instead of an east-and-west direction.

The territory embraced in this district extends over 500 miles, from the northern part of the State to Key West. The court is required to sit in five different places in that district. The business of the court has increased enormously in recent years, and it is utterly impossible for one judge to attend to the business of that court. The judge has not had a vacation in years. He is greatly behind in the civil docket. The bar associations of the district, the members of the bar, the judge himself, the court officials, and all, have appealed for this relief.

The bill does not create another district. It does not involve any expense other than the salary of the judge. It simply provides that there shall be an additional judge in that district, and it is absolutely necessary in order that the public business may be properly attended to.

Mr. BRANDEGEE. Mr. President, I should like to ask the Senator a question. I should think that in these extraordinary times, with the increase of the shipping business and the enormous extent of seacoast there in Florida, the admiralty business of that court would have increased very largely. I will ask the Senator if that is the fact?

Mr. FLETCHER. That is true; and in addition to that the legislation passed here in connection with the Army, the provisions of the draft law, and all those things add considerably to the business of that court.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Missouri?

Mr. FLETCHER. I do.

Mr. STONE. Who is the judge of the southern district of Florida?

Mr. FLETCHER. The present judge is Rhydon M. Call.

Mr. STONE. How long has he been the judge of the court?

Mr. FLETCHER. He was circuit court judge in the State for some 18 or 20 years. He has been judge of this court since 1912, I think.

Mr. STONE. Altogether, approximately, 25 years?

Mr. FLETCHER. Yes; precisely. He is not an old man. He is in vigorous health and strength. It is simply physically impossible for one man, no matter how strong he may be mentally and physically, to take care of the business of the court. There is not time enough.

Mr. STONE. I am not opposing the Senator's bill; but my State is interested in a bill of like kind, and I was just getting some comparisons for my own information, intending to vote for the Senator's bill, as I shall expect him to vote for the other one when it is brought before the Senate.

Mr. FLETCHER. I do not like to commit myself, Mr. President.

Mr. STONE. I am not asking the Senator to commit himself. I am not making any bargain with him. I am simply expressing the expectation that he will do it, and that there will be some reciprocity.

Mr. FLETCHER. I shall be very glad to give the Senator any information I can. The brief submitted by the Senator from Arizona is quite full and compares the business in various districts, and I think it includes Missouri. I am not sure. It does, however, happen to include the business of Florida by way of illustrating the enormous amount of business that these judges are required to attend to.

Mr. STONE. Then the whole ground upon which this additional judge is asked is that the business of the district has grown beyond the capacity of the present judge to attend to it?

Mr. FLETCHER. Precisely; yes.

Mr. THOMPSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Kansas?

Mr. FLETCHER. I do.

Mr. THOMPSON. Will the Senator state about how many cases are now pending, and about how far behind they are on the docket?

Mr. FLETCHER. I can not state the number of cases that are pending. I do not believe I have that data. The business transacted in Florida, in the southern district, is given in this brief, on page 8, as 357 United States civil cases, 439 United States criminal cases, and 391 cases to which the United States is not a party. I can not state exactly the number of cases that are pending, but some 1,622 cases were disposed of in 1913, 1914, 1915, and 1916.

Mr. THOMPSON. So that the court is a year or two behind?

Mr. FLETCHER. Yes.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Michigan?

Mr. FLETCHER. I do.

Mr. TOWNSEND. I have noticed what seems to me to be rather a growing tendency to increase the number of judges in the United States, and I am simply indulging the hope that they may be at least above the draft age, so that we shall not seriously interfere with the formation of an army such as it is necessary to send abroad. It occurs to me that at this time these matters are being brought forward in a manner that indicates to some of us, at least, that possibly something besides the good of the judicial service is in mind. I assume that the committee has acted in good faith; but it is difficult for some of us to understand why, in the cases that have been brought forward, it is necessary to create an additional office at this time.

Mr. FLETCHER. I will say in reference to that briefly, Mr. President, that this measure was pending long before we entered into the war. There has been a demand for some years past and the increased business put upon the court makes an addition necessary at this time.

Mr. THOMAS. Mr. President, I do not oppose the pending bill, but propose to vote for it, after the explanation of the Senator from Florida of the condition of the docket in his State, and he undoubtedly believes that an additional judge is necessary for the transaction of the business. For my part I do not believe it is necessary, to speak broadly, to increase the number of judges either in our State or in our Federal courts. The dockets are large, they are becoming larger, perhaps, and I believe that business can be transacted and transacted competently and capably if the judges will attend to their business as men in other departments of life are supposed to do. In my early years of practice it was the custom of the judges of the court in times of active business, and especially when a jury trial was to be had, to meet at 9 o'clock, adjourn for an hour for the midday meal, and then run until 6 or 7. By that means the dockets were rapidly cleared of business, and they seldom got ahead of the judges. Nowadays such a practice is, I think, virtually obsolete everywhere. The hours of court are generally from 10 to 12 o'clock and from 2 to 5, and during those hours much of the time is devoted to the consideration of objections and preliminary matters, which might better be disposed of arbitrarily than after discussion. As a consequence the dockets are getting ahead of the judges. The remedy is not more judges, but more work.

Of course, there are exceptions to all rules. There are a great many hard-worked judges in the United States. I have been requested a number of times to introduce measures for the appointment of an additional judge in my district. I represent a State having in round numbers a million people, and we have one judge, one district. When the docket becomes congested or threatens to become congested the circuit court of appeals assigns an additional judge from some other district to aid in the transaction of business, in consequence of which we keep along pretty well. The judge of the district court in my district at all times is fairly able to take care of the business of 1,000,000 people. He is a hard-working man, and I think he is doing it very well.

I noticed in the papers the other day that an effort is being made to increase the number of judges of the Supreme Court of the District of Columbia, so that business could be expedited. Mr. President, England transacts an enormous business in the courts, yet the number of judges in England are less than the judges in Illinois. When we consider that England has 40,000,000 people and Illinois six or seven million, we may draw our own conclusion as to the manner in which our judicial business is transacted.

We know that about the greatest misfortune, outside of war itself, that can befall a citizen is to be involved in some important litigation in these modern times. The mass of testimony that is taken, the number of appeals liable from court to court—those delays which Hamlet, I think, assigned as one justification for suicide and which were bad enough in his day but are ten times as bad now—are due not entirely to the courts, because the responsibility must be divided by the legal profession.

If we should give judges to understand that they must clear their dockets and that they can not expect Congress to go on appointing judges and judges for the purpose of transacting business which has accumulated and which has been retarded. I believe we would save ourselves a great deal of expense and

at the same time we would stimulate the judiciary of the country to endeavor themselves to transact business in the good old way.

Of course, there is the question of expense. The salary of one judge does not amount to much, but every little helps to increase the expenses which now, of course, we ought to minimize.

As far as this bill is concerned, I shall not oppose it; but as to the creation of additional judges, from now on, especially during the war, I for one shall do what I can to prevent it.

Mr. GALLINGER. Mr. President, it will be recalled that in the last Congress the senior Senator from Georgia [Mr. SMITH] very earnestly advocated a bill that proposed to create somewhere from 14 to 20 additional judges. The Senator was very insistent upon the passage of that bill, but it did not receive the sanction of the Senate.

Mr. SMITH of Georgia. Yes; it was passed by the Senate.

Mr. GALLINGER. Well, it passed the Senate, but did not become a law.

Mr. SMITH of Georgia. No; it was rejected in the House.

Mr. GALLINGER. I accept the correction, because that is accurate.

Now, Mr. President, I have been watching the trend of things since that time, and I am quite well satisfied that the purpose which was behind that bill is going to be secured in a different way. In place of appointing in one bill from 14 to 20 judges—there was some controversy as to the exact number—we are going to appoint that number in separate bills.

Mr. THOMAS. But not by wholesale.

Mr. GALLINGER. Yes; we have changed from a wholesale method of appointing judges to a retail method, and the same purpose, in my judgment, will be secured as was contemplated by the bill the Senator from Georgia so ably advocated.

But, Mr. President, in this particular case I observe that the Committee on the Judiciary has made what seems to be a unanimous report. At any rate there is no report from a minority of the committee. If the committee had divided and the minority of the committee had reported against this bill I should not vote for it, but as it comes here with the assent of the committee as a whole I shall not feel at liberty to vote against it. However, I want it to be understood that while I believe the creation of these additional judges in some instances may be very much needed, it is going to reach a point where it will become a very questionable matter. When one State gets an additional judge, another State not having perhaps as much business, or perhaps having more business, immediately thinks that that State ought to have an additional judge. I believe it is in contemplation to have one for the State of New Hampshire. It may be needed, I do not know whether it is or not, but it will become an epidemic, and, as I said in the beginning, the purpose the Senator from Georgia had in mind, and he was sincere undoubtedly in that purpose, will be accomplished in a different way.

Mr. SMITH of Georgia. Mr. President, the Senator from New Hampshire has referred to a bill the passage of which I urged during the last Congress. I desire to call attention to the differences between that bill and those that are now being presented.

The bill which I urged was predicated upon the theory that the average judge of 70 years of age was not fit to perform efficiently the work of his office, and it provided that wherever a judge had reached 70 years of age, unless the President found that he was capable mentally and physically of performing all the duties of his office, or rather I believe it provided where the President found that he was not mentally and physically capable of performing all the duties of his office, then the President should appoint an additional judge.

My own opinion is that that bill was improperly drawn in that respect. It cast the burden of finding that the particular occupant past 70 years was not prepared to do all the work of his office efficiently upon the President, and then he could appoint an additional judge. I think the rule should be that where a judge has passed 70 years the burden should be on him to show that he is still capable of performing the duties of the office, and I think the rule should be in the Federal court that where a judge has reached 70 years of age the President should appoint an additional judge in all cases, unless it is made to appear that the judge on the bench is still mentally and physically capable of performing the duties of the office.

My own interest in the bill had been produced especially by the condition of the circuit court of my circuit. We had had only two circuit judges for years to preside in the circuit court of appeals. One died a few months ago, pending that bill, at the age of 82. He had not been upon the bench for nearly 10 years, and we had been compelled to try our cases in the circuit court of appeals before two circuit judges and a district court judge. Since that time we had barely been relieved from that situation when another one of the circuit court judges, about 78 years of age, was stricken down by sickness. He has not been on the bench for nearly 12 months, and probably never will be again, and yet he will not retire and allow the appointment of an additional judge.

I believe the Federal judiciary would be strengthened if we followed the view suggested when we first had the bill up, and which was urged in our committee by the very able Senator from New York—Senator Root. He took the position that our bill ought to require whenever a judge had reached 70 years that a new judge should take his place, unless clearly it was shown that the judge past 70 could still perform all the duties of the office.

I believe the bill was a desirable measure, but would have been better had it gone to the extent I have suggested. I have not pressed it, because I thought it useless to take the time of the Senate with it if the House would not pass it; but I am ready to support such a bill whenever the opportunity is given, and I think it will strengthen the Federal judiciary. If I learn there is a reasonable prospect for its passage by the House, I will again bring the measure to the attention of the Senate.

Mr. SHIELDS. Mr. President, I am going to vote for this bill, and I am led to do so because my observation of the delays in court and the cost of the administration of justice in the courts of the country, both State and Federal, is different from that of the Senator from Colorado [Mr. THOMAS]. I practiced law for more than 20 years and I was upon the bench of the highest court of my State for about 12 years. I had considerable experience in the courts both at the bar and on the bench in that way. I was a country lawyer and practiced chiefly in the country, though I had some practice in the cities of my State. At that time I practiced in several counties and knew the manner of doing business in different circuits and in different courts. In Tennessee we have circuit courts which have law jurisdiction and chancery courts which have equity jurisdiction, both in the same territory. As a judge of the supreme court for about 12 years I found it necessary, as every member of the court did, to work about 14 hours a day in order to dispose of the business of the court and keep up with the docket, which the court did, trying from 1,000 to 1,100 cases in a year. We have about 12 chancery divisions and I think 18 judicial circuits in that State. Several of them were created while I was on the bench, and I observed the benefits to the public that accrued from it.

I believe that the cause of the delays of litigation grew more out of the insufficient number of trial judges than from any other cause, and for that reason I have supported every bill since I have been in the Senate to increase the number of trial judges. I found that where a lower court had more time to consider and deliberate upon the cases which came before it there were fewer appeals from that circuit and less work for the appellate court to do, but where the business was congested and the judge had more than he could do the cases were hurriedly tried and the majority of them appealed, and in many instances there were errors found in the record, for which they had to be reversed and sent back for another trial and the whole thing gone over again.

I repeat, the great trouble in this country which has caused more cost to litigants and more delays in adjudging the rights of litigants grows out of a want of a sufficient number of trial judges to give the cases that careful and deliberate consideration which they ought to have.

Mr. GALLINGER. Mr. President, I want the Senator from Georgia to understand that I did not mean to imply that his bill was not from his viewpoint a necessary and a good bill. The Senator argued it with great force and to the satisfaction of a majority of the Senate and it passed the Senate. But, nevertheless, I look with a great deal of suspicion upon the creation of additional judges unless the matter is inquired into with the greatest possible care as to the necessity of their appointment.

I wish that we had some method whereby a judge who was either physically or mentally incapacitated for the performance of his duties would be forced to resign at the age of 70 years, the age set by the Constitution at which he can resign if he sees fit to do so. I presume there are a good many such cases in the country, but I could not at the time the Senator from Georgia had his bill before the Senate bring myself to believe that the exigency was such that we ought to place in the hands of the President the power to appoint such a large number of judges, retaining the incompetent judges upon the bench and

multiplying the number in that war—duplicating them, practically.

But as I said, Mr. President, this bill comes here with the indorsement of the Committee on the Judiciary, composed of members of both political parties; and that being the fact, and there being no minority report, I do not feel that it is my duty to vote against it, and I shall support it.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). The question is on the amendment of the Committee on the Judiciary, which will be stated.

The amendment was, on page 1, line 7, to strike out the words "term of office," before the word "compensation," so as to make the bill read:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized and directed, by and with the advice and consent of the Senate, to appoint an additional judge of the district court of the United States for the southern district of Florida, who shall reside in said district, and whose compensation, duties, and powers shall be the same as now provided by law for the judge of said district.

SEC. 2. That this act shall take effect immediately.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADJUDICATION OF PRIVATE CLAIMS.

Mr. SMITH of Georgia. I move that the Senate proceed to the consideration of Senate bill 1795.

Mr. GALLINGER. Let the bill be read by title.

The PRESIDING OFFICER. It will be read by title.

The SECRETARY. Order of Business 202, a bill (S. 1795) to relieve Congress from the adjudication of private claims against the Government.

Mr. GALLINGER. Mr. President, this is an important bill, and we ought to have more Senators present. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from New Hampshire suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Henderson	Phelan	Thomas
Calder	Hollis	Poindexter	Thompson
Culberson	James	Ransdell	Tillman
Curtis	Johnson, S. Dak.	Shafroth	Townsend
Dillingham	Jones, Wash.	Sheppard	Trammell
Fletcher	McKellar	Shields	Vardaman
France	McNary	Smith, Ariz.	Warren
Frelinghuysen	Myers	Smith, Ga.	Wolcott
Gallinger	New	Smith, Md.	
Gerry	Norris	Smoot	
Hardwick	Overman	Sterling	

Mr. CURTIS. I desire to announce the absence of the Senator from Arizona [Mr. ASHURST], the Senator from Nevada [Mr. PITTMAN], the Senator from Oklahoma [Mr. OWEN], the Senator from Idaho [Mr. NUGENT], the Senator from New Mexico [Mr. JONES], and the Senator from North Dakota [Mr. GRONNA] on official business.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. PITTMAN, Mr. REED, and Mr. SIMMONS answered to their names when called.

Mr. BANKHEAD, Mr. KENYON, Mr. WADSWORTH, Mr. KIRBY, Mr. JONES of New Mexico, and Mr. POMERENE entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty Senators have answered to their names. There is a quorum present. The Senator from Georgia has moved that the Senate proceed to the consideration of Senate bill 1795. The Secretary will restate the title of the bill.

The SECRETARY. A bill to relieve Congress from the adjudication of private claims against the Government.

The PRESIDING OFFICER. The question is on the motion of the Senator from Georgia.

Mr. SMOOT. Mr. President, I believe if Senators knew the history of the provision that it is now sought to be repealed, commonly known as the Crawford amendment to the Tucker and Bowman Acts, they would not agree to any such proposition. The bill the Senator from Georgia has undertaken now to bring before the Senate has for its purpose the repeal of that amendment.

I want to call the Senate's attention to section 5 of the act of March 4, 1915, which reads as follows:

SEC. 5. That from and after the passage and approval of this act the jurisdiction of the Court of Claims shall not extend to or include any claim against the United States based upon or growing out of the destruction of any property or damage done to any property by the military or naval forces of the United States during the war for the suppression of the rebellion; nor to any claim for stores and supplies taken by or furnished to or for the use of the military or naval forces of the United States, nor to any claim for the value of any use and occupation of any real estate by the military or naval forces of the United States during said war; nor shall said Court of Claims have jurisdiction of any claim which is now barred by the provisions of any law of the United States.

This is the so-called Crawford amendment.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. I yield to the Senator.

Mr. THOMAS. I think the Senator is perfectly right in his statement of the law; but the section which the Senator has just read was the result of an agreement or understanding, was it not?

Mr. SMOOT. I will say to the Senator that later I shall refer to that in detail; but shall content myself at this time with simply saying that there was an agreement to this provision.

Mr. THOMAS. That is my recollection.

Mr. SMOOT. I will quote the language of the Senator having the bill in charge. Mr. President, there is no Senator here who does not know that the claims which have been made against the Government of the United States under those two acts have been in some respects indefensible; in some cases it has been proven that the claims have been paid more than once; and in one case that the Government of the United States had paid three times for one building.

Before this amendment was adopted, and after I had served on the Claims Committee for some 10 years, I took occasion to secure information from the Treasury Department as to the number of mules the Government had paid for, and I was surprised, Mr. President, to find that we had paid for nearly as many mules as were ever used in the Civil War.

Mr. WOLCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Delaware?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. WOLCOTT. The Senator from Utah speaks of paying for mules "under those two acts." May I inquire to what two acts he refers?

Mr. SMOOT. I refer to the Bowman and the Tucker Acts. In the last claims bill we had under consideration, to which this amendment was adopted, there was a claim for $3,500 for a church in a little town in Arkansas. I received a letter from a leading citizen of that little town stating that there never had been a church and there was not at that date a church which had cost a thousand dollars, and yet the claimant was paid under that bill $3,500.

Mr. President, there were attorneys in Washington who every year took a trip to the South; that was their annual vacation. They would descend upon a city perhaps where no person had an idea that he had a claim against the United States Government and work up claims against the Government and have them presented to the Court of Claims through Congress under the provisions of the Tucker and Bowman Acts. There was one item in an omnibus claims bill, where the evidence showed a claim for some 481 fence rails; there was also a claim for eight hundred and some odd bushels of corn estimated as growing in the field, and there were some 15 or 16 pigs, as I remember. There was also a claim for so many hogsheads of tobacco. When I examined into the evidence I found that the sworn testimony was from a man who could not possibly have been more than 10 years old at the time the property was supposed to have been taken by our Government. Is it possible that a boy 10 years old could have known that there were exactly 481 fence rails destroyed?

Mr. GALLINGER. And that he should have remembered it for 50 years.

Mr. SMOOT. Yes; and that he should know, when he was only 10 years old, that there were eight hundred and some odd bushels of corn growing in the field as estimated by him?

Mr. OVERMAN. That bill was passed?

Mr. SMOOT. That bill was passed and the claim was paid.

Mr. President, it was just such abuses as those which caused even the Senators from the South to reach the conclusion that such legislation ought to cease at some time or other. When this omnibus claims bill was before the Senate, Senator Bryan was the chairman of the Claims Committee, and before the Crawford amendment had been adopted, an agreement had been reached that if that bill passed the Senate there would be no other omnibus claims bills presented to Congress.

Mr. SMITH of Georgia. Who made the agreement?

Mr. SMOOT. Well, I will say to the Senator from Georgia that members of the Claims Committee upon both sides of the

Chamber had such a distinct understanding upon this question that I am surprised it is even questioned.

Mr. SHIELDS. Mr. President——

Mr. SMOOT. Just a moment, and then I will yield to the Senator. Senator Bryan made this statement to the Senate when the bill was under consideration:

> Mr. President, this is perhaps the last omnibus claims bill that will ever be passed by Congress.

He based that statement, Mr. President, upon the fact that we had agreed that the Crawford amendment should be adopted to that claims bill. When that amendment was offered there was not a Senator upon the floor of the Senate who objected to it; there was no discussion whatever; it was adopted unanimously; and every Senator believed at that time that that was the last of these omnibus claims bills.

Now, I yield to the Senator from Tennessee.

Mr. SHIELDS. Mr. President, I was present at a late hour on the last day or night of the session of Congress when that bill was passed. I took a considerable interest in it, for a very large number of these claims was from my State, and I knew the history of the claims. I know that, as a rule, they were honest; that honest people were presenting them; and I supported the bill. Perhaps the RECORD will show that I discussed some claims that were allowed or disallowed. I think I was entirely familiar with what was going on at that time, but I never heard the suggestion that that claims bill should be the final one. I do not care whether there was an agreement of that kind of not; neither the Senator from Utah [Mr. SMOOT] nor the then Senator from Florida, Mr. Bryan, had a right to stand here and agree that the just claims of creditors of the United States should never be paid and that no legislation should be introduced for that purpose.

I did not make any objection to the Crawford amendment. Without any reflection upon any Senator, or upon ex-Senator Crawford, I was of the opinion that he stood there with that amendment and a number of others which he offered in order to talk that bill to death; and as we had that much reported here, after many years, of just claims, and believing in the justice of future Congresses, we were willing to accept his amendment rather than to see him talk the bill to death. That is the truth about the whole transaction, and everybody here in the Senate favoring that bill knew it.

Mr. SMOOT. Well, Mr. President, the Senator from Tennessee has stated his understanding of the Crawford amendment. I want to say to the Senate of the United States that for 10 years before this amendment was agreed to on that omnibus claims bill the advisability of repealing the law authorizing such claims to be presented to the Court of Claims had been considered by the Committee on Claims of the Senate. I think upon one occasion it was voted upon and defeated. What Senator who was here when that bill was passed but can remember the position that was taken by the then senior Senator from Arkansas, Mr. Clarke? Who criticized these claims more than he? He was in favor of fixing a time when these claims should cease, not that the Government of the United States was not willing to pay its just debts; but I undertake to say now, Mr. President, that the Government of the United States has not only paid every dollar of just debts against it for the destruction of property in the South during the Civil War, but that it has paid many hundreds of thousands of dollars more.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. GALLINGER. Will it interrupt the Senator from Utah if I shall read exactly what the then Senator from Arkansas said when this matter was under discussion?

Mr. SMOOT. I am perfectly willing to yield to the Senator for that purpose.

Mr. GALLINGER. On December 16, 1910, a bill of this kind was under consideration, and the then Senator from Arkansas, now dead, made this observation:

> Mr. CLARKE of Arkansas. Any moment Congress may refuse to pay these church claims and be within its rights. They are not preferred here as a matter of absolute legal liability. They are not brought here on the right or wrong of the proposition, but in the nature of benevolence, on the ground that the persons who were engaged in these vocations were not engaged in war.
>
> Mr. GALLINGER. Does the Senator from Arkansas contend that the seven or eight hundred thousand dollars of southern claims involved in this bill are to be appropriated as a matter of benevolence?
>
> Mr. CLARKE of Arkansas. Absolutely, so far as these church claims are concerned.
>
> Mr. GALLINGER. Then we ought to stop it.
>
> Mr. CLARKE of Arkansas. Stop it here and now, and I will vote with you.

Mr. SMOOT. That was five years before the passage of the bill to which I have been referring.

Mr. GALLINGER. Yes. On the 4th day of December, 1912, Mr. Clarke of Arkansas said:

> I speak of claims for the destruction and consumption of property by the Army. I have said repeatedly that at this late day and time it is utterly impossible to get at the right of 1 per cent of them, and they are worked up by claim agents and constructive claimants, persons who are constructively and remotely interested in them.

Mr. SMOOT. Mr. President, when I first came to the Senate, not knowing the ins and outs of legislation here in Washington, I felt it my duty to admit every man who came to my office and to give him all the time he wanted in which to present his case. The result was that I was simply overburdened with claim agents; in fact, conditions got so bad that I would not have been able to do anything else if I had listened to the claim agents in Washington who were interested in presenting claims.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. McKELLAR. All of these claims are prosecuted before the courts, and no claim is authorized to be paid unless a court having jurisdiction of the matter has passed in favor of that particular claim. Is not that true?

Mr. SMOOT. There are many claims that have been paid, as provided in omnibus-claims bills, that never passed through the Court of Claims.

Mr. McKELLAR. I differ with the Senator. I want to say to him that I am very familiar with the last omnibus-claims bill, and I think that is the only bill of that character that has passed here in many years—probably the only one since the Senator has been a Member of the Senate, however long that may be. In other words, the bill that was pending in 1910 was the bill that was finally passed in 1915; and I desire to say to the Senator, about that measure, that there were only two claims in it which had not been passed upon by the court, and they got in the bill by an amendment, I think, put on at this end of the Capitol. The House, however, only permitted to go upon the bill those claims upon which there had been a judgment existing against the United States Government for years.

Mr. WARREN. Not a judgment.

Mr. McKELLAR. It is substantially the same thing.

Mr. WARREN. A finding of facts.

Mr. McKELLAR. A finding of facts under the provisions of the acts providing for the adjudication of the claims. Of course, a judgment can not be given against the United States, as we all know; but, under the provisions of the law, the court had found in favor of the claimants and had found, as a matter of law and right, that they should be paid. Now, why should not the United States Government pay claims when its own courts have determined that they are just claims against the Government?

Mr. SMOOT. Mr. President, the Senator knows that the United States to-day has to depend entirely upon some attorney to look up the evidence in any given case, and the older the case the harder it is to find anyone that knows anything about it. The evidence is all one-sided; the claims are worked up; the evidence in many cases is manufactured; and in many instances the evidence submitted to the Court of Claims comes from people who, I know, could not have been more than 10 years old at the time the alleged property was taken.

Mr. President, the Court of Claims does not render judgment; it sends to Congress findings of fact, and I know that there have been claims paid under the provisions of omnibus claims bills when even upon the face of the findings of the court there was no justification for their payment.

The Senator from Tennessee says that the act of 1915 was perhaps the only omnibus claims bill that has passed Congress since I have been a Member of this body. Why, Mr. President, I have been a Member of the Senate for over 15 years; I was on the Claims Committee for the first 12 years of my service; I did my duty as a member of that committee, and served for a longer period than I would ever ask any Senator to serve upon that committee. Not only that, but I was conscientious from the beginning and carefully examined every claims bill. I knew them like I knew my A, B, C's, and when the old, hoary-headed things were presented at every succeeding session of Congress I knew that there was no justification for the payment of a great majority of them.

Mr. McKELLAR. I will ask the Senator if it is not a fact that they were based on the same judgments or substantially the same judgments that the court had rendered in times gone by and were the same claims that Congress had refused to pay after judgment had been rendered against the Government?

Mr. SMOOT. Mr. President, I presume the Senator does not know of the rule we adopted at this end of the Capitol.

Mr. McKELLAR. No, sir; I was not a member of this Chamber at that time.

Mr. SMOOT. I will tell the Senator of the rule we adopted. The Committee on Claims found that there ought to be some kind of limitation upon the reference of claims bills to the Court of Claims. So we agreed that each Senator should be allowed to refer two claims to the Court of Claims each year. That was the first agreement. Then, Senators insisted that there ought to be more than two; and finally we increased the number. I know, so far as my own experience goes, that southern Senators came to me and said, "You have none of these claims; allow me to take your share for the reference of claims in which I am interested to the Court of Claims. Those claims, Mr. President, were referred, and when the omnibus claims bill was passed nearly every one of them was found included in the bill, and, as I have said, many, many others.

Under omnibus claims bills there have been paid claims for no telling how much more than the real value of the property involved. I cited a moment ago the case of a church in Arkansas, in connection with whose claim I had a letter stating that there never was a church in that little town that cost $1,000, and yet we paid $3,500 for the destruction of one there. Why, Mr. President, we have actually paid claims to church organizations for throwing up earthworks, in order that our soldiers might protect themselves from attack.

Mr. McKELLAR. Has the Senator always entertained the view he now entertains about claims?

Mr. SMOOT. What view, I will ask the Senator?

Mr. McKELLAR. The view that all these claims are wrong.

Mr. SMOOT. I did not say that they were all wrong.

Mr. McKELLAR. I notice that in the last omnibus claims bill there was a claim for $4,078.75 allowed to one of the constituents of the Senator.

Mr. SMOOT. I think that is right. There was such a claim allowed.

Mr. McKELLAR. Well, the Senator did not think that that was wrong, did he? The courts of the land had passed on the validity of that claim, which was that of Martin C. Fox, of Salt Lake City. The Senator does not think that that claim should not have been paid, does he?

Mr. SMOOT. Mr. President, that claim came to the Senate like all other similar claims come.

Mr. McKELLAR. Yes, sir.

Mr. SMOOT. And does the Senator think that, as a representative of the State of Utah, I was going to ask to have eliminated from the bill the claim because the claimant once lived in Utah—whose claim came in as all other claims come in?

Mr. McKELLAR. No; I think the Senator was exactly right in being for that claim, in standing by the court that allowed the claim, and in voting for the bill that permitted the claim to be paid, as I understand the Senator voted for the omnibus claims bill that passed on March 4, 1915.

Mr. SMOOT. Mr. President, I do not know whether I voted for the bill or not; I do not think the roll was called; but I know that I spoke against a number of the claims in that bill, and I want to say that that bill never would have passed the Senate without section 5 being incorporated in it. The bill carried an appropriation of nearly $2,000,000.

Mr. KENYON. Mr. President, I desire to ask the Senator if he will not again read section 5? In the light of his remarks I think we can understand it better now.

Mr. SMOOT. Very well; it is as follows:

That from and after the passage and approval of this act—

That is the act of March 4, 1915, the omnibus claims bill—

the jurisdiction of the Court of Claims shall not extend to or include any claim against the United States based upon or growing out of the destruction of any property or damage done to any property by the military or naval forces of the United States during the War for the Suppression of the Rebellion, nor to any claim for stores and supplies taken by or furnished to or for the use of the military or naval forces of the United States, nor to any claim for the value of any use and occupation of any real estate by the military or naval forces of the United States during said war; nor shall said Court of Claims have jurisdiction of any claim which is now barred by the provisions of any law of the United States.

Mr. KENYON. May I ask the Senator another question?

Mr. SMOOT. Certainly.

Mr. KENYON. Subsequent to the passage of that provision were a large number of cases dismissed in the Court of Claims?

Mr. SMOOT. There were large numbers of cases before the Court of Claims which had been referred.

Mr. KENYON. And they were dismissed?

Mr. SMOOT. Many before and many after the passage of that act.

Mr. KENYON. And if the pending bill passes it will revive those cases?

Mr. SMOOT. All of these cases.

Mr. THOMAS. And a great many more.

Mr. GALLINGER and Mr. WARREN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield; and if so, to whom?

Mr. SMOOT. I yield first to the Senator from New Hampshire.

Mr. GALLINGER. The Senator from Utah might well put in the RECORD the statement—and, with his permission, I will put it in myself—that the bill to which the Crawford amendment was attached carried 1,032 claims.

Mr. SMOOT. And $1,987,000, as I remember.

Mr. GALLINGER. That was 50 years after the war. They had found in some way 50 years after the war that 1,032 claims had not been paid for this class of property. They had been looking for these claims for 50 years, and at the end of 50 years they discovered that there were 1,032 that had been overlooked, and the Government paid them; and some of us yielded our opposition to this bill because of the fact that the Senators on the other side of the Chamber were willing to accept the amendment which has been read.

That is the history of the matter.

Mr. WARREN. Mr. President——

Mr. SMOOT. I yield to the Senator from Wyoming.

Mr. WARREN. In response to the inquiry of the Senator from Iowa, I will state that at one time, some 10 years ago, perhaps, the accumulation of cases before the Court of Claims under the Tucker Act was very large, particularly cases brought by attorneys who did not proceed to prosecute their claims or perfect them. A change in Court of Claims attorneys brought into office an advocate for the Government who believed that those claims should be either prosecuted or stricken from the Court of Claims docket; and I think something over 5,000 were stricken off at one time, and others followed.

There has been an inquiry as to the number of these so-called omnibus bills. I will take but a moment, if the Senator from Utah will allow me.

Mr. SMOOT. Yes; I shall be glad to have the Senator continue.

Mr. WARREN. When I returned to the Senate in 1895 the fact was brought before me that a great many of these supplies claims were unpaid, embraced in bills that had passed the Senate repeatedly as separate claims, and some had passed the House, and also there were the unpaid French spoliation claims. I offered an amendment to the regular annual deficiency bill to pay some three-quarters of a million dollars of French spoliation claims, and the Senator from Tennessee, Mr. Harris, amended my amendment by attaching southern claims of about the same amount. The matter went on and was allowed in the deficiency bill. There had been trouble at various times with regard to covering deficiency bills with claims, notwithstanding the Senate rule against that practice. Following that there were further attempts, and in one year, under the administration of President Cleveland, when there was a veto of sundry bills, the river and harbor bill among others, the deficiency bill was vetoed because it had on it several hundred thousand dollars of these claims. Senator Hale, then in charge of that bill, proposed that the Committee on Claims—of which at the time I was a member and the Senator from Colorado, Mr. Teller, was the chairman—in order to get comparative peace and to get the deficiency bills through, and to get matters smooth again between the Executive and the Senate, which was about to adjourn, at the end of a session should employ sufficient help to make an index of claims, and to bring in an omnibus bill covering claims that had passed either the House or the Senate, and some of which had passed both, but not contemporaneously; and so the committee proceeded along that line.

The first bill of that kind, amounting to about $9,000,000, was introduced by Senator Teller before he left the committee. I am frank to say that it was prepared with some haste, and, while I made no outcry against it, I felt that we could hardly get it all through. It went over to the House and was cut down there—also in conference—and finally it went through in the sum of three or four million dollars.

About that time I became chairman of the committee, and we followed as nearly as we could the principle of taking bills that had passed the scrutiny of the committees of both Houses, and I think during my incumbency we passed three omnibus bills of about three to five million dollars each. I remember that in one instance it affected several thousand people. I would not like to say positively that it was 17,000, but it runs in my mind that it affected about 17,000 persons, because in many cases, or claims, whole families, and indeed whole communities, would be represented in one compound claim.

These bills were very largely made up of southern claims, with a few of the French spoliation claims and a few of the ordinary later-date claims. From that time there seems to have been a

lapse of some years in omnibus-bills legislation, when it was again taken up, and two or three bills were tried out and failed. I remember that Senator Fulton, of Oregon, failed with one; and Senator Crawford, if I remember rightly, with another; and the one now being alluded to was the next and last one.

It had been the intention of the committee, back there when we proposed these several bills, to bring the matter up to a point where we felt that we had covered the ground sufficiently. We thought that the Government could not longer protect itself in those isolated localities where it could hardly find witnesses. The court seemed to be overburdened with the task, and, differing somewhat from the statement of the Senator from Tennessee, the court simply stated the facts as they found them. There was no recommendation that the claims should be paid, as a general thing, and they were cases arising largely under the Tucker Act.

It was the intention, away back in those times—and it was the intention of all members of the Committee on Claims, without regard to locality—that there should be a time when these things should be discontinued. In fact, away back years before any man who now stands on this floor was a Member of the Senate, the door had been closed legally as many as three or four times to the further consideration of such claims. The Tucker Act, as well as the Bowman Act, grew out of that fact.

That is the situation, and it was for a long time considered that we must finally shut the door on this class of claims, as those remaining seemed to be very indefinite and with but slight evidence to support them. I know nothing of the particular agreement mentioned in this discussion, because it is some years since I have been a member of the committee, but that was the condition in early times.

Mr. McKELLAR. Mr. President, I will say to the Senator that there was a committee of four Members of the House that came over here to the Senate on the night of March 3, 1915, when this bill was passed. The committee was composed of Judge GREGG of Texas, Mr. BYRNES of South Carolina, Mr. CARLIN of Virginia, and myself. We were here when the bill passed; and, of course, our States being very largely interested in these claims, we took a very active interest in getting the bill passed as far as we could. I never knew of any agreement at all. Senator Crawford offered this as an amendment, and it was adopted; but I knew of no agreement. If there was any agreement, it was not disclosed to me at all.

Mr. REED. Mr. President, I presume the Senator from Utah intends to speak at some length upon the bill?

Mr. SMOOT. I will say to the Senator that the motion now is simply to take up the bill. I do not think I will speak more than 15 minutes longer upon it, and then a vote can be had upon taking it up.

Mr. REED. Very well. I was going to ask permission to take up a bill, and I was going to ask the indulgence of the Senate, because I felt it necessary to leave before very long; but in view of the Senator's statement I will not do that.

Mr. SMOOT. I will say to the Senator that if he wants to proceed now I am perfectly willing to yield the floor, and then resume it after the Senator is through.

Mr. GALLINGER. Mr. President, will the Senator from Utah yield to me?

Mr. SMOOT. Yes.

Mr. GALLINGER. It is proper that I should say to the Senator from Missouri that when the Senator from Utah concludes his observations against taking up the bill I shall occupy a little time along the same line, but not a great while. I shall have something more to say if the bill shall be taken up.

Mr. REED. Mr. President, the matter I have in mind is merely a private bill. I think it could be passed in five minutes by unanimous consent. I think a mere statement of it to the Senate will be sufficient; but if the Senator is going to conclude within anything like the time he states, I will not ask him to yield. After he concludes I will ask the Senator from New Hampshire to indulge me for the purpose I have stated.

Mr. GALLINGER. Which I will gladly do.

Mr. SMOOT. Of course, I would gladly grant the Senator's request at this time.

Mr. President, the statement was made the other day that Senators thought these claimants ought to have their day in court. Have they not had their day in court? Has there been any action by Congress to prevent them in any way from presenting their claim during the last 53 years? I say now that the great majority of all of the claims contained in the omnibus claim bill passed on March 4, 1915, were worked up by attorneys living in Washington. Until a law was passed limiting the percentage that could be charged by an attorney, these claim hunters charged, in some cases, as high as 75 per cent of the amount realized. I would not support legislation that would do an injury to any citizen of this country; but, Mr. President, there is no one but that must admit that every claimant against the United States under the Tucker and Bowman Acts has had ample chance for his day in court.

Mr. TOWNSEND. Mr. President——

Mr. SMOOT. I yield to the Senator from Michigan.

Mr. TOWNSEND. I have been very much interested in what has been going on, because I recall very clearly that I was a member of the Committee on Claims at the time this bill and other bills were prepared, and was a member of the committee of conference between the two Houses. The agreement as to that bill in the Committee on Claims was a compromise. I do not believe there were a half dozen Senators on the committee who believed that all of those claims, or even a majority of them, were justifiable. It was discovered that a claim 50 years old could be better proven than it could immediately after the war.

Mr. THOMAS. And one 75 years old could be better proven than one 50 years old.

Mr. TOWNSEND. Yes. It was very easy, under the methods that were employed, to establish claims. The question was discussed very fully by the committee as to when we were going to have an end of this class of bills, and there was an agreement had in the committee with the understanding that these claims would not be presented again. Of course it was well understood that we could not bind subsequent committees or subsequent Congresses; but the Senators from the South who were most interested in these claims without any hesitation acknowledged that it was time to quit this kind of business, and that these claims were of such doubtful value that they themselves would insist upon no further bills of the kind being introduced.

I have no hesitation in saying that that bill would not have passed if we had not felt that there was some binding force in that agreement; that the Senators from the South, representing the committee—and it was supposed that many of them would remain on the committee, and would therefore dominate it—would impress that feeling upon their successors, and that no similar bill would come up in the future. Therefore it was agreed that we should have a limitation placed upon these matters. The senior Senator from Mississippi [Mr. WILLIAMS], the senior Senator from Arkansas [Mr. ROBINSON], and others spoke on this floor in opposition to this kind of business, feeling that it was an organized raid upon the Treasury of the United States.

I was one of the Senators who believed in paying our debts. As the Senators on that committee will well understand, I voted for a good many claims because I thought possibly there was a shadow of doubt in the matter that should be resolved in favor of the claimants; but every such claim went into that bill. The others, I think almost without a dissenting vote in the committee, were set aside as being unworthy of consideration.

As the years go by, I repeat, it is easier to prove these claims. There is no way to dispute them, if we permit an ex parte trial, as there is in the court, practically. Of course the Attorney General or somebody representing the Department of Justice is supposed to represent the people, but he has a difficult job. These bills have been considered over and over since the war. The Congress has dealt very liberally with them. I think at this time it would be almost criminal for Congress to draw a million or two dollars out of the Treasury to pay these claims that have been repudiated when the facts were close at hand and the people understood what the situations were. Now, after a lapse of time, to revive these claims, to my mind, is absolutely unwarranted.

Mr. SMITH of Georgia. Mr. President, will the Senator from Utah yield to me for just a moment?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. SMITH of Georgia. I want to say that this bill originated in the House. It was introduced by the Republican leader, Mr. MANN. It is known as the Mann bill. It passed the House at the last session of Congress and was referred to the Judiciary Committee, and I was appointed chairman of a subcommittee of the Committee on the Judiciary to consider it. That is the way in which I became connected with it. I do not know a constituent of mine who has a suit pending or who desires to bring a suit under this bill. I have not been appealed to by a constituent of mine to introduce a bill that would enable him to bring a suit.

Mr. TOWNSEND. Mr. President, I hope the Senator does not believe that I would be any more in favor of the bill because some Republican happened to advocate it. The facts are not changed by that circumstance.

Mr. SMITH of Georgia. I understand that; but the suggestion of the Senator was that southern Senators committed

themselves not to press this legislation further, and I wanted to show what the origin of this legislation was. It passed the House, and came to me in the way I have stated. I failed to get a hearing in the Senate at the last session, and I reintroduced it by request, and was again appointed chairman of the subcommittee; and I am going to do what I can to get the Senate to pass on it at this time.

So far as I am concerned, I would be perfectly willing to see this bill amended so as to allow no new suits to be brought, and limit its effect to the suits that have been pending and were pending when the Crawford amendment suspended the jurisdiction of the court. I really think that a man who has not brought his suit yet, with the opportunity that has been afforded to him, ought to show to Congress some special reason why he did not do it; and that amendment I myself would be perfectly willing to see placed on the bill. But as to those suits that are pending there, brought under authority of Congress, in some of which the parties have taken their testimony, but a good many of them have not, so that they would be abandoned forever, I think they ought to have their day in court.

Mr. THOMAS. Mr. President, will the Senator allow me to interrupt him for a moment for the purpose of inquiring why this bill should have gone to the Committee on the Judiciary instead of to the Committee on Claims, which was familiar with it and with its history, as has just been stated so succinctly by the Senator from Michigan?

Mr. SMOOT. Mr. President, we have a habit in the Senate now of introducing bills and referring them to the committee of which the Senator introducing the bill is a member. I do not say that that is the case with this particular bill, but I know that for 15 years this subject matter has been before the Claims Committee. We know it from A to Z. We have studied those claims until nearly every member of the committee knew them on sight.

Mr. TOWNSEND. Every one of them was briefed.

Mr. SMOOT. Yes; as the Senator says, every one of them was briefed.

Mr. SMITH of Georgia. Mr. President, the Mann bill was a bill which simply applied to judicial procedure; and the Vice President, or whoever was presiding, referred it to the Judiciary Committee when it came over from the House. So far as I can recollect, I never heard of it until I was made chairman of a subcommittee of the Judiciary Committee to look into it.

Mr. SMOOT. I do not care whether Representative MANN or any other living soul introduced the bill. The bill is not right. It never ought to pass. Why, for years in the Claims Committee, whenever the question arose, and when claimants were appealing to be heard on old claims that every member of the committee knew were unjust, we would always say, "Well, here is another pork-barrel measure."

Mr. KENYON. Mr. President, I should like to ask the Senator a question. Was there any report from the Judiciary Committee on this bill? I have not been able to find any.

Mr. SMOOT. There is none in my file.

Mr. SMITH of Georgia. There is no written report. There was a full report on the original bill in the House by the chairman of the committee. When we reported this bill at the last Congress we adopted that report, and we made no additional report.

Mr. KENYON. Was the Judiciary Committee unanimous concerning this bill?

Mr. SMITH of Georgia. I do not think there was any objection to it. Senator Sutherland, of Utah, served on the subcommittee at the last Congress. I think it was unanimous. I would not say positively that it was unanimous, but there was no——

Mr. KENYON. Did the Judiciary Committee really give it any consideration, outside of the subcommittee?

Mr. SMITH of Georgia. Yes; the subcommittee did.

Mr. KENYON. But did the Judiciary Committee, outside of the subcommittee, give it any consideration?

Mr. SMITH of Georgia. Not any lengthy consideration.

Mr. KENYON. I should judge not.

Mr. SMITH of Georgia. They were all familiar with the measure, though, it having been before them at a prior date.

Mr. SMOOT. I do not think any member of the subcommittee or full Judiciary Committee has studied this question as the Claims Committee has studied it, and perhaps the great majority of them knew nothing about what the repeal of section 5 really means.

Mr. President, this is no time to raid the Treasury of the United States. If the claims were just I would not object. I think, however, that every just claim has been paid by the Government of the United States, and some of them more than once.

Mr. President, I know that pressure has been brought to bear upon the Senator from Georgia and other southern Senators to have this matter opened again. Let the Senate of the United States now vote against taking up the measure. Defeat the proposition, and give the Senators a chance to tell the people who are crowding them to have this question opened up again that the Senate of the United States has spoken and the matter is sealed forever.

Mr. GALLINGER. Mr. President, the Senator from Missouri [Mr. REED] stated some time ago that he wished to take up a small bill. I do not see him present, however.

Mr. KENYON. If we are to vote on taking up this measure, I think we should have a quorum. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Dillingham	Jones, Wash.	Ransdell	Smoot
Fletcher	Kenyon	Reed	Thomas
Gallinger	McNary	Shafroth	Tillman
Gerry	Martin	Sheppard	Townsend
Henderson	Norris	Shields	Trammell
Hollis	Overman	Smith, Ariz.	Warren
James	Pomerene	Smith, Ga.	Wolcott

The VICE PRESIDENT. Twenty-eight Senators have answered to the roll call.

Mr. GORE, Mr. VARDAMAN, Mr. HALE, Mr. NEW, Mr. FRANCE, and Mr. PHELAN entered the Chamber, and answered to their names.

Mr. PHELAN. Mr. President, I desire to state that the Senator from Washington [Mr. POINDEXTER], the Senator from Virginia [Mr. SWANSON], and the Senator from Nevada [Mr. PITTMAN] are attending a session of the Committee on Naval Affairs, and that is the reason of their absence.

Mr. JONES of Washington. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 7, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 6, 1918.*

The House met at 12 o'clock noon.

The Rev. William Couden offered the following prayer:

O Lord, let us not forget Thy commandments, that our duties may be clear and all our relationships right. Make us ever mindful of Thy love, that our lives may answer Thy providence and grace with free, joyful, and complete service.

We praise Thee, O God, for the gift of Thy Son. May we all in unity of spirit strive to make our land and all other lands the home of the eternal principles of the Kingdom of Heaven which He came to establish among men. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to print in the RECORD two brief resolutions, one by McKinley Post, of Canton, Ohio, and the other by General Canby Post, of Hood River, Oreg.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing therein certain resolutions. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. The gentleman from Massachusetts objects.

HOUSING EMPLOYEES EMERGENCY FLEET CORPORATION.

Mr. ALEXANDER. Mr. Speaker, I renew my request of yesterday that the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes, be given a privileged status, its consideration to follow the disposition of the Diplomatic and Consular appropriation bill.

The SPEAKER. The gentleman from Missouri asks unanimous consent that Senate bill 3389 be made privileged, to follow the disposition of the Diplomatic and Consular appropriation bill; of course, not to interfere with conference reports or anything of that sort. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I shall not object, and I trust no objection will be made, but I want to suggest to the gentleman in charge of the bill the great importance of the legislation, and I hope there will be no disposition to deprive the House of opportunity to discuss the matter thoroughly when it is brought up.

Mr. ALEXANDER. There is no disposition of that kind on my part.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, will the gentleman be willing to couple with his request that the committee substitute be considered in lieu of the Senate amendment, and that it be considered by paragraphs under the five-minute rule, so as to permit liberal opportunity for consideration of the bill, rather than in its entirety?

Mr. ALEXANDER. Mr. Speaker, I have no objection to that request. Adopting the suggestion made by the gentleman from Wisconsin [Mr. STAFFORD], I couple with my request the further request that the House substitute for the Senate bill be considered in lieu of the Senate bill, and that it be considered by paragraphs and not as one section, under the five-minute rule.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the Senate bill 3389 be made privileged to follow the disposition of the Diplomatic and Consular appropriation bill, with the usual qualifications, and that the House substitute be considered in lieu of the Senate bill, and that it be considered by paragraphs instead of as one amendment, under the five-minute rule. Is there objection?

Mr. LENROOT. Mr. Speaker, reserving the right to object, to make sure that amendments will be in order, as if it were an original bill, will the gentleman modify his request so that the substitute shall be considered under the five-minute rule as an original bill?

Mr. STAFFORD. That was my purpose in suggesting that the substitute be considered in lieu of the Senate bill.

Mr. ALEXANDER. I agree to that suggestion, Mr. Speaker.

The SPEAKER. To be considered as an original bill under the five-minute rule by paragraphs. Is there objection?

There was no objection, and it was so ordered.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendment the following resolution, in which the concurrence of the House of Representatives was requested:

House concurrent resolution 33.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 350,000 extra copies of the Income-Tax Primer, prepared by the Bureau of Internal Revenue for the information and assistance of taxpayers, 100,000 copies for the use of the Senate and 250,000 copies for the use of the House of Representatives, the same to be distributed through the folding room.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2180. An act to approve mutual cessions of territory by the States of Wisconsin and Minnesota and the consequent changes in the boundary line between said States;

S. 1004. An act to provide for a retirement system in the Lighthouse Service;

S. 1005. An act to regulate the salaries of keepers of lighthouses;

S. 993. An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes;

S. 932. An act to provide for stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont.;

S. 934. An act authorizing the State of Montana to select other lands in lieu of lands in section 16, township 2 north, range 30 east, within the limits of the Huntley irrigation project and the ceded portion of Crow Indian Reservation, in said State;

S. 936. An act to authorize the Secretary of the Treasury to convey to the city of Bozeman, Mont., certain land for alley purposes;

S. 937. An act to amend an act entitled "An act to amend sections 2291 and 2297 of the Revised Statutes of the United States relating to homesteads";

S. 955. An act providing for noncontiguous homestead entries within the former Fort Peck Indian Reservation, Mont., of land of the character described in the enlarged homestead act of February 19, 1909;

S. 389. An act to extend the time for cutting timber on the Coconino and Tusayan National Forests, Ariz.;

S. 44. An act granting additional rights to settlers on reclamation projects;

S. 26. An act authorizing the cutting of timber for mining purposes by corporations organized in one State and conducting mining operations in another;

S. 1555. An act to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915;

S. 95. An act to provide for agricultural entries on coal lands in Alaska;

S. 102. An act relating to the temporary filling of vacancies occurring in the offices of register and receiver of district land offices;

S. 352. An act granting pensions to certain members of the former Life-Saving Service;

S. 994. An act extending the benefits of care and treatment by the Public Health Service to seamen on vessels used in the service of the United States;

S. 1462. An act to establish a fog signal at the Port Washington Pierhead Light Station, Wis.;

S. 1463. An act to establish aids to navigation at Fond du Lac Harbor, Wis.;

S. 1849. An act permitting minors of the age of 18 years or over to make homestead entry of the public lands of the United States;

S. 2886. An act for the relief of Albert O. Brown;

S. 940. An act to provide for the payment for certain lands within the former Flathead Indian Reservation in the State of Montana;

S. 1084. An act for the relief of J. G. Seupelt;

S. 2487. An act permitting Frances Mack Mann to purchase certain public lands;

S. 3470. An act to amend section 35 of the Criminal Code of the United States;

S. 3471. An act to authorize the Secretary of War to grant furloughs without pay and allowances to enlisted men of the Army of the United States;

S. 3472. An act to authorize the Secretary of War to provide and issue distinctive buttons or badges to men drafted or volunteering for enlistment in the military forces who are exempted or rejected, and to provide a penalty for unlawfully wearing, procuring, or manufacturing the same;

S. 3526. An act to amend section 11 of an act entitled "An act for making further and more effectual provision for the national defense and for other purposes," approved June 3, 1916;

S. 935. An act for the relief of settlers on certain railroad lands in Montana;

S. 302. An act authorizing the Secretary of the Navy to make donation of condemned naval guns and cannon balls to the John Wannebo Camp, No. 9, United Spanish War Veterans, Everett, Wash., to be placed in public parks;

S. 3446. An act to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes," approved March 4, 1917;

S. 179. An act for the relief of Fred C. Konrad;

S. 2784. An act to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916;

S. 3225. An act to reserve as a part of the Oregon National Forest certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States;

S. 2315. An act to extend the time within which final proof is required to be submitted upon any lawful pending desert-land entry made prior to July 1, 1915, such extension not to exceed three years from the date of allowance thereof;

S. 97. An act authorizing the exchange of certain lands in the State of Utah for the protection of the water supply of Salt Lake City;

S. 94. An act to amend section 3 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes," approved March 3, 1901 (31 Stat. L., p. 1133);

S. 2931. An act for the relief of Thomas Sevy;

S. 972. An act to authorize an exchange of lands with Henry Blackburn;

S. 388. An act for the relief of Alfred Cluff, Orson Cluff, Henry E. Norton, William B. Ballard, Elijah Hancock, Mrs. Susan R. Saline, Oscar Mann, Celia Thayne, William E. Cox, Theodore Farley, Adelaide Laxton, Clara L. Tenney, George M. Adams, Charlotte Jensen, Sophia Huff, Peter H. McBride, David Edward Adams, Mrs. M. J. Ellsworth, and the heirs of J. H. Frisby;

S. 101. An act to authorize the consolidation of Government lands and of privately owned lands, and for other purposes;

S. 3128. An act to amend section 1422 of the Revised Statutes authorizing additional pay for enlisted men of the Navy and Marine Corps detained beyond the expiration of their terms of enlistment;

S. 714. An act providing for an additional judge for the district of Arizona;

S. 922. An act for the relief of Orion Mathews;

S. 3403. An act for the relief of Paymaster Alvin Hovey-King, United States Navy;

S. 92. An act to authorize the Secretary of the Interior to issue patent for certain lands in the State of Utah to E. D. Partridge;

S. 387. An act for the relief of John Flanigan;

S. 2865. An act for the suspension of payments on public lands by entrymen in the military or naval service of the United States;

S. J. Res. 24. Joint resolution to permit of the disposition of certain lands in Montana ceded by the Crow Indians; and

S. J. Res. 104. Joint resolution authorizing the assistant to the Secretary of the Interior to sign official papers and documents.

INCOME-TAX PRIMER.

Mr. BARNHART. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House concurrent resolution 33, providing for the printing of the income-tax primer, with Senate amendments thereto, agree to the Senate amendments, and that the resolution be passed.

Mr. SLAYDEN. Mr. Speaker, may I ask the gentleman a question?

Mr. BARNHART. I yield.

Mr. SLAYDEN. How soon will we get those, if this is agreed to?

Mr. BARNHART. Just as soon as the Government Printing Office can turn them out.

Mr. SLAYDEN. I know; but the gentleman understands that penalties are imposed if all of the returns are not made by the 1st of March.

Mr. GARNER. I will say to the gentleman from Texas that the plates are there and the Public Printer, in obedience to the suggestion of the House of Representatives, gives that printing preference.

Mr. BARNHART. He is holding the forms, and they are ready to start as quick as we can get this through.

Mr. GARNER. That is one of the reasons the Treasury Department asked the House of Representatives to do this, because we can get it done so much more quickly.

Mr. SLAYDEN. It ought to be done right away if it is to be done at all.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the consideration of Senate amendments to House concurrent resolution 33, which the Clerk will report, together with Senate amendments.

The Clerk reported the resolution and the Senate amendments.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I have no objection to the immediate consideration of the resolution, but I do object to unanimous consent to agree to the Senate amendments.

Mr. GARNER. The gentleman from Indiana asked unanimous consent to take it from the Speaker's table——

Mr. WALSH. No; he asked unanimous consent to agree to the Senate amendments also. I do not object to agreeing to the resolution, but——

The SPEAKER. To what does the gentleman object?

Mr. WALSH. The gentleman from Indiana, when he first made his request, asked for the consideration of this resolution and unanimous consent to agree to the Senate amendments. I have no objection to his request in so far as it goes to the consideration of the resolution, but I do object to agreeing to the Senate amendments.

The SPEAKER. He would have to ask unanimous consent anyhow.

Mr. BARNHART. Mr. Speaker, in order to get at it promptly, I will withdraw my request and ask unanimous consent to take from the Speaker's table the resolution——

The SPEAKER. But the Chair has already laid it before the House, and the question is on agreeing to the Senate amendments.

Mr. STAFFORD. Will the gentleman yield?

Mr. BARNHART. I will.

Mr. STAFFORD. There is some dispute whether the House received 200,000 or 250,000 copies.

Mr. BARNHART. It is 250,000. That is what the printed report says.

Mr. WALSH. Will the gentleman yield further?

Mr. BARNHART. I will.

Mr. WALSH. Will the gentleman give some reason why this reduction was made?

Mr. BARNHART. The gentleman from Indiana can not undertake to say what was in the minds of the Committee on Printing in the Senate, but any delay here would simply delay the publication of the primer, and unless this is done promptly it will be of no use whatever.

Mr. WHEELER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WHEELER. I desire to ask the gentleman a question. How many would that be, distributed among the Members; about 600?

Mr. BARNHART. A little more than that.

Mr. ROBBINS. When will they be available if this resolution passes?

Mr. BARNHART. Just as quickly as they can be printed.

Mr. ROBBINS. That is rather indefinite. March 1 is the time, and if we do not get it before that it will be of no good.

Mr. BARNHART. It has been stated already that the Government Printing Office has the plates, and everything is ready to rush the work.

Mr. ROBBINS. I hope it will be passed.

The question was taken, and the Senate amendments were agreed to.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday.

Mr. FLOOD. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. The gentleman from Virginia makes the point of no quorum present, and the Chair will count. [After counting.] One hundred and forty-nine gentleman are present, not a quorum.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to respond to their names:

Campbell, Pa.	Fairchild, G. W.	Kreider	Sanders, La.
Cantrill	Flynn	LaGuardia	Sanders, N. Y.
Capstick	Focht	Lee, Ga.	Scott, Pa.
Carlin	Fuller, Mass.	Lever	Scully
Carter, Mass.	Gallagher	Linthicum	Sears
Chandler, N. Y.	Garland	Lunn	Shackleford
Costello	Gillett	McKinley	Slemp
Curry, Cal.	Gould	Maher	Smith, Mich.
Darrow	Gregg	Mann	Smith, T. F.
Davidson	Hamill	Nicholls, S. C.	Steagall
Davis	Haskell	O'Shaunessy	Sullivan
Dooling	Haugen	Parker, N. Y.	Tague
Doremus	Heintz	Price	Vare
Doughton	Hollingsworth	Ragsdale	Ward
Drukker	Hutchinson	Rainey	Wilson, La.
Dunn	Johnson, S. Dak.	Riordan	Winslow
Eagle	Jones, Va.	Rodenberg	
Estopinal	Kelley, Mich.	Rowland	
Fairchild, B. L.	Kennedy, R. I.	Sanders, Ind.	

The SPEAKER. On this call 355 Members have answered to their names, a quorum.

Mr. FLOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

DEPORTATION OF CERTAIN ALIENS.

Mr. FLOOD. Mr. Speaker, I desire to move to dispense with Calendar Wednesday for to-day.

The SPEAKER. The gentleman from Virginia moves to dispense with Calendar Wednesday business for this day.

Mr. FLOOD. And I desire to know if there will be any debate allowed on that?

The SPEAKER. Five minutes on a side.

Mr. FLOOD. I make the motion to dispense with Calendar Wednesday business of to-day.

The SPEAKER. The gentleman has five minutes.

Mr. FLOOD. Mr. Speaker, I have made this motion because if the House resolves itself into the Committee of the Whole House on the state of the Union for the consideration of Calendar Wednesday business, what is known as the "alien slackers'" bill will come up. I am not opposed to the principle of that bill, but I am opposed to its consideration at this time, because I have been informed by the officials of the State Department that the consideration of that measure now would greatly impede the progress of negotiations going on between this country and Italy and France which would accomplish much better than this bill does the purposes of this bill. Already we have concluded negotiations with Great Britain and Canada and are in process of concluding negotiations with Italy and France, which would be interfered with and the negotiations practically destroyed if this measure is passed to-day. I am opposed to the measure because it violates the treaty we

have with Italy and the treaty we have with Japan and with Serbia.

We are denouncing Germany every day for disregard of its treaties with other nations, for treating its solemn obligations as a scrap of paper, and yet the proposition is made here to have this House enact a law that violates the treaties with three nations.

Mr. CAMPBELL of Kansas. Will the gentleman yield for a question?

Mr. FLOOD. Just a question.

Mr. CAMPBELL of Kansas. What advantage would the treaty now under negotiation have over the provisions of this bill, if any?

Mr. FLOOD. The treaty, if concluded and ratified, would provide that the nationals of these countries in this country would be subject to the draft law of this country and subject to be drafted into our Army. The purpose of this bill is to accomplish that result. The treaty method is regular and fair and honorable. This bill proposes the old Rob Roy method—

> That they should take who have the power,
> And they should keep who can.

I am opposed to this measure because it violates the general practice of nations not to draft into its naval and military service the nationals of neutrals and friendly nations.

And I am opposed to it, Mr. Speaker, because it will not accomplish its purpose. The provisions of this bill authorize the President to draft into the industrial service of this country the nationals of these people with whom we are negotiating these treaties, either in the military service or in the industrial service, and great pressure will be brought to bear upon the President by the Governments of our cobelligerents to put their nationals in our industrial service instead of our military service, and the very object of this bill will be defeated by its enactment.

For these reasons I hope the House will vote to dispense with Calendar Wednesday.

I reserve the balance of my time.

The SPEAKER. The gentleman reserves two minutes.

Mr. BURNETT. Mr. Speaker——

The SPEAKER. Is the gentleman opposed to this motion?

Mr. BURNETT. I am. [Laughter.]

Mr. Speaker, if the statement of the gentleman is correct, that this bill is in violation of treaties, why not face it and discuss it for a longer time than five minutes. Why undertake by this indirection to enact this species of camouflage so as to sidetrack the bill in this way?

The bill does not violate any treaty. I desire to say that so far as section 2 is concerned, which seeks to impress men into civil service, that at the proper time I expect to make a motion to strike that out.

In regard to what the State Deparment has been doing, gentlemen, away back on the 1st day of August the McCumber resolution was passed in the Senate urging the President and the State Department to negotiate with other countries in this very direction. They, I supposed, started that negotiation. A little later the Chamberlain resolution was passed, which provides for conscription of aliens. That resolution came over to the Committee on Military Affairs. In the meantime the Committee on Immigration and Naturalization had authorized the report of this bill, which violates no treaty, because it gives to these aliens the opportunity either to withdraw their claim of exemption and subject themselves to the draft, like the American boys have to do, or else be deported and get out of this country. [Applause.]

Mr. FLOOD. Will the gentleman yield?

Mr. BURNETT. Just for a question.

Mr. FLOOD. Does not that force these men to do what we guaranteed in this treaty they need not do?

Mr. BURNETT. No; it does not. International law, all the way down, says that a country has the right to deal with undesirable aliens by their deportation, and that the convenience of a country, public policy, and public good, is the only limitation in regard to that matter.

Now, what have we a right to do? Will you stand here and on five minutes of discussion, upon a statement that the State Department does not want this bill, suppress a debate that will show what the State Department has done? I am not making any criticism of the State Department. I said to Mr. Secretary Lansing, when the Chamberlain bill was before the Committee on Military Affairs, that I did not desire to criticize his department. I knew that it took a long, long time to accomplish these things, and I have not criticized them. But, gentlemen, when the Chamberlain bill came over I had a resolution before the Rules Committee asking the Rules Committee to give us a rule on my bill. They said we had better wait, and I said, "That is all right." I have no pride of authorship of this bill. I am willing for the Military Affairs Committee to act on the Chamberlain bill. It is not as good a bill as this, but we can get it before the House and amend it. Then it was that the Secretary of State came before that committee and made the statement that they were negotiating, and, gentlemen, they have been negotiating ever since, and yet not a treaty has been submitted to the Senate. That was away back in September that the Secretary of State assured the Committee on Military Affairs of the House that the negotiations with the cobelligerent countries would be concluded by December.

If a treaty should be submitted when this bill is sent over to the Senate and ratified, how easy it will be for the Senate to amend it so that this law shall not abrogate a treaty that has been made to the same purport and effect.

Before that Committee on Military Affairs, Mr. WISE, an able member of that committee, said to me:

> Here is the thought which struck me, Judge BURNETT, as a way to get around the whole proposition and do it without running counter to anybody. In view of the fact that we are certain—at least I believe we are certain—not to have a second draft before December, would it not be right and proper, in view of what the Secretary said, to wait and not draft cobelligerents until December, and if they have not accomplished anything by that time, we can go ahead.

[Applause.]

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. FLOOD. Mr. Speaker, I yield the balance of my time to the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER. The gentleman from Wyoming is recognized.

Mr. MONDELL. Mr. Speaker, the gentleman from Virginia [Mr. FLOOD] predicates his proposition to dispense with Calendar Wednesday business to-day largely on the objections that he has suggested to the bill for the deportation of aliens who may claim exemption under the draft. I think the arguments he made with regard to that matter are conclusive. Most of us are in favor of action looking to the enrollment of aliens for service, but all of us, I believe, desire to have the action taken in a proper and orderly way. Steps are being taken by the State Department to bring this matter to successful conclusion by treaty action. The administration admonishes us that the action proposed in that bill will prejudice the treaties now under negotiation. I do not want to embarrass the administration. But I am looking at the matter of dispensing with Calendar Wednesday from a somewhat different viewpoint from that of the present status of public business. We have before us a very important appropriation bill. This morning, by unanimous consent, we provided for the consideration of a very important bill providing for the housing of the men engaged in shipbuilding after this bill is disposed of. We must consider very soon an even more important measure relating to the railways of the country, recently taken under public control. These great measures, of vast importance, are all pressing for consideration. They should be considered. By considering them we do not delay the final settlement of the question of the alien of military age, but we rather promote it by giving the State Department an opportunity to conclude treaties which will enable us to meet and settle this question in an effective and legal way without offense to the nations by whose side we are fighting in this war.

The SPEAKER. The question is on agreeing to the motion made by the gentleman from Virginia [Mr. FLOOD].

Mr. BURNETT. On that I demand the yeas and nays.

Mr. LONERGAN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONERGAN. Is it permissible under the rules for a Member to be given two minutes at this time?

The SPEAKER. If the House agrees to it; yes.

Mr. FLOOD. I ask unanimous consent, Mr. Speaker, that the gentleman be given two minutes.

Mr. EMERSON. I would like to have two minutes.

The SPEAKER. Is there objection?

Mr. WALSH. I object, Mr. Speaker.

The SPEAKER. The question is on the motion of the gentleman from Virginia [Mr. FLOOD], and on that motion the gentleman from Alabama [Mr. BURNETT] demands the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on the motion of the gentleman from Virginia [Mr. FLOOD] to dispense with the business of Calendar Wednesday. Those in favor of the motion will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 112, nays 255, not voting 61, as follows:

YEAS—112.

Anderson	Edmonds	Ireland	Porter
Anthony	Elliott	Johnson, Wash.	Pou
Baer	Ellsworth	Kahn	Rainey
Barkley	Fess	Keating	Rankin
Beakes	Fields	Key, Ohio	Reavis
Booher	Fisher	Kitchin	Rowe
Borland	Flood	Lehlbach	Russell
Britten	Fordney	London	Sabath
Caldwell	Foss	Lonergan	Sanford
Cannon	Foster	Longworth	Shackleford
Claypool	French	Lunn	Shallenberger
Coady	Glynn	McAndrews	Sherley
Connally, Tex.	Goodwin, Ark.	McCormick	Sherwood
Connelly, Kans.	Gordon	McLaughlin, Mich.	Shouse
Cooper, Wis.	Gray, N. J.	Mapes	Sims
Cox	Green, Iowa	Merritt	Slayden
Crago	Hamilton, N. Y.	Miller, Minn.	Snook
Crosser	Hardy	Mondell	Stedman
Davis	Harrison, Miss.	Montague	Steenerson
Decker	Harrison, Va.	Moore, Pa.	Sterling, Ill.
Dempsey	Helm	Moores, Ind.	Sumners
Dent	Helvering	Morin	Talbott
Denton	Hensley	Mott	Temple
Dickinson	Hersey	Mudd	Tilson
Dillon	Holland	Oliver, N. Y.	Towner
Dixon	Huddleston	Olney	Volstead
Dupré	Hull, Iowa	Padgett	Watson, Pa.
Eagan	Igoe	Platt	Watson, Va.

NAYS—255.

Alexander	Farr	Lesher	Sears
Almon	Ferris	Lever	Sells
Ashbrook	Francis	Little	Siegel
Aswell	Frear	Littlepage	Sinnott
Austin	Freeman	Lobeck	Sisson
Ayres	Fuller, Ill.	Lufkin	Slemp
Bacharach	Gallivan	Lundeen	Sloan
Bankhead	Gandy	McArthur	Small
Barnhart	Gard	McClintic	Smith, Idaho
Bell	Garner	McCulloch	Snell
Beshlin	Garrett, Tenn.	McFadden	Snyder
Black	Garrett, Tex.	McKenzie	Stafford
Blackmon	Godwin, N. C.	McKeown	Steele
Bland	Good	McLaughlin, Pa.	Stephens, Miss.
Blanton	Goodall	McLemore	Stephens, Nebr.
Bowers	Gould	Madden	Sterling, Pa.
Brand	Graham, Ill.	Magee	Stevenson
Brodbeck	Graham, Pa.	Mansfield	Stiness
Browne	Gray, Ala.	Martin	Strong
Browning	Greene, Mass.	Mason	Sweet
Brumbaugh	Greene, Vt.	Mays	Swift
Buchanan	Griest	Meeker	Taylor, Ark.
Burnett	Hadley	Miller, Wash.	Taylor, Colo.
Burroughs	Hamilton, Mich.	Moon	Templeton
Butler	Hamlin	Morgan	Thomas
Byrnes, S. C.	Hastings	Neely	Thompson
Byrns, Tenn.	Haugen	Nelson	Tillman
Campbell, Kans.	Hawley	Nichols, Mich.	Timberlake
Candler, Miss.	Hayden	Nolan	Tinkham
Cantrill	Hayes	Norton	Treadway
Caraway	Heaton	Oldfield	Van Dyke
Carew	Heflin	Oliver, Ala.	Venable
Carlin	Hicks	Osborne	Vestal
Carter, Okla.	Hilliard	Overmyer	Vinson
Cary	Hood	Overstreet	Voigt
Chandler, Okla.	Houston	Paige	Waldow
Clark, Fla.	Howard	Park	Walker
Clark, Pa.	Hull, Tenn.	Parker, N. J.	Walsh
Classon	Humphreys	Peters	Walton
Collier	Husted	Phelan	Ward
Cooper, Ohio	Hutchinson	Polk	Wason
Cooper, W. Va.	Jacoway	Powers	Watkins
Copley	James	Pratt	Weaver
Cramton	Johnson, Ky.	Purnell	Webb
Crisp	Jones, Tex.	Quin	Welling
Currie, Mich.	Juul	Raker	Welty
Dale, N. Y.	Kearns	Ramsey	Whaley
Dale, Vt.	Kehoe	Ramseyer	Wheeler
Dallinger	Kelly, Pa.	Randall	White, Me.
Denison	Kennedy, Iowa	Reed	White, Ohio
Dewalt	Kettner	Robbins	Williams
Dies	Kiess, Pa.	Roberts	Wilson, Ill.
Dill	Kincheloe	Robinson	Wilson, Tex.
Dominick	King	Rogers	Wingo
Doolitle	Kinkaid	Romjue	Winslow
Dowell	Knutson	Rose	Wise
Drane	Kraus	Rouse	Wood, Ind.
Dyer	La Follette	Rubey	Woods, Iowa
Eagle	Langley	Rucker	Woodyard
Elston	Larsen	Sanders, Ind.	Wright
Emerson	Lazaro	Saunders, Va.	Young, N. Dak.
Esch	Lea, Cal.	Schall	Young, Tex.
Evans	Lee, Ga.	Scott, Iowa	Zihlman
Fairfield	Lenroot	Scott, Mich.	

NOT VOTING—61.

Campbell, Pa.	Fairchild, G. W.	Kennedy, R. I.	Sanders, La.
Capstick	Flynn	Kreider	Sanders, N. Y.
Carter, Mass.	Focht	LaGuardia	Scott, Pa.
Chandler, N. Y.	Fuller, Mass.	Linthicum	Scully
Church	Gallagher	McKinley	Smith, Mich.
Costello	Garland	Maher	Smith, C. B.
Curry, Cal.	Gillett	Mann	Smith, T. F.
Darrow	Glass	Nicholls, S. C.	Steagall
Davidson	Gregg	O'Shaunessy	Sullivan
Dooling	Hamill	Parker, N. Y.	Switzer
Doremus	Haskell	Price	Tague
Doughton	Heintz	Ragsdale	Vare
Drukker	Hollingsworth	Rayburn	Wilson, La.
Dunn	Johnson, S. Dak.	Riordan	
Estopinal	Jones, Va.	Rodenberg	
Fairchild, B. L.	Kelley, Mich.	Rowland	

So two-thirds not having voted in the affirmative, the motion to dispense with Calendar Wednesday was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. FLYNN with Mr. HEINTZ.

Mr. WILSON of Louisiana with Mr. ROWLAND.

Mr. SULLIVAN with Mr. SANDERS of New York.

Mr. SCULLY with Mr. DUNN.

Mr. GALLAGHER with Mr. PARKER of New York.

Mr. MAHER with Mr. GEORGE W. FAIRCHILD.

Mr. PRICE with Mr. BENJAMIN L. FAIRCHILD.

Mr. LINTHICUM with Mr. GILLETT.

Mr. HAMILL with Mr. HOLLINGSWORTH.

Mr. DOUGHTON with Mr. CARTER of Massachusetts.

Mr. CAMPBELL of Pennsylvania with Mr. CHANDLER of New York.

Mr. DOOLING with Mr. MCKINLEY.

Mr. RAYBURN with Mr. DARROW.

Mr. CHURCH with Mr. DRUKKER.

Mr. ESTOPINAL with Mr. GARLAND.

Mr. JONES of Virginia with Mr. DAVIDSON.

Mr. DOREMUS with Mr. HASKELL.

Mr. GLASS with Mr. COSTELLO.

Mr. GREGG with Mr. FOCHT.

Mr. NICHOLLS of South Carolina with Mr. KELLEY of Michigan.

Mr. O'SHAUNESSY with Mr. CURRY of California.

Mr. RAGSDALE with Mr. KENNEDY of Rhode Island.

Mr. RIORDAN with Mr. SMITH of Michigan.

Mr. SANDERS of Louisiana with Mr. SWITZER.

Mr. CHARLES B. SMITH with Mr. VARE.

Mr. TAGUE with Mr. KREIDER.

Mr. THOMAS F. SMITH with Mr. RODENBERG.

Mr. STEAGALL with Mr. SCOTT of Pennsylvania.

The result of the vote was announced as above recorded.

CALL OF COMMITTEES—CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

The Committee on Immigration and Naturalization was called.

DEPORTATION OF CERTAIN ALIENS, ETC.

Mr. BURNETT. Mr. Speaker, I am authorized by the Committee on Immigration and Naturalization to call up the alien slacker bill—H. R. 5667.

The SPEAKER. The Clerk will report the title.

The Clerk read the title of the bill (H. R. 5667) to provide for the deportation of certain aliens, and for other purposes.

Mr. LONDON. Mr. Speaker, I make the point or order that there is no quorum present.

The SPEAKER. The vote completed less than two minutes ago showed a quorum present.

Mr. LONDON. But there is no quorum present now.

The SPEAKER. No business has been transacted since the presence of a quorum was disclosed. The point is overruled. The House automatically resolves itself into the Committee of the Whole House on the state of the Union with the gentleman from Missouri [Mr. RUSSELL] in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of H. R. 5667, which the Clerk will report by title.

The Clerk read the title of the bill.

Mr. FLOOD. Mr. Chairman, I desire to make a preferential motion.

Mr. BURNETT. Mr. Chairman, I believe that having charge of the bill I am entitled to recognition.

The CHAIRMAN. The Chair understands the gentleman from Virginia [Mr. FLOOD] is entitled to make a preferential motion.

Mr. FLOOD. Mr. Chairman, I move that the consideration of this measure now pending be postponed until February 27, the third Calendar Wednesday from to-day.

Mr. STAFFORD. Mr. Chairman, a question of order.

The CHAIRMAN. The gentleman from Virginia moves that the consideration of this bill be postponed until three weeks from to-day, February 27.

Mr. BURNETT. Mr. Speaker, I make the point of order that that motion is not in order on Calendar Wednesday.

Mr. DOWELL. I desire to raise the further point of order that that motion is not in order in the Committee of the Whole.

Mr. SHERLEY. If I understand the motion of the gentleman from Virginia, it is that the committee rise and report the bill with that recommendation.

SEVERAL MEMBERS. Oh, no!

Mr. FLOOD. I want to modify my motion.

Mr. BURNETT. I make the point of order that the gentleman has made his bed and must now lie on it. If he withdraws his motion, then I demand recognition.

Mr. SHERLEY. Mr. Chairman, I rise to make a preferential motion.

The CHAIRMAN. The gentleman will state it.

Mr. SHERLEY. I move that the committee do now rise and report the bill with the recommendation that its consideration be postponed until February 27.

Mr. BURNETT. Mr. Chairman, I make the point of order that there is already a motion pending.

Mr. SHERLEY. My motion is preferential.

The CHAIRMAN. The gentleman from Kentucky has made a preferential motion which is in order.

Mr. LITTLE. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LITTLE. Is the motion to rise a preferential motion?

The CHAIRMAN. On Calendar Wednesday this is a preferential motion.

Mr. LITTLE. Is the motion that the committee rise a preferential motion?

The CHAIRMAN. Not the simple motion that the committee rise.

Mr. LITTLE. That is the motion, that the committee rise.

The CHAIRMAN. The motion is to postpone the consideration of this bill——

Mr. LITTLE. I beg your pardon. The gentleman made a motion that the committee rise.

The CHAIRMAN. And that the consideration of this bill be postponed, and that is a preferential motion.

Mr. LITTLE. The motion does not amount to anything at all, except the part of it that says that the committee shall rise. The rest of it simply goes to that. If the motion to rise is a preferential motion, then this motion is in order. If it is not, then it is not in order. I make the point of order that this is not a preferential motion, because it is a motion that the committee rise.

The CHAIRMAN. The Chair holds that the motion made by the gentleman from Kentucky is a preferential motion.

Mr. BURNETT. Will the Chairman state the motion?

The CHAIRMAN. The motion is that the committee rise and that the bill now under consideration be reported to the House with the recommendation that it be postponed until February 27.

Mr. BLACK. Mr. Chairman, a parliamentary inquiry. If that motion carries, will this bill be the first in order on Calendar Wednesday on February 27?

The CHAIRMAN. It will. The question is on the motion made by the gentleman from Kentucky that the committee rise and report this bill to the House with the recommendation that the further consideration of it be postponed until the 27th day of February.

The question being taken, the Chairman announced that the noes appeared to have it.

Mr. FLOOD and Mr. SHERLEY demanded a division.

The committee divided; and there were—ayes 61, noes 106.

Mr. SHERLEY. I ask for tellers.

Tellers were ordered; and the Chairman appointed Mr. SHERLEY and Mr. BURNETT.

The committee again divided; and the tellers reported—ayes 58, noes 110.

Accordingly the motion was rejected.

The CHAIRMAN. The Clerk will read the bill.

The bill was read, as follows:

Be it enacted, etc., That any alien eligible by existing law to become a naturalized citizen of the United States, who is a native or subject of a country that is engaged in war with Germany, or with any of the other central powers of Europe, and who but for his alienage would be subject to the selective draft under the act of May 18, 1917, or under any subsequent modification or change of said act, who by himself or by anyone else has heretofore claimed, or shall hereafter claim, exemption from said selective draft on account of being an alien, shall forever be denied the right of becoming a citizen of the United States, or of any of its possessions, and shall as soon as practicable be deported to the country of which he is a subject or citizen.

Any alien who may have been exempted from said selective draft on account of his alienage prior to the passage of this act may, within 60 days after the passage of this act, withdraw such exemption and submit himself to the operation of said selective draft, and in that event shall not be held to be within the operations of this section as to the forfeiture of citizenship and deportation: *Provided*, That the President is hereby authorized to make such rules and regulations as may be necessary to enforce the provisions of this section.

SEC. 2. That after the expiration of 60 days from the passage of this act the President of the United States is authorized and empowered, under such rules and regulations as he may prescribe, to draft any alien in the United States to perform such mental or physical labor on the farms, in the manufacturing establishments, or other enterprises in the United States as he may deem necessary or proper: *Provided*, That the President may exempt from the draft authorized by this section such individuals or classes of aliens as he may believe for the best interests of the United States: *Provided further*, That the expenses of carrying out the provisions of this section shall be paid out of the Treasury of the United States.

SEC. 3. That after 30 days from the passage of this act no alien who is a native or subject of any country that is engaged in the war with Germany, or with any of the central powers of Europe and who is subject to military duty in the country of his nativity or of which he is a subject, shall be permitted to enter the United States except by permission of the President of the United States, and any such alien so entering in violation of this section shall be deemed unlawfully in this country and shall be deported at the expense of the steamship company, railroad company, or other transportation company by which such alien entered the United States. Any steamship company, railroad company, or other transportation company of any nature whatsoever, or any individual who brings in or aids or assists in bringing in any alien excluded by this section shall be fined not less than $1,000 or by imprisonment for not exceeding one year, or both such fine and imprisonment, and any steamship or other water transportation company against which this fine is assessed shall not be granted clearance papers until such fine is paid or secured in such manner as the Secretary of Labor shall prescribe.

The Secretary of Labor is empowered to hear and pass on all violations of this section and to assess and collect the fine provided herein, and to adopt such rules and regulations as may be necessary to carry out the provisions of this section.

SEC. 4. That this act shall not apply to accredited officials of foreign Governments nor their suites, families, guests, or servants.

SEC. 5. That this act shall only remain in force during the continuance of the war with Germany, except as to the provisions of section 1 hereof.

The CHAIRMAN. The gentleman from Alabama [Mr. BURNETT] is recognized for one hour.

Mr. BURNETT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURNETT. I desire to ask if I have a right to give some of that hour to other Members on the same side of the question.

The CHAIRMAN. The gentleman has a right to yield any of that time he pleases to any other Member of the House.

Mr. JOHNSON of Washington. Is the debate limited to one hour?

The CHAIRMAN. Two hours; one hour on a side.

Mr. BURNETT. Mr. Chairman, if the agreement could be made in the committee, which I believe can not be made, I would be willing to extend the time. There are quite a number of gentleman who want to speak, and if we could agree on an hour and a half on a side I would be glad to do so. I do not want, however, to do anything that will imperil final action on the bill to-day; but I believe that agreement can not be made in the committee.

The CHAIRMAN. That agreement can not be made in the committee.

Mr. BURNETT. Even by unanimous consent of the committee—that is true.

Mr. JOHNSON of Washington. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Washington. It is understood that after one hour occupied by the gentleman from Alabama [Mr. BURNETT], there is another hour for the opponents to the bill.

The CHAIRMAN. The rule provides that the proponents of the bill are entitled to an hour, and then some one opposed to the bill is entitled to an hour. If there is anybody on the committee opposed to the bill he would control that hour.

Mr. STAFFORD. As I understand, Mr. Chairman, the gentleman from Washington [Mr. JOHNSON] is opposed to the bill and is a member of the committee, and is therefore entitled to an hour at any time when the gentleman from Alabama reserves the balance of his time.

Mr. BURNETT. Mr. Chairman, I would like to agree to an hour and a half on a side.

Mr. JOHNSON of Washington. It has just become known that I might control the time in opposition, and I have had requests to use an hour and a half on this bill. This is a controverted subject, and I think we ought to have two hours on each side.

Mr. BURNETT. I could not agree to two hours, for that would mean a postponement of the bill to another day. I guess we had better let it run along for the present.

The CHAIRMAN. The gentleman from Alabama is recognized for one hour.

Mr. BURNETT. I will ask the Chair to notify me when I have used 15 minutes.

Mr. LITTLE. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. LITTLE. The gentleman from Alabama is supposed to occupy one hour, and then some one opposed to the bill to occupy an hour, which consumes all the time.

The CHAIRMAN. Either one has a right to yield any part of his time to anyone else.

Mr. BURNETT. Mr. Chairman, the bill which we are considering, H. R. 5667, is short and I shall very briefly call atten-

tion to what its purposes are. The first section of the bill simply says:

That any alien eligible by existing law to become a naturalized citizen of the United States, who is a native or subject of a country that is engaged in war with Germany, or with any of the other central powers of Europe, and who but for his alienage would be subject to the selective draft under the act of May 18, 1917, or under any subsequent modification or change of said act, who by himself or by anyone else has heretofore claimed, or shall hereafter claim, exemption from said selective draft on account of being an alien, shall forever be denied the right of becoming a citizen of the United States, or of any of its possessions, and shall as soon as practicable be deported to the country of which he is a subject or citizen.

Mr. Chairman, the necessity for this bill is obvious. The section of the country from which I come is not so seriously affected by the alien slacker as other parts of the country. We are interested in it in a general way because there are more than a million aliens in this country, according to the statement of the War Department, between 21 and 31 years of age that have registered. A large majority of these claim the benefit of their exemption, and under the new classification those who claim it have been put in class 5, which means that they will never be called.

The question for us to consider is whether that is right and just to men in America, native born and naturalized, who are fighting the battles, to a great extent, for the very existence of the countries from which these slackers come. I understand that more than 200,000 Italians alone have been registered who are aliens and not subject to draft. So, in a general way, the whole country is interested, because suppose in the next draft we get three or four hundred thousand who have escaped the draft so far, that would materially reduce the number of our own people who would have to be called.

Now, as to our right to do this: This bill does not conflict with any treaty. The argument to the contrary is far-fetched. The right to deport an undesirable alien is inherent in the sovereignty.

Mr. FLOOD. Will the gentleman yield?

Mr. BURNETT. No; I can not; I have only 15 minutes.

Mr. FLOOD. I thought the gentleman had an hour.

Mr. BURNETT. But I have asked to be called down in 15 minutes.

Mr. FLOOD. The gentleman makes an assertion that it is not in conflict with the treaty but will not discuss the proposition. Will the gentleman read the treaty with Italy in 1871?

Mr. BURNETT. I have not it before me, and the gentleman can read it in his own time.

Mr. FLOOD. I have no time.

Mr. BURNETT. The gentleman can get time from the gentleman who is on the same side that he is and controls that time.

Mr. FLOOD. The gentleman announced that he had an hour and a half to give away, but I am not in it.

Mr. STAFFORD. Would the gentleman permit me to make a suggestion not to be taken out of his time. Would it be agreeable in the discussion of this proposition to have the time allotted into four parts of three-quarters of an hour each, one part to be controlled by the gentleman from Alabama [Mr. BURNETT] in favor of the proposition, one part to be controlled by the gentleman from Virginia [Mr. FLOOD], on the Democratic side, in opposition, one part to be controlled by the gentleman from Washington [Mr. JOHNSON] in opposition, and one part to be controlled by the gentleman from California [Mr. HAYES]?

Mr. BURNETT. That would amount to three hours. I would have no objection; I would be perfectly willing to have three hours' debate if there is not going to be any filibuster conducted.

Mr. STAFFORD. I am no party to any filibuster; I am trying to allot the time so as to be divided equally on both sides.

Mr. BURNETT. Mr. Chairman, I hope this will not be taken out of my time.

Mr. RAKER. Can we get unanimous consent, Mr. Chairman, to extend the time beyond two hours in the committee?

The CHAIRMAN. By unanimous consent and no point of order being made against it.

Mr. RAKER. That is it; no point of order being made against it. Let us take the two hours and then take the bill up and pass it.

Mr. BURNETT. Mr. Chairman, I want to say that I will yield to my colleague, Mr. HAYES, the ranking member of the minority of the Committee on Immigration and Naturalization, one-half of the hour allotted to me.

The CHAIRMAN. The gentleman has the power to do that.

Mr. BURNETT. Now, Mr. Chairman, I am going to read one little paragraph from Moore's International Law, page 68, on our right to deport aliens:

It is a sovereign right belonging to every independent power to determine whether it will or will not receive foreigners within its territorial limits as residents, and having granted such permission, it has the same right to determine whether it will or will not revoke it and send such persons out of its country.

Justice Fields, in the Chinese-exclusion cases (130 U. S.), on page 130, says:

The power of exclusion of foreigners being an incident of sovereignty belonging to the Government of the United States, as a part of those sovereign powers delegated by the Constitution, the right to its exercise at any time when, in the judgment of the Government, the interests of the country require it, can not be granted away or restrained on behalf of anyone. The powers of government are delegated in trust to the United States, and are incapable of transfer to any other parties. They can not be abandoned or surrendered, nor can their exercise be hampered when needed for the public good by any considerations of private interest. The exercise of these public trusts is not the subject of barter or contract.

Mr. Chairman, every year we are deporting aliens. The present immigration law, and the law that has been in existence for years, permits the deportation of an alien who has become a public charge within a certain time, and we can do that under the present law at any time before they have been here five years. If they become public charges for any matter that occurred before they came into this country, we have that right; and, as I said a moment ago, it is inherent in sovereignty to deport undesirable aliens at any time.

This bill does not contravene the treaty with Italy or with any other country which says there shall be no compulsory military service. This bill puts the matter up to the alien. It says, "If you claim exemption while your neighbors, American and naturalized boys, are going to fight for the very existence of your countries, you are undesirable aliens, and sovereignty will exercise its right of deportation." [Applause.] The bill further says that such a man shall be forever barred the right of becoming an American citizen. My good friend upon the committee, Judge SABATH, has suggested an amendment which strikes me as being fair and right, which he will offer, and that is to give these people 60 days in which, after the passage of this law, they may voluntarily leave the country. These very questions came up during the Civil War. Secretary Seward then acted under the law which authorized the drafting of aliens with first papers. A man simply declaring his intention of becoming an American citizen is not a citizen until he has made his final proof and final renunciation of allegiance to foreign kings and potentates. That power inheres in sovereignty, and certainly with the provision that Judge SABATH says he intends to offer, there can be no controversy over it.

I think the second section should be stricken out. That allows the President the right to draft for civil service neutral aliens and alien enemies. The Secretary of State, in discussing that proposition before the Committee on Military Affairs thought that it would involve us in very serious controversies with neutral countries, and in that view I think he is correct. For that reason, at the proper time, I expect to move to strike out section 2.

The third section provides that there shall be no admission of aliens who are subject to military service in the cobelligerent countries during the period of the war. Suppose their military duty extends to 40 or 50 years, as it does in some countries, they ought not to shirk that military duty, but ought to stay there and perform it. For that reason we make it a violation of this law for them to come in, and steamship companies will be fined for violating it. The immigration authorities, of course, can not impose imprisonment, although they have the right to collect the fine, if transportation companies bring people here who are subject to military duty on the other side in cobelligerent countries.

All that the first section of this bill does is to say that these aliens who claim exemptions when our boys are being sent to the trenches fighting for the very existence of their countries shall not be permitted to become citizens and shall not stay here. We are fighting to make democracy safe. Their countries are fighting for their very existence; and shall we allow those men to sit back and sneer at the American boys and say, "Me no fight; me take your job, and you go fight," just as hundreds of gentlemen from the North and from all over this country have heard said and thrown in the faces of their constituents. [Applause.] It is a question of inherent justice to our own flesh and blood.

As to deferring this matter until the State Department shall act, the Chamberlain bill, of a somewhat similar character, was passed on the 4th of August in the Senate. This bill was reported about the same time to this House. I went before the Committee on Military Affairs and told them that I had no pride of authorship in the bill, and that my committee had none, and asked them to report the Chamberlain bill and get it on

the floor of the House, where it could be amended, if it was not right, and passed. Because of the fact that it had already passed the Senate, it had a parliamentary advantage over our bill.

Mr. QUIN. Did not the State Department tell that Committee on Military Affairs that if it would hold the bill off they would get these negotiations all through and have it fixed by the 1st of December?

Mr. BURNETT. Exactly; and yet they have not done so. I am not criticizing the State Department. I know that it sometimes takes long years to negotiate great treaties on important matters, and if we pass this bill and send it over to the Senate, and in the meantime these countries in their negotiations with the State Department speed up, and there are some treaties effected, then the Senate can easily amend the bill and leave out those countries that have agreed to the like purposes as those embraced in this bill. It is merely for the purpose of getting early action that I am trying to hurry the passage of this bill. We have been delayed. It was away back in September when the Secretary of State was before the Committee on Military Affairs and made that statement. The gentleman from Virginia [Mr. FLOOD] said the other day that Wednesday after Wednesday had passed and that I had not called the bill up. My committee has not been called Wednesday after Wednesday. I was not, so far as I am concerned, waiting on the State Department, because I knew, without criticism of that department, that it would take time, and I did not believe they would ever get an agreement with the Italian Government. I believe that the Italian Government does not desire that their aliens shall be sent back. They do not want them drafted here, because it is more to their interest to have them take the jobs of American boys at increased wages and send the money back to replenish the depleted exchequer of that country than it is to have these men fight either in their armies or in our own. Will we stand idly by and see this done?

These aliens throw themselves back here and say, "We will get the protection of this country, we will get the benedictions of a great and free land," but when it comes to standing side by side with the boys you are sending to the trenches, they throw themselves back in the harness and say, "We are aliens, and therefore we can not be compelled to fight." This bill puts the option up to the alien. It simply allows him to choose whom he shall serve. We have the right to deport them. It must not be done in a harsh manner, and therefore it is left to the President, and the bill provides that as soon as practicable these deportations shall be made. Knowing many of them, as I and as you gentlemen do, I do not believe there will have to be many deportations, because when they know that the option is up to them either to fight or go back, they will withdraw their claims of exemption and take their places side by side with the boys of our constituents back home. [Applause.] They do not want to be sent back home.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. I can not. All of this bill, except the first section, ends with the war. The purpose of that was that if we could not provide ships during the period of the war to deport them, then that after the war these men who have made themselves so disagreeable and undesirable must be sent out of this country and forever forfeit the right to become American citizens.

Mr. Chairman, I have the authorities here that I could read on these various questions, but they are so well established that I deem it unnecessary at this time to further call attention to the law giving us the right to deport undesirable aliens. A question of international law is involved as well as the question of treaty, but, gentlemen, this bill is so framed that, in my humble judgment and in the judgment at least of a large majority of my committee, there is no infraction of a treaty and no violation of international law. [Applause.]

Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of Washington. Mr. Chairman, I desire to yield five minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER of New Jersey. Mr. Chairman, I think anyone would have to oppose this bill in its present form in spite of the fact that it has a very good purpose. It has mixed up deportation and naturalization. They stand on entirely different principles. Deportation ought, in courtesy, to be done only by treaty, especially with our allies; but even on deportation this bill has been drawn so that it only deports men who belong to a nation that is at war with Germany and bars from entry only those who are subject to military service. The effect of that is odd. An Englishman would be barred because he is subject to military service; an Irishman would not, because he is not subject to military service. A Canadian, as long as he is not subject to military service, would not be barred, neither would an Australian or a New Zealander, but you send a Frenchman or an Italian or an Englishman back. Those are the only ones who would be barred from entry under the third section. And again, if there are enemy subjects here they are now given full power to stay here and do as they please and they will not be deported; they can not be, in fact. We have not got the tonnage to deport, and "as soon as practicable" means after the war, and that provision ought to be left out. It is amenable to objection and is objected to by the State Department.

The other part of this bill, to bar those who claim exemption from naturalization, nobody can object to, neither the State Department nor any foreign country. This bill would say that an Englishman or Frenchman or Italian who comes from countries that are really fighting and have military service shall not be naturalized. Now, there is a broad principle. If there are any men in this country, even enemy subjects, Austrian or German—I know boys who came here when they were six months old and who tried to get into the United States Army and fight—those boys after the war is over or even now ought to be allowed to become American citizens, men who have been here and have become Americanized. Besides there are a great many people here from neutral countries, from Holland and other countries. They have a right to stay here. They can not be deported. No agreement would be made to deport them. But those neutrals who are here and do not want to become American citizens in this time of stress or fight under the flag of the United States or any of its allies ought not to be allowed to be American citizens hereafter, neutrals though they be. They can carry on business here, but they shall not become American citizens unless in this critical time they are ready to do a citizen's duty. Mr. Chairman, we want to get at the good purposes of this bill and to do nothing that would interfere with treaties for deportation and the settling of that matter through the State Department in a proper way, and therefore I have prepared a bill to amend the naturalization laws so that no alien in this country who says he will not perform the duties of a citizen shall hereafter become a citizen. I will read this, although I do not know whether I have the time to do so:

Be it enacted, etc., That hereafter the privilege of naturalization and of becoming a citizen of the United States shall not extend to any person who shall claim exemption from military service by reason of his not being a citizen of the United States unless such person within 30 days after making such claim shall actually enlist in this or some other country for military service against the nation with whom the United States is at war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PARKER of New Jersey. The second section provides for past cases in the same way.

Mr. BURNETT. Will the gentleman yield some of his time? I believe I used 14 minutes.

Mr. JOHNSON of Washington. Mr. Chairman, I shall only take a few moments at this time to say I am compelled to oppose this bill. Since I have had the honor of a seat in Congress I have worked in every way possible to restrict immigration. We now see some of the penalties of a large and a loose immigration, and I venture to assure those who are on this floor that this sort of legislation will not cure the present trouble, but will make the present situation, in fact, infinitely worse and more confused. Further, Mr. Chairman, I dislike to hear any Member of this House say he proposes to pass a bill here as a scare, to scare people, and send it to another body, there to be corrected when treaties now under negotiation come into force.

Mr. Chairman, I am opposed now and forever to letting it be known for one hour that the United States makes any of its treaties mere scraps of paper. I am firm in the conviction that this legislation proposes to violate the treaty solemnly entered into by the United States with Italy.

Further, I have firmly resolved, and have so stated on the floor, that I would support the President of the United States during this war. I mean to do it. To fly in the face of the State Department is not to support the President. We know that when treaties are made through our State Department and that we have but one means of communicating with foreign countries, and that is through the President of the United States, it can not be right in my opinion for this House to attempt legislation of this kind, which will throw us into turmoil at once with certain countries and possibly later with countries now neutral—Sweden, Norway, and possibly others. I am sincere in my opposition. I hate to oppose certain features of the bill. I know this is a great hue-and-cry measure. It has been unfortunate that the alien who had not even taken out his first papers was able to laugh and jeer at the alien next door who had taken out his first papers and was subject to the draft.

I have not time just now to read the document from the State Department before me, but I am satisfied that the passage of this legislation even by one body would throw not only the forth-

coming draft into confusion and disturbance, but would create a round of misunderstanding throughout the country among those who have come here to enjoy our liberties and to whom we have not yet given the full rights of citizenship.

Mr. CHARLES B. SMITH. Will the gentleman yield?

Mr. JOHNSON of Washington. I will be glad to yield.

Mr. CHARLES B. SMITH. I wanted to ask how this measure would affect our relations with foreign countries?

Mr. JOHNSON of Washington. It certainly will affect the Finnish population of this country and the Polish population.

Mr. STAFFORD. Will the gentleman yield?

Mr. JOHNSON of Washington. I will.

Mr. STAFFORD. I take it the second paragraph of section 1 is liable to the construction given by the gentleman from Washington. But if the committee will accept an amendment by inserting after "any," in line 5, the word "such," then it would be limited to those aliens only who are citizens or subjects of countries that are at war. Under the present phraseology of "any alien who may have been exempted" it is not limited to aliens who are subjects of countries that are at war with Germany.

Mr. JOHNSON of Washington. Mr. Chairman, I desire now to yield five minutes to the gentleman from Missouri [Mr. BORLAND].

The CHAIRMAN. The gentleman from Missouri is recognized for five minutes.

Mr. BORLAND. Mr. Chairman, there is not any good reason that can be advanced why citizens of a country at war with the central powers should not serve either in the armies of their own country or in the armies of the country where they may chance to be residing. That, as I understand, is the purpose aimed at by this legislation, and with which most of us are in sympathy. I have repeatedly had that subject up with aliens in my own district, and I have uniformly told them it was their duty to serve with our Army or their own army. The only question is as to the best and most effective means of accomplishing that purpose. I do not believe this bill will accomplish its supposed purpose.

This bill is simply a species of retaliatory legislation, which is a very bad species of legislation. In all respects retaliatory legislation is bad. While we might have the power to say that an alien must serve, or, refusing to do so, may be deported, for every nation has the right to exclude, in the last analysis, from its own society members whom it does not desire. It would simply invoke retaliatory legislation against Americans who happened to be residing abroad. Every nation would have the same right to pass retaliatory legislation against our citizens who happened by any reason to be in those countries.

Mr. COX. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. COX. Does not the gentleman feel that if we have American citizens abroad that are unwilling to come home and join our Army over here and fight with our troops, we ought to be permitted to go abroad and draft them?

Mr. BORLAND. Not in all cases. I know many young men who are engaged in driving ambulances over there, and doing other necessary and humane work, many of them with credit, and lots of them would have to come home. Some of them might be drafted into other armies, who are not liable to military service in this country at all.

There are many reasons why that form of retaliatory legislation should not be indulged in. I understand the State Department is working out a plan whereby the resident aliens in this country will be subject to military service, and if that can be done it is infinitely preferred to this method of retaliatory legislation. It is infinitely to be preferred to have a treaty with our allies in Europe to the effect that their citizens resident in this country shall be subject to our draft law, and thereby get the military service of the man himself rather than to go to the retaliatory extremity of deporting him in case he refuses voluntarily to submit to the draft. Now, with that kind of a solution, a solution by treaty, the rights of Americans resident abroad can be properly protected. In this kind of legislation they can not be. According to my judgment, there is infinitely more argument in favor of the treaty method of dealing with this subject than the retaliatory legislative method of dealing with the subject. I can not believe but what the treaty method will be much more effective. Under no circumstances, it seems to me, ought we to pass this law until Congress is satisfied that the countries involved will not enter into an effective treaty on the subject.

But the very reverse is the case. We are told by the State Department that the countries involved are making every effort to enter into a satisfactory treaty. Manifestly it is not an easy thing to do. Manifestly it must contain exceptions of certain rights, certain occupations, of certain classes of citizens. There are many complications we can easily foresee in the terms of such a treaty, and I have no doubt that the nations in good faith are trying to work that out. I am confident our State Department is attempting to work it out in the utmost good faith and for the express purpose sought to be reached in this bill. I have not any reason to doubt that representatives of other countries are working with equal diligence to bring about a satisfactory solution of the question. Now, as long as that is true, as long as we have the assurance that both sides are anxious and willing to solve this problem in the most effective way it can be solved, it seems to me it would be entirely hasty and improper for Congress to pass this law and then send it over to another body and say that if in the meantime it develops we have violated any treaties we will let another body correct our mistakes. That is not the way in which we ought to approach this question. We ought to solve this problem so as to get the men into the ranks, and I believe this bill will not do it. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BURNETT. Mr. Chairman, I yield to the gentleman from California [Mr. HAYES] 30 minutes. We have divided the time.

The CHAIRMAN. The gentleman from California is recognized for 30 minutes.

Mr. HAYES. Mr. Chairman, I desire to use only a small portion of my time.

I am very much surprised, Mr. Chairman, to hear the gentleman from Missouri [Mr. BORLAND] state that this is "retaliatory" legislation. That is not the spirit of it at all. It is not the purpose, and it can not have that result. Whenever an alien comes to this country and enters our industries the presumption is that he comes here to form a part of our population, whether he intends ever to become naturalized and become in a legal sense a citizen or not; and, if so, it seems to me he owes the same obligation to the country which extends to him protection and of whose opportunities he has taken the fullest advantage—he has the same duty that the man who was born upon the soil has.

But this bill does not even go so far as to include all such aliens. It aims only to include those who owe a double duty to get into the war and to defend the rights not only of this country but of the country from which he came and to which he owed allegiance. He has a double duty. That is the only class of aliens that this bill affects—those aliens who are citizens or subjects of the countries at war with Germany or the central powers of Europe; and if a man has the right sort of manhood in him it seems to me he would not desire to be exempted from military duty, but would be willing to serve either in the armies of this country or of the country of his birth. This bill gives him an opportunity to do military duty either in this country of which he is a resident or in the country of his birth. He may take his choice.

Now, Mr. Chairman, the State Department has had months—six months, at least—to negotiate any treaties that may be necessary. I feel certain that no treaties are necessary in this case. They have not done it, and it seems to me it is about time that these young men in the United States who have this double obligation should be made to take their places shoulder to shoulder with our own boys who are going out to fight for the rights of America.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. HAYES. I yield to the gentleman.

Mr. COX. Last summer Congress passed a bill, did it not, empowering our allies to come here and voluntarily recruit their own people?

Mr. HAYES. It did.

Mr. COX. Does the gentleman know how England, France, and Italy are getting along in this country, recruiting their own men in this country, to go back and fight for their own country?

Mr. HAYES. I think they have made some progress, but I presume not great progress from the experience I have had in my own district.

Mr. COX. About the time Congress adjourned, three months after we had passed that law, I wrote to the English Embassy here in Washington to know how many men they had recruited under the law that Congress had passed giving them the power to come here and recruit their own men. If I recollect correctly, it was about 2,200 men, all they were able to muster; and yet it is conceded that England has 400,000 men in this country subject to military duty.

Mr. HAYES. Mr. Chairman, many of them have volunteered. I do not want to put any slurs upon Englishmen who are resi-

dent in this country. I know from my personal knowledge that there are a great many men who ought to be willing to fight and ought to be included in the first draft who are claiming exemption as aliens when their own country and when this country are at war with Germany.

Now, Mr. Chairman, I have so many requests for time that I do not intend to take up much myself to discuss this question. But I want to say that this bill does not affect those mentioned by the gentleman from Missouri [Mr. BORLAND], who are here temporarily. If they have not a permanent residence in this country or a fixed place of abode, of course, they are not obliged to register, and they will not be listed among those who are to be drafted and included in the armed forces of the United States. This bill does not reach those at all. It reaches only those who are permanently here, who intend to be citizens of the United States, and who ought not to be here if they do not so intend.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Yes.

Mr. JOHNSON of Washington. Assuming that there is a large section of Finnish revolutionists somewhere on the Pacific coast, does the gentleman fancy making them into a United States regiment of troops?

Mr. HAYES. No; but I would favor enlisting them in a regiment of American boys among whom they reside, and placing upon them the duties that devolve upon every citizen of military age, or else oblige them to get out. That is the way I feel about it. [Applause.]

Now, Mr. Chairman, I reserve the balance of my time. How much time have I consumed?

The CHAIRMAN. The gentleman has consumed six minutes.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, will the gentleman yield before he closes?

Mr. HAYES. Yes.

Mr. GRAHAM of Pennsylvania. Will the gentleman point out in his bill where there is any discrimination created by the language of the bill against those who are here temporarily and those who are here permanently as residents?

Mr. HAYES. There is nothing in the bill, I think, that expressly makes any distinction between the two classes of aliens. A man who is only temporarily in this country is not obliged to register, and so will not be included in the selective draft.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Yes.

Mr. SNYDER. Will the gentleman define what a "temporary resident" here means?

Mr. HAYES. If a man is here as a traveler or on business temporarily, and intends when his business is completed to return to his own country, of course he is not a resident of this country, and he would not be included.

Mr. SNYDER. That would not contemplate including any man who is a single man working here in an industry and living with some man who is a resident?

Mr. HAYES. He would be a resident.

Mr. SNYDER. And he would be included?

Mr. HAYES. He would be included, of course.

Mr. JAMES. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Yes.

Mr. JAMES. If you wait until a treaty has been negotiated between the United States and Russia regarding the Finnish, it will mean that we will never get the Finnish in either army, because there is a treaty between the Grand Duchy of Finland and Russia which exempts them from military duty.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Yes.

Mr. McKENZIE. Is it not a fact that all aliens here temporarily, as suggested by the gentleman from Pennsylvania [Mr. GRAHAM], would have 60 days to get out, even if this law went into effect?

Mr. SCOTT of Michigan. The third line in the bill, it seems to me, thoroughly explains the inquiries of the various gentlemen in regard to the language used. It is, "That any alien eligible by existing law to become a citizen." It seems to me that solves it. If he is not a resident, he would not be included.

Mr. HAYES. No.

Mr. SNYDER. Mr. Chairman, will the gentleman yield again?

Mr. HAYES. Yes.

Mr. SNYDER. Will the gentleman explain further how long a man could maintain a temporary residence in this country without becoming eligible to citizenship?

Mr. HAYES. He might maintain it for a lifetime.

Mr. SNYDER. That would not be a temporary residence, if he was here for a lifetime.

Mr. HAYES. If he is here expecting to return, he does not become a permanent resident here. The gentleman is an attorney and is familiar with the law in regard to residence.

Mr. SNYDER. No; I am not an attorney.

Mr. HAYES. If a man goes to a place not intending to make it his home, he never becomes a resident.

Mr. SNYDER. I am in favor of this bill and I am looking for information. I have in my employ quite a number of aliens who ought to be citizens, and I want to know how long these men can remain in this country and be considered temporary residents and not subject to this act.

Mr. HAYES. Mr. Chairman, as a matter of law, the residence of a man is controlled entirely by his intention, as manifested not by what he says but by the things that he does—by his acts. If his actions indicate that he is here only temporarily, he never becomes a resident, and therefore he would not be liable under this law at all.

Now, Mr. Chairman, I yield three minutes to the gentleman from Ohio [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman and gentlemen of the House, I am strongly in favor of this bill. I did not know that we had to have a treaty with any other country in order to expel from this country an undesirable alien; and if there is any alien in this country who will not fight for this country in this hour, he is undesirable and should be expelled. [Applause.]

If there is any alien now living in this country who feels that he would be better off somewhere else I would suggest that he immediately go to such a place.

Why did these aliens leave their native land; why did they leave their fathers, mothers, sisters, brothers, wives, and children and come across the Atlantic to live in a new land? Why did they give up old associations that were dear to them, old friends, old scenes? They did these things because they wanted to better their condition. They did these things to get better wages, better living conditions, a better form of government; in fact, they came here to find liberty, as they had been oppressed in their own countries.

They found here an asylum where they could enjoy liberty, religious and civil; where they could work and receive sufficient compensation for their labor. They have received all these blessings, all these privileges, all these opportunities in America. We are now engaged in the greatest war this country has ever known, and the result of this war will determine whether these liberties which they have enjoyed shall be continued or whether the world shall be ruled by the form of government that caused many of them to leave their native land. If there are any aliens living in this country who have lived here long enough to become citizens, and who have enjoyed all these privileges they should either be subject to military service or they should leave the country. [Applause.]

Mr. HARDY. Will the gentleman yield for a question?

Mr. EMERSON. I have not the time. If I had the time I should be glad to yield. The citizen or alien who will not stand up and fight for the institutions of this country should not enjoy the privileges of being an American citizen.

If this country is not strong enough and intelligent enough to make these aliens do their duty then we are not strong enough and intelligent enough to win this war.

Statistics show that in the city of Cleveland, where I live, that in many precincts 3 aliens have registered to 1 citizen. These aliens sit quietly by, enjoy this liberty, this prosperity, this great advantage of living in America and yet they owe no obligation to defend these liberties when they are endangered. And besides, they laugh at the American boy who has to be sent across 3,000 miles of ocean and fight. But while I believe we should make aliens fight for this country, I believe if the alien does fight for this country he is good enough to become a citizen of this country without further act of naturalization. [Applause.]

This war is no pink-tea affair. We see the possibilities of defeat staring us in the face unless we use every ounce of energy we have. Three thousand miles of ocean may be all that saves us from having the enemy on our own soil. The allies' fleet may be all that keeps the foe from our door. Suppose then the allies' fleet is removed from between us and the enemy, are we prepared to meet the enemy? We should have every available man possible. Our large cities are filled with aliens who work at our high wages, enjoy our privileges, and drink of our prosperity, but share none of the responsibilties. Will it always be thus?

If we permit the alien to do this, he is willing, as long as we will permit him to do it. How long will we continue? But

it is an outrage upon the young men of this country who are called upon to bear this extra burden. How long will we continue to be the laughing stock of the world. [Applause.]

If we do not do something now, how are we going to ask the fathers and mothers of this country to buy liberty bonds, to buy Red Cross stamps, to buy all these other things we are asking them to buy? How are we going to ask them to have wheatless days, meatless days, heatless days, workless days, and perhaps worse than this even before this war is over?

Let us pass this alien-slacker bill and force Mr. Alien to pay back in part for the privilege of living in this land of the free, where he can educate his children, where he can worship God as he pleases, where he can work for high wages, where he can have all the comforts of an orderly home.

These privileges we give to every alien who seeks shelter under the protection of the Stars and Stripes, but we ask the alien to uphold the institutions of this country in peace and in war. After we have given him all these privileges, I feel it is not asking too much if we insist that he pay back some of this obligation. This is a war of efficiency more than a war between countries. The question to be determined is, Which is the more efficient—a democracy or an autocracy? That will be the question that is settled by this war, and there should be no draw. If the Kaiser wins, then autocracy will be classed as the more efficient form of government; if the allies, with our aid, win, then a democracy will be considered the most efficient form of government.

If we win, then it will be considered best for all citizens to vote and have a voice in the Government. If the Kaiser wins, then it will be considered that the few are better qualified to have a voice in the Government.

It seems to me that if I were an alien and had fled from a land of militarism, a land of oppression, a land where the few governed the many, and had come to a land where I could speak and act as I felt, where I could enjoy liberty in its fullest sense, where I could take a part in the running of the Government; if I could have all these privileges, and came here because I could have them, after I had been here and enjoyed these same privileges for many years, and I found these privileges and these liberties endangered, I would be willing to fight for these liberties and privileges that I might hand them on to my children and those who came after me. [Applause.]

Many aliens are willing to do this; many aliens have enlisted voluntarily; many aliens have waived these exemptions and have entered the Army. They are just as good as if they were Americans, and I am willing to welcome to our great American family those who make this sacrifice.

But the contemptible alien slacker who has enjoyed all these privileges belongs in the first-line trench, and there is where he should be placed. [Applause.]

Mr. BURNETT. I yield five minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Chairman and gentlemen of the committee, the chairman of the committee [Mr. BURNETT] has answered, I think sufficiently, the question as to treaties, so far as it affects this bill and its provisions. I will not go into that phase of the question at this time.

There are but two provisions in the bill. The committee will ask to strike out section 2. The first provision is that no one shall remain in the United States who is subject to the provisions of the draft law and will not participate in the war, either in this country or his native land, or withdraw his exemption claim, or who hereafter makes application for exemption under the draft law. In other words, the effect of the first section of the bill is to prohibit aliens eligible by existing law to become naturalized citizens of the United States who are natives or subjects of countries which are at war with Germany or with any of the other central countries of Europe from ever becoming American citizens when they have claimed or shall hereafter claim exemption from the selective draft. The section also requires the deportation of such aliens as soon as it is practicable to do so.

Second, which are the provisions of section 3 of the bill, those who are fighting with us and are natives of England, France, or Italy, should not be permitted to come to this country pending the war. In other words, their draft limit is higher than ours, and the man over 30 should remain in his own country and give the service to his country where he belongs in its hour of need and distress. We should not open the doors for a man of that kind who will not fight for his own country, but seeks to come to America, where we can not draft him. [Applause.]

I want to call the attention of the committee to the fact that among those registered under the draft last year there were 1,275,907 men who were aliens.

The total number registered under the provisions of the selective draft act of May 18, 1917, was 9,649,938, of which 1,229,259 were classified as aliens. According to the summary sheets in the office of the Provost Marshal General, this latter number does not include those subjects of foreign countries who have declared their intention of becoming citizens of the United States but who have not completed their citizenship here. There are, therefore, a large number of registrants not classified as aliens who, under treaty stipulations, if exercised, would be exempt from compulsory or other military service. Below is given a table showing the total number of registrants by States and Territories and the number of such registrants classified as aliens:

	Total of all registered.	Aliens.	Alien enemies.
Alabama	181,614	1,183	77
Arizona	36,932	14,652	193
Arkansas	149,444	517	75
California	297,532	67,464	3,948
Colorado	88,874	9,323	472
Connecticut	159,955	58,631	1,111
Delaware	21,864	2,883	92
District of Columbia	31,930	1,869	79
Florida	84,683	5,682	208
Georgia	231,418	1,224	120
Idaho	41,117	3,970	176
Illinois	672,498	95,145	6,051
Indiana	255,145	13,651	1,149
Iowa	216,299	11,714	1,822
Kansas	148,849	6,404	296
Kentucky	190,225	910	186
Louisiana	157,464	2,958	208
Maine	60,407	10,196	58
Maryland	120,345	7,603	896
Massachusetts	359,323	106,014	1,508
Michigan	374,220	70,099	2,750
Minnesota	221,715	24,599	1,971
Mississippi	139,525	567	45
Missouri	299,825	10,992	1,008
Montana	88,273	11,790	687
Nebraska	118,407	5,251	938
Nevada	12,088	3,793	77
New Hampshire	37,642	9,507	79
New Jersey	302,742	77,372	4,956
New Mexico	32,202	4,324	108
New York	1,060,633	235,538	30,965
North Carolina	203,096	532	34
North Dakota	65,607	7,205	615
Ohio	568,635	89,909	4,138
Oklahoma	159,211	2,947	219
Oregon	82,922	6,234	480
Pennsylvania	834,389	180,754	5,455
Rhode Island	53,458	15,043	126
South Carolina	128,039	447	58
South Dakota	58,251	2,668	417
Tennessee	189,573	987	72
Texas	413,852	27,024	1,043
Utah	41,952	7,145	344
Vermont	27,098	3,508	56
Virginia	181,826	2,575	179
Washington	108,330	16,001	791
West Virginia	119,978	10,521	470
Wisconsin	238,384	23,522	3,401
Wyoming	22,848	3,353	329
Porto Rico	104,550	.....	.....
Indians	6,001	.....	.....
National parks	85	4	2
United States	9,780,685	1,275,902	80,538

Under the selective-draft law quotas from the States and Territories and subdivisions were based upon the estimated population thereof, and in many subdivisions the registration returns showed a very large percentage of registrants classified as aliens. In some cases the percentage of those classified as aliens exceeds 65 per cent of the total number registered. This situation works a hardship on the citizen population of a community, and the man who under the laws of his native country may be obligated to render military service is resting here answerable to no one. I want to state to start out with, and to suggest that possibly 50 or 60 per cent of those men claimed their exemptions because they were advised by counsel or by their friends that if they made the claim that they were aliens they would be exempt. Having this advice and the facts being with them they took advantage of it. Among American boys I understand that the percentage has been very high of those who claimed exemption. The other 40 per cent of the aliens who are intent upon avoiding service are the ones who spoil the whole basket of apples, and we should enact a law that will reach all of them. If a man will not enter the service of this country in its present need—and here we have more than 1,200,000 of them—if he will not go to his own country and assist his own country in making the same fight that we are making, there can be no distinction between them. We are

all fighting for the same cause, fighting the same common enemy. If one wins, we all win. These men should beyond cavil be ready and willing to give their service. If not, they do not belong in the United States and the sooner we get rid of them the better.

Mr. GARD. Will the gentleman yield?

Mr. RAKER. I would be pleased to if I could, but not at this time. I have only five minutes. Now, we say to these men, "Gentlemen, you have come to this country to receive its benefits. You are beyond the pale of the law of your own country. They can not reach across and bring you back to France, England, or Italy." These other countries are willing that we should pass a law that will prevent these men claiming exemption, or that if they claim the exemption they will be deported. That is all there is in this bill. Place this law on the statute books, so that everyone may understand that there is no exemption for an alien of England or France or Italy, and that if he does claim that exemption he will be deported. Further, he can never become a citizen of America. When you do this we will find that there will be a ready response and but few will ever be in a position to be deported. We hope 95 per cent, at least, will withdraw their claims to exemption and will enter the service of this country, because they know that the very moment they are deported and landed on the shores of England, France, or Italy, if they are within the military age, they will be drafted and placed in the armies of their own native country, where they ought to be. From one end of this country to the other complaint has been made that here is an American boy who has been drafted, while here is an alien who is exempted, without any effort on the part of the American Congress to fix it so that the alien shall serve either in this country or his native land. There is dissatisfaction with the father, mother, and relatives of our boys that this alien who is receiving the benefits of this exemption does not participate in this country or in the service and army of the country to which he belongs. [Applause.] This bill should pass. It is workable. Good results will follow its enactment.

Mr. BURNETT. I ask the gentleman from Washington [Mr. JOHNSON] if he will use some of his time?

Mr. JOHNSON of Washington. Mr. Chairman, how much time have I occupied?

The CHAIRMAN. The gentleman has 46 minutes left.

Mr. JOHNSON of Washington. Mr. Chairman, I presume that under legislation such as this any alien can be forced to become a drafted soldier of the United States and then to become a citizen. That would end that. It might be said that any man, alien or otherwise, who was good enough to fight for this country, even when drafted, is entitled to become a citizen. In the brief inquiry I have made I had difficulty in finding the status of an alien in the United States Army. It may be interesting to some of the Members to know that in 1894 an act was passed limiting enlistments in time of peace to citizens or persons who have made their legal declaration of their intention to become citizens. In 1898 enlistments in the Reserve Corps were limited to citizens or persons who have made legal declaration of their intention to become citizens.

The act of 1917: Voluntary enlistments under act of May 18, 1917, subject to the same qualifications as under existing law, except as to age.

Enlistments in Navy: Revised Statutes, 1420, as amended by act of August 22, 1912 (37 Stat., 356, sec. 2), certain disqualifications for enlistment prescribed, but nothing said with respect to citizenship. There is apparently no law restricting the enlistment of aliens during either peace or war. Aliens are, however, excluded, even if they have declared their intention to become citizens, under article 3524 of the Navy Regulations of 1913.

Naturalization of enlisted men (Rev. Stat., 2166): Aliens who have enlisted in the Regular or Volunteer Army may become citizens after honorable discharge without having made declaration of intention to become citizens.

The act of July 26, 1894 (28 Stat., 124): Aliens who have enlisted in the Navy or Marine Corps may become citizens after honorable discharge without having made declaration of intention to become citizens.

The act of June 30, 1914, is practically the same as the act of July 26, 1894.

All that this bill is for is to camouflage the people and satisfy the hue and cry about Americans who submit to the draft while their alien brothers are here and do not have to submit.

Mr. HAYES. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. HAYES. Did the gentleman find any law of the United States that would affect the status of these draft aliens after the war?

Mr. JOHNSON of Washington. The first-paper citizens who go into the draft now? What would happen to a man drafted into the Army when he came back here after the war?

Mr. HAYES. He would make his proof as usual.

Mr. JOHNSON of Washington. After fighting for the United States?

Mr. HAYES. Yes; under force.

Mr. JOHNSON of Washington. And the man would not have a right to vote, and yet he fought for America, came back, and has to apply for papers for helping to defend this country under force.

Gentlemen, is it legal, is it in keeping with the democracy of America, to force a man of military age to give up his country, his nationality, or else leave the country and be classed as an undesirable criminal after he has lived in America, to give up his citizenship?

Mr. BURNETT. And yet the present draft law includes them. That is an assault on the present draft law.

Mr. JOHNSON of Washington. Personally, I am sorry the draft did not require the registration of all aliens.

Mr. BURNETT. It does, between the ages of 21 and 31.

Mr. JOHNSON of Washington. I mean all aliens, whether of draft age or not—aliens and alien enemies of all ages.

Mr. SHALLENBERGER. What does the gentleman from Washington say to the second section, which provides that the President is authorized and empowered, under such rules and regulations as he may prescribe, to draft any alien in the United States to perform such mental or physical labor on the farm, in the manufacturing establishments, or other enterprises as he may deem necessary or proper?

Mr. JOHNSON of Washington. I am told that that section is to go out. At the time I took my original position against this bill that preposterous section was supposed to be one of its star features.

Mr. Chairman, I have here a letter from the Secretary of State, giving his objections to this legislation at this time. In his letter he does not call attention to the fact that the President, through the State Department, is the agency through which the United States deals with other countries, but we all know that to be the fact. But in the letter written to me some time ago—and he has since written letters to other Members—the Secretary of State begs that this legislation be not taken up while his department is engaged in negotiating "draft" treaties. Mr. Chairman, that we have passed much important war legislation because it has been requested by the President of the United States and that the President wanted the legislation as a war measure has been enough. And now, when the Secretary of State in a dignified way requests Congress to withhold legislation on this subject, it is, in my opinion, the least this body can do to give heed to the request of that department, which is organized to deal with the foreign governments.

Mr. BARNHART. Will the gentleman read that letter to which he refers?

Mr. JOHNSON of Washington. I will be glad to read it. This letter is dated September 17, 1917. I think that anyone who has given attention to the matter will know that it takes time to negotiate treaties, and I have wondered where the Congress of the United States would have stood if before the war its Members had read that the allies had proposed to draft citizens of the United States. I can hear the voices ringing now calling for protection of American citizens.

Mr. McLAUGHLIN of Michigan. Is the letter the gentleman refers to from the State or the War Department?

Mr. JOHNSON of Washington. It is from the State Department, from the Secretary of State. The letter is as follows:

MY DEAR MR. JOHNSON: I have received your letter of September 15, in which you request an expression of my views regarding the provisions of H. R. 5667, which provides for the deportation under certain circumstances of citizens or subjects of the countries who are at war with the "central powers of Europe"; for the drafting of "any alien in the United States" to perform certain classes of "mental or physical labor on the farms, in the manufacturing establishments, or other enterprises in the United States," and for other purposes.

You are doubtless aware of the provisions of Senate resolution No. 108 of July 31 (calendar day Aug. 1), 1917. Acting in pursuance of the provisions of this resolution, the department has undertaken to initiate negotiations with each of the allied powers looking to the conclusion of agreemeats providing for the drafting of the citizens or subjects of either of the contracting parties who may be residing in the territory of the other country. These agreements, it is hoped, will cover the various needs and desires of each country with respect to military service of the citizens or subjects of those countries who may be residing in the United States, as well as of the citizens of the United States residing in those countries.

That is the argument, statement, and request of the Secretary of State, Mr. Robert Lansing.

Mr. SNYDER. I would like to ask the gentleman if he has anything nearer the present time than that letter?

Mr. JOHNSON of Washington. I understand that the chairman of the Committee on Foreign Affairs, which, in my opinion, is where this bill ought to have been considered and not in the Committee on Immigration, has such a letter, dated only one week back.

Mr. SNYDER. That is five months ago.

Mr. JOHNSON of Washington. And in the meantime treaties have been negotiated with Great Britain and Canada and are in process of negotiation with Italy and France.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. WALSH. I would like to ask the gentleman if he has any information showing that the State Department has ceased to live in a state of hope and has gotten down to some actual realities?

Mr. JOHNSON of Washington. I just stated that negotiations for two treaties were announced as concluded with Great Britain and Canada.

Mr. WALSH. Simply the negotiations; but does the gentleman not understand that it is the purpose of the State Department to wait until all the cobelligerent nations have accepted treaties before any of them are sent to the Senate?

Mr. JOHNSON of Washington. It is not the purpose of this legislation to help the State Department; it is being passed for the purpose of scare and camouflage. I reserve the balance of my time.

Mr. WALSH. I do not think that is a proper statement for the gentleman to make.

Mr. JOHNSON of Washington. I believe that to be the fact, nevertheless. From the statements made at the very beginning of this debate, I think it is apparent that no one expects this bill to do more than pass the House of Representatives. Here we can make great talk for it, please our constituents, and offend only those in our districts who can not vote. No wonder the bill is popular. But is it right? If it was really desired to enact legislation to catch the alien slacker, why not turn this bill inside out, and make it read so that our allies may come to the United States and draft their nationals? That would get the slackers of our allies who may be, and doubtless are, hiding out in the United States in very considerable numbers. Such legislation would violate no treaty, and, as a matter of fact, would be in accord with the treaties now in process of negotiation by the State Department.

Mr. Chairman, I have not discussed, nor shall I discuss, the other paragraphs of this bill—the deportation and other clauses. We are told that section 2 is to be taken out. The sections following that one may be all right, but I base my objection to the bill on the fact that the State Department, which has the right to say, requests that the bill be not passed.

Mr. BURNETT. Mr. Chairman, I yield three minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Chairman, in view of the fact that on another occasion I addressed myself to the subject matter of this bill at length in this House, I do not propose to burden the House with any extended remarks at this time. I have watched the attempts of those who oppose this legislation to base their opposition on some reasonable grounds, but everything that has so far shown itself has been a fishing expedition since we started this discussion up to the present time, and it has reached nowhere. Not a single reason has been advanced against the passage of this legislation. I am one of those who believe that thousands of men in this country who will come under the operation of an act such as this are not so anxious to evade service, but they have been assured that there is a grave doubt whether or not they shall ever be subject to service; and if we pass legislation now, I believe a great percentage of those men will speedily respond to the call, not because they have been scared but because a doubtful question has been settled. That is so in Boston, and I believe it is so in every large city in the country. I said before that not an argument has been advanced against the passage of this bill. My friend from Alabama [Mr. BURNETT] has said that no treaty rights are involved. I think he is a pretty good constitutional lawyer, and his judgment on that point is good enough for me. The gentleman from Washington [Mr. JOHNSON] tried to find an argument that Sweden and Norway and other neutral countries were brought in under this bill, and it is evident that he has not read the bill.

Mr. JOHNSON of Washington. Will the gentleman let me state the countries that are included under this bill?

Mr. GALLIVAN. I have only three minutes.

Mr. JOHNSON of Washington. I will yield the gentleman an additional three minutes.

Mr. GALLIVAN. Very well; go ahead.

Mr. JOHNSON of Washington. I think I have a statement here. Foreigners have the right to live here as long as they wish without being citizens of the United States of America, exactly as Americans have the right to live, as they do, in Mexico, Cuba, Venezuela, Turkey, China, Canada, Spain, France, without, for that matter, becoming Mexicans, Venezuelans, Turks, and so forth. That is just one of the difficulties you get into. I yield the gentleman three minutes of my time.

Mr. GALLIVAN. I am grateful to the gentleman. I do not believe the gentleman made clear what he attempted to make clear. At any rate I can not connect his observation with anything I have said. I am fearful that he was not following me. I repeat what I have already said. Not a single argument has been advanced against the passage of this bill, and even the men who stood here an hour ago trying to filibuster and prevent its consideration have all taken to the woods. [Laughter.] Like the Arabs, they have folded their tents and have silently stolen away.

I hope the committee will finish the discussion of this bill in the two hours provided by the rule, and that under the five-minute rule we shall go to work speedily and that before this House adjourns to-day the bill will have been passed by an overwhelming majority of this House. [Applause.]

Mr. MEEKER. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. MEEKER. Would that entitle this to be called the Flood elimination bill, inasmuch as the gentleman has said that all of its opponents have taken to the woods?

Mr. GALLIVAN. Not coming from the regions near the Mississippi, I do not quite gather what this has to do with "floods." Mayhap the gentleman from Missouri refers to the gentleman from Virginia.

Mr. MEEKER. I rather think the gentleman got the point.

Mr. GALLIVAN. Let us waste no more time. We have been asked by the War Department to hurry through an amendment to the selective draft which will compel the registration for service of all American boys who have passed the age of 21 years since June 5 last. And in the same breath we are besought to delay the passage of this bill which will force the alien "welcher" to get on the line or get out of this country. For myself, unless this bill passes, I shall hesitate in giving my support to the first proposition which I have mentioned; if we get the aliens, we may not need the others, and pray God we may never need them. [Applause.]

Mr. Chairman, pass this bill to-day and help to correct what would otherwise be a gross injustice. Pass this bill and the mothers of the boys now in France and in the camps and the cantonments will feel sure that there is no discrimination—that rich and poor, high and low, citizen and noncitizen, are all within the power of the Government. This Nation will then truly stand as a symbol of inviolable justice. [Applause.]

Mr. JOHNSON of Washington. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman, I would not be in favor of this bill at this time if I knew that the State Department would negotiate treaties with other Governments at war with Germany in time to get their subjects who are in this country into the military service in time to do some good, but in the absence of knowledge that they will negotiate such treaties in time to get those subjects into the military service so that they can accomplish some good, and particularly in the first draft, I feel justified in voting for the bill. I think that the subjects of other Governments at war with our enemies who are in this country should be compelled to come into our military service or into the service of their own country. It has been a great injustice to our own people, I think, that the subjects of other countries fighting with us against a common enemy should be counted in the quota of men to be furnished under the draft law, and yet should be exempted from military service and be permitted to remain at work here when our own boys were compelled to go to war to fight for their Governments as well as ours.

But I rose particularly to ask the chairman of the committee a question in regard to section 3 of the bill. That section provides that after 30 days from the passage of the act no alien who is a native or the subject of any country that is engaged in war with Germany or the central powers shall be permitted to enter the United States "except by permission of the President of the United States." In view of the fact that the House and the country well know the views of the President of the United States on admitting foreigners to this country, he having been persistently opposed to the Burnett immigration bill and having vetoed it after both Houses of Congress had passed it, does not the chairman think that that exception in section 3 will absolutely destroy the effect of this section of the bill, be-

cause the President, unless he changes his views entirely on the immigration question, will permit all foreigners, regardless of their illiteracy or other undesirable qualifications to come into the country. The President's views on that question are well known. And unless that exception is stricken out he will probably nullify the section by a general Executive order permitting them all to come in.

Now, if that is true, does not the chairman think that exception ought to be taken out of section 3?

Mr. BURNETT. I will say to the gentleman that the purpose of that is because we are constantly getting foreigners over here from those countries who do not come within the scope of section 4, which says it shall not apply to accredited officials of foreign Governments nor their suites, families, guests, or servants. There are frequently men who come here not accredited but for the purpose of consultations, negotiations, and so forth. I do think the suggestion of the gentleman should not prevail, because the purpose of this would be to keep those men who are subject to military duty over in their own country, and while the President was opposed to the immigration bill, I do not believe that he would oppose the idea that these people who are subject to military duty should stay over in their own country and fight its battles. That was the reason that this authority was given the President.

Mr. DENISON. In view of the President's position on this matter, and this will permit foreigners to come in here, that he did not want to exclude even those who are illiterate and could not read or write; in view of the well-known position of the President, does not the chairman think it would give him a blanket permission under this exception?

Mr. BURNETT. I do not think so.

Mr. DENISON. Why not? The chairman certainly does not think the President would change his mind on the question?

Mr. BURNETT. No; that was a peace measure. Of course, the President would certainly be in accord with the principle that these men over there who are subject to military duty ought not to be allowed to come into this country, and this is to keep them out unless the President, for some good reason, should permit individual cases to come in.

Mr. DENISON. Does not the chairman think the bill ought to specify any reason which would permit them to come in and let the law be specific and take this extraordinary power out of the hands of the President?

Mr. BURNETT. We could hardly——

Mr. MADDEN. Stop the President from changing his mind?

Mr. DENISON. We would like to, if we could.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURNETT. Will the gentleman from Washington yield some more of his time?

Mr. JOHNSON of Washington. I yield to the gentleman from Virginia [Mr. FLOOD].

The CHAIRMAN. How much time?

Mr. JOHNSON of Washington. How much time have I remaining?

The CHAIRMAN. The gentleman has 25 minutes.

Mr. JOHNSON of Washington. I yield the gentleman 15 minutes.

Mr. FLOOD. Mr. Chairman, I am in full sympathy with the proposition that aliens living in this country and enjoying the blessings of our free institutions and American prosperity should do their share of the fighting to uphold the American cause and the American flag, but I am opposed to this House or this Congress or this Government taking any action or enacting any law that violates a provision or provisions of treaty or treaties which we have with our cobelligerents or any other nation and I am opposed to this House passing a bill that violates the accepted principles of international law which have been accepted by civilized nations and for a violation of which we entered this war. [Applause.]

Mr. DENISON. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. DENISON. In view of the fact the Constitution makes the treaties as well as the Constitution the supreme law, how could this House enact a law violating a treaty?

Mr. GORDON. We could do it the same as we do when we pass a law violating the Constitution.

Mr. FLOOD. We could do it. Right now the gentleman has a concrete demonstration of how this House proposes to enact a law violating a number of treaties.

Mr. DENISON. We may pass a law, but it would not have any effect because——

Mr. FLOOD. The gentleman means the law would not have any effect?

Mr. DENISON. That is what I mean.

Mr. FLOOD. Perhaps the President might protect the honor of this Nation under the provisions of the Burnett bill by not exercising the power given to him under it, and the Supreme Court would certainly declare it violative of some treaties we have entered into with our cobelligerent nations.

Mr. DENISON. He could do it by ignoring the act of Congress.

Mr. GORDON. He could veto the bill, too.

Mr. FLOOD. He could veto the bill. I am opposed, I will say to the gentleman, to the House itself going on record as being willing to violate the provisions of a treaty that we solemnly entered into with one of the great nations of this world and one that is our cobelligerent——

Mr. GORDON. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. GORDON. It has been repeatedly denied by speakers here on this floor within the last half hour that this bill violates any treaty. Will the gentleman be kind enough to advert directly to the language of those treaties which are violated by this proposed legislation?

Mr. FLOOD. I will. I do not see how anyone with an impartial mind could put any other construction upon the language of the treaty we have with Italy than that it is a violation of the treaty. The bill does not purport to violate a treaty. It does not do it in a brave and manly way. It resorts to subterfuges and evasions, but nevertheless it violates these treaties.

Mr. MADDEN. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. MADDEN. Is it the gentleman's opinion that if this bill should become a law it would provide authority under which the Government of the United States could draft aliens of our allies, or nationals of our allies, who are not subject to draft at home?

Mr. FLOOD. I had not considered it with reference to that phase, but I think so. I should think you could draft any aliens under the provisions of this bill.

Mr. GORDON. I call the attention of the gentleman to the fact that the Irish are not liable to conscription in their own country, but that they would be under this bill.

Mr. FLOOD. I will say to the gentleman it is not necessary to discuss that, because our Government has entered into a treaty with Great Britain and also with Canada to provide for the drafting of their nationals, and they are in process of negotiating a treaty with Italy and France.

Mr. LONGWORTH. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. LONGWORTH. Would the gentleman state just what provision of our present treaty with Italy he believes this violates?

Mr. FLOOD. Article III of our treaty of commerce and navigation, negotiated in 1871, provides that our citizens shall be exempt from compulsory military service either on land or sea in the regular forces or the national guard or militia. We have practically a similar treaty with Japan and Serbia.

Mr. MOORE of Pennsylvania. That is, Italians in the United States.

Mr. FLOOD. Yes; that is what this bill refers to.

Mr. MOORE of Pennsylvania. The treaty says that?

Mr. FLOOD. Yes.

Mr. PHELAN. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. PHELAN. Will not that same section apply just as well against our drafting of Italians who have taken out their first papers and whom we have already voted to include in our draft bill?

Mr. FLOOD. We ought to regard our treaty. Whatever is the proper and honest construction of a treaty is what we ought to be bound by. Simply because we find it is convenient or it is to our interest to do a certain thing does not justify us in violating a treaty. We solemnly entered into this treaty with this great nation. We should live up to the obligations assumed under them until we are released in a regular and orderly and legal and honorable way.

Mr. LONGWORTH. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. LONGWORTH. I am asking for information. Does the taking out of the first papers or the declaration of an intention to become a citizen of the United States thereby remove that individual from the operation of that clause of the treaty?

Mr. FLOOD. It would not.

Mr. LONGWORTH. If it does not it is not a violation, but if it does it is a violation. That is the vital point.

Mr. KAHN. If the gentleman will yield, I wish to say that Gen. Crowder was before the Military Committee yesterday

and stated that that provision of the law which takes in those who have declared their intention to become citizens was not being enforced.

Mr. FLOOD. Regarding the treaty?

Mr. KAHN. Yes, sir.

Mr. FLOOD. The Military Establishment of the Government is observing the laws of nations and is respecting the treaties the Government has made.

Mr. DENISON. I have the highest respect for the gentleman's opinion, and that is the reason I asked the question awhile ago. If we should pass this law and the State Department should advise the President that it contravenes the treaty, the practical result would be that the State Department would probably do so and would be justified in ignoring the law?

Mr. FLOOD. I think the gentleman is correct about that, but I do not think that fact would justify us in passing a law that we thought violated a treaty.

Mr. GALLIVAN. I would like to ask the gentleman from California [Mr. KAHN], who made the statement that Gen. Crowder said that that provision of the draft law was not being enforced, whether or not he can state——

Mr. FLOOD. Mr. Chairman, I have limited time, and I can not yield for that purpose.

Mr. GALLIVAN. I will make it brief. Does the gentleman from California insist that none of these persons are now at the camps?

Mr. KAHN. Oh, no; if they go voluntarily.

Mr. FLOOD. If this bill becomes a law and the President exercised the powers conferred by it, he would be forcing compulsory military service upon aliens of the United States by threat of deportation or threat of being denied the right of ever becoming citizens of this country, and that would be compulsory military service, just as if we had by physical force compelled such service. And that would be a plain, absolute violation of the treaties we have with Italy and other countries.

Mr. MOORE of Pennsylvania. Mr. Chairman, the gentleman is chairman of the Committee of Foreign Affairs, and ought to know what he is talking about. I would like to have him answer this question: In his opinion, would the passage of this bill violate a treaty we have with any other nation?

Mr. FLOOD. In my opinion, it would violate the treaty with Japan and Serbia, and it looks to me as if the purpose of this bill is to violate the treaty with Italy.

Mr. MOORE of Pennsylvania. This bill does not meet with the approval of the Secretary of State at the present time, does it?

Mr. FLOOD. It does not. The Secretary of State, through some of his friends on the floor here, asked for a delay of three weeks, in which our Government might negotiate treaties with some of our cobelligerents, just as we have with England and Canada.

Mr. MOORE of Pennsylvania. Would the passage of this bill in its present form embarrass the Secretary of State or the President of the United States in their negotiations?

Mr. FLOOD. I was informed last Wednesday by the Solicitor of the State Department that it would not only embarrass them in the negotiation of treaties with Italy and France, but it would probably break off the negotiations.

Mr. MOORE of Pennsylvania. And this during the period of the war, when they have the responsibility?

Mr. FLOOD. Yes.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes; but I would like to get along.

Mr. ROGERS. If this bill should be so amended as to eliminate the subjects of countries with which we at present have a treaty, and if it should further be so amended as to eliminate the subjects of countries with which we might in the future make reciprocal agreements, would that overcome the objection of the gentleman from Virginia?

Mr. FLOOD. I think so.

Mr. MADDEN. That would beat the bill, would it not?

Mr. FLOOD. I would have no objection to it.

Mr. HAYES. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. HAYES. The gentleman, I know, would not knowingly make a misstatement. By its terms this bill would not affect the Japanese at all in this country.

Mr. FLOOD. We have a provision in the treaty with Japan similar to the one I read in the treaty we have with Italy.

Mr. HAYES. The gentleman would not claim that by its terms at least this bill undertook to include in the draft any aliens?

Mr. FLOOD. No. I said that it did not. I said that by subterfuge and evasion they——

Mr. HAYES. How would you then violate the treaty?

Mr. FLOOD. You would accomplish it not by direct and plain language but, as I said just now, by evasion and subterfuge. You force compulsory military service on these aliens in plain violation of the treaty.

It is idle to argue, as the gentleman from Alabama [Mr. BURNETT] has done, that such aliens are free to leave the United States or free to remain and not enter the military service upon being denied the right of becoming citizens of the United States, or of being deported as soon as practicable. Everyone knows that these threats of denial of the rights to become citizens and of deportation are the pressure of force being brought to bear upon persons exempted from the military service by treaty in order to compel them to join the Army.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. WINGO. As I understand, the gentleman's objection is that this law will violate the terms of the treaties we have with these nations?

Mr. FLOOD. Yes.

Mr. WINGO. Does the gentleman contend that the present relations that exist could reasonably have been within the contemplation of the contracting parties at the time the treaties were made?

Mr. FLOOD. This treaty with Italy was made in 1871, and I do not think that the fact that the contracting parties did not then contemplate this great world war at this time or at any time, and that the two countries would be engaged as a cobelligerent in this war, is any justification for violating the explicit terms of that treaty.

Mr. WINGO. What I want to get is the gentleman's viewpoint as an expert on international law. The gentleman did not directly answer my question. Does the gentleman contend that the contracting parties at the time they made that treaty could reasonably have had in contemplation the conditions that exist now?

Mr. FLOOD. The great war?

Mr. WINGO. Yes.

Mr. FLOOD. I suppose not; but they had this in contemplation, that Italy might be engaged in war and we might have our nationals there, and this country might be engaged in war and they might have their nationals here. It provided that we should not draft or by compulsory force enlist Italians in any branch of our service in any war that we might be engaged in.

Mr. WINGO. That was in contemplation by the parties, and I agree with the gentleman; but does the gentleman believe that at that time the Italian Government and this Government had in contemplation a condition whereby we would be allied with them, fighting with Italy?

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I yield to the gentleman five minutes more time.

The CHAIRMAN. The gentleman from Washington yields to the gentleman from Virginia five minutes. The gentleman from Virginia is recognized for five minutes more.

Mr. BARNHART. When the gentleman has answered other questions, I ask that he yield to me.

Mr. FLOOD. Let me go a little further, and then I will yield. Of course it is desirable that these aliens should join the Army, and I have no doubt that the treaty being negotiated between this country and Italy will make provision for the drafting of these very aliens, but because it is desirable that they should become a part of our fighting forces will not be considered justification for our violating the provisions of our treaty with reference to them, and it certainly is not an excuse for denying the State Department, which is negotiating this treaty on our part, a period of three weeks within which to complete the negotiations.

The gentleman from Alabama stated that the reason this bill had not been taken up sooner was because the Committee on Naturalization and Immigration had not before had the call on Calendar Wednesday. The gentleman then had not had a suggestion from the State Department for postponement of the consideration of this bill until either this Wednesday or last Wednesday, and when that request came, with the statement that it would greatly impede if not render impossible satisfactory completion of the negotiations, the gentleman refused to give that delay and the House sustained him. That is past, and I have nothing more to say about it.

I am glad the gentleman has determined to strike out section 2. I called attention, in the few remarks I made this morning, to the fact that the bill in its present shape would defeat the very object that its patrons and supporters had in view in reporting and passing it. It was reported on August 4, 1917—six months ago. I do not know whether I am entitled to the

credit for enlightening the gentleman from Alabama upon the serious defect in his bill. If I am, I am compensated for the efforts I have made with reference to this bill to-day. I presume I am entitled to this credit, as there was no suggestion from the gentleman from Alabama to amend it until I addressed myself to the second section of it earlier in the day. Besides being unconstitutional that section is obnoxious to the very purposes of the bill.

Many neutral countries other than those having treaties of military exemption have protested to the United States against the incorporation of their citizens or subjects into the National Army. One class of our cobelligerents based their protest upon treaty stipulations. The other class based their protest upon the general practice of nations, a practice observed by all civilized nations, not to compel neutral aliens to serve in the armed forces of a belligerent.

If this bill had become law as it was reported, cobelligerents of the United States could have protested upon both of these grounds, and the President would probably have been forced by the pressure from the nations with whom we are associated in this war, and who have suffered more than we have, and neutral nations also, to exercise the power given him under the second section of this bill and draft such aliens to perform mental or physical labor, and these aliens would have been pressed into industrial establishments of the country, while Americans would be sent abroad to the battle field. Precisely the condition which the opponents of this bill desire to avoid, and precisely the condition which will be avoided by the treaties which are being negotiated with our cobelligerents. I again express the gratification that the opposition of myself and those who voted to dispense with Calendar Wednesday has accomplished this much, so that if acting either under this law or under the treaties, the aliens of this country will be forced, in return for the blessings and benefits which they have received from America, to take their stand in the ranks by the side of American boys and help uphold the American cause and carry its flag to victory. [Applause.]

Mr. GARD. Mr. Chairman, will the gentleman yield there?

Mr. FLOOD. Yes.

Mr. GARD. Is there any distinction in the Italian treaty between the state of affairs whereby we might be at war with another country at the present time when we are an ally with Italy?

Mr. FLOOD. None in the world. There is a clear, straight, positive treaty to the effect that we will not draft or compel any of their nationals to enter any branch of our military service.

Mr. GARD. Even though we be their allies?

Mr. FLOOD. Even though we be their allies; under no circumstances without their consent.

Mr. LONERGAN. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I will.

Mr. LONERGAN. Is the gentleman, as the chairman of the Committee on Foreign Affairs, in a position to state positively for the State Department the maximum time required to complete the negotiation of the treaties?

Mr. FLOOD. I do not believe any statement could accurately be made. I talked with the Solicitor of the State Department this morning. I was informed that the final draft of the treaty between this country and Italy had been made, and some time ago sent to the Italian ambassador here, and transmitted to the Italian foreign office, and they expected a reply in a few days; but he could not say definitely when, because that depends upon the Italian Government. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. BURNETT. Mr. Chairman, I yield five minutes to my colleague on the committee, Mr. SABATH.

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. SABATH. Mr. Chairman, I was indeed pleased to hear from the gentleman from Washington [Mr. JOHNSON] that he is pledged to the support of the President of the United States. I was greatly pleased to hear that he is desirous of being of service to the Department of State, and I wish to assure him that it is not my desire to do anything that would in any way conflict with the aims and efforts of the President or of the State Department.

Mr. Chairman, I am of the opinion that even if this bill be in contravention of the treaty with Italy, as claimed by several gentlemen, Italy, I am sure, shall not or can not interpose objection to it for the reason it will be of as great, yes, even greater, benefit to that nation than to our own country, and consequently we do not by our vote here to-day do any injury to Italy or any other country with which we have a treaty on this subject.

Mr. VENABLE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Mississippi?

Mr. SABATH. I have only five minutes, and I desire to make a few observations on the bill.

The CHAIRMAN. The gentleman declines to yield.

Mr. SABATH. That is all I desire to say about the treaty. I disagree with the chairman of the committee as to the designation of the bill. He calls it an alien slacker bill. I do not. I call it an alien service bill. Personally I have had no requests from any of these aliens to be exempted from service; but, on the other hand, I have had thousands of requests from aliens who desire to be of service to the country, but who, owing to the provisions of our law, are prevented from serving. Therefore I think it manifestly unfair that we should call this a slacker bill. Some gentleman shakes his head. I wish to say that we have to-day over 76,000 aliens in the service of the United States who have not claimed exemption, who are there to serve, but who, because of their alienage, are deprived of the privilege of being sent to the front. I hope that within a day or two we will be able to pass a law that will eliminate that provision which prevents the War Department from sending them to the front, where they desire to serve.

Mr. GORDON. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Ohio.

Mr. GORDON. Tell me what provision there is in the law that prevents any alien from volunteering in the service of the United States, except alien enemies.

Mr. SABATH. We have thousands of designated alien enemies, so called, who have volunteered and are now in the service.

Mr. GORDON. Of course, you do not think we ought to fight this war with alien enemies in our ranks, do you?

Mr. SABATH. But the fact that they are designated alien enemies does not make them so. They are just as anxious to fight for this country as is the gentleman from Ohio. They have volunteered. They have refused to claim exemption, and are volunteering to-day; because not only are they fighting for the principles that we are fighting for but they have other reasons to fight, namely, to help their brothers across the sea who have been domineered by Prussian and Austro-Hungarian misrule and by the Hapsburg and Hohenzollern Governments. They desire to aid in bringing freedom to thousands of their oppressed brethren across the sea. [Applause.] That is the reason they are fighting; they have a double reason for fighting. I say we should not designate them as alien enemies. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BURNETT. I will ask the gentleman from California [Mr. HAYES] to use some of his time.

Mr. HAYES. Mr. Chairman, before yielding time to any other gentleman I want to say just one word in reply to the gentleman from Virginia. Two of the universally recognized elements of sovereignty are that a nation may determine the character of the aliens that it permits to reside within its borders, and that it has the right to determine under what conditions aliens shall be admitted to citizenship.

Mr. FLOOD. Does the gentleman address his remarks to me?

Mr. HAYES. This bill says that any man in this country who is so lacking in manhood as to shirk the most responsible, the highest duty of citizenship to his own country and to this country is not fit to become a citizen of the United States. That is what this bill says, and that is all it says. It does not undertake to force any alien into the drafted army or into any other arm of the service of the United States or of any other country.

Mr. FLOOD. Do you not provide for their deportation if they do not?

Mr. HAYES. Surely; we regard them as undesirable citizens. I now yield three minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Chairman, the other day in discussing the question of the new draft with an official of the Provost Marshal General's office, he stated that that office would ask the Military Committee to change the existing draft law so as to enable the War Department to secure the requisite number for the second draft without pro rating the number among the respective States. In other words, where a State on account of its alien population has failed to provide a sufficient number, the States which are without foreign or alien population are compelled to make up that deficit.

I have spent several days in camp with 30,000 American soldiers, 10,000 of whom are from Tennessee, and every one of them to a man desires and expects the American Congress to

pass this legislation. The fathers, mothers, and the wives of the men who have already been drafted or who volunteered and those who are going to be drafted during this month, those here ready to sail, and those now fighting in France to-day expect every Member of the American Congress to vote for this legislation. There is not a more serious piece of legislation which has been submitted to us for our consideration and action. You can not escape responsibility before your constituency upon a technicality or a so-called treaty over 40 years old in this matter. This bill puts the law in the hands of the President to execute. If he thinks it evades a treaty, he can prevent its execution. If new treaties are successfully negotiated that are now pending, he will have the machinery already upon the statute books to carry out this draft and make the aliens do their just share of the fighting. A foreigner in America who will not accept American citizenship, and who will not fight now for his native country for bleeding France or for suffering Italy, or to save England, to restore Belgium, for the freedom of the world and to destroy autocracy, is unworthy of the blessings of our American Government. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAYES. I yield two minutes to the gentleman from Massachusetts [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, when this bill is reached under the five-minute rule I propose to offer the following amendment:

After the word "citizen" on page 2, line 4, insert the following:
"*Provided, however,* That this act shall not be construed to supersede the provisions of any existing treaty with such country the terms of which stipulate that the United States shall not subject the subjects of such country to compulsory military service."

I think I do not need to say to this House that I am and have been for many months as much interested as any Member of the House, or any person outside of the House, in reaching the alien slacker wherever he may be found. On the other hand, we have obligations which we can not be too scrupulous in observing. We are an honorable Nation engaged in a great war to-day because the word of another nation could not be accepted and could not be relied upon. Therefore where we have a treaty, where there is a treaty stipulation, we must be most eager and most earnest to be guided by the terms of that treaty. We must lean over backward, if necessary, in order to do our full international duty.

One point of view in this House is to the effect that the Burnett law does not violate any treaty. If that be true, why not expressly say in the bill that it shall not be so construed. Another point of view in the House is that the Burnett bill does violate some treaty. Without admitting it violates any treaty, let us declare, as an honorable Nation should, that we will not to that extent regard this law as operative, but that we may be depended upon to observe our solemn international promises. [Applause.]

Mr. BURNETT. Mr. Chairman, I yield to the gentleman from Mississippi [Mr. QUIN] one minute.

Mr. QUIN. Mr. Chairman, when the Senate alien-slacker bill was before the Committee on Military Affairs last August the State Department said to the committee, "Hold this up and we will have treaties negotiated by December." The committee stood by the State Department, and here it is on the 6th day of February, 1918, and still the department talks about negotiations being in progress. This bill is to make these alien cobelligerents fight in our Army or move back to their own countries and help their own governments in this war. I am for that very thing being done now. We have to-day a million four hundred and odd thousand volunteer soldiers in the Army, and only 76,000 of them are alien cobelligerents. We have in addition to that 500,000 drafted men in the Army. Our entire Army is now 1,940,000. All full-fledged Americans except the 76,000 stated. Here are these aliens of our cobelligerents in this war, all over the country, whom we are feeding, who enjoy the hospitality of the people and enjoy the privileges of this great Government of democracy, who are doing nothing to help us in this great war, and gentlemen oppose this bill because they say it violates a treaty. It violates no treaty. Our Government can withdraw from any treaty with these nations fighting on our side in this war for the solution of all. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, in behalf of the gentleman from Washington [Mr. JOHNSON], I wish to yield the time at his disposal. I would like to inquire how the time now stands?

The CHAIRMAN. The gentleman from Washington [Mr. JOHNSON] has nine minutes, the gentleman from Alabama [Mr. BURNETT] has two minutes, the gentleman from California [Mr. HAYES] has nine minutes.

Mr. STAFFORD. Mr. Chairman, I yield two minutes to the gentleman from Mississippi [Mr. VENABLE].

Mr. VENABLE. Mr. Chairman, I do not think any man seriously contends that the treaty with Italy specifically denies the United States the right to compel military service by the nationals in this country. Now, it is argued, in the first place, that this bill is not a violation of that treaty—first, because the compulsion which is sought to be exercised is a moral compulsion instead of a physical one.

I do not think that the United States Government can be placed in the attitude of taking this position. These nationals have their homes, their families, their business here; and when you say to them that they must leave the country and sacrifice everything they have in the world unless they enter the Army you have as fully and completely coerced them as if you applied physical force or the pains and penalties of a penal law.

In the next place, it is urged and argued that this treaty, as I understand it—the gentleman from Illinois implied the argument, and it was also implied by a question by the gentleman from Arkansas [Mr. WINGO]—that because the situation is different now from what it was at the time the parties entered into the contract—and a treaty is a solemn contract—that therefore the treaty or contract is not now binding, and that one of the parties passing on the question that conditions are different can be relieved from the operation of that contract and suffer no moral guilt if he attempts it.

There is a rule of law which is a rule of common sense, and that is that when any contract is clear and explicit in terms that it means what it says literally and is not open to construction. It seems to me that it would put the United States Government in a sorry position if it, through the legislative branch, declared and ignored a solemn contract made with a foreign country, pleading in excuse that circumstances had changed, and for that reason one of the parties to the contract could pass upon that question and relieve itself.

Again, it is argued, as I understand, that this contract should be violated because a coordinate department of the Government has not succeeded thus far in getting a new agreement with the parties by which the old and binding contract is removed. Now, we all desire these national alien slackers to serve, and they ought to serve. We all appreciate the necessity of their service and the moral right to their services, but we are not to be blamed if, in order to get their services, we are unwilling to violate a solemn governmental contract, and so violate our national honor. [Applause.]

Mr. BURNETT. Mr. Chairman, I yield two minutes to the gentleman from Massachusetts [Mr. PHELAN].

Mr. PHELAN. Mr. Chairman, I favor this legislation, and I hope it will pass immediately so that it may be enacted into law in time to permit the drafting of aliens for subsequent drafts. I have for months exerted every effort to get action on this necessary legislation. I spoke before the Military Affairs Committee of the House as long ago as last September, urging the report of some bill providing for the drafting of aliens residing in this country. For months past I have repeatedly conferred with the Secretary of State—Mr. Lansing—and with the Solicitor of the State Department, and also with Gen. Crowder, Gen. Bliss, and other officials in the War Department in an endeavor to bring about the enactment of legislation which will include aliens under our draft law.

I favor the passage of this bill, which will remedy an injustice and inequity which, however unavoidable in the past, can and should now be remedied.

It is an injustice to permit aliens living in the United States to avoid military service and stay at home while our American boys are fighting in the trenches. These aliens have thus far not only been permitted to escape their just burdens of the war, they have actually benefited by stepping into the jobs at home left vacant by the departure of our American soldier boys for the front. More than that, they and their families have been entirely relieved from the anxiety and sorrow attendant upon the departure of our American boys from their home circles and their families. Indeed, they have been entirely free from the danger and peril which our Nation at war has found it necessary to impose upon her sons. The time has come when we must demand that these aliens perform similar duties and assume equal burdens with our own American citizens.

I certainly do not want to see any of our treaty obligations violated. I am convinced they will not be violated by the passage of this bill. The President has full authority, even if any question arises, to prevent any violation of our treaty obligations. In the time allotted me I can not elaborate, but I am confident in the soundness of the position I assume.

I again urge the speedy enactment of this necessary legislation. The people of the country are right in their demand that

aliens be drafted. It has resulted in an inequitable distribution of the burdens of war all over the country, but especially in those communities where there is a large alien population such as the congressional district which I represent and, indeed, in the entire Commonwealth of Massachusetts. Over 30 per cent of the registrants called in Massachusetts were aliens, and approximately 25 per cent of the registrants called were exempted as aliens. In the city of Lawrence, which is a part of the district which I represent, there were so many aliens exempted that it required the calling of over 42 per cent of the total number registered to get the required quota. The Provost Marshal General's report shows that it required the calling of 4,302 registrants to get the quota of 558. The great percentage of those exempted were exempted on the ground that they were aliens. The passage of this bill will tend to rectify the inequity imposed upon such communities.

I hope, moreover, that the passage of this bill will be supplemented by legislation which I have already advocated before the Military Affairs Committee of the House designed to give credit to communities for the unduly large number of American citizens called to service and to provide that aliens already exempted shall, so far as practicable, be called in advance of American citizens.

The justice of the purpose of this bill to include aliens in our draft is so apparent that I hopefully anticipate favorable action by this House without delay.

Mr. BURNETT. Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman has no more time left. The gentleman from California has nine minutes.

Mr. HAYES. Mr. Chairman, I yield two minutes to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Chairman, we declared war 10 months ago, and about 8½ months ago we passed the selective-draft law. The figures for a part of New York City are as follows:

NEW YORK COUNTY.

Assembly district.	Election registration, 1916.	Registration for draft.
First	5,363	7,491
Second	6,600	10,221
Third	6,840	9,766
Fourth	6,190	8,657
Sixth	7,021	10,494
Seventh	6,940	6,218
Eighth	6,484	11,273
Ninth	5,806	6,862
Tenth	6,730	12,512
Eleventh	7,752	6,961
Twelfth	6,193	8,698
Thirteenth	6,559	6,457
Fourteenth	7,110	6,440
Sixteenth	7,117	6,473
Eighteenth	7,954	7,470
Twenty-fourth	5,950	7,804
Twenty-sixth	8,781	9,367
Twenty-eighth	5,697	7,765
Thirtieth	9,613	pt 10,369

BRONX COUNTY.

Thirty-third	13,146	11,812
Thirty-fourth	17,481	24,240

KINGS COUNTY.

Second	5,818	7,403
Third	5,861	7,636
Fourth	9,254	7,965
Seventh	7,922	7,285
Eighth	6,979	10,556
Ninth	19,512	17,523
Thirteenth	7,245	6,190
Fourteenth	6,528	8,367
Fifteenth	8,154	7,549
Nineteenth	7,955	8,925
Twenty-first	5,846	13,387
Twenty-third	19,831	21,903

HARLEM AND HEIGHTS REGISTRATION.

Assembly district.	Registration.	Per cent alien.	Per cent enemy.
Fourteenth	6,449	0.22	0.03
Thirty-first	7,960	.17	.01
Twenty-eighth	7,765	.42	.01
Nineteenth	8,992	.17	.03
Twenty-first	9,625	.18	.02
Twenty-third	11,121	.14	.02
Twenty-fourth	7,804	.38	.02
Twenty-sixth	9,367	.35	.01
Thirtieth	10,369	.36	.01

In the city of New York one boy out of every six is in the service under the selective-draft law. In the States where the alien population is very meager only one person out of ten is in the service. That is what we claim is the unfair and discriminatory feature of the selective-draft law. There has been no protest filed by the Italian Government against this proposed legislation, and at every other time, whenever any legislation is sought wherein citizens of Italy are to be affected, the Italian Government has protested, exercising the right which it has to do so.

Mr. FLOOD. Does the gentleman say that the Italian Government has not protested against this proposition?

Mr. SIEGEL. According to my information, I say it has not.

Mr. FLOOD. Does the gentleman know that the State Department says that the Italian Government has protested?

Mr. SIEGEL. I want to say to the gentleman that I have had correspondence with a gentleman who is in Italy, and who knows what the conditions are in Italy, and who has stated that there has been no protest against it.

Mr. FLOOD. But such a protest is not filed in the newspapers of Italy, but is filed through the Italian ambassador in America.

Mr. SIEGEL. But the same gentleman was the gentleman who transmitted the request from Italy to the United States Government that it was desirable that war be declared by the United States against Austria, in order that the war might be more effectively fought and more quickly won.

Mr. Chairman, there has been considerable said here to-day about the Italian residents of the United States. There seems to prevail here an impression that the men who came here from Italy have not responded to the call of Italy for military service. The contrary is true. More than 100,000 Italians have left this country to respond to the colors.

In the selective National Army you will find that the men of Italian descent have given their proportionate share, and in many instances have given more than there share.

It is about time that men would carefully consider the fact that the men who came from Italy have done their share in building up the country, and at the same time are just as patriotic and loyal to the United States as any there be among us.

Mr. Chairman, in conclusion let me read the following editorial from the New York Globe:

NO ROOM FOR ANY SLACKERS.

Senators LODGE and CHAMBERLAIN, who are urging the passage of a law to prevent alien residents natives of the countries of our allies from shirking military duty, should not delay bringing the question before Congress a moment longer than necessary. All slackers should be rounded up irrespective of their nationality and compelled to do their bit. Either let them serve under the Stars and Stripes or under the colors of their own country. To allow slackers of our companion nations in arms to find refuge here while their fellow men are giving their all in the struggle for world freedom is not doing our utmost for our allies. We are all one in the great fight, and we must stand together if we are to hope for victory. There must be no room in this country for the slacker, and the sooner he is given to understand this the better it will be for the cause.

Mr. HAYES. Mr. Chairman, I yield two minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Chairman, it seems that in the unusual condition of affairs in this world it is a sad commentary upon our ability to provide for a war in behalf of smaller nations that we should be obliged to throw the cloak of protection around the nationals of the very nations for whose very existence, according to the President, we have entered this war, and say to those nations that while we are willing to draft our own citizens and compel them to bear arms in behalf of our own Republic and incidentally these other countries, we will say to the nationals of those countries that they can abide here in peace and comfort and fill the industrial positions that have been created by reason of the fact that large numbers of our young men have been taken out of the industries and sent to war. If we pass this measure we will give notice, as representatives of the people, to the treaty-making and the treaty-confirming power that if treaties stand in the way under conditions such as exist now it is time that those treaties be abrogated and that new treaties be entered into, so that in the future, if similar conditions arise, we would not be precluded from compelling military service on the part of those who reside here, those aliens who are willing to work here and receive our moneys for their hire, and yet do not think enough of this country and its institutions to become its citizens, but who, when their country is involved in war, seek to hide behind the protecting arm of the provisions of treaties. [Applause.]

Mr. STAFFORD. Mr. Chairman, I yield two minutes to the gentleman from Indiana [Mr. BARNHART].

Mr. BARNHART. Mr. Chairman, I scarcely understand whether I have secured my time from the side of this question on which I wish to speak, for I am really on both sides. There

seems to be practical unanimity in the House that the provisions of this bill ought to prevail, and yet the statement is made by the chairman of the Committee on Foreign Affairs that he has been advised by the State Department that it would expedite matters if the consideration of this bill could be postponed for three weeks. If there is any one thing that the Congress of the United States ought to be doing at this time, it ought to be seeking to encourage compliance with treaty obligations with our friends. [Applause.] If, on the other hand, we want to hasten this matter of amending treaties so as to draft foreigners in our country, it seems we are going contrary to the powers that be who understand all the conditions prevailing at this time. I fully realize that it is an awful misfortune that our own boys must go to the front and that our alien allies are being permitted to remain in this country and take the jobs left by our soldiers; but we are also advised that already two treaties have been perfected and that two others are in course of negotiation, and evidently from the report of the Secretary of State they will be completed within three weeks. Also it is stated in the letter that premature action here might embarrass the situation so that the very thing we want to accomplish by this bill might be defeated. The provisions of the bill are important as justice to our soldiers who are going to the front, but the real question here is, Will we hasten matters by this action now or may we delay it by not complying with the opinion of the State Department? I think we could well afford to wait the three weeks they ask and that we ought to do it.

Mr. GOODWIN of Arkansas. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, there will be only one more speech on this side, and I understand the gentleman from California will have two speeches.

Mr. HAYES. How much time have I remaining?

The CHAIRMAN. Five minutes.

Mr. HAYES. I yield one minute to the gentleman from Illinois [Mr. MCKENZIE].

Mr. MCKENZIE. Mr. Chairman, with the adoption of the amendment suggested by the chairman of the committee, to strike out section 2, I am emphatically in favor of this legislation. In my judgment it does not violate any treaty that we have with any country in the world. I should be glad to see treaties entered into that would make it possible to follow our slackers into Canada and the other countries and compel them to serve under their flag or under our flag. [Applause.] But of course Congress can not do that; but we can go as far as this bill goes and say to those aliens in this country, "You can either fight to help the people in your native land and help our boys fight or you can get up and get out." [Applause.] It is simply to compel them to do justice to the American boy and the heroic French citizen at home, the brave Italians, and the Englishmen who are fighting for their lives and their countries, and I have no patience with a treaty or a law that will permit these fellows to come into this country and escape the service that they owe either to their native land or to their adopted country. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAYES. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Chairman, on the 18th day of May we passed the selective-draft law and we, with great acclaim, said that 9,500,000 men had registered for military service; but when we come to analyze the character of the men who have registered we find a very large part of them claimed exemption from military service because they are aliens. For instance, take the twenty-second district of Pennsylvania, where I live and which I represent and about which I know. Forty-three thousand two hundred men registered. Out of that number 10,292 claimed exemption from military service because they were citizens of another country. We have two classes of aliens—aliens that belong to the enemy and aliens that belong to our friends. Now, gentlemen, we have a duty here to enforce against every man who comes into the United States and enjoys the benefits of our country, its schools, its opportunities to live and educate his children, and acquire a fortune, that they also bear some of the burdens of our Government. The statistics show that over 80 per cent of those who claimed exemption in western Pennsylvania have been here sufficiently long to become naturalized if they wish to be, but they did not intend to become citizens. They propose to escape the obligations of citizenship and enjoy all of the benefits of our Government, and I am against that proposition. And how do they seek to do it? It is urged on this floor that they are entitled to do it because of a treaty existing between their native country, for instance, and the United States. The Supreme Court of the United States has said something upon this question of the validity of treaties. Every treaty that is entered into, gentlemen, is made with the distinct understanding of all the high contracting parties that it is subject to the sovereignty and the inherent power of the nation to control its own internal affairs, and no foreign treaty is contracted that will impair that inherent right of sovereignty. In the case of Fong Yue Ting *v.* United States (149 U. S., p. 698) it is said:

> The right to exclude or expel aliens, or any class of aliens, absolutely or upon certain conditions, in war or in peace, [is] an inherent and inalienable right of every sovereign and independent nation, essential to its safety, its independence, and its welfare.

Under this decision, at the time our treaties were made with France, England, and Italy, who are now our allies, these were made subject to the right of the United States to regulate its own internal affairs. That was understood by us, just as it was reserved by the other signatory parties to such treaty to themselves, and all treaties must be so read and so understood.

This evil of the alien slacker is an internal evil. It faces us. Every able-bodied alien male citizen between the ages of 21 and 30 is subject to the sovereignty either of our country or of our allies above named, and should be required to perform military service either for us or for their native country. They have no right to escape entirely. That proposition is admitted by all. Yet the registration has disclosed that practically one-fourth of the men in the district which I represent can claim exemption because they are alien residents.

The effect of this is that while the registration of men subject to military service is large, the actual quota must be filled from less than three-fourths of the registrants, and to that extent falls heavier upon the native-born Americans and those already naturalized. The effect has been to compel our native Americans to go into the service and fight this war, while this large number of foreign residents who are aliens remain at home, enjoy the protection of peace, and succeed to the good jobs made vacant by the Americans.

This situation is not only unfair, unjust, but it is intolerable, and is becoming more so with each recurring draft call.

Now, this bill proposes briefly as follows:

It is entitled "An act to provide for the deportation of aliens, and other purposes," and was introduced in this House August 3, 1917, and has been pending since that date.

Section 1 provides that any alien liable to become a citizen of the United States who is a native or subject of any country at war with Germany or any of her allies and who but for his alienage would be subject to the draft under the act of May 18, 1917, and who has claimed exemption on the ground that he is an alien, shall be hereafter barred from becoming a citizen of the United States and shall be deported as soon as practicable, but permits any alien who has been exempted on account of his alienage within 60 days after the passage of this act to submit himself to the operation of the selective draft, in which event he shall not be within the operation of this section and forfeit his citizenship or be deported.

Section 2 provides that 60 days after the passage of this act the President is authorized to draft such aliens to perform mental and physical labor on the farms and in manufacturing establishments, or he may make such disposition of such aliens as he deems best to the interest of the United States.

Section 3 provides that after 30 days from the passage of this act no alien who is a native or subject of any country at war with Germany, or with any of the central powers of Europe, who is subject to military duty in his native country, may be permitted to enter the United States, except on permission of the President, and provides penalties against steamship companies violating its provisions.

Section 4 exempts foreign representatives in our country.

Section 5 limits the operation of the act to during the war.

In brief, then, this act is an effort upon the part of Congress to pass a law which will prohibit aliens who are eligible to become American citizens, by reason of having resided in the United States the time required and having the other qualifications for citizenship, from longer remaining here and at the same time escape military service during the present war. If they have not been here a sufficient length of time, then this act will compel them to work on farms or manufacturing plants under military supervision or be sent back to their native country, to become soldiers and fight with our allies.

This act does not deal with the "alien enemy" who is compelled to register under another law—the Government will deal with him according to its provisions—but this act deals specifically with the alien who is the subject of a country which is at war with Germany or her allies.

We have already passed a law permitting England and France to establish recruiting stations in the United States and enlist

their subjects, but this has not worked very well, as few have volunteered, and they could only be taken if they volunteered to go.

This act can work no hardship on those who have resided in the United States a sufficient time and are otherwise qualified, because they can file their declaration and become citizens, and be subject to the draft law, and be relieved from the penalties of this act.

Section 2 of the act of May 18, 1917—the draft law—provides:

* * * Such draft as herein provided shall be based upon liability to military service of all male citizens or male persons not alien enemies who have declared their intention to become citizens between the ages of 21 and 30 years. * * *

Hence, an alien who has resided in the United States for two years and upward and has failed to take out his naturalization papers, after this act becomes a law, must either file his declaration at once and become subject to the draft or be deported. He can no longer claim exemption from military service and continue to reside in the United States, enjoy the protection of our laws, the unequaled liberties and opportunity for gaining a livelihood and making money, and bear none of the burdens of our citizenship, as they now are doing.

This act therefore works no hardship. The urgency for this legislation must necessarily rest upon the conditions that prevail throughout the country. I know such conditions in my own congressional district, composed of Westmoreland and Butler Counties, Pa., and the great demand for this legislation that these conditions present.

At the time of the registration held June 5, 1917, 48,492 men appeared there and registered as being within the military age. In detail this registration showed as follows:

In Westmoreland County, Pa.:	
Total registrants	26,940
Total alien registrants	9,666
In Butler County, Pa.:	
Total registrants	10,260
Total alien registrants	1,626

SUMMARY.

Total twenty-second congressional district registrants	48,492
Total twenty-second congressional district alien registrants	11,292

This shows that about 25 per cent of the registrants claimed exemption by reason of being citizens of a foreign country, and have obtained discharge from military service on that ground. And 90 per cent of these according to the facts disclosed by the registration have been in the country over two years and are entitled to make declaration of their intended citizenship and thereby escape the penalties of this act and become subject to the draft law, and 80 per cent of these have been in the country over five years and could have attained full citizenship had they a desire to do so. Therefore, according to these statistics, there is in the twenty-second congressional district approximately 8,000 foreign-born aliens of military age who do not desire to become citizens for the deliberate purpose of escaping the burden of military service, payment of taxes, and other duties incumbent upon the citizens of our country. They do, however, enjoy the privileges of our schools, and in Pennsylvania can own real estate and engage in any lucrative employment and practically enjoy all the privileges and benefits of full citizenship and yet bear none of its burdens.

Mr. Chairman, this is unfair, unjust, inequitable, and wrong. It should not be longer tolerated. These men are now permitting the native-born Americans and the naturalized Americans to go off to Europe and fight their battles while they remain at home, not only to enjoy the blessings of liberty here but to take their places in business and civil life and enjoy the good wages and salaries formerly earned by these patriotic Americans. To continue to allow this condition to prevail is little short of outrageous. It is certainly unfair and discriminatory toward native Americans.

It is stated that this legislation ought not to pass because the Secretary of State fears that it would cause retaliatory measures in other countries. What other countries? In Germany and Austria which are the only countries with which we are at war. Very few Americans are in either of these countries, and if there are any why should we think of them when they have had three years and one-half to get out and come home? Any American citizen who is now a resident of those countries has forfeited his citizenship here, or at least has some attachment greater there than here, and why should we concern ourselves about him? He has probably married a native wife and assumed citizenship there or at least he has deserted us. He has not shown any desire to come to the rescue of his former country and help us in this time of peril.

On the other hand, there must be in the Commonwealth of Pennsylvania, with its 7,665,111 population in 1910, at least 500,000 who have claimed exemption from the draft as aliens, judging the population from the proportion of those residing in the twenty-second congressional district of Pennsylvania.

Is it possible that all of these are to escape? Are they to be permitted to remain at home and enjoy all the privileges of our country and yet not help us at this time of distress and danger?

The State Department now informs us that we should not pass this legislation, because it will interfere with treaty rights and prevent negotiations now pending with these foreign States.

Mr. Chairman, how long are we to wait?

This bill was introduced on the 3d of August last. We were then told that the State Department had the matter up and would either abrogate or modify these treaties. Now, we still have the same report that they are yet negotiating, with no promise of ultimate success, and certainly no time limit as to when such negotiations will be concluded. In the meantime the draft has gone on and another call has been made for a quota to be filled February 15, and the alien slackers are still asserting their right to be exempted and our American boys are still being taken.

Mr. Chairman, I am not in favor of extending the time any longer or waiting a single day for the State Department. Let us pass this act and stop this unfair and demoralizing practice under which the alien slackers are claiming exemption and escaping the draft entirely and our gallant American boys are taken to fight our battles. [Applause.]

Mr. STAFFORD. Mr. Chairman, if no negotiations were on with representatives of the allied governments we might feel justified in taking this extreme step of legislating as to nationals of other countries who are residing and domiciled in this country, but the uncontroverted testimony here is that the State Department is negotiating treaties that are about to be consummated; that the State Department has negotiated treaties with Great Britain and also Canada and has about completed negotiations with France and will shortly complete negotiations with Italy. I am unwilling by my vote, on the showing that is thus made, to invite the foreign Governments by our action to reciprocate and take control of the nationals of the United States under such conditions that their legislatures may see fit to enact and subject them, regardless of age, to military service in those countries.

I am willing, however, for our diplomatic representatives, in conjunction with the diplomatic representatives of foreign countries, to negotiate and compel the services of Americans abroad who for one reason or another are not at this time obligated for service.

I am just as much in earnest to have the slackers of Canada, who have come across our border by the thousands before the declaration of war, do service in behalf of Great Britain as I am for the slackers of Italy or any other country, but I want it done in a legal way, the legally constituted way which has been recognized for all time, of having the representatives of the Foreign Affairs Department collaborate with the diplomatic representatives of the foreign Governments in negotiating treaties that will cover our nationals and the nationals of their respective countries. That is in progress. What is the occasion for haste and impatience?

This bill amounts to nothing. It is nothing more than an immigration bill, and every person here who has been opposed to immigration of foreigners to this country is in favor of this bill, because he knows in his heart it will not result at all in getting persons into the Army who are opposed to going into the Army, as there is no compelling sanction, but it will postpone aliens going into the Army if these treaties are going to be stopped by the negotiations, which the Secretary of State says will be stopped and checked. For those reasons, Mr. Chairman, I am opposed to this bill.

Mr. HAYES. Mr. Chairman, I yield two minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, during the consideration of the immigration bill in the Sixty-third and Sixty-fourth Congresses I favored an amendment requiring either compulsory naturalization or deportation. That was before war measures were under consideration. And it is, in my mind, very much more important that the same sort of law should become effective to-day. The only objection heard in our section of the country at all to the draft law is the fact of the very large percentage of aliens that are not only escaping the draft but are taking the positions made vacant by our boys that are called into the service. [Applause.] It works wrong in both ways.

Let me call to your attention the registration of Massachusetts under the selective-draft act. The total was 359,323, according to the statistics furnished by the Provost Marshal General. Of this number 106,014, or nearly one-third of the total number, were exempt under the alien clause. In the four

western counties of Massachusetts, where my district is located, the total registration was 54,006; aliens, 16,772. The same proportion has prevailed throughout the State, nearly one in every three escaping under the alien provision.

I believe most thoroughly in the elimination of section 2 of this bill. There should be no discrimination shown these aliens who remain in this country. Let them take the same chances as our boys do, and there will not be this opposition to the selective draft. [Applause.]

The district I represent is about half urban and country population. In the cities the young men who have been taken from trades and occupations are the sons of our own citizens, while the alien population stands on the street corners watching the men march to the service of their country, and then enter the mills or factories in the positions the boys with the colors have held.

In the country sections farms are being abandoned for the lack of men to cultivate them. Fathers and mothers have seen their boys leave the plow, or the rake, or the hoe; leave their firesides and homes, being deprived both of their labor and their needed companionship. You can not expect increased production of the farm when the only ones not affected by the selective-draft act are those who have not sufficient interest in the welfare of our country to become citizens of it.

One in every three men in Massachusetts of draft age is exempted; one in every eight in the entire United States. Such a condition is intolerable. I appreciate the desire of many Members not to act contrary to the wishes of the State Department and infringe on any treaty rights, but there can be no argument raised against prompt action either through legislation or through treaty agreements on a subject so vital to the interest of our people. Within a short time the next draft will be called out, and either this bill should become law before that call is issued or treaties with the various countries should become operative for the same purpose.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. HAYES. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GALLIVAN. Mr. Chairman, I make the same request.

Mr. SABATH. Mr. Chairman, I ask the same privilege.

Mr. BURNETT. Mr. Chairman, I make the same request. Would it be in order now to ask that all gentlemen may have the privilege of extending their remarks?

The CHAIRMAN. Not in committee.

Mr. JOHNSON of Washington. Mr. Chairman, I make the same request.

Mr. BARNHART. Mr. Chairman, I make a similar request.

Mr. ROMJUE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. STAFFORD. Mr. Chairman, would it not be in order for a motion to be considered to extend the remarks of all who have spoken?

The CHAIRMAN. Not in the committee.

Mr. STAFFORD. Oh, yes. All those who have spoken on the bill, because if the Members individually can get that permission, they can get it collectively.

The CHAIRMAN. No general leave, the Chair is informed by the parliamentary clerk, can be granted.

Is there objection to the request made by the gentlemen to extend their remarks in the RECORD? [After a pause.] The Chair hears none.

The Clerk will read the bill under the five-minute rule.

The Clerk read as follows:

Any alien who may have been exempted from said selective draft on account of his alienage prior to the passage of this act may, within 60 days after the passage of this act, withdraw such exemption and submit himself to the operation of said selective draft, and in that event shall not be held to be within the operations of this section as to the forfeiture of citizenship and deportation: *Provided*, That the President is hereby authorized to make such rules and regulations as may be necessary to enforce the provisions of this section.

Mr. MCCULLOCH, Mr. ROGERS, Mr. WALSH, Mr. SABATH, and Mr. BURNETT rose.

The CHAIRMAN. The Chair will recognize the gentleman from Alabama [Mr. BURNETT].

Mr. BURNETT. Mr. Chairman, the gentleman from Illinois [Mr. SABATH], a member of the committee, desires to offer an amendment.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois, a member of the committee, to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Insert at the end of line 4, on page 2, the following:

"*Provided*, That any alien subject to deportation under this section may for a period of not more than 60 days from the passage of this bill be permitted to voluntarily leave this country."

Mr. MOORE of Pennsylvania. Mr. Chairman——

The CHAIRMAN. The gentleman from Illinois [Mr. SABATH] is recognized.

Mr. MOORE of Pennsylvania. Is the gentleman from Illinois going to speak?

Mr. SABATH. Just briefly. I desire to explain this amendment.

There is nothing in this bill as originally drafted that would give these aliens who might here and there claim exemption, or refuse to do it, a right to leave this country. My amendment, which has been agreed to by the chairman of the committee and the other members of the committee, gives such alien the right to leave this country within 60 days.

Mr. MOORE of Pennsylvania. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Illinois yield to the gentleman from Pennsylvania?

Mr. SABATH. I will yield to the gentleman.

Mr. MOORE of Pennsylvania. Suppose the gentleman's amendment were to apply to an Italian alien who would go back to Italy under circumstances that would subject him to imprisonment, if not to death; what would the gentleman say, then, as to the effect of his amendment?

Mr. SABATH. Oh, if that would be the case, I would not offer nor would I favor such an amendment; but in view of the fact that the Italians across the sea are fighting for the same cause as those Italians that have enlisted here, I believe such man belonging to that country or any other country should not refuse his services to the country of his adoption nor to the country of his birth. And in view of the fact that he has been legally and lawfully in the United States he is not guilty of any offense against his country if he should return.

Mr. MOORE of Pennsylvania. The gentleman would have him sentenced to death there or sentenced to Army service here. That is about the situation.

Mr. SABATH. No; he would not be sentenced to death there, because he is legally and lawfully in the United States, and I take it for granted that he has secured leave of absence or secured a passport from his Government before leaving Italy to come to this country.

Mr. MOORE of Pennsylvania. Then leave out the Italian side of it altogether, and if he is in this country legally and lawfully, as the gentleman from Illinois says, he would either send him into the Army or send him back to Italy.

Mr. SABATH. He would have the right not only to go to Italy, according to my provision, but he would have the right to go to Mexico or to Canada or to any other country. If he would be subjected to prosecution or to the charge of treason, naturally he would not go home to fight for his country. But my amendment will cure that, so that he will not be deported, but will have the privilege of going home to his own country and fighting for his country.

Mr. MOORE of Pennsylvania. The gentleman wants to punish him one way or the other. That is the idea.

Mr. SABATH. No. I want him to serve. [Applause.] That is what I want. I want him to serve the same way as our boys, as the American boys, and all other boys who have any red blood in their veins would do, to serve their country. [Applause.]

Mr. MOORE of Pennsylvania. And would not the gentleman's amendment permit him to go to Mexico, where he would not serve at all

Mr. SABATH. Well, if he is such a coward, we do not want him here. Let him go.

Mr. MOORE of Pennsylvania. The gentleman would send him there?

Mr. SABATH. Well, that is as good a place as I know of to send him. [Applause.]

Mr. MOORE of Pennsylvania. I know the gentleman has a warm, tender spot in his heart for the immigrant.

Mr. SABATH. The gentleman from Pennsylvania is correct; but at this time I want the immigrant to have a warm spot in his heart for this country. That is all I desire to say on this amendment, Mr. Chairman.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to oppose the amendment.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not think this amendment should pass, because it admits of a subterranean

method by which an alien may escape service altogether—even the labor service he performs here. It permits him to go into Mexico, as the gentleman from Illinois has already indicated. It permits him to avoid the United States, and to avoid his own country, no matter whence he comes.

I do not think the amendment ought to pass; neither do I think the bill ought to pass at this time. I do not believe the Congress of the United States should challenge the Secretary of State and the President of the United States on so vexatious a problem during the pendency of the war. I do not believe we should invite every nation on earth to adopt harsh measures with regard to Americans who happen to be under their jurisdiction after the manner proposed here with regard to aliens who happen to be in the United States. I believe we would talk "war" to Italy or any other country if, in violation of treaties, it should pass a law like this in regard to Americans who happened to be in the jurisdiction of such a country.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. WALSH. Are those Americans that the gentleman is talking about in that country there to avoid the military laws of this country?

Mr. MOORE of Pennsylvania. If they are there to avoid service here, I am not defending them; but——

Mr. WALSH. What are they doing there? They are within draft age.

Mr. MOORE of Pennsylvania. I am assuming that Americans may be there on lawful business, just as the gentleman from Illinois said that some of these aliens were lawfully in the United States. I do not want Americans seized and impressed into the war service of a foreign country without our approval. I am bringing to the mind of gentlemen the fact that we may be throwing a boomerang by passing this law. We may be inducing other nations to retaliate by the passage of similar laws affecting Americans abroad.

There is danger in this bill of unhappy international complications. We propose to violate existing treaties. We propose to violate treaties that exist between this country and Italy as though they were "scraps of paper." Let me tell you, my American friends, the duty of keeping good faith with our allies rests upon all Americans just now. It has been our custom to charge bad faith against Germany. We are constantly holding Germany up to scorn for treating a treaty as a "scrap of paper." We ought not to put ourselves in a position to be charged with bad faith. We should let it be known that our treaties, our bounden words, our international agreements, mean something. I fear our haste in this matter is due largely to the opportunity to carry a little German blood back into our districts. The opportunity is here to "crush the Hun" in the House of Representatives. Even so, I do not think we should adopt the methods of those whom we denounce and treat as "scraps of paper" existing international agreements which we have made in good faith.

We are informed that the President is against this proposition; that the Secretary of State is now in negotiation with foreign nations to meet the very propositions you propose by this bill to anticipate. If that is so, you are embarrassing the State Department by this legislation. If you are embarrassing the President and contemplating a violation of your plighted word as Americans given in your international agreements, this bill should be defeated. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. ESCH. Mr. Chairman, as I understand, the amendment has used the words "this bill." I move to amend by striking out "this bill" and inserting "this act."

Mr. SABATH. I understood it was this section.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin [Mr. ESCH].

The Clerk read as follows:

Amend the amendment by striking out the word "bill" and inserting in lieu thereof the word "act," so that it will read "not more than 60 days from the passage of this act be permitted to voluntarily leave this country."

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Wisconsin to the amendment offered by the gentleman from Illinois [Mr. SABATH].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is now on agreeing to the amendment as amended.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. SABATH. A division, Mr. Chairman.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 56, noes 55.

Mr. HAYES. Mr. Chairman, I demand tellers.

Mr. MOORE of Pennsylvania. Mr. Chairman, I demand tellers.

The CHAIRMAN. Tellers are demanded. All those in favor of taking this vote by tellers will rise and stand until they are counted. [After counting.] Twenty-five gentlemen have voted for tellers. Tellers are ordered. The Chair appoints the gentleman from Illinois [Mr. SABATH] and the gentleman from Pennsylvania [Mr. MOORE] to act as tellers.

The committee again divided; and the tellers reported—ayes 57, noes 58.

So the amendment was rejected.

Mr. ROGERS. Mr. Chairman, I have an amendment, which is at the Clerk's desk.

Mr. WALSH. I have an amendment.

Mr. SIEGEL. I have an amendment.

The CHAIRMAN. Does any member of the committee desire to offer an amendment? If not, the Chair will recognize the gentleman from Massachusetts [Mr. ROGERS].

Mr. ROGERS. I offer the amendment which is at the Clerk's desk, which I ask to have read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. ROGERS: Page 2, line 4, after the word "citizen," insert the following:

"*Provided, however,* That this act shall not be construed to supersede the provisions of any existing treaty with such country the terms of which stipulate that the United States shall not subject the subjects of such country to compulsory military service."

Mr. ROGERS. Mr. Chairman, I offer this amendment as a friend of this legislation and not as an enemy of the legisaltion. I hope that this bill, when perfected, will pass the House to-day. I hope that it, or something like it, may become a law. But, as I said in the course of general debate, it seems to me of the utmost importance that we shall not lightly pass a bill which violates or even arguably violates the provisions of an existing treaty. The United States, speaking through its House of Representatives, can not afford to go on record as deliberately passing a bill which is violative of the provisions of a treaty. If we do not like the treaty that is on the books to-day, let us proceed in an orderly way to abrogate it. But let us not proceed by indirection and by subterfuge to pass a law which, in the opinion of the Secretary of State, is directly violative of the language of at least one existing treaty. Frankly, I for myself, do not think that the Burnett bill does violate any existing treaty, although I say that, of course, with great deference to the expressed opinion of the Secretary of State to the contrary. But if it violates the treaty we ought by our own language to-day to exclude the intent which, in the opinion of the Secretary of State, is manifest in the language. If it does not violate the language of any treaty, then it can do no possible harm to incorporate the proposed amendment in the bill.

Mr. MOORE of Pennsylvania. Mr. Chairman, I did not hear the gentleman's amendment read. I want to know whether it proposes to lodge discretion in the Secretary of State as to the enforcement of this act.

Mr. ROGERS. Of course, all questions of treaty interpretation depend very largely upon the judgment of the State Department. No doubt in the last analysis this law will be interpreted by the State Department and ultimately, perhaps, by the United States Supreme Court. But I should suppose that there could be no valid objection to it for that reason.

Mr. MOORE of Pennsylvania. The gentleman proposes to leave the questions at issue to the Secretary of State?

Mr. ROGERS. The language of the amendment speaks for itself. The gentleman can determine that as well as I can.

Mr. TOWNER. May the amendment be reported again?

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the amendment be reported again. Is there objection?

There was no objection.

The amendment was again read.

Mr. BURNETT. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this amendment close in 10 minutes. Is there objection?

Mr. SHERLEY. Mr. Chairman, I trust the gentleman will not do that.

Mr. BURNETT. I will yield five minutes to the gentleman.

Mr. SHERLEY. But the gentleman will not have the power to do that. I think this is a matter that goes to the crux of the thing and that debate now will probably simplify all of the proceedings later on. I trust the gentleman will not undertake to limit debate on this matter now.

Mr. BURNETT. Very well; I shall wait for a short time. We want to finish this bill this afternoon.

The CHAIRMAN. Debate upon this amendment is now exhausted under the rule.

Mr. SHERLEY. Mr. Chairman, I move to strike out the last word, if I may get recognition.

The CHAIRMAN. The gentleman from Kentucky is recognized for five minutes.

Mr. SHERLEY. Mr. Chairman and gentlemen of the House, the amendment just offered serves to illustrate the difficulty of our proceeding wisely now with this character of legislation, and it was because of an appreciation of that situation that I had hoped the House might have seen the wisdom of postponing consideration for some little time. It did not, and that is behind us. There is no question in the mind of any man who is informed of the sentiment of this House or of this country that the people of America propose, in the last analysis, to see to it that those who have claimed the hospitality and the benefit of this Government shall bear their fair share of the burden of this Government in fighting to uphold it against its enemies. No man will go further than I along that line. No man who knows the position I have taken touching the prosecution of this war can question the sincerity of my statement in that regard.

But there is an orderly and a decent way of doing things that a great Nation standing for law over the wide world must always consider, and it was because of that that I did not desire that this House should wantonly disregard treaty obligations until that position was forced upon it. If the time should come and we so determine when this country can not put upon aliens their proper burden without abrogating treaties because the other nations with whom we had treaties are not willing to negotiate with us, then I would be willing in a matter of such extreme importance to take the responsibility of declaring that, having given to that nation an opportunity in an orderly way to deal with the subject matter, we proposed to legislate openly, in disregard of rights claimed, that we think no longer ought to be claimed under such treaties. But in advance of opportunity to bring about an adjustment with other nations, to take that position is to take a position that, to say the least, is unheard of on the part of nations of the first magnitude. Therefore I for one shall support the amendment offered by the gentleman from Massachusetts [Mr. ROGERS]. We will by the action here to-day clearly indicate what is in the mind of the people of America and the Congress of the United States, but we ought not at this stage of the proceedings to declare that, without regard to our pledged word, without regard to the honor of the Nation as expressed in a treaty, we propose to disregard those things and to legislate. I think the House can afford to think soberly and deeply before it takes such a position. I know the feeling of the thoughtless. I know the criticism that a public man sometimes subjects himself to when he seems not to be willing to do as quickly and as ruthlessly what is desired by some of his constituents as they wish, but I say again what I have said before to the House; this is a time for courage in public men. No man is going to be misunderstood by his vote here who is a real patriot. We do not propose to let the slacker continue to slack, whether he be citizen born or foreign born, but we do propose decently and in order to legislate and to not disregard entirely our international obligations under the whip and the press and the spur of some men who are willing to demagogue about the subject. [Applause.]

Mr. BURNETT rose.

Mr. REED. Mr. Chairman, I desire to offer a substitute for the amendment.

Mr. TOWNER. Mr. Chairman, I desire to oppose the pro forma amendment.

The CHAIRMAN. The Chair will recognize the gentleman from Iowa to oppose the pro forma amendment.

Mr. BURNETT. But, Mr. Chairman, I rose to oppose that.

The CHAIRMAN. The Chair will recognize the chairman of the committee, the gentleman from Alabama [Mr. BURNETT].

Mr. BURNETT. Mr. Chairman, another call will be made in a short while. The papers stated some time ago that it would be in the middle of February. I have seen it stated in the last few days that 75,000 or 76,000 were still uncalled from the first draft, and the 23d of February was the time fixed for completing that draft. There can hardly be another call made before, possibly, the 1st of May. Of course, I have no information in regard to the matter. If this bill is passed now and goes to the Senate and is quickly acted on there, these men who have been relegated to the fifth class can be embraced within that call. Certainly this is a time for action. The war has been going on almost a year. Conscription began on the 5th day of June, seven or eight months ago. Negotiations with our cobelligerents were started in early September or in August, and still not a single treaty has been consummated and sent to the Senate. In the name of the American boys who will be in this next call I insist that the emergency that the gentleman from Kentucky [Mr. SHERLEY] has referred to is now upon us.

Mr. MONDELL. Will the gentleman yield?

Mr. BURNETT. In a minute. My objection to the amendment offered by the gentleman from Massachusetts [Mr. ROGERS] is that the State Department, according to assertions made by gentlemen upon this floor to-day, has already prejudged the bill. They have already passed judgment upon the question of whether it is in conflict with a treaty. I say it is not. The doctrine laid down by authorities on national law say that it is not. Moore on International Law says:

> Some writers have essayed to enumerate the legitimate causes of expulsion. The effort is useless. The reasons may be summed up in a single word—"the public interests of the State."

When the second call is about to be made, when the men of America and the naturalized citizens of America are about to be called to fight the battles not only for democracy but for the very existence of England, Belgium, Italy, and Russia, it seems to me, Mr. Chairman, that the emergency is here. If we postpone it three weeks, and the State Department does not negotiate the treaties, then we are three weeks further off, and possibly it will be beyond the next call before any action can be had by Congress or by the State Department. Mr. Chairman, if these negotiations are concluded even with Great Britain or Canada or France or with any nation, when this bill goes to the Senate that body can so amend it so as to say that it shall not apply to treaties that reach the same purpose and intent as this law.

Mr. MONDELL. Will the gentleman yield?

Mr. BURNETT. So I hope there will be no postponement. I hope we will not adopt the Rogers amendment, because it simply leaves it to the State Department, and you had as well have no bill at all. I yield to the gentleman from Wyoming.

Mr. MONDELL. What is there in the bill which subjects any man to the draft except he voluntarily submits himself to it? [Applause.]

Mr. BURNETT. Not a thing.

Mr. MONDELL. Then why does the gentleman say that if the bill is passed in the House and Senate these men would be drafted? [Applause.]

Mr. BURNETT. Oh, I do not say they would be drafted, but I said they would withdraw their claims of exemption. I have here a letter from Gen. Crowder, stating that where no claim of exemption is made they are drafted. If this bill is passed, instead of being in the fifth class, they will fall either in the first, second, or third just like the American boys fall. They will either have to do that or get out. This terrible source of irritation that perhaps the gentleman from Wyoming does not feel, will be avoided by other gentlemen who do feel it, especially gentlemen from those districts where so many of these alien slackers are.

Mr. VENABLE. Will the gentleman yield?

Mr. BURNETT. I do.

Mr. VENABLE. In the event this bill becomes a law, and for illustration, half a million Italians would signify that they chose deportation rather than enlistment in the Army and would calmly sit down and say, "Deport us." in the first place, how is the Government going to deport them without ships, and, in the second place, would it not be better, that being the possible effect of this war, to wait until some treaty is entered into which will not only render these men liable for service but enforce that service?

Mr. BURNETT. Mr. Chairman——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURNETT. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. BURNETT. The case the gentleman from Mississippi [Mr. VENABLE] attempts to suppose is not a supposable case. Those Italians are not going, and the Russians will not, and many thousands of others that left their country—and some of them for the country's good—are not going to run the chance of being deported, and they are going to withdraw their claims of exemption and submit to the draft. The gentleman overlooks one feature of this bill, and that is that this question of refusing naturalization and of deportation does not end with the war. Now, does he believe that these men, with that emergency hanging over them, would subject themselves to deportation? But even if the Italians could not be deported at once, there are thousands of renegade slackers from Canada that could be and ought to be. I heard a gentleman from New England say a few days ago that more than 10,000 Canadian slackers were there, and certainly we can at least get rid of those fellows that

have come from just across the border, and surely we could get rid of the others in time.

Mr. FLOOD. The gentleman recalls that we have negotiated a treaty with Canada?

Mr. BURNETT. Will the gentleman show that it has either been adopted or ratified by the Senate? Away back yonder in September it was stated that it was just to be negotiated, and when Congress met in December the papers were full of articles that had been given out, no doubt by the State Department, saying that they were just about to be negotiated. That was more than two months ago, and yet, here they are, still negotiating, and have not negotiated anything yet.

Gentlemen, you are dealing with fire when you give the State Department the power to construe this law in regard to the violation of treaties if you adopt the Rogers amendment.

Mr. DALLINGER. Will the gentleman yield?

Mr. BURNETT. I will.

Mr. DALLINGER. I want to ask the gentleman from Alabama if there is anything in this bill, without any amendment being adopted, which in any way violates the terms of any treaty we have with any nation in the world?

Mr. BURNETT. None whatever.

Mr. GORDON. The Secretary of State does not agree with you about that.

Mr. BURNETT. That is a fact. And the distinguished gentleman from Ohio does not. But it is not the first time I have had the honor of differing with the gentleman from Ohio and even with the executive departments themselves. [Applause.]

Mr. HARDY. Will the gentleman yield for just one question?

Mr. BURNETT. I will.

Mr. HARDY. Since there is such a difference as to whether this law does violate a treaty, and the gentleman does not want a law to violate a treaty and does not believe it does, why did he object to a paragraph amending it by saying that it shall not be construed to violate a treaty?

Mr. BURNETT. That leaves it up to the State Department, which has already prejudged it and says that it does. I do not want any department that has already prejudged my case to try the law we want to make.

Mr. HARDY. Does the gentleman think the adoption of that amendment would give his construction to it?

Mr. BURNETT. When the Immigration Bureau goes to enforce the deportation it will, no doubt, refer the question as to treaty violations to the State Department. That department, according to the statement of the gentleman from Virginia [Mr. FLOOD], has already decided that question, although the Supreme Court in the One hundred and thirtieth United States case has decided that it not only does not violate a treaty, but that no treaty could be made which could deprive this country of the right of deportation.

In the case in One hundred and thirtieth United States, Chinese who had resided here for years before the law was passed were required to register, and on failure to do so were to be deported. The court held that this law was not in violation of any treaty rights.

Mr. REED. Mr. Chairman, I offer a substitute to the Rogers amendment.

The CHAIRMAN. The gentleman from West Virginia offers a substitute, which the Clerk will report.

The Clerk read as follows:

Page 2, line 4, after the word "section," add the following:
"*Provided*, That whenever any country or countries engaged in war with Germany shall consummate a treaty with the Government of the United States which, in the opinion of the President of the United States, substantially accomplishes the purposes of this act, then said treaty stipulations shall apply as to such country or countries in lieu of the provisions of this act."

The CHAIRMAN. The question is on the substitute of the gentleman from West Virginia [Mr. REED].

Mr. REED. Mr. Chairman, there is a difference of opinion among my colleagues here as to the authority of the Congress to go ahead of a treaty; that being true, and in view of the divergent opinions of distinguished parliamentarians and constitutional lawyers here as to the effect of this proposed act, I believe the substitute I have offered may hasten negotiations now pending relative to new treaties. The provisions already in the bill, Mr. Chairman, are liberal enough to give the President of the United States ample time to deal with the countries affected and for the State Department to treat with the other countries. Mr. Chairman, if within 60 days the countries of the world who are at war with Germany can not consummate treaties that will secure the results sought by this act, then we have this law on the statute books to take care of the situation.

Mr. HAYES. Will the gentleman yield for a question?

Mr. REED. I will.

Mr. HAYES. Does not the gentleman know that if we pass this law without his amendment and the treaty should be subsequently negotiated and approved by the Senate of the United States, that would, ipso facto, repeal any provision of this law that was in conflict with it, and that, therefore, his amendment has no force and is not necessary at all?

Mr. REED. Then, would not existing treaties nullify this law if we should pass it?

Mr. HAYES. The last expression of the legislative will is controlling, and this law will control in the matter of any treaty.

Mr. REED. Then let this act serve notice on the countries affected as to what we expect of them. We have waited a long time for action and if treaties are not made along this line in a reasonable time we ought to have this law.

Mr. PLATT. Mr. Chairman, I rise to oppose the amendment.

The CHAIRMAN. The Chair would like to state to the gentleman from West Virginia [Mr. REED] that his substitute reads "after the word 'section,' in line 4." There is no such word there.

Mr. REED. It is a substitute for the Rogers amendment, wherever his substitute appears.

Mr. PLATT. Mr. Chairman, I rise to oppose the amendment.

The CHAIRMAN. The gentleman from New York is recognized in opposition to the amendment.

Mr. PLATT. Mr. Chairman, I am in sympathy with the general purpose of this bill, but it seems to me that it is not right to do something that is wrong in order to cure something else that is wrong. The thing that is wrong is in the draft act, the provision that provides that the draft quotas are based on the whole population, including aliens.

That is wrong. It ought to be changed. Some of us tried to have it changed when the draft bill was pending. I understand the Committee on Military Affairs are making an effort now to change it. If that amendment is made, I do not believe we shall want to pass this bill and undertake to fill up our Army with foreigners. A good many of them have volunteered and many who were drafted did not claim exemption, but I do not think we ought to compel a lot of foreigners to fight out battles for us. At least, I do not see how we could expect them to be a very good army to fight for America.

It might do to pass the bill if the amendment offered by the gentleman from Massachusetts [Mr. ROGERS] prevails, so that we can be sure that the bill does not violate any treaty, but without that it seems to me clear that it ought not to pass.

Mr. BURNETT. Mr. Chairman, I ask for a vote.

Mr. ROGERS. Mr. Chairman, I want to ask unanimous consent that my amendment be again reported after the substitute is disposed of.

The CHAIRMAN. The question is on agreeing to the substitute.

The question was taken, and the substitute was rejected.

Mr. GREEN of Iowa. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Massachusetts [Mr. ROGERS]. I move to amend by striking out all after the word "treaty."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa [Mr. GREEN] to the amendment of the gentleman from Massachusetts [Mr. ROGERS].

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa to the amendment: Strike out all after the word "treaty," so that the amendment as amended will read:

"Page 2, line 4, after the word 'citizen,' insert the following: '*Provided, however*, That this act shall not be construed to supersede the provisions of any existing treaty.'"

Mr. GREEN of Iowa. Mr. Chairman, I offer this amendment partly because I believe that the language I seek to strike out unnecessarily complicates this whole question.

If this bill that we are about to pass contravenes any treaty it ought not to pass. But that will not be decided, as the gentleman from Alabama [Mr. BURNETT] seems to intimate, although I do not believe he would so state, by the Secretary of State. It is not a fact that the Secretary of State can adjudicate that question. Under this amendment the question of whether this bill will contravene any treaty would have to be decided by our Supreme Court. The court will be the tribunal to pass upon this question and determine whether or not it violates any treaty.

Now, that matter can be safely left to the court with this provision as I seek to have it amended. If there is anything in this bill that contravenes the treaty, we ought not now to put ourselves in the position of passing it. If, on the other hand,

it violates no treaty, then this amendment as amended will not affect its provisions in the least, and under this amendment it will not be left to the State Department to decide. They will be compelled to be governed by whatever the Supreme Court decides as to what the law will then be.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. MOORE of Pennsylvania. The amendment of the gentleman from Massachusetts [Mr. ROGERS] proposes to first consult the Secretary of State, so far as treaties relate to military matters. The gentleman's amendment proposes to strike out that portion which is specific and make the amendment apply to any existing treaty?

Mr. GREEN of Iowa. Yes; to any existing treaty, which would leave it to the Supreme Court to decide whether it was in violation of any existing treaty or not.

Mr. MOORE of Pennsylvania. I think that is a good amendment.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. ROGERS. Does the gentleman's amendment change the amendment originally proposed in regard to the body interpreting this provision in the last analysis? In other words, does the amendment propose that it may not require the interpretation of the Supreme Court finally, just as does the amendment proposed by the gentleman from Iowa?

Mr. GREEN of Iowa. The gentleman from Massachusetts is correct, but it will obivate the difficulty in other directions. If amended as I propose, the court will put such a construction on it that it will not contravene a treaty.

Mr. SCOTT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SCOTT of Michigan. The gentleman is aware of the fact that whenever a matter of this character comes up a ruling is made by the Department of State or by the Department of Justice?

Mr. GREEN of Iowa. Yes. The Department of Justice undoubtedly would make a ruling on this question, and the War Department would undoubtedly be governed by that ruling.

Mr. SCOTT of Michigan. They would be until the matter got to the courts. The gentleman is a lawyer. I judge so from the way he talks. How long does the gentleman think it will take to get the question settled in the Supreme Court?

Mr. GREEN of Iowa. Not very long, in the way that we have had matters of that kind advanced recently. There would be no trouble in the courts taking it up. It would soon get into the courts, and the question would be very plain and very easy to decide. This, gentlemen, is the only proper way to put this matter. I believe we can not afford to put ourselves in the light of taking any chances, even of abrogating any treaty or of passing a statute in violation of a treaty. We are at war largely because Germany proceeded to treat treaties as scraps of paper. That is something we can not afford to do, and which I am sure no one in this House wants to do. By leaving this amendment as it would be with my amendment striking out all after the word "treaty," we are in no danger of getting into any conflict of that kind, or of subjecting ourselves to any criticism.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GREEN].

The question being taken, on a division (demanded by Mr. BURNETT) there were—ayes 73, noes 83.

Mr. GREEN of Iowa. Tellers, Mr. Chairman.

SEVERAL MEMBERS. Oh, no!

Mr. GREEN of Iowa. I withdraw the demand.

The CHAIRMAN. The demand for tellers is withdrawn. The amendment of the gentleman from Iowa [Mr. GREEN] is rejected. The question is on the amendment offered by the gentleman from Massachusetts [Mr. ROGERS].

The question being taken, on a division (demanded by Mr. BURNETT) there were—ayes 99, noes 80.

Accordingly the amendment was agreed to.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Pages 1 and 2, strike out all of section 1 and insert the following:

"That during the existing emergency the duly accredited military representatives of any country engaged in war with any country with which the United States is now, or during the continuation of said emergency"——

Mr. BORLAND. Mr. Chairman, I rise to a point of order. An amendment to perfect the existing section is in order before an amendment to strike out and insert. I offer an amendment to perfect the section. This is a motion to strike out the section.

Mr. WALSH. Mr. Chairman, this is a motion to strike out the section and insert, and if it prevails I shall move to strike out the other sections of the bill.

Mr. BORLAND. I offer an amendment to the existing section.

Mr. WALSH. Has the gentleman any objection to my amendment being read and pending?

Mr. BORLAND. I think it should come in later.

The CHAIRMAN. The Chair understands that a motion to strike out and insert is a motion to amend the section.

Mr. BORLAND. But my point is that a motion to amend the existing section takes precedence over a motion to strike out and insert.

The CHAIRMAN. If this were simply a motion to strike out, that would be correct; but this is a motion to strike out and insert, which is offered for the purpose of perfecting the section.

Mr. BORLAND. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BORLAND. Will a motion at this time to amend the existing section as reported by the committee, in the bill, have precedence over the amendment offered by the gentleman from Massachusetts [Mr. WALSH]?

The CHAIRMAN. It will not. It may be offered as a substitute.

Mr. TOWNER. Let me suggest that the gentleman from Massachusetts himself says that his amendment is in the nature of a substitute, and that following it he proposes to offer a substitute for the other sections.

Mr. WALSH. No; I did not say that.

Mr. TOWNER. I understood the gentleman to say that.

Mr. WALSH. I said I would offer a motion to strike out the other sections.

Mr. PARKER of New Jersey. I have given notice of a motion——

The CHAIRMAN. The Clerk will first report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Pages 1 and 2, strike out all of section 1 and insert the following:

"That during the existing emergency the duly accredited military representatives of any country engaged in war with any country with which the United States is now, or during the continuation of said emergency may be hereafter, at war may, subject to the provsions of this act, draft into the military or naval service of their respective countries such of their citizens or subjects domiciled or resident in the United States as are not already in the military or naval service of the United States, and for the purposes of said draft of aliens domiciled or resident in the United States the President shall, on the request of said countries presented through their diplomatic representatives, furnish to said representatives a full and complete list of all the citizens or subjects of the country making the request who registered under the provisions of an act entitled 'An act to authorize the President to increase the Military Establishment of the United States,' approved May 18, 1917. The President is further authorized and empowered to procure within 90 days of the passage of this act the registration of all other male aliens between the ages of 18 and 45, both inclusive, domiciled in the United States, and upon the completion of such supplemental registration shall, on request, furnish a full and complete list thereof to the respective diplomatic representatives of said countries of which the said aliens may be citiens or subjects. For the purposes of said supplemental registration the President shall have all the authority conferred by said act of May 18, 1917, and he may prescribe such terms, conditions, and regulations for the operation of said draft as he may deem necessary.

"SEC. 2. That within 15 days after the passage of this act the President may notify all countries engaged in a war with any country with which the United States is now or may be hereafter at war of the enactment of same, and through appropriate diplomatic channels shall ascertain what action said countries may desire to take under the provisions of this act.

"SEC. 3. That the President is authorized to detail such officers and men of the military forces of the United States to cooperate with and assist the military representatives of foreign countries in the operation of the draft as he may deem expedient, and he may cause aliens drafted to be summoned and to be detained temporarily at such places of concentration as he may designate, and may render such assistance in transporting or deporting such aliens as he may think proper.

"SEC. 4. That the penalties prescribed in the aforesaid act of May 18, 1917, shall apply to violations of this act.

"SEC. 5. That any alien who shall willfully refuse or fail to present himself for registration, or to submit thereto, or to appear in answer to any summons issued under authority of this act, shall be taken into custody, and delivered either to the military representatives of the country of which he may be a citizen or subject, or to such commanding officer of the United States military forces as the President may direct.

"SEC. 6. That should any country fail or decline to take advantage of the provisions of this act within 60 days after notification of its enactment, as provided in section 2, the United States may proceed to draft the citizens or subjects of such country domiciled or resident in the United States in accordance with the provisions of existing law."

Mr. BURNETT (interrupting the reading). Mr. Chairman, I think the reading has proceeded far enough to show that this is altogether out of order, and I make the point of order that it is not in order.

Mr. WALSH. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard on it?

Mr. BURNETT. Mr. Chairman, it is clearly a conscript-draft provision. There is no such provision in this bill. It is an entire departure and brings in a whole lot of things that are not germane.

Mr. GOOD. Will the gentleman yield?

Mr. BURNETT. Yes.

Mr. GOOD. It provides for the very thing that the gentleman's bill provides for, deportation of these men.

Mr. WALSH. Mr. Chairman, I have offered this amendment because I am in sympathy with what the gentleman from Alabama desires to accomplish by his measure, and I believe that action should be taken by the House, as I stated before when I had the floor.

The measure I offer as a substitute provides for the President, through the State Department, proceeding in exactly the same manner apparently in which that department has proceeded in negotiating treaties or agreements to cover the question of getting these aliens into the military service. The measure I offer to take the place of the bill reported by the gentleman from Alabama obviates, in my opinion, every one of the objections that have been raised here by gentlemen who have opposed the bill. It obviates the objection raised by the distinguished gentleman from Kentucky [Mr. SHERLEY]. It obviates the objection raised by the gentleman from Ohio [Mr. GORDON]. It obviates the other objections that have been raised because it seeks to do through diplomatic negotiations in the first instance what has already been started by the State Department, namely, to enlarge the authority which we have conferred on cobelligerents so as to permit their military representatives who may be here, and who have in due form filed or presented their credentials to draft their nationals into their own military service. We have already given them authority to recruit them. We would further provide in my amendment that they may draft them, and the President is authorized by the measure which I submit to designate representatives of the United States military and naval forces to assist in that work and to prescribe the rules and regulations under which that may be done.

Furthermore, Mr. Chairman, the amendment which I have offered permits the President to furnish to the allied nations a list of their aliens which have been registered under the selective-draft act, and also permits the further registration of all these aliens between the ages of 18 and 45 years. He first notifies the diplomatic representatives of these various nations that we have so many of the nationals domiciled in this country, registered under our selective-service legislation, and if any such country does not desire within 60 days to take them such country is notified that we have enacted this legislation; and if it does not desire to take them into its own military service, it is hereby notified that we, the United States Government, will take them into our military or naval service. Thereby we give them notice and give them the option of volunteering or being drafted into the military service of these cobelligerent nations, or the other option of being put under the provisions of our selective-service law. It authorizes the President to have these men assembled at such places as he may designate for that purpose, to be delivered over to the representatives of these belligerent nations, and if they seek to avoid registration it subjects them to the penalties of the provisions of the selective-service act or to deport them and send them back under guard of military representatives of this Nation or under the guard of her own officials.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. But, Mr. Chairman, I am speaking to the point of order.

The CHAIRMAN. The Chair is informed that in Committee of the Whole the five-minute rule applies to points of order.

Mr. STAFFORD. Oh, Mr. Chairman, that is not correct. The Chair has control of the time.

The CHAIRMAN. The Chair will ascertain in a moment. In the meantime the gentleman may proceed.

Mr. WALSH. And furthermore, Mr. Chairman, I have offered in this proposed amendment a section which reads as follows:

SEC. 1. That citizens or subjects of the enemy country or of countries allied with the enemy may be drafted for and assigned to such nonmilitary occupation as the President may prescribe.

This would seem to be of great advantage under present conditions.

I will admit that that provision goes beyond the provisions in the bill under consideration; but the other section, which I call to the attention of the Chair, is to the effect that the provisions of this measure shall not apply to citizens or subjects of countries who by provisions of the treaty with the United States are protected from draft for military purposes.

The whole intent and purpose, Mr. Chairman, of the measure as offered by the distinguished gentleman from Alabama, is to get these men to perform military service and withdraw their claims for exemption, or, in the event of not doing that, to be sent back to the countries from whence they came. The whole purpose of the measure which I have offered is to accomplish that same purpose, only through a different procedure and by different machinery.

Mr. GARRETT of Texas. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. GARRETT of Texas. Does the gentleman think that his amendment in so far as the age limit is concerned, which he fixes at from 18 to 45, is in accord with our draft law?

Mr. WALSH. Oh, the age limit as fixed in the amendment which I suggest goes beyond the age limit fixed in the selective-draft law, but it is similar to the age limit fixed by these various countries of which these aliens are citizens or nationals; and so we say to them, "We put you under the same liability for military service in our ranks, if you are not drafted by your own nation, as you would be if you were residing at home and not within our borders." I submit that we should look beyond the title of the measure under consideration, we should look beyond the title of the bill introduced and reported by the gentleman from Alabama [Mr. BURNETT], and consider its intention. We should read the entire measure and see what it is designed to accomplish. The amendment which I submit, as I before stated, seeks to accomplish the very same thing by a little different machinery, and follow out in large measure the very operation, the very plan and scheme which we have been given to understand has been followed by the Secretary of State, as indicated by the letter read by the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Virginia [Mr. FLOOD], the other day, when he called attention to the fact that under the agreements which are being negotiated these aliens, resident in this country, are given an option to enter the service of their own country or the service of the United States, and we simply give the option under my amendment to those nations to say, "We call you back to fight within the ranks of your own country, or, not calling you back, we leave you over there subject to the operations of the laws of the United States."

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. KEARNS. Mr. Chairman, a parliamentary inquiry.

Mr. WALSH. I yield to the gentleman from Iowa.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. I desire to ask whether or not an amendment which proposes to perfect the subject matter of the section, which the gentleman's substitute proposes to strike out entirely, would not be in order before the consideration of the substitute? If so, I desire to offer an amendment to perfect.

Mr. KEARNS. Mr. Chairman, a parliamentary inquiry.

Mr. SAUNDERS of Virginia. Mr. Chairman, I rise to maintain the proposition that an amendment that seeks to perfect the original text is in order before a substitute.

Mr. WALSH. The Chair has already ruled on that question.

The CHAIRMAN. There is no doubt that an amendment that proposes to perfect the section is in order before an amendment to strike out is in order. The amendment pending is to strike out and insert.

Mr. SAUNDERS of Virginia. I understand that. Will the Chair hear me for two minutes on that?

The CHAIRMAN. The gentleman from Massachusetts has the floor.

Mr. GOOD. Mr. Chairman, I rise to a point of order.

Mr. SAUNDERS of Virginia. I did not understand that the gentleman from Massachusetts had the floor.

The CHAIRMAN. The gentleman from Massachusetts had the floor when this parliamentary inquiry was submitted.

Mr. KEARNS. Mr. Chairman, a parliamentary inquiry.

Mr. WALSH. Mr. Chairman, I have the floor?

The CHAIRMAN. Yes.

Mr. WALSH. Then I yield to the gentleman from Iowa [Mr. GOOD] for a question.

Mr. KEARNS. Mr. Chairman, I think I was recognized to submit a parliamentary inquiry.

The CHAIRMAN. The gentleman from Massachusetts has the floor.

Mr. KEARNS. But I desire to submit a parliamentary inquiry.

The CHAIRMAN. The gentleman from Massachusetts has the floor and the gentleman can not take him off the floor for that purpose.

Mr. KEARNS. I rise to a parliamentary inquiry.

Mr. SHERLEY. I make the point of order that the gentleman from Ohio can not take the gentleman from Massachusetts off the floor for that purpose.

Mr. SAUNDERS of Virginia. Mr. Chairman, the gentleman from Ohio can not take the gentleman from Massachusetts off the floor in order to submit a parliamentary inquiry.

The CHAIRMAN. That is what the Chair is holding now—that the gentleman from Massachusetts has the floor.

Mr. WALSH. Mr. Chairman, I thank the chairman of the committee for the protection he has afforded me to discuss this point of order. Does the gentleman from Iowa desire to ask me a question? I yield for a question.

Mr. GOOD. I desire to call the gentleman's attention to section 2 of the bill under consideration, and to call his attention to the following language:

That after the expiration of 60 days from the passage of this act the President of the United States is authorized and empowered, under such rules and regulations as he may prescribe, to draft any alien in the United States to perform such mental or physical labor on the farms, in the manufacturing establishments, or other enterprises in the United States as he may deem necessary or proper.

The gentleman from Alabama has made the point of order that the gentleman's amendment is not in order.

Mr. WALSH. If the gentleman from Iowa has concluded his question, I will undertake to answer it, although I do not understand it yet.

Mr. GOOD. The question I intended to propound to the gentleman from Massachusetts was for the benefit of the Chair.

The CHAIRMAN. The Chair is ready to rule.

Mr. SAUNDERS of Virginia. I do not want to take up the time of the Chair, but I would like a few minutes to address myself to the point of order raised by the gentleman from Alabama.

The CHAIRMAN. There is a point of order now pending in the committee, and that should be disposed of before another point of order is raised.

Mr. SAUNDERS of Virginia. This is in immediate connection with that.

The CHAIRMAN. The Chair would like to decide this point of order, and then he will hear the gentleman.

Mr. WALSH. Did I understand the Chair to say he was ready to rule?

The CHAIRMAN. The Chair is ready to rule.

Mr. WALSH. Then I shall desist.

The CHAIRMAN. This is an amendment offered to the first section of the bill. The first section of the bill provides for denying citizenship to aliens and provides for their deportation. The amendment offered by the gentleman from Massachusetts is on a different subject. It provides that they may be drafted, which the Chair thinks is not germane to the first section of this bill, and therefore the Chair sustains the point of order.

Mr. BANKHEAD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 5, and just after the word "Germany," strike out the words "or with any of the other central powers of Europe" and insert in lieu thereof "Austria-Hungary, Bulgaria, or Turkey."

Mr. BANKHEAD. I understand the chairman of the committee has no objection to accepting the amendment.

Mr. BURNETT. Mr. Chairman, I am of the opinion that the words "central powers" are sufficiently specific, but I do not want to take any chances on that, and as the gentleman from Alabama, my colleague, has submitted an amendment I have no objection to it.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was agreed to.

Mr. GOOD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GOOD. There was so much confusion here when the amendment was offered and read, did I understand that "Turkey" is included? We are not at war with Turkey or Bulgaria, and it would be a mistake certainly to adopt an amendment of that kind.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the amendment may be again reported.

The CHAIRMAN. The amendment has been agreed to.

Mr. MADDEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MADDEN. I want to know when the amendment offered by the gentleman from Alabama was considered? I was sitting here and all the rest of us down here and we did not even hear the amendment read.

The CHAIRMAN. The amendment was read. The Chair recognized the gentleman from Alabama [Mr. BURNETT] and he stated that the amendment was not objectionable to him, and the Chair submitted the vote to the House, and it was carried.

Mr. MADDEN. The House did not vote on it.

The CHAIRMAN. Oh, yes; the gentleman from Illinois is mistaken.

Mr. MADDEN. Mr. Chairman, I submit that it is not fair to decide questions in that way.

Mr. FLOOD. The gentleman from Iowa certainly heard it read.

Mr. MADDEN. I did not hear it read, and I was sitting here and no one else.

Mr. FLOOD. The gentleman from Iowa certainly heard it read and called attention to some words in it.

Mr. MADDEN. Mr. Chairman, I am going to protest against that kind of ruling.

Mr. SABATH. Mr. Chairman, regular order.

Mr. MADDEN. I want it distinctly understood we are not going to submit to it.

The CHAIRMAN. The gentleman will please take his seat.

Mr. MADDEN. I want the Chair to rule right and submit questions to the House. I want to hear what the record is. I ask for the record on it. I call for the record on this motion.

Mr. BANKHEAD. If the gentleman will allow me to make a statement, I will say to the gentleman from Illinois I have no objection in the world to having the matter fully considered.

Mr. MADDEN. It ought to be submitted to the House.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the proceedings by which the amendment of the gentleman from Alabama [Mr. BANKHEAD] was agreed to be vacated.

The CHAIRMAN. The gentleman asks unanimous consent to vacate the proceedings by which the amendment of the gentleman from Alabama was agreed to. Is there objection?

Mr. JOHNSON of Washington. I object.

Mr. MADDEN. I ask for the record of the proceedings.

The CHAIRMAN. That is out of order.

Mr. MADDEN. Mr. Chairman, I submit I have a right to ask for the record of the proceedings by which this vote was taken.

The CHAIRMAN. And the Chair understands that he has a right to decide it out of order also.

Mr. MADDEN. I appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] appeals from the decision of the Chair.

Mr. SABATH. As to what?

The CHAIRMAN. Because the Chair will not permit him to have the record read of the adoption of the amendment a while ago. The Chair has ruled it out of order, and the Chair can not have the record read.

Mr. SABATH. The Chair was right.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] appeals from the decision of the Chair.

Mr. LENROOT. Mr. Chairman——

Mr. FLOOD. Question, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. LENROOT] desire to be heard?

Mr. LENROOT. Yes, sir. I merely desire in discussing this appeal to say that this entire controversy can easily be settled and in fairness to everybody. It can be disposed of in one-half minute.

The CHAIRMAN. Does the gentleman from Wisconsin submit any question for unanimous consent?

Mr. LENROOT. I ask unanimous consent that the record be read.

The CHAIRMAN. The gentleman from Wisconsin [Mr. LENROOT] asks unanimous consent——

Mr. LENROOT. That the record be read.

The CHAIRMAN. That the record be read touching the amendments offered by the gentleman from Alabama [Mr. BURNETT]. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Chairman, reserving the right to object——

The CHAIRMAN. The Clerk will read the record.

Mr. BURNETT. Mr. Chairman, I move to lay the appeal on the table.

The CHAIRMAN. It is too late now.

Mr. HEFLIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HEFLIN. What was the request which the gentleman made a while ago?

The CHAIRMAN. That the record of the proceedings touching on the amendment offered by the gentleman from Alabama [Mr. BANKHEAD] be reported to the House.

Mr. HEFLIN. And was consent granted?

The CHAIRMAN. Unanimous consent was granted, and the Clerk is now preparing the record.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Did not the gentleman from Alabama [Mr. BURNETT] move that the appeal lie on the table, and is not that now the question pending?

The CHAIRMAN. Unanimous-consent request has been made and granted by the committee since that time. The Clerk will read the record of the committee on the amendment.

The Clerk read as follows:

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Alabama.
The question was taken, and the amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I submit that that does not make the record complete. There is no record of any negative vote on the question at all. It is merely a statement of the Chair to the effect that the amendment was adopted. There is no evidence to show that both sides voted on the question at all. The question of whether the amendment would be adopted was the only question put to the House.

The CHAIRMAN. The record does say that the vote was taken, the vote on the amendment being a vote on both sides, and the Chair knows, and nearly everybody else in the House knows now, that the question was submitted to the committee, and the yeas and nays were called for.

Mr. MADDEN. The yeas and nays were not called for.

The CHAIRMAN. The aye-and-no vote was called for.

Mr. MADDEN. The negative vote was not called for.

The CHAIRMAN. The Chair begs the gentleman's pardon. The Chair knows that it was.

Mr. BURNETT. Mr. Chairman, I demand the regular order.

Mr. BORLAND. I ask that the amendment be read that I send to the Clerk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BORLAND: Page 1, line 3, after the word "alien" strike out the following——

Mr. MADDEN. Mr. Chairman, I submit before this amendment is in order my motion to take an appeal from the decision of the Chair should be considered.

The CHAIRMAN. The Chair thought that was withdrawn.

Mr. MADDEN. It was not withdrawn and is not going to be withdrawn.

Mr. REAVIS. Mr. Chairman——

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] insists upon having his appeal submitted to the committee.

Mr. REAVIS. A parliamentary inquiry, Mr. Chairman.

Mr. BURNETT. Mr. Chairman, I make the point of order that it is too late.

The CHAIRMAN. Does the gentleman from Illinois [Mr. MADDEN] desire to have his appeal from the decision of the Chair submitted?

Mr. MADDEN. Certainly.

Mr. BORLAND. Mr. Chairman, I move to lay the appeal on the table.

Mr. REAVIS. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] moves to appeal from the decision of the Chair.

Mr. BORLAND. Mr. Chairman, I move to lay it on the table.

Mr. WALSH. Mr. Chairman, I raise the point of order.

The CHAIRMAN. I understand that can not be done in committee. As many as favor the decision of the Chair will answer "aye." [After a pause.] Those opposed will answer "no." [After a pause.] The ayes seem to have it. [After a pause.] The ayes have it.

So the decision of the Chair was sustained as the judgment of the committee.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Missouri [Mr. BORLAND].

The Clerk read as follows:

Amendment offered by Mr. BORLAND: Page 1, line 3, after the word "alien," strike out the following: "eligible by existing law to become a naturalized citizen of the United States."

Mr. BORLAND. Mr. Chairman, the first section of this bill provides that any alien eligible by existing law to become a naturalized citizen of the United States who is a native of those countries engaged in war with Germany, and so forth, and who, but for his alienage, would be subject to the selective draft, shall be subject to this law. I have not heard any explanation as to why he must be both subject to the selective draft, but for his alienage, and also eligible to become a citizen of the United States. This law does not seem to reach anybody, except those who are eligible to become citizens of the United States.

Now, that word "eligible" would extend to all of the provisions of the naturalization law, one of which is a residence of two years before he can declare his intention, and five years before he can make his final declaration.

Now, how long must these resident aliens be in the United States before they become subject to this law? Either one of these two periods is too long for the purposes of this bill. Such a bill would not catch the alien slackers. It would not catch the large number of aliens who might have come here to avoid military service during this war. It would only catch men who were eligible to become citizens of the United States, and all who were not eligible to become citizens of the United States, because they have not been here long enough to become citizens of the United States, would continue to be slackers. We would here furnish a harbor of refuge by which a man could leave his own country to avoid military service there and come to this country and not be eligible to military service here.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. BORLAND. I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. BORLAND. That is one of the reasons why this matter ought to be settled by treaty, rather than by this crude attempt at legislation. It is possible by treaty to make every alien slacker in the United States who belongs as a national to any of the belligerent powers liable to military duty. He can be made by treaty liable here to military duty, and that is exactly what we want. But we are permitting a large number of them to escape under this definition of the alien-slacker law.

Mr. RAKER rose.

Mr. BORLAND. Oh, I know what my friend is going to say. [Laughter.] There is no use in taking up time. He will say it is going to exclude the Japanese.

Mr. RAKER. No. That is not what I am going to say. Is it not a fact that the gentleman is against the whole bill and is doing everything to beat it?

Mr. BORLAND. I am showing the weakness of it, and showing that it will not do what can readily be accomplished by treaty. We ought to catch these men who are not eligible to become citizens of the United States. Those are the ones whom we ought to catch; and if this word "eligible" means anything, and the alien has lived here two years, it is too long, and if he has lived here five years everybody must admit that the bill is worthless for any purpose.

Mr. GORDON. In other words, it exempts all the slackers?

Mr. BORLAND. Yes; it exempts all the slackers.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. LENROOT. Does the gentleman contend that in order to be eligible to citizenship in the United States he must have taken out his first papers?

Mr. BORLAND. You can say that in order to be eligible to be a citizen in the language of this bill a man must first have declared his intention. Now, if the bill does not reach anybody but those who have declared their intention it will reach very few of the alien slackers in this country.

Mr. GORDON. And they are covered by the draft law.

Mr. BORLAND. Yes; they are covered by the draft law, as the gentleman from Ohio says. These questions can all be determined by treaty and reciprocal agreements with the other countries by which those countries will subject their nationals to military service in the United States, and by which we will subject our nationals to military service abroad. But the aim can not be accomplished by this bill, and this amendment ought to be adopted and the bill defeated. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. McCULLOCH rose.

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. McCULLOCH. I want to submit an amendment.

The CHAIRMAN. An amendment is pending now. The question is on agreeing to the amendment.

Mr. BURNETT. Mr. Chairman, I desire to be recognized in opposition to the amendment.

The CHAIRMAN. The gentleman from Alabama is recognized in opposition to the amendment.

Mr. BURNETT. Mr. Chairman, the argument of the gentleman from Missouri [Mr. BORLAND] is an absurdity. As to the word "eligible," that is an expression that is used all the way through in regard to these immigration matters. A man is eligible to become a citizen who belongs to the nationality that may become citizens. The Japanese, the Chinese, the Asiatics are not eligible to become citizens by naturalization. White people under the law are; and the complete answer to the argument of the gentleman is that it does apply to the Japanese and Asiatics, who are not eligible to become citizens.

How else could you express the idea that anybody was ineligible to become a citizen? If you want to speak of the Japanese, he can not become a citizen by naturalization. You may also say that they are ineligible to become citizens by naturalization. It is a term that occurs in the immigration and naturalization laws all the way through, and the gentleman has stirred up a mare's nest for the purpose of trying to throw clogs in the way of the passage of this bill.

Mr. GORDON. Will the gentleman yield?

Mr. BURNETT. Do gentlemen believe that if the committee did not mean anything this bill would have been reported? We reported it because we believe it has got teeth in it, and that is one of the objections of some of these obstructionists, because it has got teeth in it, and they want to defeat it because it has teeth.

Mr. GORDON. Will the gentleman yield?

Mr. BURNETT. Yes.

Mr. GORDON. I want to ask the gentleman, who is authority on the question, whether any foreign-born alien is eligible to citizenship before two years, having declared his intentions?

Mr. BURNETT. He is eligible to become a citizen whenever he comes over if he is white, but he has to stay here for the period of five or not more than seven years before he can apply for citizenship; but that does not destroy his eligibility to apply. We are willing to stand on that.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. McCULLOCH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 11, after the word "deportation," insert the following: "*Provided*, That the local draft board shall call for service all such aliens liable to military service under the provisions of this act in the order of their registration, and all such shall be called in the same order as they would have been called if no claim had been filed for exemption on account of alienage."

Mr. McCULLOCH. Mr. Chairman, this bill or some bill providing that aliens shall serve in this war either in the army of the country to which they owe allegiance or in the American Army should have been passed before the first draft went into effect. [Applause.]

It is an injustice to the American boy who has responded to the call to the colors that these aliens are not required to serve somewhere. Delay in this matter has resulted in thousands upon thousands of aliens remaining here at the homes of our boys, taking their positions and benefiting by their absence while they are fighting at the front—fighting, if you please, the battles of these aliens who remain here. [Applause.]

The delay in this matter has resulted in more adverse comment than any one act of omission or commission by Congress since this war began. I, for one, want to see Congress act in harmony with the departments in carrying on this war. I believe firmly in the effectiveness of unity of action.

But the responsibility, after all, gentlemen, is with us. We are the representatives of the people and they look to us to safeguard their interests. We are the ones who must go back to the people and give an account of our trust and receive either approval or disapproval at their hands. It is not the State Department. What is going to be the result if you do not pass this bill or some bill that makes the alien serve somewhere? The result is going to be that these aliens are not going to war. They are not going to be called in the next draft. They will still be exempt; and when that draft comes and the American boys are taken, if you men have not seen to it that the aliens are taken, you are going to have to answer to the people, and all the camouflage about international law and all the arguments about treaties and all the technicalities in the world will not save one of you. [Applause.]

For my part, I would rather go on record against almost any other measure than this one and go back to my people. Results, after all, are what count. The American people want these aliens to serve somewhere, and they are right; they should serve somewhere. Technical arguments will not take the place of results, and if the next draft comes on and the alien still stays here, free from all obligations to serve, it will not be the State Department, but you, who will answer.

I do not want to be one to go on record that the American boys must go and the alien slacker can stay. The amendment I proposed will make the aliens who have not been taken in the first draft take their regular order just as though they had not been exempted. The chairman of the committee has said that this can be provided for by the regulations. I do not think there should be any doubt about the intent of Congress on the subject. We should say clearly that the aliens must now take their turn in the order of their original registration.

Let us say to our boys over there and to those who are getting ready to go that the Congress is back of them, dealing fairly with them, and that we will see to it that they are not discriminated against in favor of alien slackers, who are physically fit, by requiring the American boy to go and permitting the alien to stay here and take the American boy's job and benefit by his absence. The State Department only asked until the 1st of December to take care of this matter by treaty. It is now February and the next draft is upon us and nothing definite has been accomplished. Congress should act, and act at once.

Mr. BUTLER. Will the gentleman yield?

Mr. McCULLOCH. I will.

Mr. BUTLER. In the gentleman's opinion, what is the effect of this bill if the Rogers amendment remains in it?

Mr. McCULLOCH. The Rogers amendment emasculates the bill and destroys its effectiveness.

Mr. BUTLER. Then we will have a roll call on it.

Mr. BURNETT. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in five minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this amendment close in five minutes. Is there objection?

There was no objection.

Mr. GORDON. Mr. Chairman, I rise in opposition to the amendment. The frankest speech that we have heard here to-day is the one just delivered by the gentleman from Ohio [Mr. McCULLOCH]. It is "results" he says that we want. He admits that you have already emasculated this bill and absolutely destroyed it, and what he means by "results" of course is political results, and that is all there is of this bill.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. GORDON. I decline to yield. Mr. Chairman, that is all there is of this bill. I have listened patiently to all the debate here, to all the arguments on the proposition.

Of course, we have been advised that the State Department and the able counselors who advise that department on behalf of the Government and people of the United States do not know anything about international law. Of course, this committee did not agree with that conclusion, and by a vote of 99 to 80 inserted a provision here which, of course, destroys this bill, as it ought to be destroyed. We have heard something about verbal camouflage, and this talk about drafting aliens to war for the United States makes me sick and tired of men who claim to be American citizens. Which alien nation did the United States enter the European war to assist? I would like to hear some men name the particular foreign nation, to aid which we declared a state of war with the Imperial Government of Germany. I deny it. I voted for that declaration of war, but I did not do it to help any foreign nation nor all of the foreign nations in Europe. That exposes the utter hypocrisy of the whole proposition of drafting aliens into the military service of the United States. [Laughter.]

I voted for this declaration of war to vindicate the sovereignty of the United States and the rights of her people under international law. [Applause.] I did not vote for this war to help some alien nation or any alien in the United States. We are not fighting this war in the interest of any alien nation or any alien people anywhere on the face of the earth. The declaration of war which Congress adopted expressly recited the reasons for that declaration—that the rights of citizens of the United States, the rights of the Government of the United States, had been unlawfully assailed upon the high seas in violation of international law, and a state of war existed because of those unlawful acts.

Of course, a lot of fellows here are making speeches for home consumption. That is perfectly obvious. You know aliens do not vote in Ohio, and, of course, it is a nice, convenient thing to get up here and lambast aliens. We have heard something about whether or not this violates treaties. I do not care whether there is a treaty in existence which prohibits conscripting aliens into our military service or not. Any man with any sense who knows anything about international law knows that even in the absence of any treaty you have no right to draft aliens into your military service. There is no

respectable authority on international law who ever wrote on the subject that will contend that you have—there is absolutely no authority in support of the proposition that you can draft aliens, especially to fight a foreign war. We have no lawful right to lay hands on aliens for such a purpose. Of course, aliens can only appeal to any foreign government through the government to which they owe allegiance. Advantage is taken of that fact, but I want you gentlemen when you vote for this bill to remember that there is not an alien in the United States to-day who is not here by the invitation of the Government and the Congress of the United States through a treaty or by a law enacted by this body—not one. An alien has no right to go into a foreign country except by the consent of that country, and no alien is in the United States to-day who is not here by the consent of the Government and the people of the United States.

The operations of this bill are confined by its opening paragraph, beginning on line 3, page 1, to "any alien eligible by existing law to become a naturalized citizen of the United States"; this limitation excludes in express terms all "alien slackers," because it excludes from the operation of the bill everyone who has come to the United States since the outbreak of the European war.

Webster's new international dictionary defines "eligible" as follows: "Fitted or qualified to be chosen or elected; legally or morally suitable; as an eligible candidate." From this definition of the term "eligible" it will at once be seen that all aliens are excluded from the operation of the bill who have not been in the United States at least five years preceding the date of the final enactment and approval of the law.

For the information of the committee I desire to quote from a report, No. 15, first session, Sixty-fifth Congress, of the Committee on Foreign Affairs, through the gentleman from Massachusetts [Mr. ROGERS], submitted to the House on August 1, 1917, House joint resolution 115, in which report are collected provisions from our treaties with foreign nations prohibiting us from requiring compulsory military service of citizens of other countries and also extracts from communications of our own State Department challenging the right of all nations to draft American citizens into their military service, even where no treaty existed prohibiting it. Also citations from the leading authorities upon international law denying the right, in the absence of treaties, of any nation to conscript aliens into its military service:

APPENDIX A.

PROVISIONS IN TREATIES ENTERED INTO BY THE UNITED STATES WITH OTHER COUNTRIES RELATING TO RIGHT OF EITHER COUNTRY TO EXACT COMPULSORY MILITARY SERVICE OF CITIZENS OF THE OTHER COUNTRY RESIDING THEREIN.

It will thus be seen that in at least 17 treaties entered into between the United States and foreign Governments the policy of mutual exemption from compulsory military service of the citizens or subjects of one of the contracting parties, residing in the territories of the other, has been established. At least 10 of these treaties are still in full force and effect.

The following treaties between the United States and other countries contain a "most-favored-nation" clause which would probably be deemed to include a similar exemption from compulsory military service even if not otherwise existing by treaty or by international law:

Algiers, 1816, article 12.
China, 1858, article 30.
Korea, 1882, article 14.
Hanseatic Republic, 1827, article 9.
Japan, 1854, article 9.
Morocco, 1880, article 17.
Persia, 1856, article 3.
Samoan Islands, 1878, article 6.
Spain, 1902, article 2.
Tonga, 1886, article 3.
Japan, 1911 article 4.

APPENDIX B.

MAY THE UNITED STATES, EVEN WHEN TREATY STIPULATIONS DO NOT PREVENT, EXACT COMPULSORY MILITARY SERVICE OF ALIENS?

In 1804 Mr. Madison, then Secretary of State, wrote to Mr. Monroe, then our minister to England: "Citizens or subjects of one country residing in another, though bound by their temporary allegiance to many common duties, can never be rightfully forced into military service * * *."

Naturally many cases involving the question arose during the Civil War. Secretary Seward had occasion to express himself a number of times. In 1862 he said: "I can hardly suppose that there exists anywhere in the world the erroneous belief that aliens are liable here to military duty." Later, the same year, he wrote to the governor of Indiana: "There is no principle more distinctly and clearly settled in the law of nations than the rule that resident aliens not naturalized are not liable to perform military service. We have uniformly claimed and insisted upon it in our intercourse with foreign nations." In 1864 he wrote to Mr. Stanton, Secretary of War: "In a case of alleged fraudulent enlistment of an alien his government has an undoubted right and duty to ask for a prompt investigation and satisfactory answer; and if it appears that he was improperly enlisted and he has fallen in battle, his family ought to have some compensation." In Halleck's International Law it is stated: "In 1861, during the American Civil War, the British Government declared that if enforced enlistments of British subjects for the war were persisted in the Government would be obliged to concert with other neutral powers for the protection of their respective subjects, but neither in the Northern or Southern States was the discharge of any British subject enlisted against his will refused on proper representation." (Vol. 2, p. 6.)

In 1874 Secretary Fish wrote: "We did not claim the right to impress aliens into our forces during the late Civil War, but it is understood that in one instance at least, in the case of a siege, we sought to justify such an impressment."

The United States has been very positive indeed in its action when Mexico has sought to impose military service upon citizens of the United States. The most notable cases, however, occurred in 1880, at the time when the treaty of 1831, forbidding compulsory military service, was still in force. The American authorities, however, appear to have put their protest upon grounds of international law as well as upon treaty obligations. The American minister to Mexico was instructed that there was "scarcely any act of which a nation should be less tolerant than that of a neighboring power forcibly impressing its citizens into their military service, perhaps to be obliged, at some future time, to fight against their own flag." Mr. Evarts later in the same year wrote that whenever protest was made by Mexico during our Civil War it was the practice of the State Department to bring the subject at once to the attention of the Secretary of War, and that "no single instance is met with in which the Mexican citizen's claim to exemption from military service in the armies of the United States was not promptly recognized and respected by this Government." The following year Mr. Blaine, then Secretary of State, wrote: "It is notorious that the impressment of American seamen into the naval service of a foreign power was at one time a serious grievance, not to be acquiesced in, and raised a question upon which all parties in this country were unanimous in regarding as one of international character. Public sentiment here in regard to that subject was borne in mind during the late Civil War. The number of persons of foreign birth, especially in the large cities, led to the accidental or involuntary enrollment of unnaturalized aliens in the military or naval service. These, however, as is shown by the large space in the records of the department at the time, were at once discharged upon complaint made and in the absence of proof of their naturalization. It is hoped, therefore, that in considering this subject the Mexican Government will not only have due regard to the unlawfulness of the impressment but to the universal and strong sentiment upon the subject which pervades this country."

In 1888 Mr. Bayard summed up the situation thus: "It is well settled by international law that foreigners temporarily resident in a country can not be compelled to enter into its permanent military service. It is true that in times of social disturbance or of invasion their services in police or home guards may be exacted, and that they may be required to take up arms to help in the defense of their place of residence against invasion of savages, pirates, etc., as a means of warding off some great public calamity by which all would suffer indiscriminately. The test in each case as to whether a foreigner can properly be enrolled against his will is that of necessity. Unless social order and immunity from attack by uncivilized tribes can not be secured except through the enrollment of such a force, a nation has no right to call upon foreigners for assistance against their will."

APPENDIX C.

MAY THE UNITED STATES, EVEN WHEN TREATY STIPULATIONS DO NOT PREVENT, EXACT COMPULSORY MILITARY SERVICE OF ALIENS WHO HAVE DECLARED THEIR INTENTION TO BECOME CITIZENS OF THE UNITED STATES?

Revised Statutes of the United States, section 2165, provides in part as follows: "An alien * * * shall declare on oath * * * two years at least prior to his admission that it is bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, State, or sovereignty. * * *."

It will be observed from the language of the above statute that a declarant for citizenship neither takes a present oath of allegiance to the United States nor disclaims allegiance to the country of his origin. It would seem natural to expect, therefore, that the authorities would regard his citizenship status as absolutely unaffected and would settle the question of his liability to compulsory service exactly as if he had never taken even the first step toward becoming a citizen of the United States.

Mr. Seward wrote to the governor of Indiana in 1862: "The law of Great Britain holds that a native British subject owes allegiance to the British Government until he has completely effected his naturalization in the United States under the laws of Congress. * * *." From the foundation of the Government the Department (of State) had refused to grant passports as citizens to aliens who had merely filed the preliminary declaration of intention and who had not effected their naturalization under the United States laws, and had informally recognized the passports granted to them by the proper authorities of the Governments of which they had been born subjects.

In 1863 Mr. Seward stated the rule as follows: "No alien-born person is liable to render military service unless either he has been naturalized on his own application or has made a voluntary declaration, on oath, of his intention to become a citizen by naturalization according to law, or has claimed and actually exercised the political right of voting as a citizen of the United States."

While this language does not expressly state that a declarant is liable to render compulsory military service, it evidently squints in this direction. Doubtless Mr. Seward, in writing it, had in mind the language of the act of Congress of March 3, 1863—the conscription act—which expressly declared that the levy should include "all persons of foreign birth who shall have declared, on oath, their intention to become citizens."

In 1863 certain able-bodied male persons of foreign birth, who had declared, on oath, their intentions to become American citizens, were called upon for military duty by the United States. The British Government suggested that British subjects who had merely declared their intention to become American citizens but had not exercised any political franchise in consequence of such declaration ought to be allowed a reasonable period after the passing of the act to exercise the option of leaving the United States or of continuing residing therein with the annexed conditions. The United States Government thereupon allowed 65 days to such persons to exercise their option, and the British Government refused to interfere on behalf of any intended citizens who had not availed themselves of the opportunity. (Parliamentary Papers, 1863, No. 337.)

By the act of March 3, 1863, aliens who had made a declaration of intention and who were under specified conditions liable to military duty were permitted to obtain passports, but this privilege was repealed in 1866. Switzerland objected to President Lincoln's proclamation concerning the liability of Swiss in the United States to perform military service. Mr. Seward suggested that a just interpretation of the war measures of Congress constituted a new and additional law of Federal naturalization. "But," he adds, "it was foreseen that some emigrants who had declared their intention might complain of surprise if they were immediately subjected to conscription. To guard against this surprise the proclamation was issued, giving them ample notice of the change of the law, with the alternative of removal from this country if they should prefer removal to remaining here on the footing on which Congress had brought them. Surely no foreigner has a right to be naturalized and remain here in a time of public danger and enjoy the protection of the Government without submitting to general requirements needful for his own security."

In Moore's Digest of International Law, volume 3, pages 336 to 353, will be found the precedents conclusively establishing that the declaration of intention to become a citizen neither confers citizenship in the United States nor divests citizenship in the country of origin.

The CHAIRMAN. The time of the gentleman from Ohio has expired. All time has expired. The question is on the amendment offered by the gentleman from Ohio [Mr. McCULLOCH].

The question was taken, and the amendment was rejected.

Mr. BURNETT. Mr. Chairman, I ask unanimous consent that all debate upon this section now close.

Mr. PARKER of New Jersey. Mr. Chairman, I have given notice of an amendment.

Mr. EMERSON. Mr. Chairman, I desire to have two minutes.

Mr. BURNETT. I withdraw the request.

Mr. PARKER of New Jersey. Mr. Chairman, I offer the following amendment in the form of a motion to strike out.

The Clerk read as follows:

Amendment offered by Mr. PARKER of New Jersey: Page 1, line 3, after the words "that any alien," strike out the words "eligible by existing law to become a naturalized citizen"; also all of lines 4, 5, 6, 7, 8, and 9; and also the word "said," in line 11, after the words "exemption from"; also, on page 2, line 3, strike out "and shall as soon as practicable be deported"; also strike out all of line 4 and the words "and deportation" in line 11.

Mr. BURNETT. Mr. Chairman, I make the point of order against the amendment that it is not germane.

Mr. PARKER of New Jersey. It strikes out; that is all.

The CHAIRMAN. The gentleman from Alabama made a point of order against the amendment offered by the gentleman from New Jersey. Does the gentleman from Alabama desire to be heard on his point of order?

Mr. BURNETT. I understand the amendment was to strike out and insert.

Mr. PARKER of New Jersey. No.

Mr. BURNETT. Is it to strike out something?

Mr. PARKER of New Jersey. That is all.

The CHAIRMAN. It is to strike out.

Mr. BURNETT. Then I think the point of order is not well taken, Mr. Chairman, and I withdraw it.

The CHAIRMAN. The gentleman withdraws his point of order.

Mr. RAKER. Mr. Chairman, I think I have a point of order to make against the amendment.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. I make a point of order on the first part of the amendment that the committee has already disposed of that, and the gentleman can not include part of that and then strike out other parts scattered through the bill. On lines 3 and 4 the committee has already acted, and I make the point of order on that ground.

Mr. STAFFORD. That is a very novel point of order, Mr. Chairman, which has never been before submitted to any Committee of the Whole House on the state of the Union.

Mr. RAKER. Mr. Chairman, I desire to be heard, if it is novel.

Mr. STAFFORD. It has never been made before, and I would like to hear the gentleman cite the authority for making the point of order.

The CHAIRMAN. The Chair will hear the gentleman for a moment.

Mr. RAKER. I want to call the Chair's attention to the fact in lines 3 and 4 the gentleman from Missouri made a motion to strike out. Now the gentleman from New Jersey comes back and makes a motion to strike out the same language in the bill, and surely the committee will not sit here and hear a dozen motions to strike out the same language in the bill. It is not novel; it is ordinary sense, and I ask the Chairman to sustain the point of order on the ground it has already been passed upon by the committee.

The CHAIRMAN. This amendment does not propose to strike out anything that has been inserted, and all the matter proposed to be stricken out by this amendment has not been acted upon in any way by the committee, and the Chair overrules the point of order. The gentleman from New Jersey is recognized for five minutes.

Mr. PARKER of New Jersey. Mr. Chairman, may I have the first part read as it will read after the language has been stricken out without coming out of my time? However, I will take my time now.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. PARKER of New Jersey. Mr. Chairman, I need only say to those who did not hear me before that I am thoroughly in sympathy with the objects of this bill, but it has two means proposed. One is to bar people from naturalization, and the bill limits that to our allies. I think any alien who is here and says he does not want to serve the United States in this crisis ought not hereafter to have the right to be naturalized and become a citizen, and I therefore strike out all referring to his special nationality. As amended, the first section is very simple. It says that any alien who by himself or by anyone else has heretofore claimed or shall hereafter claim exemption from the selective draft on account of being an alien shall forever be denied the right of becoming a citizen of the United States or any of its possessions. That is much broader than the bill. It is within our power and it is right to say that a man, say a native of Holland and a neutral, may be here and have the right to do business, but that even if a neutral in this our time of crisis says he does not want to be made an American citizen and perform those duties he should not ask that after the war. Much less men who are subjects of an enemy country. There

are some born abroad who came here when they were 6 months old. If those claim they are exempted from draft because they are born, for instance, in Austria, we do not want to naturalize them. If they do not so claim we want to do so, especially if they go into the Army.

Mr. MONDELL. Will the gentleman yield?

Mr. PARKER of New Jersey. I can not yield now. I will in a moment.

Now, as to deportations. Some of these men of our allies ought to be deported, but deportation is not the same class as naturalization. It is limited. It is not very troublesome now to prevent people from coming in. It will be very troublesome to deport, inasmuch as it is pretty hard to get transportation and still harder to get passports. But for convenience, for courtesy, and for the present that must be left to the State Department. As to naturalization, we have the power and we ought to pass a bill that is broad, far broader than that introduced by the gentleman from Alabama [Mr. BURNETT]. It is entirely within our power to allow no alien who says he is not a citizen to become a citizen.

Mr. MONDELL. Do I understand that it is the intention of the gentleman to provide for the drafting of alien enemies?

Mr. PARKER of New Jersey. Not at all. I said that if any aliens, for instance, who are born in Austria, who are 18 years old and who have been here since they were 6 months old, wanted to enlist, they may. And I take it if they do not claim exemption they ought to be drafted. If they do claim exemption they ought not to be citizens.

Mr. LUFKIN. Mr. Chairman, I oppose this amendment because I am opposed to all amendments offered by Members of this House who are opposed to the Burnett bill itself, because I believe that any amendment from that opposition is offered with the idea of weakening the bill rather than strengthening it.

I am one of the six Members of this House who have been elected since the United States entered the European war last April. I campaigned four months during the summer of 1917 for my nomination and then six weeks for my election. I was among the people of my district practically every day and night. Consequently I am perhaps in a better position to realize what the people are thinking about in connection with this war than are Members who have not faced their constituents for nearly two years, and I say to this House to-day, and I say it without hesitation, that the main thought in their minds is this very question of making use of the millions of aliens in our country during the present international crisis.

I made this question of the exemption of aliens the main issue in my campaign, and while my district is composed of men of all nationalities, the discussion of this problem never failed to be received with sympathy by my audiences.

I have no doubt that the conditions are the same in other parts of the country and that the thought of the man in California is not so much different from the thought of the man in Massachusetts on this particular question. The intensity of the feeling, of course, depends to some extent on the number of aliens in the communities. In my own State, where the aliens constitute practically one-third of the total registration for the draft, the Americans, whether by birth or by adoption, are particularly incensed. Last summer while the first draft was going on I visited city after city and town after town. I attended the exercises incident to the departure of these drafted men to their respective camps, and the sight presented was always the same. Four of the five young men who marched away from their homes and families were American young men, whereas four of the five who remained at home to enjoy the peace and comfort of this great land of ours, to live in what was to them almost luxury by receiving the wages formerly paid to their American brethren now in the service, were unnaturalized aliens. Do you wonder that the people are incensed at this state of affairs? Do you wonder that they refuse to be patient any longer and to wait upon the deliberations of our State Department? Six months ago we were told that Congress must be patient, that the people must be patient, and that the diplomatic negotiations were proceeding favorably. Now we are asked to be patient once again, but have been given no intimation as to how much longer the wait will be. If it takes as long for the State Department to conclude the negotiations with all of our allies as it has to conclude the negotiations with a single one of them, every American man of military age in this country, whether he be married or single, whether he has dependents or not, will be in the trenches months before we can stretch forth our hands and drag a single alien into the firing line.

I want to support the administration in their every effort, but I can not do it in this particular instance. One of our greatest problems at this time is to so conduct the affairs of the war as to make it popular with the rank and file of the country. The exemption of aliens has done more than any one other thing to make it unpopular. Let us remedy this at once. Let us pass this legislation and show to the people of this great land that we believe as they do and that this is a time when every man must do his part, regardless of his birth, regardless of his nationality, regardless of anything else except that his country and our country are fighting for the same purpose. These aliens have come to the United States, and to all intents and purposes they are a part of us. They have enjoyed the benefits of the American standard of wages, they have enjoyed the privileges of our splendid system of education and of our high standard of living in every respect. To me it is abominable that, having shared our blessings, they should not likewise be called upon in this crisis to share some of our responsibilities. We have put them on the same plane, so far as everything else in this country is concerned. Let us put them on the same plane, therefore, when it comes to fighting for our very existence, which, after all, is their existence. And, Mr. Speaker, if they refuse to do this, if they claim exemption through treaty rights with their mother countries, let us deny to them forever the right of obtaining citizenship in America, and let us, if possible, force them to go back where they came from and help to fight the battles there—make them do their part somewhere, whether it be in the land they were so anxious to come to or in the land they were so anxious to leave. This is no time for slackers of any kind.

Mr. GRAHAM of Pennsylvana. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, I will only occupy a moment or two, but I would like to have the attention of the chairman of the committee and the members of the committee who are present to a suggestion that I would like to make with reference to the language of this bill.

I feel sure that the great majority of the Members of this Congress are heartily in accord with the purpose of this bill, while there are many of us who will hesitate to vote for it because, in our judgment, it comes in conflict with a treaty stipulation. But I wish to pass from that and ask your attention to the language which you have used in this bill.

I listened with attention to the remarks about what constituted a proper definition of the word "eligible," and it was asserted that a man admitted to this country was eligible to citizenship; that Japanese and Chinese were not, but other nationalities were. That is what "eligible" meant as used in this bill. I am sorry to say that I differ absolutely and totally from that construction and use of the word. A man who is eligible to the office of mayor, for instance, must have resided in a district for so many years. He must have been a citizen, and that constitutes his eligibility. When a man applies to a court and asks for his naturalization paper the judge says to him, "Are you legally eligible?" The judge asks the question. He must proceed then to show legal fitness to be declared a citizen. What are the steps of legal fitness? First, he must have come to this country; second, he must have resided here for two years; third, he must have declared his intention to become a citizen; and, fourth, he must have made application for naturalization papers. When all of these things are done, then, and not until then, is the man eligible to be a citizen.

Now, I want to read this language. I quote from the first paragraph of the bill:

That any alien eligible by existing law to become a naturalized citizen of the United States—

By the use of that language you limit the application and operation of this bill to persons who are ripe—that is the word—for citizenship. In other words, they must be eligible to be elected. All the conditions precedent as a qualification must have been complied with, and then, and not until then, are they eligible for citizenship.

Now, the next sentence puts a limitation upon that proposition—

and who but for his alienage would be subject to the selective draft.

Who is subject to the selective draft? A man that has declared his intention to become a citizen is subject to the selective draft. Hence this bill would be utterly inoperative as to every alien in the United States unless he was eligible in the full legal sense to be a citizen or, in the limited application of it, that he was subject to the selective draft.

Mr. MADDEN. In other words, he would have to be between 21 and 31 years of age and be eligible in all other respects?

Mr. GRAHAM of Pennsylvania. Absolutely. [Applause.]

Mr. BURNETT. Mr. Chairman, I think perhaps we can make an agreement as to this bill going over until next Wednesday. I think there is no question about our having the right of way on that day. However, we do not want to have any trouble about that question, and if we can have that matter settled now so that by unanimous consent it is understood that we have the right of way next Wednesday, I am willing to make a motion to rise at this time. I would like to know whether there will be any objection or not.

Mr. JOHNSON of Washington. Mr. Chairman, at the proper time I shall want to move to recommit.

Mr. BURNETT. Oh, no; this would not cut that off at all.

Mr. FLOOD. I understand from the gentleman's request that you are waiving no rights to continue to offer amendments or substitutes, or whatever you please. There will be no question raised as to whether or not the committee has next Calendar Wednesday?

Mr. STAFFORD. I understand the gentleman's motion to rise at the present time is predicated upon a gentleman's agreement that no one will raise the question on next Wednesday that the Committee on Immigration and Naturalization is not entitled to another day?

Mr. BURNETT. Exactly; and that the bill will be right where it is now as regards status.

Now, Mr. Chairman, I merely called attention to that in order to see whether there was going to be any objection. I now move that the committee rise, with that understanding.

Mr. GORDON. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LONERGAN. Mr. Chairman, I make a similar request.

The CHAIRMAN. Is there objectiton to the gentleman's request?

There was no objection.

Mr. WINGO. Mr. Chairman, I wish to revise and extend my remarks.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. TAGUE. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Massachusetts makes the same request. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Alabama [Mr. BURNETT] moves that the committee do now rise. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 5667) to provide for the deportation of certain aliens, and for other purposes, and had come to no resolution thereon.

Mr. BURNETT. Mr. Speaker, while the House was in committee the question as to the priority of this committee, the right of way of this committee next Wednesday, was informally discussed and referred to. It was understood that when we went into the House, in order to obviate any question—I think there should be none on that matter—it was agreed that this committee have the right of way next Wednesday. I ask now for a ratification of that agreement in the House. I ask unanimous consent that the agreement be made.

The SPEAKER. The Chair will state, without putting that question, that it would unquestionably be in accordance with the rule that the gentleman's committee should have next Wednesday. Any gentleman who wants to appeal from that decision can do it then.

Mr. BURNETT. All right. Then I will withdraw that request.

Mr. MONDELL. I suggest to the gentleman from Alabama that he withdraw his request.

Mr. BURNETT. I do withdraw that request.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1418. An act to authorize the President of the United States to appoint Harry Graham captain of Infantry; and

S. 3006. An act to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes.

EXTENSION OF REMARKS.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill.

Mr. LANGLEY. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Washington [Mr. JOHNSON] and the gentleman from Kentucky [Mr. LANGLEY] ask unanimous consent to extend their remarks in the RECORD. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. RAKER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, Thursday, February 7, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the War Department to increase the salary of the chief clerk, Office of Chief of Staff, from the present rate of $2,250 per annum to $2,750 per annum for the six months ending June 30, 1918 (H. Doc. No. 916); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the War Department to increase the salary of the chief clerk, Office of Chief of Staff, from the present rate of $2,250 per annum to $2,750 per annum for the fiscal year 1919 (H. Doc. No. 917); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of waterway between Port Townsend Bay and Oak Bay, in Jefferson County, Wash., with a view to increased width and depth (H. Doc. No. 918); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of intracoastal waterway from Calcasieu River, La., to Sabine River, Tex. and La., with a view to securing such width and depth as will meet the demands of commerce (H. Doc. No. 919); to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ASHBROOK, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 9612) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported the same without amendment, accompanied by a report (No. 286), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 7389) granting a pension to Hiram Dillon, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SABATH: A bill (H. R. 9610) providing admission to members of Army, Navy, or Marine Corps to citizenship of the United States; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 9611) authorizing the Cowlitz Tribe of Indians residing in the State of Washington, to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. KEATING: A bill (H. R. 9613) amending section 12, Federal farm-loan act, approved July 17, 1916; to the Committee on Banking and Currency.

By Mr. HULL of Tennessee: A bill (H. R. 9614) providing that certain National Guard officers in Federal service shall be

allowed the equivalent of three months' intensive training before discharge or dismissal on finding of efficiency boards; to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 9615) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHALL: A bill (H. R. 9616) to provide for refund or abatement under certain conditions of penalty taxes imposed by section 2 of the act of October 3, 1913, known as the income-tax act; to the Committee on Ways and Means.

By Mr. KEATING: A resolution (H. Res. 244) asking for information from the Secretary of Labor; to the Committee on Foreign Affairs.

By Mr. SABATH: A joint resolution (H. J. Res. 236) authorizing the readmission to the United States of lawfully resident aliens applying therefor after having been enlisted or conscripted for the military service of the United States, or who have enlisted and joined the Czecho-Slovak or Polish Army waging war against any of the central powers or one of the nations cobelligerents of the United States; to the Committee on Foreign Affairs.

By Mr. AUSTIN: A joint resolution (H. J. Res. 237) authorizing and directing the discharge from the United States Army camps of drafted men upon their own application supported by proof that they have dependents; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 9612) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; committed to the Committee of the Whole House.

By Mr. AUSTIN: A bill (H. R. 9617) granting an increase of pension to Judge B. Cecil; to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 9618) granting an increase of pension to Albert Teets; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 9619) granting an increase of pension to Henry C. Carr; to the Committee on Invalid Pensions.

By Mr. HARRISON of Mississippi: A bill (H. R. 9620) to carry into effect findings of the Court of Claims in case of Emily E. Bishop; to the Committee on War Claims.

By Mr. LANGLEY: A bill (H. R. 9621) granting an increase of pension to Henry G. Gardner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9622) granting a pension to Isaac Daniel Gibson; to the Committee on Pensions.

By Mr. MOON: A bill (H. R. 9623) granting an increase of pension to Erastus A. Kelly; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 9624) granting an increase of pension to Lancetta Byram; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9625) granting an increase of pension to Samuel L. Thompson; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 9626) granting a pension to Wilmot Stevens; to the Committee on Pensions.

By Mr. SHOUSE: A bill (H. R. 9627) granting an increase of pension to Alonson Walker; to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 9628) for the relief of the estate of John H. Piatt, deceased; to the Committee on Claims.

Also, a bill (H. R. 9629) granting an increase of pension to Jacob Shinnebarger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9630) granting an increase of pension to David E. Tussing; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 9631) granting a pension to Roberta R. Havelick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9632) granting an increase of pension to John P. Rounds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9633) granting an increase of pension to Levi Welch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9634) granting an increase of pension to Nathan N. Spence; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9635) granting an increase of pension to John F. Thompson; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 9636) granting an increase of pension to Isaac F. Allread; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9637) granting an increase of pension to Henry C. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9638) granting a pension to Alva C. Foster; to the Committee on Pensions.

Also, a bill (H. R. 9639) granting an increase of pension to Francis M. Wall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9640) granting an increase of pension to William C. Wagoner; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. FULLER of Illinois: Memorial of the City Council of Chicago, for maintenance of the pneumatic-tube mail service; also a memorial of the Federal Employees' Union, No. 2, opposing the Postmaster General's recommendation against affiliating with labor organizations; to the Committee on the Post Office and Post Roads.

Also, memorial of the Farmers' Educational and Cooperative Union of America, opposing all measures for universal military training; to the Committee on Military Affairs.

Also, memorial of the Haverhill (Mass.) Chamber of Commerce for the repeal of the postal provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. HARRISON of Mississippi: Resolution of the Mississippi Annual Conference of the Methodist Episcopal Church South, urging legislation that will give to the Choctaw Indians of that State their interest in the tribal funds and property of the Choctaw Nation; to the Committee on Indian Affairs.

Also, memorial of citizens of Indianola and Sunflower County, Miss., declaring their loyalty and confidence in the administration and deploring the recent criticisms of the conduct of the war; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: Petition of citizens of Pittsburgh, praying for the passage of a constitutional amendment forbidding polygamy; to the Committee on the Judiciary.

By Mr. LINTHICUM: Petition of W. S. Childs, Baltimore, Md., opposing putting a freight yard or track opposite the Sibley Hospital on North Capitol Street, Washington, D. C.; to the Committee on the District of Columbia.

Also, memorial of the legislative board of the Brotherhood of Railroad Trainmen, State of Maryland, favoring strengthening the employers' liability law and opposing House bill 8172; to the Committee on Interstate and Foreign Commerce.

Also, petition of Albert H. Beachley and Emory F. Stottlemayer, formerly of Frederick County, Md., urging increased compensation for Federal employees; also a memorial of the Federal Employees' Union, No. 21, Baltimore, Md., opposing the Borland amendment and urging increase of salaries; to the Committee on Appropriations.

By Mr. MADDEN: Resolutions of a mass meeting of Magyars held in Chicago, Ill., expressing approval of the President's war-aims message, and asserting the loyalty of American citizens of Magyar blood, and of those Magyars not yet citizens; to the Committee on the Judiciary.

By Mr. MOON: Papers to accompany a bill for the relief of Erastus A. Kelly; to the Committee on Invalid Pensions.

By Mr. RAKER: Petition of Mrs. Emily M. Sherman, secretary Woman's City Club, Long Beach, Cal., urging repeal of amendment to revenue law as it relates to increase in postage; to the Committee on Ways and Means.

Also, resolution adopted by Chamber of Commerce, San Jose, Cal., in re extreme penalty provided for acts of treason to be enforced upon aliens who commit them; to the Committee on the Judiciary.

Also, petition of Mrs. Harriet W. Myers, chairman, and Mrs. F. T. Bicknell, chairman, both of Los Angeles, Cal., indorsing the migratory-bird treaty act; to the Committee on Foreign Affairs.

Also, petition of Roy C. Barmore, R. F. D. No. 1, Newcastle, Cal., in re increased compensation for rural mail carriers; to the Committee on the Post Office and Post Roads.

By Mr. SIEGEL: Resolutions of the Republican Club of the City of New York, favoring a bill for universal military training; to the Committee on Military Affairs.

Also, resolutions of the Republican Club of the Nineteenth Aldermanic District of New York City, indorsing H. R. 1654 and S. 709; to the Committee on the Post Office and Post Roads.

By Mr. SNYDER: Petition of residents of Dolgeville, N. Y., praying for the enactment of an immediate war emergency prohibition bill; to the Committee on the Judiciary.

Also, petition of residents of Rome and Vernon, N. Y., for relief in the matter of help for farm workers; to the Committee on Military Affairs.

By Mr. TILSON: Petition of Lithuanian citizens of New Haven, Conn., against a union with Poland, etc.; to the Committee on Foreign Affairs.

SENATE.

THURSDAY, *February 7, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we bless Thee for the marvelous provision that Thou hast made for us as a free people, for the boundless wealth of our fields and forests, for the mountains and widespreading plains, for all these resources at our command. Now, as we come to test their power for the spread of the doctrines of truth and liberty we know that all must prove ineffective unless the people do justly, love mercy, and walk humbly with their God. So we turn to Thee for the deeper inspiration that we may be enabled to transmute the physical forces that Thou hast put at our command into spiritual powers to win the victory for truth and righteousness. We ask Thy guidance, for Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

HOUSE BILL REFERRED.

H. R. 5489. An act to authorize the Secretary of the Interior to exchange for lands in private ownership lands formerly embraced in the grant to the Oregon & California Railroad Co. was read twice by its title and referred to the Committee on Public Lands.

ALLOWANCES TO SOLDIERS' FAMILIES (S. DOC. NO. 171).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 5th instant, certain information relative to payments of allowances to the families of soldiers, which was referred to the Committee on Military Affairs and ordered to be printed.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of Commerce, transmitting, pursuant to law, lists and schedules of useless papers in the Department of Commerce which have no historic value, and requesting action looking to their disposition. The communication and accompanying papers will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Maryland [Mr. FRANCE] and the Senator from New Hampshire [Mr. HOLLIS] the committee on the part of the Senate. The Secretary will notify the House thereof.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1418. An act to authorize the President of the United States to appoint Harry Graham captain of Infantry;

S. 3006. An act to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes; and

S. 3081. An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair presents certain resolutions passed by the Grand Army of the Republic, which will be inserted in the RECORD and referred to the appropriate committees.

Resolutions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

GRAND ARMY OF THE REPUBLIC,
Indianapolis, Ind., February 4, 1918.

To the honorable the PRESIDENT OF THE SENATE,
Washington, D. C.

SIR: Inclosed we hand you copies of resolutions adopted by the Fifty-first National Encampment of the Grand Army of the Republic at its last annual session, all of which ask for action by your honorable body on the matters presented therein.

It is our hope that the Senate may take favorable action on all of them.

Respectfully,

ORLANDO A. SOMERS, *Commander in Chief.*
ROBERT W. MCBRIDE, *Adjutant General.*

Resolved, That the National Encampment, Grand Army of the Republic, respectfully and most earnestly requests the Congress of the United States for an enactment under which aliens who, as members of the American Army and Navy, serve in any war shall, because of that service, become citizens, with all that the term implies, of the United States.

Resolved, That we urge upon Congress the enactment of such legislation as will authorize the return to the United States for final rest of the remains of all United States soldiers and sailors who die abroad, that they may rest beneath the flag for which they gave their lives and not under a foreign flag.

Resolutions were referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

Whereas the soldiers and sailors of the Civil War have been receiving their pensions from the Government in quarterly payments; and

Whereas this is to them a very great inconvenience, for the reason that they are in so very many cases compelled to ask credit, and because of that fact are therefore compelled so many times to pay higher prices than if they could pay cash for their necessities; and

Whereas all departments of our Government are paid monthly: Be it

Resolved, That we ask Congress to pass a bill that will enable these worthy pensioners of our Government to receive their pensions in monthly payments instead of quarterly, as heretofore, and by this means enable them to do so much better and at the same time avoid the unpleasant necessity of asking credit until the quarterly payment becomes due.

—

Whereas the Sixty-fourth Congress having failed to act on the bill in aid of our blind comrades: Therefore be it

Resolved, That we reaffirm the action of the Forty-ninth National Encampment of the Grand Army of the Republic and direct the incoming commander in chief to have the same measure introduced at the regular session of Congress early in December, and use all honorable efforts to have the respective Pension Committees of the Senate and House report favorably on the same, that our needy and worthy comrades may have relief that will enable them to pass their few remaining years with some degree of comfort; and be it further

Resolved, That we solicit the aid of our allied patriotic associations in support of this measure, and the incoming adjutant general is hereby directed to send a copy of this resolution, together with the action of the Forty-ninth National Encampment, as printed on page 122 of the journal, to the presidents of the Woman's Relief Corps, Ladies of the Grand Army of the Republic, Sons of Veterans, and Sons of Veterans' Auxiliary, and the commander in chief of the Sons of Veterans, asking them to write the various Senators and Representatives to vote in favor of the bill to aid blind veterans.

Mr. LODGE presented resolutions adopted by the Spanish-American War Nurses' Association, favoring the enactment of legislation granting the rank of second lieutenant to nurses serving during the war, which were referred to the Committee on Military Affairs.

Mr. THOMPSON presented a petition of the War Council of Defense, of Decatur County, Kans., praying for the enactment of legislation to prohibit local dealers and storekeepers from making excessive charges of purchases made by the soldiers at the Army camps of the country, which was referred to the Committee on Military Affairs.

Mr. FLETCHER. I present a communication in the nature of a petition. As it is very brief and similar to numerous others I have received, I ask that it be printed in the RECORD.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

NEW SMYRNA, FLA., *January 31, 1918.*

Senator FLETCHER,
Washington, D. C.:

I am writing to ask you to do all in your power to secure the passage of the Federal suffrage amendment.

The women of Florida, the women who are doing all in their power to aid the Government—in the Red Cross, food conservation, thrift stamps, liberty loan, etc.—they are the women that ask you, as their Senator, to support the suffrage amendment.

Hoping this will receive your earnest attention and that you will have the interest of the women of Florida at heart, that we may be proud of the stand our Senator takes in this great question.

Please have this read into the CONGRESSIONAL RECORD.

With greatest hope for the passage of the Federal suffrage amendment.

Yours, truly, HANNAH DETWILER BONNET.

Mr. PHELAN. I present resolutions adopted by the Chamber of Commerce of Los Angeles, Cal., which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Whereas a great leader in the development of the West has been lost to the country by the recent death of Senator FRANCIS G. NEWLANDS, whose years of devotion to the cause of national reclamation and river regulation contributed so largely and were so indispensable to the success of the campaign for the United States reclamation act, passed in June, 1902, and the Newlands river regulation amendment, passed as section 18 of the rivers and harbors bill in August, 1917: Now, therefore, be it

Resolved, That the Los Angeles Chamber of Commerce hereby expresses its deep appreciation of the public services rendered by the late FRANCIS G. NEWLANDS in his long career as a Member of the House of Representatives and the Senate of the United States, and its profound regret that his death should have brought that career to an end; and be it further

Resolved, That a copy of this resolution be spread upon the records of this chamber and a copy thereof sent to the family of the deceased and to the President of the Senate.

I hereby certify that the above is a true and correct copy of resolution adopted by the board of directors of the Los Angeles Chamber of Commerce at their regular meeting on Wednesday, January 2, 1918.

OSCAR C. MUELLER,
Vice President.

Attest:

FRANK WIGGINS, *Secretary.*

Mr. McNARY. I have received several petitions signed by a large number of citizens of Oregon, respectfully petitioning Congress, through the proper authorities, to request the Government of France to prohibit the sale of all forms of intoxicating liquors, including wine and beer, to American soldiers and sailors. I move that the petition be referred to the Committee on Military Affairs.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. SHAFROTH, from the Committee on Public Lands, to which was referred the bill (S. 2552) to provide for leave of absence for homestead entrymen in one or two periods, and for longer times, reported it with an amendment and submitted a report (No. 248) thereon.

Mr. MYERS, from the Committee on Public Lands, to which were referred the following bills, reported them without amendment and submitted reports thereon:

A bill (S. 947) validating certain homestead entries (Rept. No. 250); and

A bill (S. 951) to provide for the sinking of artesian wells, and for other purposes (Rept. No. 251).

He also, from the same committee, to which was referred the bill (S. 41) to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel purposes, reported it with amendments and submitted a report (No. 249) thereon.

RAILROAD CONTROL.

Mr. SMITH of South Carolina. Mr. President, on behalf of the Committee on Interstate Commerce, I report back favorably with amendments the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes, and I submit a report (No. 246) thereon.

I should like to state, Mr. President, that not later than Monday or on Monday I shall endeavor to have this bill taken up, looking to its final disposition. All Senators realize the necessity for as expeditious action on the measure as may be. I hope they will acquaint themselves in the meantime with the provisions of the bill, so that we may begin on Monday and continue its consideration until it is disposed of.

Mr. CUMMINS. Mr. President, in connection with the report which has been made by the chairman of the Committee on Interstate Commerce, I desire to give notice that not later than Monday next I will, with the consent of the Senate, present a minority report or minority views. To avoid all misunderstanding I think I ought to say also that the minority report, so far as I am concerned, will not be based upon opposition to the possession or operation of the transportation systems of the country. Indeed, I believe that the step taken recently by the President ought to have been taken long ago. The objections which I shall offer to the bill as reported relate to other things than the policy of possession and operation of our systems of transportation by the Government; they relate to compensation largely, and other things will be added.

For myself I want it to be understood that I shall facilitate the disposition of the bill in every way I can consistent with a fair discussion of the various questions which will arise. I agree with the Senator from South Carolina that it is a subject that ought to be not only carefully considered but speedily disposed of, for we are now in a state of great uncertainty and some confusion, and it will continue until this bill is passed.

Mr. SMITH of Michigan. May I ask the Senator from South Carolina a question? The Senator from Iowa says that he is in accord with the bill in so far as taking possession of the railroads is concerned. That leads me to inquire whether there was a unanimous agreement in the committee as to the time when the roads shall be returned to their owners?

Mr. SMITH of South Carolina. No; there was not. There was a majority of the committee, quite a large majority, favorable to the length of time indicated in the bill.

Mr. GALLINGER. A year and a half?

Mr. SMITH of South Carolina. A year and a half—18 months.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. SMITH of South Carolina. I ask that the report accompanying the bill just reported by me may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The report is as follows:

"Mr. SMITH of South Carolina, from the Committee on Interstate Commerce, submitted the following report:

"The Committee on Interstate Commerce, to whom was referred the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes, have considered the same and report thereon with the recommendation that the bill do pass without amendment.

"On August 29, 1916, Congress enacted the following:

"The President in time of war is empowered through the Secretary of War to take possession and assume control of any system or systems of transportation or any part thereof, and to utilize the same to the exclusion, as far as may be necessary, of all other traffic thereon for the transfer or transportation of troops, war material, and equipment, or for such other purposes connected with the emergency as may be needful or desirable.

"Under this statute and by virtue of all other power enabling him, the President, on December 28, 1917, took possession and control of the railroad systems of continental United States and the owned or controlled systems of coastwise or inland water transportation. He appointed Hon. William G. McAdoo Director General of Railroads.

"Since December 28 he has been operating those systems of transportation for war and national purposes. There was no provision in the act of August 29, 1916, for determining the just compensation due as a constitutional right to the owners of the properties thus taken over for public purposes. It therefore became necessary to provide the proper legislation to meet the two very important needs; first, the proper judicial machinery for determining the amount of just compensation thus accruing; secondly, to give to the President the authority to offer the owners of the property thus taken just and reasonable terms for compensation, which, if accepted, will determine finally and completely all rights as between the Government and the owners, thus avoiding the delays incident to litigation and giving strength and stability to the security market and rendering assistance to our future war financing.

"The President, in his proclamation, instructed the Director General to—

enter upon negotiations with the several companies looking to an agreement for just and reasonable compensation for the possession, use, and control of their respective properties on the basis of an annual guaranteed compensation above accruing depreciation and the maintenance of their properties, equivalent, as nearly as may be, to the average of the net railway operating income thereof for the three-year period ending June 30, 1917.

"Your committee were of opinion that this is the time for war emergency legislation and not the time to settle the many controversial and vexed questions concerning our future transportation policy.

"With these preliminary observations your committee submits a brief explanation of the various sections of the bill:

"SECTION 1.

"Section 1 authorizes the President to agree with the carriers whose property has been taken over that during the period of Federal control each carrier may receive as just compensation—in lieu of all rights arising under due process of law—an annual sum not exceeding its average annual railway operating income for the three years ended June 30, 1917, plus a return at a rate to be fixed by the President upon the cost of additional facilities made during the last six months of 1917, the amount of such net earnings and the cost of such additional facilities to be determined by the Interstate Commerce Commission and certified to the President. This is in substance the President's suggestion. The certification of the commission is to be taken as conclusvie for the purpose of such agreement. Any operating income in excess of such standard return is to be paid into the Treasury of the United States and placed in the revolving fund provided by section 6 of this act.

"About 75 great operating railroads do over 90 per cent of the railroad business. It is believed by your committee that most of these great railroad carriers will accept these terms as a just and fair measure of their constitutional rights. Section 1 further provides that ordinary taxes, National and State, shall, as now, be paid out of operating revenue; but war taxes accruing under the act of October 3, 1917, are to be paid by the companies out of their own funds, or charged against the standard return. In other words, the holders of railroad securities are by section 1 (like holders of other securities) to bear their own just portion of the war burden. Section 1 also requires that each agreement shall contain adequate and appropriate provisions for the maintenance and depreciation of the property and the creation of any reserves or reserve funds found necessary in connection therewith; so that the properties may at the end of Federal control be returned to the owners in a condition substantially equivalent to their condition when taken over by the Government; and that proper adjustments both in the standard return and in the terms of final settlement may be made. Thus even-handed justice will be worked out as between each company and the Federal Government.

"If the rights of all the railroads making returns to the Interstate Commerce Commission are fixed under the provisions

of this section, the Government will guarantee approximately $945,000,000 a year.

"Since the preparation of this summary, however, the committee has amended section 1 by inserting a provision authorizing a return, at such reasonable rate as the President may determine, upon the cost of additional transportation facilities made during the last six months of 1917. This addition, of perhaps ten to fifteen millions, is made in the interest of equality, it appearing that two hundred to two hundred and fifty millions of additional capital has during the last half of 1917 been put into transportation facilities by a comparatively few of the carriers taken under Federal control.

"There has, of course, been much discussion as to the fairness and justice of the proposed amount of the standard return. It should not be overlooked that the gist of the question is, What would these companies be likely to receive from the courts as just compensation? The amount of just compensation is not a legislative question—it is a judicial question. (Monongahela Navigation Co. *v.* U. S., 148 U. S., 312.) It follows, in the opinion of your committee, that much of the evidence and discussion concerning the so-called surplus is irrelevant. It is plainly in the public interest—and indeed a war need—that the President be authorized to offer to settle with the owners of these properties on a basis approximately equivalent to that which sound-thinking men would advise the owners they would be likely to receive by court decision. The rights of such owners must be tested by present conditions—not by some theory of capitalization never made operative under Federal or State law or generally followed by the courts.

"Questions of value are always difficult questions. It is highly probable, if not certain, if the whole question were remitted to the courts, they would take as the basis for determining just compensation the actual net earnings for a reasonable period. During the last three years new investment in the properties now under Federal control has been at the rate of approximately three hundred and seventy-five millions a year. The year ended June 30, 1915, was one of the poorest in recent railroad history. The other two years have been prosperous years. The average of the three years therefore reflects neither poverty nor riches. The purchasing power of the dollar accruing to the stockholder, as well as to the wage earner, has decreased. Dividends in industrial companies have largely increased. The rate of return upon Government bonds, both abroad and in the United States, has largely increased.

"The percentage of return upon the value of the railroad property taken under Federal control can not be accurately stated; for until the Federal valuation, now in process, is completed, no one knows the value of that property. The book value may be taken, for certain comparative purposes, as of some significance; it must not be regarded as accurate. The proposed standard return, figured upon the book value of all the companies, will give a return not far from 5.32 per cent. Comparing this return to that which accrues to the purchaser of Government bonds, it seems large; but Government bonds run for a period of 25 or 30 years. The proposed guaranty to the owners of railroad securities may run for only a few months. The Government is practically a tenant at will.

"After the most careful consideration your committee are of the opinion that the owners of these properties would not be unlikely to receive an award from a court at least equal to the proposed offer; that it is therefore the duty of Congress to authorize the President to make such offers as will prevent patriotic and fair-minded American citizens from resorting to litigations in time of war in order to determine their rights against their Government.

"The standard return thus provided for will, if accepted by the various operating companies, be disposed of substantially as hitherto; that is, for the payment of their fixed charges (and war taxes which remain a burden upon the standard return), for dividends, and if any balance remains, for so-called surplus. The fixed charges ordinarily fall into interest on bonds and other debt obligations, and leased line rentals, generally in the form of interest and dividends on outstanding bonds and stock of leased companies. These rentals are not, as is sometimes thought, properly a part of operating expenses. They are really disbursements for the use of capital; for it makes no practical difference whether the operating company is consolidated with the leased companies and pays interest and dividends upon its own bonds and stock issued in payment for the subsidiary companies' property, or whether it pays interest and dividends upon the stock and bonds of the leased companies. In either event, the disbursement is a disbursement on capital account and not on operating account.

"The foregoing makes it clear that the railroads accepting the suggested terms will be fully able to make all their usual disbursements to their security holders. In effect, this regular income is guaranteed by the Government to the security holders during the period of Federal control.

"The stabilizing, confidence-producing effect of such guaranty will, as your committee believe, be of great assistance in future war financing.

"The terms above indicated will probably be found just and fairly applicable to the security holders of most of the railroads of the country. But there are certain undeveloped and reorganizing roads whose operating income for three years will not fairly test their right to just compensation. Some special provision to meet the just demands of these companies seems requisite. Section 1, accordingly, provides in the last paragraph thereof that, when the President finds that the condition of nondividend paying carriers is because of nonoperation, receivership, or other undeveloped or abnormal condition such as to make the basis of earnings provided for the other carriers 'plainly inequitable,' as a fair measure of just compensation, then the President may make with such carrier such agreement as under the circumstances of the particular case he shall find just.

"SECTION 2.

"Section 2 provides in case the agreement provided for in section 1 is not made, the President is authorized to pay not exceeding 90 per cent of the estimated amount of just compensation.

"This, in the opinion of your committee, would tend to stabilize conditions for the security holders of the newer struggling companies, whose rights may not be easy of speedy ascertainment.

"Section 2 does not require the President to make any payment at all to such owners, thereby avoiding the danger of offering a premium to unreasonable and greedy litigants.

"SECTION 3.

"Section 3 provides easily available facilities safeguarding the constitutional rights of owners to have their just compensation determined by due process of law. It also furnishes another opportunity for settlement of cases which may not be satisfactorily disposed of by agreements in accordance with the standard return, or under the special power of section 1.

"Section 3 provides that the Interstate Commerce Commission shall, on the application of the President, or of any carrier, appoint boards of referees, the commission and its forces being made not ineligible as such referees. These referees are armed with the usual powers of judicial tribunals—to summon witnesses, require the production of books, etc., and may hold hearings in Washington and elsewhere, as convenience may serve. They may consolidate and classify cases. These boards are to give full hearings, consider all pertinent facts, and report their findings to the President in a form convenient and available for the making of such agreements as are authorized by section 1. The President and such company may then make an agreement for compensation not in excess of that reported by the referees. Failing such agreement, either the United States or the company may file a petition in the Court of Claims; and in the proceedings in this court such report is prima facie evidence of the amount of just compensation and of any facts reported.

"It is the confident opinion of your committee that section 3 not only effectually guards the constitutional rights of all owners but that the proceedings before the referees will be found so complete and satisfactory that few, if any, cases will ever reach the Court of Claims.

"SECTION 4.

"Section 4 provides that the agreed or ascertained just compensation may be increased during Federal control by an amount reckoned at a reasonable rate per centum to be fixed by the President upon the cost of additions made while the Government is in possession. Manifestly an increase in the property used requires a corresponding increase in the compensation for the use. No increase is allowed for additions paid for out of surplus during the period of Federal control. Whether a denial of any return upon surplus earnings invested in additional facilities will result in throwing an unnecessary burden of financing upon the Federal Government and in the accumulation of a dead surplus will require careful consideration by the Senate.

"SECTION 5.

"The main purpose of section 5 is to give stability to our financial conditions. From the standard return the railroad companies may without permission pay their regular dividends. Conceivably it may be desirable that some of the prosperous carriers should be permitted somewhat to increase their regular dividends; if so, the President's prior approval must be obtained. Nondividend payers or irregular dividend payers, whose standard or ascertained return warrants dividends, may

with the President's permission be put in the dividend-paying class at such rate as the President may determine.

"This section goes upon the theory that during the war the railroad-security holders ought to receive certain, regular, and moderate dividends; but that extra, unexpected dividends—a common source of speculation and manipulation—should not be permitted.

"SECTION 6.

"Section 6 is a very important section. It provides for a revolving fund to be made up from an initial appropriation of $500,000,000, together with any excess earnings of any of the carriers. This fund is to be available to the President for the purpose of paying the expenses of the Federal control, supplying any deficit in the just compensation accruing to any carrier, and to provide for rolling stock and terminals, to be used and accounted for as the President may direct, and to be disposed of as Congress may hereafter by law provide. This contemplates that engines, cars, and perhaps terminals will be purchased or constructed by and will belong to the United States. This rolling stock will be used wherever war and national needs demand—precisely as the Pullman and other private car lines are now used on the lines of the various carriers as the needs of industry or the demands of the seasons require. The ultimate disposition of this rolling stock must await post-war legislation. This section contemplates that such rolling stock, although owned by the United States, will be used on the lines of the various railroads and the use charged for upon the books of the companies, so that at the expiration of Federal control the bookkeeping of each railroad company will reflect, as hitherto, the traffic which has moved over each road and the cost of operation.

"The section further provides that the President may, on or in connection with the property of any carrier, make or order any company to make additions desirable either for war purposes or in the public interest. Doubtless it will be necessary in connection with Army camps and shipyards to make substantial extensions of railroad and other carrier property. Your committee believes that such additions and extensions should become and remain the property of the separate carriers; that there should be no confusion of title as to real estate, tracks, and other fixed property between any railroad company and the United States. As it is possible that some such additional facilities thus made to the property of various carriers will in times of peace be found worth less than the cost thereof, this section provides that claims for loss or damage accruing from such compelled investment shall be settled either by agreement between the carrier and the President, or, failing such agreement, shall be ascertained by due process of law, as provided in section 3.

"As some of the companies may not have the requisite funds to pay for such extensions and additions, the President is authorized from the revolving fund to advance all or any part of such cost, these advances to bear interest at rates and to be payable on such terms as the President may determine, so that the United States may ultimately be fully reimbursed for such advances.

"Section 6 also provides that the President may, from the revolving fund, expend such sums as he deems necessary or desirable for the utilization or operation of canals and for the purchase, construction, utilization, and operation of boats and other water carriages on the island and coastwise waterways. It is believed by your committee that much relief may be afforded the rail carriers by a further development of the water carriers and of facilities on these natural water highways.

"SECTION 7.

"Section 7 provides for financing the maturities of carriers during the period of Federal control. It authorizes the President to purchase for the United States, at prices not exceeding par, any securities issued by the railroads, roads approved by him as consistent with the public interest. Such securities may be sold without loss to the Treasury whenever the President deems it desirable, the proceeds of such sale to go back into the revolving fund. The estimates of the maturities for the next four years are as follows:

1918	$182,606,528
1919	188,213,052
1920	186,526,253
1921	440,905,528

"SECTION 8.

"Section 8 provides in general terms that the President may execute his powers with relation to the Federal control through such agencies as he may determine and fix the reasonable compensation for services rendered in connection therewith, using also the personnel and facilities of the Interstate Commerce Commission and all other governmental bodies.

"SECTION 9.

"Section 9 is simply to the effect that nothing contained in this act shall be deemed to restrict the powers heretofore given to the President to take possession and assume control of any and all systems of transportation. It also provides that this act shall apply to any carriers to which Federal control may be hereafter extended.

"SECTION 10.

"Section 10 provides that so far as not inconsistent with Federal control, each of the carriers shall remain subject to all laws and liabilities whether arising under statutes or at common law. It also provides that the President may, whenever in his opinion the public interest so requires, initiate rates by filing the same with the Interstate Commerce Commission, such rates to be fair, reasonable, and just, and that upon complaint the rates thus initiated by him may be reviewed by the Interstate Commerce Commission. In such review the Interstate Commerce Commission may consider all the facts and circumstances existing at the time of the making of the rate. After full hearing the commission may make such findings and orders as are authorized by the act to regulate commerce as amended.

"Your committee were of opinion that the commercial organizations of the country should be disturbed as little as the emergency would allow, and that every safeguard would be thrown around the great productive activities of the country, everything possible to inspire confidence in their being protected from unnecessary embarrassment.

"SECTION 11.

"Section 11 provides penalties for violation of this act or orders of the President made thereunder.

"SECTION 12.

"Section 12 has been inserted at the request of the Department of Justice and is intended to provide for continuing the life and status quo of cases pending under the antitrust and interstate commerce acts.

"It requires no comment.

"SECTION 13.

"Section 13 provides that the Federal control shall continue not to exceed 18 months after the declaration of peace. It is possible that certain conditions may arise from Federal control which will need adjustment before the properties are returned to their owners, and a reasonable period should intervene in which these conditions may be met and adjusted. It may be that the nation will be unwilling to return to the conditions obtaining before the assumption of Federal control. Legislation may be demanded radically changing the relation of the Government to the railroads from that now existing in the interstate-commerce act as amended.

"These problems will require time for careful and deliberate consideration. Therefore your committee has suggested a period of 18 months, and they believe it will be found adequate for that purpose.

"In section 13 there is also a provision to the effect that the President may, prior to July 1 next, relinquish control of such transportation systems as he may deem not needful or desirable, and may, thereafter, on agreement, relinquish all or any part of any system of transportation.

"Your committee also recommends that at any time after July 1, 1918, the President may agree with the owners of all or any part of any system of transportation when in the opinion of the President further Federal control of the same is unnecessary, to relinquish such control to the owners.

"The section also contains a general provision that the President may relinquish all railroads at any time when he shall deem such action needful or desirable.

"Your committee have adhered to the set purpose to limit this legislation to war-emergency purposes, and to avoid all contentions and controversial questions. We believe that the bill will accomplish these results. It follows closely the President's recommendations. It has in its main provisions and purpose received general approval and comparatively little criticism."

Mr. POINDEXTER. I desire to submit, from the Committee on Interstate Commerce, a disagreeing report upon Senate bill 3752 (S. Rept. No. 246, pt. 3), which I ask may be printed in the RECORD.

There being no objection, the views submitted by Mr. POINDEXTER were ordered to be printed in the RECORD, as follows:

"I can not agree to the report of the majority of the committee in two particulars:

"First. I disagree to the provision of the committee bill providing a certain date at which the railroads will be turned back to their private owners, without making any provision

whatever for removing the notorious abuses and inefficiencies of the present system of private competitive ownership and operation.

"Second. I disagree to the provision of the bill divesting the Interstate Commerce Commission of its existing powers of rate regulation, and transferring the primary rate regulation authority to the President, and creating in the commission appellate or supervisory power to set aside or modify rates fixed by the President.

"As to the first disagreement, I think the general consensus of well-informed and disinterested public opinion is that the present system by which the railroads are forbidden by law to coordinate or combine transportation facilities and resources and are compelled to operate as rival competitors for business under private ownership, with very limited governmental regulation is a failure. Out of it have grown scandals and abuses which have been set forth in sworn testimony given before subcommittees or agents of the Interstate Commerce Commission and committees of Congress and embodied in reports of these tribunals. It is a great mistake, in my judgment, for this committee to recommend, as it does in the majority report, that on a certain date the railroads should be restored to private owners without in any way changing the dangerous and unscientific conditions which existed up to the time the transportation systems were taken over by the President under authority given him by Congress.

"Everyone who has studied the question knows the practical difficulties in securing affirmative legislation affecting so great an interest as that of the railroads of this country, even when the legislation is needed to remove abuses which are perfectly obvious. To illustrate this, the Senate is familiar with the futile efforts which have been made in recent years to secure some reasonable governmental supervision and regulation of the stock and bond issues of these public-service corporations. The rate burdens which have been imposed upon the people on account of the inflation of railroad capitalization—vast issues of 'watered' stock, and the distribution of this stock, in many instances, as bonuses or rewards to promoters and bond buyers—have been equal almost to the direct taxes levied upon the people for the support of the Government. A bill to remedy this great evil passed the House of Representatives and got so far as to be favorably reported by the Interstate Commerce Committee of the Senate, and yet, although it has been pressed for several years since that time in succeeding Congresses, it has not been possible to get favorable action or even consideration of this essential measure. With that and similar experiences in mind, it is impossible to say when positive legislation may be enacted putting the transportation business of the country upon such a basis as that the railroads can be operated as one public system, with the public interest as the primary consideration, and with such governmental control or outright governmental ownership—if that should prove to be necessary as a last resort—as would insure the foregoing results. Until these problems are worked out and enacted into law there should not be a certain date fixed for the return of the railroads to private ownership and control and practically unrestricted private competitive operation.

"Under the system existing before the roads were taken over by the President the fundamental rule of rate making was not at all that which is contemplated by the interstate-commerce act, namely, a reasonable rate for the service rendered, but, according to the sworn testimony of railroad official rate makers, it was 'what the traffic would bear.' In other words, the governing principle was to take in rates all that could be taken without crippling or destroying the industry which produced the commodies of transportation. In practical application, of course, in view of variations of cost of production and of local conditions, the principle was not always worked out in practice.

"Under the old system, which is to be restored by this bill 18 months after the close of the war, the railroads, being operated with the view of making the greatest returns possible to the private owners of each particular road or system, and without any actual regard whatever to the larger public economies and public interests, instead of so arranging routes and shipments as to require the least transportation and to get commodities to their destination by the shortest and most direct line; in general, the opposite policy has prevailed, namely, to carry them by the longest possible route, with a consequent waste of public resources, but of private gain to railroad operators. The long haul has been favored over the short haul under the guise of meeting water transportation. Water transportation has been destroyed. Public interest would require the fostering and development, to meet the growing transportation needs of a growing country, of every natural water route. Through a system of so-called terminal rates, often put lower than a reasonable amount for the service rendered, and through difficulties placed by the railroads in the way of transfer and connection with the water route, this great national resource has perished as though struck by a deadly blight.

"To compensate the railroads for any reduction in rates, which it may have been necessary for them to temporarily make in order to destroy competing lines of water transportation, discriminatory higher rates have been charged to intermediate points and for the shorter haul—a much greater charge for a much less service—contrary to every fundamental principle of just compensation for service rendered. In this way the greater part of the country has been retarded in its development and subjected to an unjust tribute by the railroads. The consequence has been not only the paralysis of shipping and of the great industry of water transportation and the deprival of the people of the benefits of these great arteries of trade which they would have enjoyed if, instead of being discriminated against, they had been, in the public interest, nurtured and encouraged, but crowding and congestion in certain terminals has been the inevitable result, so that when the country was recently confronted by a great crisis its entire transportation system was paralyzed.

"I do not think that public opinion will tolerate a return to these conditions. It is obviously unscientific, from a public standpoint—and this question should be from every point treated with the public interest as a primary one—for several parallel competing lines between great producing centers to so struggle among themselves as rivals for business that while one, through superior terminal facilities or advantages of location, secures more business than it can adequately handle, another, not so advantageously situated, but equally capable of transportation of commodities, may not be utilized to more than one-third of its capacity. The interests of the public require that these lines should be regarded as a part of the transportation system of the country, and that business should be so distributed between them as to afford, on the whole, the cheapest and best service to the public. At the same time it is not possible, from a political standpoint, at least, to allow a consolidation of the railroads of the country under private ownership and control—not even with the inadequate and limited regulations heretofore interposed by the Federal and State Governments.

"Such a colossal power concentrated in private hands would lead to abuses that, if not remedied in any other way, probably would produce political revolution. It would be a most dangerous experiment, and outside of a few interested circles probably would not receive serious consideration. Yet it is equally agreed that the competitive system is a demonstrated failure. The only alternative is a more adequate and extensive Government control or operation in the interest of the people, with due regard at all times for vested private interests which the laws have allowed to be built up in these public-service agencies. Until this is done it is the height of unwisdom, in my judgment, to provide, as the committee bill proposes, to restore these properties at a certain date to the old conditions.

"Under private control and operation, with one system competing against another for business, those systems which have been able to secure powerful backing in the great financial centers have been able to restrict and curtail the development of other systems in other sections of the country whose principal potential business was in the transportation of similar commodities. In this way certain coal fields have been favored and promoted, while others which should have served great sections of the country have been held back from development by high or discriminatory rates. The consequence has been not only the loss of this business to adjacent railroad lines, but the killing of industry and development in the section which those lines should have served; and in the illustration mentioned, that of coal, it has been one great contributing cause of the scandalous coal famine this winter. I say 'scandalous' because the death of many of our people, the suffering of more, the checking of our industries at a time when they are most needed, the weakening of our efforts in the vital crisis of a war, due to inadequacy of fuel supply, in a country with such natural resources of coal and such transportation facilities as our own, is scandalous.

"Under the system, which it is proposed by the committee bill to restore 18 months after the close of the war, some railroads earned as high as 50 per cent upon their capitalization, inflated as it is; while other roads, which were equally necessary to the communities which they served, earned no profits at all; and yet our system of rate making has, so far, worked out no principle by which this inequality could be adjusted. Under Government operation, with profits and losses of all the railroads going ultimately into one account, such inequalities would adjust themselves. Under private ownership it is obvious that this inequality of returns is inequitable and unjust. It

may be possible to find some plan of rate making by which, even under private operation, but with a larger measure of governmental control and supervision, these discrepancies could be adjusted so that those engaged in the public business of transportation on the highways of the Nation, with efficient management, would receive more equitable relative returns. This inequality of return inevitably, of course, affects the quality of the service rendered, and as a result deprives certain sections of the country of public facilities with which they should be provided. Until a basic policy is worked out which would have the effect of cutting down excessive returns on certain lines and permitting adequate returns upon others, the day for the return of the roads to their private owners ought not to be fixed.

"This bill makes no provision for the prevention in the future of such wholesale looting of public transportation systems as were perpetrated in the cases of the Chicago & Alton, the Rock Island, the New York, New Haven & Hartford, the Pere Marquette, the Frisco, the Cincinnati, Hamilton & Dayton, and others, as disclosed by testimony on record as mentioned above. Probably no greater financial crimes or ruthless destruction of private property under the apparent permit of the law were ever perpetrated than in these and similar instances, possible under the old opportunities for stockjobbing and stock control by interested private operators, which this bill would restore. Families have been ruined by the thousand, untold misery and many deaths, with far-reaching consequences, both direct and indirect, of business depression and the suffering of whole communities have been produced by these unscrupulous enterprises. In my judgment, it would be a breach of legislative trust to provide for the restoration of these properties to the old conditions without legislation which would make such crimes of private railroad finance impossible.

"Perhaps $300,000,000 a year could be saved to the people of the country by doing away with the multiplication of officials and the cutting down of overlarge salaries if the roads were consolidated and operated as one transportation system. The maintenance of multiplied complete official organizations on numbers of competing lines serving the same area imposes a wholly unnecessary economic burden upon the people. No attempt, even, has been made to provide for the elimination of this waste. The Post Office Department gives a very good example of excellent and efficient public service which can be obtained from men of ability and integrity for salaries far less than those paid by private transportation companies for services of the same grade and quality under private management. It is difficult to estimate the saving which would accrue in this direct way by cutting out the useless extravagance of salary, multiplication of officials, the superfluous elegance of equipment and material used in catering to the luxurious tastes of a portion of the traveling public by rival competitors for their business but which adds nothing whatever either to the comfort or efficiency of the service. All of this could be effected under a system of permanent Government control. Until these questions are studied and worked out on a permanent basis no law should be passed fixing positively a date for the return to private operation.

"The revenue received by the railroads, and which is provided in this bill as a measure of their compensation temporarily pending the war and until the date for the return of the roads fixed by the bill, is as to many of the roads entirely too high, while as to some of them perhaps it would not be adequate. In another form this has been mentioned above. It is extremely doubtful whether this condition could be readjusted in the midst of the present war, with the financial and transportation crisis with which the country is confronted, with necessity of maintaining the credit of existing securities; and for that very reason no definite time should be fixed for the reestablishment of the system under which these revenues were permitted. On the contrary, an entire readjustment of the whole basis and fabric of the control and operation of the transportation of the country, including rates and revenues, should be established; and no date at all for a return of the old unjust and intolerable system should be fixed. It is impossible, perhaps, in the midst of the crisis of the war to adequately deal with many of the problems mentioned above, and for that very reason no time limit should be fixed for the return of the roads to their private owners. The status quo should be preserved, whether for 18 months after the close of the war or longer, until these problems have been solved and enacted into fundamental law.

"As to the second point of disagreement, it is necessary to say only a few words. The bill of the committee vests the primary governmental making of rates in the President and undertakes to give to a commission composed of members appointed by the President supervisory control over the President in this matter of rate making. Of course the arrangement is illogical and unworkable. It is a little too much to expect of human nature that officials who owe their official existence to the President will be able, however much they may try, to exercise any real independent judgment or action in setting aside the President's orders in the matter of rates. The fact of the case is that the established rate-making bodies—the Interstate Commerce Commission and the State commissions—should be left just as they are at present, empowered to make orders respecting rates, which orders should have the same force and effect as at present, with the proviso that where the President, acting through the Director General, may deem it necessary, in the exercise of the war powers under which he has taken control of the roads, to modify or change a rate he may do so. In this way the Director General and the President will be relieved of the overwhelming duty of fixing all rates which will devolve upon them under the bill as reported by the majority of the committee, and for which neither the President nor the Director General have any adequate facilities or equipment or training or experience whatever. On the other hand, the President and the Director General would have the necessary knowledge and equipment and official facilities to enable them in certain special, obvious cases, where it may be necessary for them to act in the execution of their duties relative to transportation devolving upon them as a war power under existing legislation, to modify or change a particular rate. This is all that would be needed for the full exercise of the war power referred to, and my understading is that it is all that is desired. To impose upon the President and the Director General the complicated and laborious business of initiating all rates is unnecessary and involves such a vast amount of labor that it could not be properly exercised. To provide that a commission appointed by the President may set aside the rates made by the President is wholly illogical and will be unworkable in practical application."

WAR-RISK BUREAU.

Mr. SIMMONS. From the Committee on Finance I report back favorably without amendment the joint resolution (S. J. Res. 128) granting to certain persons in the active war service an extension of time within which application for insurance may be made under section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917, and I submit a report (No. 253) thereon. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution? The Chair hears none and it is before the Senate as in Committee of the Whole. Does the Senator from North Carolina desire to have the joint resolution read?

Mr. GALLINGER. I request that the joint resolution shall be read.

The VICE PRESIDENT. It will be read.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the time within which application for insurance may be made as set forth in section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917, is hereby extended, with respect to every person in the active war service as to whom the time for making application would expire before the 12th day of April, 1918, so that every such person may make application for insurance up to and including the said 12th day of April, 1918: *Provided*, That nothing herein shall be construed to effect an extension of the automatic insurance provided for in the said section 401 beyond the 12th day of February, 1918.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LINCOLN HIGHWAY RIGHT OF WAY.

Mr. SMOOT. From the Committee on Public Lands I report back favorably without amendment the bill (S. 3083) granting to the Lincoln Highway Association, incorporated under the laws of the State of Michigan, a right of way through certain public lands of the United States, and I submit a report (No. 252) thereon. As it is the desire that the work shall be commenced at a very early day and it is a right of way on lands in Utah that are next to worthless, I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. GALLINGER. I request that the bill be read. I think passing bills without reading is rather a dangerous practice.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That right of way 500 feet in width through the public lands of the United States, beginning at or near Orr's ranch, Tooele County, Utah, thence via Broad Hollow Pass and the North point of Granite Mountain to a point known as Black Point, thence westerly to the mouth of Overland Canyon and for 10 miles into said canyon, is hereby granted to the Lincoln Highway Association, incorporated under the laws of the State of Michigan. There is also granted the right to take from the public lands adjacent to the right of way, material, earth, stone, and timber necessary for the construction of the highway.

Before the grant of the right of way herein provided for shall become effective a map of location of the route of said highway and an outline of the general rules and regulations under which the Lincoln Highway Association will govern said highway, must be filed with and approved by the Secretary of the Interior: *Provided*, That all or any part of the easement herein granted may be forfeited and annulled by the Secretary of the Interior for failure to construct the highway within five years after the approval of maps of location or for nonuser after construction, or for abandonment, without further legislative or judicial action.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and was read the third time.

Mr. SIMMONS. I should like to inquire of the Senator from Utah why it is necessary to grant 500 feet in width for a right of way through the public lands of the country?

Mr. SMOOT. It is asked for this reason. It is intended to be an automobile road from the Atlantic Ocean to the Pacific. This right of way is over a desert, and at certain places along the road there must be houses and garages built, and they will be built on the highway. I will say to the Senator the most of it is over a tract of land that used to be the bed of Salt Lake. Nothing can grow there; it is useless for farming purposes or for any other purpose that I can think of. The proposed right of way is the worst piece of road on the Lincoln Highway. The Lincoln Highway Association has interested a certain man in the United States to give the association $125,000 to make this part of the highway passable for automobiles going from any part of the country to the Pacific coast. I will assure the Senator——

Mr. SIMMONS. Is there no other place where they can have a right of way there?

Mr. SMOOT. I can not say as to that, because I do not know.

Mr. SIMMONS. I do not think we generally grant railroads more than about 100 feet to build such necessary houses as may be required for section hands and purposes connected with the operation of the road.

Mr. SMOOT. If the land was of any value at all, we should perhaps take that into consideration.

Mr. SIMMONS. If the lands are of no value, of course it does not amount to very much in this particular case; but it is a very bad precedent for the Government in granting a right of way through the public domain to grant two or three times as much as is absolutely necessary.

The VICE PRESIDENT. Shall the bill pass?

The bill was passed.

COLVILLE INDIAN RESERVATION, WASH.

Mr. MYERS. From the Committee on Public Lands, I report back favorably with an amendment the joint resolution (S. J. Res. 92) to defer first payments upon homestead entries for lands in the Colville Indian Reservation, Wash., and I submit a report (No. 247) thereon.

Mr. JONES of Washington. Mr. President, that joint resolution relates to an emergency matter. The payments therein referred to are overdue, and the department is withholding action, awaiting the action of Congress. I therefore ask unanimous consent for the present consideration of the joint resolution.

The VICE PRESIDENT. Is there objection?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The amendment was to strike out all after the resolving clause and to insert:

That the Secretary of the Interior is hereby authorized to extend for a period of one year the time for the payment of any annual installment due, or hereafter to become due, on the purchase price for lands sold under the act of Congress approved March 22, 1906 (34 Stat., 80), entitled "An act to authorize the sale and disposition of surplus or unallotted lands of the diminished Colville Indian Reservation, in the State of Washington, and for other purposes," and any payment so extended may annually thereafter be extended for a period of one year in the same manner: *Provided*, That the last payment and all other payments must be made within a period not exceeding one year after the last payment becomes due, by the terms of the act under which the entry was made: *Provided further*, That any and all payments must be made when due, unless the entryman applies for an extension and pays interest for one year in advance at 4 per cent per annum upon the amount due as herein provided, and patent shall be withheld until full and final payment of the purchase price is made in accordance with the provisions hereof: *And provided further*, That failure to make any payment that may be due, unless the same be extended, or to make any extended payment at or before the time to which such payment has been extended, as herein provided, shall forfeit the entry and the same shall be canceled, and any and all payments theretofore made shall be forfeited.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution providing additional time for the payment of purchase money under homestead entries within the former Colville Indian Reservation, Wash."

SAN DIEGO WATER SUPPLY.

Mr. PHELAN. I am in receipt of a telegram from the Senator from Montana [Mr. WALSH] requesting the recommittal to the Committee on Public Lands of the bill (S. 3646) to grant rights of way over Government lands for reservoir purposes for the conservation and storage of water to be used by the city of San Diego, Cal., and adjacent communities. I move that the bill be recommitted to the Committee on Public Lands.

The motion was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 3773) to provide compensation for employees of the United States separated from the service on account of injuries received while in the performance of duty, and for other purposes; to the Committee on the Judiciary.

A bill (S. 3774) for the relief of volunteer officers and soldiers who served in the Philippine Islands beyond the period of their enlistment; to the Committee on Military Affairs.

A bill (S. 3775) setting aside certain lands in the District of Columbia as a site for memorials to women; to the Committee on the Library.

A bill (S. 3776) granting a pension to Nancy L. Miller (with accompanying papers); to the Committee on Pensions.

By Mr. HENDERSON:

A bill (S. 3777) to amend section 4 of the act entitled "An act to regulate commerce," approved February 4, 1887, as amended June 18, 1910; to the Committee on Interstate Commerce.

Mr. SHEPPARD. Mr. President, the chairman of the Military Affairs Committee, the Senator from Oregon [Mr. CHAMBERLAIN], is unavoidably absent. He has asked me to introduce for him certain bills and a joint resolution, which I send to the desk, and which are introduced at the request of the War Department.

By Mr. CHAMBERLAIN:

A bill (S. 3778) to amend an act entitled "An act providing for an Assistant Secretary of War," approved March 5, 1890, and for other purposes;

A bill (S. 3779) to create in the Army the grades and establish the pay of first-class bugler and corporal bugler, to increase the pay of buglers, and for other purposes; and

A bill (S. 3780) to authorize the appointment of officers of the Philippine Scouts as officers in the militia or other locally created armed forces of the Philippine Islands drafted into the service of the United States, and for other purposes; to the Committee on Military Affairs.

A bill (S. 3781) to give indemnity for damage caused by American forces abroad (with accompanying papers); to the Committee on Claims.

By Mr. SMITH of Georgia:

A bill (S. 3782) to authorize the President of the United States to advance officers on the retired list, now on active duty, who were wounded in battle in the service of the United States; to the Committee on Military Affairs.

By Mr. SMOOT:

A bill (S. 3783) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912; to the Committee on Pensions.

By Mr. JAMES:

A bill (S. 3784) to create a commission on illiteracy, to be known as the American illiteracy commission; to the Committee on Education and Labor.

By Mr. HALE:

A bill (S. 3785) granting an increase of pension to William P. Hodsdon (with accompanying papers); and

A bill (S. 3786) granting an increase of pension to Lewis Graves; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A joint resolution (S. J. Res. 129) granting to certain persons in the active war service an extension of time within which applications for insurance may be made under section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917 (with accompanying paper); to the Committee on Finance.

MUNITIONS OF WAR.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (S. 3311) to increase and expedite the supply of munitions of war, which was ordered to lie on the table and be printed.

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL.

Mr. FLETCHER submitted an amendment proposing to appropriate $10,000 to enable the Secretary of Agriculture to cooperate with and make an exhibit illustrative of the investigations, products, and processes relating to farming in the United States at the Pan-American International Farm and Live Stock exhibition to be held at Jacksonville, Fla., etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

TEACHERS' RETIREMENT BILL.

Mr. HOLLIS. Mr. President, I desire to give notice that the so-called teachers' retirement bill for the District of Columbia is on the calendar, and that it is my intention, if the Senate is in session to-morrow, to move to take it up for consideration. I make this statement so that the friends of the bill and its opponents, if there are any such, may be here at that time.

ADJUDICATION OF PRIVATE CLAIMS.

The VICE PRESIDENT. Morning business is closed.

Mr. SMITH of Georgia. I move that the Senate proceed to the consideration of the bill (S. 1795) to relieve Congress from the adjudication of private claims against the Government.

The VICE PRESIDENT. The question is on the motion of the Senator from Georgia that the Senate proceed to the consideration of the bill named by him.

Mr. GALLINGER. Mr. President, I am going to occupy a few minutes in opposing the motion that has been made by the Senator from Georgia, and, as a preliminary, I ask that the Secretary read the extract which I send to the desk, which I clipped from the Washington Times of last evening.

The VICE PRESIDENT. There being no objection, the Secretary will read as requested.

The Secretary read as follows:

WAR COSTING UNITED STATES $227 PER SECOND, TREASURY REPORTS.

Uncle Sam is almost ready to qualify as the greatest spender in the world.

A single item—war—costs Uncle Sam $277 a second. His expenses do not stop on Sundays and holidays, nor does he observe the eight-hour law that his employees enjoy.

During the 10 months the United States has been at war it has cost Uncle Sam a round $7,000,000,000, to-day's Treasury report shows.

This means an expenditure of about $24,000,000 a day or $1,000,000 an hour.

In addition to this, Uncle Sam has his current expenses to meet, which means another billion a year.

Mr. GALLINGER. Mr. President, I trust that the Senators who are present have listened to the reading of that newspaper extract, which, I assume, accurately describes the conditions of our finances at the present time. I am not an expert on finance; in fact, the most I have ever been able to do has been to take care of my own finances to a sufficient extent to pay my debts and my running expenses. So it is barely possible that the facts presented in the newspaper extract startle me a little more than they do men of big business or Senators who have been engaged in business occupations; but in reading that article it seems to me that this is a very inopportune time to engage in legislation that will further burden the Treasury if it can be avoided. The bill that the Senator from Georgia has moved to take up is a measure that, in my judgment, ought to be defeated, or, if not defeated, at least it ought to go over to a more appropriate time and occasion.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from North Carolina?

Mr. GALLINGER. I yield to the Senator.

Mr. SIMMONS. Mr. President, as I understood the reading of the newspaper extract which the Senator sent to the Secretary's desk, it refers to the amount of money that has been spent by the Government of the United States?

Mr. GALLINGER. Yes.

Mr. SIMMONS. I think $7,000,000,000 was the amount mentioned in that article, but of that a large part, involving something like half of it, was loaned to our allies. I will ask the Senator if that is not the fact?

Mr. GALLINGER. I confess, Mr. President, I did not analyze the article sufficiently to acquaint myself with that fact, if it exists; but even if that be so, we have got to ask ourselves the question whether or not that money is ever going to be returned to the United States. I know that one Senator, at least, has argued on this floor, with a great deal of fervor and eloquence, that the advances we have made to France, in view of what France did for us in a great emergency, ought not to be returned; and if any Senator is rash enough to believe that there is a certainty that the millions we have advanced to Russia will be returned, he takes a more optimistic view of the situation than I do. But, Mr. President, however that may be, the fact remains that we have already, outside of the advances we have made to the allies, created an indebtedness twice as much, certainly, as was created during the entire Civil War; and we are notified, and have every reason to believe, that we are to be asked to add a good many billions of indebtedness to the amount that is already on the wrong side of the ledger. It is a serious matter, and while I may be an alarmist, while I may not have the information that some of the other Senators have as to the capacity of this Government to bear this enormous strain, I can not help feeling, Mr. President, that we are burdening future generations with a load that will be very heavy for them to carry.

When the Civil War closed our national debt was $2,900,000,000 in round numbers, as I remember it. It took 50 years to reduce that debt to $900,000,000, which was about what we owed when we declared war against Germany. We have already appropriated, outside of what we advanced to the allies, two or three or four times as much money as the Government owed at the close of the Civil War, and that is to be multiplied, very likely, three or four times before we get rid of the necessary appropriations to carry on this war. If this war continues two years longer, is any Senator optimistic enough to believe that we will not have incurred an indebtedness of from thirty billion to forty billion dollars—an amount that staggers the imagination, which will impose a burden upon future generations that will be very hard, indeed, for them to meet?

Now, Mr. President, as I have suggested, it strikes me that in these days, when we are appropriating billions of dollars to meet the obligations of the war in which we are engaged, it is an inopportune time to repeal a statute that was agreed to by both sides of the Chamber and which proposed to halt the payment of claims that at least have a questionable title.

Something was said yesterday about an agreement that was reached when the so-called Crawford amendment was adopted, when a bill carrying 1,032 war claims for alleged destruction of property in the South was under consideration, nearly $2,000,000 of money being included in that bill; and it was questioned whether any such understanding was had at that time. Mr. President, I had something to do with that matter. I was opposed to the bill; I had reason to believe then, as I have reason to believe now, and as the late Senator Clarke, of Arkansas, so pointedly expressed it, that not more than 1 or 2 per cent of the claims probably are honest claims which ought to be paid by this Government. I had on my desk at that time an amendment which I proposed to offer to that bill, and which, if this bill shall be considered by the Senate, I propose to offer to this bill—an amendment proposing to pay the claims of the men who worked overtime in our navy yards and in other activities of the Government, every one of which has been passed upon by the Court of Claims and declared to be honest. They were claims that were easily substantiated by testimony, as every one of them was substantiated by testimony. I proposed to include in the amendment, as I shall include in the amendment that I shall offer if this bill is to be considered, claims that the soldiers of this country, officers of the United States Army, have and which ought long ago to have been adjudicated; and I shall include in the amendment one or two other classes of claims that have been passed upon by the Court of Claims and declared to be honest debts of the Government of the United States.

Mr. President, I am one of those who believe the Government ought to pay its debts. I have declared on this floor more than once that if there were a law on the statute books of the United States under which the Government of the United States could be put in jail for not paying its debts the Government of the United States would be in jail all the time; and that is true. The honest claims of the citizen are neglected to an extent that is not to the credit of this great Government of ours, and the classes of claims to which I have alluded are in that category.

Why, Mr. President, it is a remarkable fact that we have had very strange legislation and very strange decisions by some of the officers of the Government in connection with so-called longevity claims. It may not be known by the Senators generally what has happened in relation to those claims, which will be included in the amendment that I shall offer, if I have an opportunity to do so, and which I trust I may not have an opportunity to do. By various decisions of the Comptrollers of the Treasury—two or three of them—the fact is, Mr. President, that the longevity claims of the Confederate generals, Beauregard, Ewell, Hood, Stonewall Jackson, Johnson, Lee, Stuart, and Pickett, have all been paid by the Government of the United States, while the claims of the Union generals, Reynolds, Pope, Henry, Phil Sheridan, Carr, and Thomas, have not been paid by the United States, notwithstanding they have been pending before the accounting officers of the Government for a long time.

The Supreme Court of the United States said that these claims were valid and honest claims; but a Comptroller of the Treasury—to his discredit, it may be said, a Republican—decided that he could make himself immortal by saving a million or two dollars to the Government of the United States; and he decided that the Supreme Court was wrong, and that those claims ought not to be paid, and they have not been paid. Another comptroller came in—likewise a Republican, as I remember, from Indiana—who decided that Comptroller Gilkerson was wrong, and that the mandate of the Supreme Court ought to be obeyed; but in that decision he said:

> But these claims that Comptroller Gilkerson disallowed are not to be considered again and I am of opinion that they ought not to be paid. They are res adjudicata.

Under that second decision these claims of the generals in the southern army were filed and allowed, and the claims that were disallowed by Gilkerson are unpaid to the present time, notwithstanding the Supreme Court decision that they ought to be paid.

Mr. SMITH of Georgia. Mr. President, a large amount of claims of officers in the Union Army were paid.

Mr. GALLINGER. Well, I am stating facts.

Mr. SMITH of Georgia. There was not any effort to discriminate. I should like to say to the Senator that I should be delighted to support any bill to pay these claims that were turned down by that comptroller.

Mr. GALLINGER. I am glad to know that.

Mr. SMITH of Georgia. I just can not conceive of the justice of not paying them.

Mr. GALLINGER. There is not any justice in it at all, and I am glad the Senator agrees with me on that point.

Now, Mr. President, to come to the bill under consideration, I had a good deal that I intended to say along a different line that I will not say, because I have no disposition to protract this debate. There is a great deal of very important legislation coming before Congress at this session. I have an impression that the question as to whether or not we are going to abdicate the functions of Congress entirely, and whether or not we are going to turn this Republic of ours into a monarchy, and turn democracy into autocracy is a question that we shall have to debate before we adjourn for the holidays next summer, if we get any holidays. Hence, I have no disposition whatever to delay the consideration of a measure of this kind.

Mr. SMITH of Michigan. The principle of res adjudicata would apply to that.

Mr. GALLINGER. There are, however, one or two things that I feel constrained to say.

In those so-called claims for the occupation of churches and schools during the Civil War, and for the payment of claims for fence rails and razor-back hogs and mules, the question of loyalty was to be considered. It had to be proven to the satisfaction of the Court of Claims that the men who made these claims were loyal to the Government of the United States during the Civil War. Why, Mr. President, that is an easy matter to do 50 years after the war or 25 years after the war. There is no trouble about that. If there was any soldier on the Union side during the Civil War who was not a good soldier, who has not received a pension, I do not know who he is. He can always find men of his own type, equally poor soldiers, who would swear that they knew that he had been in the hospital at a certain time, whether he was or not—the records did not show it, but they knew it was so—and who would also swear that they knew he had received a shock which affected his hearing during a certain battle, or that something else happened to him; and so all those pension claims, many of which are utterly worthless, have been allowed by the Government, because they were "proved."

So far as these southern claims are concerned, what is the parallel? The parallel is that there is no difficulty in getting a man 50 years after the war or 30 years after the war to swear that he knew that 862 fence rails were taken by the Union Army and consumed as firewood, or that more mules were taken in one State than were used during the entire Civil War during those four terrible years of conflict. Such testimony has been given. There is no trouble in getting men to say that they know that a drove of hogs—it may have been 10 or it may have been 10,000—were captured by the Union soldiers and consumed as food, and that the men from whom they were taken ought to be compensated. That is an easy matter to do.

Why, look at the so-called Methodist Book Concern claim. Just give a moment's thought to that, Senators who were here when that bill was passed. The Methodist Book Concern—I think of Nashville, Tenn.—came in here with a claim of seventy-odd thousand dollars, as I remember, for the occupation of the building that they employed as a publishing house, and it was sworn before the Court of Claims that they were loyal men, every one of them devoted to the Union cause; that there was not a Confederate among them. It was further testified upon the authority of a very distinguished man that that claim was so honest that they had not employed any attorney to prosecute it, and upon those representations the claim was passed. But it developed shortly afterwards that in that concern they were printing Hardie's Military Tactics for the Confederate Army, and that they were actually making munitions of war also for the Confederate cause; and it further developed that in place of there being no attorney employed, almost one-half of the amount of that claim went to an attorney, the matter becoming so notorious that the Methodist Church demanded that that money should be returned to the United States; but it was not returned. Now, that is a notorious case; but when that case could be proven by sworn testimony, it can be readily seen how easy it is to prove that a mule or a hog was taken by the Union forces, or that a church now valued at three or four thousand dollars was occupied for a little time, when the evidence submitted by the Senator from Utah in one case at least is that they never had a church in the town that was worth $1,000.

That is the class of cases with which we are dealing. There were 1,032 of them in the bill that was passed when the amendment which it is now attempted to repeal was agreed to. It was agreed to by both sides of the Chamber, and there is no question about it; and there was not a vote against it on the Democratic side here or in the House of Representatives when it was submitted to the House in the nature of a conference report.

The Senator from Georgia [Mr. SMITH] said yesterday—I may not quote him with entire accuracy, but I think I will quote him with substantial accuracy—that he thinks we ought to repeal this law and give the people for a couple of years longer an opportunity to submit their claims, and then he would be in favor of cutting it off. Well, Mr. President, if we did not do right in cutting it off three or four years ago, would we do right in cutting it off two years from now? Supposing we had an agreement of that kind made with the Senator from Georgia, and allowed his bill to pass, what evidence have we that in another year or two some ardent friend of these war claims would not again make a motion to repeal the law? And if he summoned a majority of the Senate to his aid, he would secure the repeal, and they would go on like Tennyson's Brook. That is about what we have done since the close of the Civil War; and if we do not stop it they will certainly emulate Tennyson's Brook, and go on forever.

We have 1,342 claims passed upon by the Court of Claims for overtime work in the navy yards of the United States, every one of which has been proven to be an honest claim. When this agreement was made, Mr. President, I had an amendment on my desk covering two or three classes of claims, due to people mostly in the Northern States, and I had the assurance that if we allowed the bill to pass the bill that I proposed to offer as an amendment would be seriously taken up and considered by the Senate. I submitted it to the Committee on Claims last year and again this year, and it is lying dormant in that committee. I am not finding fault with the committee, because I presume that committee are overworked. Possibly they may get to the time when they may give consideration to it, and these claims may be paid.

As I say, there are 1,342 of these claims. Why, Mr. President, I know an old man in my own city bearing the distinguished name of William Shakespeare. He has a claim for about $300, I think, for overtime work in one of the navy yards of the United States, passed upon by the Court of Claims years ago, and he is being taken care of partly by charity. He has appealed to me over and over again to get the claim allowed. He came to see me when I was home last, evidently not well nourished, tottering, saying: "Senator, for Heaven's sake, can I not get that little claim allowed? It would be of a great deal of as-

sistance to me at the present time." Well, it has not been allowed. It was reported upon by the Court of Claims years and years ago. I have tried to get it allowed, but it has not been allowed, and I do not know when it will be allowed. That is only one case out of 1,342, very likely one-half of them in the same situation.

Mr. President, I shall press for the consideration of these claims if the Senate takes up this bill, but I think we ought to stand by the agreement we made when the Crawford amendment was put on the bill that carried over 1,000 war claims of this kind, involving the Government in an expenditure of nearly $2,000,000, which has been paid. I wish some Senator had taken the time to ascertain, and yesterday I asked the Senator from Utah [Mr. SMOOT] who is so apt in figures and who delights in that kind of work, if he had taken any pains to ascertain how many millions of dollars have been paid by the Government of the United States for claims of this nature. He said he had not done it; hence, I can not state it; but I venture to say that it would go well up toward forty or fifty million dollars, perhaps more. We have passed bill after bill. Some Senator said we have not passed any bills of this kind. Well, we have passed probably half a score of them, certainly, since I have been a Member of this body, and they have carried enormous amounts of money which the Government has paid for claims of this nature which the late Senator from Arkansas, Mr. Clarke, said have no merit; that it was pure benevolence on our part to pay them, and that they ought not to be paid, and that he would join with me and others in stopping them, which we did in 1915.

Mr. President, as I said a moment ago, I have no disposition to prolong this debate. I have said all that I care to say. I regret that I have had to say it. I have been one of the Senators from the North who have kept out of their minds anything of a sectional nature; certainly I have tried to do it. I have not drawn the line as between claims from the South or claims from the North when I believed they were honest and just claims; and I would not have said a word to-day if I had believed that we ought to reopen the floodgates and allow the attorneys in Washington and elsewhere to invade the South again, and hunt up a new list of similar claims.

Mr. SMITH of Georgia. Mr. President——

Mr. GALLINGER. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. Would not the Senator, then, be willing to amend this bill so as to prevent any new suits being brought, and allow the Court of Claims to dispose of the cases now pending there?

So far as I am concerned I wish to say to the Senator that I am perfectly willing to strike out the provision allowing new suits to be filed; but I do think the parties who have brought their suits and prepared their testimony, practically by the invitation of the United States, having been authorized to do so, ought to have an opportunity to let the Court of Claims pass on them.

Mr. GALLINGER. No, Mr. President; I would not be willing to make that agreement. I am afraid some other Senator later on would move to repeal the law, if we agreed to it.

Mr. SMITH of Georgia. I am not asking the Senator to make an agreement, I am asking the Senate to take up the bill in order that it may be passed at least in a shape to let those suits that are now pending, where the parties have taken their testimony, go to final judgment.

I should just like to say to the Senator that I entirely deny that an agreement was made that bound more than a few men who were parties to it. I do not think it would have been fair for men who were getting their claims paid by the bill then pending to make an agreement that would prevent men who had suits pending that had not been decided from having their cases passed on; and if the Senator will pardon me, I just want to add that I do not know a constituent of mine who has a case pending in the Court of Claims.

Mr. GALLINGER. No; but Georgia had $48,000 in that bill that we agreed to allow to be passed. I want to say furthermore that most of these claims that the Senator says have been proven up have been proven up since the Crawford amendment was adopted, and they were proven up in the face of an inhibition by the Government of the United States against the consideration of any further claims of the kind.

Mr. SMITH of Georgia. No; I think the Senator is mistaken. The court dismissed all those cases within a few days after the passage of the Crawford amendment, and they could not have taken any more testimony.

Mr. GALLINGER. Why did not these diligent men get them on the bill that we passed at that time?

Mr. SMITH of Georgia. Why, the court had not adjudicated the cases. They could not have put them into that bill until the court had adjudicated that they were entitled to the amounts of their claims. Their suits were pending in the Court of Claims, waiting to be heard when they could be reached.

Mr. GALLINGER. I think more likely they were held back for the purpose of making another omnibus bill a little later on.

Mr. SMITH of Georgia. Oh, no.

Mr. GALLINGER. But however that may be, I am not going to make any agreement with any Senator. I am going to vote against taking up this bill; and if the Senate, in its profound wisdom, concludes to take it up and concludes to repeal this statute, I, of course, shall have to surrender, as I always do, to the verdict of the Senate.

I will close by expressing the fervent hope that the effort which the Senator from Georgia is making to get consideration for this bill may not receive the sanction of the Senate, because I think we have more important matters to attend to, and we have more important legislation, involving the appropriation not of a million dollars but of billions of dollars, that we will have to consider very seriously before this session shall adjourn.

Mr. THOMAS. Mr. President, my recollection regarding the circumstances under which the law of 1915 was passed has been strengthened by the discussion of yesterday, as conducted by the Senator from Utah [Mr. SMOOT] and the Senator from Michigan [Mr. TOWNSEND]. I am not a member of the Committee on Claims and hope I never shall be. The experiences of the members of that committee I can imagine by what was said yesterday by the Senator from Utah, they are overwhelmed with applications for the consideration of claims of every conceivable character, and the older the claims are the more vehemently they are pressed, and, of course, the more difficult it is for the Government to confront and oppose them.

I recognize that no Congress can bind the action of its successor, either by legislation or by any other form of agreement, but there is an equity, Mr. President, in the arrangement which culminates in the enactment of a measure that depended for its enactment entirely upon that understanding. I think it is perfectly safe to say that the omnibus claims bill of 1915 could not have passed but for that understanding, and, consequently, it strikes me that there are considerations independent of the question of the power of Congress to bind one of its successors, or any of its successors, that should cause Senators to hesitate before voting to take up this measure. Indeed, I can not conceive myself how anyone listening to the statement of the junior Senator from Michigan yesterday as to the record made should vote either to take up this bill or to pass it in the event that it should be taken from the calendar for consideration.

The Senator from New Hampshire [Mr. GALLINGER] referred a few moments ago to a class of pension claims which are entirely worthless, in all probability, but which, nevertheless, have been sustained because of the character of the proof offered in their support. I have no doubt the Senator could have stated with equal truth that in proportion as those claims were old—that is, in proportion to the lateness of time that they were presented—the more easy it was to establish them by appropriate testimony and the more difficult for the Government to offer countervail testimony, the lapse of time having made it impossible.

As a member of the Committee on Military Affairs, Mr. President, I am somewhat familiar with many applications to set aside the records of desertion and dishonorable discharges from the service, and I have been struck by the fact that in nearly all these applications the applicant expresses an ignorance of the character of the record in the War Department, the same having been brought to his attention quite recently. Of course the witnesses upon whose testimony the record was made are in their graves, and unless you discount entirely the testimony offered for the applicant it is almost impossible to overcome it.

The very fact that these claims have failed, Mr. President, is to my mind the strongest reason why they should not be considered at all. If they are genuine, they ought to have been presented years ago when all the witnesses to the transaction on both sides were available, and where in consequence a fair hearing could be had and justice done to both sides.

I do not think, Mr. President, this bill should be taken up, even if there had been no such agreement as that to which the Senators have referred. We ought to call a halt some time upon the right of the citizen to apply to the Government for the payment of stale claims, and of all times this seems to me to be the one when no door that can be closed should be opened which has for its purpose the obtaining of money from the Treasury of the United States. We are spending and we are raising more money by taxation than any nation in history was ever called upon to expend or to raise before. Instead, therefore, Mr. President, of pressing claims like these and other claims against the Government, the Congress of the United States should in every

instance set its face against them and postpone them to days of peace. They are not necessary to be considered now. Every possible drain upon the Treasury it is our duty to prevent as far as possible.

I cordially agree with practically everything that has been said by the Senator from New Hampshire, and I hope the bill will not be taken up.

Mr. STERLING. Mr. President, while I am a member of the Judiciary Committee, from which this bill was reported, I had some misgivings in the committee when it was briefly considered there. There was no record vote, however, in the committee on the bill, and the Senator from Georgia was authorized to report it.

I have been at some pains, Mr. President, since I came to the Chamber this morning, to examine the previous expressions of Congress in regard to claims of this kind. I find that as far back as 1883 an act was passed barring the claims which I understand will for the most part be covered by this bill and to secure the ultimate payment of which, indeed, this bill is introduced. I refer to section 3 of the act of March 3, 1883, which is entitled "An act to afford assistance and relief in Congress and the executive departments in the investigation of claims and demands against the Government." Section 3 has reference to a particular class of claims and is as follows:

The jurisdiction of said court—

The Court of Claims—

shall not extend to or include any claim against the United States growing out of the destruction or damage to property by the Army or the Navy during the war for the suppression of the rebellion, or for the use and occupation of real estate by any part of the military or naval forces of the United States in the operations of said forces during the said war at the seat of war; nor shall the said court have jurisdiction of any claim against the United States which is now barred by virtue of the provisions of any law of the United States.

Now, that is the law of 1883, 18 years, or a little more, after the suppression of the rebellion. But it is not the only expression of Congress. In 1887 an act was passed entitled "An act to provide for the bringing of suits against the Government of the United States." In the first section of that act there is this proviso:

Provided, however, That nothing in this section shall be construed as giving to either of the courts herein mentioned jurisdiction to hear and determine claims growing out of the late Civil War, and commonly known as "war claims," or to hear and determine other claims which have heretofore been rejected or reported on adversely by any court, department, or commission authorized to hear and determine the same.

Then comes after that the Crawford amendment of 1915. The Crawford amendment is very similar to section 3 of the act of 1883, only it includes one other class of cases which shall not be the foundation of any claim. The Crawford amendment, which is section 5 of the act of 1915, is as follows:

SEC. 5. That from and after the passage and approval of this act the jurisdiction of the Court of Claims shall not extend to or include any claim against the United States based upon or growing out of the destruction of any property or damage done to any property by the military or naval forces of the United States during the war for the suppression of the rebellion; nor to any claim for stores and supplies taken by or furnished to or for the use of the military or naval forces of the United States.

That clause relating to claims for stores and supplies is new. It is not in the previous acts or either of them, but in other respects it is the same as the act of 1883. The concluding clause of the act of 1915 is "nor shall said Court of Claims have jurisdiction of any claim which is now barred by the provisions of any law of the United States." This was enacted more than 50 years after the suppression of the rebellion.

So it would seem, Mr. President, from these various expressions of Congress, first in 1883, next in 1887, and next in 1915, that Congress had determined, and rightly determined, after full consideration, that these claims should be forever barred.

Now, what does this bill propose to do? Look at the sweeping provisions of the concluding section. Time surely is not of the essence of things in this bill. Section 8 provides as follows:

That jurisdiction is hereby conferred on the Court of Claims to consider, hear, determine, and adjudicate all questions of law and fact and equity, notwithstanding the bar of statutory limitations or any other statutory bar, all claims covered by this act brought within two years from the approval of this act.

So, Mr. President, after all this period of time since the end of the Civil War, after a long interval, during which the Court of Claims had jurisdiction, and after these three successive acts of Congress, with long intervals of time between them, it seems to me it is little short of the absurd that we should be asked now to throw down the bars of every statutory limitation, time or otherwise, to permit of the presentation of these claims. I hope the bill will not be considered.

Mr. SMITH of Georgia. Will the Senator allow me to interrupt him?

Mr. STERLING. I am ready to yield the floor.

Mr. SMITH of Georgia. Then probably I might as well go on in my own right.

Mr. STERLING. Very well.

Mr. SMITH of Georgia. Mr. President, by what has been said the impression might be created in the Senate that there was an opportunity freely given for claimants to bring suits in the Court of Claims. There was no such opportunity. These parties have not had the right to bring their cases into court. When the Tucker Act was passed it was necessary to get the approval of Congress to a bill before the bill allowing suit was referred to the Court of Claims. I hope the Senator from South Dakota will catch what I say. These claimants have not had the right to sue. When the Tucker Act was passed it was still necessary for Congress to refer to the Court of Claims each claim by a separate bill before a claimant could bring suit, and for 10 years after the passage of the Tucker Act only 10 cases were referred by Congress to the Court of Claims, when there were applications to the number of 450 for the privilege of bringing suit.

Mr. POMERENE. If I may interrupt the Senator, he has just stated that the claimants did not have the opportunity to appear in court. What does the language mean in section 2 which provides the right to reinstate a claim which has been heretofore dismissed?

Mr. SMITH of Georgia. I will explain that in a moment. This is what I was stating, that the right to bring suit in the Court of Claims was never broadly given to litigants. They were compelled to come to Congress for a special bill, and in each instance have a bill passed referring to the Court of Claims each separate claim. After the passage of the Tucker Act, in 10 years' time, with 493 bills pending in Congress, only 10 permissions to sue were given, and not until 1897 were these parties generally authorized by Congress to bring their suits.

Mr. POMERENE. In what year?

Mr. SMITH of Georgia. In 1897. It was 20 years ago that bills were for the first time passed quite freely to allow suits in the Court of Claims. The Court of Claims proceeded to hear a number of cases. Congress stopped making appropriations to pay any of the amounts awarded by the Court of Claims. The result was that the Court of Claims stopped hearing cases. When the Crawford amendment passed there were a number of cases pending in the Court of Claims which had not been decided, where the parties had gone to the expense of preparing their testimony, after Congress referred them to the Court of Claims and authorized them to take testimony.

Mr. POMERENE. Mr. President, my mind has been attracted by the language in section 2 of the bill:

That all suits in the Court of Claims which have heretofore been dismissed by the said court by reason of the provisions of section 5 of the said act shall, on motion of the claimants made or filed within one year from the passage of this act, be reinstated.

Mr. SMITH of Georgia. The Crawford amendment was passed in the act of 1915 withdrawing jurisdiction from the Court of Claims to hear the cases already referred to it by Congress. Thereupon the Court of Claims dismissed the cases that were there pending brought under authority of Congress.

Mr. STERLING. If the Senator from Georgia will permit me right there, it does not withdraw the jurisdiction of the Court of Claims from all claims that may be brought against the United States, but claims of this class, claims arising out of the Rebellion.

Mr. SMITH of Georgia. I understand that perfectly. The Tucker Act had reference only to that class of claims. There were certain claims authorized by the Tucker Act to be brought before the Court of Claims, provided Congress referred them to the Court of Claims by special bills, and the procedure was to present a special bill in Congress for the reference of each claim to the Court of Claims. The party followed it up by filing a petition in the Court of Claims if specially authorized by Congress to do so.

In 1915 there were a number of claims that had been adjudicated by the Court of Claims and that Congress had not paid. It was an accumulation of a number of years; certainly at least 10. The Court of Claims had adjudicated that certain parties were entitled to certain compensation for losses caused or property taken by the Government during the Civil War, yet Congress failed or refused payment.

Mr. STERLING. Will the Senator from Georgia permit me?

Mr. SMITH of Georgia. Gladly.

Mr. STERLING. How would the act of 1915 affect the claims that had already been adjudicated by the Court of Claims? It only relates to claims presented from and after the passage of the act; it takes away jurisdiction as to those.

Mr. SMITH of Georgia. I did not say it applied to adjudicated claims. There were adjudicated claims, and, after gaining their cases before the Court of Claims, the parties came to Congress and asked Congress to appropriate the money to pay off the claims. For quite a large number of years—for more

than 10 years—Congress had declined to appropriate any money to pay off these judgments which had been rendered by the Court of Claims. Thereupon the Court of Claims stopped hearing the cases. They did not dismiss the cases; they were pending in the Court of Claims; the parties prepared their testimony and were ready to proceed to judgment in the Court of Claims; but the Court of Claims said, "Congress will not pay if we decide the cases, and it is no use taking up our time to hear them."

The act of 1915 has been construed by the Court of Claims to require the dismissal of the cases pending in that court in 1915. It has been stated the act of 1915 was only intended to prevent future suits.

Mr. POMERENE. Now, Mr. President, may I ask the Senator from Georgia another question?

Mr. SMITH of Georgia. Yes; I am glad to be asked questions.

Mr. POMERENE. How long were the cases pending in the Court of Claims which were dismissed and which are referred to in section 2 of the bill?

Mr. SMITH of Georgia. Well, they were brought along at different times after 1897. Congress began very freely to allow suits to be brought, and within the next 10 years practically all or most of these cases were brought in the Court of Claims. In the period between 1897 and 1907, I should say, substantially all of them were brought. There accumulated quite a number of judgments, but Congress refused to appropriate any money to pay those judgments. Then the Court of Claims said, "We have other business to attend to, and we will just pass over the claims referred to under this provision and try more important business, because Congress does not pay off the claims even if we decide them." This, I am advised, was the position of the court. For quite a long time, as I am informed, before 1915 the Court of Claims merely passed over the cases on the docket and did not dispose of them.

Mr. POMERENE. But the bill does not speak of passed-over cases which were on the docket, but it speaks of cases which have been dismissed.

Mr. SMITH of Georgia. How were they dismissed? In 1915 we withdrew the jurisdiction of the Court of Claims over these cases, and thereupon the Court of Claims dismissed them all.

Mr. POMERENE. Well, that may be true; but still they were pending from the time the cases were begun until 1915.

Mr. SMITH of Georgia. Precisely; yes. They were pending for a number of years. For several years the Court of Claims had declined to hear them because Congress had stopped paying the claims, but quite a number of them were pending there in 1915, with the testimony taken, and they were pending because Congress permitted the parties to take their cases to the Court of Claims for trial. It has been claimed that the cases moved slowly in the Court of Claims because the Department of Justice, defending the cases, could not be hurried. Those who brought their suits in pursuance of this authority, it does seem to me, ought to have a right to obtain an adjudication by the Court of Claims.

Mr. McKELLAR. Mr. President, will the Senator yield to me for just one moment?

Mr. SMITH of Georgia. Yes.

Mr. McKELLAR. In further answer to the Senator from Ohio [Mr. POMERENE], I call his attention to a report of the Committee on War Claims of the House of Representatives, which was made recently on a bill pending there. That report states:

> It is but fair to state the circumstances surrounding the adoption of this amendment—

That is, the amendment in 1915, which is known as the Crawfor amendment—

> The bill was considered in the Senate the afternoon preceding the day on which Congress adjourned and was not reported to the House until quite late that night, and therefore did not receive at the hands of the committee the careful consideration it would have received at any time other than the closing hours of the session. It is fair also to say that there was no debate by the House. It was the opinon of this committee—

That is, the War Claims Committee of the other House—

> after a casual consideration that the amendment would take from the court jurisdiction to hear and determine all cases referred to the court after the passage of the amendment, but would not affect cases then pending before it.

The Court of Claims construed the amendment as depriving it of jurisdiction over cases then pending, and thereupon dismissed a great number of cases. It was in that way that the cases were dismissed in the Court of Claims.

As I recall, I took an active part in the passage of that legislation, and it occurred to me that as to the cases then pending before the court where the proof had all been taken, where the findings had been made under the law and the cases had merely been laid aside because Congress had refused to appropriate the money to pay the claims that had been allowed, it would not take away the jurisdiction to hear and determine those cases where the court had already had charge of the matter. The Court of Claims, however, decided to the contrary.

Now, it does seem to me that it is nothing but fair as to those cases that have been prosecuted to a judgment, or prosecuted almost to a judgment, where all the proof had been taken, where the litigants had been put to the expense of prosecuting those claims, that surely such claims ought to be reinstated on the docket of the Court of Claims and passed upon. I think that proposition would commend itself to the Senator from Ohio beyond question.

Mr. POMERENE. Well, Mr. President, I do not want to do anybody an injustice; but in nearly all if not in every State of the Union we have statutes of limitation; statutes covering the question of torts, limiting the right to begin an action to two, three, four, five, or perhaps six years at the outside; there is a limitation of a right to begin an action on account or on an oral contract, usually limited to six years; there is a limitation usually upon a right of action on a promissory note to 15 years after it becomes due; and now we are presented here with a lot of cases that originated during the Civil War. Inasmuch as we have a Committee on Revolutionary Claims in the Senate, would not that be a very good place in which to bury these claims?

Mr. SMITH of Georgia. But those claimants did not have the right to sue; there was no court to which they could go.

Mr. POMERENE. But the Senator has already called attention to the fact that they were later given the right to sue.

Mr. SMITH or Georgia. Yes; in 1897; and they brought the suits, and those suits are pending. After they brought their suits in pursuance of this authority, we suspended the jurisdiction of the court and caused them all to be dismissed.

Mr. KENYON. These claimants had 20 years in which to bring their suits?

Mr. SMITH of Georgia. Yes.

Mr. KENYON. And they could have pursued them for 20 years?

Mr. SMITH of Georgia. I explained the fact that for 10 years Congress declined to pay any judgments rendered by the Court of Claims, and that thereupon the court did not strike the cases from their docket, but suspended hearings, and for about 10 years these claimants could not get a hearing in the court. The court merely let them wait there.

Mr. KENYON. Yes; the Court of Claims evidently felt that the cases were not such that anybody would suffer by delay.

Mr. SMITH of Georgia. If Congress was not going to pay the claims, what was the use of the court adjudicating them?

Mr. McKELLAR. The Senator from Iowa, however, will remember that for 18 years after the Civil War the court was not open to any of these cases at all.

Mr. SMITH of Georgia. Mr. President, I only wish to say a few words more. I am anxious for the Senate to dispose of this bill. I think that is the fair and just thing to do. It is suggested that we have plenty of other business; but we are adjourning from day to day and doing nothing, because the other business is not ready. I think the Senate ought to take up this bill, if there is nothing else pressing, and vote on it. Personally, I am willing to allow a vote to strike out the provision authorizing any more suits to be brought; but I do think that the suits which are pending in the Court of Claims, which were brought there by authority of Congress, occupy a status where the claimants ought to be permitted to go to judgment on their claims.

This bill simply gives the right within six months to move to reinstate the cases where they were before they were stricken from the docket under the Crawford amendment. As suggested by the Senator from Tennessee [Mr. McKELLAR], when the Crawford amendment was adopted, it was not understood by at least Members of the other House that it withdrew from the Court of Claims jurisdiction of the cases then pending in that court; nor was it suggested on the floor of the Senate, I think, that the cases pending in the Court of Claims would be dismissed. I do not think anyone would have favored that. Now, let us take up the bill and dispose of it. We have nothing else before the Senate. If the bill is defeated altogether, that ends it; my responsibility is over. I hope, however, the Senate will not do that. I think the cases that were pending in the Court of Claims, especially where the parties had prepared their testimony, ought to go to judgment. I think they ought to have a hearing; but surely we ought to dispose of the bill one way or the other. If the Senate declines to take it up, then we are going to adjourn; we have nothing else to do, and the motion to take up the bill will have to be made again. Let us dispose of it; that is my plea to the Senate. We have nothing else to

do, and let us get rid of it. I do not desire to discuss its merits to any further extent.

Mr. SMOOT. Mr. President, will the Senator yield to me?

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. Would the Senator feel that it was a personal affront to him if some Senator should move to indefinitely postpone the bill? That would bring the question to a head.

Mr. SMITH of Georgia. Not the slightest, if the Senate wants to kill the bill.

Mr. SMOOT. I think that is, perhaps, the best way to proceed.

Mr. SMITH of Georgia. I do not see that that is the best way.

Mr. SMOOT. But I do not wish to make that motion if it is not agreeable to the Senator from Georgia. Of course if the Senator moves to take up the bill, then such a motion could be made.

Mr. SMITH of Georgia. Mr. President, I do not consider any motion to dispose of a bill a personal affront if the parliamentary rules justify the motion.

Mr. SMOOT. Yes; but the Senator knows what I mean.

Mr. SMITH of Georgia. I would not like to see a motion to lay the bill on the table if any Senator wanted to speak on it, but just as soon as Senators are ready to vote I should like a vote on it.

Mr. SMOOT. I am perfectly willing, Mr. President, so far as I am concerned, to vote, first, on taking up the bill, and then, if the Senate votes to take up the bill, I think the proper thing to do would be to make a motion to indefinitely postpone it.

Mr. GALLINGER. Or to refer it to the Committee on Claims.

Mr. KENYON. Would not the vote to take up the bill be in the nature of a test vote?

Mr. SMOOT. I will say to the Senator it certainly would if Senators had been in the Chamber and listened to the discussion.

Mr. SMITH of Georgia. I hardly think it would be a test vote, because I can see very well how a Senator would vote to take it up who might not be for the bill. If I were not for this bill I would vote to take it up, because if it is not to pass it ought to be disposed of. There is another reason why it ought to be disposed of. There are a number of individual claims still pending in the other House, but the committee of the other House have declined to consider individual bills, because they are in favor of this general bill.

Mr. KENYON. I myself would welcome any kind of a test vote, Mr. President, that would give an opportunity to those who want to vote to bury this bill to cast that vote.

Mr. McKELLAR. Let us have a vote on the motion to take up the bill.

Mr. GALLINGER. I think that is best.

Mr. KENYON. I was about to suggest the absence of a quorum.

Mr. GALLINGER. Just one moment, if the Senator will yield.

Mr. KENYON. Very well.

Mr. GALLINGER. Replying to the statement of the Senator from Georgia that there is no business before the Senate, I should like to remind him of the fact that my colleague [Mr. HOLLIS] has given notice that he has reported a bill doing in the District of Columbia what most of the progressive States have done; that is, pensioning the teachers who are instructing our youth in patriotism and other subjects of importance. He would like to have that bill taken up either to-day or to-morrow. I think that is a much more important bill than is this one. It was my privilege to report a bill of that kind some years ago, and I was fortunate enough to get it through the Senate, but it "fell outside of the breastworks" when it reached another body. The teachers meanwhile have been getting along as best they could, and while Massachusetts, New York, New Hampshire, and various other States have pensioned their teachers, the District of Columbia has not done so. I should like to have that bill considered at the earliest possible moment.

Mr. President, I am quite in favor of taking a direct vote on the motion made by the Senator from Georgia. I think that is the fair thing to do, and, so far as I am concerned, I am ready for a vote. I think, however, a quorum ought to be called before the vote is taken, and I therefore suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Cummins	France	Harding
Beckham	Curtis	Frelinghuysen	Henderson
Borah	Dillingham	Gallinger	Hitchcock
Calder	Fernald	Gronna	Hollis
Chamberlain	Fletcher	Hale	James
Johnson, Cal.	New	Shields	Tillman
Jones, Wash.	Norris	Simmons	Townsend
Kellogg	Nugent	Smith, Ariz.	Trammell
Kenyon	Overman	Smith, Ga.	Underwood
Kirby	Phelan	Smith, Md.	Warren
Knox	Poindexter	Smith, Mich.	Watson
McCumber	Pomerene	Smoot	Wolcott
McKellar	Shafroth	Swanson	
McNary	Sheppard	Thomas	
Martin	Sherman	Thompson	

Mr. CURTIS. I desire to announce the absence of the Senator from West Virginia [Mr. SUTHERLAND] on account of illness, and will let this announcement stand for the day.

Mr. BANKHEAD. I am requested to announce the absence of the Senator from Georgia [Mr. HARDWICK] on account of illness. This announcement may stand for the day.

Mr. GRONNA. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent, due to illness in his family.

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. There is a quorum present. The question is on the motion of the Senator from Georgia to proceed to the consideration of Senate bill 1795.

Mr. SMOOT. On that motion I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MYERS (when Mr. WALSH's name was called). My colleague [Mr. WALSH] is necessarily absent on account of ill health. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN].

The roll call was concluded.

Mr. WOLCOTT. I wish to inquire if the senior Senator from Indiana [Mr. WATSON] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. WOLCOTT. I have a general pair with that Senator, which I transfer to the Senator from Oklahoma [Mr. OWEN] and vote "yea."

Mr. BECKHAM (after having voted in the affirmative). I have a pair with the junior Senator from West Virginia [Mr. SUTHERLAND]. In his absence, I inadvertently voted. I transfer that pair to the Senator from Illinois [Mr. LEWIS] and will allow my vote to stand.

Mr. CHAMBERLAIN (after having voted in the affirmative). I withdraw my vote, in the absence of my pair, the junior Senator from Pennsylvania [Mr. KNOX].

Mr. CURTIS (after having voted in the negative). I have a pair with the junior Senator from Georgia [Mr. HARDWICK]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and will let my vote stand.

Mr. TILLMAN. I transfer my pair with the senior Senator from West Virginia [Mr. GOFF] to the junior Senator from Louisiana [Mr. BROUSSARD] and vote "yea."

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the senior Senator from Connecticut [Mr. BRANDEGEE] and vote "nay."

Mr. MYERS. Has the junior Senator from Connecticut [Mr. McLEAN] voted?

The PRESIDING OFFICER. He has not voted.

Mr. MYERS. I have a pair with the junior Senator from Connecticut, which I transfer to the senior Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. JAMES. I transfer my pair with the Senator from Massachusetts [Mr. WEEKS] to the Senator from Missouri [Mr. STONE] and vote "yea."

Mr. CURTIS. I desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Delaware [Mr. SAULSBURY] are detained on official business.

I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 24, nays 35, as follows:

YEAS—24.

Bankhead	James	Pittman	Smith, Md.
Beckham	Jones, N. Mex.	Ransdell	Swanson
Fletcher	Kirby	Sheppard	Tillman
Henderson	McKellar	Shields	Trammell
Hitchcock	Myers	Simmons	Underwood
Hollis	Overman	Smith, Ga.	Wolcott

NAYS—35.

Borah	France	Johnson, Cal.	Lodge
Calder	Frelinghuysen	Johnson, S. Dak.	McCumber
Cummins	Gallinger	Jones, Wash.	McNary
Curtis	Gronna	Kellogg	New
Dillingham	Hale	Kenyon	Norris
Fernald	Harding	Knox	Phelan

Pomerene	Smith, Mich.	Thomas	Wadsworth
Shafroth	Smoot	Thompson	Warren
Sherman	Sterling	Townsend	

NOT VOTING—35.

Ashurst	Gore	Nugent	Smith, S. C.
Brandegee	Hardwick	Owen	Stone
Broussard	Kendrick	Page	Sutherland
Chamberlain	King	Penrose	Vardaman
Colt	La Follette	Poindexter	Walsh
Culberson	Lewis	Reed	Watson
Fall	McLean	Robinson	Weeks
Gerry	Martin	Saulsbury	Williams
Goff	Nelson	Smith, Ariz.	

So the Senate refused to proceed to the consideration of the bill.

Mr. SMITH of Georgia. Mr. President, I desire to submit to the Senate, and to have printed in the RECORD, a letter from ex-Attorney General Wickersham in reference to these claims, which I think corrects a good deal of the misinformation that has been brought before the Senate to-day with reference to them. I ask leave to have the letter printed in the RECORD.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The letter referred to is as follows:

DEPARTMENT OF JUSTICE,
Washington, January 4, 1911.

Hon. J. T. WATKINS,
House of Representatives, Washington, D. C.

DEAR SIR: I am in receipt of your communication of the 29th ultimo, wherein you request certain information relative to congressional cases disposed of in the Court of Claims.

In reply to your first question, as to the number of congressional cases tried by the court, I may say that up to the beginning of the present fiscal year the court disposed of about 14,700 cases.

In answer to the third inquiry, of the total number of cases tried, 8,825 were dismissed and findings of dismissal certified to Congress, while findings were made favorable to the claimants in about 5,875 cases.

As to the fourth inquiry, the total amount claimed in the 14,700 petitions aggregates about $116,901,000, while the total amount of findings favorable to the claimants are in the aggregate about $9,877,000. Thus it may be seen that findings favorable to the claimants were somewhat less than 8½ per cent of the total amount claimed.

I may say further, that in the cases wherein findings were made favorable for the claimants the amount claimed was about $28,493,500, but the findings show that of this amount a little less than 35 per cent was awarded by the court.

In reply to the second inquiry, namely, as to whether "nearly all of the congressional cases tried are war claims," while it is true that so-called war claims make up the bulk of congressional cases, there are a number of claims so referred arising since the War of the Rebellion and classed as congressional cases, such as claims for overtime by a large number of employees at the various navy yards throughout the United States. Of this latter class there has probably been referred some 2,500 to 3,000 claims. These claims, however, are not docketed as general numbers but appear under one general number, each claim taking a subnumber, and the foregoing report deals with general numbers only.

The same may be said of a class of cases for overtime work on public buildings.

Other claims are referred that may be classed under the head of receiving-ship cases, claims for overpayment on imports, excess cost for building of torpedo boats, and other vessels are frequently referred under the Tucker Act.

In reply to the fifth inquiry of your communication, all cases involving war claims, in fact all cases of every kind in the Court of Claims, are made the subject of active defense on the part of the Government. All witnesses are cross-examined by Government counsel and all war claims are made the subject of investigation in the field.

I trust this will furnish you the required information.

Very respectfully,

GEO. W. WICKERSHAM,
Attorney General.

Mr. SMITH of Georgia. I have also a further memorandum on this subject that I think will be valuable when I again bring this bill to the attention of the Senate. I ask that it be printed in the RECORD. I will not stop to present it to the Senate.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

Memorandum of bills referred by Congress to the Court of Claims under Tucker Act.

Congress.	By Senate.	By House of Representatives.
Fiftieth	10	1
Fifty-first	3	13
Fifty-second	2	6
Fifty-third	3	5
Fifty-fourth	12	
Fifty-fifth	132	49
Fifty-sixth	289	5
Fifty-seventh	[1] 286	[2] 79
Fifty-eighth	[3] 490	
Fifty-ninth	[4] 648	[5] 49
Sixtieth	[6] 328	3
Total	2,194	310

[1] Including 78 churches.
[2] Including 4 churches.
[3] Including 171 churches.
[4] Including 203 churches.
[5] Including 13 churches.
[6] Including 86 churches.

RECAPITULATION.

By Senate	2,194
By House	310
Total	2,504

The above shows that during 21 years after the approval of the Tucker Act a total of only 2,504 bills were referred by both Houses of Congress to the Court of Claims. The figures also indicate that during the first 10 years after the approval of that act only 55 bills were referred to the court by both Houses of Congress, thus showing the encouragement given to claimants.

Examination of the record shows also that during the Fiftieth Congress, when but 10 bills were referred to the court by resolution of the Senate, there were 493 bills pending before the Committee on Claims of the Senate. In short, only 10 bills out of 493 then pending were referred to the court during the Fiftieth Congress.

During the Fifty-first Congress 693 bills were pending before the Committee on Claims of the Senate, while but 3 of said bills were referred to the Court of Claims.

Analysis of the facts stated above shows that for all practical purposes claimants were afforded no relief under or by the provisions of the Tucker Act until 10 years after the passage of the act, and that the only relief afforded was given after 1897, and it is also to be noted that while the total number of bills referred is 2,504, this number includes 555 church, school, and lodge claims, or over one-fifth of the total number.

So far as concerns the general subject of war claims, it is to be borne in mind that a considerable number of the bills which have been referred to the Court of Claims were of classes other than war claims. Of the war claims which have been referred to the court under the Tucker Act, quite a number were claims which had been originally presented to the Southern Claims Commission, or to departments of the Government many years ago, but which had been rejected either for lack of jurisdiction or because presented by mistake in the name of the wrong person, thereby precluding the Court of Claims from reporting the facts of the claims under the provisions of the earlier Bowman Act.

It has been sometimes suggested that a claimant is subject to censure for not having presented his claim to Congress immediately after the passage of the Tucker Act, in 1887, if he had failed for any reason to previously present his claim to the Southern Claims Commission. It has been sometimes suggested that ever since 1887 a remedy has been open to claimants under the Tucker Act, but the figures show that this remedy really existed only in theory until about 1897, 10 years after the passage of that act. Can it be said with any degree of reason that a claimant had a remedy at a time when only 10 bills of 493 were referred to the court? Can it be said that a claimant had a remedy open to him when but 3 of 693 bills were sent to the court? Yet that was the extent of the consideration given to pending bills in the Fiftieth and Fifty-first Congresses, a period of four years after the passage of the Tucker Act, and the table of figures shows that no greater consideration was given during the Fifty-second, Fifty-third, and Fifty-fourth Congresses.

The Tucker Act was so nearly a dead letter during the first 10 years of its existence that claimants were not even reasonably and in fact chargeable with notice of its existence.

After Congress really began making use of this law claimants became apprised of its existence and asked for an opportunity to prove the facts of their claims before the Court of Claims. Many were pending before Congress for years, without any consideration, and it is entirely unfair to take from them any possible chance of securing consideration of their claims. If the claimant has sufficient faith in the righteousness of his claim to be willing to subject it to the rules of proof of the Court of Claims, which has never been charged with any bias in favor of claimants, then the Government should not hesitate to permit the claim to be so proven and judicially examined.

As to claims that were dismissed by the Court of Claims under the Crawford amendment to the war-claims act of March 4, 1915, here is the condition:

Claimants had asked Congress for relief, and private bills were introduced, not with view to direct appropriation for payment of their claims, but in order to have a basis for reference of the claims to the Court of Claims.

Owing to the rules followed by the Committee on Claims of the Senate it often happened that at the end of a session each Senator would be asked to designate not more than two or three, or possibly four, bills for reference to the Court of Claims. No matter how many meritorious claims were pending, only this limited number could be designated for reference.

Ultimately, and in very recent years, however, that rule was not adhered to with the former rigidity, and that fact permitted the reference of a larger number of the pending claims.

The claimants were practically sent by Congress to the Court of Claims to there establish in judicial form and manner the facts of their cases. They did so; they found witnesses by whom to establish the facts. Often at great expense testimony was taken in widely separated parts of the country. The testimony was taken in presence of counsel for both the claimant and the Government. In many such cases the briefs were filed in the Court of Claims. That was all at great expense and labor.

Then, about 1910, the Court of Claims openly stated that it did not invite the further trial of Civil War claims and did not care to devote further time to them until Congress disposed of the claims already tried and reported by the court.

That statement of the position of the Court of Claims naturally deterred claimants from trying their cases, and they marked time, hoping Congress would make an appropriation to pay the claims previously tried and allowed.

Then, when Congress did make that appropriation by the act of March 4, 1915, it incorporated the Crawford amendment, which has resulted not only in the cutting off of new claims, but also in the dismissal of many cases by the Court of Claims, which were all ready for trial, in which the testimony had been taken under the rules of the court at the invitation of Congress.

Certainly, argument would seem unnecessary to show the utter injustice of sending these citizens to the Court of Claims to prove their cases, and then, before they could secure an adjudication, drive them out of court and bar the door after them.

The very least that can be suggested in the way of right and justice would be to restore the jurisdiction of the court to entertain and pass judgment on those claims which were pending in the court at the adoption of the Crawford amendment and thus permit these citizens to conclude the trial of their claims which were then pending.

If citizens are denied justice by their Government, what can the Government expect of its citizens? The sense of an injustice suffered is a feeling which rankles and stays in the heart, and that is so regardless of whether that injustice deprives a citizen of a small sum or of a large one. The Government can not afford to be unjust to its own citizens.

INFORMATION FROM SICK SOLDIERS.

Mr. TOWNSEND. Mr. President, a matter has been called to my attention, and I suppose to that of every Senator, affecting the question of obtaining information from soldiers who are sick in camps and cantonments. The other day I received a letter from a distinguished citizen of Michigan inquiring relative to his son, who was reported to him as being ill at Waco, Tex. The father informed me that it was impossible for him to get official information relative to his son. From a friend of his son he learned that the latter was sick. I took up the matter with the War Department, submitting the letter of Mr. Darnton, and to-day I received a reply which I desire to read. It is as follows:

WAR DEPARTMENT,
Washington, February 6, 1918.

Hon. CHARLES E. TOWNSEND,
United States Senate.

DEAR SIR: In response to your letter of the 2d instant, inclosing a communication (returned herewith) from Mr. Robert Darnton, of Adrian, Mich., who, after making a statement to the effect that from outside sources he has received information that his son, Sergt. F. B. Darnton, Company B, One hundred and twenty-sixth Infantry, is sick in the hospital at Camp MacArthur, Waco, Tex., but not a single word has come from any officer of his company or the Government as to his real condition, or any notification whatever that he is ill, asks if there is anything in the rules and regulations governing the Army that prohibits the Government from giving such information to parents, I am directed by the Secretary of War to advise you that the Army Regulations provide as follows:

"No information will be furnished by any person in the military service which can be made the basis of a claim against the Government, except it be given as the regulations prescribe to the proper officers of the War, Treasury, or Interior Departments or the Department of Justice. Information concerning sick and wounded officers and enlisted men may be freely conveyed to allay the anxiety of friends; and, in time of peace, when, in the opinion of the surgeon, the condition of an officer or enlisted man, by reason of injury or disease, is such as to indicate the probability of fatal termination, the surgeon will report the circumstances to the immediate commander, who will promptly communicate the fact to the nearest relative. The fact of death may be communicated to relatives, but not circumstances connected therewith which could be made use of in prosecuting claims against the Government."

Very respectfully, H. P. MCCAIN, *Adjutant General.*

I give this information, Mr. President, because it occurs to me that there is something in that order which attempts to measure the interest of the parent or the wife in the loved one by dollars; that there is a fear that information may get out in some way which may give the soldier an opportunity, possibly, of obtaining a pension later.

I think that this order is not in keeping with the general sentiment of the American people at this time. I believe that the parents and other loved ones interested in these soldiers, who are making the supreme sacrifice to the Government at this time, should be furnished information, at least upon inquiry, as to the condition of the soldiers, and that it should not be necessary to go through any system of red tape to supply this information, and that there should not be a possibility that this information may be withheld. The order does not contemplate withholding knowledge as to the sickness or death of soldiers on account of injurious effects which communication to the soldier's family would have upon the outcome of the war, but, forsooth, because in conveying the information an officer or comrade of the sick soldier might by stating the fact render the Government subject to a claim for a pension. It seems to me that the fullest possible information should be given the parents as to the health of their sons who are in the Army.

I put this letter in the RECORD because it answers questions which have been put to me, and I presume will answer similar questions which have been submitted to other Senators.

WATERS OF THE COLUMBIA RIVER.

Mr. CHAMBERLAIN. Mr. President, some time ago Senate bill 1484, which was then on the calendar, was indefinitely postponed. It was a bill ratifying the compact and agreement between the States of Oregon and Washington regarding concurrent jurisdiction over the waters of the Columbia River and its tributaries in connection with regulating, protecting, and preserving fish. I ask unanimous consent that the bill may be reinstated on the calendar. I understand that a bill that has been indefinitely postponed may be reinstated on the calendar.

Mr. SMOOT. Only by introducing the bill again and having it pass through the regular course.

Mr. CHAMBERLAIN. I am frank to say that I am not familiar with the parliamentary status of the matter, but I supposed that a bill which had been indefinitely postponed could be taken up and restored to the calendar for final disposition if it should come up again. If I am mistaken about that, I will withdraw the request.

Mr. SMOOT. The indefinite postponement of a bill is a final disposition of the bill at that session of Congress. The only way in which it can be gotten back upon the calendar is to introduce the bill again and let it go through the regular course.

Mr. CHAMBERLAIN. I ask for a ruling of the Chair. If that is the parliamentary status, I have no desire to depart from it.

Mr. FLETCHER. I think it depends on when the action of indefinite postponement was taken.

Mr. CHAMBERLAIN. It was done at the first session of the Sixty-fifth Congress, before we convened in December.

Mr. GALLINGER. Mr. President, it will be observed that in the other House, which is pretty careful to observe parliamentary law, when a bill is passed a motion is always made to reconsider it, and that motion is voted down, and that ends it. The indefinite postponement of a bill absolutely ends the consideration of that bill for the session. There is no question about that under parliamentary law. Of course the Senator can reintroduce it and report it again. I think that is the only way by which it can be done.

Mr. CHAMBERLAIN. I am perfectly willing, in view of the situation before us, to withdraw the request and I shall introduce the bill again.

Mr. McCUMBER. Mr. President, right on that same question I should like to propound a parliamentary inquiry as to whether an exact bill can be reintroduced in the same session? My understanding is that it can not be done.

Mr. WARREN. But it can be changed.

Mr. McCUMBER. If it is substantially changed, it would not be the same bill.

Mr. WARREN. There might be a specific change made which would not alter the character of the bill.

Mr. McCUMBER. It is quite important that we should know just what our rights are. I have desired many times when a bill was defeated to reintroduce it at the same session, and I have always been informed that under the rules it could not be done. I think it is quite important that we should have a definite ruling upon that point.

The PRESIDING OFFICER. It has been ruled by the Vice President that where a bill has been voted upon and defeated the bill could not be reintroduced at the same session in the same terms and under the same title.

Mr. HOLLIS. Mr. President, that ruling was made by the Vice President, I am very sure, on the woman-suffrage amendment. There was no precedent for it. No such ruling has ever been made on a bill that I can find in either House, and I doubt if it is controlling in the consideration of a bill. I shall myself refuse to follow it on the adoption of the amendment. That is the only precedent I can find.

Mr. GALLINGER. At any rate, if I may be permitted a word, if the Senator from Oregon, who is an experienced legislator, finds any difficulty in preparing his bill so that it will not be in the exact terms of the former one I shall be mistaken, even if the ruling, which is somewhat questionable, should stand. We are very much in the habit of changing the phraseology of a measure to suit an emergency; that arises oftentimes on points of order, and I feel sure the Senator from Oregon can easily frame a bill so that it will even escape the ruling that has been cited, to which my colleague very properly calls attention, upon a matter different from an ordinary bill.

Mr. McCUMBER. I have looked over the rules several times, and I can find nothing in the rules that prohibits the reintroduction of exactly the same bill at the same session. If there is a rule that has escaped my attention, I certainly would be glad to have my attention called to it prohibiting the reintroduction of a bill that has been indefinitely postponed.

The PRESIDING OFFICER. The ruling of the Vice President was with relation to the equal-suffrage amendment, where the measure had been defeated. That is not the status in this case.

Mr. McCUMBER. In either case it would be a final disposition of the bill, and therefore it would seem to me as if the same rule would apply; but the point I want to get at is not what the Vice President may have ruled, but what standing rule of the Senate prohibits the reintroduction of exactly the same bill at the same session and its consideration.

Mr. GALLINGER. If I may be permitted an additional word, I will suggest that we are discussing a moot question. Let the Senator present his bill, and then the question might well be raised whether it shall be received or not.

Mr. CHAMBERLAIN. I withdraw my request, and I shall reintroduce the bill. My only reason for asking to have it rein-

stated to the calendar was to save time and expense. It is a bill local in nature and there is no particular hurry about it.

The PRESIDING OFFICER. The Senator from Oregon withdraws his request.

Mr. FLETCHER. Mr. President, on that point I will say to the Senator from New Hampshire that the precedent is laid down in Gilfry's Precedents, page 221, where a motion was made to take up a bill which had been indefinitely postponed at the previous session, and it was held by the Senate to be in order. The question was left to the Senate and it was held to be in order by the Senate.

Mr. GALLINGER. If the bill had been indefinitely postponed, how could it be taken up? It did not exist. That was a most extraordinary ruling, whoever made it.

Mr. FLETCHER. In Gilfry's Precedents it is given as follows:

JANUARY 28, 1869.

* * * * * * *

The President stated that the bill proposed to be taken up, having been postponed indefinitely by a vote of the Senate on the 25th of July last, at the last session, and returned to the House of Representatives, in which it originated, with the action of the Senate thereon, which he believed, by the uniform practice of the Senate, was regarded as a rejection of the bill, and that the bill, not now in the possession of the Senate, the motion to take it up did not appear to him to be in order, and that the effect of the indefinite postponement of the bill being involved in the question of order, he would prefer to have it decided by the Senate, and therefore submitted the question of order to the Senate: "Is the motion to take up a bill which has been indefinitely postponed by a vote of the Senate at a previous session of Congress in order?"

After a somewhat lengthy discussion the Senate decided, by a vote of 27 yeas to 18 nays, that the motion of Mr. Morton was in order. (See Cong. Globe, pp. 568, 569, 570, 590–593, 623–625, 665–667.)

Mr. SMOOT. That had been done at a previous session. It was not at the same session of Congress.

Mr. FLETCHER. That would only make the case stronger.

Mr. WARREN. It was also a House bill, as I understood the Senator.

Mr. SMOOT. It was a bill that came over from the House.

Mr. FLETCHER. I merely referred to it to show what the Senate has done.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the right of the Senator from Oregon to withdraw his request. There is nothing before the Senate.

Mr. HITCHCOCK. If there is no further business, I was going to move that the Senate adjourn. I make that motion.

The motion was agreed to; and (at 2 o'clock and 7 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 8, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 7, 1918.*

The House met at 12 o'clock noon.

The Rev. William Couden, of Washington, D. C., offered the following prayer:

Almighty Father, strong to save, be with all who ride in peril on the sea. Guard our ships and transports and enable us to overcome the threatening dangers of the elements and of our military enemy. Comfort those who are in anxiety and sorrow. Increase our determination for the right and our bravery to endure, to dare, and to do.

Of old Thou didst encourage the saints with unusual evidences of Thine approval. We are far from laying claim to be saints, dear Lord. Yet we sincerely and humbly believe that in our stand for justice and humanity we are supporting a cause that is precious to Thee. Give unto us, therefore, courage and cheer and tokens of Thine approval and signs of sure victory. We ask this in the name of Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

ADDITIONAL MESSENGER, HOUSE POST OFFICE (H. REPT. NO. 290).

Mr. PARK. Mr. Speaker, I present a privileged resolution.

The Clerk read as follows:

House resolution 240.

Resolved, That the Postmaster of the House be, and he is hereby, authorized to employ an additional messenger in the House post office, who shall be paid out of the contingent fund of the House at the rate of $100 per month during the remainder of the second session of the Sixty-fifth Congress.

Mr. PARK. Mr. Speaker, this is the same resolution introduced about 10 days ago, but was withdrawn at the request of the Committee on Appropriations, and amended according to their request.

Mr. WALSH. Will the gentleman yield?

Mr. PARK. Yes.

Mr. WALSH. Will the gentleman state the necessity for this additional messenger?

Mr. PARK. I can only state that the Postmaster said that he is necessary for the business of the office. The Postmaster appeared before the committee and made a complete statement, and the committee unanimously reported the resolution.

Mr. WALSH. It is the hope that the employment of this extra messenger will give us a more prompt delivery of mail matter and obviate the delays that have heretofore occurred?

Mr. PARK. It will have a tendency to do that.

Mr. WALSH. In what way?

Mr. PARK. By giving more help.

Mr. DOWELL. What position will this messenger occupy?

Mr. PARK. An assistant at the stamp and registry window, I understand.

Mr. STAFFORD. Will the gentleman yield?

Mr. PARK. Yes.

Mr. STAFFORD. This resolution, as I take it, is in lieu of the resolution that the Committee on Accounts reported providing for an additional register and stamp clerk, who was to receive a salary of $1,500?

Mr. PARK. Yes.

Mr. STAFFORD. I may say in the consideration of the legislative, executive, and judicial appropriation bill the subcommittee had occasion to call upon the Postmaster of the House, and it was agreed that this official should be appointed as a messenger rather than assistant to the clerk at the window for the sale of stamps and looking after registered matter. This is a substitute in lieu of the former resolution.

Mr. DOWELL. Does this in any manner relieve others of the work they are to do?

Mr. STAFFORD. No; it simply provides an additional clerk. The Postmaster stated that at times during the day there was such a large demand for stamps and registering matter and business connected with the parcel post that it was necessary to have two clerks at the windoy rather than one, and, while it was his desire to have an additional clerk at $1,500, it was the judgment of the committee that it could be done by a clerk at $100 a month.

Mr. DOWELL. And this messenger is to act in that capacity?

Mr. STAFFORD. It is proposed that he will act in that capacity.

The SPEAKER. The question is on the resolution.

The question was taken, and the resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 6361. An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3317. An act providing for the removal of snow and ice from the paved sidewalks of the District of Columbia; and

S. 1735. An act to create an additional judge in the southern district of Florida.

ADAH B. SAUER (H. REPT. NO. 292).

Mr. PARK. Mr. Speaker, I present another privileged resolution.

The Clerk read as follows:

House resolution 238.

Resolved, That the Clerk be, and he is hereby, authorized to pay, out of the contingent fund of the House, to Adah B. Sauer, widow of Charles L. Sauer, late an employee on the roll of the House, a sum equal to six months' compensation as a messenger on the soldiers' roll, and an additional amount, not exceeding $250, to defray the funeral expenses of said Charles L. Sauer.

The SPEAKER. The question is on the resolution.

The question was taken, and the resolution was agreed to.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolutions were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2180. An act to approve mutual cessions of territory by the States of Wisconsin and Minnesota and the consequent changes in the boundary line between said States; to the Committee on the Judiciary.

S. 1004. An act to provide for a retirement system in the Lighthouse Service; to the Committee on Interstate and Foreign Commerce.

S. 1005. An act to regulate the salaries of keepers of lighthouses; to the Committee on Interstate and Foreign Commerce.

S. 993. An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 932. An act to provide for stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont.; to the Committee on the Public Lands.

S. 934. An act authorizing the State of Montana to select other lands in lieu of lands in section 16, township 2 north, range 30 east, within the limits of the Huntley irrigation project and the ceded portion of Crow Indian Reservation, in said State; to the Committee on the Public Lands.

S. 936. An act to authorize the Secretary of the Treasury to convey to the city of Bozeman, Mont., certain land for alley purposes; to the Committee on the Public Lands.

S. 937. An act to amend an act entitled "An act to amend sections 2291 and 2297 of the Revised Statutes of the United States relating to homesteads"; to the Committee on the Public Lands.

S. 955. An act providing for noncontiguous homestead entries within the former Fort Peck Indian Reservation, Mont., of land of the character described in the enlarged homestead act of February 19, 1909; to the Committee on the Public Lands.

S. 44. An act granting additional rights to settlers on reclamation projects; to the Committee on the Public Lands.

S. 26. An act authorizing the cutting of timber for mining purposes by corporations organized in one State and conducting mining operations in another; to the Committee on the Public Lands.

S. 1555. An act to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915; to the Committee on the Public Lands.

S. 95. An act to provide for agricultural entries on coal lands in Alaska; to the Committee on the Public Lands.

S. 102. An act relating to the temporary filling of vacancies occurring in the offices of register and receiver of district land offices; to the Committee on the Public Lands.

S. 352. An act granting pensions to certain members of the former Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

S. 994. An act extending the benefits of care and treatment by the Public Health Service to seamen on vessels used in the service of the United States; to the Committee on Interstate and Foreign Commerce.

S. 1462. An act to establish a fog signal at the Port Washington Pierhead Light Station, Wis.; to the Committee on Interstate and Foreign Commerce.

S. 1463. An act to establish aids to navigation at Fond du Lac Harbor, Wis.; to the Committee on Interstate and Foreign Commerce.

S. 1849. An act permitting minors of the age of 18 years or over to make homestead entry of the public lands of the United States; to the Committee on the Public Lands.

S. 940. An act to provide for the payment for certain lands within the former Flathead Indian Reservation in the State of Montana; to the Committee on the Public Lands.

S. 1084. An act for the relief of J. G. Seupelt; to the Committee on the Public Lands.

S. 2886. An act for the relief of Albert O. Brown; to the Committee on Public Lands.

S. 2487. An act permitting Frances Mack Mann to purchase certain public lands; to the Committee on the Public Lands.

S. 3470. An act to amend section 35 of the Criminal Code of the United States; to the Committee on Military Affairs.

S. 3471. An act to authorize the Secretary of War to grant furloughs without pay and allowances to enlisted men of the Army of the United States; to the Committee on Military Affairs.

S. 3472. An act to authorize the Secretary of War to provide and issue distinctive buttons or badges to men drafted or volunteering for enlistment in the military forces who are exempted or rejected, and to provide a penalty for unlawfully wearing, procuring, or manufacturing the same; to the Committee on Military Affairs.

S. 3526. An act to amend section 11 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

S. 935. An act for the relief of settlers on certain railroad lands in Montana; to the Committee on the Public Lands.

S. 302. An act authorizing the Secretary of the Navy to make donation of condemned naval guns and cannon balls to the John Wannebo Camp, No. 9, United Spanish War Veterans, Everett, Wash., to be placed in public parks; to the Committee on Naval Affairs.

S. 3446. An act to amend an act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes," approved March 4, 1917; to the Committee on Naval Affairs.

S. 179. An act for the relief of Fred C. Konrad; to the Committee on Naval Affairs.

S. 2784. An act to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916; to the Committee on the Public Lands.

S. 3225. An act to reserve as a part of the Oregon National Forest certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States; to the Committee on the Public Lands.

S. 2315. An act to extend the time within which final proof is required to be submitted upon any lawful pending desert-land entry made prior to July 1, 1915, such extension not to exceed three years from the date of allowance thereof; to the Committee on the Public Lands.

S. 97. An act authorizing the exchange of certain lands in the State of Utah for the protection of the water supply of Salt Lake City; to the Committee on the Public Lands.

S. 94. An act to amend section 3 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes," approved March 3, 1901 (31 Stat. L., p. 1133); to the Committee on the Public Lands.

S. 2931. An act for the relief of Thomas Sevy; to the Committee on the Public Lands.

S. 972. An act to authorize an exchange of lands with Henry Blackburn; to the Committee on the Public Lands.

S. 388. An act for the relief of Alfred Cluff, Orson Cluff, Henry E. Norton, William B. Ballard, Elijah Hancock, Mrs. Susan R. Saline, Oscar Mann, Celia Thayne, William E. Cox, Theodore Farley, Adelaide Laxton, Clara L. Tenney, George M. Adams, Charlotte Jensen, Sophia Hyff, Peter H. McBride, David Edward Adams, Mrs. M. J. Ellsworth, and the heirs of J. H. Frisby; to the Committee on Claims.

S. 101. An act to authorize the consolidation of Government lands and of privately owned lands, and for other purposes; to the Committee on the Public Lands.

S. 3128. An act to amend section 1422 of the Revised Statutes authorizing additional pay for enlisted men of the Navy, and Marine Corps, detained beyond the expiration of their terms of enlistment; to the Committee on Naval Affairs.

S. 714. An act providing for an additional judge for the district of Arizona; to the Committee on the Judiciary.

S. 922. An act for the relief of Orion Mathews; to the Committee on Military Affairs.

S. 3403. An act for the relief of Paymaster Alvin Hovey-King, United States Navy; to the Committee on Claims.

S. 92. An act to authorize the Secretary of the Interior to issue patent for certain lands in the State of Utah to E. D. Partridge; to the Committee on the Public Lands.

S. 387. An act for the relief of John Flanigan; to the Committee on Claims.

S. 2865. An act for the suspension of payments on public lands by entrymen in the military or naval service of the United States; to the Committee on the Public Lands.

S. J. Res. 24. Joint resolution to permit of the disposition of certain lands in Montana ceded by the Crow Indians; to the Committee on the Public Lands.

S. J. Res. 104. Joint resolution authorizing the assistant to the Secretary of the Interior to sign official papers and documents; to the Committee on the Public Lands.

EUGENE J. HOLLAND (H. REPT. NO. 291).

Mr. PARK. Mr. Speaker, I present another privileged resolution.

The resolution was read, as follows:

House resolution 177.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Eugene J. Holland, clerk to Charles Martin, a Representative from the State of Illinois at the time of his death, October 29, 1917, the sum of $166.66, being an amount equal to one month's salary of a clerk of a Representative in Congress.

The SPEAKER. The question is on the passage of the resolution.

The resolution was agreed to.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. FLOOD. Mr. Speaker, before moving to go into Committee of the Whole House on the state of the Union for the further consideration of the Diplomatic and Consular appropriation bill, I desire to submit a request for unanimous consent. The day before yesterday, when we adjourned, it was agreed that the general debate on the bill should continue for 2 hours and 10 minutes, 20 minutes of that time to be controlled by myself and 1 hour and 50 minutes by the gentleman from Wisconsin, Mr. COOPER. Since that time both of us have had requests for additional time. I ask unanimous consent that that unanimous-consent order be set aside and that the time for general debate be set at 5 hours; 2 hours and 50 minutes of that time to be controlled by the gentleman from Wisconsin and 2 hours and 10 minutes by myself.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the time for general debate upon the diplomatic and consular appropriation bill be extended so as to make it 5 hours, 2 hours and 50 minutes to be controlled by the gentleman from Wisconsin and 2 hours and 10 minutes to be controlled by himself. Is there objection?

Mr. COOPER of Wisconsin. Mr. Speaker, that, of course, is exclusive of the time granted to the gentleman from Connecticut, Mr. TILSON.

The SPEAKER. Certainly; that has nothing in the world to do with it. Is there objection?

There was no objection, and it was so ordered.

THE OLD SOLDIER.

Mr. WALSH. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio, Gen. SHERWOOD, may be permitted to extend his remarks in the RECORD by inserting therein two communications, one from the William McKinley Post, Grand Army of the Republic, of Canton, Ohio, and the other from the General Canby Post, at Hood River, Oreg. When Gen. SHERWOOD yesterday made the request to extend these in the RECORD I objected. Since that time I have found that the communications are of an exceptional order, and I do not think objection should be made to them.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the gentleman from Ohio, Mr. SHERWOOD, may be permitted to extend his remarks in the RECORD in accordance with his request made yesterday. Is there objection?

There was no objection.

The communications referred to are as follows:

WILLIAM MCKINLEY POST, No. 25, G. A. R.,
Canton, Ohio, February 2, 1918.

Hon. ISAAC R. SHERWOOD, M. C.,
Washington, D. C.

DEAR SIR AND COMRADE: William McKinley Post, No. 25, of which you were a member once, have been watching your conduct in and out of the Halls of Congress to bring a greater measure of relief to the old veterans who are striving to maintain homes of their own during these days of high cost of living. We have your remarks in the CONGRESSIONAL RECORD about the soldiers' homes and those who are compelled to go there and those who have been and are receiving benefits of these homes who have property, money, and even farms outside, besides their peasion, to live upon. We commend your remarks along these lines and the fight that you are so gallantly making for the amelioration of the old "boys," who are now feeble and in ill health. Permit us to thank you on behalf of William McKinley Post, No. 25, Grand Army.

Yours in F. C. L.,

WILLIAM W. PUMPHREY,
HENRY R. PACKER,
CHAS. T. OLDFIELD,
Committee.
ALFRED GARNER,
Commander.

HOOD RIVER, OREG., *December 23, 1917.*

Gen. SHERWOOD.
House of Representatives, Washington, D. C.

DEAR SIR: Through the courtesy of the Representative from this district, Hon. N. J. SINNOTT, your bill (H. R. 6883) was received and read at the regular meeting of Canby Post, Grand Army of the Republic, yesterday.

The bill amending the pension law of May 11, 1912, meets with the hearty approval of the comrades of the post. We have many old and feeble comrades in this department who need help, and to whom the amendment, if it becomes law, will prove a blessing.

As adjutant of the post I was instructed to write both you and Mr. SINNOTT and tender the thanks of Canby Post for the deep interest both of you have always taken in the welfare of old soldiers.

Pardon me for not writing your initials. The name of Gen. SHERWOOD is known to every Union soldier living, but, like myself, probably not one in a thousand could call your initials.

Thanking you personally, I am,
Yours, truly,

SAMUEL F. BLYTHE,
Adjutant Canby Post, No. 16.

TORPEDOES.

The SPEAKER. The gentleman from Connecticut [Mr. TILSON] is recognized for 40 minutes.

Mr. TILSON. Mr. Speaker, the story is told of an old professor of Greek who had spent his long life in a somewhat thorough study of the dative case in the Greek language. When he came down to die and reflected upon the work of his life he expressed the one regret that he had scattered his efforts too much by not confining himself to the dative of cause. For a long time I have given considerable study to the subject of war munitions. For the most part my efforts have been directed toward the arms and ammunition used by our land forces. It might have been wiser had I continued to confine my labors to that rather ample field. However, the subject of my remarks to-day is so closely related to my pet subject that I may be excused for venturing to enter upon it. The awful disaster to the *Tuscania* yesterday makes it timely.

I purpose to talk to you on the torpedo. I shall not attempt to consider its tactical use or its place in the naval program, for I am not a naval man and do not feel competent to discuss the subject from that angle. I shall treat it as ordnance—a weapon, a projectile. The fact that water is the medium through which it is directed on its deadly mission is only incidental so far as my purpose in concerned.

For many months after the outbreak of the present war in Europe the world was flooded with a stream of publications called Red Books, White Books, Blue Books, Yellow Books, Orange Books, Gray Books, all sorts of books telling the causes of the war and trying to locate the blame for it. After reading all of these different books different people came to different conclusions. When the United States entered the war, we issued a Red, White, and Blue Book telling "Why America is in the war." There may be those so impervious to truth that even our book may not be accepted as conclusive. However, in my opinion, the cause of our being in the war now lies here in front of the Speaker's desk.

DESCRIPTION OF TORPEDO.

This is the afterbody, with engine and steering gear of a full life-size torpedo, though it is not alive, I assure you. The use of this death-dealing machine in a manner contrary to international law and in contravention of the long-established usage of civilized nations forced us into the war. By the courtesy of Admiral Earle, and by the help of Lieut. Commander Hoover at the navy yard here in Washington, this torpedo is here for the inspection and information of the membership of this House. I shall attempt to explain it briefly, though in large measure it explains itself.

This particular type of torpedo is 45 centimeters in diameter and 5.2 meters long. There has been a wise and well-directed effort to standardize torpedoes, especially as to diameter, so that they have been reduced to practically two sizes, 45 centimeters (a little less than 18 inches) and 21 inches. You will see how important this is when you consider the torpedo tubes and other launching problems. The largest torpedo now made is 21 inches in diameter and 21 feet long. These figures are easily remembered.

The head of this weapon, called the war head, is here [indicating]. It is filled with about 250 pounds of guncotton, T. N. T., or some other fiendish explosive. By far the greatest weight and length are here in the air flask [indicating]. It is a forging made of a very high grade of nickel steel, and costs in the rough-turned forging, without any finishing work, about 47 cents a pound. The forging for the largest type weighs about 3,300 pounds. The flask contains air under very high pressure, which, when heated, is the propelling force of the torpedo.

Here is the bulkhead [indicating] between the air flask and the afterbody, and to it are attached the engine and heating device.

This is the engine [indicating], and it is one of the finest pieces of mechanism made. It weighs about 100 pounds and develops about 150 horsepower.

This is the afterbody [indicating] and here inside of it is the gyro steering gear. Through the afterbody runs the shaft, or the two shafts, one running inside of the other.

Last of all come the two propellers [indicating] arranged tandem, but they are not twins, and they revolve in opposite directions. The slight difference between the two is made necessary by the different character of the water in which they work.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. TILSON. I yield for a question.

Mr. MOORE of Pennsylvania. Why are those propellers moved in opposite directions?

Mr. TILSON. In order to stabilize the torpedo. If you had but one propeller the reaction from the working of it would roll the torpedo over.

I have here a photograph of the launching tubes used on our destroyers. It was not practical to secure a photograph of the launching tube used in battleships and cruisers. I did have made a very fine photograph of the torpedo tubes used on submarines.

It was so fine, in fact, that the Navy censor declined to allow me to use it.

The single torpedo tube is used in the larger ships. It is below the water line, under the protection of the armor plate, and in the side of the ship.

Destroyers are practically the only boats that now use overwater tubes. It is too dangerous on the capital ships to have the torpedo exposed in this way, as I shall explain more fully in another connection.

I am very much disappointed in not having a picture of the torpedo tubes used on the submarines, but, as I have just explained, my photograph brought out every detail, so that the Navy censor was unwilling for me to make it public. There is a nest of four tubes built into the bow of the submarine, pointed in the same direction that the submarine is pointed, so that there are four torpedoes ready at all times to discharge.

Mr. HAMLIN. Will the gentleman yield right there?

Mr. TILSON. Yes.

Mr. HAMLIN. When a torpedo is projected from the tube, is it not the momentum with which it travels that holds it on a level course at a certain depth under the water or on top of the water? In other words, when it ceases traveling it would sink, and is it not the momentum that holds it up, or is there some mechanism that holds it on a level?

Mr. TILSON. There is a depth rudder, just the same as the rudder of any boat, except that it is horizontal instead of vertical.

Mr. HAMLIN. That is on the rear end of it?

Mr. TILSON. Yes. There is one horizontal rudder and one vertical rudder.

Mr. HAMLIN. What holds up the front end? Is it not the speed at which it travels? It is the momentum that keeps it on a level, is it not, or is it that air flask?

Mr. TILSON. The air flask helps to balance the torpedo in the water; but, as a matter of fact, it is so made as to sink when it stops.

Mr. HAMLIN. That was my understanding, and that it was the momentum of the torpedo that kept it going on the straight line.

Mr. TILSON. I do not so understand it.

Mr. HAMLIN. Then what keeps it from sinking before it stops if it is not the momentum that holds it on its level course?

Mr. TILSON. It is because it is balanced. It will lie like a log in the water.

Mr. HICKS. I rather think that torpedo will float at all times.

Mr. TILSON. It will, normally.

Mr. HICKS. I thought the gentleman said it would sink.

Mr. TILSON. It is made to sink. A war torpedo is made so that when it stops running it will sink.

Mr. HICKS. I beg to differ with the gentleman——

Mr. TILSON. There is a sinking valve for that purpose. If it floated on the surface after it stopped, it would be dangerous to all comers. It is so arranged that when the torpedo stops its sinking valve automatically opens and allows it to sink.

Mr. HICKS. I did not understand about the valve. The way the torpedo is constructed, it will float unless there is some device to make it sink?

Mr. TILSON. Oh, certainly.

Mr. HICKS. That is the point.

Mr. TILSON. Undoubtedly.

Mr. NEELY. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. NEELY. What is the motive power that turns that propeller?

Mr. TILSON. It is the compressed air in this air flask, heated to a high temperature, with water injected into it to form steam; superheated air, with the injection of water. The air flask contains the motive power to run this engine [indicating].

Mr. KNUTSON. When is the air put into the air flask, and when is it heated?

Mr. TILSON. The air is put into the air flask in advance, and it is not heated until after it starts on its journey, as I will show presently, or I can show it now, for that matter. When the torpedo is projected out of the launching tube by the force behind it, either black powder or compressed air, it enters the water. In sliding out of the tube this lever is tripped by striking against a projection on the launching tube. That sets the engine inside going, the heating device is lighted up to heat the air, and the air, which is under great pressure, is forced from the air flask through the engine. That is the way it works.

Mr. HAMLIN. How deep under the surface of the water can these torpedoes be projected from the submarine?

Mr. TILSON. They can be projected at practically any depth. Naturally they are set to aim at the most vital part of the ship, and the depth is determined somewhat by the size of the vessel at which the torpedo is aimed.

Mr. HAMLIN. Then, a submarine can fire these torpedoes even though submerged? It does not have to come to the top to fire them?

Mr. TILSON. Oh, no; not at all. It does not matter how deep it is when it fires the torpedo or how near the surface, because this rudder [indicating], controlled by the pressure diaphragm, will soon bring the torpedo up to the proper level or down to the proper level, as the case may be. It is determined by the depth for which it is set originally.

Mr. STEPHENS of Nebraska. How is it aimed under water?

Mr. TILSON. It is aimed by the aid of the periscope. The boat itself is aimed, because, as I have described to you, this nest of torpedo tubes is built right into and is part of the boat.

Mr. PARKER of New Jersey. Will the gentleman permit me to ask what keeps the torpedo upright and prevents it from getting on one side so that the wrong rudder comes into play?

Mr. TILSON. Gravity, in the first place.

Mr. PARKER of New Jersey. Is there more weight on one side than the other so as to keep it upright?

Mr. TILSON. Yes.

Mr. PARKER of New Jersey. I mean is there more weight on the bottom so as to keep it upright?

Mr. TILSON. Oh, yes; it balances the torpedo in a right-side-up position.

Mr. POU. Will the gentleman yield for a question?

Mr. TILSON. Yes.

Mr. POU. Would the gentleman prefer to complete his statement and then answer questions?

Mr. TILSON. Thanking the gentleman, I should like to proceed with the history of the development of the torpedo for a few minutes. I promise to be brief, and then I will submit to any questions which gentlemen may wish to ask me.

HISTORY OF DEVELOPMENT.

The development of the torpedo is a very interesting story, to which I shall refer briefly, but only to the comparatively recent part of it. In 1890 the Secretary of the Navy entered into a contract with John Whitehead & Co., of Fiume, Austria, under the terms of which that firm agreed to assign the Whitehead torpedo rights for the United States, on a royalty basis, to such firm or corporation in the United States as the Secretary of the Navy might select. The E. W. Bliss Co., of Brooklyn, N. Y., having agreed to equip a plant suitable for making the torpedo, was designated by the Secretary and acquired the rights accordingly. Lieut. T. C. McLean, on behalf of the Navy Department, and Mr. Frank M. Leavitt, representing the Bliss Co. proceeded to Fiume for the purpose of studying the weapon and its mode of manufacture.

WHITEHEAD TORPEDO.

The Whitehead torpedo of that day was a cigar-shaped affair carrying an explosive charge of guncotton in its head, which charge was exploded by contact with the target. It was propelled through the water by means of a three-cylinder engine known as the "Brotherhood" type. The motive power was compressed air carried in a strong steel storage flask occupying the middle body of the torpedo and extending about half its length. The driving engine was located in the afterbody and connected directly to the propeller shaft with two propellers arranged tandem, as in this one. One of the propellers was made to revolve in the opposite direction from the other by means of a system of gearing located in the tail of the torpedo. The reason for this arrangement is that if one propeller is used the reaction of the driving shaft will roll the torpedo over in the opposite direction. By having a second propeller turning the other way these forces are balanced.

The propeller shaft was made hollow and the exhaust air from the engine passed through it and clear of the torpedo abaft the propellers. A pair of horizontal rudders steered the torpedo down to the proper depth and kept it there throughout its flight.

The main driving engine was placed in a compartment of the afterbody, which was open to the sea, so that in operation the engine was submerged in water. This arrangement was made necessary by the fact that air in expanding through an engine has the property of losing heat, so that the engine in a short time would be frozen solid. The sea water supplied the necessary heat.

EARLY STEERING GEAR.

There was at that time no adequate means for directing the torpedo in a straight course. Two small rudders attached to the tail counteracted any marked tendency of the torpedo to deviate from the line, and the best position for these rudders

had to be established by a series of trial runs. This crude method would not have availed except for the fact that the effective range was not more than 800 yards.

In those early days the submarine had not been developed, nor had the submerged launching tube such as is now used upon battle ships and cruisers. The torpedo was launched from an overwater tube of practically the same type as that shown in this photograph. The launching tube may be described as a steel or bronze tube, having a rear door, mounted upon a swivel base, so that it may be trained upon the target. It somewhat resembles a breech-loading gun, though of course much lighter. The torpedo is placed within the tube and ejected by a light charge of powder or by compressed air. The powder charge is generally used in overwater tubes and compressed air in submerged tubes for obvious reasons. In order to start the engine of the torpedo a lever which operates the throttle valve extends through the shell of the afterbody, and as the torpedo moves out of the tube this lever strikes against a projection in the tube which opens the valve. The torpedo enters the water with its engine going and proceeds under its own power. Its horizontal rudders steer it down to the depth for which it is set to run and hold it at that depth until the engine stops at the end of the range. When headway is lost so that the rudders can no longer have control, the torpedo floats on the surface and can be removed.

SINKING VALVE.

In practicing with the weapon in time of peace there is of course no explosive charge used. Its place is taken by an equal weight of water. In a war shot, carrying the guncotton charge, should the torpedo miss its mark and not be exploded it would be a serious menace to friend as well as foe. A sinking valve is therefore provided, used only in an actual war shot, by means of which at the end of the run the torpedo is sunk.

The Whitehead torpedoes first introduced into the United States Navy had a length of about 11 feet and a diameter about the same as our present smaller type. It carried an explosive charge of 80 pounds and had an effective range of 800 yards at a speed of 26 knots. It was soon superseded by a larger type containing an explosive charge of 120 pounds with a speed of about 2 knots more at the same range.

During the years 1891 and 1892 the Bliss Co. equipped its plant and constructed 100 of these torpedoes, which were delivered to the Navy Department in 1893. The plant had a capacity of 100 torpedoes per year, this being the department's idea of the requirements of the Navy.

At that time expert naval opinion was very much divided in regard to the utility of the torpedo as a weapon of war. Perhaps a majority of naval men considered it little better than a pretty toy. The consequence of this widely prevailing sentiment was that the enterprise languished, and instead of the orders coming in for 100 a year, for which the company was equipped, they came in a desultory way; some years none at all.

The earlier cruisers in the service were equipped with overwater tubes, but these were discarded because the tactical value of the torpedo was not considered sufficient to equal the risk of disaster to the ship arising from a chance shot striking and exploding the air flask of a charged torpedo. The field of operation of the weapon became, therefore, restricted to the torpedo boats.

The combined result of all these adverse conditions would have relegated this weapon to the limbo of foregotten things had it not been for the introduction of three new factors which revived its spark of life. These were the submarine boat, the underwater launching tube, which enabled the torpedo to be kept below the water line under the protection of the armor plate and to be launched below water through the ship's side, and finally a new type of torpedo having a far greater range and efficiency.

OBRY GEAR.

While there had been no material advance in range during this period a decided improvement had been made by the introduction of a device for controlling the direction of the torpedo and insuring its traveling on a straight course. The "Obry gear," named for its inventor, an Austrian naval officer, consisted in the application of the gyroscope for the purpose of steering. In fact the gyroscope has made possible the present-day torpedo.

THE GYROSCOPE.

Mr. Leavitt, to whom I have already referred and upon whom I have drawn most freely for what I have been stating, says that the principle of the gyroscope seems intricate and mysterious to the lay mind, to which I fully agree. He also says that in reality, at least in so far as it is utilized in the torpedo, it is quite simple and easily understood. He admits that in its practical application there is much complex detail, which an examination of my exhibits here will prove. He insists that the general principle of the gyroscope is simple, so I shall insert here his explanation of it. "If a solid mass like a flywheel is revolved at high speed in any given plane of rotation, it will continue to revolve in that plane unless some outside force acts to deflect it. This seems to be a self-evident proposition, but it is the whole thing in a nutshell. If, therefore, we mount a flywheel in gimble rings within the torpedo in such a manner that it is absolutely free to turn in any direction and then spin it up to a high speed like a top, the torpedo may be turned in any direction, but the flywheel will remain in the same position as that in which it was spun up. It is exactly similar in this respect to the compass needle. The ship may be turned in any direction, but the needle still points to the north. Similarly, if our flywheel is spun up with its axis pointed toward the target it will continue to so point without regard to the direction which may be taken subsequently by the torpedo."

GYRO CONTROL.

Assuming the explanation of the principle to be thoroughly understood, he explains the application of the gyroscope to the steering mechanism as follows: "If the revolving flywheel is connected with the valve of the steering engine in such a manner that should the torpedo leave the original line in which it was aimed, thus changing its position in relation to the fixed position of the flywheel, a rudder is operated to cause the torpedo to turn in the opposite direction, it must needs travel in the direction in which the axis of the flywheel points."

The most important elements of the Obry gear may be described briefly under five heads. First, a flywheel mounted in gimble rings, very similar to the toy gyroscope sold on the street. Second, a mechanism for locking and holding it with its axis in the axis of the torpedo while it is being spun up. The torpedo being aimed at the target, the axis of the flywheel will be pointed in the same direction. Third, a mechanism which, at the instant the torpedo starts in the launching tube, spins the flywheel up to a high speed. Fourth, a mechanism which, after the flywheel has been spun up and before the torpedo is clear of the launching tube, withdraws the locking device, thus permitting the torpedo to turn in any direction without affecting the position of the flywheel which continues with its axis pointing toward the target. Fifth, a steering engine controlling the rudder and itself controlled by the position of the torpedo in relation to the position of the flywheel.

The Obry gear worked wonders for accuracy in direction and control, but added nothing to the range of the torpedo. In 1897 Mr. Leavitt began consideration of the subject of increasing the range and speed of the torpedo by heating the compressed-air charge. It was a well-known fact of physics that the ability of air to do work could be increased by the application of heat.

I do not know that the hot-air proposition would apply in the same way to our discussions here in the House, but it is so with the torpedo. [Laughter.]

Up to that time no means had been devised by which it could be practically accomplished in the torpedo. Other improvements were proposed, such as substituting the Curtis marine turbine engine for the old type of piston engine and a new design of gyro steering gear eliminating certain admitted defects of the Obry gear and better adapted for the longer range contemplated.

BLISS-LEAVITT TORPEDO.

Thus began the final stage of the evolution of the present Bliss-Leavitt torpedo now used by our Navy. Years elapsed before ideas and ideals became accomplished facts. Many minds, including naval officers and others, contributed to the final product. In my judgment, however, the highest credit of all is due to Mr. Leavitt and to the officers of the E. W. Bliss Co., who through evil as well as good report, through discouragement and threatened loss, persisted until success crowned their efforts.

Mr. WINGO. If the gentleman will permit in that connection, will the gentleman explain the principle of the mechanism by which they make what is called a curved shot? Take some vessels that have two tubes and they want to fire one torpedo at a ship over here and another torepdo at a ship over there and they have to set it at a given degree. Will the gentleman explain that?

Mr. TILSON. Yes; I shall be glad to explain it at this point in response to the very courteous request of the gentleman from Arkansas.

The first of the new torpedoes completed in 1899 contained an additional feature known as wide-angle fire. This arrangement enables one to shoot around the corner, as it were. The object is to enable the torpedo to be launched in a given direction, and upon its entering the water cause it to turn and run in any other desired direction. The value of this feature lies in the fact that the modern submerged tube can not be trained upon the

target, but is a fixture built into the ship under the water line. Consequently without the angle device, in order to bring the torpedo to bear on the target, it is necessary to maneuver the ship. With it the ship may be held on her course and the torpedo adjusted to turn and run in the desired direction.

To the lay observer these angle shots appear spectacular and somewhat mysterious. In fact, they are quite simple, if you have in mind the principle of the gyroscope. The flywheel is spun up with the axis pointed in the utimate direction desired. The initial launching force carries the torpedo in the direction in which the launching tube is pointed until the torpedo is clear of the ship. As this force is soon spent, the gyro control asserts itself and the torpedo responds to it by taking and holding the course upon which it is set.

HEATED-AIR CHARGE.

In this experimental torpedo no attempt was made to increase the efficiency through the agency of heat. Experiments in this direction were made with one of the old Whitehead torpedoes, the expense of the experiments being to some extent borne by the Government. Having become convinced by preliminary experiments that the system had merit, the Bliss Co. proposed that one of the Whitehead torpedoes be equipped with the new heating device. It was also agreed that a stated bonus above the contract price should be paid for each knot or fraction of a knot gained in speed due to the action of the heater, and that if no appreciable increase was obtained the company should remove the heating device and make no charge for the experiment. The trials resulted in an increase in speed of 4 or 5 knots at the 800 yards range.

You must remember, however, that naval experts generally were not at that time very enthusiastic advocates of the torpedo as a weapon. Some believed and so advised the Bliss Co. that they were wasting their money. The experiments were very costly and the outlook was so discouraging that for a year or two the matter was allowed to drop.

REAR ADMIRAL FISKE.

There were, however, a few officers of the Navy who took a different view of the matter. Prominent among these was Lieut. Commander Bradley A. Fiske, now rear admiral, retired. It was largely through his persistence that in 1901 an agreement was made between the Navy Department and the Bliss Co. under which the experiments were continued. Under this arrangement another torpedo embodying the heating device and other improvements was ready for trial in 1903. The board of officers conducting the test found "that the turbine torpedo under trial has an average speed of 30.28 knots at 1,200 yards range, which, considering the improvised character of the work and the novelty of many parts, is a remarkable performance."

In 1905 a new and larger type was decided upon having a diameter of 21 inches. The speed and range called for were 26 knots at 3,500 yards, but only 3,000 yards could be attained at the required speed.

While these developments were going on an English firm, Armstrong, Whitworth & Co., undertook to improve upon the heating device and finally succeeded in doing so, thereby adding to the possibilities of both speed and range.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. TILSON. I yield to the gentleman from Ohio.

Mr. LONGWORTH. Are all these improvements English and American inventions, and none of them German?

Mr. TILSON. It was, in fact, an Austrian that invented one of the most important features.

Mr. LONGWORTH. The gyroscope?

Mr. TILSON. Not the gyroscope, but the application of it.

Mr. LONGWORTH. Are these torpedoes the same as the Germans use?

Mr. TILSON. We do not know. We know the Germans used the Whitehead torpedo just the same as we did. We know they were and are working on it with all the ingenuity known to be possessed by that people. We know some of the results they have achieved with it, but they have managed to keep fairly secret just what the type is that they are using now. So far as we can ascertain by the uses to which we see them put, their range and accuracy, and so on, they do not in any way excel what we know we possess.

Gathering up all the improvements to date and all the results of prior experiments, still another torpedo was designed for which contracts were let in 1911. Two types were called for, one of about 18 inches diameter and 17 feet long, the other 21 inches in diameter and 21 feet long. In the latter part of 1911 the two torpedoes were tested. The smaller weapon showed a speed of about 33 knots at 4,000 yards range (since increased to upward of 35 knots) while the larger one covered 10,000 yards at a speed of over 28 knots.

The main factors which have contributed toward bringing torpedo performance up to its present stage may be classified, in the order of their importance, as follows:

First. Superheating of the air charge and the injection of water.

Second. Substitution of the turbine for the old type of piston engine.

Third. Development of a gyro steering gear capable of controlling the torpedo over the longer ranges.

Fourth. Enlargement in the dimensions of the weapon.

Fifth. Improvement in the quality of the steel of which the air flask is constructed, enabling higher air pressure to be carried.

Since the torpedo tests just referred to were made the range has been still farther lengthened and torpedoes of the 21-foot type are now constructed to run at least 12,500 yards. It would be rash to say that the end has been reached. If the fate of empires is to be decided by the performance of this weapon, it is safe to say that the limit of its effectiveness has not been reached.

Mr. RUSSELL. Will the gentleman yield?

Mr. TILSON. I yield to the gentleman from Missouri.

Mr. RUSSELL. The United States up to this time has not used any great quantities of these torpedoes, has it?

Mr. TILSON. You mean in this war?

Mr. RUSSELL. Yes.

Mr. TILSON. I do not understand they have had apportunity to use very many.

Mr. RUSSELL. Is there a very great quantity of them now being manufactured for probable use during the war?

Mr. TILSON. I understand that there is. In all the criticism we hear everywhere, I have not heard any criticism of the Navy in this regard. It is believed that the officers in charge of the Navy have taken the proper steps in this direction.

Mr. RUSSELL. Is there more than one factory engaged in making them?

Mr. TILSON. As I understand, they are made at the Washington Navy Yard, at the Newport Yard, and by the E. W. Bliss Co., of Brooklyn. I know that the Bliss Co. has considerable capacity.

Mr. RUSSELL. Can you state about the cost of the torpedo when complete and ready for use?

Mr. TILSON. I can state it only approximately, because, as the gentleman knows, prices for material and everything else are changing so that it is impossible to state accurately. They cost anywhere from $6,000 to $9,000 or $10,000 apiece.

Mr. RUSSELL. Can the gentleman give any estimate of the additional cost of discharging one?

Mr. TILSON. There is practically no cost of discharging them. This little cartridge [indicating] can discharge one, or a little compressed air.

Mr. STEPHENS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Certainly.

Mr. STEPHENS of Nebraska. I want to ask a question in regard to the range. You stated that the maximum range is about 12,500 yards.

Mr. TILSON. I said we had attained a range of 12,500 yards in tests. I am confident we have attained considerably longer range than that.

Mr. STEPHENS of Nebraska. I wanted to inquire if there is any real advantage in such a range as that in view of the difficulty of hitting the mark?

Mr. TILSON. There is. If there should be a convoy, for instance—a convoy that you can fire among—you would be willing to expend even an expensive weapon of this sort in order to take a chance of hitting one of the convoy.

Mr. STEPHENS of Nebraska. But doing that at that distance would be a wasteful proposition, would it not, because of the remote chance of hitting?

Mr. TILSON. Well, the torpedo is now so perfect that you feel rather certain of its going where it is aimed. There is no question about that. The only question is to find out just where to aim it; that is, to know at what time the ship you wish to hit will be in a certain place. There is the real difficulty.

The SPEAKER. The time of the gentleman from Connecticut has expired.

Mr. STEPHENS of Nebraska. Mr. Speaker, I ask that the gentleman's time be extended.

Mr. TILSON. I thank the gentleman, but I prefer to stop here and thank the Members of the House for their most courteous attention. [Applause.] Mr. Speaker, in order to answer the questions of gentlemen when asked, my remarks have

been somewhat disconnected. I therefore ask the privilege of revising, extending, and somewhat rearranging my remarks.

The SPEAKER. The gentleman asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Diplomatic and Consular appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Mississippi [Mr. HUMPHREYS] will please take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 9314) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919, with Mr. HUMPHREYS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the Diplomatic and Consular appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 9314) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919.

Mr. FLOOD. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. HAMLIN].

The CHAIRMAN. The gentleman from Missouri is recognized for 10 minutes.

Mr. HAMLIN. Mr. Chairman, on day before yesterday, late in the afternoon, just before adjournment, the chairman of the Committee on Foreign Affairs, the gentleman from Virginia [Mr. FLOOD], made this statement as it appears in the RECORD:

Mr. Chairman, I want to say for the benefit of gentlemen who heard the clear and able speech of the gentleman from Missouri [Mr. HAMLIN] that I called on the State Department a moment ago, and they stated to me, through Mr. Woolsey, the Solicitor, that they had got Mr. HAMLIN'S letter of yesterday and immediately took the matter up with the President, and the President had given authority to give Mr. HAMLIN all the information he desired; that they had prepared a letter this morning and sent it down, and it was supposed to be in Mr. HAMLIN'S office at the time he was addressing the committee.

That statement is hardly fair to me. Of course, I know that the gentleman from Virginia was simply repeating information that he had got over the phone. However, the statement is not accurate. The truth is that as soon as I finished my remarks I went immediately and directly to my office in this building, and when I got there my secretary informed me that the State Department had just at that moment called up and said they had the information which I wanted ready and were sending it to me. That was around 4 o'clock or later in the afternoon. The information did not reach me until the next morning. It came to me in my mail, brought by the mail messenger.

I only speak of that because I do not want to be put in the attitude of pretending in my remarks on this floor that I had not got the information which I wanted when it might have been in my office at the very time. I repeat that it did not reach my office until the next morning. In fact, when I made that speech I did not know that the department would ever furnish it.

Mr. FLOOD. The statement I made intended to convey the idea that the letter had been sent to the gentleman; not that he had gotten it, but that it probably reached his office after he had taken the floor.

Mr. HAMLIN. Of course the gentleman did not mean to put me in a false light at all. I am quite sure of that. I only wanted to make this statement so as to make the actual facts clear. My somewhat desultory and innocent remarks seem to have been misunderstood in some quarters. I was not leveling criticism at anyone in particular; certainly not at the State Department as at present officered. I was seeking to call attention to the fact that some years ago there had been a practice in the department that I regarded as extremely pernicious and dangerous, that of spending money out of the emergency fund and other funds and covering these expenditures in settlement with the Treasury with these so-called secret certificates, so that the public could not know what this money had been expended for. I expressed the hope in my remarks the other day that when we got the information from the present administration of the State Department we would find that that pernicious practice had been changed. And I think I ought to say right here, in justification of the administration in charge of the department at the time that we made the investigation, the department being at that time presided over by a distinguished gentleman [Mr. KNOX] who is now a Senator from the State of Pennsylvania, that he, when his attention was called to these bad practices by our committee, sought to remedy and change the methods so as to put an end to them.

I feel that I ought to make this a little plainer in justice to Mr. KNOX and to the party that he represents. There is no politics in this. I spoke of the department expending $20,000 in 1909 to participate in the Lake Champlain celebration, and then covering those expenditures by these secret certificates, when there was, in fact, no secrecy about it. I have here the hearings that were held by our committee on that question, and I find that we subpœnaed Mr. Secretary KNOX and asked him to produce those vouchers. He declined to do so until he got permission from the President. He had us insert in the hearings a letter which he addressed to President Taft calling his attention to our request and asking permission to present the vouchers. In that letter, after detailing to President Taft the facts in regard to the appropriation and expenditure of the $20,000, he said:

I have been thus detailed in my explanation in order that the entire facts and circumstances might be clearly before you. In my judgment, it was improper to cover the account under section 291, and there was no sufficient reason to make a certificate to the effect that it was not advisable to specify the purpose for which said money was expended. The money was appropriated "for expenses of the proposed celebration." It was a specific appropriation for a specific purpose, and at most and under any proper theory all that it was necessary for the Department of State to ascertain was whether, as a fact, that amount of expenditure had been incurred, which seems to have been carefully ascertained from the vouchers on file. It does not seem to me that the money was expended for foreign intercourse. It was expended to encourage and aid a celebration in the United States of the discovery of a lake, around which were clustered historic memories and associations in which two other nations were concerned, and the fact that the United States extended an invitation for the representatives of these nations to be present did not make it international intercourse within the meaning of the statute. If Congress had indicated in the appropriation that it had appropriated the money for the payment of the expenses of the representatives of Great Britain and France, then to the extent that the appropriation was used for that purpose it probably would have been proper to cover the expenditure under section 291, but you will note that the appropriation as made was for the purpose of paying the expenses of the celebration and not the expenses of the guests invited by the United States, the fact being that the guests invited by the United States, like all other guests who were invited by the local authorities having in charge the celebration, incurred no expense except such as was paid by the celebration authorities themselves, and it was to enable the celebration authorities to pay all the expenses of the celebration that the appropriation was evidently made.

He then asked permission to present the vouchers and that permission was granted by President Taft. When he presented those vouchers to our committee, together with his letter to the President, I, as chairman of the committee, said to him:

Mr. Secretary, I certainly congratulate you upon getting around to our view of this matter.

Secretary KNOX. I had not the slightest hesitation in getting there when I got started.

The CHAIRMAN. We have certainly done some good if we have convinced you that these expenditures should not have been covered by secret certificates under section 291.

Secretary KNOX. There was no excuse for it whatever.

The CHAIRMAN. I do not hesitate to say, speaking for myself, that it was not so much this particular item as it was the principle of the thing for which I have been contending. We felt that you had a practice in the State Department of covering in settlement with the Treasury expenditures out of appropriations that ought not to be covered by certificates under section 291, and it was for the purpose of settling the question as to whether you could legally do that, that you have been called upon to produce these vouchers.

* * * * * * *

Secretary KNOX. Under the operation of that order no vouchers are passed under section 291 unless they are brought to me in a separate envelope printed on the back in legible type, "These vouchers are for the personal inspection of the Secretary of State," for the purpose of considering whether they are proper to be passed under section 291; they are not brought to me with the mail, and the chief clerk is directed to deliver them to my private secretary with instructions that these are vouchers proposed to be passed under section 281 and are to be handed to me personally, so that I am trying to do everything in my power at least to see that proper practice is followed.

The CHAIRMAN. I am very much obliged to you for that statement, and I will say, furthermore, that I am sure it is not the purpose of this committee to try to get hold of information that we ought not to have; but we had reached the conclusion—some of us at least—as I said awhile ago, that the practice in the State Department had been such that many dollars of the public money was being expended and information in regard to the expenditures denied to Congress and to the public that ought not to be denied to the public. I feel, of course, that Congress being the body that appropriates the money it is entitled to all the information as to how it is expended, and that if there is anything that ought to be kept secret we can keep it as well as anybody else. It will be noted at this point that the vouchers requested have been filed with this committee and are printed as an appendix to this hearing. Your disbursing officer was requested to produce before the subcommittee vouchers showing how the fund given to the State Department in 1906 to pay the expenses of bringing home criminals was expended and he declined to produce those vouchers. I assume that now you take no issue with the proposition that that fund ought not to have been covered by section 291 and would be willing to produce those vouchers?

I think that I ought also to say that Secretary KNOX told our committee that he had given orders that not one single dollar should be taken out of the secret fund and expended until every item of the expenditure was specified and laid on his desk and

his attention specifically called to it, so that it could be passed upon by him. That is what I spoke of the other day. I talked to Secretary Bryan, when he took charge of the department, about this same matter, and he told me he would follow the practice outlined by Mr. KNOX. To put a stop to that loose practice has been my only purpose for calling attention to this so frequently for some years past.

I know that the department must have a secret fund that they may expend and not be compelled to account for specifically, but I was astounded to find that they had fallen into the habit some years ago of covering by these secret certificates almost everything they chose and then saying to Congress and everybody else, "Hands off. We will not explain. We do not have to explain."

The other day when I spoke I was unable to give you the information as to the methods followed by the present administration of the State Department, but I am more than pleased to say now that in the statement which they have furnished me for the years 1912, 1913, 1914, 1915, 1916, and 1917, inclusive, and which I did not have the other day, they have kept separate the amount of money that they have expended for purely secret purposes, the expenditure for which has been covered in settlement with the Treasury by secret certificates, and the amount that they have expended from this fund that they have accounted for in the ordinary and usual way by filing vouchers, as all the other departments do, and can be seen by anyone interested. So I think there can be no criticism, I am glad to say, of the department since Mr. KNOX issued that order up to and until the present time. And I am hoping, with this matter being again called to their attention, the bad practice about which I have complained will never again prevail.

Mr. DENISON. How can the gentleman tell whether there could be any criticism unless he knows what is in those secret vouchers? Of course he must assume that those expenditures were proper.

Mr. HAMLIN. Of course, we have always got to assume that; but what I was specially emphasizing is that prior to the time when we made this investigation and called the attention of the department to this bad practice they never made any separation of the expenditures. They covered all that suited their convenience best by secret certificates under section 291, Revised Statutes. Now they are not doing that, I am glad to say.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. HAMLIN. I will.

Mr. COOPER of Wisconsin. If when peace is concluded we are to have no more secret diplomacy, can the gentleman think of any reason which would justify, in time of peace, the keeping secret of the purposes for which the public moneys are expended—any purpose whatever?

Mr. HAMLIN. I do not hesitate to answer that I think the necessity for that in time of peace is extremely small, and that is why our committee recommended that the appropriation for this found, some years ago when we were at peace with the world, be cut down from $90,000, the ordinary amount, to $50,000. It seemed to us that that was quite sufficient to meet any unforeseen emergency in times of peace.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. The gentleman said he was going to ask to extend something in the RECORD. I want to ask him a question in connection with that before leave is granted.

Mr. HAMLIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, I should like to ask the gentleman what he proposes to extend in the RECORD?

Mr. HAMLIN. I am willing to put in, and glad to put in, among other things, the order issued by Mr. KNOX in relation to the handling of this fund. It is as follows:

REGULATIONS GOVERNING EXPENDITURES FROM THE APPROPRIATION FOR "UNFORESEEN EMERGENCIES ARISING IN THE DIPLOMATIC AND CONSULAR SERVICE, AND TO EXTEND THE COMMERCIAL AND OTHER INTERESTS OF THE UNITED STATES."

1. Expenditures from the appropriation for emergencies will be made solely upon written authorizations signed by the President or by the Secretary of State, or, in his absence, by the Acting Secretary of State, in all cases prior to the making of an expenditure or the issuing of any instruction placing a charge upon the appropriation.

2. All authorizations when submitted for signature shall set forth, except as hereinafter ordered to the contrary, (1) the purpose of the expenditure; (2) the rate of compensation if for services; (3) the period of employment or expenditure, if for a fixed term, or, when not definitely known, the approximate term; (4) the total charge to be made against the appropriation, if it can be ascertained, and if not, an approximate estimate; (5) the available balance of the appropriation at the time of authorization (the balance to be inserted in the authorization by the Chief of the Bureau of Accounts over his initials prior to the signing of the authorization by the Secretary of State).

3. Persons traveling or on special detail in connection with the objects of the appropriation, whose accounts are payable from the appropriation, shall receive reimbursement for actual, reasonable, and necessary expenses in addition to their regular compensation provided by law or regulation. Persons not in the employ of the Government may be given a stipulated rate of compensation and actual and necessary expenses, or a per diem in lieu of compensation and expenses according to the direction of the President or the Secretary of State in each case. A per diem allowance for expenses in addition to salary provided by law is prohibited. A copy of the appointment, designation, or contract in each case must be annexed to the account when submitted for approval.

4. The disbursement of moneys from the appropriation shall ordinarily be made by check, but cash payment may be made in those cases authorized by Treasury Regulations when the payment is made by the disbursing officer in person or by his deputy and the exchange of money and the receipt therefor is simultaneous.

5. When for any reason the President or the Secretary of State may deem it inexpedient in the public interest to make known the purpose or manner of a proposed expenditure from the appropriation, the authorization will be so drawn for the amount stipulated and the money will be paid over to the President or the Secretary of State upon the execution of a receipt therefor, which shall be filed as a voucher.

6. When presented for approval, all accounts for moneys chargeable to the appropriation shall have attached thereto the authorization in each case, and shall be itemized and supported by vouchers according to the usual practice required by law and the regulations of the Comptroller of the Treasury, except in cases where from the nature and method of the expenditure it is impracticable or inexpedient in the public interest to do so, and in such cases the personal certificate of the person expending the money may be accepted in lieu of vouchers in support of the account, when approved by the Secretary of State.

7. All accounts for moneys payable from the appropriation for emergencies that are not of a confidential nature shall be settled with the accounting officers of the Treasury by submitting the original paid vouchers in the same manner as expenditures from other appropriations, but such as may be considered confidential will be settled upon a certificate signed by the Secretary of State, or in his absence by the Acting Secretary of State, under section 291 of the Revised Statutes.

8. All authorizations, accounts, and certificates relating to the aforesaid appropriation will be presented for the signature of the Secretary or Acting Secretary of State through the Director of the Consular Service or such other officer as shall have been designated by the Secretary of State to supervise the finances of the department.

9. The authorizations given shall be numbered and filed numerically by the Bureau of Accounts and separate from the paid voucher, the number and date of each authorization being noted upon the account to which it relates.

10. All correspondence in relation to expenditures from the appropriation for emergencies shall be signed by the Secretary of State, or in his absence by the Acting Secretary of State.

These regulations will become effective on and after June 15, 1911.

P. C. KNOX.

DEPARTMENT OF STATE,
Washington, June 1, 1911.

Mr. MOORE of Pennsylvania. Mr. KNOX was then Secretary of State?

Mr. HAMLIN. He was then Secretary of State. I thought it was due to Secretary KNOX to make this statement.

Mr. MOORE of Pennsylvania. Secretary KNOX came before your committee and stated his disapproval of the system to which you have referred?

Mr. HAMLIN. He came before our committee in obedience to a subpœna issued to him, and after we had gone over this matter he agreed that we were right about it, and thanked us for calling attention to the practice and issued this order.

Mr. MOORE of Pennsylvania. Then it was Secretary KNOX who coincided with the gentleman's view on secret expenses?

Mr. HAMLIN. Absolutely.

Mr. MOORE of Pennsylvania. When the gentleman addressed the House day before yesterday he inserted a letter from Secretary Lansing, in which Secretary Lansing told your committee that he could not give you the information desired until he had conferred with the President, thus continuing the practice to which the gentleman objects.

Mr. HAMLIN. The gentleman from Pennsylvania [Mr. MOORE] must understand that the thing to which I have so long been objecting to was the manner of accounting for the expenditure of this money, and that is the thing on which Mr. KNOX and I seemed to agree. I did think the other day, and I am still of the same opinion, that the present Secretary was not justified in his attitude toward my request, for I asked not for the items for which the secret fund was expended but only for the amount expended each year. This could not be confidential.

Mr. MOORE of Pennsylvania. I compliment the gentleman for what he has done. I have no objection, Mr. Chairman.

Mr. FLOOD. Mr. Chairman, I yield one hour and a half to the gentleman from Virginia [Mr. GLASS].

The CHAIRMAN. The gentleman from Virginia [Mr. GLASS] is recognized for 1 hour and 30 minutes. [Applause.]

Mr. SWIFT. Mr. Chairman, I make the point of no quorum present.

The CHAIRMAN. The gentleman from New York makes the point of no quorum present. The Chair will count.

Mr. FLOOD. Mr. Chairman, can we not have tellers?

The CHAIRMAN. The gentleman from Virginia can move that the committee rise.

Mr. FLOOD. I understand that the bell will be rung when we call for tellers.

The CHAIRMAN. The gentleman from Virginia can move that the committee rise.

Mr. FLOOD. I withdraw my demand, Mr. Chairman.

The CHAIRMAN. The gentleman from New York [Mr. SWIFT] makes the point of no quorum. Eighty-four Members present; not a quorum. The Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Beoher	Fairchild, B. L.	Key, Ohio	Robinson
Britten	Fairchild, G. W.	Kiess, Pa.	Rodenberg
Butler	Flynn	Kreider	Rowland
Caldwell	Focht	LaGuardia	Russell
Campbell, Kans.	Fuller, Mass.	Lazaro	Sanders, La.
Campbell, Pa.	Gallagher	Lea, Cal.	Sanders, N. Y.
Candler, Miss.	Gard	Lee, Ga.	Saunders, Va.
Cannon	Garland	Lobeck	Schall
Capstick	Godwin, N. C.	McCormick	Scott, Pa.
Carlin	Goodall	McCulloch	Scully
Carter, Mass.	Gregg	McKinley	Shackleford
Chandler, N. Y.	Hamill	Maher	Sherley
Copley	Hamilton, N. Y.	Mann	Smith, T. F.
Costello	Haskell	Martin	Steagall
Crago	Hayes	Mondell	Stedman
Crosser	Heintz	Montague	Stiness
Curry, Cal.	Hollingsworth	Nicholls, S. C.	Sullivan
Dale, N. Y.	Houston	Olney	Templeton
Davidson	Hull, Iowa	O'Shaunessy	Vare
Dempsey	Husted	Polk	Watson, Pa.
Dewalt	Johnson, Ky.	Porter	Wilson, La.
Dooling	Johnson, S. Dak.	Powers	Winslow
Doughton	Johnson, Wash.	Price	Wright
Drukker	Jones, Va.	Ragsdale	Zihlman
Dunn	Kahn	Ramsey	
Edmonds	Keating	Randall	
Estopinal	Kelley, Mich.	Riordan	

Accordingly the committee rose; and Mr. HUMPHREYS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill H. R. 9314, the Diplomatic and Consular appropriation bill, finding itself without a quorum, had caused the roll to be called, when 323 Members answered to their names, and he presented a list of the absentees.

The committee resumed its sitting.

Mr. FLOOD. Mr. Chairman, I now yield one hour and a half to the gentleman from Virginia [Mr. GLASS].

Mr. GLASS. Mr. Chairman, may I not, at the outset of what I shall presently say, appeal to the record of 16 years' service in the House to attest the assertion that I have never in all that time sought occasion nor availed myself of the privilege to speak here on any topic with the consideration of which I was not specially charged by reason of committee assignments? And now, when I am about to deviate momentarily from the rule, I would very sincerely regret to have it supposed for one minute that it was with any degree of eagerness that I reached the conclusion to address myself to-day to a subject with which many of my colleagues have much greater familiarity; but in which, I may venture to hope, no Member has a keener or more imperative interest. Indeed, it is a problem which comes home to the bosom of every American citizen, and while some Members of the Congress, by reason of long and intimate association with military affairs, are mentally trained in the technique and terminology and intricate details of our war-making establishment, and will, at an appropriate time, present and elucidate for us the things which we shall be asked to consider and approve, there are, nevertheless, some matters of such common knowledge and general concern that any of us might feel warranted in discussing them. It is a thing of this description that has recently arrested the attention of the country and it is upon this I am constrained to talk.

On the 19th day of January the chairman of the Committee on Military Affairs of the United States Senate made an address in New York City before an association called the National Security League, and among the deductions presented to the assembled audience, amid manifestations of applause, was that contained in the remarkable declaration that—

> the Military Establishment of America has fallen down. There is no use to be optimistic about a thing that does not exist. It has almost stopped functioning, my friends. Why? Because of inefficiency in every bureau and in every department of the Government of the United States.

LIKE A FIRE BELL AT NIGHT.

Mr. Chairman, the country was aghast at that terrific impeachment of the Government of the United States. It was a passionate, a comprehensive, arraignment; and, coming from such a source in such circumstances, it startled the nervous system of the Nation as the clanging of a fire bell in the night. Instantly public interest became tense. Immediately it was realized that the Oregon Senator in that New York speech had done what Edmund Burke said he could not do; he had drawn an indictment of a whole people. I say the Oregon Senator had indicted a whole people, Mr. Chairman, because this is a representative Government, equally free from the impedimenta of heredity and the constraints of autocratic power. And if it truthfully may be said that the American people have erected a Government that fails to function in the face of imminent peril, what more accursed accusation could be written in the book of fate? If, with good reason, it may be charged that the people of the United States, with their constitutional freedom of speech and of the press, have been so indifferent to their liberties and so insensible of their own security as to commit "every bureau and department of Government" to incompetent hands, would we not better welcome, rather than resist, the invasion of Teutonic kultur? If what Senator CHAMBERLAIN said at New York is true, it denotes the irretrievable breakdown of democracy at a time when only the triumph of democracy in arms may compensate for the glorious oblation of men who have died and men who yet shall perish that heaven may be kind to those who hereafter will inhabit the earth. [Applause.]

ASPERITY! YES.

Was any Member of the Congress surprised that the President of the United States pursued the unconventional course of making swift and direct answer through the medium of the public press? I think the country would have been pained and disappointed had not the President, charged with the administration of the Government and the conduct of the war, taken the quickest way to reassure the American people. It was a grave situation that the Oregon Senator had created, one which could not endure hesitation or fine phrasing; and I venture to think the President met the exigency in pretty good degree. Asperity! Yes; there was asperity; but, Mr. Chairman, there come occasions when benignity itself is challenged to aid the right by assuming an aspect of reproof.

The President characterized the extraordinary indictment of the Government by the Oregon Senator as a distinct "distortion of the truth," and for convenient reference I shall here append the statement from the White House:

THE PRESIDENT'S STATEMENT.

> Senator CHAMBERLAIN'S statement as to the present inaction and ineffectiveness of the Government is an astonishing and absolutely unjustifiable distortion of the truth.
>
> As a matter of fact, the War Department has performed a task of unparalled magnitude and difficulty with extraordinary promptness and efficiency.
>
> There have been delays and disappointments and partial miscarriages of plans, all of which have been drawn into the foreground and exaggerated by the investigations which have been in progress since the Congress assembled—investigations which drew indispensable officials of the department constantly away from their work and officers from their commands and contributed a great deal to such delay and confusion as has inevitably arisen. But by comparison with what has been accomplished, these things, much as they are to be regretted, were insignificant, and no mistake has been made which has been repeated.
>
> Nothing helpful or likely to speed or facilitate the war tasks of the Government has come out of such criticism and investigation—I have not been consulted about them, and have learned of them only at second hand—but their proposal came after effective measures of reorganization had been thoughtfully and maturely perfected, and inasmuch as these measures have been the result of experience, they are much more likely than any others to be effective, if the Congress will but remove a few statutory obstacles of rigid departmental organization which stand in their way.
>
> The legislative proposals I have heard of would involve long additional delays and turn our experience into mere lost motion.
>
> My association and constant conference with the Secretary of War have taught me to regard him as one of the ablest public officials I have ever known. The country will soon learn whether he or his critics understand the business in hand.
>
> To add, as Senator CHAMBERLAIN did, that there is inefficiency in every department and bureau of the Government is to show such ignorance of actual conditions as to make it impossible to attach any importance to his statement.
>
> I am bound to infer that that statement sprang out of opposition to the administration's whole policy rather than out of any serious intention to reform its practice.

A GROSS PROVOCATION.

That is a distressing thing to be said by a man of exalted station about the utterances of a man of a little less distinguished rank. It is a condemnation in tenor and terms that may be justified, in propriety or in fact, only by the extremity of the offense and the indubitable necessity of drastic treatment. In this case was not the provocation inconceivably gross? Did not the sweeping charge of the Oregon Senator asperse indiscriminately the integrity of the administrative officials of the Government and invite popular suspicion and discontent? Was it not, indeed, calculated to create alarm among the timid everywhere and dejection even among the stout of heart who should very naturally impute to the speaker intimate knowledge of every detail in the sum of military preparation?

I can not say how the incident impressed other Members of the Congress, but I certainly experienced at first a feeling akin to personal affliction that the chairman of the Military Affairs Committee of the Senate, without warning or apparent justification of any kind, amid the felicitations and applause of adversary revilers and critics, should thus have bitterly assailed an administration of which he was a part, and, without distinction, have mercilessly pilloried as wretched incompetents grim veterans of the American Army who have spent their lives and expended their energies in the service of the country! [Applause.] And, Mr. Chairman, when an earnest quest for the truth carried me painstakingly to the end of nearly 2,000 pages of responsible testimony only to find revealed the utter insufficiency of proof to sustain the astounding censure distress gave place to amazement, and I wondered whether anything the President or anybody else could have said in resentment would have more aptly depicted the episode than what the President actually did say.

THE RECORD RIGHT.

We have been asked to search the record, Mr. Chairman, and it is to the record that I appeal. I have seen it with mine own eyes and with mine own ears have heard it expounded. From the testimony I have turned away, not with tears nor with trembling apprehension for the well-being of my own sons or the sons of other fathers, but with a firmer faith in my country, praising God for the quiet courage of the men and the ineffable fortitude of the women of America who are to win this war. [Applause.] And for those who impeach their fidelity and deride their capabilities and seek to decry or obscure their achievements we should invoke the imprecations of every loyal citizen. [Applause.]

"VICIOUS PATHOS."

Were every specification marshaled by the critics of the Government really founded in fact, all of them taken together would not expiate the offense of Mr. CHAMBERLAIN'S New York indictment. The incontestable facts do not at all justify his conclusions, but he must have recourse to utterly hostile inferences. Take the criticisms, for example, directed against the Ordnance Bureau with respect to artillery supply. The Government is blamed for an alleged shortage of guns and bitterly reproached for its momentary dependence upon our allies in the war. The criticism assumes the guise of pathos when it is said that our own impotency necessitated an appeal to poor, bleeding France for assistance. The United States, we are asked to believe, presents to the world the humiliating spectacle of taking from the depleted stock of a struggling comrade nation! But, Mr. Speaker, the pathos of the illustration but intensifies the vice of it. Who of us is not familiar with the facts? What Member of the Congress does not very definitely know that France is furnishing the American Army with guns, not because we sought to deplete her "meager stores" but because her chosen ambassadors and picked experts asked the privilege of arming our expeditionary force from her oversupplied arsenals. [Applause.] It was the wise thing for France to have proposed and the only effective thing for America to have done. [Applause.]

JOFFRE CALLED TO WITNESS.

Many of my colleagues will distinctly recall the memorable evening spent by some of us at the home, in this city, of an ex-ambassador to France when we had the privilege of hearing the accredited military and naval representatives of the French Government describe the situation and tell us what it was necessary for this Government to do. Marshal Joffre, for the army, and the French admiral, for the navy, talked to that company of Congressmen for three hours, telling them, cautiously, of course, what at the moment the finest experts of France were pointing out in elaborate detail to every important bureau of the American War Department. Placidly, and with characteristic military precision, Marshal Joffre warned against the folly of hurriedly attempting to throw into France an army of untrained and untested American troops. He pointed out how such a thing would violently disrupt trans-Atlantic traffic; how ships thus would be used which might more profitably be devoted to the transportation of necessary munitions and other supplies to the armies of the allies; how futile and inoperative an untrained army would be in France; how necessarily ignorant even our Regular Army was of modern instrumentalities of war, the character of which was changing even as the war raged. Warfare had been literally revolutionized since the Battle of the Marne, and by those who knew we had to be told the things that we did not know. All through the French marshal's talk there ran a particular thought as a thread through a woven garment; and that was the warning against heedless haste. It was suggested that but a single division of the best trained troops of the Regular Army should be then sent to France, with a complement of Artillery. This division was there to be divided into two divisions of the French strength for intensive training behind the lines of battle, to be prepared later to train intensively the American troops that should follow. It had not been the plan of our General Staff to send over troops so early. It had taken Great Britain two years to prepare an effective army. But the representatives of the French Government stressed the point that the presence of this small expeditionary force would heighten the spirit of France and correspondingly depress the morale of the adversary. And, oh, how true one part of this at least turned out to be.

The Secretary of War on last Monday told the pathetic story in his masterly statement before the Committee on Military Affairs of the United States Senate. Said he:

> The people of France kissed the hems of their garments as they marched up the streets of Paris; the old veterans, wounded in this war, legless or armless, stumping along on crutches, perhaps, as they went up the streets of Paris with their arms around the necks of the American soldiers. Not a single man in that division was unaccompanied by a veteran. America had gone to France, and the French people rose with a sense of gratitude and hopefulness that had never been in them before.

[Applause.]

Mr. Chairman, in order to send even this contingent of troops from our pitiful little American Army it was essential to be assured of guns; and when it was suggested to Marshal Joffre that, having just entered the war, we had not immediate equipment, it was promptly replied that France had an overabundance; that her munition factories had caught up and exceeded the necessities of the French Army; that the gun wastage could not keep her arsenals to capacity; and that France could easily and would gladly supply the American expeditionary force. Marshal Joffre even suggested that this were better done by French than by American factories, since it would save the unavoidable delays, the pressingly needed cargo space, the tremendous cost of shipment, and other things which I do not now recall.

WAS CHAMBERLAIN IGNORANT?

Is it possible that the chairman of the Military Affairs Committee of the United States Senate did not come in contact with the French mission to this country and did not learn from the accredited agents of France the facts which I have here cited? Is it possible that Mr. CHAMBERLAIN was not advised of the testimony of Gen. Crozier before the Military Affairs Committee of the House of Representatives, in which the Chief of Ordnance, more explicitly than I could hope to do, presented these very facts in evidence to show the reason why France and Great Britain are supplying guns to our Army abroad? Is it because he was ignorant of these facts that he sought to have the country believe our Military Establishment is a myth? Is it because of gross ignorance of the truth that critics bemoan a condition which, in the circumstances, any discerning man must see is of tremendous advantage to France as well as to America? I hope it is ignorance, Mr. Chairman, because I would not like to shock my own imagination with the thought that any adversary of the Government is malevolent enough perversely to employ the fine sympathy of the American people for France in a prejudicial assault on the American Government. Yes; both France and Great Britain are supplying the American Army with guns; we are buying them and paying for them just as France and Great Britain bought munitions from us when they could not get them quickly enough or in sufficient quantities from their own factories. And the fact does not constitute an indictment of this Government. Rather is it a clear index of the purpose and a hopeful sign of the diligence which the War Department is applying to the situation. That the arrangement has worked well is convincingly evidenced by the fact that France and Great Britain have proposed its continuation for the current year, and Gen. Tasker H. Bliss, Chief of Staff of the American Army, has recommended such an agreement to this Government. This does not imply any abatement of our activities in this country, for we have already placed orders totaling $1,600,000,000.

THE ARMY SUPPLIED WITH ARTILLERY.

From it all we may deduce the comforting assurance that the War Department is more concerned to furnish the American Army in France with modern guns with which to train and fight than it is to haggle with ambitious statesmen over the source of supply. The thing which will most interest the American people and from which they will derive the greatest satisfaction is the fact that their Army on the battle front has modern guns—among the best in the world—guns that will destroy the enemy. This being the case, perhaps they may be persuaded to forgive the Secretary of War for getting these guns in the quickest possible way, at the least possible cost to the Government of the United States, with the least possible disturbance of the plans of the allied nations. And merely because the Secretary of War and his expert military advisers thus used their plain common sense in a perplexing posture of affairs, it is not to be inferred that the Congress of the United

States or the people of the country will be induced to credit the wild and foolish charge that the Government has broken down and needs to be frightened to its feet again by the distempered clatter of theatrical public men. [Applause.]

FRENCH OVERPLUS OF ARMS.

Here I shall put in the RECORD a statement by André Tardieu, former French high commissioner, now munition minister of France, showing conclusively how France welcomed the arrangements:

An important agreement has been concluded between the United States Government and the French high commissioner, M. André Tardieu.

According to said agreement the American Government adopts the two principal pieces of matériel of French artillery, the 75 millimeter field gun and the 155 millimeter rapid-fire howitzer.

The expeditionary corps of Gen. Pershing has received from the French authorities, on arrival, its field artillery, its rapid-fire heavy artillery, and its French artillery—which, of course, will accelerate its taking its place in the line.

At the same time the artillery production in France and in America has been organized so that the American Army of 1,000,000 men which is about to be recruited will receive without delay, as the units are formed, the necessary heavy and light guns.

The negotiations taken up for the first time at the end of May, between M. André Tardieu, French high commissioner; M. Ganne, chief of war munitions of the high commission; and Brig. Gen. Crozier, Chief of Ordnance, were characterized by two ideas.

On one hand the American Government wished to adopt the quickest solution, in order to realize in the shortest time the complete armament of its forces.

On the other hand, with great foresight they attached particular importance to realizing, for the American and the French Armies, called to fight on the same battle fields, uniformity of munitions, of such capital importance from a tactical point of view.

In view of these two desired aims, the French high commissioner was able, thanks to the development since 1916 of the machine equipment of our war munitions factories, to furnish Gen. Crozier with a detailed plan of industrial collaboration, which, by the united efforts of the French and American industries, will assure the complete realization of the American program.

The double certainty of rapid production and uniformity of munitions decided the United States Government, despite the incontestable value of its own matériel, especially that of the 3-inch field gun, of which the superior qualities are universally recognized, to adopt our 75 and our short 155.

The negotiations on these lines were rapidly completed; at the end of somewhat over one month they were concluded this week by a complete understanding, fixing the quantity and the price of the matériel to be furnished

This understanding, susceptible of important further developments, is a precious proof of the esteem in which the most powerful industrial country of the world holds our engineers and our mechanical constructors. It has also a practical bearing of great value.

From the military point of view it is evident that uniformity of type of guns and munitions for armies fighting on the same battle fields is an appreciable guaranty of safety and efficiency. The supply and the volume of fire are thereby equally facilitated. Unity results spontaneously from identity of weapons. Finally all tactical results, obtained by the experience of three years of war, are without previous adaptation assimilated by the American Army.

From the industrial viewpoint the unity of effort created between the manufacturing plants of the two countries will produce happy results without precedent, not only during the war but also subsequently. Common action provides the best means of mutual acquaintance and for preparation of the close cooperation which it is desired to organize for the future.

From the financial standpoint it is possible to hope that the purchase by the United States of French artillery matériel will create an improvement in exchange, which under the existing relations of America and her European allies is as much to be desired by the United States as by France.

It is also likely that the adoption of the metric system, which has been officially requested by the American Bureau of Standards and which is much to be desired from the point of view of future Franco-American interests, may be thereby facilitated.

These are, briefly stated, some of the results, certain or probable of the agreement between the French high commissioner and the American Government.

The dominant note of the agreement lies in the proof it gives of the unshakable resolution of the American Government to achieve in the shortest time the maximum of military strength, and on the other hand it proves the intimate and active cooperation existing between the United States and France.

Mr. Baker, Secretary of War, and Gen. Crozier, Chief of Ordnance of the American Government, have given proof in this case of the broadest spirit of comprehension and decision and have succeeded in a few weeks in securing for the American troops artillery of the first order.

Our high commissioner at Washington speaks in unbounded praise of their cooperation with him.

MACHINE-GUN SQUABBLE.

Mr. Chairman, in support of the intemperate charge that the Military Establishment of the United States Government is a myth—that it has no existence—a charge contemptuously echoed only the other day by a German military expert in a German newspaper, the controversy over the Lewis machine gun and the Browning gun is revived, and in the very obvious attempt to discredit the Government and to "get Baker" the critics try desperately to convict the Ordnance Bureau of incapacity and the Chief of Ordnance of personal venom. I addressed myself to an examination of the evidence deeply prejudiced against Gen. Crozier; but there is not one particle of disinterested testimony in the hearings which does not abundantly acquit the Chief of Ordnance of blame. The final decision of the competitive tests between the two types of machine gun was delayed—the critics say inordinately delayed—but Gen. Crozier asserted, and the Secretary of War cheerfully assented, that the latter had full responsibility for the fact, so that the persistent contention that the personal pique of the Chief Ordnance Officer of the Government was responsible for the rejection of a superior gun, immediately available, has no evidence to sustain it. Moreover, the Lewis gun was not a superior gun. The preponderance of expert testimony to the superiority of the Browning gun for American use is overwhelming, and it is upon this fact that the Secretary of War relies to justify his opinion that the delay which was occasioned will be more than compensated by the superiority of the weapon secured.

The best experts are definite and emphatic in their judgment that the Browning is "the best machine gun in the world." The only prop on which the critics seek now to rest their case is the plea that the Lewis gun was immediately available, while deliveries of the Browning gun will be delayed; and they use this broken reed in face of expert testimony to the effect that in tests the Lewis gun "had utterly failed with American ammunition," which has tremendously greater pressure than British ammunition, and in face of the further fact that the Lewis gun was neither immediately obtainable nor remotely available for our operations in France. Indeed, Gen. Pershing sent word from Europe that the Lewis gun could not be used on his front for land fighting, and even the United States marines who went to France armed with this gun were rearmed with a different weapon.

But this is not important, Mr. Chairman, and the farthest thing from my thought is any desire to transfer the rival gun controversy to this Chamber. I pretend to no knowledge of machine guns. The whole point of what I am saying goes to establishing the fact that the Ordnance Bureau of the Government can not be discredited, even in this single detail, when we balance the testimony of experts against the self-interest of disappointed persons and the miserable bias of fretful politicians with a case to make out. One of the ablest arms manufacturers in the United States pronounced Browning as "probably the most remarkable gunmaker in the world," and expressed the belief that this opinion was shared "by every gun manufacturer in the world." So this is the kind of gun and the character of gunmaker with which and whom the Secretary of War dealt.

PERVERTING THE TRUTH.

Ah, but, they say, the testimony reveals that but nine Browning machine guns have been made, and the impression has gone abroad that the American Army has but nine machine guns to go up against the millions of Germany. Talleyrand tells us that language was invented to conceal our thoughts. I should hate to regard that as axiomatic. It is, of course, a witty French cynicism. But, at least, we do know that sometimes words are used to obscure the truth or skillfully employed to pervert it. The American Army in France has thousands of machine guns to go up against the enemy [applause]; it is as well equipped with machine guns as any army in Europe [applause]—perhaps better equipped than the German Army. And no set of malcontents should be permitted to deceive the people of this country into the disturbing supposition that our fighting forces in France are suffering in equipment of any kind. [Applause.]

On this very point Gen. Crozier said nearly two months prior to that extraordinary New York speech to which I have been referring:

I think here is the time to say something which I have not told the committee before in reference to these machine guns. Our number is so small, and the possibility of manufacture in this country was so limited, that when our troops went abroad we made, and were fortunately able to make, the same kind of an arrangement with the French Government with reference to the machine guns that we had made with reference to artillery, and we are getting from them quite a sufficient number of guns to arm our troops over there with the Hotchkiss type of the heavy gun and of the Chauchat type of the light guns.

ITCHING TO "GET BAKER."

All this raucous outcry apparently has its root, Mr. Chairman, in the itching desire to "get Baker." But it can not be done [applause], for the available expert testimony clearly indicates the discernment of the War Secretary. I venture to assert that no civilian could have been got in this country who, as head of the War Department in this emergency, could have exhibited a broader comprehension of policies or better have absorbed the multitude of details than Newton D. Baker. [Great applause.] It is absolutely convincing that delay, if any, occasioned by the retrial of machine guns and the selection of the Browning is much more than made up by the vastly superior qualities of the gun accepted. Talk to the contrary is mere inference—attenuated inference, amateur inference. It was not expected that deliveries of the Browning gun could be made before this spring, when they will be made in

ample time and quantities to supply our troops as they go abroad. It is by no means clear that haste could have been made had the department accepted the inferior gun; for every available American factory, when we entered the war, was crowded with contract work for foreign governments which engaged its output until past the date of the Browning gun decision. Experienced arms manufacturers insistently declared that no ultimate delay was involved in the discretion exercised by the Secretary of War under the advice of an Army board of high officers. And, aside from all this catching at pegs, the Secretary of War has pointed out that, owing to the decision, "for cogent reasons," to have the American troops cooperate with the French instead of the British the Lewis gun was not adapted for use by our land forces abroad. No such machine gun as the Lewis gun is used by the French and, as stated by the Secretary of War, it is "highly desirable, for military reasons, that the American Army should be organized and equipped as the French Army is organized and equipped." For aviation use and for training purposes, the Lewis gun has been ordered to the practical limit of available funds and is being made to the full increased capacity of the arms plant executing the contract. But, Mr. Chairman, the thing that can not too frequently be stressed—the real thing that the American people should know and will be glad to find out when we brush away the gossamer of excited declamation—is the solid fact so definitely stated by the Secretary of War last Tuesday, when he said:

All our units going to France will be completely equipped with what is taken with them and what is secured by them in France, and the organizations in training camps in this country will be supplied with sufficient weapons to acquire familiarity with them before going abroad.

In short, Mr. Chairman, all American troops in France are fully equipped, every unit going to France will be completely equipped, and every organization in training for France will have sufficient guns before going abroad to acquaint it with their use. That is the testimony; and over against it, on a stage set for the purpose, we have only the agitated exclamation of one public man that the American Military Establishment is a myth. [Applause.]

ARMY HAS FINEST RIFLES IN WORLD.

And they bring up the old rifle dispute, Mr. Chairman, and hang a complaint on that peg by seeking to have it appear that the Army experts did not know their business. Men like Scott, Chief of Staff at the time; Bliss, next in rank; Crozier, Chief of Ordnance; Kuhne, of the War College; Pershing, on his way to France, were unsafe advisers to the Secretary of War! They agreed without a single dissent, after a survey of the whole situation, to use the American Springfield rifle and, in conjunction with it, the English Enfield adjusted to American ammunition and modified as to the interchangeability of parts. It was also the unanimous recommendation of the arms manufacturers' experts. Of course, the change in the Enfield rifle took time; but, meanwhile, with 600,000 Springfields and 165,000 Krags in hand, the Army heads and experts judged that we could better endure the delay than to send our soldiers to France with a rifle dangerously defective—a weapon which Great Britain itself was arranging to radically alter when suddenly overtaken by war and which has been used chiefly for training purposes since the war began. It seems to be the idea of some distinguished gentlemen that we should have grabbed up any old instruments of warfare and sent a ragamuffin army across the Atlantic instantly to break the Hindenburg line. [Laughter.] They did not want us to have modern rifles, nor did they want us to have the best machine gun in the world. Their impatience ran away with their discretion.

I could wish every Member of the House would read the hearings on this point, that they might comprehend the question from the clear, cogent, conclusive reasoning of men of vision, men of great affairs, men of technical understanding, who know what they talk about when they talk. There was S. M. Vauclain, vice president of the Baldwin Locomotive Works, now a member of the Council of National Defense and chairman of the war industries board. I believe you know him, Mr. Speaker; I think he said you induced him to come to Washington. At all events, he is a manufacturer of long experience and a man of great ability, described at the hearings by Senator FRELINGHUYSEN as the real "driving force" in providing artillery and munitions. It is exhilarating to note his intimate knowledge of what is transpiring and to observe how sharply and completely he routed pertinacious critics of War Department operations.

NO APPRECIABLE DELAY.

On this rifle modification matter and the consequent delay charged, Mr. Vauclain was very explicit. He said:

I consider that the Ordnance Bureau was very wise in taking time to perfect this rifle. I think it is the finest rifle made to-day. I think it is a better rifle than the Springfield.

And, briefly explaining advantages of the change from the Enfield model, he said:

There is a great objection to using the rim cartridge in the field on account of jamming when you are working the shot in a rifle. These rifles now have rimless cartridges, the same as used by the Springfield rifle, interchangeable ammunition, absolutely no possibility of jamming in service. Their interchangeability is such that when we were putting English rifles together, if a man put 20 rifles a day together he thought he had done a good day's work. About 10 days ago one of our fitters put 128 of these rifles together, and 97 per cent of them targeted first shot. If this rifle was not of perfect design and perfectly made as to tolerance, it would be impossible for anybody to put 128 rifles together in 10 hours out of a miscellaneous heap of parts; so that I am satisfied that the rifles are an absolutely interchangeable piece of work.

Here I may add that the deliveries of these new model Enfields for the week ending February 2 were 42,932 and of the Springfields 7,900. And yet these hypercritics tell the country the Ordnance Bureau does not exist any longer.

Frustrated in the obvious desire to prove the inadvisability of the change from the technical viewpoint and "hell bent" on making out a case of disastrous delay, one of the hostile critics of the War Department asked Mr. Vauclain how many rifles would have been produced had there been no change of model, to which the witness made the heartbreaking response, "Not one more than we have to-day." And again and again this great captain of industry, this "driving power" of the Government's artillery and munitions force, vindicated the efficiency of the Ordnance Bureau and confounded his inquisitors.

DRILLING RIFLES.

But it is contended that some of the cantonments had not rifles enough with which to train. Gen. Crozier, as I recall, contests this proposition. The Secretary of War was disposed to concede that there was unavoidable delay in deliveries, which had been corrected, however, or was in process of immediate adjustment when Mr. CHAMBERLAIN made his fierce attack on the Government by charging that the Military Establishment had ceased to function.

Gen. Crozier in his testimony pointed out that while every man in every camp had not been furnished a rifle, it is not customary for all the men to drill at the same time, and that, for training purposes, rifles could be used over and over again. Of course there was inconvenience. We should have witnessed a miracle had there not been minor troubles and delays of this sort. But would anybody who hears me be willing to say that an inconvenience of this kind, already subjected to remedial attention, could justify the chairman of a great military committee of the Congress in charging before a public audience an utter breakdown of our Military Establishment? Who of us does not recall that the pictorial papers and magazines of this country for many months after Great Britain had gone to war teemed with illustrations portraying British recruits marching in silk hats, in shirt sleeves, and workman's blouse, and drilling on England's commons with broomsticks and walking canes? Did any responsible public man in Great Britain, because of this, charge that the British military establishment was nonexistent? Mr. Chairman, did the fact here cited betoken incompetence or slothful pace? On the contrary, it seems to me that it signified an indomitable spirit—a spirit that found expression at Neuchapelle and Passchendaele and other battle fields which will literally crowd the glorious pages of history. And I apprehend that the American people will not be dismayed nor agitated nor made afraid merely because at some camps some recruits were a little while without rifles. Many things are required to make a soldier before putting a rifle in his hands, and we would better have been a few weeks without rifles than without men to train in the other minutæ and movements of war.

WHAT THE TRUTH REVEALS.

What the American people will desire to know, and what these hostile critics of the Government have been unwilling to tell them, but what the testimony itself abundantly reveals, is that no appreciable time, after our declaration of war, was lost in turning out rifles for the American Army. The people should know that, weeks before Mr. CHAMBERLAIN made his monstrous indictment of his Government, Gen. Crozier, Chief of Ordnance, repeatedly testified before the Military Committees of Congress that "no American troops are being sent to France who have not had rifles which they have been using for some time" prior to sailing. Again he testified that "the troops which thus far have gone to France, and those which will for some time go, are those of the Regular Army and National Guard," for a long time supplied with Springfield rifles for target practice; and then again, with earnestness and emphasis that are perfectly manifest, Gen. Crozier declared on the witness stand:

I wish to say to you that no United States soldier has been or will be delayed five minutes in reaching the theater of war because of the absence of modern rifles.

THE REASON FOR UNPREPAREDNESS.

But, Mr. Chairman, I earnestly invite the attention of the House to this point: Backed by an incontrovertible record of events, I assert that if there was a shortage of modern rifles, or even of dangerously defective weapons, the responsibility is not with the Bureau of Ordnance. I have read in the papers that somebody somewhere suggested that any half-witted American citizen might have foretold that this country would be drawn into the European war. I assume that it was upon this supposition that the Chief of Ordnance in the investigation before the Senate Military Committee was asked what his bureau had been doing from August 4, 1914, when Belgium was invaded. I infer that this question was prompted by the supposition that any half-witted citizen should have known we would enter the war and, therefore, that the Ordnance Bureau should have instantly increased its activities. I infer that it was upon this theory that Mr. CHAMBERLAIN in his New York speech was provoked to put the stigma of utter failure upon our military managers.

I do not agree that any half-witted citizen might have foreseen in 1914 our participation in this tragedy. I disagree for the reason that the major sentiment in this country was against entering the war and the President of the United States, with surpassing patience was ceaselessly endeavoring to avoid the calamity. The Congress of the United States was opposed to war; and we witnessed in this Chamber the remarkable spectacle, in 1915, after the *Lusitania* was sunk, of 152 Members of the House so determined to avoid participation in the struggle that they voted practically to abandon the indubitable rights of the country to sail its ships upon the high seas or to prosecute commerce with belligerent or even neutral nations. I disagree, because as late as the closing months of 1916 one of the great political parties of the country, to which Mr. CHAMBERLAIN belonged, reelected Woodrow Wilson President of the United States because, among other considerations, he had been wise and brave enough to keep us out of war, and could confidently be relied upon to do all that mortal man might honorably do to avert the horrible affliction. [Applause.] I do not know what was the attitude or what were the utterances of the Oregon critic in the presidential campaign—whether he applauded the President or censured him. But I do know, Mr. Chairman, that if the Oregon Senator in 1914 or 1915 or 1916 had the prescience to foresee that we should enter the war, the weight of his culpability is such as no good citizen would like to endure.

CHAMBERLAIN DID NOT FUNCTION.

Why did not the Ordnance Bureau function? Why were we short of modern rifles and heavy artillery? Let the Chief of Ordnance tell the story of how the Ordnance Department of the Government did function to the fullest extent of lawful permissibility. I shall put into the record—for it can do no harm—extracts from Gen. Crozier's testimony bearing on the subject. But in contemplating the sweeping indictment of his Government by Mr. CHAMBERLAIN the astounding thing to which I invite your attention right now is the fact that, with all his precognition, Mr. CHAMBERLAIN did not function. He was and is chairman of the Committee on Military Affairs of the United States Senate, with access to every particle of available information. In a large sense he held the purse strings upon military expenditures, because the Senate nearly always increases and rarely ever decreases appropriations. For a long time this Government has owned two arsenals, one at Springfield and the other at Rock Island. Ten years before the war the appropriation for small arms in these establishments aggregated $1,700,000; a year later, $1,778,000; a year later, $1,700,000—at a time when nobody in America could have dreamed of war. And yet in 1915, practically two years after Mr. CHAMBERLAIN had assumed the chairmanship of the Senate Military Committee, when for seven months war had raged in Europe, the appropriation for small arms had gone down to the pitiful mark of $250,000, and that, Mr. Chairman, so far as the record discloses, without one word of protest or even admonition from these adversary critics and calamity shriekers. Furthermore, the fires at the Rock Island Arsenal had long been out; how long I do not know. The arsenal at Springfield, where the best rifle in the world is made, was running at one-eighth of its capacity. The war had reached its trench-fighting stage, furnishing a fair inference of a protracted struggle. Kitchener had predicted that it would last three years. Notwithstanding these things, Mr. Chairman, the men who now affect preknowledge of future events did not increase by one dollar the trifling appropriation for small arms, but reduced it from the preceding year by nearly 50 per cent. The expert foremen and skilled artisans at the Government armories had been scattered and the forces disorganized and demoralized, so that later, when operations were resumed, the Ordnance Bureau had to get these people back by bidding high against private establishments engaged on munitions for foreign governments. Was Crozier to blame for that? Is this soldier to be assailed and his reputation destroyed by the cruel imputation of inefficiency leveled by the Oregon Senator at this New York meeting against every bureau and department of his Government? I protest, Mr. Chairman, it is not just; for Gen. Crozier, we are told, did not know the truth. The President did not know the truth. Secretary of War Garrison did not know the truth. Tardieu and Lloyd-George, great ministers of munitions of foreign governments, Scott and Bliss, Pershing and Kuhne—none of these knew the truth. Only this world-wise Oregon critic knew the truth, and at the critical moment he failed to function! [Laughter and applause.] With a moving picture of America at war before his eyes, with strong conviction in his mind, distressed by his very contemplation of our utter inefficiency, he permitted the small-arms appropriation of the American Congress in the very year that the *Lusitania* was sunk to go down to the contemptible figure of $250,000!

FUNCTIONED THE WRONG WAY.

And, Mr. Chairman, if the Oregon Senator was inspired to make that savage indictment of the Government in his New York speech by the supposition voiced by somebody that any half-witted American citizen should have known as early as August, 1914, that this country might be drawn into the European war, I cite a circumstance now that painfully accentuates his own responsibility for our lack of preparation. In the military appropriation bill which passed the House in 1917, long after the war began, there was an appropriation of $50,000 for motor trucks for the Army; but, trifling as was the sum, contemptible as it must have seemed to anyone who was reasonably certain that the United States was on the brink of war, the distinguished Oregonian had it cut to $25,000! With what result upon our activities at this time the House may judge from this extract from the testimony of Maj. Gen. O'Ryan, of the Twenty-seventh Division, Camp Wadsworth, who said, in speaking of the difficulties of training down there:

> It is impossible for lack of mechanical transportation. For instance, we have not automobiles enough to haul wood from the depot to get it to our organizations.

And Maj. Gen. Greble, at Camp Bowie, testified that his division urgently required 245 motor trucks, but had not even 1. It required 46 motor cars and had just 1. The escort wagons, he testified, were drawn by mules, and Gen. Greble added:

> If we do not get those things until we get abroad, why, we won't have trained motormen to look after them.

Talk about functioning! Here is an instance in which the distinguished Oregon critic of the Government functioned the wrong way. [Laughter and applause.] He knew we should go to war—any idiot could have foretold that—but he imagined that the surest and quickest way to win the war was to cut the appropriation for rifles to a negligible sum and have the escort wagons of the Army drawn by mules instead of being propelled by motors! [Laughter.]

But, Mr. Chairman, what about the half-witted Congress of the United States—the Sixty-fourth Congress, I mean? Could not we see, as late as August, 1916, that we should inevitably be drawn into this maelstrom of hell-fire? That was only eight months before we actually were drawn into it. Had not we sense enough to see so short a time ahead a thing which our Oregon critic had so surely seen three years before? And if we could, why did we not? Why did we deliberately sit here and make out a war program and make up a war budget to be extended over a period of three years, knowing that we would be at death's grapple in a little more than as many months? If it was so plain that we should go to war at any moment, why did we not compact the whole program into an emergency scheme, making every appropriation immediately available, and starting every factor and every facility of our national being into operation?

VICTIM OF THE THING WE HATE.

Oh, Mr. Chairman, the utter proneness of poor human nature to evade just responsibility and to reprehend in others the ugly things that most afflict our own records and dispositions! Why not be strictly honest with ourselves and brutally frank with the country? Let us tell the unhappy truth, which is that, for a century and a half, we have emphasized the single warning of Washington against "entangling alliances abroad" and sadly neglected his admonition about a sane preparation against war. We have hated militarism with such a holy hate that now we constrain heaven and earth to avoid becoming its victim. Our aversion to a large standing army is traditional and constitutional—bred in the blood and bone of successive generations. The whole policy of the Nation for all these years has been antagonistic to preparation. No one group of men is to blame.

No one political party above another is to be censured. If anything, some of the most frantic protestants against our plight share tremendously the responsibility for our condition, and conspicuous among these culpable critics are the distinguished gentleman who made that New York speech and the distinguished gentleman who led the applause of the unbridled indictment. [Applause.]

A WANTON CHARGE EXAMINED.

But because we were unprepared is no reason to infer that we are not being prepared; and being prepared, Mr. Chairman, at a pace that has amazed the European nations in arms. Gen. Crozier's testimony, and that of other witnesses, shows conclusively that there is no particle of excuse for the charge that the Ordnance Bureau was indifferent to passing events, that it was supine, that it did nothing to anticipate trouble, that it fell down and has ceased to function. The testimony is to the contrary, the facts are the very reverse; and the evidence and ascertained facts together would warrant a characterization of the charge as wanton.

Gen. Crozier declared that prior to the entry of this country into the war "a good deal of thinking was done, and a good deal of discussion had among officers as to the form of expansion in the event of war." A competent officer was "assigned to the task of getting additional personnel, looking up methods, ascertaining the means of getting reserve officers and of listing these officers." Months before the war the Chief of Ordnance "commenced to inventory the manufacturers of the country who would be capable of doing the kind of work required." Drawings were made of the things that would be needed in largest quantities, photolithographed, and sent out from the mailing lists supplied by technical journals. Letters were written to appropriate industries to get their capacity and to ascertain their willingness to accept contracts, and the replies were card indexed for reference when needed. As far back as the summer before the war Gen. Crozier detailed a West Point officer, momentarily freed from his academic duties, to aid with technical advice the advisory committee of the Council of National Defense in compiling kindred information. Said Gen. Crozier:

We got some valuable assistance from the General Munitions Board in selecting establishments with which to place some of our large orders. That was another function of that board—I mentioned one of them in the early part of my statement. Another function was to inform us as to where there might be found people who could probably do our work and would probably be willing to do it—people who had not been in the habit of bidding for Government work, but might have been making shafting and locomotive axles, or something of that sort, which was allied to our work, so that they probably could do ours. Those gentlemen, from their knowledge of the industries of the country, were able in a number of instances to deliver to us supplies of that kind and to save time in opening negotiations with them.

Gen. Crozier and his little staff informed themselves about the troubles of the European nations and studied these problems with a view to the avoidance of mistakes. The artillery supply tables contemplated a much larger proportion of shrapnel than shells; but the blunder of the British in that regard was escaped by reversing the proposition. After funds became available, under our three-year program, contracts were let as rapidly as plans could be effected. The closed armory at Rock Island, which had been kept closed in spite of Mr. CHAMBERLAIN'S prevision of war was reopened, the scattered operatives who could be gotten back were recalled and others secured, and activities at both arsenals greatly increased.

But what did the three-year plan amount to, Mr. Chairman, to a man who considered as imminent the participation of this country in the war? It was insignificant; it was a mere bagatelle. Prior to 1916 no appropriation by Congress for field artillery was as large as $3,000,000. In July and August, of 1916, Congress under the three-year plan set aside $16,000,000. But did that reflect the expectation of Mr. CHAMBERLAIN or anybody else that we would in a few months enter this world war? The direct, crushing answer to the question is found in the fact that when we actually did declare war $171,000,000 was immediately appropriated, and four months later $225,000,000 was appropriated for field artillery. If $396,000,000 was required for this purpose when we entered the war, whereas a few months before we made available only $16,000,000, why did the military genius who indicted his Government in New York stand for this act of imbecility in Washington? He confessedly knew we were going to war; why did he not tell those of us who did not know that we were paltering with a grave question and making ill provision for a desperate situation?

CROZIER'S WARNINGS UNHEEDED.

It takes a great while to build guns; it has taken as long as seven years to design and turn out a great gun in Germany. Gen. Crozier, as far back as 1906, warned the Congress and the country of our utter lack of preparation, and for years successively repeated the warning. In January, 1911, he pointed out that we were "worse off in this matter of field artillery than in anything else," and warned that "in case of an emergency of any importance, the field artillery of the United States would be found positively insufficient." The emergency has come, and not even an appropriation of $16,000,000 immediately before going to war nor of $396,000,000 immediately after going to war can provide all the guns we need as we need them. The Congress can not evade its responsibility, and to attempt to shift it to the War Department and thus to discredit by a charge of inefficiency every branch and bureau of the Military Establishment is an unspeakable injustice.

Over against the harsh and cruel opinions of these political critics I give you the judgment of a great business man, whose technical and practical training and familiarity with events render of real value what he says on the subject. Mr. Vauclain, of the Baldwin Locomotive Works, member of the War Industries Board, in his testimony before the committee, said in response to a suggestion that the Ordnance Department is a little too slow and disorganized:

I have lived with them since the war started and I have not found them disorganized. I do not think we have the maximum of efficiency in any department just at present because all of these departments have had to be expanded so tremendously; but they have maintained an efficiency that has been surprising to me and very satisfactory. I do not think we have a single department, taking them as a whole, that is under 90 per cent efficient. I think when they get their full stride there will be no more efficient organization in the world than we will have.

If anything, there is ground for commendation for the manner in which the officers in the Ordnance Departments of the Army and Navy have arisen to the situation. It is a tremendous task. It is only those who have lived with it as I have lived with it, day and night, Sundays included—I have given my entire time to it—who can realize what a tremendous proposition it is.

I do not care how much time has been lost or apparently lost in the first few months, we could not have been possibly any further ahead.

ENORMOUS CAPACITY NOW.

There is a great deal more, to the same effect, from this man, described by Senator FRELINGHUYSEN as the "driving power" up there. Mr. Vauclain built for the British Government in this country and operated the greatest munitions plant in the world, and we may put a higher appraisement on his definite judgment than on the sensational clatter of politicians who would turn our attention from the battle field to the forum—because they stand in the forum. Asked if the Ordnance Department "appreciated the great necessity of speed in replenishing the supply of heavy artillery along the French border," Mr. Vauclain in December said:

We will have an enormous capacity in that line before we are three months older, and we not only have capacity enough to manufacture all the guns we need for ourselves, but to manufacture forgings and other stuff to send abroad.

At present there are over 600,000 tons of military supplies and of steel forgings lying on the wharves to be sent to France.

I could detain the House with citation after citation from other responsible sources to confirm what Mr. Vauclain says, but what is the use? The Secretary of War himself in his great and inspiring statement last week smashed the line of adverse comment from end to end.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD. Mr. Chairman, I yield to the gentleman 15 minutes more.

OTHER FALSE CHARGES.

Mr. GLASS. Great outcry was raised about the texture and weight of the cloth supplied by the Government to the troops. I assume that this is another thing that prompted the distinguished Oregon Senator to indict the Government before that New York audience as inefficient in every bureau and department. It was said that the wool content in the uniforms had been diminished and shoddy introduced. The testimony established the incontrovertible fact that whereas, before the war, our 16-ounce melton uniform cloth was 75 per cent wool and 25 per cent cotton, it is now 100 per cent virgin wool, and thus that malicious disparagement was quickly disproved. [Applause.]

I assume that another reason for Mr. CHAMBERLAIN'S sweeping indictment of his Government in New York was the charge that shoddy, or reworked wool, had been introduced into the overcoat and blanket fabrics of the Army. And so it had been; but why did not the critics have the frankness to tell the public that it was done with a view to conserving the wool supply available to this country? When we entered the war there was an embargo on wool shipments from Australia. Our European allies had contracted for large stocks. In this matter, as in others, we entered upon an almost preempted field. It was necessary to be cautious, but the expert testimony is convincing that had there been an overabundant supply of wool the introduction of shoddy into the coarser materials of the Army improved rather than impaired the product. Col. William M. Wood, of

Boston, formerly a member of the Council of National Defense, vouched for by Senator WEEKS, of Massachusetts, as "president of the largest manufacturing establishment in the United States," likewise president of the American Woolen Co., in a letter dated January 28 of this year, says the action of the Government in this particular deserves praise rather than criticism. He says that from 90 to 95 per cent of all the overcoatings made in the world, including some of the finest fabrics, contain a measurable quantity of reworked wool. I shall append the letter of Col. Wood here, in order that we may put the expert judgment of a great wool manufacturer against the amateur opinion of the men who asperse the Government without knowledge of the things they criticize.

ADVANTAGES OF SHODDY.

The recommendation of the manufactures committee to the Council of National Defense looking to the utilization of reworked wool is, in my opinion, worthy of consideration and not to be disparaged, as it has been in some quarters. Reworked wool can be introduced into fabrics which are used for overcoats and blankets so as to improve rather than impair their usefulness. It gives a better fitting property to the cloth, makes a warmer, closer, tighter fabric, provided a judicious proportion is used.

The manufactures committee, composed of patriotic and practical men, gave the Government their best judgment, based on the knowledge and experience acquired through years of effort in practical manufacturing, in recommending the judicious use of reworked wool.

I am willing to venture the statement that in the construction of from 90 to 95 per cent of all the overcoatings made in the world, including some of the finest fabrics, there is used a measurable quantity of reworked wool or shoddy, so that the prejudice which appears to exist against the use of this kind of raw material is unfounded and unjust under modern conditions of manufacture.

As confirming this, I may mention that all the heavier military cloth used for export in this country under specifications given by their respective Governments contains a large percentage of reworked wool.

DELAY OF CLOTHING.

It is charged—and I assume that this furnished the basis of Mr. CHAMBERLAIN's New York indictment—that there was delay in the delivery of blouses and overcoats to the cantonments. That is true. Gen. O'Ryan testified that his division, comprising 31,000 troops, had a shortage of 900 overcoats. Other officers testified to similar shortages. Undoubtedly there was delay—provoking delay. But, again I say, it would have been a miracle had there been no delays. In the first place, the estimates were for but 500,000 men, then 1,000,000, then 1,500,000. Contracts were promptly let, and the list of manufacturers secured to make these clothes fills 73 closely printed pages of the hearings. Orders were issued for over 2,000,000 overcoats and from April 1 to December 15, 2,090,000 were delivered or in process of delivery. There was delay, of course; but the critics magnify the fault and never tell the country any of the reasons for delay. They suppress the fact that time and again there were strikes among the mill operatives and the garment makers all over the country; that transportation was congested; and that other unforeseen and unavoidable things intervened. But, Mr. Chairman, when Mr. CHAMBERLAIN made his New York speech, I doubt if there was a cantonment in the United States that was not fully supplied with overcoats and blouses and other necessary equipage. Perhaps by that time Gen. Greble had gotten some motor trucks and could dispense with a few of his mules. So the departments here had functioned and were functioning, and the statement made by the Oregon Senator in New York had little, if any, justification in fact.

THE CAMP DEATH RATE.

I assume that Mr. CHAMBERLAIN's New York indictment of the Government was founded on the charge that base-hospital facilities at the cantonments were incomplete and that the space allowance for the enlisted men was insufficient and that, because of an insufficiency of clothing and because of overcrowding, sickness ensued and the death rate was increased. Of course, it is distressing that our boys away from home should have to die at all; and it is for the very reason that parents everywhere have a keen regard to this situation, and a tender solicitude for their absent sons, that any criticism should have a sure basis of fact and no element of exaggeration. Sadly enough there has been illness in camps, aggravated in some degree by temporary overcrowding. But even this, Mr. Chairman, produced no abnormal death rate. Contrasts are disagreeable and not always fair, but at least some indication as to the utter indefensibility of the attack on the Medical Department of the Army may be derived from the statement that the death rate of the city of Washington is 17 per 1,000 persons between the ages of 20 and 40 years, while the death rate at the Army cantonments has been 8.2 per 1,000; and this rate at the cantonments contrasted with the death rate from disease in the War with Spain is 8.2 as against 20 per 1,000. I do not cite this circumstance with any view to reviving the scandals of the Spanish War, but merely to point out that inefficiency has no politics and the camp casualties of a great war enterprise no party.

FAULTS EXAGGERATED, ACHIEVEMENTS SUPPRESSED.

To begin with, the recommendations of the Surgeon General were strictly adhered to by the Army boards in designing the camps, and in the second place the record shows that the instant overcrowding at two or three cantonments was reported orders were issued to correct the evil by the immediate shipment of additional tentage and the exercise of other proper activities. But if this fact was known it was carefully suppressed by the critics. Scrupulous pains were taken not to give the country this tranquilizing information and every effort made to agitate the country by magnifying the consequences of these initial difficulties.

QUESTIONS SATURATED WITH PRECONCEPTION.

The Surgeon General of the Army is a professional man of international reputation, knowing which the adversaries of the War Department did not dare assail him directly; but it was sought to have it appear that Gen. Gorgas was ignored in all of these matters. I have here in a New York newspaper what I assume is the full stenographic report of the examination of Gen. Gorgas, making five columns of fine print; and I trust the Members of the House will read the testimony and ascertain for themselves whether the spirit of many of the interrogatories reflected a desire to elicit only the truth and all the truth or were saturated with preconception and a desire to reach a fixed conclusion. Let me illustrate what I exactly mean. Gen. Gorgas was asked if he had been "consulted as to the location of these camps," and responded by saying "no." Now, that question suggested two considerations, one related to military ethics and the other went directly to the question of efficiency. Having established an apparent discourtesy to the Surgeon General, what was the next natural question to ask? Should not the Surgeon General have instantly been asked if he approved the location of the camps and if they were in healthy localities? That was the vital point; that is what the people of this country wanted to know. But no such question was ever asked Gen. Gorgas. The direction of the inquiry was instantly shifted, and but for a statement by Gen. Gorgas, voluntarily made later on, nobody could have ascertained from the examination that Gen. Gorgas unqualifiedly indorsed the location of every one of these cantonments as suitable and healthy. [Applause.]

It may be added that in the subsequent examination of the Secretary of War that official declared that a personal representative of the Surgeon General's office was on the Army board of three members which located every one of these camps. The country is made to believe that there was no heat in any of the hospitals at these camps, and that patients are exposed to the full rigors of winter, whereas Gen. Gorgas explicitly stated that while the steam-heating apparatus in some of the camps was uncompleted all of them meanwhile were heated by stoves. And so with the question of pneumonia. The Surgeon General of the Army was asked if the scarcity of clothing and the failure of steam heat had not started the ravages of pneumonia, and he literally startled his inquisitors by telling them that the greatest epidemic of pneumonia he had ever known occurred at Panama, in the Tropics, and that pneumonia was not necessarily produced by cold or exposure.

ANONYMOUS CHARGES CONSIDERED.

Let me give the House one other incident of this investigation tending to show the hostile nature of the inquiry and exhibiting the readiness in some quarters to take as a basis of inquiry anonymous and irresponsible and indeed incredible rumors. When Maj. Gen. O'Ryan was being catechized this extract from a letter was brought to his attention:

I have had the privilege of reading a letter to his mother by a neighbor of mine, now a soldier in camp at Spartanburg. While making no complaint for himself, among other things, he writes the following:

"It is very cold here and trench duty has become nothing but needless exposure of the men. The battalion that relieved ours had 29 men frozen in the trenches, mostly from the hips down, but one man had his face so badly frozen so that when they took his helmet off they took the face flesh with it. Two of the men have died and the others are in the hospital."

If doings like this are whitewashed under Gen. Gorgas's report of "Epidemics of pneumonia" or if any system of censorship aims to prevent men from protecting themselves from utterly unfit officers by reporting it, it would seem that investigation should not stop until the officers responsible are executed for murder.

Gen. O'Ryan was asked what he knew "about that condition," and with the fine spirit of a real man and a soldier, he made this biting answer:

I think it is the duty of anybody who can get that letter and can give us the name of that man, to do it and let us try him.

[Applause.]

No such incident ever occurred. Gen. O'Ryan pronounced it the mere gibbering of a letter-writing recruit desiring to pose among his people at home as a hero or a martyr. He stated that, from September 1 to December 22, there had been 14

deaths at the Spartanburg camp, 4 of them were of men in a motor truck struck by a train, 2 from tuberculosis, 2 from diabetes, 4 from pneumonia, 2 from myocarditis. Fourteen deaths in four months out of 31,000 men, which, as Gen. O'Ryan pointed out, "is a health record that is almost incredible." [Applause.] But Gen. O'Ryan's severe denunciation of this wanton rumor is buried in a committee hearing, while these monstrous inventions, with a few pathetic incidents that are true, find their way under sensational headlines to the newspapers of the country.

A HIDEOUS NIGHTMARE FLAUNTED.

I wonder if that gruesome fable of men frozen stiff in the trenches of South Carolina was typical of the complaints which incited the Oregon Senator to charge an utter breakdown of the Military Establishment of the United States? If not so, perhaps it was the "confidential communication" that was borrowed by him from another distinguished Senator and which, between the two, was treasured for three weeks in their breast pockets and never brought to the attention of any military authority charged with the investigation of such incidents and the application of the punative code of the Army. [Applause.] It is strange, Mr. Chairman, that Gen. O'Ryan's frank intimation as to the obvious ethics of such cases did not operate to avert the shocking spectacle involved in the subsequent use which was made of the unhappy episode at Camp Doniphan, where a sick soldier is alleged to have been subjected to cruel neglect, resulting in death. The excuse given for not instantly demanding an inquiry by the War Department, with the object of redressing the fault, is that the letter was "confidential." That plainly is not true. The very text of the letter itself shows that it is not so. The avowed purpose of the letter was to prevent the recurrence of such an incident. It was written to be brought to the attention of the War Department through the medium of a public man of rank and influence. It expressly was not written to instigate or to fortify a theatrical public indictment of the Government as both inefficient and brutal. [Applause.] On the contrary, the writer of the letter categorically disclaims any such belief or desire. It was only after its receipt in Washington that the letter was given a malignant interpretation and devoted to a wanton attack on the Military Establishment of the country. [Applause.]

Mr. Chairman, it is difficult to think of this episode in a spirit of moderation. It is impossible to speak of it in temperate terms. To take a single pitiful, tragic case, the like of which has not occurred and probably will not occur at any other camp, and without affording the least opportunity of inquiry blazon it in the public prints to affright the minds and wring the hearts of American mothers with the fear that their sons may be the victims of an inhuman military system, is a thing so inconceivably gross as to make one shudder at the contemplation. [Applause.] As the father of sons who wear the uniform of their country, I protest against the flaunting of this hideous nightmare before my fireside; and, in the name of the women of Virginia and the Nation, I repel the evil suggestion contained in this astounding assault upon the military arm of the Government. [Applause.]

WHAT A CONTRAST!

Contrast the spirit of those responsible for this method of attack with the fine sympathy and patriotism of Mary Roberts Rinehart, whose letter to the Secretary of War is an epic. Mrs. Rinehart, once a trained nurse, now a virile author of note, has great familiarity with Army hospital conditions; and, resenting the intimation that the one pathetic incident relied on to stir antagonism to the Government is typical of the general situation at the cantonments, she wrote Mr. Baker, among other things, as follows:

I do feel that some step should be taken to reassure our women just now. It is only fair to them. It is cruel to allow every mother in the country to judge the medical care that will be given to her boy while in the service because here and there, in the chaos of our readjustment, men have been given responsibilities they are unable or unwilling to fulfill. That we have such men is more than a national misfortune. That they have been placed in positions of trust is a national calamity. But the mothers of the country should know in fairness to themselves that the number of such inefficients is small. We will not rest, we women, until they have all been removed. But that, I know, will be at once. It must be at once.

I have a son in an Army cantonment. He enlisted as a private. He would receive, if he became ill, exactly the same treatment as any other enlisted man in our new Army. And I should have not only no hesitation in placing him in the cantonment hospital, but I should do it with absolute confidence.

* * * * * * *

One hospital I know well. It is typical of other cantonment hospitals. It is under the same Army medical department direction as the others, and it is only right to assume that conditions there are representative. The same rules govern all these hospitals. The same sums are spent on them. The same system is followed. The food is the same, the supplies, the medical staff, the nurses.

And I have never seen a better war hospital than the one at Camp Sherman. I will go further, and say that in its operating rooms, its X-ray department, its eye and ear department, its nose and throat department, its dental department; in short, in its facilities for caring for every emergency and every weakness, it will bear comparison with any civilian hospital.

And what is true of the base hospital at Camp Sherman is true of the others.

I have watched the development of the war hospital system from the beginning, when I saw it first on paper in the office of the Surgeon General up to two weeks ago. I watched because it was a vital matter to me. I had a husband and a son in the service. I am like the other women of this country. I would be content with nothing less than the best. And I feel that we are on the way to the best.

Faithfully, yours,

MARY ROBERTS RINEHART.

[Applause.]

Mr. Chairman, I fervently pray God, in all my public career, to spare me such a reproof as the letter of that noble woman conveys to those who would prefer to hinder their Government by aspersion rather than to help it by counsel. But, sir, that is the way the inquisition has gone. Every delay, avoidable or unavoidable; every minor blunder, defensible or indefensible; every one of the few pathetic cases of neglect, explicable or inexplicable—all these have been arrayed and tortured into proof of a total collapse of this administration. The idle tittle-tattle of irresponsible camp spectators in this country have vied for grave consideration with the startling impartations of the British prime minister to an itinerant American Congressman abroad who, unable to contain the confidential revelations of the great man, quickly "leaked" in the presence of the Government's adversaries. [Laughter.] We see, too, the trail and hear the lamentations of disappointed contractors, and witness the insufferable spectacle of congressional Johnnie Hooks running through the camp crying, "Contracts! Contracts!" when men are dying on the seas and on the battle fields for human liberty. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. FLOOD. Mr. Chairman, I yield five minutes more to the gentleman.

A BIBLICAL ANALOGY.

Mr. GLASS. I have several times been told that the severest of these criticisms of the Government have emanated from gentlemen who protest an unaffected devotion to this administration, and by that I am reminded, Mr. Chairman, that once there was a lady in the play who protested too much. It also brings to me a vision of that memorable episode of the field of Gibeon, in the time of David, the King, when Joab met Amasa, whose face he caressed and whose body he despoiled. You remember the story. With the customary salutation of affection Joab, with his right hand, took hold of Amasa's beard and asked: "Is it well with thee, my brother?" And Amasa noted not the sword that was in Joab's other hand; and Joab smote Amasa under the fifth rib and laid his bowels in the dust! I might deduce from this scriptural incident that all salutations of personal esteem are not entirely unaccompanied by danger, but that is not the point of the recitation. The thing that chiefly interests me is the fact that the President of the United States has no beard, but has eyes keen enough to perceive the sword in the other hand of those who would savagely slash him in public rather than confer with him in confidence. [Applause.] The other thing about this biblical illustration which it is worth while to recall is the fact that pretty soon after that left-handed jab on the field of Gibeon Joab himself perished. [Laughter and applause.]

PRODIGIOUS ACHIEVEMENTS.

Mr. Chairman, as will have been observed, I have addressed myself so far solely to pointing out and answering some of the criticisms leveled at the Government. I have not intended to imply that no mistakes have been made. I have not meant to say that there have not been delays and inefficiencies and imperfections. There have been all of these, and had there not been the experience of this country in this war would have been vastly different from its experience in any other war, and vastly different from the experience of any other country in any war that ever cursed humanity. But I do mean to say, on the whole, that there have been marvelous achievements, and that we have done as well if not better than was thought possible in the circumstances. When I think of the stupendous nature of the task with which this Government was confronted I have literally a feeling of awe, and when I consider the prodigious progress that has been and is being made I wonder how it could have been done. The expansion in nearly every bureau and branch of the Government has been something almost inconceivable. Before the war the Chief of Ordnance had 10 officers on his immediate staff; now he has 700, nearly all drawn from civilian life, and his bureau has 3,000. For five years preceding the war the average expenditure of the bureau per day was $35,000; to carry out its program now the daily expenditure is $13,000,000. The office space of the bureau

before the war was 15,000 square feet; to-day it is 16 acres. So with other bureaus. In large degree the brains as well as the patriotism of the country have been mustered, and the war machine is getting its head of steam at a tremendous pace.

Some of these civilians who have come here to serve are men of great distinction in business and in the professions, men like Samuel McRoberts, executive manager of the National City Bank, head of procurement, and Guy E. Tripp, chairman of the board of directors of the Westinghouse Co., head of production, all working under the direction of that tested and accomplished soldier Brig. Gen. Charles B. Wheeler, Acting Chief of Ordnance, with an exceptional record in this country and in our insular possessions, himself surrounded by a corps of splendid young officers who have not their superior anywhere to be found.

There has been lack of coordination; there has been conflict of authority; there have been poutings and bickerings over rank and precedence; but still the machine is driving ahead. Its velocity will not be increased, but rather impeded, by perverse politicians pounding at its vitals as it goes along. [Applause.]

Not until the third year of the war could Great Britain venture to apply partially a conscription law. Not until a few months ago could Canada do it in opposition to the rebellious threat of one of its largest provinces.

The CHAIRMAN. The gentleman's time has again expired.

Mr. FLOOD. Mr. Chairman, as I have no more time, may I ask the gentleman from Wisconsin to yield some of his time?

Mr. COOPER of Wisconsin. I am very glad to yield the gentleman five minutes.

Mr. GLASS. I thank the gentleman.

It has not been done as to Ireland, and Australia has twice declined to attempt the system. And yet this Republic, with a clear realization of the situation, instantly applied the democratic method of selective draft, and the country responded with unparalleled spirit of patriotism. Ten million young men marched up and registered for enlistment. Such a thing never happened before in this or in any other country on the civilized earth. Great military cities, known as cantonments, were built almost overnight; and to these, without friction or hesitation, our boys went, offering their bodies and their lives in defense of human liberty. We have sent nearly ten times as many troops abroad as the French and English military missions had expected that we could do in the time required, and we have trained and are training an army far beyond the original estimates. This year we will have in France more than a million men. And what a stupendous work has been done over there in building great piers and wharves and miles of houses for the supply quarters of the Army! Six hundred miles of railroad reconstructed from ports to battle line, and a thousand other great things. Yet our Army is a myth!

Within the time at my disposal it would be impossible to enumerate in detail even the major items of this stupendous Military Establishment. That was done, in masterful fashion, by the Secretary of War on Tuesday of last week, and I wish every American citizen would read that compendium of things which the Government has done to prepare the Nation for this ordeal. And now to have men whose necks are sore from pulling against the tongue end of the war wagon stand up in public places and revile those who have done nothing but go forward is enough to excite popular indignation. Men who obstructed and voted against every shipping measure proposed by the Government have the audacity now to rage against our lack of shipping facilities. Men who wanted to put a stop to the industries of this country and who mercilessly flayed the munition manufacturers of America as murderers now affect alarm and indignation because the Government is not instantly supplied with guns and ammunition. Was it Napoleon or some other great general who said that "An army travels on its belly"? Let me read you this extract from the statement of the Secretary of War last week:

> I want to make but one further observation on this general subject of the Quartermaster and Supply Department. I think it is not unfair for me to say that in the matter of provision of food, no army ever assembled anywhere was fed as regularly, as well, as nutritiously, as appetizingly, as this Army. I think you gentlemen of the committee, and surely the men at the War Department, will agree that, while there have been complaints about other things, the almost unanimous testimony, so far as I know the unanimous testimony of this Army, is that its food has been of the highest quality; that there has been no suggestion of defective quality or insufficiency in the quantity; that its preparation has been of the highest character, and, generally, the very great problem of food supply for this vast and hastily organized group of men has been carried out with most extraordinary success.

[Applause.]

What is true of this department is measurably true of nine-tenths of the Army bureaus; yet every branch of the War Department was comprehended in that incredible assault upon the Government of the United States, in which it was proclaimed to the world that the Military Establishment of the country is a myth.

BLOODGUILTY.

I suppose these expositors of calamity imagine that by these criticisms they wash their hands of the blood of American soldiers! Mr. Chairman, they will wash, and wash, and wash again to no purpose. "The damned spot will not out." Not all the waters of Abanah and Pharpar, rivers of Damascus, with those of Israel combined, could cleanse them of the offense nor obliterate the frightful consequences of their heedless speech. The address of the President of the United States in behalf of a just and permanent peace, to reach the German people in uncensored form, must be flung from aeroplanes at eminent hazard; but these prophets of disaster will have no restrictive audience in the central empires.

Almost at the very moment that Von Hertling had appointed to state his terms, at a time when internal tumult and doubt and distress, reaching out for peace, were threatening to topple thrones and banish dynasties, Mr. CHAMBERLAIN, without warning of any description, projects this astonishing attack on the government of his country!

The CHAIRMAN. The gentleman's time has again expired.

Mr. LONGWORTH. Mr. Chairman, the gentleman from Wisconsin has promised me 10 minutes, and with his permission I shall be glad to yield it to the gentleman from Virginia. [Applause.]

Mr. GLASS. That is, indeed, gracious, and I thank the gentleman.

Without qualification of any sort, in unmeasured terms of reprehension, indifferent alike to titled consequence and to subordinate degree, to epaulet or bar, the Oregon Senator comprehended the entire Government of the United States, in all its branches and bureaus, in an accusation of utter impotency! The Military Establishment, he said, was a myth—it was nonexistent! That's what Reventlow and Terpitz had been teaching. That's the doctrine with which the scornful masters of the German people had been solacing their discontent and quieting their fears of disaster.

How obliged to Mr. CHAMBERLAIN and his kindred spirits will the Kaiser and his kindred spirits be for thus publicly confirming their contemptuous estimate of American willingness and American capacity to fight for American freedom! Every soldier in the German trenches will read the amazing indictment; every peasant in the land will know that, speaking from a high and responsible place, charged with intimate knowledge and not inconsiderable power, this Oregon Senator openly proclaimed a shameful breakdown of this Nation in war. By this speech the declining morale of German citizen and soldier will be retrieved; their courage to hold fast and fight on will be inspired; their resolve to dictate terms on a victorious field will be renewed; the struggle may thus be long protracted. Who can not foretell the sequel to this? Thousands of American boys who might have escaped may be maimed in battle; other thousands who might have survived may find their last resting place in the plains of Flanders or on the heights of the Argonne. Yet these mad soothsayers of evil, with dramatic unction, imagine that they are acquitted of bloodguiltiness! [Applause.]

THE REAL VISION.

Why may we not, Mr. Chairman, have an end of these bickerings, these petty divisions, these perverse attempts to retard the Government in its great and pressing enterprises? Why may we not, in the place of these, bend every effort toward a unity of spirit and purpose to win this war? I have in mind an incident which I shall remember to my dying day, and I could very earnestly wish that I possessed the facility of speech impressively to depict it to the House. When the Congress had under consideration the selective-draft bill the governor of my State came to Washington for an interview with the President to protest against requiring Virginia boys to be drafted, instead of permitting them to volunteer. He also desired that State military units with a history and traditions dearly cherished should be permitted to retain their identity. A kinsman of J. E. B. Stuart, the greatest cavalry leader of the Confederacy, the Virginia governor, with all the sentiment and tenderness of an ancient Commonwealth in his vision, presented his case to the President with pathetic earnestness. When he had finished, the President, touched and gravely considerate, told Gov. Stuart that the one thing we most needed to realize just then was the fact that this is a Nation. It is not Virginia's war, he said, nor New England's war; not a war of the East or of the West or the North or the South. It is America's war. There should be intermingling of troops from all the States. We should submerge provincialism and sectionalism and party

spirit in one powerful flood of nationalism, which would carry us on to victory. The vision as the President saw and interpreted it was full of heart and inspiration.

And, Mr. Chairman, why may it not be so? Why may not the fathers and mothers of sons who are going across the seas to fight the great battle for freedom have the precious privilege of feeling that their boys are flanked on either side by a brave American comrade? What matters it whether he be from Massachusetts or Virginia, from Maine or Mississippi, from the Atlantic seaboard or the Pacific, from the Lake region or the Gulf, just so he be a true American soldier, willing to die for his comrades and his country. [Applause.] And when in the providence of God they shall come back and march in grand review, why may not all of us praise Heaven that, since they equally shared the perils of the struggle, equally they shall merit the honors and gratitude of this great united Nation? [Great applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HOUSTON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Young, one of its clerks, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 128. Joint resolution granting to certain persons in the active war service an extension of time within which application for insurance may be made under section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917.

The message also announced that the Vice President had appointed Mr. FRANCE and Mr. HOLLIS members of the joint select committee on the part of the Senate, as provided for in the list of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Commerce.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The committee resumed its session.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. MASON]. [Applause.]

The CHAIRMAN. The gentleman from Virginia yields back three minutes of the time yielded him.

Mr. MASON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Without objection, it is so ordered. [After a pause.] The Chair hears no objection.

Mr. MASON. Mr. Chairman and fellow Members of the House of Representatives, "With malice toward none and charity for all," I desire to speak to my colleagues for a very few minutes upon the very live questions that confront our people. If we ever had any doubt that Sherman was right when he said war was hell, that doubt has been entirely removed in the past six months.

The offensive war of the uncivilized is for land and other things of value. The defensive war of the civilized nation is for the purpose of securing an honorable peace. While we must not let up one bit in our preparations and prosecutions of this war, it would be barbarism to refuse to discuss peace, and it is wicked and undemocratic not to allow everyone who is interested and who must bear the burden of tax and blood to speak their honest convictions as to what would be an honorable peace for our country. I see no profit in faultfinding, except where immediate correction can be made without interfering with our preparation for this war, and I regard it as unwise to discuss in party caucuses anything that affects the successful carrying on of this war, nor do I intend, if I can master myself, to indulge in party claims or party criticisms. I pray God that during this war we may be big enough to wipe out this middle aisle which separates an American Republican from an American Democrat. [Applause.] But I am told there is to be a new party formed, that which places upon its banner "No peace without victory." Of course, our President will not join that party, for his greatest message, a milestone in the march of civilization, was that message which declared for "peace without victory," and none of us who seek reelection need be afraid of that party, for those who are willing and anxious to continue to give the life of every American and every dollar of American money to transfer the territory of one nation to another will not be here to vote, they will have sacrificed their lives in the trenches of Europe.

You will remember that when the great Gladstone made the treaty of peace after the defeat of the British of Majuba Hill, Sir Michael Hicks Beach accused him of perfidy; that he had made a treaty of peace after the defeat of the English arms, and therefore lost prestige for the English arms. Gladstone was a Christian statesman, and his answer was:

The world knows that England can conquer South Africa, but we want the world to know that England can do right.

We want to do right in this war, and we will do right in this war. We will not abandon for one moment the league of honor in which we, with our coworkers, fight the Imperial Government of Germany, nor will the American people allow our coworkers to drag us into interminable and unending war to settle the ungodly intrigues of royalty 50 years ago. [Applause.] The people of the United States are patient, there will be no riots that will shake our Government, for they know that in the cool, quiet days of next November they will be permitted to speak upon questions of life and death about which heretofore they have been silent. We are torn asunder now with plans for a new war board. The Constitution of the United States that gave life to this Congress and to the President and to the Supreme Court provides the war board to be elected by the people, and every one of you gentlemen are elected as a member of the war board under this provision of the Constitution which provides that Congress should make, "Rules for the government and regulation of the land and naval forces" of the United States. If you have surrendered that power it is no time now to complain in the face of the enemy. As one of those who voted against war and opposed conscription for foreign service but pledged to the support of my country I say, so far as my observation goes in visiting the great cantonments, that the work of the Secretary of War has been marvelous and almost past belief. [Applause.] We knew, of course, when we declared war that there would be mistakes; that there would be graft and boodling, which is as natural a part of war as breath is to life. For God's sake let us quit fighting each other and fight the Kaiser. [Applause.] This is my theory in this war. I have great honor for the Secretary of War, though I do not know him. There is one thing my colleague from Virginia [Mr. GLASS] omitted to say. The Secretary of War had the courage to admit that he had made a mistake or delay, and he went about correcting it. You can trust a man like that. [Applause.]

We, being civilized and in the war only for the purpose of peace under the rule ought to look for peace at the first possible moment it can be had with honor.

The accomplishment of this peace is not solely an Executive problem, for, while the President is Commander in Chief of the Army and Navy, as I have stated, Congress should make rules governing the Army and Navy, because we are the Congress, and the people in the last analysis govern Congress, and if the people do not govern this one they will the next one. Action by Congress in these circumstances is not without precedent. I remember somewhere in my reading when an amendment was offered to an appropriation bill fixing the salary of a minister to a country that the President would not recognize, and it was offered on the theory that the Congress wished the President to know what the desire of Congress was.

In his last message the President of the United States—and he has frequently so demanded—said that the German people should speak, but of course he did not mean that the American people should not be heard on this great question. He expects that they will be heard, and the Congress should have the courage to demand to be heard for themselves and for the people. While his suggestions open an inviting field for discussion, the real thing that stands in the way of peace to-day—look it in the face, tell the truth about it; I know we are great for conservation here, but, for God's sake, let us quit conserving the truth and give out a little of that old-fashioned commodity—the truth is, that the thing that stands in the way of peace to-day, that peace that would solve all of these questions that confront us, and which have put us in trouble is what disposition shall be made of Alsace-Lorraine. Our French coworkers, God bless them, in this work are demanding that that territory, including the people—95 per cent of whom speak German and 80 per cent of whom are German—and the right to govern shall be turned over to our coworkers, and our good President is of the opinion that unless that is done Alsace-Lorraine will still stand as a menace to the peace of the world.

I beg leave, very respectfully—I may say humbly—and in the spirit of friendly counsel and not in the spirit of fault-finding, to say that the determination of whether the German or the French shall govern Alsace-Lorraine or whether they shall govern themselves, as suggested by the despised socialist, is not an American question. It is a question for the people of Alsace-Lorraine. The Republic of the United States was not born when that territory was taken by the French from the Germans, and nearly half a century has passed since the Germans took it from the French. And you gentlemen may can-

vass your districts from one end to the other and you will not find one father or mother who is willing to give their sons to settle a title of real estate in Europe. [Applause.]

I know you will meet constituents who will say, and you will meet editors who will write, that we will give every drop of blood in America to put Alsace-Lorraine back into France, but you will find that they safely stand under the American flag, with no danger of being conscripted into the trenches. And when an editor writes an editorial to the effect that he is willing to give every dollar to his country and every drop of your blood and mine, he is easily and cozily settled in the editorial sanctum, exposed to no danger beyond, possibly, the gout or apoplexy. [Laughter.]

Now, let us be fair with ourselves and let us be fair with our President. Let no man say that we do not love France. We do. When we hear the Marseillaise it brings a throb to our hearts like the sound of the Star-Spangled Banner. We know, however, those of us who have studied history, that the Franco-Prussian War was brought on by the Emperor of France, and it was brought on for conquest. Of course, the French people have established now a Republic, and we are more in sympathy with it. That happened during the war; but, as a matter of fact, it is only natural that they should want to see Alsace-Lorraine returned, and we would like to see it done. Anything that France wants we are for, but we want them to be for something that we are for. We do not want them to ask us to sacrifice the blood of American youth and break the hearts of a million American mothers to correct the brutality and blunders of the Kaiser and the Emperor 46 years ago. [Applause.]

But our President says if it is transferred back to France it will be the means of establishing peace. Now, again, very humbly and very respectfully, I can not reach that conclusion, and I must be allowed to think. I stood in the Place de la Concorde, in Paris, where that great monument has been erected by the French people to Alsace-Lorraine, and on the monument it says, "Taken from the French by the Germans," on such a date, "in 1871"; and below it says, "Retaken by the French on —— day of ————, in the year ——."

And that monument has stood there for more than 40 years, a menace and a threat of war and encouragement to Krupp and other munition makers to keep their guns ready to "go to it" at any time.

Now, my colleagues, if for any reason this valuable territory should be forced back into France, look at it reasonably. Do not get mad about it. I will not get mad at you when you stand up here and say you are willing to give all the blood of this country except yours for that purpose.

I do not want you to get mad with me. But look at it! Just look at it! If you move it deliberately and against the will of the people of Alsace-Lorraine back into French territory, that monument that is a standing threat of war, will not be written in French. It will be written in German and moved from Paris to Berlin, a continuing threat of war. I believe that if the poor, "despised" Bolsheviki could have his way for a few minutes and those people be given self-government and allowed to govern themselves, Alsace-Lorraine would be neutral territory and thereafter an island of peace, and so far as that land is concerned the world would be at peace. There need be no threatening monuments either in Paris or Berlin.

But, Mr. Chairman, I did not intend to discuss, and shall not discuss further, the solution of the greatest stumbling block in our way to an honorable peace, but simply to emphasize the fact that its disposition is not an American question. You, my colleagues, are the custodians of the Treasury of this country, you are the custodians of the blood of the American youth, and I, as one of your Members being willing to support this Government and support my country in this great war, will never vote to give the life of one American boy in a war of conquest, not one drop of American blood to settle questions in which the United States has no interest and not one American life to correct the blunders and brutalities of the Kaiser and the Emperor 50 years ago.

If any of my colleagues wish to settle this question, I recommend that they read an editorial in the world's greatest newspaper, which, of course, is published in Chicago. This paper has been the most warlike of any of the great papers, and shows it is in earnest by the actual enlistment at the front of its editors and employees. That great war newspaper early in October last stated editorially that the return of Alsace-Lorraine to France might be a part of "British war aims as well as part of French war aims, but that it was not a part of the war aims of the United States." Since the publication of the secret treaties between our allies we have discovered that when we went into the war for democracy, our good friends, the English, the Russians, and the French, had agreed just how our English cousins and our French brothers were to slice up Germany, and that noble democrat, the Czar of Russia, was to have a slice of Turkey. We have also learned by the publication of the secret treaties that if we were successful in our fight for democracy that the King of Italy, that great commoner, could turn down the Pope and become sovereign over the farmers of a part of Austria.

And some of you may be were surprised when you discovered that our good friend, the Mikado, who does not want to own land in this country or send his children to the schools of California and does not want the Sandwich Islands or the Philippine Islands and who while in our fight for democracy has not found it convenient to send a man or a ship to help us while we are helping him. I say some of you may have been surprised that our Japanese friends, while expecting our assistance in this fight for democracy, had a secret treaty with the great democrat, the Czar, whereby they were to fight your Uncle Sam in the Far East in case action should arise and we need the whipping. Mr. Chairman and gentlemen, I give all honor to our President. In the very outset of his message he says that America stands against these secret treaties, and I call attention to them not for the purpose of showing any camouflage covering our cry for democracy but for the purpose of appealing to you as Americans to determine what are American questions that we are willing to sacrifice the lives of our sons for.

I have stated the great war newspaper in Chicago has for its leading editorial Saturday, October 13, 1917, the following:

THE UNITED STATES AND ALSACE.

The restoration of Alsace-Lorraine to France may be a British as well as a French war objective, as proclaimed by British leadership. It is not an American war objective.

Sentimentally many Americans would be glad of a result that would give back these Provinces. But, regardlesss of sentiment, the American Government could not rightfully offer one conscripted soldier to this cause.

Alsace-Lorraine must offer a value in American prospects before the life of an American conscript could be justly spent in such an issue.

* * * * * * *

At least we are justified in thinking that it is not worth conscripted American soldiers. American sacrifices are for American values. Territorial adjustments in Europe concern us only as they may eliminate future war which may in turn involve us. If the return of Alsace-Lorraine meant that Germany would strive for 50 years to get it back, and in so striving put the world in hazard again, it were better that it remained under the German flag.

When the United States is safe—not when democracy is safe but when the United States is safe—the purpose of this war has been served.

Of course, this great war paper has published interviews by distinguished patriots of Chicago recommending the lynching of statesmen of my build [laughter], and for using the same argument that they use now. We have got a lot of brave fellows in America with their arms in the Treasury clear up to the elbows—fellows who call everybody a traitor who catches them stealing. Their mouths are thoroughly patriotic, but their legs are all pacifist. [Laughter.]

Mr. Chairman, again this great war newspaper has for its leading editorial Thursday, December 6, 1917, a clearly defined and well analyzed statement which shows the difference between fighting for the United States and fighting to help the downtrodden people of some other country. Let me read a few extracts from this truly great editorial:

THE UNITED STATES FIGHTS FOR THE UNITED STATES.

* * * Such things must be left to the individual selection of the citizens, to their consciences and sense of right. A nation must not compel citizens for other than the well-being of the nation to which they owe allegiance. The obligations of a citizen do not extend to other than his own nation. He may elect to further the cause of justice anywhere in the world, to fight for the downtrodden, and to be a champion of the weak, but no government founded upon fairness and trying to do justice to its citizens may force its citizens to give up their lives for other than the well-being and security of their own nation.

Therefore the United States seeks one thing in this war. That is the security of the United States. American volunteers by the million might go to war for Belgium, but no American conscripts could be employed in such a war unless the results of the war for Belgium would affect the United States.

* * * * * * *

Altruistically and philosophically we may be interested otherwise than as conditions and products of conditions affect the United States, but we can not rightfully conscript soldiers to fight to change conditions that would not affect the United States.

When we are hung with those who thought with us six months ago, we will have a lot of excitement and a lot of editors will be hanging on the other rung. [Laughter.]

I think, Mr. Chairman and colleagues, that you will understand what I mean when I call attention to the difference between giving the lives of our sons for American ideals and the forcing of American youth to settle the ancient wrongs and territorial boundaries of Europe.

The President talks about the restoration of Serbia and that the King must be placed back on his throne. We have not forgotten that Serbia lit the match that set the world afire. We have not forgotten the Serbian hospitality that murdered a man and his wife. We have not forgotten that the Emperor of

Austria made demands upon Serbia which were wicked and outrageous as punishment for these two murders. Both Kings are wrong, neither of them stood for democracy. [Applause.] But again I say to you it is against the American doctrine, it is against the interests of America to entangle itself or endanger its life, the life of this Republic, in seeking to adjust European differences. Both Webster and Clay supported a resolution tendering the sympathy of the United States to Greece in her great struggle for democracy, but both of them disclaimed any idea that it was a part of the American policy to make war on account of that question. This same doctrine is announced in this very newspaper that I have quoted from, that stood so strongly for the declaration of war and stands for the prosecution of war until the causes for which we went to war have been accomplished.

As to Serbia and Belgium, the belligerents agree to return the territory and the amount of money to be paid for restoration is not an American question. Our American lives must not be sacrificed to the juggernaut of a collection agency.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. MASON. Yes.

Mr. FLOOD. I would like to ask the gentleman, if he will permit, when an agreement was ever made to return that territory?

Mr. MASON. The gentleman misunderstood me. I think this is true. This does not come out of my time, Mr. Chairman, because the gentleman from Virginia controls the time, and I have only a few minutes.

Mr. FLOOD. I have only a few minutes' time.

Mr. MASON. Then I will answer you in this way: In substance there can be a meeting on every proposition made by our President, and any man who has studied diplomacy can see that there can be a meeting of the minds of the United States and Germany, except upon the proposition of the surrender by Germany of the control of Alsace-Lorraine; and if I had the time I think I could convince the gentleman of that.

But I insist we are not to be used to collect the money. Our blood is too sacred for that. Let me illustrate as to Belgium. Our allies demand not only a return of territory, but an indemnity. Germany may say, "I will give you one billion." Our friends may say, "We demand five billions." Are we to be still continued in the war year after year to make sure that those four other billions will be collected?

The killing of our sons will not bring back the Belgian sons, and our boys will be of more use to poor Belgium in shop or between the plow handles at home than they will be in European graves. [Applause.]

I insert the messages of our Presidents, beginning with Washington and ending with McKinley and Roosevelt, showing the fixed policy of our Government to keep out of European entanglements. I beg leave to quote first from John Adams's diary in 1782:

> It is obvious that all the powers of Europe will be continually maneuvering with us to work us into their imaginary balances of power. They will all wish to make us a make-weight candle when they are weighing out their pounds. Indeed, it is not surprising, for we shall very often, if not always, be able to turn the scale. But I think it ought to be our rule not to meddle, and that of all the powers of Europe not to desire us, or perhaps even to permit us, to interfere if they can help us. The public negotiations and secret intrigues of the English and the French have been employed for centuries in every court and country of Europe. Look back to the history of Spain, Holland, Germany, Russia, Sweden, Denmark, Prussia, Italy, and Turkey for the last hundred years. How many revolutions have been caused! How many emperors and kings have fallen victims to the alternate triumphs of parties excited by Englishmen or Frenchmen! And can we expect to escape the vigilant attention of politicians so experienced, so keen sighted, and so rich? If we convince them that our attachment to neutrality is unchangeable, they will let us alone, but as long as a hope remains in either power of seducing us to engage in war on his side and against his enemy we shall be torn and convinced by his maneuvers.

I also quote from Washington's Farewell Address, 1796:

> Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or ordinary combinations and collisions of her friendships or enmities.

Just a few words from Mr. Jefferson to the President in 1823:

> I have ever deemed it fundamental for the United States never to take an active part in the quarrels of Europe. Their political interests are entirely distinct from ours. Their mutual jealousies, their balance of power, their complicated alliances, their forms and principles of government are all foreign to us. They are nations of eternal war. All their energies are expended in the destruction of the labor, property, and lives of their people. On our part never had a people so favorable a chance of trying the opposite system of peace and fraternity with mankind and the direction of all our means and faculties to the purposes of improvement instead of destruction.

One word from Mr. Madison to Mr. Monroe in 1823:

> A participation in (a congress proposed by Mr. Canning for the settlement of the difficulties between Spain and her colonies) would not be likely to make converts to our principles, whilst our admission under the wing of England would take from our consequence what it would add to hers. Such an invitation, nevertheless, will be a mark of respect not without a value, and this will be more enhanced by a polite refusal than by an acceptance, not to mention that an acceptance would be a step leading us into a wildness of politics and a den of conspirators.

And a few words from President Monroe in 1824:

> Separated as we are from Europe by the great Atlantic Ocean, we can have no concern in the wars of the European Governments, nor in the causes which produce them.

President John Quincy Adams, in 1826, says:

> Compare our situation and the circumstances of that time (that of Washington's Farewell Address) with those of the present day, and what from the very words of Washington then would be his counsels to his countrymen now? Europe has still her set of primary interests, with which we have little or a remote relation. Our distant and detached situation with reference to Europe remains the same.

Mr. Van Buren, Secretary of State, to Mr. Moore, minister to Colombia in 1829:

> It is the ancient and well-settled policy of this Government not to interfere with the internal concerns of any foreign country.

A word from Daniel Webster, Secretary of State in 1842:

> And the perfecting of this system of communication among nations requires the strictest application of the doctrine of nonintervention.

President Fillmore claimed that in this doctrine of "neutrality and nonintervention the United States have not followed the lead of other civilized nations, but that they have taken the lead themselves and have been followed by others."

I refer you also to Secretary of State Cass, who in 1859 declined to interfere in Mexico, although he sympathized with the constitutional party.

I will not quote further, but recommend to the student of this well-established policy of noninterference Moore's Digest of International Law, volume 6, which includes opinions of many of the Secretaries of State and many of the Presidents, including messages from McKinley and Roosevelt. Just one sentence from President Roosevelt's message in 1904:

> Ordinarily it is very much wiser and more useful for us to concern ourselves with striving for our own moral and material betterment here at home than to concern ourselves with trying to better the conditions of things in other nations.

We know we are at war and must go through. What does "go through" mean? We declared war for the freedom of the seas. That is now conceded by all belligerents in all propositions of peace. Does "go through" mean we shall let our children go cold and hungry, our people ground to death by taxation, that Great Britain, our coworker, may keep her "kill"? Shall we fill European graves with American youths that our Japanese coworkers may keep her democratic hold on German colonies?

Are we to continue to bear sacrifices? Are we to continue to bear what our boys yesterday received from a submarine? Are we to decide questions outside of American policies and outside of the interests of the United States?

We will "go through"; we will not stop, even while considering peace; but it is due the President that we let him know how our constituents feel, while he is considering these hard and new diplomatic questions. Every loyal man in America should speak. Some man husking corn in Illinois may have a good idea. Let us have it! Some man in the store, factory, or office may contribute to our needs. Some lone sentinel standing guard at night under the stars may give wisdom to our counsels. This city of Washington has no monopoly on brains and patriotism.

The closing words of the President's last message finds a responsive chord in every American heart. He said:

> The hand of God is laid upon the nations. He will show them favor, I devoutly believe, only as they rise to the clear heights of his own justice and mercy.

It is for that mercy that I plead, mercy for the starving millions all over the world, not only for Belgium, France, and Germany, but for the cold and undernourished women and children of our own country; mercy for the American boys who have been forced into sickness and death in a foreign land; mercy for the unhappy mothers of our own land. One friend writes, speaking of his wife and of his son somewhere in France, he says:

> Mary sets Jim's place at the table regularly. She knits and prays for him constantly and in the night calls to him in her dreams.

Mr. Chairman, there are hundreds of thousands—a million—Marys—mothers and sisters. They have some rights here. They are not cowards. They are not unwilling to sacrifice in defense of this land. They know, if they have been through

high school, that never before in the history of the United States have Americans been conscripted to settle ancient questions pending between other nations. They know as well as you and I that what our dear country has done for democracy outside of the United States, has been done by example and not by the sword. When the Bastille fell Lafayette sent the key to Washington, in no compensation for the sword, but on account of the illustrious example. The Statue of Liberty in the New York Harbor, was given by the French not because in their war with Great Britain we violated neutrality as laid down by Washington but because in all their struggle for self-government, when they made reprisal in one day for a century of kingly wrongs, they were fighting in the light of the American Declaration of Independence. In that light and by reason of our example, England, against whom we rebelled, has broadened into a constitutional government.

Kossuth, the Hungarian patriot, said here in Washington that in all his struggles he had before him our Declaration of Independence. Bolivar, who laid the foundation of self-government in South America, said he was led by the light of our Declaration of Independence, and all of the little republics that have sprung up and are prospering under the rule of self-government do it in imitation of the splendid example of our fathers and without the aid of the American sword.

I know that if you ask your constituents how they feel upon this question of giving American boys to settle a real estate title in Europe you will be branded as a pacifist, possibly as a traitor. Ask your people, and then let our President know. People are not for peace at any price, but for peace with honor.

In conclusion, Mr. Chairman and gentlemen, we went to war with an open declaration that we wanted no vengeance, no idemnities, but a demand for our ships—the freedom of the seas. That demand is answered by every proposition of peace made by all the belligerents conceding the freedom of the seas.

I believe that answer has been conceded by every proposition as to the terms of peace. We have had that victory. We have had a greater victory. We have seen the time come when the Kaiser has been obliged to consult the Reichstag before getting a man to accept the chancellorship of the Imperial Government of Germany. And I say to you, friends and colleagues, that the quicker we talk truthfully and fairly with our constituents, and the sooner we let the President know how the people feel about these things, the sooner we will have an honorable peace. Do not be afraid of being called a traitor or a pacifist. The people of all the world want peace, and it will come. Christ was a pacifist.

And seeing the multitudes He went up into a mountain, and when He was set His disciples came unto Him, and He opened His mouth and taught them, saying:

"Blessed are the merciful, for they shall obtain mercy.

"Blessed are the peacemakers, for they shall be called the children of God."

[Applause.]

Mr. COOPER of Wisconsin. I yield 20 minutes to the gentleman from Ohio [Mr. FESS].

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] is recognized for 20 minutes. [Applause.]

Mr. FESS. Mr. Chairman, members of the committee, at a time like this, when the whole world is at war and when there are statements made from responsible authorities, especially holding responsible positions in the Congress of the United States, that raise questions of whether we are utilizing all of our powers to the best of our ability, it is rather a serious matter for anyone to offer anything that might seem to be criticism. When the war got in full motion I was somewhat concerned whether any criticism ought to be offered at all. I realized that no one ought to say anything that might give comfort to the enemy. So about 10 days ago, upon my own invitation and solicitation, I had an interview with one of America's greatest engineers, whom I happened to know personally very well, and I asked him whether, in his judgment, we were lax in what we were doing in the matter of war machinery. He said to me very frankly that the first thing that was needed is a large vision, so that we might comprehend what we were called upon to do, and also a facility that could utilize in detail our wonderful resources which were at hand. He took a piece of paper and graphically illustrated to me what he thought could be done and should be done by requiring a weekly checking up of all the war activities to insure coordination to avoid what seems to me the result of inefficient methods so apparent to anyone who is willing to look at the facts squarely. I frankly say to you that the interview was sought because of the coal order of Mr. Garfield that indicated to me that we lacked from the outset a full comprehension of the situation on the one side, and a marked inefficiency in management on the other.

Mr. Chairman, I asked for time enough to have read to the committee one of the most illuminating and informing statements, not from the pen of the engineer whom I have mentioned, but from a staff writer of one of the greatest Democratic newspapers in the world, in which the condition as it exists to-day is most graphically pointed out in a spirit of helpfulness and not of criticism, conceding the greatness of the problem presented by the war as well as the great work that already has been done by the War Department, but also the most remarkable fertility in suggestion of what ought to be done now that is not being done. Here is a good example of what character of criticism should be employed, pointing out the weakness, the reason why, and the method of correction. I therefore am going to ask the Clerk to read in my time one of the fairest and most able statements bearing directly upon this situation about which Senators have spoken during the past few days and to-day one of our distinguished colleagues has addressed the House. I ask Members to pay special attention to it because of its fairness and its wholesome criticism, and especially the suggestions by which we could have avoided what we are now suffering.

The Clerk read as follows:

[From the New York Times Magazine, Feb. 3, 1918.]

AMERICA'S HIT-OR-MISS WAR METHODS—CRITICISM OF THE SYSTEM CONTINUES AT WASHINGTON, BUT IT HAS SHIFTED TO A BROADER BASIS—LACK OF REAL COORDINATION ON SCIENTIFIC LINES.

Criticism of the War Department has not stopped with Secretary Baker's defense of the charges brought against his administration, as convincing as that defense was in certain parts. But the line of attack seems to be shifted from the multitude of "details of delay," as the Secretary called them, to what is supposed to be the underlying cause of the country's troubles in getting ready for war.

The newer form of criticism is remarkably free from an appearance of partisanship. It is not captious. It passes beyond overcoats and blankets and lack of hospital facilities to a greater fundamental lack, of which all the miscellaneous defects have been the inevitable results—the lack of an organization working on a basis of ascertained facts and on the engineering methods indispensable to quantity production. This diagnosis of the difficulty comes from the engineers and the experts working within the Government, some of them in the War Department itself, who make a point of finding no fault with what is wrong without being ready to suggest a remedy.

It is a matter of professional ethics with them not to uncover a hole before they know how to fill it up. They take into full account the great things Mr. Baker has accomplished in their outline of methods by which he might have accomplished more. But they take in departments other than the War Department in their criticism, for they say Mr. Baker alone could not have done much more than he has done without cooperation of other war activities. His failure to get such cooperation is attributed more to his course as chairman of the Council of National Defense than to his administration strictly within the lines of his own department.

Military preparation, industrial preparation, rail transportation, ship tonnage, coal production, and so on, have never marched in step with each other for a moment since the beginning of the war, and at this moment the country is suffering from an industrial jam. The jam has been growing since last summer, and even in its early stages it was sufficient to account for a large part of the delay in having soldiers properly equipped.

The country has talked a great deal about this being an industrial war, a conflict of factory power, of food production. The phrases themselves have become hackneyed before the public has learned what they mean. The word "coordination" has been worked threadbare in the oratory and the private discussion of the war. But there has been no coordination comprehensive enough to keep all the activities in touch with each other. The war machine has done too much of this and too little of that, has gone ahead too fast on some things and lagged too far behind on others, apparently oblivious to the fact that many of the things produced by speeding up were useless impedimenta until they could be used in connection with the things in the production of which there has been delay.

Such, in brief summary, is the criticism of the engineers of production, not merely of the War Department, but of the entire administration of the business of war

"This war," said one of these engineering experts the other day in commenting on what he had seen from the inside, "should be a matter of quantity production, perfected as to the assembling of parts and not an accomplished fact until the finished product is delivered at the point where it is to be used. The finished product we have in mind is an American Army equipped for this sort of a war and delivered for use in France. The wide diversity of the industries and activities entering into the enterprise should not blind us to the fact that they are all vital parts of the same undertaking and that they should be in tune with each other as to time of delivery and putting together.

"The training of every soldier in every American camp and cantonment has a direct bearing on the mining of every ton of coal, the shearing of every sheep, the making of every pair of shoes, of every rifle, and with the laying down of every keel for a merchant ship. A regiment of soldiers held at an American port of embarkation because there is no troopship for them is of no use to France, no matter how well equipped it may be. A heap of blankets piled up in the factory because they can not be shipped are of no use to a lot of shivering soldiers in a remote camp, no matter how well the item of the blankets may look in a list of things that the Government has bought and paid for. There are no restorative qualities for a sick soldier in the cantonment contractor's blue-print plan of a base hospital. Gun carriages rushed ahead into the jam of commodities at the terminals long before there are guns for them will not help in the production of an American barrage on the west front. And so it goes, through all the long list of the parts to be produced for the finished product delivered and ready for use in France.

"Without forgetting for a moment that the American soldier is a human being with a soul and the inspiration of patriotism and loyalty, we must, for the purposes of this problem, think of him as a commodity as we think of his rifle as a commodity. The soldiers in the aggregate—that is, the man power—are also a commodity. So is railroad transpor-

tation and sea transportation and storage space, as well as all the munitions and supplies. They are all useless unless brought together at the right time and at the right place. With its present organization the War Department, and the Government as a whole, has no adequate means for the assembling and the delivery of its product, no matter how much partial excellence or efficiency there may be in this or that separate line of the whole work.

"There is no way to accomplish such assembly and delivery other than the engineering way of treating the whole thing scientifically as a piece of quantity production, with one executive with full authority over all. The appointment of Mr. Stettinius as surveyor general of supplies does not give us the solution by any means. The man is all right; he has so proved himself in a place of real authority as supply purchaser in America for our allies, but the job made for him in our war administration is all wrong. He can survey and advise, but he can not do. He can be only one more barrier in the thick line of entanglements between our Army and the one man who has real authority, the President.

"It is not difficult to imagine even now what will happen when a man like Stettinius, without real power, tries to get results by persuasion from a man like Quartermaster General Goethals, if the two do not happen to agree. We will have another Goethals-Denman situation, with nothing accomplished.

"Goethals, too, is a powerful man in a place that has not got sufficient power, for no matter how aggressive he may be in getting supplies produced, he has no authority to control all the activities necessary to get those supplies assembled and where they belong at the moment they are needed. And there is nobody above him who has that power. With all his engineering skill, Goethals never could have dug the Panama Canal if he had not had full authority over many things essential to the digging.

"To be more specific, we need, literally, a quantity-production chart in the War Department that will enable some man to see every day and every hour just where we are in every activity, and that man must have authority to say, 'Hold back there'; 'Speed up here.' We have no such chart anywhere in the War Department or any other department.

"The Government, through its War Department, should assemble in front of that chart a board consisting of its Quartermaster General, its Chief of Ordnance, its Chief of Aviation, its Chief Engineer Officer, the Director General of Railroads, the Chief of Embarkation, a chief in control of labor supply, the head of the Shipping Board, the Fuel Administrator—in short, every chief executive who has control of the production of a commodity or a force that is vital to the prosecution of the war. Over all these there should be a chief with absolute power and answerable only to the President. And, subject only to this chief, the authority of each man on the board should be absolute in the production and purchase of the particular commodity or force for which he is held responsible. The time and quantity and delivery factors in the production of each of them must be determined by the chief of the board, acting solely with reference to what the chart shows the needs of the whole enterprise to be. There you would have your war production board and your priority board in one body, as they should be. It is impossible to make two controls, one for priority and one for production.

"An engineer's chart for such a purpose is the familiar thing of horizontal and vertical lines, the most graphic, illuminating thing in the world for trained executives, but something not sufficiently valued by idealists whose far vision interferes with their seeing the foreground difficulties in the road which they must travel to get where they want to go. But the chart has one line, at least, that is ideal. It is the vertical line on the extreme right of the picture. It shows the goal, what it is hoped to attain at a given time. It alone is not enough to hang a working plan on. The other vertical lines show the divisions of time into weeks, beginning with the line at the extreme left of the picture, which stands for the present moment, and then placed at equal intervals across the chart, approaching always to the right-hand line of the supreme achievement.

"The horizontal lines represent every line of production, of commodity or power that is to go into the finished product, the combination of all the products to be delivered in France for use at a given time; in other words, the American Army. The horizontal lines must be extended from left to right every week to show just what has been accomplished in each activity. In that way the production and priority board with its controlling chief will see at least once a week, in one true picture, just what is behind, just what is ahead, and will know what to lag and what to speed so that all these horizontal lines may proceed across the chart toward the vertical of the ideal, with some approach to a company-front formation.

"Take a simple hypothetical case for illustration. Suppose the horizontal line showing the assembling of man power in the camps is shooting too far ahead of the horizontal line that shows the production and delivery of overcoats and getting to the vertical line that marks a week in midwinter, while the overcoat line is only approaching a vertical line of late autumn. The chart will actually show the discrepancy. If the member of the board responsible for overcoats is not able to catch up immediately, the member of the board responsible for bringing men to camp is told by the chief of them all to lag the process of assembling men until the business of protecting them against cold and disease can be brought up to where it should be.

"What actually has happened in place of such coordination and working with ascertained facts has been a hit-or-miss method of carrying on the various processes without reference to the progress of each other and in accordance with hoped-for facts at some period in the future. It was decided to have so many soldiers at certain places at certain times. It was known that they would need overcoats, blankets, and warm uniforms at a certain time. Contracts were awarded for such equipment, and for a brief period of mild weather early in the days of National Army mobilization the country reveled in the statistics put out by the Bureau of Public Information on the millions of this, that, and the other thing contracted for. But the people who were getting the men together never knew at what rate the clothing that had been contracted for was being produced and delivered. The discrepancy between men and supplies was not realized till the former needed the latter and the latter was not forthcoming in sufficient quantity. A production and a priority board working with a chart would have avoided that situation.

"Alongside the quantity-production chart I would hang a map of the United States. It is fair to assume from the muddle we are in that such a map has not been studied sufficiently. Because of that neglect and of the lack of the comprehensive plan for quantity production we are now suffering from an industrial jam that is holding back every phase of war work. We have not called it by its right name yet. We have called it a coal shortage, which only suggests a part of the story. There was a coal shortage because of congestion of transportation and there was congestion of transportation because all freight trains and all coal trains were headed in the same direction to the same two or three ports of embarkation when we had a dozen other ports that were practically idle.

"The holding up of an entire fleet of supply ships on this side of the Atlantic loaded with goods needed abroad, because they could not be coaled, could have been avoided by having some of those ships loaded at the South Atlantic and Gulf ports. We would not have had the rail congestion if half of the commodities rushed to northern ports in a struggle of conflicting priority orders, and piled up on docks and in warehouses, had been sent over other routes to the southern ports. We would not have had the 15 workless days' order if the jam it was intended to relieve had been avoided by a scientific zoning system, whereby all of our rail and port facilities could have been used to the utmost.

"This discussion of the industrial jam and the flow back to the factories and the coal shortage and the need of a zoning system is all relevant to the matter of a production and priority board and a production chart, because the Director General of Railroads and the Fuel Administrator should be members of such a board and under orders of its chief, for without the fuel and the transportation the whole thing falls down."

Mr. FESS. Mr. Chairman, I want to take a minute to say that the statement which has just been read to me is a capital comment on a situation in which we now find ourselves, and it is also a recommendation of a sane method of relieving it. It is not crimination or recrimination. Its virtue lies in the strength of detection of wrongs and the substitution of remedies which know no personal pique, but strives only for public good. I do not believe that any member of the committee or the House can be justly charged with either careless conduct or willful motive who refuses to close his eyes to wrongs and demands that they be speedily righted. Neither will he be subject to any unpleasant criticism for pointing out what is known to exist which ought not to be and recommending something that can and should be. It is far better than any personal attack or meaningless generality urged against the statements of facts as to the condition of the War Department, which up to this time, so far as I can see, have not been answered.

Mr. Chairman, this raises what is now a leading question before the country. There seems to be an attempt to silence all criticism of methods now in vogue in the War Department. The charge is made that criticism in time of war is unpatriotic if not treasonable. Those who have pointed out specific facts of weakness are charged with bad motives. Epithets have been hurled against them as ignorant, demagogic, and lacking in love of country.

Mr. Chairman, innuendo is not argument, neither is sarcasm logic; neither is condemnation of a bad system answered by personal abuse of the one making the condemnation. Not all the invective of our modern Mirabeaus, nor all the impassioned oratory of our Patrick Henrys, nor all the eulogies of our Websters, graphically detailing the wonders and grandeur of our establishments, will answer the unvarnished and simple record of sickness and death of our youth called to the colors who have thus paid the penalty of national inefficiency before ever having the honor to fire a shot in defense of their country's honor, nor the hit-and-miss methods which see complete paralysis of the Nation's resources in the face of its greatest crisis. Such fatalities when the result of conditions uncontrolled or uncontrollable will be overlooked by the American people; but when controllable and yet defended on the basis that there have been no unnecessary blunders, in the face of the most startling testimony of conditions that must not be permitted to exist, the country will demand an accounting, and that soon. Instead of our silencing all criticism upon the assumption that all that can be known in war we know, and all that can be done we have done, the country's responsible administration should recognize its inefficiency and be willing to accept constructive criticism in the interest not only of a united country but of an efficient government capable and willing to make any sacrifice necessary to do and to die for national honor.

Undivided council is wisely sought when based upon freedom of expression by men of ability and responsibility, but it is the height of unwisdom if the result of either mediocrity or servility. In this supreme crisis this Congress must hold itself bound to commend the good and responsible and to condemn the bad. Otherwise the country will and should demand its place given over to men who will exercise this responsibility. This war must be fought to a successful ending, otherwise the blood and treasure will be in vain. I wish again to commend a study of the salient recommendations of the constructive builder, the engineer, in the confidence that improvements will be made even though their suggestion may come from those not in official circles and offered without solicitation, but in the interest of a common cause which must depend upon our very best of resource. Let the country lift its gaze for a moment from what it has done and take one glance at what it has not yet done but must soon do.

Mr. COOPER of Wisconsin. I yield 20 minutes to the gentleman from Minnesota, Mr. KNUTSON.

Mr. KNUTSON. Mr. Chairman, on the 7th day of January I addressed this House upon conditions as I found them at Camp Cody, N. Mex. As the result of my remarks the governor of Minnesota directed the safety commission of that State to visit Camp Cody and other camps where Minnesota soldiers are encamped and make a first-hand investigation. I desire at this time to send to the desk a report made by that commission on its return, which I ask to be read by the Clerk and printed in the RECORD. To this report I desire to supplement by inserting a portion of the report submitted to Gov. Harding, of Iowa, by the committee named by him to investigate the great number of complaints received as to the unfitness of the location occupied by Camp Cody for training purposes.

The Clerk read as follows:

REPORT ON CAMP CODY, DEMING, N. MEX., AND OTHER CAMPS.

Camp Cody is located at Deming, N. Mex. Three railroads, the Southern Pacific, the El Paso & Southwestern, and the Santa Fe, run into the city. Its population immediately before the establishment of Camp Cody was 3,000. Its present number of inhabitants is estimated at more than 6,000. The altitude is approximately 4,300 feet. The air in this locality is very dry. The rainfall is less than 12 inches annually. The sun shines on about 320 days of the year. There are no flies, mosquitoes, or insects of any kind, and the water is excellent. The temperature varies greatly. The nights are cool and the days are usually quite warm. During the winter months the temperature of the night and day ranges from 30° F. to 80° F. and during the summer months from 40° F. to 90° F., showing a difference of 50° between the day and night.

CONDITIONS IN CITY.

On account of the crowded conditions at Deming it is difficult for visitors to procure rooms, but through the kindness of the residents many houses of the city have been opened to those who can not be accommodated at the hotels. Local organizations are doing everything within their power to accommodate those visiting the camp. From a moral standpoint conditions could scarcely be better than they are at Deming. There is excellent cooperation between local authorities and the military police in the enforcement of the laws. Very few venereal diseases have developed since the location of the camp. The sale of intoxicating liquors is prohibited. The comparatively small size of the city makes it possible to detect and eliminate prostitution. Such organizations as the Young Men's Christian Association, the Knights of Columbus, and the churches of the city make provision for religious services. A local war board, known as the Deming War Service Board, which is doing good work in many lines, has been formed to assist in promoting wholesome recreation and entertainment for the soldiers.

CONDITION OF CAMP GROUND.

The ground upon which the camp is located is very sandy, and the dust and sand where the Minnesota boys drill are several inches deep. Nearly every man spoken to criticized the location on this account. It was said that the air at times becomes so filled with this sandy dust as to almost completely obstruct one's vision. The floors of the tents and buildings become covered with it in such quantities that it is impossible for the men to keep their quarters clean. On days when the wind is not blowing and the men are not drilling the air is clear and agreeable. Those living in the city would not be affected to as great an extent by the dust as are the soldiers, who must drill daily and who by marching through it are continually raising and inhaling it.

CONVENIENCES AND SANITARY CONDITIONS.

The capacity of the camp is approximately 30,000 men. The present number located there is 24,867. The tents are 14 by 14. Some of the Minnesota companies had eight men in each tent, but orders have been issued to reduce the number to five as soon as sufficient tents arrive. The water supply of the camp is good, but the sewerage is not what it ought to be. The open system has been installed for drainage purposes. The toilet facilities are very poor. Incinerators are used to dispose of all kitchen waste and such other matter as can be burned. The tents are heated by the burning of wood in small stoves. The lighting system for the most part is very inadequate. Electric lights were found in the hospitals, officers' tents, and mess halls, but candles, which were furnished for illuminating the tents of the men, did not give sufficient light. It was also reported that there was an insufficient amount of hose for extinguishing fires that might occur.

FOOD AND ORDNANCE.

The subsistence was very adequate. No complaints were made as to the meals in the mess halls. The men in most cases had sufficient uniforms and the facilities for cleaning their clothing were ample. About 75 per cent of the men were fully equipped with rifles, belts, and other required ordnance. The Minnesota Field Artillery Regiment had not been provided with sufficient field-artillery equipment.

NUMBER OF DOCTORS.

There are several infirmaries for the incipient cases and one base hospital composed of several buildings. The hospitals were of the pavilion type. There are 174 physicians and 33 dentists in the camp. If all the physicians were available for medical service, the proportion of doctors to the number of men would be approximately 1 to 143, and the proportion of doctors to the number of sick would be 1 to 47. Actually the proportion attending the sick is only about 1 doctor to 40 patients, as most of the doctors are engaged in administrative and other work.

NURSES.

There are 49 registered woman nurses. The proportion of these nurses to the number of sick is about 1 to 24. There are 323 male attendants at the hospital, and 1,546 privates in the Hospital Corps, most of whom are available for service, but inexperienced in this kind of work. The camp is in great need of more graduate nurses.

HOSPITAL EQUIPMENT.

The hospital lacks adequate sewerage, as the hospital buildings are not equipped with baths and other necessary plumbing fixtures. Improvements are being contemplated and some new materials to be used for this purpose are now on the ground. None of the wards appeared to be equipped with diet kitchens, essential to the serving of food in the best manner. The men in certain wards, such as the erysipelas ward, are too crowded. Nearly every sick Minnesota man visited said he received very kind and efficient treatment from both doctors and nurses. There was very little complaint about the hospital food or clothing. A few said that the food was cold and unfit to eat, and one or two stated that the quantity was not sufficient.

SICK AND DEATH RATE.

The total number of men at the camp at the time of our visit, as above stated, was 24,867. The total number in hospital and quarantine was 1,191, which, of course, includes many who were not seriously ill. The sick rate was 43 per thousand. This is the lowest since camp was organized. The maximum was 64 per thousand for the week ending January 4, 1918. The total number of deaths from all causes since the opening of the camp was 83. With the continuation of this proportion for one year, the annual death rate will be about eight per thousand.

KINDS OF DISEASES.

The different and prevailing kinds of diseases and the number afflicted therewith were as follows:

	Total in hospital on Jan. 18.	Total number cases from Aug. 25, 1917, to Jan. 18, 1918.
Pneumonia	138	242
Measles	33	1,354
Scarlet fever	9	.....
Erysipelas	34	90
Acute otitis (ear infection)	43	136
Pleurisy	45	61
Rheumatic fever	190	300
Meningitis	2	.....
Chicken pox	2	.....
Surgical cases	175	.....
Venereal	32	.....
Unclassified	438	.....

VENEREAL DISEASES.

Only about 2½ per cent of the 24,867 men are reported to have been afflicted with venereal diseases. A total of 41 had syphilis before going to the camp. No new syphilis cases were reported since camp was established. Six hundred and thirty-eight men had other venereal diseases before arrival at Deming. Only 19 cases were developed at Camp Cody up to January 1 this year. Reports, therefore, relative to the venereal disease situation have been greatly exaggerated.

OFFICERS.

The commanding general and his staff are very efficient and doing excellent work. There was some evidence to the effect that certain officers were manifesting a spirit of exclusiveness which tended to create a dissatisfied feeling on the part of those in the ranks. Such attitude on the part of the officers should be eliminated. This is poor time for the showing of such autocratic spirit. The medical officers in charge of the hospitals and performing other duties are high-class men. They are, however, working under certain handicaps, such as the inconveniences herein referred to, the difficulties due to the sand and dust, and the extreme variation between night and day temperatures, together with the lowered vitality of the soldiers occasioned by the necessary intensive training, to which most of the men were not accustomed before entering the camp.

COMPARISON BETWEEN DIFFERENT CAMPS.

The comparison of conditions at Camp Cody with others, such as those at Camp Kearney, near San Diego, Cal.; Fort Winfield Scott, in San Francisco; Camp Lewis, at American Lake, Wash.; Camp Pike, Little Rock, Ark.; Jefferson Barracks, St. Louis, Mo.; and Camp Dodge, Des Moines, Iowa, shows that the hospital and equipment at Camp Cody have been neglected by the responsible authorities. The hospital buildings at Camp Cody were inferior to those in other camps. At Camp Pike, however, some wards were overcrowded. As heretofore stated, the plumbing and sewerage facilities at the Deming camp are entirely inadequate and incomplete, while those of the other camps appeared to be adequate and complete. In all places visited, except Camp Cody, the diet kitchens were equipped so that they could be used for cooking and heating purposes, enabling the attendants to serve warm and proper food to the patients at all times. Except at Camp Cody, electric lights were furnished to all the men. At Camp Kearney no artificial heat is required. At Camp Lewis and Camp Pike the barracks are provided with steam heat. At Camp Cody each hospital ward has a hot-air furnace at each end of the ward, and the tents of the men are heated with stoves. The wood used in them must be shipped in from long distances, and apparently much expense is necessary. The operating rooms of the other hospitals were generally superior to those at Camp Cody, being more commodious, better lighted, and more elaborately equipped. The same can be said of the dental departments. Certain complaints about conditions at Jefferson Barracks were due to the overcrowded condition, which continued for one week. The capacity of the barracks is 4,500, while the number there for a short time was 16,000, but now reduced to less than 4,500.

COMPARISON OF HEALTH CONDITIONS.

In comparing the different localities as to health conditions it is apparent that the contagious diseases are found in about the same proportion. There is very little difference, proportionately, in the number of men who contract venereal diseases after they reach the camp. When, however, one considers such serious illnesses as pneumonia, acute otitis, inflammatory rheumatism, and erysipelas the comparison between the camps on the Pacific slope and Camp Cody, Camp Pike, and Camp Dodge makes it appear that the climatic and other local conditions have some effect in causing these particular diseases.

PNEUMONIA.

At Camp Cody there are now 188 men out of 24,867 afflicted with pneumonia. In Camp Kearney there are 61 men out of 25,000. At Fort Winfield Scott there is 1 out of 2,930. In Camp Lewis there are 35 out of about 34,000. There are therefore proportionately more than three times as many suffering from pneumonia at Camp Cody than at any one of the places on the western coast. At Camp Pike, however, the number of pneumonia cases was larger by far than at any other camp.

RHEUMATISM.

In Camp Cody there were 190 men out of 24,867 afflicted with rheumatism. At Camp Kearney only 15 out of 25,000. There were no cases reported at either Fort Winfield Scott or Camp Lewis.

ACUTE OTITIS.

Of those suffering with acute otitis (ear infection) there were 43 at Camp Cody and only a very few, following measles, at Camp Kearney. At Fort Winfield Scott there was one and none was reported at Camp Lewis.

ERYSIPELAS.

We found 34 erysipelas cases at Camp Cody, 3 at Camp Kearney, and none was reported at Fort Winfield Scott, and only 6 at Camp Lewis.

DEATHS.

The number of deaths at Camp Pike exceed the number at any of the other camps. The total number was not given to the members of the committee visiting this camp. At Camp Cody 83 men have died since the opening of the camp. At Camp Kearney, which opened about the same time with an equal number of men, 60 have died. At Fort Winfield Scott, out of the 2,900 drafted and recruited men located there, there were 2 deaths in the one month during which they have been stationed at this fort. At Camp Lewis, with the largest number of men, there have been 50 deaths.

DEDUCTIONS.

From these figures one is led to believe that the dust and sand, the high altitude, and extreme variation of day and night temperatures at Camp Cody are more conducive to pneumonia, rheumatism, acute otitis, and possibly erysipelas than the climatic conditions on the Pacific coast.

THE EFFECT ON PNEUMONIA, ACUTE OTITIS, AND RHEUMATIC FEVER.

The dust and sand, which irritates the nostrils and throat, causing tonsilitis and bronchial affections, appear to be the source in a large measure of pneumonia, acute otitis, and rheumatic fever. The inhabitants of Deming, who have resided there for years, have not been afflicted with these diseases to any great extent, but the residents are acclimated and do not come into contact with the dust and sand to the same degree as do the soldiers, who, as has already been stated, by their marching in large bodies are continually raising this fine sandy dust and compelled to inhale it.

THE EFFECT ON VARIATION IN TEMPERATURE.

The great variation between day and night temperatures, due to the high altitude, may also be responsible in a large measure for pneumonia and the bad throat conditions which are direct precedents of acute otitis and inflammatory rheumatism. The cold nights spent in tents by men who, during the day, have been very warm must have a bad effect upon their health. The unusually large number of cases of acute otitis and also of rheumatic fever which constitutes one of the most distressing and often permanently disabling of all diseases can be accounted for only by reason of the excessive number of tonsilitis cases due in all probability to the causes hereinbefore stated.

ERYSIPELAS.

Since the opening of the camp there have been 90 cases of erysipelas among the men. It is impossible to say why so many should have been afflicted with this disease unless in this connection also the sand and dust cause an irritation of the nose and face, which thus opens an avenue for infection. It is of course recognized that erysipelas is a contagious disease and the grouping together of so many men might also be responsible for this epidemic.

CONCLUSION AS TO CAUSE OF DISEASE.

While the medical men at Deming differ as to which condition is the greatest factor in causing the prevailing illnesses, it is our opinion that conditions heretofore stated must be responsible in a large measure for the great number of those diseases, which are found at Deming to a greater extent than elsewhere.

SOME OBJECTION TO ANY CLIMATE.

We heard of some objection to the climate in all the camps we visited except at Camp Kearney. At Deming it was the dust. At Fort Winfield Scott it was fogs. At Camp Lewis it was the rain, which has been falling nearly every day for months. At Camp Pike it was slush. At Camp Dodge it was snow and cold. There appear, however, not to be such bad results in the West as the diseases herein indicated as at Camp Cody and in some of the other camps. The Minnesota boys at Fort Winfield Scott were especially pleased with the San Francisco climate and with the conditions generally at this fort. About 96 Minnesota men were discharged on the day of our visit because of physical disability. The officers in charge complained on account of the negligent examination of the men by local doctors. At Camp Kearney, near San Diego, Cal., we heard nothing but favorable comments about the climatic situation. Since the opening of the camp the men there had not lost one hour on account of weather conditions.

UNLESS CONDITIONS ARE REMEDIED REMOVAL IS RECOMMENDED.

Our soldiers who are willing to make the supreme sacrifice are entitled to the best location that can be found. To refuse to select a proper and healthy site for their training, or to fail to keep the established camps in a sanitary condition, would be criminal negligence meriting the severest punishment possible. The largest number of Minnesota troops is located at Camp Cody. There are some at Camp Pike and a smaller number in San Francisco. Unless the sickness at Camp Pike can be reduced, and unless something can be done at Camp Cody to eliminate the dust by the adequate oiling of all the streets and the open ground of the whole camp, or to relieve in some other way the serious and disagreeable conditions above referred to, the troops should, in our opinion, be moved from these places to Camp Kearney, where there are ample facilities for locating a new camp and for the training of hundreds of thousands of men, if necessary, with proportionately much less expense and with greater possibilities for the saving of life and the prevention of disease.

J. A. A. BURNQUIST,
Governor and Chairman of Minnesota Commission of Public Safety.
CHAS. H. MARCH,
Vice Chairman of Minnesota Commission of Public Safety.
LYNDON A. SMITH,
Attorney General of Minnesota.
WALTER F. RHINOW,
Adjutant General of Minnesota.
O. W. HOLCOMB, M. D.,
St. Paul, Minn.

CODY CONDITIONS BETTERED—INVESTIGATORS REPORT IMPROVEMENT AT CAMP—SITE, ONLY, IS UNFAVORABLE—KENNEDY AND JEPSON, APPOINTED BY GOV. HARDING, FILE STATEMENT OF FINDINGS DURING VISIT TO NEW MEXICO ENCAMPMENT.

Administration of Army affairs at Camp Cody, Deming, N. Mex., where hundreds of Sioux City soldiers are stationed, yesterday was given the official "O. K." of the mission of investigators sent from Sioux City to Deming by Gov. W. L. Harding.

Only the location of the camp was criticized in the 10-page report which was submitted by J. L. Kennedy and Dr. William Jepson, the investigators, to the Sioux City chapter of the Red Cross and to the governor, and the criticism of that was moderately phrased as "not the most ideal."

The investigators noted a marked improvement in the condition in the camp and blamed the system rather than officers in charge for the situation as it existed there several weeks ago.

TEXT OF THE REPORT.

The report follows:

"To his excellency W. L. HARDING, governor of Iowa:

"Pursuant of your instructions under date of January 14, we proceeded to Camp Cody, at Deming, N. Mex., arriving there on the 20th instant, and the following morning undertook the inspection of the camp, having first received the consent of the commanding officer, Gen. Blockson, who placed at our disposal every opportunity to make such investigation as we deemed necessary in the fulfillment of our mission.

"In the fulfillment of our mission as set forth in your instructions we were guided by the impression that it was your desire that our investigation should be carried on with a view of determining the existence of conditions inimical to the health and welfare of the troops stationed at the camp.

"Social environment: The social environment of the camps, in so far as furnishing any factor deleterious to the morale or health of the troops, is all that could be well asked for. The city of Deming, with a population not in excess of 3,000, would normally present but a limited opportunity for vice, except such as would directly surround the liquor traffic. As trafficking in liquor has been abolished in the city and strict regulations exist against its introduction into camp, the amount of liquor finding its way to the troops must be limited to that which can be clandestinely introduced, and this, by reason of the care exercised to prevent it, must be most limited in quantity. Similarly, every effort is apparently exercised to prevent contact with such of the opposite sex as would lead to moral deterioration, which statement is supported by the records of the division surgeon's office, which shows that of 679 cases of venereal disease appearing among the troops, 660 were contracted in civil life and 19 from exposure since arrival at the camp, and over one-half of said 19 cases—namely, 12—occurred during the first month of the mobilization, a period when the machinery of protection had not reached its maximum of efficiency. In the light of the foregoing facts, it is believed that it may well be questioned if an equal number of men anywhere are leading a more moral life than the troops at this camp, certainly nowhere in civil life. The Y. M. C. A. and K. C. organizations and provided buildings at the camp supply the men with the needed recreational amusements. Such as were visited by us were well filled and the entertainment of good quality.

PHYSICAL ENVIRONMENT.

"Camp site: The camp is located in a level valley, altitude about 4,300 feet, surrounded by low ranges of mountains distant some 15 to 30 miles and more. The soil is composed largely of sand, much of which is shifted from place to place by the winds, which at times leads to such clouds of dust as to obscure from view only objects a short distance away, in consequence of which troop movements at times must be temporarily suspended. Personally, we had no opportunity of observing these sandstorms, but all oral evidence was to that effect, while the drifts of the fine sand about the sparse vegetation of mesquite and Yucca plants gave evidence of this sand movement; furthermore, the depths to which vehicles and the feet of men and animals penetrated the sand in many places gave evidence of the great sand and dust movement possible.

"That at times the sand and dust-laden air is a factor to some degree detrimental to the health of the troops seems to us a reasonable assumption based upon the fact that workers in dust in civil life are well recognized to be especially prone to pulmonary affections, pneumonia koniosis, in consequence of the damage done to pulmonary structures by the particles of foreign substances inhaled.

FLYING SAND CONTAMINATED.

"If the sand and dust is contaminated by pathogenic germs, the same may constitute an added factor of pathogenecity. That the soil must be contaminated from time to time by the excreta of animals and men when away from camp on maneuvers goes without saying, and as there has been no rainfall in amount sufficient to carry the organic material and germs away in surface water or into the soil to a depth where no longer capable of being carried about by the currents of air, the accumulations of five months, less such as have been destroyed by the sun's action, must at this time be present in the ever-shifting sand and dust.

"While the sun's action may suffice for the soil sterilization in the heated months of summer, it seems to us questionable whether the same holds true of the cooler months of winter.

"To the conception upon our part of sand infection and consequent aid infection at such times when moderate currents are produced, we would attribute in part the apparent tendency to infections in and about the respiratory tract.

"The question as of the degree of aid infection we reserve for a supplemental report.

CLIMATIC CONDITIONS IN CAMP.

"There is apparently nothing in the climatic conditions which would exercise a deleterious effect, unless it be the marked difference between diurnal and nocturnal temperatures increased in its effect by the rarity of the air, making it difficult for the men to adjust their clothing requirements to the changing needs.

"This difficulty would be accentuated when the men are undergoing marked physical exercise, especially at this altitude, as it is probably performed with more difficulty than in lower altitudes. The practically constant sunshine and aridity are in themselves beneficent.

"The water supply is abundant and of the best quality.

"Food: Our report upon the food, its preparation and serving, is based upon an examination of organizations selected at random by us. In our opinion, ample and wholesome food is issued to the men, perish-

able food being stored in company refrigerators after use. The food is well prepared by company cooks, who have been instructed in their duties, which is served to the men in mess halls, well heated and ventilated and equipped for the purpose. The food, as to quality and quantity, preservation and serving must leave little, if anything, to be desired, and nothing in connection therewith can act deleteriously to the health of the men.

QUARTERS OF THE SOLDIERS.

"The men's quarters consist of pyramidal tents, floored and with sides boarded up, heated with Sibley stoves, and adequately ventilated. Five men are quartered in each tent, which can not be in excess of the number which hygienic requirements would impose. Each man is now provided with a cot and four blankets, which number appears to be adequate to meet the men's needs in this respect. Inquiry of many men as to the adequacy of the bedding allowance elicited no complaints unless it be that the issue of additional blankets from time to time to meet the increasing needs with increasing cold was unduly tardy. We are of the opinion that the men can suffer but little, if any, from deficient shelter or bed clothing. There is, however, a possibility that the men may subject themselves to conditions in their tents which are not conducive to the greatest safeguarding of their health, in that they maintain heat in their tents until ready to retire, and possibly afterwards, until the wood burns up, with the result that their quarters when they retire may have a temperature of about 70° F., and as the fire goes out it will fall so by morning it may have dropped to nearly zero, as was the case while we were there. Under such conditions the men are either too warmly covered in the early part of the night or not sufficiently by morning. It is believed that it would be advantageous if the men were to retire in cold tents, so that when covering themselves for the night the temperature conditions might more nearly approximate those of the morning. Whether it would be practical to have the men retire in cold quarters, we may not say, as it would require that the men spend at least the latter part of the evening before retiring in the mess hall, so that their tent fires might be extinguished."

Mr. GLASS was given leave by unanimous consent to revise and extend his remarks in the RECORD.

Mr. FLOOD. Has the gentleman concluded?

Mr. COOPER of Wisconsin. Yes.

Mr. FLOOD. I thought that the gentleman would take up all the afternoon, and I was obliged to give 15 minutes time that I had promised to the gentleman from Illinois [Mr. RAINEY] to the gentleman from Virginia. I want to ask unanimous consent when we get into the House that Mr. RAINEY may address the House for 15 minutes to-morrow morning.

Mr. COOPER of Wisconsin. I might find some one that would want to use the balance of the time that I have. I will consent to the gentleman's request if the gentleman will agree that these men who are not here or some other person may have 15 minutes.

Mr. FLOOD. Very well. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HUMPHREYS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9314, the Diplomatic and Consular appropriation bill, and had come to no resolution thereon.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns this afternoon it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. STAFFORD. Reserving the right to object, I understand it is the purpose to take up the bill under the five-minute rule to-morrow.

Mr. FLOOD. Yes.

Mr. STAFFORD. I think there is no occasion to inconvenience Members by bringing them here that early, and I object.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that general debate on this bill may be concluded to-morrow in 30 minutes, 15 minutes to be controlled by me and 15 minutes by the gentleman from Wisconsin.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. LONDON. Reserving the right to object, the gentleman from Illinois [Mr. RAINEY] informed me that he was going to speak on the breaking up of the convention of Social Democrats in South Dakota. If he speaks on that subject, I want 5 or 10 minutes to reply. Will the gentleman make it 40 minutes?

Mr. COOPER of Wisconsin. Did the gentleman from Illinois [Mr. RAINEY] notify the gentleman from New York?

Mr. LONDON. The gentleman from Illinois was kind enough to let me know that he was going to speak on that subject and asked me to be present.

Mr. FLOOD. Then, Mr. Speaker, I make it 40 minutes, so that the gentleman from New York may have 10 minutes.

The SPEAKER. The gentleman from Virginia asks unanimous consent that general debate be limited to 40 minutes, he to have 15 minutes, the gentleman from Wisconsin 15 minutes; and if the gentleman from Illinois discourses on the North Dakota incident the gentleman from New York shall have 10 minutes. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. FLOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 41 minutes p. m.) the House adjourned until to-morrow, Friday, February 8, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of State submitting a supplemental estimate of appropriation required by the Department of State to complete the arrangements and provide for the entertainment of the Fifteenth International Congress Against Alcoholism, to be held in the United States (H. Doc. No. 920); to the Committee on Foreign Affairs and ordered to be printed.

2. A letter from the Acting Secretary of Commerce, transmitting list of executive papers not needed or useful in the transaction of current business of the department and have no permanent or historical interest (H. Doc. No. 921); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. KEATING, from the Committee on Pensions, to which was referred the bill (H. R. 9641) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 287), which said bill and report were referred to the Private Calendar.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 9248) to prevent extortion, to impose taxes upon certain incomes in the District of Columbia, and for other purposes, reported the same with amendment, accompanied by a report (No. 288), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (H. J. Res. 235) granting to certain persons in the active war service an extension of time within which applications for insurance may be made under section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917, reported the same without amendment, accompanied by a report (No. 289), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 8125) for the relief of James W. Kingon, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MAHER: A bill (H. R. 9642) to authorize the Secretary of Labor to provide housing for war needs; to the Committee on Labor.

By Mr. COOPER of Ohio: A bill (H. R. 9643) to provide for the traveling expenses of soldiers in the United States Army when on furlough; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 9644) authorizing the Secretary of War to remove or dispose of timber on the Three Tree Point Military Reservation and the Fort Canby Military Reservation, in the State of Washington; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 9645) providing for the appointment of inspectors to take the state of the meters for the gas and electric light consumers of the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 9646) to fix the price of gas in the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 9647) to provide for the issuing of circulating notes of the United States; to the Committee on Banking and Currency.

Also, a bill (H. R. 9648) fixing the maximum price of electric current to consumers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. AUSTIN: A bill (H. R. 9649) for enlistment and appointment of officers in the National Guard, District of Columbia, during the period of the war; to the Committee on the District of Columbia.

By Mr. CARY: Resolution (H. Res. 245) to direct the Commissioners of the District of Columbia to report to Congress immediately what steps, if any, have been taken by them to enforce section 11 of an act approved March 4, 1913, entitled "An act to direct the Commissioners of the District of Columbia to bring a suit in equity in the Supreme Court of the District of Columbia to dissolve the corporation known as the Washington Gas Light Co."; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KEATING: A bill (H. R. 9641) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; committed to the Committee of the Whole House.

By Mr. ASHBROOK: A bill (H. R. 9650) granting an increase of pension to Andrew C. Patterson; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 9651) granting a pension to Marion Rosser; to the Committee on Pensions.

Also, a bill (H. R. 9652) granting a pension to Robert Donson; to the Committee on Pensions.

Also, a bill (H. R. 9653) granting an increase of pension to Hugh M. Costner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9654) granting an increase of pension to Abner D. Rutherford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9655) granting an increase of pension to Luther S. Campbell; to the Committee on Pensions.

By Mr. AYRES: A bill (H. R. 9656) granting an increase of pension to Isaac S. Brundage; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9657) for the relief of Benjamin F. Burch; to the Committee on Military Affairs.

By Mr. DECKER: A bill (H. R. 9658) granting an increase of pension to Uriah Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9659) granting an increase of pension to Franklin Hereford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9660) granting a pension to Elizabeth Munday; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9661) granting a pension to Colann Blakely; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9662) granting a pension to Elizabeth J. Points; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9663) granting a pension to Henry Borghardt; to the Committee on Pensions.

Also, a bill (H. R. 9664) granting a pension to Samuel D. Lee; to the Committee on Pensions.

By Mr. FERRIS: A bill (H. R. 9665) granting a pension to Flora A. Hubbard and her minor children; to the Committee on Invalid Pensions.

By Mr. HICKS: A bill (H. R. 9666) for the relief of Stephen J. Haff; to the Committee on Military Affairs.

By Mr. JOHNSON of Kentucky: A bill (H. R. 9667) granting an increase of pension to John M. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9668) to correct the military record of Alfred J. Carter; to the Committee on Military Affairs.

By Mr. MANN: A bill (H. R. 9669) granting an increase of pension to Newell S. Lord; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 9670) granting an increase of pension to Isaac Boyce; to the Committee on Invalid Pensions.

By Mr. RUBY: A bill (H. R. 9671) granting an increase of pension to Lambert Conner; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 9672) granting an increase of pension to Warren F. Sherman; to the Committee on Invalid Pensions.

By Mr. CHARLES B. SMITH: A bill (H. R. 9673) for the relief of Nathan B. Wilber; to the Committee on Military Affairs.

By Mr. SWEET: A bill (H. R. 9674) granting an increase of pension to Alfred J. Skinner; to the Committee on Invalid Pensions.

By Mr. TAGUE: A bill (H. R. 9675) granting a pension to Stella Archer Simson; to the Committee on Pensions.

By Mr. WELTY: A bill (H. R. 9676) granting an increase of Pension to Daniel Ault; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the grand jury of the United States district court at Juneau, Alaska, affirming their loyalty, and pledging their best efforts to bring the war to a successful termination; to the Committee on the Judiciary.

By Mr. DALE of New York: Memorial of the National Single Tax League, favoring legislation to raise Federal revenue through land-value taxes, and protesting against the Fletcher bill, appropriating $50,000,000 to pay landowners for what the club calls "legalized blackmail"; to the Committee on Appropriations.

By Mr. DALE of Vermont: Petition of the Vermont Dairymen's Association, favoring the bill authorizing an increased appropriation for the control and eradication of tuberculosis among live stock and food animals, and protesting against the removal of the tax on colored oleomargarine; to the Committee on Agriculture.

By Mr. FULLER of Illinois: Memorial of the Massachusetts Dairymen's Association, for repeal of the second-class postage provision of the war-revenue act; to the Committee on Ways and Means.

Also, petition of the La Salle Portland Cement Co., of La Salle, Ill., relative to improvement of inland waterways; to the Committee on Rivers and Harbors.

Also, memorial adopted by a convention of short-line railroads, relative to pending railroad legislation. Also a petition of the Westchester County (N. Y.) Commission of Safety, for the daylight-saving bill; to the Commission on Interstate and Foreign Commerce.

By Mr. GALLIVAN: Petition of Vincent Veprek, Boston, Mass., requesting that the independence of the Czecho-Slovaks be recognized and a Czecho-Slovak State be organized; to the Committee on Foreign Affairs.

By Mr. GOODWIN of Arkansas: Petition of the Delta Shakespeare Club, of Lake Village, Ark., favoring the repeal of zone rates system of postage on second-class periodicals; to the Committee on Ways and Means.

By Mr. GRAHAM of Pennsylvania: Resolutions of the Civic Club of Philadelphia, protesting against the zonal system as applied to postal rates for periodicals; to the Committee on Ways and Means.

By Mr. LINTHICUM: Memorial of Maryland State Board of Forestry, favoring S. 3344; to the Committee on Agriculture.

Also, petition of Oriole Branch No. 176, National Association of Letter Carriers, favoring H. R. 9414; to the Committee on the Post Office and Post Roads.

Also, petition of E. E. Jackson Lumber Co., Baltimore, Md., opposing the eight-hour law; to the Committee on Labor.

Also, petitions of P. Gallagher Realty Co. and J. A. Bokel Co., opposing repeal of zone system for periodicals, and of A. N. Fleagle, favoring such repeal; to the Committee on Ways and Means.

By Mr. RANDALL: Memorial of the Woman's City Club, of Long Beach, Cal., protesting against the zone postal amendment to the war-revenue bill; to the Committee on the Post Office and Post Roads.

By Mr. SANDERS of New York: Petition of citizens of York, N. Y., in public meeting, urging the passage by Congress of emergency war prohibition measures; to the Committee on Military Affairs.

Also, petition of the Ossian Church, Dansville, N. Y., urging the passage of emergency war prohibition; to the Committee on Military Affairs.

Also, petition of residents of Attica, N. Y., in mass meeting, urging the passage by Congress of a resolution to amend the Federal Constitution to prohibit polygamy and polygamous cohabitation; to the Committee on the Judiciary.

Also, petition of the congregations of the Methodist and Congregational Churches of Arcade, N. Y., urging the passage by Congress of national emergency war prohibition; to the Committee on Military Affairs.

Also, petition of Andrew Barber and 44 other residents of Greigsville, N. Y., urging the passage by Congress of immediate emergency war prohibition; to the Committee on Military Affairs.

Also, petition of Mr. J. W. Bray and 16 other gentlemen, urging the passage by Congress of an amendment to the Federal draft law permitting the sons of farmers to be furloughed for work on the farms during the summer; to the Committee on the Judiciary.

By Mr. SNYDER: Petition of various farmers in the thirty-third New York district for relief in the conditions surrounding the production of crops and the securing of adequate help; to the Committee on Military Affairs.

By Mr. STEPHENS of Mississippi: Papers to accompany House bill 8125, for the relief of James W. Kinzon; to the Committee on Military Affairs.

By Mr. TAGUE: Petition of William W. Cotton, forest commissioner, city of Newton, Mass., on Senate bill 3344; to the Committee on Agriculture.

SENATE.

FRIDAY, *February 8, 1918.*

Rev. J. L. Kibler, of the city of Washington, offered the following prayer:

O God, our heavenly Father, we come to Thee for Thy blessing. Realizing our position and our responsibility in the strife of the world to-day, we come to Thee for wisdom and we look up to Thee for Thy guiding hand. We are still dependent upon Thee, O God. Thou art the Creator of all worlds, the Ruler over all nations, and the Judge of all men. We humble ourselves therefore under Thy mighty hand and trust in Thy almighty power. May we seek our peace and safety, our successes and triumphs, only in harmony with Thy righteous laws. May Thy servants in the Senate to-day, in all their deliberations, reflect to the honor of Thy name in the accomplishment of Thy purposes, through Jesus Christ our Lord. Amen.

The Journal of yesterday's proceedings was read and approved.

NATIONAL PROHIBITION.

The VICE PRESIDENT. The Chair lays before the Senate the following communication, which will be inserted in the RECORD and placed on file.

The communication is as follows:

DEPARTMENT OF STATE,
Bismarck, N. Dak., February 4, 1918.

Hon. THOMAS R. MARSHALL,
President of the Senate, Washington, D. C.

DEAR SIR: Agreeable to a resolution adopted by the fifteenth legislative assembly in extraordinary session, I am inclosing a copy of resolution relating to the ratification of amendment to the Constitution of the United States regarding the manufacture, sale, and use of intoxicating liquors.

Yours, very truly,
THOMAS HALL,
Secretary of State.

—

UNITED STATES OF AMERICA,
Department of State, State of North Dakota.

To all to whom these presents shall come:

I, Thomas Hall, secretary of state of the State of North Dakota, do hereby certify that the attached resolution is a true and complete copy of a certain concurrent resolution adopted by the fifteenth legislative assembly in extraordinary session beginning January 23 and ending January 29, in the year of our Lord one thousand nine hundred and eighteen.

Dated at Bismarck, N. Dak., on this 30th day of January, A. D. 1918.

[SEAL.]
THOMAS HALL,
Secretary of State.

—

A joint resolution (H. R. 8) ratifying a proposed amendment to the Constitution of the United States of America. (Introduced by Mr. Harris.)

Whereas both Houses of the Sixty-fifth Congress of the United States of America, at the second session, by a constitutional majority of two-thirds thereof, made and passed the following proposition to amend the Constitution of the United States of America, in the following words, to wit:

"Joint resolution proposing an amendment to the Constitution of the United States."

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States, as provided by the Constitution:

"ARTICLE —, SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation therof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by Congress."

Therefore be it

Resolved by the Legislative Assembly of the State of North Dakota, duly convened, That the said foregoing proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the legislative assembly of the State of North Dakota; and be it further

Resolved, That certified copies of this preamble and joint resolution be forwarded by the governor of this State to the Secretary of State of the United States of America, at Washington, to the presiding officer of the Senate of the United States and to the Speaker of he House of Representatives of the United States.

Approved 4.45 p. m., January 28, 1918.

LYNN J. FRAZIER, *Governor.*

PETITIONS AND MEMORIALS.

Mr. CURTIS presented a petition of Charles Herzer Camp, No. 22, of Dodge City, Kans., praying for the enactment of legislation granting pensions to widows and orphans of veterans of the Spanish-American War, the Chinese Expedition, and the Philippine Insurrection, which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Kansas, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Kansas, praying for the enactment of legislation creating a pharmaceutical corps in the Army, which were referred to the Committee on Military Affairs.

He also presented a memorial of the Kansas State Board of Agriculture remonstrating against the repeal of the present rate on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. TOWNSEND presented a petition of Forest Grange, No. 362, Patrons of Husbandry, of Big Rapids, Mich., praying for a repeal of the zone rate of postage on magazines, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Adrian, Mich., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

He also presented a resolution adopted by the Merchants' Association of Cadillac, Mich., favoring the enactment of legislation raising the rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. McLEAN presented petitions of Slovak League, Local Branch No. 167, of New Britain; of the Bohemian National Alliance of New Britain; and of the Bohemian National Alliance Branch of Norwalk, all in the State of Connecticut, praying for the liberation and unification of the Czecho-Slovaks of Austria-Hungary into one independent Czecho-Slovak State, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Milford, Conn., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. HENDERSON. I ask to have inserted in the RECORD a telegram signed by the mayor and a large number of prominent citizens of the mining district of Ely, in my State.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ELY, NEV., *January 31, 1918.*

Senator CHARLES B. HENDERSON,
Washington, D. C.:

In common with the patriotic people of every community in this country, we are behind President Wilson to the limit. He should have an absolutely free hand in the conduct of the war. We oppose any legislation tending to hamper him in the slightest degree. We are likewise opposed to public investigations and public detailed criticisms at this time because of furnishing beneficial information to the enemy and material for publication in hostile countries, which will unquestionably prolong the war by giving people of those nations false impressions as to our unity of purpose. If investigations and criticisms must be had, we favor strict executive sessions. If any Congressman never makes mistakes, let him stand up. This is no time for public speeches denunciatory of the work of the administration in conduct of the war, but rather for the active aid and assistance of every patriotic citizen, including certain Members of Congress. Politics must not be allowed to interfere. This is going to be an unhealthy country

for those who even slightly serve the enemy or stand in the way of the people and their soldiers in winning this war by undivided and wholesouled support.

A. B. Witcher, mayor; Frank Callaway, rancher; Chas. S. Chandler, lawyer; Chas. A. Walker, lawyer; J. S. Bennet Telephone Co., superintendent; Alex. Baird, deputy mine inspector; C. A. Eddy, lawyer; Geo. P. Annand, postmaster; Mrs. W. R. Trusdale, postal clerk; C. J. McFadden, district judge; G. F. Boreman, lawyer; B. L. Quayle, lawyer; F. M. Clark, druggist; W. H. Bishop, jeweler; W. A. Leonard, editor of Record; A. C. Powell, deputy game warden; Miss R. Haney, postal clerk; V. J. Ruse, postal clerk; C. C. Whitmore, agent Wells Fargo; Thomas F. Chambers, restaurant; Clyde Hatch, merchant; Ed. Wilson, merchant; R. H. Richardson, physician; P. J. Jackson, deputy sheriff; W. S. Holmquist, physician; J. M. Collins, justice of peace; Anthony Jurich, lawyer; W. E. Watson, carpenter; Geo. A. Whitely, district attorney; J. M. Lockhart, lawyer; Joseph V. Murphy, merchant (and a thousand more if necessary).

REPORTS FROM COMMITTEE ON PUBLIC LANDS.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 5489) to authorize the Secretary of the Interior to exchange for lands in private ownership lands formerly embraced in the grant to the Oregon & California Railroad Co., reported it without amendment and submitted a report (No. 255) thereon.

He also, from the same committee, to which was referred the bill (S. 3391) to authorize the Secretary of the Interior to issue patent to G. H. Beckwith for certain land within the Flathead Indian Reservation, Mont., reported it with amendments and submitted a report (No. 254) thereon.

INCREASE OF PENSIONS.

Mr. SMOOT. From the Committee on Pensions I report back favorably without amendment the bill (S. 3783) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers, who served in the Civil War and the War with Mexico," approved May 11, 1912.

I wish to give notice to the Senate that I expect to call up the bill just as soon as possible. In the meantime I shall either prepare a report upon the bill, as soon as I receive certain information from the Pension Bureau, or make a statement to the Senate in relation to the same.

The VICE PRESIDENT. The bill will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 3788) to pay certain taxes to the county of Stevens, State of Washington; and

A bill (S. 3789) to pay certain taxes to the county of Ferry, State of Washington; to the Committee on Indian Affairs.

A bill (S. 3790) providing for the establishment of a radio station on Unga Island, Alaska; to the Committee on Naval Affairs.

A bill (S. 3791) to aid in the erection of a monument to Indian Timothy at his grave near Alpowa, Asotin County, Wash.; to the Committee on the Library.

A bill (S. 3792) granting to the State of Washington public lands to aid in the construction and maintenance of public roads, to promote the study of forestry, to promote the study and development of horticulture, and to promote vocational education in the State of Washington; to the Committee on Public Lands.

By Mr. McNARY:

A bill (S. 3793) to provide for the leasing of lands in Alaska for stock breeding and other purposes; to the Committee on Public Lands.

By Mr. DILLINGHAM:

A bill (S. 3794) granting an increase of pension to Warren H. Rhoades (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 3795) to secure greater cooperation between the United States Reclamation Service and irrigation districts organized under State laws; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. HALE:

A bill (S. 3796) granting an increase of pension to Hiram N. Brann; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes; to the Committee on Public Lands.

FARM LABORERS.

Mr. JONES of Washington. I introduce a bill which has been prepared after consultation, as I understand, with the Secretary of Agriculture. It is rather crude, but it embodies an idea that I am in favor of. I do not know whether I favor the bill in all its particulars; so I desire to introduce it, by request, in order that it may have consideration by the committee and also by the department.

The bill (S. 3787) to provide competent farm laborers during the war, through Government training camps, and for other purposes, was read twice by its title and referred to the Committee on Agriculture and Forestry.

QUALIFICATIONS OF ELECTORS.

Mr. KENYON. I introduce a joint resolution providing for an amendment to the Constitution, and I want to intrude on the rules just enough to explain it.

Section 2 of Article I of the Constitution of the United States provides that—

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Mr. President, I think to those who have studied the question it is a matter of some interest and rather shocking that we have in this country at least seven States where men can vote for Members of the House of Representatives and electors to choose a President of the United States who are not citizens of the United States. That is up to the various States under this constitutional provision. Such a thing ought not to be, it seems to me. This amendment of mine will provide that section 2 shall be so amended that the electors of the States voting for Members of Congress must be citizens of the United States. At some later——

Mr. SMITH of Michigan. Has the Senator the names of the States that afford that opportunity to aliens?

The VICE PRESIDENT. There are nine of them.

Mr. KENYON. The Vice President says there are nine of them. He suggested that to me the other day. I followed it down and I found seven. The States I have found are Arkansas, Kansas, South Dakota, Nebraska, Missouri, Indiana, and Texas. The names of the two others might be supplied by the Vice President.

I trust that the Committee on the Judiciary will make a report on this amendment, so that we may start it going on its round through the States. It is time to correct the Constitution in this respect, and in the interest of Americanism, that men who vote for Members of Congress shall at least be citizens of the United States.

The joint resolution (S. J. Res. 130) proposing an amendment to the Constitution of the United States was read twice by its title and referred to the Committee on the Judiciary.

COMMISSION ON NAVY YARDS AND NAVAL STATIONS (H. DOC. NO. 1946, PT. 6, 64TH CONG., 2D SESS.).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Naval Affairs.

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress, Report No. 6 of the Commission on Navy Yards and Naval Stations.

WOODROW WILSON.

THE WHITE HOUSE, *February 8, 1918.*

TEACHERS' RETIREMENT BILL.

The VICE PRESIDENT. The morning business is closed.

Mr. HOLLIS. Mr. President, I understood that the Senator from Colorado [Mr. THOMAS] intended to address the Senate this morning. He is out of the Chamber for the moment. I wish therefore to move that the Senate proceed to the consideration of the bill (S. 3648) for the retirement of public-school teachers in the District of Columbia, with the understanding that when it is laid before the Senate, if the Senator from Colorado is here, we will give him an opportunity to speak. I make that motion.

The VICE PRESIDENT. The question is on the motion of the Senator from New Hampshire.

The motion was agreed to; and the Senate, as in Committee of the Whole proceeded to consider the bill.

Mr. HOLLIS. I am prepared at this time to explain the bill in as much detail as anyone may desire. I can give a synopsis of it in a few moments. If no one desires to have the bill read in

full, I will ask unanimous consent that the reading of the bill be dispensed with.

Mr. SMOOT. Mr. President, the Senator from Colorado [Mr. THOMAS] is in the Chamber, and I will ask him if he will not yield to me for about five minutes.

Mr. THOMAS. I do not see how I can yield when the Senator from Utah has the floor. [Laughter.]

A NATIONAL MONTHLY FAST DAY.

Mr. SMOOT. Mr. President, on Thursday, January 31, the junior Senator from Maryland [Mr. FRANCE] delivered a speech in the Senate that I wish every American citizen could read and I am sure could do so with profit. It was a remarkable statement, showing food conditions as existing in our country and they are such as to alarm the thoughtful.

Everybody recognizes that one of the most important things in this war is to secure food enough for the people of the world and in order to do so there must be some kind of systematic plan adopted for caring for the food and the saving of the same.

I wish to offer a suggestion, and I believe if adopted by the American people it will conserve the food of our country and will enable us to furnish our allies with the amount saved, and in so doing save the cost of the food and enable every man and every woman and every child in the United States to become the owner of at least one war-savings certificate and in many cases hundreds of them.

Mr. President, on April 8, 1916, while addressing the Senate, I called attention to the wicked waste of foodstuffs in America and to the fact that the American garbage can was the fattest in all the world and that the food consumption per capita in America was larger than that of any other country and nearly twice that of thrifty France. In speaking of the home and Nation, after showing that the increase of farm crops since 1899 had not kept pace with the increase of values, I said:

> We must not forget that the influences that affect the family to a degree affect the Nation. In my opinion, waste and extravagance in their thousand forms are among the curses of the age; and no people upon the face of the earth is so guilty of both of these evils as our own American people. The people of the United States—I bar no class—have been living at a higher and higher standard for the last 15 years. The time has arrived when further advances in the mode of living must cease, and it is really desirous from every point of view for a retrenchment. * * * Extravagance and waste, which devour so much of the substance of the people, have much to do with the cost that is severely felt; that is, the cost to people of small means, who find it hard to get on in comfort with such incomes as they possess.
>
> There is a fundamental principle of economics, so simple that it ought to be easily understood, and yet its significance is almost unheeded. It is this: Everything that goes to support life and to satisfy human wants must be continually produced for that purpose by human effort through the employment of capital and labor from the resources of nature. There is only what is thus produced to live upon; that is the supply. It is a question of how much is consumed in living, and it can not be more than the production, at least for any length of time. If products are squandered or wasted or thrown away after they are ready for consumption the supply will be diminished, while the demand remains the same and the cost of living will be higher than it would otherwise be. These are not questions of abstract theory, but are elementary facts within the comprehension of any ordinary man. We need to be reminded that whatever goes to waste and extravagance, which is reckoned in terms of money, is not a mere throwing away of dollars or depleting of bank accounts or getting away with inherited or accumulated property. It is using up the fruits of labor, which is going on from day to day. This is exceeding the supply of products and turning from the form of necessities and comforts to those of luxuries. It is largely the voluntary cost of high living that causes the involuntary cost of low living.
>
> Increased production from the soil and the problem of properly feeding our ever-increasing members will tax the abilities of our statesmen.

That is from a speech I made in 1916.

This statement was made by me a little less than two years ago, and to-day we find the people of most of the nations of the earth on the strictest sort of rations and in many are actually suffering from hunger. We have in our own country a Food Administration, asking our people to observe meatless days, wheatless days, porkless days, and to stop the waste of all kinds of food. Their warnings should and must be heeded. Not only must we conserve the food supply, but we must put in effect in our lives the principle of saving in order to assist in the purchase of our Government's obligations issued to meet the unusual demands made upon it to successfully carry on the war and extend financial assistance to our foreign allies.

The American people are to be congratulated for the liberal way in which they have responded to every call made upon them by our Government having for its object the carrying on of the present world war. They have given lavishly to the American Red Cross to be expended in foreign countries for the comfort of our soldier boys and for help and assistance to the suffering on European battle fields. They have oversubscribed every issue of liberty bonds and have donated billions upon special appeals to alleviate the sufferings, sore afflictions, and hunger of millions of the people of the world. All this will remain long after the close of the war as an everlasting monument to American loyalty to country and liberality and friendship to and sympathy for God's suffering children. Notwithstanding all that has been done and, as some people say, sacrificed, the work has only begun. If this war should continue two years longer, I am afraid there will be a scarcity of food in the world and many of our own people will be compelled to go short in order to assist in feeding our Army and Navy and the armies and navies and people of other countries engaged with us in this the bloodiest war of history. The American people must be made to understand that the responsibility of seeing that hunger is not allowed to dishearten our allies or to compel neutral countries to seek the absolute necessities of life from our enemies rests upon us.

Realizing the dangers of the situation, I want to call attention to what I know, if put into practice, will greatly assist in relieving the anxiety for the future. For 75 years the Mormon Church has designated one day in each month as fast day, the first Sunday of each month being the day so set apart. The members of that church are supposed to fast on that day by refraining from partaking of any food for breakfast and the noonday meal. The object of the fast is twofold: First, an occasion for acknowledgment of divine blessings and a day to remember the poor; second, in the interest of hygiene and health, which every good physician will testify to as effective. It is understood by every member of the organization that the amount saved by the fasting is to be given to an organization known as the relief society, and that organization in turn sees to it that with the fund so given the poor do not suffer from want or hunger. Nothing is lost by the giver, but, on the contrary, he is enriched in health and increased love of his fellow man.

Our country is now engaged in a thrift campaign for the purpose of inspiring in the hearts of the people patriotism and a spirit of saving, in order that every man, woman, and child in America may become the proud owner of at least one war-saving certificate. Why not have a national fast day once a month? If every American citizen would abstain from eating two meals upon that fast day, if figured at an average of only 25 cents a meal, or 50 cents per capita per month, would mean a saving of $50,000,000 that could be invested in war-saving certificates, and at the same time the health of 100,000,000 Americans would be benefited; and, further, we would have more of the necessaries of life to send to the people of Europe now compelled to live on the shortest of rations. Remember that the fighting man must be fed whether he be an American, Englishman, Frenchman, Belgian, Japanese, or Russian! Without sufficient food it is next to impossible to maintain the morale of an army. Let us have a national fast day, and by so doing place every man, woman, and child in a position to assist our Government by purchasing thrift and war-saving stamps, sometimes called "baby liberty bonds."

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. Certainly.

Mr. BORAH. I should like to ask the Senator a question.

Mr. BORAH. I am not about to take issue with the Senator from Utah upon the question of fast days; but is that the remedy for the difficulty we are now facing? There is any amount of food in this country which is going to waste because we can not get it to the point where those who desire to use it can use it. I do not believe that there is any shortage of food in this country if it could be properly distributed.

Mr. GALLINGER. And properly harvested.

Mr. BORAH. Yes. Take just one item—and I suppose that it could be added to by any other Senator in the Chamber: We have 4,000 carloads of potatoes in our State that will perish within the next 30 or 60 days if means are not found at once for their transportation. There is no use to talk to the people of Idaho about being economical in the use of potatoes while that condition of affairs obtains. There is also any amount of corn that is rotting and wasting throughout the country. While I am not debating the proposition which the Senator from Utah has presented, the real difficulty now is, and has been in this country for the last 10 years, the lack of some kind of a marketing system, some method and means by which to get the products from the farms to the points of the centralization of population, where they are desired.

Another thing, if the Senator will permit me——

Mr. SMOOT. Certainly.

Mr. BORAH. When the selective draft law was passed it was said that one of the great objects of that manner of organizing an army was to prevent the men on the farms and certain other places from being taken, so that they would be kept in the places where they ought to be. Without assuming to criticize the method at all by which that law was put into operation, the fact is that the man on the farm has been taken

and the farms of the country are depleted of their labor. They are asked to speed up, but they have not the labor with which to speed up. The farmers stand ready and anxious to help—to increase their acreage—but they are without the labor necessary to do these things. The situation is entitled to serious consideration, and at once. If the next execution of the draft law is to be the same as the last, we are going to see a most pronounced decrease in the production of the farms.

The farmer's boy is just as willing to go to war as is any other boy in the community: indeed, I think the figures will show that; and there is no reason under the sun why he should be exempted from serving his country in the trenches the same as others; but this proposition and this situation must be met: If he is to be taken from the farm under the next draft, if the remaining boys out upon the farm are to be drafted, there must be some means by which to supply the places of those boys on the farm; otherwise we are going to have a crisis which, in my judgment, will be far more effective in breaking down our participation in the war than we at this time contemplate.

I know that in my State, for instance, the crop acreage has been already tremendously decreased; and if the draft law is executed without any program with reference to the labor situation, to supply the man who is taken from the farm, that acreage is going to be further greatly decreased hereafter.

Mr. President, I suggest these two things for the reason that, while I am not at all criticizing the view of the Senator from Utah as a general proposition, the immediate situation is one of transportation and of labor. I am aware the Labor Department is dealing with the matter, and I hope for the best, but I know the situation is imminent and serious.

Mr. SMOOT. Mr. President, in answer to the Senator from Idaho, I will state that so far as certain foods are concerned there is no question but the Senator's statement is absolutely correct. Transportation is something that presents a very difficult question so far as transportation to market of perishable crops of the West are concerned. I was not very much alarmed over the wheat situation until about two weeks ago, when I held a conference with Mr. Hoover in relation to the food situation of the country. Mr. Hoover has had a survey made of the country showing the amount of wheat on hand and also the amount of wheat there is in the entire world. At that time, figuring a saving of 25 per cent in the consumption of wheat in the United States under the plan already adopted, there would still be a shortage of about 30 per cent to feed America, our allies, and the neutral countries. Mr. Hoover stated at that time that the only way to do would be to restrict the use of all-wheat flour; that substitutes to the extent of 30 per cent would have to be used in the flour used by the American people. An order to that effect is now in force.

So far as labor is concerned, Mr. President, the Senator from Idaho is right in reference to the situation in the West. I think I called the attention of the Senate one day to the fact that when I was last at home I rode through miles of apple orchards and saw carloads of apples which had been frozen on the trees, for the reason that the farmers could not secure help to pick the same; in fact, some of the fruit growers told me that they had paid as high as $10 a day for labor, and when it reached that figure, even at the high price for which apples were selling, would not pay for the gathering and the boxing.

Mr. President, there are certain foodstuffs that must be conserved; they are vital to the feeding of our own people and the armies of the allies. The principal ones are wheat and meats of all kinds, and they are being transported just as fast as it is possible and to the amount which we can spare.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. SMOOT. Yes.

Mr. GALLINGER. I simply want to add this suggestion to what the Senator is saying: The labor situation is just as acute in the East as it is in the West, and some method must be found, if it is a possible thing, to secure more labor on the farms if we are going to secure sufficient crops to take care of our own people and supply those who are looking to us for help.

Mr. SMITH of Michigan. The farmer is discouraged.

Mr. GALLINGER. Yes; the farmer is discouraged.

Mr. SMITH of Michigan. And he does not know where to turn for relief.

Mr. GALLINGER. There is one suggestion I have heard made, though I do not know that it has been uttered in this Chamber. Therefore I think it is well enough to state it. It is that the young men in the camps might be furloughed when the season comes for planting, or, if they are in camp when the season comes for harvesting, be permitted to assist, if they are willing to do so. That may be a source of relief if it is carefully looked into and, possibly, carried out.

But I have another thought in my mind, which has been crystallized from some material that I have received and referred to the Committee on Agriculture and Forestry, and that is to get rid of the senseless opposition to oriental farmers, and let us have some of those men brought here; not coolies, but real farmers from China, because they have there some of the best farmers there are in the world. I presume, however, that the opposition of the labor unions will make it impossible to do that.

Mr. JONES of Washington. Mr. President——

Mr. SMOOT. I yield to the Senator from Washington.

Mr. JONES of Washington. I want to suggest also that one influence that is depriving the farmers of eastern Washington, where they produce a great deal of wheat, of their labor is that on the coast, especially where shipbuilding is being pressed—and very properly so and very necessarily so—wages are so high that they are attracting a number especially of the younger and more able-bodied men from the farms and the small towns. So the farmer is not only being depleted of his labor by the draft but by the inducement of these high wages in these necessary occupations. I wondered whether or not the Senator had considered any suggestion to meet this very imperative situation. It has got to be met in a different way than by providing for fast days, which are all right, of course, in themselves; but observing fast days will not plow any ground, will not plant any wheat, and will not harvest it, or anything of that sort.

Mr. SMOOT. It will save it.

Mr. JONES of Washington. It will save it after we get it produced, but we have got to produce it first before we can save it.

I must say, if the Senator will permit me, that I do not feel the necessity of carrying out the suggestion of the Senator from New Hampshire [Mr. GALLINGER]. Independent of the labor unions, I am not in favor of that proposal and will oppose it very strongly until we get in more desperate straits than we are in now. But here is one thing that has impressed itself upon me: Go about our towns, and especially our cities, and you will see many, many men congregated upon the streets at all times of the day doing absolutely nothing, and if you stand in front of some of the theaters of this town and other cities when the performances have concluded, you will find hundreds, and possibly thousands, of men coming out of those theaters, spending their time apparently in the afternoon doing nothing. We ought to devise some way by which this class of men can be made to work and do something toward the production of food. It seems to me that Congress ought to be able to devise something along these lines to make this class of people available for the necessary work of the Government.

Mr. SMITH of Michigan. Perhaps the proposal to enforce fast days ought to be made to reach them.

Mr. JONES of Washington. They ought to be made to fast unless they are made to work.

Mr. SMOOT. I will say to the Senator that I undertook to draw a bill to take care of just the class of people to whom he has referred by drafting them and compelling them to work. I prepared two or three drafts of a bill, after examining the State laws upon the question, and submitted them to the best attorney that I could reach. I discovered the trouble was that we could hardly segregate one class of citizens and compel them to work, because the Constitution of the United States will not allow that to be done under the prohibition against involuntary servitude.

Mr. JONES of Washington. Mr. President, in line with that, does it not occur to the Senator that we are getting very near to the point where we ought actually to draft or enlist every man and woman in this country, and then designate where they are needed and put them to work there, no matter what their occupation may be?

Mr. SMOOT. I am quite sure, Mr. President, if this war continues much longer, that policy will have to be resorted to. I think that we passed the other a day a bill authorizing the Secretary of War to grant furloughs to our soldiers without pay. Under existing law that can not be done. I understand the object of that bill, in case it becomes a law, is to allow the Secretary of War during the harvesting period to grant furloughs without pay to soldiers at the different cantonments who wish to offer their services to the farmers of the country to help the farmers not only in planting but in gathering their crops.

Mr. GALLINGER. Mr. President, the Senator means the soldiers in the camps and cantonments?

Mr. SMOOT. Yes; the soldiers in the camps and cantonments.

Mr. SMITH of Michigan. Soldiers are now being made use of in the forests of the West, and are being used at the regular

wage that is paid a forester outside of the Army, and a high wage.

Mr. SMOOT. Then the Government is paying him his regular Army pay also. I have heard of no such practice.

Mr. SMITH of Michigan. I do not think the Government is paying him the Regular Army pay. My information is——

Mr. SMOOT. It would have to under the law.

Mr. SMITH of Michigan. My information is that they are receiving the wage that is paid to civilians in the Forestry Service. Am I right about that, I will ask the Senator from Washington? Is it not true that soldiers who have been drafted into the Army are now doing service in the forests in aid of shipbuilding and are now drawing the civilian wage for that service?

Mr. JONES of Washington. I can not say; I am not advised about that matter.

Mr. SMITH of Michigan. I am quite sure that that is so, and that they are drawing a very high wage, and appropriately so. I am finding no fault with that.

Mr. SMOOT. Two months ago I made a suggestion that the soldiers in the camps and cantonments during the planting season and the harvesting season be allowed to assist the farmers. Gen. Crowder told me that a furlough without pay was impossible to grant; that the military authorities had no right under the law to grant furloughs without pay. As I have said, the other day a bill passed the Senate giving the Secretary of War the power to grant such furloughs, the object being to allow the soldiers in the various camps to assist the farmers during the planting and crop-gathering season.

Mr. REED, Mr. SMITH of Michigan, and Mr. GALLINGER addressed the Chair.

The VICE PRESIDENT. The Senator from Missouri.

Mr. REED. I beg pardon, did the Senator from Michigan wish to speak at this time?

Mr. SMITH of Michigan. No; I was only going to interrogate the Senator from Utah, but as he has ceased speaking I will not prolong the discussion.

Mr. GALLINGER. Mr. President——

Mr. REED. I yield to the Senator from New Hampshire.

CONFERENCE OF REPUBLICAN SENATORS.

Mr. GALLINGER. Mr. President, as a preliminary to a few words that I will indulge in, I ask that the Secretary read the clipping which I send to the desk from the Washington Post of this morning, with the headlines.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

MINORITY TO FIGHT BILL—SENATE REPUBLICANS TO CONFER ON PLAN TO BEAT WILSON MEASURE.

A move toward concerted Republican opposition of the new administration bill proposing to give President Wilson blanket authority to reorganize and coordinate Government agencies, a speech in the House by Representative GLASS, of Virginia, denouncing critics of the Government and temporary suspension of Senate debate were yesterday's developments in the controversy over war machinery reorganization.

A conference to-morrow morning of Republican Senators—the first held since the United States entered the war—was called late yesterday by Republican Leader GALLINGER to consider the new bill President Wilson sent to the Senate Wednesday. Bitter opposition to the measure is expressed openly by Republicans and privately by several Democratic leaders. There were 25 signatures on the call for the Republican conference.

TO CONSIDER OTHER BILLS.

The Republicans also expect to consider joint action on the administration measure to create a war-finance corporation, which is being urged by Secretary McAdoo, and upon other administration legislation.

Mr. GALLINGER. Mr. President, I shall not take time to point out the numerous inaccuracies in that newspaper article, which doubtless has been sent to the newspapers of the country. I will, however, say that the Republicans have not called a conference to consider any particular measure or to plan any particular procedure concerning the bills that are to be considered. They have not decided to fight any bill. A conference has been called, as is usual, to exchange views on a variety of subjects. The record which the minority has made during the consideration of bills relating to the war is sufficient proof that they could not be induced to band themselves together as a party and act in that capacity in the consideration of any measure that may be brought before the Senate. They will, as our Democratic friends will, exercise their individual judgment when any measure, emanating either from a Member of this body or elsewhere, comes up for consideration; but that they have any purpose of doing what this newspaper extract says is absolutely absurd and without any semblance of truth.

H. H. HOGAN.

Mr. REED. Mr. President, I wanted to ask the indulgence of the Senate for a moment to see if I could not secure unanimous consent to take up Senate bill 3689. It is a little private bill authorizing the Postmaster General to cancel or re-form a contract for hauling mail in Kansas City. The contract was taken at a time when prices were very different from the present ones, and it is simply ruining a man who has only a few thousand dollars. This bill merely gives the Postmaster General authority to cancel the contract or to re-form it in a manner that is consistent with fairness.

Mr. SMOOT. Mr. President, if the Senator will yield, I should like to ask him if there are not thousands and tens of thousands of such cases throughout the United States?

Mr. REED. I have no doubt there are, but this case is one of peculiar hardship. The man, to use a common figure of speech, is literally hanging by his eyebrows on the very verge of bankruptcy, and unless the bill can be passed within a few days he will be bankrupted. I want, if possible, to give him an opportunity to save himself. He is a poor fellow who has saved a few dollars by hard work, has gotten a little bit ahead, and is now being ruined.

I ask unanimous consent to have the bill considered at this time.

The VICE PRESIDENT. Is there any objection?

Mr. OVERMAN. Mr. President, I want to say that I am not going to object to the consideration of the Senator's bill, but there is general legislation on this subject pending in the House of Representatives.

Mr. REED. I know there is.

Mr. OVERMAN. And if we pass this bill it will show the sense of the Senate that something should be done.

Mr. THOMAS. Mr. President, I shall not object. I should like, however, to ask the Senator if he expects that the bill will be opposed?

Mr. REED. I think not. If it is, I will not interfere with the Senator's address.

Mr. FLETCHER. Mr. President, I only want to say that I not only do not object, but I approve of the bill, from the Senator's statement. I know of my own knowledge of cases that are somewhat similar. I have in my own town a case very much like this, where the man will be ruined if he has to complete his contract. It seems to me the department ought to exercise and have power to exercise some discretion to relieve these cases. They are absolutely cases of good faith, where circumstances have arisen so that the contractors will be ruined if they have to continue their present contracts. I am glad to know that some general legislation on the subject is pending. It seems to me that the department ought to have a little leeway to adjust this sort of thing.

Mr. REED. Mr. President, I introduced two bills dealing with this matter. One is a bill for the relief of this particular individual and the other is a general bill. The bill for the relief of the particular individual has been reported out and is here. The other is not here yet. I hope to have it here in a day or two. I should like very much to get this one little bill through, for the reasons stated.

The VICE PRESIDENT. Is there any objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that, should the Postmaster General find as a fact that the screen-wagon contract of H. H. Hogan, of Kansas City, Mo., was entered into prior to the entrance of the United States into the war with Germany, and that the prices agreed to be paid in said contract are at the present time inequitable and unjust by reason of the increase in the cost of materials and labor employed in the performance of such contract, the Postmaster General is authorized, in his discretion, with the consent of the said H. H. Hogan and his bondsmen, to cancel the same or to readjust the terms of said contract in such manner as to relieve the contractor from the hardships being by him suffered on account of such increased costs and expenses.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CALLING OF THE ROLL.

Mr. THOMAS obtained the floor.

Mr. HOLLIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Curtis	Gerry	Hollis
Beckham	Dillingham	Gronna	James
Borah	Fernald	Hale	Johnson, Cal.
Calder	Fletcher	Harding	Johnson, S. Dak.
Chamberlain	France	Hardwick	Jones, N. Mex.
Colt	Frelinghuysen	Henderson	Jones, Wash.
Culberson	Gallinger	Hitchcock	Kellogg

Kenyon	Nugent	Sheppard	Tillman
King	Overman	Sherman	Townsend
Kirby	Penrose	Simmons	Trammell
Lodge	Phelan	Smith, Ariz.	Vardaman
McCumber	Pittman	Smith, Mich.	Wadsworth
McKellar	Poindexter	Smith, S. C.	Warren
McLean	Pomerene	Smoot	Watson
Martin	Ransdell	Sterling	Williams
Nelson	Reed	Swanson	Wolcott
New	Robinson	Thomas	
Norris	Shafroth	Thompson	

Mr. McKELLAR. I wish to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on important business. I will let this announcement stand for the day.

Mr. GRONNA. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent because of illness in his family. This announcement may stand for the day.

The VICE PRESIDENT. Seventy Senators have answered to the roll call. There is a quorum present.

WAR CABINET.

Mr. THOMAS. Mr. President, inasmuch as the investigation conducted by the Committee on Military Affairs has provoked considerable discussion relating to the prosecution of the war, and inasmuch as the public is to a large degree in possession of the results of that investigation, although no report has as yet been made by the committee, this is an appropriate time for discussing the general subject.

The disclosures of this committee have not surprised me. Indeed, I might say that I am surprised that no greater degree of inefficiency has been disclosed, not because the War Department has not been active and vigilant in the attempted discharge of its duties, but because of the enormous and almost insuperable difficulty of shaping in so short a time a war machine efficient, vigorous, and perfect under institutions like ours.

We are not a military people, Mr. President, and therefore we were not prepared for this war when we entered upon it. I am glad that that was so, because our main purpose in engaging in this war, in pledging our lives and our fortunes to its success, is to destroy militarism and sweep it from the earth forever. If in April, 1917, we had been thoroughly equipped on land and sea for a great offensive or defensive war, we would have been guilty of the very thing which impelled us to enter it and for the suppression of which we shall continue to wage it. Not being prepared, Mr. President, not being equipped except as our skeleton organization may be said to suggest equipment, and being compelled as rapidly as possible, urged to a great degree by the force of public opinion and, of course, the necessity for waging the war effectively as soon as possible, it was necessary to speed up all the departments, and particularly those of War and of the Navy. What has been done by the War Department, what has been actually accomplished, is told in the story of the Secretary himself, a story so replete with successful accomplishment, so remarkable in the general sweep of its effectiveness, that I am astonished, in view of the agencies at the command of that department and of the comparatively short length of time which elapsed between the declaration of war and the beginning of this investigation, at the progress it has made.

Bills have been introduced, one reported favorably from the Committee on Military Affairs and the other in the possession of that committee, which have been prompted by the disclosures of the investigation. It is not necessary, Mr. President, for me at this time to go into the details of these disclosures. Primarily it would be presumptuous for me to do so, since I have given but little time and attention to the sittings of the committee, partly because of absence and partly on account of the pressure of other imperative duties. Those details, however, have been given to the public by the committee. They have been stated somewhat exhaustively more than once on the floor of the Senate. Yet I think the specific instances of departmental failure which have been disclosed are not typical but sporadic. They are not characteristic, but occasional. And while they are to be deplored, as many of them are of a most serious character, they should not obscure our vision to the extent of imagining that they present a composite picture of universal and far-reaching inefficiency. We should bear in mind in their consideration at all times what has been done and what is being done, and at the same time, appreciating these disclosures, see to it that the machine is made as much more efficient, as effective, as possible.

And yet, Mr. President, some of the delinquencies cited have not been stated fairly. I do not, however, in the slightest degree desire to reflect even indirectly upon the sincerity or the earnestness or the motives of those who have discussed them.

If the student of history will compare the exposés of this investigation with the activities of the department in previous wars, and particularly in the Spanish War, he must conclude that it has made great progress toward efficiency since then, for as compared with the mistakes, aye, the crimes, which disfigured the prosecution of earlier wars, we have approached as near perfection as we can be expected in a country like ours, thrown suddenly into a war in whose prosecution it designs to bear the most conspicuous part. I think it is gratifying, historically, that up to this time we have found ourselves so well equipped, that we have accomplished so much, and that we are in process of accomplishing so much more toward that ultimate victory which must rest upon our arms.

Some of the mistakes and blunders, Mr. President, which have been charged to the general conduct of the War Department are neither mistakes nor blunders. On the contrary, they evidence the very best business capacity for which the department should be praised and not condemned. For example, it has been stated here not less than twice that the Secretary of War and his subordinates were compelled to apply to poor, bleeding France for our ordnance supply; that it is so inefficient, that its work of preparation has been so retarded, that it has been forced to ask that ally which has made the hardest and most desperate resistance to the German arms to take upon itself the added burden of supplying the American Army with its artillery.

Mr. President, the facts are that this arrangement was made at the suggestion, if not by the request, of the French Commission headed by Marshal Joffre, which visited this country in the spring of last year, and also by the British Commission as the result of their joint consideraton of the general situation. Is this action one to be condemned when it was inspired and recommended by those connected with the war from its inception and thoroughly competent to advise us as to our methods of preparation?

Mr. President, France has been bled white, but her industries have never flagged from the day when the German Armies invaded Belgium down to this good hour. On the contrary, its capacity for producing munitions of war has been constantly expanding, and certainly it is good business wherever it is possible to secure the equipment for our Army at the front. In the first place, it helps our allies when we give them the orders. In the next place, we save that much cargo space for other and perhaps equally important articles needed for the prosecution of the war. It stimulates industry at the front; it aids in supporting the noncombatants constituting the larger portion of the population of our allies; and, what is more, it makes for efficiency in the production and perfection of the products which we must utilize.

To charge the War Department with inefficiency and maladministration in that particular, Mr. President, is not only unjust and uncharitable, but it is unfounded. Of course, I want the members of the committee who have listened patiently to all of this evidence to correct me if, forsooth, I misstate the facts, either in whole or in part, in my reference to their proceedings and to the testimony which was elicited before them.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. THOMAS. I yield.

Mr. HITCHCOCK. I think there is force in some of the argument made by the Senator from Colorado that France and Great Britain both offered to supply our deficiencies in artillery and that there may have been some need for accepting those offers, but the Senator will realize, if he recalls the testimony, that those offers were made only because those countries saw our deficiencies, and saw that without their offers we would not be able to put an army in the field and supply it with the artillery and the machine guns.

Furthermore, I am sure the Senator can hardly argue that this saves cargo space, because much less cargo space is occupied in taking the finished product to France than in taking the raw material there of which the finished product is made.

Mr. BECKHAM. Mr. President——

Mr. THOMAS. I yield to the Senator from Kentucky.

Mr. BECKHAM. I do not agree with the statement made by the Senator from Nebraska [Mr. HITCHCOCK], for I do not think the testimony shows that France and England have been willing to furnish us with these supplies simply because they saw, as he says, that we were deficient in those products. As a matter of fact, both in France and England, the production of munitions has been brought to the highest point possible, and they have been producing munitions of war in many instances in excess of their current needs. Some of the witnesses before the committee stated that it was no burden upon the industries of those countries to supply us temporarily with our needs. Only recently the Chief of the Ordnance Department testified that in the matter of a certain very important munition of war the factories and industries in France were adequate to produce all

that the French Army needs now and all that we will need until about the 1st of October, and that it was no hardship whatever upon those French industries to supply us.

There is another point lost sight of, if the Senator will pardon me for calling attention to it. It is that so many of the industries in this country were engaged when we entered into the war and afterwards in the production of arms and munitions for the allies. It was certainly not good policy for us when we entered the war to stop that production which was going on for the benefit of the allies. There has been an agreement and an understanding among the French, English, and American commanders and officials in the matter of supplying arms and munitions and distributing them among the different armies, and it is a mistake, I think, to say that the French have in any way suffered or been deprived of a sufficiency of arms by the calls made upon them by our Army.

Mr. THOMAS. I am obliged to the Senator from Kentucky for the information which he has given the Senate upon the subject. I understand that the statement of the Chief of Ordnance was made yesterday before the committee, on which occasion he offered to exhibit telegrams showing that it was the desire of the French Government to furnish not only artillery but explosives up to some time in August or September.

Mr. BECKHAM. The 1st of October.

Mr. HITCHCOCK. I wish to state, however, that he said at the same time it was not possible for us to produce in America those things before that time.

Mr. THOMAS. I understand. I will come to that.

Mr. HITCHCOCK. Therefore he verified what I say, that their offer was merely to supply our deficiency.

Mr. THOMAS. Mr. President, the offer was to make good our possible deficiency, but it was not an offer that tended to deplete the French Army of supplies of a similar character. In other words——

Mr. BECKHAM. Let me correct the Senator from Nebraska.

Mr. THOMAS. I will yield in just a moment. In other words, the furnishing of heavy ordnance and artillery to the American Army in France did not impair the efficiency of the French manufacturers to the extent of stinting their manufacture of similar supplies for the French Army. I now yield to the Senator from Kentucky.

Mr. BECKHAM. The Chief of Ordnance did not say that we would not be able to manufacture and supply these things until October 1. He said, as I recall it, that by July 1 we would be supplying them.

Mr. HITCHCOCK. The Senator is mistaken. We are building the powder factory now, and will not begin to supply powder until August, and then only at one-third capacity. We shall not be able to supply gas shells in any quantity before fall.

Mr. BECKHAM. Before July.

Mr. HITCHCOCK. We shall begin in July on a very small scale, but it is not only that testimony but other testimony before the committee recited by me here formerly. Take the matter of machine guns. While we have provided for machine guns for the future not one-tenth of those machine guns will be delivered before fall. Therefore, of necessity, if we are to have machine guns they must come from some other source, and France volunteers to produce them.

Mr. BECKHAM. Did not the Chief of Ordnance say that in the matter of explosive shells there are more than enough to supply the needs of the French Army and our Army until the 1st of October?

Mr. HITCHCOCK. It has been said France has facilities for doing those things, and under those circumstances there is nothing for us to do but to accept those offers. I am not citing this to show that we shall be embarrassed but that we failed ourselves to produce them and are compelled to depend upon France.

Mr. THOMAS. We should have accepted that offer whether we were prepared to produce the articles ourselves or not, because it not only helps France and her civil population, but, I repeat with all due deference to my friend the Senator from Nebraska, it also saves cargo space, because much of the material is already upon the ground. Practically all of it must be, except perhaps the material needed for manufacturing the explosives or the French manufacturers could not comply with their contracts.

In that connection, Mr. President, I offer and ask to have inserted in the RECORD, without reading an Associated Press dispatch from New York, dated February 6, and published in the Washington Post of yesterday morning, containing an announcement by Mr. André Tardieu, the French high commissioner in this country, as to the ability of France to furnish and supply much of the material, the failure to produce which here is charged as one of the chief shortcomings of the Department of War.

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

FRANCE PLEDGES GUNS—ARTILLERY FOR 500,000 AMERICANS BY JULY 1, SAYS TARDIEU—PERSHING HAS OVER 210,000—MILITARY EFFORT OF UNITED STATES "WONDERFUL AND SPLENDID"—JUST APPRECIATION OF RESULTS SHOULD BE STIMULANT, DECLARES FRENCH HIGH COMMISSIONER—DEVELOPMENT IN AVIATION "BEYOND ALL EXPECTATION"—FRENCH HAVE 4,725,000 MOBILIZED—HOLD 565 KILOMETERS.

NEW YORK, *February 6.*

Announcement that France will be able before July 1 to manufacture enough artillery to supply 20 American divisions, or approximately 500,000 troops, if the United States meanwhile adheres to an understanding by which France would receive the necessary raw material from America, was made here to-night by André Tardieu, French high commissioner to this country.

M. Tardieu made the statement also that there are in France to-day more American troops than comprised the American Army at the time the United States entered the war. At that time, he said the American Army contained about 212,000 officers and men.

The French official spoke at a dinner which was part of New York's celebration of the Jour de l'Alliance Française, which was observed throughout the United States and Canada to-day, the anniversary of the treaty between France and the American Colonies in 1778. Jules J. Jusserand, the French ambassador, also was a guest of honor.

RESULTS SHOULD STIMULATE.

Asserting that "secrecy ought to be a thing of the past, because our democracies want to know in order to will," M. Tardieu said that "just appreciation of the results achieved" by America in its war preparations "is a stimulant for effort, and nobody has the right to refuse to the American people this stimulant." The commissioner reviewed the nation's accomplishments and outlined what France had done in the way of manufacturing ordnance both for the United States and for France's other allies.

"We have in the line," he said, "about 15,000 guns of every caliber, and every day more than 300,000 shells are turned out by our factories. To get those guns, to produce those shells, we created an industry which did not exist before the war and which has enabled us not only to arm ourselves but also to arm our allies.

HOW FRANCE ARMS ALLIES.

"Without speaking of what we manufacture for you, and that is several hundred guns a month, we have during the past three years given to our allies in Europe 1,350,000 rifles, 15,000 automatic rifles 10,000 machine guns, 800,000,000 cartridges, 2,500 guns, and 4,750 aeroplanes. * * *

"The adoption without any modification of our various types of guns would certainly have saved some time to the benefit of American production, and some delays may be the consequence of the improvements you are looking for, always, and rightly at that, aiming at better results.

ARTILLERY SITUATION SAFE.

"But as we have agreed, it is understood that you should supply and transport to France the necessary raw materials; we will under such conditions be able, in France, to deliver to you before July 1 enough guns thoroughly to equip 20 of your divisions. The situation, therefore, is completely safe in that respect."

M. Tardieu described America's military effort as "wonderful and splendid," and asserted it had been "a surprise to the enemy."

"I have cooperated for nearly 10 months, hour by hour, with every part of your war organization," he said. "What you have done is magnificent, worthy of your allies, worthy of yourselves."

MORE THAN 200,000 IN FRANCE.

Alluding to the raising of the National Army, M. Tardieu declared that "no event of wider import has ever taken place since the beginning of the war." He continued:

"Thus your Government, with a clear and courageous view, has given you the strength of numbers, the first condition of military power. In April, 1917, you had 9,524 officers and 202,510 men. You have now 110,000 officers and 1,500,000 men, and the number of your men in France at the present moment is notably in excess of the establishment of your Army nine months ago."

France, he said, has taken "every necessary measure" so that America can complete in France the training begun here. Regarding aviation, American development has been "beyond all expectation," he declared. He outlined how America had helped the entente also financially and with shipping, food, and fuel—aid which he described as "immense and conclusive."

"Wherever, on special points," he added, alluding to his association with officials at Washington, "I believe that mistakes have been made, I say it frankly; the heads of the Cabinet or the heads of your departments know it from their own experience."

"I have the optimism of the satisfied," Mr. Tardieu said, discussing the situation generally, "and as long as I shall be here as the representative of my country I will ask from you every day a still greater effort. After 43 months of war our needs are huge indeed, and in order to supply them enormous sacrifices are required of you."

The speaker recalled that America, in order to equip its Army with guns and airplanes, called upon the allies for its immediate needs, at the same time inaugurating a program of American manufacturing.

WHY FRENCH AID WAS NEEDED.

"Some people in Europe as well as here," he said, "have been wondering why you should not in that respect have done everything by yourselves. This criticism shows that those people ignore, firstly, what time means in war, and, secondly, how infinitely complicated is the industrial war organization, which from the very start is required by the extensive production of ordnance and aviation. * * *

"I have drawn roughly the results of the military effort of the United States for a period of less than 10 months. I do not believe that any impartial man would say that this effort is now completed, but I declare that any impartial man must admit its wonderful extension and splendid achievements."

Money was the first aid needed by the allies, Mr. Tardieu went on, saying: "But it was not sufficient. Indeed, for lack of a general organization of production, the United States and the allies would have competed with each other in every factory, and sterility would have resulted from this anarchy.

PRAISES CENTRALIZED CONTROL.

"But in this respect I may state—and no one can be better informed than the representative of one of the allied countries—that the centralized organization realized for the allies by the War Industries Board and the War Purchasing Commission is excellent in every way. * * *

"During the month of December last the high commission called the attention of the Shipping Board to a crisis affecting very seriously our supply in gasoline and oil for the first two months of 1918. To-day the measures taken by the board allow me to state that this imminent peril is absolutely conquered for those two months.

COAL SUPPLIED TO SHIPS.

"Last January 17, when arriving in New York, I found 37 ships unable to sail for France on account of lack of coal; on January 18 the restriction orders for coal were issued by the Fuel Administration, and when I left New York on the 22d all our ships had coal.

"More recently I have found myself obliged, together with my allied colleagues, to draw the attention of Mr. McAdoo and Mr. Hoover to the insufficient arrival of cereals in the American ports. I am convinced that the measures which were immediately studied and decided upon unanimously will bring for the next month a decisive improvement. Their execution has already begun."

4,725,000 FRENCH MOBILIZED.

M. Tardieu reviewed what France is doing to-day. "Officers and soldiers mobilized on January 1, 1918, not including the native troops from the colonies and the workmen in the factories," he said, "amount to 4,725,000 men, of whom nearly 3,000,000 are in the army zone.

"The extent of the western front is 755 kilometers. Belgians hold 25, English 165, French 565. We hold, therefore, three-fourths of it. We have in front of us 80 German divisions; that means two-thirds of the German first-line troops and more than half of the German reserve divisions. The Germans do not intrust to any one of their divisions a front larger than 6 kilometers; ours often hold 9 kilometers each."

Ambassador Jusserand in his speech alluded to the determination of the allies to restore Alsace-Lorraine to France. "The Germans continued to say 'no,'" he said, "but we still say 'yes.'" He declared the Germans were past masters in the art of distorting history and had proven this in their writings on Prussian rule in Alsace-Lorraine.

"The Germans have issued many medals during the war," the ambassador concluded, "but when peace comes there is one medal only which the allies will strike, and that will bear but one word—'Liberty.'"

During the dinner Gen. Eli O. Hoyle, U. S. A., retired; Rear Admiral Colby M. Chester; and other Army and Navy officers were informed of the sinking of the *Tuscania*. None of them referred to it in their speeches.

Mr. THOMAS. I am not surprised, Mr. President, that we are not yet able to produce heavy artillery. I am not surprised that we are not yet able to produce powder to the capacity which may be demanded in the war. Those are patent facts, but who is primarily to blame for it? As far back as 1913 when, as a member of the Committee on Military Affairs, I first attended its sessions, as I have for every year since, we have been warned by the experts of the War Department not only of its inability to produce these very needed articles of equipment immediately but that it would take a long time to do so after its orders were placed.

Gen. Crozier has told us time and again that from the time of the placing of an order for heavy artillery to the time of its completion and delivery would require from 12 to 18 months. Now we—and I accept my share of the blame, if blame there be—should have heeded that and similar warnings, and should long ago have provided the means and enacted the legislation empowering the War Department to obtain this artillery and to place the orders for them. If we had done so, we should have had it in due season.

Our appropriations have materially increased year by year since the beginning of this great war, but these warnings were given long before then. They were repeated in 1915 and 1916, and not until Congress declared a state of war to exist between Germany and the United States did we actively cooperate with the War Department by enacting such legislation as enabled them to begin the gigantic task of improvising and equipping our Army.

So with powder. We have small manufactories, not sufficient, perhaps, even in time of peace. We have enormous private institutions producing explosives, but the combined product of both, when we consider outstanding contracts with the allies, is below the demand. This adds to the slow processes of the Government which has had to begin at the foundation to erect factories and secure the material for the manufacture of a sufficient quantity of explosives.

Instead of holding the War Department responsible for these things—I will say "wholly responsible"—we should be charitable enough to recognize and admit our own shortcomings in that direction.

Mr. HITCHCOCK. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. HITCHCOCK. I fully agree with the Senator from Colorado on that point; we are all responsible for whatever dereliction of duty there was up to the outbreak of the war; but when the war broke out, Congress made abundant appropriations, and yet the War Department, which is charged with the duty of producing powder and knowing that we lacked a million pounds of powder a day, has not begun until now the construction of the factories that ought to have been begun last spring. So, instead of having the powder now we shall not have the powder until next August, September, or October.

Mr. THOMAS. Mr. President, it would be a blessed thing for us all if our foresight were as good as our hindsight. We appropriated money after the declaration of war; and if appropriations could win the war, Germany would have surrendered long ago; but something must be done with that money, and must be done effectively and efficiently. It may be that the War Department has been derelict in postponing the erection of powder factories. If so that is an important item which the committee has disclosed. Yet when we consider the enormous task placed upon the shoulders of the departments, not the least of which was the mobilizing of an army and the building in different parts of the country of shelter, and which they must have before they could be properly mobilized; when we consider the thousand and one problems immediately confronting the heads of the bureaus, the wonder is that they have not made more mistakes; that they have not exhibited greater deficiencies than those which now confront us, and which, thanks to the committee, I am sure will be very soon rectified.

My own view is that our mobilization of troops was premature; but public clamor insisted upon the early centralization of these boys in their various camps, without taking note of the enormity of detail necessary to be observed and accomplished if they were to be well taken care of and properly provided for after their assembly. Recall the utterances of the public press during last summer and fall, its complaints and charges of delays attendant upon the mobilization of our drafted men, and tell me whether the public can well escape some responsibility for the inconveniences, the occasional shortage of clothing, and the sickness which some of them suffered.

Mr. President, these influences in a country like this are potent. If, instead of the September mobilizations, we had waited for six weeks—if the public would have permitted a delay sufficient to thoroughly complete and equip the cantonments—much of the suffering and many of the lives which have been lost would have been spared. Therefore, let the public take its share of this burden, for much of it is due to its thoughtless impatience.

Another complaint relates to the shortage of ships for transport. I can not say to what extent that may be chargeable to the War Department, but I know that the scarcity of ships is the one great weakness in our general scheme of preparation and of actual warfare. It may prove to be the Achilles heel of our armor; I hope not; but here again, Mr. President, the Secretary of War can not be wholly chargeable with inefficiency or disregard of his duty, unless it be that he failed to get all the ships that he could. Some far-seeing men in this country, among them the Secretary of the Treasury and a number of Members of this body at the time, perceived the vast importance of this problem away back in 1914 and 1915. As a result the Committee on Commerce reported a shipping bill, empowering the Government, through a corporation which it should control, to utilize the appropriations therein proposed for the purpose of purchasing neutral bottoms and of building ships. That bill failed, and it was defeated, Mr. President, by a filibuster upon this floor carried on by night and by day. Some Senators now clamoring for ships and finding fault with the War Department because we have them not spoke for 6, 10, 12, and 13 hours against that great measure, thus preventing a vote upon it. With the reasons actuating that filibuster I am not at present concerned; with the motives of the gentlemen who defeated the measure I am not concerned. They no doubt were as conscientious as am I, as earnest in the conviction that they were discharging their duties to themselves and their country as I am that they were not. I challenge no man's motives, Mr. President, upon this floor, in the absence of cogent proof regarding them.

But I am justified in calling the attention of the Senate to the very short statement made by the junior Senator from Massachusetts [Mr. WEEKS] having the filibuster in charge, on the 3d of March, 1915, within 24 hours of the time when the Congress then in session expired by limitation. He said:

Mr. President, when the shipping bill was originally proposed it was announced that there were two purposes intended to be attained by it—one to provide for a temporary necessity and the other for building up a merchant marine. I understand that the conference report which has been presented and which is now on the table has eliminated the provision for the first of those two purposes; in other words, we have now before us a proposition to go into the shipping business permanently, the Government owning and operating lines of ships. It is to that particular phase of the question to which I wish to address myself this afternoon at considerable length.

Before doing so, however, I want to call to the attention of those in charge of the bill the fact that there are many Senators who had prepared themselves to discuss this measure before it was sent to conference two weeks ago. I have been handed a list of those Senators, and I wish to furnish the list to the RECORD, so that there may be no question about the desire of Senators on this side to discuss the bill, especially because it is probable that on account of the limited time all

of them will not be able to make the comments which they desire. The list includes Senators Burton, Root, Lodge, Oliver, Jones, Gallinger, Penrose, Townsend, Smoot, Lippitt, Poindexter, McCumber, Bristow, Cummins, Sherman, Clapp, Sutherland, Nelson, Sterling, Clark of Wyoming, Warren, William Alden Smith, and du Pont.

Those Senators have informed me that they wish to discuss the bill from one to several hours each, and I think that statement would justify—

At that point he was interrupted by the Senator from Florida [Mr. FLETCHER], who was compelled to withdraw the bill.

Mr. President, I would that the zeal for ships now so eloquently manifested by the junior Senator from Massachusetts had had its birth in the month of March, 1915.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. THOMAS. I yield.

Mr. LODGE. If the Senator will permit me, since he has referred to the obstruction which led to the defeat of the shipping bill in 1915, as I said the other day, the controlling motive for the defeat of that bill was because it was known and believed that the purpose was to buy German ships and give $30,000,000 or $40,000,000 to Germany for them. I twice offered an amendment to exclude them, and twice that amendment was voted down. If the amendment had gone into the bill the bill would have passed, and everybody knows it.

Mr. LEWIS. Mr. President, will the Senator from Colorado allow me to interrupt him?

Mr. THOMAS. In just a moment. Mr. President, I do not know, nor does everybody know, that the bill would then have passed; on the contrary, I am satisfied that it would not have passed. The Senator having charge of the bill, the Senator from Florida [Mr. FLETCHER]—and I am sorry he is not here—had in his possession at the time and exhibited a statement from those having authority reciting that not a single ton of German shipping was for sale or could be bought; and, since the Senator has interrupted, I feel justified in asserting that the motives which prompted the defeat of that bill were two. One was that it committed the Government to the building of ships and the other that it would seriously injure, if it did not destroy, the monopoly of the coastwise traffic.

Mr. LODGE. Mr. President——

Mr THOMAS. I yield to the Senator.

Mr. LODGE. Mr. President, the Secretary of the Treasury in his hearing before the House committee stated in substance that it was the purpose to buy those ships. If there had been incorporated in that bill a provision against the purchase of belligerent-owned vessels—and I think I know something about the opposition to that bill—it would have passed; but an amendment incorporating such a provision was voted down twice at least. We could not get attached to the bill the provision that no belligerent-owned ships could be bought under the bill.

Mr. THOMAS. Mr. President, the RECORD, of course, will speak upon that subject.

Mr. LODGE. The RECORD will. I offered the amendment, and I spoke in regard to it.

Mr. THOMAS. I have no doubt the Senator offered such an amendment; I have no doubt that when he asserts that the bill would have passed under those circumstances, he says what he thinks is so. But I had some little information at the time also, for I stayed here night after night to aid in preserving a quorum and, if possible, to force the hand of the minority; and I am satisfied that the two causes which I have assigned are those which inspired the filibuster and led to the defeat of that measure.

I now yield to the Senator from Illinois.

Mr. LEWIS. Mr. President, I thank the Senator from Colorado for yielding at this time. My desire was to address myself to the Senator from Massachusetts and to remind him of the reasons which were then advanced for the opposition to the shipping bill referred to by the Senator from Colorado; but they have been anticipated by the Senator from Colorado, who has specifically called attention to that which it was my intention to present. Therefore, it is not necessary for me to interrupt the Senator.

Mr. THOMAS. Mr. President, it did not require——

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Ohio?

Mr. THOMAS. I yield.

Mr. POMERENE. It may not be uninteresting to recall the fact that at the time we were trying to pass that bill American merchants and exporters were obliged to pay an increase in ocean rates, ranging from 100 per cent to 1,200, 1,300, and 1,400 per cent over the rates which prevailed during normal times.

Mr. THOMAS. That is true, Mr. President; but, as I have said, it was not my purpose to enter into the reasons which defeated that bill. My purpose was to emphasize the fact that it was defeated, and that, if it had been enacted into law then, in my humble judgment, there would be no scarcity of ships now, but the Secretary of War, the Secretary of the Navy, the Red Cross, and all the other agencies that are so sadly in need of bottoms to-day would be abundantly supplied. So let us not look too closely at the mote in the eye of the Secretary of War, but consider as well the beam in our own.

I was about to say when interrupted that the absence of coordination and the diffusion of authority in the departments of the Government were not revealed by the Committee on Military Affairs. That is an evil hoary with age and sanctified by antiquity. Neither is it confined to the War Department; it is everywhere in official Washington; it is popularly and properly known as "red tape." Senators from the Western States knew all about red tape years before the Committee on Military Affairs began its investigation. To use a common expression, they are "up against it" whenever they deal with the Interior Department upon any subject, however simple. A man has to visit more bureaus, consult with more officials, and confer with more divisions over a little water right——

Mr. SMITH of Arizona. And then not get it.

Mr. THOMAS. Than is necessary either to build a battleship or equip an army. We know all about it, and I might say that it is not without some pleasure that we see our friends of the East brought occasionally in contact with it, because perhaps it may result in some measure or policy that will enable us to minimize if we can not rid the country of it entirely.

Red tape is due in large part to our methods of legislation and in large part, perhaps, to the genius of our Government. Our methods of appropriations, Mr. President, are specific; they are not general. A general appropriation bill, an appropriation bill relating to the departments, contains from 175 to 200 pages, and specific appropriations are made for everything, even for the clerks and the employees. In the administration of that sort of a law, with responsibility necessarily fixed for expenditures in the way which it provides, red tape will ensue as naturally as maggots from a decaying carcass.

Moreover, Mr. President, scarcely anyone either now or heretofore occupying ordinary positions in the departments goes on any other theory than that, unless he makes himself appear indispensable he may lose his place; consequently he conducts the business intrusted to his care in such wise as to make these complications inevitable.

What has been accomplished by the committee is simply a nearness of perspective. The country has been brought close to this evil through its investigations. It is a cancer, Mr. President, that should be cut from the body politic, and the sooner the better. To do so not only makes for efficiency but it makes for economy, for speed, both in plan and in detail. Now, it shows itself in the new as well as in the old agencies.

Take some of these new bureaus—the Food Commissioner's office, the Fuel Commissioner's office, and two or three others. Why, Mr. President, from 40 to 50 per cent of the employees are nothing on earth but supernumeraries. They draw their salaries, of course, but they accomplish nothing. Their appointment and ostensible employment is a part of that system which is now so evident in the War Department. I am not blaming anybody for it. I am not blaming any party for it. It is the inevitable outcome of the manner in which this Government has been operating, and it will continue, no matter what the report of the Committee on Military Affairs may be, no matter whether the bills which they propose to report shall be enacted or not, until vigorous and summary measures are taken to do away with it. It can not be done by creating additional boards or councils.

Mr. President, one of the great weaknesses of our form of government is the tendency to create boards and bureaus whenever we think anything is wrong and needs rectification. We discover the existence of some evil, or find difficulty in securing this, that, or the other needed reform or change; and we at once legislate another bureau into existence, give it power to employ another horde of officeholders, and are apt to find that instead of furnishing a proper agency to administer the thing desired we have merely created an additional nuisance and endowed it with an additional expense.

A war council would simply add another link to the bureaucratic chains which now bind us. It would thus immeasurably increase the distance between efficiency and responsibility. It would not only do that but from two to three months would be consumed in organizing it; and after its organization, in all probability, if any of us had business with it we would play the game of battledore and shuttlecock down there, just as we do now, with Senators and Congressmen as the shuttlecocks.

Mr. President, the Taft Commission, appointed during the administration of that President, carefully investigated the subject and made a very full report upon it. It was supported by many of the Senators who are now here. Its recommendations were of the best. It was about that time that the senior Senator from Rhode Island [Mr. Aldrich] announced that if efficiency could be introduced in the administration of governmental affairs some $300,000,000 per annum could be saved. What has Congress done with that report? Has anybody in either House attempted to make it effective? Has any Democrat or Republican or Socialist or member of any other party been sufficiently concerned in the subject to utilize the report and seek to make its suggestions effective? Not one. Now we are blaming the War Department because of the existence of evils which existed then, and which, if we had acted after the expenditure of a large sum of money to obtain this investigation and report, would have been largely minimized and possibly done away with them long ago.

Moreover, Mr. President, I am not at all certain that either a director of munitions or a war cabinet or both are essential to the efficiency of the War Department. We have neither with the Navy. It required no munitions director or war cabinet to make the Navy efficient. Yet to-day it is universally conceded, justly so, that the Navy is in a very high state of preparedness.

How times change, Mr. President, and how opinions change with them. Three or four years ago the most abused and vilified man in the United States was the Secretary of the Navy. Every epithet that was printable was applied to him, the cartoonist went to the extreme of his genius to picture his inefficiency, his worse than uselessness. He was denounced as an impediment in the proper development of the Navy. His removal was demanded from many quarters. He stayed, fortunately for the country, and I believe some of his detractors, who are now critics of the War Department, draw contrasts between its inefficiency and the wonderful completeness of the naval machine. I took occasion to defend the Secretary of the Navy here at a time when every paragraphist in the country was heaping contempt and contumely upon his head. I tried then to show that he was doing his duty, and doing it well. Time has vindicated him, as, in my judgment, it will tend to vindicate the Secretary of War.

Mr. BECKHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Kentucky?

Mr. THOMAS. I yield.

Mr. BECKHAM. I would suggest to the Senator that in comparisons between the Navy Department and the War Department since we entered this war one fact should not be lost sight of. I agree with him in what he says about the Secretary of the Navy and his splendid achievements in that service; but it should be borne in mind that when we entered this war the Navy was already a very large organization. There has been comparatively only a small increase in the Navy. The increase in personnel sometime ago was something like 100,000 men. It was easier for the Navy Department to expand to this increase than it was for the War Department to expand to the enormous increase placed upon it.

Mr. THOMAS. That is undoubtedly true.

Mr. BECKHAM. When we entered this war we had a Regular Army of approximately 150,000 men, and the War Department was organized to take care of that many men. In less than a year's time since war was declared between this country and Germany the Army has been increased beyond a million. There are a million and a half men now in training and under arms. Such an expansion of course put upon that department an enormous strain, and it was to be expected that mistakes should be made and that disappointments should occur in such a tremendous task.

Mr. THOMAS. I thank the Senator for his suggestion, Mr. President.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wyoming?

Mr. THOMAS. I do.

Mr. WARREN. I think, in addition to what the Senator from Kentucky has so well said, that he might mention the fact that the Navy was provided with extra funds much earlier than the Army. The regular annual naval appropriation bill for the year had something like $500,000,000 added to it in the Senate above what the House had proposed. This was quite a long time before we had appropriated and the funds were available on the other side for the Army.

Mr. THOMAS. I think that is true, Mr. President. My sole purpose in referring to the Navy is to emphasize the attitude which a considerable section of the public, and many who are now with the best of motives criticizing the efficiency of the War Department, then occupied toward the Navy. But, Mr. President, if this war council is to function as its sponsors propose, it must also take charge of an efficient department, the Navy, as well as an alleged inefficient department, the Army; otherwise it can not function; otherwise there will be a conflict of authority; otherwise it must be a failure ab initio; and yet that is precisely what the bill proposes to do.

Moreover, Mr. President, the efficacy of the scheme covered by this bill necessarily assumes the appointment of thoroughly competent and qualified men. They must be "distinguished men of proved ability." That is a very general term. A great many men might in the President's opinion measure up to the standards fixed by the law whom we would think undesirable, but he appoints them. Now, if he should appoint a man who should prove a failure, or three men who were not able to agree upon the general policies outlined in the bill itself, then the purpose of the bill must fail.

We must get back to the personal equation; and what warrant have we, Mr. President, in the event of the establishment of a war council, that the President's appointments will prove any more satisfactory than some he has already made for other positions? Many of these men have been very severely criticized here and in the House of Representatives—justly perhaps, but criticized nevertheless—Baker, House, Daniels, Garfield, Hoover, and that does not complete the list. It might be that the President would conclude to take some of these men and translate them from their present positions to seats around the war council table. Would anything be gained by that? When we consider that after all everything depends upon the man and that this bill merely adds another bureau, with all the expenses attendant upon it, with its numerous subordinates, why resort to it unless absolutely and overwhelmingly indispensable? Many Senators believe it is unquestionably. They may be right and I may be wrong; but I am unable to give my assent to the proposition.

Some legal problems are encountered by the proposed war council—which is not claimed as a new idea. If my recollection serves me right, the Constitutional Convention very seriously discussed the proposition of a privy council to aid the President and to share his authority and his responsibilities, and rejected it by an overwhelming vote, and for the very obvious reason, perhaps, that it tended to diffuse responsibility which in executive affairs, even in times of peace, should be concentrated as much as possible.

Mr. President, I have endeavored to find some adjudications regarding the powers of the President in times of war and as Commander in Chief. They are very few. The views of constitutional authors are equally sparse. It would seem that the war powers of the President, so nearly absolute and so very necessary, have been taken for granted, and as a consequence could not well become the subject of adjudication by the courts.

Mr. Hamilton, in No. 74 of The Federalist, disposes of the subject in a very short paragraph. He says:

> The propriety of this provision is so evident, and it is at the same time so consonant to the precedents of the State constitutions in general that little need be said to explain or enforce it. Even those of them which have in other respects coupled the Chief Magistrate with a council have for the most part concentrated the military authority in him alone. Of all the cares or concerns of government, the direction of war most peculiarly demands those qualities which distinguish the exercise of power by a single hand. The direction of war implies the direction of the common strength, and the power of directing and employing the common strength forms a usual and essential part in the definition of the Executive authority.

In his homely but comprehensive way, Mr. Lincoln, speaking on this subject, once said:

> As Commander in Chief of the Army and Navy in time of war, I suppose I have a right to take any measure which may best subdue the enemy.

Mr. SMITH of Michigan. That was not homely.

Mr. THOMAS. That is the philosophy of the subject in a nutshell.

Mr. SMITH of Michigan. Yes; that is the reason why it is not homely; but I do not quarrel with the Senator about that.

Mr. THOMAS. I think the Senator's criticism is just.

Mr. SMITH of Michigan. I think that is a marvelous inspiration.

Mr. THOMAS. Let me say that it is the simple expression of Mr. Lincoln, who had a natural command of pure and perfect English that ranks him with those literary geniuses whose English prose are models of classic expression.

Mr. SMITH of Michigan. Meaningful English.

Mr. THOMAS. I can refer those who may be interested in the subject to Willoughby on the Constitution, volume 2, sections 713 and 715.

In Ex parte Milligan, Fourth Wallace, the Supreme Court took occasion to briefly express itself upon the subject; and except as this has been approved by subsequent cases, I think it is the one concrete expression of the Supreme Court regarding the war powers of the President, wherein the court distinguishes between the authority of Congress and the powers of the Executive:

[Ex parte Milligan, 4 Wall., 139.]

Congress has the power not only to raise and support and govern armies but to declare war. It has therefore the power to provide by law for carrying on war. This power necessarily extends to all legislation essential to the prosecution of war with vigor and success, except such as interferes with the command of the forces and the conduct of campaigns. That power and duty belong to the President as Commander in Chief. Both these powers are derived from the Constitution, but neither is defined by that instrument. Their extent must be determined by their nature and by the principles of our institutions.

The power to make the necessary laws is in Congress; the power to execute in the President. Both powers imply many subordinate and auxiliary powers. Each includes all authorities essential to its due exercise. But neither the President in war more than in peace intrude upon the proper authority of Congress, nor Congress upon the proper authority of the President. Both are servants of the people, whose will is expressed in the fundamental law.

During the Civil War, Mr. President, Congress by resolution in December, 1861, created what was called the "Joint Committee on the Conduct of the War." I suppose its ostensible purpose was to aid the President in the discharge of his difficult executive duties, but if one will refer to the diary of Gideon Welles, and accept his conclusions, he will discover that it was a meddlesome and continuing nuisance, interfering with the President in many ways and ending its career by summoning the Hon. Benjamin F. Butler before it to testify upon subjects regarding which he was at variance with the President.

Mr. President, I want to refer to the bill for a moment. I do so because of a query from the junior Senator from Pennsylvania [Mr. KNOX] regarding its context when the Senator from Missouri [Mr. REED] was discussing its first subdivision. The Senator from Missouri contended that the first paragraph on the second page unquestionably trenched upon the constitutional prerogatives of the President as Commander in Chief, whereupon the Senator from Pennsylvania called his attention to the recitals on the first page, and inquired whether under the provisions there found the bill was not within the power of Congress to enact. The Senator from Pennsylvania is one of the great lawyers of the generation and any query of his with regard to a legal proposition is always worthy of the highest consideration, and especially before it is rejected. The recital to which the Senator from Pennsylvania referred is, as follows:

That there is hereby created a war cabinet, to be composed of three distinguished citizens of demonstrated executive ability, to be appointed by the President, by and with the advice and consent of the Senate, through which war cabinet the President may exercise such of the powers conferred on him by the Constitution and the laws of the United States as are hereinafter mentioned and described.

The query was whether the President might not utilize this as an agency which Congress could create for the discharge of his executive authority. It may be so, but, Mr. President, this bill either designs that the President must exercise his authority through that agency or it is practically innocuous. If the President may do as he likes about it, utilizing to its full or to its partial extent, or reject it entirely and use some other agency, why pass the bill? I must construe this word "may" as intending to mean "must" or "shall," that the President shall exercise the various prerogatives which are afterwards set forth in extenso through the proposed war cabinet, and through it only. If the President has a choice of agencies, if he may discharge this agency entirely and proceed on his own volition in other directions, then certainly we are not helping him at all. We may be exposing him to a hindrance in the sense that if compelled to utilize some other official, no matter what may be the reason, it may be the best of reasons, he will expose himself to public censure and criticism. Hence those who drafted the bill must have designed that the war cabinet when created should have supreme charge and control of the war, and this cabinet is authorized among other duties—

To consider, devise, and formulate plans and policies, general and special, for the effectual conduct and vigorous prosecution of the existing war, and, in the manner hereinafter prescribed, to direct and procure the execution of the same.

In other words, the war cabinet is designed, must be designed, to exercise the power of not only supervising but directing the strategy and the tactics of the war, taking out of the hands of the President through his generals that supreme control of both which must be centered in a single head if disaster is to be avoided.

Many of the criticisms now being made, much of the fault now being found, many of the proposals that we must consider, the general feeling of unrest and dissatisfaction which unquestionably is prevalent in the country, merely indicate, Mr. President, that history repeats itself. In 1862 the President of the United States was subject to the same trials; his administration encountered the same vicissitudes; he endured much harsher criticism than has yet been made of the War Department or the President. But his patience and his patriotism sustained him serenely through it all to a triumphant victory, and his martyrdom brought bitter self-reproach to those who had so maligned and misunderstood him.

Mr. Lincoln had many critics. Probably none of them published diatribes at a dollar a word or indicted their bitter arraignments for hire. They have that at least to their credit. But he encountered the contentions and recriminations of Greeley, Phillips, Henry Winter Davis, Wade, Vallandigham, and a host of others who were then well known, but most of whom are now covered with the mantle of oblivion. The chorus of their counsels and criticisms was louder and more sustained than the present one, which, however, is young and vigorous.

Shortly after the Battle of Shiloh public indignation against Gen. Grant was so aroused that his removal was imperatively and insistently demanded, and in that demand Members of both Houses participated. The Battle of Shiloh was a very bloody one. The Union losses were tremendous. Grant was said to have needlessly sacrificed the troops and his head was demanded. The incident may be most appropriately recommended to many clamorous patriots of the present day. I read from Lamon's Recollections of Lincoln:

A short time before the fall of Vicksburg great dissatisfaction became rife at Gen. Grant's tardiness in moving on the enemy's works. There was a pretty general feeling in favor of relieving Grant from his command and appointing some one who would make short work of that formidable stronghold of the enemy, and relieve the people from their state of anxiety. Mr. Lincoln had great faith in Gen. Grant. He was being constantly importuned and beset by the leading politicians to turn Grant out of the command. One day about this time he said to me, "I fear I have made Senator Wade, of Ohio, my enemy for life." "How?" I asked. "Wade was here just now urging me to dismiss Grant, and in response to something he said I remarked, 'Senator, that reminds me of a story.' 'Yes; yes!' Wade petulantly replied, 'it is with you, sir, all story, story! You are the father of every military blunder that has been made during the war. You are on your road to hell, sir, with this Government by your obstinacy; and you are not a mile off this minute.' I good-naturedly said to him, 'Senator, that is just about the distance from here to the Capitol, is it not?' He was very angry, and grabbed up his hat and cane and went away."

Lincoln then continued to say: "To show to what extent this sentiment prevails, even Washburne, who has always claimed Grant as his by right of discovery, has deserted him, and demands his removal; and I really believe I am the only friend Grant has left. Grant advises me (Mr. Lincoln had never seen Gen. Grant up to that time) that he will take Vicksburg by the Fourth of July, and I believe he will do it; and he shall have the chance."

The author's reflections are equally pertinent:

Had it not been for the stoic firmness of Mr. Lincoln in standing by Grant, which resulted in the speedy capture of Vicksburg, it is hard to predict what would have been the consequences. If nothing worse, certain it is that President Lincoln would have been deposed, and a dictator would have been placed in his stead as Chief Executive until peace could be restored to the Nation by separation or otherwise. Mr. Lincoln thus expressed himself shortly before his death: "If I had done as my Washington friends, who fight battles with their tongues at a safe distance from the enemy, would have had me do, Grant, who proved himself so great a captain, would never have been heard of again."

Another passage from this author, and from another chapter, acquaints us with what I hope is an extreme instance of the extent to which the animosity of Mr. Lincoln's opponents carried them:

As illustrative of the amenities of language with which, at this epoch of his life, the Chief Magistrate of our Republic was habitually characterized, it will suffice to adduce such an expression as this, "That hideous baboon at the other end of the Avenue, whom Barnum should exhibit as a zoological curiosity." Mr. Lincoln's existence was so cruelly embittered by these and other expressions quite as virulent, that I have often heard him declare, "I would rather be dead than, as President, thus abused in the house of my friends."

Mr. President, criticism and denunciation have not yet transgressed the limits of propriety. I trust they will not; but if I can judge from the encouragement given in some quarters to bitter criticisms of public characters, not in the Senate but elsewhere, it is highly probable that before this year shall have ended the President will have endured many of the bitter experiences which so saddened the closing years of the greatest of our Presidents. Conscious, however, as was he of the rectitude of his purposes and the wisdom of his policies he will proceed unmoved, except as his own judgment shall dictate, to that victory as certain to come as it was finally achieved by the martyred President.

Mr. President, let us be as charitable as possible. The War Department has its defects but is not the only nonefficient factor of the war. Congress has made its contributions to the cause of inefficiency. Fortunately it enjoys one peculiar immunity. In the general scheme of the American Government there is no power which can investigate it except the electorate, which does so every four years, and acts accordingly; but no probing com-

mittee can sit in judgment upon it, cross-examine its Members, expose its misdeeds, or expose their motives save as it may itself assume the task. That may be for the best; I am not prepared to say that it is not; yet I affirm, Mr. President, if an inquiry could be officially made of the conduct of the Congress of the United States such as confronts the War Department a report might be made of our own shortcomings which, while not excusing, would certainly palliate those of the War Department.

Let me illustrate this by a supposititious inquiry and assume that the National Council of Defense, invested with the power of congressional investigation, has conducted one and made the following report of its findings to the President:

The PRESIDENT,
White House, Washington, D. C.

SIR: The National Council of Defense, in the discharge of their official duties, and urged by a widespread demand therefor, have investigated the course of congressional legislation regarding our Military and Naval Establishments, with a view of determining what has actually been accomplished during the past few years and what omissions, if any, are justly chargeable to that illustrious body. In making this investigation we have been prompted by motives which are free both from partisanship and personal feeling. We have been actuated by the highest motives of duty and patriotism, prompted by the necessity of service to the country, of repairing mistakes where they have occurred, and also to prevent their recurrence, if possible.

As a result of this investigation, we herewith submit a report of some of the conditions disclosed, together with a suggestive remedy which we believe is imperatively demanded by the perilous conditions now confronting the Nation. Let us, at the outset, assure you that the responsibility for the methods, or to be more accurate, the lack of them, by which legislation is proposed and enacted, and by which it can be retarded, although highly objectionable, and especially in times of war, can not be placed upon the shoulders of anyone or of any particular Congress. It is the deplorable lack of system and of coordination which is the growth of years, and due in a great part to deficiencies in the form and structure of our Government. It is possible to operate under it in times of peace. In times of war it should be set aside by the Congress itself, if possible; by the Executive if necessary.

Introduction of bills and resolutions by Members of both Houses is a daily practice. The aggregate number of these in the last Congress was approximately 30,000.

It would be difficult for a Member within the space of a session to read the titles of these bills, to say nothing of their contents. They were all printed at enormous expense and then referred to committees, after which 95 per cent of them are never heard of, although their authors waste much valuable time in endeavoring to secure some action upon them.

The committees to which bills are referred are large and unwieldy. The Senate committees are so composed that each Senator is a member of two or more important ones, although the business coming before each is sufficiently engrossing to demand the unremitting time and attention of every member thereof. Hence these committees and their chairmen are becoming more and more identical in authority and in purpose.

In the Senate there is no limit to discussion. An amendment to the rules adopted last March and designed to put a curb upon this practice has thus far proven innocuous. Action upon bills, however important, is therefore, in this body, obtainable only by unanimous consent.

The needs and interests of the respective constituencies of Representatives and Senators seem to be, and long have been, paramount considerations. Those of the National Government, except perhaps in times like the present, are therefore subordinated to such interests to a degree that it is perhaps not too much to say that there is no real national Representative or Senator in either branch of our legislative body in the true sense of that term. Given the consideration of a measure national in its scope in conflict with one affecting some of the Districts or some of the States and the demands of the latter are apt to determine the fate of the measure. Dependence upon constituencies, the desire for their approbation, and the fear of their disapproval are the paramount influences in determining national legislation.

It can readily be seen that the prime result of such conditions is to decentralize legislative action and compel compromise between diversities of interest and purpose as a condition precedent to any legislation however important.

This preliminary statement of general congressional conditions is deemed essential to an appreciation of the specific instances of congressional mistakes or failures to which we are compelled to call your attention, and which, in our judgment, are the fruitful causes of many of the disappointments thus far accompanying the development of our military program. It will be noted that the instances to which we refer have transpired since the beginning of the great European war. Perhaps the first tremendous fact confronting the United States immediately after the declaration of war by Germany against the allies was the absence of an American merchant marine. With its causes we are not now concerned. The need of supplying ships and supplying them immediately was then so apparent that a so-called shipping bill was favorably reported from the Senate Committee on Commerce, under the terms of which it was proposed that the Government should directly or indirectly begin the construction of ships and their purchase from neutral nations. This bill at once encountered the active and implacable opposition of a large minority of the Senate, which, for various reasons assigned, began and maintained a successful filibuster against it. Some of the opposing Senators indulged in oratory by day and by night until the Senator having charge of the bill was compelled on the afternoon of the 3d of March, and about 12 hours before the Congress expired, to withdraw it from further consideration. It is interesting at this juncture to read the statement of the junior Senator from Massachusetts on that occasion.

I have read it.

Had the bill then become a law, and it would have been enacted but for this filibuster, it is reasonable to assert that there would not have been that shortage of ships so painfully apparent during the past 12 months and which if it continues may result in national disaster.

In 1914, 1915, and 1916 the attention of the Congress was called by the Secretary of War to the necessity of strengthening the military arm of the Government, and making due provision for adequate equipment. A plan of Army reorganization worked out by the General Staff and recommended by the then Secretary of War was submitted to both Houses in 1915. Ample hearings were had before both committees, in which the chiefs and experts of the Army in great detail explained our pressing military needs and requirements, and particularly the need of a National Army. The Army bill of 1915 differed but little from that of its immediate predecessors. The Army bill of 1916 contained little, if any, provision for the raising and equipment of a Regular Army. Under section 56 of the Senate bill as proposed, such an army might have been improvised. It was vigorously attacked, however, and was kept in the bill by the Senate by a very slender majority. It was rejected in toto by the conference committee. On the other hand, the bill as enacted was devoted to the expansion of the State Militia, or National Guard, notwithstanding the vigorous protests of the Chief of Staff and of the War Department. It is not too much to say that the Army bill of 1916 was dictated to the Congress of the United States by the organized officers of the National Guard through a lobby composed of its officers and the several States and through the political power which it assumed to possess. But whatever the cause, the recommendations and efforts of the military authorities of the United States for organizing and equipping a large and efficient army in anticipation of our entering into the war proved wholly unavailing. The aggregate appropriation for that year considerably exceeded that of its predecessor, but much of it was devoted to the proposed expansion of the National Guard as units of the States and for their incorporation into the Regular Army as might be required in national emergency.

Although the demonstrated success of the submarine had by 1916 justified the declaration of Sir Percy Scott in 1912 that revenues thereafter spent in the construction of huge battleships would be money wasted, Congress in the naval bill of 1916 established a so-called naval program, of which the battleship and the battle cruiser were the chief features. Scant provision was made for submarines, torpedo destroyers, transports, and other craft absolutely essential in modern sea warfare. Fortunately, the Navy Department had not, when war was declared, begun the construction of the battleships provided in that act and stopped construction of similar vessels then under way and has devoted itself to the building of such war craft as the necessities of the war demanded. In justice to the Congress, however, it should be said that the program then adopted was recommended by the experts of the Navy Department. Congress, therefore, may claim in that exceptional instance the merit of duly considering the counsels of those having sufficient experience to speak by authority. With regard to the Army bills of 1915 and 1916, the council believes that if the recommendations of the department then made had been duly heeded by the Congress, the Army would have been sufficiently reorganized and equipped to have proceeded without further delay to the trenches in Europe immediately after the beginning of hostilities.

The need of explosives in modern warfare is obvious. Nitrates are the basis of all modern explosives, the natural supply of which is confined almost exclusively to the Republics of Chile and Peru. Our inability to secure our supply from those countries would mean disaster. Appreciating such a contingency, the junior Senator from Alabama endeavored long ago to secure the passage of a bill providing for the erection by the Government of a suitable plant for the manufacture of atmospheric nitrogen under processes well known and easily obtainable. This measure, so evidently essential to the national welfare, was bitterly opposed, largely on the ground that it committed the Government to the manufacture of a commodity which should be left to private enterprise. Not until our troubles with Mexico in the summer of 1916 confronted us for the time with the actual presence of war did it become possible to crystallize this important subject into the legislation of the country. Even then it had to be offered and was finally accepted as an amendment to the Army bill of August 29, 1916, something like a year subsequent to its first consideration by the Senate. Had this bill been promptly enacted into law upon its introduction, the structure contemplated by it would now be well toward completion and its product available for the manufacture of explosives in the very near future, thus enabling us to devote a large part of our importations from Chile to the use of our allies and to the fertilization of the soil.

The prime need of our country is money available to the Government for war purposes. It is the duty of Congress to supply this need by legislation. It entered upon the consideration of a revenue bill designed to greatly increase the public revenues in the month of April, 1917. On the 6th of October of that year the bill became a law. The committees of the respective Houses, and particularly the Senate committee, devoted not less than four months to its earnest consideration. Yet it is not too much to say that this law constitutes a reflection upon congressional intelligence. It is involved, complicated, and complex to a degree seldom encountered even in modern legislation. It possesses all the bewilderment, with none of the fascinations, of Alice in Wonderland. It can be worshiped with impunity, for there is nothing like it in heaven, on earth, or in the waters under the earth. Immediately after its enactment the Secretary of the Treasury appointed an advisory council or body, consisting of wise and experienced gentlemen, to investigate, explore, and penetrate this law with their combined intellectual processes and then tell him what his powers and duties under it were.

Mr. SMOOT. The Senator, I think, ought to give credit to the conferees on that bill for making it to a large extent as described by him.

Mr. THOMAS. This is the report of a committee investigating the Congress.

Mr. OVERMAN. What report is the Senator reading? I did not catch it.

Mr. THOMAS. I am reading from an assumed report of an investigation of Congress by the Council of National Defense:

These gentlemen have patiently, conscientiously, and constantly endeavored to perform this arduous, if not impossible, duty, thus far without success. We only know that in its possible operation the law rests much more heavily upon the small man than upon the large one; that if literally enforced it will compel the average individual to resort to perjury as a last and solitary refuge from bankruptcy. It would seem to an ordinary observer that with a century of experience of this sort of legislation to guide it, an intelligible, if not a satisfactory, revenue statute might have been enacted. To add to this unfortunate outcome of congressional action, there seems to be little, if any, disposition to take up the question and either repair or remedy this remarkable compilation of statutory sections. The amount of revenue to be derived from it is problematical.

It would seem that in view of the Nation's present needs and expenditures Congress would realize not only the importance but the essential necessity of enforcing economies whenever and wherever possible, and especially with regard to subjects which belong to times of peace rather than to times of war, but no such spirit has thus far manifested itself. Indeed, the tendency to extravagant financial legislation seems to be more pronounced than ever before. Bills for pensions, claims, rivers and harbors, increases of salary, increases of officeholders, and multitudes of other subjects requiring appropriations are daily introduced, and their aggregate crowds the capacity of the committee rooms. We have made no compilation of the aggregate amounts called for by these measures, but it is safe to say that the sum total would be quite as great as the ordinary expenditures in recent years of peace. Whether they shall be enacted into law is for the future to determine. We make no prediction concerning them, but apprehend that the pressure of political and local interest behind them will, as usual, be too great for the Congress to resist.

It is unecessary to cite further instances of congressional delinquency. We have selected a few from the list which are typical. In our opinion the so-called legislative system, in so far as war legislation is concerned, has broken down for lack of coordination and concentration of responsibility. This can not continue without grave peril to the further and future prosecution of the war. We have suggested some legislation which, in our opinion, would meet the crisis and tide us over the difficulty, but we are not at all optimistic about its acceptance.

In the performance of a grave and serious but imperative duty, we therefore recommend to the President, in the exercise of his war powers as Commander in Chief of the Army and Navy and to the end that the present war may be vigorously and successfully prosecuted to an early termination, that a war tribunal be appointed, consisting of distinguished citizens of known experience, charged with the duty of summarily enacting all legislative measures deemed necessary and vital to the public needs and safety, to the end that delays, diversity, and decentralization in matters legislative shall cease and efficient organization as above suggested be substituted therefor. This council shall perform the duties of the Congress of the United States until six months after the present war shall have ended, as announced by the President of the United States.

I submit, with all due deference to the superior information of my colleagues, that the remedy suggested in this document for congressional delinquencies is not more drastic nor more extraordinary than that embodied in the proposed bill for the creation of a war cabinet.

Mr. President, if this is burlesque, it is a burlesque of fact; upon our shoulders rests much of the responsibility which is shifted to other departments. Would it not be well to make frank acknowledgment of it, close ranks with the War Department, and strive with mutual zeal for a better record for the future.

Mr. President, there is a political aspect not to the investigation but to its manner and results to which I feel justified in referring. In doing so I reflect upon no Senator whether he is a member of the committee or not.

I believe that this investigation has been beneficial. I believe that it has been conducted by gentlemen inspired by the highest motives of patriotism. I am glad it has been made. I hope it may not, as some think from its recent character, degenerate into a petty cross-examination of a distinguished official.

The political aspect to which I refer is external. Its influences may penetrate here in time. In referring to it, let me say that I do so in no spirit of complaint. If conditions were reversed and a Republican administration were in power, the constituents of this side of the Chamber would be similarly actuated. That is human nature. Politics is largely identical, whether it springs from Republican or Democratic sources. A partisan advantage is taken quite as eagerly by one of the great parties as by the other. Hence, I refer to this subject because I think it is pertinent to the discussion.

Mr. President, if the press is to be credited—and I very seldom credit it unreservedly—there is no question but that partisanship will take advantage of alleged as well as of actual delinquencies in the War Department and make them the subject of a fall campaign. The New York Times is a fairly conservative journal; in my judgment it is the best newspaper in the United States. It is independent, or at least as independent as a newspaper having convictions can be; it is nonpartisan, or as nearly nonpartisan as a great journal can in the clash and conflict of opinion be. I think it desires and strives to publish all of the news that is fit to print. In its Sunday supplement of February 3 appears an article upon the subject, from which I quote:

Baker as a campaign issue for the Republicans.—Their plan is no longer a secret, and next week's meeting of national committee will launch fight for control of Senate and House.

I shall not read the entire article, Mr. President; it is not necessary. I wish it bore the name of the writer.

Mr. BORAH. Mr. President, there is a very good reason why the article does not bear the name of the writer, for no responsible Republican would assume to attach his signature to that proposition, in my judgment.

Mr. THOMAS. Well, that may be the reason. Another reason may be that the present purpose is to surround with an atmosphere of anonymity all reference to political conditions; but, nevertheless, in view of some things that have been said upon this floor, not in this discussion; in view of the visit to this city at a most opportune time of the most vociferous and prominent of all the candidates for the Presidency—about whom I would say much more were he not reported to be seriously am inclined to think that this article is not entirely unreliable. ill—and in view of some of his statements on that occasion, I The article states:

The war issue for the Republicans in the campaign of this year will be based on the manner in which the Democratic administration, especially the War Department, has managed the war. That much has been decided upon, and the details will be perfected at the session of the national committee to begin in St. Louis on February 12, the first meeting of the full committee since that held immediately after the national convention which nominated Hughes in 1916.

In brief, the Republican campaign is to be based on a Nation-wide attack on the Democratic War Department as the chief national issue. It will be placed before all local and State issues in every congressional district in the country. The campaign material will be drawn almost entirely from the facts disclosed by the Democrats themselves in the recent investigations by Senate and House committees, the Republicans taking the position that they have little need of campaign textbook ammunition in addition to that furnished by the Democratic Senator from Oregon, GEORGE E. CHAMBERLAIN. They will base their fight on the assumption that it is the patriotic duty of the Republican Party to give the people an opposition majority in Congress that will compel more publicity and impose a greater check on mismanagement in the executive departments of the Government.

What the Republicans hope to accomplish is, specifically, the conversion of the present Democratic majority of 10 in the Senate into a Republican majority of 8. The least they expect to get in the Upper House is a Republican majority of 2.

Then follows a consideration of the political prospects and conditions of the various so-called doubtful States. We come now to a question put to a member of the Republican national committee:

What likelihood is there that the midterm political reaction of normal times and the other factors the Republicans are depending upon for victory next fall will be offset or more than offset this year by a feeling on the part of the public that there must be no politics whatever in war time?

"There is no likelihood, no possibility of anything of that sort happening," he answered. "The Republicans of the United States also have a patriotic duty to perform in this war, and that is to exercise their legitimate function as a party in opposition to the administration to reduce to the minimum the war mistakes of the administration. The war itself will not be an issue, there will be no un-American, no unpatriotic issue. The big issue will be mismanagement of the war by the Democratic War Department. We will win on that and then use our restored power in Congress to compel better things."

"But suppose," the committeeman was asked, "our American troops get to France in large numbers; suppose they get their equipment and take over a sector of the fighting line and win a big victory against the Germans before the Congress elections of next fall? What will become of the mismanagement issue in that case?"

"It will continue to be a live and effective issue. If our troops get equipped and win a victory next summer it will be in spite of the present War Department, not because of it. No victory that may come to our armies at any time in the course of this war can offset the resentment of the public because of the men who have died from neglect and blundering before they could even get away from their training camps in America. The public will not stand for a long casualty list before there is a skirmish.

Then follows a criticism of deaths from overcrowding, and so forth. Then the gentleman, interviewed, is reputed to have said:

If we needed a cue in this matter, which we don't, there is an ample one in the action of a few of the Democrats themselves in the Senate—CHAMBERLAIN, of Oregon, and HITCHCOCK, of Nebraska. But these two men, with a few more of their party who may stand by them in the Senate, are not enough to meet the needs of the situation. No matter how hard these few truth-revealing Democrats may work, no matter how courageous they may be in the face of denunciation from the White House, they can not build up in Congress a sufficient barrier and check against a stupid War Department to protect the soldiers.

Not even an attempt at such a protection can be expected from the House of Representatives as it is constituted at present. The House is absolutely under the control of the President, and the President believes that Mr. Baker is the best Secretary of War we have ever had. The country never would have known of the blunders in the War Department, the blunders that have cost us many lives, if we had depended upon the House Committee on Military Affairs for the disclosures that have come from the Chamberlain committee in the Senate.

I might, Mr. President, refer to extracts from many other newspapers upon the same subject, but it would only burden the RECORD.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I yield.

Mr. BORAH. Mr. President, I am a very humble member of the party to which the Senator from Colorado has referred——

Mr. THOMAS. On the contrary, the Senator from Idaho is one of its most distinguished members.

Mr. BORAH. And I have no authority to speak for the Republican Party, although I presume I have fully as much authority to do so as has the gentleman who is supposed to have been interviewed in the article from which the Senator has read; neither am I a prophet, but I merely venture to say that the conduct of the War Department will not be in any sense whatever an issue in the next campaign; that it will not be a part of the campaign conducted by the Republican Party or

by any other party which may meantime spring into existence. I think the Senator from Colorado ought to bear in mind that this article appears in what is known as the magazine part of the New York Times.

Mr. THOMAS. It does.

Mr. BORAH. And I want to record my conviction that the last that that article will ever be heard of will be when it appears here in the CONGRESSIONAL RECORD, so far as it relates to the policies of the Republican Party.

Mr. THOMAS. Mr. President, I am satisfied that if the Senator from Idaho could mold the policies and shape the action of the great party with which he affiliates such would be its course, but no one man forms the general policy of the great political organizations of the country.

I want again to reiterate that I am not speaking in a sense of partisan criticism of this situation and that if conditions were reversed I have no doubt the party to which I belong would seek the same advantage. It is the consequence of the situation, however, which prompts me to mention it.

Mr. BORAH. Mr. President, I am not criticizing the manner in which the Senator from Colorado is using this article. I am perfectly aware that neither myself nor any other individual or small group of individuals can control the policies of the party. That is the reason why I know that that will not be an issue in the next campaign. The gentleman who was interviewed in reference to that matter is undoubtedly one of those antiquated gentlemen who still believe that the policies of the party are framed by a committee or by some State central committee or national committee or something of that kind. Most of those people, fortunately, have passed out of existence, and they cut very little figure any longer. The policies in these times, when the people are having their attention riveted upon these affairs, will be shaped by the rank and file of the respective parties of the country, and the rank and file of the Republican Party would not for a moment submit to an issue which was based upon a discussion of a past incident in the task of preparing the country for this war.

Mr. THOMAS. Mr. President, the rank and file of the Republican Party are just as patriotic as I am; there is no question about that. The leaders of the Republican Party are just as patriotic as I am; but it is in human nature in all political campaigns to take advantage of those defects and those conditions which seem to make for success. Unless that were so there would be no campaigns in this country; there would be no discussion of issues. While I know that the Senator from Idaho feels and believes what he has said, I still contend that there is outside of the Senate a disposition to utilize these things for political success, else I would not be warranted in referring to them here at all.

Mr. POINDEXTER. Mr. President——

Mr. THOMAS. I yield to the Senator from Washington.

Mr. POINDEXTER. Mr. President, I want to get the view of the Senator from Colorado as to the propriety of making a political issue of the matter to which he has referred. The most important question before the American people is the conduct of the war. It so happens in our political system that the conduct of the war is under the control of one political party and that there is an opposition political party. When an election comes and the issue is presented to the people whether or not we are to retain in control of the Government the party and the President who have been responsible for that great trust during the preceding term, does the Senator maintain that it is improper to present to the tribunal of public opinion the question of the diligence and the efficiency which have been used by the party in power, or the lack of those qualities, in the conduct of the war? Is it not, as a matter of fact, the duty of the opposing party to make the issue, and have not the American people the right to consider the question in rendering their verdict in the election? I ask the question because I am not quite clear whether the Senator contends that that would not be a proper issue; and I am saying this, if the Senator will permit me just a word, entirely apart from the expression of any opinion as to the merits of the particular controversies which have recently been engaging the attention of the country.

Mr. THOMAS. I have twice said, Mr. President, that I thought it was perfectly proper and legitimate to use this material in the next campaign. I go further and concede that of all times an opposition party is needed in time of war—a strong, vigorous, patriotic, healthy opposition. We have it now, and I hope we will continue to have it. I mentioned the subject for the sole purpose of emphasizing one consideration, which is that when it shall appear to the public, as I am afraid it is now appearing, that the investigations which we are conducting are not devoted to the sole object of discovering deficiencies and correcting them; that we are going beyond the limit of official propriety; that, having exhausted our legitimate functions, the investigations should be concluded. I do not intend to reflect upon the present investigation, but I am aware of the gradually growing public sentiment that the protracted examination of the head of the War Department discloses a purpose to go further than the announced objects of the investigation when it began.

Mr. CHAMBERLAIN. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Oregon?

Mr. THOMAS. Certainly.

Mr. CHAMBERLAIN. Mr. President, I think the Senator in making that statement, he being a member of the committee, ought to go further and say that the committee had the Secretary of War before it once and had practically completed his examination, and when he appeared again it was at his own request, and the examination was had in the manner that he requested. The second examination of the Secretary was, therefore, not had on the initiation of the committee.

Mr. THOMAS. That is undoubtedly true, Mr. President.

Mr. CHAMBERLAIN. Now, another thing, Mr. President——

Mr. THOMAS. Yet I am in receipt of telegrams, as I have no doubt other Senators are, protesting against what their authors think is an undue extension of the investigation.

Mr. CHAMBERLAIN. Mr. President, I want the Senator to put in the RECORD at the same time, as a member of the committee, that the Secretary of War appeared at the invitation of the committee only once, and that to suit his own convenience; and that the other times he appeared, and the only other times he appeared, were when he requested. Now, the Senator says——

Mr. THOMAS. The Senator ought also to put in the RECORD that the Secretary of War requested it because of the Senator's speech here two weeks ago when the Senator contended that the War Department had broken down.

Mr. CHAMBERLAIN. Well, possibly that is true; but it was on his initiative, at any rate, that he came again; and if he is being persecuted it was at his own request.

Mr. THOMAS. I did not say that.

Mr. CHAMBERLAIN. I hope the Senator did not mean to be understood as saying that.

Mr. THOMAS. I did not; but I do emphasize the fact that a sentiment is arising in different parts of the country that such is the case, if I may judge from the information I have received.

Mr. CHAMBERLAIN. I will say to the Senator that that is not the information I have received. The Senator himself admits that the investigation has done good.

Mr. THOMAS. It certainly has.

Mr. CHAMBERLAIN. And I understand that the Senator does not disapprove of the investigations by the committees of Congress?

Mr. THOMAS. I do not disapprove of this investigation, so far.

Mr. CHAMBERLAIN. Now, does the Senator feel that when an investigation has been decided upon by a majority of a committee they ought to hesitate in the discharge of their duty by any fear that the result may create an issue for one or the other party?

Mr. THOMAS. I think that after a man has been examined and reexamined and cross-examined, and again examined, there is some justification for the outside view that its continuance is not designed to accomplish any good purpose.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Illinois?

Mr. THOMAS. I yield.

Mr. LEWIS. May I ask the Senator from Colorado, as a member of the committee and as a Member of this body, does he not feel that if the investigation was to be set afoot for the purpose of obtaining information as to what the department was doing it would have been a proper proceeding to have called the Secretary of War as the first witness, that he might disclose all the information he had, instead of calling witnesses or permitting witnesses to testify who made him the object of attack, and calling him later, as if he were a defendant answering an indictment?

Mr. THOMAS. I will not pretend to answer that question.

Mr. CHAMBERLAIN. May I answer that for the Senator?

Mr. THOMAS. In just a moment. It would be unbecoming for me to answer it, because I was away at the time this investigation began, and I have attended comparatively few of the sittings of the committee. I yield now with pleasure to the chairman of the committee.

Mr. CHAMBERLAIN. Let me say to the Senator from Illinois that it was at the request of the Secretary of War himself that he was not called first. He preferred that the men under him,

the officers of the department, should appear and testify as experts before he was called, and we suited his convenience rather than our own with reference to calling the Secretary of War.

Mr. LEWIS. If the Senator from Colorado will pardon the interruption, may I ask the Senator from Oregon, knowing he is the chairman of the committee, did the Secretary of War, as the Senator understood him, make a request when this investigation had been decided upon that he be not called as the first witness, but that others be called rather than himself, and that he be postponed to the time that he was postponed to?

Mr. CHAMBERLAIN. I understood that that was the request of the Secretary of War—that he preferred to have the others called first.

Mr. LEWIS. But the chairman of the committee does not say that he knows that to be a fact, does he?

Mr. CHAMBERLAIN. I state it as my entire recollection of the matter. We called the Secretary of War at his suggestion after some of the other witnesses from the department had been put on the stand.

Mr. LEWIS. If the chairman says that he knows that from any conversation he had with the Secretary of War, that would close the question with me; but if the Senator tells it because he heard it from others, then he deduces it.

Mr. CHAMBERLAIN. No, Mr. President; I do not state things on the hearsay of others; I state things as facts. The committee acted as it felt it had a right to act, and it intends to proceed upon that line, I will say to the Senator from Illinois.

Mr. LEWIS. But the Senator did use the expression that "he understood," leaving the impression with me conclusively that he understood it from others or from rumor.

Mr. CHAMBERLAIN. I understood it from the Secretary of War himself.

Mr. LEWIS. That is important to me to understand. Mr. President, I thank the Senator from Colorado [Mr. THOMAS] for giving me this opportunity to have made plain what otherwise there would have been confusion in my mind about, for I confess to have carried in my heart a feeling that an injustice had been done the Secretary of War by having him put on trial and witnesses appear against him as though he had been a defendant, and practically impeached, before he was called and questioned as to his own department.

Now, Mr. President, with reference to the magazine article to which the eminent Senator from Colorado, in his very full and illuminating speech has referred, the Senator from Idaho [Mr. BORAH] has alluded to the fact that the expression on the part of the committeeman quoted in the article must not be taken as an expression of the party. May I call the attention of the Senator from Colorado to the fact that there is one great injustice done in that article, indicating to himself and to myself, how unfair such emanations may be? A picture is presented of the Senator from Idaho in the first part of the article, and he is called a critic of the administration. While the Senator from Idaho has differed with some of the measures of the administration, to speak of him as a critic of the administration or as being one of those who could be so designated is so unfair to him and so unjust that it may indicate to the eminent Senator from Colorado that the whole article may be entirely colored by a misapprehension of what Republicans will do.

Mr. THOMAS. Mr. President, "one swallow does not make a summer." I should not have referred to the subject at all if the article had been a solitary one, nor for any other purpose than as stated; and so that I may not be misunderstood I will restate it: It is that when investigations go to such a point that it indicates to the country at large that it is being pressed for other than the purposes for which it was ostensibly begun it has gone far enough. If I have said anything of a political character which indicated that my purpose in so doing was beyond that statement I am unaware of it.

Mr. President, let me refer briefly to some other matters, and I am through. I want to emphasize what I believe to be more serious problems, more sinister conditions, than any which have been disclosed by the Committee on Military Affairs, and to which I think our attention should be summarily directed by way of curative legislation, if possible.

I do not minimize any mistakes that have been made in the War Department; I do not regard them as trivial, and I am sorry they have been so characterized; but as compared with some other conditions confronting us many of them are comparatively unimportant. We need ships; the crying need of the situation is ships. As Lloyd-George says, "Ships, and yet more ships." The burden upon us is to furnish them if we can, and if we do not we may lose this war. That fact has been emphasized on this floor many times, and particularly by the senior Senator from North Dakota [Mr. MCCUMBER], who spoke here one morning to empty seats, revealing conditions that, to my mind, were startling, and emphasizing them by facts which can not be challenged. To be effective in this war we must go to the front with men and with material, of which there must be an endless and continuing procession of both until peace is declared—more men and more material, and yet more men and more material—a task that can be accomplished, Mr. President, only by securing bottoms for transportation. If there is a lack of energy in the building of vessels, the supply of it is our first and prime consideration. We may have in America, Mr. President, the best army in the world; it may be equipped to the highest degree and officered by men of the most conspicuous ability, and yet it will be absolutely useless either as a determining factor in this war or as any factor at all. There is only one way to get them where they will be made effective and where the might, the power, and the resources of this great Government may be used to end autocracy and make democracy safe for the world, and that is to build and navigate ships.

Now, Mr. President, if we can depend upon the statements of those who are ostensibly reliable, the conditions in regard to labor in the shipyards are deplorable. We are working but one shift in many of the yards, and in some instances that shift does not put in full time. We have plenty of men; we have plenty of material; and if the men we have would work as they ought to work in this crisis and work three shifts, 24 hours every day, including Sunday, that problem would be disposed of; but that, Mr. President, is not the situation. I read a statement a few mornings ago, made before the Committee on Commerce, which I suppose to be authentic, that at a certain shipyard on the Pacific coast men were not only working less than eight hours but threatened to strike because an enemy suspect was discharged. The facts were disclosed to them without avail, so this man was restored to his position so as to continue the work then under way. This, Mr. President, smacks strongly of treason.

Mr. HOLLIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. THOMAS. I do.

Mr. HOLLIS. I hope the Senator will bear in mind the fact that that statement was an ex parte statement, made by a shipbuilder, and the other side of it has not yet been presented before the committee.

Mr. THOMAS. Mr. President, I hope it will be shown to be incorrect. That, however, is but one of the various instances to which I might refer, if I had the time, indicating a lack of interest in the workshops and shipyards of this country that constitutes the most sinister menace of the hour.

I have here an article clipped from yesterday morning's newspaper which gives me more concern than anything else connected with this subject. It is a purported statement of Mr. Charles Piez, the vice president and general manager of the Emergency Fleet Corporation, to the effect that at the present time the native-born American workman is not the mainstay of the shipyard, for he is there only in the proportion of 35 per cent of the men employed, and to the extent of 65 per cent we are forced to depend upon foreign-born labor.

Mr. President, it is humiliating—and yet I have no doubt it is true—that at this time, when our Nation is in the throes of the mightiest conflict in the history of civilization, when all that we have as a people and as a Nation is at stake, when our future existence as a Republic may depend upon an adequate supply of ships, only 35 per cent of the constructive work in the shipyards of the country is being done by Americans, and that we must depend upon foreign-born labor to the extent of the remaining 65 per cent for the attainment of that which is absolutely essential, or seems to be so, to our future existence. It is disgraceful; it is humiliating; it is intolerable, and something must be done, and done here, to bring Americans to a realizing sense of the impending crisis, to the end that they may be induced, of their own volition if possible, or forcibly if necessary, to do their duty on this mighty occasion.

Your sons are at the front, or are liable to be, and mine. There they can be effective for their country. Must their lives be sacrificed through lack of supplies due to deficiency in ships, due in turn to slackers calling themselves Americans mustering but 35 per cent in the shipyards?

Why, Mr. President, I sometimes wonder if in this country there really survives the old-fashioned sentiment called patriotism, that national spirit, that spirit of unity, without which no government can long endure.

Mr. President, many of the labor unions are doing their duty and doing it splendidly; perhaps the most of them. Railroad men, coal men, men in other lines of industry are giving the

best of their time and their energies to speeding up the necessary work of the war, but unfortunately many of them are not. Many seem to act upon the theory that the burning issue is not the German, but the scab, and suit their conduct to their convictions.

A recent address made to the boiler makers' convention by Mr. James O'Connell, its official head, well illustrates the fact. To an enthusiastic and applauding audience he said:

You are meeting now, my friends, and you will be expected before this convention adjourns to make a declaration as to what the position of the Brotherhood of Boiler Makers, Iron-Ship Builders, and Helpers of America is, so that the world may know. It is not a mere question of being behind President Wilson. That is a sort of catchy expression, a catch phrase, sounds nice. The question is, Are you behind yourself? If you are, you will say so before you leave here. * * * We took advantage of the situation as we found it abroad, and before war was declared by the United States we saw to it that organized labor was going to get proper recognition and that conditions of employment and standards of living would not be interfered with, would not be lowered. * * * Nothing can take place, nothing can be done, unless we are consulted and practically give our consent to it. * * * You have the shipbuilding, and we are not talking about getting a penny an hour increase now. * * * Now we are striking for dollars. We have forgot there is such a thing on the market as a penny any more. * * * Out on the Pacific coast * * * Seattle, Portland, San Francisco, all asking for dollars, $2 a day increase, $3 a day increase. It doesn't frighten anybody any more. * * * We are just coming together and going to get dollars now instead of pennies. Now, I want you to get it in your heads * * * to talk about dollars, not pennies, in your organization. * * * The opportunity is presented for the first time in the history of the United States Government, practically a union contract signed between the Government and the officers of the department and affiliated organizations, practically requiring that the shipbuilders of America come to Washington and put their feet under the table with the labor leaders to settle their troubles. Uncle Sam is paying the expenses of union committees to come to Washington and meet the employers. Isn't that a pretty good union agreement? That is only the beginning.

* * * * * * *

Now, I hope the Boiler Makers, in convention here, will get in their minds that beautiful thought of "more."

Suppose that the owner of a shipyard or munitions plant had made that statement. The whole country, Mr. President, would have risen in righteous denunciation. Indeed, they are accused, perhaps with justice in some directions, of taking advantage of their country's extremity to line their pockets. But unfortunately, Mr. President, if this wildly applauded speech can be taken as an expression of the attitude of this organization, it ranks with the most conscienceless profiteer in America:

Place your officers in a position to go out and demand and then back them up. Give them your united and undivided support. And in this crisis, instead of our organization being wiped out, instead of our power being lessened, we will come out after the war is over bigger and greater and grander and better understood than we ever were before.

Ah, Mr. President, there is too much of that spirit in this country now. I am a friend of union labor. I have stood by it in season and out of season whenever I could in conscience do so. I shall continue to do so. But at this time, Mr. President, there should be no thought of union, no thought of profit, no thought of anything except the country's insistent needs and requirements. [Manifestations of applause in the galleries.] Our boys across the sea are in peril of their lives. Their perils may multiply through lack of the needed equipment and ammunition. Every lover of his country, rich or poor, high or low, laborer or capitalist, should forget everything else and give his best and his all to that supreme need which towers above and beyond all other human considerations.

Mr. President, the Senator from Washington [Mr. JONES] this morning called attention to the fact that upon the streets of the great cities, and I think he instanced the city of Washington, one may see on any pleasant day literally hundreds of men apparently doing nothing, idling in the sunshine, patronizing the picture shows, ogling the pretty girls, indifferent to the country's condition, every one of them a consumer, and possessing a potential energy which the country should utilize if possible. Mr. President, we should authorize the Government, if it is necessary—and I believe it is—to take over and commandeer every shipyard in America and conscript every man around it, no matter what position he occupies, and lay its heavy hand upon these idlers, and compel them to do their share in the accomplishment of the great war program.

In the sweat of thy face shalt thou eat bread.

That is pretty good doctrine right now. The man who refuses to work should not be permitted to eat. If his services are needed, no difference what walk in life he occupies, nor what his view of the war may be, he should suspend, for the present at least, the consideration of minor conditions with a view to this supreme need, which, in my judgment, transcends all others. Without ships—the very foundation of our ability to take part in this war—we are as feeble and as helpless as any little Republic of South America.

I hope, Mr. President, that we will turn to the immediate consideration of this mighty subject and make it the prime purpose of our deliberations and of our favorable action. We take the young man whether he will or no, uniform him, put him in the ranks, and send him to the trenches. May we not take the man unaffected by the conscript laws and conscript him for the work at home, as much a part of the war campaign and as essential to its success as the soldier with gun in hand. If we hesitate to do the last we should not have done the first.

Mr. President, there were one or two other subjects connected with this general question to which I wish to advert. I have had the attention of the Senate, however, for three hours, and I am sensible of the fact that I have not only detained it unduly but that my strength is waning, therefore I shall not pursue the discussion further. I hope, however, that what I have said with regard to the need of an increased and continued activity in the workshops of the country, and particularly in the shipyards, will not be lightly dismissed. The Senator from North Dakota [Mr. MCCUMBER] three or four weeks ago introduced a bill covering the identical subject. It has been referred to the Committee on Military Affairs. We have not considered it because we are still investigating it. It should be taken up and acted upon favorably or we should report some measure of similar character. The Senator from Washington [Mr. JONES] has introduced a measure providing for the commandeering of all military clothing needed for our officers, who are and have been exploited by private dealers to their great disadvantage. These are subjects of consideration which Republicans and Democrats in their common patriotism, in their supreme realization of the crisis which we are facing, will, I am sure, unite to make the first business of this body.

TEACHERS' RETIREMENT BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3648) for the retirement of public-school teachers in the District of Columbia.

Mr. HOLLIS obtained the floor.

Mr. KENYON. Mr. President, several Senators who are not here desire to be present when the Senator from New Hampshire discusses this measure. If he is ready to proceed now, I should like to suggest the absence of a quorum.

Mr. HOLLIS. If the Senator will withhold that suggestion for a moment——

Mr. KENYON. I will.

Mr. HOLLIS. I have not located any opposition to this bill so far. I see that most of those who are favorable to the bill, who have spoken about it, are present. There may be some difficulty in getting a quorum this afternoon. I am very anxious to get the bill through, and if the Senator will have those Senators notified who want to be here it may answer the same purpose. I do not expect any opposition.

Mr. KENYON. I feel rather in honor bound to suggest the absence of a quorum, because two Senators asked me to notify them. I think we had better have a quorum.

Mr. HOLLIS. Very well.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hardwick	New	Swanson
Beckham	Henderson	Norris	Thomas
Borah	Hitchcock	Nugent	Thompson
Chamberlain	Hollis	Overman	Tillman
Colt	James	Pittman	Trammell
Curtis	Johnson, S. Dak.	Ransdell	Vardaman
Dillingham	Kellogg	Robinson	Wadsworth
Fernald	Kenyon	Shafroth	Warren
France	Kirby	Sheppard	Weeks
Frelinghuysen	Lewis	Smith, Ariz.	Williams
Gerry	McKellar	Smith, Mich.	Wolcott
Gronna	Martin	Sterling	
Harding	Myers	Sutherland	

Mr. HARDING. I wish to announce the detention, at a hearing before the Committee on Commerce, of the Senator from Illinois [Mr. SHERMAN], the Senator from Florida [Mr. FLETCHER], the Senator from Minnesota [Mr. NELSON], and the Senator from New York [Mr. CALDER].

Mr. MYERS. My colleague [Mr. WALSH] is still detained from the Senate by illness.

Mr. MCKELLAR. I desire to announce the unavoidable absence of the senior Senator from Tennessee [Mr. SHIELDS] on business.

Mr. VARDAMAN. I desire to announce the absence of the junior Senator from California [Mr. JOHNSON] in attendance on the hearing before the Commerce Committee.

Mr. SUTHERLAND. I announce the absence of my colleague [Mr. GOFF] on account of illness.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present.

Mr. HOLLIS. Mr. President, the pending bill, which is known as the teachers' retirement bill for the District of Columbia, applies only to the District of Columbia, for which, as Senators all know, we act as the local assembly.

The bill was introduced a year ago in December by the Senator from Ohio [Mr. POMERENE] and referred to the Committee on the District of Columbia. By that committee it was referred to its subcommittee on education and labor, of which I have the honor to be the chairman. That subcommittee held hearings and considered the bill very carefully, improved it, as they thought, in many particulars, reported it favorably to the full committee unanimously, and by the full committee it was reported favorably to the Senate about a year ago, toward the end of the session, and we were not able to obtain action at the last session before adjournment.

The subcommittee that considered the bill and amended it in a few particulars was composed of the Senator from Virginia [Mr. MARTIN], the Senator from Maryland [Mr. SMITH], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Iowa [Mr. KENYON], and myself, being a fairly representative body from the Union, geographically considered. This year the bill was introduced by myself, and has been referred to the same subcommittee, and reported favorably to the Senate.

Mr. VARDAMAN. Mr. President, may I ask the Senator a question?

Mr. HOLLIS. I yield.

Mr. VARDAMAN. Has the full Committee on the District of Columbia considered that bill at all?

Mr. HOLLIS. My recollection is that a year ago the full committee did consider it, but I would not say that positively.

Mr. VARDAMAN. I am a member of that committee now, and it has not had a meeting at this session.

Mr. HOLLIS. That is true. The committee was polled, and more than a majority—I think 9 of the 14 members—reported favorably. The reason why the full committee did not meet was because the bill was carefully considered a year ago. I will say, of course, that if there is any objection by any Senator to having the bill considered because it has not been considered by the full committee, I should not feel at liberty to press it.

Mr. VARDAMAN. Mr. President, I desire to say that I know absolutely nothing about the bill. The bill was presented to me in this Chamber by the Senator from New Hampshire, who has it in charge, for my approval, prior to reporting the bill; and I withheld my approval of the bill, because I did not know anything about it. It had not been considered in committee, and personally I am opposed to any more pensions just now. I am not going to object to the consideration of the bill, however, if the Senate wants to consider it.

Mr. HOLLIS. I hope the Senator will remain in the Chamber and hear the bill discussed, and I hope its merits can be put before the Senate sufficiently so that he will feel that he can vote for it.

Mr. VARDAMAN. I want to say to the Senator that we have a very important hearing before the Commerce Committee, where we are now considering Hog Island, with all that the name implies; and I can not stay to hear the Senator's very able speech, because there is more involved in this other matter than would be involved in pensioning the teachers of the city of Washington for the next 100 years.

Mr. HOLLIS. I really believe that if the situation is as bad as the Senator says he would be justified in leaving the Chamber to attend the meeting of that committee.

This bill is modeled on what is called the contributory plan. That is, a certain amount is deducted from the salary of each teacher monthly to provide an annuity. To that, on retirement, the Government adds a certain amount, based upon the length of service of the teacher.

In order that the Senate may know something about the bill, I will now give a synopsis of it.

The first section provides that a sufficient amount shall be deducted each month from the teacher's basic salary, not to exceed 8 per cent, to provide, on retirement, a certain annuity.

Section 2 provides that the deductions are to be invested by the Treasury in bonds for the benefit of the teachers, and a board of investment is created, consisting of Treasury officials and two teachers, none of whom draw additional salary because of service on this board.

Section 3 provides that at the age of 62 the teacher may be retired at her own option or at the option of the Board of Education. At the age of 70 she shall be retired, unless the board for some particular reason thinks her services should be retained

Section 4 provides that at the age of 52 the teacher, if disabled mentally or physically, may be retired.

Section 5 provides that when retired the teacher shall receive each month until her death a sum made up of two different accounts, the first being 1 per cent of the average basic salary for each year of service, and the second $6 for each year of service. To illustrate, a teacher retiring at 62, after 40 years of service, having had an average salary of $1,000 a year, would receive $10 multiplied by 40; that is, $400. That is 1 per cent of the whole thousand dollars is $10, multiplied by 40. Then she would get $6 for each year of service, which would be six times $40—$240—or a total salary of $640 a year. Of that amount, 63 per cent would be contributed by the teacher herself from her own savings and the remaining 37 per cent by the Government.

Section 6 provides that there shall be a minimum for the ages of 62 and 70 of $480, and for the age of 52 of $420.

Section 7 provides that $6 a year shall be paid from the District of Columbia appropriations, and that any deficiency in the annuity shall be so contributed.

Section 8 provides that credit may be given for service outside the District of Columbia not exceeding 10 years, and that the teacher must have been employed continuously in the District of Columbia since 52 years of age and for 10 years continuously prior to retirement.

Section 9 provides that if the teacher leaves the service before the age of 62, or before retirement, she shall receive her savings, with interest, in one lump sum.

Section 10 provides that in case of death the savings shall go to the family of the decedent.

Section 11 makes the act applicable to all teachers on the rolls of the District of Columbia in June, 1917.

Section 12 provides that continuance in the service after the passage of the act is declared to be consent to the provisions of the act.

Section 13 provides that teachers may be discharged as heretofore.

Section 14 gives certain definitions.

Section 15 gives directions for accounting and valuations.

Section 16 makes an appropriation of $50,000 for payments up to June 30, 1919, and $5,000 for the expenses of carrying out the system.

Section 17 provides rules and regulations to be provided by the Secretary of the Treasury, and section 18 provides that the annuity shall be exempt from attachment or execution for debt or taxes.

Mr. ROBINSON. Will the Senator yield?

Mr. HOLLIS. I yield.

Mr. ROBINSON. Is there any limitation in the bill on the length of time a teacher must have served before he or she may be entitled to the benefit of the act?

Mr. HOLLIS. Yes.

Mr. ROBINSON. What is that limitation?

Mr. HOLLIS. The teacher must have served at least 10 years in the District of Columbia continuously before the retirement to receive the benefit of the act. I will say that that provision was added at the suggestion of the Senator from Virginia [Mr. MARTIN] after the bill was introduced a year ago.

Mr. WOLCOTT. Mr. President——

Mr. HOLLIS. I yield to the Senator from Delaware.

Mr. WOLCOTT. The Senator in explaining the purport of section 8 said something to the effect that credit might be had for service outside the District. Will the Senator give more detail on that point?

Mr. HOLLIS. There will be very few teachers who will come in from outside the District, particularly at an advanced age. It would be some exceptional teacher, as a rule, who would be allowed to teach coming in from outside. The bill provides that where a teacher has taught 10 years in the District continuously before retirement she may have the benefit of not to exceed 10 years' service in some other part of the country in reckoning the amount that she is to receive. For example, if a teacher taught 20 years in Maryland and then came into the District and taught 10 years before her retirement, her annuity would be reckoned on the 10 years she had taught in the District plus 10 of the 20 years that she had taught outside the District. I will state that that provision was borrowed from most of the acts which have been passed in the United States. These acts have been passed in 33 States now. We limited it to 10 years and believe that that is wise.

Mr. ROBINSON. Mr. President——

Mr. HOLLIS. I yield to the Senator from Arkansas.

Mr. ROBINSON. Will the Senator state again the relative proportion of the fund that is to be contributed by the teachers and by the Government?

Mr. HOLLIS. It is not susceptible of exact measurement, but, based on experience in other States and on mortality tables, it is, roughly speaking, 60 per cent from the teachers and 40 per cent from the Government.

Mr. ROBINSON. Are the teachers in the District in favor of this legislation?

Mr. HOLLIS. They are, all except, I think, less than 1 per cent. Two or three teachers refused to sign.

Mr. ROBINSON. The contribution to the fund is compulsory?

Mr. HOLLIS. Yes.

Mr. ROBINSON. And not voluntary?

Mr. HOLLIS. Yes. I have done some work with the Committee on Civil Service on the general civil-service retirement bill. That bill as it has been framed to date and as it will be submitted to the Senate is based solely on contributions from the civil-service employees. I wish to point out the reason why school-teachers should be handled differently. In the first place, the civil-service retirement bill applies to all parts of the country. It will apply to a citizen of New Hampshire just as much as to a citizen of the District of Columbia. If employees are pauperized and come upon the community in the District of Columbia the District of Columbia would have to pay the entire support. If they should be pauperized in one of the States, then the State would have to support the person principally.

Mr. ROBINSON. Has the Senator investigated the question as to whether the compensation now paid teachers in the District of Columbia is adequate to enable them to make any saving out of their earnings, or is their entire salary required for maintenance?

Mr. HOLLIS. That is a very difficult question.

Mr. ROBINSON. As a matter of fact, the compensation paid teachers is somewhat inadequate as compared with the compensation paid persons in other spheres of activity requiring the same degree of intelligence, is it not?

Mr. HOLLIS. My own opinion is that school-teachers as a class are the best behaved, the most deserving, the most intelligent people in the community, and that they get smaller compensation for the services rendered than any other class. But I do not put it on that ground.

Mr. ROBINSON. I had not expected to put the Senator on record as to some of the comparisons he is making, but I am entirely prepared to agree with him in that particular.

Mr. HOLLIS. In a bill of this kind I can point out some distinctions, and there is a real distinction. If the ordinary clerk in a department is superannuated and can not do anything, he can at least sit at a window and look out and not do anyone any harm; but if a teacher is superannuated she is going to teach the little children in this District, and she will do them a positive injury. That is an injustice to the rising generation, something that the Congress of the United States ought to take into account. I mention these things to show why the committee felt justified in applying a little different standard in a teachers' retirement bill from the standard that has been adopted on the general bill.

I know there are Senators here who desire to speak, and whatever I have omitted they will fully cover. Unless there is some further question to be asked me, I yield the floor.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. HOLLIS. I yield to the Senator from South Dakota.

Mr. JOHNSON of South Dakota. I wish to ask the Senator a question. I understand the bill only applies to the District of Columbia.

Mr. HOLLIS. It only applies to the District of Columbia, and it would never apply to anything but the District of Columbia until we change our Constitution or become much more advanced than we are now. In fact, we would not have a right to pension teachers in any other place than the District of Columbia at present.

Mr. JOHNSON of South Dakota. I wish to ask another question. I did not quite understand the effect of the appropriation to be paid by the Federal Government.

Mr. HOLLIS. I should have stated that. It will be readily seen that the teachers who will be pensioned immediately, if you call it a pension, will not have contributed anything to the Government so far, and in order to get started and take up the plan, it will be somewhat expensive. The estimate by the Bureau of Efficiency is that for the first year the Government cost will be about $35,000. That amount will gradually increase until it reaches a maximum of about $175,000 in 25 years. It will then gradually decrease until it will be approximately $90,000—that is, if this plan had been in effect in the District of Columbia long enough to get the loaded expense fairly distributed and fully in operation the expense of the Government would be substantially $90,000.

Mr. DILLINGHAM. In this connection, I wish the Senator would state to the Senate the advantage that the subcommittee derived from the Bureau of Efficiency in working out the insurance feature of the bill, which I think is most admirable.

Mr. HOLLIS. The Senator from Ohio [Mr. POMERENE] will be able to state whether it is true, but I think the bill was prepared in the first place by the Bureau of Efficiency of the Government.

Mr. POMERENE. The members of the board of education and some teachers in connection with some members of the Bureau of Efficiency prepared the bill originally. It was presented to me by a member of the board of education, and I had a number of conferences with him. Then it was referred to the Committee on the District of Columbia, and later it was taken up by a subcommittee of which the Senator from New Hampshire [Mr. HOLLIS] was chairman.

Mr. HOLLIS. I thank the Senator. I can state that when the subcommittee considered the matter, which they did very carefully, the Bureau of Efficiency appeared by its head, I think, Mr. Brown, a very competent man and an accomplished statistician, and worked with us on the bill and advised us about it and gave us the figures on which the final provisions of the bill are based.

Mr. DILLINGHAM. I should like to add to the statement of the Senator from New Hampshire that after that was done I took the scheme and submitted it to a very eminent insurance actuary, who, after having given it very careful consideration, expressed his opinion that it was most admirably worked out. I think the bill has been drawn in such a way that no one can complain of the insurance feature of it; it is equitable.

Mr. HOLLIS. I think perhaps I ought to state that since the bill was reported by our committee a year ago it has been made the model for bills that are now in operation in the cities of Boston, New York, Pittsburgh, and Harrisburg. Mr. Brown has been called to those different parts of the country to advise about the bill; he has taken this bill as a model, and it has been substantially adopted in those communities.

I might say that 33 States now have a teachers' retirement plan, and for the RECORD I will read the list of States. In 21 States there are State-wide pension systems, as follows: Arizona, California, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New York, North Dakota, Ohio, Rhode Island, Utah, Vermont, Virginia, and Wisconsin.

In the other States, which include Alabama, Colorado, Connecticut, Delaware, Pennsylvania, Kansas, Kentucky, Louisiana, Nebraska, Oregon, Tennessee, and West Virginia, the system affects only certain parts, usually the larger cities.

I ask unanimous consent that the reading of the bill may be dispensed with.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. POMERENE. Mr. President, before the bill is put to a vote I wish to say a word with regard to it. I feel that there is very great necessity for some legislation of this kind. I am in entire accord with what the Senator from New Hampshire has said in reference to the underpayment of the teachers generally. They have the most important work in the world to perform in the training of the minds of youth, and, generally speaking, after they have taken up the profession of teaching there is very little else open to them.

I do not myself know why teachers are so poorly paid. It is because of the fact that they are so poorly paid that I am willing to subscribe to one of the provisions of this bill. This pension, of course, is to be paid partly out of their own contributions and partly out of the public funds. As a statistician has estimated it, about 60 per cent will be paid by contributions and about 40 per cent out of the general fund.

I speak of this for this reason: I have been a good deal interested in the adoption of some plan looking to retirement from all branches of the civil service, and with the assistance of other members of the committee I think we have worked out a plan which is contributory in character. There are some students of this question who think that it should be wholly contributory, others who think that it should be partly contributory and partly at the public expense, and still others who insist that it should be wholly at public expense. If a plan for the retirement of Federal employees generally is adopted which is contributory in character, it is still going to cost the Government a very large sum of money, because there are many in the service of the Government who are so near the retirement age now that it would be impossible without great injustice to them to compel them to contribute enough to purchase a suitable annuity when they arrive at the retirement age. But after the plan is thoroughly established it will be upon a contributory basis only, and that is the extent to which

I feel that I can go when it comes to treating with Federal employees generally. However, I am quite willing to make the concession provided for in this bill for the teachers. Poorly paid as many of the Federal employees are, they are much better paid, considering the responsibility of the work, than are the teachers.

Mr. President, in view of the fact that I am supporting this plan which is partly contributory and partly at public expense I want it distinctly understood that I shall not favor that plan when it comes to the Federal employees generally. I feel that we need some retirement plan on the ground of superannuation, but in order to have my support as I now see it it must be entirely upon the contributory plan.

The VICE PRESIDENT. If there be no amendments offered as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADJOURNMENT TO MONDAY.

Mr. MARTIN. I move that the Senate adjourn until 12 o'clock meridian on Monday.

The motion was agreed to; and (at 3 o'clock and 50 minutes p. m.) the Senate adjourned until Monday, February 11, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 8, 1918.*

The House met at 12 o'clock noon.

The Rev. William Couden, of Washington, D. C., offered the following prayer:

Lord God Almighty, let the sense of Thine omnipresence pervade this august Chamber to-day. From Thine omniscience lend wisdom. By Thine omnipotence increase our national prowess against Thy enemies and ours. And endue us as a free people with more and more of the spirit of Thine infinite love revealed to us in Jesus Christ. In the great war task before the departments of our Government help them to unite in planning the work and in working the plan. And in the civic mind adjust rightly that delicate balance of rights and duties, privileges and obligations, liberties and responsibilities, so that the social life and ideals of our country may be true.

We ask all this that we of to-day may put no reproach into our history, no stain upon our flag, no shadow upon our hopes. In the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO ADDRESS THE HOUSE.

Mr. HICKS. Mr. Speaker, I ask unanimous consent that I may address the House for two minutes in order to read a patriotic poem by Mr. George Morrow Mayo, which I think is worthy of preservation.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for two minutes in order to read a poem. Is there objection? [After a pause.] The Chair hears none.

Mr. HICKS. The poem is as follows:

Here's to the blue of the wind-swept North
When we meet on the fields of France;
May the spirit of Grant be with you all
As the sons of the North advance.

Here's to the gray of the sun-kissed South
When we meet on the fields of France;
May the spirit of Lee be with you all
As the sons of the South advance.

And here's to the blue and gray as one
When we meet on the fields of France;
May the spirit of God be with us all
As the sons of the flag advance.

[Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

An act (S. 3083) granting to the Lincoln Highway Association, incorporated under the laws of the State of Michigan, a right of way through certain public lands of the United States; and

Joint resolution (S. J. Res. 92) providing additional time for the payment of purchase money under homestead entries within the former Colville Indian Reservation, Wash.

ORDER OF BUSINESS.

Mr. ASHBROOK. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ASHBROOK. Mr. Speaker, this is Private Calendar day. I understand, however, that the gentleman from Virginia [Mr. FLOOD] desires to complete the Diplomatic and Consular appropriation bill. We have three bills on the calendar, and have no objection to the completion of the Diplomatic appropriation bill, providing our rights are reserved, and I should like very much to call up these bills this afternoon when the appropriation bill is passed——

The SPEAKER. Suppose the appropriation bill does not pass, then what?

Mr. ASHBROOK. Then, Mr. Speaker, if the bill does not pass to-day, I am willing that our rights should be yielded——

The SPEAKER. The gentleman from Ohio asks unanimous consent that the pension bills follow immediately after the completion of the consideration of the diplomatic appropriation bill.

Mr. ALEXANDER. Mr. Speaker, the bill providing housing for the employees for shipyards in which vessels are being constructed for our merchant marine has been given a privileged status to follow the disposition of the Diplomatic and Consular appropriation bill, and I would not care to agree to any arrangement that would interfere with that. As I understand it, the gentleman from Ohio is reporting private pension bills, and they are in order to-day. It will only take about 30 minutes to dispose of them, and I would rather he would dispose of them now and then let the consideration of the diplomatic bill proceed.

The SPEAKER. Does the gentleman object?

Mr. ALEXANDER. I object to that arrangement.

Mr. JOHNSON of Kentucky. Reserving the right to object——

The SPEAKER. The Chair knows, but the gentleman from Missouri did object.

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Diplomatic and Consular appropriation bill.

Mr. ASHBROOK. Mr Speaker, reserving the right to object, I would like to inquire if an arrangement can not be made that these pension bills may be taken up the first thing after the passage of this appropriation bill and the housing bill.

The SPEAKER. That is exactly what the gentleman from Missouri objected to a moment ago.

Mr. ASHBROOK. No; my suggestion is that these private pension bills be taken up after the disposition of the appropriation bill and the housing bill.

Mr. DOWELL. Mr. Speaker, reserving the right to object——

Mr. STAFFORD. Mr. Speaker, may I suggest to the gentleman from Ohio that he defer his request until later in the day. There will be no difficulty, I think, in arranging to have the bills brought up for consideration either late this afternoon or to-morrow morning. I understand they will only take a half hour or so.

Mr. BORLAND. Mr. Speaker, let me make this suggestion to the gentleman from Ohio, that he ask unanimous consent to take up the bills at 5 o'clock, and they could probably be considered between 5 o'clock and 5.30.

Mr. FLOOD. Suppose the appropriation bill is not completed.

Mr. BORLAND. The chances are it will be completed; if not, it will go over.

Mr. BARNHART. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow for the consideration of these special pension bills until 12 o'clock.

The SPEAKER. Maybe it will not take until 12 o'clock.

Mr. GILLETT. Mr. Speaker, I shall be obliged to object to that.

The SPEAKER. The gentleman from Massachusetts objects.

Mr. ASHBROOK. Mr. Speaker, I would like to inquire of the gentleman from Virginia if he will not permit these bills to be taken up at 5 o'clock this afternoon.

Mr. FLOOD. Say 6 o'clock.

Mr. MADDEN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. WALSH. Mr. Speaker, I ask for the regular order.

Mr. DOWELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. DOWELL. What is the reason we can not take them up this afternoon?

The SPEAKER. None whatever.

Mr. WALSH. Regular order, Mr. Speaker.

The SPEAKER. The gentleman from Virginia moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Diplomatic and Consular appropriation bill.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. FLOOD and Mr. STAFFORD. Division, Mr. Speaker.

Mr. DOWELL. Mr. Speaker, I raise the question that there is no quorum present.

The SPEAKER. The gentleman from Iowa makes the point of order that there is no quorum present.

Mr. ASHBROOK. I would like again to inquire of the gentleman from Virginia——

The SPEAKER. But the point of no quorum has been made.

Mr. ASHBROOK. If he will permit these bills to be passed——

The SPEAKER. Does the gentleman from Iowa withdraw the point of order?

Mr. DOWELL. I do not, unless the gentleman will withdraw his motion and permit these pension bills to be considered.

Mr. FLOOD. I will not do that.

The SPEAKER. Evidently there is no quorum present.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The SPEAKER. It is an automatic call. The Doorkeeper will close the doors and the Sergeant at Arms will notify the absentees. Those in favor of the House resolving itself into the Committee of the Whole House on the state of the Union for the consideration of the Diplomatic and Consular appropriation bill, will, as their names are called, answer "yea" and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 136, nays 199, answered "present" 1, not voting 92, as follows:

YEAS—136.

Alexander	Ferris	Larsen	Rouse
Almon	Fess	Lazaro	Rowe
Anthony	Fisher	Lea, Cal.	Sabath
Bankhead	Flood	Lee, Ga.	Sanford
Barkley	Fordney	Lever	Saunders, Va.
Bell	Foss	Linthicum	Sears
Black	Garner	London	Shackleford
Blackmon	Garrett, Tenn.	Longworth	Sherley
Blanton	Garrett, Tex.	Lunn	Sims
Booher	Gillett	McCormick	Sisson
Borland	Glass	McLemore	Slayden
Brand	Goodwin, Ark.	Mansfield	Small
Burnett	Gordon	Martin	Smith, C. B.
Byrnes, S. C.	Gray, Ala.	Mays	Stafford
Byrns, Tenn.	Hamlin	Miller, Minn.	Stephens, Miss.
Candler, Miss.	Hardy	Montague	Stephens, Nebr.
Caraway	Harrison, Miss.	Moon	Sumners
Carlin	Harrison, Va.	Oldfield	Tague
Carter, Okla.	Heflin	Oliver, Ala.	Taylor, Ark.
Coady	Helm	Oliver, N. Y.	Temple
Collier	Holland	Padgett	Treadway
Connally, Tex.	Hood	Park	Vinson
Cooper, Wis.	Houston	Porter	Volstead
Crisp	Howard	Pou	Walsh
Decker	Hull, Tenn.	Price	Watkins
Dempsey	Humphreys	Quin	Watson, Va.
Dies	Jacoway	Ragsdale	Weaver
Dominick	James	Rainey	Webb
Drane	Johnson, Ky.	Rayburn	Welling
Dupré	Jones, Tex.	Reed	Whaley
Eagan	Jones, Va.	Robbins	Wilson, Tex.
Ellsworth	Kehoe	Robinson	Wingo
Elston	Kincheloe	Rogers	Wright
Evans	Kitchin	Romjue	Young, Tex.

NAYS—199.

Ashbrook	Cramton	Graham, Ill.	Knutson
Aswell	Currie, Mich.	Gray, N. J.	Kraus
Austin	Dale, Vt.	Green, Iowa	La Follette
Ayres	Dallinger	Greene, Vt.	Langley
Baer	Darrow	Hadley	Lehlbach
Barnhart	Denison	Hamilton, Mich.	Lenroot
Beakes	Denton	Haugen	Little
Beshlin	Dewalt	Hawley	Lonergan
Bland	Dickinson	Hayden	Lufkin
Bowers	Dill	Hayes	Lundeen
Brodbeck	Dillon	Helvering	McAndrews
Browne	Dixon	Hensley	McArthur
Brumbaugh	Doolittle	Hersey	McClintic
Burroughs	Dowell	Hicks	McCulloch
Butler	Dyer	Hilliard	McFadden
Campbell, Kans.	Elliott	Huddleston	McKenzie
Campbell, Pa.	Emerson	Hull, Iowa	McLaughlin, Mich.
Cannon	Esch	Hutchinson	Madden
Cantrill	Fairchild, B. L.	Igoe	Magee
Carew	Farr	Ireland	Maher
Cary	Fields	Johnson, Wash.	Mapes
Chandler, N. Y.	Foster	Juul	Mason
Chandler, Okla.	Francis	Kearns	Meeker
Church	Frear	Keating	Merritt
Clark, Pa.	Freeman	Kelly, Pa.	Miller, Wash.
Classon	French	Kennedy, Iowa	Moore, Pa.
Claypool	Fuller, Ill.	Kennedy, R. I.	Moores, Ind.
Connelly, Kans.	Gallivan	Kettner	Morgan
Cooper, Ohio	Gandy	Key, Ohio	Morin
Cooper, W. Va.	Gard	Kiess, Pa.	Neely
Cox	Glynn	King	Nichols, Mich.
Crago	Good	Kinkaid	Nolan
Norton	Reavis	Smith, Mich.	Vestal
Osborne	Roberts	Snell	Volgt
Overstreet	Rodenberg	Snook	Waldow
Paige	Rose	Steele	Walton
Parker, N. J.	Rubey	Sterling, Ill.	Ward
Parker, N. Y.	Rucker	Sterling, Pa.	Wason
Peters	Russell	Stevenson	Watson, Pa.
Phelan	Sanders, Ind.	Strong	Welty
Platt	Schall	Sweet	Wheeler
Polk	Scott, Iowa	Switzer	White, Me.
Powers	Scott, Mich.	Taylor, Colo.	Williams
Pratt	Sells	Thomas	Winslow
Purnell	Shallenberger	Thompson	Wise
Raker	Sherwood	Tillman	Wood, Ind.
Ramsey	Shouse	Tilson	Woodyard
Ramseyer	Sinnott	Timberlake	Young, N. Dak.
Randall	Sloan	Towner	Zihlman
Rankin	Smith, Idaho	Van Dyke	

ANSWERED "PRESENT"—1.

Browning

NOT VOTING—92.

Anderson	Estopinal	Johnson, S. Dak.	Sanders, N. Y.
Bacharach	Fairchild, G. W.	Kahn	Scott, Pa.
Britten	Fairfield	Kelley, Mich.	Scully
Buchanan	Flynn	Kreider	Siegel
Caldwell	Focht	LaGuardia	Slemp
Capstick	Fuller, Mass.	Lesher	Smith, T. F.
Carter, Mass.	Gallagher	Littlepage	Snyder
Clark, Fla.	Garland	Lobeck	Steagall
Copley	Godwin, N. C.	McKeown	Stedman
Costello	Goodall	McKinley	Steenerson
Crosser	Gould	McLaughlin, Pa.	Stiness
Curry, Cal.	Graham, Pa.	Mann	Sullivan
Dale, N. Y.	Greene, Mass.	Mondell	Swift
Davidson	Gregg	Mott	Talbott
Davis	Griest	Mudd	Templeton
Dent	Hamill	Nelson	Tinkham
Dooling	Hamilton, N. Y.	Nicholls, S. C.	Vare
Doremus	Haskell	Olney	Venable
Doughton	Hastings	O'Shaunessy	Walker
Drukker	Heaton	Overmyer	White, Ohio
Dunn	Heintz	Riordan	Wilson, Ill.
Eagle	Hollingsworth	Rowland	Wilson, La.
Edmonds	Husted	Sanders, La.	Woods, Iowa

So the motion was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. DOUGHTON with Mr. HAMILTON of New York.

Mr. GALLAGHER with Mr. DUNN.

Mr. SCULLY with Mr. HOLLINGSWORTH.

Mr. STEDMAN with Mr. TEMPLETON.

Mr. WILSON of Louisiana with Mr. GEORGE W. FAIRCHILD.

Mr. OLNEY with Mr. CURRY of California.

Mr. FLYNN with Mr. SNYDER.

Mr. TALBOTT with Mr. BROWNING.

Mr. CLARK of Florida with Mr. SIEGEL.

Mr. CROSSER with Mr. GARLAND.

Mr. DALE of New York with Mr. GOULD.

Mr. DENT with Mr. COPLEY.

Mr. DOOLING with Mr. GOODALL.

Mr. CALDWELL with Mr. STINESS.

Mr. DOREMUS with Mr. DAVIDSON.

Mr. EAGLE with Mr. BRITTEN.

Mr. ESTOPINAL with Mr. DRUKKER.

Mr. GODWIN of North Carolina with Mr. COSTELLO.

Mr. BUCHANAN with Mr. BACHARACH.

Mr. GREGG with Mr. DAVIS.

Mr. HAMILL with Mr. FOCHT.

Mr. HASTINGS with Mr. CARTER of Massachusetts.

Mr. LITTLEPAGE with Mr. GRAHAM of Pennsylvania.

Mr. LOBECK with Mr. GREENE of Massachusetts.

Mr. MCKEOWN with Mr. MCARTHUR.

Mr. NICHOLLS of South Carolina with Mr. GRIEST.

Mr. O'SHAUNESSY with Mr. KELLEY of Michigan.

Mr. OVERMYER with Mr. MCKINLEY.

Mr. RIORDAN with Mr. MCLAUGHLIN of Pennsylvania.

Mr. SANDERS of Louisiana with Mr. HEATON.

Mr. THOMAS F. SMITH with Mr. HUSTED.

Mr. STEAGALL with Mr. MOTT.

Mr. SULLIVAN with Mr. MUDD.

Mr. VENABLE with Mr. KAHN.

Mr. WALKER with Mr. ROWLAND.

Mr. WHITE of Ohio with Mr. SANDERS of New York.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. So the motion that the House resolve itself in the Committee of the whole House on the state of the Union for the consideration of the bill H. R. 9314, the Diplomatic and Consular appropriation bill, is rejected. The Doorkeeper will open the doors.

PENSIONS.

Mr. ASHBROOK. Mr. Speaker, I call up the bill H. R. 9612, an omnibus pension bill, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read the title of the bill, as follows:

A bill (H. R. 9612) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The SPEAKER. The gentleman from Ohio asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The text of the bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of John Blackburn, late of Company G, One hundred and forty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George A. Porter, late of Company G, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jesse R. Mercer, late of Company A, First Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George Bowery, late of Company F, One hundred and eightieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Darius F. Bell, late of Company D, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Michael J. Breyfogel, late of Company C, Ninety-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Sarah E. Canton, widow of John Canton, late of Companies I and B, Eighty-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Joseph C. Gluck, late of Company G, Tenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Peter Z. T. Lane, late of Company K, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Adaline L. Black, widow of John C. Black, late colonel, Thirty-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of John M. Prouty, late of Company G, Twenty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Daniel Plotner, late of Company F, Thirty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Norfleet, late of Company F, Ninth Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Preston Carver, late of Company C, Forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Morton, late of Company K, Thirteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph F. Martin, late of Company B, Ninety-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Albert O. Dunning, helpless and dependent child of Lesner D. Dunning, late of the Provost Guards, Michigan Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Henry Cummings, late of Company A, First Regiment Oregon Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Francis M. Withrow, late of Company K, Seventh Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John W. Lanham, late of Company F, Thirteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Smalley, late an unassigned drafted recruit, tenth congressional district of Indiana, and pay him a pension at the rate of $24 per month.

The name of John Burns, late of Company I, Thirty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Isaac C. Pierce, late of Company L, Third Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of John W. Swanson, late of Company H, Thirteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Harrington, late of Company K, One hundred and sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William C. Waddle, late of Company I, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William J. Girdler, late of Company C, First Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph D. Thach, late of Company A, Eleventh Regiment, and Company G, Ninth Regiment, Tennessee Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Georgeanna McNatt Mills, former widow of William J. McNatt, late of Company D, First Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Abraham Gindlesparger, late of Company A, One hundred and forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Morton A. Pratt, late of Company A, Third Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John H. Simison, late of Company F, One hundred and fifty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Erastus S. Bussell, late of Company C, Fifth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas R. Henthorn, late of Company D, Forty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Simeon C. Shields, late of Company G, One hundred and forty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles Smith, late of Company A, Sixteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Eliza H. Cooley, former widow of Newton S. Parker, late of Company B, Eighth Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Edward Lewey, late of Company A, One hundred and forty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George W. Anderson, late of Company I, One hundred and eighty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Andrew M. Graham, late of Company F, Eighth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John McKinney, late of Company G, One hundred and forty-seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alonzo A. V. P. McCoy, late of Companies K and M, Second Regiment California Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Milton Smith, late of Company G, Eighth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James R. Harris, late of Company A, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robert J. Clark, late of Company I, First Regiment Oregon Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Asa Gatton, late of Company A, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Winfield S. Port, late of Company H, One hundred and forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Alms, late of Company K, One hundred and seventy-seventh Regiment Pennsylvania Drafted Militia Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Charlotte West, former widow of Edward A. Mielder, late of Company F, Twenty-seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William V. Farris, late of Company K, Forty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William N. Green, late of Company I, Forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John L. W. Hicks, late of Company I, Twenty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George H. Kimball, late of Battery G, First Battalion Maine Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John L. Baird, late of Company H, Twenty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William J. Beavers, late of Company G, Eighty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Esais Laukhuff, late of Company K, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of George S. Emery, late of Company A5, Sixteenth Regiment Vermont Militia Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Margaret E. Messing, helpless and dependent child of Henry J. Messing, late of Company G, One hundred and seventy-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of John W. Rawley, late of Company H, One hundred and fifty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Addison Blain, late of Company G, Forty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of David F. Pierce, late of Company I, Fourteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of David Hunter, jr., late of Company F, Forty-seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Sanford T. Chapman, late of Company E, Seventeenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George Saunders, alias "Sandy," late of Company A, First Regiment United States Colored Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Amos A. Haskell, late of Company E, Fourth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Daniel Brummett, late of Company D, Seventh Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry Blum, late of Company K, Eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Marion F. Halbert, late of Company A, Fifty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John R. Lane, late of Company I, Seventeenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Edward R. Chapin, late of Company B, Fourth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of F. Hickman Hawkey, late of Company C, Thirteenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles Hammelmann, late of Company I, Second Regiment New York Mounted Rifles, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles W. Stanton, late of Company H, One hundred and fourteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Brookins, late of Company H, Ninth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Belcher, late of Company A, Thirty-ninth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Mary V. Rainsberger, widow of Joseph D. Rainsberger, late of Company C, First Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Lewis Warley, late of Company D, Sixth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James Hagen, late of Company E, One hundred and ninety-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Romanes Binkley, late of Company I, One hundred and seventy-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry C. Nosler, late of Company I, Seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Effie C. Strout, widow of Reuben Strout, late of Company E, One hundred and forty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Silas Flournoy, late of Company I, Second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John L. Mills, late of Company B, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Oliver P. Barr, late of Seventh Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Thomas Croft, late of Company A, Forty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James Thomas, late of Company H, Ninety-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elias Shannon, late of Company K, Sixth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving

The name of John Jellison, late of Company H, Second Regiment Illinois Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Polly Kiff, former widow of Edson Murray, late of Company F, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Theodore W. Goodsell, late of Company C, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Morton B. Fitts, late of Company C, One hundred and thirty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Robert Hart, late of Company G, One hundred and first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William L. Saxon, late of the Thirteenth Battery Indiana Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William A. Strong, late of Company B, Twenty-first Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John G. Hearn, late of Company B, Twenty-eighth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Franklin M. Joines, late of Company H, Second Missouri Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Sarah E. Dieffenbacher, widow of James G. Dieffenbacher, late of Company B, Fifth Regiment Pennsylvania Reserve Infantry, and pay her a pension at the rate of $25 per month.

The name of Arba H. Trufant, late of Company A, Twenty-ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Benjamin G. Young, late of Company C, Eighty-seventh Regiment Indiana Volunteer Infantry, and Company E, Thirteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Lewis Pratt, late of Company K, Thirty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Thomas C. Layton, late of Company E, One hundred and fifty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Marion F. Willis, late of Company G, One hundred and forty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Margaret A. Cooper, widow of Thomas W. Cooper, late of Company D, Fiftieth Regiment, and Company E, Fifty-second Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Samuel H. McCartney, late of Company E, One hundred and fifty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Frances McCloe, widow of Edward S. McCloe, late of Company C, One hundred and ninety-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Elijah Houghton, late of Company D, Eighty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William T. Gibbs, late of Company D, One hundred and fifty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Roswell O. Spear, late of Company F, First Regiment Wisconsin Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Willis Akles, late of Company E, Eighty-third Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Littleton, late of Company F, Eighty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jacob H. Murdock, late of Company E, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James K. Nichols, late of Company M, Fifteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Leonidas H. Oldfield, late of Company B, Sixty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Isaac N. Rhodes, late of Company I, Fourteenth Regiment, and Company F, First Regiment, Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Samuel A. Bennett, late of Battery B, First Regiment Rhode Island Volunteer Light Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Marcellus F. Darling, late of Company L, Second Regiment United States Cavalry, and Company K, Fifth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frances Brady, widow of George Brady, late of the United States Navy, and pay her a pension at the rate of $25 per month.

The name of Carpenter Bennett, late of Company H, One hundred and fourteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William H. Adams, late of Company B, Thirtieth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Eli Clark, late of Company D, Thirty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Andrew Lydick, late of Company F, Fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Elias Culbreath, late of Company H, Forty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Llewellyn L. Johnson, late of Company I, One hundred and first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Sellers, late of Company A, Ninety-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Thomas A. Peters, late of Company E, Eighth Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Montgomery Z. Sweet, late of Company C, Eleventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ebenezer F. Spaulding, late of Seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Abraham G. Hendryx, late of Company A, First Regiment Illinois Volunteer Cavalry, and Company I, Fourteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles De Long, late of Company G, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Reuben J. Smith, late of Company B, One hundred and thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John H. Day, late of Company H, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mason Gates, late of Company H, Fifth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Benjamin F. Wood, late of Company E, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Andrew Henri Hart, late of Company A, Second Regiment New York Volunteer Heavy Artillery, and Company G, Twenty-sixth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Hiram W. Covill, late of Company B, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James H. Handy, late of First Independent Battery Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John R. Worth, late of Company D, Twenty-third Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Annie Sangamo, widow of John Sangamo, late of Company M, Second Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of James P. Tanner, late of Company F, One hundred and forty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Catharine F. Reinart, widow of Franklin Reinart, late of Company B, Forty-second Regiment Pennsylvania Enrolled Militia, and Company H, Fiftieth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William C. Tanner, late of Company B, Ninth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James E. Merrifield, late of Company G, Fifteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jacob W. Burge, late of Company P, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sidney Merifield, late of Company A, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jordan C. Hall, late of Company A, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Durrah, late of Company A, Twelfth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mandell Wells, late of Company A, Twenty-eighth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George M. Burns, late of Company K, One hundred and thirty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Michael Young, late of Company A, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Emma L. Parker, former widow of William C. Parker, alias Charles Williams, late of Company I, Thirteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Henry B. Lake, late of Company H, Seventy-sixth Regiment, and Company E, Ninety-first Regiment, New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Levi Miles, late of Company G, One hundred and forty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Oliver Brier, late of Independent Battery E, Pennsylvania Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James H. Baker, late of Company H, One hundred and fifty-eighth Regiment Pennsylvania Drafted Militia Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Edward B. Lanning, late of Company K, Fifteenth Regiment New York Engineers, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Abraham D. Stouffer, late of Company L, First Regiment Potomac Home Brigade, Maryland Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Anson Harding, late of Company G, Seventieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Thomas R. Turnham, late of Company G, Tenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Gillon, late of Company D, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William R. Murphy, late of Company E, Sixteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hostin Litteral, late of Company D, Fortieth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James E. Fields, late of Company K, Fortieth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James H. Reeder, late of Company D, Twenty-second Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles L. Hewitt, late of Company E, Seventh Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Christopher Scheets, late of Company C, Twenty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Albert Burgher, late of Band, Fifty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The name of James E. Upham, late of Company C, One hundred and thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George Tanner, late of Company H, Seventy-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Thomas McAndrews, late of Company D, Second Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sarah J. Creighton, widow of Richard Creighton, late of Company D, Forty-third Regiment, and Company K, Seventeenth Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John Creighton, helpless and dependent child of said Richard Creighton, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sarah J. Creighton, the name of said John Creighton shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Sarah J. Creighton.

The name of Peter L. Chapman, late of Twenty-fifth Battery, Ohio Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William R. Tingley, late of Company A, One hundred and sixty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Longmire, late of Company A, First Regiment Oregon Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Harriet M. Green, widow of Levi Green, late of Company K, Sixth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Thomas H. Primrose, late of Battery B, New Jersey Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John W. Walker, late of Company I, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John Fesler, late of Company E, First Regiment Potomac Home Brigade, Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Conrad, late of Company I, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hamilton T. Faris, late of Company H, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Dwight Simpson, late of Company I, First Regiment United States Veteran Engineers, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Silas C. Robbins, late of Company E, First Regiment Minnesota Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James R. Evans, late of Company D, Forty-seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Nesbitt, late of Company I, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The foregoing bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 1102. John Blackburn.
H. R. 1310. George A. Porter.
H. R. 1345. Jesse R. Mercer.
H. R. 1392. George Bowery.
H. R. 1548. Darius F. Bell.
H. R. 1549. Michael J. Breyfogel.
H. R. 1825. Sarah E. Canton.
H. R. 1985. Joseph C. Gluck.
H. R. 2137. Peter Z. T. Lane.
H. R. 2217. Adaline L. Black.
H. R. 2268. John M. Prouty.
H. R. 2269. Daniel Plotner.
H. R. 2410. John Norfleet.
H. R. 2444. Preston Carver.
H. R. 2535. George W. Morton.
H. R. 2565. Joseph F. Martin.
H. R. 2678. Albert O. Dunning.
H. R. 3446. Henry Cummings.
H. R. 3494. Francis M. Withrow.
H. R. 3511. John W. Lanham.
H. R. 3529. James Smalley.
H. R. 3584. John Burns.
H. R. 3620. Isaac C. Pierce.
H. R. 3751. John W. Swanson.
H. R. 3720. George W. Harrington.
H. R. 4321. William C. Waddle.
H. R. 4326. William J. Girdler.
H. R. 4332. Joseph D. Thach.
H. R. 4522. Georgeanna McNatt Mills.
H. R. 4647. Abraham Gindespar-ger.
H. R. 4674. Morton A. Pratt.
H. R. 4679. John H. Simison.
H. R. 4684. Erastus S. Bussell.
H. R. 4929. Thomas R. Henthorn.
H. R. 4967. Simeon C. Shields.
H. R. 4979. Charles Smith.
H. R. 5004. Eliza H. Cooley.
H. R. 5026. Edward Lewey.
H. R. 5054. George W. Anderson.
H. R. 5150. Andrew M. Graham.
H. R. 5221. John McKinney.
H. R. 5234. Alonzo A. V. P. McCoy.
H. R. 5259. Milton Smith.
H. R. 5293. James R. Harris.
H. R. 5327. Robert J. Clark.
H. R. 5384. Asa Gatton.
H. R. 5484. Winfield S. Port.
H. R. 5549. George W. Alms.
H. R. 5734. Charlotte West.
H. R. 5748. William V. Farris.
H. R. 5751. William N. Green.
H. R. 5752. John L. W. Hicks.
H. R. 5821. George H. Kimball.
H. R. 5878. John L. Baird.
H. R. 5879. William J. Beavers.
H. R. 5905. Esais Laukhuff.
H. R. 5922. George S. Emery.
H. R. 5974. Margaret E. Messing.
H. R. 5981. John W. Rawley.
H. R. 5990. Addison Blain.
H. R. 6042. David F. Pierce.
H. R. 6051. David F. Hunter, jr.
H. R. 6096. Sanford T. Chapman.
H. R. 6205. George Saunders, alias "Sandy."
H. R. 6389. Amos A. Haskell.
H. R. 6390. Daniel Brummett.
H. R. 6415. Henry Blum.
H. R. 6430. Marion F. Halbert.
H. R. 6433. John R. Lane.
H. R. 6450. Edward R. Chapin.
H. R. 6455. F. Hickman Hawkey.
H. R. 6507. Charles Hammelmann.
H. R. 6588. Charles W. Stanton.
H. R. 6660. John Brookins.
H. R. 6810. Romanes Binkley.
H. R. 6835. Henry C. Nosler.
H. R. 6839. John Belcher.
H. R. 6851. Mary V. Rainsberger.
H. R. 6876. Lewis Warley.
H. R. 6877. James Hagen.
H. R. 6904. Effie C. Strout.
H. R. 6949. Silas Flournoy.
H. R. 6953. John L. Mills.
H. R. 7071. Oliver P. Barr.
H. R. 7072. Thomas Croft.
H. R. 7108. James Thomas.
H. R. 7120. Elias Shannon.
H. R. 7128. John Jellison.
H. R. 7293. Polly Kiff.
H. R. 7463. Theodore W. Goodsell.
H. R. 7484. Morton B. Fitts.
H. R. 7504. Robert Hart.
H. R. 7505. William L. Saxon.
H. R. 7558. William A. Strong.
H. R. 7576. John G. Hearn.
H. R. 7659. Franklin M. Joines.
H. R. 7672. Sarah E. Dieffenbacher.
H. R. 7686. Arba H. Trufant.
H. R. 7713. Benjamin G. Young.
H. R. 7719. Lewis Pratt.
H. R. 7744. Thomas C. Layton.
H. R. 7746. Marion F. Willis.
H. R. 7749. Margaret A. Cooper.
H. R. 7894. Samuel H. McCartney.
H. R. 7895. Frances McCloe.
H. R. 7902. Elijah Houghton.
H. R. 7903. William T. Gibbs.
H. R. 7910. Roswell O. Spear.
H. R. 7953. Willis Akles.
H. R. 7972. George W. Littleton.
H. R. 7973. Jacob H. Murdock.
H. R. 7977. James K. Nichols.
H. R. 8201. Leonidas H. Oldfield.
H. R. 8223. Isaac N. Rhodes.
H. R. 8385. Samuel A. Bennett.
H. R. 8406. Marcellus F. Darling.
H. R. 8431. Frances Brady.
H. R. 8445. Carpenter Bennett.
H. R. 8453. William H. Adams.
H. R. 8472. Eli Clark.
H. R. 8484. Andrew Lydick.
H. R. 8487. Elias Culbreath.
H. R. 8503. Llewellyn L. Johnson.
H. R. 8507. John Sellers.
H. R. 8538. Thomas A. Peters.
H. R. 8541. Montgomery Z. Sweet.
H. R. 8622. Ebenezer F. Spaulding.
H. R. 8651. Abraham G. Hendryx.
H. R. 8680. Charles De Long.
H. R. 8693. Reuben J. Smith.
H. R. 8697. John H. Day.
H. R. 8724. Mason Gates.
H. R. 8726. Benjamin F. Wood.
H. R. 8730. Andrew Henri Hart.
H. R. 8776. Hiram W. Covill.
H. R. 8795. James H. Handy.
H. R. 8803. John R. Worth.
H. R. 8811. Annie Sangamo.
H. R. 8851. James P. Tanner.
H. R. 8857. Catharine F. Reinart.
H. R. 8863. William C. Tanner.
H. R. 8866. James E. Merrifield.
H. R. 8867. Jacob W. Burge.
H. R. 8869. Sidney Merifield.
H. R. 8872. Jordan C. Hall.
H. R. 8873. James Durrah.
H. R. 8875. Mandell Wells.
H. R. 8892. George M. Burns.
H. R. 8893. Michael Young.
H. R. 8895. Emma L. Parker.
H. R. 8896. Henry B. Lake.
H. R. 8919. Levi Miles.
H. R. 8922. Oliver Brier.
H. R. 8940. James H. Baker.
H. R. 8961. Edward B. Lanning.
H. R. 8968. Abraham D. Stouffer.
H. R. 8993. Anson Harding.
H. R. 8997. Thomas R. Turnham.
H. R. 9011. John Gillon.
H. R. 9012. William R. Murphy.
H. R. 9013. Hostin Litteral.

H. R. 9014. James E. Fields.
H. R. 9015. James H. Reeder.
H. R. 9019. Charles L. Hewitt.
H. R. 9042. Christopher Scheets.
H. R. 9046. Albert Burgher.
H. R. 9057. James E. Upham.
H. R. 9059. George Tanner.
H. R. 9063. Thomas McAndrews.
H. R. 9065. Sarah J. Creighton.
H. R. 9086. Peter L. Chapman.
H. R. 9087. William R. Tingley.
H. R. 9117. James Longmire.
H. R. 9121. Harriet M. Green.
H. R. 9174. Thomas H. Primrose.
H. R. 9197. John W. Walker.
H. R. 9214. John Fesler.
H. R. 9226. George W. Conrad.
H. R. 9227. Hamilton T. Faris.
H. R. 9240. Dwight Simpson.
H. R. 9277. Silas C. Robbins.
H. R. 9479. James R. Evans.
H. R. 9543. William H. Nesbitt.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read as follows:

The name of Alonzo A. V. P. McCoy, late of Companies K and M, Second Regiment California Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

Mr. WALSH. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. Mr. Speaker, I desire to ask some member of the committee how it happens that in several of these items in the report the post-office addresses are given and in others they are not, so that there is no way to identify from what part of the country these men come?

Mr. ASHBROOK. Where an original pension is granted, the post-office address is given. Where it is an increase, the post-office address is not given.

Mr. WALSH. And that is uniformly the rule?

Mr. ASHBROOK. That is uniformly the rule.

Mr. WALSH. Mr. Speaker, I withdraw my motion.

The SPEAKER. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

The name of George S. Emery, late of Company A5, Sixteenth Regiment Vermont Militia Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. ASHBROOK. Mr. Speaker, I desire to offer an amendment.

The SPEAKER pro tempore (Mr. SAUNDERS of Virginia). The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ASHBROOK offers an amendment: Page 11, line 1, after the capital "A," strike out the figure "5."

Mr. ASHBROOK. It is a typographical error.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

The name of John R. Lane, late of Company I, Seventeenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

Mr. ANTHONY. Mr. Speaker, is the Clerk reading the bill or just the names? I can not follow it.

The SPEAKER pro tempore. The Clerk is reading the names.

Mr. ANTHONY. I would like to have the bill read as it is written, so that we can follow it.

The SPEAKER pro tempore. The Clerk will read the bill.

The Clerk read as follows:

The name of Mary V. Rainsberger, widow of Joseph D. Rainsberger, late of Company C, First Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

Mr. ANTHONY. Mr. Speaker, the Clerk is not reading the bill. I would like to ask that the bill be read.

The SPEAKER pro tempore. The Chair will state that the Clerk is reading the bill according to the usual practice in relation to these bills. If the gentleman from Kansas insists on all the details being read, of course the Clerk will be directed to read the bill in that way.

Mr. LANGLEY. Mr. Speaker, the phraseology of each paragraph is practically the same.

The SPEAKER pro tempore. The Chair understands that, and the Clerk is reading the bill according to the usual practice, but if insisted upon the Clerk will be required to conform to the request of the gentleman from Kansas.

Mr. ANTHONY. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Kansas moves to strike out the last word.

Mr. ANTHONY. The reason why I insist that the Clerk read this bill is that some of the Members of the House are trying to follow these pension bills in the effort to extract some little information from them, and if the Clerk glosses the reading over in this way it is difficult to follow it.

The gentleman from Massachusetts [Mr. WALSH] awhile ago asked a very pertinent question as to why the post-office addresses of the pensioners were not inserted in all these cases. I think the address should be inserted in each case, so that the pensioner may be identified. I was unable, however, to understand, from the gentleman from Ohio [Mr. ASHBROOK], why it was inserted in some cases and not in others, and why it would not be a good plan to insert it in every case, so as to aid in the identification of the pensioner.

Mr. ASHBROOK. I will say to the gentleman that the post-office address is inserted in an original pension for the benefit of the Pension Office.

Mr. ANTHONY. Would it not be a good idea to insert the post-office address for the information of the House?

Mr. ASHBROOK. That matter has been discussed here several times, some Members favor it and some believe it should not be, but it requires extra work for the clerk of the Pension Committee and for the examiner. A good many of these pensioners change their addresses frequently. I can see no reason for the change in the system.

Mr. ANTHONY. Well, all the more reason, because of the itinerant character of some of these pensioners that change their addresses so often it would be in the public interest that they give their post-office addresses, so that they can be identified by the community. It is charged that some cases reported out of this committee are not so meritorious, perhaps, as they should be, so that in order to protect the House and in order to protect the committee every means of identification possible should be thrown around these cases.

Mr. ASHBROOK. I will say to my friend that the report that accompanied the bill is full, and I believe it furnishes sufficient information.

Mr. ANTHONY. Does that give the post-office address of the pensioner?

Mr. ASHBROOK. I believe not.

Mr. ANTHONY. Then, in that particular the report does not clear up that point.

Now, Mr. Speaker, I want to continue along this line. I made a few remarks when the last pension bill was before the House, wherein I stated that I did not think these bills were being reported out by the committee in a manner that was exactly fair and equitable to the soldier population of the country, and also in a manner that was exactly fair and equitable to the membership of this House. I have since then caused to be made a little investigation in regard to the way these bills were being reported from the Committee on Invalid Pensions, and I am sorry to say that the result of that small investigation has been that it appears to me, and I believe it will appear to the membership of this House, that the Committee on Invalid Pensions, at least some of the members of that committee, are taking advantage of their membership of that committee to perpetrate a species of petty larceny in extracting the greatest possible number of these bills for their constituents.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes. Yes.

Mr. GARRETT of Tennessee. How long has the gentleman been a Member of the House?

Mr. ANTHONY. Ten years.

Mr. GARRETT of Tennessee. And is just now discovering that?

Mr. ANTHONY. No. It has been apparent to me all along that the evil has existed, but it is a growing evil. The fact that the evil exists is no reason why it should not be corrected now; and as one Member of the House I intend that it shall be corrected.

For instance, I want to call the attention of the membership to the fact that so far on the calendar in this short session of the House, one member of the Committee on Invalid Pensions has 18 bills reported out and passed by the House and now on the calendar. Another member of the Committee on Invalid Pensions has 17 bills, another 13 bills, another 18 bills, and that is the way it runs. The average number of bills which the entire membership of the House has received this session is perhaps 1, 2, or 3 per Member. I do not say that they should be apportioned to the membership, but I do say that the individual merits of each case should be considered by the committee, and the number of bills should be apportioned to the entire soldier population of the country, so that any soldier who is in necessitous circumstances can have an equal chance of having the merits of his case considered.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. ANTHONY. I ask for five minutes more, and then I will yield to the gentleman.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. RUSSELL. Will the gentleman state the names of the members of the Committee on Invalid Pensions who have these bills?

Mr. ANTHONY. I do not care to do that. I do not think it will be necessary to do that. I wish simply to state the facts as they exist, and trust to the individual membership of the Committee on Invalid Pensions to see that that evil is corrected. Now, I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Is not the logic of the gentleman's argument that which some of us have heretofore tried to point out, namely, that the passing of individual bills ought to be abolished, and that we ought to pass a general law which would cover the cases?

Mr. ANTHONY. No; I think in some individual cases the necessity undoubtedly exists for a remedy by Congress; but as that power is now exercised by Congress, the merit of individual cases is not given the consideration it should have. Facts are not verified, and any soldier who prepares affidavits the validity of which is not even questioned by the committee, just so they are formally prepared, can secure a bill through the committee, if he stands close enough to favored Members of Congress. In my opinion that is wrong.

Mr. HOWARD. Will the gentleman yield for a question?

Mr. ANTHONY. I will.

Mr. HOWARD. The gentleman remembers when we had the prolonged debate over the Sherwood dollar-a-day pension bill?

Mr. ANTHONY. I do.

Mr. HOWARD. Does the gentleman remember that the most formidable argument made on both sides of this House when that bill was under consideration was the statement that the Sherwood dollar-a-day pension bill would eliminate the necessity for a continuation of these private pension bills, which were unjust in the inequalities practiced by the committee?

Mr. ANTHONY. Yes; I remember that; but I want to say to the gentleman that the Sherwood dollar-a-day pension bill does not remedy the situation that confronts the soldiers of this country. Those with a long service get the proper remedy, but many others are not adequately taken care of. Remedying individual cases of this kind now largely depends on how closely the soldier may be acquainted with a member of the Committee on Invalid Pensions.

I say that instead of resorting to such methods for relief, this Congress ought to pass an adequate general pension bill which will put every soldier upon a fair, liberal, and equitable basis.

Mr. LANGLEY. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman, who is a member of the committee.

Mr. LANGLEY. I heartily agree with the gentleman's contention about the justice of general legislation giving all of them what a few get by special act. That has always been my contention. And let me say further that I think it would be fair for the gentleman to state in answer to the gentleman from Georgia [Mr. HOWARD] that when the Sherwood pension bill was under consideration, and when these arguments to which he refers were made, the conditions were entirely different from what they are now. Not only have the soldiers grown much older and, of course, more helpless but the cost of living is very much higher than anyone ever dreamed of then; and, in fact, we were then preparing to reduce the tariff, and the supposition and contention of our Democratic friends that the cost of living would go down.

Mr. ANTHONY. That is very true. I want to say, in addition, that this House in the last session passed a bill giving the widows of soldiers of the Civil War $25 a month. Yet there are a large number of veterans of the Civil War who gave splendid service in that war who are drawing much less than that.

Mr. KEARNS. I believe the gentleman from Kansas is a member of the Committee on Military Affairs?

Mr. ANTHONY. Yes.

Mr. KEARNS. I have had five or six bills in the gentleman's committee for three years and never have gotten action on one of them. Yet members of the gentleman's committee have told me that three of my bills, at least, have great merit. I would like to have one of them reported out.

Mr. ANTHONY. If they are for the relief of deserters or military offenders, it will be a long time before they will get my vote out of that committee.

Mr. KEARNS. You do report bills, however, favorably, do you not?

Mr. ANTHONY. The committee has reported some bills.

Mr. KEARNS. Yet you have not reported one of these.

Mr. ANTHONY. Mr. Speaker, there is one more observation I want to make. The Committee on Invalid Pensions ought to live up to the rules it makes. One of the rules made by the Committee on Invalid Pensions was that it would not consider an increase of pension by special bill for an inmate of a soldiers' home. As a matter of fact the Committee on Invalid Pensions has now reported special bills for members of soldiers' homes, introduced by members of that committee, violating that rule, while a bill introduced by any Member of the House not a member of that committee has that rule enforced against it. I have found that out.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. ANTHONY. I ask unanimous consent for five minutes more.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. ASHBROOK. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Ohio.

Mr. ASHBROOK. I would like to say to my friend from Kansas that so far as I know and so far as the chairman of the committee [Gen. SHERWOOD] knows, and so far as the clerk of the committee, who is here, knows, not a case of that kind has been reported. If any such cases have been reported, the chairman of the committee will thank the gentleman from Kansas to point them out and give the name of the soldier so that we may investigate the case.

Mr. ANTHONY. I will say to the gentleman that I have six cases in one soldiers' home that I can furnish to the gentleman, where that rule has been violated.

Mr. ASHBROOK. If there is a case of that kind in this bill, if the gentleman will give me the name of the soldier I will move to strike it out.

Mr. ANTHONY. Oh, no; we do not want to strike it out. I want to say to the gentleman that the committee was wrong in the adoption of such a rule. [Applause.] By the adoption of such a rule you put a premium on the practice of soldiers to evade the rule, and it is now the practice for a soldier in a soldiers' home to leave that home before he applies to the gentleman's committee for an increase of pension. It is a common practice all over the country for soldiers when they get a promise from a Congressman to put through a special bill before the gentleman's committee, to leave the home so that they can evade the rule. The pension is granted and the soldier may then return to the home. That is what is going on in the country.

Mr. RUCKER. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. RUCKER. Soldiers at the soldiers' homes do not pay any board; they get their living from the Government?

Mr. ANTHONY. Yes.

Mr. RUCKER. Does the gentleman think they ought to be supported by the Government and get a pension, too?

Mr. ANTHONY. Most of the members of our soldiers' homes are in such a financial and physical condition that it is for them the last resort, and the men that go into these homes are for the most part the most deserving cases in the large class of soldiers that appeal to this committee for relief. I want to see these men put on an equality with those outside the home so that when they get a small increase of pension they can leave the home, as most of them desire to do, and live in their own home.

Mr. RUCKER. I think the gentleman is right as to the character of the soldiers who go to the homes, and in exceptional cases I think it would be right to give them a pension, but generally speaking I do not believe that a single man supported in the Soldiers' Home by the people of this country or those who are drawing a big salary from the Government ought to draw one dollar of pension.

Mr. ANTHONY. That may be the gentleman's belief. I want to express again the hope that the Committee on Invalid Pensions, when it reports the next bill, will place upon the bill the name of the member who introduced it and give the post-office address of the soldier, and if that is done I think the evils that we complain of will be largely done away with.

Mr. ROSE. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. ROSE. The statements made by the gentleman from Kansas are startling. I understood at the opening of the session that no Member would be permitted to present more than five applications or bills for pensions.

Mr. ASHBROOK. I would like to know where the gentleman got that information.

Mr. ROSE. From Members of the House.

Mr. ASHBROOK. The gentleman never got it from any member of the committee.

Mr. ROSE. I did not; but I acted on that proposition.

Mr. ASHBROOK. There is no such rule, and I want to say in good humor to my friend from Kansas that I wish he would meet with the Committee on Invalid Pensions; it meets every Monday morning.

Mr. LANGLEY. That is the trouble. Many of the membership do not keep in close enough touch with the details of the committee's work.

Mr. RUCKER. Mr. Speaker, I want to express a few views with reference to pensions. I will preface my remarks by saying that I am not one of those Members opposed to pensions. On the contrary, I am in favor of pensions, and liberal pensions. Mr. Speaker, I think an effort is being made in the direction of raising the general level of rates in the Sherwood pension act so as to give all, or substantially all, soldiers $50 a month. I have not hesitated to write men in my district—some of them infirm, feeble, poor, needy, and meritorious—telling them positively and emphatically that I would not support a bill of that kind. I repeat here that I am not in favor of a bill of that sort. I am anxious to extend help where help is needed and merited.

Mr. KING. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. KING. The gentleman from Missouri a moment ago said that he believed that no soldier in a soldiers' home should have a pension.

Mr. RUCKER. I did not say exactly that.

Mr. KING. Did the gentleman make an exception of where the support is entirely by State funds?

Mr. RUCKER. I would not make an excetpion if the soldier is supported by the public. I want to state that I said, or intended to say, that there may be cases—and no doubt there are cases—in which it is proper to grant a pension to a man in the soldiers' home, but, generally speaking, I am opposed to granting pensions to inmates of soldiers' homes.

Let me say that when this Congress asserts itself and it does the courageous thing and strikes from the pension rolls those who ought not to be drawing pensions, when they strike from the rolls rich men who have abundance of income, and cease taxing poor people to pay more pensions to men who ought not to ask for pensions at all, then I will be in favor of giving to those who ought to have it, $50 a month, if they need it. I am opposed to paying pensions out of the money taken by taxation from the poor people—men, women, and children—to millionaires. I am opposed to paying any pensions, in most cases, to those who occupy soldiers' homes. I would not, if I had my way—and, of course, I realize that I can not have my way—I would not pay pensions to men who are in Government service drawing salaries from $1,500 to $2,500 a year. Therefore, I will never support—unless I change my mind, and I do not think I will—a bill authorizing a general increase of pensions up to $50 a month as long as that increase would inure to the benefit of the rich who need no pensions. I concede that there are many men who rendered faithful service to the country, whose present condition merit at the hands of a grateful people recognition in pensions sufficient to protect them from want, and I favor great liberality in dealing with them.

Mr. SWITZER. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. SWITZER. Does not the gentleman think that Congress is in an absurd situation when it gives the widow of a Civil War soldier $25 a month and there are 200,000 Civil War soldiers now on the rolls drawing a pension of less than $25 a month?

Mr. RUCKER. That is an inconsistent thing. A soldier ought to have more pension, speaking generally, than a widow. I want to say another thing. It seems pertinent to say it now and call the attention of the Committee on Invalid Pensions to the fact. We are paying a good many million dollars in the way of pensions to people who live in foreign lands. They may have gone there in the employ of the Government——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RUCKER. I ask for three minutes more.

The SPEAKER pro tempore. Is there objection to the request of the gentleman?

There was no objection.

Mr. RUCKER. They may have gone abroad without any intent to change their citizenship, but they have stayed there, and I have no doubt that to-day there are men in nearly every country on earth drawing pensions out of money taken from the taxpayers of this land who have not gazed on the Stars and Stripes for 20 years, and it may be that they will never see the Stars and Stripes again unless it is when Pershing carries the flag across the line on the western front into Germany and plants it in Berlin. [Applause.] I am opposed to paying these men pensions.

Mr. LANGLEY. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. LANGLEY. I agree with the gentleman about giving preference in granting pensions to those who need them, but what does the gentleman mean by his statement that he is opposed to any pensions being paid to those who are now living in foreign countries? Is it because they do not live in this country, or on the ground that they do not need the pensions?

Mr. RUCKER. I am opposed to their drawing pensions, because they do not live here. When they turn their backs on the flag of this country I am in favor of stopping the pension.

Mr. LANGLEY. Oh, there are lots of pensioners in foreign countries who have not turned their back on the flag.

Mr. RUCKER. But they do not live in this country and ought not to be pensioned by those who do live here.

Mr. LANGLEY. But there are lots of loyal Americans who do not live in the United States. I do not think domicile is an infallible test of loyalty to the land of one's nativity.

Mr. RUCKER. But they ought not to draw pensions.

Mr. LANGLEY. I disagree with the gentleman on that as a universal proposition.

Mr. RUCKER. Of course the gentleman has that right.

Mr. AUSTIN. Mr. Speaker, I have no complaint or criticism to make of the action of the Committee on Invalid Pensions. I have unlimited confidence in the fairness, the justice, and the square dealing of the chairman of that committee, our beloved colleague, Gen. SHERWOOD, and his associates on the committee.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. GORDON. How many bills has the gentleman in this report?

Mr. AUSTIN. I have not a single one to my knowledge.

Mr. GORDON. The clerk of the committee just informed me that one-fifth of the bills in this report were introduced by members of the committee.

Mr. AUSTIN. Speaking for myself, I do not believe I have a single one in this bill. I think I had two in the previous bill, and the district I represent furnished more Union soldiers in proportion to population than any district in the United States. [Applause.] During the Spanish-American War my town, Knoxville, Tenn., stood next to New York City in the number of recruits, and the smallest county in my district, with a voting population of 2,200, furnished 500 private soldiers to the Army, and that section, including Knoxville, furnished the first and only volunteer regiment after the declaration of the present war; so I think I have a right to stand here and say something not only for the soldiers, but for this committee. And I resent the imputation of the gentleman from Ohio [Mr. GORDON] to attempt to discredit the Invalid Pension Committee with the membership of this House.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. WALSH. Is the gentleman in favor of all claims being passed on their merits?

Mr. AUSTIN. Certainly I am.

Mr. WALSH. Then the gentleman is not advancing or setting forth the glory of his district in past days as a reason why his district should be given any preference in the matter of pensions, is he?

Mr. AUSTIN. I am absolutely satisfied with the treatment my district is receiving at the hands of this committee.

Mr. CARTER of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. CARTER of Oklahoma. The gentleman is not only in favor of passing pension claims that have merit but he is in favor of passing all of them, is he?

Mr. AUSTIN. Of course, I favor every just and meritorious pension case or bill.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. AUSTIN. I want a little more time if I am to be continually interrupted. I yield.

Mr. MOORE of Pennsylvania. The gentleman is entirely satisfied with the treatment that his district receives?

Mr. AUSTIN. Yes.

Mr. MOORE of Pennsylvania. Is not that due to the manner in which the able Representative of that district presents these various cases to the Pension Committee?

Mr. AUSTIN. Oh, do not say "the able Representative." Do not make me blush in this public place.

Mr. MOORE of Pennsylvania. It is the consensus of opinion in the House of Representatives that the gentleman's district is exceedingly well served.

Mr. AUSTIN. I thank my generous colleague for his compliment. I am pleased to know that my colleagues have bills in this omnibus measure, and I am ready and willing to help them put it through. [Applause.] What I desired to ask the members of the Committee on Invalid Pensions is this question: What action do they contemplate taking during this session of Congress toward reporting a general bill to increase the pensions of the soldiers? There is not a Member of this House with a soldier constituency who is not daily receiving letters from old soldiers desiring to know if Congress contemplates reporting and passing a general bill to increase the pensions of soldiers. We all admit it is unfair to pass a general pension bill which gives the widows of the soldiers $25 and at the same time leave on the pension rolls thousands of men who rendered faithful and efficient service who are drawing less than $25. I think this committee ought to report a general bill which will at least give every soldier a minimum pension of not less than $30 a month. The American people will stand for it, approve it, and indorse it. [Applause.] I would cheerfully support a bill making the rate $50 per month for every old soldier who actually needs it. Now, I would be glad to hear from the gentleman from Ohio [Mr. ASHBROOK], a member of the Committee on Invalid Pensions.

Mr. ASHBROOK. I would say to my friend from Tennessee that a meeting has been called of the committee for next Monday to consider a general pension bill, and I believe that some sort of a general pension bill will be reported at this session.

Mr. AUSTIN. I want the information, because we are all in the dark, and we do not know how to answer the old soldiers. I wanted a public statement on the floor of the House, so that we would know what was going on, and could intelligently advise our constituents who are interested.

Mr. BLAND. Mr. Speaker, I would say to the gentleman that as a member of the committee I am also in touch somewhat with the sentiment in the Senate on the same question, and I think a bill will come out of the Senate and also one out of the House Invalid Pension Committee that will be satisfactory on the subject, and come soon. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. ASHBROOK. Mr. Speaker, I want to ask the indulgence of the House for just one moment. I regret that there is so much criticism on the part of some Members whenever one of these omnibus pension bills is reported, and I want to say to the House that the Committee on Invalid Pensions, so far as I know, and I believe I do know, acts fairly and impartially on these special pension bills. The trouble is that a great many Members of the House introduce bills, and then do not do anything more. They do not furnish the required evidence. When the omnibus bill is then reported out, they think they ought to have some items on the bill, but the fault lies at their own door. My good, sweet-tempered friend and colleague from Ohio [Mr. GORDON] has just left the Chamber, I believe, but he criticized somewhat the fact that the members of this committee were securing entirely too many bills themselves. The clerk of the committee informs me that there are 183 items in this omnibus bill. There are 17 members of the Committee on Invalid Pensions, and that of those 183 items members of the committee have 25.

Mr. RUCKER. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. Yes.

Mr. RUCKER. In connection with the gentleman's statement, the effort of the committee is to be fair to the House, and in reply to some criticisms that have been made I want to say that I have no criticism of the Pension Committee whatever. I think it is fair to every Member of the House. The suggestion that all pension bills be passed is an absurd one; and while I fare as well as I ought to, I want to say to the House that the Committee on Invalid Pensions frequently turns down claims which I think are meritorious. I have had a number of them turned down, but I wanted to say that in vindication of the action of the committee.

Mr. ASHBROOK. I thank the gentleman.

Mr. GREEN of Iowa. Will the gentleman yield further?

Mr. ASHBROOK. I will yield.

Mr. GREEN of Iowa. With reference to what the gentleman said a moment ago in regard to a general bill, in support of the inclination of the committee which he seemed to indicate, I want to call the attention of the committee and the House further to the inconsistencies and absurdities which result from the present condition. I do not want to make any complaint against the committee, understand, but a short time ago I had a bill before the committee, which was put in one of the omnibus pension bills, in which a soldier was granted only $24 a month. Now, he and his wife, even after the special bill was passed for them, will only get $24 a month. If the poor old soldier should die, his wife alone will get $25 a month. Now, I think we ought not to tolerate such inconsistencies and absurdities any longer. I hope the committee will hasten its intention and put through a general bill of some kind.

Mr. ASHBROOK. I can assure the gentleman that I believe some legislation will be reported out of the committee to the House.

Mr. KEARNS. Will the gentleman yield?

Mr. ASHBROOK. I yield to my friend from Georgia [Mr. HOWARD] first.

Mr. HOWARD. I thought the gentleman had yielded the floor.

Mr. KEARNS. The gentleman wants to make a speech and I want to ask a question.

Mr. ASHBROOK. Oh, no; he does not.

Mr. HOWARD. I have one in my system of about five minutes long.

Mr. KEARNS. I desire to ask the gentleman in regard to this pension bill being contemplated by the committee. What is the minimum pension that will be received by a soldier under that bill?

Mr. ASHBROOK. Well, I can not undertake to commit the committee, but I would say——

Mr. KEARNS. The gentleman's personal views.

Mr. ASHBROOK. I would say personally that I believe no pension ought to be less than $25 a month, which is the amount now allowed soldiers' widows.

Mr. KEARNS. Does not the gentleman think it ought to be $30 a month?

Mr. ASHBROOK. I have expressed my own belief that no pension should be less than $25 per month.

Mr. TOWNER. Will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Iowa.

Mr. TOWNER. I would like to ask the gentleman if there are not several general pension bills pending before the Committee on Invalid Pensions?

Mr. ASHBROOK. There is quite a large number.

Mr. TOWNER. And it is expected that the Pension Committee will have hearings next Monday on those several bills, is it not?

Mr. ASHBROOK. A meeting of the committee has been called for next Monday to consider these several bills, but there will be no public hearings.

Mr. TOWNER. I did not mean in that sense; I meant to hear Congressmen who had those bills pending.

Mr. ASHBROOK. Oh, certainly.

Mr. TOWNER. I have no bill pending, but I would like, if an opportunity were presented, to say something to the committee on that line. Will the opportunity be afforded?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TOWNER. Mr. Speaker, I ask unanimous consent that the time of the gentleman be extended for five minutes.

The SPEAKER pro tempore. The gentleman from Iowa asks that the time of the gentleman from Ohio may be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. TOWNER. In other words, would it not be well for the committee to hear Members of Congress briefly upon that matter at this time?

Mr. ASHBROOK. Well, my judgment is that if the committee hears Members who have introduced bills, that it probably would be unwise to give a general invitation for Members to come before the committee. A number of Members have general pension bills pending. I think 15 or 20 bills are before the committee, and the Committee on Invalid Pensions will, without doubt, take up all of those bills and give them serious consideration.

Mr. TOWNER. I am very glad indeed to hear that statement made, as I am quite sure all Members of the House are. The conditions are such as to require, almost imperatively, action of a general nature and character at this session of Congress. I think the sentiment on both sides of the House is practically unanimous upon that proposition. Now, I wish to say one word before leaving my feet, however, in justification of the action of the committee. Throughout my experience with the committee, they have in every case acted upon the cases favorably which were really meritorious. I have no complaint to find whatever with regard to the action of the committee.

In my judgment, while they have not given nearly as many pension cases which I thought they ought which I have presented—because, of course, I have never presented anything but meritorious cases—they have always been, I believe, determined upon their merits.

Mr. ANTHONY. Will the gentleman yield?

Mr. TOWNER. With pleasure.

Mr. ANTHONY. I recognize the gentleman as being one of the fairest-minded men in the House, and a man whose opinion I admire very much.

Mr. TOWNER. I certainly thank the gentleman.

Mr. ANTHONY. I want to put a question to him. Does the gentleman think it is fair for the Committee on Invalid Pensions, for instance, to grant two bills to soldiers in your district when the neighboring congressional district, the Congressman of which may be on the Committee on Invalid Pensions, is granted 18 of those bills in the same time? Is that fair to the soldiers in the gentleman's district?

Mr. TOWNER. I would say this to the gentleman, if I may be allowed to make the statement, that I think there ought not to be 18 pensions granted in any one district in any one of these bills; but I think all of these bills should be determined not by the fact as to whether or not Members of Congress were entitled to them, but they should be determined on their merits. In other words, no Member of Congress should be granted a pension bill that is not meritorious merely because it is his turn.

Mr. HOWARD. Why should not even an excess of 18 pensions be granted to a district if they are meritorious?

Mr. ASHBROOK. Mr. Speaker, I yield to my friend from Michigan [Mr. JAMES], and then I will be glad to yield to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. I have great respect for his opinions in regard to these things, and I want to get some light on them if you will permit me to pursue my question. If there are 18 meritorious pensioners in a district that are suffering and are asking for a gratuity from their Government and having served on the battle field, why should there not be even 25 pensions granted in a bill if they are meritorious?

Mr. TOWNER. I agree with the gentleman in principle, but if the gentleman will give me his attention I think he will agree with me that we all know that a certain amount of these pensions are, as a matter of fact, granted every year.

Mr. HOWARD. That is the iniquity of it, too, is it not?

Mr. TOWNER. Let me say this to the gentleman very frankly, if in order not to overlap the amount that they thought could be expended on this class of cases there were 18 meritorious cases in any one district, and there was not the same number of cases in others, I would say, yes; let the 18 cases go.

Mr. ASHBROOK. I will yield to my friend from Michigan [Mr. JAMES].

Mr. JAMES. Is the gentleman going to give the same kind of consideration to a millionaire in regard to increasing his pension as to a man who is penniless, or is there going to be a proviso which will not take care of the man who does not need it?

Mr. ASHBROOK. I can not answer that question. Of course a general pension bill is general in its nature, and all soldiers would be included therein.

Mr. JAMES. And your idea is to have it apply to everybody? At the last session of Congress a bill came over here from the Senate and was considered at 10 o'clock at night. The bill had been introduced——

The SPEAKER pro tempore. The time of the gentleman from Ohio [Mr. ASHBROOK] has expired.

Mr. JAMES. Mr. Speaker, I ask unanimous consent that it be extended three minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. JAMES. It came over here at 10 o'clock one night. It had not been considered by your committee. An item was in there, introduced by the chairman of the Senate Pension Committee, which provided increase of pension for a man who was court-martialed in 1864 on five counts and sentenced to be shot by musketry, and then on account of political influence the sentence was commuted to about 30 years. Are you going to give that man an increase of pension, or are you going to provide for the taking care of those deserving pensions?

Mr. ASHBROOK. I do not think the House committee would grant that sort of a pension.

Mr. JAMES. I am not talking about the House bill. This bill was introduced by the chairman of the Pension Committee in the Senate.

Mr. ASHBROOK. I am just as much opposed as the gentleman is to that kind of a pension.

Mr. HOWARD. Mr. Speaker, I move to strike out the last word.

The remedy for the case that the gentleman from Michigan speaks of is to have a general review of that man's case, and shoot that fellow yet if he was guilty.

Let me say a word about the pension bills. If some of the younger Members of the House want to read an exposure of the iniquities of the private pension system, I respectfully refer them to the debates in the Sixty-second Congress, and especially the speeches made by the late lamented Congressman S. A. Roddenbery, of Georgia. He said everything that there was to be said, and from an impartial standpoint.

In five minutes it will be impossible for me to pay tribute to the abilities, to the activities, of these fair-minded men that are now on this committee. There has never been a better Committee on Pensions assembled under the dome of this Capitol since we have been a Nation than the present committee. They are impartial, they are just, and they try to do what is right between pensioners, but they can not do it under the system. I am dead against the whole business. It is wrong in principle from start to finish.

Now, let us see. Here are two cases. I have read the evidence in both of them. Here is an old gentleman by the name of Franklin M. Joines, 72 years old, and who was a private in the war. He served 1 year and 10 months, and he is now paid a pension at the rate of $21.50 a month. The medical testimony in this old fellow's case shows that he is suffering from a good many ailments that make him absolutely incapacitated to earn a living by his own labor. So they give him $40 a month. Now, remember that is my old friend Joines.

Right over on the next page here is my dear old friend Benjamin G. Young, 78 years old. He served exactly to the minute the same length of time as Joines. He is suffering from every complication known to medical science. [Laughter.] Not one has been omitted. Six years older, as poor as Job's turkey, not only an invalid, but a pauper, and the committee weighs all the evidence carefully, peruses the evidence with a microscope, and they go out and give my dear old friend over in Indiana $36 a month.

Mr. MADDEN. Will the gentleman yield?

Mr. HOWARD. With pleasure.

Mr. MADDEN. The gentleman said they perused the evidence and the affidavits in this case with a microscope. If they had done so, they might have enlarged upon the amount allotted.

Mr. HOWARD. Forty dollars is what they ought to have given this old man. I am going to introduce an amendment when they get to my old friend Young, and I am going to see that he gets that $4 a month additional, because he is six years older, he served the same length of time, he endured the same hardships, he suffers from the same infirmities, and yet the committee goes out and gives a younger man $4 more a month than they give this poor old fellow.

Mr. GOODWIN of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. KEY of Ohio. Mr. Speaker, will the gentleman yield to me right there?

The SPEAKER pro tempore. Does the gentleman yield, and to whom?

Mr. KEY of Ohio. I would like to ask the gentleman from Georgia a question.

The SPEAKER pro tempore. Does the gentleman yield?

Mr. KEY of Ohio. I am not on this committee.

Mr. HOWARD. I know; but you are on the other.

Mr. KEY of Ohio. I would like to ask the gentleman if he has read the report and the evidence carefully, and whether it is not shown in the report that the soldier who has been granted a rate of $40 per month, while he might be younger, is confined to his bed a greater part of his time. And does not the gentleman feel that if a soldier is down and out, so to speak, he is entitled——

Mr. HOWARD. Why, he has got chronic trachoma of both eyes, and curvature of the spine, and every other thing. What else could a man have the matter with him unless he was kicked in the face by a mule? [Laughter.]

Mr. FLOOD. Which one was that?

Mr. HOWARD. My old friend Young.

Mr. KEY of Ohio. That man who is to get the $40 rate is confined to his bed, while the other man is not confined to his bed.

Mr. HOWARD. I am not taking these two cases merely. I am taking into consideration other cases. They are all alike. I claim that we should pay equally, and that exact justice should be done to these men on the evidence you gentlemen have had submitted to you. That is what we are passing on.

Mr. LANGLEY. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. LANGLEY. The gentleman is in error about the facts in these two cases. One of the most important elements in these cases is whether or not a man needs the aid and attendance of another person. In one of these cases he does, and in the other he does not.

Mr. HOWARD. One of the important elements is how many sons they have who can vote. That is one of the most important elements. [Laughter.]

Mr. LANGLEY. It may be so with the gentleman from Georgia, but I have never considered that. The old fellows are in need, and more so if they have no sons, and I want to help the needy.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. HOWARD. Mr. Speaker, I ask for five minutes more. I have been interrupted so much that I could not say what I wanted to say.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. GOODWIN of Arkansas. Mr. Speaker, will the gentleman yield there?

Mr. HOWARD. Yes.

Mr. GOODWIN of Arkansas. My colleague speaks as though he were on intimate terms with his pensioner by calling this man Young his "old friend." Was the gentleman from Georgia a comrade in arms with Mr. Young? [Laughter.]

Mr. HOWARD. I will tell you. I come from the part of the country that fought these old fellows; my folks did. They did face the music, and these old fellows faced an army of as brave men as ever shouldered a musket. Now, if they served their flag and defended it courageously and discharged their duties conscientiously, at this late day when every infirmity that could be inflicted upon them has visited them, the gentlemen on these pension committees have got no right and they ought not to be given the power by an American Congress to discriminate between these old men and make fish of one and fowl of the other.

Mr. ASHBROOK. Now, Mr. Speaker, will my friend allow me a word right there?

Mr. HOWARD. That is the iniquity of your system. That is the reason it ought to break down. That is the reason why I prayed, when the Sherwood pension bill was passed—that it would break down. It ought to be stopped. I would cheerfully vote to-morrow morning for a general bill to pay all these old soldiers $50 a month in preference to having them dragged in here four or five times a year and having their cases hurriedly considered and having inequalities meted out to them. An injustice is done to them. Then, when the campaign comes on—let us be plain about this, gentlemen—here is my dear old Democratic friend running against my dear old Republican friend, and the issue is, "If you send me to Congress I will get that pension increased." The Democrat comes along and says, "You send me, and I will get you more money than the Republican got." That is the issue. It is a political football to play with.

Mr. ASHBROOK rose.

Mr. KEY of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. ASHBROOK. I was endeavoring to get the gentleman to yield to me.

Mr. HOWARD. I will yield to the chairman, since he has much more superior knowledge of these bills than any other gentleman. [Laughter.]

Mr. ASHBROOK. I want to call my friend's attention to the fact that the soldier who received $40 served 1 year and 10 months, while the soldier who receives $36 served 1 year 1 month and 10 days. In addition to that the soldier who receives $40 requires the attention of a nurse, and he had a fractured skull. I think if the gentleman will carefully read the evidence in the two cases he will see that the soldier who is to receive $40 had a longer service and is worse off than the one who is to receive $36.

Mr. HOWARD. Well, I know some men who get along just about as well without any skull at all. [Laughter.]

But the question of inequality comes in here. That statement says that both these poor old fellows are down; they are bedridden; and you are discriminating against my old friend Young, and when that case is reached, as I said before, I am going to try to correct it if I can.

Now, there was some talk about these 17 or 18 cases coming in here, brought in by members of the committee. That is a perfectly natural thing. I had a similar experience, gentlemen, when I had the honor to serve on the Committee on Military Affairs two or three or four years ago. Because Members were on the Committee on Military Affairs they had brought to them many questions of clearing up desertions and putting soldiers in statu quo, on the list of the roll of honor, and putting on that roll an old man that ran like a scared cat and deserted his country and hid in a dry well and pulled the moss in on him during the conflict, and then wanted his record cleared. [Laughter.] I noticed that the members of the Committee on Military Affairs, from whereabouts these gentlemen existed, introduced more bills than all the balance of the House together. But that was natural.

Mr. MADDEN. They would get consideration?

Mr. HOWARD. Of course they would get better consideration and quicker consideration and more favorable consideration.

The SPEAKER pro tempore. The time of the gentleman from Georgia has again expired. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

The name of Benjamin G. Young, late of Company C, Eighty-seventh Regiment Indiana Volunteer Infantry, and Company E, Thirteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

Mr. HOWARD. Mr. Speaker, I move to amend, in line 2, on page 18, by striking out "$36" and inserting "$40."

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Georgia.

The Clerk read as follows:

Amendment offered by Mr. HOWARD: Page 18, line 2, strike out $36 and insert $40.

Mr. HOWARD. Mr. Speaker and gentlemen, in support of my amendment I want to state to you that this is my old friend, Benjamin G. Young, of Indiana.

Now, gentlemen, this is a clear, clean-cut case of doing justice between these two men, and I want you gentlemen who have the report of this committee in your hands to turn to page 24 and page 35 of the report. You will see on page 34 the case of Franklin M. Joines, who is 72 years old, while this poor old man, Benjamin G. Young, is 6 years older.

The man who is 72 years old has a cracked skull, while this man 78 years old has a curved spine. Some of you medical men here—for instance, the distinguished gentleman from Illinois, Dr. FOSTER—can tell us which is worse, a cracked skull or a bent spine. [Laughter.]

Mr. FOSTER. It depends on the value of what a man has in his skull, does it not?

Mr. HOWARD. If it depended on the value of what a man has in his skull and what he has to protect by his skull, I know some folks who would be skull-less. [Laughter.] But that is not the question. It is a question that means a heap to this poor old fellow, and I appeal to you to open your hearts and vote for my amendment. Four dollars a month does not mean much to some of these bloated bondholders around here, but it means a heap to a poor old fellow over in the mountains of Kentucky or Tennessee, or the red hills of Georgia, who lives in a log cabin, and when he sees a piece of bread made out of flour, in the shape of a biscuit, puts a coal of fire on it to see if it will not crawl away like a terrapin, because it is so seldom that he sees one. Those are the fellows that this $4 a month means much to. It is an injustice and an inequality that ought to be corrected. I would like one time to see the ironclad rule of the infalliblity of this distinguished committee defeated on the floor of this House. I will have something to say about the bill of the other gentleman from Ohio [Mr. KEY] when it comes in. He deals with a Spanish-American War veteran, but this gentleman is dealing with a class that are more infirm. They did not fight mosquitoes, like most of us did in the Spanish-American War, but they fought real men. In all seriousness, this is an injustice, and I ask you, gentlemen, to support my amendment and make the heart of our dear old friend, Benjamin G. Young, away over in the corn belt of Indiana, leap with joy at the news that a man who was not on the committee, a man who came from south of the Ohio and the Potomac Rivers, found his case stowed away among several others, presented it to the generous sunlight of the American House of Representatives, and that from all sections they rallied to his flagstaff and gave the old man this $4 a month. [Applause.]

Mr. ASHBROOK. Mr. Speaker, I dislike very much to oppose anything suggested by my charming and delightful friend from Georgia [Mr. HOWARD]. I dislike very much to oppose an increase in the pension of a worthy soldier; but in these two particular cases I want to invite the attention of the House to the fact that the soldier who is given the $40 served almost twice as long as the soldier who received the $36.

Mr. HOWARD. Excuse me, Mr. Speaker, I know the gentleman wants to be fair. He talks about "twice as long."

Mr. ASHBROOK. I said "almost twice as long." I qualified it by saying "almost." The $40 man served 1 year and 10 months and the $36 man served 1 year 1 month and 10 days.

Mr. HOWARD. I stand corrected. I misread it. I thought it was 1 year and 10 months in each case.

Mr. ASHBROOK. I want to say to the House that these bills are carefully prepared by an examiner detailed from the Pension Office. He goes carefully over the evidence submitted conscientiously and makes a fair, unprejudiced, and unbiased report; and the committee, unless it feels—as it seldom does—that an error has been made by the pension examiner as to the rating, accepts his recommendation.

I think it is a mistake to offer these amendments on the floor of the House. If such amendments are adopted and the bill is allowed to be amended on the floor of the House, in a very short time it will be an impossibility to pass an omnibus pension bill. And because the soldier who receives $40 served longer and requires an attendant, his case is a better one by far than that of the soldier who receives $36, and I hope the House will vote down the amendment offered by the gentleman from Georgia [Mr. HOWARD].

Mr. RUSSELL. The gentleman from Iowa [Mr. HULL] introduced this bill, did he not?

Mr. ASHBROOK. Yes.

Mr. RUSSELL. And so far as the committee knows he is perfectly satisfied with the action of the committee?

Mr. ASHBROOK. Yes.

Mr. HOWARD. Of course the gentleman from Iowa [Mr. HULL], who is a very active Member of the House, happens to be in some of the departments on official business, and I do not see him here at this moment, but if he were here I know he would be delighted to help in getting this old gentleman's pension increased. I do hope the House will agree to the amendment.

Mr. ASHBROOK. Let us have a vote, Mr. Speaker.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Georgia.

The question being taken; on a division (demanded by Mr. HOWARD) there were—ayes 35, noes 38.

Mr. HOWARD. I ask for tellers, Mr. Speaker.

Mr. ASHBROOK. I hope the gentleman will not do that.

Mr. HOWARD. I withdraw the demand. I will get the amount increased in the Senate, where all the increases are put on.

The Clerk read as follows:

The name of Samuel A. Bennett, late of Battery B, First Regiment Rhode Island Volunteer Light Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

Mr. ASHBROOK. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 20, line 18, after the word "First," strike out the word "Regiment."

The amendment was agreed to.

The Clerk read as follows:

The name of Silas C. Robbins, late of Company E, First Regiment Minnesota Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. WALSH. Mr. Speaker, I move to strike out the word "Regiment" in line 20, page 31. This would seem to be the same amendment offered by the chairman to the item on page 20, line 18.

Mr. ASHBROOK. This is a regiment of Heavy Artillery, and the other was a battery of Light Artillery. This is correct.

Mr. WALSH. Mr. Speaker, I withdraw the pro forma amendment.

The Clerk read as follows:

The name of Clem Bolan, late of Company E, Twentieth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

Mr. WALSH. Mr. Speaker, I move to strike out the last word. Can the chairman inform the committee how many of the cases included in this measure are cases of increase of pension and how many are original pensions which have heretofore been rejected by the Pension Department?

Mr. ASHBROOK. For soldiers' claims 2 are new, original, and 163 are increases. There are 15 original cases and 2 for helpless children.

Mr. WALSH. These facts do not appear in the report.

Mr. ASHBROOK. There is no summary.

Mr. WALSH. No summary of figures such as the gentleman has just given?

Mr. ASHBROOK. No.

The Clerk completed the reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ASHBROOK, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. KEY of Ohio. Mr. Speaker, I call up the bill H. R. 9506, granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors. I ask that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Frank Smith, late of Company D, First Regiment Idaho Volunteer Infantry, and Company C, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Charles Devault, late of Company I, Ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Commodore H. Steele, late of Troop D, Second Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George V. Deacon, late of Companies F and K, Fifteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Henry C. Lichten, late of Company E, Eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George W. Rathman, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of John F. Hemsted, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Andrew S. Pope, late of Company M, First Regiment Arkansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Pearley Rex Harbert (insane), late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $30 per month. Pay to the duly appointed guardian.

The name of Harry E. Snyder, late of Company H, Eighth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William D. Galligher, late of Troop F, First Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Ambrose R. Kinley, late of Company C, First Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Henry J. Hopkins, late of Troop H, Fourteenth Regiment United States Cavalry, and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Silas J. Shumaker, late of Battery G, Fifth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Byron W. Kash, late of Company D, Thirtieth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Hoyl N. Higdon, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Mathias Kennedy, late of Company K, Tenth Regiment United States Volunteer Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Thomas Regan, late of Company H, Second United States Infantry, Regular Establishment, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jacob A. Buffington, late of Company H, Fiftieth Regiment Iowa Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Leroy E. Cuckow, late of Company K, First Regiment South Dakota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Theodore J. Kountz, late of Company G, First Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Frederick E. Ogle, late of United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Edward F. Connors, late of Company D, Eighth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of James F. Connell, late of Company A, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Robert B. Bowie, late captain of Company A, Fifth Regiment Maryland Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Jesse H. Hutto, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Lory M. Powell, late of Troop H, First Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Mack Rittenberry, late of Company A, First Regiment Alabama Volunteer Infantry, War with Spain, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of James O. Singleton, late of Company B, Second Regiment Oregon Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Charles F. Russell, late of Company E, Third Regiment Georgia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of James E. Norman, late of Company A, First Regiment Alabama Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Gilbert R. Gardner, late of Company E, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Walter R. Taylor, late of Company G, First Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles D. Skirdin, late of Troop I, Fourth Regiment, and Troop I, Second Regiment, United States Cavalry, Regular Establishment, and Quartermaster's Department, and pay him a pension at the rate of $12 per month.

The name of Lewis J. Prime, late of the band, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Edward L. Eaton, late of Company K, First Regiment Maine Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Malvern E. Rodgers, late of Battery C, First Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Wheeler Smith, late of Company B, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John H. Dorsey, late lieutenant and assistant surgeon, Fourteenth Regiment Minnesota Volunteer Infantry, also major, Second Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Calvin J. Newman, late of Company A, Second Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of George Rice, late of Battery L, Sixth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Fred O. Hamilton, late of Company M, Fourth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $50 per month.

The name of Fred Silvey, late of Company C, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William H. Wharton, late of Troop M, First Regiment Illinois Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of John Demcy, late of Company E, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Bev Baker, late of Company A, Second United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Michael E. O'Donnell, late of Company E, Sixth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Lewis Mulkey, late of Captain William Tom's company, Texas Rangers, Indian Wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry Lang, late of Company I, Fifth Regiment Maryland Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Thomas M. McDonald, late of Troop A, First Regiment Kentucky Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of William N. Frost, late of Company H, Second Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Gabriel, late of Troop E, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Claude Johnson, late of Company B, Seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Dowdy, late of Company G, Second Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Paul Beyer, late of Company F, Third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Albert G. Norman, late of Company A, Forty-second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Edward Brockway, late of Company I, One hundred and fifty-ninth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Harry Hirschensohn, late of Company H, Sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Leslie Higgins, late of Troop B, First Regiment Kentucky Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Paul Heineman, late of United States Navy, Regular Establishment, and grant him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John R. Walder, late of Company B, Second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of George J. Schmidt, late of Company D, Fifth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Seaborn A. Frost, late of Company L, Ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Thomas Hamilton, late of Company D, Ninth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph F. Flynn, late of Company F, Sixty-ninth Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William H. Sweeney, jr., late first lieutenant and adjutant, First Regiment Colorado Volunteer Infantry, War with Spain, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William Briney, late of Company L, Fourteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Peter F. O'Brien, late of United States Navy, and Company M, Fourth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a person at the rate of $12 per month.

The name of Stephen Hill, late of Company C, Twelfth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William W. Cravens, late of Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Frederick E. Lamb, late of Company H, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Richard Gurney, jr., late of Battery F, Fifth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Charles V. Bradford, insane, late of Company B, Eighth Regiment United States Infantry, Regular Establishment, and pay him a pension of $30 per month. Pay to duly appointed guardian.

The name of Frank West, late of Company E, Twenty-third Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James Halloran, alias Charles O'Halloran, late of Company K, Twenty-second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James A. Kelly, late of Company I, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a person as the rate of $12 per month.

The name of Hugh G. Smelcer, late of the Seventy-fifth Company United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of James Roberts, late of Company G, Forty-second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Benjamin F. Phipps, late of Company A, Twenty-ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Joseph L. Shields, late of Company C, Seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Irving A. Hubbard, late of Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of John Condon, late of Company A, Sixteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Charles E. Culiom, late of Company I, Fourth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Albert C. Schuman, late of Company D, Fifteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Lewis B. Force, late of Company G, Thirty-fifth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $50 per month.

The name of Sally Speer Signor, widow of Matt Howland Signor, deceased, late captain and commander, United States Navy, Regular Establishment, and pay her a pension at the rate of $25 per month, and $2 per month additional on account of the minor child, Eugenia, of the said Matt H. Signor, until she reaches the age of 16 years.

The name of Michael Balenti, late of Troop G, Fourth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Joseph Whitney, late of the United States Navy, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Charles A. Booker, late of Company F, First Regiment Washington Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Herschel Spainhour, late of Company D, One hundred and fifty-ninth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of William A. Robson, late of Company D, Thirty-third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of John W. Garten, late of the Sixty-fourth Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Herman Mootz, late hospital steward Ninth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John H. Norris, late of Company H, Third Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of William A. Brown, late of the United States Marine Corps, United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Clem Bolan, late of Company E, Twentieth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of James B. Shannon, late of Company I, Second Regiment Texas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Thomas F. Dolan, late of the United States Navy, War with Spain, and pay him a pension at the rate of $17 per month.

This bill is a substitute for the following House bills referred to said committee:

H. R. 409. Frank Smith.
H. R. 588. Charles Devault.
H. R. 589. Commodore H. Steele.
H. R. 642. George V. Deacon.
H. R. 644. Henry C. Lichten.
H. R. 720. George W. Rathman.
H. R. 821. John F. Hemsted.
H. R. 847. Andrew S Pope.
H. R. 860. Pearley Rex Harbert.
H. R. 922. Harry E. Snyder.
H. R. 995. William D. Galligher.
H. R. 1026. Ambrose R. Kinley.
H. R. 1065. Henry J. Hopkins.
H. R. 1071. Silas J. Shumaker.
H. R. 1143. Byron W. Kash.
H. R. 1193. Hoyl N. Higdon.
H. R. 1246. Mathias Kennedy.
H. R. 1459. Thomas Regan.
H. R. 1595. Jacob A. Buffington.
H. R. 1598. Leroy E. Cuckow.
H. R. 1818. Theodore J. Kountz.
H. R. 1892. Frederick E. Ogle.

H. R. 1955. Edward F. Connors.
H. R. 1956. James F. Connell.
H. R. 2036. Robert B. Bowie.
H. R. 2211. Jesse H. Hutto.
H. R. 2457. Lory H. Powell.
H. R. 2459. Mack Rittenberry.
H. R. 2682. James O. Singleton.
H. R. 2705. Charles F. Russell.
H. R. 2720. James E. Norman.
H. R. 2732. Gilbert R. Gardner.
H. R. 2853. Walter R. Taylor.
H. R. 2975. Charles D. Skirdin.
H. R. 3056. Lewis J. Prime.
H. R. 3112. Edward L. Eaton.
H. R. 3239. Malvern E. Rodgers.
H. R. 3388. Wheeler Smith.
H. R. 3401. John H. Dorsey.
H. R. 3478. Calvin J. Newman.
H. R. 3578. George Rice.
H. R. 3627. Fred O. Hamilton.
H. R. 3793. Fred Silvey.
H. R. 3817. William H. Wharton.
H. R. 4012. John Demcy.
H. R. 4169. Bev Baker.
H. R. 4196. Michael E. O'Donnell.
H. R. 4293. Lewis Mulkey.
H. R. 4301. Henry Lang.
H. R. 4388. Thomas M. McDonald.
H. R. 4393. William N. Frost.
H. R. 4596. John Gabriel.
H. R. 4623. Claude Johnson.
H. R. 4748. John Dowdy.
H. R. 4837. Paul Beyer.
H. R. 4906. Albert G. Norman.
H. R. 5071. Edward Brockway.
H. R. 5174. Harry Hirschensohn.
H. R. 5196. Leslie Higgins.
H. R. 5479. Paul Heineman.
H. R. 5491. John R. Walder.
H. R. 5619. George J. Schmidt.
H. R. 5662. Seaborn A. Frost.
H. R. 5773. Thomas Hamilton.
H. R. 5859. Joseph F. Flynn.
H. R. 5924. William H. Sweeney, jr.
H. R. 5932. William Briney.
H. R. 5968. Peter F. O'Brien.
H. R. 6174. Stephen Hill.
H. R. 6226. William W. Cravens.
H. R. 6394. Frederick E. Lamb.
H. R. 6452. Richard Gurney, jr.
H. R. 6554. Charles V. Bradford.
H. R. 6577. Frank West.
H. R. 6694. James Halloran, alias Charles O'Halloran.
H. R. 6746. James A. Kelley.
H. R. 6895. Hugh C. Smeicer.
H. R. 6907. James Roberts.
H. R. 6909. Benjamin F. Phipps.
H. R. 6920. Joseph L. Shields.
H. R. 6921. Irving A. Hubbard.
H. R. 7088. John Condon.
H. R. 7101. Charles E. Culiom.
H. R. 7199. Albert C. Schuman.
H. R. 7467. Lewis B. Force.
H. R. 7564. Sally Speer Signor.
H. R. 7583. Michael Balenti.
H. R. 7621. Joseph Whitney.
H. R. 7669. Charles A. Booker.
H. R. 7750. Herschel Spainhour.
H. R. 8040. William A. Robson.
H. R. 8129. John W. Garten.
H. R. 8375. Herman Mootz.
H. R. 8520. John H. Norris.
H. R. 8534. William Brown.
H. R. 8571. Clem Bolan.
H. R. 8711. James B. Shannon.
H. R. 9035. Thomas F. Dolan.

Mr. WALSH. Mr. Speaker, I move to strike out the last word. Can the chairman of the committee state how many of these claims are original and how many are increases?

Mr. KEY of Ohio. I can not give the gentleman that information. I came over to the House hurriedly this morning and did not have the clerk prepare a statement to that effect. I will say, as a general proposition, that the bills from our committee are original claims. As a rough estimate I should say that three cases out of every four are original claims.

Mr. WALSH. Mr. Speaker, I withdraw the pro forma amendment.

The Clerk read the last paragraph of the bill.

Mr. WILLIAMS. Mr. Speaker, I move to strike out the last word, and I ask unanimous consent to proceed for three minutes out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, I merely rise to call the attention of the committee to a notable letter, a most patriotic and inspiring letter, written by an American father to his son, who is now serving under the British flag in a Canadian regiment in France. This young man, following the invasion of Belgium, tendered his services, as did thousands of other patriotic young men of this country, to the cause of the allies. He went over into Canada and volunteered, went with a Canadian regiment to the French front, where for many months he has distinguished himself as a brave and gallant soldier. On Christmas of this last year his father, a minister of the gospel, living at Paris, Edgar County, Ill., wrote to his son the letter which I have mentioned and which I ask the Clerk to read in my time.

The Clerk read as follows:

FATHER'S LETTER TO SOLDIER SON—NOBLE EPISTLE.

Here follows the copy of a letter Rev. H. M. Brooks mailed to his son, Homer Brooks, in the Canadian branch of the English Army:

"MY SON: This is the fourth Christmas you have been away from us. We all miss you; your friends often inquire about you. I am glad that you are still alive and able to fight the brutes. I am praying that your life may be spared to continue the work of fighting the beast. I do not pray that you may be spared and other boys taken. That would be selfishness. But I pray that you may do your whole duty. I want you to live like a soldier and die like a soldier, if need be. I want you to maintain all the traditions of those thousands of Americans who have given their lives for liberty. The place where lies the dust of an American is sacred, the place where an American falls is holy ground, for he fights only for liberty. Much as I would like to see you, I would not call you nor hinder you from your task. I want you to fight so long as you have breath, so long as you are able to pull a trigger, throw a bomb, wield a sword, or thrust a knife. I want you to stay with your task. Let there be no cessation on your part so long as there remains a brute to mutilate a child, to crucify an officer, to rape a girl, to murder an old man or woman, or burn out the eyes of the helpless.

"Hoping that you may be blessed with health and a disposition to fight to the last breath and that you will trust God, who is able and willing to care for you, and that you may be spared to finish your task and that you may return to us that we may see you again in this life, I am,

"Very kindly,

"H. M. BROOKS."

The pro forma amendment was withdrawn.

The SPEAKER pro tempore. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KEY of Ohio, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. KEY of Ohio. Mr. Speaker, I call up the bill (H. R. 9641) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Fred Tish, late of Company F, Seventh Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James O. Carroll, late of Company K, Second Regiment Arkansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William H. Hopkins, late of Troop E, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Isaac Daniel Gibson, late of Troop C, Sixth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of William Hopkins, late of Company F, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of J. William Lambright, late of Troop H, First Regiment Ohio Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Pickens C. Cullum, late of Company I, Third Regiment Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Elizabeth A. Kells, dependent mother of Ralph W. Kells, alias Robert W. Kells, late of Company L, First Regiment Nebraska Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Grant Barnett, late of United States Military Academy detachment of Cavalry, and Troop B, Ninth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Joseph Smolen, late of Battery F, Third Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Leo Tucker, late of Company M, Sixth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Peter Kanuk, late of Battery M, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William B. Smith, late of Company G, Third Regiment Georgia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Jessie G. Frier, late of Company L, First Regiment Florida Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Noah P. Janes, late of Company I, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Michael P. Connaughton, late of Company E, Sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George W. Sanders, late of Company E, Third Regiment, and Twenty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Charles H. Birley, late of Company I, Sixth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of William A. Ellis, late of Company G, Fifth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Sommers J. Love, late of the Seventh and Ninth Companies of the United States Volunteer Signal Corps, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Franklin C. Weaver, late of Company B, Tenth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles A. Walters, late of Company G, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Charles F. Burton, late of Company I, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Clyde A. Klinger, late of Battery L, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

This bill is a substitute for the following House bills referred to said committee:

H. R. 513. Fred Tish.
H. R. 893. James O. Carroll.
H. R. 993. William H. Hopkins.
H. R. 1142. Isaac Daniel Gibson.
H. R. 1192. J. William Lambright.
H. R. 1772. William Hopkins.
H. R. 2208. Pickens C. Cullum.
H. R. 2991. Elizabeth A. Kells.
H. R. 3179. Grant Barnett.
H. R. 3399. Joseph Smolen.

H. R. 3434. Leo Tucker.
H. R. 3814. Peter Kanuk.
H. R. 5460. William B. Smith.
H. R. 5472. Jessie G. Frier.
H. R. 6059. Noah P. Janes.
H. R. 6667. Michael P. Connaughton.
H. R. 7412. George W. Sanders.
H. R. 7429. Charles H. Birley.
H. R. 7430. William A. Ellis.
H. R. 8126. Sommers J. Love.
H. R. 8127. Franklin C. Weaver.
H. R. 8316. Charles A. Walters.
H. R 8535. Charles F. Burton.
H. R. 8536. Clyde A. Klinger.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Fred Tish, late of Company F, Seventh Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James O. Carroll, late of Company K, Second Regiment Arkansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William H. Hopkins, late of Troop E, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Isaac Daniel Gibson, late of Troop C, Sixth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of William Hopkins, late of Company F, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of J. William Lambright, late of Troop H, First Regiment Ohio Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Pickens C. Cullum, late of Company I, Third Regiment Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Elizabeth A. Kells, dependent mother of Ralph W. Kells, alias Robert W. Kells, late of Company L, First Regiment Nebraska Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Grant Barnett, late of United States Military Academy detachment of Cavalry, and Troop B, Ninth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Joseph Smolen, late of Battery F, Third Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Leo Tucker, late of Company M, Sixth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Peter Kanuk, late of Battery M, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William B. Smith, late of Company G, Third Regiment Georgia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Jessie G. Frier, late of Company L, First Regiment Florida Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

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The name of Michael P. Connaughton, late of Company E, Sixth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George W. Sanders, late of Company E, Third Regiment, and Twenty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Charles H. Birley, late of Company I, Sixth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of William A. Ellis, late of Company G, Fifth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Sommers J. Love, late of the Seventh and Ninth Companies of the United States Volunteer Signal Corps, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Franklin C. Weaver, late of Company B, Tenth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles A. Walters, late of Company G, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Charles F. Burton, late of Company I, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Clyde A. Klinger, late of Battery L, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

Mr. WALSH. Mr. Speaker, I move to strike out the last word for the purpose of asking the chairman of the Committee on Pensions a question. Is it necessary before the Committee on Pensions will consider a claim for a pension under its jurisdiction that the claim should have been presented to the Pension Bureau and should have been rejected?

Mr. KEY of Ohio. Yes.

Mr. WALSH. The rule is the same then as with the Committee on Invalid Pensions?

Mr. WALSH. I can not presume to speak for the rules of the Committee on Invalid Pensions, but the Committee on Pensions has a rule that the claim must have been presented at the Bureau of Pensions and must have been rejected within a reasonable length of time—a year and a half or two years.

Mr. KEARNS. Mr. Speaker, I think that statement possibly is misleading. If the claim has ever been presented to the Pension Department and been rejected there because of no disability shown, then it is not necessary to present that claim at the Pension Department again, even if 15 years have elapsed.

Mr. KEY of Ohio. I had in mind and I took it for granted that the gentleman had in mind claims for increases.

Mr. KEARNS. If it is a claim for an increase, then it must have been heard within the last two years at the Pension Department.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KEY of Ohio, a motion to reconsider the vote by which the bill was passed was laid on the table.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9314, the Diplomatic and Consular appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Diplomatic and Consular appropriation bill, with Mr. HUMPHREYS in the chair.

The Clerk reported the bill by title.

Mr. FLOOD. Mr. Chairman, I will ask the gentleman from Wisconsin to use his time.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman, as one of the small number of Congressmen who went unofficially to the battle fronts in France and Belgium last fall, I am glad to make use of the few moments tendered to me by the gentleman from Wisconsin [Mr. COOPER] for the purpose of presenting a few statements as to the cost of the great war in men. Later, when the pressure of business on the floor and in the committee rooms is not so great I hope to secure time in which to make some general remarks as a result of my observations in England, France, and Belgium.

It will interest the Members to know that while our party was abroad we were informed that during the short period while Belgium checked and delayed the German invasion France raised and equipped an army of more than 7,000,000 men. Think of it! France had a population at that time of 39,000,000. She succeeded in placing 7,000,000 men under arms. Her total man power—that is, men between the ages of 18 and 45—at that time was 9,000,000. Seven men out of every nine in France took up arms during the first weeks of the war.

Since that fateful day in 1914, when the German Empire started to force the world to its belief that might makes right, France has added 2,000,000 men to her first stupendous enrollment, so that her total enlistments have been 9,000,000, or as many as her total man power—18 to 45—at the beginning. That means that France has placed in her armies almost every boy who has become of military age since the beginning of the war.

What is the enlisted strength of France now? Mr. Chairman and gentlemen, France now has, or rather had, at the end of three years' fighting, 6,000,000 men in her army. And that 6,000,000 represented 92.34 per cent of her present man power. Is not that a most astonishing statement? Of all the men available for war purposes in France at the present time, 92.34 per cent are with the colors. [Applause.]

France had lost in killed at the end of three years 1,580,000 men, or 17.56 per cent of her total enlistment. In permanently wounded, the French loss is given at 921,328, or 10.24 per cent of her total enlistment. Her captured or missing amounted, at about the 1st of last July, to 696,548, or 7.74 per cent. I doubt if the people of the United States, even with the knowledge that has come during the raising of our own great Army, can realize what France has done in putting men into her army or comprehend the losses which she sustained in checking the invading army of Germany, and which she finally turned back 20 miles from Paris.

Mr. Chairman, Gen. Joffre, after retreating slowly from the frontier, fighting all the way, told his men to stand and die at the Marne. His brave soldiers stood, but they did not all die. They turned the Battle of the Marne into a victory and forced the Germans to fall back. And when the Germans fell back there began the retreat of monarchies before democracies, which continues and shall continue until victory is ours. [Applause.]

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes; with pleasure.

Mr. LONGWORTH. The statement as the enormous percentage of men placed by France in her armies is most interesting. Has the gentleman similar figures with reference to Great Britain?

Mr. JOHNSON of Washington. Yes.

Mr. LONGWORTH. I would like to hear the comparison.

Mr. JOHNSON of Washington. I shall be glad to state the figures, but before doing so I think we should remind ourselves that Belgium and France were forced to do nearly all of the fighting the first year. Belgium stood against the invading hordes until she was well-nigh exhausted, reduced to a fighting force of little more than 160,000 men, and, mind you, Belgium had a population of 7,600,000 and fighting men in proportion.

Then France took up the great struggle, and in one year wrote the greatest page ever written in history. The Battle of the Marne will stand out as the great decisive battle of the world. [Applause.]

England sent to France as quickly as possible most of her regular army—an expeditionary force of 160,000 men—the "contemptible little army," as the German Emperor called it. That army was almost annihilated. It fought at Mons and at the first battle of the Ypres, and helped to roll the invaders back from the Marne. One division went into battle 12,000 strong, with 400 officers. It came out 3,000 strong, with 50 officers. By the end of November hardly a man of England's "old" army was left. But France was saved. England's expeditionary force played its part in checking the carefully prepared and long-premeditated invasion.

Now comes the winter of 1914 and spring of 1915; England's Army wiped out, Great Britain unprepared, just as the United States was unprepared last spring. France fought on almost alone that winter and nearly all that next year. The men of France died and, perishing, saved Europe.

As quickly as possible Great Britain raised a large army. The figures show that the man power of Great Britain at the beginning of the war—that is, men between the ages of 18 and 45—was 12,000,000. The present man power is 11,000,000. The total men enlisted by Great Britain are 6,000,000, according to calculations made about the 1st of last August; the present men enlisted, 5,000,000. The present enlistment percentage of present man power is 45.45 per cent. Those figures include Great Britain and not the colonies. When we come to the list of men killed the colonies are included. The number given killed for Great Britain and the colonies is 298,988; in round numbers, 300,000. That is a percentage of the total enlistment of 4.98; seriously wounded, 177,224, or 2.95 per cent; captured or missing, 184,452.

Let me clear up a misunderstanding which prevails concerning Great Britain and the colonies. How often do we hear it said throughout the United States that the British Empire has raised a great army, but that England has held back her troops and permitted the troops of Canada and Australia to do the fighting and the dying. Ah, gentlemen, the troops of the colonies have fought gallantly and died nobly, but have not been sacrificed out of proportion to the troops of the rest of the British Empire.

Our party of Congressmen abroad had the pleasure of hearing Mr. Lloyd-George in the House of Commons pay a tribute to the armies of the British Empire, and in the course of his remarks he said that of the great armies furnished by the British Empire England had contributed 75 per cent and England had sustained 75 per cent of the losses.

To make the words of that distinguished statesman quite clear in this country I think it well to say that when one says Great Britain one means the British Isles; when one says Scotland one means Scotland; when one says England he means England alone, not Scotland, Wales and Ireland; and when one says the Empire one means the British Isles, the dominions, Australia, New Zealand, South Africa, and all the possessions that go to make the entire British Empire. In passing let me state that Canada had contributed to August 1 last between 700,000 and 800,000 men to the Empire's force, or fully five times as many as the original expeditionary force sent from England to France.

What a treat it was to hear Great Britain's prime minister that day in his tribute. He said that since the beginning of the war 13,000,000 men of Britain and her allies had crossed and recrossed the seas and that the losses at sea had been only 3,500, with 2,700 of these alone due to action of the enemy. Great Britain has guarded well her transports. That statement is of particular interest to-day, when we have just learned of the torpedoing of the British ship *Tuscania*, with 2,100 brave American soldiers on board, all of whom, except 200, have been snatched from the sea by intrepid British destroyers. [Applause.]

Mr. Chairman, there sits in the gallery of this House to-day a visitor from the district I have the honor to represent. She is the mother of three boys who are with our armies. One was on the *Tuscania*. She has no news from him.

Her heartstrings are drawn tight. Her eyes are dry. She hopes he has been saved; but if he has gone to his long rest, she said to me that she would rather have him there at the bottom of the sea than alive and a slacker. Oh, gentlemen, with such mothers and such sons the United States can not fail to do its full part.

Mr. Chairman, some statistics are obtainable as to the man power and losses of Germany. At the beginning of the war the man power of Germany—men from 18 to 45—was 14,000,000; present man power, 9,400,000. Total men enlisted since the war began, 10,500,000; present enlistment, 7,000,000; present enlistment per cent of man power, 74.47; the number of men killed in the German armies amounted to 1,908,800 last July.

Mr. LONGWORTH. What was the last figure?

Mr. JOHNSON of Washington. The number of Germans killed up to about July 1, as best as can be computed, is given as 1,908,800.

Mr. LONGWORTH. That is about as much as Great Britain and France together?

Mr. JOHNSON of Washington. Just about. The figures show Germany to have lost about 30,000 more, on estimates to July 1, last year. Since August 1 the losses to all forces have been very heavy, but have not been reported except by Great Britain, which lost in killed, captured, and wounded 370,000 men in August, September, October, and November of last year.

Mr. FORDNEY. How many have the Germans lost in captured?

Mr. JOHNSON of Washington. Up to about July 1 last, captured, 704,000; seriously wounded, 958,000. Austria has had heavy losses also. That nation has enlisted 7,000,000 since the war began and now has 4,000,000 enlisted, or 35.87 per cent of her man power. She has lost in killed 849,000; seriously wounded, 540,673; captured or missing, 833,600.

Mr. Chairman, I have a statement of interest to make concerning the great number of men lost by France. I stated that the statistics show the French loss in dead alone to have been 1,580,000. Russia lost in dead alone 2,000,000. The combined losses in dead of all the armies, allies and enemies, are 6,829,576. So France and Russia have sustained more than one-half of all the losses in dead from three years of war.

Germany's greatest loss at one place was at Verdun. It is estimated that one-third of all her casualties occurred in and close around that great French fort. The party of Congressmen were privileged to visit that famous fort and the battle fields about it. We went down the slope on the far side of Verdun Hill, and as we were climbing the slope of Souville Hill, next beyond, the French general in charge stopped us, not far from the sky line, and said: "Gentlemen, this is as far as the Germans came in their tremendous assault on Verdun in February a year ago under the Crown Prince. If all those who fell dead in that terrible assault and all of those who perished in that magnificent defense were here now, dead on the ground, their bodies would be piled five deep on these slopes."

As he spoke, the general, with a wave of his arm, covered all of the ground within range of the eye. He said further: "The Germans are estimated to have lost 600,000 men in dead alone. The French lost in dead 400,000."

Gentleman, as we stood on those blood-soaked hills we were saddened beyond measure. We were not witnessing a battle, although the French were firing artillery shells over our heads, and from the other side of Souville Hill exploding shells were being sent our way. We were stunned at the statements of war's cost in human life. Two military cemeteries were there—one near the fort and one nearer the town. We were told that these cemeteries contained the bodies of 10,000 soldiers—all that could be found of that enormous number of dead. The rest, gentlemen, were shot away, either blown back to the elements by that tremendous fall of artillery shell or else lost under the scarred and pock-marked earth, which has been churned and turned over and over again to a depth in many places of 30 feet.

And yet, in spite of these tremendous figures which I have presented concerning loss of life, the actual death rate, as shown by the mortality records of the war, is not more than 45 per 1,000 per annum, or a loss of life of about 1 in 22 each year. The Committee on Public Information here in Washington recently gave out this statement:

Figures taken when the casualties were greatest in proportion to mobilized strength and combined with the highest proportion of deaths show losses to deaths from wounds and killed in action to be approximately 11 in every 1,000 of mobilized strength.

Mr. Chairman, one can not learn of these losses without being brought to deep reflection. One can not learn of the sufferings endured by Belgium without being saddened for a lifetime. One can not traverse the devastated portion of France and ever

expect to have that dreadful picture effaced from his memory. Our soldiers can not go and see and come back the same. Those whom God permits to return will come back to us saddened, deeply religious, and sympathetic for humankind as never before.

When one sees the horror of it all one cries out in anguish. One asks, Why must it be? Is it worth all the sacrifice? Yes; worth all that has been made and all that must be made. Oh, my friends, but for the heroism of Belgium, but for the sacrifices of France, but for the British Navy and the determination of Great Britain, but for the new vigor of Italy, but for the will of the United States to take up the fight for democracy in its last stand Prussia would now be mistress of Europe and by this very day have been hurling her spears at this hemisphere.

As we were leaving the Continent an aid to the King of Belgium gave us a little dinner in a shell-wrecked hotel in a Flemish town, which was even then being bombarded. The aid to Albert of Belgium proposed a toast to the President of the United States and the King of Belgium. The response was made by Representative STEPHENS of Nebraska. He spoke for all of the members of our party, and I believe that he spoke for all of the people of the great United States when he said:

> Now that the United States has drawn its sword, may that sword never be sheathed until the rights of these wronged peoples be restored to them and democracy made safe throughout the world.

[Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I yield five minute to the gentleman from Pennsylvania [Mr. MCFADDEN].

Mr. MCFADDEN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MCFADDEN. Mr. Chairman, on Monday, February 4, the majority leader [Mr. KITCHIN] introduced in the House bill No. 9499, which is a bill prepared by the Secretary of the Treasury, to provide further for the national security and defense and for the purpose of assisting in the progress of the war and to provide credits, and so forth. Mr. Chairman, this bill was referred to the Ways and Means Committee of the House. It seems to me that this bill was referred to that committee in error. The bill is purely a banking proposition, and, in the opinion of many Members of the House, it should have been referred to the Banking and Currency Committee. The only claim that could possibly be put forward that this bill should be referred to the Committee on Ways and Means is that it carries with it some revenue legislation. I have carefully perused the bill and I fail to find wherein there is any revenue legislation in it. But in section 2 it says this:

> The capital stock of the corporation shall be $500,000,000, all of which shall be subscribed by the United States of America.

Mr. Chairman, I want to introduce a protest here against the reference of this bill. It would seem perhaps as if the Secretary of the Treasury, fearing opposition to this bill, saw fit to have it referred to the Ways and Means Committee. If the Secretary of the Treasury did that thing, and had that influence over the reference of a bill in the House, I think such action is subject to criticism.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MCFADDEN. I will yield for a question.

Mr. MOORE of Pennsylvania. Does the gentleman think taking $500,000,000 out of the Treasury of the United States is a revenue proposition?

Mr. MCFADDEN. It is an appropriation, not a revenue matter.

Mr. MOORE of Pennsylvania. May I ask the gentleman whether he has any reason to believe that the Committee on Banking and Currency, or a majority of the members thereof, were in any way unfriendly to this proposition of the Secretary of the Treasury?

Mr. MCFADDEN. Well, it has been stated that perhaps there might be some opposition.

Mr. MOORE of Pennsylvania. Well, it has been observed that there will be some opposition to this measure. That has been publicly stated and some newspapers are editorially opposing it now, which, of course, have an influence when the time comes; but is there any reason to believe that a measure of this importance would not have been kindly received by the Committeee on Banking and Currency?

Mr. MCFADDEN. None whatever. I believe that that committee is the proper committee and to it this banking legislation should be referred. Now, I do not care to yield further, I have only a few moments.

Mr. MADDEN. I would like to ask one question. Will the gentleman kindly yield to me?

Mr. MCFADDEN. I will.

Mr. MADDEN. Does this corporation under the act, and the way in which it is to be organized, have the power to issue $4,000,000,000 of notes?

Mr. MCFADDEN. It would.

Mr. MADDEN. Which would be a charge on whom?

Mr. MCFADDEN. On the people of the United States.

Mr. MADDEN. Would it inflate currency to that extent?

Mr. MCFADDEN. It certainly would.

Mr. Chairman, I desire to point out that if the business enterprises of this country are in need of additional fixed capital, which they can not now procure because of the fact that the United States is monopolizing the entire money market, that if because of this reason the usual channels are closed and these industries are necessary to win the war and the United States wants to help finance their legitimate needs that it should be done by direct loan to such extent as the Congress of the United States may deem necessary, in the same way that we are financing our allies now. But to create an institution that will have the power to issue its notes to the extent of $4,000,000,000, such notes to be made for a period of from one to five years, and gives the privilege of rediscount by the Federal Reserve System, and thus through this process permit the issuance of Federal reserve notes which circulate as money, is nothing but the worst kind of inflation and will lead to ultimate disaster and ruin. If these needs which this bill aims to cover are for capital requirement, they should be restricted to capital, and no increase of credit facilities should be permitted which will provide so much inflation. Capital or credit used for the purpose of permanent investment, consumption, or waste, always has and always will lead to inflation, but used for the production of useful and necessary commodities will have precisely the opposite effect.

Please bear in mind that it is the use to which credit is placed that counts. The banker who lends his borrowed capital for the purchase of a permanent investment not only causes inflation but he also weakens the entire credit system, and if such unsound banking practice as is provided for in this bill be carried on extensively by the banking institutions of the country it is bound to result in the breaking down of our credit system, so also if a banker sells credit for the purchase of something to eat, something to wear, or something to have pleasure with, the result will be the same. That is consumptive credit, and it is something that is practically prohibited in Europe to-day.

The strength of the Federal Reserve System to-day is brought about mainly by the fact that its assets are liquid; that is to say, the bank confines its investments exclusively to short-time investments—15, 30, 60, and 90 day paper—and in some instances a small amount of paper on six months' time and acceptances. Now, the provision in this bill would permit these 12 Federal reserve banks to take directly and indirectly notes of this war finance corporation drawn on a much longer time, namely, one to five years. If the entire $4,000,000,000 worth of this paper were to be placed with our Federal Reserve System, and I believe this would be the ultimate result, to that extent the liquid assets of the Federal reserve banking system would be tied up in a slow investment which would represent fixed capital and is directly contrary to the whole principle of the Federal Reserve System.

The Federal Reserve System provides ample relief for just such emergencies as the present. Through the rediscount privileges—and I would now emphasize the fact that merchandise in its passage from its point of production to its point of consumption may be drawn against by successive holders in good faith, and each transfer may be made the basis upon which discount may be obtained through our present system. I therefore argue that through this source ample currency can be solely issued and no inflation will ensue. If the industries are in need of $4,500,000,000 at this time, it will be better that the Congress vote it direct and forbid the rediscount of notes issued for capital purposes, such as these notes certainly would be.

I would suggest that if the administration believes that inflation of this character is necessary to finance the war, that the more direct way would be to issue United States notes direct. Why attempt to deceive ourselves. This bill is just as wild a scheme as the issuance of United States notes would be.

Mr. FLOOD. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HUDDLESTON. I yield back the time to the gentleman from Virginia.

Mr. FLOOD. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. RAINEY]

THE SOUTH DAKOTA SOCIALISTS AND THE CITY OF MITCHELL.

Mr. RAINEY. Mr. Chairman, on Friday of last week, at the demand of the national secretary of the Socialist Party, the gentleman from New York [Mr. LONDON] proceeded to read into the RECORD a story of the alleged breaking up of a State Socialist convention in South Dakota and the violent deportation of one of its delegates from the city of Mitchell, where the convention was held. The national secretary requested the gentleman from New York, and he read his request into the RECORD, to denounce, to "unmask the capitalist anarchists who are parading under the mantle of democracy," and to do it here in the Congress of the United States. The gentleman from New York proceeded then to do it by reading into the RECORD the statement of W. C. Rempfer, the deported delegate, and then continued, in obedience to the command of the national secretary, to denounce the alleged breaking up of this convention as a "dastardly act," as the "act of scoundrels," and then referred to "ignorant merchants and their clerks" who assume to act as censors and direct the breaking up of Socialist conventions.

I am not informed as well as some Members of this body as to the status of affairs in the great State of South Dakota, and I waited all day for some better informed Member of this body to explain on this floor the Mitchell incident and to defend the officials of that city and its citizens against the charges hurled against them from this high place. But no defense came. The next morning I myself wired the mayor of the city of Mitchell and asked him for the facts with reference to this occurrence. And I have received from him a letter which ought to be read into this RECORD, and I will proceed now rapidly to read it. It is as follows:

CITY OF MITCHELL, S. DAK., *February 2, 1918.*

Hon. HENRY T. RAINEY, M. C.,
Washington.

DEAR SIR: Your telegram dated February 2, 1918, received. I am sending to-night copies of our local papers and one paper from Rempfer's home town. These papers are in two bundles.

I was in Sioux Falls, attending a State council of defense meeting, on date of Rempfer incident in Mitchell. My chief of police telephoned to me that W. C. Rempfer was to talk in Mitchell in the morning of the 23d. I instructed the chief not to allow Mr. Rempfer to talk in Mitchell; not only to refuse him the use of the city hall for that purpose, but not to allow him to talk anywhere in the city. Mr. Rempfer was refused the privilege of speaking in Sioux Falls a few weeks prior to the occasion of his attempt to do so in Mitchell.

Gov. Norbeck of South Dakota had given instructions to not allow him to speak, on account of his unpatriotic utterances, anywhere in the State.

Mr. Rempfer chose a time for his Mitchell visit when the State council of defense meeting had been announced for Sioux Falls, and when he knew that the mayors of the cities of the State, chiefs of police, sheriffs, and other peace officers would be away from their respective places of duty to attend the council of defense meeting.

There was not one person who knew that there was to be a State Socialist meeting held in Mitchell. Not one paper published the call for such a meeting in our city. In my opinion it was to have been a Rempfer meeting, pure and simple. Should you desire information as to my personal responsibility for the foregoing statements, I respectfully refer you to Congressman CHARLES H. DILLON and United States Senator EDWIN S. JOHNSON, of South Dakota.

Thanking you for your inquiry, I remain,
Yours, very respectfully,

J. E. WELLS, *Mayor.*

From an examination of papers published in South Dakota, some of which were sent to me and some of which I obtained from the files of the Congressional Library, I find that this alleged Socialist convention did meet in the city of Mitchell on the afternoon of the 22d day of January and transacted its business. Mr. D. C. Bond, who was nominated at the convention as the Socialist candidate for Member of Congress from the first district, announced that a complete ticket was selected and that a platform was adopted. The next morning there came the order from the mayor of the city to prevent Mr. Rempfer from speaking, and the next morning, the morning of the 23d, the doors of the municipal hall were locked. Twelve or thirteen Socialists climbed over the transoms and opened the doors. When that happened the chief of police requested Mr. Bond to come down stairs and advised him as to the order he had received from the mayor and told him that the meeting could not go on with Mr. Rempfer as the speaker. The convention had finished its work; there remained nothing to do except to listen to the speech of a Socialist who had proven his disloyalty in the State of South Dakota. The Socialists then quietly left the hall. There was no lawless mob as the national secretary charges.

Mr. Rempfer was requested by the authorities to leave town, and he started for the train and got on the train, but as it started he got off and defiantly came back to town again, denouncing what he claimed to be an outrage against the Socialist convention and against free speech. At this time five gentlemen—their names are known to Mr. Rempfer—drove up in an automobile, put him in the automobile quietly and without the use of force, and took him 5 miles out of town and stopped in the road and said, "The road is good from here on to Ethan, 8 miles away. You walk the rest of the way and never come back to Mitchell." And he did. [Applause.] From Ethan he comfortably rode in an automobile the rest of the way to Parkston, where he lives, and there he loudly complained of his treatment, to such an extent that his bank—he seems to be a banker and a lawyer—the next morning was painted yellow by his fellow citizens of Parkston. The next afternoon on a train going through South Dakota there were 89 passengers who voted on the proposition as to whether or not it was wrong to take him out of Mitchell, and of that 89, 73 voted that it was right.

Now, I want to read from the platform adopted on this occasion by this alleged Socialist convention. After putting in the usual planks, to which no political party in any Republic in the world was ever opposed, the planks with which Socialists camouflage the real things for which they stand, they conclude as follows:

The foregoing are merely our immediate demands. They are only a beginning of our aims and missions. The overthrow of the present industrial system is what we stand for.

Now, the little amenities, the tolerance, extended in times of peace to the disturbers of the peace and to disloyal elements—and in this country the Socialists are a disloyal element—no longer prevail in time of war. There will be no more socialistic speeches made upon this floor that do not receive the reply they ought to receive here in this place. [Applause.]

This Mitchell convention, this platform, does not disavow the principles announced in the St. Louis platform of last April, upon which all the Socialists of the United States stand, except those who have been good enough Americans to repudiate it, a platform which denounces our entry into this war as a crime against this Nation and a crime against all the nations, a platform which discourses upon the exploitation of socialism in the United States, and then announces that Socialists will never take up arms except against their own exploitation. The most disloyal utterances that ever came from any political party in the United States are contained in the platform of the St. Louis convention of last April, and upon that platform they all stand. I have not heard my friend, the gentleman from New York [Mr. LONDON], disavow here or anywhere else the principles of the St. Louis platform. John E. Spargo, of Vermont, the greatest of all the American socialistic writers, is too good an American to be longer an American Socialist and to stand upon that platform, and he has withdrawn from the Socialist Party. [Applause.] The Socialist mayor of the city of Milwaukee is too good an American to be longer an American Socialist, and he has withdrawn from the Socialist Party and disavowed the St. Louis platform. [Applause.] Clarence Darrow, of Illinois, brilliant orator and great lawyer, is too good an American to stand on this Socialist platform. He is supporting the administration and supporting this war. [Applause.]

I have heard no disavowal from the gentleman, who represents all the Socialists in the United States in this body, of the principles of the St. Louis convention; not one. It is not sufficient to say that that platform was adopted in the heat of passion and that it was ill considered. Such a declaration as the St. Louis declaration, especially on the part of Socialists who desire longer to pose as loyal American citizens, must be denounced, and denounced in no sparing terms.

We have had on this floor in the immediate past a situation of legislative sabotage extending over an entire week of time. During that period of time the gentleman who represents here all the Socialists in this country indulged in a demand for roll calls, consuming one-sixth of the hours occupied in the legislative work of the sessions of that week in a useless calling of the rolls. Why, on Tuesday, the 22d day of January, the very day this alleged convention met up there in South Dakota, he called the roll on the question of going into the Committee of the Whole on the Agricultural bill. It took nearly an hour to do it. There were 344 yeas. Nobody was against it, and he knew that nobody was against it, and he voted for it himself. Now, if that is not legislative sabotage, if this is not the methods of the Industrial Workers of the World and of the Socialists injected into this body, I do not know what it is. [Applause.]

Not long before that he proposed to go into the districts of Members of Congress who refused to vote in time of war as they had voted in times of peace, to resign his position and show them up in their own districts; direct action this is—the direct action which the Industrial Workers of the World stand for, when they throw pieces of steel into the machinery of expensive sawmills in the forests of the Northwest. [Applause.]

On the day this alleged Socialist State convention for South Dakota convened, without public announcement, in the thriving, prosperous city of Mitchell, the State Council of Defense for South Dakota, presided over by the governor of South Dakota, convened in Sioux Falls. In order to indicate some of the problems with which the loyal citizenship of South Dakota and the peace officers have to contend in the present emergency I read from an address of Col. E. B. Harkins, of Aberdeen, S. Dak., at this meeting, as reported in the Daily Argus-Leader, of Sioux Falls, S. Dak.:

Many people through the State have no conception of the I. W. W. plots. We were called to trace them through the jungles of their eastern lairs. We found letters which were sent to the fire gang around the country, giving complete instructions how to use the phosphorus and linseed oil. Berg, the Aberdeen secretary of the I. W. W., was trailed. Packages of phosphorus were sent through the mails, the covers removed at Aberdeen, remailed there to Aberdeen. One package broke and the secret was out. Cyanide of potassium, enough to kill hundreds, was found.

GERMAN PROPAGANDA.

But it is the German-language newspapers that need our attention. Two editors were seized by the Government in Aberdeen Saturday. They had been sending over $30,000 to Germany through Bernstorff, and we have the latter's signed acknowledgment. We found two letters ready to mail in their office with $500 each for Germany. We do not know what it was for or where it came from, but we do know they did not give to the liberty loans, and they only gave $1 to the American Red Cross. In the office was a wrapped up American flag, hidden in a corner. In the home of one editor a picture of Bismarck, a picture of the Kaiser, and German dum-dum bullets were found. From the finger of the assistant editor of the paper the Government agents took a silver ring with the German cross on it and this inscription in German, "I give gold for this cross to show my loyalty to the fatherland." But did they give any gold for our country? I want to see the resolutions committee to-day take steps to have Congress suppress the German-language newspapers, and I do hope that not another one can be published in South Dakota—at least not another issue of the Deutsches Frei Presse.

I might in this connection call attention to the fact that Mr. Rempfer is regarded in South Dakota as being a leader among the Russian-Germans of Hutchinson County, in that State, who have been hindering the operation of the selective-draft law, and some of them, on account of their disloyal conduct and the bad advice they have been receiving, are at present serving prison terms, having been convicted in the courts of South Dakota for grave offenses.

The mayor of Mitchell and the peace officers of Mitchell have clearly discharged their duty and have executed the orders of the governor of South Dakota, evidently most wisely issued. I do not propose that they shall be called capitalist anarchists by the national secretary of the Socialist Party without some defense on this floor, and I deny that any convention in South Dakota has been broken up by a lawless mob. I never saw the mayor of Mitchell, S. Dak.; I do not know the peace officers of that city; I have no personal acquaintance with a single citizen of Mitchell; but I do know they are not scoundrels, as they have been denominated by the gentleman from New York on this floor, who claims to represent all the Socialists in the United States. I am speaking for the purpose of repudiating and characterizing as outrageous the terms applied to them on this floor by the gentleman from New York. They are not "ignorant merchants." The citizens of Mitchell, S. Dak., are loyal, patriotic, law-abiding citizens of a typically prosperous South Dakota city.

Not many years have elapsed since South Dakota was a border State, infested as border States were by a lawless element, and in those early days it became necessary sometimes to resort to strenuous methods in order to protect the lives and the property of the honest men who lived there; and during the period of this awful war we will find the communities of South Dakota ready to vigorously uphold the high ideals of American citizenship for which they stand, ready always to defend the flag, and I am not going to outrage them if they spew out from their midst disloyal elements.

Mr. Rempfer knows the names of the gentlemen, or can easily find out who they were, who saved him a part of his car fare on his journey back to Parkston. He has his recourse in the courts, but if I am able to judge aright, the sentiment in South Dakota toward him and toward other like disturbers, as expressed in the South Dakota newspapers, he will be amazed at the small size of the verdict he will be able to recover. He has not been injured by the people of Mitchell, S. Dak; his property interests are not there; but the people of that loyal South Dakota city do not propose to permit him, or men like him, to flaunt their disloyalty in the halls or in the streets of that beautiful city, and I do not blame them for feeling that way about it. If Mr. Rempfer and others representing the Socialist-Bolsheviki-I. W. W. element in South Dakota refuse to obey the requests of the police to "move on," there will always be found, I am sure, men of determination and courage who will see that the flag of this Republic is not defiled and trampled under foot in Mitchell, and what I have said of Mitchell will be true of every loyal community in this prosperous country of ours.

Sixty-six hours ago, as the sun went down, a great ship sailed into the waters of the Irish Sea, bearing on her decks 2,179 of the young men of America, and as the night closed in there came a shock which carried to all of them the news that a murderous projectile, fired by an unseen enemy, was plowing its deadly way through the very vitals of the ship.

From young officers there came the quick, sharp word of command which insured order, and on the decks of the slowly sinking ship the khaki-clad soldiers of the Republic quickly assembled, each man at his post of duty. In all human experience there is nothing so potent to chill the blood of brave men as a night alarm at sea, but these boys just out of the offices and factories and just from the farms of America stood like veterans on the deck as the great ship slowly sank. They could not fight back at an unseen, cowardly, treacherous enemy; but as the awful list to starboard commenced, while from high up on the upper deck there came the sharp crackle of the electric current which transmitted out over the waves the call for help, high above the crash of exploding boilers, above the crash of shattered lifeboats, above the noise of orders shouted through megaphones, above the shrieks of the dying, from 2,000 throats there rang out in grand swelling chorus through the winter night over the stormy sea, the national anthem of this great Republic—the defiance of the fighting men of America hurled at a cowardly foe. In that hour the iron entered their blood and they became—every one of them—grim, seasoned warriors, ready all of them to avenge the murder of the 44 boys who never had a chance to show how brave they were, and whose broken bodies on yesterday morning were washed up on the rockbound shores of the Irish sea.

We know now that our boys can stand shoulder to shoulder with the veteran warriors of Europe, doing their part in the battle for democracy. Whenever, over the ruined villages of northern France, the sun rises to kiss the flag of this great Republic, it will shine down upon the only army of a million men and more who have sailed across 3,000 miles of ocean to engage in a war not for conquest but a war for the rights of men.

It becomes the duty of those of us who are too old, and of those of our citizens who are too young to go to the trenches of France, to uphold here at home the traditions and the institutions for which our young men are ready to sacrifice their lives in this awful war, and the patriotic city of Mitchell, in the great State of South Dakota, will at all times when the boys are gone be able to discharge its full duty in the emergencies of this struggle.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FLOOD. Mr. Chairman, I yield to the gentleman from Texas [Mr. JONES].

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FLOOD. I yield 10 minutes to the gentleman from New York [Mr. LONDON].

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. LONDON. Mr. Chairman, I am not going to make any attempt to analyze the Socialist program within these 10 minutes. There is entirely too much misunderstanding, too much prejudice, too much ignorance on the subject to be dispelled even by a man of my brilliance within the limit of 10 minutes. [Laughter.] I shall therefore on some future occasion during the general debate ask for an hour in which to discuss the fundamental principles of the Socialist philosophy. What I would like to say to the gentleman from Illinois [Mr. RAINEY] is this: I shall be happy to hear every Socialist speech that I may attempt to deliver replied to; but I ask one thing, and that is that a man who replies to it must know something about the subject.

Mr. RAINEY. I shall be glad to attempt to reply to any speech the gentleman makes.

Mr. LONDON. The gentleman started out his defense of the South Dakota disturbers of the peace by convicting that petty little mayor of Mitchell, S. Dak., out of the mayor's own mouth. The gentleman stated he was not familiar with the subject. The fact that he was not familiar with a subject did not evidently prevent him from discussing it. He has attempted

to discuss socialism. I am willing, for my part, to spend an hour each day in the next year in undertaking to teach him the principles of socialism. I expect to be able to convince him that the history of his own country, of the liberty-loving American people, teaches the unvariable lesson that only a country in which every man has an opportunity to live a full and free life, the life of a free man, is a genuine democracy.

And it will not take him long to discover that political democracy is worthless unless it strives toward industrial democracy. Industrial democracy is coming. Mightier men than the gentleman from Illinois will be incapable of successfully resisting that wave. The gentleman recites a plank from the platform of the South Dakota Socialists which speaks about overthrowing the industrial system. Of course, they advocate the overthrow of the industrial system, but how? Through legislation, through political education, through enlightening the masses. And that is the fundamental difference between a Socialist and an anarchist.

The man who breaks up peaceful meetings, the man who abuses his authority as a public official to prevent an American from speaking is an anarchist and a violator of the law.

Against that little mayor and his defender, the gentleman from Illinois, who did not have a word of disapproval of mob rule, I ask you to hear what President Wilson has to say. I read from a speech delivered by President Wilson before the convention of the American Federation of Labor at Buffalo in November, 1917. This is what he says about mob rule. Here is what President Wilson said:

I have been very much distressed, my fellow citizens, by some of the things that have happened recently. The mob spirit is displaying itself here and there in this country. I have no sympathy with what some men are saying, but I have no sympathy with the men who take their punishment into their own hands, and I want to say to every man who does join such a mob that I do not recognize him as worthy of the free institutions of the United States.

Those are the words of the President of the United States, to whom the world listens to to-day. But the gentleman from Illinois rejects the counsel of the President and takes for his authority the mayor of Mitchell, S. Dak.

The President, continuing, says:

So I want to utter my earnest protest against any manifestation of the spirit of lawlessness anywhere or in any cause.

Why, gentlemen, look what it means. We claim to be the greatest democratic people in the world and democracy means, first of all, that we can govern ourselves. If our men have not self-control, then they are not capable of that great thing which we call democratic government. A man who takes the law into his own hands is not the right man to cooperate in any formation or development of law and institutions, and some of the processes by which the struggle between capital and labor is carried on are processes that come very near to taking the law into your own hands.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. MADDEN. Does the gentleman read that language to mean a statement by the President of the United States that he objects to the enforcement of law by the law officer of any community in this country?

Mr. LONDON. I take it that the President means to say that the conduct of any man who abuses the law is reprehensible, that an officer who is the trustee of the law, and an executive officer of our administrative branch of the Government, should be the last person in the world to violate the law; and I submit it to be an elementary proposition that to prevent a person from speaking because he offended at some time in the past is wrong. The law provides a penalty for each offense. We have no right to assume that a person will keep on violating the law, and on that assumption prevent him from speaking.

Mr. MADDEN. Does the gentleman yield?

Mr. LONDON. Yes.

Mr. MADDEN. Does the gentleman adhere to the principles enunciated in the Socialist convention at St. Louis?

Mr. LONDON. I said to the gentleman that I will not attempt in 10 minutes to make clear my interpretation of the Socialistic attitude.

Mr. MADDEN. Then the gentleman does not deny his adherence to the policy laid down?

Mr. LONDON. I do not know how the gentleman from Illinois understands it. I shall make clear what I understand to be the proper attitude of the Socialist movement in this great crisis of the war. I am not bound to take either the reasoning or the language of the gentleman from Illinois.

Mr. MADDEN. I only asked the gentleman whether he believes in the policy laid down in the platform of the Socialistic Party in its convention at St. Louis. The answer to that is a very simple one.

Mr. LONDON. I will take an hour for the purpose of explaining the Socialist attitude on the war as soon as I get a chance, and the gentleman can not get me to attempt to enlighten him in two minutes on a subject that should take an hour.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. HAMLIN having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had, on February 8, 1918, approved and signed joint resolution and bill of the following titles:

H. J. Res. 174. Joint resolution for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the "Garabed," claiming to make possible the utilization of free energy; and

H. R. 195. An act providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The committee resumed its session.

Mr. MADDEN. The gentleman refuses to deny his participation in the principles laid down?

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired, and the Clerk will read the bill for amendment.

The Clerk read as follows:

For secretaries in the Diplomatic Service, as provided in the act of February 5, 1915, entitled, "An act for the improvement of the foreign service," as amended by the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1917, approved July 1, 1916, to be immediately available, $339,355: *Provided*, That not more than $45,105 of said amount shall be used during the fiscal year ending June 30, 1918: *And provided further*, That secretaries in the Diplomatic Service shall hereafter be graded and classified as follows:

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph, and before presenting it I wish to make an inquiry whether in the consideration of this bill, and particularly of this paragraph and every one of the following items after line 15 down to line 2, page 4, they are to be considered as separate paragraphs?

The CHAIRMAN. The bill is a general appropriation bill, and will be considered by paragraphs.

Mr. STAFFORD. The Chair will notice that the following lines after the paragraph just read relate entirely to the matter affected by the paragraph under consideration. Of course, we can have the whole matter considered as one paragraph, or each line separately.

Mr. FLOOD. Let us have it considered all as one paragraph.

Mr. STAFFORD. Then, Mr. Chairman, I ask unanimous consent that the bill, beginning with line 4, on page 3, down to and including line 2, on page 4, be considered as one paragraph.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the bill, beginning with line 4, on page 3, down to and including line 2, on page 4, be considered as one paragraph. Is there objection?

There was no objection.

The Clerk read as follows:

Secretary of class 1, $3,500;
Secretary of class 2, $3,125;
Secretary of class 3, $2,500;
Secretary of class 4, $2,000;
Secretary-interpreter of embassy to Japan, $3,600;
Secretary-interpreter of embassy to Turkey, $3,600;
Secretary-interpreter of legation to China, $3,600;
Assistant secretary-interpreter to the legation to China, to be appointed from the corps of student interpreters, $2,000;
Assistant secretary-interpreter to the embassy to Japan, to be appointed from the corps of student interpreters, $2,000;
Assistant secretary-interpreter to the embassy to Turkey, to be appointed from the corps of student interpreters, $2,000;

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph just read. We have here an attempt upon the part of the committee to increase the salaries of the secretaries in the Diplomatic Service over that provided in the act of 1905 to the amount of $500 each for each respective class. Under that act the secretaries were divided into five classes ranging in salaries from $1,200 to $1,500 to $2,000 to $2,625 and $3,000. It is now proposed to drop the $1,200 class as the initial class, which has already been done in practice, and also to drop the second class of $1,500, and make the initial class $2,000. This increase by the committee has a more far-reaching effect than merely on the Diplomatic Service. It affects the policy of the Government as to whether this Congress should increase the salaries of the higher-priced officials to the extent of $500, and not only $500 from the beginning of the fiscal year, but as this bill provides, which is something unusual in the history of legis-

lation on appropriation bills, that the increases shall take effect immediately upon the passage of the bill. I know of no instance in legislative enactment where we have provided for an increase in salary in an appropriation bill where the salaries are to become immediately effective and not at the beginning of the fiscal year to which the bill relates.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes; I yield to the gentleman from Iowa.

Mr. TOWNER. Is it not true this makes it permanent law?

Mr. STAFFORD. That is the purpose.

Mr. TOWNER. Because the provision is "hereafter."

Mr. STAFFORD. That is the purpose. It was a change of classification of secretaries which was established in the act of 1905 after full consideration by this House, and changing it in a most decided manner, not only by establishing the lower classes as I have indicated but making the initial salaries of $1,200 and $1,500, $2,000, and increasing all the subsequent grades $500. And more. It also provides for the creation of secretary interpreters at certain embassies, namely Japan, Turkey, and China, officers who are not now in existence, and they were to have a salary of $3,600. It also provides for assistant secretary interpreters at different embassies to receive $2,000 compensation, which positions are not created to-day.

Mr. FLOOD. Oh, yes.

Mr. STAFFORD. Did I understand the gentleman to make a remark?

Mr. FLOOD. Those are in the law now.

Mr. STAFFORD. I beg the gentleman's pardon; I may be in error as to their not being in the law as far as assistant interpreters are concerned.

Mr. MILLER of Minnesota. The name has been changed slightly so as to make it conform to the exact service, but there are no new places created or increases of salaries.

Mr. STAFFORD. There are increases of salary in the classification——

Mr. MILLER of Minnesota. Certainly, the gentleman is correct in that; but the gentleman was speaking about the secretary-interpreters to these various legations.

Mr. FLOOD. Mr. Chairman, this section is undoubtedly subject to the point of order, if the point is made against it. It is the enactment of a law. Under the act of 1915, not the act of 1905, as my friend from Wisconsin [Mr. STAFFORD] thought, the secretaries in embassies and legations were classified. There were five classes—1, 2, 3, 4, and 5.

Mr. STAFFORD. It is stated right here in the bill that it is the act of 1915, and it was merely an inadvertence on my part in describing it as being 1905. It only strengthens my position, because it is much more recent than I stated on the floor.

Mr. FLOOD. The first class get $3,000, the second class $2,670, the third class $2,000, the fourth class $1,500, and the fifth class $1,200. As the gentleman stated, it is a fact that the fifth class has not been utilized by the State Department for the past year or more. This recommendation for an increase was made on account of the extraordinary high cost of living in the countries to which these men are accredited. The gentleman can readily understand that the cost of living all over the world has gone up enormously since 1915. This enactment reclassifies the secretaries, abolishing the fifth class, and makes four classes, increasing each class $500 a year.

Mr. COX. Will the gentleman yield?

Mr. FLOOD. Yes, sir.

Mr. COX. The gentleman says this increase is designed to meet the increased cost of living. Are not these secretaries entitled to a part of the post fund that Congress appropriated last year to help them out?

Mr. FLOOD. They are entitled to it, and most of them get it. Those in belligerent countries and countries contiguous to belligerent countries get it now. The purpose of this is to permit the State Department to give it to all.

Mr. COX. We have no secretaries in belligerent countries, have we?

Mr. FLOOD. Neutral countries contiguous to belligerent countries, and this bill proposes to allow the State Department to make allowance to the secretaries——

Mr. COX. A minute more——

Mr. FLOOD. I want to say to the gentleman they did not think that was sufficient to meet the extraordinary cost of living at those places.

Mr. COX. The secretaries of class 1 last year received a salary of $3,000. This year you propose to give a salary of $3,500——

Mr. FLOOD. Yes.

Mr. COX. Can the gentleman give the committee how much of the post fund was paid?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I believe I yielded the floor and the gentleman from Virginia has taken the floor. I did not make any claim to the floor.

The CHAIRMAN. The gentleman reserved the point of order.

Mr. COX. How many of this class 1 got a part of the post fund last year, and how much did they get out of it? Does the gentleman know?

Mr. FLOOD. I do not know how many, because when you come down to consider the fact there are not a great many countries in the world, except in South America, that are not contiguous, and even some of those are contiguous, to some belligerent country. I suspect a larger portion of them got some of it.

Mr. COX. Does the gentleman know how much allowance was made to each of them?

Mr. FLOOD. It depends upon the increased cost of living at the particular places. At Paris I think they got about 50 per cent of their salary.

Mr. COX. Is there any system of making these allowances based upon their salaries, or anything like that?

Mr. FLOOD. An investigation was made as to the per cent of the increased cost of living, and when that was ascertained, then that per cent of their salary was added from the post fund.

Mr. COX. That investigation, I presume, was made by our consul or ambassador?

Mr. FLOOD. Made by our State Department, and they acted, of course, upon information received from the ambassadors and ministers.

Mr. COX. Was the allotment then made by the State Department or by our foreign representatives abroad?

Mr. FLOOD. The allotment is made by the State Department. The information that the department had came, of course, from our representatives abroad; that is, the information as to the increased cost of living.

Mr. COX. Last year, if I recollect, this committee appropriated or recommended, and it finally became a law, a lump sum of something like $400,000 for this purpose?

Mr. FLOOD. Three hundred thousand dollars.

Mr. COX. Was all that sum used up?

Mr. FLOOD. Oh, yes.

Mr. COX. Now, then, the committee proposes to recommend something like $800,000?

Mr. FLOOD. Eight hundred thousand dollars; yes.

Mr. COX. I want to ask the gentleman if he does not feel that it would be fair to let these salaries alone and give these clerks the benefit of this post-allowance fund, so as to enable them to live there? In other words, not increase their salary, but give them a chance to live out of this post fund?

Mr. FLOOD. I will say frankly to the gentleman that my view of the increase of salaries—and I am giving my individual view, because my view did not agree with the majority of the committee—my view was that no salary ought to be increased during the war. I recognize, as every Member of this House must recognize, that something ought to be done for the gentlemen occupying these positions, owing to the increased cost of living, and that that should come out of the post-allowance fund, and when the war was over then we could take into consideration the question of these salaries on the broad ground as to whether they should be permanently increased or not. That was my individual view.

Mr. COX. Does the gentleman feel that his committee has been liberal in making a sufficient allowance in the post fund?

Mr. FLOOD. I think we made what was a sufficient post-allowance fund.

Mr. COX. Have you allowed substantially what the State Department recommended for you to allow?

Mr. FLOOD. I think so; yes. The recommendation from the State Department was that these salaries in class 1 should be increased to $5,000 a year. That matter was very thoroughly discussed by the Committee on Foreign Affairs, and they reached the conclusion it was too much, but that there ought to be some increase, and they voted to increase to $3,500.

Mr. COX. It strikes me, Mr. Chairman—and I do not want to do anything wrong here, and do not know anything about it except the report of the committee—that the chairman's position is well taken and that these salaries ought not to be increased while this war is going on. I am willing to vote, so far as I am personally concerned, any reasonable post fund that will take care of those people over there in order to meet these unusual conditions, but I am not in favor of increasing the salaries where they are now being paid $3,000 a year and up.

Mr. FLOOD. I assume from what the gentleman says that he or the gentleman from Wisconsin [Mr. STAFFORD] would want to make a point of order in reference to these salaries? Let me make this statement.

Mr. MILLER of Minnesota. Mr. Chairman——

Mr. FLOOD. Let me make this statement, and then I will yield to the gentleman from Minnesota.

In addition to the increased salaries in this item there is an amount of money carried for the purpose of adding 25 new secretaries, and something, I think, was said by the gentleman from Wisconsin about it being immediately available.

Mr. STAFFORD. Will the gentleman permit?

Mr. FLOOD. Yes.

Mr. STAFFORD. The report of the committee shows that the amount appropriated by the committee takes care of these increased salaries from the very time that bill becomes a law. It never has been done before.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that I may be allowed to proceed for five minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that he may be allowed to proceed for five minutes more. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Chairman, this item also carries a provision for increasing the number of secretaries by 25 and an appropriation to pay their salaries from the time this bill becomes a law to the 1st of July, and then for the next year. And I trust that that part of the section will not be objected to.

Mr. STAFFORD. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. STAFFORD. There is no disposition on the part of anyone here, I take it, to cripple in any way the State Department in meeting the present exigencies, but it is believed by some that it is not a good time to increase salaries of high-grade officals.

Mr. FLOOD. I must say that I can not take issue with the gentleman on that point.

Mr. SISSON. Mr. Chairman——

Mr. FLOOD. I yield to the gentleman from Mississippi.

Mr. SISSON. I will state that I am heartily in sympathy with the position the gentleman takes in the whole matter. In the consideration of the deficiency bill that is now before our committee, the Secretary of State and others came before us and made a complete statement as to the condition of the foreign service, and it was unquestionably true that in some sections of the world, and especially in South America, to my great surprise, the cost of living has gone up more enormously than perhaps anywhere else. And the subcommittee of the Committee on Appropriations, dealing with this in a deficiency bill, thought it wise to take care of it by increasing the post allowance, so that the increased cost of living might be taken care of as a matter of administration throughout the State Department, so at those places where the cost of living was extremely high they might be cared for out of the post allowance, and the question of salaries of these men should wait, as the chairman of the committee suggests, until after the war is over and until everything settles down, but that we would not punish our representatives in the foreign service by not taking care of this enormous increase in the cost of living. So I agree with the chairman of the committee and with the gentleman from Indiana [Mr. Cox], who has raised the question, that it can be best taken care of by a post allowance and as a matter of administration, rather than by a permanent increase of salary.

Mr. FLOOD. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER of Minnesota. I wanted to take the floor when the gentleman from Virginia had completed, but not before.

Mr. FLOOD. I have finished.

Mr. MILLER of Minnesota. Then, Mr. Chairman, I ask to be recognized.

The CHAIRMAN. The Chair understands that a point of order has been made. The time on that has been consumed. Does the gentleman ask unanimous consent for five minutes?

Mr. MILLER of Minnesota. I do.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Mr. Chairman, I would like the attention of the chairman of our committee if I may have it. I sincerely trust that the distinguished and able chairman of our committee will not invite somebody to make a point of order on this paragraph, and I do not think he has done so.

Mr. FLOOD. I had no idea of doing that.

Mr. MILLER of Minnesota. I do not think he has done so, or intends to do so, notwithstanding what the gentleman from Mississippi [Mr. SISSON] has just said. I would be greatly honored if I could have the attention of the distinguished gentlemen who have criticized this—I refer to the gentleman from Wisconsin [Mr. STAFFORD] and the gentleman from Indiana [Mr. COX]. I ask unanimous consent to pause until I can have the attention of the two gentlemen I have referred to. I trust that neither of the gentlemen will make a point of order on this, and for two reasons. They are very serious ones. In the first place, the Department of State recommended that the first-class secretaries get a salary of $5,000.

Mr. COX. Mr. Chairman, will the gentleman yield there?

Mr. MILLER of Minnesota. And that the secretaries of class 2 get somewhat less than that, and on down. You will observe that the increase granted by the committee is extremely moderate, about 10 per cent, or less than 15 per cent; a little over 10 per cent, with the exception of the fourth class.

Now, there was a great deal said, and with much reason back of it, against any increase now. The suggestion was to wait until after the war is over. That would be true with respect to most things in this country, but we are now dealing with foreign affairs. Anyone conversant with conditions throughout the world knows that the cost of living is going to be high, abnormally high, not only during the continuance of this war, but for many, many years afterwards. That consideration was in the minds of the committee when it granted this very mild increase, which is about the same as you are going to give elsewhere in the service.

Now, one thing more. Many of these men are constantly being solicited to leave the Government service and are offered very attractive salaries by business concerns. That has come to be a serious matter in the State Department. These men much prefer to remain in the service of the United States—and I am speaking now of the whole of them—provided the compensation is reasonable. They do not ask as much as private concerns would give them, or anything nearly as much. They ask for enough to live on and to remain in the Government service. Unless we give them enough to live on, they are bound to leave. The evidence before the committee was that many of the best men are likely to leave the service at a critical time because they can not live on their salaries. I understand gentlemen say they can be taken care of out of the post allowance. That is true; but nobody knows what moment that post allowance will be cut off or may be inadequate. In fact at this very minute it is inadequate and there is a big deficit for the current year.

Mr. FESS. When the Secretary was asked if they would leave, and whether it was difficult to find men trained for the service, he answered unequivocally that it would be very difficult and that the service would suffer intensely?

Mr. MILLER of Minnesota. Yes; and common sense and the experience of us all would say it is impossible to replace them, because these men are not an ordinary class of men that you can pick up here and there and elsewhere. They are trained and skilled, all excepting those in class 4. A man in Petrograd or in London or in Paris or in Rome to-day who is a member of class 1 or 2 is worth his weight in gold for United States interests. Those men are invaluable when we have billions and national honor at stake.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. LONGWORTH. These are men who are put in charge of affairs now?

Mr. MILLER of Minnesota. Yes. I was just coming to that. They are really the men who do the business for Uncle Sam. They are handling matters of the most delicate nature and of most tremendous importance.

Now, gentlemen, I wish you could know how many of these men for three years and more have been working night and day and have been going down in their own pockets, so far as they had private means at their disposal, to pay their living expenses. I have had man after man tell me——

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MILLER of Minnesota. They have gone down in their private purse, when they had a private purse at their disposal, time after time, more than half the time during the past three years, to pay their every-day living expenses.

Now, what influenced me strongly in favor of this moderate increase of $500, in the first instance, is the fact that in normal times, peace times, it is necessary to pay a man in charge of legation work, who is practically in charge of the embassy—in other words, a secretary of class 1—$3,500. No man called to the responsibilities, social and otherwise, of that position can live on $3,500 in any first-class country in the world in time of peace or in present times.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. I yield to the gentleman.

Mr. BORLAND. Are not these the men who are appointed after examination by the State Department and who enter upon this as a sort of career and are afterwards promoted from post to post?

Mr. MILLER of Minnesota. Absolutely.

Mr. BORLAND. And they enter upon it with the knowledge, do they not, of what the conditions in the service are?

Mr. MILLER of Minnesota. That is true, of course. That is always so. That is, we are not picking up a man here and there for a particular post. We are promoting the man from class to class as he advances in the service. The man knew the conditions of the service when he entered. That entrance into the service occurred doubtless when living was not half what it is now and what it will surely be during your time and mine.

Mr. BORLAND. That will be taken care of.

Mr. MILLER of Minnesota. You can not get a man to do that work for $1,500 a year. You can not find him, unless he is willing to make a great sacrifice to enter the Government employ and the Diplomatic Service of the Government.

Mr. HARRISON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. HARRISON of Mississippi. I would like to suggest that the British Government pays their men under the same class as our class 1, £900 and a house allowance of £200. That would be over $5,000. The German Government pays their officers of similar rank $6,000 and also a large allowance.

Mr. MILLER of Minnesota. I appreciate very much that which the gentleman from Mississippi has so pertinently inserted at this point. The United States, which is the greatest and richest country in the world, and is now facing the greatest crisis in its history throughout the world with international dealings, can ill afford to keep men on starvation wages in the performance of these services. I ask the gentleman not to make the point of order, because the amounts named are the lowest sums these gentlemen ought to have in peace times.

Mr. SLAYDEN. Will the gentleman yield?

Mr. MILLER of Minnesota. Certainly.

Mr. SLAYDEN. I would like to ask the gentleman, who seems to be uncommonly well informed about the matter, whether it is not true that conditions over there change with such lightning-like rapidity that what may be a reasonable allowance one year becomes inadequate the next year?

Mr. MILLER of Minnesota. That is true, and that is taken care of by the post allowance. These men are going to get more than $3,500; they must have more in order to live.

Mr. SLAYDEN. I happen to have a constituent attached to the embassy in Petrograd, or he is trying to be attached to it; I do not know whether it is moving or not; I had a letter from him recently, and he is longing for the fleshpots of home. He said it was quite impossible to meet his expenses there and contribute anything to the support of his wife. His wife remained in this country.

Lord Bryce said in an interesting book, written about South America, that the two most expensive capitals in the world were Buenos Aires and Petrograd, and he classed Washington as third. If that was true then, and he was speaking of normal peaceful times, how much more is it true now. Money in Russia has been decreasing in value by the excessive issue of paper money so that prices have been greatly advanced.

Mr. MILLER of Minnesota. I thank the gentleman from Texas for his statement.

Mr. COX. Will the gentleman yield?

Mr. MILLER of Minnesota. I will.

Mr. COX. I think the gentleman answered the question that I wanted to ask, whether or not if this is permitted to remain at $3,500, it is all that these secretaries will get, or will they still have to go to the post fund?

Mr. MILLER of Minnesota. They will.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Minnesota be extended 10 minutes.

The CHAIRMAN. The gentleman asks unanimous consent that the time of the gentleman from Minnesota be extended 10 minutes. Is there objection?

There was no objection.

Mr. ROGERS. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. ROGERS. I wonder if the gentleman is familiar with the case of the secretary of class 2, who under the present law is getting $2,600, and who, during the recent illness of his minister, the chief of mission to a country contiguous to the German Empire, for about a year exercised all the duties and responsibilities of the minister? In view of that fact, which is not an isolated one, does not the gentleman think that we ought to pay a man on the basis of the duties which he so frequently has to perform, and for which we pay a minister $12,000 a year?

Mr. MILLER of Minnesota. I agree entirely with the suggestion made by the gentleman from Massachusetts.

Mr. HAMLIN. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. HAMLIN. In the case cited by the gentleman from Massachusetts, does not the clerk receive extra pay when he performs the duties of the minister?

Mr. MILLER of Minnesota. In some instances, yes; but not always.

Mr. HAMLIN. When he is designated to perform the services of his superior that is always done?

Mr. MILLER of Minnesota. Yes; it used to be the custom for the ambassador to leave for the week end three or four days, and during that time the secretary is not drawing any extra salary.

Mr. HAMLIN. But there is not much work going on when that is done.

Mr. ROGERS. My understanding is that the practice is to grant the extra allowance, which is equivalent to 50 per cent between the salary of the secretary and that of the minister, only when the minister is actually on leave. If he is ill at his home at the legation, even though the secretary may transact all the duties, the secretary receives no further compensation.

Mr. HAMLIN. I think they look after that and get leave granted the minister, so that the clerk can receive the extra compensation and that is all right. What I want to ask is this: Perhaps this increase ought to be made. I am not opposing the increase at the present time, for I am inclined to think it is warranted. But I do not like very well to make it permanent law. If the excuse for making the increase is the high cost of living in these abnormal conditions throughout the world, we all concede that conditions will return to normal after a while, and this makes it permanent law. You never heard of a salary being reduced. Why not strike out the word "hereafter"?

Mr. MILLER of Minnesota. As I endeavored to state a few moments ago, the main reason for making these salaries $3,500 in class 1, $3,025 in class 2, $2,500 in class 3, and $2,000 in class 4, is that the men ought to be paid these amounts in peace, in normal times. That is one reason why I am strongly for it. The gentleman from Indiana a moment ago desired information whether this will be all that they will get. It is not; they could not possibly live for that, and they will be given something more next year out of the post allowance, because in many places a single man can not live on $3,500.

Let me illustrate further. These gentlemen in class 1 are the ones that during the first year of incumbency of every ambassador are the men who do the work. The ambassador does not know the language or the customs or manners of the people. These are tried, true, and experienced men in charge, and during the subsequent years of the incumbency of the ambassador at that point the first secretary, and sometimes the second, is no small part of the brains that directs the difficult work of the embassy. That is not always true, but in a general way it is fairly true. Now and then a brilliant man, and we have some brilliant men now representing this Government abroad, shines out with great brilliancy and distinction and completely overshadows the secretaries beneath him, but that is not always true.

Mr. HAMLIN. This idea occurs to the gentleman: That if we are not very careful we may set a precedent of increasing salaries at this time that may plague us considerably when we come to consider the people here at home, victims of our extraordinarily high cost of living.

Mr. MILLER of Minnesota. That is all to be considered, but let me again repeat that the amounts named herein are not a bit higher, not one penny higher, than ought to be named for these classes of employees in peace, normal times. Let me speak of class 4. These men enter class 4 when they enter the diplomatic service, and then are promoted as experience and ability demonstrate their capacity for higher positions. Where

on earth are you going to get a man competent to represent the United States in a diplomatic post for less than $2,000 a year? That is the amount that you are paying the secretaries to your own selves right here, and you expect to get a man to go into the diplomatic service of the United States and make a life work of it, go abroad and live in a foreign country, and pay him the amount that you are paying your own secretaries at this hour. Can you afford to say that you will pay your own secretary $2,000 a year, and they are worth it, and you have made it permanent law, and I would even be willing to make it a little higher, and to say at the same time to men entering the Diplomatic Service that they have got to go abroad and serve this country and take their families with them for $1,500 a year? It can not be done. You will never get into the service of the United States in this highly important field the kind of men you want unless you at least give them $2,000—start out with that, and that is a starvation wage.

Mr. SLAYDEN. Does it not virtually force us to accept the rich young men who want to go into the service?

Mr. MILLER of Minnesota. That is precisely correct. By putting the figures down so low as the amount named you are closing the doors of opportunity to the worthy poor boys of this country—and they are the best we have—and opening those doors to just one class, and that is those with independent means, men who are capable of taking any of these positions, because the salary is but an incident of their lives. We can not afford to have the great country of the United States in its representation thus confined. So I ask with all the earnestness I can command, because I feel seriously about it, having observed conditions in the Orient and in Europe, that you permit these very modest and slight increases to be made.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. PLATT. Is it not the invariable fact that men enter this class 4 and then are promoted? The only secretary of legation I ever knew that I can think of went directly, as near as I can tell, into class 1 with a certain minister and went out with the administration.

Mr. MILLER of Minnesota. I never heard of a man entering class 1 who had not previously been in the Diplomatic Service.

Mr. PLATT. I am not sure that he had not.

Mr. FLOOD. Not since the law of 1915. The only way a man can enter the service now is in class 4.

Mr. STAFFORD. Of course, the lowest class is class 5, at $1,200, and the department does not recognize it. There is nothing in the law that prevents them from putting them in the higher class. They are doing it now. If they can not get desirable men at $1,500, which is the initial class, there is nothing to prevent them putting them in a higher class.

Mr. FLOOD. Oh, yes; the regulations in the department prevent that.

Mr. STAFFORD. But the report states that they do not observe the law.

Mr. FLOOD. They do not put any of them in the $1,200 class.

Mr. STAFFORD. There is nothing to prevent them from putting them in the higher class.

Mr. MILLER of Minnesota. They could not possibly do the work in class 1 or class 2.

Mr. STAFFORD. The department has the privilege of designating any class as the initial class.

Mr. MILLER of Minnesota. A man could not be put in class 1 or class 2, because he could not do the work.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent to speak for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Mr. Chairman, I wish to direct the attention of the committee to some of the testimony that was taken before the Committee on Foreign Affairs on this particular paragraph. Here is what Mr. Phillips, of the State Department, said in speaking of young men looking forward to making the Diplomatic Service a career, as young men do in England and Germany and France, in which countries they have had, so it is said, the best diplomatic service in the world, and have made it such because of their habit of treating it as a service in which a man could ultimately make a life career. I read from the testimony taken at that time:

They see that the Government pays them $1,500 and asks them to go abroad into the expensive capitals of the world, and most of them say to themselves that it is unreasonable and that they can not meet expenses on such a salary. We don't want to raise the salaries so high as to make the salary in itself attractive, so that young men will enter the Diplomatic Service because of the salary offered. We want a reasonable salary that will even require some sacrifice on the part of the secretaries. We think $2,000, on entering the service, is reasonable. The increase in class 1 from $3,000 to $5,000 we ask in order to make the service as nearly as possible equal to our foreign competitors. For instance, the British Government pays their counsellors (their class 1 secretaries) £900—

That, of course, as every Member of the House knows, is practically $4,500—

plus a house allowance of £100 to £200. The German Government pays their officers of similar rank salaries of $6,000 and also very large allowances—house allowances and traveling allowances.

Mr. HARRISON. That applies during the war as well as peace times?

Secretary LANSING. This is their regular allowance. The Japanese service pays $6,000 plus extra allowances, so that we feel we are asking less than is paid by other countries to their officers.

Mr. HARRISON. Do you know whether those countries have applied the income tax in proportion to what we have in this country to those officers?

The CHAIRMAN. Yes, sir; the first secretary of the English Embassy here told me he got $2,500, and that $500 was taken in income tax, so that he really got only $2,000.

Secretary LANSING. Who is that?

The CHAIRMAN. The first secretary of the English Embassy here.

Secretary LANSING. I think I might add to this that one difficulty we have found under our present rate of salaries is that it puts a premium on men of independent means entering the service, for a man that has no other means of support than his salary can hardly afford to make any career of our Diplomatic Service.

That last paragraph of the testimony of Secretary of State Lansing is apropos of the suggestion made by the gentleman from Texas [Mr. SLAYDEN], that in certain places only American citizens of wealth can afford to enter our Diplomatic Service.

And, gentlemen, it is an extremely unfortunate thing that we have looked upon our foreign service as a place where positions can be held only by the rich. To-day it is practically impossible for a man to do justice to himself and be modest in meeting social exactions in any foreign country as an ambassador of the United States of America unless he is a man of independent means outside of his salary. That ought not to be, because there is great talent, possibly diplomatic genius, in the rank and file of our people and because of utterly inadequate compensation we have not a chance to get it into the service of the Government.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. COOPER of Wisconsin. I will yield.

Mr. MOORE of Pennsylvania. I want to inquire whether the item of transportation of diplomatic and consular officers, in going to and returning from their posts, page 7, tends to relieve this situation in any way?

Mr. COOPER of Wisconsin. Not at all. It costs just as much to live in Paris or Petrograd, after you get there, as it would if the transportation to those cities was free.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa rose.

Mr. COOPER of Wisconsin. Now, I want to say this: If the gentleman will pardon me for just a moment, I would like to have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. I want to call the attention of the committee to a bit more of testimony——

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. COOPER of Wisconsin. Yes; I will yield at this point.

Mr. GREEN of Iowa. Which qualifications in general are required of these men who enter the service of which the gentleman is speaking?

Mr. COOPER of Wisconsin. He should be a well-educated man and have command of the languages of the country to which he is assigned. He must know the language of the country to which he is going.

Mr. FLOOD. In addition to his educational qualifications, he has to stand an examination?

Mr. COOPER of Wisconsin. Yes; he has to stand a rigid examination before he can enter the service at all.

Mr. FLOOD. And he has to stand an examination on a foreign language?

Mr. COOPER of Wisconsin. On a foreign language; yes. Now, in Mr. Phillips's statement, he said:

Mr. PHILLIPS. Under this item we are asking for two things: For 25 additional secretaries and an increase in salary of the old and the new secretaries. It has become perfectly clear, in spite of the fact that we have no longer any embassies in Berlin, Vienna, and Constantinople, and therefore that the secretaries ordinarily placed in those capitals have been distributed elsewhere, that we must have a considerable increase in the service, not merely a war increase. At the present time, of course, in addition to the secretaries we have to employ additional clerks for war duty, but when the war is over we feel perfectly satisfied that the new duties devolved upon this Government will make it essential to have very much larger staffs abroad.

And, gentlemen, I pause to say that he meets the vital point of this case in the next statement of his, which I am about to read, if we couple this statement with what I read a moment ago from the utterance of Secretary Lansing that under present

conditions poor young men are practically excluded from entering the service. Says Mr. Phillips:

It is the right time now to bring these young men into the service, because after the war is over the new duties coming on to the department will be enormous, and it seems wise that these secretaries should begin their training as soon as possible.

He says that it is the right time now to bring these young men into the service.

I believe, gentlemen, at this particular time we who are here to represent the taxpayers of the country should do our utmost to make the burdens upon their shoulders as light as possible; and yet I feel it also my duty, representing those taxpayers, to provide a reasonable increase in the salaries of those people who must go abroad to represent the country in order that all classes of our people, the rich and poor alike, may have an opportunity to enter this exceedingly important service. [Applause.]

Mr. ROGERS. Mr. Chairman, I ask to be recognized.

The CHAIRMAN. The gentleman asks unanimous consent that he may speak for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. ROGERS. Mr. Chairman, I think the points have been very thoroughly brought out by the Members who have spoken. There is just one further point I want to make, which I think has not been sufficiently emphasized. It was very clearly stated in the testimony submitted to the committee by the Assistant Secretary of State, Mr. Phillips. Mr. Phillips, as the Members of the House know, has been promoted to his present post from the Diplomatic Service. He was secretary of embassy at London and in China before he came to the State Department. In speaking for the secretarial side of the work of the Department of State he probably speaks with greater familiarity than any man in the United States. He emphasizes the importance of the increases in salary, not from the standpoint of the individual, but from the standpoint of the Diplomatic Service and of the Nation. Mr. Phillips says:

The Secretary has spoken about the necessity for raising the salaries of the secretaries in the Diplomatic Service. He mentioned that one of the chief difficulties with which we have to contend under the present schedule of salaries is that after a secretary of embassy or legation has been in the foreign service for seven or eight years and has reached class 1, commercial interests are naturally very anxious to secure him on account of the experience he had gained abroad. The fact is that many of the men whom we consider valuable men, and who have been in the service for a number of years, are being approached by commercial interests. They are tempted with high salaries, and then they come to the department and ask what they should do.

We beg them to remain in the service as a patriotic duty. They usually do remain if they have any independent means. But we have lost, and are continuing to lose, some of the best men we have. For instance, recently, within the last few years, we have lost six efficient secretaries on account of the low salaries. Four more excellent men are now remaining in the service only on account of the war. As soon as the war is over they will leave. They have all had offers from commercial interests.

In the Diplomatic Service, which in these days and in the days to come is increasingly to be charged with duties of the greatest moment and importance, we must pay these men a fair return for the services which they render. The State Department said that the salaries ought to be based on a salary of $5,000 for secretaries of class 1, and so on down. The State Department doubtless is dissatisfied with our recommendation that the salary of secretaries of class 1 should be $3,500, and so on down. We did not feel justified in going as far as the State Department said we ought to go in order to retain these men in the service. But we did think it was our duty, our duty to the country, not merely a matter of fairness to the secretaries themselves, that we should make a beginning to pay them a salary commensurate with the importance of the duties which they perform.

Mr. BORLAND. Will the gentleman yield?

Mr. ROGERS. I will yield.

Mr. BORLAND. I wanted to ask the gentleman to yield while speaking of secretaries being tempted by private offers. No scale of salaries that we could fix would entirely obviate that evil, as the gentleman well knows.

Mr. ROGERS. Undoubtedly.

Mr. BORLAND. And that is a thing that exists in every department of the Government to-day—that occasionally good men and experienced men are tempted away by the offer of high salaries by private interests. The gentleman recognizes that it would be virtually impossible to meet that condition either in the Diplomatic Service or in the Bureau of Standards or in any other department of the Government.

Mr. ROGERS. Of course that is true. But somewhere there is an amount which, while not a fair compensation to the man, will yet be a sufficient salary to enable him to feel that in fairness to himself and his family he can remain in the Government service. When the salary is so far below the essential expenditures of a secretary, of course, oftentimes in fairness to himself he can not remain in the service. We hope that these increases which are proposed in the bill, while not, in our opinion, adequate, will yet go far to meet the conditions complained of.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. COX. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. COX. I rise for the purpose of reserving a point of order. Later on I think I will make it.

The CHAIRMAN. The gentleman from Wisconsin [Mr. STAFFORD] has reserved a point of order. The gentleman from Indiana [Mr. Cox] asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. COX. Now, Mr. Chairman, I may be wrong in my position, in my viewpoint, on this increase of salary. I trust I am not. I recognize that it is impossible, or, in other words, that a Member is out of order who undertakes to get on the floor of the House these days and to say one word in behalf of the men and women of this country who in a year from next June will have been called upon to raise $40,000,000,000. I recognize, Mr. Chairman, we are at this time the wealthiest nation upon the earth, but in recognizing that fact I recognize that this country has its own limitations, so far as wealth is concerned.

Now, it is perfectly evident that you might pay these secretaries $10,000 a year, but that would not hold them unless they wanted to stay there. They would go into private life if they were offered more money. The argument is made that these men must be paid salaries enough to justify them to stay in the service, otherwise we have got to go to the extremely wealthy men in this country to represent us as ministers and ambassadors abroad. Are not we at that parting of the ways to-day? Do we not to-day have to go to the wealthy men of this Nation and from them select our ambassadors? How are you going to get away from that condition, gentlemen, unless you reform world-wide conditions? Now, there may come a time after this war closes—I do not know—when all these salaries ought to be increased in order to meet world-wide conditions. There may come a time after this war closes that not only the salaries of these secretaries but every official from the ambassador on down representing our country in all the foreign countries ought to have their salaries adjusted to meet world-wide conditions.

Now, I am going to make a point of order, Mr. Chairman.

Mr. HARRISON of Mississippi. Will the gentleman yield?

Mr. COX. I will.

Mr. HARRISON of Mississippi. The gentleman is on the Appropriations Committee, I believe. Is the gentleman in favor of giving some precentage of increases to certain employees in the State Department as well as in the other departments of the Government?

Mr. COX. Oh, yes.

Mr. HARRISON of Mississippi. Does not the gentleman think if those employees here in the District, in the State Department, are entitled to a reasonable increase, men who work for the Government abroad are entitled to an increase?

Mr. COX. But the men who work in the State Department here have no opportunity to get to a post fund like the employees of the State Department abroad have.

Mr. HARRISON of Mississippi. The gentleman recognizes this to be a fact, that a man in the employ of the Government in a diplomatic relation abroad has to spend more money than clerks here in the city?

Mr. COX. He may. But whether he would or not, I do not know.

Mr. HARRISON of Mississippi. But the gentleman knows that by virtue of his position he would do that?

Mr. COX. He might. I do not know it. I was never abroad.

Mr. Chairman, I make a point of order against line 14, down to and including line 19, on page 3.

The CHAIRMAN. The gentleman from Wisconsin [Mr. STAFFORD] has reserved a point of order on page 3, beginning with line 4.

Mr. COX. I make the point of order on the language from lines 14 to 19, inclusive.

The CHAIRMAN. Down to and including line 2, on page 4. Does the gentleman from Wisconsin make the point of order or withdraw it?

Mr. STAFFORD. I withdraw it after making the point of order to the words in lines 10 and 11, "to be immediately available." And I wish to say in that connection that it will not prevent the department from utilizing this amount, $45,105, as carried in the paragraph, for the employment of additional secretaries during the remainder of the present fiscal year.

The CHAIRMAN. What is the point of order now?

Mr. STAFFORD. On the words in lines 10 and 11, "to be immediately available," and those alone.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. At the outset of the discussion of this paragraph there was a point of order reserved?

The CHAIRMAN. There was.

Mr. MOORE of Pennsylvania. Then a point of order is now in order? It is not too late?

The CHAIRMAN. It is not. The gentleman is just making it, and the Chair sustains the point of order.

Mr. FLOOD. Now, Mr. Chairman——

The CHAIRMAN. Does the gentleman from Indiana [Mr. COX] make the point of order?

Mr. COX. I have made the point of order, Mr. Chairman, against line 14, down to and including line 19, on page 3, on two grounds, namely, first, it undertakes to make permanent law, and, second, it increases salaries.

The CHAIRMAN. The gentleman from Virginia, as I understand, concedes the point of order?

Mr. FLOOD. Yes. The gentleman from Wisconsin [Mr. STAFFORD] made another point of order.

The CHAIRMAN. The gentleman from Wisconsin made a point of order against the words in lines 10 and 11, on page 3, "to be immediately available."

Mr. FLOOD. I will ask the gentleman from Wisconsin this question: If I offer an amendment making $45,105 immediately available, will he have any objection?

Mr. STAFFORD. I have already stated to the gentleman that I do not make it against the proviso, so that amount, $45,105 now in the bill, to which no point of order was made, is immediately available during the remainder of the present fiscal year.

The CHAIRMAN. The Chair sustains it.

Mr. FLOOD. Now, Mr. Chairman, I move that the figures "$339,355," on line 11, be changed to "$256,000."

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FLOOD: Page 3, line 11, strike out "$339,355" and insert in lieu thereof "$256,000."

Mr. MILLER of Minnesota. Mr. Chairman, I would like to make an inquiry. Is that the exact amount carried last year?

Mr. FLOOD. No.

Mr. MILLER of Minnesota. Does it not take care of the deficit that already exists and is represented by the $45,105?

Mr. FLOOD. That takes care of 25 new clerks.

Mr. MILLER of Minnesota. But it does not take care of that item. That is necessary to be immediately available.

Mr. FLOOD. It comes out of that.

Mr. MILLER of Minnesota. The $45,105, as it stands right now, is a deficit in the appropriation made for the year ending June 30, 1918.

Mr. FLOOD. No. The gentleman is mistaken about that. The $45,105 is put in there to pay the expenses of 25 additional secretaries from the time this becomes a law until the 1st of next July.

Mr. MILLER of Minnesota. That is to say, there is a deficit in the prospective expenditures this year, independent of any increases in the salaries of secretaries. What I want to inquire about is whether the amount the gentleman has named takes care of this expected deficit?

Mr. FLOOD. It does.

Mr. STAFFORD. Mr. Chairman, if the gentleman will permit, I think that the gentleman is in error. I wish to direct the Chairman's attention to the report on page 5. For the payment of 84 secretaries for the fiscal year 1919 it is estimated that $186,000 will be needed. For the employment of 25 new secretaries during that year $70,000 additional is necessary, making a total of $256,000, which is the amount of the appropriation which the gentleman has just submitted. Now, to provide for the employment of these 25 additional secretaries during the remainder of the present fiscal year there would have to be $45,105 added to that amount, as I take it, making a total of $301,105.

Mr. FLOOD. I move, then, to amend it by changing it to "$301,105."

The CHAIRMAN. The gentleman changes the amendment. The Clerk will report it.

The Clerk read as follows:

Mr. FLOOD moves to amend by striking out "$256,000" and inserting in lieu thereof "$301,105."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FLOOD. The total will have to be changed.

Mr. COX. Mr. Chairman, what became of my point of order?

The CHAIRMAN. The point of order was sustained.

Mr. STAFFORD. Mr. Chairman, may I ask that the Clerk be authorized to change the total to the bill?

Mr. FLOOD. I make that request.

Mr. FOSTER. Is not the gentleman going to make the secretaries first fixed by law?

The CHAIRMAN. It goes out on a point of order.

Mr. FLOOD. The secretaries will go in. We have been carrying them at $3,000 and $2,625.

Mr. FOSTER. They are fixed by law?

Mr. FLOOD. Yes.

Mr. FOSTER. So that you do not need to put them in?

Mr. FLOOD. No.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RECEIVING INSTRUCTIONS AND MAKING TRANSITS.

To pay the salaries of ambassadors, ministers, consuls, vice consuls, and other officers of the United States for the periods actually and necessarily occupied in receiving instructions and in making transits to and from their posts and while awaiting recognition and authority to act, in pursuance of the provisions of section 1740 of the Revised Statutes, $65,000, or so much thereof as may be necessary.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. Mr. Chairman, I presume the consuls and vice consuls are paid through this appropriation, which looks small enough. I regret that a point of order should have been made against the paragraph just passed, and I trust that no such point of order may be made at any other point where it will affect the salaries of these worthy American representatives abroad.

We do not pay our consuls and vice consuls sufficiently to properly maintain themselves in their posts on the other side of the water. It is a standing disgrace to the United States that men presumed to speak for this great country of ours should be put into such a position with respect to those with whom they have to fraternize upon the other side, as to be ashamed of the backing they have back home.

I have knowledge of certain of our representatives over there now who are using funds apart from their salaries for the actual maintenance of themselves and their families and for covering certain expenses due to the increased cost of living, for which the United States Government does not provide.

Mr. TEMPLE. Mr. Chairman, will my colleague yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. TEMPLE. I would like to add that I have knowledge of a case in which men are going down into their own pockets for furnishing legations and embassies.

Mr. MOORE of Pennsylvania. I will say to the gentleman that I have accumulated information on that very point; and I am sorry a point of order has been made against an increase of the salary of American representatives abroad, which tends to embarrass them in the respectable and dignified position they must assume with regard to those with whom they have to deal.

Here are young men who receive less than the clerks who have safe berths here in the District of Columbia and elsewhere in the United States and for whose benefit we are constantly legislating. They are across the seas, over yonder, where everything is against them, where all is hostile, and where there are supposed to be the spokesmen of our Nation. Some of them have to send home for money to keep their expenses paid. I observe again that it is a disgrace to this Nation.

Mr. FLOOD. May I ask the gentleman a question there?

Mr. MOORE of Pennsylvania. Yes.

Mr. FLOOD. What would you propose as an increase of his salary?

Mr. MOORE of Pennsylvania. I would give them enough to live respectably, at least in a manner to comport with the other representatives with whom they must live.

Mr. FLOOD. How much in dollars?

Mr. MOORE of Pennsylvania. If a man was worth $3,000 or $4,000, I would not hold him down to $1,500, upon which he could not live.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. FESS. If the Secretary of State, responsible for this service, would recommend upon his statement that $5,000 ought to be allowed, and the committee finally compromised on $2,500, do you think we would be justified on the stateemnt of the Secretary of State in giving anything?

Mr. MOORE of Pennsylvania. If the Secretary of State would make a recommendation for an increase of these salaries

and it came through the committee, I would vote for it, and I would do it because of my knowledge of the work that these men do. I have seen them in foreign countries living in second stories of houses for which they had to pay the rent, holding offices up there so that American citizens had to go up the side way to see them, while the representatives of England or Germany and other nations had fine buildings, with offices on the front thoroughfare, properly representing the dignity of their countries. I want to say again that it is a disgrace to require these young men, anywhere from 21 to 35 years of age and over, who must speak one, four, five, and some seven languages, even dead languages, that no Member of the House, perhaps, could speak, to exist abroad in these expensive times on a paltry $1,500 a year.

The pro forma amendment was withdrawn.

The Clerk read as follows:

CLERKS AT EMBASSIES AND LEGATIONS.

For the employment of necessary clerks at the embassies and legations, who, whenever hereafter appointed, shall be citizens of the United States, $488,000, to be immediately available.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. Last year this item carried $100,000. The appropriation carried in this bill is $488,000 for the employment of necessary clerks. I realize from the statement of the chairman that additional clerks are required at all embassies and legations by reason of our entry into the war and the additional legislation enacted by this Congress which has imposed additional burdens on the various embassies and legations, but I would like to inquire as to the need of such an extraordinary increase, amounting to nearly fivefold. And, further, as to how much is to be used during the remainder of the fiscal year and how much is estimated to be needed during the next fiscal year.

Mr. FLOOD. The gentleman will recall that the Appropriations Committee gave in an emergency deficiency bill $88,000, which is to be added to $100,000 in last year's bill. That was not found to be sufficient. The fund for this purpose is about exhausted now. That is, $188,000 has been used in seven months of the year, and it will take of this fund $150,000 more, making $333,000 for the present year, and this would be in addition to the hundred and thirty-odd thousand in the next year. The information the committee had from the Secretary of State and from his assistants, particularly Mr. Carr, chief of the Consular Bureau, was that they were short of clerks at the embassies all over the world; that it was absolutely necessary to have additional clerks in order to carry on properly the business of the embassies and legations. They furthermore said that this was the lowest amount that they could get on with.

Mr. STAFFORD. Does the gentleman say that the appropriation, including that in the deficiency appropriation bill, is about exhausted?

Mr. FLOOD. Yes.

Mr. STAFFORD. I made an inquiry of the deficiency subcommittee as to whether any estimate was included in the deficiency bill about to be reported, and they stated that there was not.

Mr. FLOOD. They expected that it would come out of this fund.

Mr. STAFFORD. I do not intend to make any point of order on the words "immediately available" because I appreciate that the department has to have this money.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I do this for the purpose of approving the appropriation. It is well that the Department of State should have this money in hand to employ extra clerks if it needs them to assist in this consular work. The American consuls over there have had a great deal to do.

Mr. STAFFORD. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. STAFFORD. This does not refer to the clerks at the consular stations.

Mr. MOORE of Pennsylvania. It has to do with the Consular Service.

Mr. STAFFORD. No; it is for legations and embassies.

Mr. MOORE of Pennsylvania. Well, I will apply my remarks to the proper service. It makes no difference, so long as I get them in. The Secretary of State ought to have in hand sufficient funds to pay for the service he needs on the other side of the water. The gentleman from Wisconsin is a parliamentarian, but he may not be sufficiently versed in diplomacy to stop me while I am trying to get the facts before the committee.

Mr. STAFFORD. I do not claim to be a diplomat like the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. But the gentleman is a parliamentarian, everybody concedes that from the Atlantic to the Pacific Ocean. The appropriation ought to be made, I say, because we ought to uphold the hands of the consular agents on the other side of the water. When this war in Europe broke out, long before America began to participate in it, when this country was still neutral, these consuls had a great deal to do. Take a young man in some remote section of the Old World, where dead languages have to be spoken, where riots were breaking out, where massacres were occurring, where consuls and vice consuls were needed who were big enough to represent us, and then think of that $1,500 per annum. Why, some of them were not only charged with the American interests but had to take over the interests of the French nation and of the British nation, and they did it. How can these brilliant young men, speaking the language of the country to which they had been assigned by the United States, get along without living well and mingling with the good people? That is what they have to do in order to properly protect the interests of this Nation and those of the countries who intrusted the welfare of their citizens to their care. These young men with this great responsibility are not receiving as much compensation as we pay in Washington to some of our friends who come here and get into the departments through the civil service.

Mr. WALSH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. WALSH. Some of these gentlemen gather statistics at times in relation to waterways?

Mr. MOORE of Pennsylvania. Probably they do. The gentleman from Massachusetts is humorous, but when he comes around to vote for that which his constituents most desire, he will be a better Representative even than he is to-day.

Mr. WALSH. I asked the question seriously and I hope the gentleman will answer it.

Mr. MOORE of Pennsylvania. The gentleman asked it seriously with the purpose of being humorous.

Mr. WALSH. Will not the gentleman answer the question?

Mr. MOORE of Pennsylvania. I presume the collection of waterways statistics is included in the duties of American consuls. So long as the gentleman persists I will say that statistics on European waterways are of great value to the United States at the present time.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield for a serious question?

Mr. MOORE of Pennsylvania. I yield.

Mr. McKENZIE. The gentleman is not on this committee?

Mr. MOORE of Pennsylvania. I am not, and that is the reason I am commenting on the bill. If I were on the committee I might be quiescent as some of the members of the committee are with respect to these things. They are bound by committee action. Not being on a committee, as the gentleman knows, a Member of the House can sometimes speak his mind to a committee, and I was saying that it is disgraceful to induce these young Americans to perfect themselves for this great national service, making themselves competent to take on their shoulders the care of the people of all the nations of the earth in time of war, and do it at the modest compensation of $1,500 a year. I am in favor of making a larger appropriation to a generous, open-hearted, patriotic Secretary of State, in order that through him justice may be done these young Americans who are serving their country abroad. Does the gentleman get the point?

Mr. McKENZIE. I get the point, and I want to ask the question. I want to ask the gentleman if he believes that the appropriations made in this bill are sufficient to take care of those young men of ours who are over there and have been compelled to borrow money?

Mr. MOORE of Pennsylvania. I do not. Judging from what they have already received I would say that these appropriations are not sufficient. That is the reason I regret we have been prevented by this point of order from putting them in position to obtain a decent living on the other side and to properly carry out the duties imposed upon them.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MADDEN. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 4, line 17, after the word "States," strike out the figures "$488,000," and insert in lieu thereof the following: "$676,000."

Mr. MADDEN. Mr. Chairman, the reason I offer this amendment is due to the colloquy that took place a short time ago between the gentleman from Wisconsin and the chairman of the

committee. During the colloquy, it appeared that in the last appropriation bill $100,000 was set aside for this purpose, but later on $88,000 had been provided in the deficiency bill, making $188,000. And the chairman of the committee said that this $188.000 has already been expended and before the end of the present fiscal year $150,000 more is likely to be expended. The chairman of the committee said this $188,000 has already been expended, and for the present fiscal year $150,000 more is likely to be expended. That would make a total of $338,000 required for the conduct of this branch of the foreign service for the period ending June 30, 1918. That would only leave for the conduct of this service during the fiscal year 1919 $150,000. Now if it costs $338,000 to do this same work for the year 1918, it is fair to assume that it will not cost any less for the year 1919, and that is the year for which this appropriation is being made. So I submit that, according to the figures made by the chairman of the committee having charge of this bill, there ought to be $188,000 added to the figures already reported in the bill.

Mr. FLOOD. Mr. Chairman, may I interrupt the gentleman?

Mr. MADDEN. Yes.

Mr. FLOOD. I do not think the gentleman exactly caught my statement.

Mr. MADDEN. I heard exactly what the gentleman said, and I am analyzing what he said.

Mr. FLOOD. We appropriated $100,000.

Mr. MADDEN. That is what I said.

Mr. FLOOD. And there was a deficiency appropriation of $88,000. That makes $188,000.

Mr. MADDEN. That is what I said.

Mr. FLOOD. And I said it would take $150,000 to complete this year.

Mr. MADDEN. One hundred and fifty thousand dollars in addition to $188,000?

Mr. FLOOD. Yes.

Mr. MADDEN. That is exactly what I said. That will leave only $150,000 for next year.

Mr. FLOOD. No; it will leave $338,000.

Mr. MADDEN. No. The gentleman said, in response to the query of the gentleman from Wisconsin [Mr. STAFFORD], that it would take $150,000 in addition to $188,000.

Mr. FLOOD. Exactly.

Mr. MADDEN. To complete the work up to the 30th of June of this fiscal year.

Mr. FLOOD. And you take the $150,000 from the $488,000 and you will have $338,000.

Mr. MADDEN. The gentleman is mistaken. He said they had already expended $338,000. That must be deducted from the $488,000. leaving only $150,000.

Mr. FLOOD. We propose to appropriate $488,000, and of that we proposed to use only $150,000 during this present fiscal year, leaving $338,000 for the next fiscal year.

Mr. MADDEN. According to that calculation the gentleman is right, but that is not the statement he made before. I am making an analytical statement and commenting on it. If the gentleman's previous statement is correct, then he will need $188,000 added to the figures he has here. Of course, if his statement now is correct, you need only the amount of money here appropriated.

Mr. FLOOD. That is all.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. MADDEN. Mr. Chairman, on the gentleman's statement I would withdraw the amendment.

The CHAIRMAN. The amendment has been voted on. The Clerk will read.

The Clerk read as follows:

Interpreter to legation and consulate general to Persia, $1,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out "$1,000" and make it "$999.99."

Mr. FLOOD. We accept the amendment.

Mr. MOORE of Pennsylvania. And in support of the amendment, Mr. Chairman—which I shall not vote for—I desire to observe that paying $1,000 to an interpreter who is capable of serving at the legation and consul general's office in Persia is a ridiculous figure. Any American boy who can master the English language first and the Persian language second ought to be permitted, in view of the expenses he incurs in living somewhere in Persia, to have a little more than $1,000 per annum. I would offer to make this salary $1,500 per annum, but I realize that the committee would make a point of order against it, in view of the record already established with regard to consuls, and therefore I can only offer to cut this salary down 1 cent, believing that whatever young man holds this position as interpreter for the legation and consul general in Persia will forgive me, in view of the fact that I am endeavoring to secure for him an increase of salary by reverse action.

I want to call the attention of the Department of State to the miserable salaries it pays men who have talents and ability. I want the country, through the Department of State and through Congress, to know that while we pay salaries running anywhere from $1,000 to $2,000 to all sorts of folks who come here to Washington hunting jobs and who work eight hours a day here we pay a miserable $1,000 to the brainy young American who can speak Persian and has resting upon him the responsibility of conducting business as between the Persian people and ourselves.

I call attention to this wretched salary of $1,000, because in the next paragraph I find that the brilliant young man who serves as interpreter to the legation and consul general at Bangkok, Siam, receives $1,500 per annum.

Possibly it is worth $500 more per annum to learn the Siamese language than it is to learn the Persian language; but, at any rate, that is a pitiable salary for a young man who has the qualifications of an interpreter at so responsible a post as this. I do not know whether these two young men, one at Teheran, Persia, and one at Bangkok, Siam, are American citizens or not. Probably they are not, because in the next paragraph, making provision for the 10 student interpreters to the legation to China, it is specifically provided that they shall be citizens of the United States. Now, think of it. These 10 young men who are going to serve their country as interpreters to the Chinese Legation and who must master the Chinese language are to get only $1,000 a year, and pay all their expenses.

Mr. ROBBINS. I want to ask if these are not native boys, and if it was not expected to pay them as such?

Mr. FLOOD. There is no requirement that this interpreter at the Persian Legation shall be an American citizen.

Mr. MOORE of Pennsylvania. I am glad the gentleman made that statement, because I think every one of them ought to be a citizen of the United States. There is another weakness of our Diplomatic and Consular Service, that we permit men in these foreign countries who are not citizens of the United States to occupy these important stations.

I almost forgot to say that my amendment, if carried, may save this young man a considerable sum in the way of income tax, but still I shall not vote for it.

Mr. COOPER of Wisconsin. Mr. Chairman, for the purpose of obtaining the floor I rise in opposition to the amendment. I have only a word to say. The gentleman from Pennsylvania [Mr. MOORE] made a remark which is of great force, when we reflect that the consular officers of the United States are not diplomatic officers—have no diplomatic functions—but are, at least in effect, only business agents. The consulates are great business agencies of the United States, and an interpreter interpreting for an American consul when business relations are discussed between a Persian customer and an Englishman, a Russian, and an American ought to be an American citizen.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. COOPER of Wisconsin. Yes.

Mr. SLAYDEN. Does the gentleman, out of his abundant knowledge, have any information as to the amount of service rendered at Teheran, the capital of Persia, where this young man is, or at Bangkok in Siam?

Mr. COOPER of Wisconsin. No; I can not say anything further than that in the publication New Europe the other day I saw what purported to be a synopsis of the secret treaty made by three or four of the belligerent countries, in which there was to be reserved to England the sphere of influence over Persia.

Mr. SLAYDEN. Yes. As a whole, Persia is probably important, and much more important to Great Britain than it is to the United States.

Mr. COOPER of Wisconsin. Therefore I do not know how much business Americans could do through the consulate at Teheran.

Mr. SLAYDEN. If the gentleman will permit, I think it is very likely that the State Department has fixed this compensation with some reference to the duties involved in the office—trying to make the punishment fit the crime, I suppose.

Mr. COOPER of Wisconsin. In reply to that suggestion I will say to the gentleman from Texas that it is not just compensation to pay a young American who obtains for himself a mastery of the Persian tongue which enables him with facility and accuracy to interpret conversation between business men of Persia and American citizens to pay him only $1,000.

Mr. SLAYDEN. Probably there are compensations. He can read Ali Baba in the original. There is some pleasure in that.

Mr. COOPER of Wisconsin. He ought to be paid according to the dignity of the position and the ability which its duties require.

Mr. HAMLIN. Will the gentleman yield for a question?

Mr. COOPER of Wisconsin. Yes.

Mr. HAMLIN. Does not the gentleman think this $1,000 paid to a native of Persia is in all probability a princely salary for a native over there?

Mr. COOPER of Wisconsin. It may compensate a native Persian, but it would not compensate an American.

Mr. HAMLIN. I agree with the gentleman in thinking that Americans ought to occupy these positions; but I presume this interpreter is not an American, and this salary is not being appropriated to pay an American, but a native.

Mr. COOPER of Wisconsin. My remark related simply to the suggestion of the gentleman from Pennsylvania that the interpreters at American consulates ought to be American citizens.

Mr. HAMLIN. I am very much in sympathy with the idea of paying just compensation; but does not the gentleman think we have overlooked one thing this afternoon in all this discussion as to increases in salaries? Is it not true that these boys in the Consular Service, and also the clerks, have a great incentive as well as a great opportunity presented to them for promotion to positions where the salaries will be increased as they are promoted throughout the service? The opportunities to get a better position and better pay puts them on a little different plane than it would the clerk who has no opportunity to go up.

Mr. COOPER of Wisconsin. Yes; but if the first year's salary is not sufficient to keep him one year, you are not going to get him into the service and take the opportunity for promotion.

The CHAIRMAN. The time of the gentleman has expired, and the question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was rejected.

The Clerk read as follow:

For 10 student interpreters at the legation to China, who shall be citizens of the United States, and whose duty it shall be to study the Chinese language with a view to supplying interpreters to the legation and consulates in China, at $1,000 each, $10,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as interpreter to the legation and consulate in China so long as his services may be required within a period of five years.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk:

The Clerk read as follow:

Page 5, line 4, after the word "nonpartisan," insert the words "and in accordance with modern democratic standards."

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer this amendment because we are engaged in the great task of democratizing conditions generally in the United States and throughout the world. You will observe that I did not use any capital letter in the use of the word "democratic." I am trying to make it as democratic in the popular sense as possible. These appointments are supposed to be nonpartisan and "democratic" with a small "d," and they ought to be in accordance with the modern democratic standards; that is to say, they should be free from political influence in the United States, because their business will be to study the Chinese language and interpret it for American purposes at the munificent salary of $1,000 per annum. The tendency is to appoint Democrats—I am using the big "D" now—to office in the United States; that is to say, that is the tendency, particularly where we provide by law that the appointment shall be nonpartisan. [Laughter.] If we wanted to make democratic—little "d"—appointments in the United States—and this has a relative bearing upon such foreign appointments—we provide specifically that such appointments shall, in the broader sense, be democratic appointments, nonpartisan.

I am surprised, however, to see these words in a Diplomatic and Consular appropriation bill. It might be different if we were providing for the employment of 30,000 employees now coming to Washington to fill the departments. In such a case under modern conditions I would esteem the use of the word "nonpartisan" as dangerous. It is not so serious as it relates to appointments in the foreign service to interpret the Chinese language. American politics has little to do with that, so that it seems to me we can now well afford that these appointments shall be made in accordance with "democratic standards."

Mr. MADDEN. Will the gentleman state what he means by modern democratic standards?

Mr. MOORE of Pennsylvania. The methods of making appointments in the United States.

Mr. MADDEN. What are they?

Mr. MOORE of Pennsylvania. The methods that provide that only deserving Democrats need apply. [Laughter.] Now, boiled down to the very residuum in the crucible, it is useless to put the word "nonpartisan" into a bill if by continuing modern Democratic standards you mean to appoint any Republicans to office at all. It is not to be expected in providing by law that appointments shall be nonpartisan it will follow that any other than a good Democrat will be appointed.

Mr. GILLETT. Will the gentleman yield for a suggestion?

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. GILLETT. I wish to suggest to the gentleman that he speaks of this method of appointing in the United States. I notice that he speaks of the minister to Siam, and I happen to know that the minister to Siam was appointed from the State of Connecticut, taken out of the office of the gentleman who was chairman of the Democratic State committee, which undoubtedly was sufficient to guarantee his excellence.

Mr. FLOOD. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. FLOOD. Is the gentleman aware that the ambassador to Mexico is a Republican and the ambassador to Brazil is a Republican?

Mr. MOORE of Pennsylvania. I had not heard of that. Those appointments were made before it was proposed to introduce the word "nonpartisan" in this bill.

Mr. FLOOD. I will say to the gentleman that so far as the permanent Diplomatic Service is concerned——

Mr. MOORE of Pennsylvania. I can not quite understand why it is necessary to introduce the word "nonpartisan" in a Diplomatic and Consular bill.

Mr. FLOOD. I will say to the gentleman that he is mistaken about that. The word "nonpartisan" was put in the bill on the motion of the very able, determined, and somewhat partisan representative, the gentleman from Massachusetts [Mr. ROGERS]. It was the fight he made to have it put in, and the rest of the committee, Democrats and Republicans, were glad to support his motion.

Mr. MOORE of Pennsylvania. In view of the gentleman's statement that he has at last discovered a Republican who has been appointed to office by the present administration, why should the gentleman object to this amendment?

Mr. FLOOD. I want to say that this is the first time in my experience in connection with this bill that I have heard complaints from a Republican source that the permanent diplomatic establishment did not have Republicans in it. I have heard complaints from Democrats that there are no Democrats in it.

Mr. MOORE of Pennsylvania. I grant the gentleman that there may be a few Republicans still remaining in the service who have not yet been discovered.

Mr. FLOOD. I would say to the gentleman that the permanent Diplomatic Service is largely made up of Republicans, and what I mean by the permanent Diplomatic Service includes the secretary. The ambassadors and ministers of course come and go with each administration.

Mr. SLAYDEN. Oh, I beg the gentleman's pardon, they do not. I wish they did.

Mr. HAMLIN. They have not gone in this administration.

Mr. FLOOD. The custom is for the ambassador or the minister, when a new administration comes in, to tender his resignation, and it is generally accepted. In this administration some of them have been retained, certainly in some of the highest ambassadorial positions. They have been given to Republicans, such, for instance, as Mr. Fletcher in Mexico.

Mr. MOORE of Pennsylvania. I am wondering whether the Republicans that have been retained are these $1,000-a-year interpreters.

Mr. FLOOD. No; they are the $17,500-a-year ambassadors, and the secretaries whose salaries we attempted to raise to $3,500, but which went out on a point of order made by the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, for the sake of historical accuracy, I wish the gentleman would insert there the gentleman from Indiana [Mr. COX].

Mr. FLOOD. The gentleman from Indiana.

Mr. MOORE of Pennsylvania. Will the gentleman name some of these Republicans who are retained at $17,500 a year?

Mr. FLOOD. There is the ambassador to Brazil, and the ambassador to Mexico, and secretaries all through the service, secretaries whom we call counselors, are nearly all Republicans.

Mr. MOORE of Pennsylvania. I am glad the gentleman has given us an opportunity to find out where to go in order to obtain these "nonpartisan" appointments.

Mr. FLOOD. I assure the gentleman these appointments in the State Department are nonpartisan.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. LINTHICUM. I would like to suggest to the gentleman that Mr. John W. Garrett, who was appointed by Mr. Taft, and who was afterwards transferred to Argentina, I believe now is in Belgium.

Mr. SLAYDEN. Oh, no; he is in Holland on a new appointment.

Mr. LINTHICUM. And was indorsed by a solid Democratic delegation of Senators and Representatives.

Mr. SLAYDEN. Mr. Chairman, I rise to announce my support of the proposition made by the gentleman from Pennsylvania [Mr. MOORE] to strike out the word "nonpartisan." I think it is humbuggery and hypocrisy. I would be glad to have the service put upon a frankly partisan basis. In the first place, I believe you will get superior men in it. I believe that when you get men fixed in the Diplomatic Service they become so obsessed with the value of forms and precedents and things of that kind that they magnify them into supreme importance when they are mere social trifles. The question was raised as to the politics of people now occupying high diplomatic positions. My information has been, and the gentleman from Wisconsin, my friend Mr. COOPER, always frank and sincere in his statements, corroborates it, that Mr. Reinsch, now occupying the important post of minister to China, is a Republican.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SLAYDEN. Mr. Chairman, I move to strike out the last word. Mr. Fletcher, ambassador to Mexico, is a Republican and the ambassador to Brazil, Mr. Morgan, is a Republican, and there are others, some of whom may have been considered Democrats, but who, if the facts were known, hardly voted the Democratic ticket between 1896 and 1912. I do not like to have things declared to be nonpartisan and then run on a partisan basis. My objection is there are too many Republicans. I shall never kick if the Republicans come in and frankly and honestly say that this is a time when the places are going to be occupied by Republicans.

Mr. HAMLIN. They always do it, whether they say it or not.

Mr. SLAYDEN. I would like to hear them say it—be honest in their statements as well as in fact. Mr. Chairman, "nonpartisan" here means nothing. The gentleman from Pennsylvania is right. I think it is a wise amendment and I shall vote with him.

Mr. AUSTIN. Mr. Chairman, I am not interested in Republicans holding office under a Democratic administration. When we Republicans come back, as we are surely coming back in the next Presidential election, we will put all the Democrats out and place Republicans in their places and have a better Goverment—a better administration of both our foreign and domestic affairs. But I did not take the floor to discuss political matters. I was in the Consular Service prior to my election to Congress 10 years ago, and at that time the great fault I found with the service was that it did not provide sufficient pay for the clerical force in connection with the American Consular Service. The wages or the salaries were so low that Americans could not afford to leave home and take those places, and as a result our clerical service was practically in the hands of foreigners who had absolutely no interest in promoting our trade against the interests of their own country. They were interested alone in their salaries. They naturally favored their own country over ours. After my election to Congress I made several talks in the House here in favor of Congress increasing those salaries with a view of substituting Americans at every place where the American flag was represented in a foreign port, either by our ambassadors, ministers, or consular officers. At that time in the service many of our consular agents and vice consuls were not Americans, they were foreigners.

Mr. FLOOD. Will the gentleman allow me to interrupt him——

Mr. AUSTIN. I want to ask the chairman of this committee if under the splendid administration of the present Director of the Consular Service, Wilbur J. Carr, he is increasing this appropriation with a view of substituting everywhere Americans for foreigners?

Mr. FLOOD. We have been doing that for some years.

Mr. AUSTIN. How many foreigners have we to-day in the Consular Service of the United States?

Mr. FLOOD. I will ask the gentleman from Massachusetts if he recalls it.

Mr. ROGERS. If the gentleman from Tennessee will consult the hearings——

Mr. AUSTIN. Life is too short for that.

Mr. ROGERS (continuing). Pages 47 to 49 and 60 to 64, he will find the whole story. All consuls general are American citizens. All consuls are American citizens; of 306 vice consuls only 29 are not American citizens, and of the consular agents, of whom there are about 138 in all, 62 are not American citizens.

Mr. AUSTIN. Now, the clerks.

Mr. ROGERS. There is no provision of law requiring clerks to be American citizens, and I do not recall that there has ever been any testimony on that point offered before the Committee on Foreign Affairs since I have been a member.

Mr. FLOOD. I will say to the gentleman that we proposed a very large increase in the appropriation for clerks for consulates this year, and this is for the purpose of Americanizing the consulates, not only as to consuls, but clerks also.

Mr. AUSTIN. In two classes there are nearly 100 foreigners, not counting clerks, in the Consular Service. As the gentleman has been reading the hearings in reference to the Consular Service from 1861 down to date, ancient and modern history, can he tell us definitely how many foreigners are on the clerical rolls of the consulates of the United States?

Mr. ROGERS. I have no information whatever on that point.

Mr. AUSTIN. It strikes me that would be a subject of interest to the Committee on Foreign Affairs.

Mr. FLOOD. There are still some, but they are decreasing in number every year, and this year we put in the appropriation bill almost double the amount of last year to enable——

Mr. AUSTIN. Would the gentleman accept an amendment to this bill that none but Americans shall be appointed in the consular or foreign service?

Mr. FLOOD. Well, we would have to put in an increase of appropriation a great deal more than we have, for the reason that some of these consulates would not be able to get American clerks for what the department can afford to pay them out of the proposed appropriation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUSTIN. I ask unanimous consent that my time be extended for five minutes.

The CHAIRMAN. The gentleman asks unanimous consent to speak for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD. I would say to the gentleman that the policy of the committee has been for a number of years, under the leadership of the gentleman from Massachusetts [Mr. ROGERS], to Americanize the Consular Service, and we will continue to do it from year to year, requiring the different grades of consuls to be American, and ultimately this will be done as to the clerkships. And the department has been working on the question of the clerkships and have been trying to get Americans to accept the clerkships, when they can pay them such salaries as will justify Americans accepting these places. At some places the clerical work is so simple that they can not afford to pay a salary that would justify an American to accept the position. And I do not believe it would be wise now to put in a provision requiring all these clerks to be Americans until that matter has been carefully considered and the necessary amount of money for the purpose of entirely Americanizing the clerical force of the consulates has been ascertained definitely.

Mr. AUSTIN. Now, Mr. Chairman, to my certain knowledge for nine years we have been working on this proposition to eliminate foreigners as our clerks, vice consuls, and agents and substituting Americans for them. We read now a good deal about "speeding up," and I suggest that term to our State Department and to our honored members of the great Committee on Foreign Affairs, and ask them to speed up this affair, and in our day and generation let us feel and know that we have Americans on guard in every foreign port. And if there is a necessity for an additional consular officer or foreign consular clerk, this great, rich, and prosperous country can afford to make an additional appropriation, so that American interests will be safeguarded throughout the world by true and tried Americans.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. AUSTIN. Always.

Mr. MOORE of Pennsylvania. It being reported from abroad, privately, at least, that almost every neutral country is honeycombed with enemy spies, would it not be wise, as the gentleman suggests, that only Americans be put on guard where they have to deal with the affairs of the United States?

Mr. AUSTIN. I have no doubt the record will show that in Germany and in Austria, and in the other countries which we are now fighting, they have had their citizens in many American consulates. And we ought to stop it, and the sooner the better. There is no excuse or explanation for continuing this policy, which is against the best interests of America.

Mr. COX. Will the gentleman yield for a question?

Mr. AUSTIN. Yes.

Mr. COX. Does the gentleman know what has been the practice of foreign governments, so far as our country is concerned, and whether they have employed only their own people?

Mr. AUSTIN. There is not a country in the world which is as reckless as we are on any subject. We trust everybody, and Uncle Sam is a Santa Claus for everybody.

Mr. COX. I agree with the gentleman on that. I am asking for information.

Mr. AUSTIN. I do not know.

Mr. ROGERS. It is the practice of foreign governments which have legations and embassies in Washington, and, so far as I know, in their missions in other capitals of the world, to employ a larger proportion of foreigners than we employ in our legations and embassies abroad. An interesting bit of evidence on that point as to the practice of Germany is contained in the disclosures which are now being made in the World's Work, and which indicate how Count von Bernstorff was repeatedly betrayed from within his embassy by men who were American citizens. While we may approve of the result in that particular case, if the shoe were on the other foot, we would not indorse it.

Mr. AUSTIN. The gentleman from Massachusetts has given a better and stronger argument in favor of my proposition than I have made myself, namely, that the employment of foreigners by the German Government led to the betrayal of the German Government and their interests in this country. And history will repeat itself if we permit the same thing to go on under our Government. We will have our interests betrayed. And therefore I want to make an appeal to the Committee on Foreign Affairs to write something in the pending bill or to report a bill which will put an end to this folly, in the interest of the safety of the Republic and the extension of our trade in foreign lands.

Mr. ROGERS. Will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. ROGERS. Of course, it does not follow that a man is going to be a loyal employee because he is an American citizen or that he is going to be disloyal because he is not an American citizen. But on averages, the United States would doubtless be vastly better off if its Diplomatic and Consular Service were completely Americanized. I am in absolute accord with the gentleman from Tennessee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS. I ask for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ROGERS. I suggest to the gentleman the undoubted fact that the State Department is exceedingly anxious to Americanize the American Consular Service from the top position down to the bottom position.

That takes time. The Committee on Foreign Affairs, under the leadership of the chairman, the gentleman from Virginia, has done a great deal in the last two years. We have eliminated a very large percentage of the foreigners who were acting as our vice consuls and consular agents. There is still a good deal of work to be done along that line. But the work is being done, and it will continue to be done just as fast as it is practicable.

Mr. AUSTIN. I just repeat what I said a moment ago. I have been engaged in the effort of trying to eliminate these foreigners now for nine years. If you could eliminate so many of them in two years, you could eliminate them all in the twinkle of an eye by bringing in here a bill requiring that only Americans be appointed to these positions. Your committee is on record as being in favor of that, because you say they have been endeavoring to do it for two years past. The State Department is also on record as being in favor of it. If it ought to be done, why should it take 10 years to do something so important as this, which could be done at one session of Congress.

Mr. ROGERS. The gentleman says life is not long enough to read the hearings had before the committee. Nevertheless those hearings are what the committee which reports the bill must rely upon. I should suggest to the gentleman from Tennessee that he read three or four pages of the testimony of Mr. Carr, the Director of the Consular Service, which deals thoroughly with this situation and shows what has been done in the last year and in the last two years.

Mr. AUSTIN. Mr. Carr can not do it all himself. It is the duty of the Committee on Foreign Affairs to bring in an appropriation bill with a provision to substitute Americans for foreigners. If I were to read the hearings until I should be black in the face, it would not furnish the information I desire, because I have called on the gentleman [Mr. ROGERS] to know the number now of foreigners who are in clerical positions in our Consular Service, and evidently that subject had not been discussed or brought out in the hearings on this bill. So I commend to the Committee on Foreign Affairs this suggestion, that this matter is all important, and I am going to call attention to it as long as it is unsettled, and I am going to try to stay here a long time. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, in view of the light that has been shed on this subject, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, that will be done.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For 10 student interpreters at the embassy to Turkey, who shall be citizens of the United States, and whose duty it shall be to study the language of Turkey and any other language that may be necessary to qualify them for service as interpreters to the embassy and consulates in Turkey, at $1,000 each, $10,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as interpreter to the embassy and consulates in Turkey so long as his services may be required within a period of five years.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. I wish to inquire of the chairman of the committee what policy has been adopted by the State Department in withdrawing interpreters, clerks, and consuls in the countries with which we are at war, such as Germany, Austria-Hungary, Bulgaria, and Turkey?

Mr. FLOOD. The diplomatic and consular forces in those countries have been withdrawn. They have been withdrawn from Germany and Austria-Hungary, and from Turkey.

Mr. STAFFORD. Then at the present time none of these appropriations is being expended for these activities in these respective countries?

Mr. FLOOD. No.

Mr. STAFFORD. I assume the policy is to carry the appropriations so that on the cessation of the war the activity will immediately be resumed?

Mr. FLOOD. Yes.

Mr. STAFFORD. May I inquire what is the policy of the Government in so far as Bulgaria is concerned?

Mr. FLOOD. We have consular officers there. Our minister to Bulgaria is also accredited to other countries besides Bulgaria. We have no diplomatic representative in Bulgaria. We have consular officers in Bulgaria.

Mr. STAFFORD. They have not been withdrawn?

Mr. FLOOD. No.

Mr. STAFFORD. Mr. Chairman, I withdraw my pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. COOPER of Wisconsin. Mr. Chairman, how long does the chairman intend to run? Can we adjourn now?

Mr. FLOOD. Until 5.30 o'clock.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONTINGENT EXPENSES, FOREIGN MISSIONS.

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, typewriters, including exchange of same, messenger service, compensation of kavasses, guards, dragomans, and porters, including compensation of interpreters, and the compensation of dispatch agents at London, New York, San Francisco, and New Orleans, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $1,005,585.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Here again we have a rather unusual increase of appropriations from $398,000 to $1,000,000. No deficiency is asked. Will the chairman of the committee inform the House the occasion for this abnormal increase in this item for contingent expenses?

Mr. FLOOD. Mr. Chairman, the principal item of increase is the matter of cables. Mr. Carr, for instance, who is in charge of the expenditure of that, says:

Mr. CARR. There is seemingly a large increase in the estimate. That appropriation last year was $398,585, but the first estimate which was submitted this year was $605,585. We have recently submitted a supplemental estimate raising the amount to $1,005,585. The reason

for that is this: The expenses paid from this appropriation for the fiscal year 1917 were $311,000; there was an additional sum of $132,000 that was paid for the same year from the so-called war relief fund, and which was provided for for the present year in the urgent deficiency bill of last fall. That would bring the total expense up to $443,000, without including the cost of telegraphing. The cost of telegraphing during the last year was $286,000, but the closest estimate I am able to make for this fiscal year, based upon the cost of telegraphing during the first seven months of this year, is about $540,000. We are asking that you increase this amount so as to include about $540,000 for telegraphing.

Mr. MILLER. What is the occasion for all this telegraphing?

Mr. CARR. The occasion for it is this: In the first place, mail correspondence is, for practical purposes, of no use. You never know when your letter is going to be delivered. Practically the entire important correspondence of the foreign service, and especially that part of the service stationed around the central power countries, is done by telegraph. That telegraphing covers all ordinary transaction of business; it covers agreements between the different Governments as to what they are going to do with respect to the war; it covers information as to what is going on; it covers what is being said in the press, as that is absolutely necessary to have; it covers economic information; and then there is also the enormous amount of telegraphing made necessary by reason of the fact that the diplomatic channel is the only channel through which certain classes of information can be transmitted with absolute certainty. We have to send many messages for the War and Navy Departments, the War Trade Board, the Shipping Board, and other establishments.

Mr. STAFFORD. As I understand, the department is obliged to communicate more and more by means of cable and telegraph, owing to the existing war, whereas formerly most of the communication was by mail.

Mr. FLOOD. Yes; the means of communication by shipping are so bad now that they have to communicate by cable.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

Mr. FLOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HUMPHREYS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Diplomatic and Consular appropriation bill, H. R. 9314, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. HASTINGS indefinitely, on account of illness.

INTOXICATING LIQUORS.

The SPEAKER laid before the House the following communication:

DEPARTMENT OF STATE,
THOMAS HALL, SECRETARY OF STATE,
Bismarck, N. Dak., February 4, 1918.

Hon. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.

DEAR SIR: Agreeable to a resolution adopted by the fifteenth legislative assembly, in extraordinary session, I am inclosing a copy of resolution relating to the ratification of amendment to the Constitution of the United States regarding the manufacture, sale, and use of intoxicating liquors.

Yours, very truly, THOMAS HALL,
Secretary of State.

—

UNITED STATES OF AMERICA,
DEPARTMENT OF STATE, STATE OF NORTH DAKOTA.

To all to whom these presents shall come:

I, Thomas Hall, secretary of state of the State of North Dakota, do hereby certify that the attached resolution is a true and complete copy of a certain concurrent resolution adopted by the fifteenth legislative assembly, in extraordinary session, beginning January 23 and ending January 29, 1918.

Dated at Bismarck, N. Dak., on this 30th day of January, A. D. 1918.

[SEAL.] THOMAS HALL,
Secretary of State.

—

H. B. No. 8, a joint resolution (introduced by Mr. Harris) ratifying a proposed amendment to the Constitution of the United States of America.

Whereas both Houses of the Sixty-fifth Congress of the United States of America, at the second session, by a constitutional majority of two-thirds thereof, made and passed the following proposition to amend the Constitution of the United States of America, in the following words, to wit:

"Joint resolution proposing an amendment to the Constitution of the United States.

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

"'ARTICLE —.

"'SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof, for beverage purposes, is hereby prohibited.

"'SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

"'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by Congress.'"

Therefore be it

Resolved by the Legislative Assembly of the State of North Dakota, duly convened, That the said foregoing proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the Legislative Assembly of the State of North Dakota.

And be it further resolved, That certified copies of this preamble and joint resolution be forwarded by the governor of this State to the Secretary of State of the United States of America at Washington, to the Presiding Officer of the Senate of the United States, and to the Speaker of the House of Representatives of the United States.

Approved, 4.45 p. m., January 28, 1918.

LYNN J. FRAZIER, *Governor.*

COMMISSION ON NAVY YARDS AND NAVAL STATIONS (H. DOC. 1046, PT. 6, 64TH CONG., 2D SESS.).

The SPEAKER laid before the House the following message from the President, which, together with the accompanying documents, was referred to the Committee on Naval Affairs and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress report No. 6 of the Commission on Navy Yards and Naval Stations.

WOODROW WILSON.

THE WHITE HOUSE, *February 8, 1918.*

THE LATE REPRESENTATIVE HILL—MEMORIAL EXERCISES.

Mr. MERRITT. Mr. Speaker, I ask unanimous consent that Sunday, March 3, 1918, be set apart for addresses upon the life, character, and public services of Hon. EBENEZER J. HILL, late a Representative from the State of Connecticut.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that Sunday, March 3, 1918, be set apart for addresses on the life, character, and public services of the late Representative HILL. Is there objection?

There was no objection.

LEAVE TO EXTEND REMARKS.

By unanimous consent, Mr. LONDON was given leave to extend his remarks in the RECORD.

NITRATE PLANT AT MUSCLE SHOALS, ALA.

Mr. FLOOD, by unanimous consent, obtained leave to print in the RECORD the following concurrent resolution of the Virginia Legislature:

A concurrent resolution of the Virginia Legislature.

A resolution petitioning the President to proceed with the construction of the power dams at Muscle Shoals, Ala., so that this cheap power may be available for the production of fertilizer from the nitrate plants provided for, and for which $20,000,000 was appropriated by the Sixty-fourth Congress, and which are now building at that place.

Whereas in the long list of tremendous expenditures now being made to prepare for and carry on the present war, two programs only will have great permanent economic value to the Nation when the present war ends, namely, the building of an American merchant marine, but more especially the location and construction at Muscle Shoals, Ala., of large plants for the production of nitrates, which plants in peace times can be turned into the manufacture of fertilizers; and

Whereas the great contribution to the agricultural interest of the country in the operation of these nitrate plants in time of peace can only come through furnishing the farmers of the country not only an increased supply of nitrates, but by furnishing a more adequate and cheaper supply of nitrates combined with the phosphates from Tennessee located near by Muscle Shoals; and

Whereas the most economical and permanent production of fertilizers in times of peace from these nitrate plants, so wisely located at Muscle Shoals, Ala., can only be expected by the farmers of the country provided that the cheap water power at Muscle Shoals is made available and with the least possible delay: Therefore be it

Resolved by the house of delegates (the senate concurring), First, that we, the members of the Legislature of the State of Virginia, most earnestly appeal to the President to order the construction of the great dam and development of hydroelectric power at Muscle Shoals to be started at once, so that with this cheap power the great nitrate plants now being constructed there for war purposes can be operated at full capacity in times of peace in the production of cheap fertilizers and in order that these nitrate plants, with cheap water power, will come to the relief of the labor and fertilizer burdens now weighing so heavily upon American agriculture.

Second, that we hereby petition the United States Senators and Members of the House of Representatives from the State of Virginia to use their most earnest efforts and best influence to secure the consent of the President to as speedily as possible proceed with the construction of the great water-power dam at Muscle Shoals, in order that cheap hydroelectric power may be as promptly as possible available for the operation of these nitrate plants in the production of fertilizers when these nitrate plants are no longer needed for war purposes.

Third, that duly certified copies of this concurrent resolution be sent to each of the Senators and Members of the House of Representatives from the State of Virginia.

Agreed to by house of delegates January 30, 1918.

JNO. W. WILLIAMS,
Clerk House of Delegates.

Agreed to by the senate January 30, 1918.

O. V. HAUGER,
Clerk of Senate.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

A bill (S. 1735) to create an additional judge in the southern district of Florida; to the Committee on the Judiciary.

A bill (S. 3317) providing for the removal of snow and ice from the paved sidewalks of the District of Columbia; to the Committee on the District of Columbia.

ADJOURNMENT.

Mr. FLOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 28 minutes p. m.) the House adjourned until to-morrow, Saturday, February 9, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speakers' table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting supplemental estimates of appropriation required for the War Department for the fiscal year 1918 (H. Doc. No. 922); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Labor submitting supplemental estimates of appropriation required for the Department of Labor for the fiscal year 1918 (H. Doc. No. 923); to the Committee on Appropriations and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 8684) granting a pension to Louis Settles, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred a follow:

By Mr. STEELE: A bill (H. R. 9677) authorizing the several district courts of the United States to appoint official stenographers and prescribing their duties and compensation; to the Committee on the Judiciary.

By Mr. SHERWOOD: A bill (H. R. 9678) to amend section 1 of an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 9679) to provide for the retirement of employees in the civil service; to the Committee on Reform in the Civil Service.

By Mr. HAMLIN: A bill (H. R. 9680) to prohibit the sale, manufacture, and importation of intoxicating liquors in the Territory of Hawaii unless the qualified electors thereof repeal the provisions hereof; to the Committee on the Territories.

By Mr. THOMAS F. SMITH (by request): A bill (H. R. 9681) to create a national board of water conservation, to define its powers and duties, and for other purposes; to the Committee on Water Power.

By Mr. HULL of Tennessee: A bill (H. R. 9682) to provide against the depreciation in the market prices of certain obligations of the United States on account of artificial causes; to the Committee on Ways and Means.

By Mr. BOOHER: A bill (H. R. 9683) to employ prison labor for the production of war supplies and to authorize their purchase by the Federal Government; to regulate the compensation and hours of prison labor and fix standards; to prohibit the purchase of war supplies manufactured by prison labor under private contract; to limit the effect of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured, mined, or produced by prison labor or in any prison or reformatory; and to equip the United States penitentiaries and the United States Army prisons and disciplinary barracks and the United States naval prisons for the manufacture of supplies for the use of the Government; for the compensation of the prisoners for their labor; and for other purposes; to the Committee on Labor.

By Mr. MAHER: A bill (H. R. 9684) providing for a survey from Gravesend Bay to Sheepshead Bay and Rockaway Inlet; to the Committee on Rivers and Harbors.

By Mr. SIMS: A bill (H. R. 9685) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD: A bill (H. R. 9686) to establish engineering experiment stations in the States, Territories, and the District of Columbia in connection with State-supported universities or engineering schools for the promotion of engineering and industrial research as a measure of industrial, military, and naval preparedness in times of peace or war; to the Committee on Education.

By Mr. BRITTEN: A joint resolution (H. J. Res. 238) assigning to the various war appropriating committees of the Senate and House two Army officers and two Navy officers whose duty shall be to make personal observations of the military and naval operations in Europe and report same to said committees; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 9687) granting an increase of pension to William R. Brummett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9688) granting an increase of pension to B. Cecil; to the Committee on Invalid Pensions.

By Mr. DUPRÉ: A bill (H. R. 9689) for the relief of Celeste Doussan Bisset; to the Committee on Naval Affairs.

By Mr. FOSTER: A bill (H. R. 9690) granting an increase of pension to Christopher C. Estes; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 9691) for the relief of John J. Buckley; to the Committee on Claims.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 9692) granting a pension to Leontine M. Cremerieux; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 9693) granting an increase of pension to George W. Justice; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9694) granting a pension to Thirza M. Dolph; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 9695) granting an increase of pension to William B. Bowdle; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 9696) granting an increase of pension to Rensselaer F. Delmot; to the Committee on Invalid Pensions.

By Mr. MAHER: A bill (H. R. 9697) granting six months' pay to Katharine Taylor Dodge, widow of Charles Dodge, captain, United States Army; to the Committee on Military Affairs.

By Mr. MOORES of Indiana: A bill (H. R. 9698) granting a pension to Olive K. Jeffries; to the Committee on Invalid Pensions.

By Mr. OSBORNE: A bill (H. R. 9699) granting a pension to Sarah A. Dow; to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 9700) granting a pension to Hans W. Hansen; to the Committee on Pensions.

By Mr. RUSSELL: A bill (H. R. 9701) granting an increase of pension to Joseph Vincent; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 9702) granting a pension to William C. Crockett; to the Committee on Pensions.

By Mr. STEELE: A bill (H. R. 9703) granting a pension to Edward F. Stewart; to the Committee on Pensions.

By Mr. TALBOTT: A bill (H. R. 9704) granting an increase of pension to Charles N. Emich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9705) granting a pension to Mrs. Louisa Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9706) granting a pension to William Mason Jones; to the Committee on Pensions.

Also, a bill (H. R. 9707) granting an increase of pension to John R. King; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 9708) to remove the charge of desertion from the military record of Matthew Thomas; to the Committee on Military Affairs.

By Mr. VOIGT: A bill (H. R. 9709) granting an increase of pension to Eugene L. Haughton; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 9710) granting a pension to John M. Flynn; to the Committee on Pensions.

By Mr. WOODYARD: A bill (H. R. 9711) granting an increase of pension to Peter Jennings; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the Chamber of Commerce of the State of New York, urging severe penalties for spies and enemy agents; to the Committee on the Judiciary.

Also (by request), petition and argument, protesting against the Borland eight-hour day for Government clerks; to the Committee on Agriculture.

Also (by request), memorial of Missouri State committee, medical section, council of national defense, indorsing House bill 8937; to the Committee on Military Affairs.

Also (by request), resolutions of the Socialist Party, Local Queens, requesting the President and the Congress of the United States to take action to bring about an armistice among the warring nations on the basis outlined by the de facto revolutionary Government of Russia; to the Committee on Foreign Affairs.

Also (by request), resolution of the Pittsburg Hungarian Club, expressing sincere loyalty to the Government of the United States; to the Committee on the Judiciary.

Also (by request), resolution of the Thomas J. Clarke Branch, Friends of Irish Freedom, asking Congress to go on record as favoring the political independence in the form of the Irish Republic; to the Committee on Foreign Affairs.

By Mr. CAREW: Resolution of the Association of Lithuanian Patriots of America, urging the recognition of a free and independent Lithuania; to the Committee on Foreign Affairs.

Also, memorial of the Chamber of Commerce of the State of New York, urging more stringent legislation against spies and enemy plotters; to the Committee on the Judiciary.

By Mr. CLARK of Pennsylvania: Petition of Dr. N. C. Campbell, E. L. Hanson, C. G. Brevilier, F. L. Camp, and 25 others, praying for the passage of House bill 7995, for the preservation of the *Niagara*, Commodore Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. CURRY of California: Petition of several city officers, well-known citizens, and other residents of Stockton, Cal., in favor of increased salaries of Government employees whose classification is that of watchmen and laborers in United States post-office buildings; to the Committee on the Post Office and Post Roads.

Also, petition of several residents of Stockton, Cal., in favor of the alien slacker bill; to the Committee on Immigration and Naturalization.

By Mr. DALE of New York: Memorial of the Chamber of Commerce of the State of New York, urging more stringent laws for the punishment of spies and enemy plotters; to the Committee on the Judiciary.

Also, memorial of Brooklyn Free Kindergarten Society, urging the creation of a kindergarten division in the Bureau of Education; to the Committee on Education.

By Mr. FOSTER: Resolution of the W. H. L. Wallace Post, No. 55, Grand Army of the Republic, of Centralia, Ill., urging increase of pension to $50 per month; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: Memorial of the Chamber of Commerce of the State of New York, for more stringent laws for the punishment of spies and enemy plotters; to the Committee on the Judiciary.

By Mr. HAMILTON: Papers to accompany House bill 9474, granting a pension to George H. Roberts; also papers to accompany House bill 9583, granting an increase of pension to W. K. Wakefield; to the Committee on Invalid Pensions.

By Mr. KELLY of Pennsylvania: Petition of citizens of Oakmont, Pa., favoring constitutional amendment prohibiting polygamy; to the Committee on the Judiciary.

By Mr. ROGERS: Memorial of the Lithuanian Naturalization Club, Lowell, Mass., asking for the restoration of the political independence of Lithuania; to the Committee on Foreign Affairs.

By Mr. SNYDER: Memorial of the Chamber of Commerce of Utica, N. Y., praying for the conservation and development of the idle water power of the country; to the Committee on Rivers and Harbors.

By Mr. TALBOTT: Proof relating to pension of Charles N. Emich; also evidence in support of a bill granting a pension to Louisa Moore; to the Committee on Invalid Pensions.

By Mr. VARE: Memorial of State Board of Agriculture of Pennsylvania, supporting the Weeks bill for the embargo on the importation of plants; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 9, 1918.*

The House met at 12 o'clock noon.

The Rev. William Couden, of Washington, D. C., offered the following prayer:

Our Father who art in Heaven, as we approach another Sabbath we realize that all the blemishes on the closing week have been caused by man. How strange it is! Thou hast made plain to us Thy requirements and indicated the things of shame, and given us the freedom to obey Thee. Yet blindly or willfully Thy children dishonor their relationship to Thee. Vouchsafe Thy forgiveness for aught that any here have said or done that is sinful. And grant Thy continuing grace to help us to become clean and to reconsecrate our all to Thee. Build us up in moral fiber and quicken us in spiritual keenness, that through the work and influence of even the least of us Thy purposes may be carried on toward fulfillment.

Extend the answer to our prayer to all our fellow citizens and our governmental and military enterprises; to our friends, the allies; and even to our enemies.

And from each of us persons here present may there rise to Thee the spirit of the prayer of Dr. Bethune:

O God!
Pardon what I have been;
Sanctify what I am;
Order what I shall be:
And Thine
Shall be the glory;
And mine
The eternal salvation;
Through Jesus Christ, my Lord.

Amen.

The Journal of the proceedings of yesterday was read and approved.

DESIGNATION OF SPEAKER PRO TEMPORE TO-MORROW.

The SPEAKER. The Chair designates the gentleman from Ohio, Gen. SHERWOOD, to act as Speaker pro tempore to-morrow.

WAR-RISK INSURANCE.

Mr. SIMS. Mr. Speaker, I move to consider House joint resolution 235, extending the time for filing applications for insurance in the War-Risk Bureau from February 12 to April 12, 1918. I will say that a similar resolution, exactly like this in every respect, Senate joint resolution 128, has been passed by the Senate, and I ask that that Senate joint resolution be considered in lieu of the House resolution.

Mr. STAFFORD. I assume that the gentleman asks to have the Senate joint resolution taken from the Speaker's table and considered in the House.

Mr. SIMS. Yes. Let me state briefly that the time for filing applications under the War-Risk Bureau bill expires on the 12th of this month. On account of many applications not being received from the soldiers in foreign lands, it is necessary to extend the time.

The SPEAKER. The gentleman from Tennessee asks to have Senate joint resolution 128 substituted for House joint resolution 235. Is there objection?

Mr. STAFFORD. Reserving the right to object, I assume that the request of the gentleman is to have Senate joint resolution 128 taken from the Speaker's table and laid before the House.

Mr. SIMS. That is the request, and I was about to explain why it was necessary.

The SPEAKER. The matter is before the House, and the request is to take from the Speaker's table Senate joint resolution 128 and substitute it for House joint resolution 235. Is there objection?

Mr. STAFFORD. Let the Senate joint resolution be read.

The Clerk read as follows:

Joint resolution (S. J. Res. 128) granting to certain persons in the active war service an extension of time within which application for insurance may be made under section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917.

Resolved, etc., That the time within which application for insurance may be made as set forth in section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917, is hereby extended, with respect to every person in the active war service as to whom the time for making application would expire before the 12th day of April, 1918, so that every such person may make application for insurance up to and including the said 12th day of April, 1918: *Provided*, That nothing herein shall be construed to effect an extension of the automatic insurance provided for in the said section 401 beyond the 12th day of February, 1918.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SIMS, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

House joint resolution 235 was laid on the table.

QUESTION OF PRIVILEGE—IMPEACHMENT OF A. C. WOLFE.

Mr. NELSON. Mr. Speaker, I rise to a question of high privilege.

The SPEAKER. The gentleman will state it.

Mr. NELSON. I offer the following resolution.

The Clerk read as follows:

Resolved, That A. C. Wolfe, United States district attorney for the western district of the State of Wisconsin, be impeached before the Senate.

POLITICAL PERSECUTION.

Mr. NELSON. Mr. Speaker, during the past few months I might have risen to a question of the highest privilege. Under the Constitution, as a Member of the House, I might have impeached a district attorney, who, being a Federal official, permitted his office to be used by others in a manner that I will not now characterize. I prefer to state the facts, and then leave it to Members to pass judgment upon them.

I have not so risen, and I do not now rise, to press this resolution of impeachment for the present. I introduce it now merely that I may discuss the case under the rules of the House.

So far as his removal from office is concerned, it is reported generally in the press of my State that the Attorney General has called for his resignation and named his successor.

I dislike exceedingly to invoke the ponderous impeachment machinery of the Constitution in a matter personal to myself, and I am loath to do anything that would look like taking petty revenge. But had any other person in my district been the victim of this political conspiracy I would have urged a congressional investigation looking to impeachment without a moment's hesitation.

WHY STATEMENT MADE.

I have delayed making any public statement until this case was definitely determined in the courts. The time has now gone by within which a writ of error might have been sued out. I did not wish to try my case in Congress or in the newspapers, but before a judge and jury. I would not make this statement in the House now but for the fact that the judge, in the proper discharge of his duty, found the indictment against me so utterly unfounded in fact and law that he directed the motion to quash, which gave us no further opportunity to present the facts to a jury.

I shall, therefore, do so now, generally, in order that by placing the facts on record I may more fully vindicate my character, the good name of my son, and inasmuch as I am a Member of this body, vindicate so far the honor of the House.

JUDGE QUASHES AND SQUASHES.

The proceedings in the case were interesting but brief. They were over in 20 minutes. An able, unprejudiced, and upright judge read the indictment against myself and my son, asked a few questions about the alleged facts and the interpretation of the law, and thereupon, with caustic comments, he proceeded promptly, pertinently, and peremptorily to put the case out of court. He understood the animus of the case. He not only quashed the indictment: He also squashed the district attorney. I will now read the decision itself that disposed of the matter. The court said:

In view of the fact that there is nothing in the act of Congress and in the proclamation of the President which calls upon citizens of the United States domiciled abroad, either temporarily or permanently, to come home, and, in view of the fact that all the activities of the defendants, so far as appears from the indictment, were prior to the passage of the draft law, it seems to me that a demurrer to this indictment or a motion to quash must prevail.

You have the order, Mr. Clerk, leave to withdraw the plea of not guilty and to file a motion to quash; and upon consideration of the motion to quash, and having heard the arguments of counsel, etc., the motion will be granted and the indictment quashed.

PROCEEDINGS IN COURT.

Let me first briefly describe the scene in court and then quote from the official record, so that you may understand the situation as it presented itself to the mind of an upright judge.

The trial was set for the morning of January 3, but Judge Carpenter had telegraphed that he could not arrive from Chicago until 1 p. m. He arrived promptly at that hour.

Looking around the court room, I saw that my friends had come from far and near, but I could see but few present of those who had worked so industriously to bring about my ruin. Perhaps conscience had told them to stay away. I think they also anticipated the outcome, for it was generally understood that it was "politics."

It was soon apparent that the judge, tall, stern, and commanding, with strong intellectual features, knew his business. No time was lost. He was there for justice and not for politics. He went through the long drawn conspiracy indictment like a prairie fire, making inquiries of the district attorney as to certain parts, and then, commenting aloud, he referred to one part as "inducement" and to another as "camouflage." He knew the law thoroughly. He met the district attorney on every fact and without quibbling or evasion made him face the law.

When the motion for continuance was made by Mr. Wolfe, the court interrupted:

The COURT. I assume that some of these gentlemen here are prospective jurors. Is it customary in this district to make motions of this sort in the presence of the jurors?

I think if there is any place for these gentlemen to sit temporarily that the jurors may be excused during this motion.

The district attorney then read a long affidavit alleging that a Miss Elizabeth Sweets was ill; that her testimony was necessary to prove that some time in April, more than a month before the draft law was passed, Byron had said in her presence that he did not believe in war and would not go to war. The district attorney also set forth that he wished further time to enable the Government to find out whether Byron Nelson had crossed the line when on his honeymoon in the Rocky Mountains near Watertown Lakes.

Mr. Jackman, who, with Mr. Crownhart, represented us, pointed out to the court briefly how immaterial and irrelevant these facts were and how the district attorney had used this same excuse about Byron's crossing the line to put off his trial on his first arraignment before Judge Sanborn. Mr. Jackman further told the court that the only reasons Mr. Wolfe gave a few days before the day set for the trial were that he was busy and wished to look after post-office sites in Madison and Mineral Point.

We asked leave to file counter affidavits setting forth the facts, and then this colloquy took place:

The COURT. Do you raise an issue of fact here?

Mr. JACKMAN. I raise the question as to the ground of this continuance.

* * * * * * *

Now, furthermore, the court undoubtedly is not familiar with the hodgepodge of politics up in the good State of Wisconsin, perhaps, but the facts with reference to that are set forth in these affidavits. This case has more or less of a political complexion.

The COURT. Not when I am here.

Mr. JACKMAN. I understand.

The COURT. These defendants are just like anybody else, and the Government is just like any other person.

Mr. JACKMAN. But it is being used for that purpose.

The COURT. Who is using it?

Mr. JACKMAN. It is being used by the press and other parties who are in politics.

The COURT. If the press is going too far we will have them in here.

Mr. JACKMAN. Well, I think they ought to be.

* * * * * * *

After a brief discussion as to the way to take up these cases, the court said:

Why not dispose of the Nelson, jr., case?

Mr. WOLFE. The evidence we are trying to get on his coming into the territorial limits of the United States is material.

The COURT. He is not charged here with anything except that on the 5th of June he failed to register in Madison.

Mr. WOLFE. But there is a question of fact and law to be determined, whether if he does come within the territorial limits of the United States, whether or not it is his duty or whether it is obligatory on his part to register.

The COURT. He is not charged with that. The grand jury have not charged here that he failed within five days after he returned to this country to register somewhere. You charge him with failing to register on the 5th of June in Madison.

Mr. WOLFE. Well, it is his duty to register in Madison.

The COURT. No; he was absolutely exempt, if the statements in the newspapers are anywhere near true that he was out of the country at the time the law was passed; then by the President's proclamation he did not have to be here on the 5th of June.

Mr. WOLFE. Well, there is a question of law there that ought to be determined.

The COURT. Well, that should be disposed of in advance of the trial, it seems to me.

Mr. WOLFE. The question of law should be disposed of.

The COURT. Well, what is the question of law? He is charged with failing to register. Now, what is the question of law? He did not have to register here, because he was not in the country when the act was passed. * * *

Mr. WOLFE. The question of law could come up on a demurrer to this indictment.

The COURT. The indictment is perfectly good. I assume that when the defense comes they will show that he was out of the country on the 5th of June.

Mr. WOLFE. Yes.

The COURT. That settles that case.

Mr. WOLFE. Well, I would like to have the court hold open that argument.

The COURT. What is the legal proposition?

Mr. WOLFE. The legal proposition is that the act of Congress requires citizens of the United States to register regardless of any——

The COURT. Supposing he had been in Paris.

Mr. WOLFE. Well, I say that is a question of law I would like to argue to the court.

The COURT. You can not dignify it by calling it a question of law.

* * * * * * *

Mr. WOLFE. The President's proclamation could not exempt him under the act of Congress.

The COURT. What did the act say?

Mr. WOLFE. The act made it obligatory on all persons to register.

The COURT. How about those outside the country at the time?

Mr. WOLFE. There was a matter of convenience given them to register.

The COURT. Just read the terms of that exception, if you have it there.

Mr. WOLFE. I have the letter of the Attorney General [handing same to the court].

The COURT. It is the act of Congress we have got to go on here.

Mr. WOLFE. The act of Congress we contend made it obligatory on all citizens of this country to register.

The COURT. The Attorney General seems to state it very plainly here: "The President may prescribe not inconsistent with the terms of the act. This language, of course, absolutely covers male citizens residing abroad as fully and to the same extent as it does male citizens residing in this country. Such persons are subjects of the United States, and as such owe it allegiance."

There is no doubt about that. They may be compelled to perform military service, and while the obligation can not be enforced against them, whenever and wherever the Government can lay hands on them. Now, they could not force this regulation of registration on the 5th of June last, because the Government could not lay their hands on him. They did not. Now, he was indicted for failing to register here. He did not have to, because he was not here and could not. It was a physical impossibility.

Mr. Jackman thereupon called the court's attention to the law, the regulations, and the rulings of the provost marshal. I now quote from the record:

The COURT. Let us take the second case first. I will call the conspiracy case the second case.

Mr. JACKMAN. Yes.

The COURT. Now, Mr. Wolfe, will you state briefly the things charged by the grand jury against the father and son, the Nelsons here, that amount to a crime against the United States? Just what did they do or fail to do? Assume that the young man did not want to go to war; assume that he hoped to evade serving his country and taking that part in the representing of her affairs that most young men would want to take; assume all that, that was his state of mind, and that he deliberately went up to Alberta with the knowledge, perhaps, that such a law would be passed—the draft law—and that he got there, the draft law was passed, it had certain provisions for registration in this country which it was a physical impossibility for him to comply with; and assume he stayed there a certain length of time, and that his father encouraged him; assume that the father knew all of this, and they went closely together as fathers and sons frequently do and should. Assume all that. Now, what is it they have done that has violated a statute of the United States? You see, I have got to look at this thing absolutely unclouded by what seems to be a very unfortunate state of affairs in Wisconsin—a state of affairs which makes it necessary for a Federal judge of a sister State to come here and hear matters that properly belong in this court. As I say, I am looking at this absolutely unclouded. There is no such thing as politics in it. A citizen of this district has been charged with a crime. Is he guilty or not guilty? If he is guilty, he will be punished. If there is no crime charged in this indictment I am going to set him free this afternoon.

Mr. WOLFE. That is the only attitude the Government assumes in this case, none other. The reason that the Government or the grand jury, perhaps, preferred an indictment against JOHN M. NELSON and his son Byron Nelson, is this: After April 6, when a state of war was declared to exist between the United States and Germany, under the act of June 3, 1916, all persons between the ages of 18 years and 45 years were members of the militia of the United States, and all citizens under the law not only owed allegiance but were subject at any time to be called into active military service as soon as Congress took such steps as it deemed proper and necessary to call the men into active military service.

The COURT. Are they charged with conspiring to violate that law?

Mr. WOLFE. No.

The COURT. Or the registration law?

Mr. WOLFE. No; but that comes in connection with the duty——

The COURT. That is inducement.

Mr. WOLFE. I am calling the court's attention to that law to show that at that time, after April 6, both the father and the son owed his duty to the Government.

The COURT. Oh, you can assume that every citizen of the United States owed that duty without any act of Congress—every normal citizen.

Mr. WOLFE. Now, the facts—the facts as the Government expects to prove them—were these: That after the declaration of war Byron Nelson and his father, with others, entered into this unlawful agreement to have Byron Nelson evade any duty that he owed to the Government under this law and any regulation or law that would be passed thereafter.

The COURT. Is there any statute which makes it a crime to conspire together to violate some law to be passed in the future?

Mr. WOLFE. No; but I mention this as the agreement, and this agreement was a continuing agreement from that time on. It continued in force after the draft law was passed on May 18, 1917.

The COURT. Well, now, what overt act do you charge done by either one of the conspirators after the passage of the draft law or the registration law? Because under our statute of conspiracy now there must be some overt act in pursuance of the conspiracy or there is no crime.

Mr. WOLFE. In pursuance of that unlawful agreement and conspiracy——

The COURT. Let us take the case of Nelson, sr. What do you expect to prove that he did after that?

Mr. WOLFE. He continuously after that time advised by letter and telegram, advising his son, both here, while the son was here in Wisconsin and after he left Wisconsin and went to Canada, to leave the State of Wisconsin.

This statement is absolutely untrue. See statement that follows.

The COURT. This was before the law was passed.

Mr. WOLFE. Enter into a partnership, as he called it, marry this young girl now his wife, and take a trip for the Northwest; that this not only might be sufficient to be successful in this enterprise, but it would furnish argument later on which might prove successful in evading the draft law.

This telegram related wholly to his marriage. Mr. Wolfe misconstrues and distorts its whole meaning and purport. See statement following.

The COURT. That is, a law to be passed in the future?

Mr. WOLFE. Yes.

The COURT. Let us assume all that. We have passed that point. We have got the law passed by Congress. What was done after that to carry out the conspiracy?

Mr. WOLFE. After that he sent a telegram to Canada, and while in Canada advised him not to register—a number of telegrams—not to take any steps until he had received his letter and had received further notice, and in one telegram he specifically said not to register.

Here Mr. Wolfe fails to tell the Court that these telegrams were sent in September because he was trying to browbeat and bulldoze Byron. Not one sent before June 5, 1917.

The COURT. Well, aren't we brought right face to face with this proposition, that in the absence of a direct call from the President or the Congress of the United States to our citizens domiciled abroad, under the terms of this act were they obliged to return to this country?

Mr. WOLFE. Yes; under the terms of this act——

The COURT. Now, just a minute. We have a lot of foreign residents; we had them in Mexico, we had them in France, in Italy, some in Germany, and a great many in Canada and in Great Britain. Now, was there anything in that law that required a man to come home, in the absence of a direct request from the President of the United States acting through some regulation of Congress?

Mr. WOLFE. It did not require him to come home, but it required him to register if he was within the draft age.

The COURT. It required him to register in some county in this country, and blanks for that purpose could only be found in this country. No provision is made there for putting his registration in a foreign mail box.

Mr. WOLFE. That provision is not in accordance with the act of Congress, if such an interpretation should be placed on that provision.

The COURT. Well, what is there in the act of Congress that operates outside of the confines of this country?

Mr. WOLFE. This provision right here, section 2.

The COURT. Supposing Congress provided that any American citizen who violated the police regulations in a foreign city should be guilty of a crime. Do you think that law would be good?

Mr. WOLFE. Well, that is probably of a different character.

The COURT. Well, now, wait a minute. Congress is now legislating for somebody that is in a foreign country, one of our own citizens to be sure. Now, what is there in that act that requires the citizen in a foreign country to come back here?

Mr. WOLFE. This provision is section 2, after speaking of the draft: "Such draft as herein provided shall be based upon liability to military service of all male citizens, or male persons not alien enemies who have declared their intention to become citizens, between the ages of 21 and 30 years, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act."

Mr. JACKMAN. What are you reading from?

Mr. WOLFE. Section 2, page 73.

Mr. JACKMAN. Of the selective-draft law?

Mr. WOLFE. Yes.

The COURT. Is it your contention that applies to citizens of the United States residing in foreign countries?

Mr. WOLFE. It makes no exception.

The COURT. I am asking you.

Mr. WOLFE. Yes; that is my contention.

The COURT. Suppose we had some in Australia. Would the district attorney in Madison, Wis., indict them because they failed to register?

Mr. WOLFE. If they willfully tried to evade the act.

The COURT. It is willfully attempting to evade the act if knowing the existence of the act you fail to carry out its purpose or conform to its provisions.

Mr. WOLFE. This is the provision in this particular case; that a person who leaves this country for that very purpose of evading this act, or has gone, that he is in a position where he can not complain; but the act of Congress makes no exception, but says: "Such draft as herein provided shall be based upon liability to military service of all male citizens, or male persons not alien enemies who have declared their intention to become citizens, between the ages of 21 and 30 years, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act." Now, there is not any exception made.

The COURT. But there is so much to be found in the balance of the act which indicates that it is meant to apply only to those citizens of the United States that are within her jurisdiction, that I can not see the foundation for your argument.

Mr. WOLFE. Section 5 continues: "That all male persons between the ages of 21 and 30, both inclusive, shall be subject to registration in accordance with regulations to be prescribed by the President."

The COURT. Suppose Congress said that every male citizen of the United States should pay a tax of $2 a thousand on his money in the bank; would that apply to citizens of the United States that were domiciled abroad—I mean in the absence of some specific language—even if it could be done? Would the general language cover it? Of course this is an unusual thing. Nobody dreamed that a thing like this could happen in this country. Now, we must construe that act with reference to normal conditions.

Mr. WOLFE. Section 5 continues: "And upon proclamation by the President or other public notice given by him or by his direction, stating the time and place of such registration, it shall be the duty of all persons of the designated ages, except officers and enlisted men of the Regular Army, the Navy, and the National Guard and Naval Militia, while in the service of the United States, to present themselves for and submit to registration under the provisions of this act; and every such person shall be deemed to have notice of the requirements of this act upon the publication of said proclamation or other notice as aforesaid given by the President or by his direction; and any person who shall willfully fail or refuse to present himself for registration or to submit thereto as herein provided shall be guilty of a misdemeanor."

Then it concluded with this proviso: "*Provided further*, That in the case of temporary absence from actual place of legal residence of any person liable to registration as provided herein, such registration may be made by mail under regulations to be prescribed by the President."

I submit that a person who, with the intent of that particular thing in view, leaves this country and goes to Canada and stays in Canada, as the indictment alleges, that he failed to register at any time after

that time—after June 5—that then he willfully violates the law, especially if he was able to comply with it. The regulations themselves that were issued, section 65, does not make any absolute exception, but uses the words "may be unable to comply with the regulations pertaining to absentees."

The COURT. What are the regulations? Just see what they are and how utterly impossible it would be for one in a foreign country to conform to those regulations, indicating, as I say, that the act of Congress was meant to cover only those citizens of the United States within the jurisdiction of the United States.

Mr. WOLFE. But supposing the Government would be in a position to show that after the issuance of those regulations Byron Nelson did enter the territorial limits of the United States, so that he was in the United States; then it became his duty under these regulations——

The COURT. But he is not indicted for that.

Mr. WOLFE. But he is indicted for failing to register at any time after June 5.

The COURT. Let's see [examining indictment].

Mr. WOLFE. "Or any time thereafter."

Mr. JACKMAN. The conspiracy limits the overt act up to the 15th of June.

Mr. WOLFE. The charge is, "So then and there"——

The COURT. I am sorry I can not listen and read at the same time.

Mr. WOLFE. Oh, I beg your pardon.

The COURT. Now, the charging part says that prior to the 15th of June and on the 6th of April, 1917, they conspired together for the purpose of evading the duty of the younger Nelson to do what he might thereafter be told to do by Congress. That is what this section on page 6 of the indictment amounts to; and the father advised him to go. Where in this indictment is the charge that he returned to the United States? (See statement following.)

Mr. WOLFE. It does not say that he did return to the United States.

The COURT. We have to test the legality of this document by what appears in the eight pages; not by any fact that the Government may have otherwise.

Mr. JACKMAN. May I——

The COURT. Just a minute. * * * I want to ask Mr. Wolfe to be sure and advise me if he has called my attention to every section of the act of Congress which has to do with the registration of citizens domiciled abroad, or is there—I suspect there is not—but is there a single clause in the act of Congress or a single section in the proclamation of the President which refers definitely to American citizens that are outside the jurisdiction of the United States and indicates that the act of Congress and the President's proclamation should affect them?

Mr. WOLFE. There is not a single provision that particularly mentions those persons.

* * * * * * *

Mr. WOLFE. But the way I construe this regulation it is a mere convenience to the person affected by this regulation. The duty to register is absolute, but for such persons' convenience this regulation was issued. I say that for this reason: That it seems to me inconceivable that Congress could have had in mind such a law that it would permit persons to come and go, leave the country and come back again without those persons being required to obey this law.

The COURT. Well, I presume that he is now registered, isn't he?

Mr. JACKMAN. Yes, sir.

* * * * * * *

The COURT. The only charging part in this joint indictment is that on and prior to the 15th of June and after the declaration of the state of war between the United States and Germany the defendants conspired and combined together that for the purpose of evading his duty as a member of the national forces of the United States and to avoid the performance of any active military service the said Byron C. Nelson should depart from the territorial limits of the United States and should go to the Dominion of Canada. Now, that you see, while it is very seductive to have the date the 15th of June in there, it is a sort of camouflage that makes us overlook for a moment just what these defendants really did, but when we get down a little further we find that all they did in pursuance of that conspiracy was to counsel the young man to depart the United States prior to the passage of the law, which we know was on the 18th of May. Therefore this all took place prior to the passage of the law, and that is the fact. What I want to find out is what they are charged with subsequent to that?

Mr. WOLFE. They are charged subsequently with a continuance of this agreement.

The COURT. Well, where is it? I can't find it.

Mr. WOLFE. It is in there.

The COURT. It says: "Having entered into the conspiracy and in furtherance thereof, the said Byron C. Nelson, upon the continued counsel and advice of his father, did continue to remain beyond the territorial limits of the United States from the 3d of May, 1917, and after the passage and approval of said act of Congress of May 18, 1917, and the proclamation of the President of the United States issued in pursuance thereof."

In other words, the father counseled the boy that once he was away to stay away. There is no charge here at all that he ever returned to the United States at any time. We get right back to the original proposition; that indictment charges the defendants with a conspiracy to violate a law to be passed at some time in the future by the Congress of the United States. That is the only definite thing in it.

Mr. WOLFE. And then the continuation of that advice after the law was passed.

The COURT. Advising him to stay there.

Mr. WOLFE. Advising him to stay there and not register as required.

The COURT. While he is over there. In other words, advising him that once he is out of the country that he can stay there.

Mr. WOLFE. Not to register, as we contend he must under this act.

The COURT. Nothing in that act from which we can anywhere near require the young man to register from a foreign port or from a foreign city—absolutely nothing.

Mr. WOLFE. In submitting that letter of the Attorney General, perhaps that more clearly states the fact.

The COURT. It is a very interesting letter, and, of course, is entitled to a great deal of respect, but I think he does not pass upon what I think is the controlling question in this case.

* * * * * * *

In view of the fact that there is nothing in the act of Congress and in the proclamation of the President which call upon citizens of the United States domiciled abroad, either temporarily or permanently, to come home, and, in view of the fact that all the activities of the defendants, so far as appears from the indictment, were prior to the passage of the draft law, it seems to me that a demurrer to this indictment or a motion to quash must prevail.

Mr. JACKMAN. Now, may it please the court, does that apply to both of these indictments?

The COURT. I do not know what the Government wants to do with this other case. As I said before, this indictment——

Mr. WOLFE. I suppose that the Department of Justice in Washington would like to have this matter heard before the higher court.

The COURT. It is a criminal case, and I am not familiar with it. Is there a statute here so that it can be reviewed?

Mr. WOLFE. Oh, yes; that is the reason I desired to have this put in a demurrer.

The COURT. It is a great deal better to do it in this way.

Mr. WOLFE. Because this is an important matter.

The COURT. Because if I should take this case away from the jury, as I undoubtedly would, being of this kind, then the Government could not appeal.

Mr. WOLFE. No; that was the point I made.

The COURT. So we will have a formal order here permitting the defendant to withdraw his plea of not guilty and demurring to the indictment or motion to quash.

Mr. JACKMAN. In the case of Byron C. Nelson and John M. Nelson——

The COURT. I think the other case I will leave for the Attorney General to dispose of by order of nolle pros, because, as I said before, it is a good indictment; you can not demur to it.

Mr. WOLFE. No; but it involves the same proposition of law.

The COURT. And it involves the same proposition of law and it involves the same facts.

Mr. WOLFE. And the Attorney General, I suppose, probably would like to determine that for himself; and if this is to be done this way, probably there ought to be a formal demurrer.

Mr. JACKMAN. I am now filing in the case of the United States *v.* John M. Nelson and Byron C. Nelson a motion to withdraw the plea of not guilty heretofore filed for the purpose of filing a motion to quash the indictment.

The COURT. That is all right.

Mr. JACKMAN. And I am now filing a motion to quash the indictment against Byron C. Nelson and John M. Nelson upon the ground that the indictment upon the face does not constitute facts sufficient to constitute a crime.

The COURT. That is just the same as a demurrer.

Mr. JACKMAN. I understand a demurrer is not proper.

The COURT. It is not under the equity rules, but I imagine that anything that properly raises the question and presents it to the court of appeals will be sufficient.

Mr. WOLFE. I would like to have the record in such shape so that the department——

The COURT. Oh, an exception will be preserved to the Government. I do not know as it is necessary.

Mr. WOLFE. No; it is not necessary, but I want to be in a position so that we can notify the Attorney General. In matters of this kind the United States attorney usually notifies the Attorney General, and the department determines whether——

The COURT. Whether they want to take it up or not.

Mr. WOLFE. Yes.

The COURT. The court of appeals is now in session in Chicago, and the record, I take it, would take less than a day to have printed.

Mr. WOLFE. But we have to get the ruling of the Attorney General before we take a step of that kind.

The COURT. You have the order, Mr. Clerk, leave to withdraw the plea of not guilty and to file a motion to quash; and upon consideration of the motion to quash, and having heard the arguments of counsel, etc., the motion will be granted and the indictment quashed.

Mr. WOLFE. And the Byron Nelson case——

The COURT. That will rest just the way it is. I will not dispose of that at this time.

Mr. JACKMAN. This young man is registered, and he has a large farm up there, and he is the active man in charge.

The COURT. Well, I think the Attorney General would not have any objection to his departing the jurisdiction of the court if the court did not. I certainly won't have any objection to his going back to Canada.

Mr. WOLFE. I haven't any.

Mr. JACKMAN. He is subject to a call at any time. Now, that case, as I understand, is to stand in statu quo.

The COURT. As I say, the Government may nolle this case in 2 days or 30 days, depending upon what happens to the other, because if the facts won't support the conspiracy case, they won't support the case against the boy.

Mr. WOLFE. They are all grounded on the same question of law.

The COURT. Yes.

This ended the case. The court adjourned. The judge was soon on his way back to Chicago. Newspaper men could hardly grasp, not to say write up, what had happened. Attorneys and clients alike could scarcely realize the full significance of the strange scene we had witnessed. Friends crowded around to shake our hands and to tell us with tears in their eyes how glad they were. Many denounced the persecution bitterly as "dirty politics." One thing is certain—I hope no friend of mine will ever go through an experience like it. In politics men do strange things, and I have gone through many campaigns where my political foes sought to win by using unfair means, but this far surpassed them all in heartless, unjust, and oppressive use of power.

THE BURDEN OF OUR OFFENSE.

Now what was the burden of our offense? My son has a father who is a Member of Congress. For this reason only he is singled out among thousands of Americans abroad of draft age for persecution. As his father is a Member of Congress, it is great stuff for sensational headlines. And that is my offense. Moreover, I vote as I think right, in the fear of God and not man, and, as it is suspected that I may be reelected, desperate means had to be resorted to, and were.

A district attorney was by various indirect and subtle means induced first to swear out a warrant, and then later to go be-

fore a grand jury that was influenced by unfriendly newspaper criticism, and ask for my indictment on a conspiracy charge under a distortion of the facts and an absurd statement of the law.

THE FACTS IN THE CASE.

Now, these are the facts in the case as we were prepared to prove them. I am president of the John M. Nelson Co. (Ltd.), and as such I am temporarily interested in a large farm in Canada. When I took hold of this project, more than five years ago, through my willingness to aid two brothers who had made unfortunate financial investments, I got so entangled with them that I had to get into this foreign business field far deeper than I had ever expected, in order to save them and myself from great financial loss. I thought that I was discharging a brotherly duty, but here was the beginning of this conspiracy.

During these five years in my connection with this farm I have learned some lessons. Among these I mention the fact that it is easier to get in than to get out of a foreign investment, and that farming by proxy 2,500 miles away through hired managers and workmen is not as profitable a business enterprise as to invite general envy.

Looking about, therefore, for some one upon whom I could rely to represent me I quite naturally turned to my son, now 24 years of age. Four years ago, with this thought in mind, I sent him to Canada to spend the summer. During his past three years at college I directed him to take up farm studies; and a year ago last fall when I returned to Madison, where he was attending the State University, I discussed with him quite fully our mutual understanding that he was to go to the farm after graduation in June to do farm work and to prepare himself as manager, so as to relieve me in large part of this burden.

Naturally, I thought that this was merely a family arrangement for sharing burdens and responsibilities, but according to the district attorney this was a continuance of this conspiracy.

HIS GOING NO SECRET.

In November, 1916, a graduate of the University Agricultural College by the name of P. C. Strelow was engaged by us as manager and Egbert Stondall and wife as assistant and cook on the farm. My son bought their railroad tickets for them, saw them off at the station, saying that he would be with them in the spring. After Mr. Strelow had been on the farm a month or two he reported to me that because of the drain upon men for the long war hired help would be high and scarce in Canada. He feared that he would have difficulty in getting the necessary labor to put in the crops. Thereupon, I wrote to my son, urging him to look up farm labor, so that we might send men there if needed; and I told him to arrange to take with him others when he went out in June after graduation.

In the meantime, Byron was enthusiastic over his going to Canada, not only because he wished to relieve me of this burden but also for the reason that the university physicians had told him the dry air would cure him of a throat trouble, and in our family circle it was thought that a few years on a farm would be most helpful, physically and otherwise, for his theological course. Byron had some years previously decided upon the ministry as his calling. With enthusiasm he discussed his going to Canada with all who would listen—his fellow students, his teachers, his relatives, and especially with the members of the family of the young lady whom he was engaged to marry.

If his going was the overt act in a conspiracy he certainly did not keep it secret; and at the trial a dozen witnesses were present to testify to the fact that his going to Canada was planned long before we ever dreamed that the United States would be drawn into the world war.

MARRIAGE PLANS AND WAR.

The district attorney failed to include a very notable person in this alleged conspiracy. In song and story he is called Cupid. He is the real culprit, for he put the secret service agents on the wrong scent.

During the month of August, 1916, Byron became engaged to a young lady with whom he had grown up and attended college. He became engaged with our consent and with the knowledge and consent of her parents. Formal announcement of the engagement was made in December, 1916, and was published in the papers of the city of Madison. It was no secret. His companions at the university all knew of it; the families knew of it; and their friends all knew of it.

It was arranged at the time that they should be married immediately after Byron's graduation from the university in the spring of 1917 and upon the completion of the contract which the young lady had for teaching in the Young Women's Christian Association at Indianapolis. She had graduated from the university in the spring of 1916. So the young folks planned, but "the course of true love never did run smooth" and great things were about to happen to disarrange their plans.

April 6, 1917, the United States went into the war.

STUDENTS IN WARTIME.

The events that preceded and followed the eventful day that the President read his message to Congress directing a declaration of war are known to us all. At the great universities of the land the students became restless and uneasy. My son wrote me that he could not study. No one was trying to do so. Good students who had formerly received high marks abandoned their work; companies were formed; the boys were drilling; the spirit of unrest permeated the classes.

APPEALS FOR FOOD PRODUCTION.

On the 14th of April the Hon. Emanuel L. Phillip, governor of the State of Wisconsin, issued a proclamation which was headed in the press: "Governor issues proclamation declaring man who works with hoe a patriot" and stating in substance that battles are won with bread and urged the farmers to plant every available acre of ground.

On April 16, 1917, President Wilson issued his "address to fellow countrymen," calling attention to the necessity for increased food supply and stating:

Thousands, nay, hundreds of thousands of persons otherwise liable to military service will of right and of necessity be excused from that service and be assigned to the fundamental, sustaining work of the fields, factories, and mines, and they will be as much a part of the great patriotic forces of the Nation as the men under fire.

UNIVERSITY ACTION.

Following this, and on the 17th day of April, 1917, the faculty of the College of Agriculture of the University of Wisconsin passed the resolution which reads as follows:

Whereas there exists a marked shortage of the world's food supply and our Council of National Defense is looking to the agricultural colleges in this crisis for help in increasing State and National crop production, the faculty of the agricultural college of the University of Wisconsin recommends action as follows:

That all senior, junior, and second year middle course agriculture students be released immediately from academic work for service in food-production campaign;

That all students who normally graduate either now or at the close of the summer session be given their diplomas at the appropriate times if they enter at once upon and continue up to the time of graduation in food-production activities; and

That any student, accepted for this service under the conditions specified below, may receive the total number of credits for which he is at present enrolled. Credit will not be necessarily given as for a particular course but when it is prerequisite for further work for the course later, for which he may receive additional credit. * * *

Any student enrolled in this service in order to receive credit must continue in such service until the opening of the college of agriculture in 1917, unless excused by the committee hereinafter provided. He shall furthermore make such reports and present such evidence as shall be necessary to determine the character of the service performed to be such as to warrant credit. * * *

It is also recommended that a committee to be known as the war council of the college of agriculture be appointed by the dean and that he shall be ex officio chairman of said committee. This committee shall administer the foregoing provisions and other pertinent matters. * * * It is further recommended that the faculty of the college of agriculture urge upon the other faculties of the university the seriousness of the food-supply situation and recommend to their consideration the possibility of such action as will stimulate the cooperation of individuals fitted to render specially valuable service in increase of food supply.

This resolution was printed and had wide circulation through the press in Wisconsin.

A few days later and on the 23d of April, 1917, the faculty of the college of letters passed the following resolution:

Resolved, That the faculty of the college of letters and science recognizes the public-service character of agricultural work at this time and approves of the release of students from attendance during the remainder of the semester under conditions substantially the same as those adopted by the college of agriculture. The administration of this grant of absence is left with the executive committee of this college acting in conjunction with the appropriate committee of the college of agriculture.

This resolution was likewise given wide circulation.

On the 25th day of April, 1917, the regents of the university adopted the following resolution:

Voted, That the action of the president of the university and the faculty in releasing members of the faculty and students of the university from their customary work in permitting them to work in the interest of better preparation for war in this State be approved.

STUDENTS RESPOND.

Immediately after the passage of the resolution by the college of letters and science my son, Byron, with about four hundred other students, made application to the proper authorities in the regular manner prescribed by the university faculty to be allowed to go on farms to work. The matter was taken up by the war council. He was granted permission to go on the farm. In the application he stated where he was going and what he expected to do. He filed his reports, sending them to the proper officers, down until the 1st of October, in compliance with the resolution of the faculty, and he was given his degree.

Furthermore, on the 10th of June, 1917, he received a letter from the president of the university which reads as follows:

The university has decided to give an insignia to all students who take part in war service, whether military, food production, industrial, or otherwise. In accordance with this plan there is inclosed herewith a badge to which you are entitled.

Very truly, yours, CHARLES R. VAN HISE, *President.*

This is the badge. It is of bronze in the form of a shield. In the center is the coveted initial W; around this W are the words "University of Wisconsin" and below in larger type "War service."

Previously my son's name had been published in the local newspapers on a "roll of honor."

LONG BEFORE LAW PASSED.

In response, therefore, to the appeals of the governor, the President, and other public men, my son, knowing the need of help upon the farm, after stating his purpose to me by letter and with my approval, under the direction of the university faculty offering him credits as if in attendance at the classes, left for Canada May 2, 1917, taking with him a friend and fellow student, William Chandler, to work upon the farm.

When Byron and Chandler left Madison for Canada they went for the good and sufficient reasons stated, and not as charged to avoid the draft. The draft law had not been passed. No one knew for certain that a draft law would be enacted. Certainly no one was advised as to the provisions of the regulations which were to be promulgated if the law passed, and therefore no one could possibly know the manner in which the draft was to take place.

YOUNG FOLKS WILL MARRY.

While, therefore, the war had not hindered but rather helped his going to the farm in Canada, Byron was nearly distracted over its serious disarrangement of his marriage plans. I voice a universally recognized truth when I say that no red-blooded boy at the age of 23 accepts with undisturbed emotions happenings, however grave, that threaten to postpone indefinitely his marriage day. My son was no exception to the rule.

He was frantic over the uncertainty of things. All sorts of rumors were afloat. He bombarded us with letters and telegrams—all about his marriage tribulations. One day I received a special-delivery letter and a telegram, because he had heard that Congress was about to pass a law prohibiting marriage by persons of military age until after the war. These telegrams the secret-service agents obtained and, of course, misconstrued. Sympathizing with the young folks in their distress, I at first advised marriage whenever her parents would consent, but subsequently, upon calmer consideration, I strongly dissuaded such a course, pointing out to the young folks how the newspapers would misrepresent their motives. In short, acting under the sober advice of the respective parents, and as the young lady disliked to break her contract as a teacher, they decided to postpone the marriage until after his return in June, if he was under the draft, as he expected, or if no conscription bill passed she would go to Canada to him, as they had fondly planned during the winter.

Subsequently it transpired, as I shall soon relate, that being a resident abroad, he was not required to register June 5, the time being wholly voluntary with himself, so upon the completion of her work as teacher, in order to save the loss of labor and the expense of his returning to the United States, and especially to keep his agreement with the university faculty to work on the farm until October, it was arranged that they be married in Lethbridge, Canada. Her parents attended the wedding, going from the farm to the Glacier National Park on a summer vacation. My son and his bride took a few days off for their honeymoon, and thereupon both returned to the farm, went to work, and remained there until he came back in October under circumstances which I shall state. At no time after he left the university on the 2d day of May, 1917, down until the time when he returned and registered was my son within the territorial limits of the United States.

BYRON TRIES TO REGISTER.

That my son did not go to Canada to avoid the draft, and that I did not direct him to do so, will now conclusively appear. Several letters were received by me at Washington from my son, asking what was necessary for him to do with reference to registering and urging us to keep him informed. I told my secretary, a Wisconsin man, subject to registration, to look up Byron's case as he attended to his own. When the President's proclamation was issued, providing for registration by absentees, I asked my secretary to go to the district board to procure a card for my son. As it takes six days for a letter to reach Spring Coulee, Alberta, Canada, from Washington, my son, without waiting for us, had written a letter to the county clerk of his home county asking that a registration card be sent him. His friend and fellow student, Chandler, had received a card from his father by mail. This card was shown Byron and Mr. Strelow, and on Sunday, May 27, Chandler filled it out. How this card was obtained under the regulations I do not understand. It was clearly contrary to the regulations for clerks to give out blank cards. Byron and Strelow sat down and each wrote a letter directed to the county clerk of Dane County, Madison, Wis., in which they stated in substance the facts called for in Mr. Chandler's card. Mr. Strelow took these letters, together with other letters written on the same date and the one inclosing the registration card of Chandler, and on the morning of the 28th of May mailed these letters at Spring Coulee, Alberta, Canada. Mr. Chandler's card reached his district board, but Byron and Strelow never received any response to their letters. At the trial this fact would have been proven by seven witnesses.

TOLD HE CAN NOT REGISTER.

In the meantime my secretary at Washington reported to me that he had obtained his card from the district board, but that he was unable to get any card for Byron, because of the fact that he was outside of the territorial limits of the United States. He said that he had been referred to the Provost Marshal's office, that he had made inquiries from that office, and had been informed that no card could be given him, for the reason that no provision had yet been made for the registration of Americans outside the territorial limits of the United States, and that consequently there was no method whereby they could register.

Three days later, the 25th day of May, in order to verify the statements of my secretary, I personally made inquiry from the office of the Provost Marshal General and was informed by the officer in charge exactly what my secretary had reported, and I was further advised that if I would look at section 65 of the regulations I would find that persons outside the territorial limits of the United States were not required to register until five days after their return to the United States.

I sent to my son a copy of the regulations, together with a statement as to what I had been told by the Provost Marshal's office.

If the writing of that letter and the sending of this information was a conspiracy, the Provost Marshal who framed the law and the regulations should have been indicted as the chief conspirator!

PROVOST MARSHAL'S RULES.

Later, on the 12th day of June, 1917, the Provost Marshal General issued what is known as Form 15, headed "Information as to registration of American citizens resident abroad," and to which form was signed the name of the Provost Marshal General. The first section of this form provides as follows:

At the present time (June 12, 1917) the registration of American citizens resident without the jurisdiction of the United States is not compulsory.

After the newspaper reports with reference to the action of the district attorney at Madison had been called to my attention, I personally went to the office of the Provost Marshal General, and on September 1, 1917, I received a letter from the Provost Marshal General signed by Harry L. Watson, captain of the Seventeenth Cavalry, which reads as follows:

With reference to the registration of persons residing in Canada or elsewhere without the jurisdiction of the United States, the statements contained in the bulletin, Form 15, hereto attached are still correct.

LAW AND REGULATIONS.

At the time of my inquiry at the Provost Marshal General's office, May 25, I was referred to certain sections of the registration regulations, and I examined these myself. Section 5 of the act of May 18 provides that all male persons between the ages of 21 and 30, both inclusive, shall be subject to registration in accordance with the regulations to be prescribed by the President. The latter part of the same section provides that—

In case of temporary absence from actual place of legal residence of any person liable to registration as provided herein, such registration may be made by mail under regulations to be prescribed by the President.

In the registration regulations promulgated May 18, 1917, by the President, section 2 provides, among other things:

These regulations pertain only to the registration of all male persons in the United States, the Territories, and the District of Columbia, between the ages of 21 and 30, inclusive, and are published for the direction and guidance of all concerned.

Section 6 provides that all correspondence relating to the execution of the act shall be addressed to the office of the Provost Marshal General.

Section 64 provides for the machinery whereby persons in the United States in States distant from their own State may apply to the proper officers in the county or city, but no provision is made of any kind in the regulations of the President in cases

where a person is outside the territorial limits of the United States.

Section 65 provides:

Registration of persons at sea or abroad: Male persons within the designated ages who, on account of absence at sea or on account of absence without the territorial limits of the United States may be unable to comply with the regulations herein pertaining to absentees, will, within five days after reaching the first United States port, register with the proper registration board, or as herein provided for other absentees.

My construction of these regulations and of the law at the time was in accord with the instructions received from the Provost Marshal, also a memorandum from the Secretary of War to the Secretary of State in which he says that registration on the part of citizens abroad has not been made compulsory, and the printed instructions to consuls by the Secretary of State, in which he informs them that registration on the part of citizens abroad is wholly voluntary.

This construction is further absolutely confirmed by the selective-service regulations prescribed by the President under date of November 8, 1917. Section 53 of these regulations provides, among other things:

Citizens or persons who have declared their intention to become citizens who have not hitherto registered on account of absence without the territorial limits of the United States are required to register within five days after their return to the United States.

Section 56, headed "Registration of persons residing abroad," contains, among other things, the following language:

Citizens and persons who have declared their intention to become citizens, residing abroad, are not required to register.

A REMARKABLE OFFENSE.

In short, Mr. Speaker, my son had gone to this farm in Canada before the draft law was passed, under the auspices of his university, responding to the call of the governor of the State and the President of the Nation to all patriotic citizens to produce food for the country and her allies, for which service my son received a letter of praise and an insignia in bronze from his university as a memento of his patriotism; yet he was indicted for a dereliction of duty, and I was indicted for transmitting to him rulings received from the Provost Marshal General, who was authorized to make such rulings by the President of the United States under the act of Congress.

NATURE AND PROGRESS OF CASE.

The question naturally presents itself, Why did the district attorney do it? Who were behind him, urging him on, and using him to accomplish their political ends? These questions have been put to me often by men who know that political persecutions of this kind are not carried on unless people in places of power or influence are back of them. I will, therefore, set forth the nature and the progress of this case in some detail.

WAR AND POLITICS.

I have the honor to represent the capital city, and I live at Madison, where the State capitol is located. It follows from this fact that in my home city are some goodly number of politicians, in and out of office, who take a lively interest in politics.

Some of these leading politicians, not friendly to me politically, served on the grand jury. The district attorney, of the opposite political party, was a stranger to me, but associated closely with my political opponents.

Until very recently there were only two daily papers in my home city, one of the opposite political party, and as such quite naturally takes a shot at me from time to time. The other used to be of my party and was edited by a friend, who turned against me because I did not fully share his views. He permitted my enemies to use his columns freely for hostile communications, and from time to time he directed his editorial batteries at me.

This hostility began soon after my vote on the so-called armed neutrality bill. A number of men who have been opposed to me in factional politics, representatives of the local public-service corporations and other financial interests, started an agitation that was taken up by this daily newspaper. This agitation resulted in organizing what they called the "Never-again Nelson Club," and these political enemies went so far as to have celluloid buttons made with the letters N. A. N. printed on them. This action was supposed to result from my vote against the armed neutrality bill.

As a result of this agitation the faculty of the university sent me petitions, a large parade was organized, lengthy resolutions were sent by wire, and generally the utmost pressure brought to bear to secure my vote for war. But I did not so vote.

After war was declared, it being now the question of being loyal to the law of the land and to the flag of our country, I supported, with one or two exceptions, the President's entire program. This fact was either carelessly overlooked or purposely ignored by these prejudiced people.

STIRRING UP SECRET SERVICE.

The opportunity that my political enemies were looking for presented itself in this way: During the month of August, 1916, this newspaper learned that my son, Byron, was in Canada; that he was not registered, and had recently been married. The account of his marriage was written up in a way to convey the suggestion that he had gone to Canada to escape the draft. This paper thereupon began to print statements alleged to come from the United States district attorney, Mr. Wolfe, with reference to my son being in Canada and not registered. These stories were continued from day to day, and finally the paper printed the sensational news item that the district attorney intended to swear out a warrant for my son's arrest.

Prior to that time, after war had been declared, a number of Secret Service men had been sent to Madison, the chief of whom was a Mr. Spencer. They sent a telegram to the Bureau of Investigation at Washington inquiring if my son had registered in the District of Columbia. I was called up over the telephone and gave them generally the facts that I have stated to you. Later, in answer to a letter, I sent the bureau a statement giving detailed information.

AT OFFICE OF ATTORNEY GENERAL.

A week or ten days later I learned from the Associated Press that the district attorney had sworn out a warrant for my son's arrest. I thereupon went to the Department of Justice to consult this Mr. Keen, with whom I had talked over the telephone. He took me up to the Assistant Attorney General, Mr. Fitts, who has charge of the criminal division of the department. After I had stated the facts to them, Mr. Fitts said:

Well, Mr. Keen, if this young man was in Canada more than two weeks before the law passed, how could he violate the law?

They asserted emphatically that the action of the district attorney had not been directed by them, and assured me that they would ask him to report on the case at once. Subsequently I presented a statement in the form of a letter to the Attorney General, stating the facts and the law in detail, citing the rulings of the Provost Marshal, the memorandum of the Secretary of War, and the instructions to consuls from the Secretary of State, and a copy of this letter was sent to the district attorney.

At my interviews with Mr. Fitts I found him frank, fair, and just. He gave me emphatically to understand that he failed to see how the district attorney could charge my son with violation of the law. He inquired of me who was back of this prosecution, advised me to go home, it being near the end of the session, to see who was stirring up the matter.

PATRIOTISM AND POLITICS.

My presentation of the law and the facts to the district attorney put an end to the persecution, so far as I could observe, for a period of six weeks. But during this time Mr. Wolfe and the secret-service agent, Mr. Spencer, were importuned by my political foes on the streets and over the telephone; newspaper reporters, unfriendly to me, came to interview them day after day on the Nelson matter, asking what they intended to do, and why they did nothing. Telegrams were sent to Washington to the Department of Justice by the chairman of the State Council of Defense for the State of Wisconsin, and by the secretary of the Dane County Council of Defense, urging the prosecution of my son. Both of these men have been for years members of a faction opposed to me. It is a most significant fact in this connection that on the 31st day of December, 1917, but a few days before the time set for the trial at Madison for conspiracy against Byron and myself that the chairman of the Dane County Council of Defense announced himself as a candidate for my seat in Congress. How much the chairman knew of the action of his secretary I can not say; but the fact is that the secretary telegraphed in the name of the Dane County council.

ANOTHER OPPONENT'S PLATFORM.

Previously another severe critic had announced his candidacy for my seat, using as a defense of his action an alleged newspaper interview. I present it here as an interesting specimen of the newspaper persecution I had to endure. The regular reporters of the newspaper associations were generally fair. I gave each of them a brief statement at the time the district attorney swore out his warrant against my son, showing his innocence of the charge. But two days later a reporter tried to interview my wife over the telephone on the subject of "conscientious objectors." She declined to be interviewed and told him to await my arrival. Upon my return home after a session of Congress this persistent fellow called me up. I told him that I would give out no interview. He said something offensive, and so I

promptly hung up the receiver. This is the dispatch that he sent out to the newspapers of the country and printed in my home paper:

WASHINGTON, *August 31, 1917.*

Congressman NELSON, Wisconsin, to-day said that both he and his son, whose arrest as a slacker is threatened by Government officials, are "conscientious objectors." Further, he admitted he gave his son advice to go to Alberta wheat farm to escape military service.

Not only did this false interview bring out a candidate for Congress against me but I was threatened by a very prominent lawyer of my home city until I had explained to him by telegram that the item was sheer fabrication. This is the telegram I sent:

Statement false, defamatory, libelous—a willful reporter's deliberate lie.

GETTING BEHIND GRAND JURY.

My statement of the facts and the law had also put a stop to the newspaper propaganda. Very little was published about the case. But on the 20th of October, a month and 20 days after Mr. Wolfe had sworn out the warrant, he announced to the reporters that the grand jury, then in session, had indicted my son on the same charge.

Just why the district attorney did nothing after learning of the provost marshal's ruling, having sworn out his warrant September 1, and then presented the matter to the grand jury more than a month afterwards, I never could understand unless it be that he could not withstand the pressure. At any rate, I had gone home for the brief vacation taken by Congress, and at once, upon learning of the indictment by a grand jury, I decided that the best course was to end the matter by telegraphing my son to return, to register, and then to demand an early trial. Without any warrant being served on him, he returned, registered, and was assigned the serial No. 4456 and order 1284 A in full compliance with the act of May 18, 1917, and section 5 of the President's regulations.

A plea of not guilty was thereupon entered and an immediate trial asked for, to which the district attorney refused his consent.

REPORTERS AND POSTPONEMENT.

After I had returned to Washington for the December session I learned from the newspapers, November 28, that the district attorney had also secured from the grand jury an indictment of me and my son for conspiracy. Before either of these indictments were served or before any intimation to either myself or my attorneys, and before these indictments were actually filed in the United States court, the district attorney called the reporters and gave to them a full statement with reference to the indictments. My attorney had surmised from his talk with the district attorney and the secret-service agent that they were also trying to get an indictment against me, for it was rumored at the courthouse that the one they were after was not the boy but the father. District Attorney Wolfe was specifically asked by my attorney if any action was taken by the grand jury against me that notice be given to my attorneys immediately upon the return of the indictment. The district attorney made the promise to do so, but he failed to keep his promise. My attorneys learned of my indictment from the newspaper reporters. Upon being told by the newspapers of the action of the grand jury I immediately went to Madison and my son again immediately returned from our farm in Canada, where he had gone with full permission and knowledge of the local draft board and of the United States district judge. A plea of not guilty was entered, and a motion made for an immediate trial, not only in the conspiracy case but the motion was also renewed for an immediate trial in my son's case. Again the district attorney refused to give his consent.

CASE SET FOR TRIAL.

However, District Judge A. L. Sanborn stated that we were entitled to a speedy trial; that he did not think it proper for him to sit in the case by reason of the fact that his son, John B. Sanborn, who is an attorney in the city of Madison, had advised with reference to these cases with Mr. Spencer, of the Secret Service; that, therefore, he would call in another judge, and that he would go to Chicago on the following day to ask Judge Carpenter, of the northern district of Illinois, to sit in the cases at as early a date as possible. This was done. The date was set for January 3, 1918. Again the information was given to the newspaper reporters by the district attorney's office before my attorneys were notified.

ON EVE OF TRIAL.

On the 28th day of December, 1917, in the afternoon, one of my attorneys called up the district attorney and asked which case he would try first, and as to the return of Mr. Strelow, the former farm manager, who was then stationed at Jefferson Barracks, Mo.

The motive for this inquiry was the fear on the part of my attorneys that the district attorney might fail to keep his promise to subpœna Mr. Strelow.

It was during this conversation that my attorneys first learned that the district attorney sought a further postponement of the cases. He asked them to agree to a continuance, stating as his reasons that he was busy; that he had some matters which the department wanted him to take up immediately; that he had to look up some matters with reference to the post-office sites at Madison and Mineral Point.

My attorneys informed me that these were the only reasons assigned for any adjournment of the trial until the afternoon of the 3d of January, the day set for the trial. On the grounds assigned, my attorneys refused to consent to any adjournment.

It developed subsequently that the district attorney had sent the secret-service man, Mr. Spencer, to Chicago to interview Judge Carpenter with reference to a continuance, and no notice of any kind was given either to me or my attorneys with reference to the matter.

Before the day set for the trial my son again returned from Canada, where he was acting as manager of the farm. I returned from Washington. Witnesses were subpœnaed on our behalf from long distances. Some Members of this body and a member of the Cabinet came from Washington, and the young man who had been manager of the farm during the month of June, 1917, now in the United States Army, was brought back.

My attorneys prepared affidavits to resist postponement, which we feared, for it meant not only great expense and loss of time, but also holding the case over my head in the courts indefinitely.

ONLY SPECTATORS.

The proceedings in court have been set forth. The district attorney made the motion to put the trial off; my attorneys asked leave to file and to read counter affidavits. The judge asked for the indictments and that ended the case. My son and I were not subjected to the humiliation of a trial. With our attorneys we sat as spectators enjoying the skill and courage with which the judge legally, if not literally, wiped the court-room floor with the district attorney and then threw him out of court. The judge presented the law. Mr. Jackman whispered to Mr. Crownhart immediately after the court had made his first comment on the indictment: "We will find ourselves out of a job here in a few minutes." We were not surprised. My lawyers and I knew that no upright judge would let a case of this kind go to a jury.

A DISTRESSING EXPERIENCE.

Mr. Speaker, I have undergone a most distressing experience in being indicted for crime. No one can understand who has not experienced it how distasteful is the notoriety; how trying it is to mother, wife, and children; how heartlessly cruel are some newspapers and reporters; how quickly a large part of the public condemns before conviction; how unpleasant it is to know that detectives dog your footsteps, ransack your telegrams, open your mail and the mail of your attorneys; but we were sustained by the consciousness of innocence, by the confidence and prayers of many friends, and by a firm faith in the overruling providence of Almighty God.

PERSECUTION.

Persecution is after all no great misfortune. It is the price we must often pay for a clear conscience. It comes to every man who dares to stand true to his convictions when others weakly bend to the varying storms that blow. Suffering and persecution brings out of us the best that is in us, and is the hour of trial that tests the love and loyalty of those we call our friends.

GOOD FRIENDS.

I wish now to express publicly my deepest gratitude to my colleagues, HENRY ALLEN COOPER, the dean of the Wisconsin delegation in Congress; to EDWIN Y. WEBB, chairman of the Judiciary Committee of the House; and to Albert S. Burleson, the Postmaster General of the United States, who were on their way to Wisconsin to testify in my behalf. Mr. Burleson called me up over the telephone on the morning after my indictment to assure me of his sympathy and sincere friendship. He tendered me his services in any way that I might require them. I assured him that all I desired was a speedy trial. He readily expressed his willingness to go to Madison as a witness, and he reached Chicago before I could inform him of the abrupt termination of the case.

But for the death of a member of his family Senator OSCAR UNDERWOOD would also have made the journey. He offered gladly to make a deposition as to my character, loyalty, and patriotism. Likewise our honored Speaker, CHAMP CLARK, who gave me a copy of a letter he had previously written denouncing this prosecution in the strongest possible terms, would have

made the trip to Madison, if he could have appointed a Speaker pro tempore for more than a day. How strong the ties are that we form in this body I have tested in my own experience, and the recollection of the devoted friendships of these men and others whom I can not name will never be effaced from my mind and heart as long as life shall last.

FINAL DEFEAT.

Defeated in court, my political foes sought to convey the impression in the newspapers by announcing an appeal that justice had failed, but as the Attorney General has refused their demand, their purpose to hold this charge over my head in the courts has failed. Now they must come out in the open; now they must reveal themselves, their candidates, and their false issues. I shall meet them fearlessly on my whole record. I have had in mind but one goal, the public welfare; to that goal I followed but one pathway and one principle—the truth and the right—and I have but one motive—love of my fellow men, love of country.

With a faith, therefore, firmly founded on the knowledge of the rectitude of my intentions, the sanity of my convictions, and the unselfishness of my efforts in the discharge of my duties as a Member of Congress, I shall again await, as often before, the verdict of approval of the supreme court which, under God, passes final judgment upon our records as public servants.

Mr. Speaker, I ask leave to withdraw the resolution.

The SPEAKER. The gentleman does not have to obtain leave. The gentleman withdraws the resolution.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3689. An act authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. H. Hogan at Kansas City, Mo.; and

S. 3648. An act for the retirement of public-school teachers of the District of Columbia.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9314, the Diplomatic and Consular appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Diplomatic and Consular appropriation bill, with Mr. HUMPHREYS in the chair.

The Clerk read as follows:

Emergencies arising in the Diplomatic and Consular Service.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word, and wish in this connection to make a parliamentary inquiry. I desire to know whether the paragraph that is about to be read ends with line 12, on page 9, or terminates on line 8. It will be noticed there is a proviso which directly affects the matter in the preceding lines, beginning on line 9.

The CHAIRMAN. The Chair would state that in his opinion the paragraph ends with line 12, page 9.

Mr. STAFFORD. Very well, I withdraw the pro forma amendment.

The Clerk read as follows:

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service and to extend the commercial and other interests of the United States and to meet the necessary expenses attendant upon the execution of the neutrality act, to be expended pursuant to the requirements of section 291 of the Revised Statutes, $700,000, to be immediately available, together with the unexpended balance of the appropriation made for this object for the final year 1918, which is hereby reappropriated and made available for this purpose:

Provided, That in his discretion the President may employ part of this fund for payment for personal services in the District of Columbia or elsewhere, notwithstanding the provisions of any other law.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. We have two provisions here that are subject to points of order, that making immediately available this very large appropriation of $700,000 for an item where the appropriation last year was but $150,000, and the proviso leaving it in the discretion of the President to employ this fund for personal service in the District of Columbia or elsewhere, notwithstanding the provisions of any other law. I may say that in conference with the chairman of the Committee on Appropriations he advised me that the Department had not made any estimate for this service for the remainder of the present fiscal year, but that if it was urgently necessary it could be done when the urgent deficiency appropriation bill, which is to be reported in a few days to the House, would be considered in the Senate. I believe this appropriation of $150,000 has been increased by a deficiency appropriation running to several hundred thousand dollars already during the present fiscal year.

Mr. FLOOD. Mr. Chairman, the reason for this provision is that it is out of this fund that the State Department pays, to a great extent now, the secret service and proposes to pay all of the additional secret service that it will have to employ during the next year. That secret service, as the gentleman is aware, has done a remarkably beneficial work for this country and for our allies since the war began. This appropriation had been $200,000. Last year it was cut down to $150,000 upon the suggestion of the Secretary of State that he did not need any more than $150,000, but after this bill was passed last year the war broke out and a great deal more money has been needed in carrying on the secret-service work, and the secret-service work in the State Department is principally paid for from this fund.

Mr. STAFFORD. As I recall the testimony of Secretary Lansing, before the Committee on Appropriations, the President has allotted a considerable amount of the $100,000,000 emergency appropriation to the department for utilization for this very purpose of advancing the secret-service work and detecting spies and enemies of the Government.

Mr. FLOOD. He has; but the President dislikes to do that; and they prefer to have it in this appropriation, and in order to make it effective the Secretary stated to the committee that it would be necessary to have some men of high class employed in the District who would stay here for the purpose of giving direction to the secret-service force of the State Department, and he was exceedingly anxious that he be permitted to employ a few men here, and that proviso was inserted to meet the provision of law that prevented that very thing.

Mr. STAFFORD. Can we have the assurance of the chairman of the committee, because it has been a moot question between the respective Committees of Foreign Affairs and Appropriations as to whether any appropriation in the Diplomatic and Consular appropriation bills should be utilized for the payment of clerical services in the District of Columbia, that in case this proviso is allowed to remain in the bill and the war is ended when the next Diplomatic and Consular appropriation bill is under consideration, that he will eliminate this proviso?

Mr. FLOOD. I give the gentleman the assurance that if I am on the committee I shall vote to do that, and I believe that will be the action of the committee.

Mr. STAFFORD. Has the gentleman any serious objection to having the words "immediately available" stricken out? I am pressing the point of order largely upon the suggestion of the chairman of the Committee on Appropriations, who stated that it could be submitted to the Senate and presented as a part of the urgent deficiency bill. I desire in no wise to restrict in amount or activity the work of the State Department in ferreting out spies.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I would ask for three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD. When does the gentleman think that appropriation can be made?

Mr. STAFFORD. The urgent deficiency bill will be the next appropriation bill, I am informed, that will be brought in the House for consideration. It will be brought up very shortly and will likely pass before this bill is finally enacted.

Mr. FLOOD. Well, I think with that statement that there is no objection to striking those words out.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order, except as to the words "to be immediately available."

The CHAIRMAN. The Chair sustains the point of order.

Mr. FLOOD. Mr. Chairman, I wish to offer an amendment. Page 9, line 6, strike out the word "final" and insert the word "fiscal." It is merely a typographical error.

The CHAIRMAN. Without objection, the amendment will be agreed to.

There was no objection.

The clerk read as follows:

Contribution to the maintenance of the International Bureau of Weights and Measures, in conformity with the terms of the convention of May 24, 1875, the same to be paid, under the direction of the Secretary of State, to said bureau on its certificate of apportionment, $2,895.

Mr. COX. Mr. Chairman, I move to strike out the last word. I ask unanimous consent, Mr. Chairman, for five minutes to speak on a subject not connected with this bill.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to speak for five minutes out of order. Is there objection? [After a pause.] The Chair hears none.

Mr. COX. Mr. Chairman, there has been some complaint throughout the press of the Nation and probably on the part of parents of soldiers abroad in respect to mail not being properly delivered to them. In view of the very splendid speech made by the able gentleman from Massachusetts [Mr. ROGERS] the other day, a little later on in my remarks I am going to ask leave to incorporate a letter which I have received from the Postmaster General to a very large extent explaining the delay. Of course the Post Office Department makes no denial of the fact but what there are delays, and I am going to call upon every Member of this House to read his statement. In my opinion the Postmaster General has done everything that is humanly possible in order to get the mails promptly to the soldiers abroad. He has selected Mr. John Clark, formerly of Cincinnati, Ohio, to be director of postal affairs on our fighting front.

It has been my pleasure to know Mr. Clark rather intimately for 15 or 18 years. I am sure in five minutes' conversation with Mr. Clark any Member of this House would be impressed with Mr. Clark's greatness. I am sure that in one hour's interview with him in regard to postal facilities, he could convince any Member of the House that few and far between are the men in this country who know more about the mails than he does. Mr. Clark was selected for this work; he did not seek it himself. He was selected solely because of his great ability to do this line of work. He is not only over there in person, but his own boy is fighting in the trenches side by side with other soldiers, and, if I mistake not, another son is in a cantonment in this country. Now, I am informed that there has been no complaint about mails failing to reach our naval forces in European waters. The director of mails of England, over here a short time ago, informed our postal authorities that England had the same trouble that we are having now, and they had it for six months. The trouble comes, gentlemen, because the troops as yet are not stationary. They are moving from point to point and place to place. After these mails are delivered at the distributing place, wherever that may be, the mail is then taken charge of exclusively by the military branch of our Government, and I am not going to say, nor does the Post Office Department say, that even the military authorities should be blamed or criticized in failing to get the mail properly to the soldiers——

Mr. MILLER of Minnesota. Will the gentleman yield for an inquiry?

Mr. COX. In a moment—because our troops are being shifted from point to point and place to place, and it makes it very difficult to forward the mail to the addressees. Now I yield for a question.

Mr. MILLER of Minnesota. Do I understand that the mail from here to our soldiers in France goes to Paris for redistribution?

Mr. COX. Not quite all of it——

Mr. MILLER of Minnesota. I did not know——

Mr. COX. I do not think quite all of it, but a majority of it probably does.

Mr. MILLER of Minnesota. I should think it would be wholly unnecessary for any of it to go there.

Mr. COX. Now, when we consider, gentlemen, for a moment that the mail which reached Paris between the 21st and 23d of December comprised 30,000 sacks of field mail, which required 90 freight cars to carry that mail from port of landing to the final distribution, we begin to get some idea of the tremendous task the War Department is up against in order to get this mail over there. The criticism carried in the press of the country I think has mainly been directed against the Post Office Department. I say the Post Office Department is not criticizing the military branch of the Government and I am not criticizing it, far from it; but if there is any fault to be found, and I do not think there is any, even in the remotest degree it is in the military branch because of the incapacity to get mail to soldiers who are constantly being shifted from point to point and from place to place.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent to insert as a part of my remarks a letter which I received from Mr. Praeger, Second Assistant Postmaster General, a letter which he directed to Chairman MOON, of the Committee on the Post Office and Post Roads, and a resumé or explanation of the apparent delay of mail in reaching our forces abroad.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD by printing certain documents which he has indicated. Is there objection?

Mr. ROGERS. Mr. Chairman, reserving the right to object, I want to say that due to the great courtesy of the gentleman from Indiana [Mr. Cox] I was permitted yesterday to examine the material which he proposes to insert in the RECORD. I think it is a valuable contribution to the somewhat voluminous literature on this subject, and I hope that it may go into the CONGRESSIONAL RECORD.

The CHAIRMAN. Is there objection?

Mr. MILLER of Minnesota. Reserving the right to object, I would like to ask the gentleman from Indiana [Mr. Cox] a question.

Mr. COX. Yes.

Mr. MILLER of Minnesota. It will take but a moment. Of course mail addressed by any person in the United States to a soldier in France is simply addressed to the soldier, care of the American Expeditionary Force; rarely, if ever, is the battalion, regiment, or company placed on the envelope. Sometimes it is.

Mr. COX. That is true.

Mr. MILLER of Minnesota. Now, naturally that must go into the hands of a competent military person in France or they would never know where the man was. There is no such individual in Paris who does know. Now, I just assume that if the Post Office Department is sending all this mail to Paris it then has to be sent to some other place, because there is no one in Paris that knows where those men are, absolutely no one. That can be said without qualification. They may know where some of them are, but there is no place where they really know except in the Division of Intelligence on the General Staff, in one place. It is a problem we know nothing whatever about, and I am interested to know that this gentleman, Mr. Clark, who is said to be a very competent man, is going over to take charge of it. But I would like to suggest this, that if the Post Office Department sends a man over to take charge of it, let him have complete charge of it and organize the Post Office Department over there so that it will take into contemplation the peculiarities of the situation. Even that would not explain the long delays in mail coming from that country here. May I give an illustration?

Mr. COX. Surely.

Mr. MILLER of Minnesota. I wrote a letter in Paris. I think it was about the middle of October. I arrived here on the 30th day of November, and I got here the very day that letter arrived in Washington. I did not start until the middle of November. Now, there was a month that was lost somewhere. Possibly the letter may have been in the censor's hands. If I understood the gentleman from Massachusetts [Mr. ROGERS] the other day, most of the mail coming from Europe here is coming with reasonable celerity.

Mr. COX. That is what the Post Office Department says.

Mr. MILLER of Minnesota. There are many instances, however, quite to the contrary, but it is the mail from here over there and not the mail from there here. What observation I was able to make is entirely in harmony with the very exhaustive study of the question made by the gentleman from Massachusetts [Mr. ROGERS], and is clearly set forth in the House. And I think the Post Office Department has a lot to do.

Mr. COX. Will the gentleman yield?

Mr. MILLER of Minnesota. I will be pleased to, but I do not know anything about the subject.

Mr. COX. I want to put this query to the gentleman: Has the gentleman taken this subject up with the postal authorities down here?

Mr. MILLER of Minnesota. No; because I have no personal interest in it.

Mr. COX. I will say this—and I think I can speak for the Post Office Department—they would not only court criticisms but inquiries from the Members of the House and take these questions up with the proper authorities, and I think the gentleman from Minnesota could probably get considerable information, if he would make an inquiry, that he would not like to put in the RECORD, such as I have with me now, and if I would put it in I would probably strike it out for fear we might get up some friction between the Post Office Department and the Military Establishment until the two lines of work are thoroughly worked out between the Post Office Department on the one side and the military branch on the other.

Mr. ROGERS. Will the gentleman yield for a question?

Mr. COX. Yes.

Mr. ROGERS. I have just come from a hearing which is being conducted by the Committee on Expenditures in the Post Office Department on this general question, and the testimony, apparently from men who are thoroughly familiar with the inside of the postal situation, indicates that the delay in a large measure occurs at the Chelsea terminal in New York City after the letters and packages come in from their various points of mailing and before they are put upon the steamer and destined to Europe. Has the gentleman any information to that effect?

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from Indiana asks for three minutes more, out of order. Is there objection? [After a pause.] The Chair hears none.

Mr. ROGERS. This testimony continues that the delay involving censoring is sometimes a matter of weeks just in New York City before the letter or parcel starts on its way. Has the gentleman any information that is specifically directed to that phase of the situation?

Mr. COX. No; I have not. The Post Office Department does not seem to think the delay occurs there. We appropriated this year, as I recall now, $1,600,000 to take charge of our censorship bureau in the city of New York. I think if the gentlemen will read this statement that I am now putting in the RECORD they will find the Post Office Department clears itself of that charge.

Now, just one further thought. Some one stated here the other day that there were not enough postal employees abroad. There were not many who went over there in the first instance, probably less than 40, but in the last three weeks I think 26 additional have gone over, and it becomes a question of transportation to get the clerks in this country transported to France. So they are putting over there all the employees they can possibly get their hands upon and they can get transportation for to handle the postal affairs in France.

Mr. DILL. Will the gentleman yield?

Mr. COX. I will.

Mr. DILL. Does the matter to be put in the RECORD show the number of employees in the postal service in France?

Mr. COX. As I recall now by the evidence before the Committee on the Post Office and Post Roads, it was about 40.

Mr. DILL. I wondered whether what the gentleman is going to print would show the number.

Mr. COX. No; it does not show it. Since that time there have been some 25 or 30 who have gone over.

Mr. DILL. Does the gentleman know whether there has been any increase in the number of employees?

Mr. COX. Twenty-five or thirty have gone over in the last two or three weeks.

Mr. KEARNS. Is the Government experiencing any difficulty in finding means to transport 40 or 50 men to France?

Mr. COX. The transportation problem is a very serious one.

Mr. KEARNS. How, then, would they undertake to transport over there a million men, or 500,000 men, if they are having trouble in getting 40 or 50 over?

Mr. COX. The gentleman had better address that inquiry to the Secretary of War.

Mr. GREEN of Iowa. What explanation does the Post Office Department give for the enormous loss of packages sent over there?

Mr. COX. If the gentleman will read this statement, I think he will find that there are not many packages lost. Ordinarily a parcel-post package will not travel nearly as fast as a letter. A man over there gets a letter saying that a package has been sent. The package does not arrive at the same time as the letter, and the man writes back that the package has not come. There is a complaint. Before the department here can get out a tracer for that package, in many, many cases, to see where it was lost, a letter comes back from the receiver of the package stating that it has reached its destination all right.

Mr. GREEN of Iowa. I had a series of complaints from a number of parties, which indicated that quite a large percentage of the packages were lost.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana to extend his remarks as indicated?

There was no objection.

The matter referred to is as follows:

POST OFFICE DEPARTMENT,
Washington, February 7, 1918.

Hon. WILLIAM E. COX,
House of Representatives.

MY DEAR MR. COX: In view of the very great interest you have taken in the Army Postal Service abroad, I am transmitting herewith a copy of a letter, and its accompanying inclosures, which I have this day addressed to the Hon. JOHN A. MOON, chairman of the Committee on the Post Office and Post Roads, House of Representatives.

Yours, very truly,

OTTO PRAEGER,
Second Assistant Postmaster General.

—

FEBRUARY 7, 1918.

Hon. JOHN A. MOON,
Chairman Committee on the Post Office and Post Roads,
House of Representatives.

MY DEAR CONGRESSMAN: I am transmitting herewith some information on the handling of the expeditionary mails in France, which I think will interest you in view of the speech of Representative ROGERS, of Massachusetts.

We are sending more than a million letters and considerably more than a million pieces of parcel post and papers to the soldiers in France each month, and naturally there are complaints, especially in the first 60 days after arrival of the troops in the field. The extracts of letters I submit and the inspectors' reports show that these complaints arise only immediately after the arrival of each division sent abroad. Complaints about the mail first came from certain regiments of Regulars, the earliest troops sent across. The complaints from this source soon ceased. Next came complaints from certain units, such as Coast Artillery, Quartermaster Corps, and field clerks. Next, the railway engineers went across, and complaints were numerous and vigorous. Gradually they died out, and now we do not get one a week. Next, certain regiments from New England crossed to France, and numerous complaints followed. They have not yet ceased, as Representatie ROGERS's letters show, but they are growing less. Since then the so-called rainbow division has gone to the front, and the Post Office Department is in the midst of complaints from that source, but it will pass over as soon as the division gets into a settled location and schooled in the handling of its own mail. Other divisions will go, and their mail communications will be temporarily disturbed. Does it not mean something that the Regulars are getting their mail, that the railway engineers no longer have reason to complain, and that the complaints of the later-arrived troops are already beginning to fall off?

Again, complaints about mail from the boys at the front to the dear ones at home are few and far between, less than a dozen a month, and these sometimes deal with the censorship delays, as is disclosed between the letter date within and the date of the postmark. The same force that is handling the mail to the soldiers is handling it from the soldiers. The difference is that the Post Office Department delivers the individual mail pieces into the hands of the addressees in the States, whereas it does not deliver mail to the addressees in France, but turns it over in bulk to the military authorities who distribute the mail to the individual soldiers. The mail passes out of the authority of the Post Office Department some time before it is delivered to the individual soldier. Is there no significance in the fact that the postal authorities in France who handle the mail going to shifting military units at the front is the same force that brings the mail back to the home folks without giving rise to complaints?

It is necessary to bear in mind certain facts to arrive at a conclusion about the mail service to the troops in France:

First. That the Post Office Department does not deliver the mail to the individual soldiers, but to the properly accredited military authorities in bulk just as it comes from the United States.

Second. That mail to the soldiers is not distributed in France, but is made up to companies in New York and Chicago, and these lead-sealed sacks are never opened after they leave New York until the military mail orderly opens them at the headquarters of the troops, when he delivers the letters, papers, or parcels to the individual soldiers. Only mail from the soldiers going to the United States is distributed by the postal clerks in France.

Third. That mail for the troops does not accumulate in any postal station, except such mail as the mail orderlies have not been able to deliver, or mail for such units as are on the move or whose location for war reasons the military authorities are not ready to disclose to the postal authorities.

Fourth. That mail for the troops is not sent to Paris except for such troops as may be located in Paris, but all mail for troops whose location has been furnished to the postal authorities by the commanding general of the lines of communication is sent from the port of debarkation direct to the points where the troops are located.

Fifth. That the mail is transmitted by every available steamer, by every available train in France, and should easily reach the regimental and company headquarters of the troops in from 15 to 30 days' time. The Post Office Department has no jurisdiction over the mail after the unopened sacks have been turned over to the military mail orderlies, but it is informed that the individual soldiers get their letters, parcels, etc., promptly, and that if there is any delay it is due to the fact that the soldier is not with his company at the time the mail arrives, or that the mail has been insufficiently or incorrectly addressed, or that the company itself shifted location shortly before the mail arrived.

The attached memorandum, with the excerpts from the inspectors' reports and from numerous letters of appreciation written by mail patrons who once bitterly complained about the service, may help to throw light on a subject so little understood.

Very sincerely, yours.

OTTO PRAEGER,
Second Assistant Postmaster General.

—

POST OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER GENERAL,
Washington, February 7, 1918.

MEMORANDUM OF MAIL SERVICE TO FRANCE.

Many obstacles have been faced and overcome by the United States Postal Service in establishing and carrying on the present mail service to and from the American Army in France. This difficult war service has been operated to date as expeditiously and efficiently as could be expected under the circumstances. By adding rapidly to the force of postal experts in France and by bettering, as fast as possible, the system of distribution at our camps and bases in France, the military mail service has been steadily improving.

The charges of delay and nondelivery of mail of all classes from the United States to soldiers and officers of our forces abroad, made in the House of Representatives February 5 by the Hon. JOHN J. ROGERS, of Massachusetts, it is easily shown, relate to a comparatively small part of this military mail. Such delays as have occurred have been due in the main to conditions over which the post office has no control.

This statement is made in order that some of the difficult factors entering into this postal problem may be fully understood. It is true, as stated by the Postmaster General January 31 in answer to House resolution 232, that the time in transit of the bulk of the mail from the United States to units of our Army in France has been from 15 to 30 days. But it is likewise true that after passing into the hands of the military authorities the mail has to be distributed and often readdressed and remailed before reaching the addressees, a process not in postal hands and one into which delays have at times entered. And it is also true that units have been frequently moved, and that considerable time has elapsed, amounting in instances to two weeks, before the United States Postal Service in France for war reasons has been advised of the new address of the regiment or unit thus moved.

It is admitted that mail from France is reaching addressees in this country as promptly as the present conditions of ocean transportation permit. This statement, therefore, deals only with the outgoing military mail.

Letters, papers, and parcels addressed to American soldiers and officers in France are made up at special terminals at Chicago and New York into direct sealed sacks and pouches addressed by companies to regiments or other units. These sealed pouches and sacks go direct by the first available dispatch from Atlantic ports to the port of debarkation in France, and thence direct to the postal station in France nearest the camp of the unit to which they are addressed. Each regiment or unit sends a military truck to this postal station for its mail. The mail is taken by this truck from the postal station to the military post office of each unit.

The bulk of the Army mail from the United States does not go through Paris but is taken direct, as stated above, from the port of debarkation either by military trains or regular train service to the postal station.

The opinion expressed by the Hon. JOHN F. MILLER, of Washington, while interrogating Mr. ROGERS in the course of the latter's speech, that this mail passes through Paris and is delayed by congestion there was evidently based upon Mr. MILLER'S observation of our large postal establishment in Paris. It is outgoing mail originating in Paris which is "worked" in Paris; not the incoming. A portion of the mail from the United States, consisting principally of that for special units, such as the Red Cross, the Aviation Service, the Medical Corps, Signal Corps, etc., all the general mail returned as undeliverable from postal stations near the American camps does go to or through Paris. Officers and men of the special services are liable to frequent change of assignment in our own Armies and in the armies of our allies. They are subject to call to any part of the line, from Italy to Belgium. Mail for them can be better and more expeditiously handled at Paris. The undeliverable letters pass through Paris to a special American postal station, where it is turned over to the Army and given what corresponds to "directory service."

The specific complaints cited by Mr. ROGERS class into two groups. The one group has to do with mail to members of the Medical and Signal Corps; the other, with mail addressed to New England regiments, the One hundred and first and One hundred and second and to the Rainbow Division. The reasons why mail to members of the Medical and Signal Corps is especially subject to delay are stated above. Officers and men in those particular services are transferred frequently, and entire units are often moved hurriedly. When a unit is moved, and this applies to Infantry and Artillery also, the Postal Service may not send mail for the units so moved to the new addresses until authorized to do so by the military authorities, as some of these movements of units have been part of secret plans. At times the Post Office Department has been compelled to continue sending mail to the old addresses, although postal men know the unit in question had been moved.

The complaints as to letters, papers, and parcels, addressed to New England troops, but repeat the experience of the department. When an American division lands in France, it is likely to be moved several times before being permanently placed in some one sector of the front. During this interval of movement through some three or four camps, the regular and prompt delivery of mail from the United States is not always possible. This is true both because of postal and military reasons.

Reports to the department show that frequently quantities of mail are received in France addressed to units not yet there. The senders, of course, can not have exact knowledge as to when the addressees, whom they suppose, or are informed, have sailed for France, may be expected to land there. Such mail is held until our Postal Service in France is advised by the military authorities of the address of the unit in question.

In his speech, Mr. ROGERS did not specify, in any one instance, whether mail, of which delay was complained, was properly addressed. The quantity of mail of all classes to our Expeditionary Forces, upon which the full military address—that is, name, company, and regiment, and branch of the service—does not appear, unfortunately is very large. All such mail must go to Army headquarters for "directory service."

Without in any way reflecting upon the Army, it is true that the actual delivery of letters to the addressee in France is in the hands of Army orderlies designated by their units for this purpose, and that these orderlies are not always efficient until they have had a training in the work. There should not be confusion between American postal stations in France and American military post offices in the field. In the former mail is not allowed to lie dead any length of time. If returned from Army field post offices to a postal station as undeliverable, or to be forwarded, mail is at once properly forwarded or sent to headquarters for directory service. Cases have been found by an American post-office inspector in which the orderlies at the field Army post offices did not handle their undeliverable mail as promptly as they should. It is proper to add here, also, that a number of highly trained postal men are in France and are endeavoring, to the best of their ability, to expedite the handling of mail, both at the postal stations in France and at the military post offices. There is no friction between the Army and the Postal Service; there is merely a condition to be met by cooperation and experience.

The Postmaster General stated on January 31, in response to House resolution 232, that letter mail clears entirely with every dispatch from New York, and that there has been very little delay at New York of parcel post or paper mail. That is true. It is also to be remembered, however, that vessels clearing from New York upon different dates are under special sailing orders and may arrive at the French port of destination on the same date. It is a fact that usually the mail arrives in France by a number of ships in lots varying from 5,000 to 15,000 bags and pouches. This presents a very large problem at the French port. It is a heavy undertaking to transfer these mails to trains, to route all of the bags and pouches properly, and to secure prompt dispatch. There have been difficulties in obtaining adequate labor and a sufficient number of hand and automobile trucks. The Post Office Department has done its utmost to surmount these difficulties and has succeeded beyond its expectations. Twenty-one thousands sacks of Christmas parcels for our soldiers abroad were dispatched from New York December 3 on one ship alone and arrived at a French port on December 20. All this mail was turned over from our 25 postal stations in France to the military authorities for delivery by December 24 and 25, as is shown by the following Associated Press dispatch from Paris on December 27:

FOUR CARS OF BELATED MAIL REACH TROOPS IN FRANCE.

"PARIS, DECEMBER 27.

"Four carloads of Christmas mail, which arrived at a French port from the United States, were forwarded to-day for delivery at the headquarters of the regimental units of the American expeditionary forces. The bulk of the Christmas mail, which consisted of 30,000 sacks and required 90 freight cars to move, was delivered at headquarters of the various units on or before Christmas Day, but a storm at sea delayed for three days the arrival of the mail sent forward to-day.

"Besides the mail delivered by the Army post office there were several carloads of large packages, each weighing more than 7 pounds, which were handled by the Quartermaster's Department."

The American Postal Service has been aided in reaching its high state of efficiency in the United States to-day by thorough consideration of complaints of inadequacy of service. When the complaints are found to be just, steps are taken to find remedies. Our present service in France is no exception. All complaints received are given thorough study by the proper postal officials. Following is a summarization of complaints which were referred to a post-office inspector assigned to the United States Army Postal Service. The text of the inspector's reports is given:

Subject: United States Army Postal Service in France. Complaints against the service.

POST OFFICE DEPARTMENT,
OFFICE OF INSPECTOR, ——— DIVISION,
Paris, France, December 4, 1917.

CHIEF INSPECTOR, *Washington, D. C.:*

In further reference to your letters of September 28 and October 2, transmitting a number of complaints relative to the alleged nonreceipt by addressees with the forces in France of letter and parcel mail, I have to submit herewith the correspondence in 18 of these cases which have been investigated by me. Twelve cases are still on hand, the answers to which have not been received, although ample time has elapsed. A subsequent report will be rendered on the cases still pending.

This report should be handed to the Second Assistant for his personal information. The results of the investigation show hardly without an exception that all mail has reached the addressees, and that the complaints are due wholly to ignorance of the prevailing conditions of slow transportation across the Atlantic and impatience on the part of senders and addressees. It is hoped that when the general condition of slow transportation is better understood throughout the United States that such complaints will cease or that the addressees will refrain from making a complaint until sufficient time has elapsed.

It is unnecessary to enter into detail in this report concerning each individual case, the file submitted as an exhibit fully explaining each complaint. The names and general details of each case are submitted, however, merely as a matter of record. A full idea of the complaint, however, will be obtained by reading each case. I suggest that the files in each case be retained at the department, and that if correspondence be had with the complainants that the result of the investigation be communicated only. This is suggested in order that the department may retain and be in possession of the files if needed at a later date for any purpose.

No. 1. Helmer J. Johnson, Sixteenth Infantry, wrote his mother that he was sending her money every month. His mother reported through Congressman J. H. DAVIDSON that she had never received any. Complaint was made as to the loss of mail, but investigation shows that Johnson never sent any money by mail, but made an allotment through the Army paymaster, which was handled in an entirely different manner.

No. 2. Mr. W. B. Clarkson, of San Antonio, makes complaint that he had sent his son, Lieut. W. P. Clarkson, of the Twenty-sixth Infantry, 10 parcels of cigarettes, and that his son reported he had received none of them. Investigation shows he had received to date eight packages of cigarettes and all were in good condition, and that he is now receiving all his mail. No reason to believe the other two parcels reported sent were lost, as they will be received in due time.

No. 3. Dr. V. J. Irwin, of Springfield, Mass., complains that his son, Corpl. Charles R. Irwin, of the Twenty-sixth Infantry, had not received any mail from home. The addressee advises that he received nine letters recently. He did not say how many he received before. No reason to believe any of his mail is lost.

No. 4. Mrs. J. McCurdy, of Chicago, complains that she has written to Pvt. H. E. McCurdy, of the Seventeenth Company, Fifth Regiment Marines, but he has received none of her letters. Pvt. McCurdy advises "I have every reason to believe I have received all mail sent me." No mail lost in this case.

No. 5. Frank R. Davies, of Sheepshead Bay, N. Y., complains that he has written to Pvt. Lester S. Davies, of the Quartermaster Department, but that the addressee has received none of his letters. Pvt. Davies advises me that he has received all of his letters up to date.

No. 6. Mrs. Annie J. Wharton, of Homewood, Ill., complains that she has written numerous letters to Lieut. James F. Wharton, Military Reserve Corps, who advises he has received none of her letters. Lieut. Wharton advises me that he has received 19 letters from her, and gives a list of them with dates. No delay and no loss in this case.

No. 7. Miss Kathryn M. Kehoe, of Brooklyn, N. Y., complains, September 12, that she has received only two letters from Pvt. John Addy, of the Eleventh Engineers, who left New York July 14. She hardly had time to receive more in that short time, as letters usually take 30 days. Addy says he has word from Miss Kehoe that she has received 6 of his letters. He says he received 24 from her. No loss and no reason for complaint.

No. 8. Miss M. Currier, of Haverhill, Mass, makes complaint that she has written to Patrick J. Lucey, of Company B, Fourteenth Engineers, and that he has received none of her letters. Lucey advises that he has received all letters and parcels from her and that none are lost.

No. 9. Miss Vernitta Eves, of St. Louis, complains that Edgar Dennison, Twelfth Engineers, left the United States on July 26 and that by September 8 (43 days) she had heard from him only once. Some transports take 22 days to cross. She is therefore getting good service if she heard from him that quick, and should commend the postal department rather than enter a complaint. Edgar Dennison says he has received all letters from her. No loss and no reason for complaint.

No. 10. Mary E. Boyle, of Flushing, N. Y., makes complaint, under date of September 24, that she has been writing to Sergt. Thomas P. Connors, Eleventh Engineers, and has not received a reply. I communicated with Connors and he states he received a letter from Mary E. Boyle dated September 21, in which she stated she had received letters Nos. 1 and 2 from him. The complainant has, therefore, misrepresented the facts in her complaint. (See correspondence.)

No. 11. Mr. Frank Mahnke, of Brooklyn, N. Y., complains that he has written to his son, Pvt. W. Mahnke, Quartermaster's Department, but his son advises him that he has received no letters from home. Pvt. Mahnke advises me he has received three letters from home, one taking 20 and the other 30 days to reach him. He is getting good service, and there is no basis for complaint.

No. 12. Bernard White, of Watseka, Ill., complains that he has written to Irenus J. Feffer, of the Sixteenth Infantry, but that Feffer has not received his letters. Feffer advises he has received two letters from White recently.

No. 13. Mrs. D. B. Inman, of Havre de Grace, Md., complains that her husband, D. B. Inman, of the Medical Supply Depot, has received but one letter from her. Inman states his letters have been coming along very well during the past six weeks. One letter he received in 19 days and another in 34 days. The latter was due to infrequent sailings, the same thing happening to mail for postal headquarters and others. No mail lost and no basis for complaint.

No. 14. The complaint of Mrs. Virginia Neal, Tuscon, Ariz., has no bearing on the French service and should be investigated at Tucson, Ariz.

No. 15. R. D. Rhodes, of Newcastle, Pa., complains that some music sent him from France by Harvey Bush, Fifth Engineer Corps, not received. Our records show no Fifth Engineers in France. We have about 34 sacks of mail awaiting this regiment, which has been held some time. Correspond with R. D. Rhodes and ask him where Harvey Bush is and with what outfit.

No. 16. E. D. Woisard, of Pittston, Pa., complains he has not heard from his son in France. He does not know whether his son has written or not, but just thinks so. He does not give the name of his son, so nothing can be done here in France. I suggest writing to him from the department and asking him if he has heard.

No. 17. Representative Steenerson complains that Mrs. Harry E. Gladman, Washington, D. C., has not heard from J. L. Stoddart, of United States Army, Base Hospital 10, who advises others he has written her. He advises me he has written her three letters. I suggest investigation at Washington to see if she has not received these letters by now.

No. 18. Mrs. J. W. Fuller, of San Antonio, Tex., complains that letters and parcels sent to Lyda C. King, a nurse in Hospital 2, France, have not been received. Lyda C. King states she has received two letters and two parcels. It is not stated how many letters were written, so there is no way to tell here if any were lost.

When answers have been received to the other few complaints on hand a supplementary report will be submitted, but it is believed some will not answer, as they are receiving their mail and pay no further attention to the investigation.

(Signed) W. A. KENYON,
Post Office Inspector, U. S. Army Postal Service, France.

Eighteen complaints and correspondence submitted herewith.

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PARIS, FRANCE, *January 17, 1918.*

CHIEF INSPECTOR,
Washington, D. C.:

I have to submit herewith a supplementary report to that submitted December 4, 1917, relating to complaints as to the alleged nonreceipt by addressees with the troops in France of letters and parcels. This report covers investigation in 18 separate cases. Numerous cases are *still on hand*, the answers to which have not been received. A subsequent report will be rendered covering cases still outstanding.

The investigation in the 18 cases submitted herewith shows without a single exception that all mail has been received by addressees. The complaints are due wholly to lack of knowledge of prevailing conditions or impatience on the part of the complainants.

The complete file is submitted in each case. In this report, however, only a general outline is given in each instance. I suggest that the files be retained at the department, so that we will be in possession of all the facts if needed at a later date for any purpose. If correspondence be had with the complainants, the result of the investigation only should be communicated.

No. 1. Gall & Lembke, New York City, made a complaint on Form 1510 that they mailed a parcel containing gold-filled spectacles, valued at $16.50, to Capt. E. R. McFarland, U. S. R., Signal Corps, France, but that he reports not having received them. Inquiry shows that Capt. McFarland has received the glasses in good condition. No loss.

No. 2. Myrtle Buzan, of Pendleton, Oreg., complains she has written twice each week to Private Buzan, Company F, Eighteenth Railway Engineers, France, but that he reports having received only two letters from her. He states that up to the present time he has received all of his mail.

No. 3. Mr. A. W. Hurley, Pawhuska, Okla., complains that if the 40 or 50 letters that he has written Capt Thomas D. Hurley, United States Army Ambulance Corps, he, Capt. Hurley, has received none of them. Addressee states that he has received so far 29 letters from members of his family. No doubt in due time he will receive all the mail sent him.

No. 4. John L. Fitzgerald, Pittsfield, Mass., complains that he has sent a parcel containing miscellaneous articles to Corpl. W. F. Fitzgerald, Company D, Fourteenth Railway Engineers, but that the addressee reports that he received only the razor and strop, with many articles missing. Addressee advises that the parcel was received in perfect condition with no loss. Absolutely no loss in this case.

No. 5. M. F. Kane, Shamokin, Pa., complains that he has written six letters and his friends nine letters to M. J. Kane, United States Army Ambulance Corps, Section 9, France, who reports having received none of them. Addressee states that he has received so far five letters from his father and five from his friends. No doubt he will receive all in due time. He complained of slow delivery of his mail upon first arriving in France. This delay is due, without doubt, to the fact that the United States Army ambulance service with the French and British have frequently had the numbers changed; also that all of this mail is handled by the American field office. Conditions in the mail room of the American field service in the early days of the war were not favorable, which no doubt accounts for the delay in the receipt of mail.

No. 6. Mrs. John S. Boyd, Pittsburgh, Pa., complains that John S. Boyd, Fifteenth United States Engineers, has failed to receive $10 in money which was sent him and also no packages of tobacco which have been sent him. The addressee advises that he has received the $10 and also all parcels sent to him

No. 7. William Nash, Chicago, Ill., complains that he has sent W. E. Nash, section 58, United States Army Aviation Service, about one dozen packages and many letters, of which but one letter has been received. The addressee advises that the delay to his mail was due to his having been changed from section 10 to section 58, but that he is now receiving his letters regularly, and that he has received many parcels. He complains, however, that he has not yet received all the parcels which he believes have been sent him. These parcels will no doubt reach him in due time.

No. 8. Mrs. W. C. Strange, Columbia, S. C., complains that she has written on several occasions since September 1 to her husband, Capt. Willis C. Strange, quartermaster, United States Reserves, and that he has received no letters from her. Investigation develops that Capt. Strange has received 25 letters. He states that several letters are at present outstanding, according to numbers. This is not unusual, as some mails reach France earlier than those previously dispatched.

No. 9. Mr. John A. Loughenry, St. Claire, Pa., complains that John J. Loughenry, Company E, Twenty-sixth Infantry, has failed to get papers and packages sent him. The addressee states that he has received three packages and one paper since being in France. Apparently some parcels are still outstanding.

No. 10. Mr. Davis Brown, Albany, Ga., complains that his son, Lieut. Jerome H. Brown, Company L, Twenty-eighth Infantry, has failed to receive letters written to him. Lieut. Brown states that he is receiving his mail regularly now, but that packages mailed on October 19 and November 17 have not arrived. No doubt Lieut. Brown will receive packages in due time.

No. 11. Mr. A. C. Baker, New York, complains that his son, Pvt. Baker, Company F, Nineteenth Engineers, has failed to receive any letters or parcels sent him from home. Pvt. Baker states that he has received all mail from home, including the packages, which is in all about 50 letters and 5 or 6 packages, and that he has written his folks every time he has received mail.

No. 12. Miss Marion Baum, of Elizabeth, N. J., complains that she has written many letters and sent one package to Pvt. Clayton Lockwood, First Trench Mortar Battery, and that none of her letters or the package has been received by him. Lockwood states that he has received about 15 letters and 2 packages from her.

No. 13. Mrs. S. L. Littlefield, of Lankershin, Cal., complains she has frequently written Leon M. Littlefield, Headquarters Divisional Supply Company, and that he has received one letter from her. He replies that he has received at least 12 or 14 letters and one package of tobacco and has answered every letter. No loss.

No. 14. Mr. L. L. Rea, Auburn, N. Y., complains that he writes Corpl. L. Earle Rea, Seventeenth Company, Fifth Marines, and that no letters have been received by the addressee. Corpl. Rea advises that during the last few months his mail has been coming regularly, and that he has received all that was coming to him.

No. 15. The family of Lieut. Mettis, Ordnance Department, United States Reserves, complains from Severville, N. J., that they have written him many letters, including one registered, and that none of them has been received by him. Addressee advises that he has received to present date 14 letters, including the registered. He also expressed his opinion that delay to mail is not due to the post office in France. This matter has been taken up in France with the Army headquarters.

No. 16. Mrs. S. W. Musselman, of Perkasie, Pa., complains that Paul F. Musselman, formerly assigned to Medical Department, Casual Seventh Regiment, Coast Artillery, has not received any mail whatsoever. Paul Musselman advises that he is now attached to the Sixteenth Infantry, and that he has received all of his letters to date. One package of mail of November 1 he claimed he has not received, but this package was not due in France yet, as ships have just lately arrived. There is no just cause for complaint.

No. 17. William Luers, Cincinnati, Ohio, complains letters have been sent every week to John M. Luers, Company D, Sixteenth Railway Engineers, and that none of them have been received by the addressee. Addressee states that all of his mail is now being delivered promptly.

No. 18. Mrs. S. S. Weidmeyer, of Brooklyn, N. Y., complains that she has sent about 24 letters, cigarettes, and candy to Sergt. Harry C. Weidmeyer, Battery E, Seventh Field Artillery, but that he has received none of them. Harry C. Weidmeyer advises that he has received to date 12 letters and one package. He gives his address as Battery B, while the complainant has been addressing his mail to Battery E, which no doubt accounts for loss of some of the letters. The failure to deliver is therefore not due to delinquency on the part of the Postal Service, but to failure to properly address the mail.

(Signed) W. A. KENYON,
Post Office Inspector,
United States Army Postal Service.

The above was not prepared with any thought of its publication. These reports in the above circumstances tend to show that in by far the majority of cases mail of all classes is reaching the addressees in France as promptly as could be expected.

Other such reports received by the department state that "a large number of letters are returned from the chief surgeon's office, the chief quartermaster, the chief signal officer, and other such staff corps, whose men are detached and located all over France"; that "the French railroad lines are taxed to capacity and their own soldiers' mail is sent by military freight trains"; and that most of the "complaints are due wholly to ignorance on the part of the complainants as to the conditions of transportation."

Since American soldiers went to France more than 100,000 bags and pouches of mail have been dispatched to them and safely landed in France without the loss of a bag or pouch. Considering the enormous quantity, bulk, and weight of this mail, complaints of loss, damage, and delay have been surprisingly few. It is to be remembered that this statement deals only with the relatively *small quantity* of which complaint has been made. Some delay and possibly some loss, as has been shown, is inevitable under the circumstances.

The complaints of poor service are given prominence, whereas the reports of good service do not reach the public. The department could array an enormous bulk of testimony from our military forces in France showing their satisfaction with the service. As has been stated, complaints are frequent upon the arrival of troops in France, but in very many cases, sometimes a few days after the complaints were written, the complainants write again to thank the Post Office Department and to say that their correspondents were receiving their mail, as is shown by the following synopsis of letters:

EXTRACTS FROM COMPLAINTS RECEIVED FROM PERSONS IN THIS COUNTRY AS TO THE NONRECEIPT OF MAIL BY MEMBERS OF THE AMERICAN EXPEDITIONARY FORCES AND EXTRACTS FROM SUBSEQUENT LETTERS ADVISING THAT MAIL IS BEING RECEIVED.

August 27, 1917, Mrs. Mary Kaplan, 212 West One hundred and eleventh Street, New York City, advised that her son, David Kaplan, arrived in France July 8 for service with the Quartermaster Department; that a number of letters had been written to him, but that in a letter from him dated August 5 he stated that he had not received a single letter from home.

September 7, 1917, Mrs. Kaplan again wrote the department advising that since her former letter "my son has acknowledged letters received from home."

August 31, 1917, the postmaster at Chicago wrote that Mr. W. P. Quinby, 69 West Washington Street, Chicago, the father of Sergt. William Quinby, of the Quartermaster Corps, desired information as to why letters addressed to his son could not be delivered, and inclosed envelopes returned to the father.

November 7, 1917, Mr. Quinby wrote the postmaster at Chicago that it appeared there was another Sergt. William Quinby in Paris, to whom his son's letters had been delivered; that when this William Quinby learned his son's address he turned the letters over to him, and "since that time there has been no trouble."

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September 7, 1917, Rev. Charles Trowbridge, 402 Cattell Street, Easton, Pa., advised that up to August 10 his son had received only 10 of 24 letters that had been mailed to him and that all mail had been addressed in the same way.

September 30, 1917, Mr. Trowbridge again wrote the department stating "word has been received to-day from my son and he informs me that my letters to him are coming regularly, or were up to September 8, the date of his last letter to me."

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September 24, 1917, Mary E. Boyle, Flushing, N. Y., advised that Sergt. Thomas P. Connors, Company A, Eleventh Railway Engineers, United States Army, American Expeditionary Forces, was not receiving mail.

October 5, 1917, Miss Boyle advised that "since writing you I have received word that Sergt. Connors received on September 4 a letter mailed from Flushing to him on August 11."

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September 27, 1917, D. S. Middleton, Jeffersonville, Pa., advised that his son had been in France since June 16; that on the 15th of July candy was sent him and a week later more candy and razor blades, addressed as he advised; that these things had not been received.

October 12, 1917, Mr. Middleton advised that in a letter from his son dated September 16 he stated that he received the box of candy sent him July 15 and the razor blades (Sept. 14) sent him on August 16, but not the candy sent him on the same day. "I guess it takes a little longer to censor candy than it does razor blades."

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September 28, 1917, V. J. Irwin, 351 Main Street, Springfield, Mass., advised of the nonreceipt of mail by his son with the American expeditionary forces.

November 3, 1917, Mr. Irwin advised the department that he had received a letter from his son stating that he received within three days four of the letters sent to him. The reason for the delay was that the regiment and company were omitted from some of the addresses, the censor having erased both on the first letter sent.

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October 3, 1917, a telegram was received from John E. Frenning, Boston, Mass., advising that since July 1 at different times he had sent approximately 30 packages by parcel post to Jack and Alfred Frenning, also Oliver Beebe, care of 21 Rue Raynouard, Paris, from Belmont and Boston, Mass., containing over $150 worth of clothing, but that up to September 4 none had been received.

October 22, 1917, Mr. Frenning advised, "Received word last week from our two sons that they have received much of the parcel-post matter that was sent to them last July."

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October 4, 1917, Mrs. John J. Fowler, Grahamles, Spring Lake, N. J., advised that mail for her son, "Sergt. John C. Fowler," addressed "Headquarters Company, Motor Truck Group, American Expeditionary Forces," was not being received.

October 17, 1917, Mrs. Fowler advised the department: "Thank you so much for your information regarding mail and parcel-post matter for the boys in France. I have the extreme pleasure of letting you know that this morning I was the happy recipient of a letter from my son saying that mail had been received all O. K. Thanking you for your interest and lovely letter."

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October 6, 1917, Mr. Armstrong, of Armstrong & Demarest, Lafayette, N. J., wrote regarding the nonreceipt of mail by his son, O. P. Armstrong, addressed "Care American Red Cross Ambulance, 7 Rue Francois Premier, S. S. U. 62, Paris, France."

October 18, 1917, Mr. Armstrong advised that his son had received the first two packages via parcel post.

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October 13, 1917, W. John Crawford, Clifton Heights, Pa., advised that mail for his son, with the Seventh Field Artillery as a first lieutenant, Officers' Reserve Corps, was not being received. "I receive his mail very regularly, but he had not received any mail on the 24th of September."

October 22, 1917, Mr. Crawford advised that on the 29th of September his son received five letters, dated from September 2 to 12. "My last letter from him came through in 16 days."

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October 22, 1917, L. F. Clark, care Aetna Life Insurance Co., Cincinnati, Ohio, advised that his father, Mr. John Clark, the postal agent in France, advised that he had received no word from home since his arrival in France.

November 22, 1917, Mr. Clark advised that "since receiving the information from you we have heard from him, and find that he is getting all the packages and letters regularly."

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November 5, 1917, Justice Walter I. McCoy, District of Columbia Supreme Court, submitted to the department copies of letters written by him to the Secretary of War with reference to the nonreceipt of mail by his son, George B. McCoy, first lieutenant, Infantry, Officers' Reserve Corps, A. E. F. (par. B. C. M., Paris). Up to October 17 he had not received one letter from his family.

November 13, 1917, Justice McCoy advised that "we had a letter from my son this morning, dated October 22, saying that he had received several letters from Mrs. McCoy and myself and from others, the latest of which was dated September 27. I wish to thank you again for your attention to the matter."

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November 12, 1917, the postmaster at Chicago submitted a letter from Arthur M. Heath, 1825 Seward Street, Chicago, advising that since August 29 at least 50 letters and 4 packages had been addressed to his son, "Lieut. Monroe Heath, unassigned, United States Army, Infantry United States Reserves, American Expeditionary Forces," and that under date of October 15 his son advised that he had not received any mail. In this letter he gave another address. "Infantry, United States Reserves, American Expeditionary Forces, B. C. M., Paris France." Request was made that attention be given the matter.

November 22, 1917, Mr. Heath advised "I wish to thank you * * * and to advise that we have received letters from our son, in which he states that he is now receiving mail, and at the time of writing had had a number of letters."

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November 16, 1917, Hilton N. Brown, sr., care Indianapolis News, Indianapolis, Ind., advised: "We have utterly failed to reach by mail my son, Second Lieut. Hilton N. Brown, unattached, Field Artillery, United States Reserves, American Expeditionary Forces, via New York City." We have had letters from him dated as late as October 27, and up to that time he had not heard a word from this country since he sailed about the 1st of September. When we began to hear from him he advised us to send mail in care of "Field Artillery School of Instruction, American Expeditionary Forces," and packages were addressed in that manner.

December 1 Mr. Brown advises by telegraph: "My son is now beginning to receive letters, indicating communication lines are open. Thanks."

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November 12, 1917, Miss Nettie White, 286 K Street, South Boston, Mass., advised of the nonreceipt of mail sent to Mr. Charles E. Ryan, Company B, One hundred and first Massachusetts Infantry, American Expeditionary Forces.

November 23, 1917, Miss White advised "Mr. Ryan has received some of my letters. Will receive all letters, I hope."

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November 13, 1917, L. L. Rea, Auburn, N. Y., advised that in a letter dated October 27 from his son, Corpl. L. Earl Rea, Seventeenth Company, Infantry Battalion, Fifth Regiment, United States Marine Corps, be advised that he had not had a letter in six weeks. "We write him every week and sometimes several letters. We have sent him several packages and he has received but one."

November 30, 1917, Mr. Rea advised: "Am pleased to report that my son has advised that he has received a number of letters all in a bunch, and that he felt like a new man. I wish to thank you for your very kind letter to me. The spirit which ran through the letter and the information was most helpful to us all."

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October 15, 1917, Mrs. Hedie MacDonald, Box 406, Marfa, Tex., advised that her husband, Pvt. John W. MacDonald, Quartermaster Corps, left for France on July 20, and that he was not receiving her letters.

October —, 1917, Mrs. MacDonald advised: "The letters to which I referred in my former letter have part been received so far."

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November 1, 1917, David Brown, Albany, Ga., advised that his son, Lieut. Jerome H. Brown, Infantry Section, Officers' Reserve Corps, United States Army, Post-Office Box 703, American Expeditionary Force, reported that he had not received any letters from home, although he sailed from New York on September 7. "In our last letter received from him to-day he states that only one letter has been received at the training school which he is attending."

December 1 (?), 1917, Mr. Brown advises that some of the mail sent his son in September has been received, "and I trust, with your cooperation, that all of the mail will be forwarded to him promptly."

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November 21, 1917, Mrs. George Brown, Box 267, Sutherland Springs, Tex., advised of the nonreceipt of mail addressed as follows: "Mr. Edwin Willingham, Headquarters Company 28, United States Infantry, American Forces, France."

December 14, 1917, Mrs. Brown advised: "Mr. Willingham has received the box you were having looked into which was sent September 14. He received it about the 19th of November."

—

December 1, 1917, Representative H. J. STEELE, of Pennsylvania, advised that Daniel McCarthy, of Easton, Pa., had informed him that his son, Corpl. Daniel McCarthy, Battery H, Sixth Regiment, Coast Artillery Guards, American Expeditionary Forces, had not received any of the mail sent him from home or from his friends in Easton.

December 5, 1917, Representative STEELE transmits a letter from Mr. McCarthy, in which he says that word has just been received from his son advising that he has received some of his mail.

—

November 22, 1917, the War Department transmitted a letter from Mrs. Marcus G. Evans, 953 Bryden Road, Columbus, Ohio, advising that about 20 boxes had been sent to her son, who landed in France August 20, also many letters; none received.

Later Mrs. Evans advised: "I wish to tell you how much I appreciate your kindness. I received a letter last week from my son, saying that the day before he wrote (November 6) he received five packages and three letters from me. I hope, through your efforts, he will receive the rest."

—

December 7, 1917, Mr. Rudolph Forster, The White House, advised that a friend of his had written that mail addressed to his son, J. W. McGrath, jr., Company E, One hundred and first Regiment Infantry, Twenty-sixth Division, American Expeditionary Forces, was not being received. The first package was mailed on September 27, and this had not reached him up to the 10th or 15th of November.

December 17, 1917, Mr. Forster quotes a letter from the friend dated December 14: "I want to say that I have just received word from the boy in France, and he has received two or three packages which I mailed him. I think that perhaps the others will reach him later."

—

December 6, 1917, F. A. M. Burrell, 1409 Albemarle Road, Brooklyn, N. Y., advised that his son, Harold A. Burrell, care Y. M. C. A., 31 Avenue Montaigne, Paris, was not receiving his mail.

December 12, 1917, Mr. Burrell advised, "I have just heard that my son, H. A. Burrell received the first package sent him on November 20. It was mailed in New York September 15.

December 21, 1917, Mr. Burrell advised that packages of tobacco and cigarettes sent to his brother, Charles S. Burrell, Sixth Battalion Canadian Troops, France, which he thought lost were beginning to arrive, and "I am finding the facts mentioned in your printed circular of November 27 are correct."

December 5, 1917, Charles V. Hilding, 307 Fourth National Bank, Grand Rapids, Mich., advised that mail for his brother, Pvt. Axel E. Hilding, Company C, Sixteenth Engineers Regiment, American Expeditionary Forces, was not being received.

December 13, 1917, Mr. Hilding advised, "I am very glad to advise you that day before yesterday I received a letter from my brother informing me that he had received some mail and had also received one package of tobacco. While there has been considerable delay, yet it is pleasing to know that the matters finally appear to be reaching destination. Thanking you for your prompt attention."

—

November 23, 1917, the secretary to the governor of Massachusetts forwarded a communication from Miss Lillie Copeland, 74 Hemer Street, East Boston, Mass., advising that her brother, Charles William Copeland, sailed for France the middle of September, that she had been writing to him about three times a week since he left, but that in his last letter, received November 20, he advised that he had received no mail since he left New York.

December 10, 1917, Miss Copeland advised: "I am pleased to inform you that I received a letter this morning from my brother, Sergt. Charles W. Copeland, Quartermaster Enlisted Reserve Corps, that he had received a letter from me which I sent in September. * * * With many thanks for your trouble."

—

November 14, 1917, A. C. Barker, 607 White Building, Buffalo, N. Y., advised that his son, a private in Company F, Nineteenth Regiment Engineers (Railway), with the American Expeditionary Forces, is not receiving his mail. "I have written him regularly every week since they sailed in August and sent him tobacco and parcel post for four consecutive weeks starting the first week in September, and his last letter, dated October 23, does not acknowledge the receipt of them, and he states he has not received same or word from us for two weeks."

November 28, 1917, Mr. Barker writes: "I humbly have to state that since writing you that communication I have received several communications from my son acknowledging several of our letters and parcel-post packages sent him the latter part of September."

—

November 13, 1917, the postmaster at Belton, Tex., advised that a patron of the office, Mrs. Harry O. Ware, advised that since September 8 she had been mailing letters regularly addressed to Harry Otis Ware, second lieutenant, Cavalry, United States Reserves, and that he had never received any of her letters.

December 7, 1917, the postmaster writes, "I desire to state that Mrs. Ware has informed me that such mail is now being delivered.

—

November 21, 1917, Mrs. Nora Forbes, Hoboken, N. J., advised that her son, Pvt. George S. Forbes, Headquarters Troop, First Expeditionary Division, A. E. F. (later Company A, Twenty-eighth Infantry, A. E. F.), arrived in France August 22 and advised her October 23 that he had received no word from her. She wrote three times a week and sent papers and parcel-post packages, but received no reply.

December 10, 1917, Mrs. Forbes advised: "I received a letter to-day from my son, and he wrote it November 19. He was delighted in getting a few of the first letters and papers from me, written in September. I feel confident that he will send us word of receiving the balance."

—

November 21, 1917, Mrs. J. Knox, 88 Lynch Street, Brooklyn, N. Y., advised: "My husband is a lieutenant in the Cavalry division and has been on the other side since September 8, and I have sent him at least 14 letters. He writes and says that he has not received any mail from me since he has been there," a letter having been received that day.

December 1, 1917, Mrs. Knox advised: "I have received a letter from my husband stating that he has received one of my letters."

—

September 14, 1917, C. Henry Stinson, 317 Swede Street, Norristown, Pa., advised that letters and parcel post addressed to his son, Robert Stinson, 21 Rue Raynouard, Passy, Paris, France, care of American Field Service, were not being received; also that the same condition applied with reference to mail for Francis Harley Sheatz, secretary Groupe Americaine, T. M. 526, Peleton C. Convois Autos, par B. C. M., Paris. A list of articles sent to Mr. Stinson was later provided.

October 25, 1917, Mr. Stinson advised: "I would say that my son has received two packages of tobacco and one of candy at his last writing, October 3. Two of them were gotten at the Rue Raynouard by one of his friends who went there and hunted through a large amount of mail matter that was lying there undelivered."

October 31, 1917, Mr. Stinson also advised: "The letters to my son and all first-class mail matter has been received by him, comparatively speaking, with regularity."

—

December 3, 1917, B. F. Bourne, Cleveland, Ohio, advised that his daughter and two other young ladies, whose husbands are Volunteer officers in Europe, had been receiving cables and letters from their husbands, but that no letters or cables had been received by their husbands, although they landed on the other side at least a month ago, or longer.

December 11, 1917, Mr. Bourne writes: "I beg to advise that on yesterday my daughter received a cable from her husband to the effect that he had just received a large number of our letters, indicating that the channels necessary to secure delivery of mail from this country to such officers are now open. * * * I take this occasion to thank you for the kind interest which you have shown in my request."

—

December 9, 1917, A. G. Lano, Annandale, Minn., advised that in a letter from his son, Sergt. Arthur R. Lano, Thirty-first Aero Squadron, American Expeditionary Forces, dated November 14, he advised that he had received no mail from home. "He has been in France since September 14, 1917."

December 17, 1917, Mr. Lano wrote: "I was to-day advised by my son that he has received his mail on November 23 and 24 * * *. I take great pleasure in thanking you for the interest you have taken in this matter."

—

November 27, 1917, Postmaster Selph, of St. Louis, Mo., forwarded a letter from J. Carr Gamble, Third National Bank Building, St. Louis, Mo., advising that mail for his brother, Lieut. Clark R. Gamble, American Officers' Infantry School, A. E. F., France, was not being received, probably because such matter had omitted that part of the address, "American Officers' Infantry School."

December 17, 1917, Mr. Gamble advised: "I am pleased to inform you that my brother has received mail which was sent to him. His first letter was received November 25 and was mailed from St. Louis on October 3.

—

December 22, 1917, Representative KENNEDY, of Rhode Island, advised that Mr. C. D. McDermott, of Georgiaville, R. I., had complained to him concerning the nondelivery of mail to his son; that since October 29 he had written his son every week and had sent money, tobacco, and clothing, and that the son, Pvt. Charles D. McDermott, Company A, One hundred and first Regiment, United States Engineer Corps, had not received even a letter.

December 31, 1917, Representative KENNEDY, of Rhode Island, writes: "It gives me pleasure to inform you that Pvt. McDermott has received the first letter sent him by his parents. Word to this effect has been received by his father."

—

December 21, 1917, Mr. John Loughenry, Box 233, St. Clair, Pa., wrote concerning the nonreceipt of mail addressed to John J. Loughenry, Company C, Twenty-sixth United States Infantry, American Expeditionary Force, Paris; that he received his letters but not packages.

December, 1917, Mr. Loughenry advised that he had just received word from his son that he had received two of the five packages.

—

December 10, 1917, M. E. Golding, East Liverpool, Ohio, wrote that mail for his son, with the American Field Ambulance Service, in France, was not being received; that in a letter dated November 10, received December 9, he advised that he had received no money, although the father had sent several remittances.

December 27, 1917, Mr. Golding advised that he had word from his son stating that most of the mail complained about as being long overdue, some containing drafts, others having essential comforts, had most of it reached him. "Excepting some nonessentials, I think all mail has been delivered. I ought to say that by 'nonessentials' candies and suchlike are meant. And now his mother and I want to thank you for your prompt assistance and the comfort of your correspondence."

—

November, 1917, Miss Maude Jenkins, Ewing, Ind., wrote that Clifford V. Boofer, Twenty-ninth Aero Squadron, Signal Service Corps, Aviation Section, American Expeditionary Forces, was not receiving mail addressed by her to him.

December 20, 1917, Miss Jenkins advised that Mr. Boofer had received one letter from her.

—

December 17, 1917, Mrs. J. F. Lange, Harrison, N. Y., advised that mail addressed to her son, Pvt. John F. Lange, jr. (packages, papers, and magazines), was not being received.

December 27, 1917, Mrs. Lange advised that she had that morning received word that her son had received three of her letters, written early in October, and one package received December 5.

—

October 16, 1917, William T. Jennings, chairman committee on public safety, Harrisburg, Pa., advised as to the general unsatisfactory condition of mail service for his son who went to France from England about August 2; that no newspapers, which had been sent him regularly from June 28, had been received.

The case was put into the hands of a post-office inspector for investigation, who makes report on December 20, stating in part as follows: "On the 5th instant I again saw Mr. Jennings, when he informed me that he had recently heard from his son, who stated that a quantity of delayed mail had just been received by him, indicating that it had been accumulating at some point prior to receipt by the addressee."

—

November 15, 1917, Dr. D. L. Grayson, James Building, Chattanooga, Tenn., wrote concerning the nonreceipt of mail addressed to his son, Lieut. C. B. Grayson. He left this country somewhere in the neighhood of September 8, "and I think you will agree with me that from September 8 to October 25 is such a delay in the delivery of mail as should be given prompt attention. * * * I was yesterday in receipt of two letters from him, one dated October 16 and the other October 25. In the first letter he distinctly stated that he had received nothing of any source in this country whatever. His letter of October 25 makes no reference to the receipt of any mail." A letter dated December 13, from Mr. Grayson, indicates frequent changes in his son's address.

December 21, 1917, Dr. Grayson writes: "I beg to advise that in a letter received, dated November 25, from my son, he advises that he has begun to receive his mail, having on that date received three letters from us. He is greatly elated in consequence. Thanking you very much for the interest you have taken in this matter and assuring you of my appreciation thereof."

—

November 23, 1917, Mr. T. J. O'Donnell, 822 Ernest & Grammer Building, Denver, Colo., advised of the nonreceipt of newspapers addressed as follows: "Capt. Ottomar O'Donnell, Fifth Field Artillery, American Expeditionary Force." A box of confections mailed early in September had not been received when he wrote.

December 19, 1917, Mr. O'Donnell writes, "I am to-day in receipt of a letter from Capt. O'Donnell, dated November 25, in which he acknowledges receipt 'during the last week' of papers, packages, and letters sent between September 29 and October 27.

December 22, 1917, Mr. O'Donnell advised that in a letter dated November 16 from his son he acknowledged receipt of cigarettes, candy, and papers. "I assume now that conditions are adjusting themselves."

—

December —, 1917, Mrs. Rollin M. Thomas, Klemme, Iowa, advised that packages for her husband, Second Lieut. Rollin M. Thomas, V. O. R. C., Base Section No. 1, A. E. F., France, were not being received, although he had received most of the letters.

December 22, 1917, Mrs. Thomas advised, "Have just received word that the most important packages have reached Lieut. Thomas."

—

December 9, 1917, Mrs. E. G. Tomlinson, Fort Howard, advised that on September 28 she sent her husband, Lieut. E. G. Tomlinson, First Division Ammunition Train, Motor Section, Truck Company No. 2, A. E. F., a suit case containing various articles, and that she wrote to him daily, but that in his letters he complained of nonreceipt of mail.

December 26, 1917, Mrs. Tomlinson advised, "I received a letter from my husband and he tells me that he received the suit case, also 25 letters at one time, and it was not the fault of the post-office facilities that he was not receiving them on time. It was due to the fact of his being only one night in one town. Thanking you for your kind interest."

—

December 8, 1917, William D. Fullerton, Ottawa, Ill., advised that since the 12th of September some 25 letters had been forwarded to "Lieut. Charles B. Fullerton, U. S. R., unassigned, A. E. F." He sailed from Hoboken about the 13th of September. Up to the 10th of November he had received no mail except a bunch of newspapers mailed from Chicago.

December 24, 1917, Mr. Fullerton advised, "I have a letter from Lieut. Fullerton, U. S. R., Company K, Twenty-sixth Infantry, acknowledging receipt on December 1 of letter I mailed him October 19, and other mail. But letters mailed prior to October 19 had not yet reached him. It is apparent that some of his mail is still being held up at some point."

—

December 13, 1917, Miss Eva Blodgett, 527 Plainfield Street, Springfield, Mass., advised that Pvt. Fred C. Partch, Company M, One hundred and third United States Infantry, Fifty-second Brigade, Twenty-sixth Division, American Expeditionary Forces, had not received letters from her.

December 24, 1917, Miss Blodgett advised that Ptv. Partch had received some mail from home.

—

December 10, 1917, the postmaster at Dixon, Ill., transmitted copy of a letter from Sergt. Harold Lenox, Quartermaster Corps, National Army United States, Army Post Office 701, via New York, France, in which he advised his father (Nov. 12, 1917) that he had received no mail from home. The statement was made to the postmaster that a letter had been written him each week, giving the same address as that in his letter.

December 26, 1917, Ed. Lenox, Dixon, Ill., advised, "In reply to your letter, am pleased to say that Harold Lenox is now receiving mail, first on November 14. Thanks for your prompt attention and interest."

—

December 17, 1917, Mr. Pierce Timmie, 124 Elmwood Street, Woodhaven, Long Island, N. Y., advised that mail addressed to his brother, Pvt. Colin Timmie, headquarters Seventeenth Engineers, Railway, was not being received.

December 26, 1917, Mr. Timmie wrote: "In acknowledging yours of December 22, I wish to advise you that on Saturday last I received a letter from my brother in which he acknowledged the receipt of a letter I mailed him at the end of September. I wish to thank you for your prompt attention."

—

December 18, 1917, the postmaster at Manchester, N. H., advised that Arthur S. Brown, of Manchester, complained that he had sent 25 or more letters and packages to Howard Mark Brown, One hundred and fourth Field Hospital, One hundred and first Sanitary Train, Twenty-fifth Division, American Expeditionary Forces, and that none of these had been received by the addressee. He stated that this field hospital was formerly known as the Fourth Field Hospital.

December 27, 1917, Mr. Brown advises that Howard M. Brown received four letters "some three weks ago, but has not received any from me."

—

December 14, 1917, H. C. Zacharias, 231 Washington Lane, Johnstown, Pa., advised that September 24 he mailed to Pvt. Oliver W. Myers, Company C, Tenth Engineers Forestry Regiment, American Expeditionary Forces, a package containing various articles which had not been received by him.

December 19, 1917, Mr. Zacharias states that a letter has just been received from Pvt. Myers stating that the package reached him November 26, the date of his writing.

—

December 22, 1917, Mr. John H. Howard, Kingwood, W. Va., complains no mail reaches his son, First Lieut. F. C. Howard, Medical Officers Reserve Corps, United States Army, Two hundred and tenth Brigade, Royal Field Artillery, British Expeditionary Forces, France, stationed in France since August 1, 1917, and "well nigh a hundred letters" sent.

January 5, 1918, Mr. Howard states that he is communicating with The Adjutant General on the subject and that he received on January 5 letter from his son stating that 27 letters reached him at one time.

—

October 31, 1917, Mrs. G. W. Williams, Mercedes, Tex., states that according to letter dated London, October 10, her husband, with the American Expeditionary Forces, advises only two letters received from home, one dated August 12 and one August 26; believes some other "G. W. Williams" may have received rest of mail.

December 27, 1917, Great Britain, in reply to this department's letter on subject, advises that Mr. Williams states that all articles sent to him have been received.

—

December 15, 1917, Senator C. S. PAGE, Vermont, transmits letter of complaint from Mrs. S. B. Clark, St. Johnsbury, Vt., that her son, with the American Expeditionary Forces in France, is not receiving letters from home. States that son writes: "Mother, I can not think why I don't get a word from home."

January 7, 1918, Mrs. Clark now states letter received from her son in which he says he received two letters from home about December 10. Hopes other letters have now reached him. Mail from him reaches here in about 17 days.

—

December 22, 1917, Mr. Charles Buida, inspector of buildings, West Hoboken, N. J., writes in behalf of Mrs. Martin Gould relative to her son, Sergt. George F. Gould, quartermaster, Engineers' Reserve Corps, American Expeditionary Forces, France, attached to Ninth Bakery Company, also addressed "Sergt. George F. Gould, Quartermaster Corps, Det., unassigned, care of General Headquarters, American Expeditionary Force," not receiving any mail from home.

January 4, 1918, Mrs. Gould advises receipt of letter from her son in which he says that all his mail has been received. Thanks to the department for consideration shown her.

November 28, 1917, Mrs. A. E. Gauerke, 519 Oak Street, Abilene, Tex., wants to know why newspapers do not reach her son, George Miller, Company A, Twelfth Regiment Railway Engineers, American Expeditionary Forces, France.

January 2, 1918, Mrs. Gauerke reports her son now "getting his papers all right."

—

December 27, 1917, Mr. Gus O. Henderson, 79 Milk Street, Boston, Mass., transmits newspaper clipping stating that report that mail for American Expeditionary Forces is being held up is not true, and adds that if this is so, to explain why his son, Lieut. Elliott Henderson has not received a single letter from home since he landed in France, the latter part of September.

January 7, 1918, Mr. Henderson advises receipt of letter from his son dated December 8 stating he has received in one package 25 letters from home, "which includes practically all that have been written."

—

October 26, 1917, postmaster Delavan, Wis., reports complaint by Mrs. Frank W. Hall that letters sent to her husband, who is with the British Expeditionary Forces, are not reaching him.

January 7, 1918, postmaster Delavan, Wis., advised that Great Britain states Lieut. Frank W. Hall admits receipt of all correspondence and instructed to so inform Mrs. Hall.

—

December 28, 1917, Mrs. Fannie G. Horne, 360 East Two hundred and first Street, New York, states she sent, on October 3 package to her son, William J. Horne, Company F, Eleventh United States Regular Railway Engineers, American Expeditionary Forces, France, and one October 26, and three for Christmas, but from his last letter he has not received the first packages sent.

January 3, 1918, Mrs. Horne advises that her son writes, under date of December 5, acknowledging receipt of two packages and regrets any annoyance caused by her complaint.

—

November 26, 1917, Mr. Robert H. Dippy, Philadelphia, Pa., says he receives letters from his son in France, but at least 12 to 15 letters sent to France previous to November 1 have not reached addressee.

December 20, 1917, Mr. Dippy advises receipt of four or five letters from his son now stationed in Italy, but that only about three letters sent were received by his son.

January 5, 1918, Mr. Dippy advises receipt of five letters, dated from November 1 to December 14, in which his son says he received mail from this country sent during the month of October.

—

December 21, 1917, Mrs. Marc Thibault, 165 Nashua Street, Fall River, Mass., complains that her son, Alfred Thibault, Third Company, One hundred and first Ammunition Train, Twenty-sixth Division Motor Truck, American Expeditionary Forces, France, does not receive mail from home.

December 30, 1917, Mrs. Thibault advises word from her son that he now receives his mail.

—

December 5, 1917, Miss Madeline M. Morrison, Palouse, Wash., states that letter from Lieut. J. J. Lippincott, Eleventh Engineer Regiment, American Expeditionary Forces, France, informs that none of her letters received by him.

December 30, 1917, Miss Morrison writes, "I am happy to report that in a letter written by him, November 15, he acknowledged the receipt of several of my letters which had just begun to come."

—

December 5, 1917, Congressman H. M. JACOWAY, Arkansas, transmits letter from Mr. Morris M. Cohn, Little Rock, Ark., stating that out of some 40 packages sent to his son, First Lieut. Louis M. Cohn, with the American Expeditionary Forces in France, only 2 have reached him.

January 1, 1918, Mr. Cohn advises arrival at destination of a number of packages addressed to First Lieut. Louis M. Cohn, Battery M, Sixth Regiment, Coast Artillery Corps, American Expeditionary Forces, and advises, "He reports the receipt of eight or nine packages."

—

December 7, 1917, Mrs. James H. Reynolds, 17 South Pine Street, Lock Haven, Pa., asks why mail does not reach her son, H. B. Reynolds, American Naval Base, Pauillac, Gironde, France.

December 28, 1917, Mrs. Reynolds reports that her son is now receiving his mail from the States and, "I am very grateful to you for attending to the matter for me, and if I can at any time be of any service to you I sure will be at your service."

—

December 6, 1917, Congressman AUGUSTINE LONERGAN, Connecticut, submits letter from Miss Agnes N. Kelly, Hartford, Conn., in behalf of Mr. Marcell Lavoie, 72 Camfield Avenue, Hartford, Conn., respecting mail sent to his son, Pvt. Edward E. Lavoie, One hundred and second Machine Gun Company, American Expeditionary Forces, France. Mail sent to his boy once a week, but none received.

December 30, 1917, Mr. Lavoie writes that he has recently received word from Pvt. Lavoie stating he has received the mail in question.

—

December 20, 1917, Hill, Clarke & Co. (Inc.), Boston, Mass., write that letters are being received from Second Lieut. Henry Ware Clarke, American Expeditionary Forces, detached service, France, but none received by him from home. Packages have also been sent, with same address.

December 30, 1917, Mr. C. A. Clarke reports, "I am pleased to say that up to November 28 Lieut. Clarke had received 1 letter and 1 package; but since then, within a week or two afterwards, he received 20 letters in one bunch. There are missing, however, about 30 letters and a dozen or more packages, some of them important * * * but now that he is definitely located with the Regular Army I imagine he will receive his mail regularly."

—

December 2, 1917, Miss Nellie C. Creeden, 59 Bellevue Street, Lowell, Mass., asks why mail does not reach some of her friends over in France with the One hundred and first United States Infantry.

December 30, 1917, Miss Creeden advises that her letter dated October 21 was received by the addressee, Sergt. Thomas J. McDermott, Company M, One hundred and first Infantry, American Expeditionary Forces, on November 17. His letters, dated November 29 and 30, have just arrived here.

December 28, 1917, Mrs. Frank R. Potter, Rural Delivery No. 6, Amsterdam, N. Y., states that her son was sent to France about September 8 and she just received word that no mail from any source had reached him since early in October. Christmas box sent him November 13, and wants to know whether it reached the addressee.

January 8, 1918, Mrs. Potter writes: "Pvt. Henry B. Potter received 17 letters on December 18, so am in hopes he will received his mail in future."

—

December 28, 1917, Mr. F. M. Collins, 92 Line Street, Somerville, Mass., asks in re nondelivery numerous parcels sent his brother, Pvt. George Collins, Company E, One hundred and first Regiment Infantry, Twenty-sixth Division Overseas, Fifty-first Brigade, American Expeditionary Forces, via New York. By letter dated December 1 he makes no mention of articles sent to him, and it is therefore concluded that none have reached him.

January 8, 1918, Mr. Collins advises receipt of letter from his brother stating that several packages addressed to him have been received.

—

November 16, 1917, postmaster, Ashbury Park, N. J., advises complaint by Mrs S. W. Hoffman, 703 Bond Street, Asbury Park, N. J., of nonreceipt of mail sent to her husband, First Lieut. S. W. Hoffman, Forty-seventh Company, Fifth Regiment United States Marines, in France.

January 3, 1918, Mrs. Hoffman writes: "Have received mail from Lieut. Hoffman. He also has received my mail. Thanking you for your interest."

—

December 19, 1917, Miss Ebba V. Anderson, 486 Elton Street, Brooklyn, N. Y., states that box containing knitted muffler and also letter sent about two weeks ago to her cousin, Carl H. Anderson, Fourteenth Engineers, Company E, American Expeditionary Forces, not received by him, as advised in his letter dated November 15.

January 10, 1918, Miss Anderson writes: "Since I last wrote you I received a letter from him stating he had received the package I sent him, also my letter. Thanking you * * *."

—

January 15, 1918, Mr. William H. Dechant, Reading Pa., states that his son, with the American Expeditionary Forces in France, in his last letter, dated December 14, advised the receipt of only one letter since he arrived in France November 3. He started for France about October 18, and 8 or 10 letters were written him since.

January 23, 1918, Mr. Dechant writes that he has heard from his son, who states he is receiving his letters and is in fine spirits.

—

November 13, 1917, Mr. Charles S. Turner, Wilkes-Barre, Pa., states that letters do not reach Lieut. Arthur H. Turner, Sixth Regiment, Marine Corps, American Expeditionary Forces, according to letters from him dated October 24 and 25, letters being mailed to him every day.

December 22, 1917, United States postal agent in France, respecting this case, advises that he took the matter up personally and has received a reply from Capt. A. H. Turner, stating that his letters are numbered consecutively and are being regularly received without any extraordinary delay. On January 22, 1918, the complainant, Mr. C. S. Turner, Wilkes-Barre, Pa., was advised of the postal agent's report.

—

January 24, 1918, Mr. J. B. Pratte, Bristol, Conn., complains no mail received from his son, Joseph V. Pratte, Company D, One hundred and second United States Infantry, American Expeditionary Forces.

February 2, 1918, Mr. Pratte writes: "I received four letters since January 30, dated January 2, 1918, and was very glad to receive them."

—

January 9, 1918, Miss Gertrude Peterson, San Francisco, Cal., advises word from Pvt. George L. Frye, Company A, Eighteenth Engineers, American Expeditionary Forces, that package mailed him October 11 by insured parcel post has not been received, but that two Christmas boxes mailed November 30 were received.

January 22, 1918, Miss Peterson advises the receipt of a letter from Pvt. Frye stating that package in question arrived, and thanks department for attention given her complaint.

—

January 5, 1918, Hon. AMBROSE KENNEDY, of Rhode Island, House of Representatives, transmits a letter from Mr. J. Frank Mara, Pawtucket, R. I., respecting nondelivery of mail to his son, Edwin M. Mara, Brigade Headquarters Detachment, Fifty-first Brigade, United States Field Artillery, American Expeditionary Forces. About 30 or 40 letters sent him, but not one received.

January 14, 1918, Mrs. J. Frank Mara reports receipt of letter from her son stating he had just received a letter from home dated October 9, 1917.

—

January 5, 1918, Ellen G. Greene, Pittsburgh, Pa., advises that her brother, Harold D. Greene, Company A, Twenty-sixth Engineers, American Expeditionary Forces, writes on December 15 that he has not heard from home since his arrival in France, letters being mailed him three or four times a week.

January 19, 1918, Ellen C. Greene states that her brother writes under date of December 28 that he has received several letters and packages from home.

—

December 27, 1917, Mrs. E. C. Chambers, Portland, Me., states she has written several letters to her son, Pvt. George L. Bradbury, One hundred and first Regiment United States Engineers, American Expeditionary Forces, Company A, Twenty-sixth Division, and has received seven letters from him asking her to write.

January 24, 1918. Mrs. Chambers advises her son has received all letters mailed him.

—

January 11, 1918, Mr. E. C. Cobb, Fremont, N. C., advises letters and packages sent since October 15 to Edgar E. Cobb, Aviation Section of the Signal Enlisted Reserve Corps, Second Aviation Instruction Center, American Expeditionary Forces, and that cablegram from him dated January 11 states he has not heard a word nor received a package.

January 17, 1918, Hon. GEORGE E. HOOD, House of Representatives, writes on the same case.

January 19, 1918, Mr. Cobb writes: "Am pleased to inform you that Edgar E. Cobb has at last received mail from us."

December 21, 1917, Mrs. M. Goulden, Chicago, Ill., states she has written her son, Pvt. Lewis A. Goulden, Company G, Second United States Engineers, American Expeditionary Forces, about a dozen letters and sent him packages, but on November 15 he wrote saying nothing received and wonders what is wrong.

January 9, 1918, Mrs. Goulden writes: "I want to say my son has received two of my letters, and, of course, he feels better now."

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January 2, 1918, Mrs. John Hackett, West Allis, Wis., states her son, William J Hackett, American Red Cross, Buffalo Motor Unit, American Expeditionary Forces, writes under date of December 12 that he has not received one word from home. About 20 letters and 6 packages sent him. Other members of the same unit seem to be getting their mail. Mrs. Hackett gives two addresses, one to American Red Cross, 79 Rue Langier, Paris France, and one to Chateau des Halles, par Sainte Foy Largetieve, Rhone, France.

January 23, 1918, Mrs. Hackett writes that her son, under date of December 24, advises he received some letters from home December 23 and two Christmas boxes.

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January 11, 1918, Mr. William P. Hill, Providence, R. I., complains letters to P. W. Hill, Battery A, One hundred and fiftieth United States Field Artillery, Sixty-seventh Brigade, Forty-second (Rainbow) Division, American Expeditionary Forces, do not reach him.

January 21, 1918, Mrs. Hill reports receipt of letter from Mr. P. W. Hill dated January 18, 1918, saying he received two letters from her and one from his brother; also papers and magazines.

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December 31, 1917, E. B. McGilvary, Madison, Wis., asks re nonreceipt of mail by his son, Paton McGilvary, American Aviation Detachment, American Expeditionary Forces, Italy. He heard from home before September 18 and not again until November 11, when he received two letters, one dated September 2 and one October 1.

January 14, 1918, Mr. McGilvary writes: "I am informed by my son that he has received the mail matter in question. Within the last few days I received a letter from him reporting that he had received on November 30 'quite a batch of mail.' I presume that what he had not received at the time I wrote he may have gotten since, now that communications seem to have become established again."

—

January 5, 1918, postmaster, Augusta, Ga., advises inquiry by Mr. William Frank re parcel mailed to his son, Corpl. William W. Frank, Marine Engineer Reserve Corps, American Expeditionary Forces, United States Army, base hospital No. 8, France.

January 15, 1918, Mr. Frank reports: "I made no complaint and have none to make, since all mail matter, letters as well as parcels, have been received by our son very regularly for the past three or four months; so also has his mail reached us promptly."

—

December 18, 1917, postmaster, Columbus, Ohio, advises complaint from E. M. Heller, that city, that six parcels of tobacco, candy, etc., mailed between September 10 and December 1, addressed to Frank E. Heller, Company E, Fourth United States Army, Forty-second Division, Camp Mills, Long Island, N. Y., and to Company E, Fourth United States Army, American Expeditionary Forces, have not reached addressee, but first-class mail has been delivered.

January 18, 1918, postmaster, Columbus, Ohio, writes: "Beg to advise that Mr. Frank E. Heller now states all mail is being properly delivered to him," and that this information was obtained from A. E. Heller, the complainant.

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January 8, 1918, Mrs. Edna V. Weston, Edgartown, Mass., writes that letters to her husband, Lieut. A. D. Weston, Company A, Twenty-sixth Engineers, American Expeditionary Forces, mailed him from October 29 at the rate of six each week, have not reached him, according to letter received from him dated December 16.

January 20, 1918, Mrs. Weston writes that letter received from her husband advises that he received a bundle of mail on December 23.

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CHAMBER OF COMMERCE,
Bloomington, Ind., January 24, 1918.

MERCHANTS' ASSOCIATION OF NEW YORK,
Division of Mail Inquiry, New York, N. Y.

GENTLEMEN: In regard to your request for the chamber of commerce to furnish you a statement concerning the local mail service, we are pleased to submit the following brief report:

The past two weeks we have experienced the worst winter weather in the history of Indiana, the temperature being below zero nearly every day, and some days from 14 to 20 degrees below. In addition to this, the deepest snow ever known here has hindered all traffic. The wagon roads have been blocked for days at a time with miles of snowdrifts in many places on the level with the road fences, making transportation impossible, even on our main highway.

Our two railroads have also experienced great difficulty in running trains and are unable to make their regular schedules. For a few days all trains were annulled and on other occasions the trains were from 2 hours to 14 hours late, due to the deep snowdrifts on the tracks.

Any delay of mail in this locality has been due to the acts of Providence and not to the acts of the Postmaster General. We have heard no complaint from the business men, but, on the contrary, have heard many compliments on the prompt and efficient service rendered by the department even under adverse conditions of the weather. For instance, friends and relatives have mailed over 600 Christmas boxes to their soldier boys in France. Not one was lost so far as known, and the boys received their presents in time for Christmas.

Our local office is in charge of the most accommodating postmaster Bloomington ever had. He devotes his entire time to the duties of his office and does not permit politics to interfere with the efficiency of the service.

Very truly, yours,

(Signed) C. G. CREIGHTON,
Secretary-Manager.

The Clerk read as follows:

Contribution to the maintenance of the International Bureau of Weights and Measures, in conformity with the terms of the convention of May 24, 1875, the same to be paid, under the direction of the Secretary of State, to said bureau on its certificate of apportionment, $2,895.

Mr. DILL. Mr. Chairman, I move to strike out the last word. I want to say that it seems to me that the basis which

the President laid down in his address on peace, delivered to the House on the 8th of January, 1918, when he said that open covenants and open treaties were the first necessity, is a basis that can be indorsed not only by all Americans but by the free peoples of the world around. I do not believe history has ever shown a period when the world suffered so much from secret treaties and secret agreements as it has for the last three years and is now suffering. For that reason I ask unanimous consent to extend my remarks in the RECORD by printing certain documents and treaties recently published by the New York newspapers. They show what a wonderful work has been done by President Wilson since we entered the war in making this war really and truly a war for democracy and justice. By those treaties nations were to divide up conquered countries, but this Government's influence has been such that all that has been changed and the former territorial agreements renounced.

Mr. CHARLES B. SMITH. Reserving the right to object, I should like to ask how much space in the CONGRESSIONAL RECORD will be required to publish these treaties?

Mr. DILL. I do not know exactly; probably four or five pages. I do not think it will exceed that. I would not want to say definitely, as the documents were published in two or three installments in the New York papers. I am not certain; but not to exceed six or seven pages at most.

Mr. CHARLES B. SMITH. I have no objection to that, but I do not want to have three or four volumes put in.

Mr. STAFFORD. Mr. Chairman, in the absence of the gentleman from Massachusetts [Mr. WALSH], who is the censor of outside matter offered for printing in the RECORD, I ask the gentleman to withdraw his request for the present.

Mr. DILL. Mr. Chairman, these are Government documents of the Russian Government. If the gentleman from Massachusetts is not on the floor, that is his fault.

Mr. STAFFORD. I was busily engaged on another matter. Will the gentleman kindly inform the House again the character of the publication?

Mr. DILL. They are documents and communications to the Russian Government, which have recently been published, showing the secret treaties existing at the beginning of the war and before the war between the European nations.

Mr. STAFFORD. I withdraw the objection, Mr. Chairman.

Mr. BLACK. Does the gentleman have any fault to find, for instance, with the Italian treaty, by which our allies induced Italy to join them in the war against the Imperial German Government?

Mr. DILL. I may say to the gentleman that it is not for the purpose of criticism but for the purpose of furnishing information that I proposed to place these documents in the RECORD just as a matter of historic record. A number of Members have said they would like to read these documents if they were all collected in one place.

Mr. BLACK. Has the gentleman any assurance that this synopsis of these treaties is correct?

Mr. DILL. They are not synopses, but complete documents. They were given out by the Russian Government and published in the New York newspapers. I have no authenticated statement by the Secretary of State or by any of our own Government officials.

Mr. BLACK. Has the gentleman seen any acknowledgment by any of the allies that these treaties were in fact made?

Mr. DILL. No; I have not.

Mr. SAUNDERS of Virginia. What are these treaties?

Mr. DILL. They are a number of communications that during the war have been sent to the Russian Government, especially when the Czar was in power, and following his being deposed, and they have been recently published by the present Russian Government.

Mr. SAUNDERS of Virginia. Communications?

Mr. DILL. Yes; they were published in New York dailies some two weeks ago, I think.

Mr. SAUNDERS of Virginia. Were they authoritatively published?

Mr. DILL. As authoritatively as any treaty that is published in a newspaper.

Mr. SAUNDERS of Virginia. What I mean is, did they purport to be published on authority of any representative of the Government?

Mr. DILL. Oh, yes; they were given out by those in control of the Russian Government at the time of their publication in Petrograd.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DILL. I ask for two minutes more so that I may answer the questions of the gentleman from Virginia.

The CHAIRMAN. The gentleman asks that he may proceed for two minutes. Is there objection?

There was no objection.

Mr. SAUNDERS of Virginia. Have they been in anywise verified by the representatives of the Government on whose behalf they purport to have been issued?

Mr. DILL. Not to my knowledge. They were simply given out by the authority of the Russian Government. I do not think there is any denial of them.

Mr. SAUNDERS of Virginia. Would we not be filling up our RECORD then with matters whose authenticity may be questioned?

Mr. CHARLES B. SMITH. As I understand their authenticity has not been denied.

Mr. DILL. I do not think there is any doubt of their authenticity. There is only one complete treaty. The rest are largely discussions by ambassadors back and forth, referring to treaties.

Mr. SAUNDERS of Virginia. What is to be gained by their publication?

Mr. DILL. It is simply a matter of putting them in the RECORD in order that they may be available to the House and to the country.

Mr. HARDY. Will the gentleman yield for a question?

Mr. DILL. Yes.

Mr. HARDY. These documents were published by Lenine and Trotzky, were they not?

Mr. DILL. Yes.

Mr. HARDY. And published together with a lot of criticism of the allies.

Mr. DILL. There is no criticism in the statement of the treaties which I have.

Mr. HARDY. They were published purporting to have been discoveries from the secret archives of the Czar.

Mr. DILL. I think so; yes.

Mr. HARDY. The whole motive was to throw blame on the allies in connection with this war?

Mr. DILL. I do not think that, but rather to throw blame on the Czar for the way he handled the Russian Government.

Mr. SAUNDERS of Virginia. Is it the desire of the Government that this material should be published?

Mr. DILL. I do not know about that.

Mr. HARDY. My recollection is that they came out with a lot of criticism by the Bolsheviki.

Mr. DILL. That may be, but I simply proposed to insert the documents. It has been said they show a number of agreements, which, in fact, they do not show.

The CHAIRMAN. Is there objection?

Mr. BORLAND. Reserving the right to object——

The CHAIRMAN. The gentleman from Washington asks unanimous consent to insert some remarks in the RECORD by printing certain documents. Is there objection?

Mr. BORLAND. Reserving the right to object, these are what purport to be copies of secret treaties entered into by the authority of the Russian Government and some other Government—the German Government, for instance?

Mr. DILL. No; there are none with the German Government or with any of her allies among those I have seen published in this series.

Mr. BORLAND. They are treaties purporting to be entered into by the Russian Government with other countries?

Mr. DILL. Yes.

Mr. BORLAND. They are not official copies, but newspaper or unofficial copies.

Mr. DILL. I think that is true of all treaties published in the newspapers.

Mr. BORLAND. With some comments on them?

Mr. DILL. No; I have no intention of including any comments, other than my own comments to show how President Wilson has lifted the purpose of this war to a fight for real world democracy.

Mr. BORLAND. Irrespective of the fact that secret treaties may violate our policy of the Government, inasmuch as Russia is a friendly power and these are not official, does not the gentleman think that, while it might have its proper place in the press, it would not have a proper place in the official records of Congress?

Mr. DILL. Not necessarily. I do not see how any injury can be done by printing them in the RECORD when they are already common knowledge. We would be revealing no secrets; we would be simply setting forth the records as given out by the officials of the Russian Government.

Mr. BORLAND. It seems to me, with all deference to my colleague, that they hardly deserve to be placed in our RECORD. They might be referred to in speeches, but I hardly think that they should be published in the CONGRESSIONAL RECORD.

Mr. DILL. I did not intend to place them in the middle of the RECORD, but in an extension of my remarks. I might have

gotten time in general debate and read them, but I thought that I would save the time of the House, and they would be there for the reference of Members of the House. Then no mistake could be made as to what they contain. That was my only purpose.

Mr. BORLAND. I believe, Mr. Chairman, for the present I will object.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 10, line 25, strike out the figures "47,500" and insert "20,500."

Mr. STAFFORD. Mr. Chairman, never in the history of this moribund Commission on International Boundary between the United States and Mexico have they ever had such a large appropriation in the 13 years of its existence as that recommended by the committee to-day. We all know that when once these commissions are organized they are mighty hard to get rid of. This is another exemplification of that rule. In fact, the work has been so futile and of such little value that the predecessor of the present commissioner, a former noted, painstaking, industrious, and capable Representative of this House, the Hon. John Wesley Gaines, resigned from the commission because he found there was no work to perform. He was ashamed to accept the salary of $5,000, and in order to justify some work for the salary he was receiving, as I was informed, he wished to indulge in some irrigation project utilizing the waters of the Rio Grande. The commission has been in existence for 13 years, and we never have appropriated more than $35,000 for it. I can understand how a new commissioner coming into this position wishes to magnify the work and present estimates—as the commissioner from Tennessee, Judge Lucius D. Hill, has—of $90,000 for extensive work in the ever-changing river bed of the Rio Grande. But I respectfully submit to the committee that this is not the time to increase appropriations. It is true that $25,000 is not much these days, when we are appropriating hundreds of thousands and millions of dollars. It is true that this commission, if it wanted to engage in the survey of the Colorado River or other rivers down there, could expend hundreds of thousands of dollars, but it is a question whether this is an appropriate time to engage in this outside work, especially in view of the pressure upon the Treasury by reason of the war conditions.

Mr. SLAYDEN. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. SLAYDEN. The gentleman says this commission—and I suppose he was speaking sarcastically, as I suppose he was in some other remarks he made——

Mr. STAFFORD. No; I was speaking seriously.

Mr. SLAYDEN. He said something about the survey of the Colorado and other rivers. Does not the gentleman know the importance of the Rio Grande, and the reason for this is to remove possibilities for international complications with another sovereignty? That is the importance of it.

Mr. STAFFORD. I cited the Colorado advisedly and not sarcastically, because I examined the hearings before the Committee on Foreign Affairs, which includes an estimate by this distinguished gentleman, who wants to branch out all of a sudden, and in that estimate I find a survey of the Colorado River, $25,000.

Mr. SLAYDEN. Well, I will withdraw my observation with regard to the Colorado River and ask the gentleman to confine his attention for the moment to that part of my question which touched the value of the Rio Grande River as the boundary line between the two sovereignties, Mexico and the United States.

Mr. STAFFORD. There is no question but that we should have some well-marked line between Mexico and the United States, but I think, and the gentleman from Texas knows far better than I do, because I never saw the ever-changing bed of the Rio Grande, that it will be difficult under all circusmtances to establish a boundary line.

But the time is not opportune, I take it, to engage in this survey work when the Treasury is in such need of additional funds for war activities. This work has been postponed all these years. Some commissioners have found it to be needless. Gentlemen know full well that when we create these commissions it is a most difficult task, even after their work is completed, to get rid of them. In this exigency, why should we increase this appropriation? I have no objection to continuing this deserving Democrat in office. It is spoils, and has been spoils for years. Grant that, but why should we increase the appropriation when it is not necessary?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FLOOD. Mr. Chairman, the usually correct gentleman from Wisconsin [Mr. STAFFORD] is a little bit mistaken as to the history of this commission. It has been in existence a good while. It was brought into existence by reason of a treaty between this country and the Republic of Mexico. The first commissioner we had—and we had him for a long, long time—was an Army officer, Gen. Anson Mills, a most efficient man. He drew no salary from this appropriation. He was a retired Army officer and got the salary of a retired Army officer and rendered this service without getting any additional salary from the Government. Our distinguished ex-colleague, Mr. Gaines, was the secretary of this commission. There were two commissions then. He was the water commissioner and the secretary to the boundary commission under the treaty. Mr. Gaines did not resign because there was no work to do. An unfortunate circumstance occurred in reference to an estimate sent to Congress in reference to Mr. Gaines's salary, which irritated him, and for that reason he resigned, because he did not think the State Department had remedied that mistake quickly enough. Mr. Gaines had proposed to do extensive work, which did not meet with the approval of the Committee on Foreign Affairs. Recently Judge Hill has been appointed commissioner, and his corps of assistants has been filled, and he has been engaged in this work for the last year. During the time that Mr. Gaines was the secretary and the acting commissioner Mexico had no commission. Conditions have improved in Mexico since that time and she now has a commissioner, and that commissioner and our commissioner are at work trying to settle the boundary questions between this country and Mexico, so as to avoid in the future any international complications between these two countries. Judge Hill recommended the survey of the Rio Grande and the Colorado Rivers, with a view of finding a basis for a change in the treaty between these two countries. The boundary line is constantly shifting.

Mr. SLAYDEN. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. SLAYDEN. Which Colorado was that? The Colorado of the West?

Mr. FLOOD. Yes.

Mr. SLAYDEN. Not the Colorado in Texas?

Mr. FLOOD. No.

Mr. SLAYDEN. The Colorado of the West runs into the Gulf of Mexico and is an international stream.

Mr. FLOOD. A part of the boundary line.

Mr. SLAYDEN. Yes; and the other is not.

Mr. FLOOD. No. I understood from what I gathered in the hearings that Judge Hill wanted to make a proposition by which a fixed boundary could be established instead of a varying boundary which varies with the shifting of the Rio Grande River, and for that reason he asked for $91,000. The committee cut that down to $47,500, as the committee thought that amount would enable them to do the work on the Rio Grande and postpone the work on the Colorado for the present, settle the question of these bancos in the present existing stream, and enable Judge Hill to make a report that the State Department could use as a basis for a new treaty. Twenty-two thousand five hundred dollars, which the gentleman has suggested, would keep this commission alive and pay the salaries, but it would not enable the commission to do the work essential to settle controverted matters between this country and Mexico and avoid international disputes in the future and lay a basis for a most sensible settlement of the question. I hope, therefore, that the gentleman will withdraw his amendment, or, failing that, that the amendment will be voted down and that we will give this commission a chance to make the investigations in the Rio Grande River and make a report to Congress at the next session, and at any rate enable the commission to keep down any irritating questions between this country and Mexico. We are not in position to encourage irritation with any of our neighbors or any other foreign nation.

Mr. SLAYDEN. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. SLAYDEN. Mr. Chairman, I would like to ask the chairman of the committee if Mexico now has a commissioner on the ground?

Mr. FLOOD. It has; fully equipped.

Mr. SLAYDEN. Ready to cooperate with our commission in the work that is laid upon them?

Mr. FLOOD. Yes; it has a fully equipped commissioner and assistants.

Mr. KEARNS. Mr. Chairman, I move to strike out the last word. The gentleman from Indiana [Mr. Cox] made a very astounding statement just a few moments ago. He was discussing the delay in the delivery of our mails in France, and he

assigned as one of the chief causes the fact that we did not have a sufficient number of mail clerks in France to do this work. He said that up until some three weeks ago we had only about 40 clerks assigned to this duty, that the Government had made provision in the last three weeks to send over 26 more men, provided it could get the transportation facilities to send those 26 abroad. He said that the Government was experiencing difficulty in getting these men at this particular port in France which our mails all pass through. It seems to me that if the Government of the United States is experiencing a great difficulty in transporting 26 men to France, it is going to find it is more than a man's job to get a million men in the fighting line over there. If this statement of the gentleman from Indiana is true, or is based upon fact, I believe that the Senator from Oregon the other day ought to have gone a step further and said that not only had the War Department fallen down, but the Shipping Board and also the Navy had fallen down. I can not understand why it should be found to be a difficult matter to get 26 men to France, when the War Department is boasting of the fact that it is going to have a million and a half men in France by midsummer. If the gentleman's statement is true, I believe the people of the United States are justified in the belief that somebody connected with the War Department is indulging in a species of camouflage. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

BOUNDARY LINE, ALASKA AND CANADA, AND THE UNITED STATES AND CANADA.

To enable the Secretary of State to mark the boundary and make the surveys incidental thereto between the Territory of Alaska and the Dominion of Canada, in conformity with the award of the Alaskan Boundary Tribunal and existing treaties, including employment at the seat of government of such surveyors, computers, draftsmen, and clerks as are necessary; and for the more effective demarcation and mapping, pursuant to the treaty of April 11, 1908, between the United States and Great Britain, of the land and water boundary line between the United States and the Dominion of Canada, as established under existing treaties, to be expended under the direction of the Secretary of State, including the salaries of the commissioner and the necessary engineers, surveyors, draftsmen, computers, and clerks in the field and at the seat of government, rental of offices at Washington, D. C., expense of printing and necessary traveling, for payment for timber necessarily cut in determining the boundary line not to exceed $500, and commutation to members of the field force while on field duty or actual expenses not exceeding $3.50 per day each, to be expended in accordance with regulations from time to time prescribed by the Secretary of State, $60,000, together with the unexpended balances of previous appropriations for these objects: *Provided*, That hereafter advances of money under the appropriation "Boundary line, Alaska and Canada, and the United States and Canada," may be made to the commissioner on the part of the United States and by his authority to chiefs of parties, who shall give bond under such rules and regulations and in such sum as the Secretary of State may direct, and accounts arising under advances shall be rendered through and by the commissioner on the part of the United States to the Treasury Department as under advances heretofore made to chiefs of parties: *Provided*, That when the commissioner is absent from Washington on official business he shall be allowed actual and necessary expenses of subsistence, not in excess of $8 per day.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I notice two changes in existing law—one limiting the amount of daily expenses for subsistence of the commissioner to $8 a day, and increasing the per diem allowance to the field force from $2.50 to $3.50 per day. What is the purpose of the proviso as to the amount that may be expended by the commissioner when outside of the District on official business to $8 a day, which is in the nature of a limitation? Has the evidence disclosed that there has been a larger amount expended in the past, or at present is the amount lower than that of $8?

Mr. FLOOD. The amount is lower. The amount is $4 a day.

Mr. STAFFORD. What is the reason for allowing him $8 a day when in other branches of the service we only allow for subsistence, while traveling in the United States, $4 per day. We are met by the Secretary of Commerce in making claims on behalf of commercial attachés, commercial agents, to increase the per diem allowance for subsistence while absent from the country, and the committee has not so far acted favorably; in fact, the Secretary of Commerce has recently requested that the per diem allowance of our commercial attaché at Buenos Aires, the most expensive capital in the world, be increased to $7 per day, and here we are asked that this commissioner be allowed $8 per day.

Mr. FLOOD. Well, the reason for that is this: He is a commissioner of the United States, and goes up to these meetings where he meets the commissioner of Canada. He has to stop at a decent hotel, which the gentleman well knows he could not stop at on $4 a day, and he made the statement to the committee that during last year his expenses were $8 a day; that he could not hold them below $8, and he got reimbursed $4, and the committee thought it was fair to pay his expenses. The committee was impressed with the business ability and desire for economy on the part of this commissioner and the splendid work he had been doing, and they thought he ought to have a sum that would cover his actual expenses.

Mr. MILLER of Minnesota. Mr. Chairman, if the gentleman will permit, as I happen to be very familiar with the gentleman and the work of the commission, as it is nearly all performed on the boundary line between Minnesota and Canada, I sincerely trust that the gentleman will not insist on his point of order. The $4-a-day limitation heretofore is insufficient to pay a man's subsistence. This commissioner is frequently compelled to go to Canada, often to the capital, to consult with the commissioner from Canada. It is a matter of common knowledge that you can not even obtain a room at a hotel for $4 a day.

Mr. STAFFORD. Oh, Mr. Chairman, I will have to take issue with that statement. I happened to be a member, back in 1908, of a nonofficial commission that visited Canada, a commission to investigate the question of pulp and paper supply, and we stopped at the King Edward Hotel in Toronto, and the rates were only $3 a day.

Mr. FLOOD. Conditions have changed since then.

Mr. STAFFORD. Mr. Chairman, I hear that all around that conditions have changed and yet outside of Washington the hotel proprietors in Detroit, in Chicago, in my home city, in New York, are not charging more than they did prior to the war or during the war. In this city it is true visitors are held up in an outrageous fashion. The persons who visit here are held up to the very highest point the service will bear. A man reaches here at 11 or 12 o'clock midnight and they increase their rates up to as high as $5 and $6 for lodging, whereas the published rates were $1.50 for a room. It is an outrageous condition.

Mr. MILLER of Minnesota. Just a moment, if the gentleman will permit me to finish my statement. I know he wants to be fair. I would like to indorse all he has said about the hotel charges here in Washington. It has ceased to be keeping a hotel and it has come to be legalized highway robbery.

The Congress compels people over this country to come to Washington to transact public business and they of necessity are compelled to stop at hotels and there they are just simply robbed. There is no relationship of any kind whatever between the accommodations furnished and the charges made. In fact, I advise my friends who come here when they go to one of the three or four leading hotels that they bring enough money to buy the hotel, then stay the three or four days and sell. Their loss will not be greater than the sum they would have been compelled to pay had they stayed there and paid the ordinary charges. It is a crime. Conscience ended when the Washington hotel proprietor came into being. There ought to be a new crime designated to cover this offense and a law should be passed to punish such robbery. There ought to be a penalty placed upon such a practice. Now, then, having those conditions in mind, I would like to have the gentleman really reflect that 1908 is not 1918——

Mr. STAFFORD. Oh, Mr. Chairman——

Mr. MILLER of Minnesota. Let me finish this sentence. I was up to this point indorsing what the gentleman said. Hotel rates in Canada are double what they were; for instance, not room rent is doubled but it is very much advanced, probably 50 per cent, but café rates, meals, are more than doubled, and any man who leaves this country to go up to Ottawa, Toronto, or Montreal, wherever the commission happens to meet—it does not meet very often, and the amount involved is ridiculously small; it is only a few dollars a year, very few—is compelled to meet these increased prices.

Mr. FLOOD. I will say to the gentleman here that in the last fiscal year this commissioner was out of Washington 25 days, and the expense of that, charged to the Government, was $100. During the coming fiscal year he expects to have more conferences, owing to some additional work, and he estimates he will be out of the city on this mission about 60 days.

Mr. STAFFORD. The gentleman must recognize the danger of precedents. We are besieged in the Committee on Appropriations to increase the per diem allowance all the way from $4 to $8 a day. If we allow it to be established here——

Mr. FLOOD. Suppose we make it $6.

Mr. STAFFORD. I do not wish to appear parsimonious, and if the gentleman wishes to make it $6 I have no objection, although I think it should be lower.

Mr. MILLER of Minnesota. We ought to give him enough to pay his honest expenses. He can not live on $6 while traveling in this country or Canada, or in any other place, and I will defy

the gentleman from Wisconsin to ride on a train from here to Chicago or Milwaukee, and come back, and show that he lived on $6 a day. He can not do it and he knows he can not.

Mr. STAFFORD. The gentleman has challenged me to cite an instance. You can get a room in the city of Detroit, and I will take that as an example, in the Hotel Statler, as good a hotel as the gentleman from Minnesota or myself would wish to stop at, and certainly this commissioner would wish to patronize, with bath, at $2.50 a day. This gentleman not only gets his allowance for subsistence but he gets his allowance also for traveling expenses. I would not be so insistent on questioning this amount were it not that if we adopted it here we would have to adopt it in other activities of the Government. And this Congress is not ready to adopt a per diem allowance to its officials, no matter how high an estate they fill, of $8 a day.

Here is the Secretary of Commerce. He is now acting as one of the commissioners in determining the fisheries dispute between Canada and the United States. He is allowed only $5 a day. True, his expenses are much more, and he has to pay them out of his pocket. Those are conditions which may have to befall some of our officials, because we have to adopt a standard for all. It may be hard upon some, but we can not make fish of one and fowl of another. We will have to have some general rule, and to increase the allowance to our officials from $4 to $8 a day is a jump that I do not think this Congress is ready to take.

Mr. MILLER of Minnesota. If the gentleman has completed, I would like to end the sentence I started and let us have this finished. The gentleman can not travel in the United States on $6 a day, and I know it and he knows it, and stop at the Hotel Statler or any other decent hotel in the United States. This man is required to go to Canada on a foreign service. He is not traveling inside the United States. I suppose it would be comportable with the gentleman's idea that this commissioner, representing the United States, should go to Canada, go to some commercial club, and ask to be directed to the cheapest room in town and say, "My country is so poor and so miserable, and thinks so little of having the boundary line properly placed, I have got to hunt the cheapest room in town; and please show me where I can eat at a dairy lunch." I do not know whether that represents the ideas of the gentleman or not, but it would appear so from what he says. I think this man who goes only occasionally as a commissioner, representing the United States in a foreign country, ought to be permitted to spend at least $8 a day, when the Canadians, who have an entire country less in population and wealth than the Empire State alone, give their man very much more than $8 a day for his subsistence—very much more.

Mr. HARRISON of Mississippi. Will the gentleman yield for a suggestion there?

Mr. MILLER of Minnesota. Certainly.

Mr. HARRISON of Mississippi. This bill carries for the court of China an appropriation of $10 a day for a judge, and I understand that under the law all Federal district judges now get $10 a day for expenses.

Mr. MILLER of Minnesota. That is correct.

Mr. STAFFORD. Will the gentleman allow me to correct his impression?

Mr. HARRISON of Mississippi. I will.

Mr. STAFFORD. While the law places a maximum amount of $10 a day, nevertheless in the administration of that law the judges return in many instances much less for expenses.

Mr. MILLER of Minnesota. Ten dollars is the limit.

Mr. HARRISON of Mississippi. This commission here gets as much as $10 a day.

Mr. SMITH of New York. This item says "not in excess of $8 a day."

Mr. MILLER of Minnesota. Let me add one thing further.

This country has had commissions of all kinds representing it on a great variety of international questions. I do not want to reflect on the good work anybody else has done, but I leave it to the Members of this House who know if he has not done the best job for less money than has been done for Uncle Sam by any commissioner on a matter of this kind. He has performed a splendid service, has reduced his requests, almost cut them in two—about half this year of what they were before—and the job is just about done. For efficiency, industry, and all-around capacity he practically stands unique among the men who have been called to deal with foreign countries in behalf of the United States in matters of this kind.

Mr. WALSH. Who is this man?

Mr. MILLER of Minnesota. He is Mr. Barnard, a member of the Coast and Geodetic Survey, who was selected from that important body because of his high scientific and professional qualifications.

Mr. STAFFORD. I have nothing to withdraw after having made my statement. I would not object to this one person, except for the fear of a precedent, and I do not intend to have it established as a precedent for the reasons stated.

Mr. FLOOD. Does the gentleman make the point of order?

Mr. STAFFORD. I do.

Mr. HARRISON of Mississippi. Mr. Chairman, I want to argue the point of order. This is only a limitation on the amount appropriated here and is not subject to a point of order. It is true that in the past we have carried under this proviso only $4 a day for actual expenses, but that is merely a limitation on the amount appropriated, and I submit that it is not subject to a point of order. We limit the amount that can be actually expended for this particular work. I have not the general law here, although I tried to find it, but I do not think it is stipulated that it can not be more than $4 a day.

Mr. STAFFORD. Mr. Chairman, I am quite surprised and other members of the committee will be surprised that the distinguished member of the Foreign Affairs Committee should be so mistaken, and that he should say to the House that there has been carried in this item a proviso limiting the amount at $4 a day. If he will examine last year's appropriation bill he will find that there is no such proviso connected with this item, but if he will examine the general law he will find that there is a limitation placing the amount at $4 a day, carried in one of our appropriation acts, for subsistence where not otherwise provided by existing law.

Mr. HARRISON of Mississippi. I was looking for that statute. Has the gentleman got it at hand?

Mr. STAFFORD. I can easily get it from the Committee on Appropriations. We placed that limit on an appropriation bill some years ago to prevent the practice of allowing officials an unlimited amount in the way of expenses for subsistence.

Mr. FLOOD. I suggest to the gentleman that he withdraw his point of order, and I will offer an amendment making it $6 a day.

Mr. STAFFORD. I wish to be reasonable. I have no objection to that.

Mr. MILLER of Minnesota. I hope the chairman of the committee will not do that. Let us have this settled. If the gentleman wants to exercise his right—and any one man can do it—under the facts and circumstances that are plain and apparent, let him do it. I am willing to pass the hat around and take up enough to give this man a chance to live respectably in Canada.

The CHAIRMAN. Does the gentleman withdraw his point of order?

Mr. STAFFORD. I made the point of order.

Mr. FLOOD. I was going to move to substitute "six" for "eight."

Mr. HARRISON of Mississippi. I want to know if the gentleman from Wisconsin has withdrawn his point of order?

The CHAIRMAN. That is what the Chair is trying to ascertain.

Mr. STAFFORD. Is it the desire of the gentleman from Virginia to insert $6 and have that amount accepted by the committee?

Mr. FLOOD. Yes.

Mr. STAFFORD. Then I withdraw the point of order.

The CHAIRMAN. Does the gentleman withdraw his point of order?

Mr. STAFFORD. I withdraw it under that condition.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 12, line 18, strike out "$8" and insert in lieu thereof "$6."

Mr. MILLER of Minnesota. Mr. Chairman, do I understand the committee is really bound by this arrangement? Would it be considered a breach of faith if the committee should vote down this amendment and it should be left at $8? If the committee votes down the motion just made by the gentleman from Virginia, the point of order having been withdrawn, then, as I understand it, this gentleman will be able to travel to Canada and put up at a decent hotel and the amount will not be in excess of $8 a day.

Mr. LENROOT. In view of what has occurred, does not the gentleman think that if any member of the committee was opposed to this amendment he should have spoken before the gentleman from Wisconsin withdrew his point of order?

Mr. FLOOD. I should think so.

Mr. MILLER of Minnesota. I so stated, and asked the chairman of the committee not to consent to any such arrangement

and not to move to make it any lower. The reason I inquired was to find out if it would be considered a breach of good faith to vote down the amendment.

Mr. FLOOD. I hope the gentleman will let the $6 amendment be adopted. I think we will better serve the purpose we have in view in that way.

The CHAIRMAN. The question is on the amendment of the gentleman from Virginia, reducing the amount to $6.

The amendment was agreed to.

The Clerk read as follows:

For salary of one member of the permanent committee of the International Institute of Agriculture for the calendar year 1919, $3,600.

Mr. BLACK. Mr. Chairman, I move to strike out the last word for the purpose of speaking briefly of the work of the American representative at the International Institute of Agriculture at Rome, Italy. As most of us know, the American representative to this institute is Mr. David Lubin. In my opinion Mr. Lubin is one of the most eminent authorities on agricultural subjects, particularly on the marketing of agricultural products, in the world. A year or two ago Mr. Lubin appeared before our Committee on the Post Office and Post Roads and made a very illuminating statement and argument with reference to the marketing of agricultural products, the fundamental idea of his proposition being to place the consumer in our larger centers of population in communication with the producer out in the country. I hope the Members of the House when they have the opportunity to do so will take the time to study some of these observations that have been gathered by him in his experience and study in European countries. Recently Mr. Lubin sent to this country an urgent report upon the food situation as it affects the nations now engaged in the great war, and during my time I am going to ask the Clerk to read this statement of Mr. Lubin.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

FOOD FROM UNITED STATES VITAL TO ALLIES, IS WARNING—EUROPE'S CROPS MAY BE WORSE THAN LAST YEAR, DAVID LUBIN REPORTS—MAY CALL OUR WOMEN.

ROME, *January* 22.

"Food is the most important matter now before the allies," David Lubin, American representative in the International Institute of Agriculture, said to-day. "It is useless to deceive ourselves.

"It is necessary to feed our armies well, and in view of the increasing consumption of food and decreasing production we shall be unable to do this unless exceptional weather prevails this spring and unless extraordinary measures are applied.

"I am reporting to the State Department, and also to Congress, that Europe's crops may be worse than last year's, and that the mobilization of women of the United States for farm work may be necessary. We should also consider plans for devoting land in the 11 arid States to grazing purposes, so that the United States will be able to supply cattle for replenishment of the diminishing stocks.

"Our allies are depending upon the United States. Without its help they would reach a condition similar to that in Germany and Austria, in which there is merely food enough for the armies, with the civil population dying off."

Mr. BLACK. Mr. Chairman, does any Member of the House doubt the importance of the situation as outlined by Mr. Lubin in his statement? It is a matter of serious concern that the American people as a whole shall be thoroughly awake to the conditions as they exist. Our allies, who for nearly four long years have beat back with their treasure and their blood the most heartless and cruel military despotism that ever disgraced the annals of human history, must not be neglected in the hour of their mortal peril, and it is inconceivable to me that the people of the United States will fail to do their duty in this supreme hour. Will the American farmer do his duty? He will. But I doubt if it will be possible to speed up production in the United States of agricultural products very much, if any, in 1918 over that of 1917. There are many obstacles in the way, such as shortage of farm labor, high price of seed, unusual droughts, and so forth. But there is one thing which is entirely possible and which is capable of yielding great results, and that thing is an earnest and willing cooperation with the Federal Food Administration in its efforts to husband and conserve the food supply which we now have and will have as a result of 1918 harvests. The savings effected by one family obeying the regulations of the Food Administration is, of course, a small matter within itself, but when multiplied by 10,000,000 families it means a great deal and is the thing which stands between our success or failure.

If the voluntary methods thus far pursued in this important matter are successful, then all well and good. If they are not successful then this Congress must authorize stronger measures. The result must be had, and in accomplishing those results we can not afford to fail. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. Without objection the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

INTERNATIONAL HIGH COMMISSION.

To defray the actual and necessary expenses on the part of the United States section of the International High Commission, arising in such work and investigations as may be approved by the Secretary of the Treasury, $25,000, to be expended under the direction of the Secretary of the Treasury.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the item just read.

The hearings and report disclose that this is a new activity to be undertaken by our already overburdened Secretary of the Treasury, Mr. McAdoo.

It is of a character of work that is performed and has been performed by the State Department and the Department of Commerce. It is now suggested to divide this work and its responsibilities still further by having this commission created as an adjunct to the Treasury Department under the immediate supervision of the Secretary of the Treasury. Its work, as testified before the Committee on Foreign Affairs by the former Assistant Secretary of State, Mr. John Bassett Moore, is to try to bring about uniformity of commercial regulations, uniformity of fiscal regulations, and uniformity of charges and treatment of commercial travelers. We have in the Department of Commerce a bureau that has been attempting to extend the commerce of the United States, to which bureau are attached commercial attachés and commercial agents. We appropriate hundreds of thousands of dollars for the extension of the commerce of the United States under the supervision of that bureau. We have under the Department of State a Bureau of Foreign Commerce. We also have divisions in that department relating to South American affairs, Latin American affairs, Central American affairs, and Mexican affairs. Now it is proposed to establish an independent bureau outside of these two bureaus, where the Government is already performing work of a similar character, and to have it connected with the Treasury Department. Unless some good reason can be assigned for the further differentiation and separation of this work from the two departments that are now performing kindred work, I shall be compelled to make a point of order.

Mr. STAFFORD. Mr. Chairman, just one word, unless the Chair is ready to rule.

The CHAIRMAN. The Chair would be glad to have the act read.

Mr. STAFFORD. Mr. Chairman, the gentleman from Virginia [Mr. FLOOD] predicates his entire case upon the act of February 7, 1916, which was an enabling act to assist the Secretary of the Treasury to confirm in fact the nine delegates of the American section that had been appointed by him at the first meeting of the American Financial Conference that was held in Washington in 1915, so as to attend the meeting that was to be held at Buenos Aires, Argentina, later in the year 1916. The whole phraseology of the act, which I shall read, bears out the contention that it was merely an enabling act, and to confirm the action of the Secretary of the Treasury in appointing the delegates that were to assemble at the financial conference to be held that year at Buenos Aires. Read it closely; even the first paragraph and the second show the temporary character of this legislation:

That the appointment of the nine delegates by the Secretary of the Treasury to represent the United States in the proceedings of the International High Commission to be held in Buenos Aires, Argentina, during the year 1916, in accordance with the action of the first Pan-American Conference held in Washington during the year 1916, pursuant to the provisions of an act of Congress approved March 4, 1915, entitled "An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1916," be, and the same is hereby, approved and confirmed. Such delegates shall be known as the United States Section of the International High Commission, and shall cooperate with the other sections of the commission to take action upon the recommendations of the first Pan American Financial Conference, and the President is authorized to fill vacancies that may occur in the United States section of said international commission.

Mark you, in construing this act, we have to take all the act together. That is fundamental. I wish to read the second paragraph, which bears out the contention that it was merely temporary:

For the purpose of meeting such actual and necessary expenses on the part of the United States section of the commission that may arise from its work and investigations, or as may be incidental to its attendance at the meeting—

Not the meetings, but the meeting——

of the said International High Commission, the sum of $40,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury, to be immediately available, and to remain available until expended.

That was the meeting of the Pan American Financial Conference at Buenos Aires in that year, not the meetings, and was to give recognition to an action of the Secretary of the Treasury, for which he had no authority, when he took that action in 1915,

prior to the passage of this enabling act, whereby the appointment of those nine delegates was approved, and any vacancies that should occur before the meeting at Buenos Aires could be filled by the President of the United States. If the Treasury Department officials—and Dr. Rowe is an Assistant Secretary there—had believed that this was permanent, he would not have come before the Committee on Foreign Affairs and asked for permanent legislation as embodied in the proposed act printed in the hearings which has been read by the gentleman from Virginia [Mr. FLOOD]. True, that act is broader in its scope than the language carried in this bill, but there is no authorization for this International High Commission; there has never been any authorization in the Diplomatic and Consular appropriation bill in prior years since we passed the act of February 6, 1916.

Mr. CHARLES B. SMITH. Does not the gentleman realize that the Secretary of the Treasury in appointing the delegates originally had no authority of law whatever, and that that was the reason why he came before Congress to get the authorization?

Mr. STAFFORD. I remember the incident. He came before Congress to gain recognition, so that these delegates when they met at the second conference at Buenos Aires would have the authority to assemble there in that congress as a part of that section, but not to any succeeding congresses.

Mr. CHARLES B. SMITH. But that is the law, giving it a legal status.

Mr. STAFFORD. An act was passed in advance of the passage of the Diplomatic and Consular bill, passed in advance, so that the Secretary of the Treasury would have authority to send them down there and have an appropriation for that purpose prior to the assembling of the congress and prior to the passage of the Diplomatic and Consular appropriation bill.

Mr. FLOOD. May I interrupt the gentleman for a moment?

Mr. STAFFORD. I will be glad to yield.

Mr. FLOOD. We do not contend, and this provision does not provide, that there shall be any delegates to any future conferences. There has been but one Pan American Financial Congress and that was the one held in Washington in 1915; but it is a permanent commission, consisting of a few representatives from each of the Pan American countries, that was created by the financial conference which met here, and the creation of which, so far as the American section of it is concerned, was ratified and approved by act of Congress of February 7, 1916, and these gentlemen constitute the American section of the International High Commission now, and this provision is simply an appropriation to take care of their work and the salary of one or two clerks.

Mr. STAFFORD. While it is true there has been only one Pan American financial conference, there has been a provision carried in the Diplomatic and Consular appropriation bill providing for the holding a second Pan American Financial Conference——

Mr. FLOOD. Oh, no.

Mr. STAFFORD. I can give the gentleman——

Mr. FLOOD. That was not a conference; that was a meeting of this International High Commission.

Mr. STAFFORD. I can give the gentleman authority for that in his own appropriation bill.

Mr. FLOOD. I know that commission met here, but not a conference.

The CHAIRMAN. The Chair is ready to rule.

Mr. GILLETT. Mr. Chairman, if the Chair is ready to rule, I do not desire to detain him.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. GILLETT. As acknowledged by the gentleman from Virginia [Mr. FLOOD], the Secretary of the Treasury had appointed nine delegates to represent the United States in the proposed International High Commission. He had appointed these nine delegates without any authority of law at all, and I suppose when it came to the determination of how they should be paid, he found there must be some authority of law.

Mr. FLOOD. They have never been paid anything.

Mr. GILLETT. Of course their expenses have to be paid.

Mr. FLOOD. The expenses; yes.

Mr. GILLETT. When the Secretary of the Treasury came to decide how it was to be paid he doubtless consulted the statute and found no authority. There has to be some authority, and this statute was enacted. It simply says that the nine delegates which he had already appointed to this International High Commission, appointed, as admitted, without any authority of law, that their appointment is ratified and approved. Now, he certainly did not appoint them as a permanent body, because, in the first place, we know he would not assume to, and in the second place, it says here he simply appointed them as delegates on this commission. Therefore, up to that clause there is no authority at all for holding that they are a permanent commission. This simply approves the appointment of the Secretary of these nine delegates on this commission, and whatever comes after that in this statute, which is depended upon, simply gives them the title and says that the President may fill vacancies. I can not see how there is the slightest shadow of a foundation for claiming that there is any permanent commission here established.

The CHAIRMAN. The Chair is ready to rule.

Mr. CHARLES B. SMITH. I would like to read the statement made by Dr. Rowe I would like to have this put in for the benefit of the Members on the other side:

Mr. ROWE. The International High Commission was organized as the result of a resolution adopted by the Pan American Financial Conference of 1915. That conference was called by the President of the United States and was composed of officially appointed delegates by the Governments of Central and South America, with the exception of Mexico. Diplomatic relations with Mexico had not been resumed at that time, so that Mexico was not represented. The assembled official delegates adopted a resolution organizing the International High Commission, providing for the appointment in each country of a national section. The Governments in each country appointed these national sections, composed of nine members, with the minister of finance chairman of each section. The International High Commission has received the official recognition of all the Governments, in some cases directly through legislation, in other cases indirectly through appropriations made by national legislatures for the support of the commission. The International High Commission constitutes the permanent organization of the financial conference.

Mr. GOOD. Will the gentleman yield right there?

Mr. CHARLES B. SMITH. Yes.

Mr. GOOD. Will the gentleman put his finger on the statute of the United States that provides or indicates that this commission now exists? What the gentleman has read is that other Governments have recognized it. Our Government has only recognized it to the extent of making appropriations for one year, and all the statute does upon which the gentleman relies is to make an appropriation to enable the delegates to make investigation and then to attend a single meeting in 1916. So far as our statutes are concerned, there is not a single syllable that indicates that this commission has any life at all, so far as the Government of the United States is concerned.

Mr. CHARLES B. SMITH. I think the gentleman is entirely mistaken in my opinion. The law creates the commission.

Mr. GOOD. Point to the statute.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Wisconsin [Mr. STAFFORD] makes the point of order against the provision in the bill, making an appropriation for the International High Commission on the ground that it is legislation on an appropriation bill not authorized by law. It is undoubtedly the practice of the House under its rules that a committee proposing legislation must show authority of law for the legislation to make it in order on an appropriation bill. The Chair has listened attentively to the arguments and the acts of Congress read bearing on the case. The gentleman from Virginia [Mr. FLOOD] contends that the Secretary of the Treasury appointed delegates to attend a convention, and that those delegates, in connection with delegates from other countries, organized this International High Commission. It is admitted that there was no provision of law authorizing the Secretary of the Treasury to appoint said delegates. Subsequently Congress passed a law ratifying the appointment by the Secretary of the Treasury of the aforesaid delegates and made an appropriation to pay their expenses while attending the conference. The gentleman from Virginia contends that in the act of Congress ratifying the appointment of such delegates, Congress approved their act in establishing the International High Commission and making it a permanent organization.

The Chair will ask if he has not correctly stated the position of the gentleman from Virginia? The Chair is of the opinion there has been no specific authority of law cited the Chair that authorizes the creation of a permanent high commission. The Chair does not believe Congress could be said by simply ratifying the appointment of delegates to a convention to approve the legislation of the convention to which the delegates were accredited unless Congress specifically so stated in the act itself. The Chair does not believe Congress will ever delegate its legislating functions to any other body or convention. Therefore the Chair is constrained to hold that there is no law authorizing the creation of this high commission; that the paragraph is new legislation and is not in order on an appropriation bill. The Chair sustains the point of order.

The Clerk read as follows:

The appropriation of $40,000 "For the purpose of defraying the expenses in Washington City incident to the Nineteenth Conference of the Interparliamentary Union to be held in Washington in 1915, to be expended under such rules and regulations as the Secretary of State may prescribe," made in the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915, and extended and made available for the calendar years 1916,

1917, and 1918, not having been expended, is hereby extended and made available for the calendar year 1919: *Provided*, That said sum may, in the discretion of the Secretary of State, be expended within the United States, but not elsewhere: *Provided further*, That an itemized account of all expenditures shall be reported to Congress.

Mr. LONGWORTH and Mr. FLOOD rose.

The CHAIRMAN. The gentleman from Virginia [Mr. FLOOD] is recognized.

Mr. FLOOD. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

Mr. FLOOD. I will say, Mr. Chairman, as to that item, that there are a number of items of reappropriation in this bill.

Mr. STAFFORD. Let it be reported, so that a point of order may be made against it.

Mr. FLOOD. All right.

The Clerk read as follows:

Amendment offered by Mr. FLOOD: Page 21, after line 15, insert the following as a new paragraph:

"FIFTEENTH INTERNATIONAL CONGRESS AGAINST ALCOHOLISM.

"Any unexpended balances of appropriations heretofore made for the Fifteenth International Congress against Alcoholism are hereby reappropriated and made available until expended."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. FLOOD. Mr. Chairman, I want to state that that item was not reported in this bill for the reason that the State Department made no suggestion in reference to it. These items we have just been over are items of reappropriation. The department did not suggest that this unexpended balance be reappropriated, because the construction of the Department of State was that the work had been going on, and they construed the language of the last appropriation bill to make a permanent appropriation of that amount. And so they did not make any suggestion that the unexpended balance be reappropriated. Subsequently I called the department's attention to that, and it was taken up by the State Department with the Treasury Department, and I was informed from the State Department that the Treasury Department thought the unexpended balance would have to be reappropriated or they could not pay warrants on the appropriation. And I think that this appropriation ought to stand on the same footing with these other reappropriations we are making. I am told by these gentlemen that just as soon as the war is over they expect to hold this conference against alcoholism.

Mr. STAFFORD. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. STAFFORD. Do I understand that the Fifteenth International Congress against Alcoholism, which was provided for in the last appropriation bill, did not meet?

Mr. FLOOD. It did not meet. I think it has been in three appropriation bills. It did not meet, and this is just to put it on the same footing with the Nineteenth Conference Interparliamentary Union that we have been making appropriations for.

Mr. STAFFORD. Of course, if it did not meet and have an opportunity to do the work that was expected of it, I, of course, can not see any reason they should be disappointed at holding a conference some time in the future. Of course, there might not be any occasion for holding it in accordance with the original intention, but it might be a ratification affair or some kind of a jollification affair. I will withdraw the reservation of the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. FLOOD].

The question was taken, and the amendment was agreed to.

Mr. LONGWORTH. Mr. Chairman, I would like to ask the chairman of the committee a question. This seems to be the fourth appropriation for this Interparliamentary Union. Has that conference ever taken place?

Mr. FLOOD. It never has.

Mr. LONGWORTH. Is it ever going to take place?

Mr. FLOOD. I am informed by my friend from Texas [Mr. SLAYDEN], who is chairman of the American section, that it will take place just as soon as the war conditions permit—at the end of the war.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

For salaries of consuls general, consuls, and vice consuls, as provided in the act approved February 5, 1915, entitled "An act for the improvement of the foreign service," $1,208,500. No portion of this sum shall be paid as compensation to vice consuls who are not American citizens: *Provided*, That if in any case the Secretary of State deems it impracticable immediately to secure a competent vice consul who is an American citizen, he may appoint or retain as vice consul and compensate from this fund a person not an American citizen until such time as he is able to designate a competent American citizen for such post. Every consul general, consul, and, wherever practicable, every consular agent shall be an American citizen.

Mr. GOOD and Mr. MOORE of Pennsylvania rose.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] is recognized.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Will the gentleman from Virginia [Mr. FLOOD] state whether the language beginning on line 17, page 22, "no portion of this sum shall be paid as compensation to vice consuls who are not American citizens," is new?

Mr. FLOOD. No. We have carried that in the bill for some time.

Mr. MOORE of Pennsylvania. Why is that language made to apply to vice consuls only?

Mr. FLOOD. Because they were the only men in the Consular Service who were not American citizens at the time this provision was put in the law.

Mr. MOORE of Pennsylvania. Is there a provision of law against a consul being an alien?

Mr. FLOOD. I do not know that there is any law, but there are no alien consuls.

Mr. MOORE of Pennsylvania. Well, this matter was discussed at some length yesterday, and the expressions heard hereabouts were entirely in favor of having only Americans on guard in these places.

Mr. FLOOD. That is the view of the committee, unanimously the opinion of the committee, that there should be none. In the vice-consular branch of the service there were a good many men who were not American citizens, and this was put there to stop that practice, and to a very great extent aliens have been eliminated from the service. It is thought that in a few years they will be entirely eliminated.

Mr. MOORE of Pennsylvania. I do not know of any consuls that are not American citizens.

Mr. FLOOD. There are none.

Mr. MOORE of Pennsylvania. But some years ago I came in contact with a few vice consuls who were not citizens, and I did not think they should represent us.

Mr. FLOOD. I agree with the gentleman.

Mr. MOORE of Pennsylvania. I think all such officers should be citizens of the United States.

Now, one more question. Does the State Department have a secret service?

Mr. FLOOD. It has.

Mr. MOORE of Pennsylvania. Is provision made for the payment of secret-service agents in this bill?

Mr. FLOOD. We have a lump-sum emergency fund of $700,000.

Mr. MOORE of Pennsylvania. That covers the secret service?

Mr. FLOOD. Yes.

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. GOOD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GOOD. Mr. Chairman, this provision under consideration presents a serious question which, it seems to me, ought to be settled by the executive departments. But if the executive departments can not settle it sooner or later it must be settled by Congress. I suppose that after this war is over no more important question will occupy our attention than that of extending our commerce abroad. This bill carries $1,208,500 for consular agents. The legislative bill carries, as I recall, somewhere between half a million dollars and seven hundred thousand dollars for the Bureau of Foreign and Domestic Commerce. This is the work our Secretary of Commerce is doing to extend our foreign trade.

A few days ago one of the members of the Committee on Foreign Relations appeared before the subcommittee on the legislative, executive, and judicial appropriation bill and made a very complete statement and an impressive one regarding the service. We were impressed with the fact that there is duplication in the work now being done by the State Department and the Department of Commerce through its commercial attachés.

Now, I submit that when people are being taxed to the limit, as they are to-day, that ought not to be. We ought not to have two men doing one man's work in any branch of the service. We ought to cut out every bit of duplication wherever we find it. I know that the committee to which I have referred wants to accomplish that very thing, and I am sure the committee reporting this bill wants to accomplish the same result; but it does seem to me that in all fairness to these two committees of Congress the Secretary of State and the Secretary of Commerce ought to get together on this proposition and agree upon a plan to cut out this useless waste, a waste admitted by both committees that have investigated it and admitted by everyone who makes a thorough and conscientious investigation of the subject.

We must extend our foreign commerce and we must extend it as we have never extended it before, when this war is over; and now it is time for Congress to set to work to cut out this duplication that has been forced upon us by these two branches of the service if they will not eliminate it for us. I do not know what amendments——

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman permit a question there?

Mr. GOOD. Yes.

Mr. COOPER of Wisconsin. Which one of the two Secretaries, in the gentleman's opinion, ought to have jurisdiction of the subject?

Mr. GOOD. That question came up when we first appropriated money for the commercial attachés. A rather novel proposition was advanced in that the commercial attachés were to be appointed by the Secretary of Commerce and accredited to the State Department, and as I recollect, Secretary Bryan said he thought there would be no conflict between the two departments. As to which one of these two great departments should have jurisdiction over carrying on our domestic business abroad and extending our foreign trade I am not prepared to say.

I only know that at the time the commercial attachés were created there seemed to be a need for them. The State Department was not taking all the action and doing all the work it should do to extend our foreign trade. Certainly the Secretary of Commerce is fully awake to the needs for this service. It is a great service; no one wants to cripple it; but we should eliminate duplication.

Mr. COOPER of Wisconsin. Of course, the gentleman knows that a consul has no diplomatic function. His position is that of a business agent. His business is commercial.

Mr. GOOD. That is also true with respect to the commercial attachés. Their business is thoroughly commercial.

Mr. COOPER of Wisconsin. But the commercial attachés were of an origin subsequent to the time when the consuls had this jurisdiction.

Mr. GOOD. But I think the gentleman will agree that both of these agencies, the consular agents and the commercial attachés, have duties that are similar and that are commercial rather than diplomatic. If these duties can not be performed by two separated departments without duplication, as has been claimed, they ought to be under one control, and Congress ought to know that there is no duplication of the work.

Mr. COOPER of Wisconsin. There is one more question I want to ask if the gentleman will permit.

Mr. GOOD. Yes.

Mr. COOPER of Wisconsin. Does not the gentleman think that the State Department has primarily to do with our foreign relations and ought to retain control of the consuls, and that the consuls ought to have jurisdiction over business affairs which relate to foreigners?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. LONGWORTH. I do not think the statement of the gentleman from Wisconsin is exactly accurate. The consuls, in a sense, have a kind of diplomatic function. While they have not the right of personal access to a sovereign or government, whereby they would exercise in some degree a diplomatic function, they do represent the country diplomatically to a certain extent, so that if you are going to have a consolidation it ought to be under the State Department.

Mr. COOPER of Wisconsin. There is no function exercised by a consular officer that is in any sense of the word diplomatic.

Mr. LONGWORTH. But the consular officer often looks after the interests of American citizens, not particularly business interests, as the commercial attaché would do.

Mr. FLOOD. Mr. Chairman, the State Department has a thoroughly well-organized Consular Service, and, as the gentleman from Iowa [Mr. GOOD] says, the commercial attachés and commercial agents representing the Department of Commerce are not attached to our Consular Service, and yet are in foreign countries doing a duplicate work. I thoroughly agree with him that the work should be consolidated in one department. The State Department has a splendidly organized Consular Service, the best in the world, and that is the department that ought to have it.

Mr. LONGWORTH. I agree with the gentleman.

Mr. GOOD. I am not prepared to say which of these departments ought to have control of this work. The Secretary of Commerce is so admirably qualified to perform this work and is doing this work so efficiently that I should hesitate to deprive him of his duties unless I was satisfied that the State Department could do it better. When Congress made the appropriation providing for the commercial attachés it was on the showing made by the Secretary of Commerce that there was a work that the State Department was not performing, that our manufacturers were not able through the State Department to push their foreign trade to the extent that they felt they ought to push it and could push it, and therefore the appropriation was made by Congress. Congress agreed with the Secretary of Commerce.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last two words.

Mr. MILLER of Minnesota. Mr. Chairman, I would like to ask the gentleman from Iowa [Mr. GOOD], who has just spoken, a question. Do I understand that the Committee on Appropriations is about to appropriate something like $700,000 or a million dollars for these commercial attachés?

Mr. GOOD. No. The entire appropriation for the Bureau of Foreign and Domestic Commerce, for commercial attachés, and work of that kind, as I recall, is something in excess of $500,000, and I had it in mind that it possibly ran up to $700,000.

Mr. MILLER of Minnesota. It would be, however, a fair statement that they ask and expect to get about half a million dollars?

Mr. GOOD. Yes; for the Bureau of Foreign and Domestic Commerce.

Mr. MILLER of Minnesota. Mr. Chairman, it seems to me we have exemplified here the vice that creeps into our governmental system every now and then, and I suppose always will, growing out of the desire of a department to extend its influence and activities as it sees opportunity for work to be done. As old as nations are is the custom of having representatives of a nation abroad throughout the world, looking after the business interests, looking after the purely international relations between the Governments, and looking after the citizens. It seems to me that the consular system of the United States must continue to exist, and the major part of its functions is commercial. Of course incidental to that everybody knows that the Consular Service throughout the world is performing a great deal of important work in looking after American citizens who travel abroad. In fact, any American citizen traveling abroad will find that he is able to communicate with the legation or embassy at only about one place in the entire country, whereas he finds consuls scattered throughout the region. And they are of the utmost value and importance not only to commercial America but to the citizenship of America in a thousand and one ways. I am surprised to find the extent to which the Department of Commerce has gone in the sending out of these commercial attachés. I had no idea that they were carrying it to the extent indicated by this great appropriation that they are asking for. Apparently, it is a very decided increase over that which they had in the beginning, and I heartily concur in the suggestion made that this work should all be done in one department. It seems to me there can be but one department, and that is the State Department. I am in agreement with the distinguished chairman of this committee [Mr. FLOOD] in his statement that our Consular Service has come to be a remarkably efficient one. It is continually being improved. If our Consular Service had the $500,000 or $700,000 which it is proposed to squander on these commercial attachés, the Consular Service could do all the work that the commercial attachés are expected to do, and vastly more and vastly better.

Mr. GOOD. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes; certainly.

Mr. GOOD. I do not want to be misunderstood. My statement is not that we appropriate $500,000 for the commercial attachés alone. It is for the entire Bureau of Foreign and Domestic Commerce. No such sum as that is appropriated for commercial attachés, but there are other employees abroad under the Department of Commerce. We were asked to eliminate the commercial attachés, but there is no provision in your bill taking them on. The gentleman certainly appreciates the great demand on our industrial and commercial interests that our trade abroad shall be extended.

Mr. MILLER of Minnesota. I can assure the gentleman that if his committee drops the commercial attachés the consular agencies of the United States will take over all the work they

are expected to do, as well as the work that they are doing, and do it at a very greatly reduced expenditure.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Certainly.

Mr. MOORE of Pennsylvania. Is it not a fact that the consular reports dealing with particular subjects relating to trade are turned over by the Department of State to the Department of Commerce, which gives publicity to them?

Mr. MILLER of Minnesota. It is only because the Department of Commerce——

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MOORE of Pennsylvania. I move to strike out the last two words. This is a matter of great importance. The gentleman from Iowa [Mr. GOOD] has raised a question which is serious to both the State Department and the Department of Commerce. I have some knowledge of the organization of the commercial attachés connected with the Department of Commerce. They began in a small way. They were specialists sent out through the world with the view of bringing back to the United States information on certain special subjects. For instance, one man who was versed in cotton was sent into various countries to bring back reports as to what foreign countries were doing in cotton, and to inform the Department of Commerce as to the market for cotton throughout the world. Another, who had a specialty, which might be shipbuilding, was sent into foreign countries to ascertain what was being done in this direction, and he would very much better group that information by going as a specialist to various countries where shipbuilding was done than could a hundred consular agents who were reporting only for their particular localities.

Mr. STAFFORD rose.

Mr. MOORE of Pennsylvania. Does the gentleman from Wisconsin desire to ask a question?

Mr. STAFFORD. Only to point out that the gentleman is slightly in error when he refers to the work he has been describing as being undertaken by the commercial attachés. That work is udertaken by so-called commercial agents. The commercial attachés are some eight in all, located at the principal foreign capitals, and these commercial agents that the gentleman refers to are experts who travel through foreign countries examining trade conditions and then coming over here and making their reports.

Mr. MOORE of Pennsylvania. To the Department of Commerce, by whom they are sent out. Now, I question very much whether it would be the proper thing to turn over to the Department of State the collection of commercial statistics, or to rely upon it for their dissemination in the United States. Business men do not expect to go to the Department of State for information relating to trade conditions. Business men expect to go to the Department of Commerce. That was the purpose of the organization of that department—to ascertain trade conditions throughout the world and to disseminate that information to American merchants, manufacturers, and others concerned. The American consuls have a great deal to do besides the commercial work that is imposed upon them. Special inquiries are sometimes sent out and they are expected to make special reports, but that is apart from their general work. I would not want to see the commercial business turned over to the State Department, because we have turned that work over to the Department of Commerce. The business of the State Department is diplomatic. It has little to do with commerce as such.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. MILLER of Minnesota. What the gentleman says about experts now and then delegated by the Department of Commerce to do some special work and make a report thereon is undoubtedly correct; but does not the gentleman recognize a wide difference between that sort of an institution and a regular group of agents of the department in foreign countries, who are there permanently, year after year, assuming to do that general commercial business which our Consular Service heretofore has always done and is expected to do, and is all the time undertaking to do?

Mr. MOORE of Pennsylvania. If these men are supernumeraries, I am not justifying their appointment.

Mr. MILLER of Minnesota. That is exactly what they are.

Mr. MOORE of Pennsylvania. I am addressing myself to the point which was raised by the gentleman from Iowa [Mr. GOOD]. I do not think that information on commercial subjects and intended for the business world should go to the public through the Department of State. These matters should be handled by the Department of Commerce, which was created for that specific purpose.

Mr. GOOD. Mr. Chairman, I move to strike out, in line 17, page 22, the figures "$1,208,500" and insert in lieu thereof the figures "$1,000,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 17, after the word "service," strike out "$1,208,500" and insert in lieu thereof "$1,000,000."

Mr. GOOD. Mr. Chairman, as I recall, we appropriate $100,000 for the commercial attachés. It is admitted here by the members of this committee that the work done by the commercial attachés is duplication of the work of the consular agents. Therefore there is no use in doing it here. If the Department of Commerce is doing it, and doing it well, and started the work when the State Department was not doing it, there is no use for the Secretary of State hiring other agents in the Consular Service to do that same work. In addition to the $100,000 appropriated for the commercial attachés there is at least $125,000 expended attending their work. So we can safely cut off $208,500 and still accomplish the same thing.

Now, I do not want to hamper in the least this great work, for I realize the importance of extending our foreign trade, but I want to say that if the Secretary of State will not fight for a provision of this kind it is not worth having. The claims of duplication in this regard emanated from the State Department. Here he allows the Secretary of Commerce to come in and do the same work he is doing, and there is not a murmur from the Secretary of State, not a protest from the Secretary of State. It occurs to me that a man who will not fight openly to retain his jurisdiction will not put up much of a fight to extend our foreign trade. The only protest comes from the members of the committee that reported out this bill. They know that the duplication exists. They have called attention to it. That is not sufficient. The State Department having discovered that duplication exists in this regard, the Secretary of State and the Secretary of Commerce should get together, settle this question, and eliminate all duplication and pare down their appropriations.

Mr. FLOOD. Mr. Chairman, this seems to be a most remarkable proposition, to cut off the salaries of a great number of our consuls, vice consuls, and consular agents, or to reduce them, because the Committee on Appropriations of the House has established a new branch in the foreign service.

Mr. GOOD. The Congress authorized that branch of it, and not the Committee on Appropriations.

Mr. FLOOD. It came in in an appropriation bill.

Mr. GOOD. But it was discussed on the floor of the House.

Mr. FLOOD. Of course; but it started in an appropriation bill in the Appropriations Committee. If the Appropriations Committee, of which the gentleman is a member, had desired to get the advice of the Secretary of State and had invited him to appear before the committee, I have no doubt that he would have done so and given his advice; but I do think it is a criticism made against the Secretary of State that is not justified to say that he ought to come here and argue before a committee of Congress that another department of Government of which he is a part ought not to have such appropriations as that department has asked for.

Mr. GOOD. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. GOOD. Does not the gentleman know that it is the opinion of the Secretary of State that there is duplication in this class of work that is being performed by the two departments of the Government?

Mr. FLOOD. I do not know what the Secretary of State says, but I do know that we have had gentlemen who have been connected with the State Department before the Committee on Foreign Affairs and asked them the question, and they said that it was a delicate question and one they did not care to answer.

Mr. LONGWORTH. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. LONGWORTH. The functions of a consular officer are very much wider than that of a commercial attaché, and the proposition of the gentleman from Iowa is to cut down the salary of the consular officers evidently to the extent that they are performing these functions.

Mr. GOOD. Oh, no.

Mr. FLOOD. That is the point I was going to make. We have a law fixing the salaries of the consular officers and this appropriation is to pay the officers in the field to-day, and the gentleman wants to reduce it so it would limit the appropriation to an amount insufficient to pay those consular officers.

Mr. GOOD. Of course I do not want to do that, but I want to ask this question: The gentleman has stated that a duplication exists; that we are wasting money. What is the gentleman's proposition to correct the evil?

Mr. FLOOD. I should say for the Committee on Appropriations to refuse to make the appropriation to the Department of Commerce for consular agents.

Mr. GOOD. Does the gentleman think we should do that when the last statement before the Appropriations Committee from the State Department was that there was no objection to the Secretary of Commerce doing the work which the Secretary of Commerce said was not being performed, and that the commercial and industrial interests of the United States demanded should be performed?

Mr. FLOOD. The gentleman understands that the Secretary of State would feel a delicacy in coming here and making a contest about such a matter. Such action would certainly degenerate into an unseemly contest between two departments of the Government. The responsibility is not on the Department of State or the Secretary, but upon the Appropriations Committee for making an appropriation for commercial attachés.

Mr. GOOD. Does the gentleman contend that the Secretary of State's feeling of delicacy would extend so far that he would be willing that hundreds of thousands of dollars should be taken out of the Treasury of the United States in the performance of duplicate work rather than to go to the Secretary of Commerce and say, "Let us settle this matter in a business-like way"?

Mr. FLOOD. I do not know; but we had a very distinguished gentleman, the Hon. John Bassett Moore, before our committee, and when we asked him in reference to this matter he said he did not care to take it up and discuss it because it was a delicate question between two departments of the Government, one of which he had been connected with.

Mr. BORLAND. Mr. Chairman, I desire to oppose the amendment. As I recollect it, the appropriation for these commercial agents was originally $50,000 and now has grown to $100,000. The appropriation carried in this bill for the consuls of the United States is $1,208,500. It is apparent that the work done by the consuls is not in any large measure the work done by the agents under the Department of Commerce. The amounts appropriated respectively for these services indicate that. I understand also that the consuls are located at posts usually in commercial cities, seaports and otherwise, where their territorial jurisdiction, even within the country in which they serve, is limited. Their work is fairly well defined, their position is sedentary, and must necessarily be so. There is very little real duplication of work between them and the work that is proposed to be done by these agents under the Bureau of Foreign and Domestic Commerce. The agents under the Foreign and Domstic Commerce Bureau are a counterpart of similar officials which originated, as I understand, under the plan of Germany when that country was first extending its commercial interests into South America, and which plan was afterwards adopted by Great Britain and to some extent by France and possibly by other countries.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. In just a minute. The purpose of these agents is not to duplicate the work of the consuls in any sense. They are to be accredited to the entire country, or possibly a group of countries, and are to be commercial experts from the United States, who make themselves familiar in the first place with the needs of that country in a commercial way, of the particular exports and products that can be used advantageously in that country, and the means of transportation and the best means of placing the product, and then places that information or themselves personally at the service of the American business man in this country. In other words, the agent is, as his name implies, the traveling representative of the entire business world of the United States, designed to acquire information which will be of service to all business men in this country in marketing their products in a foreign country. Manifestly a consul can do a very limited amount of that particular service. No doubt he can do some and in the past has done some, but in no sense does he take the place of these agents of the Department of Commerce. We are not intending to rely upon the Consular Service to secure foreign trade worth billions of dollars to the American business man. I yield to the gentleman from Massachusetts.

Mr. ROGERS. Mr. Chairman, I would like to ask the gentleman two questions. In the first place, is he aware that the commercial attachés of Great Britain or France or Germany, to which he has alluded, are all under the jurisdiction of the minister of foreign affairs in those countries?

Mr. BORLAND. No; and I do not know that that would cut any figure.

Mr. ROGERS. That has a very vital bearing on the question before the House.

Mr. BORLAND. I do not understand that the British Cabinet has a position similar to that of the Secretary of Commerce, unless it is the President of the Board of Trade, who is a member of the British Cabinet. He may be considered analogous in some way, or his functions may, to the Secretary of Commerce, but the functions of the British Board of Trade are more local, except where they are confined to navigation matters. I do not think they have what corresponds to our Department of Commerce, and I think the German Government possibly has from the operation of the Government and the way it extends its trade.

Mr. ROGERS. And also in France?

Mr. BORLAND. Possibly in France.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ROGERS. Mr. Chairman, the gentleman has explained very clearly the difference between the functions of the commercial attachés and the consuls. Will the gentleman explain the difference between the functions of the commercial attachés and the consuls general who have a jurisdiction as wide as the country to which they are accredited?

Mr. BORLAND. The same difference in less degree possibly occurs. The consul general has supervision over the consuls within his country, and, of course, he is in touch with the State Department as to the commercial conditions of that particular country, but he is not at the service of the business men except incidentally. He may, of course, render them great service in special cases, but his chief business is not to promote their interests.

Mr. ROGERS. I submit to the gentleman from Missouri that his chief function is to place himself at the service of the business men of the United States abroad, or doing business abroad, and that there can be no difference pointed out between the services performed by the commercial attachés and the services performed by the consul general.

Mr. BORLAND. I would point out to the gentleman that one of the most efficient governments in the world, and one which made a great success in extending its foreign trade for a decade or more prior to this war—the Government of Germany—found it extremely valuable and profitable to employ commercial agents.

Mr. ROGERS. Germany did that by making the commercial attaché a kind of super consul general. In other words, there was a chain of officers right down the line, all in one scheme of things. The difficulty with our problem is that we have two coordinate officers each responsible to two different Cabinet officers.

Mr. BORLAND. If all that is necessary is coordination, I might agree with the gentleman.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. GOOD. Mr. Chairman, I withdraw the amendment, and in withdrawing it I desire to state that I offered it knowing that if it should be adopted it might do some injury to this service. I am now satisfied that it would, and I withdraw the amendment. It was offered more to bring up this subject so that it might be discussed, and I will say to the gentleman from Missouri [Mr. BORLAND] that if he will talk with the Assistant Secretaries and the men in the Secretary of State's office he will find that not one of them will say there is any great difference between the commercial attachés and our consuls, and they will also tell him that there is a duplication of work. This claim of duplication emanates not from me but from the Department of State, but it comes in a diplomatic route. I want to say now to this committee that unless something is brought out in the next appropriation bill from this committee that will remedy this I think there will be some trouble along this line. It ought to be settled by the department and ought not to be settled by this committee.

The Clerk read as follows:

For 40 consular assistants, $75,425: *Provided*, That from and after the 1st day of July, 1918, the salaries of consular assistants shall be at the rate of $1,500 for the first year of continuous service, $1,650 for the second year of continuous service, $1,800 for the third year, and $2,000 for the fourth year of continuous service and for each year

thereafter, and section 1704, Revised Statutes, its amendatory act of June 11, 1874, and all other acts inconsistent with this provision are hereby so amended.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on this paragraph changing the salaries of our consular assistants. As I understand, the initial salary of a consular assistant at the present time is $1,000, and they are promoted by grades of $200 up to $1,800, which is the maximum. This provision makes $2,000 the maximum grade. I wish to ask this question of the gentleman, whether in these recommendations for increase of salaries he or his committee has considered the possible general recommendation that will be reported either in a provision on an appropriation bill or by a resolution providing for a horizontal percentage increase of salaries of all employees connected with the service?

Mr. FLOOD. We did not take that into consideration, because we did not think it would apply to these consular assistants.

Mr. STAFFORD. For instance, last year the horizontal per cent increase of 5 and 10 per cent applied to every person in the service, except postal employees, and it would have applied to them had it not been that the officers of the postal organizations, as I am informed, opposed the amendment that was added to the Post Office appropriation bill in the Senate, and it was stricken out in conference. Now, it is planned, as I understand it, to introduce a resolution or provision upon an appropriation bill providing for an increase of all in the service, both in the departmental and in the field service, certainly all salaries under $1,800, and very likely above. If we are going to grant the increases provided here the gentleman will give them double what they would ordinarily receive by the horizontal increase.

Mr. FLOOD. As I stated to the gentleman yesterday, I was opposed to an increase personally of any salary at this time and preferred to wait to have the salaries increased when the war ended, but this is an exception. These consular assistants render splendid service in consideration of the small amount which they get.

Mr. STAFFORD. I recognize there may be good grounds for an increase in their salaries, but if we are going to provide a $200 increase above the general law, giving an additional 5 and 10 or more per cent besides, it is just going beyond what you contemplate.

Mr. FLOOD. I will say to the gentleman I did not understand the provision to be proposed in an appropriation bill making a general increase would apply to the foreign service.

Mr. STAFFORD. I understand it would apply to all.

Mr. FLOOD. Of course, if that is the case it would increase these gentlemen more than the committee intended to increase them.

Mr. STAFFORD. I would not make the point of order if that was not in consideration, but I do not believe it was the intention of the chairman of the committee to increase them doubly.

Mr. FLOOD. We intended this to be the full amount.

Mr. STAFFORD. Mr. Chairman, under the circumstances, as the House will presently have an opportunity to pass upon the question of the percentage of increase in the rate of compensation for all those in the service——

Mr. FLOOD. That does not meet the situation with them.

Mr. STAFFORD. I will make the point of order.

Mr. BORLAND. Mr. Chairman, I trust the gentleman will not make that point of order, if the gentleman will yield a moment to me.

Mr. STAFFORD. I will reserve it at the request of the gentleman.

Mr. BORLAND. It is only contemplated, as the gentleman says, that a general resolution containing a horizontal raise shall be introduced, and possibly it will not meet with the approbation of the House when it is introduced.

Mr. STAFFORD. If the gentleman will permit, I can not agree with the gentleman at all in that. It is the almost unanimous sentiment, as I know, to bring in some resolution providing for a horizontal percentage increase of the salaries that the employees of the Government are now receiving.

Mr. BORLAND. If the gentleman will bear with me for a moment I will call attention to the fact that at a meeting of the employees last night they adopted a resolution providing for a commission to readjust and reclassify governmental employees, which, in my judgment, is a vast improvement in every way over a horizontal increase of salary, and if that commission is appointed to reclassify and readjust salaries, which I think is the only fair way to get at it, every one of these cases will be taken care of.

Mr. STAFFORD. I am not one of those, when every employee of the Government at the present time is faced with the dire necessity of paying higher prices for their living, who wants to postpone such increase until a commission reports. I have been too long in Congress not to know that a commission is resorted to as a means of postponement. [Applause.] I am in favor, and I believe Congress has committed itself to the consideration of this arrangement, and that this House is going to bring in a resolution providing for a horizontal percentage increase of salaries of every employee of the Government, whether in the legislative, executive, judicial, postal, or other branch.

Mr. FOSS. I want to say to the gentleman, if he will yield——

Mr. STAFFORD. I will yield.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. That these consular assistants——

Mr. STAFFORD. My time has expired.

Mr. FOSS. I ask that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSS. I want to say to the gentleman that these consular assistants are not to be confused with consular clerks. They are quite a different proposition entirely. These consular assistants are assigned to assist consuls in other countries, not employed here in the State Department in Washington, and therefore you should not compare them with clerks in the other departments.

They are entirely different from the consular clerks. The clerks in the departments here in Washington are not on the same basis at all.

Mr. STAFFORD. I will say to the gentleman in reply that I am well aware that these consular assistants are high-grade clerks that are promoted ultimately to the Diplomatic Service, and I would not make the point of order were it not for the horizontal increase that is contemplated for all the employees of the Government.

Mr. FOSS. There are only a few of these. There are only 40 in all of these consular assistants.

Mr. STAFFORD. The chairman of the committee said when they made this recommendation that they did not take into consideration the horizontal increase.

Mr. FLOOD. I want to say this, that I do not suppose the horizontal increase the gentleman speaks of would make the increase we propose here. This is the most efficient set of representatives we have abroad, and these men are expected to go there now for $1,000, and stay there for three years, and then they are increased $200 a year.

Mr. STAFFORD. Does the gentleman realize how difficult it is in a general bill providing for the horizontal increase of all our employees, to except certain employees? We have agents and consular agents, we have clerks, we have these assistants, who ought to be covered by reason of the increased cost of living, not only at home but abroad.

Mr. FLOOD. Of course, we have got to recognize that the cost of living all over the world has increased tremendously. Does the gentleman think we could get a man who was capable of performing the duty of a consular assistant, such a man as we would entrust with these important duties, for $1,000 a year, to go to one of these posts and stay there for three years before any chance of increase at all?

Mr. STAFFORD. I understand that they are increased $200 a year.

Mr. FLOOD. The rule is that they give him, first, $1,000, and at the end of two years $300, and then $200 more. And we propose to make a right considerable increase in this, because they are the worst-paid officials in the Government service at home or abroad.

Mr. GOOD. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. GOOD. Does the gentleman know the number of hours they serve every day, about?

Mr. FLOOD. I think they should serve as long the gentleman from Missouri [Mr. BORLAND] would require.

Mr. GOOD. Does not the gentleman think, inasmuch as we are fixing an eight-hour day for the clerks here at home, that these representatives abroad ought to be compelled also to serve eight hours a day?

Mr. FLOOD. I think so. The evidence before the committee was that they are very hard worked.

Mr. MILLER of Minnesota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MILLER of Minnesota. Is this discussion under the reservation of a point of order?

The CHAIRMAN. It is under unanimous consent the gentleman from Wisconsin is proceeding for five minutes.

Mr. STAFFORD. Mr. Chairman, if it were not for the fact that there is contemplated the introduction of a percentage increase, why I would not for a moment think of pressing the point of order. I will withhold it for a moment for the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER of Minnesota. Can I be recognized for five minutes?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. It depends on whether or not he withdraws the point of order.

Mr. STAFFORD. I withdraw it for the minute.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Mr. Chairman, the gentleman from Wisconsin a few moments ago made a speech that got the applause of the Members hereabouts who heard it. He talked very, very sweetly, and I had great hopes and expectations as to the result of that talk, but his words are no more than taken down by the Official Reporter than he changes. And there is no applause now in evidence when he is about to make the point of order. I think it is only justice, and small justice at that, that he be confronted with the enormity of the crime he is about to commit, and in order that I may contribute slightly to that picture before his eyes I speak these few sentences.

As the law now stands, a young man who wants to aspire to be a great representative of this great, rich country and go into a foreign field like Siberia, where they are now asking for new ones; into various parts of South America, where they are demanding new clerks; into China, where there is great opportunity for commercial expansion by the United States; and into other countries that might be named, and represent this great country with these great interests to be developed, can now receive that magnificent compensation of $1,000 a year. And there is not a girl that comes to this town now to work for Uncle Sam, if she is able to pick up a sheet of paper and lay it down without blotting it, and is not able to do another thing, but that is getting more than $1,000 a year the minute she starts. The increase proposed is to allow these young men that are going abroad $1,000.

Mr. FLOOD. The gentleman should state that they will have to stay in these divisions three years before getting an increase.

Mr. MILLER of Minnesota. I thank the gentleman. I trust the gentleman from Wisconsin is taking this to his tender heart. Now, it is serious, because you can not get men to go out and do it for $1,000. I know of instances during the past 18 months where men have started to enter this service and have quit because they could not go there and live after they got there. Now, these consular agents are men who are started in the service with the expectation that they will make good and eventually become consuls and perhaps consuls general.

You do not propose to give them money enough absolutely to keep the wolf from the door when they go to any parts of the world outside the United States. When the Secretary and his assistants were before our committee I propounded this inquiry: Having in mind all the needs of the foreign service of the United States, is not the greatest among them and the most insistent now to pay an increased compensation to the class of men mentioned in this paragraph? They said, "Yes"; that without an increase our system is practically paralyzed. This $1,000 was the amount named back in 1874, originally, as I understand it.

Mr. STAFFORD. Mr. Chairman, will the gentleman inform the House how many resignations have taken place in this service in the last fiscal year?

Mr. MILLER of Minnesota. I can not give the exact number, but I can assure the gentleman that a number have resigned.

Mr. CARTER of Oklahoma. How many resignations have taken place throughout the service? That is the question. Has the percentage been greater here than in the balance of the service or has it been any less?

Mr. WALSH. I will ask the gentleman from Minnesota [Mr. MILLER], who has recently returned from visiting some foreign countries, whether it is not a fact that $1,000 will go much further in foreign lands than it will go here at home, and if it is not true that the increase in the cost of living is not so great there as it is in the United States?

Mr. MILLER of Minnesota. That was true some years ago, but it is not true now.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MILLER of Minnesota. In many of the countries the cost of living has increased to a very much greater extent than it has increased in the United States—200, 300, 500 per cent in some places. My attention has been called here to the increased cost of living in the various countries. I might as well insert it now. In Italy it is 65 per cent; in Spain, 25 per cent; in Greece, 200 per cent; in Sweden, 225 per cent; in Denmark, 70 per cent; in France, 20 per cent; in the Netherlands, 60 per cent; and should any of these representatives go into the Russian countries they will find that it has increased several hundred per cent.

Mr. LONGWORTH. I will call the gentleman's attention also to the increased price of coal abroad.

Mr. MILLER of Minnesota. Yes. When I was in Paris it was $90 a ton, and was still going up.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. STAFFORD. As I stated in my previous remarks, I predicted my objection to this increase in salary on the fact that we were preparing a resolution increasing the salaries of all the clerks now receiving below $1,800 to receive a percentage increase. I realize the difficulty confronted by the committee framing that resolution in excepting any branch of the service. I have had no intention to press the point of order against the increase of salaries in this item, but for that fact. I recognize that you secure a better class of employees by giving them higher initial salaries, so as to get a better class of applicants. I may be consulted in framing that percentage increase resolution, and if I am I will try to bear in mind excepting this class of employees. Therefore, Mr. Chairman, I will not press the point of order. [Applause.]

The CHAIRMAN. Does the gentleman reserve or withdraw the point of order?

Mr. LONGWORTH. He withdraws it.

The CHAIRMAN. The gentleman from Wisconsin withdraws the point of order. The Clerk will read.

The Clerk read as follows:

To enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to consular and diplomatic officers and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, $800,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. Mr. Chairman, this item, known as the post-allowance fund, to authorize the President to increase the allowance by way of additional compensation of consular and diplomatic officers, in its total this year amounts to almost one-half of the total appropriation for our diplomatic and consular officers. This bill carries a total of $534,500 for our diplomatic officers, and for our consular officers it carries an appropriation of $1,208,000; and here it is provided that we are to authorize an increased compensation to the extent of almost 50 per cent in the salaries of our diplomatic officers.

I have heard in times past, when the subject of providing embassies for diplomatic officers was under consideration that salaries paid by the United States were very much lower, as compared with those paid by foreign countries. Seventeen thousand five hundred dollars is the maximum amount paid to our ambassadors extraordinary and ministers plenipotentiary. Last year, Mr. Chairman, this item was restricted to those diplomatic and consular officers that were living in belligerent countries and countries tributary thereto. Now it is proposed to lift that limitation and make it apply generally to all, to the extent virtually of 50 per cent of the compensation of this force. I think it is incumbent upon the chairman of the committee to make some explanation of this extraordinary increase at one fell swoop in the salaries of all our diplomatic and consular officers. Last year only $100,000 was appropriated, and here $800,000 is asked.

Mr. FLOOD. The appropriation last year carried $200,000.

Mr. STAFFORD. I beg the gentleman's pardon; it was $200,000.

Mr. FLOOD. And the gentleman's Committee on Appropriations added another $100,000 to it, making it $300,000. We in-

creased it to $800,000, because it was shown to the committee that it was necessary in order to take care of the living expenses of our diplomatic and consular officers abroad; not simply the diplomatic officers and consular officers alone, but in some cases the clerks as well.

Mr. STAFFORD. Will the gentleman permit?

Mr. FLOOD. Yes.

Mr. STAFFORD. The phraseology does not grant that authority to the clerks as well. It is limited solely to special allowances by way of compensation to consular and diplomatic officers.

Mr. FLOOD. Well, that embraces the clerks and the consuls and ministers and ambassadors and secretaries and all. They make an allowance to all of this force out of this fund. The gentleman will see that the salaries paid to all of these representatives, including the clerks, is nearly $3,000,000.

Mr. STAFFORD. But this item does not give authorization to pay increased salaries to clerks.

Mr. FLOOD. The diplomatic officers includes those.

Mr. STAFFORD. You do not mean to say that a clerk is a diplomatic officer?

Mr. FLOOD. Yes. Do you not think a secretary is a diplomatic officer?

Mr. STAFFORD. Oh, yes; a secretary of legation is well known to be a diplomatic officer, but not a clerk.

Mr. FLOOD. They make allowances to the clerks from this fund.

Mr. STAFFORD. Then they have made it, in my humble opinion, without authorization of law.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. FLOOD. Even if the gentleman's construction of this item is the construction that would be adopted by the department handling it, still the gentleman sees that it is less than 50 per cent, or not much more than 50 per cent, of the amount paid in salaries to these officers at their posts now.

Mr. STAFFORD. The gentleman would not recommend in one bill an increase of the salaries of the officers of the Government 50 per cent when, in continental United States, we are not providing for any increases of salaries of officers?

Mr. FLOOD. The gentleman heard the statement made here yesterday that the secretaries and lower diplomatic officers at all our posts in France had been increased over 50 per cent during the past year, and the gentleman just heard the gentleman from Minnesota read a statement of what the increase was in the cost of living in the different countries of the world. I was with the gentleman in the position that the salaries of the secretaries should not be increased. The State Department, for instance, asked to increase the salary of the first secretary from $3,000 to $5,000. The committee recommended an increase to $3,500. That was stricken out, and the salary remains at $3,000. But the gentleman understood in our discussion yesterday that these very secretaries get from this fund $1,500 additional, making $4,500 a year for them; and the representatives of the State Department stated to our committee that these men just positively could not live in those countries unless they did that. Of course, there are some of these representatives who have independent means of their own and are not dependent upon their salaries, but there are others who are dependent upon their salaries, and they can not live on their salaries. I agree with the gentleman that the salaries ought not to be increased and that this post-allowance fund ought to be made large enough so that the State Department can during this temporary emergency increase the allowances to these officers.

Mr. STAFFORD. In that connection would the gentleman be willing that this authorization should exist merely during the pendency of the war?

Mr. FLOOD. Absolutely.

Mr. STAFFORD. There is no such limitation.

Mr. FLOOD. I know, but it was put in last year as a war measure.

Mr. STAFFORD. Last year the phraseology was different.

Mr. FLOOD. It was put in as a measure growing out of the existing war, and it was intended only as a war measure.

Mr. STAFFORD. Would the gentleman have any objection to inserting, after the words "special allowances," the words "during the pendency of the existing war and for six months thereafter"?

Mr. FLOOD. Not the slightest.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order and offer the following amendment.

Mr. CHARLES B. SMITH. Mr. Chairman, I should like to suggest to the gentleman from Wisconsin that that amendment would not seem to be pertinent, and I do not see what it would accomplish. This appropriation is for one year. I do not see any harm in it, but I do not see any possible good in it. I have no objection to it.

Mr. FLOOD. Let it go.

Mr. STAFFORD. I offer the following amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 24, line 1, after the word "allowances," insert the following: "During the pendency of the existing war and for six months after its termination."

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to discuss the amendment. I favor it, but would like to ask the gentleman from Virginia [Mr. FLOOD] why it is preferred by the committee to recommend a lump sum of so large an amount for the benefit of these consular officers and others rather than give them a direct increase in salary?

Mr. FLOOD. The Department of State gathers from its representatives, ambassadors, ministers, and consuls to these various countries information as to the increased cost of living, and from this lump sum the attempt is made, as nearly as possible to add to the salaries of these men a sum sufficient to enable them to meet that increased cost of living. The cost of living is variable. It changes from time to time. The committee thought that was a better way to make an allowance to meet the increased cost of living than to increase their salaries.

Mr. MOORE of Pennsylvania. As to the increased cost of living I thoroughly agree with the gentleman, but Congress has always reserved to itself, or has usually reserved to itself, the right to fix these salaries, but in this instance, the only one I recall recently, we propose to turn over to the Secretary of State $800,000, with which he may favor one employee of the department and perhaps not favor another. That is to say, he may make a certain allowance to one man in a certain place, or he may make no allowance at all to another man in another place, which might breed a species of favoritism that would not work well.

Mr. FLOOD. Of course there might be some cases of injustice. I do not think there have been any. I do not think it would be possible to get through a general increase of salaries, and I do not think it would be advisable. I think any salary that is increased now will remain, and will be the salary after peace returns. It might not be a proper salary in normal times.

Mr. MOORE of Pennsylvania. Is it not a fact that leaving this appropriation as it is, this lump appropriation of $800,000, the Secretary of State has it in his power to reward one particular officer of the Government or to punish another?

Mr. FLOOD. Of course he would have that power, but it would be very difficult for him to do so without bringing severe criticism upon himself, because the apportionment is made according to a system. The reports are gotten from a place as to the increased cost of living at that place, and then make the apportionment of this fund and the allowance to the officers there upon that basis.

Mr. MOORE of Pennsylvania. Will the gentleman state what the practice was with regard to the smaller allowance made in last year's bill?

Mr. FLOOD. The same; and in France, for instance, it was stated before the committee that as far as the fund permitted they made an increase of 50 per cent to the officials in Paris.

Mr. MOORE of Pennsylvania. Was that a uniform increase?

Mr. FLOOD. Uniform to all the officials in Paris.

Mr. MOORE of Pennsylvania. In one particular country?

Mr. FLOOD. Yes.

Mr. MOORE of Pennsylvania. Suppose a man happened to be in Africa?

Mr. FLOOD. If the increased cost of living there was ascertained to be 25 per cent, they would undertake to increase the allowance by adding 25 per cent to the salary of the man there.

Mr. MOORE of Pennsylvania. Does that particular consul figure up his expenses in his cost of living and forward a statement of them to the department?

Mr. FLOOD. I will quote from the testimony of Mr. Carr, which makes it clear:

Mr. CARR. Just as we have been doing. I would get the officer's reports first, upon what it would cost him to live, standardizing the thing by making each officer report on certain definite items, such as rent, clothing, etc., and in addition to that I would make him furnish us with a statement, as in the past, of how much an apartment of five rooms will cost, and how much a pair of shoes such as he wears will cost, and how much suitable clothes will cost him, and so on down through the different items, including items of food. I would compare them with the estimate made last year and the estimates made the year before. I would corroborate them also, as far as possible, by the published official reports of each foreign Government. For example,

Great Britain every year issues reports showing the cost of living, with the variation of prices of food and so on, which are very helpful in checking up these reports. On the basis of that I would reduce his report. For instance, an officer at one time estimated that he required $2,000 for clothing for the year. I would cut that down to what seemed a reasonable amount.

They send in a statement of the cost of these articles for the period before we entered the war and the cost of them now, and the State Department puts officials to work to find out a proper basis based upon that information as to what the increase of cost of living is.

Mr. MOORE of Pennsylvania. And it is left wholly to the discretion of the Secretary of State?

Mr. FLOOD. It is based on that system, and the Secretary of State could not depart from that in the interest of any particular person without subjecting himself to detection and severe criticism.

Mr. MOORE of Pennsylvania. Without regard to politics, he could play favorites?

Mr. FLOOD. I suppose he could, but he would violate the proprieties of the situation and the decencies of his office, and, of course, no Secretary of State would do it.

Mr. CHARLES B. SMITH. Mr. Chairman, I move to strike out the last word. I want to say to the gentleman from Pennsylvania [Mr. MOORE] that the gentleman from Wisconsin [Mr. COOPER], a member of the committee, asked Mr. Carr, the Director of the Consular Service, why these salaries were not fixed instead of giving a lump-sum appropriation, and Mr. Carr said:

I should say under normal conditions that there would be no reason why that should be done. Under present conditions, however, I would prefer to see more adaptability to conditions. Congress should fix salaries, but this is not a salary per se. This is what we call a living allowance, which is added to the salary.

It is purely a matter of giving extra money to enable the foreign representatives to live.

Mr. MOORE of Pennsylvania. The gentleman has posted himself in regard to that. Is it or not a fact that consuls have been moved from place to place, involving increased expenses, for diplomatic or other reasons of the department not political?

Mr. CHARLES B. SMITH. I presume they have been transferred for diplomatic reasons. I do not think the State Department would remove them for any other reasons.

Mr. MOORE of Pennsylvania. Suppose it should be learned that one man was not quite efficient according to the requirements of the State Department, and they moved him to another place and did not make an allowance that he thought was sufficient for his proper maintenance?

Mr. FLOOD. Is the gentleman talking about consuls or diplomats?

Mr. MOORE of Pennsylvania. Consuls.

Mr. FLOOD. On account of politics?

Mr. MOORE of Pennsylvania. No; a man might be moved for several reasons. I have been advised that some have been moved and some men did not understand why they were moved. That involves expense; a man might have leased some property on which he would lose.

Mr. FLOOD. The department recognizes that. They ask in this bill for an allowance to pay their expenses when removed. They do move them for various reasons, sometimes because they have not proved efficient in a particular place and have moved them to another place with equal dignity and equal salary. I do not believe they do it for any other reason than for the good of the service. The officials may be mistaken about it, but the Director of the Consular Bureau is a distinguished Republican.

Mr. MOORE of Pennsylvania. Yes; he is a good man.

Mr. FLOOD. I do not believe he would move a man, except for the good of the service.

Mr. MOORE of Pennsylvania. What is desired here is to give the Director of the Consular Service the discretion to move these men back and forth to fill or refill the places?

Mr. FLOOD. He has that authority and discretion under the law that we passed 12 years ago. The only thing this item provides for is to enable him to supplement their salaries with an allowance which he bases on the increased cost of living.

Mr. MOORE of Pennsylvania. I assume that that is the real purpose of the appropriation.

Mr. CHARLES B. SMITH. Mr. Chairman, I think the gentleman is wrong in his belief that they are transferred for political reasons. The only appointments I have been able to get in the State Department was through Secretary KNOX.

Mr. MOORE of Pennsylvania. I think there have been cases—but we barred all that when the gentleman from Missouri [Mr. HAMLIN] made his statement the other day and produced Mr. Lansing as his best witness—there have been cases where the department has found that the incumbent did not come up to requirements, or for other reasons moved him from place to place.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last word. I agree entirely with what the gentleman from Pennsylvania [Mr. MOORE] has said as to the unwisdom, generally speaking, of lump-sum appropriations. Public moneys ought to be expended for public purposes, and the legislature which makes the appropriations ought to define specifically those purposes. When I first came to Congress lump-sum appropriations were much more common than is now the practice. Gradually Congress has been putting a stop to that sort of thing. I should have opposed in the committee the incorporation of this paragraph in the bill had it not been for the statement made by Assistant Secretary Carr in respect to the very exceptional circumstances which now confront the country and the whole civilized world. Possibly these circumstances justify this exception, but as I say, generally speaking, Congress should not permit the turning over of great sums of money from the Public Treasury to be expended in the discretion of any executive officer. It is opposed to the whole theory upon which moneys ought to be appropriated in a free country. One great authority has said that those who appropriate the money ought to believe, although it is not always true, that the trustee having charge of money to expend will expend some portion of it for his own advantage, and, therefore, if you make the law strict to prevent that, you do injustice to no executive officer.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 21, noes 10.

So the amendment was agreed to.

The Clerk read as follows:

ALLOWANCE FOR CLERK HIRE AT UNITED STATES CONSULATES.

Allowance for clerk hire at consulates, to be expended under the direction of the Secretary of State, $818,000.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman in charge of the bill for an explanation of this extraordinary item. We have been condemning an appropriation of $800,000 as a lump-sum appropriation, and here now comes an appropriation of $818,000 as a lump-sum appropriation. The other was to be expended for the diplomatic officers of the Government, and this is to be expended for clerk hire. What is the use of fixing clerk hire if we are to permit the Secretary of State to expend $818,000 in increasing that clerk hire?

Mr. FLOOD. Mr. Chairman, the number of clerks since the war began has enormously increased.

Mr. ROBBINS. This seems to be for just clerk hire; it does not mention additional clerks.

Mr. FLOOD. That is the whole item. It is for those we have now, and those we have taken in since the war began and those that we are going to take in.

Mr. ROBBINS. Did we not just increase the salaries of the clerks a while ago?

Mr. FLOOD. The clerks at embassies and legations.

Mr. ROBBINS. Is there any salary for clerks except what is fixed by the Secretary of State under this clause?

Mr. FLOOD. We have not fixed the salaries of clerks by law.

Mr. ROBBINS. Then this is an allowance that is made to each clerk, in the discretion of the Secretary of State, in addition to the allowance fixed by law for his compensation?

Mr. FLOOD. We have no other item for clerk hire at the consulate than this. This pays for all of the clerks at all of the consulates.

Mr. ROBBINS. And the amount that is paid is fixed by the Secretary of State?

Mr. FLOOD. Yes.

Mr. ROBBINS. Congress has not fixed it in any instance?

Mr. FLOOD. It never has.

Mr. ROBBINS. Does the chairman of the committee think that is a wise plan?

Mr. FLOOD. It has always been the custom. The number of clerks that you need at a consulate varies. Of course this is a larger appropriation than they have ever had before.

Mr. ROBBINS. How much does this exceed the last appropriation? I am advised that the last appropriation was only $493,000. This is almost twice as much as last year. Why is the increase so great?

Mr. FLOOD. The gentleman is correct about the amount carried in the appropriation bill last year being $493,000, but the representative of the State Department went before the Committee on Appropriations and in one of the deficiency appropriation bills obtained $325,000, and what the Foreign Affairs

Committee recommended and the Committee on Appropriations allowed is the amount that we have recommended in this bill.

Mr. ROGERS. Will the gentleman yield?

Mr. ROBBINS. In just a moment. How many clerks are there in the service?

Mr. FLOOD. Nobody knows; they are constantly changing.

Mr. ROBBINS. Well, I would suppose there would be changes, but how many were there last year? The gentleman knows that.

Mr. FLOOD. I do not know; but of course we could find out from the State Department exactly how many there were. I just never undertook to do it.

Mr. ROBBINS. Can the chairman of the committee, who is familiar with this bill, tell us the salary that is paid, either the highest salary or the average salary paid to clerks last year?

Mr. FLOOD. They range from $600 to $2,000.

Mr. ROBBINS. Two thousand dollars would be the highest paid last year, and that was paid under an allowance made by the Secretary of State in his discretion out of the lump-sum appropriation?

Mr. FLOOD. And then the amount authorized by the Appropriations Committee.

Mr. ROBBINS. How much?

Mr. FLOOD. Three hundred and twenty-five thousand dollars added to the amount, and that is carried in this bill this year.

Mr. ROBBINS. Then the $493,000 in the last bill and the $325,000 appropriated by the Committee on Appropriations you add together and make the appropriation in this bill?

Mr. FLOOD. Yes.

Mr. ROBBINS. What does the gentleman expect the Committee on Appropriations to do when it comes along to appropriate for this item?

Mr. FLOOD. We expect this to cover it all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBBINS. I ask for two additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD. The expectation of the representatives of the State Department with whom we conferred was that this would cover the entire clerk hire.

Mr. ROBBINS. Can the gentleman assure the committee there will be nothing in the bill from the Committee on Appropriations to cover this item?

Mr. FLOOD. That is the supposition; of course it might be wrong. I can not assure the committee, as the gentleman suggested, because in these times no one can be certain of what the morrow will bring forth.

Mr. ROGERS. Will the gentleman yield on that point?

Mr. ROBBINS. Certainly.

Mr. ROGERS. The report of the committee, on page 14, shows one very important reason for this great increase:

Since the advent of the United States into the war it has been the policy of the State Department in every way to Americanize the clerical force.

That, of course, almost always necessitates a considerable addition to the salary of the clerical force, because it costs more to get an American citizen here, send him over there, and maintain him than it does to secure a foreigner who is simply picked up in a city where he is to be stationed, and I think the gentleman will agree that that expenditure of money is an extremely wholesome one, especially when the United States is at war.

Mr. ROBBINS. I agree with the contention, because my observation abroad is that there are many foreigners employed in this branch of the service.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. While we are on this subject of consulates can the gentleman say what consulates are now owned by the United States Government?

Mr. FLOOD. No; I do not think we own any.

Mr. ROBBINS. The gentleman from Ohio means houses?

Mr. LONGWORTH. There are a certain number——

Mr. FLOOD. In the Far East we own some.

Mr. LONGWORTH. I withdraw the pro forma amendment.

The Clerk read as follows:

Expenses of providing all such stationery, blanks, record and other books, seals, presses, flags, signs, rent (so much as may be necessary), repairs to consular buildings owned by the United States, postage, furniture, including typewriters and exchange of same, statistics, newspapers, freight (foreign and domestic), telegrams, advertising, messenger service, traveling expenses of consular officers and consular assistants, compensation of Chinese writers, loss by exchange, and such other miscellaneous expenses as the President may think necessary for the several consulates and consular agents in the transaction of their business, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $828,000.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee why this item is increased from $625,000, as carried in last year's bill, to $828,000 in this bill? What is the necessity for any such lump-sum increase at this time for items which are small in their amount? We only have one consular building or two, as has been just stated, in the Far East.

Mr. FLOOD. The gentleman sees a great many other important items contained in this—stationery and telegrams——

Mr. LONGWORTH. And rent.

Mr. FLOOD. And the telegraph service even with consulates has increased tremendously.

All of our business has to be carried on there by cable. The business is important, and the mails are not certain. We had an appropriation last year of $625,000 and an emergency appropriation of $28,000, and some other appropriations were added. The real increase is only about $75,000. So the increase is not as much as it appears; but it is very considerable, and due largely to the tremendous cable service we have.

Mr. ROBBINS. That would be only $653,000 last year. Now you increase it to $828,000.

Mr. FLOOD. You will see that last year we were engaged in war, but this work is increasing all the time.

Mr. ROBBINS. I beg the gentleman's pardon. That appropriation would not be made in contemplation of war last year.

Mr. FLOOD. We were not in war all the time.

Mr. ROBBINS. The appropriation would not be made in contemplation of war, and the appropriation was only $653,000 for the fiscal year.

Mr. FLOOD. We were in war the whole year.

Mr. COOPER of Wisconsin. Will the gentleman permit me to read a statement that was made in the hearings by Mr. Carr on this very point? It will answer completely the gentleman from Pennsylvania.

Mr. ROBBINS. I will be very glad to have it.

Mr. COOPER of Wisconsin. He says:

Contingent expenses of United States consulates—this is an apparent increase, although in reality it is not an increase, except about $75,000, and $28,000 of that was carried in the war relief appropriation and was taken over in the deficiency bill last fall by special deficiency appropriation into this, and then we put in $75,000 additional to allow for what we considered a normal increase, perhaps, in view of present conditions. Now I find I have left only about $70,000 unallotted balance to carry us through the rest of this fiscal year, and I have very grave doubts as to whether it is going to do that or not. In fact, I am afraid it will not. It may be that upon further examination we may have to submit a recommendation for a still further enlargement of that fund. The conditions are so abnormal that accurate estimates are next to impossible. One can only look a week or so ahead nowadays. It may be that we will have to ask for more money there. Saturday evening, Mr. Long, Third Assistant Secretary, spoke to me about diplomatic clerk hire allowance and said we had suddenly found that we were without a cent for this item beyond that which has been allotted up to June 30, with constant demands coming in by telegraph for clerks; and he asked me to submit to the committee the advisability of providing for about 50 clerks for the rest of the year, or $50,000. For clerk hire for the Diplomatic Service the estimate is $200,000, plus transportation expenses, which I estimate at about $20,000 for the rest of the fiscal year, or about $40,000 for the next fiscal year.

Mr. ROBBINS. That explanation is very complete, and also explains another matter that I heard the gentleman from South Carolina [Mr. RAGSDALE] speak about yesterday, namely, his wanting an extra clerk. I wonder where he is going to get him if we get these? I do not see the gentleman in the House now, but I would like to know where he proposes to get his extra clerk. However, the explanation answers my question.

Mr. RAGSDALE. Mr. Chairman, I wish to ask unanimous consent to revise and extend my remarks made on the floor of the House yesterday. I am doing this at the request of one Member that a part should be eliminated.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. ROBBINS. Reserving the right to object, I will not object if he answers the question as to where he expects to put his extra clerk, in view of the crowded condition of the State Department now.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

For the erection at the city of San Salvador on ground presented by the Government of Salvador of a suitable building constructed of reinforced concrete for the use of the legation to Salvador, both as a residence of the minister and for the offices of the legation, and for the necessary furniture of the building, $40,000, or so much thereof as may be necessary: *Provided*, That the President is hereby authorized to accept on behalf of the United States the plot of ground graciously presented by the Government of Salvador as the site for the erection of a legation building or buildings.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

I would like to ask the chairman of the committee if estimates have been submitted by the Secretary of State to the Secretary of the Treasury as to the limit of cost on this building?

Mr. FLOOD. They recommended to Congress $25,000.

Mr. WALSH. That is the recommendation set out in the report of the gentleman's committee, but I desire to know if the Secretary of State has submitted to the Secretary of the Treasury estimates as to the limit of cost for this building?

Mr. FLOOD. I suppose they did—the $25,000.

Mr. WALSH. That fact does not appear in the report. I understand this building is designed to take the place of one which was destroyed by an earthquake in San Salvador in June of last year, and they have been occupying temporary quarters since that time. The report calls for an appropriation of $25,000 for the erection of a building, whereas the amount in the item calls for $40,000.

Mr. FLOOD. The Committee on Foreign Affairs decided to change the character of building recommended by the State Department from a frame building to a concrete building, and realizing that it would take more money, they made a larger appropriation.

Mr. WALSH. But there is no limit of cost fixed in this item in the bill, as is required by the statute. It says $40,000, but does not limit the cost at all.

Mr. FLOOD. Oh, yes; it does. That is all it appropriates. It does not appropriate anything beyond that.

Mr. WALSH. They could start to erect an $80,000 building under this item.

Mr. FLOOD. Oh, no.

Mr. STAFFORD. Oh, yes.

Mr. WALSH. I disagree with the gentleman, the chairman of the Committee on Foreign Affairs.

Mr. STAFFORD. Will the gentleman permit? Under this authorization, as there is no limit of cost, the work being initiated, it would enable on an appropriation bill further appropriations to any amount at all. Does not the gentleman believe it is advisable to place in here a limitation and limit the cost to not exceed a certain amount?

Mr. FLOOD. This is the way this character of item has been carried in other bills. We appropriated somewhat over $600,000 for the buildings at Shanghai, and they got the buildings for a great deal less than the items.

Mr. STAFFORD. There the Government was negotiating for certain established buildings, and we got them for less than the amount authorized for their purchase.

Mr. FLOOD. Here was an appropriation for Berne and other places. The gentleman might be right ordinarily. It occurs to me that probably we would have to make an additional appropriation for this building, because, my opinion is, that $40,000 will not build the character of a building we describe and furnish it.

Mr. STAFFORD. Of course $60,000 would be necessary for a concrete building. I do not know why the committee recommended an appropriation of $40,000, except as an initial appropriation.

Mr. FLOOD. The gentleman from Minnesota [Mr. MILLER], who is familiar with buildings of that character in Central America, thought that $40,000 would be sufficient.

Mr. STAFFORD. Has the gentleman from Minnesota any objection to placing a limit of cost, say, at $50,000?

Mr. MILLER of Minnesota. To be perfectly frank about this item, I want to say that no man on earth knows what it will cost to build a concrete building or even a wooden building at San Salvador under the conditions now existing. The proposal to build a wooden building presupposed that it should be constructed of California redwood, which has been found to be the only wood available that would not be destroyed by ants.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MILLER of Minnesota. It is practically impossible to get the California redwood, even in normal times, anywhere outside of this country, and it is a practical certainty that it could not be procured this year or next year or at any time within reasonable contemplation. I may add that it is very doubtful if California redwood would be absolutely immune from attack by the ants. Anyone knows that no kind of wood except that which is immune from the ants should be used; otherwise the wood would be honeycombed with the ants, and it would be only a question of time when the building constructed would fall as if it were made of sand.

I have a particular reason for asking for concrete, which I will explain in a moment. But before making that statement I desire to say that the statement that $60,000 was estimated for the cost of this building is not accurate. It is as accurate as it could be made from the hearings we had, but the gentleman will find, if he reads the hearing attentively, that the minister to Salvador thought it would cost about $60,000. At least somebody thought it might cost about $60,000.

Mr. STAFFORD. What is the decision of the committee as to the limit of cost on this embassy and legation building?

Mr. MILLER of Minnesota. I will come to that in a moment, if the gentleman is a little more patient.

Mr. STAFFORD. The gentleman is always patient.

Mr. MILLER of Minnesota. I think it can be built for $40,000. It may be, though, that it might cost $50,000. It will not probably cost $60,000. I have observed the buildings constructed by this Government in all its tropical possessions, in Hawaii, in the Philippine Islands, and also in Panama, and if we have arrived at any result through all our experience in the Tropics it is that we should not put a dollar in any kind of a building that is not constructed of reinforced concrete.

For instance, a reinforced-concrete building is not subject to destruction by the ordinary earthquake. In the Philippine Islands there have been constructed school buildings and provincial buildings of reinforced concrete, and, by the way, they do not think of building any other kind of a structure there. Many of those buildings are within an area where they have a hundred, or even three hundred earthquake shocks in a year. None of them have been damaged. Nor can anyone cite an instance where a properly constructed building of reinforced concrete has been injured in an earthquake region.

Besides that, reinforced buildings are the most sanitary of any kind of building that can be erected in the Tropics. Third, it is the coolest kind of building that can be constructed in the Tropics; and, fourth, they will last, and they are the only kind of a building that will last there. I do not care what kind of a wooden structure you erect, there are two things that will soon knock it down. First, the ants will eat holes in it and it falls. In the early years of our occupation of the Philippines we used wood in the construction of school buildings, and those buildings are now in ruins, and are not in use, because it is dangerous to put people in them. The other thing that knocks them down is the hurricane or the typhoon, that works havoc everywhere throughout the Tropics.

So that every consideration of common sense and experience requires that if we build a building of any kind in the Tropics that building should be of reinforced concrete, which is fireproof.

Mr. LONGWORTH. What is the value of the land that is given to us?

Mr. MILLER of Minnesota. That is problematical. The minister said that there was no exact method of determining the value, but he thought probably it was worth $6,000 or $7,000.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. The gentleman from Massachusetts made a point of order.

Mr. FLOOD. It is not subject to a point of order.

Mr. MILLER of Minnesota. Mr. Chairman, I ask that the gentleman from Massachusetts be given five minutes more.

The CHAIRMAN. The gentleman from Minnesota asks that the gentleman from Massachusetts may have five minutes more. Is there objection?

There was no objection.

Mr. FOSS. Mr. Chairman, with the permission of the gentleman from Massachusetts, I want to say that the minister said that this lot could be bought for about $9,000, in American money.

Mr. WALSH. Including the ants.

Mr. MILLER of Minnesota. Mr. Chairman, if the gentleman from Massachusetts will yield——

Mr. WALSH. I yield.

Mr. MILLER of Minnesota. I want to complete my statement. Under all these conditions the Government ought to build a permanent building, one that will be respectable and take care of all the business interests that we have at that point. It is proposed this building shall house the minister at San Salvador and also the consul general. In other words, the offices of both of these officials are to be inside the building.

Mr. WALSH. How numerous is the force of these officials?

Mr. MILLER of Minnesota. It is not large, if it was we could not possibly build a building for $40,000 or three times that. I think $40,000 or $50,000 will be sufficient to build it. Why can not we estimate it accurately? Because it is impossible.

First, because nobody has been building that class of buildings there; and, second, there is no class of workmen there qualified to do that kind of work. This was the suggestion that influenced me to reach the idea of adopting reinforced concrete. We have on the Panama Zone the most expert concrete workers in the world. We have a force under the engineering department of the Army under the government on the zone that has the largest experience of any people in the world in building buildings out of reinforced concrete for the Tropics, and I do not except the enormous experience the Government has had in the Philippine Islands, where hundreds of buildings have been constructed of that character. It seemed to me that we could easily take a force of these men to draw the plans, go to the point, and construct the building out of material sent to that country. I do not think that there is any question in the world but what that can be done, and I do not think the expense would be over $40,000, although it may be $50,000 or $55,000. I would not object to putting a limit of $60,000 on it.

Mr. STAFFORD. I think there should be a limit to the amount so that they could not run wild.

Mr. FLOOD. I have no objection to the limitation being put on. There never has been any question in regard to this. We have been making the appropriations for years in exactly the same language. The Shanghai building and the building at Berne were built last year, and the appropriation for the legation in Cuba was made in this language. In the authorization for the building at Costa Rica last year the same language was used. In these cases that was all that anyone in the Department of State or on the committee anticipated would be used. Some of us on the committee thought there would be more money used in this particular case appropriated for to-day on account of the lack of information as to the cost of reinforced concrete in San Salvador, but if the gentleman from Wisconsin desires to offer an amendment putting the limitation at $60,000 I shall not object.

Mr. STAFFORD. There ought to be some limit.

Mr. WALSH. Mr. Chairman, clearly what has been brought out in the discussion during the pendency of the point of order discloses that this item is subject to a point of order. The requirements of the statute are to the effect that a limitation must necessarily be placed in every appropriation which is made for these buildings; and, furthermore, that there shall be some estimates obtained and submitted by the Secretary of the Treasury to the Secretary of State prior to the appropriation being asked for. That has not been done in this case, and in these times, when we are having such great difficulty in housing and providing accommodations for those who work not only here in Washington in the various departments but in getting accommodations for those who work in the shipyards and other industrial activities in connection with this great war, it seems to me the matter of building a concrete residence or mansion for the location of our representative at San Salvador might well be deferred, and although the amount to be saved is small, yet it is worth while to save it. I understand that the gentleman from Wisconsin proposes to insert some language if the point of order is withdrawn limiting the appropriation.

Mr. FLOOD. What is the point of order?

Mr. WALSH. The point of order is, first, that it is new legislation, and, second, that it being new legislation it is not in accordance with the requirements of existing law.

The mere fact that other items in other measures have been enacted in appropriation bills heretofore, not in conformity with existing law, certainly is no justification for the enactment of this legislation in this form. However, if the amendment suggested by the gentleman from Wisconsin [Mr. STAFFORD] is acceptable to the distinguished chairman of the committee [Mr. FLOOD], I am willing to withdraw the reservation of the point of order. I understand the chairman is agreeable.

Mr. FLOOD. The gentleman will not make the point of order that the item is not authorized by law?

Mr. WALSH. And not in accordance with the requirements of existing law.

Mr. FLOOD. Do you make the other point?

Mr. MILLER of Minnesota. I understood that the gentleman would not make the point of order if we accept the proposed limitation of $60,000.

Mr. WALSH. If the limitation is incorporated in the bill, I am willing to waive the other point.

Mr. FLOOD. That is all right; but it is authorized by law.

Mr. WALSH. It is not authorized by law in this manner.

Mr. FLOOD. The appropriation is authorized by law.

Mr. WALSH. Of course the appropriation is authorized by law in a certain way and after certain things are done; but until those things are done there is no authorization for making the appropriation.

Mr. FLOOD. Now, will the gentleman from Wisconsin offer his amendment?

Mr. WALSH. I will withdraw the reservation of the point of order on the assurance of the distinguished chairman of the Committee on Foreign Affairs that the proposition to insert the limitation is acceptable to the committee.

The CHAIRMAN. The gentleman withdraws the point of order.

Mr. STAFFORD. Mr. Chairman, I offer an amendment, after the word "building," in line 22, page 26, to insert the words "at a limit of cost not to exceed $60,000."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 26, line 22, after the word "building," insert the following: "at a limit of cost not to exceed $60,000."

Mr. WALSH. Will the gentleman yield?

Mr. STAFFORD. I am glad to yield to my generous friend.

Mr. WALSH. I notice you increase this amount some $20,000. I want to ask if the purpose of that increase is to destroy some of those rapacious ants that they have down there in that country?

Mr. STAFFORD. I am not acquainted with the ant population. I will yield to the gentleman from Massachusetts, who is very alert, to go down there and see how many there are to be killed.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ROBBINS. Is it not necessary to change the amount of $40,000, on page 27, to conform to the amendment which has just been inserted on motion of the gentleman from Wisconsin?

Mr. FLOOD. No. This is the appropriation for this year. The other is the limitation on the total amount.

Mr. STAFFORD. The $40,000 is the amount that is available at the present time.

Mr. ROBBINS. The other is for the building?

Mr. STAFFORD. No; we appropriate $40,000 at the present time for this building and furniture. Later they may call upon us for subsequent appropriations, but under the existing authorization they can not ask for more than $60,000 in all. That is the purpose of the limitation usually carried in public building appropriation bills.

Mr. FLOOD. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments and with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HUMPHREYS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 9314) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. RODENBERG, for 10 days, on account of important business.

ORDER OF BUSINESS.

Mr. JOHNSON of Kentucky. Mr. Speaker, on Wednesday last the gentleman from Missouri, Judge ALEXANDER, by unanimous consent was granted leave to call up as a privileged matter the bill S. 3389, relating to housing facilities, after the passage of the Diplomatic and Consular appropriation bill. Monday next is District day under the rule. I therefore ask unanimous consent that after the disposal of Judge ALEXANDER'S bill a day be given for the consideration of District business.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that at the conclusion of the consideration of the bill S. 3389, which the gentleman from Missouri [Mr. ALEXANDER] has made privileged, a day shall be given to the consideration of District business. Is there objection?

Mr. JOHNSON of Kentucky. The next day after the disposal of that bill.

The SPEAKER. The next day after the disposal of that bill, not to interfere with Calendar Wednesday or privileged matters. Is there objection?

Mr. MAPES. Mr. Speaker, reserving the right to object, can the gentleman from Kentucky tell us what legislation will be brought up at that time? Will it be the bill reported by the committee to fix the rents in the District of Columbia?

Mr. JOHNSON of Kentucky. The bill undertaking to stop profiteering in rents in the District of Columbia is the one that I propose to call up.

Mr. MAPES. That is the only one?

Mr. JOHNSON of Kentucky. That is the only one.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 13 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Sunday, February 10, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the chief clerk of the Court of Claims, transmitting list of cases dismissed by the court December 10, 1917 (H. Doc. No. 924); to the Committee on War Claims and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting, in accordance with the provisions of section 4 of the river and harbor act, a list of claims for damages which have been adjusted and settled by the Chief of Engineers and approved by the Secretary of War (H. Doc. No. 925); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting estimates of appropriations for marine hospitals and marine stations (H. Doc. No. 926); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 1854) to save daylight and to provide standard time for the United States, reported the same with amendment, accompanied by a report (No. 293), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 9685) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes, reported the same without amendment, accompanied by a report (No. 294), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DENT, from the Committee on Military Affairs, to which was referred the bill (H. R. 9100) to authorize the Secretary of War to grant furloughs without pay and allowances to enlisted men of the Army of the United States, and for other purposes, reported the same with amendment, accompanied by a report (No. 295), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 9163) to provide for reimbursement of actual expenses or flat per diem for enlisted men traveling on duty under competent orders, reported the same without amendment, accompanied by a report (No. 296), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 9098) to suspend for the period of the present emergency sections 45, 46, and 56 of "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and for other purposes, reported the same without amendment, accompanied by a report (No. 297), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 8409) to amend an act entitled "An act to authorize condemnation proceedings of lands for military purposes," approved July 2, 1917, and for other purposes, reported the same with amendment, accompanied by a report (No. 298), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 9571) to authorize the appointment of officers of the Philippine Scouts as officers in the militia or other locally created armed forces of the Philippine Islands drafted into the service of the United States, and for other purposes, reported the same without amendment, accompanied by a report (No. 299), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 9712) to prevent and punish the sale of Army and Navy uniforms to persons not authorized to wear them; to the Committee on the Judiciary.

By Mr. MILLER of Washington: A bill (H. R. 9713) granting pensions to honorably discharged soldiers and sailors in the military or naval forces of the United States during the Civil War, fixing the amount of the same, and making classifications thereof; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 9714) for the purpose of limiting the activities of certain officers and employees of the Government; to the Committee on the Judiciary.

By Mr. GOODWIN of Arkansas: A bill (H. R. 9715) extending the time for the construction of a bridge across the Bayou Bartholomew, in Ashley County, Wilmot Township, State of Arkansas; to the Committee on Interstate and Foreign Commerce.

By Mr. McKENZIE: A bill (H. R. 9716) to authorize the Secretary of War to lease and sublet land within military reservation camps, cantonment and aviation fields, and proving grounds for agricultural and other purposes; to the Committee on Military Affairs.

By Mr. FIELDS: A bill (H. R. 9717) to create a commission on illiteracy to be known as the American Illiteracy Commission; to the Committee on Education.

By Mr. EMERSON: A joint resolution (H. J. Res. 239) to waive certain requirements for citizenship from soldiers and sailors during the present war; to the Committee on Immigration and Naturalization.

By Mr. BARNHART: A joint resolution (H. J. Res. 240) to provide further for the national security and defense by securing to the Government of the United States an adequate supply of print paper at a fair price and by insuring a supply and equitable distribution at fair prices to the industries of the United States; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOOHER: A bill (H. R. 9718) granting an increase of pension to Hiram J. Pitsenbarger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9719) granting an increase of pension to Henry C. Edminston; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 9720) granting an increase of pension to John M. Willoughby; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 9721) granting an increase of pension to Joseph L. Middleton; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 9722) granting a pension to Virginia Hill; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 9723) granting an increase of pension to Morris Springfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9724) granting an increase of pension to Henry D. Combs; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 9725) granting an increase of pension to Ruth McClay; to the Committee on Pensions.

By Mr. GOOD: A bill (H. R. 9726) granting an increase of pension to Lewis Meskimen; to the Committee on Invalid Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 9727) granting a pension to James P. Curtis; to the Committee on Pensions.

By Mr. McKINLEY: A bill (H. R. 9728) granting an increase of pension to Sarah E. Jackson; to the Committee on Pensions.

By Mr. MAPES: A bill (H. R. 9729) granting an increase of pension to Elizabeth Lucas Lapine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9730) granting a pension to Lena McLain; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 9731) granting an increase of pension to John Right; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9732) granting an increase of pension to Stinnett Bee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9733) granting an increase of pension to Charles W. Roper; to the Committee on Pensions.

Also, a bill (H. R. 9734) granting a pension to Ella V. Altmeyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9735) granting a pension to Bertha Margaret Watkins, Helen L. Watkins, James O. Watkins, and Dortha G. Watkins; to the Committee on Pensions.

Also, a bill (H. R. 9736) granting six months' pay to Fanny Appleby, mother of Robert W. Appleby, deceased, who served in Headquarters Company, Eighth Infantry, Ohio National Guard, border defense; to the Committee on Military Affairs.

By Mr. POLK: A bill (H. R. 9737) granting an increase of pension to John W. Lewis; to the Committee on Invalid Pensions.

By Mr. SCOTT of Pennsylvania: A bill (H. R. 9738) granting a pension to Dallas Mills; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 9739) granting a pension to Thomas A. Starrh; to the Committee on Pensions.

Also, a bill (H. R. 9740) granting a pension to Nels Christensen; to the Committee on Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 9741) granting a pension to Isaac Holley, alias Isaac Holey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9742) granting a pension to Eva M. Bevier; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Nebraska: A bill (H. R. 9743) granting an increase of pension to Thomas E. Langdon; to the Committee on Pensions.

By Mr. STEVENSON: A bill (H. R. 9744) granting an increase of pension to Henry Langly; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 9745) granting an increase of pension to Eli Abbott; to the Committee on Invalid Pensions.

By Mr. WHITE of Ohio: A bill (H. R. 9746) granting a pension to Maria Wilson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Civil Liberties Bureau, asking for a congressional investigation of wartime violations of constitutional right, mob violence, censorship, and the efforts to use the war to crush labor; to the Committee on the Judiciary.

Also (by request), resolution of the Corning (N. Y.) Clionian Circle, against the zone system for postage on periodicals; to the Committee on Ways and Means.

Also (by request), resolutions from the Ladies' Auxiliary of the Presbyterian Church, Cloquet, Minn.; Current Events Club, Madison, Ind.; Penelopian Club, Cadillac, Mich.; and the Business Men's League, Hot Springs, Ark., asking for the repeal of the periodical amendment to the war-revenue act; to the Committee on Ways and Means.

Also (by request), resolution of the Cleveland Tractor Co., objecting to the increased rates of postage on periodicals; to the Committee on Ways and Means.

By Mr. CAREW: Resolution of the Woman's Missionary Society of the United Presbyterian Church, Fort Morgan, Colo., asking for the repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. CARY: Petition of the Cleveland Tractor Co., and resolutions of Romeo Monday Club, Romeo, Mich.; Business Men's League, Hot Springs, Ark; Current Events Club, Madison, Ind.; the Ladies' Auxiliary of the Presbyterian Church, Cloquet, Minn.; Corning (N. Y.) Clionian Circle; and the Maryville (Mo.) Commercial Club, objecting to the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. CLARK of Pennsylvania: Petition of M. Griswold, jr.; H. A. Nye; J. W. Burnett; and 20 others, praying for the passage of House bill 7995, for the preservation of the *Niagara*, Commodore Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. DALE of New York: Letter from the Cleveland Tractor Co., and resolutions from the following organizations: The Ladies' Auxiliary of the Presbyterian Church, Cloquet, Minn.; Penelopean Club, Cadillac, Mich.; the Woman's Missionary Society of the United Presbyterian Church, Fort Morgan, Colo.; Business Men's League, Hot Springs, Ark.; Current Events Club, Madison, Ind.; Maryville Commercial Club, Maryville, Mo.; the Sorosis Club, St. Peter, Minn.; Corning (N. Y.) Clionian Club; and the Romeo Monday Club, Romeo, Mich., all asking for the repeal of the second-class postage rates of the war-revenue act; to the Committee on Ways and Means.

Also, resolution of the Chamber of Commerce of the State of New York, asking for the survey of the Delaware & Hudson and other abandoned canals, with a view to their use in transportation of coal; to the Committee on Rivers and Harbors.

Also, petition of William H. Walker & Co., Buffalo, N. Y., in favor of the immediate passage of the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Lewis S. Pilcher, M. D., asking favorable consideration of House bill 9563; to the Committee on Military Affairs.

By Mr. ESCH: Petition of the rural mail carriers of Black River Falls, Wis., praying for an allowance covering necessary upkeep expenses; to the Committee on the Post Office and Post Roads.

Also, petition of the Cleveland Tractor Co., objecting to the increased postage rates for second-class matter in the war-revenue act; also resolutions of the same import from the Ladies' Auxiliary of the Presbyterian Church, Cloquet, Minn.; Penelopean Club, Cadillac, Mich.; Business Men's League, Hot Springs, Ark.; the Woman's Missionary Society of the United Presbyterian Church, Fort Morgan, Colo.; and the Corning (N. Y.) Clionian Circle; to the Committee on Ways and Means.

By Mr. GALLIVAN: Petition of the Cleveland Tractor Co., and resolutions of the Penelopean Club, Cadillac, Mich.; the Ladies' Auxiliary of the Presbyterian Church, Cloquet, Minn.; Current Events Club, Madison, Ind.; the Sorosis Club, St. Peter, Minn.; the Woman's Missionary Society of the United Presbyterian Church, Fort Morgan, Colo.; Corning (N. Y.) Clionian Circle; and the Business Men's League, Hot Springs, Ark., objecting to the second-class postal provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. HAMLIN: Papers to accompany House bill 2094, a bill to pension John M. Jackson; to the Committee on Invalid Pensions.

By Mr. KELLEY of Michigan: Memorial of Romeo Monday Club, of Romeo, Mich., protesting against proposed postal increase on periodicals; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: Petition of Pittsburgh Methodist Episcopal ministers, favoring immediate war prohibition; to the Committee on the Judiciary.

By Mr. TAGUE: Petitions of Ladies' Auxiliary of the Presbyterian Church, Cloquet, Mich.; Penelopean Club, Cadillac, Mich.; Cleveland Tractor Co., Cleveland, Ohio; Corning Clionian Circle, Corning, N. Y.; Maryville Commercial Club, Maryville, Mo.; Sorosis Club, St. Peter, Minn.; Current Events Club, Madison, Ind.; Business Men's League, Hot Springs, Ark.; and Romeo Monday Club, Romeo, Mich., objecting to the increased rates of postage on periodicals; to the Committee on Ways and Means.

Also, memorial of Bohemian National Alliance, New York City, commending the President's war aims; to the Committee on Foreign Affairs.

Also, petition of the Woman's Missionary Society, Fort Morgan, Colo., and New England Association of Circulation Managers of New Bedford, Mass., opposing increased rates of postage on periodicals; to the Committee on the Post Office and Post Roads.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 10, 1918.*

The House met at 12 o'clock noon, and was called to order by Mr. SHERWOOD as Speaker pro tempore.

Rev. George Robinson, United States Army, retired, offered the following prayer:

Almighty God, our Heavenly Father, we recognize Thee as the author of life, the arbiter of our destiny. We thank Thee that Thou hast given life to men, that Thou art the former of our bodies, so fearfully and wonderfully made, and the Father of the spirits of all men. We thank Thee, too, that in these spirits of ours everywhere Thou hast implanted a longing for and a belief in a life beyond this life.

We thank Thee, O Lord Jesus Christ, who came from Heaven to give life and to give it more abundantly, that Thou didst confirm this hope and belief in the hearts of men, that Thou didst teach that Thou art the source of life, that Thou didst prove by Thy resurrection from the dead, and by infallible proofs to Thy disciples that Thou hadst risen, that this life was in Thee. This gives us hope in the death of those whom we love; and we pray Thee that on this occasion Thou wilt confirm this hope and this belief to each and every one of us. Do

Thou grant to her who has been caused so greatly to mourn the influence and the gift of Thy holy spirit, to put into her heart the sympathy of Him who once stood beside the grave and adown His cheeks coursed the tears of pity and of sympathy. He is the same yesterday, to-day, and forever. He can speak to wounded spirits. He can bind up broken hearts. We pray Thee that Thou wilt give to her the sympathy and comfort that she so much needs. And to all who mourn his loss, to all his friends, may there be spoken in this hour the warnings and the encouragement to live nearer to the Christ; and may we all take new devotion from these ceremonies to give our energies, especially in this great crisis of the world, to make all sacrifices necessary in order that we may finish the task that has been given to this Nation to do.

Thou, O God, art the power that worketh for righteousness on this earth. We believe that in this warfare we are in sympathy with Thee, and that Thou art in sympathy with us. Therefore we pray Thee that Thou wilt bless our efforts to bring to the earth peace, founded on righteousness and truth and justice. We ask all for Christ's sake. Amen.

THE JOURNAL.

The Clerk proceeded to read the Journal of yesterday.

Mr. ASHBROOK. Mr. Speaker, I move to dispense with the reading of the Journal.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to dispense with the reading of the Journal. If there be no objection it will be so ordered.

There was no objection.

THE LATE REPRESENTATIVE BATHRICK.

The SPEAKER pro tempore. The Clerk will read the special order.

The Clerk read as follows:

On motion of Mr. SHERWOOD, by unanimous consent,

Ordered, That Sunday, February 10, 1918, be set apart for addresses upon the life, character, and public services of Hon. ELLSWORTH R. BATHRICK, late a Representative from the State of Ohio.

Mr. ASHBROOK. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The gentleman from Ohio offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution No. 246.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. ELLSWORTH R. BATHRICK, late a Member of this House from the State of Ohio.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolution was agreed to.

Mr. GORDON. Mr. Speaker, the death of ELLSWORTH R. BATHRICK was a striking example of the fact that no one can know when "the pale horse and his rider" will call to deliver the final summons to go hence to that final "bourne, whence no traveler returns."

In the prime of life and apparently in full health and vigor only a few months before, no one would have been likely to suggest that in the whole membership of this House he would be the next to pass away.

The recent large increase of the death roll in both the Senate and House, many of whom had not yet passed the meridian of life, furnishes startling evidence of that general law of mortality to which all mankind is subject, and leads us to reflect upon the solem fact that death comes like a thief in the night and that no one can foretell or forestall his coming.

The boast of heraldry, the pomp of pow'r,
And all that beauty, all that wealth ere gave,
Await alike the inevitable hour.
The paths of glory lead but to the grave.

Since the Sixty-fifth Congress convened in extraordinary session on April 2, 1917, four Senators and six Members of this House have departed this life, during a period of less than 10 months, a most significant commentary upon the uncertainty of human existence and the remorseless and persistent mortality among men before the devouring "scythe of Time."

Mr. BATHRICK had served two former terms in this House, in the Sixty-second and Sixty-third Congresses and, so far as my information extends, he enjoyed the friendship of every man with whom he came in contact during his entire public service. He was invariably cheerful and kindly in temperament and disposition and agreeable and friendly in his association with his colleagues. My service here began with his second term; and it is a great pleasure for me to record the fact that I have never heard an unkind or unfriendly word spoken in Washington of or concerning Congressman BATHRICK. It is indeed true, as Tennyson has said—

Kind hearts are more than coronets,
And simple faith than Norman blood.

The House of Representatives, constituted as it is of men elected from every part of all the States of the Union, is more typical and representative of the whole people of the United States than any other body of our citizens can possibly be. The prejudices, faults, and frailties as well as the virtues and ideals of our people are found in the membership of this body. Unless thrown into daily contact and association by membership on the same committee, or by living at the same hotel, members of so large a body as this are unable to weigh fully or to judge fairly all the elements which make up the character of a colleague, and are therefore likely to judge harshly the faults and weaknesses of a fellow Member and to underestimate or entirely ignore many of his virtues and attainments which should be considered in forming a just estimate of his worth as a Member. Long service ultimately discloses a Member to the men who serve with him in his true character; but many men elected to this House serve not to exceed two or three terms, and their capacities are not fully disclosed or developed. Is not this an appropriate time and occasion for every Member to ask himself whether or not he has been hasty and premature in pronouncing judgment upon the character and capacity of a colleague whom he may not have fully known or understood? A rule of this House wisely prohibits a Member from arraigning the motives of one with whom he disagrees upon a question under discussion. Does not this rule suggest the proper attitude of mind and heart which each should maintain toward every other Member of the House? And ought not this to control the daily speech and conversation of Members, public and private, both on and off the floor?

The highest duty that Members of this House owe to their country, next to the obligation imposed by their oath of office, is to protect the character and dignity of this, the greatest legislative body on earth. We should perform this duty by a course of conduct both on and off the floor which will reflect no discredit upon it by reason of our membership in it, and by always remembering that the rights and privileges of Members are equal under the Constitution and the laws; by a strict observance of the rules and the equal rights of all Members; by the widest liberty of opinions and the utmost freedom to express them, and a courteous and charitable regard for the rights of those who may disagree with us.

In essentials—Unity.
In nonessentials—Liberty.
In all things—Charity.

As we pay this last tribute of respect to the memory of our departed colleague, let us renew our faith in and allegiance to our country, its Constitution, and the principles they were founded to perpetuate and defend. We are assailed by a foreign foe; but justice, liberty, and truth are mighty and must prevail, or government of the people for the people and by the people will perish from the face of the earth.

As public officials and as men, let us throw off all false pride and resolve anew to perform our full duty during the brief period of our sojourn here on earth, reminded, as we are, by this solemn occasion, of the brief and transitory character of human existence.

Oh why should the spirit of mortal be proud?
Like a fast-flitting meteor, a fast-flying cloud,
A flash of the lightning, a break of the wave,
He passes from life to his rest in the grave;
For we are the same our fathers have been;
We see the same sights our fathers have seen;
We drink the same stream, we view the same sun,
And run the same course our fathers have run.

Mr. ASHBROOK. Mr. Speaker, I first became acquainted with ELLSWORTH R. BATHRICK during the campaign of 1910, when he was first elected to Congress. I was pleased with his personality then, and as the years passed on, as I learned to know him well, our friendship became strongly welded. I became his good friend and he became my good friend. I met him at Columbus, Ohio, at a meeting of the Democratic congressional candidates of the several districts in the State. I believe every one of the twenty-two candidates were present. No doubt all had at least a vain hope that they might be elected at the following November election; but I am sure that no one present, except our friend "BATH," as we affectionately called him, believed that he had a ghost of a chance to win in the nineteenth district. No one would have been foolish enough to hazard a thing of value, even at great odds, on his success. But he was elected, and, if I mistake not, overcame a Republican

majority of something like 13,000 and had the honor to be the first Democrat ever elected from that district. I believe he was one of the most successful campaigners in Ohio. I did not then understand how he could possibly be elected from such a strong Republican district; but when I became better acquainted with him, I understood why it was he overcame such great odds. The people knew him; they believed in his honesty of purpose and trusted him, and he never violated their trust. In these days politics cuts but little figure with the people. Their faith and trust in a man is far greater than their loyalty and adherence to party or platform.

He gave such satisfactory accounting of his stewardship here in the Sixty-second Congress that he was returned to the Sixty-third Congress. In the meantime, however, the State had been gerrymandered and he was thrown in a new district, which resulted in his defeat for the Sixty-fourth Congress; but his reputation as a legislator became better known in his new district when he was nominated for the fourth time, and he was elected to the Sixty-fifth Congress by a good safe majority. He came to Washington last spring, when the extra session was called, from a hospital in the Southland, and remained here faithfully during the nearly six months of that strenuous session, devotedly doing his duty and loyally upholding the President during the great world-wide war crisis forced upon us. He was not a well man. He knew it. One less brave and courageous would have sought environments more conducive to the restoration of his health. Doubtless, had he done so, he would have been alive to-day. During the months of that historic session I often urged him to go away and leave this terrible grind and try to recuperate his health. He refused all such friendly advice and remained at his post of duty. I would not say that he did not sacrifice his life on the altar of his country just as surely as the brave soldier who falls in the trenches. He did more than his bit, bravely and well, and his name will long be remembered and honored by a grateful people and a grateful country.

When the last session of Congress ended, on October 7, our good friend was hopeful that he would be ready for his duties at the regular session in December. I bade him good-by, not believing that it was for the last time; but

'Tis the wink of an eye, 'tis the draught of a breath,
From the blossom of health to the paleness of death.

The disease which had firm hold on him soon thereafter again brought him low, and, while everything possible was done by loved ones, skilled surgeons, and practitioners, he gave up the unequal fight with our common enemy at his home in Akron, Ohio, on December 22, 1917. While still in the prime of life, his useful and honored career was brought to an untimely end. Had he lived until the 6th of the following month he would have been but 55 years of age. I attended the service held at his home on December 27 last, in charge of his pastor, who was his next door neighbor and friend. Without paint or color he truthfully and beautifully gave honest expression of an intimate and personal acquaintance of many years. I would that I might merit as high tribute when that last sad hour comes to me, and to you, my colleagues, as was the eulogy pronounced for our friend. His remains were laid to rest in the beautiful cemetery of his home city.

Congressman BATHRICK was born in Oakland County, Mich., where he spent his young manhood. He had a varied and interesting career, often related to me; but I will speak only briefly of his service here. I might say, however, that it was his early ambition to be elected to Congress. That was his life's goal. I have heard many Members also declare that early in life they set stakes for a seat in Congress. High ambition, without doubt, is most helpful and valuable to all, as it was to him. Ambition spurs us to make the best of our talents and opportunities. He reached his goal and worthily adorned this, the greatest law-making body in the world. He fought valiently for the best interests of his district; but he was more than a Representative of the nineteenth Ohio district. He concerned himself for the general good of all the people.

I do not believe there are a half dozen Members of Congress to-day who are better informed on the subject of rural credits than was our late colleague. He studied the question deeply and devotedly. He believed in it. He talked it intelligently and insistently, and much of the credit for this law can be laid at his door, although the legislation was enacted during the Sixty-fourth Congress.

He was early an ardent advocate of a big Navy. Before war was declared by Germany on our allies his friends dubbed him "Battleship BATH" because of his intense concern in this now vital question. He had both brains and vision. He was a writer and author of no mean ability. His book, Please Don't Worry, is a gem worthy to adorn any library. Last summer he ran across some old manuscript written 25 years ago which was eagerly accepted by a prominent publication at so much per line. He had a fertile brain, a fluent tongue, a ready pen; but, best of all, a warm and sympathetic heart, a generous disposition. Void of deceit and hypocrisy he was steadfast and true to his friends. He was conscientious in his every act, open always to conviction, but when once firmly convinced that he was right was a most determined contender. He possessed so much to be commended and so little to fault, and his virtues so bedimmed his frailties, that I will ever hold in fond recollection the memory of my good friend, ELLSWORTH R. BATHRICK.

Mr. BARNHART. Mr. Speaker, "God moves in a mysterious way His wonders to perform," is a truism that more fully impresses us each succeeding year of our lives. I once passed through the ordeal of standing at the bedside of one very dear to me and day after day watching the peaceful ebb of a life of usefulness and happiness at a time when it seemed that the very fullness of life's possibilities ought to be shedding their radiance where the shades of death were surely falling. I looked about me and saw the hopeless and the friendless anxious to be called from their distress and despair. I saw the dissipated and the loafer—men and women living with no purpose except their own selfish pleasures or the gratification of base desires—and I saw the careless and the pampered reveling in daily nothingness. Then I compared the helpful and happy life going out with those which were to live on in helplessness and carelessness and uselessness, and I said, surely "God moves in a mysterious way His wonders to perform." And the wonder of taking the happy and the helpful and leaving the miserable and the slothful abides with me on and on, mysterious and incomprehensible.

So when I see a man like Congressman BATHRICK, in the very prime of life, and who has risen to a place of helpfulness for his fellow man, called by death, I look at fate and stand in mute bewilderment.

I knew Mr. BATHRICK well, but not intimately. I knew him as an industrious, conscientious man, who, when he made up his mind what he thought was right, fought for it with an open intrepidity always commanding, although not always persuasive. Was he industrious? Yes. Was he honest? Yes. Was he dependable? Yes. Was he moral? Yes. Was he true to his convictions? Yes. Was he fearless? Yes. Was he solicitous for the welfare of others? Yes.

What higher personal tribute, then, could we pay him? He was not a politician in the sense that he would sacrifice conviction for policy; and he was not a trimmer, setting his sails for every popular wind that blew. He had honest convictions and often expressed them in manner not conducive to disarming his opponents, but always with an earnestness that left no doubt of his sincerity and his devotion to his conclusions.

Such a man is always a benefactor to a community or to any assembly of people's delegates. He is never awed by place or power, and usually he is heedless of fame or oblivion. He goes ahead, out in the open, in sight of his people and his God, and does his best with the instruments of justice and logic with which his Maker has endowed him. And his pæans of praise will always be eloquent with plaudits of a free people who honor a man who has convictions and is not afraid to express them.

Mr. BATHRICK was primarily a business man, and he came to Congress as a Representative of a large business constituency in his home city of Akron. He talked much of the business and labor interests that he represented in the National Congress, and yet he was more than a business man—he was an humble philanthropist. He always had a ready offering for the "down and out" and the deserving in want. I have many times seen the Salvation Army lassies canvass crowds with their inverted tambourines, and they never appealed to BATHRICK in vain; and the professional beggar found him an easy mark. Moreover, he took much interest in the idealistic and the impressive in oratory and literature. I once told him of a wonderful word picture I heard a great man paint of the duty of human life and the end of it; and he asked me to please put it in manuscript form; and I did so, as I could best recall; and he often referred to it as a most impressive admonition for us to observe. It was a discourse on the importance of men and women honestly earning and saving money to be used in the world's work—in charity, benevolence, education, and assistance and relief of humanity generally. And after the speaker had gone into the realm of financial endeavor and pointed out the right and wrong of money making and money spending he said he always felt that the men and women who struggled hard to get dollars so as to hoard them for heirs to quarrel over after they had passed on, would better never have been born. For when money has been made and we have

accomplished most of our desires, "Watchman, what of the night?" After we have accumulated wealth, after we have surrounded ourselves with home and family and friends, after we have achieved distinction in professional or scholastic endeavor, and after we have stood in the leadership of men in social and political power; after all of these and probably many more accomplishments, there will come a day when we will weary of it all, and when that day comes we will lie upon a couch that has always furnished us refreshing rest, we will toss feverishly and fretfully about, we will be surrounded by the family and friends that have been our mainstay of strength always, and we will be attended by the most eminent medical skill our abundance of money can employ. But in the midst of these earthly agencies of help we will suddenly turn our backs upon it all and beseechingly implore:

Other refuge have I none;
Hangs my helpless soul on thee.
Leave, oh, leave me not alone,
Still support and comfort me.

Mr. BATHRICK often spoke of this reality, that must come to all of us, as one of beautiful conception for those who live right and one that should be impressed on everybody; and a man with such reverence and thoughtfulness for his final responsibility could scarcely be anything else in his heart than a noble type of upright citizen and American manhood.

And so, hail and farewell to another life we knew and which made its impress for better things in the world. In the hurly-burly of our busy lives frequently we do not see the high qualities in the lives of our friends many times until it is too late to show them loving appreciation and to give them the bouquets of gratitude which humanity owes to them.

Lord God of hosts be with us yet,
Lest we forget, lest we forget.

Mr. SWITZER. Mr. Speaker, the announcement of the death of our lamented colleague, the late Representative of the fourteenth congressional district of Ohio, came to me as a great surprise and left in its wake the deepest sorrow.

I had not been apprised of his long and serious illness, of which I later learned, and I therefore was wholly unprepared for the most unwelcome message. But this merely illustrates the *usual human* frailties and our general unwillingness to believe that the final summons ever hovers near.

It was my good fortune to have had more than a casual acquaintance with our deceased colleague, as we lived for quite a while at the same hotel during a part of the long session of the Sixty-third Congress. I well remember that during some of the monotonous periods of that session, when the House was marking time waiting on the Senate, we frequently enjoyed summer evening strolls upon the beautiful avenues and streets of the Capital City. On these occasions we freely spoke our minds upon the various public questions of the day and the current events. It was then that I became impressed with his comprehensive vision and analytical mind, as well as with his winning colloquial powers, and it was then that I learned to admire his independent thought and frank expression upon the topics of the day.

No party man was less hampered by party ties or partisan motives when approaching the discussion of a public question than Hon. ELLSWORTH R. BATHRICK; and when debate had ended and the time arrived for casting the final vote on a pending measure, no Representative of this or any other Congress was freer from party restraint or ever recorded a more sincere conviction.

He never allowed political expediency to interfere with or in any wise warp his judgment in the discharge of public duty; and wherever duty demanded his presence, whether in the halls of legislation or on the public rostrum in a political campaign or in some great civic movement, he never hesitated to courageously come to the fore and express his conscientious convictions, regardless of popular opinion.

A close observer and a diligent searcher for the truth, a student of social conditions, as well as exclusively political propositions, and quick to notice the evils flowing from many existing industrial, economic, and imperfect governmental conditions, his philosophical mind was ever at work devising some legislative scheme for their amelioration, a possible remedy for the passing wrong.

He was an indefatigable worker, and his well considered conclusions on matters public and private were highly prized and much sought after by his friends, both in and out of Congress. His work bespoke a promising legislative career.

But in the prime of manhood and in the middle of his chosen work his earthly career was suddenly ended by the grim reaper, whose deathly scythe is so swiftly and surely garnering the present generation, as well as it has the past, to the home of the fathers. His presence among us will be no more; his ever-generous welcome and hearty handshake will undoubtedly be missed; but our minds will often recur to his manly form and stately bearing, his clean and honorable life; and our memories will be frequently blessed with the recollection of his delightful company and inspiring association.

With these feeble tributes to his memory, and having an abiding hope that all may be well with those whom he sincerely cherished, especial the one nearest and dearest to his heart—his wife—we trust that his spirit may dwell in that land where pain and sorrow are unknown and joy and friendships never cease.

Mr. SNOOK. Mr. Speaker, it has been made plain by what my colleagues have said that in the death of ELLSWORTH R. BATHRICK the cause for which we as a people are fighting has lost one of its most active friends and supporters. It was not my pleasure to have the intimate acquaintanceship with him that has come to some of our colleagues, for I did not have the privilege of serving with him in the Sixty-second and Sixty-third Congresses. The first time I ever remember meeting him was in Ohio while he was a candidate for Congress in the campaign of 1910. The very first conversation I had with him impressed me that he was a man of courage and conviction. I came to know him better later, and after serving with him in the extra session of the Sixty-fifth Congress I believe I might be able to say that I came to know him as a friend.

The custom so long observed by the House, when one of its Members is taken away, to lay aside all work and pay respect to his character and achievement is to my mind one of the most fitting that it has ever instituted.

The association among Members, even from the same State, is not so close as I believe it should be to bring about that friendship which should obtain; a closer association would often lead to a knowledge of the aims and purposes of each other and result in much good to all of us. And yet, even with that want of close association which prevails in this body, one could not help being impressed with the personality of ELLSWORTH R. BATHRICK.

His habits of industry and the vigor and courage with which he expressed his views made one understand that he possessed a strong vitality; and therefore the news of his illness and death came as a shock and surprise to all of us. I shall always remember him from the picture impressed upon my mind by seeing him in action, pressing home with all the vigor he possessesd the weight and force of some truth as it presented itself to his mind.

He was logical and forceful, and always stated his opinions with courage. He was kind and courteous to his friends and associates, but when engaged in a controversy over any question before the House he defended his views without fear and with a courage that commanded the respect of his associates.

A glance at his history as detailed in the Congressional Directory shows the successive steps by which he gained a seat in this body. First, farmer boy, then pupil in a country school, high school, and business college, with a post-graduate course in the school of experience as a business man.

I am sure you will agree with me if we could round out this brief statement of his achievement by the details from his own lips of what it cost in labor and sacrifice the story would be an inspiration to the young men of his district and the country.

In traveling the road which leads from the farm to the House of Representatives he learned in the school of experience that the obstacles necessary to be overcome could be removed only by making such sacrifices as were necessary to build a character that would stand every test. That he was successful in building such a character is proven by the fact that though he was a Democrat he was three times elected to Congress in a district where a great majority of the voters adhered to the policies advocated by the opposing party.

I have no doubt that it was the courage and the sincerity of the man that enabled him to gain and hold the confidence of his people. He was the type of man that the President had in mind when in one of his speeches he gave expression to this thought:

We shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own government.

He was intensely loyal to his Government, for there was no man in the House who took a firmer stand in support of the conduct of the war. He had no patience with its critics, and always stood ready to make any sacrifice that might be necessary to bring the war to a speedy and successful conclusion. The death of a friend like this, just as he had reached the hour of his greatest opportunity for service, while life was full of promise for future achievement, brings one face to face with the greatest of

all mysteries and fills one with a longing for an answer to its challenge.

Shall we stop here and in anguish at our loss acknowledge that there is no solution and no hope for an answer? I love to believe that there is reason in the thought that comes to every one of us at this time; that surely all this toil and sacrifice have not been in vain; that somehow there will be found in God's infinite plan a way to give full expression to that which, on account of the brevity of life, he was able only partially or feebly to express.

Faith makes us bold to speak of this thought, but understanding is too feeble to aptly express it in language. Many have sought to illustrate it by turning to the laws of nature, and this method is now suggested to my mind.

This has been a bitter winter, though it has seemed to lay the icy finger of death on shrub and flower; yet even now we begin to feel the call of spring; "we know the manner in which she has stored up sunshine, leaves, and blossoms;" we know that the bulb and twig which now seem dead will answer to the call of life and deck themselves with leaves of rich green and flowers painted from God's own urn of infinite colors.

So the same faith leads us to believe that the life which failed to reach its full fruition here will blossom and bear full fruitage in a life to come. Nothing can fill the loss that comes to those whom he left to bear life's battles alone; yet to the afflicted there is solace and comfort in the thought I have tried to convey, which is so beautifully and clearly expressed by Whittier, the poet of faith:

But still I wait with ear and eye
For something gone which should be nigh;
A loss in all familiar things,
In flower that blooms, and bird that sings;
And yet, dear heart, remembering thee,
Am I not richer than of old?
Safe in thy immortality,
What change can reach the wealth I hold?
What chance can mar the pearl and gold
Thy love hath left in trust with me?
And while in life's late afternoon,
Where cool and long the shadows grow,
I walk to meet the night that soon
Shall shape and shadow overflow,
I can not feel that thou art far,
Since near at need the angels are;
And when the sunset gates unbar,
Shall I not see thee waiting stand,
And, white against the evening star
The welcome of thy beckoning hand?

Mr. GARD took the chair as Speaker pro tempore.

Mr. OVERMYER. Mr. Speaker, the loss of our friend and colleague, Congressman BATHRICK, is the first death in the Ohio delegation in Congress since I have become a Member of the House. To me it seemed like the breaking of a circle, the loss of a member of our official family, the parting with a brother. I can still scarcely bring myself to realize that he is dead.

But I know the sad truth. I know it is so. Sorrowfully we filed past his coffin and looked for the last time on the features of our comrade and friend. Soon thereafter the words "earth to earth, dust to dust," were spoken over his grave and all that was mortal of ELLSWORTH R. BATHRICK was hidden from our view forever, and "the places that knew him shall know him no more."

We have assembled here to-day to pay our respects to his memory—a solemn and sacred duty, a duty that to be performed in keeping with the sentiments to which it gives rise must be done with bowed heads and hearts filled with humility. Our colleague has met that sublime and universal moralist—Death; that great teacher who speaks in a voice which none can mistake, who comes into our midst with a power which none can resist, and, despite our protests and our tears, our pleadings and our prayers, removes those whose words have been a cheer and whose presence has brought exultation. This stern messenger, this mysterious agent of Omnipotence, has come among our numbers and laid his withering hand upon one whom we had learned to honor and respect. Our colleague has gone the way of all the earth, with his good deeds left to cheer us onward and upward, his errors and shortcomings buried within the silent chamber to which his body was consigned.

But there is consolation in the thought that the influence of our friend still abides with us, even though he is no longer here; and to-day, as we contemplate upon the removal from our midst of our colleague and friend, we mourn his departure but glory in the presence of his benign influence. The influence of the dead upon the living is a powerful one. The relations between man and man cease not with life. The dead leave behind them their memory, their example, and the effect of their actions. Their influence still abides with us, their names and character dwell in our thoughts and in our hearts. Those whom we have loved in life are still objects of our deepest affections. Their power over us remains. They are with us in our solitary walks and their voices speak to us in the silence of midnight. The world is filled with the voices of the dead. They speak to us in a thousand remembrances, incidents, events, and associations; and the world is filled also with their labors. Almost all the literature in the world, the discoveries of science, the glories of art, the ever-enduring temples, the comforts and improvements of life—in fact, the very framework of society, the institutions of nations, the fabrics of empire—all are the works of the dead. By these they who are dead yet speak.

If this were not true the death of a person would be absolutely the end of that individual, just as the destruction of any earthly thing removes it from our thoughts. But the human body is more than clay. There is within that body a soul, something separate and apart from the body itself, which we love and cherish even after death. Not so with the destruction of earthly things. When the ingenuity of man raises before our eyes a twenty-story structure, we stand in awe and admiration and behold the beauties of that building with something akin to reverence; but when the flames and earthquake in their wrath reduce that stately structure to ashes and ruins we do not place upon that pile of brick and mortar a wreath of mourning. We console the owner in his loss but shed no tears of grief. But when we stand above the last resting place of one who in life was dear to us, we feel how keen was our loss in his death; and, as we place upon that grave sweet tokens of love and memory, we whisper to the soul that we feel is present "I love thee still!"

The sorrow for the dead is the only sorrow from which we refuse to be divorced. The love that survives the tomb is one of the noblest attributes of the human soul. Where is the mother who would willingly forget the tender infant that perished like a blossom from her arms, though every recollection is a pang? Where is the child that would willingly forget a tender parent, though to remember is but to lament? When grief and anguish are calmed into gentle tears of recollection, it may sometimes throw a cloud over the hour of gayety or throw a deeper shadow over the hour of gloom; but there is a voice from the tomb sweeter than song, a remembrance of the dead to which we turn, even from the charms of the living.

What a splendid time for meditation, then, it is when we call up in long review the history of the virtues and gentleness, the thousand endearments lavished upon us by departed friends, almost unheeded in the daily intercourse of intimacy. This is a good time for us to settle the accounts with our consciences for every past benefit unrequited and every past endearment disregarded. If you as a child have added a sorrow to the soul or a furrow to the silvered brow of an affectionate parent; if you as a husband have ever caused the fond bosom that ventured its happiness in thy arms to doubt one moment of thy kindness; or if you as a friend have ever wronged in thought or word or deed or have given one unmerited pang to any true heart that now lies cold, resolve henceforth to be more faithful to the living.

The desire to live is the strongest desire implanted in the human heart. In youth and middle life no struggle is too great for us to make in our effort to retain life. But as age advances this desire grows less and less insistent. God has a way of weaning us away from the desire to live. Our mental powers fail, the eyes grow dim, the limbs feeble, and our capacity for enjoyment of life grows limited, and then, indeed,

Death is beautiful as feet of friend,
Coming with welcome at our journey's end.

Our colleague had not reached that period in life when his usefulness was over. On the contrary, he was just at the zenith of his ability and power to do good. Why he was taken at this time we do not know; we only know he was taken. When our own summons shall come we do not know; that it will come we do know. Our plain duty then is to have our houses in order, to do all the good we can in every moment that is given us.

Concerning our colleague's religious views I know nothing. A man's professions are not always the fairest judgment of his character or faith. Basing my judgment of him upon a brief personal acquaintance and upon sentiments expressed by him in a published volume, I believe he most fairly represented the true spirit and teaching of the great Master, that spirit of charity for all mankind "which suffereth long and is kind, which thinketh not of itself but of the welfare and happiness of others."

In a small volume entitled "The Don't Worry Book," published by Mr. BATHRICK a few years ago, we find, among others, the following gems:

In the remote past we began to live. The first birthday was far back, at some crossroad of time. The wonder-working matter of the ages, the teachings of savants, the clash and death grapple of armies, the upheavals of nature, the admixture of races, the inventions of man, and dispensations of God have shaped our course.

Is it not the better plan to follow it calmly, making the most of what we are, and without futile rebellion?

Even beyond death, Hope holds out its promise. So do we follow on through the inexplicable labyrinth of life. Footsore and weary though we be, we must travel bravely on.

We know that sometime we shall enter into the deeper puzzle of the Realm of Silence, and when that hour arrives the messenger of the Shadowy King, clothed in the glorious garb of Hope, will take us by the hand and lead the way. But while we remain to tread the tortuous paths and the life-soul hungers for human things, it shall not be always in vain.

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Above all, learn to forget. Forget the wrong, but be wary of he who inflicted it. Do not hate. It will give you more worry than the object of it. Forget all that is useless. It is the discarding of the dross of life, the casting aside of used timber to make way for the new.

Our lives should not be overcast by gloom of the past or future. Neither possesses the substance of the present. Both are mere reflections. The past should reflect the light of pleasant memories upon the present, and contemplation of the future should shed its rays of hope upon our to-day.

There is no shadow without light. Turn yourself around.

—

Disposing of yesterday as material only for pleasant meditation, center your mind upon to-day as the sole period of your activities. Resolve that you will absorb only the good and will discard the bad.

Having been loyal to resolution, lie down at night and sleep, gathering from the peace of slumber new vigor for brain and body. Sleep is the anodyne of tribulation. In the darkness of your chamber do not call upon the mind to see that which the eye can not.

—

Fortified in your endeavor by this valiant aid, don the armor of High Resolve and fare forth to the battlefields of life ready to receive or give blows in the conflict. It is childish to wish for triumph and fear defeat. It is cowardly to take winnings and whimper at losses.

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Put the bricks on the wall to-day where, according to your best judgment, they should be. If the future brands your labor as error, still forget, still endeavor. Put aside puerile self-condolence for real or imaginary misfortunes. It is sufficiently weakening to have friends sympathize with us, but much more so when we sympathize with ourselves.

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When you pity yourself, look about you and see the brave smiles upon the faces of those who have met with a fate worse than yours. There are millions of other human souls whose unsatisfied desires are as your own.

Bear in mind, Fate may be friend as well as foe. The condition which you worry about may be a kindly circumstance in the plot to be yet unraveled. There are other pages in the book of life which you have not read.

—

We must pay. Eternal Justice will keep a fair account, and we shall also be paid. For every pain we shall receive a joy, and they will be fairly measured.

Our accounts must balance in the great summary of deeds of kindness, of pleasant words, of selfishness, of intolerance.

—

Memory should be a golden cord, glimmering back to the vanished hours, connecting our hearts with the smiles of loved ones, with the exaltations of success, and the joy of conquered obstacles.

Forget the losses, the dark and rugged road, the storms, disappointments, and failures. Drive them from your mind into oblivion. Say unto them, as you would say to Satan: "Get thee behind me!"

Surely, my friends, the sentiments which I have just read, and of which Congressman BATHRICK was the author, are sentiments to which all of us can subscribe. To him a creed or a ritual would mean but little. But a broad faith in fundamentals, a belief in God and his fellowmen, practicing charity, dispensing cheer, building up hope, he presents a character based upon a firm and safe foundation; and I can testify that in his life he exemplified the sentiments he proclaimed. I shall remember ELLSWORTH R. BATHRICK as a courageous, able, sincere, manly man, a conscientious and honest public servant, a loyal and patriotic citizen, and a true friend. His death is his own victory; the loss is ours.

What is Death? 'Tis to be free!
No more to love, or hope, or fear—
To join the great equality.
All alike are humble there!
The mighty grave
Wraps lord and slave;
Nor pride nor poverty dares come
Within that refuge-house, the Tomb!

Mr. SHERWOOD. Mr. Speaker, ELLSWORTH R. BATHRICK belonged to that class known as self-made men. His educational qualifications were in the common schools, the high school, and the commercial school. Like all self-educated men, he was thoroughly practical and thoroughly imbued with that knowledge that counts best in the business and commercial world. During his three terms in Congress, Mr. BATHRICK made a record as a capable and successful Member and accomplished results in valuable and vital legislation not excelled by any Member of equal service since the Civil War.

It is conceded that a college education is a help to a public man, but not a necessary help to the highest achievements, either in law, legislation, or the broad domain of civics. To illustrate, George Washington, the foremost general and statesman in the epoch of the War of the Revolution, was very moderately educated. Gen. Grant, who, in his time, was the foremost man of all the world, was only moderately educated, except as a cadet of West Point Military Academy. Gen. Jackson, born in poverty and poorly educated, was twice President and the foremost man of two generations. Henry Clay, born poor, self-educated, was the foremost orator of his time and the idol of his party. Abraham Lincoln, born in a log cabin, who learned to read books at night by the light of a pine-knot fire, who in youth never saw the inside of a university, was the foremost statesman and the popular idol of his country.

This is a fitting time, on this sacred memorial day, to make the occasion an object lesson of value to the living.

Mr. BATHRICK's career as a young man, struggling against what seemed an adverse fate, should prove a valuable and a hopeful incentive to every poor young man with an ambition for an honorable career.

The brightest gleam of hope for the poor young man of to-day is the knowledge that the greatest men who have ever served or honored the high places of power in this Republic were born poor, with limited opportunities for a liberal education.

Few of Mr. BATHRICK's colleagues knew of his literary genius. That was because of his innate modesty. Let me tell the story, as it is fitting here.

About 25 years ago, when Mr. BATHRICK was a reporter on a Cleveland newspaper, he wrote the text of a very beautiful children's story, but was dissatisfied with it, and in his youthful modesty threw it into a trunk with a number of other papers; and there it lay for all these years until a couple of years ago, when he found it in looking over the accumulations in the trunk. He showed it to a friend jokingly, remarking about his literary ambition as a youth. His friend, however, was interested, and reading the manuscript was at once impressed with the beauty and literary merit of the story, and urged that he submit it to a publisher. Mr. BATHRICK was inclined to laugh away the idea, but the friend persisted, and, to oblige him, Mr. BATHRICK sent it to a New York publishing house. Shortly thereafter he received a letter highly commending the manuscript and suggesting a revision and expansion with the view to publishing it as a book. Mr. BATHRICK's health at that time was poor—this was during his first term in Congress—and he improved the opportunity afforded by a winter in Florida, where he was seeking to recover his health, in rewriting and supplementing the story. It was then sent to the publishing company, accepted, and only recently was published in book form. Mr. BATHRICK derived more real pleasure from this achievement, he confided to his friends, than from any success he had achieved in business or in politics. The story was a delightfully imaginative one, such as might honor the pen of Hans Christian Andersen or any other creator of those delightful children's stories.

For the above I am indebted to Mr. Carl D. Ruth, an accomplished Washington journalist and correspondent.

To write a successful children's story requires deep sympathy and kindly humane instincts. Our departed friend had these commendable qualities, added to an alert mind, a courageous determination to do his duty to his constituents, coupled with high practical ideals—all learned in the rugged school of experience.

On this sacred Sabbath day, in this historic Chamber, let us consecrate ourselves to that fervent patriotism, that high purpose to serve the people we are honored to represent with the fidelity and courage which characterized our departed friend—a colleague whose friendship added to our joys of living and whose example and character give us hope to achieve the best ideals in popular government.

ADJOURNMENT.

The SPEAKER pro tempore. In accordance with the resolution heretofore adopted the House will stand adjourned.

Accordingly (at 1 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, Monday, February 11, 1918, at 12 o'clock noon.

SENATE.

MONDAY, *February 11, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the Father of our spirits, the Author of every good and perfect gift, with Thee we have to do, for Thou art the Judge of men, and our lives and destinies are in Thy hands. We recognize Thee; we acknowledge Thee to be the Lord. We pray that according to the precious promise of Thy word Thou wilt direct our steps. For Christ's sake. Amen.

The Vice President being absent, the President pro tempore [Mr. SAULSBURY] assumed the chair.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. VARDAMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the joint resolution (S. J. Res. 128) granting to certain persons in the active war service an extension of time within which application for insurance may be made under section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917.

The message also announced that the House agrees to the amendments of the Senate to House concurrent resolution 33, providing for the printing of extra copies of the Income-Tax Primer for the use of the Senate and House of Representatives.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9314. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919;

H. R. 9506. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors;

H. R. 9612. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 9641. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors.

The message also announced that the House had passed a concurrent resolution providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 11th day of February, 1918, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them, in which it requested the concurrence of the Senate.

ENROLLED RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the enrolled joint resolution (S. J. Res. 128) granting to certain persons in the active war service an extension of time within which application for insurance may be made under section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917, and it was thereupon signed by the President pro tempore.

JOINT MEETING OF THE TWO HOUSES.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution (No. 35) of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 11th day of February, 1918, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Mr. MARTIN. I move that the Senate agree to the concurrent resolution of the House of Representatives.

The concurrent resolution was agreed to.

PETITIONS AND MEMORIALS.

Mr. McCUMBER. I present a resolution from the North Dakota Branch of the Association of Collegiate Alumnæ, which I ask may be printed in the RECORD without reading. It is very short.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

GRAND FORKS, N. DAK., *February 2, 1918.*

Senator PORTER J. McCUMBER,
Senate Office Building, Washington, D. C.

DEAR SIR: At the regular monthly meeting of the North Dakota Branch of the Association of Collegiate Alumnæ, action was passed unanimously in favor of the Federal suffrage amendment, and the secretary was instructed to advise you of this action, which was as follows:

"Resolved, That the North Dakota Branch of the Association of Collegiate Alumnæ urge the Senate of the United States to pass the Federal suffrage amendment at this session of Congress in order to establish at home that democracy for which the men of this country have been called to fight abroad.

"Resolved, That the North Dakota Branch of the Association of Collegiate Alumnæ earnestly request that this resolution be presented to the Senate of the United States and that it be read into the CONGRESSIONAL RECORD."

The North Dakota branch urges you in particular, Mr. McCUMBER, to vote "yes" on the Federal suffrage amendment when it comes up for action in the Senate at this session of Congress, and also urges you to do all in your power to secure its passage in the Senate.

Will you please state what your attitude is in this matter and what you are willing to do for the passage of the Federal suffrage amendment at this session of Congress?

Very truly, yours,

MARY E. McCUMBER,
Secretary North Dakota Branch Association Collegiate Alumnæ.

Mr. JONES of Washington. I have a telegram from the Central Labor Council of Tacoma, Wash., representing 16,000 workers, protesting against the action of the Committee on Agriculture and Forestry upon the Borland amendment. I move that it be referred to that committee.

The motion was agreed to.

Mr. JONES of Washington. I also have a telegram from D. C. Imrie, president of Federal Employees' Union No. 9, of Tacoma, Wash., expressing disappointment at the action of the Committee on Agriculture and Forestry upon the Borland amendment, and also a telegram from Henry A. Monroe, president of the Federal Employees' Union, of Seattle, urging the nonadoption of the Borland amendment. I move that the telegrams be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. PHELAN presented a petition of the Labor Council of San Francisco, Cal., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. THOMPSON presented a memorial of the Kansas Editorial Association, of Alma, Kans., remonstrating against any change in the present law relative to second-class postage, which was referred to the Committee on Post Offices and Post Roads.

Mr. MYERS presented resolutions adopted by the Commercial Club of St. Ignatius, Mont., favoring an appropriation of $750,000 for work on the Flathead reclamation project, in that State, which were referred to the Committee on Indian Affairs.

Mr. TILLMAN. I present resolutions adopted by the Chamber of Commerce of Rock Hill, S. C., which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Resolved: First. That the Chamber of Commerce of Rock Hill, representing the crystallized public opinion of this section of South Carolina, tenders to the President of the United States and those charged with the administration of public affairs, its sympathy in this time of profound national stress, its confidence in their ability and integrity of purpose, and pledges anew its loyalty to the Government of the United States and the great principles for which this world war is being fought.

Second. That the Hon. B. R. TILLMAN, the distinguished Senator from South Carolina, is requested to convey this expression of our sentiments to the properly constituted authorities at Washington.

Mr. LEWIS. I present a memorial from the Hungarian Union, of Illinois, pledging their loyalty to the Government, which I ask may be referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. It will be so referred.

LINCOLN AND DEMOCRACY.

Mr. LEWIS. Mr. President, while I am on my feet may I, sir, give notice that I purpose in the morning, after the end of the routine business, to deliver a short address upon Lincoln and democracy in commemoration of the day, it being Lincoln's birthday?

RAILROAD CONTROL.

Mr. KELLOGG. Mr. President, I give notice that on Wednesday, after the close of the business of the morning hour, if opportunity permits, I shall address the Senate on the subject of the railroad bill, now pending before this body.

REPORTS OF COMMITTEES.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 3299) authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army (Rept. No. 268);

A bill (S. 3433) requiring the Government to furnish uniforms to officers of the Army, and for other purposes (Rept. No. 256);

A bill (S. 3527) to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States," approved March 3, 1885 (Rept. No. 257);

A bill (S. 3691) to provide for reimbursement of actual expenses or flat per diem for enlisted men of the Army traveling on duty under competent orders (Rept. No. 258);

A bill (S. 3693) to prescribe the personnel of the Army Nurse Corps, the qualifications for appointment and the method of

appointment therein, the pay, allowances, and leave of absence of members of said corps, and the conditions under which they may be retired (Rept. No. 259);

A bill (S. 3736) to provide for the payment of six months' pay to the widow, children, or other designated dependent relative of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct (Rept. No. 260);

A bill (S. 3779) to create in the Army the grades and establish the pay of first-class bugler and corporal bugler, to increase the pay of buglers, and for other purposes (Rept. No. 261); and

A bill (S. 3780) to authorize the appointment of officers of the Philippine Scouts as officers in the militia or other locally created armed forces of the Philippine Islands drafted into the service of the United States, and for other purposes (Rept. No. 262).

He also, from the same committee, to which was referred the joint resolution (S. J. Res. 123) providing for the calling into immediate military service of certain classes of persons registered and liable for militray service under the terms of the act of Congress approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," reported it with amendments and submitted a report (No. 263) thereon.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes, reported it without amendment and submitted a report (No. 264) thereon.

Mr. GORE, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, reported it with amendments and submitted a report (No. 267) thereon.

Mr. JOHNSON of South Dakota, from the Committee on Pensions, submitted a report (No. 265), accompanied by a bill (S. 3798) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 73. Abel H. Hall.
S. 139. Frankie Esselstyn.
S. 197. Samuel Breitigan.
S. 240. Edward Sweeney.
S. 331. Arthur Rose.
S. 477. Lucie Kellogg.
S. 588. William P. Robinson.
S. 675. William D. Harrington.
S. 687. Fannie H. Maffitt.
S. 765. Minnie H. Wolf.
S. 882. Charles E .Sanders.
S. 912. John M. Dikes.
S. 981. James W. McKay.
S. 996. Adam S. Bridgefarmer.
S. 1174. Charles H. Ferriss.
S. 1177. Van Ogle.
S. 1242. Reuben Waller.
S. 1443. Thomas M. Woods.
S. 1526. George M. Spencer.
S. 1569. Katharine E. Bocoskey.
S. 1989. Thomas S. Millikin.
S. 2040. William C. Campbell.
S. 2138. William J. La Rock.
S. 2172. Allen Russell.
S. 2193. Oscar M. Dreibelbiss.
S. 2237. Edmund G. Thompson.
S. 2288. Joseph W. Gay.
S. 2391. Emmett W. Fitzsimmons.
S. 2424. Charles E. Matthews.
S. 2472. Martha R. Sutton.
S. 2492. Hildur M. Phillips.
S. 2572. Joseph M. Love.
S. 2586. Leander Thomas.
S. 2592. Isaac F. Allen.
S. 2744. James M. Fitch.
S. 2763. John Ferris.
S. 2955. Esther Shields.
S. 2981. Elizabeth K. Cottman.
S. 2988. Francis J. Kearney.
S. 3097. Simeon Ely.
S. 3342. John A. D. Tharp.
S. 3343. Wesley H. Dick.
S. 3424. Julia Burger.
S. 3500. Leander Johnston.
S. 3591. Laura C. Slack.

Mr. JOHNSON of South Dakota, from the Committee on Pensions, submitted a report (No. 266), accompanied by a bill (S. 3799), granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 136. Melvina Coquillard.
S. 243. Henry Wenzel.
S. 245. Samuel S. Wilson.
S. 253. George Leadbeater.
S. 266. Samuel H. Brooks.
S. 273. George W. Bass.
S. 325. Charles E. Wilcox.
S. 333. Adam Eckert.
S. 335. Albert Boon.
S. 384. Albert S. Greene.
S. 394. John Burns.
S. 496. Robert Liddell.
S. 506. Amos Dickinson.
S. 508. Henry A. Dayton.
S. 513. Theodore C. Bates.
S. 583. John W. Marks.
S. 586. Alexander Reed.
S. 617. William L. Swiger.
S. 658. Thomas J. Denny.
S. 672. George W. Grigg.
S. 683. William L. V. Kite.
S. 688. Daniel B. Mills.
S. 690. William O'Callaghan.
S. 703. John Wones.
S. 767. Frederick S. Webber.
S. 880. Jerome McWethy.
S. 1012. Mary L. King.
S. 1179. James Campbell.
S. 1235. Edward Patrick.
S. 1237. William H. Wyckoff.
S. 1280. Hugh S. Ryan.
S. 1356. Harvey Johnson.
S. 1375. Myron Gillmore.
S. 1391. Marion A. Babcock.
S. 1404. Benjamin F. Brock.
S. 1439. Loreta Blevins.
S. 1467. Hannah McAdams.
S. 1470. Ferdinand Fetter.
S. 1488. John W. Hoyt.
S. 1491. John B. Donaldson.
S. 1500. John E. Clark.
S. 1508. William H. Patterson.
S. 1518. Clifford A. Lewis.
S. 1614. Georgianna Thomas.
S. 1615. Thomas J. Gafford.
S. 1664. Sarah J. Briles.
S. 1826. John A. Wise.
S. 1831. Rosa Flake.
S. 1833. John M. Holmes.
S. 1834. John E. Rogers.
S. 1837. William S. Reed.
S. 1851. Augustus A. Clawson.
S. 1858. Wesley B. Reed.
S. 1860. Homer E. Benton.
S. 1866. Milton Laird.
S. 1883. Nathan H. Ellis.
S. 1899. Walter E. Ellis.
S. 1950. George Engleman.
S. 1992. Thomas V. Malone.
S. 2025. George W. Flagg.
S. 2042. Albert H. Wood.
S. 2048. Thomas McCarty.
S. 2055. Henry J. Edge, alias Jason Edge.
S. 2062. Andrew West.
S. 2065. William A. Bodine.
S. 2067. George D. Abraham.
S. 2074. Uriah G. Williams.
S. 2077. John C. Emery.
S. 2078. William H. Tripp.
S. 2085. Alonzo Pendland.
S. 2087. Thomas M. Johnson.
S. 2092. James S. Gray.
S. 2096. Isaac Wharton.
S. 2102. Increase E. Watson.
S. 2127. Mark Whitney.
S. 2135. John W. Stokes.

S. 2143. Melville N. Freeman.
S. 2148. George C. Bonney.
S. 2150. Algen S. Leach.
S. 2153. William W. Findley.
S. 2187. John Curles.
S. 2198. George Wells.
S. 2199. Derrick Huck.
S. 2227. Seth Bailey.
S. 2231. Abbie L. Lockwood.
S. 2344. Irvin M. Hill.
S. 2248. John W. McMillen.
S. 2249. Bradford G. Ostrander.
S. 2284. William A. Reeves.
S. 2285. Fred Eneker.
S. 2286. William Booth.
S. 2292. George Campbell.
S. 2304. William W. Daniels.
S. 2306. William Behre.
S. 2307. Charles F. Runyan.
S. 2337. John H. Denny.
S. 2365. Benjamin F. Sage.
S. 2369. Watkin H. Jones.
S. 2385. James Cummins.
S. 2392. George G. Laughead.
S. 2419. Scott Thompson.
S. 2428. Samuel C. Howe.
S. 2446. David I. Hain.
S. 2450. Joseph T. Lewis.
S. 2466. Lafayette Fasnaugh.
S. 2498. John V. Reed.
S. 2502. James M. Shuey.
S. 2505. Harry M. Sherman.
S. 2508. Henry Thomas.
S. 2519. William J. Seals.
S. 2520. Alexander D. Smalley.
S. 2560. Emery O. Pendleton.
S. 2561. Esburn Nutt.
S. 2563. Freeman D. Myrick.
S. 2565. Moses F. Hurd.
S. 2569. William E. Hayden.
S. 2577. Samuel McClure.
S. 2578. Henry McClure.
S. 2585. Michael O. Sullivan.
S. 2613. Patrick Walton.
S. 2621. Francis Mathews.
S. 2630. Amariah K. Wheeler.
S. 2636. Thomas J. Hargrave.
S. 2647. George O. Pearl.
S. 2664. Ina L. Murdock.
S. 2680. Daniel W. Shawhan.
S. 2689. Henry T. Snyder.
S. 2707. George H. Fogg.
S. 2720. Henry Lee Anderson.
S. 2723. John Openchain.
S. 2740. Seward Newtson.
S. 2743. Isaiah P. Watts.
S. 2752. Edward Sams.
S. 2815. Thomas G. Davison.
S. 2828. Nancy Hackleman.
S. 2832. John L. Rushton.
S. 2842. Charles W. Wormell.
S. 2847. Sylvanus Smith.
S. 2855. George W. Hall.
S. 2904. George W. Gilbert.
S. 2909. McHenry Smith.
S. 2915. John Acton.
S. 2927. Adrian J. Hayward.
S. 2930. Emma A. Hoskins.
S. 2940. George W. Thompson.
S. 2942. Milton N. Campbell.
S. 2944. Isaac N. Stotts.
S. 2949. William H. Woodward.
S. 2952. Richard B. Daniels.
S. 2953. Thomas Day.
S. 2961. Jared Wheeler.
S. 2963. George B. Gilbert.
S. 2966. John H. Annas.
S. 2976. Delos Neer.
S. 2989. George Murray.
S. 2990. Daniel H. Pettengill.
S. 2991. Josiah C. Tandy.
S. 2992. Addison S. Martin.
S. 3005. James Churchill.
S. 3012. Thomas Percival.
S. 3013. Joseph Martin.
S. 3016. Angus C. Burns.
S. 3017. Cornelius McGoff.
S. 3020. Nathaniel Wilt.
S. 3023. Joseph Smith.
S. 3084. Theodore M. Burge.
S. 3092. Carrie M. Smart.
S. 3093. Hiram B. Newlon.
S. 3094. John F. Brainard.
S. 3095. Isaac D. Rowden.
S. 3099. Edwin E. Baker.
S. 3100. Enos S. Whitcomb.
S. 3102. Chester R. Smith.
S. 3118. Horatio P. Smith.
S. 3134. Franklin Venable.
S. 3135. William H. Capshaw.
S. 3136. James H. Fontaine.
S. 3137. Thomas Fulkerson.
S. 3156. Michael H. Skinner.
S. 3166. William J. Smith.
S. 3167. John H. Bird.
S. 3168. William White.
S. 3169. Joseph P. Case.
S. 3170. Washington Richardson.
S. 3177. James Stuart.
S. 3179. Edwin S. Metcalf.
S. 3199. Daniel Vanscoy.
S. 3238. Luther L. Rewalt.
S. 3250. Margaret Dicks.
S. 3318. Benjamin F. Morse.
S. 3349. James M. Widener, alias James W. Foster.
S. 3350. William H. Isenberg.
S. 3351. Thomas K. Hastings.
S. 3361. William W. Thurston.
S. 3398. William W. Gordon.
S. 3407. John Dewire.
S. 3421. James M. Millirons.
S. 3447. George L. Danforth.
S. 3463. Chester S. Pease.
S. 3499. John D. Swift.
S. 3501. Theodore Routh.
S. 3502. Elisha D. Turner.
S. 3503. Arnold Bauer.
S. 3507. Sylvester Oatman.
S. 3565. Imogen P. Ingersoll.
S. 3568. Wilford Herrick.
S. 3581. Henry Newell.
S. 3592. George Crawford.
S. 3593. Lulu M. Joseph.
S. 3655. Charles D. Hanscom.

RAILROAD CONTROL.

Mr. CUMMINS. I present my minority views (S. Rept. 246, pt. 2) upon Senate bill 3752, commonly known as the railroad bill, and ask that they be printed.

The PRESIDENT pro tempore. That order will be made.

BILLS INTRODUCED.

By Mr. CHAMBERLAIN:

A bill (S. 3800) to provide for restoration to their former grades of enlisted men discharged to accept commissions, and for other purposes;

A bill (S. 3801) to amend section 8 of "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917;

A bill (S. 3802) authorizing appropriations made for the national security and defense to be used for the purchase of real estate, or the use thereof, when such purpose is not specifically stated in said appropriations; and

A bill (S. 3803) authorizing the President during the existing emergency to sell war supplies, materials, and equipment heretofore or hereafter purchased, acquired, or manufactured by the United States; to the Committee on Military Affairs.

A bill (S. 3804) to provide for the regulation of stockyards, corrals, and other places where animals are collected or exhibited for public sale, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. SMITH of Georgia:

A bill (S. 3805) to establish engineering experiment stations in the States, Territories, and the District of Columbia in connection with State supported universities or engineering schools for the promotion of engineering and industrial research as a measure of industrial military, and naval preparedness in times of peace or war; to the Committee on Education and Labor.

By Mr. McCUMBER:

A bill (S. 3806) conferring jurisdiction on the Court of Claims to permit the Yankton and Cuthead Bands of Sioux Indians to intervene in the action of the Sisseton and Wahpeton Bands of Sioux Indians against the United States (Docket No. 33731) and to hear, determine, and render judgment in said action in claims of Yankton and Cuthead Bands of Sioux Indians against the United States; to the Committee on Indian Affairs.

By Mr. THOMAS:

A bill (S. 3807) to appoint Col. D. L. Howell a brigadier general on the retired list (with accompanying papers); to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 3808) to amend an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes"; to the Committee on Post Offices and Post Roads.

By Mr. GALLINGER:

A bill (S. 3809) granting an increase of pension to Elijah C. Lawrence (with accompanying papers); to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 3810) granting an increase of pension to Edward A. Hamner to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 3811) granting an increase of pension to Matthew W. Clark (with accompanying papers); and

A bill (S. 3812) granting an increase of pension to Edward A. Rowley (with accompanying papers); to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 3813) granting an increase of pension to Thomas B. Wiggin, jr.;

A bill (S. 3814) granting a pension to Clarence M. Smith (with accompanying papers);

A bill (S. 3815) granting a pension to Philomene Dawley (with accompanying papers);

A bill (S. 3816) granting an increase of pension to Andrew J. Martin (with accompanying papers);

A bill (S. 3817) granting an increase of pension to Charles J. Higgins (with accompanying papers);

A bill (S. 3818) granting an increase of pension to James J. Hamilton (with accompanying papers);

A bill (S. 3819) granting an increase of pension to Lydia Wixon (with accompanying papers); to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 3820) granting an increase of pension to Charles F. Marble; to the Committee on Pensions.

RAILROAD CONTROL.

Mr. CUMMINS submitted five amendments intended to be proposed by him to the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes, which were ordered to lie on the table and be printed.

ADDITIONAL MESSENGER.

Mr. NELSON submitted the following resolution (S. Res. 204), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant at Arms of the Senate be, and he hereby is, authorized and directed, on and after the 4th day of March, 1918, to place on the Senate rolls a messenger for the minority at the rate of $1,200 per annum, to be paid from the miscellaneous items of the contingent fund of the Senate until the 1st day of July, 1918.

LOCAL RESULTS OF PROHIBITION.

Mr. JONES of Washington. Mr. President, I have a short statement from the Washington Star with reference to local results of prohibition. It is not a discussion of any particular proposition, but a statement of the facts as shown by the record of the first three months of prohibition in the District of Columbia. I ask that it may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows.

LOCAL RESULTS OF PROHIBITION.

Local prohibition has now been in force for three months, and the effect has already been noticeable in a diminution of the cases brought before the police court, according to figures compiled at police headquarters. These statistics show a decrease in arrests not only for intoxication but for offenses which often grow out of the use of intoxicants. Comparing the first three months under prohibition with the corresponding period of a year previous, the results are striking. There were in that time 1,664 fewer arrests for drunkenness under the Sheppard law than before it went into effect, 2,406 having been made during the "wet" November, December, and January and only 742 during the dry period.

But the most significant effect of the new condition appears in the comparison regarding arrests for offenses other than intoxication. Cases of disorderly conduct fell from 829 to 337 in this period, a reduction of 552; cases of assault fell from 423 to 205, or 218 less; housebreaking cases were reduced by 85—from 156 to 71; cruelty to animals caused 148 arrests before the "dry" law went into effect and only 77 afterwards, a reduction of 71; cases of carrying weapons fell from 47 to 39, or 8 less. The total reduction of arrests under these five headings is impressive—from 1,603 in the three months a year ago to 719 under prohibition, or 884 less. Combining all cases—intoxication and offenses often attributable to it—the result is a convincing showing of betterment—4,009 arrests under the "wet" conditions and 1,461 under the "dry" law, or a reduction of 2,548.

Considering that each arrest means work for the police, work for the court, and usually work for the custodians of those sentenced to imprisonment, and that each arrest also means loss of employment, loss of wages, and suffering for families, the net gain to the District economically is tremendous. Life and property are undoubtedly safer under the present conditions than before. If traffic in intoxicants from Baltimore were cut off, this showing on all counts would without question be much better. As it is Washington is distinctly the gainer through the enforcement of the Sheppard law.

HOG ISLAND SHIPPING PLANT.

Mr. VARDAMAN. Mr. President, it is my judgment, and I think my views are shared by every thoughtful American in or out of Congress, that the matter of most important and vital concern to this Republic at this time is the building of ships. To furnish the necessary supplies to sustain our allies in this war and provide adequate shipping facilities to carry the men and munitions for America to do the part assigned to her in this unfortunate war it will become necessary to bridge the Atlantic Ocean as it were with a chain of ships. America has the material. She has the man power to accomplish this herculean task, if our men shall go to work with the spirit of determination which the exigencies of this desperate emergency demand.

Much has been said in criticism of the laborers who refuse to do extra work at this time. We are told that instead of pulling wide open the throttle and moving with that enthusiasm and celerity which ought to characterize the efforts of every American citizen in the performance of his duty to the Nation at this time that they are inclined to hold back. I have no words of condonation for such conduct. It is unfortunate and, if willfully done, highly reprehensible. But I am inclined to think that the conduct which manifests a feeling of indifference to results on the part of the laboring men is due very largely to the greed, the grafting, the mercenary, the criminal profiteering on the part of capital, the possessors of which have vied with each other in their lip service to the Government. While these patriots for pelf are standing in the limelight of publicity proclaiming their willingness to do and to die if need be for the flag, they are receiving enormous profits from agencies which they themselves have put into operation and which are concealed from public view. The editorial from the Washington Post, which appeared in this morning's edition of that paper is pertinent, and I ask that it be read and printed in the RECORD.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

HOG ISLAND.

Witnesses appearing before the Senate Commerce Committee in the Shipping Board inquiry have told amazing stories of reckless extravagance in the construction of the Government's ship-fabrication plant at Hog Island, together with instances of glaring inefficiency. They have told that the price of the land upon which the plant is located was advanced 100 per cent in price within a year; of 1,300 loaded freight cars standing in the yards waiting to be unloaded, while workmen were idle and the country was staggering under a freight congestion that demanded every car available; of salaries doubled; of favoritism in contracts; of the original cost estimates vastly exceeded with the work but 60 per cent completed.

Inefficiency and profligacy of expenditures have run a race at Hog Island, it is claimed, with the result a tie. It is charged that the Emergency Fleet Corporation adopted a policy of noninterference, as a result of which this orgy of waste went on uninterrupted.

If the testimony adduced accurately represents conditions at the Hog Island yard, the inquiry undertaken by the Senate Commerce Committee has been amply justified. The country is entitled to know the facts, however disagreeable they may be.

The vital, urgent need for ships is understood by every American. The allies have impressed upon us the fact that they are more needed for the winning of the war than anything else America can produce. Everybody knows this, and knowing it everybody in official life and out of it understands that if there is one department of the Government in which efficiency is demanded above all others it is among those having charge of the construction of the ships which are to save this Nation.

Is it possible that under these conditions and with such tremendous responsibilities resting upon the United States men have dallied with this important work, have used the Hog Island project for profiteering, have trafficked in the honor and safety of the Nation? If it be true that buccaneers of business have profited unfairly in this matter, they should not be permitted to retain a dollar they have wrung from the Public Treasury, and their names should be written at the top of the scroll of infamy. The Commerce Committee should probe to the very bottom of the case and ventilate all the facts.

Mr. McCUMBER. Mr. President, may I ask the Senator a question? The editorial, I understand, is based upon testimony taken before the Committee on Commerce, which testimony shows, and shows conclusively, I think, that for this same land for which the Government paid $2,000 an acre there was an

agreement that a purchaser could have it for $1,000 an acre. It also shows that cranes were purchased by the Government for about $20,000 which were sold only a very short time ago for about $7,000.

We passed an act through Congress some time ago granting power to the administration to condemn the land and take it for the Government. We granted authority to condemn and take those cranes and any such property for what it was reasonably worth.

Now, will the Senator explain to us who is responsible for paying for this land three or four times what it is worth, and paying for those cranes from 300 to 400 per cent above their real value, when the authority was given the department to take them for what they were actually worth by condemnation, if necessary?

Mr. VARDAMAN. Mr. President, I should like to go into the discussion of this question. It is a long story of malfeasance and misfeasance, disloyalty, greed for gain, and pecuniary aggrandizement which the Commerce Committee I hope will bring to the attention of the American people. I have not words with which to condemn the loose method which has been employed in the building of that great shipping plant; but I can not oblige the distinguished Senator by going into a discussion of it now. It is not in order, and I am trespassing upon the time of the Senate to say what I have said and desire to say at this time. I arose simply to call attention to this transaction. A little later it will be my unhappy duty, or some other Senator's, to call the attention of the American people to this matter in all of its hideous nakedness.

Mr. President, I have infinite faith in the saving grace of the honesty and patriotism of the average American citizen. I believe that he loves his country with a devotion which will cause him to make readily any sacrifice necessary for the triumph of his flag and the preservation of American institutions. I believe the way to approach the average American laborer is to appeal to his patriotism, to tell him the truth, and let him know just what is demanded of him, and I believe he will do his bit with verve, energy, pluck, and pertinacity. Let him know that this is his country and that he is going to be secured a square deal and the part he is to perform in this emergency is for his own personal protection and the preservation of his Government for the good of his posterity. I would appeal to the better side of his character, to the lofty qualities of his soul.

I have no sympathy with the proposition to conscript labor. I have no sympathy with the sentiment that is being generally expressed that you can not trust without proscription the average American laboring man to perform his patriotic duty. And I will say further that you can not convert Caucasian men and women born of free parents into a vassal or a subject in one generation. You may force a man to remain in the shops a certain number of hours each day, but you can not compel him to work effectively.

He must be given a free hand; he must be treated as a citizen and not as a subject. It is his country and he is entitled to be consulted about the Government and what he himself should do. If the courts of the country should send a few of these patriots for pelf who are taking advantage of this desperate emergency to make money for themselves to the penitentiary, and if Congress should take from them the opportunity to rob and plunder the Public Treasury it will have a most wholesome and salutary effect upon the psychology of the masses. It will fire their patriotism and encourage them to heroic effort, which is necessary to meet the exigencies of the extraordinary situation.

If laborers have shown a disposition to lag when industry should characterize their conduct, it may be due to the fact that they see a few men high in business circles robbing and plundering the Government and taking advantage of war conditions to grow richer and richer still. If the ingenuity displayed in the matter of devising ways and means to get money out of the Public Treasury which has been shown by some of these plutocratic patriots of the Hog Island enterprise was displayed in the matter of building ships, we would have had an entire fleet constructed by this time.

THE LOCAL COAL SITUATION.

Mr. SHERMAN. Mr. President, I send to the Secretary's desk a news item cut from the Washington Post this morning. I ask unanimous consent for about two minutes to make a statement in reference to it.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Illinois will proceed.

Mr. SHERMAN. The inclement winter has brought to the surface evidence of the operation of the rules of civilized society. I deem it worthy of preservation in some permanent form. Posterity mayhap will value this fleeting reminiscence as a corner stone from which to estimate improvement in future years. It will be a matter of profound satisfaction for future generations to know that the multitude gathered in Washington were not deprived of tobacco, theatrical entertainment, moving-picture shows, and the blessings of billiard halls while the coal shortage afflicted us.

The Washington public schools closed the afternoon of January 29, 1918, and remained closed until this morning, February 11, 1918, because no coal could be had. At least one Sunday since the fuel order was promulgated all the churches in Washington were closed to save coal. The saving of fuel of course was to win the war, so churches and schoolhouses suspended their activities as stated. During this period when no coal could be had for the institutions named, 65 moving-picture shows, 16 theaters, 1,567 cigar stores, and 171 billiard halls were open and doing business as usual except on heatless Mondays or Tuesdays.

The Washington Post of to-day contains the following news item announcing the opening of the public schools in this city to-day. I ask that the news item cut from the Washington Post of this morning announcing the opening of the public schools be printed in the CONGRESSIONAL RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

PUBLIC SCHOOLS WILL OPEN TO-DAY—COAL SITUATION CLEARS AND BUILDINGS HAVE ENOUGH FUEL.

All public schools in Washington will open this morning, according to an announcement made last night by Superintendent of Schools Ernest L. Thurston. No matter what the amount of future arrivals of coal will be, some of the schools, including all of the high schools, will remain open until June, Mr. Thurston said.

Mr. Thurston said reports showed that every school building in the District had a supply of coal on hand, enough to heat the building. On account of the seriousness of the coal situation in Washington, the public schools were closed January 29.

The warm weather yesterday greatly helped the situation. If the favorable weather continues this morning, Mr. Thurston does not expect any of the schools to be closed on account of disabled heating facilities.

District labor was used yesterday in hauling coal to the schools, and janitors of the schools worked until late at night firing the furnaces.

ADDRESS BY W. G. M. THOMAS, OF TENNESSEE.

Mr. SHIELDS. Mr. President, Hon. W. G. M. Thomas, one of the ablest lawyers of Tennessee and a profound student of governmental conditions, and who has given the causes which brought on this great war in which we are engaged careful study, recently delivered an address in Chattanooga, Tenn., which I believe it is to the interest of the country that it be given the widest publicity and be read by every American citizen.

I believe that Mr. Thomas in this able address has conclusively established, as we all believe, that this fearful war and unparalleled sacrifice of human life and treasure was deliberately brought about by the Imperial Government of Germany to effect a long-premediated dream and effort of world-wide conquest and dominion.

The comparison which Mr. Thomas makes of the autocracy of Germany and the unscrupulous, merciless, and inhuman practices which it is willing to adopt in order to carry out its purposes and the great principles of American democracy, conceived and established in this country and advocated and maintained by numerous great Americans, including our present Chief Executive, is one of the ablest presentations of these questions that has been made during the war. I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

The world has some acquaintance to-day with things of which it might have known, and of which it ought to have known many years ago. Antedating the month of July, 1914, it was not supposed to be a possible fact to deceive all the world a part of the time, or a part of the world all the time. Indeed, not until after this memorable month of that year were people outside the boundaries of Germany aware that the whole world had been deceived, and that a part of the world was still being deceived, but, since July, 1914, nine-tenths of all the globe and nine-tenths of the people of the globe have been engaged in a settled, determined course of action to convince the other one-tenth that it is not possible to deceive all the world all the time.

Unbelievable as it may appear to be, the world has had another revelation, namely, that the very easiest method of certain deception is to be found in the use of the palpably incredible—incredible truth presented openly in plain outline—and in exact detail and plan. And still another fact has been revealed—that Germany is the one conspicuous example in the art of this unique method of deception.

Antedating Austria-Hungary's ultimatum to Serbia, and the horrible consequences which followed that document, nowhere in the world, beyond German borders, was it even thinkable that any incredible fact or any number of incredible facts could be successfully used to deceive. So completely were people misled that they do not longer doubt that an easy and certain means of deception is the incredible dressed in unadorned simplicity.

For at least one-quarter of a century preceding the present war the reading public throughout the earth were buying and using German books. The student who aspired to scholarship felt moved to believe that to attain his ambition he must pass through a German university. German professors were called into chairs in institutions of higher

learning. That American schoolmen might possess the kultur of Germany, and that American youths might sit at the feet of German professors, universities in the United States and universities in Germany exchanged their professors. Everybody who visited Europe visited Germany. If his tour led him into a German city, he observed that a woman's right-of-way along a German sidewalk was subordinate that of the German Army officer. He observed, too, that at ticket windows the German Army and Navy assumed precedence over the line of civilian men, women, and children. A tourist in Germany witnessed the movements of German commerce and industry, and he found himself interested in the volume of business which appeared to render necessary so many important railway lines leading to the boundaries of Belgium and other border States.

It was quite incredible to the foreigner that railroads built prior to 1914 meant anything save Germany's peaceful progress and prosperity. It was unthinkable that these street scenes in Germany were anything more than mere isolated instances of rudeness on the part of German soldiers. It was unbelieveable to students that there was any real harm in the rationalism and other "isms" found in the utterances of the German professors, and it was quite incredible to all readers that the German books and German spokesmen on law, and right and wrong, or on war and might and cruelty, meant anything more than irresponsible utterances of such a madman as a Nietzsche, or of such a panegyrist of the Hohenzollerns as a Treitschke.

To-day it is known to everyone that neither German books, nor professors, German soldiers, nor railways, betrayed Germany. Not one of these, in itself, nor all of them combined, betrayed Germany, for the incredible was discovered to be not a betrayer.

Since July, 1915, the world has been taught the new and novel lessons that the incredible is sometimes not at all incredible, and that these German scenes, these German professors, these German books, were pointing unerringly and with bold frankness to the present world war. Under the crimson light of three and one-half years of war, Germany now stands revealed. The incredible prior to 1914 is anything but incredible to-day and when we turn to the facts, we wonder how the world could have been misled.

OUT OF GERMANY'S OWN MOUTH.

"The Teutonic race is called to circle the earth with its rule," says Woltmann.

"If fate has selected us to assume the leadership in the kultur life of the peoples, we will not shrink from this great and lofty mission." (Pazaurek.)

"The German soul is the world's soul. God and Germany belong to one another. The German soul is God's soul; it shall and will rule over mankind." (Pastor Lehmann.)

"He who does not believe in the divine mission of Germany had better hang himself, and rather to-day than to-morrow." (Chamberlain.)

"A good Providence watches over the fate of the German people, which is destined to the highest things on this earth." (Sonbart.)

"The German people is always right, because it is the German people and 87,000,000 souls." (Tannenberg.)

"We want to become a world people." (Meinecke.)

"Germany is the center of God's plans for the world." (Pastor Lehmann.)

"Germany will be the schoolmaster of all the world, as every German has a bit of schoolmaster in him." (Prof. Blume.)

"Might is right, and right is decided by war." (Bernhardi.)

"There is but one sort of right—the right of the stronger." (Lasson.)

"It is foolish to talk of the rights of others." (Peters.)

"Right and wrong are notions needed in civil life only." (Tannenberg.)

"Might is the supreme right, and the dispute as to what is right is decided by the arbitrament of war. War gives a biologically just decision." (Bernhardi.)

"What does right matter to me? I have no need for it. What I can acquire by force, that I possess and enjoy; what I can not obtain, I renounce. * * * I have the power to do." (Stirner.)

"The law of the strong holds good everywhere." (Bernhardi.)

"There is no legal obligation upon a State to observe treaties." (Lasson.)

"No right is so inviolable that it must not yield to necessity, and in action dictated by necessity there is violation of right." (Prof. Kohler.)

"No power is bound to sacrifice important interests of its own on the altar of faithfulness to her alliance." (Bismarck.)

"A State knows no arbiter and draws up all its treaties with this implied reservation * * * and is consequently entitled to repudiate its treaties." (Treitschke.)

"When a diplomat is guilty of obscuring facts in a diplomatic negotiation he is thinking of his country." (Treitschke.)

GERMANY AND WAR.

"Without war humanity would sink into materialism." (Moltke.)

"Nothing is more immoral than to consider and talk of war as an immoral thing. War is the mother of all good things." (Prof. Haase.)

"When one really meditates war, one must say no word about it; one must enevelope one's designs in a profound mystery; then, suddenly and without warning, one leaps as a thief in the night." (Wirth.)

"The lessons of history confirm the view that wars which have been deliberately provoked by far-seeing statesmen have had the happiest results." (Bernhardi.)

"We must not think merely of external foes who compel us to fight. A war may seem to be forced upon a statesman by the condition of home affairs or by the pressure of the whole political situation." (Bernhardi.)

"Thanks to his [Bismarck's] diplomatic adroitness, he forced upon his adversaries the outward appearance of declaring war, while in reality Prussian-Germany was the assailant." (Strantz.)

"If Belgium takes part in this war, she must be wiped off the map of Europe." (Theuden.)

"Let us laugh with all our lungs at the old women in trousers who are afraid of war, and therefore complain that it is cruel and hideous. No; war is beautiful. Its august grandeur elevates the heart of man high above all that is commonplace and earthly." (Gottberg.)

"We have become a nation of wrath; we think only of the war." (Pastor Lehmann.)

"The German is a hero born and believes he can hack and hew his way through life." (Treitschke.)

"God calls us to murderous battles, even if worlds should thereby fall to ruins." (Pastor Francke.)

"War forms part of the eternal order instituted by God." (Moltke.)

GERMANY AND PEACE.

"We must not look for permanent peace as a result of this war. Heaven defend Germany from that!" (Schmitz.)

"Only over the black gate of the cemetery * * * can be read the words 'Eternal peace for all peoples.' For peoples who live and strive, the only maxim and motto must be eternal war." (Wagner.)

"The highest steps of kultur have not been mounted by peaceable nations in long periods of peace, but by warlike peoples in the time of their greatest combativeness." (Theuden.)

"Perpetual peace is a dream, and it is not even a beautiful dream." (Moltke.)

"We children of the future * * * do not by any means think it desirable that the kingdom of righteousness and peace should be established on the earth." (Nietzsche.)

"Whoever can not prevail upon himself to approve, from the bottom of his heart, the sinking of the *Lusitania*—whoever can not conquer his sense of the gigantic cruelty to unnumbered perfectly innocent victims * * * and give himself up to honest delight at this victorious exploit of German defensive power—him we judge to be no true German." (Pastor Baumgarten.)

"Not against our will were we thrown into this gigantic adventure. We willed it; we were bound to will it." (Harden.)

"Terrorism is seen to be a relatively gentle procedure, useful to keep in a state of obedience the masses of the people." (Hartmann.)

"Whoever enters upon a war in future will do well to look only to his own interests, and pay no heed to any so-called international law." (By a German, 1900.)

"It is a gratuitous illusion to suppose that modern war does not demand far more brutality, far more violence, and an action far more general than was formerly the case." (Hartmann.)

"I warn you against pity." (Nietzsche.)

"We hold that hardness, violence, slavery, danger in the street and in the heart, secrecy, stoicism, arts of temptation and devilry of all kinds; that everything evil, terrible, tyrannical, wild-heartlike, and serpentlike in man contributes to the elevation of the species just as much as the opposite—and in saying this we do not even say enough." (Nietzsche.)

"No sooner are airships invented than the general staffs set to work to devise methods of applying them to destruction." (Gumplowicz.)

"Much that is dreadful and inhuman in history, much that one hardly likes to believe, is mitigated by the reflection that the one who commands and the one who carries out are different persons—the former does not behold the sight, therefore does not experience the strong impression on the imagination; the latter obeys a superior, and therefore feels no responsibility." (Nietzsche.)

"The proud conviction forces itself upon us with irresistible power that a high, if not the highest, importance for the entire development of the human race is ascribed to the German people." (Bernhardi.)

"In our German people peaceful disposition and warlike prowess are so happily mixed that in this respect no other people on the earth can rival us, and none seems so clearly predestined to light humanity on the way to true progress." (Lange.)

"Where in the whole world can a people be found who have such cause for manly pride as we? But we are equally far removed from presumption and from arrogance." (Pastor Rump.)

"Germany is the future of humanity." (Pastor Lehmann.)

"We must vanquish, because the downfall of Germanism would mean the downfall of humanity." (Pastor Konig.)

"That it will be German kultur that will send forth its rays from the center of our continent there can be no possible doubt." (Prof. Gierke.)

"It was given and assigned to us, and we read in it the original text of our destiny, which proclaims to mankind salvation or disaster, according as we will it." (Pastor Rump.)

"It was the hidden meaning of God that He made Israel the forerunner of the Messiah, and in the same way He has by His hidden intent designated the German people to be His successor." (Dr. Preuss.)

INSINCERITY OF KAISER.

On July 29, 1914, the Czar of Russia telegraphed the Kaiser: "A disgraceful war has been declared on a weak nation; the indignation at this, which I fully share, is immense in Russia." In reply to this wire the Kaiser said: "I can not consider Austria-Hungary's action 'disgraceful war.' Austria-Hungary knows by experience that Serbia's promises, when they are merely on paper, are quite unreliable. According to my opinion Austria-Hungary's action is to be looked upon as an attempt to secure full guaranties that Serbia's promises shall also be turned into deeds."

These are the German Emperor's own words, that a nation's signed engagement should never be unreliable—that it is not "a scrap of paper," that it should be turned into deeds, and that an attempt, even by force of arms, so to turn it is not 'disgraceful war.'"

Was the Kaiser sincere when he dictated this telegram? He sent it at a time when his Government was under written obligation, guaranteeing the independence and neutrality of Belgium; and here are some provisions of that agreement:

"Belgium * * * shall form an independent and perpetually neutral State. It shall be bound to observe such neutrality toward all other States."

"The territory of neutral powers is inviolable."

"Belligerents are forbidden to move troops or convoys of either munitions of war or supplies across the territory of a neutral power."

"A neutral power must not allow any of the acts referred to * * * to occur on its territory."

"The fact of a neutral power resisting, even by force, attempts to violate its neutrality can not be regarded as a hostile act."

These words were more than the promise of Germany to Belgium; they were Germany's pledge entered into in writing. The Kaiser telegraphed the Czar that such a promise should not be unreliable—that it should be turned into deeds.

On August 4, 1914, less than a week after the Emperor's telegram to the Czar, the imperial chancellor, in a speech before the German Diet, said: "Gentlemen, we are now acting in self-defense. Necessity knows no law. Our troops have occupied Luxemburg and have possibly already entered on Belgium. The injustice—I speak openly—the injustice we thereby commit we will try to make good as soon as our military aims have been attained. He who is menaced as we are and is fighting for his all can only consider the one and best way to strike.

Here is Germany's official recognition of the Belgium treaty and of international law; and it is furthermore the official admission that Germany had breached that law, had ignored the rightful protests of Belgium, and that Germany's conduct was an act of injustice to Belgium. The sole excuse offered is that "necessity knows no law"; that a nation

when menaced "can only consider the one and best way to strike"; and that such consideration must be without regard at all to the breaking of pledges or to the rights of others.

At a later hour of August 4, 1914, the British ambassador to Berlin, with instructions from his Government that Germany must not disregard her contract with Belgium, called upon the imperial chancellor. "Just for a word—'neutrality'—a word which in war time had so often been disregarded—just for a scrap of paper—Great Britain was going to make war on a kindred nation," was the chancellor's reply to the ambassador.

Here is the German chancellor's measure of the value of a nation's engagement and of the force of the law of nations—"a scrap of paper"; and it can not be urged justly that this was an idle utterance of the chancellor for which he and his Government should be free of responsibility, for the record of fact traces the term used to the very highest authority in Germany.

GERMAN DIPLOMACY.

The use of the term, "a scrap of paper," and the German estimate of the virtue and integrity of a treaty did not originate with the chancellor. "Do not be ashamed," said Frederick II, "of making interested alliances from which you yourself can derive the whole advantage. Do not make the foolish mistake of not breaking them when you believe your interests require it. Above all, uphold the following maxim: 'To despoil your neighbors is to deprive them of the means of injuring you.' When he is about to conclude a treaty with some foreign power, if a sovereign remembers he is a Christian he is lost." Later, on April 11, 1847, in a speech from the throne, King Frederick William IV asserted that "All written constitutions are only scraps of paper," and, again, in 1862, when in a quarrel between Emperor William and the Prussian diet, he was reproached with his defiance of the law, he replied that he would do his duty as he saw it, without regard to "scraps of paper called constitutions."

It is quite impossible to assume that the Kaiser may have been ignorant of the use of these terms by former Emperors in 1847 and 1862, or of the Hohenzollern creed as stated by Frederick II; and all fair men must admit that on August 10, 1914, he did know that his chancellor had stated in the diet on the preceding August 4 that in the face of menace neither national obligation nor the dictates of justice need be given consideration; that imperial Germany "can only consider the one and best way to strike." The Kaiser knew that his war lords had marked Belgium as the one and the best way across which to strike France; he knew, and his war lords knew, that to move troops or munitions of war over the borders and into Belgium would be a breach of the Belgium treaty and a violation of Belgian territory, and that it would be an act of the most glaring injustice to that country and people. With all these facts before his eyes he penned with his own hand a telegram on August 10 to President Wilson, and he handed it to the American ambassador for transmission to Washington. In that message he restates, in substance, his telegram of July 29 to the Czar of Russia, that "the Serbian promises on paper should be fulfilled in reality," and he asserts in so many words that Germany's neutrality contract with Belgium "had to be violated on strategical grounds." In other words, the Kaiser telegraphed President Wilson on August 10 that no signed promise or covenant of the German Empire would be allowed to stand across the path of the science of projecting and directing Germany's military movements.

Unfortunately the Kaiser set up one standard for Serbia and quite another for Germany. In his telegram to the Czar he complains "that Serbia's promises, when they are merely on paper, are quite unreliable," and that Austria-Hungary had the right "to secure full guaranties that Serbia's promises shall also be turned into deeds;" and he states as much in his wire to President Wilson, but he lowers that standard—in fact, he strikes it to the ground—when he declared that "on strategical grounds" Germany had to march into Belgium, notwithstanding the injustice committed by the act.

Viewing these facts, drawn altogether from official pronouncements of four German rulers and a German chancellor, the level of German ethics is seen to be that her promises, even when on paper are both quite unreliable and subject to be broken at will; and, indeed, are not to be fulfilled if performance might prevent or hinder German military advantage; that Germany's contracts may be disregarded as "scraps of paper" if they be found to stand opposed to military aims; that in Germany "might makes right," and "necessity knows no law"; and that in Germany it is a maxim in morals that he who is menaced can only consider the one and the best way to strike; and this without regard to his own obligation or honor, or to the legal or moral right of the one against whom the stroke is directed.

THE WORLD AND GERMAN DOCTRINE.

The world will never bow down before or accept any such doctrine; it must be wholly repudiated and reversed; and the world war is being waged to reverse it. The war is much more than centralized power against representative government, much more than autocracy against the people; it is tyranny against freedom; it is brutal might against human liberty; it is wanton destruction against conservation; it is barbarism against civilization; it is savagery against humanity; it is unrighteousness against righteousness; it is the Iron Cross against the Red Cross; it is the spirit of Satan against God.

So long as Germany shall think it not "by any means desirable that the kingdom of righteousness and peace should be established on the earth," she will find the world against her. So long as she shall teach that "only over the black gate of the cemetery can we read the words, 'eternal peace for all people,'" she will be the world's enemy. So long as she shall continue in her expressed faith that "war is the mother of all good things," and that "might is the supremacy of right," she must find herself alone upon the earth. So long as it is the purpose of the Teutonic race "to circle the earth with its rule," just so long Germany will find no friend beyond her own borders. The Kaiser must lose his crown or else he must repudiate the Hohenzollern creed that national covenants are "scraps of paper"; that "to despoil your neighbors is to deprive them of the means of injuring you"; and that "when he is about to conclude a treaty with some foreign power, if a sovereign remembers he is a Christian, he is lost."

The purpose of Germany "to circle the earth with its rule" and her deeds of lawlessness and savagery are now known world wide. The black record is now open to all men. With unexampled patience and forebearance, the United States and her people bore much and suffered much, but longer patience became impossible when Germany made war upon our country and upon the freedom, liberty, and independence which Americans had gained for themselves, and under which they propose to live their own lives and to pass on to their children. America is defending their good heritage. America is defending more than this. "The object of this war," as President Wilson has stated it to all the world, "is to deliver the free people of the world from the menace and the actual power of a vast military establishment, controlled by an irresponsible Government, which, having secretly planned to dominate the world, proceeded to carry the plan out without regard either to the sacred obligations of treaty or the long-established practices and long-cherished principles of international action and honor, which chose its blow fiercely and suddenly, stopped at no barrier either of law or of mercy, swept a whole continent within the tide of blood—not the blood of soldiers only, but the blood of innocent women and children also, and of the helpless poor—and now stands balked but not defeated, the enemy of four-fifths of the world."

Innocent and defenseless women and children have the right to security in the home, and an airplane that wantonly would wreck a home and destroy life is an assassin. Upon the high seas, ruthlessly and without warning, to sink a passenger ship and her human freight is deliberate murder. To drop from the air a bomb upon offenseless children in a schoolhouse is savagery. To mock all laws of war and humanity is superlative and barbarism. To fire upon the Red Cross is satanic.

SHALL NEVER RULE.

German "kultur" shall never rule over our land, and it must be assured that it shall not rule over any other land. It is a base falsehood that "might is right." A nation's word is not "a scrap of paper."

Over against the German code that "it is foolish to talk of the rights of others" America sets up the Golden Rule—"Do unto others as you would have others do unto you."

A nation whose treaty agreement is not as binding as its bonds is not a nation with which honorable peoples care to deal. A nation whose accredited ambassador would set a network of intrigue among the people to whom he is accredited, and whose country would promote and decorate him in reward for his base service is a nation whose ways must be mended if it shall expect relations with respectable folks. A nation that would purposely, by shell or torpedo and without notice or warning, sink a merchant ship plying the high seas and leave the crew to their fate in the waves is an outlaw nation. A nation that would organize incendiarism and dispatch its paid agents to blow up industries ought to be put out of business. A nation that wills the oppression of Europe and that plots and schemes to extend its brutal might across the sea and over free America is a nation whose fiendish lordship must and shall be met and stopped before it shall ever touch these shores.

A prince, whatever be his name or title, who would set in motion any such horrers is unfit to be the ruler of a free people; and a people who support such a prince are not free. A nation that would will injustice and harm to other nations is entitled to no place in the councils of men. Such a nation is a world menace, and any such a nation must be rendered powerless to exercise such a will, or else its people must be made to establish for themselves a very different form of government.

It is to defend our own people and country, and all peoples, against this German menace and to assure all the world that the horrors of the last three and a half years never shall happen again, that the United States and her 15 allies are standing against Germany. The whole history of America shows that our people never could be moved to take any other stand.

AMERICA'S RECORD.

In his farewell address Washington expressed the hope that "the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it."

Here is almost the prediction by America's first president that the people's happiness, under the authority and guidance of liberty, would some day become so complete that to America would be accorded the glory of recommending like liberty to the applause, affection, and adoption of every nation still a stranger to it.

Washington stated this in 1796, and it is more than a significant fact that in 1917—a century and a quarter later—America not only made such a recommendation world-wide, but, through President Wilson, the Nation declared that "the world must be made safe for democracy."

Twenty years antedating this utterance of Washington, the Declaration of Independence declared that all people possessed the free and independent right "to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitle them"; and that the people of America hold certain truths to be self-evident; "that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

Here it is claimed, as an endowment of the Creator, that a people have the untransferable right of self-government—"the government," as President Lincoln expresses it, "of the people, by the people, for the people." Such form of government is the right of independence and liberty; indeed, it is independence and liberty; and America possesses each of the two because both, as Washington states it, "are the work of joint councils and joint efforts of common dangers, sufferings, and successes."

From the utterances and action of the German Government, and German Emperors and people, we have had to stoop low in order to see the level of their standard of conduct among themselves, and toward other nations and people; and now that America has recommended her own freedom and liberty to all the world, and, along with this recommendation, and to the exalted end that government of, by, and for the people may be made safe throughout the earth, has pledged the lives and the fortunes of her people, and her own sacred honor, it is with just pride that Americans may place their country's record alongside the record of the Nation's enemies. Indeed, the heart of every American, native or foreign born, should rise in gratitude and praise to Almighty God for His leadership and guidance from Washington to Wilson, and for His blessings upon us as a Nation and people. To-day, in this world holocaust, nine-tenths of the earth's area and inhabitants are standing with and on the side of the United States, battling for all these exalted, just, and righteous principles for which Americans have always stood, and for which, if need be, they have ever been ready to offer their lives.

WORDS OF AMERICA'S PRESIDENTS.

Washington wrote a page of the record in his farewell message to his countrymen: "Observe good faith and justice toward all nations. Cultivate peace and harmony with all. Religion and morality enjoin this conduct. And can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruit

of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature."

Here are noble words and, indeed, the prophecy of Washington that, at no distant day, the United States would be a great Nation, and would give to the world an example of a people "always guided by an exalted justice and benevolence."

Can any sincere man, casting his eyes along the past years, and looking about him in these tremendous times, doubt the fulfillment of this prophecy?

President Jefferson adds this further word to the record: "We are firmly convinced, and we act on that conviction, that with all nations, as with individuals, our interests, soundly calculated, will ever be found inseparable from our moral duties; and history bears witness to the fact that a just nation is trusted on its word, when recourse is had to armaments and wars to bridle others."

President Madison says that it is a duty and privilege of Americans "to foster a spirit of independence too just to invade the rights of others, too proud to surrender our own, too liberal to indulge unworthy prejudices ourselves, and too elevated not to look down upon them in others."

President Monroe: "National honor is national property of the highest value."

President J. Q. Adams: "Union, justice, tranquility, the common defense, the general welfare, and the blessings of liberty—all have been promoted by the Government under which we have lived."

President Jackson: "Turning our eyes to other nations, our great desire is to see our brethren of the human race secured in the blessings enjoyed by ourselves, and advancing in knowledge, in freedom, and in social happiness."

President Lincoln: "This country, with its institutions, belongs to the people who inhabit it. * * * Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world?'

President Grant: "In regard to foreign policy, I would deal with nations as equitable law requires individuals to deal with each other, and I would protect the law-abiding citizen, whether of native or foreign birth, wherever his rights are jeopardized or the flag of our country floats. I would respect the rights of all nations, demanding equal respect for our own."

President Garfield: "We can not overestimate the fervent love of liberty, the intelligent courage, and the sum of common sense with which our fathers made the great experiment of self-government."

"President Harrison: "We have not sought to dominate or absorb any of our weaker neighbors, but rather to aid and encourage them to establish free and stable governments resting upon the consent of their own people."

President Roosevelt: "Great privileges and great powers are ours, and heavy are the responsibilities that go with these privileges and these powers. Accordingly, as we do well or ill, so shall mankind in the future be raised or cast down. We belong to a young nation, already of giant strength, yet whose political strength is but a forecast of the power that is to come."

President Taft: "Our international policy is always to promote peace."

President Wilson: "I am proposing, as it were, that the nations should, with one accord, adopt the doctrine of President Monroe as the doctrine of the world; that no nation shall seek to extend its polity over any other nation or people, but that every people should be left free to determine its own polity, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful.

"I am proposing that all nations henceforth avoid entangling alliances which would draw them into competitions of power, catch them in a net of intrigue and selfish rivalry, and disturb their own affairs with influences intruded from without.

"I am proposing government by the consent of the governed; that freedom of the seas which in international conference after conference representatives of the United States have urged with the eloquence of those who are the convinced disciples of liberty; and that moderation of armaments which makes of armies and navies a power for order merely, not an instrument of aggression or of selfish violence.

"These are American principles, American policies. We could stand for no others. And they are also the principles and policies of forward-looking men and women everywhere, of every modern nation, of every enlightened community. They are the principles of mankind and must prevail."

Germany opposes these American principles; and Gumplowicz gives the basis of the opposition: "No sooner are airships invented than the general staffs set to work to devise methods of applying them to destruction"—the misuse of things.

Germany must be made to recognize a higher sense of moral and human responsibility. Her need is not less scientific knowledge, but such knowledge better directed and used. To paraphrase Bishop Candler: Germany must be taught, and she is about to be taught, that men and nations must be as pious as they are scientific and powerful, or they will be a peril to both themselves and others.

W. G. M. THOMAS.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 9506. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 9612. An act granting pensions and increase of pensions to certain soliders and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 9641. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

H. R. 9314. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919, was read twice by its title and referred to the Committee on Appropriations.

JOINT MEETING OF THE TWO HOUSES.

The PRESIDENT pro tempore (Mr. SAULSBURY in the chair). The hour having arrived at which, under the concurrent resolution, the Senate is to proceed to the Hall of the House of Representatives for the purpose of hearing such communication as the President of the United States may desire to make to the Congress, the order will now be carried out.

Thereupon the Senate, preceded by its Sergeant at Arms and headed by the President pro tempore and the Secretary, proceeded to the Hall of the House of Representatives.

At 1 o'clock p. m. the Senate returned to its Chamber, and the President pro tempore resumed the chair.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES.

The address of the President of the United States this day delivered at a joint session of the two Houses of Congress is as follows:

Gentlemen of the Congress, on the eighth of January I had the honor of addressing you on the objects of the war as our people conceive them. The Prime Minister of Great Britain had spoken in similar terms on the fifth of January. To these addresses the German Chancellor replied on the twenty-fourth and Count Czernin, for Austria, on the same day. It is gratifying to have our desire so promptly realized that all exchanges of view on this great matter should be made in the hearing of all the world.

Count Czernin's reply, which is directed chiefly to my own address of the eighth of January, is uttered in a very friendly tone. He finds in my statement a sufficiently encouraging approach to the views of his own Government to justify him in believing that it furnishes a basis for a more detailed discussion of purposes by the two Governments. He is represented to have intimated that the views he was expressing had been communicated to me beforehand and that I was aware of them at the time he was uttering them; but in this I am sure he was misunderstood. I had received no intimation of what he intended to say. There was, of course, no reason why he should communicate privately with me. I am quite content to be one of his public audience.

Count von Hertling's reply is, I must say, very vague and very confusing. It is full of equivocal phrases and leads it is not clear where. But it is certainly in a very different tone from that of Count Czernin, and apparently of an opposite purpose. It confirms, I am sorry to say, rather than removes, the unfortunate impression made by what we had learned of the conferences at Brest-Litovsk. His discussion and acceptance of our general principles lead him to no practical conclusions. He refuses to apply them to the substantive items which must constitute the body of any final settlement. He is jealous of international action and of international counsel. He accepts, he says, the principle of public diplomacy, but he appears to insist that it be confined, at any rate in this case, to generalities and that the several particular questions of territory and sovereignty, the several questions upon whose settlement must depend the acceptance of peace by the twenty-three states now engaged in the war, must be discussed and settled, not in general council, but severally by the nations most immediately concerned by interest or neighborhood. He agrees that the seas should be free, but looks askance at any limitation to that freedom by international action in the interest of the common order. He would without reserve be glad to see economic barriers removed between nation and nation, for that could in no way impede the ambitions of the military party with whom he seems constrained to keep on terms. Neither does he raise objection to a limitation of armaments. That matter will be settled of itself, he thinks, by the economic conditions which must follow the war. But the German colonies, he demands, must be returned without debate. He will discuss with no one but the representatives of Russia what disposition shall be made of the peoples and the lands of the Baltic provinces; with no one but the Government of France the "conditions" under which French territory shall be evacuated; and only with Austria what shall be done with Poland. In the determination of all questions affecting the Balkan states he defers, as I understand him, to Austria and Turkey; and with regard to the agreements to be entered into concerning the non-Turkish peoples of the present Ottoman Empire, to the Turkish authorities themselves. After a settlement all around, effected in this fashion, by individual barter and concession, he would have no objection, if I correctly interpret his statement, to a league of nations which would undertake to hold the new balance of power steady against external disturbance.

It must be evident to everyone who understands what this war has wrought in the opinion and temper of the world that no general peace, no peace worth the infinite sacrifices of these years of tragical suffering, can possibly be arrived at in any such fashion. The method the German Chancellor proposes is the method of the Congress of Vienna. We cannot and will not return to that. What is at stake now is the peace of the world. What we are striving for is a new international order based upon broad and universal principles of right and justice,—no mere peace of shreds and patches. Is it possible that Count von Hertling does not see that, does not grasp it, is in fact living in his thought in a world dead and gone? Has he utterly forgotten the Reichstag Resolutions of the nineteenth of July, or does he deliberately ignore them? They spoke of the conditions of a general peace, not of national aggrandizement or of arrangements between state and state. The peace of the world depends upon the just settlement of each of the several problems to which I adverted in my recent address to the Congress. I, of course, do not mean that the peace of the world depends upon the acceptance of any particular set of suggestions as to the way in which those problems are to be dealt with. I mean only that those problems each and all affect the whole world; that unless they are dealt with in a spirit of unselfish and unbiased justice, with a view to the wishes, the natural connections, the racial aspirations, the security, and the peace of mind of the peoples involved, no permanent peace will have been attained. They cannot be discussed separately or in corners. None of them constitutes a private or separate interest from which the opinion of the world may be shut out. Whatever affects the peace affects mankind, and nothing settled by military force, if settled wrong, is settled at all. It will presently have to be reopened.

Is Count von Hertling not aware that he is speaking in the court of mankind, that all the awakened nations of the world now sit in judgment on what every public man, of whatever nation, may say on the issues of a conflict which has spread to every region of the world? The Reichstag Resolutions of July themselves frankly accepted the decisions of that court. There shall be no annexations, no contributions, no punitive damages. Peoples are not to be handed about from one sovereignty to another by an international conference or an understanding between rivals and antagonists. National aspirations must be respected; peoples may now be dominated and governed only by their own consent. "Self-determination" is not a mere phrase. It is an imperative principle of action, which statesmen will henceforth ignore at their peril. We cannot have general peace for the asking, or by the mere arrangements of a peace conference. It cannot be pieced together out of individual understandings between powerful states. All the parties to this war must join in the settlement of every issue anywhere involved in it; because what we are seeking is a peace that we can all unite to guarantee and maintain and every item of it must be submitted to the common judgment whether it be right and fair, an act of justice, rather than a bargain between sovereigns.

The United States has no desire to interfere in European affairs or to act as arbiter in European territorial disputes. She would disdain to take advantage of any internal weakness or disorder to impose her own will upon another people. She is quite ready to be shown that the settlements she has suggested are not the best or the most enduring. They are only her own provisional sketch of principles and of the way in which they should be applied. But she entered this war because she was made a partner, whether she would or not, in the sufferings and indignities inflicted by the military masters of Germany, against the peace and security of mankind; and the conditions of peace will touch her as nearly as they will touch any other nation to which is entrusted a leading part in the maintenance of civilization. She cannot see her way to peace until the causes of this war are removed, its renewal rendered as nearly as may be impossible.

This war had its roots in the disregard of the rights of small nations and of nationalities which lacked the union and the force to make good their claim to determine their own allegiances and their own forms of political life. Covenants must now be entered into which will render such things impossible for the future; and those covenants must be backed by the united force of all the nations that love justice and are willing to maintain it at any cost. If territorial settlements and the political relations of great populations which have not the organized power to resist are to be determined by the contracts of the powerful governments which consider themselves most directly affected, as Count von Hertling proposes, why may not economic questions also? It has come about in the altered world in which we now find ourselves that justice and the rights of peoples affect the whole field of international dealing as much as access to raw materials and fair and equal conditions of trade. Count von Hertling wants the essential bases of commercial and industrial life to be safeguarded by common agreement and guarantee, but he cannot expect that to be conceded him if the other matters to be determined by the articles of peace are not handled in the same way as items in the final accounting. He cannot ask the benefit of common agreement in the one field without according it in the other. I take it for granted that he sees that separate and selfish compacts with regard to trade and the essential materials of manufacture would afford no foundation for peace; neither, he may rest assured, will separate and selfish compacts with regard to provinces and peoples.

Count Czernin seems to see the fundamental elements of peace with clear eyes and does not seek to obscure them. He sees that an independent Poland, made up of all the indisputably Polish peoples who lie contiguous to one another, is a matter of European concern and must of course be conceded; that Belgium must be evacuated and restored, no matter what sacrifices and concessions that may involve; and that national aspirations must be satisfied, even within his own Empire, in the common interest of Europe and mankind. If he is silent about questions which touch the interest and purpose of his allies more nearly than they touch those of Austria only, it must of course be because he feels constrained, I suppose, to defer to Germany and Turkey in the circumstances. Seeing and conceding, as he does, the essential principles involved and the necessity of candidly applying them, he naturally feels that Austria can respond to the purpose of peace as expressed by the United States with less embarrassment than could Germany. He would probably have gone much farther had it not been for the embarrassments of Austria's alliances and of her dependence upon Germany.

After all, the test of whether it is possible for either government to go any further in this comparison of views is simple and obvious. The principles to be applied are these:

First, that each part of the final settlement must be based upon the essential justice of that particular case and upon such adjustments as are most likely to bring a peace that will be permanent;

Second, that peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game, even the great game, now forever discredited, of the balance of power; but that

Third, every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned, and not as a part of any mere adjustment or compromise of claims amongst rival states; and

Fourth, that all well defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the peace of Europe and consequently of the world.

A general peace erected upon such foundations can be discussed. Until such a peace can be secured we have no choice but to go on. So far as we can judge, these principles that we regard as fundamental are already everywhere accepted as imperative except among the spokesmen of the military and annexationist party in Germany. If they have anywhere else been rejected, the objectors have not been sufficiently numerous or influential to make their voices audible. The tragical circumstance is that this one party in Germany is apparently willing and able to send millions of men to their death to prevent what all the world now sees to be just.

I would not be a true spokesman of the people of the United States if I did not say once more that we entered this war upon no small occasion, and that we can never turn back from a course chosen upon principle. Our resources are in part mobilized now, and we shall not pause until they are mobilized in their entirety. Our armies are rapidly going to the fighting front, and will go more and more rapidly. Our whole strength will be put into this war of emancipation,—emancipation from the threat and attempted mastery of selfish groups of autocratic rulers,—whatever the difficulties and present partial delays. We are indomitable in our power of independent action and can in no circumstances consent to live in a world governed by intrigue and force. We believe that our own desire for a new international order under which reason and justice and the common interests of mankind shall prevail is the desire of enlightened men everywhere. Without that new order the world will be without peace and human life will lack tolerable conditions of existence and development. Having set our hand to the task of achieving it, we shall not turn back.

I hope that it is not necessary for me to add that no word of what I have said is intended as a threat. That is not the temper of our people. I have spoken thus only that the whole world

may know the true spirit of America,—that men everywhere may know that our passion for justice and for self-government is no mere passion of words but a passion which, once set in action, must be satisfied. The power of the United States is a menace to no nation or people. It will never be used in aggression or for the aggrandizement of any selfish interest of our own. It springs out of freedom and is for the service of freedom.

DISTRICT STREET RAILROADS.

Mr. JONES of Washington. I submit a resolution and ask for its present consideration.

The resolution (S. Res. 203) was read, as follows:

Resolved, That the Public Utilities Commission of the District of Columbia be directed to furnish the Senate the following information:

First. How many new cars have the electric railway companies in the District of Columbia put on during the last two years?

Second. Have they put on any new cars during the last year; and if so, how many?

Third. Are they making any provision now for adding new cars to their equipment; and if so, how many, and when are they to be put on?

Fourth. What other steps are being taken by the electric railway companies to meet the congested traffic conditions of the present and the future?

Fifth. What steps has the Public Utilities Commission taken to meet the present street car traffic congestion in the District?

Sixth. Is the existing railway trackage adequate to meet the traffic requirements as they are now, and as they are likely to be for some time to come; and if not, what steps are being taken to increase such trackage?

Seventh. What action has the commission taken under the authority given it to secure "adequate" service by the street railways of the District of Columbia?

Eighth. What action has the commission taken under the authority given it "to require and compel" the street railways of the District of Columbia to comply with the provisions of law looking to the furnishing of adequate service by such companies?

Ninth. What suggestions has the Public Utilities Commission to make to Congress for meeting the present congested conditions of traffic on the railways of the District of Columbia?

Mr. GALLINGER. Mr. President, I do not object to the resolution, because I think it is a very important one, but I want to make an observation about the traffic situation in the District of Columbia. Two or three days ago I received a letter from a well-known citizen complaining of the great inconvenience people have in getting from the suburban portions of the District of Columbia to the central part of the city, and he urged that some immediate action should be taken, reminding me of the fact that for many years I served upon the committee, as chairman of the committee, and he thought I ought to immediately concern myself about it. My reply to him was substantially in these words: "I remember the time when the surface cars of the cities of New York and Boston were adequate to take care of the convenience and comfort of the traveling public. A time arrived when elevated roads in both those great cities became a necessity, and they were built. Time went on and the congestion on both the surface and the elevated roads was such that it was evident subways should be constructed, and they were constructed in both those cities and in other cities of the country; and even now in New York and Boston a man practically takes his life in his hands at certain hours of the day to get a seat or accommodation of any kind on either an elevated road or in a subway car."

My conclusion was, Mr. President, that the corporations serving the people of the District of Columbia at the present time are doing the best they can. They are under the control of the Public Utilities Commission. They have an expert here now studying the subject. I feel confident that they simply can not accomplish the purpose that they have in view, and that what ought to be done would be for the Public Utilities Commission or Congress itself immediately to consider the question whether it is not necessary for us to have subways to relieve the congestion. I do not imagine that any of us will agree that we should have elevated roads in the District of Columbia; but that we ought to have subways, and must have subways in the near future, is, to my mind, so conclusive that there is no need for discussing the subject.

The PRESIDENT pro tempore. The Senator from Washington asks for the immediate consideration of the resolution which has just been read.

The resolution was considered by unanimous consent and agreed to.

ALLOWANCES TO SOLDIERS' FAMILIES (S. DOC. NO. 711).

Mr. HITCHCOCK. Mr. President, I ask to have printed in the RECORD a letter from the Secretary of the Treasury in response to a resolution which I introduced concerning the payment of allowances to the families of soldiers and sailors. Complaint has been quite general that the family allowances have not been paid. The Secretary's letter shows that the payment of November allowances was completed January 14; that the payment of the December allowances was completed February 6; and that the payment of the January allowances is now going forward and checks are being sent out at the rate of between 40,000 and 50,000 a day. In order to give it as much publicity as possible, I ask that the letter may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
Washington, February 6, 1918.

The PRESIDENT OF THE SENATE:

SIR: In reply to Senate resolution 200, of February 5, asking to what extent, if any, allowances to soldiers' families for the month of November, 1917, have been paid, also to what extent they have been paid for the month of December, 1917, and also for the month of January, 1918, I have the honor to inform you that the mailing of November checks was completed January 14; the mailing of December checks was completed to-day, and the mailing of January checks to Navy dependents was completed to-day, and the mailing of January checks for the other branches of the service will begin to-morrow. These checks will be mailed at the rate of between forty and fifty thousand a day, and be completed on or before February 18.

Because of the distance of many of the soldiers from Washington the bureau is still receiving daily a considerable number of applications providing for allotments and allowances for the months of November and December. All such applications are given priority, and the payments for the two months are covered in one check.

While the war-risk insurance act was passed October 6, 1917, practically no applications for allotments and allowances were received prior to December 1, 1917. Up to the close of business to-day the bureau has received 1,170,458 applications. In 730,000 cases these applications showed that the soldiers had no dependents, and therefore no allotments were made, nor could any allowances be granted. Of the balance of 441,000 cases, awards were made in 426,000 cases and all checks for November and December and the Navy checks for January have been mailed, and the January checks for other branches of the service will be mailed before February 18, as stated above. These checks aggregate $16,500,000. In the remaining 15,000 cases it has not been possible to make payments because the applications were so incomplete as to require correspondence with the soldiers or with their beneficiaries. This correspondence is being conducted with the greatest expedition and every effort is being made to forward checks at the earliest possible moment.

Of the checks forwarded approximately 10,000 that could not be delivered have been returned by the Post Office Department because the dependents had moved and left no forwarding address, because the addresses given by the soldiers were not complete, or because the applications were written so illegibly that the clerks misread the addresses in preparing the records from which the checks were drawn. These cases are being handled with the greatest dispatch.

By the end of February the work of the bureau will be current so that checks will be mailed immediately after the close of the month for which the checks are due.

Respectfully,

WM. G. MCADOO,
Secretary of the Treasury.

MAJ. CHALMERS G. HALL.

Mr. OVERMAN. I ask unanimous consent for the present consideration of the bill (S. 3299) authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army. It is a bill reported from the Committee on Military Affairs this morning, and it is heartily indorsed by the War Department. It affects only one man, who wishes to go to France, and unless this bill is passed he can not go.

Mr. GALLINGER. Must he go immediately?

Mr. OVERMAN. He is ready to go, and he can not go unless this bill is passed.

The PRESIDENT pro tempore. The Senator from North Carolina asks for the present consideration of the bill he has indicated.

Mr. GALLINGER. Let it be read for the information of the Senate.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the President is hereby authorized to reappoint to the Cavalry arm as an extra number, with such rank as he would have had if he had never been retired, Maj. Chalmers G. Hall, of the United States Army, retired.

Mr. SMITH of Georgia. I should like to ask if the law does not already make provision for this case?

Mr. OVERMAN. The trouble is the law was limited in its effect to the 1st of October.

Mr. SMITH of Georgia. I merely wanted the information.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COST OF OFFICERS' UNIFORMS.

Mr. JONES of Washington. There was a bill, Senate bill 3433, reported by the chairman of the Committee on Military Affairs to-day relating to the purchase of soldiers' uniforms. I spoke to the chairman of the committee about calling up the bill, and he had no objection; but he is not here. He has one or two amendments that he desires to offer to the bill, to which I shall have no objection. I simply wish to say that I hope to call up the bill sometime this afternoon when the chairman of the

committee is here. He has been sent for, but I think he is engaged and can not be here just now.

Mr. GALLINGER. Mr. President, I think we are falling into a rather bad practice in having bills reported in the morning and within an hour called up for consideration, even before they are printed and on our desks. I do not know that I shall object to this bill, but I apprehended that a single day will not make any special difference about the matter, and that we ought to have an opportunity to read it before we are asked to consider it. I hope the Senator will let it go over until to-morrow.

Mr. JONES of Washington. I wish to say to the Senator that this is a bill concerning soldiers' uniforms, and——

Mr. GALLINGER. I am in great sympathy with the purpose of the bill.

Mr. JONES of Washington. I realize the force of the suggesbill up to-morrow by unanimous consent.

Mr. GALLINGER. Doubtless the Senator can do so.

Mr. JONES of Washington. I realize the force of the suggestion of the Senator. So I shall not call it up this afternoon, but hope to be able to call it up to-morrow morning in the morning hour.

The PRESIDENT pro tempore. The morning business is closed.

RAILROAD CONTROL.

Mr. SMITH of South Carolina. I move that the Senate proceed to the consideration of the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. TOWNSEND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	New	Smoot
Beckham	James	Norris	Sterling
Borah	Johnson, Cal.	Nugent	Thomas
Colt	Johnson, S. Dak.	Phelan	Thompson
Culberson	Jones, N. Mex.	Pittman	Tillman
Curtis	Jones, Wash.	Poindexter	Townsend
Dillingham	Kellogg	Pomerene	Trammell
Fernald	Kenyon	Reed	Vardaman
France	Kirby	Robinson	Weeks
Gallinger	McCumber	Saulsbury	Williams
Gerry	McKellar	Shafroth	Wolcott
Gronna	McNary	Sheppard	
Harding	Martin	Shields	
Henderson	Nelson	Smith, S. C.	

Mr. TRAMMELL. I desire to announce the unavoidable absence of my colleague [Mr. FLETCHER] on account of illness.

The PRESIDENT pro tempore. Fifty-three Senators have answered to their names. There is a quorum present.

Mr. SMITH of South Carolina obtained the floor.

Mr. ROBINSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Arkansas?

Mr. SMITH of South Carolina. I do.

Mr. ROBINSON. This is a measure of very great importance, and I suggest to the Senator, if it will not interfere with his remarks, that the bill be read.

Mr. SMITH of South Carolina. That course will be agreeable to me.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the President, having in time of war taken over the possession, use, control, and operation (called herein Federal control) of certain railroads and systems of transportation (called herein carriers), is hereby authorized to agree with and to guarantee to any such carrier making operating returns to the Interstate Commerce Commission that during the period of such Federal control it shall receive as just compensation not exceeding an annual sum (herein called standard return), payable in reasonable installments, for each year and pro rata for any fractional year of such Federal control, equivalent as nearly as may be to its average annual railway operating income (including therein such income of lines acquired by, leased to, or consolidated with such carrier between July 1, 1914, and December 31, 1917) for the three years ended June 30, 1917, and in addition thereto an annual sum payable likewise in reasonable installments, reckoned at a rate per cent to be fixed by the President upon the cost of any additions or betterments, less retirements, or road extensions, made during the six months ended December 31, 1917. In the computation of such income, debits and credits arising from the accounts called in the monthly reports to the Interstate Commerce Commission equipment rents and joint facility rents shall be included. The standard return and the cost of such additions, betterments, or road extensions are to be ascertained by the Interstate Commerce Commission from the reports, books, and other pertinent data of such carrier and certified by it to the President. Its certificate shall, for the purpose of such agreement, be taken as conclusive of the amount of such average annual railway operating income and of such cost. Until otherwise ordered by the President, operating revenues may be received by the carriers as heretofore and expended by them, subject to the provisions of this act, as heretofore, but any net railway operating income in excess of such standard return shall be paid into the Treasury of the United States and placed in the revolving fund created by this act.

Every such agreement shall provide that any Federal taxes under the act of October 3, 1917, or acts in addition thereto or in amendment thereof, commonly called war taxes, assessed for the period of Federal control beginning January 1, 1918, or any part of such period, shall be paid by the carrier out of its own funds, or shall be charged against or deducted from the standard return; that other taxes assessed under Federal or any other governmental authority for the period of Federal control or any part thereof, either on the property used under such Federal control or on the right to operate as a carrier, or on the revenues or any part thereof derived from operation (not including, however, assessments for public improvements or taxes assessed on property under construction and chargeable under the classification of the Interstate Commerce Commission to investment in road and equipment), shall be paid out of the revenues derived from railway operations while under Federal control; that all taxes assessed under Federal or any other governmental authority for the period prior to January 1, 1918, whenever levied or payable, shall be paid by the carrier out of its own funds or shall be charged against or deducted from the standard return.

The President is further authorized to make in such agreement all reasonable provisions for the maintenance, repair, and renewals of the property for the depreciation thereof and for the creation of necessary reserve funds in connection therewith to the end that at the termination of Federal control the property shall be returned to each carrier in substantially as good repair and in substantially as complete equipment as at the beginning of Federal control and that all just and proper accounting and adjustments be made, due consideration being given to the standards of maintenance and depreciation used by each carrier during the three years ended June 30, 1917, and to the condition of the property at the beginning and at the end of Federal control.

The President is further authorized in such agreement to make all other reasonable provisions, not inconsistent with the provisions of this act or of the act of August 29, 1916, that he may deem necessary or proper for such Federal control or for the determination of the mutual rights and obligations of the parties to the agreement arising from or out of such Federal control.

If the President shall find that the condition of any nondividend-paying carrier was during all or a substantial portion of the period of three years ended June 30, 1917, because of nonoperation, receivership, or where recent expenditures for additions or improvements or equipment when not fully reflected in the net operating railway income of the said three years or a substantial portion thereof, or other undeveloped or abnormal conditions, so exceptional as to make the basis of earnings, hereinabove provided for, plainly inequitable as a fair measure of just compensation, then the President may make with the carrier such agreement for such amount as just compensation as under the circumstances of the particular case he shall find just.

SEC. 2. That if no such agreement is made, the President may nevertheless pay to any carrier while under Federal control an annual amount, payable in reasonable installments, not exceeding 90 per cent of the estimated annual amount of just compensation, remitting such carrier to its legal rights for any balance claimed to the remedies provided in section 3 thereof. Any amount thereafter found due such carrier above the amount paid shall bear interest at the rate of 6 per cent per annum, and any excess amount paid hereunder shall be recoverable by the United States with interest at the same rate.

SEC. 3. That all claims for just compensation not adjusted as provided in section 1 shall, on the application of the President or of any carrier, be submitted to boards, each consisting of three referees to be appointed by the Interstate Commerce Commission, members of which and the official force thereof being eligible for service on such boards without additional compensation. Such boards or referees are hereby authorized to summon witnesses, require the production of records, books, correspondence, documents, and other papers, view properties, administer oaths, and may hold hearings in Washington and elsewhere, as their duties and the convenience of the parties may require. Such cases may be heard separately or together or by classes, as the Interstate Commerce Commission or any board of referees to which any such case shall be referred may determine. Said boards shall give full hearings to such carriers and to the United States; shall consider all the facts and circumstances; and shall report as soon as practicable in each case to the President the just compensation, calculated on an annual basis and otherwise in such form as to be convenient and available for such agreement as is authorized in section 1. The President is authorized to enter into an agreement with such carrier for just compensation upon a basis not in excess of that reported by such board and may include therein provisions similar to those authorized under section 1. Failing such agreement, either the United States or such carrier may file a petition in the Court of Claims for the purpose of final ascertainment of the amount of such just compensation, and in the proceedings in said court the report of said referees shall be prima facie evidence of the amount of just compensation and of the facts therein stated.

SEC. 4. That the just compensation that may be determined as hereinbefore provided by agreement or that may be adjudicated by the Court of Claims shall be increased by an amount reckoned at a reasonable rate per cent to be fixed by the President upon the cost of any additions and betterments, less retirements, and upon the cost of road extensions to the property of such carrier made by such carrier with the approval of or by the President while such property is under Federal control: *Provided*, That there shall be no increase of compensation for any additions, improvements, or betterments constructed out of or purchased by the earnings for investment or surplus earned during the period of Federal control.

SEC. 5. That no carrier while under Federal control shall, without the prior approval of the President, declare or pay any dividend in excess of its regular rate of dividends during the three years ending June 30, 1917: *Provided, however*, That such carriers as have paid no regular dividends or no dividends during said period, may, with the prior approval of the President, pay dividends at such rate as the President may determine.

SEC. 6. That the sum of $500,000,000 is hereby appropriated out of the Public Treasury from any funds not otherwise appropriated, which, together with any funds available from any operating income of said carriers, may be used by the President as a revolving fund for the purpose of paying the expenses of the Federal control, and so far as necessary the amount of just compensation, and to provide terminals, motive power, cars, and other necessary equipment, such terminals, motive power, cars, and equipment to be used and accounted for as the President may direct, and to be disposed of as Congress may hereafter by law provide.

The President may also, on or in connection with the property of any carrier, make or order any carrier to make any additions, betterments, or road extensions necessary or desirable for war purposes or in the public interest. He may from said revolving fund advance to such carrier all or any part of the expense of such additions, betterments, and road extensions so ordered and constructed by such carrier or by the President, such advances to be charged against such carrier and to bear interest at such rate and be payable on such terms as may be determined by the President, to the end that the United States may be fully reimbursed for any sums so advanced.

Any loss claimed to accrue to any carrier by reason of any such additions, betterments, or road extension so ordered and constructed may be determined by agreement between the President and such carrier; failing such agreement the amount of such loss shall be ascertained as provided in section 3 hereof.

From said revolving fund the President may expend such an amount as he may deem necessary or desirable for the utilization and operation of canals or for the purchase, construction, or utilization and operation of boats, barges, tugs, and other transportation facilities on the inland and coastwise waterways and may in the operation and use of such facilities create or employ such agencies and enter into such contracts and agreements as he shall decree in the public interest.

SEC. 7. That for the purpose of providing funds requisite for maturing obligations or for other legal and proper expenditures, or for reorganizing railroads in receivership, carriers may, during the period of Federal control, issue such bonds, notes, equipment trust certificates, stock and other forms of securities, secured or unsecured by mortgage, as the President may approve as consistent with the public interest. The President may purchase for the United States all or any part of such securities at prices not exceeding par, and may sell such securities whenever in his judgment it is desirable at prices not less than the cost thereof; any sums available from the revolving fund provided in section 6 may be used for such purchases.

SEC. 8. That the President may execute any of the powers herein and heretofore granted him with relation to Federal control through such agencies as he may determine, and may fix the reasonable compensation for the performance of services in connection therewith; and may utilize the personnel and facilities of the Interstate Commerce Commission and call upon members of such commission, or any of its employees, or employees of any department of the Government for such services as he may deem expedient. No such Federal official or employee shall receive any additional compensation for such services.

SEC. 9. That nothing herein contained shall be construed as modifying or restricting the powers heretofore conferred upon the President to take possession and assume control of any or all systems of transportation; and the President, in addition to the powers conferred by this act, shall have, and is hereby given, such other and further powers necessary or appropriate to give effect to the powers herein and heretofore conferred. The provisions of this act shall also apply to any carriers to which Federal control may be hereafter extended.

SEC. 10. That carriers while under Federal control shall, in so far as is not inconsistent therewith, or with the provisions of this act, or any other act applicable to such Federal control, or with any order of the President, be subject to all laws and liabilities as common carriers, whether arising under statutes or at common law; and suits may be brought by and against such carriers and judgments rendered as now provided by law. But no process, mesne or final, shall be levied against any property under such Federal control.

That whenever in his opinion the public interest requires the President may initiate rates by filing the same with the Interstate Commerce Commission. Said rates shall be fair, reasonable, and just and shall take effect at such time and upon such notice as he may direct, but the Interstate Commerce Commission shall, upon complaint, enter upon a hearing concerning the justness and reasonableness of so much of any order of the President as establishes or changes any rate, fare, charge, or classification of any carrier under Federal control, and may consider all the facts and circumstances existing at the time of the making of the rate. After full hearing the commission may make such findings and orders as are authorized by the act to regulate commerce as amended.

SEC. 11. That every person or corporation, whether carrier or shipper, or any receiver, trustee, lessee, agent, or person acting for or employed by a carrier or shipper, or other person, who shall knowingly violate or fail to observe any of the provisions of this act, or shall knowingly interfere with or impede the possession, use, operation, or control of any railroad property, railroad, or transportation system hitherto or hereafter taken over by the President, or shall violate any of the provisions of any order or regulation made in pursuance of this act, or of any other act concerning such possession, use, operation, or control, shall be guilty of a misdemeanor, and shall, upon conviction, be punished by a fine of not more than $5,000, or, if a person, by imprisonment for not more than two years, or both. Each independent transaction constituting a violation of, or a failure to observe, any of the provisions of this act, or any order entered in pursuance hereof, shall constitute a separate offense. For the taking or conversion to his own use or the embezzlement of money or property derived from or used in connection with the possession use, or operation of said railroads or transportation systems, the criminal statutes of the United States, as well as the criminal statutes of the various States where applicable, shall apply to all officers, agents, and employees engaged in said railroad and transportation service while the same is under Federal control, to the same extent as to persons employed in the regular service of the United States. Prosecutions for violations of this act, or of any order entered hereunder, shall be in the district courts of the United States, under the direction of the Attorney General, in accordance with the procedure for the collection and imposing of fines and penalties now existing in said courts.

SEC. 12. That all pending cases in the courts of the United States affecting railroads or other transportation systems brought under the act to regulate commerce approved February 4, 1887, as amended and supplemented, including the commodities clause, so called, or under the act to protect trade and commerce against unlawful restraints and monopolies, approved July 2, 1890, and amendments thereto, shall proceed to final judgment as soon as may be, as if the United States had not assumed control of transportation systems; but in any such case the court having jurisdiction may, upon the application of the United States, stay execution of final judgment until the further action of Congress in respect of control of transportation systems by the United States.

SEC. 13. That the Federal control of railroads and transportation systems herein and heretofore provided for shall not continue longer than 18 months after the proclamation of peace terminating the war in which the United States is now engaged: *Provided, however,* That the President may, prior to July 1, 1918, relinquish control of all or any part of any railroad or system of transportation further Federal control of which the President shall deem not needful or desirable; and the President may at any time during the period of Federal control agree with the owners to relinquish all or any part of any railroad or system of transportation: *Provided further,* That the President may relinquish all railroads under Federal control at any time he shall deem such action needful or desirable. No right to compensation shall accrue to any owner from and after the date of relinquishment for property relinquished under authority of this section. But this act is expressly declared to be emergency legislation enacted to meet conditions growing out of war; and nothing herein is to be construed as expressing or prejudicing the future policy of the Federal Government concerning the ownership, control, or regulation of carriers or the method or basis of the capitalization thereof.

Mr. ROBINSON. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gronna	Norris	Sutherland
Beckham	Harding	Nugent	Thomas
Borah	Hardwick	Poindexter	Thompson
Chamberlain	James	Ransdell	Tillman
Cummins	Johnson, S. Dak.	Robinson	Townsend
Curtis	Jones, Wash.	Shafroth	Vardaman
Dillingham	Kellogg	Sheppard	Watson
Fernald	Kenyon	Simmons	Wolcott
France	Lewis	Smith, S. C.	
Gallinger	McKellar	Smoot	
Gerry	New	Sterling	

Mr. SUTHERLAND. I wish to announce the absence of my colleague [Mr. GOFF] on account of illness.

Mr. GRONNA. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent because of illness in his family. I will let this announcement stand for the day.

The PRESIDING OFFICER. The call of the roll shows that 41 Senators are present, not a quorum. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. ASHURST, Mr. JOHNSON of California, Mr. KING, Mr. MARTIN, Mr. SAULSBURY, and Mr. WARREN answered to their names when called.

Mr. OVERMAN, Mr. HENDERSON, Mr. HITCHCOCK, Mr. SWANSON, Mr. MCNARY, Mr. OWEN, Mr. UNDERWOOD, and Mr. SHERMAN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present. The Senator from South Carolina will proceed.

Mr. SMITH of South Carolina. Mr. President, I am sorry that because of the lunch hour there are so few Senators here, as I have been informed by those in authority to speak, that the settlement of the railroad question, now that the Government has assumed control of the railroads, is one of paramount importance, for the reason that it is seriously affecting the financial situation. The railroads, as we all know, through their property and their securities, are related to the financial and commercial world in such a vital manner that it is jeopardizing the whole interests of the country for this matter of determining their status under the new condition to be suspended.

Mr. President, I hope that as far as possible all other business and subjects of debate will be laid aside until a disposition is made of the bill. It is not that I am seeking to have passed a bill that I have in charge by virtue of my position as chairman of the committee, but it is because of the vital necessity to the Nation that this question, involving practically twenty billions of dollars, shall be settled.

The action precipitating the necessity of legislation on the part of the Senate has already been taken. The roads are now in the possession and control of the Government of the United States, while the property is still in the hands of the private owners. That situation creates uncertainty and doubt and is reflecting itself, at this crucial time in our history, in such embarrassment in the financial world that we ought to see to it that it is now disposed of at the earliest possible time; and I hope that the Senate may be able to continue the consideration of this bill until it shall finally act and determine what disposition it shall make of it.

Mr. President, some very vital principles were necessarily involved by this radical and, perhaps, unprecedented change from the system heretofore obtaining in the management of our common carriers. They are in part public property and in part private property. They have been operated by private individuals during all the time since their introduction into our economic life, and they are now operated by the public, with private individuals still maintaining their ownership. The whole question is so vast and so vital to us at this time that I sincerely hope we may expedite the consideration of this measure to its final conclusion without any unnecessary hindrance.

In order that we may get clear the viewpoint of a majority of the committee in considering the bill before the Senate, it is perhaps well to give some of the facts that have led up to and resulted in the Government assuming possession and control of these properties.

The policy of the Government in relation to the railroads, up to the time of assumption of control by the Government, was to encourage competition amongst the several railroads, at least so far as service was concerned. Governmental regulation properly began with the creation of the Interstate Commerce Commission by the act of 1887. Since the creation of the commission the regulation and control of railroads, particularly in reference to rate, has been progressive.

The original act of 1887 empowered the commission to order carriers to cease from any violation of the act and to award reparation for past injuries. In 1906 the act was further amended, giving the commission the power to prescribe maximum rates for the future and to prescribe divisions of through rates. In 1910 it was still further amended by giving the commission the power to suspend rates, upon its own initiative or upon complaint, pending the investigation of such rates as to their justness and reasonableness, and in 1917 the act was still further amended, for a definite period—that is, that it should be operative up till January 1, 1920, requiring the railroads to obtain permission of the commission before filing tariffs containing any increased rates.

From this series of progressive statutory regulations it will be seen that the railroads, so far as their revenues were concerned, were practically under the control of the Interstate Commerce Commission; that the income that they received for rendering service to the American public was practically in the hands of a Federal body constituted by Congress, to which were delegated certain legislative functions.

The outbreak of the war in Europe, even before the entrance of America into the conflict, created a vastly increased volume of traffic for the railroads. This volume increased as the war proceeded, until the war traffic, plus the domestic traffic in certain railroad districts, was taxing the facilities of the roads beyond their power to adequately handle it. The congestion in these districts reacted throughout the country, so that it seriously affected the movement of all classes of freight.

The New England States, being largely a manufacturing center, and the port of New York principally, also Baltimore and Philadelphia, being the outlet for this traffic, all lines converging to these points, both in the carrying of their raw material and their finished product to these ports. The result was that the mouth of the funnel, to use an illustration, was so blocked that empty cars could not be gotten out and loaded cars could not be gotten in, thereby affecting the entire traffic of the country.

In the hearings before our committee the difficulty that was testified to by most of those who appeared before us was not that there were not, perhaps, adequate railroad facilities for meeting the conditions that were upon us, but that the concentration of freight and traffic at certain points so tied up the facilities—cars, box cars, coal cars—that actually when they were emptied they could not be gotten out on account of the roads being so congested with other freight. To relieve this situation there was organized in Washington under the auspices of the Council of National Defense a subcommittee known as the Railroad War Board. This board consisted of certain railroad officials, whose object was to cooperate, as far as the law would allow, with the Government in mobilizing as best they might the traffic of the country in the emergency. The result of their efforts was not satisfactory, at least it did not give the relief that the circumstances imperatively demanded.

This failure, in part at least, grew out of the restrictive laws in the interstate commerce act, forbidding the pooling of cars and of freight. It also may be noted, in connection with the two restrictive powers above mentioned, that the interstate commerce act gave to the shipper the right to route his freight over whatever lines he chose. This also was an obstacle in the way of distributing freely and efficiently the traffic of the country.

On May 29, 1917, in what is known as the Esch car-service act, the Interstate Commerce Commission was given the power "whenever the commission shall be of opinion that the necessity exists for immediate action * * * at once, if it so orders, without answer or other formal pleading with the interstate carrier or carriers, and with or without notice herein with the making or filing of a report * * * to suspend the operation of any or all rules, regulations, or practices then established with respect to car service for such time as may be determined by the commission, and also authority to make such just and reasonable directions with respect to car service during such time as in its opinion will best promote car service in the interest of the public and the commerce of the people."

This enabled the railroads, in cooperation with the commission, without violation of law to utilize the car service more effectually. It did not, however, change the law in reference to the right of the shipper to route his shipments. This act was helpful and was utilized by the railroad commission to its fullest, but the situation still did not improve to the extent that the circumstances demanded. Therefore, the right of the shipper to route his freight still being in force, there resulted a continued congestion of traffic in the great centers for manufacture and export in spite of the Esch Act and in spite of the effort on the part of railroads. The shippers of the country naturally ordered from and shipped to during this emergency the points that they had been in the habit of using, and the routes and the rates established by the railroads under the supervision of the Interstate Commerce Commission had been utilized for a long period of time by them; they were familiar with them, had regulated their business according to them, and therefore, for commercial reasons, there was no change in the situation so far as routing over congested roads was concerned. The congestion at the great eastern termini and its resulting effects upon the entire traffic of the country still remained so acute that it was threatening both the war activities and the commerce of the entire country.

On August 29 Congress enacted the following:

The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same to the exclusion, as far as may be necessary, of all other traffic thereon for the transfer or transportation of troops, war material, and equipment, or for such other purposes connected with the emergency as may be needful or desirable.

On December 1, 1917, the Interstate Commerce Commission made the following report in reference to the situation. I assume at this point, Mr. President, that those who have appreciated the importance of this legislation and the gravity of the situation have acquainted themselves with the recommendations made by the Interstate Commerce Commission. Under the laws they were required from time to time to make such recommendations as they thought pertinent and proper, and they made a recommendation which, without reading, I ask to have incorporated in my remarks.

The PRESIDING OFFICER (Mr. WATSON in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

SPECIAL REPORT OF THE INTERSTATE COMMERCE COMMISSION.

WASHINGTON, D. C., *December 1, 1917.*

To the Senate and House of Representatives:

The act to regulate commerce requires the commission to transmit to the Congress such recommendations as to additional legislation relating to regulation of commerce as the commission may deem necessary. Under this mandate the commission submits the following special report, supplementing its annual report, with reference to transportation conditions as affecting and affected by the war in which the United States is now engaged.

The railroads of the country came into being under the stimulus of competition. From the outset their operation and development have been responsive to a competition which has grown with the growth of population and industry. This competitive influence has been jealously guarded and fostered by State laws and constitutions, as well as by the Federal law. The keenness of rivalry naturally drew to the front those who were quick to seize and resolute to retain every available point of vantage for their respective roads. Terminals, if confined to exclusive use, were not only of strategic importance, but profit-yielding assets. Out of competition grew rate wars, pooling, mergers, and consolidation into systems, as well as the rebating and other preferential treatment of shippers which the act to regulate commerce was primarily framed to prevent.

In that act the Congress, accepting the competitive principle as salutary, has thrown about it prohibitions against compacts for the pooling of freights or divisions of earnings of different and competing railroads, and, while the original act is but the nucleus of the act we now administer, that prohibition has remained unchanged.

But original act and successive amendments were alike framed in times of peace and for times of peace. They looked to protection of the shipper and the public against unjust or unfair treatment by the carrier and not to protection of the Nation and its commerce in time of war by utilization of all the forces and resources of its transportation systems to their fullest extent.

Since the outbreak of the war in Europe, and especially since this country was drawn into that war, it has become increasingly clear that unification in the operation of our railroads during the period of conflict is indispensable to their fullest utilization for the national defense and welfare. They must be drawn, like the individual, from the pursuits of peace and mobilized to win the war. This unification can be effected in one of two ways, and we see but two.

The first is operation as a unit by the carriers themselves. In the effort along this line initiated early in this year they are restricted by State and Federal law, and the idea is the antithesis of that which heretofore has controlled their activities. Their past operations have been competitive, although since the Hepburn Act, and especially since the Mann-Elkins Act, the prescription by this commission of reasonable maximum rates and charges for rail carriers subject to the act, and the exercise of its power to require abatement of unjust discrimination or undue prejudice, have in great degree restricted that competition to the field service. But whether or not perpetuation of the competitive influence is desirable under a system of Government regulation, it is

apparent that operation of our railroads as a unit involves the surrender by each of exclusive use of terminal facilities, surrender at times of profitable traffic to other carriers, and acceptance of less profitable traffic, with resultant loss of revenue, wherever economy of movement or greater freedom from congestion would dictate that course if the various carriers were in fact but one.

The alternative is operation as a unit by the President during the period of the war as a war measure under the war powers vested in him by the Constitution and those which have been or may be conferred by the Congress.

As bearing upon the alternatives thus stated it will be recalled that since the beginning of the war in 1914 the traffic offered to and moved by the railroads has increased enormously. Prior thereto there had been occasional periods of car shortage, usually restricted in territory, but it may be said that from 1907 down to 1916 the number of cars in the country exceeded the demand. This subject is treated in our annual report.

The sudden, unforeseen, and unprecedented demand for transportation occasioned by the war placed a strain upon the facilities and equipment of the railroads which they were not and are not prepared to meet. There was created a need for immediate and extensive additions to existing facilities and equipment. This need is coincident with demands upon capital, as well as upon labor, manufactures, and natural resources, such as we have never known. Important additions and betterments will require new capital.

The railroads propose essentially that we allow increases in freight rates of such magnitude that their increased earnings will attract investors by dividends declared or by the prospect of dividends in competition with securities issued by Federal, State, and municipal Governments, public-utility corporations, and industries organized and operating primarily for gain as distinguished from public service. Some of the latter have yielded large profits since the outbreak of the war.

An attempt to secure new capital would come at a time when the rising cost of living has made it difficult for those dependent for support upon their earnings to meet their current expenses; after the absorption by American capital of two-thirds of the American securities owned abroad prior to August 1, 1914, the railroad securities returned to this country alone amounting to from $1,700,000,000 to $2,000,000,000; after financing in this country of loans to our present allies; and after subscription for almost $6,000,000,000 of liberty loan bonds.

Even if the railroads had more money, the immediate construction of necessary facilities and equipment could not readily be effected. Labor is scarce and the cost is mounting. So with materials and supplies. Car and locomotive builders are largely engaged in producing equipment needed abroad, both by our allies and by our own forces in the conduct of the war. The steel and other materials needed for such construction, as well as the labor, are also needed in other phases of the conflict. Under such conditions and pending the acquisition of such additional facilities and equipment it is indispensable that those now in existence should be used to their fullest capacity, primarily for the uses which are most vital to the country's defense and welfare, but without unnecessary hindrance to the industry and commerce of our people, upon which their ability to contribute toward the success of the war so largely depends.

The act to regulate commerce was not enacted to meet such a situation. The carriers have the right to demand at our hands, and it is our duty to approve, just and reasonable rates sufficient to yield fair returns upon the value of the property devoted to public use after necessary expenditures for wages, fuel, and supplies, reasonable expenditures for maintenance, renewals, and betterments properly chargeable to operating expenses, and appropriate depreciation. Measured in dollars, the gross revenues of the carriers during the past and current fiscal years exceed any in their history. But what the dollar will buy in labor, material, and supplies is substantially less.

We are sensible of the vital and imperative need of the hour that our railroads shall not be permitted to become less efficient or less sufficient. We realize the gravity of a serious breakdown of our transportation facilities. It is unthinkable that this breakdown would be permitted if it could be prevented. Increased charges for carriage, if found necessary to take care of unavoidable increases in operating expenses, would not at this time bring new capital on reasonable terms in important sums.

In our opinion the situation does not permit of temporizing. All energies must be devoted to bringing the war to a successful conclusion, and to that end it is necessary that our transportation systems be placed and kept on the plane of highest efficiency. This can only be secured through unification of their operation during the period of the war.

If the unification is to be effected by the carriers, they should be enabled to effect it in a lawful way. To that end, in our judgment, the operation of the antitrust laws, except in respect of consolidations or mergers of parallel and competing lines, as applied to rail and water carriers subject to the act to regulate commerce, and of the antipooling provision of section 5 of that act, should be suspended during the period of the war, and until further action by the Congress. In addition, they should be provided from the Government Treasury with financial assistance in the form of loans or advances for capital purposes in such amounts, on such conditions, and under such supervision of expenditure as may be determined by appropriate authority. As a necessary concomitant the regulation of security issues of common carriers engaged in interstate commerce should be vested in some appropriate body, as has been recommended in our annual reports. The rights of shippers for reasonable rates and nondiscriminatory service under the present jurisdiction of the commission need not seriously be interfered with by such unified control. Some elastic provisions for establishment of new routes would probably be needed.

If the other alternative be adopted and the President operates the railroads as a unit during the period of the war, there should be, in our opinion, suitable guaranty to each carrier of an adequate annual return for use of the property, as well as of its upkeep and maintenance during operation, with provision for fair terms on which improvements and betterments made by the President during the period of his operation could be paid for by the carrier upon return to it of the property after expiration of that period.

HENRY C. HALL, *Chairman.*

Attest:

GEORGE B. MCGINTY, *Secretary.*

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Iowa?

Mr. SMITH of South Carolina. I do.

Mr. CUMMINS. Did the Senator from South Carolina include in his request for printing the report of Mr. McChord, of the Interstate Commerce Commission? The Senator will remember that there were two reports—one made by the majority and the other by Mr. McChord.

Mr. SMITH of South Carolina. I did not incorporate that.

Mr. CUMMINS. I think it would serve a good purpose and be very well if the Senator would ask that the McChord report be printed at the same time.

Mr. SMITH of South Carolina. I will make that request, because I think in all fairness to the commission it should be included.

Mr. CUMMINS. It is in exact accord with what we have since done.

Mr. SMITH of South Carolina. Yes.

The PRESIDING OFFICER. Without objection, that will also be included in the RECORD.

The matter referred to is as follows:

WASHINGTON, D. C., *December 5, 1917.*

To the Senate and House of Representatives:

The special report of the majority of the commission leaves unsaid some things which should be plainly stated if prompt and sure relief is to be brought to the present transportation situation. That the lack of adequate railroad service, particularly in eastern territory, is serious at the present time and is a cause of grave concern for the coming winter months needs no demonstration. Everyone knows it who knows anything about present business conditions. That the industries of the country engaged in making war materials as well as those not so occupied require the very best service which can be given by the railroads is also clear. I fully concur in the statement of the majority report that "it is necessary that our transportation systems be placed and kept on the plane of highest efficiency," and also that "this can only be secured through unification of their operation during the period of war." But the majority report takes the position, at least by implication, that this unification may "be effected by the carriers" themselves. With that judgment I wholly disagree.

The carriers' cooperative effort at the present time is in charge of the "executive committee of the special committee on national defense of the American Railway Association." This committee in its public announcements calls itself the Railroad War Board. It is the fifth committee that the railroads have had in Washington to deal with the transportation situation since November, 1916. The first two of those committees were given no real authority, although the commission was advised by the executives that they had been given full power, or, as it was expressed in the case of the first committee, "all the power of the executives." These committees therefore were unable to cope with the situation despite earnest and praiseworthy efforts of their individual members, who were hampered by the unwillingness of certain railroads, acting under the restraint of executive influence, to carry out their instructions. These facts have been reported by the commission. (Car Supply Investigation, 42 I. C. C., 657.) In that report both the majority and the minority expressed the view that the situation could be improved by a committee of railroad officers to act in cooperation with this commission if the committee were given plenary power by all the railroads. In apparent response to that suggestion a third committee was sent to Washington, in January, 1917, but it also had not been given the promised power and was therefore not received. In February, 1917, a fourth committee was sent to Washington to enforce certain car-service rules. Not all of the railroads believed that these rules were workable, and hence the agreement giving power to this committee was incomplete and inadequate. With this experience behind it, the American Railway Association, on April 11, 1917, formed its special committee on national defense and centered the chief authority in its executive committee. The resolution by which this committee was formed recites that the railroads of the United States pledged themselves, with the Government of the United States, with the governments of the several States, and with one another, that during the present war they would—

"Coordinate their operations in a continental railway system, merging during such period all their merely individual and competitive activities in the effort to produce a maximum of national transportation efficiency."

It was understood that the coordination of railway operations in a continental railway system meant that cars would be used interchangeably and sent where they were most needed; that track and terminal facilities would be opened up to all railroads, so as to relieve congestion; and that locomotives would be at once requisitioned from some of the strong and less burdened railroads for use on the important lines which have been unable to give efficient service, largely because they were badly in need of motive power. Yet as late as November 24 the carriers' committee made an announcement from which the following is quote:

"The Railroad War Board to-day adopted revolutionary measures in order to relieve the congestion of traffic on the eastern railways. It directed that 'all available facilities on all railroads east of Chicago be pooled to the extent necessary to furnish maximum freight movement.' The effect will be that to the full extent that conditions render it desirable these railways will be operated as a unit, entirely regardless of their ownership and individual interests.

"The operating vice presidents of the eastern lines have been appointed a committee to operate as a unit all the lines involved, and have been given instructions and authority to adopt all measures which in their judgment may be necessary to relieve the present situation and assure the maximum amount of transportation.

* * * * * * *

"An important part of the plan adopted for the operation of the eastern lines is that of placing at their disposal the facilities of railways in other territories to such extent as may be necessary."

These measures—the pooling of cars, the operation of railways as a unit, the placing of facilities at the disposal of railways in other territories as needed—are essential steps in the coordination of railway operations "in a continental railway system," using the phrase of the resolution of April 11, but were not taken until November 24.

I do not wish to be understood as saying that the carriers' committee has not accomplished results, nor that the shippers have not cooperated with the carriers to get greater service from the available equipment, for the heavier car loading has been a very material factor of improvement. But our experience with railroad committees during the past year makes me believe that no voluntary committee can accomplish what the situation demands. One of the principal reasons is that the element of self-interest, the traffic influence, is a persistent factor in postponing and resisting measures that seek to disregard individual rights in the effort to secure transportation results as a whole. The "merely individual and competitive activities" and the established operating practices have their effect, despite directions or recommendations that have no sanction to enforce them except a voluntary agreement which is very general in character. There runs also in the activities of these committees the self-evident purpose to do whatever appears to be necessary to prevent the governmental authority from acting. For these and other reasons which it is not necessary to state I can not concur in a report to the Congress which apparently acquiesces in a continuation of control over the transportation situation by a committee appointed by the carriers themselves. The suggestions with reference to the antitrust laws, the antipooling provision of section 5 of the act, the desirability of Government loans for capital purposes, and the regulation of security issues undoubtedly have merit, but in my judgment their enactment into law will not make it possible for any committee appointed by the carriers to secure the full measure of transportation service which the present conditions demand.

The "unification" needed if our transportation systems are to be "placed and kept on the plane of highest efficiency" is the unification of the present diversified governmental control. At the present time there are several Federal agencies authorized by law to issue orders or directions with respect to transportation. This commission, by the car-service act approved May 29, 1917, was given very broad powers to issue summary directions with respect to the movement, distribution, exchange, interchange, and return of cars. The priority director, designated by the President for that purpose under the act approved August 10, 1917, is authorized to direct that traffic essential to the national defense shall be given priority in transportation, and he has made certain orders of that character. The transportation of troops and material of war, under the amendment to the act to regulate commerce approved August 29, 1916, is required upon the demand of the President to be given preference over all other traffic in time of war, and by direction of the Army and Navy Departments and the United States Shipping Board preference orders have been given for the transportation of a very large tonnage of war materials and supplies of all kinds. The administrations controlling fuel and food, to which adequate transportation is, of course, vital, have taken an active interest in the movement of those commodities through their appointed agents. Under this diversified control the carriers are not able to meet the requirements of the increasingly heavy tonnage which must be moved. In consequence the industries devoted to war purposes and those engaged in their normal business are suffering. There is no institution in which regularity of operation is more requisite than in transportation, but railroad operation is approaching a chaotic condition. A coherent plan must be worked out which shall provide for both the needs of the Government in the energetic prosecution of the war and the needs of general commerce. It is imperative that war material be given preference in transportation, but the financial sinews of war depend in large measure upon the successful operation of our manufacturing plants and business establishments.

I concur in the view that "the situation does not permit of temporizing," but I am convinced that the strong arm of governmental authority is essential if the transportation situation is to be radically improved. That authority must be unified to make possible action that is both vigorous and consistent. If the President elects to exercise the power given him under the act approved August 29, 1916, to take possession and assume control of the transportation systems, I believe that vastly improved transportation conditions can be promptly secured. For this course legislation assuring the carriers a fair return may be appropriate. If the President does not so elect, it is my judgment that the authority over the regulation of railroad operations now vested in the several agencies referred to, with such amplification as may be necessary, should be promptly centralized by act of Congress. All of the forces now at work upon the problem, including the carriers' executive committee and its numerous subcommittees, could be at once utilized under a single governmental administrative control.

C. C. McCHORD, *Commissioner.*

Mr. SMITH of South Carolina. Mr. President, on December 26 the President issued the following proclamation of governmental control of the railroads, together with an explanatory statement in reference thereto, which I presume all are familiar with, and, without reading, I ask that it be incorporated in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

GOVERNMENT CONTROL OF RAILROADS.

By the President of the United States of America.

A PROCLAMATION.

Whereas the Congress of the United States, in the exercise of the constitutional authority vested in them, by joint resolution of the Senate and House of Representatives bearing date April 6, 1917, resolved:

"That the state of war between the United States and the Imperial German Government which has thus been thrust upon the United States is hereby formally declared; and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial German Government; and to bring the conflict to a successful termination all of the resources of the country are hereby pledged by the Congress of the United States."

And by joint resolution bearing date of December 7, 1917, resolved:

"That a state of war is hereby declared to exist between the United States of America and the Imperial and Royal Austro-Hungarian Government; and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial and Royal Austro-Hungarian Government; and to bring the conflict to a successful termination all the resources of the country are hereby pledged by the Congress of the United States."

And whereas it is provided by section 1 of the act approved August 29, 1916, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes," as follows:

"The President in time of war is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same, to the exclusion, as far as may be necessary, of all other traffic thereon, for the transfer or transportation of troops, war material, and equipment, or for such other purposes connected with the emergency as may be needful or desirable."

And whereas it has now become necessary in the national defense to take possession and assume control of certain systems of transportation and to utilize the same, to the exclusion, as far as may be necessary, of other than war traffic thereon, for the transportation of troops, war material, and equipment therefor, and for other needful and desirable purposes connected with the prosecution of the war:

Now, therefore, I, Woodrow Wilson, President of the United States, under and by virtue of the powers vested in me by the foregoing resolutions and statute, and by virtue of all other powers thereto me enabling, do hereby, through Newton D. Baker, Secretary of War, take possession and assume control at 12 o'clock noon on the 28th day of December, 1917, of each and every system of transportation and the appurtenances thereof located wholly or in part within the boundaries of the continental United States and consisting of railroads and owned or controlled systems of coastwise and inland transportation engaged in general transportation, whether operated by steam or by electric power, including also terminals, terminal companies, and terminal associations, sleeping and parlor cars, private cars and private car lines, elevators, warehouses, telegraph and telephone lines, and all other equipment and appurtenances commonly used upon or operated as a part of such rail or combined rail-and-water systems of transportation; to the end that such systems of transportation be utilized for the transfer and transportation of troops, war material, and equipment, to the exclusion so far as may be necessary of all other traffic thereon; and that so far as such exclusive use be not necessary or desirable such systems of transportation be operated and utilized in the performance of such other services as the national interest may require and of the usual and ordinary business and duties of common carriers.

It is hereby directed that the possession, control, operation, and utilization of such transportation systems, hereby by me undertaken, shall be exercised by and through William G. McAdoo, who is hereby appointed and designated Director General of Railroads. Said director may perform the duties imposed upon him, so long and to such extent as he shall determine, through the boards of directors, receivers, officers, and employees of said systems of transportation. Until and except so far as said director shall from time to time by general or special orders otherwise provide, the boards of directors, receivers, officers, and employees of the various transportation systems shall continue the operation thereof in the usual and ordinary course of the business of common carriers, in the names of their respective companies.

Until and except so far as said director shall from time to time otherwise by general or special orders determine, such systems of transportation shall remain subject to all existing statutes and orders of the Interstate Commerce Commission and to all statutes and orders of regulating commissions of the various States in which said systems or any part thereof may be situated. But any orders, general or special, hereafter made by said director shall have paramount authority and be obeyed as such.

Nothing herein shall be construed as now affecting the possession, operation, and control of street electric passenger railways, including railways commonly called interurbans, whether such railways be or be not owned or controlled by such railroad companies or systems. By subsequent order and proclamation, if and when it shall be found necessary or desirable, possession, control, or operation may be taken of all or any part of such street railway systems, including subways and tunnels; and by subsequent order and proclamation possession, control, and operation in whole or in part may also be relinquished to the owners thereof of any part of the railroad systems or rail-and-water systems, possession and control of which are hereby assumed.

The director shall, as soon as may be after having assumed such possession and control, enter upon negotiations with the several companies looking to agreements for just and reasonable compensation for the possession, use, and control of their respective properties on the basis of an annual guaranteed compensation above accruing depreciation and the maintenance of their properties equivalent, as nearly as may be, to the average of the net operating income thereof for the three-year period ending June 30, 1917, the results of such negotiations to be reported to me for such action as may be appropriate and lawful.

But nothing herein contained, expressed or implied, or hereafter done or suffered hereunder, shall be deemed in any way to impair the rights of the stockholders, bondholders, creditors, and other persons having interests in said systems of transportation or in the profits thereof to receive just and adequate compensation for the use and control and operation of their property hereby assumed.

Regular dividends hitherto declared and maturing interest upon bonds, debentures, and other obligations may be paid in due course; and such regular dividends and interest may continue to be paid until and unless the said director shall from time to time otherwise by general or special orders determine; and, subject to the approval of the director, the various carriers may agree upon and arrange for the renewal and extension of maturing obligations.

Except with the prior written assent of said director, no attachment by mesne process or on execution shall be levied on or against any of the property used by any of said transportation systems in the conduct of their business as common carriers; but suits may be brought by and against said carriers and judgments rendered as hitherto until and except so far as said director may, by general or special orders, otherwise determine.

From and after 12 o'clock on said 28th day of December, 1917, all transportation systems included in this order and proclamation shall conclusively be deemed within the possession and control of said director

without further act or notice. But for the purpose of accounting said possession and control shall date from 12 o'clock midnight on December 31, 1917.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done by the President, through Newton D. Baker, Secretary of War, in the District of Columbia, this 26th day of December, A. D. 1917, and of the independence of the United States the one hundred and forty-second.

WOODROW WILSON.

By the President:

ROBERT LANSING,
Secretary of State.
NEWTON D. BAKKER,
Secretary of War.

STATEMENT OF THE PRESIDENT.

I have exercised the powers over the transportation systems of the country which were granted me by the act of Congress of last August because it has become imperatively necessary for me to do so. This is a war of resources no less than of men, perhaps even more than of men, and it is necessary for the complete mobilization of our resources that the transportation systems of the country should be organized and employed under a single authority and a simplified method of coordination which have not proved possible under private management and control. The committee of railway executives who have been cooperating with the Government in this all-important matter have done the utmost that it was possible for them to do; have done it with patriotic zeal and with great ability; but there were difficulties that they could neither escape nor neutralize. Complete unity of administration in the present circumstances involves upon occasion and at many points a serious dislocation of earnings, and the committee was, of course, without power or authority to rearrange charges or effect proper compensations and adjustments of earnings. Several roads which were willingly and with admirable public spirit accepting the orders of the committee have already suffered from these circumstances and should not be required to suffer further. In mere fairness to them the full authority of the Government must be substituted. The Government itself will thereby gain an immense increase of efficiency in the conduct of the war and of the innumerable activities upon which its successful conduct depends.

The public interest must be first served and, in addition, the financial interests of the Government and the financial interests of the railways must be brought under a common direction. The financial operations of the railways need not then interfere with the borrowings of the Government, and they themselves can be conducted at a greater advantage. Investors in railway securities may rest assured that their rights and interests will be as scrupulously looked after by the Government as they could be by the directors of the several railway systems. Immediately upon the reassembling of Congress I shall recommend that these definite guarantees be given: First, of course, that the railway properties will be maintained during the period of Federal control in as good repair and as complete equipment as when taken over by the Government; and, second, that the roads shall receive a net operating income equal in each case to the average net income of the three years preceding June 30, 1917; and I am entirely confident that the Congress will be disposed in this case, as in others, to see that justice is done and full security assured to the owners and creditors of the great systems which the Government must now use under its own direction or else suffer serious embarrassment.

The Secretary of War and I are agreed that, all the circumstances being taken into consideration, the best results can be obtained under the immediate executive direction of the Hon. William G. McAdoo, whose practical experience peculiarly fits him for the service and whose authority as Secretary of the Treasury will enable him to coordinate as no other man could the many financial interests which will be involved and which might, unless systematically directed, suffer very embarrassing entanglements.

The Government of the United States is the only great Government now engaged in the war which has not already assumed control of this sort. It was thought to be in the spirit of American institutions to attempt to do everything that was necessary through private management, and if zeal and ability and patriotic motive could have accomplished the necessary unification of administration it would certainly have been accomplished; but no zeal or ability could overcome insuperable obstacles, and I have deemed it my duty to recognize that fact in all candor, now that it is demonstrated, and to use without reserve the great authority reposed in me. A great national necessity dictated the action, and I was therefore not at liberty to abstain from it.

WOODROW WILSON.

Mr. SMITH of South Carolina. It will be noted that one of the recommendations of the Interstate Commerce Commission was closely followed in principle by the proclamation of the President. On December 28, through the Secretary of War, he formally took possession and control of the railroads of the country. As indicated in his proclamation, the operation of the roads under Government control was extended so as to include the entire traffic of the country as well as war material. It therefore became necessary to enact legislation in order to carry into effect the powers conferred by the act of August 29 and such other powers as were granted or implied in the declaration of war.

The bill under consideration was drafted by the administration and modified by the Interstate Commerce Committee of the Senate to meet the situation. The first essential point was what compensation would be offered to the railroads by the Government for the use of their properties while under Federal control and what should be the basis of computing this compensation. In the proclamation of the President, and in the bill drafted by the administration, it was suggested that the time of the taking over of the properties and the conditions existing when taken over should be considered, and that the earnings by the roads under war conditions should become the basis of their compensation during the war period or the tenure of the Federal control. Therefore it is proposed in the bill, in pursuance of this idea, that the three war years—the fiscal years of 1915, 1916, and 1917—be taken as the basis to determine the average earning of the roads during the war period and to make compensation in accordance therewith. This seemed to the committee to be a fair basis of compensation, when it is considered that while all other corporate enterprises, as well as individual enterprises, not being subject to Federal regulation in regard to rates and charges were the beneficiaries of the extraordinarily high prices obtaining during the war period, the railroads, under the rules and regulations of the Interstate Commerce Commission, authorized by the commerce act, could not during this period increase their revenues except as those revenues were increased by increased traffic and travel, entailing on the railroads an increased service in comparison with the increased revenues from that service. There was an increase granted in rates in certain instances in the eastern district, but in the main the roads were practically operating under ante-war rates, and it is but just to say that though this increase was granted it was not put into operation in sufficient time to be reflected to any appreciable extent in the returns of the roads up to June 30, 1917, the terminus of the period contemplated as a basis for compensation, so that the compensation for the roads contemplated in the bill will not now reflect that increase in rates which was granted to them and which they would have enjoyed had they been left in possession of the property.

This basis of compensation is made to enable the President to enter into an agreement with the roads in lieu of all their lawful and constitutional rights, thereby avoiding the delays and difficulties that would necessarily result from attempting to ascertain what would be just compensation by due process of law.

It is believed, and confidently hoped, that the carriers will make the agreements, as provided in this bill, in order to avoid delay, and in order that the entire railroad and carrier facilities of the country may be utilized freely and whole-heartedly to meet the exigencies of the emergency that is now upon us. This contemplated compensation should appeal to the roads and the public in view of the fact that it is probable that this is approximately the amount that they would be likely to receive from a court decision.

The committee also gave due consideration to the financial situation that now exists and which influenced the committee in dealing with this subject of compensation. The basis of compensation is such as to guarantee to the security holders of these properties their usual interest and dividends, and to take care of such other obligations as they normally provide for, thus creating confidence in these securities and avoiding the embarrassment that might arise were they not secured at least at the rate that they had been receiving previous to and during the war.

The question of the real value of the property was not considered by the committee as a proper subject for this emergency legislation; that is, the committee took the facts as they appear in the reports to the Interstate Commerce Commission, filed in accordance with the law, as being the proper basis for them to act upon. The committee recognizes that the value of the properties is not definitely ascertainable. The Interstate Commerce Commission has not yet completed the valuation of the properties under the valuation act. From time to time the Interstate Commerce Commission has taken the investment in the properties, as stated in the annual reports, as providing the best basis available to show the trend of expenses and revenues in relation to the stated investment, and as representing the most accurate figure now available. The committee, therefore, in the absence of an accurate investment figure, has taken the aggregate net earnings of the properties as the basis to be applied under this act. In other words, the committee took the result of the railroad operations under the regulating power of Congress as a just basis to compute their compensation in time of this emergency. We did not think it was the time or the place to go into an exhaustive analysis to ascertain just what was the actual, real investment and what the roads might, as a result of that analysis, be entitled to. That would necessarily involve both time and litigation, and the result hoped for under this bill would have been made impossible.

The total property investment of all roads, as reported to the Interstate Commerce Commission, for the year ended June 30, 1916, was $18,156,659,872. Class 1 roads, or those having annual operating revenues of more than $1,000,000 and which receive approximately 96 per cent of the net operating revenue, had a property investment of $16,872,373,900, as of June 30,

1916. This includes the investment of their nonoperating subsidiaries. It is estimated that on June 30, 1917, this investment of class 1 roads amounted to $17,250,000,000.

Mr. THOMAS. May I interrupt the Senator for a moment?

Mr. SMITH of South Carolina. Certainly.

Mr. THOMAS. What does the Senator mean by the term "nonoperating" roads?

Mr. SMITH of South of Carolina. That means the properties that are not actually used in operating activities. They have investments outside. The Senator, of course, will recall in his mind properties that are in no way actively employed in the railroad-operating activities. These class 1 roads receive about 95.87 per cent of the net operating revenues of all the roads, and the compensation provided for in this bill would approximate on their property $896,259,264 per year. On this basis the $896,259,264 for class 1 roads becomes when made to include all the roads of the country approximately $935,000,000 annually.

It might be well for me to state here that certain reports that have gone abroad are to the effect that the Government is now considering a bill that will commit it to an annual payment to the railroads of approximately $935,000,000, which is not correct.

Mr. SIMMONS. Is that the amount the Government would have to pay to the railroads?

Mr. SMITH of South Carolina. To the railroads if they took all the roads and made the compensation upon the basis that is suggested to be made to class 1 roads.

Mr. SIMMONS. That is based upon the prewar period?

Mr. SMITH of South Carolina. Yes.

Mr. SIMMONS. It has no reference to the value of the property out of which the money is earned?

Mr. SMITH of South Carolina. No.

Mr. SIMMONS. The question I want to ask the Senator is this: Suppose a railroad had no net earnings during the period which is made the basis of calculation, it would get no more than its earnings, though that might be less than the actual expense of operating the road.

Mr. SMITH of South Carolina I will say to the Senator from North Carolina that there is provision made in another section of the bill for a basis of agreement with such roads as he has in mind.

Mr. SIMMONS. Suppose a railroad makes a million dollars after paying expenses——

Mr. SMITH of South Carolina. If the Senator will allow me, a little later I will come to that particular phase and see what provision the bill has made to take care of that situation.

Mr. SIMMONS. Of the deficit?

Mr. SMITH of South Carolina. Of the deficit.

Mr. SIMMONS. Very well.

Mr. SMITH of South Carolina. Of course, no definite figures can even be approximated until it is known definitely just what roads will be taken and operated under the act. There is a provision in the bill which gives the Government the right to make rejections of any road or roads up to July 1, 1918, after which time they can only be released during the period of the war by mutual agreement between the carriers and the Government.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Iowa?

Mr. SMITH of South Carolina. I do.

Mr. CUMMINS. Before the Senator from South Carolina leaves section 1, which he has been discussing——

Mr. SMITH of South Carolina. I have not left it yet. This is just explanatory to another phase of section 1.

Mr. CUMMINS. I wish to ask the Senator a question. I do not know whether he has considered the matter very carefully or not, because it was not much discussed before the committee, but it will aid me in presenting the views which I intend to present during the consideration of the bill. I have a table in my office taken from the records of the Interstate Commerce Commission, comprising, I think, 17 roads or systems, just for illustration. These roads have now on hand more than $800,000,000, either in cash or in nonrailroad property. I do not know nor do I suppose anyone could discover just how they have invested these sums of money. This particular item has no reference, of course, to physical railroad property which is being used in rendering the people of the country the service which is rendered. My question is, Has the Government taken over as a part of the railroad property, in the case of these 17 or 18 railroads, the $800,000,000 which they now have on hand, not used in the operation of their systems of transportation?

Mr. SMITH of South Carolina. I will say frankly to the Senator that the hearings before the committee, the language of the bill, and the proclamation of the President do not contemplate taking over that property. I see the point that the Senator makes.

Mr. THOMAS. The act of August 29, 1916, would not permit it.

Mr. SMITH of South Carolina. It of course would become a factor in the argument that the Government is being taxed on the basis of property that they are not given the use of. I see the force of that.

Mr. CUMMINS. The question is not put in a disputatious way.

Mr. SMITH of South Carolina. I understand that.

Mr. CUMMINS. But it is really important for us to know whether the Government has taken over this vast sum of money which is now in the hands of the railroads.

Mr. SMITH of South Carolina. I understand that.

Mr. CUMMINS. I confess that it is a little difficult to reach a satisfactory conclusion upon the terms of the bill or upon the terms of the act of 1916. I think we shall be compelled to put an interpretation upon the law in that respect before we can advance safely toward a conclusion as to what is proper compensation. I would very much like to have the opinion of the Senator from South Carolina on that point. I say frankly that in my judgment neither the law of 1916 nor the bill we now have before us together with the action of the President puts this surplus or this money or property in the hands of the Government.

Mr. THOMAS. May I say a word here?

Mr. SMITH of South Carolina. I yield.

Mr. THOMAS. I was the author of the amendment to the act of August 29, 1916, which was quoted by the Senator from South Carolina a moment ago. I am not entirely familiar now with the exact phraseology that was used, but I certainly in preparing it had no intention of making it so operate as to invest the President with anything more than the power to control the possession of the physical property of the railroads for war purposes.

Mr. CUMMINS. I have always believed that to be the intent of the legislation and I think the language used was quite appropriate to express that intent, but it is claimed in some quarters that these railway corporations have been taken over as instrumentalities so that all their surplus and all their accumulations and all their profits, no matter whether necessary to the movement of traffic or not, have been taken over, and that we are awarding compensation to the corporations for all they have rather than for the instrumentalities of commerce in the way of transportation and service.

Mr. SMITH of South Carolina. I am sure the Senator has had presented to him tables showing the actual amount claimed to be invested in the physical property or in the operating property as contradistinguished from certain investments in nonoperating property, but the determination perhaps may be important before the conclusion of the consideration of this bill.

Mr. SIMMONS. If the Senator from South Carolina will permit me to interrupt him, the nine hundred million and odd dollars which the Senator spoke of a moment ago represented the net earnings of these railroads. Does that include the earnings from the nonoperating property to which he refers?

Mr. SMITH of South Carolina. No.

Mr. SIMMONS. It only includes the earnings of railroads proper, the physically operated railroad?

Mr. SMITH of South Carolina. Yes, sir.

Mr. WATSON. In regard to the phase of the subject which the Senator from Iowa [Mr. CUMMINS] has been discussing, the Senator from South Carolina will remember that the question as to whether or not cash in hand had been actually taken over by the proclamation of the President was dealt with by but one witness, as I now recall it, and he was Commissioner Anderson. My recollection is—if I am wrong the chairman will correct me—that his opinion was that cash in hand was not taken over nor were the other nonoperating properties. I recall that the question was asked him, for instance, as to the open ground north of the Senate Office Building, which, I think, belongs to the Baltimore & Ohio Railroad, "In your opinion was that taken over?" He said, "No; it was not." I recall also that it was the opinion of some of the railroad men who were present, as far as they were able to get any information on the subject, that that property was not taken over. But, on the other hand, my recollection is that the Director General has been construing the proclamation as placing in his hands that class of property also; that is, to pay the cash in hand.

Mr. SMITH of South Carolina. I am of opinion that before this debate is concluded I shall have a definite statement from those who are to take charge or who are now charged with the execution and administration of the law as to their construction of the point raised by the Senator from Iowa. What we are now

discussing in the bill, or the point to which I am addressing myself now, is the revenues the road received from operating activities, from which are to be subtracted the expenses incurred in such operation, and then the net is to be the compensation.

It is estimated that the net operating income of the roads in class 1 for the year ending June 30, 1917, was $1,020,800,000. In 1916 the net operating income of these roads was $984,872,959 and in 1915 it was $683,104,833. It will be seen by these figures that in the fiscal year ending June 30, 1917, they had earned approximately $36,000,000 more than in the year 1916 and $337,000,000 more than in 1915, so that the average for the three years, which approximates the compensation that might be paid, is $124,000,000 less than they earned during the fiscal year ending June 30, 1917.

Of course, it is a matter of mere speculation as to whether this increase, as reflected in the fiscal year 1917, would have been maintained, but the increase reflected in the returns of 1916 and 1917 makes it reasonable to suppose that they would have at least maintained the income of 1917. So that a majority of the committee believe that the basis of the proposed agreement was under the circumstances just.

Mr. CUMMINS. Mr. President, the figures which have just been stated by the Senator from South Carolina do not sound familiar to me, and I have given pretty close study to the subject. Unless there has been deducted from the net railway operating income of the year 1917 an estimate of the war taxes which the companies may be compelled to pay, the amount stated by the Senator, I think, is incorrect. I am sure he is in error with regard to the net railway operating income for 1915. I do not ask the Senator to recast his statement, but I could not allow it to stand without a suggestion that, as I understand the figures, they are not the ones that have been just reported by the Senator.

Mr. SMITH of South Carolina. Well, in justification of the quotation made by the Senator from South Carolina, I will state that these were the figures furnished me by the Interstate Commerce Commission as of yesterday. That commission is the final source of information, so far as I am concerned, and I will state also that the figures will be furnished to the Senator.

Provision is made in the bill, of course, to provide for such roads as are taken over as to which no agreement can be reached. That is the point to which the Senator from North Carolina called my attention.

Mr. THOMAS. Mr. President, the Senator from South Carolina is making a most intelligent and interesting exposition of one of the most important bills that ever came before the Senate or which ever will come before the Senate, and yet he is speaking to empty seats. In order, if possible, to induce Senators to remain and listen to this illuminating discussion, I again suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Johnson, S. Dak.	Norris	Smith, S. C.
Borah	Jones, Wash.	Overman	Smoot
Chamberlain	Kellogg	Pittman	Sterling
Culberson	Kenyon	Poindexter	Sutherland
Cummins	King	Pomerene	Thomas
Curtis	Kirby	Robinson	Thompson
Dillingham	Lewis	Saulsbury	Tillman
Fernald	Lodge	Shafroth	Trammell
France	McCumber	Sheppard	Underwood
Gallinger	McKellar	Shields	Vardaman
Gore	McNary	Simmons	Warren
Henderson	Myers	Smith, Ga.	Watson
James	New	Smith, Mich.	Wolcott

Mr. CURTIS. Mr. President, I desire to announce the absence of the Senator from New Mexico [Mr. JONES], the Senator from Arizona [Mr. ASHURST], the Senator from North Dakota [Mr. GRONNA], and the Senator from Idaho [Mr. NUGENT] on official business.

Mr. CUMMINS. I desire to say in behalf of the Senator from Wisconsin [Mr. LA FOLLETTE] that he is detained at home on account of illness in his family.

Mr. VARDAMAN. I desire to announce the absence of the Senator from Louisiana [Mr. RANSDELL], the Senator from Minnesota [Mr. NELSON], the Senator from Ohio [Mr. HARDING], and the Senator from California [Mr. JOHNSON] in attendance on the Committee on Commerce.

Mr. MYERS. My colleague [Mr. WALSH] is still detained from attendance upon the floor of the Senate by the state of his health.

Mr. TRAMMELL. I desire to announce the unavoidable absence of my colleague [Mr. FLETCHER] on account of illness.

The PRESIDING OFFICER. Fifty-two Senators having answered to their names, there is a quorum present.

Mr. SMITH of South Carolina. Mr. President——

Mr. WATSON. Mr. President, before the Senator from South Carolina proceeds, will he allow me to interrupt him for a question?

Mr. SMITH of South Carolina. Certainly.

Mr. WATSON. I should like to ask whether or not, in the figures which the Senator gave, he was stating the aggregate for class 1 or for classes 1, 2, and 3?

Mr. SMITH of South Carolina. I was stating the aggregate in the one set of figures for all the roads, of course, but in the last figures of those roads which are reporting to the Interstate Commerce Commission there were included classes 1, 2, and 3.

Mr. WATSON. Well, does the Senator desire to modify those figures or to stand on them?

Mr. SMITH of South Carolina. I shall stand on them, subject to such modifications as further investigation may justify; in other words, the Senator from South Carolina desires to be thoroughly accurate in his statement of those figures; and if, upon examination, he finds that they should be modified to any appreciable extent, or to any extent, he will call attention to the matter.

To resume. Provision is made in the bill, of course, to provide for such roads as are taken over as to which no agreement can be reached. Section 2—and I will read section 2 in this connection, because it is directly connected with section 1 in forming a basis of agreement between the Government and the roads outside of the courts—provides:

> That if no such agreement is made, the President may nevertheless pay to any carrier while under Federal control an annual amount, payable in reasonable installments, not exceeding 90 per cent of the estimated annual amount of just compensation, remitting such carrier to its legal rights for any balance claimed to the remedies provided in section 3 thereof. Any amount thereafter found due such carrier above the amount paid shall bear interest at the rate of 6 per cent per annum, and any excess amount paid hereunder shall be recoverable by the United States with interest at the same rate.

It is also provided in section 3 "that all claims for just compensation not adjusted as provided in section 1 shall, on the application of the President or of any carrier be submitted to boards" or certain referees, who are empowered to require records, books, and correspondence, documents, and other papers, and after a full hearing of the case the President is authorized, upon the finding of these referees, to enter into an agreement with the carrier for just compensation upon a basis not in excess of that reported by such board, and may include therein provisions similar to those authorized under section 1.

In this section provision is also made for the Court of Claims to settle the amount of just compensation if the parties fail to agree.

The Government obligates itself, in the case of agreement, to keep the roads in practically the same repair as when taken over by the Government. It is provided that this may be done either by the roads out of their own funds or by the Government, as the particular case may require, but that records shall be kept in order that a just and fair settlement may be made and the extent to which the Government has kept its obligations be ascertained.

Provision is also made whereby any betterments and improvements may be taken care of by the roads, and the amount of compensation reckoned thereon, subject to the approval of the President, while such property is under Federal control. But it is provided that there shall be no increase of compensation for any additions, improvements, or betterments constructed out of or purchased by the earnings during the period of Federal control.

This is one of the difficulties that have presented themselves to the committee, and it is perhaps the most fruitful source of contention from some quarters. It is, in effect, that the railroads, out of their surplus, should not be allowed to make a capital investment of that surplus; that the railroads should be restricted in their earnings to a fair and reasonable percentage upon their actual capital investment; that fair and reasonable return to be an amount sufficient to pay the interest on their bonds and dividends on their stock, any amount above that to be denied in the rate making.

That theory might be all right, but in practice it amounts to this: Under our system of Federal control we have attempted to force competition in service by equalizing and rendering uniform, as far as possible, rates within competitive territory. This is absolutely necessary if we are to have competition of any sort. Let me illustrate: Four roads, I will say, run from Washington to New York; they are competing for the traffic; they can not compete in rates, because if preferential rates are given

to one road, then the others might as well go out of business, but the rates being made uniform they all compete for the business in service. It develops that road A gets twice as much traffic under the uniform rates as road B gets, and hence earns twice as much money as road B earns, and road A, therefore, earns a surplus beyond what would be a reasonable dividend and interest on the investment. If we lower the rate to road A in order that it may make a just and reasonable amount on the investment, we have still further increased its power to kill its competitor, because it will carry goods cheaper, while if we raise the rate to help road B we still further increase the surplus of road A. Now, the question arises if road A earns a surplus under conditions that we have created, and from which there seems to be no reasonable escape, shall it or shall it not be allowed to take this surplus which the circumstances have guaranteed and put it back into the property in the form of additions and betterments on which subsequently to charge another tax to the people? I confess that at this stage of my investigation of this question I can not see the difference between the money thus earned under rules and regulations that we have established and which when earned is being invested in further increasing the facilities of the property, and money not earned but borrowed from the bank invested in the property and being charged to it.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Minnesota?

Mr. SMITH of South Carolina. I yield.

Mr. KELLOGG. I should like to suggest to the Senator from South Carolina, as to the figures which the Senator gave on which the guaranteed income is based, that they are aggregate, and, I think, are arrived at in this way: The net operating income for 1917 was $1,020,800,000. That includes class 1 railroads, embracing railroads having an operating revenue of more than $1,000,000.

Mr. SMITH of South Carolina. That is correct.

Mr. WATSON. Is that for the calendar year?

Mr. KELLOGG. No; that is for the year ending June 30, 1917. Now, for the year 1916 the operating income was $984,872,959.

Mr. SMITH of South Carolina. Those are exactly the figures I quoted.

Mr. KELLOGG. And for 1915, $683,104,833. The average of those would amount to $896,259,264, but as this did not include all the railways——

Mr. SMITH of South Carolina. That is right.

Mr. KELLOGG. The Interstate Commerce Commission arrived at the total for all railways by applying a percentage to that and made the guaranty on that basis $935,000,000 in round figures.

Mr. SMITH of South Carolina. I made that statement.

Mr. KELLOGG. I did not know the Senator had done so.

Mr. SMITH of South Carolina. Yes; I made that statement, as will appear from the RECORD.

Mr. CUMMINS. Mr. President, I did not understand that the Senator from South Carolina limited his statement to class 1 roads.

Mr. SMITH of South Carolina. I did.

Mr. CUMMINS. I think when the Senator comes to review his remarks he will find that he omitted that qualification.

Mr. SMITH of South Carolina. I took pains, I thought, to call attention to the fact that class 1 roads received as compensation for their service about 96 per cent of the total, and therefore I proceeded upon that assumption, and stated that if all the roads were included the amount would be $935,000,000.

Mr. CUMMINS. The Senator stated in the majority report that it would be $945,000,000.

Mr. SMITH of South Carolina. Yes.

Mr. CUMMINS. And that amount would be increased from ten to fifteen million dollars by the added compensation for the increased investment after the 30th of June, 1917, and prior to the 1st of January, 1918.

Mr. SMITH of South Carolina. Yes. I will call the Senator's attention to the fact that the report was interpreted as facts. when it was really based upon the estimate of all the roads being taken in.

I am very sorry that the discussion on the point to which I have just adverted could not be heard by more of those who will have to vote on this bill, because it is one of the points of contention, and is one that will be perhaps debated more than any other in this bill. Because there was a difference of opinion, there was a provision put in this bill to this effect, as I have said, that there shall be no increase of compensation for any additions, improvements, or betterments constructed out of or purchased by the earnings during the period of Federal control. Of course, that will come up for discussion later. In section 5 it is provided——

Mr. CUMMINS. Will it embarrass or unduly divert the Senator if I ask him a question upon the point that he has just been discussing or stating?

Mr. SMITH of South Carolina. I shall be very glad to have the question asked.

Mr. CUMMINS. I should like those who are here to have it in mind. The Senator from South Carolina has very frankly and clearly stated the difficulty in railway-rate regulation. It is what everybody concedes to be an unsolvable problem in adjusting rates for transportation, namely, that two roads or three roads or four roads being competitive rates that will make one company excessively rich will barely pay the expenses of another. The Interstate Commerce Commission has found it utterly impossible to reduce the rates for the more favored companies to the point that would pay only an adequate return upon the capital because the consequence of doing so would be to destroy another road that must be maintained in order to serve the community through which it passes.

Now, one of the questions that the Senate will have to determine is this: Does this impossibility of adequate regulation on the part of the Interstate Commerce Commission pass over to the lawmaking body when it comes to ascertain the just compensation for the use of the several properties; in other words, must we award to the so-called favored company a compensation that will be vastly in excess of the amount required for adequate return upon the investment for the reasons that compel the Interstate Commerce Commission to do the same thing in rate making? That is one of the vital, cardinal points in this bill; and I interrupted the Senator from South Carolina only to suggest that the obstacles in the way of the Interstate Commerce Commission are not in our way. Those obstacles do not relate to the ascertainment of the values of the property or the value of the use of the property, and we are free to do what is just and fair and right, although the Interstate Commerce Commission in adjusting rates could not limit rates as to some companies so that only adequate compensation for the service would be paid.

I wanted the Senators who are here to understand clearly the point of view from which I look at the subject, and which I intend, before we have finished, to elaborate and emphasize as fully and completely as it is within my power to do.

Mr. SMITH of South Carolina. Mr. President, I do not think the point raised by the Senator, or raised by myself and spoken of by the Senator, is one that we can lightly disregard. I heartily agree with him that the prohibition under which the Interstate Commerce Commssion finds itself acting does not extend to this body. This body created that body and can modify at its will the rules under which its creature operates. But at this time, while we are in the throes of an emergency the like of which we will never see again, I do not think we can attempt to settle a question that pertains to times of peace without defeating the very purpose and object of this bill.

Railroad legislation was bad in times of peace, perhaps. I do not deny that it may have been. I am not committing myself one way or the other, because I have not had time to investigate this vexed and abstruse problem so as to get my bearings thoroughly. But I do maintain that this is not the time for us to undertake to settle problems that we inherit from peace times, which were perhaps bad then, as claimed by the Senator from Iowa, and have projected themselves into this emergency, calling for the most careful, painstaking readjustment, and final solution, for the reason, amongst others, that the personal equation is in this problem. I do not charge that the railroads are not as patriotic as other citizens; but I do state here and now that personal interest will, in spite of ourselves, affect us even in the discharge of the most sublime patriotic service, and if we attempt now to regulate the railroads as it is claimed they should have been regulated before the war period and should remain thus regulated after the war period, while we are debating that question here—necessarily without any reference to the war—it would defeat the purposes of the bill. The question raised by the Senator from Iowa is one of dollars and cents and not of service, in the crucial hour of America's travail. It is a question whether the commercial interests of America have been getting too much or too little service or whether the railroads have been getting too many dollars and cents. We are not discussing that now. We are discussing the service to be rendered by an indispensable element in our commercial life and how we can best get that service.

I am perfectly willing to leave that question for solution to a time when the shadow of impending disaster shall have passed, and then I will join the Senator from Iowa in solving what to my mind is the crux of the whole business—this very question

raised here; but I hope the Senator will understand that those of us of the committee who did not insist upon—who, in fact, opposed—entering into the discussion of that problem now did not do it because of a leaning toward the railroads or an indifference to the American people, the shippers. We did it because we recognized that even if it took $200,000,000 to pour on the machinery of personal interest in order to get the greatest efficiency, we would pour it on in the greater interest of efficiency during times such as these. That is what actuated me, and I believe it is what actuated other members of the committee.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Minnesota?

Mr. SMITH of South Carolina. I do.

Mr. KELLOGG. If the Senator will pardon me, I should like to suggest that the point raised by the Senator from Iowa, as I understood it, was that the Interstate Commerce Commission was embarrassed because it could not reduce the rates of some road fortunately situated, earning too much, because if it did a competitor less fortunately situated would not earn enough, but that that condition does not bind the Congress.

It is true that if the Congress could simply appoint a commission or refer each railroad to the court to try through years of litigation and determine as to each road just how much was reasonable as just compensation for the use, that could be done; but that court would never find out how much should be paid until the time of use had passed, and, as I remember, the Senator from Iowa did not offer any amendment that secured that equalization. If he did, I should like to see it.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Iowa?

Mr. SMITH of South Carolina. I yield.

Mr. CUMMINS. If the Senator from South Carolina will allow me, I will present my amendment in due time and will discuss it. It is sufficient to say now that, if adopted, it will save the American people about $200,000,000 per year as compared with the compensation proposed in the bill. But I can not allow the impression to go abroad that I desire to bring about a situation in which all these roads must have their damages assessed in a legal tribunal, although the machinery for that is provided in the bill.

I understand and recognize as well as anyone can the desirability of an immediate adjustment; but I do not believe that in order to secure an immediate adjustment it is necessary to authorize the President to make just such agreements as the railroad companies demand. I am not willing to assume that their willingness to do right must be either coerced or bought. I am not willing to assume that they will not go forward and cooperate with the Director General in the operation of these roads so that they will be as efficient as they can be made.

The Director General is operating these roads now. He is not waiting for this bill, and could not wait for it. We are doing nothing more than, first, providing a means for ascertaining what the just compensation is; and, second, authorizing the President to make an offer which may result in a voluntary agreement that will settle the whole matter.

I hope we will authorize the President to make an offer that can be, in justice and good conscience, accepted by the railroads; but, in order to arrive at that standard, we will not find it necessary to settle the great problem to which the Senator from South Carolina refers. All that we will have to do, and that we must do in any event, is to reach a conclusion with regard to a standard that will afford just compensation for the use of these properties.

The Senator from South Carolina and the majority of the committee felt that a standard which was equal to the average net operating income for the last three years would be just. I do not think so. I have proposed another standard that is just as easy to analyze and apply as the standard proposed in the bill as it originally came from the administration. We are compelled to reach a conclusion upon it. We can not postpone it. I think I shall be able to demonstrate, and, I hope, convincingly, to the Senator from South Carolina that the standard which we here adopt will, as applied to at least 86 of the railroads and railroad systems of this country, give them a compensation of nearly $200,000,000 per year more than they ought to have.

We must not forget, if the Senator from South Carolina will permit me, that when we make an arrangement that somebody shall receive money we at the same time make an arrangement by which somebody must pay money; and we have been looking altogether too much toward the satisfaction of those who are to receive the money, and altogether too little to the protection of those who are to pay the money.

I have not, and never have had, the very least doubt about the fidelity of the chairman of the committee. I know that he is just as wholly and thoroughly devoted to the public interest as I could claim to be, and I think that is true of every member of the committee. It is simply a difference of opinion. It will be fought out upon the floor of the Senate. I know that it will be fought out with complete recognition upon the part of every Senator of the integrity and uprightness of all other Senators. Let us make this, anyhow, an example of a debate in which there can be expressed difference of opinion without the least imputation concerning the motives of anybody who may be involved in the debate. I know that is the view of the Senator from South Carolina, and I intend to help him in every way I know how to preserve that atmosphere in this debate.

Mr. SMITH of South Carolina. I heartily concur in that.

In section 5 it is provided that without the prior approval of the President no roads under Federal control shall pay any dividend in excess of the regular rate of dividends during the year ending June 30, 1917. This was approved by the committee because of the possibility of serious market disturbances that might result from any abnormal increase of dividends on certain securities by railroads while under Federal control. They may have in hand a large surplus which they have under private control set aside for certain purposes that might not be needful while under Federal control, and in paying extraordinary dividends they might create a disturbance that at this time might be hurtful.

In section 6 a revolving fund of $500,000,000 is provided for to meet any expenses that the Government might deem necessary in carrying out to the fullest extent the purposes of Federal control.

And this $500,000,000 revolving fund might be added to by any net railway operating income in excess of the standard return.

The railroads under section 7 are authorized, with the approval of the President for purposes of reorganization in receivership or for meeting maturing obligations, and for other legal purposes, to issue such bonds, notes, equipment trust certificates, and other forms of securities as may be deemed consistent with public interest.

And the President is further authorized to purchase "all or any part of such securities at a price not exceeding par, and may sell such securities, whenever in his judgment it is desirable, at prices not less than the cost thereof." This is done in order to contribute to the stabilizing of the market and to avoid the dangers incident to such securities being allowed to be manipulated entirely by corporations or individuals during this period of necessary monopolization of financing by the Government.

Now, Mr. President, we come to the next question which, perhaps, gave the committee the greatest difficulty—the rate-making question. The trend of all regulation under the commission in reference to rates was to stabilize them, to make certain, as nearly as may be, rates and classifications and to eliminate the dangers of fluctuation. The whole rate structure as now obtains is so intimately interwoven with the commercial life of the country that a radical disturbance might result in disaster. It might create such confusion and embarrassment as a consequence as to jeopardize, if not destroy, the purposes of this bill. This has reference, of course, to the conditions in which we now find ourselves, the emergency that is now upon us.

It may be that the system and machinery of rate making is altogether wrong, that tares are in the wheat. The question is, Is this the time to eliminate them?

It is of course true that to avoid congestion or to remedy congestion, to mobilize and move the freight and traffic of this country expeditiously and satisfactorily it will become necessary to establish new routings and new rates. It may also become necessary to care for unforeseen increases and expenses to increase the revenue of the carriers by an increase of rates.

The difficulty presented therefore to the committee was that of the two conflicting principles—one to maintain as far as possible the stability of rates, the other to grant the power to change rates to meet the changed conditions incident to the emergency now on us. Therefore a compromise was reached as embodied in this bill, to the effect that the rules, regulations, classifications, and rates as now obtain in the tariffs filed with the Interstate Commerce Commission shall continue, except where the Director General deems it in the interests of the public and for the carrying out of the purposes of this war-emergency act, to initiate new rates and new routings to meet that condition. And in the event of a new rate and a new routing being initiated, upon complaint the Interstate Commerce Commission is still vested with the power to review the rates as heretofore and make their findings and orders as heretofore.

In other words, the progressive stages of the legislation regarding rate regulation had in the interest of rate stability

gradually taken away from the carriers in practical effect the power to initiate rates except upon the prior approval of the commission. That power is now restored to the Director General, subject, however, to the review of the Interstate Commerce Commission.

The bill provides—and to this I invite the attention of the Senators, and particularly the attention of the Senator from Iowa—that a railroad or railroads, system or systems, or any part thereof, may be rejected or released from Federal control prior to July 1, 1918, and it is probable that quite a per cent of the railroads will not be taken under Federal control. Some difficulty may arise as to the adjustment of the two rate-making forces that will then exist. The Interstate Commerce Commission will have jurisdiction, as now, over such roads as are not taken over, governed by the regulating statutes now existing, while a radical modification will be in existence in reference to the Government-controlled roads.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Iowa?

Mr. SMITH of South Carolina. I do.

Mr. CUMMINS. I am very glad the Senator from South Carolina emphasized the point he has just made. He will remember, of course, that I was one of the members of the committee who did not accept the amendment which now appears in the bill; and the thought just suggested by the Senator was one of the reasons which compelled me to dissent from it.

I offered an amendment, out of which probably the compromise grew, which provided—and I shall offer it again on the floor of the Senate—that as to rates for general commerce, not rates for Government troops or Government property, the President should have no other power than is now exercised by the carriers. If that amendment had been adopted—as I hope it will be adopted when it comes to the Senate—the difficulty pointed out just now by the Senator from South Carolina would disappear, and we would not have two tribunals making rates for the transportation of property in general commerce.

Mr. SMITH of South Carolina. Mr. President, the reason why I called the Senator's attention to it was that this difficulty occurred to me in my investigations of this matter while I was preparing myself for the effort that I am now making. I was desirous that the Senate should know the problems sought to be solved in the bill; upon the Senate in part rests the responsibility of its ultimate solution. I shall not comment on this. I am calling attention to the fact that if, as now seems to be probable, a considerable per cent of the roads are left outside of Government control, they will, ipso facto, be under the jurisdiction of the Interstate Commerce Commission, while the balance of the roads, with which they cooperate and exchange freight and move and do the commerce of the country, will be under another jurisdiction.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Colorado?

Mr. SMITH of South Carolina. I yield.

Mr. THOMAS. It would seem that the simpler solution of that problem would be to provide in this bill that all the lines of transportation should be taken over and operated under one system by the Government.

Mr. SMITH of South Carolina. The alternative whether all shall be operated by the Interstate Commerce Commission or whether they shall all be operated by the Government is the question, it seems to me, that will appeal to the intelligence of this body.

Mr. CUMMINS. Mr. President, I want to say in that regard that I offered in the committee, and I have now presented to lie on the table of the Senate, an amendment which provides that there can be no competition between the Government and privately owned railroads. In other words, it provides——

Mr. THOMAS. Mr. President, I suppose the Senator means that there should be no competition. Of course there can not be, as a matter of fact.

Mr. CUMMINS. Well, I meant that there should be none, rather than that there could be none. It provides that as to any independent line—that is, a line not owned or operated or controlled by another line—if its trunk-line competitor is, or its trunk-line competitors are, taken over and operated by the Government, then this line shall also be taken over and operated by the Government and shall be entitled to all the benefits of the provisions of this bill. There is no other way of even approaching justice, in my judgment.

Mr. THOMAS. I think the Senator is right.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Ohio?

Mr. SMITH of South Carolina. I yield.

Mr. POMERENE. I have a very distinct recollection of the amendment to which the Senator from Iowa has referred, and one of the very great difficulties that I had in passing upon it was to determine when the one road was in competition with the other. I should like to have the Senator advise the Senate, if he can, how many roads would be taken under that plan which would not be taken under the present bill, or how many would be left out.

Mr. CUMMINS. Mr. President——

Mr. SMITH of South Carolina. If the Senator will pardon me, I have only a few minutes more.

Mr. CUMMINS. Allow me to answer that question for a moment, because the Senator from Ohio has asked it as though it were difficult to answer. It is not.

Mr. POMERENE. I shall be very glad to hear the explanation.

Mr. CUMMINS. It is very, very easy to determine whether one railroad competes with another or with others for business. That is a question of fact which mere observation always settles. The other question which the Senator proposes, and which I suppose was not really directed to me, is, How do we know what roads have been taken over and what roads have not been? I can not answer that question. Because nobody knows what roads have been taken over. That is one of the difficulties about this whole thing up to the present time. There has not been a definite notice given to any railroad company in the United States that it has been taken over and its operation assumed by the Government. There have been general notices given to all the railroads, which, however, the Director General—and I can easily see how he reached that conclusion—declared were sent out as matters of form and were not intended to fix the attitude of the Government toward the properties owned by the companies to which the notices were sent.

Mr. POMERENE rose.

Mr. SMITH of South Carolina. I shall have to insist upon proceeding. I have only a few more remarks to make. However, I would like before leaving the point that is now at issue to call attention to the conclusion that seems to have been reached by some of the Senators, which is that it has had to throw the Government in entire control in the rate-fixing field with the commission. I should like to throw out this suggestion without comment for the Senators to be thinking upon pending such time as the final decision on that point. You must also take into consideration the purpose for which this bill was drafted. It is to keep the confidence of the shipping public in the stability of their rates as nearly untouched as may be. You and I can theorize, but you know and I know that there is no more terrific influence which can be brought to bear upon the machinery of commerce or finance than uncertainty as to the methods under which they are to do business, and as long as that is subject to violent fluctuation and uncertainty you are likely to paralyze the very sinews upon which this war is to be determined.

A majority of the committee agreed that the period at which Federal control should terminate should be 18 months after the declaration of peace.

This length of time was given because if between the cessation of hostilities and the termination of the 18-month period conditions should be obvious that demanded treatment, a sufficient time should be provided to meet the conditions thus arising.

Railroad operations during the war have made radical changes imperative to meet the emergency. Everything, every force and energy of the American people, should be held in readiness for the service of the Government in protecting itself and in maintaining its institutions.

Every necessary grant of power should be given to accomplish this purpose, and the powers thus granted should be used with all the wisdom and care that the executors and administrators of these powers can command. They should exercise these powers with the same care, hesitancy, and scrutiny with which we grant them, because the fate of the American people in the wise execution of these powers is precedent to the extension of still further powers.

The Nation is willing to sacrifice and is sacrificing whatever it is called upon to sacrifice for the supreme purpose in view; but it must be borne in mind that the sacrifices now made are for the successful prosecution of the war. When success shall come, as it will come, the problem of readjustment, of gathering up the lines that have fallen during this period of conflict, the prosecution of business upon the return of peace can not determined until that time. We are now meeting the abnormal conditions growing out of the war, and meeting them with principles radically opposed to the principles invoked and operated during times of peace.

Democracy is making the supremest sacrificate that can be made, temporary suspension of certain precious principles, in order that she may perpetually preserve those principles for her progress and development in times of peace.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. THOMAS. If there is no further important business before the Senate I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 12, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 11, 1918.*

The House met at 12 o'clock noon.

The Rev. William Couden, of Washington, D. C., offered the following prayer:

Heavenly Father, new every morning is the love our wakening and uprising prove. Be with us in our conscious thought throughout the day. And renew within us our homage to Thee, our interest in our work, our fidelity to duty, our fealty to honor, and our loyalty to our country. As disciples of Jesus the Redeemer we ask these things. Amen.

The *Journal* of the proceedings of Saturday, February 9, and Sunday, February 10, was read and approved.

EXTENSION OF REMARKS.

Mr. SLEMP. Mr. Speaker, I ask unanimous consent to insert in the RECORD an article by Vernon C. Barker, entitled "The Criminal *v.* International Law."

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks by printing an article entitled "The Criminal *v.* International Law." Is there objection?

Mr. WALSH. Mr. Speaker, I object.

Mr. REAVIS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. REAVIS. To ask unanimous consent, Mr. Speaker, to extend my remarks by inserting in the RECORD a newspaper article written by the gentleman from Indiana [Mr. BLAND] concerning the trip to the Hawaiian Islands of the congressional party recently made.

The SPEAKER. The gentleman from Nebraska [Mr. REAVIS] asks unanimous consent to extend his remarks in the RECORD by printing an article written by the gentleman from Indiana [Mr. BLAND] on his observations in the Hawaiian Islands. Is there objection? [After a pause.] The Chair hears none.

JOINT MEETING OF THE TWO HOUSES.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the resolution.

The Clerk read as follows:

House concurrent resolution 35.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 11th day of February, 1918, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Mr. WALSH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. WALSH. To reserve the right to object. I desire to ask the gentleman from North Carolina if he thinks so important a resolution as this should be considered with so few Members of the House here?

Mr. KITCHIN. Well, I rather think this could be considered and after that the gentleman could have a roll call if he desires.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

Mr. BARNHART. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Indiana makes the point of order that there is no quorum present. The Chair will count.

Mr. BARNHART. Mr. Speaker, I withdraw the point of order.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 35.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 11th day of February, 1918, at 12 o'clock and 30 minutes in the afternoon for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 128. Joint resolution granting to certain persons in the active war service an extension of time within which application for insurance may be made under section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917.

HOUSING FOR SHIPYARD EMPLOYEES.

The SPEAKER. The gentleman withdraws the point of order. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the consideration of Senate bill 3389.

Mr. ALEXANDER. Mr. Speaker, as I understand from the statement of the Chair, the House will go into the Committee of the Whole House on the state of the Union automatically on this bill?

The SPEAKER. The Chair made a mistake. The bill is to be considered in the House as in Committee of the Whole House on the state of the Union.

Mr. ALEXANDER. I do not understand——

Mr. GILLETT. Under what rule is it to be considered in the House?

The SPEAKER. Why, the ordinary rule. The Chair has got the thing wrong the second time. This bill is to be considered in the Committee of the Whole House on the state of the Union under the five-minute rule.

Mr. ALEXANDER. Mr. Speaker, the agreement, I think, was to this effect, that the bill be made a special order following the Diplomatic and Consular appropriation bill and that the House amendment by way of a substitute to the Senate bill should be considered as an original bill. There is only one section in the bill, and it was further agreed that it should be considered by paragraphs under the five-minute rule. I suppose it is in order to move to go into the Committee of the Whole House on the state of the Union for the consideration of this bill (S. 3389).

Mr. MADDEN. Mr. Speaker, I would like to ask the gentleman from Missouri a question, or rather to make a statement. While it was agreed that the bill should be considered under the five-minute rule that did not preclude the right of general debate on the bill.

The SPEAKER. That is exactly what the Chair would hold if he were presiding over the Committee of the Whole House on the state of the Union.

Mr. GILLETT. May I ask the gentleman a question?

The SPEAKER. The Chair will read the order:

On motion of Mr. ALEXANDER, by unanimous consent,

Ordered, That consideration of the bill S. 3389 shall be in order immedately after the final disposition of the bill (H. R. 9314) making appropriations for the Diplomatic and Consular Service, etc.; that the House substitute for said Senate bill (S. 3389) shall be considered in lieu thereof, as an original bill, and that said substitute shall be considered in the Committee of the Whole House on the state of the Union under the five-minute rule and read by paragraphs for amendments.

Mr. GILLETT. May I ask the gentleman from Missouri—the gentleman did not intend by that to cut off all general debate?

Mr. ALEXANDER. No; and before going into the Committee of the Whole House on the state of the Union I was going to ask unanimous consent that general debate in the Committee of the Whole House on the state of the Union may be confined to two hours, the debate to be upon the merits of the bill, half of the time to be controlled by myself and the other half by the ranking minority member, the gentleman from Massachusetts [Mr. GREENE].

Mr. GREENE of Massachusetts. Mr. Speaker, I have had a number of requests for time on the bill, and it was thought by those who have talked to me about it that they would like to have at least two hours of general debate.

Mr. GILLETT. Mr. Speaker, I think there would be no disposition not to agree that the debate be confined to the bill. I expect we would agree to that, but I think the gentleman would admit that on an important bill of this kind there ought to be a liberal amount of general debate if it was confined to the bill.

Mr. KITCHIN. If we are to have liberal debate under the five-minute rule, could we not compromise on an hour and a half on a side?

Mr. GILLETT. The gentleman says that the members of the gentleman's own committee want about two hours for general debate.

Mr. GREENE of Massachusetts. On my side of the House.

Mr. ALEXANDER. Mr. Speaker, I would like to conclude the consideration of the bill and pass it to-day, if possible, on account of the emergency; and I would be very glad if we could confine the general debate to an hour and a half on a side and have liberal debate under the five-minute rule.

Mr. GREENE of Massachusetts. I will agree to that. We want to get the bill through.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that the debate in the Committee on the Whole House on the state of the Union be limited to an hour and a half and the debate confined to the merits of the bill, one half of the time to be controlled by the gentleman from Massachusetts [Mr. GREENE] and the other half by myself.

The SPEAKER. Is the gentleman asking for an hour and a half altogether?

Mr. ALEXANDER. An hour and a half on a side—three hours altogether.

The SPEAKER. The gentleman from Missouri [Mr. ALEXANDER] asks unanimous consent that the general debate on this bill be limited to three hours, of which he will control an hour and a half and the gentleman from Massachusetts [Mr. GREENE] an hour and a half. Is there objection? [After a pause.] The Chair hears none. The House resolves itself into the Committee of the Whole House on the state of the Union for the——

Mr. MASON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MASON. I understood the gentleman to ask unanimous consent that the debate was to be limited to the merits of the bill.

The SPEAKER. Yes.

Mr. MASON. I did not so understand the Speaker. If so, I desire to object.

The SPEAKER. To what does the gentleman desire to object?

Mr. MASON. If the unanimous consent goes to the point of discussion as to the merits of this bill?

The SPEAKER. The unanimous-consent request was for three hours of general debate, an hour and a half to be controlled by the gentleman from Missouri and an hour and a half by the gentleman from Massachusetts [Mr. GREENE], and that debate be limited to the bill. Is there objection?

Mr. MASON. I object.

Mr. ALEXANDER. I think that the gentleman from Illinois can understand the imperative need of passing this bill as soon as possible.

Mr. MASON. I quite agree with you.

The SPEAKER. It is not debatable.

Mr. ALEXANDER. Mr. Speaker, I move that the general debate on this bill be limited to three hours.

Mr. WALSH. Mr. Speaker, a point of order.

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. WALSH. I make the point of order that the motion is not in order. You can not do that by a motion.

The SPEAKER. Was the gentleman making a motion?

Mr. WALSH. Yes. He was attempting to do so.

The SPEAKER. The gentleman from Virginia [Mr. SAUNDERS] will take the chair.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The Chair will state that the House is now automatically in the Committee of the Whole House on the state of the Union pursuant to the unanimous-consent order. The gentleman from Missouri [Mr. ALEXANDER] asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. ALEXANDER. Mr. Chairman, it is now about 20 minutes after 12 o'clock, and in a very few minutes the President of the United States is expected to be here to address the House, and it will not be possible now in presenting this bill to have that attention which the importance of the subject demands.

Mr. KITCHIN. How much appropriation does the bill carry?

Mr. ALEXANDER. The bill carries an authorization of $50,000,000, to be expended in providing housing facilities at the shipyards of the United States at which ships are being built for the Government now.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Missouri yield to the gentleman from Pennsylvania?

Mr. MOORE of Pennsylvania. I have one question to ask. I wanted to know if he intended to press this bill in the excitement that is now on?

Mr. ALEXANDER. Oh, no. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 3389 and had come to no resolution thereon.

RECESS.

Mr. KITCHIN. Mr. Speaker, I move that the House stand in recess until 12.25 o'clock.

The motion was agreed to.

Accordingly (at 12 o'clock and 20 minutes p. m.) the House stood in recess until 12.25 p. m.

JOINT MEETING OF THE SENATE AND HOUSE.

At 12 o'clock and 26 minutes p. m. the Doorkeeper, J. J. Sinnott, announced the President pro tempore [Mr. SAULSBURY] and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the President pro tempore, and by their Secretary and Sergeant at Arms, entered the Chamber.

The President pro tempore took the chair at the right of the Speaker and the Members of the Senate took the seats reserved for them.

The SPEAKER. The Chair appoints on behalf of the House the following committee: Mr. KITCHIN, Mr. SHERLEY, Mr. WEBB, Mr. DIXON, Mr. MANN, Mr. GILLETT, and Mr. CANNON.

The PRESIDENT pro tempore of the Senate. The Chair on behalf of the Senate appoints Senators MARTIN, SIMMONS, ROBINSON, OVERMAN, GALLINGER, LODGE, and NELSON.

At 12 o'clock and 30 minutes p. m. the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House and stood at the Clerk's desk, amid prolonged applause.

The SPEAKER. Gentlemen of the Sixty-fifth Congress, I present the President of the United States. [Applause.]

ADDRESS OF THE PRESIDENT.

The PRESIDENT. Gentlemen of the Congress, on the eighth of January I had the honor of addressing you on the objects of the war as our people conceive them. The Prime Minister of Great Britain had spoken in similar terms on the fifth of January. To these addresses the German Chancellor replied on the twenty-fourth and Count Czernin, for Austria, on the same day. It is gratifying to have our desire so promptly realized that all exchanges of view on this great matter should be made in the hearing of all the world.

Count Czernin's reply, which is directed chiefly to my own address of the eighth of January, is uttered in a very friendly tone. He finds in my statement a sufficiently encouraging approach to the views of his own Government to justify him in believing that it furnishes a basis for a more detailed discussion of purposes by the two Governments. He is represented to have intimated that the views he was expressing had been communicated to me beforehand and that I was aware of them at the time he was uttering them; but in this I am sure he was misunderstood. I had received no intimation of what he intended to say. There was, of course, no reason why he should communicate privately with me. I am quite content to be one of his public audience.

Count von Hertling's reply is, I must say, very vague and very confusing. It is full of equivocal phrases and leads it is not clear where. But it is certainly in a very different tone from that of Count Czernin, and apparently of an opposite purpose. It confirms, I am sorry to say, rather than removes, the unfortunate impression made by what we had learned of the conferences at Brest-Litovsk. His discussion and acceptance of our general principles lead him to no practical conclusions. He refuses to apply them to the substantive items which must constitute the body of any final settlement. He is jealous of international action and of international counsel. He

accepts, he says, the principle of public diplomacy, but he appears to insist that it be confined, at any rate in this case, to generalities and that the several particular questions of territory and sovereignty, the several questions upon whose settlement must depend the acceptance of peace by the twenty-three states now engaged in the war, must be discussed and settled, not in general counsel, but severally by the nations most immediately concerned by interest or neighborhood. He agrees that the seas should be free, but looks askance at any limitation to that freedom by international action in the interest of the common order. He would without reserve be glad to see economic barriers removed between nation and nation, for that could in no way impede the ambitions of the military party with whom he seems constrained to keep on terms. Neither does he raise objection to a limitation of armaments. That matter will be settled of itself, he thinks, by the economic conditions which must follow the war. But the German colonies, he demands, must be returned without debate. He will discuss with no one but the representatives of Russia what disposition shall be made of the peoples and the lands of the Baltic provinces; with no one but the Government of France the "conditions" under which French territory shall be evacuated; and only with Austria what shall be done with Poland. In the determination of all questions affecting the Balkan states he defers, as I understand him, to Austria and Turkey; and with regard to the agreements to be entered into concerning the non-Turkish peoples of the present Ottoman Empire, to the Turkish authorities themselves. After a settlement all around, effected in this fashion, by individual barter and concession, he would have no objection, if I correctly interpret his statement, to a league of nations which would undertake to hold the new balance of power steady against external disturbance.

It must be evident to everyone who understands what this war has wrought in the opinion and temper of the world that no general peace, no peace worth the infinite sacrifices of these years of tragical suffering, can possibly be arrived at in any such fashion. [Applause.] The method the German Chancellor proposes is the method of the Congress of Vienna. We cannot and will not return to that. What is at stake now is the peace of the world. What we are striving for is a new international order based upon broad and universal principles of right and justice,—no mere peace of shreds and patches. Is it possible that Count von Hertling does not see that, does not grasp it, is in fact living in his thought in a world dead and gone? Has he utterly forgotten the Reichstag Resolutions of the nineteenth of July, or does he deliberately ignore them? They spoke of the conditions of a general peace, not of national aggrandizement or of arrangements between state and state. The peace of the world depends upon the just settlement of each of the several problems to which I adverted in my recent address to the Congress. I, of course, do not mean that the peace of the world depends upon the acceptance of any particular set of suggestions as to the way in which those problems are to be dealt with. I mean only that those problems each and all affect the whole world; that unless they are dealt with in a spirit of unselfish and unbiased justice, with a view to the wishes, the natural connections, the racial aspirations, the security, and the peace of mind of the peoples involved, no permanent peace will have been attained. They cannot be discussed separately or in corners. None of them constitutes a private or separate interest from which the opinion of the world may be shut out. Whatever affects the peace affects mankind, and nothing settled by military force, if settled wrong, is settled at all. [Applause.] It will presently have to be reopened.

Is Count von Hertling not aware that he is speaking in the court of mankind, that all the awakened nations of the world now sit in judgment on what every public man, of whatever nation, may say on the issues of a conflict which has spread to every region of the world? The Reichstag Resolutions of July themselves frankly accepted the decisions of that court. There shall be no annexations, no contributions, no punitive damages. Peoples are not to be handed about from one sovereignty to another by an international conference or an understanding between rivals and antagonists. National aspirations must be respected; peoples may now be dominated and governed only by their own consent. "Self-determination" is not a mere phrase. It is an imperative principle of action, which statesmen will henceforth ignore at their peril. We can not have general peace for the asking, or by the mere arrangements of a peace conference. It cannot be pieced together out of individual understandings between powerful states. All the parties to this war must join in the settlement of every issue anywhere involved in it [applause]; because what we are seeking is a peace that we can all unite to guarantee and maintain and every item of it must be submitted to the common judgment whether it be right and fair, an act of justice, rather than a bargain between sovereigns.

The United States has no desire to interfere in European affairs or to act as arbiter in European territorial disputes. She would disdain to take advantage of any internal weakness or disorder to impose her own will upon another people. She is quite ready to be shown that the settlements she has suggested are not the best or the most enduring. They are only her own provisional sketch of principles and of the way in which they should be applied. But she entered this war because she was made a partner, whether she would or not, in the sufferings and indignities inflicted by the military masters of Germany, against the peace and security of mankind; and the conditions of peace will touch her as nearly as they will touch any other nation to which is entrusted a leading part in the maintenance of civilization. She can not see her way to peace until the causes of this war are removed, its renewal rendered as nearly as may be impossible.

This war had its roots in the disregard of the rights of small nations and of nationalities which lacked the union and the force to make good their claim to determine their own allegiances and their own forms of political life. Covenants must now be entered into which will render such things impossible for the future; and those covenants must be backed by the united force of all the nations that love justice and are willing to maintain it at any cost. [Applause.] If territorial settlements and the political relations of great populations which have not the organized power to resist are to be determined by the contracts of the powerful governments which consider themselves most directly affected, as Count von Hertling proposes, why may not economic questions also? It has come about in the altered world in which we now find ourselves that justice and the rights of peoples affect the whole field of international dealing as much as access to raw materials and fair and equal conditions of trade. Count von Hertling wants the essential bases of commercial and industrial life to be safeguarded by common agreement and guarantee, but he can not expect that to be conceded him if the other matters to be determined by the articles of peace are not handled in the same way as items in the final accounting. He cannot ask the benefit of common agreement in the one field without according it in the other. I take it for granted that he sees that separate and selfish compacts with regard to trade and the essential materials of manufacture would afford no foundation for peace. Neither, he may rest assured, will separate and selfish compacts with regard to provinces and peoples.

Count Czernin seems to see the fundamental elements of peace with clear eyes and does not seek to obscure them. He sees that an independent Poland, made up of all the indisputably Polish peoples who lie contiguous to one another, is a matter of European concern and must of course be conceded; that Belgium must be evacuated and restored, no matter what sacrifices and concessions that may involve; and that national aspirations must be satisfied, even within his own Empire, in the common interest of Europe and mankind. If he is silent about questions which touch the interest and purpose of his allies more nearly than they touch those of Austria only, it must of course be because he feels constrained, I suppose, to defer to Germany and Turkey in the circumstances. Seeing and conceding, as he does, the essential principles involved and the necessity of candidly applying them, he naturally feels that Austria can respond to the purpose of peace as expressed by the United States with less embarrassment than could Germany. He would probably have gone much farther had it not been for the embarrassments of Austria's alliances and of her dependence upon Germany.

After all, the test of whether it is possible for either Government to go any further in this comparison of views is simple and obvious. The principles to be applied are these:

First, that each part of the final settlement must be based upon the essential justice of that particular case and upon such adjustments as are most likely to bring a peace that will be permanent;

Second, that peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game [applause], even the great game, now forever discredited, of the balance of power; but that

Third, every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned, and not as a part of any mere adjustment or compromise of claims amongst rival states; and

Fourth, that all well defined national aspirations shall be accorded the utmost satisfaction that can be accorded them

without introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the peace of Europe and consequently of the world.

A general peace erected upon such foundations can be discussed. Until such a peace can be secured we have no choice but to go on. [Applause.] So far as we can judge, these principles that we regarded as fundamental are already everywhere accepted as imperative except among the spokesmen of the military and annexationist party in Germany. If they have anywhere else been rejected, the objectors have not been sufficiently numerous or influential to make their voices recently audible. The tragical circumstance is that this one party in Germany is apparently willing and able to send millions of men to their death to prevent what all the world now sees to be just. [Applause.]

I would not be a true spokesman of the people of the United States if I did not say once more that we entered this war upon no small occasion, and that we can never turn back from a course chosen upon principle. [Applause.] Our resources are in part mobilized now, and we shall not pause until they are mobilized in their entirety. [Applause.] Our armies are rapidly going to the fighting front, and will go more and more rapidly. Our whole strength will be put into this war of emancipation—emancipation from the threat and attempted mastery of selfish groups of autocratic rulers—whatever the difficulties and present partial delays. We are indomitable in our power of independent action and can in no circumstances consent to live in a world governed by intrigue and force. [Applause.] We believe that our own desire for a new international order under which reason and justice and the common interests of mankind shall prevail is the desire of enlightened men everywhere. Without that new order the world will be without peace and human life will lack tolerable conditions of existence and development. Having set our hand to the task of achieving it, we shall not turn back.

I hope that it is not necessary for me to add that no word of what I have said is intended as a threat. That is not the temper of our people. I have spoken thus only that the whole world may know the true spirit of America—that men everywhere may know that our passion for justice and for self-government is no mere passion of words but a passion which, once set in action, must be satisfied. [Applause.] The power of the United States is a menace to no nation or people. It will never be used in aggression or for the aggrandizement of any selfish interest of our own. It springs out of freedom and is for the service of freedom. [Prolonged applause.]

At 12 o'clock and 40 minutes p. m. the President retired from the Hall of the House.

At 12 o'clock and 46 minutes p. m. the Speaker announced that the joint session had dissolved.

Thereupon the President pro tempore and Members of the Senate returned to their Chamber.

HOUSING FOR EMPLOYEES OF SHIPYARDS.

Mr. ALEXANDER. Mr. Speaker, I renew my request for unanimous consent that the general debate on this bill be limited to three hours, to be confined to the subject matter of the bill, one half to be controlled by myself and the other half by the gentleman from Massachusetts [Mr. GREENE].

The SPEAKER. The gentleman from Missouri renews his request for unanimous consent that the general debate on this bill be limited to three hours, one half to be controlled by himself and the other half by the gentleman from Massachusetts [Mr. GREENE], and that the debate be confined to the subject matter of the bill. Is there objection?

There was no objection.

The SPEAKER. The House automatically resolves itself into——

Mr. STAFFORD. Mr. Speaker, a question of order. How can the House automatically resolve itself?

The SPEAKER. Because of the rule, under a previous order of the House, printed on the first page of the Calendar. The House automatically resolves itself into Committee of the Whole House on the state of the Union, with the gentleman from Virginia [Mr. SAUNDERS] in the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, and otherwise acquire improved or unimproved lands, houses, buildings, and for other purposes, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill S. 3389, which the Clerk will report by title.

The Clerk read as follows:

A bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes.

The CHAIRMAN. The gentleman from Missouri [Mr. ALEXANDER] is recognized.

Mr. ALEXANDER. Mr. Chairman, it is not my purpose to detain the committee long in the discussion of the provisions of this bill. This is a Senate bill that was referred to the Committee on the Merchant Marine and Fisheries on the 21st day of January. It has been given quite careful consideration by the committee, and was reported back to the House on the 4th day of February.

After considering the provisions of the Senate bill, various amendments were suggested in committee, and it was thought best to report to the House an amendment by way of a substitute for the Senate bill. A careful reading of the provisions of the Senate bill and a comparison with the provisions of the House substitute will disclose, I think, that there is no fundamental difference between the Senate bill and the House substitute.

In the House substitute we undertake to express more clearly and comprehensively the powers intended to be conferred by the Senate bill. Under the provisions of the shipping act the Shipping Board is given power to build ships. What are the implied powers of the Shipping Board under the express power conferred to build ships it is not necessary to speculate. The United States Shipping Board Emergency Fleet Corporation, in undertaking to carry out and exercise the powers conferred by the law, finds it necessary to provide houses for the workmen in our shipyards and we wish to remove every doubt as regards their power to do so. Just how the work may be done, whether the Government in the first instance shall buy the land, erect the houses, and rent them to the employees, or loan money to persons, firms, or corporations for that purpose, is a question the committee did not undertake to deal with, for the reason that the problems in the different shipyards are different; the local conditions are different, and the policy that might be best if applied to one shipyard might not be wise if applied to another.

You will note in subdivision (d) that we give the Emergency Fleet Corporation the power to loan money to persons, firms, and corporations, to be utilized in providing housing facilities for workmen engaged in building ships for the Emergency Fleet Corporation.

The committee discussed the question whether or not it would be practicable to place limitations on that power in the bill. Obviously it would be desirable if practicable. Representatives of the Emergency Fleet Corporation came before the committee and outlined their plans, which are quite comprehensive and businesslike, and if carried out I am quite sure will safeguard the interests of the Government so far as it is possible to do so.

We should not overlook the fact, however, that this is an emergency proposition; that these houses must be built as speedily as possible; that in some localities after the war the shipbuilding industry may not be as flourishing as it is now, the demand for houses may not be as great as now, and a loss will result to the Government. The Emergency Fleet Corporation does not know of any way to safeguard the Government against that possible loss. What we are interested in primarily is that this money shall be spent where the need is greatest and that it shall be economically spent; that waste will not occur in the expenditures for housing as it has occurred already in some shipyards, if not all of them, in other activities.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Pennsylvania?

Mr. MOORE of Pennsylvania. Will it disturb the gentleman if I interrupt him now?

Mr. ALEXANDER. I yield.

Mr. MOORE of Pennsylvania. Has the committee given consideration to the advisability of providing in the law somewhere that contracts shall be awarded after advertising in the usual lawful way?

Mr. ALEXANDER. No; the committee has not, because the committee does not regard it as practicable to do so in view of the emergency and the uncertainties in the labor and material markets.

Mr. MOORE of Pennsylvania. I will say to the gentleman that some discussion has arisen, we might say advanced almost to the point of scandal, with regard to the awarding of contracts carrying a percentage plus commission, instead of having contracts awarded according to law, after advertisement. That

seems to have been an impediment in the way of the present Shipping Board's operations.

Mr. ALEXANDER. That is the most desirable plan, if it did not involve any delay. But these scandals, I will say, which have developed recently in connection with operations in certain shipyards, and especially Hog Island, can not be prevented unless the Emergency Fleet Corporation has direct and complete supervision and control over the expenditure of money, and I think that is what we all desire.

Now, if the gentleman will pardon me I will proceed. This bill provides—

That the United States Shipping Board Emergency Fleet Corporation is hereby authorized and empowered within the limits of the amounts herein authorized—

(a) To purchase, lease, requisition, or acquire by condemnation or otherwise any improved or unimproved land or any interest therein suitable for the construction thereon of houses for the use of employees of shipyards in which ships are being constructed for the United States.

(b) To construct on such land houses and all other necessary or convenient facilities, upon such conditions and at such price as may be determined, and to sell, lease, or exchange such houses, land, and facilities upon such terms and conditions as it may determine.

In some instances it may not be necessary to acquire the fee simple title to the land, hence the bill provides that the board are authorized—

(c) To purchase, lease, requisition, or acquire by condemnation or otherwise any houses or other buildings, together with the land on which the same are erected, or any interest therein, and all necessary and proper fixtures and furnishings therefor; to manage, repair, sell, lease, or exchange such lands, houses, buildings, fixtures, and furnishings upon such terms and conditions as it may determine to carry out the purposes of this act.

(d) To make loans to persons, firms, or corporations in such manner and upon such terms as it may determine from time to time to provide houses for the employees of such shipyards.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. ALEXANDER. Just for a question.

Mr. DOWELL. How much is it anticipated by the committee will be used for these purposes?

Mr. ALEXANDER. The bill carries an authorization of $50,000,000. I think the survey made by the Emergency Fleet Corporation up to this time, if their plans are carried out, would involve an expenditure of less than that sum. I think their plans, as stated by Mr. Hurley in the hearings before the Committee on Commerce of the Senate, in the investigation of the Shipping Board, involves the expenditure of $35,000,000.

Mr. DOWELL. I think the gentleman did not get the meaning of my question. For the services just suggested by the gentleman, for the loaning to private persons to furnish equipment, how much will be required?

Mr. ALEXANDER. They have made no definite estimate yet. They can not say. The purpose is only to provide housing facilities at those shipyards where such facilities are absolutely necessary. If the difficulties can be solved by improving the means of transportation from the centers of population to the shipyards, it is preferable to do it in that way, because they recognize the probable loss in any investment made in housing facilities at the shipyards. But the problem is a difficult one. It had to be met in England. The testimony before our committee was to the effect that England has spent more than $700,000,000 to house employees, not only in the shipyards but in those centers where her war industries are being carried on.

Mr. GILLETT. I do not wish to interrupt the thread of the gentleman's argument, but I wish at some time he would tell us why this legislation is necessary. I supposed that the shipbuilding corporation already had the legal power. Of course, I appreciate that an appropriation is necessary; but I wondered if the gentleman would at some time in his remarks discuss the question of the lack of power now in the corporation and whether it is necessary to pass this bill to give them this power.

Mr. ALEXANDER. The only power the corporation has under existing law is to build ships.

Mr. GILLETT. And to establish shipyards.

Mr. ALEXANDER. Of course, their legal department has advised them, so I understand, that they may exercise all the powers necessary to carry out the power to build ships; but I question whether or not it was the intent of Congress to vest in them the comprehensive powers that are intended to be conveyed by this bill, and I have been advised to the effect that the counsel for the shipyards where some of these housing facilities are to be provided question the power of the United States Shipping Board Emergency Fleet Corporation, without the enactment of this legislation, to go forward in the development of this housing plan. It would certainly be unfortunate if there should be any question about it.

In every instance where it is practicable I would rather that the Emergency Fleet Corporation should loan the money to persons, firms, or corporations and let them provide the housing facilities. The plan suggested before the committee was that wherever practicable the shipyards would be required to provide the land, free and clear of incumbrance, and generally to invest at least 20 per cent of the total cost of the improvements. A small corporation would be organized for that purpose. The Emergency Fleet Corporation would provide that the stock in the corporation should be assigned to the Emergency Fleet Corporation. The Fleet Corporation would name the directors of the corporation. The money loaned would be secured by a first-mortgage lien on the land and all the improvements placed on the land. The Emergency Fleet Corporation would have control of the housing, the renting, and all the facilities. In other words, the purpose and intent is to provide the housing, but without any profit to the shipyards out of the housing proposition itself.

Mr. DOWELL. Will the gentleman yield for just one question there?

Mr. ALEXANDER. I yield to the gentleman.

Mr. DOWELL. Under this plan of loaning, is it the purpose of the committee, or do I understand the committee are entirely satisfied that all of this money will be returned again to this corporation making a loan, and if a loan is made that it will be entirely secure so far as the investment is concerned?

Mr. ALEXANDER. I think not, for this reason: A shipyard under contract to build ships is not willing to secure the Government by a first-mortgage lien not only upon the land on which the housing facilities are to be erected but on the whole of their shipbuilding plant. They are not willing to do that. They do not care to involve their shipbuilding plant proper in possible loss, but they are willing to purchase the land and give the Emergency Fleet Corporation a first-mortgage lien upon it, let the improvements be made with funds provided by the board, and finally in the liquidation, if it takes the land in order to make the Government whole, very well and good. But, as I say, that is one proposition that the Emergency Fleet Corporation is considering, and the committee did not think it practicable to write into the law all the provisions and limitations under which these loans should be made. As far as the hearings go, Mr. Flannery, who is the director of housing; Mr. Hurley, the president of the Emergency Fleet Corporation; and all officers who will be charged with the duty of carrying out the housing scheme directly interested are keenly alive to the importance of protecting the interests of the Government to the utmost. At the same time they are not unmindful of the fact that there will be ultimate loss to the Government unless improvements are made in communities that are growing, where the industry will not languish after the war, and where real estate values and the demand for houses will be stable or possibly increase.

Now, I will take just a few minutes to show the conditions at present. There are now about 180,000 men employed in the shipyards, according to a statement made before the committee by Admiral Bowles.

Mr. FOSS. How many shipyards are there?

Mr. ALEXANDER. One hundred and thirty-odd now devoted to building ships for the Government.

Mr. FOSS. Does this housing of employees provide for housing their families?

Mr. ALEXANDER. Mr. Flannery, director of housing, has that in view. It will be necessary to make provision for the employees and their families where the men are married; and where the men are unmarried they may be properly housed and cared for in clubhouses, or in some such way.

Mr. FOSS. Is it the intention to have the Shipping Board fix up some standard house to be built by private corporation or by the Government?

Mr. ALEXANDER. Yes. A housing commission has given great consideration to this question. Plans will depend on the location of the houses and whether or not we may expect them to be permanent in character after the war.

In New York, on Staten Island they have four yards close together. They employ about 5,500 men. They ought to employ from 11,000 to 12,000 to utilize their present facilities to their maximum capacity.

Now, it is the opinion of the Emergency Fleet Corporation that the problem may be solved in part by increasing the transportation facilities. But it is taking too optimistic a view of the situation to hope that ample provision for workmen in the shipyards on Staten Island will be made in that manner. It is very clear that an immense increase in the number of workmen must be made not only on Staten Island but at Bristol, Hog Island, Sparrows Point, and Newport News, and elsewhere or we cannot hope to turn out from four to five million tons of shipping this year, which is absolutely necessary if we are to provide for the loss of ships by enemy submarines and make ample provision for the increasing demand for ships to trans-

port our troops and munitions of war and food supplies to the front.

At Sparrows Point, Md., where the shipyard is capable with its present output to work 7,000 men, we only have 3,500 men. If we could provide houses for 3,500 more men, says Admiral Bowles, manager of the division of steel construction for the Emergency Fleet Corporation, we could obtain 75,000 tons of shipping additional at Sparrows shipyard annually.

The Hog Island shipyard, in Pennsylvania just a few miles out of Philadelphia, must be provided with ample housing facilities to accommodate the workmen. That is a Government shipyard in which the American International Corporation is under contract to build for the Government a large fleet of ships. The same condition is true at Newark, N. J., where the Submarine Boat Co. is under contract to build for the Government.

At Bristol, Pa., another Government yard is being built under the direction of the Emergency Fleet Corporation. At Bristol the Merchant Ship Building Corporation is under contract with the Emergency Fleet Corporation to build fourteen 9,000-ton ships for the Government.

At Hog Island the American International Corporation is under contract with the Emergency Fleet Corporation to build fifty 7,500-ton ships and seventy 8,000-ton ships. They are now engaged in building the shipyard and providing the facilities as agent of the Emergency Fleet Corporation. Not a keel has been laid yet, but much material has been assembled. The cost of the work thus far has been enormous and the progress very far from satisfactory. The housing facilities must be provided for the workmen in this shipyard, and as soon as possible, if we can hope to have the necessary workmen when the yard is completed and the building of ships is begun.

At Newark, N. J., the Submarine Boat Corporation is under contract to build for the Emergency Fleet Corporation 150 5,000-ton ships. In all, 410 ships, with an aggregate tonnage of 2,945,000 tons, are under contract to be built at the three yards named. These contracts were let by the Emergency Fleet Corporation many months ago, and it is the hope that the building of ships may soon go forward at a high rate of speed and the building program planned for the present year may be completed within the present year. These contracts provide for what are termed fabricated ships of standard types; and when once the shipyards are ready the keels of ships may be laid and the ships pushed very rapidly to completion.

Mr. HUSTED. Will the gentleman yield?

Mr. ALEXANDER. Yes; with pleasure.

Mr. HUSTED. The gentleman said that England had loaned money to private corporations for this purpose?

Mr. ALEXANDER. I said that she had expended $700,000,000 for housing.

Mr. HUSTED. Loaned it to corporations?

Mr. ALEXANDER. There were different plans in different communities, and I would not undertake to state in detail what the plans were in each instance.

Mr. LINTHICUM. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. LINTHICUM. The gentleman stated that the shipyards were willing to purchase the land and give the Government a first mortgage?

Mr. ALEXANDER. Yes; in some places it may be more desirable to do so.

Mr. LINTHICUM. That would give a mortgage on the improvements, as well as the land.

Mr. ALEXANDER. The Government would hold a first lien on the land and improvements.

Mr. LINTHICUM: If the shipyards did not continue after the war, where would the Government stand?

Mr. ALEXANDER. That would be the Government's loss if there were no further demand for the houses and would be added to the cost of building the ships. We need the ships. That is the matter of prime consideration.

Mr. LINTHICUM. Speaking about Sparrows Point, I realize that housing facilities must be furnished them in order to get their full efficiency. They are building a repair shop for automobiles already near the shipyard at Sparrows Point which will employ three or four thousand men. Ought there not to be some provision for housing these people?

Mr. ALEXANDER. The emergency is to house people employed in building ships, and if other industries are being developed at Sparrows Point, so much the better, because our investment will be that much safer and there may be less loss at the end of the war.

Mr. WALDO. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. WALDO. Can the gentleman state what time it is going to take to erect these buildings? Are they going to be built immediately?

Mr. ALEXANDER. Not immediately. The plans are now under way and the building will begin as soon as authorized by Congress. It will take time, of course, to provide housing for an army of workmen.

Mr. WALDO. How long?

Mr. ALEXANDER. I can not state. We have seen some buildings go up in Washington as if by magic, to take care of the increased activities of the Government growing out of the war; if the buildings are of a temporary nature they can be built quickly. If more permanent, it will take longer. At Philadelphia, I am told, there are ample facilities. The house-building industry is dull all over the country at this particular time. Our information is to the effect that there will be plenty of skilled labor in the building trades available for that purpose.

Mr. HICKS. Can the gentleman inform the House how many ships at the present time have been built and turned out by the Shipping Board?

Mr. ALEXANDER. I can not. If the gentleman will turn to part 1 of the hearings before the Senate Committee on Commerce in the Shipping Board Emergency Fleet Corporation investigation, he will find the whole shipbuilding program from its inception, set out in great detail. I have not the time to go into it now.

Mr. LINTHICUM. This is a very important matter and I want to say that there was a gentleman in my office on Saturday who said he had a large number of houses a short distance from Sparrows Point upon which the Government had an option and that the Government had renewed the option, and yet they have not taken over the property. Is that because they are waiting the passage of this bill?

Mr. ALEXANDER. Yes; they have no power yet to take that property over.

Mr. LINTHICUM. I think there are a couple of hundred of these houses.

Mr. ALEXANDER. Obviously wherever houses are available, they want to take them over.

Mr. LINTHICUM. And they can not do it until this legislation is passed?

Mr. ALEXANDER. No.

Mr. MILLER of Washington. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. MILLER of Washington. Is there any provision for assisting in the housing facilities at navy yards where vessels are under construction?

Mr. ALEXANDER. I can not say whether there are any funds available for that purpose now or not; I do know that the Secretary of the Navy has the question under consideration. The Secretary of War has the same problem to solve, as it may be necessary to provide housing facilities at points where the Government has warehouses for munitions and supplies; but this proposition of the Shipping Board has been under consideration for three months past. They have advanced their plans as far as they can until this legislation is enacted, and hence it is important to enact this bill into law as speedily as possible. At a conference between the Secretary or War and the Secretary of the Navy, the chairman of the Shipping Board, and the Secretary of Labor a few days ago, at which were also present Senator FLETCHER, the chaiman of the Senate Committee on Commerce, and myself, representing the Committee on the Merchant Marine, that whole question was brought up and discussed in an informal way. The Secretaries of War and the Navy called attention to their requirements, and if all the departments had coordinated their efforts in the first instance and one concrete proposition had been worked out and presented to apply to the Army and the Navy and the requirements of the Shipping Board, manifestly that would have been best, but that has not been done. The Shipping Board has done so, so far as the needs of the shipyards are concerned, and rather than incur delay and change the plan it was agreed all around that this proposition should go forward. We all agreed that the great problem of this war is ships with which to transport our men and munitions and foodstuffs to Europe and that the emergency brooks no delay. We can not provide ships unless we provide ample facilities to build the ships, and we can not provide ample facilities to build the ships unless we provide necessary housing for the workmen. I feel that to do so and to do it speedily will necessarily involve loss, loss in the sense that the Government will not get back 100 cents for every 100 cents spent in building

houses, but if we can meet the emergency, and if we can be assured of the expenditure of this money without unnecessary waste, the country will have reason to congratulate itself.

If I had time I would like to discuss conditions at the Hog Island shipyard. Perhaps they will be discussed before we get through. Up to this time great waste has obtained at Hog Island. The contract with the American International Corporation was in part framed by Gen. Goethals, but not consummated, and afterwards revised with the utmost care by Admiral Capps, who succeeded Gen. Goethals as manager of the Emergency Fleet Corporation, before signing. He thought he had safeguarded in every possible way the interests of the Government. He thought when he entered into a contract with the American International Corporation, the chairman of the board of directors of which is Mr. Frank A. Vanderlip, and whose president is Mr. C. A. Stone, of Stone & Webster that that was a guaranty that the contract would be honestly carried out on the part of the corporation as the agent of the Government, and I would be reluctant to say that the American International Corporation, which is the child of the National City Bank and of the subsidiary corporation directly engaged in building the plant at Hog Island, did not intend to carry out their contract in good faith and safeguard in every possible way the interests of the Government. But they have failed, signally failed, thus far to do so. But great waste is in evidence everywhere, and the manner in which the Government funds have been squandered is a public scandal, and I want to say that a member of our committee, the gentleman from Pennsylvania [Mr. EDMONDS], who lives in Philadelphia, got in touch with that rotten situation, and great credit is due to him for bringing it to the attention of the Shipping Board and the Senate investigating committee. I hope that the waste will stop and that the Government in the future will get full value for its expenditures. It may be well at this point to place in the RECORD information in regard to the American International Corporation taken from Moody's Manual, 1917 edition. It will be interesting to note the names of the officers and directors of that corporation and their standing in the financial world:

AMERICAN INTERNATIONAL CORPORATION.

Incorporated November 23, 1915, in New York, under a charter broad enough to authorize it to engage in any kind of business (except banking), subject to the restrictions provided by the laws of the States and countries in which it may operate. The main object of the formation of the corporation is to create facilities for the successful promotion of American commerce and business in foreign countries. It will be its endeavor to advance the interests of American overseas trade; to develop new enterprises abroad; to finance existing enterprises, and to take over, if offered, investments heretofore made by people in European countries. The corporation has its own representatives in Argentina, Great Britain, France, Russia, and China. While not controlled by the National City Bank, New York, it is closely affiliated in interest and can avail itself of the experience that institution has acquired in the establishment of foreign branches. Under the powers conferred by the Federal reserve act the National City Bank has established branches in Argentina, Brazil, Chile, Uruguay, the West Indies, Italy, and Russia, and plans are under way for the establishment of other branches in the principal financial centers of South America. Through the acquisition of the International Banking Corporation by the National City Co., the bank has branches in Japan, China, Philippines, Panama, Colombia, and India. The American International Corporation proposes to utilize the information gained through these branches to further the interests of American business and to give the initial impetus to American enterprise in fields not hitherto explored by it.

The following are some of the varied interests of the corporation:

Pacific Mail Steamship Co.: In connection with its associates, W. R. Grace & Co., the corporation in December, 1915, acquired control of the Pacific Mail Steamship Co. (See General Index.)

Allied Machinery Co. of America: In February, 1916, company acquired the entire capital stock (consisting of $100,000 common and $100,000 preferred) of the Allied Machinery Co. of America, which conducts an export business in machine tools, with its own offices in France, Italy, Switzerland, and Russia.

Uruguayan contract: In March, 1916, the American International Corporation, in association with Messrs. Stone & Webster and the Ulen Contracting Co., took a contract to construct waterworks and sewerage systems in the towns of Salto, Paysandu, and Mercedes, Uruguay. The corporation agreed to take $4,000,000 6 per cent gold bonds of the Uruguayan Government in payment for this work, which is now well under way.

Latin American Corporation: The importance of thoroughly investigating propositions in South America which have been presented, and the necessity of properly supervising the work during the construction period, led to the formation of the Latin American Corporation, in which the American International Corporation and Messrs. Stone & Webster are jointly interested.

Work in Russia: On August 31, 1916, Frederick Holbrook, an engineer and head of the Holbrook, Cabot & Rollins Corporation, was chosen vice president of the American International Corporation to represent its interests in Petrograd, Russia. The corporation has received orders from the Russian Government for a large amount of steel rails and other railway equipment.

Rosin & Turpentine Export Co.: This company was incorporated in June, 1916, to aid American manufacturers to investigate and develop the rosin and turpentine export business. In April, 1917, this company increased its capital stock from $300,000 to $800,000.

International Mercantile Marine Co.: During 1916 an interest was acquired in the securities of the International Mercantile Marine Co. (see General Index), which aided that company to discharge its receiver on October 6, 1916, and place its affairs in the hands of a board of directors.

United Fruit Co.: During 1916 the corporation also acquired an interest in the United Fruit Co. (See General Index.)

American International Terminals Corporation: In July, 1916, this company was formed with $100,000 capital for the purpose of studying the problems in connection with the development of the terminal facilities of the port of New York.

China Corporation and Siems-Carey Railway & Canal Co.: These two companies were organized in July, 1916, for the purpose of investigating the possibility of negotiating contracts for the improvement of canals and construction of railroads in China. The American International Corporation holds the controlling interest in these companies and the Seims-Carey Co., an engineering and contracting firm of St. Paul, Minn., the remainder. A contract was signed on September 30, 1916, with the Chinese Government for the construction of 1,100 miles of railway in China.

Carter, Macy & Co. (Inc.): In August, 1916, the American International Corporation became interested in this concern, an old established firm doing business in the importation and sale of teas and having offices in China, Japan, India, and Ceylon. The American International Corporation provided additional capital and acquired a controlling interest in the business, and in this manner acquired representation in the Orient.

New York Shipbuilding Co.: The corporation in November, 1916, purchased the entire property of the New York Shipbuilding Co., Camden, N. J., and invited the International Mercantile Marine Co., W. R. Grace & Co., and the Pacific Mail Steamship Co. to join in shipbuilding operations. A new corporation, the New York Shipbuilding Corporation, has been organized, in which the American International Corporation owns the controlling interest and the other two companies the remainder. In addition to $20,000,000 of contracts for ships under construction a contract has been received for the construction of two battleships for the United States Government for $22,000,000.

Capital stock: Authorized and outstanding, $49,000,000 common and $1,000,000 preferred ("managers' shares"); par, $100. Of the stock $25,000,000 common was set aside to be offered to stockholders of the National City Bank, New York, to an amount equal to their holdings of that institution's stock as of December 1, 1915. Subscriptions were to be made 10 per cent forthwith, 10 per cent January 15, 1916, and the remaining 80 per cent at the discretion of directors. Further installments of 10 per cent each were called payable June 9, July 10, and August 10, 1916, making the stock 50 per cent paid up. Preferred stock is entitled to receive out of surplus profits dividends at the same rate as that paid on common until 7 per cent shall have been paid or declared on both classes in any one year; thereafter preferred stock shall be entitled to receive one-fifth of any further distribution of surplus during that year and common the remaining four-fifths. Upon liquidation of the corporation and distribution of its assets, preferred shall be entitled to receive an amount equal to the par value thereof before any distribution is made on the common stock; then common shall be entitled to receive an amount equal to the par value thereof; after which preferred stock shall be entitled to receive one-fifth of the assets then remaining and the common the remaining four-fifths. Transfer agents: National City Bank, New York. Registrar: Farmers' Loan & Trust Co., New York. Listed on New York curb. Initial dividends of 75 cents per share on both preferred and common stocks were paid December 30, 1916.

Consolidated income account, year ended December 31, 1916: Earnings from operations, $3,337,450; miscellaneous expenses, $908,278; foreign and domestic taxes, $447,656; net earnings, $1,981,516; interest and dividends received, $502,427; total income, $2,483,943; dividends, $375,000; surplus for one year, $2,108,943.

Consolidated balance sheet, Dec. 31, 1916.

ASSETS.

Investments, bonds, stocks, etc	$23,226,559
Furniture and fixtures	40,883
Cash and call loans	2,954,313
Merchandise inventories	2,167,515
Accounts receivable and advances	1,864,818
Interest accrued receivable	148,201
Unexpired insurance	2,851
Total	30,405,140

LIABILITIES.

Common stock	24,500,000
Preferred stock	500,000
Accounts payable	2,960,339
Reserve for taxes	521,262
Surplus	1,923,539
Total	30,405,140

Consolidated statement of working capital, Dec. 31, 1916.

CURRENT ASSETS.

Cash and call loans	$2,954,313
Merchandise inventories	2,167,515
Accounts receivable and advances	1,864,818
Interest accrued receivable	148,201
Total	7,134,847

CURRENT LIABILITIES.

Accounts payable	2,960,339

Net working capital, December 31, 1916, $4,174,508.

Officers: F. A. Vanderlip, chairman of board; C. A. Stone, president; G. J. Baldwin, senior vice president; H. D. H. Connick, Philip W. Henry, Robert F. Herrick, Frederick Holbrook, William S. Kies, R. B. Sheridan, Willard Straight, R. P. Tinsley, vice presidents; Cecil Page, secretary; T. W. Streeter, treasurer; K. F. Clark, assistant secretary; Percy Mayes, assistant treasurer, New York.

Executive committee: F. A. Vanderlip, C. A. Stone, O. H. Kahn, Ambrose Monell, P. A. Rockefeller, T. N. Vail, William Woodward.

Directors: J. Ogden Armour, C. A. Coffin, W. E. Corey, Robert Dollar, J. P. Grace, R. F. Herrick, Pierre S. duPont, Otto H. Kahn, R. S. Lovett, Ambrose Monell, H. S. Pritchett, Percy A. Rockefeller, John D. Ryan, W. L. Saunders, J. A. Stillman, C. A. Stone, Guy E. Tripp, T. N. Vail, F. A. Vanderlip, E. S. Webster, A. H. Wiggins, Beekman Winthrop, William Woodward.

Annual meeting, first Wednesday in April.

General office, 120 Broadway, New York.

New York Shipbuilding Corporation (controlled by stock ownership): Incorporated November 28, 1916, in New York; successor to New York Shipbuilding Co. (see Manual for 1916, industrial and public utility volume, p. 3149). The entire property of the latter company had been

purchased in November, 1916, by the American International Corporation, in connection with the International Mercantile Marine Co., W. R. Grace & Co., and the Pacific Mail Steamship Co. The American International Corporation owns a majority of the stock of the new corporation. The arrangement between the four concerns participating in the enterprise provides that a certain portion of the capacity of the yard shall be devoted to the construction of ships for these companies at cost plus a percentage basis. Business is the manufacture and construction of ships, marine engines and boilers. The corporation has a large modern shipbuilding plant at Camden, N. J., the property including 163½ acres of land, with 4,700 feet of water front on the Delaware River. There are five shipways equipped and two additional large ways under construction.

Capital stock: Authorized and outstanding, 200,000 shares of no par value. A majority of the stock is owned by American International Corporation.

Bonded debt: $7,500,000 first sinking fund 5s; due November 1, 1946. Authorized, $25,000,000.

Officers: George J. Baldwin, chairman of board; S. M. Knox, president; H. A. Magoun, first vice president; N. de Taube, second vice president; J. T. Wickersham, secretary and treasurer; Cecil Page, assistant secretary; A. G. Connell, assistant secretary and assistant treasurer; A. D. Brigham, assistant secretary; Percy Mayes, assistant treasurer; H. J. Smith, assistant treasurer.

Executive committee: George J. Baldwin, P. A. S. Franklin, Lawrence H. Shearman.

Directors: George J. Baldwin, Joseph A. Bennett, P. A. S. Franklin, Joseph P. Grace, E. W. Harden, Robert E. Herrick, W. S. Kies, S. M. Knox, Ambrose Monell, William F. Morgan, James H. Perkins, L. H. Shearman, Charles A. Stone, E. P. Swenson, H. H. Wehrhane.

Annual meeting, third Wednesday in March, at 120 Broadway, New York.

General office, Camden, N. J.

(Moody's Manual of Railroad and Corporation Securities, 1917. Industrial section, pp. 74, 75, 76, 77.)

American International Corporation (see also statement on p. 74): Common stock listed—common stock of company was listed on New York Stock Exchange on July 5, 1917.

(Moody's Manual of Railroads and Corporations Securities, 1917. Industrial section, p. 2549.)

Mr. Chairman, I reserve the the balance of my time.

Mr. GREENE of Massachusetts. Mr. Chairman, in the consideration of this bill by the Committee on the Merchant Marine and Fisheries they spent considerable time before concluding to strike out the Senate bill and to report this bill as an amendment thereto. We spent time in looking it over in order to get what we thought was a reasonable and proper bill to meet the conditions that had been outlined by the Shipping Board, who came before us and told us what they thought they ought to have. I believe the bill as amended and as it is now before you is well drawn, and that it ought to be adopted. Of course, as you all know, I did not vote for the original creation of the Shipping Board or for the original appropriation of $50,000,000. I never have regretted my vote against that proposition. I believed at that time that the money would be wasted, and I have never seen any report of what has been done with that vast sum, and I believe it has been wasted and used up without any good result, except possibly to enable the Shipping Board to learn a little something about the shipping business.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. MOORE of Pennsylvania. I did not want to take any more of the time of the gentleman from Missouri [Mr. ALEXANDER], but I would like to get the opinion of the gentleman, who is the ranking Republican on this committee, as to the wisdom of incorporating in this bill somewhere a provision that would require contracts to be advertised in accordance with law rather than to permit them to be at the option and will of the holding corporations that have power to do substantially what they please when they get the Government's money.

Mr. GREENE of Massachusetts. Mr. Chairman, so far as I am concerned, I do not say that this bill ought not to be subjected to any amendment. Perhaps we did not go into it as far as we ought to have gone. I think there was a feeling that there was need of speeding up operations and building ships. If the gentleman from Pennsylvania desires to offer an amendment providing for action according to law I should interpose no objection. I should think, perhaps, it would be wise. We can not always get all of the wisdom in one committee.

Mr. MOORE of Pennsylvania. The gentleman has referred to waste.

Mr. GREENE of Massachusetts. Yes.

Mr. MOORE of Pennsylvania. The gentleman from Missouri has admitted there was waste, and that waste is due to the manner in which these contracts have been awarded, and it seems that now we are to appropriate $50,000,000 it will be up to us to put certain limitations in the bill which would prevent that waste if possible. We have heard no word of protest from the administration, so far as I can learn. They have simply permitted one corporation to pass this on to another corporation, and in the passage of this money and the contracts relating thereto, waste has occurred and unquestionably there has been extravagance, probably duplication of work and duplication of salaries and excessive salaries, and all that sort of thing.

Mr. GREENE of Massachusetts. I certainly shall not object if the gentleman wishes to offer any such amendment.

Mr. FARR. Was the waste due to ignorance or innocence or to profiteering?

Mr. GREENE of Massachusetts. Where?

Mr. FARR. At Hog Island.

Mr. GREENE of Massachusetts. Oh, I do not know anything about the propositions to which the gentleman from Pennsylvania [Mr. FARR] alludes. In the first place, I think that Hog Island is a poor place to put a shipyard if the statements made before the Senate Committee on Commerce are found to be facts. I have never been to Hog Island. It may be the best place in America to locate a shipyard. I certainly hope that it is if the money of the people is to be expended there.

Mr. MOORE of Pennsylvania. I will say to the gentleman in reply to that that it is in a very desirable situation. There may be some low land.

Mr. GREENE of Massachusetts. I have been told that considerable filling will be needed there. If the promoters spend their own money no one can complain.

Mr. MOORE of Pennsylvania. And other land would possibly need grading. But it is an eligible point for a shipyard and has a deep-water front.

Mr. GREENE of Massachusetts. We have got to handle this great proposition and we have got to go through with it and let us make the most of it. But let me say this, it has been brought to my attention there has been a yard established in New Hampshire on the Piscataqua River. This shipyard has made a contract or agreement, I do not know which, to build 18 vessels. Now, that shipyard can not build 18 vessels in time enough to take care of this war unless the war lasts for an indefinite time. I am further informed that the yard as located is obstructed by the Boston & Maine Railroad, which has a bridge extending across the water front. The information first given to me was that it had no draw and therefore the vessels could not get out, but worse than that, I was informed it had a draw in the railroad bridge, but the first vessel begun under the Shipping Board, or under whoever it was constructed, is 22 feet wider than the draw in the bridge. That is not good sense; I am sorry to have to say that it is not common business sense. It is a waste of money and I am sorry to have to record it. I was in hopes I would not have to say anything of the kind, but that is a fact that can not be denied, for I obtained the information from a gentleman from New Hampshire, a Member of this House, and he told me that the boat was 22 feet wider than the draw. Now, the vessel has got to be pared down or the draw widened before you can get the vessel out, and that is a very poor business operation.

Mr. ALEXANDER. Will my colleague yield?

Mr. GREENE of Massachusetts. Yes.

Mr. ALEXANDER. I was in conversation with Mr. Hurley, president of the Shipping Board Emergency Fleet Corporation, this morning, and I called his attention to the matter which my colleague [Mr. GREENE of Massachusetts] had called to my attention some days ago, and he did not seem to know just what the facts were. My colleague told me he has a shipyard at Fall River, where they can build ships, and I believe he stated to me that the Emergency Fleet Corporation is going to commandeer the material and take it somewhere else, and I called that situation to Mr. Hurley's attention, and I suggested they ought to annul the contract on that river in New Hampshire if it were true that they had not begun to build ships there and build them at Fall River or elsewhere where they have the material and facilities.

Mr. GREENE of Massachusetts. Let me state what was stated to me this morning by the gentleman from New Hampshire [Mr. BURROUGHS]. He was in New Hampshire over Sunday, and he tells me a vessel was there, and she was 22 feet wider than the opening in the draw. He told me that this morning because I asked him. I wanted to know whether it was true or not, and he says it is true. Now, the question of commandeering the gentleman speaks about, let me say a little something about that. I was in the Shipping Board trying to get some of these 18 vessels that can not be built in time to be of any account unless they build them somewhere else where there is a yard all fitted with ways, with men, and with housing, and with everything else that is necessary to build ships. I asked them to let me take three of those vessels to build—not let me take them, but to let the people of my district who have the yard, who have created this yard and put their capital into it and were ready to build the vessels at once—let them take three of those vessels. They said they would have to refer it to the legal department. They referred it to the legal department, and the legal department looked over the agreement with whoever this concern is up in New Hampshire—I do not know what

it is—and they found under the legal agreement they could not take any of these 18 vessels away from this ship corporation—I do not know whether it is public or private—but they can not take them away from them. Then I said, "Well, why not let the shipyard at Fall River, Mass., build three vessels? They can build them at once. They have a well-equipped yard and competent workmen." "Oh," he said, "we are making a survey of all the lumber interests of the country. We are going from the Atlantic to the Pacific to see where the lumber is, and when we find where the lumber is then we will know what we can do." "Well," I said, "the yard that is located in my city has the lumber." He asked me where it was, and I said that I could not tell, only that they stated they have the lumber. He said, "When we make this survey and find out where it is we will commandeer it damn quick." That was the answer.

Now, if that is the way the Shipping Board is going to do business, I will tell you it is pretty hard lines for any private individual or private corporation who wants to do business and to aid the United States to carry on the war to be met by newly fledged public officials in that spirit. I would not have said anything about that if the statement had not been made by Chairman ALEXANDER that the chairman of the Shipping Board had told him that he did not know anything about the width of the vessels now being built in New Hampshire, and he had not been able to get any information about it, but my information comes from a Member of this House who has his home in New Hampshire, and it is confirmed by Mr. WASON, a Member of the House from New Hampshire. These are facts that can not be denied. It seems strange that a copper-fastened contract should be made several months ago for 18 vessels by the Shipping Board at a place where there are no results, and the contract has such binding features that they can not amend any part of it and obtain quick results. Now, I have this feeling in my mind: I am a loyal Member of the United States House of Representatives. At the same time I am a Republican. I do not make any apology for that. Wherever I go, whether it is North, South, East, or West, I have never hesitated in declaring my political principles. I recollect 30 years ago I went to the city of Waco, Tex., and, naturally, having been a postmaster, I went to see the postmaster, and walked up the street with him, and when I walked up the street with him a man said, "You have got the only God damn black Republican there is in Waco." He happened to be postmaster of the city. That is all right. I was proud to walk up the street with him, and I continued to walk with him just the same. I am not talking politics; I am talking right out in this House. This country is in war and we have got to fight this war to the end and we have to unite in this war. We can not divide. We have got but one flag in this country, thank God, and that is the American flag. [Applause.] I do not know another.

Last year we had an exhibition of the Confederate flag in this city. I pitied those poor Confederate soldiers that came up here. They were old and decrepit. I did not blame them for carrying around the flag for which they fought, but when men and women in this city rode through the streets of Washington with Confederate flags waving I tell you it touched my patriotic spirit. It was something I did not like to see. And if I ever see a Confederate flag waving in this city before a banking house, as I did last year, before a business place, out of a private individual's house, I will put a bill into this House to test the patriotic spirit of this body and see whether or not the Confederate flag should not be kept in the States where they want to enjoy it and not here in the Capital of the Nation. To bring it in here at time of war was, in my judgment, a very serious mistake.

Now, I am in for pushing this war in which we are now engaged to the very limit, and for that reason I am going to support this bill. I believe it is necessary. As to the wisdom of the Shipping Board, I have some doubts.

Mr. FESS. Will the gentleman yield for a question?

Mr. GREENE of Massachusetts. Yes.

Mr. FESS. There is undoubtedly an immense amount of waste.

Mr. GREENE of Massachusetts. Yes, sir.

Mr. FESS. We hear it upon every hand, and the reply sometimes is a denial, but not often. At other times, and most frequently, the reply is, "We can not help it." I would like to have the opinion of the gentleman whether the waste such as I have seen in some of the cantonments and in one of the aviation fields, very near which I live, which is very palpable, and the waste that has been related to me but last night, up here at Hog Island, and another one suggested there in the flats of New Jersey, can not be avoided, or a good deal of it, or is it absolutely inevitable?

Mr. GREENE of Massachusetts. Well, if I should answer what I actually think, it seems to me it could be avoided. Notwithstanding all that, the gentleman from Ohio states we are going to put this war through. We have got to put it through, waste and all. We have got to spend the money and try and accomplish results.

Mr. FESS. I thoroughly agree with the Member, but it would seem——

Mr. GREENE of Massachusetts. If we talk about it and express our opinions about it, it may have some effect. I hope it will.

Mr. EDMONDS. Do you not think that this is a good evidence of what we would have if we had Government ownership?

Mr. GREENE of Massachusetts. I do. I believe Government ownership would be a serious mistake.

Mr. FARR. Does not the gentleman think the present management, under the presidency of Mr. Hurley, is doing everything it can to remedy these conditions, curtail the waste, and push the work?

Mr. GREENE of Massachusetts. I will tell you. It had been a long time since the Democratic Party was in power and they had not had any experience in handling great questions until since 1912, or very little experience; and as I said before they came into power, if they ever did come into power they would find such an immense country to take care of they would go wild over it. If they have not gone wild, I do not know much about wildness. It has been wildness personified and doubled over and over, and they have wasted money in every line. They can not help it, but of course we shall hold them to account for it politically. We are going to hold the Democratic Party responsible and the American people are going to hold them responsible. They have been unwisely extravagant. But we can not, as Republicans, withhold our support from the administration, because in time of war we must stand together.

Mr. ALEXANDER. The gentleman from Pennsylvania asks if this was not good evidence of what we would have if we had Government ownership. We are undertaking to carry out this shipbuilding program under the American International Corporation, a private concern, and, I might say in passing, a Republican concern, too.

Mr. GREENE of Massachusetts. It does not make any difference. If you have become entangled with unwise Republicans, string them up, every one of them, that prove themselves traitors in times of war. Any dishonest Republicans in time of war should be strung up if you find them, and if you find a dishonest Democrat, string him up just the same. I would not make any difference between them.

Mr. RAGSDALE. Does the gentleman think that the cause which he advocates, in view of the fact that the sons of Confederate veterans are now in the field fighting, and some of whom have gone down under the wave——

Mr. GREENE of Massachusetts. State your question.

Mr. RAGSDALE. I am only going to ask the question. Does the gentleman think it adds anything to the pleasure of their service or to the sacrifices on their part, for the gentleman to go out of his way and attack the flag of their fathers?

Mr. GREENE of Massachusetts. That is all right. I say that the Confederate flag has no place in the city of Washington, and I stick to it now and I should stick to it if every soldier should be so wise or unpatriotic as to desert the field of war on that account. We would get more men to fill their places. But I am not at all alarmed about that. The sons of soldiers who fought in the Civil War in either the northern or southern side of the struggle are not made of that kind of material.

Mr. RAGSDALE. I wish some unfortunate Members of the House were made of some of their kind of material.

Mr. GREENE of Massachusetts. I have been a Member here a long while and probably shall be a Member for a while longer, and I shall continue to have my views and to express them when I have occasion to do so, and I am not troubled about what the gentleman from South Carolina thinks about it. He can think what he pleases. We have got to have a free hand. This bill we have under consideration is something that I believe is necessary. I believe it ought to be enacted into law. I do not believe in Government ownership, but I do say this, that if the Government paid attention to its business as they ought to—the men who are representing the Government paid attention to their business as they ought to—they could do business very much better than the present results seem to foreshadow. There is but one man here who has been in public life longer than I have, and that is the gentleman from Illinois [Mr. CANNON]. I have had a wide experience in public life. I have had dealings with a great many people, and I never have found that under the Government-ownership plan there has been more efficiency than there would have been under the management of private individuals. But we have come to a place to-day where, if we look back a little over past history, we can see how a great

mistake was made in not adopting another policy. We undertook several years ago, in the early days of my membership in this House, to build up a merchant marine by subsidy. I do not make any apology about it. I believed in subsidies then. Subsidy is not offensive to me now. But we could not get any votes on the other side of the aisle, because they were afraid of subsidies. We could not get any votes in the western part of this country, because they said "We do not need any vessels. Our products are carried across the sea cheaper than they would be if the United States built up a merchant marine." They even went so far as to say that they could get their products carried abroad cheaper in foreign bottoms.

This war has demonstrated the fact that we do need a merchant marine. It has demonstrated the truth of the matter that I then believed in—and it is true—and what I then believed was that the freight on the crops raised in the West was not paid by the American farmer but by the foreigners who bought the products of the soil, and that is exactly the way it has been demonstrated, so that all who run may read. The price of freight is made before the products of the farmer leave this country, and the foreign buyer pays the freight, and, consequently, if we had a larger merchant marine we would have more competition and lower prices. We came very near several times to getting a proposition for an American merchant marine, but we had a lot of timid souls in Washington, in the House. They have been timid a long while. They have been timid in the Senate. I thank God I never had any timidity on the question of an American merchant marine, and I have none now. I am willing to forgive all their errors, as inefficient as I believe the Shipping Board has been, as efficient as I hope they may be by the experience they have had—I am willing to give them a chance to try to build some ships. But I do not like the spirit which says, "If you have any lumber for a yard in your city, we will commandeer it," with the added words, "damned quick, if we can find it." I think it is just as essential to keep up the private yards as it is to keep up Government yards, and I believe that private yards are a great deal more efficient. Private yards have built more vessels thus far than Government yards, and they will build more vessels during the war, and they will build them at less cost than any Government yard. I am willing that the whole record should be written out, the failure and all, whatever it may have been. Let it go to the country just as it is.

I am in favor of providing for the housing of employees, because it seems to me it is absolutely necessary to our getting any ships from these Government and possibly from some private yards, and if we can not get them in any other way, I am willing to get them in this way. We want and need the ships. If extra cost is added we will have to pay it.

We did not hesitate to raise money during the Civil War. People said we would repudiate the public debt after the war was over, but we never did. We paid 100 cents on the dollar in gold. We went back to the gold standard and reestablished it. We will do it again. But we have got to educate these people who are in power to-day, and that is costly. It is costing a great deal of money, and it is going to cost a great deal of money to build ships, and under their management they are not building ships according to the methods used by men who are experts in the building of ships. They ought to use other methods. It is not a time for argument, but a time for action and for speedy action, and notwithstanding all the failures and mistakes that have been made, I am ready to forgive and forget all that. But we want to create a spirit of loyalty.

Let me tell you a thing or two. Here on the Agriculture appropriation bill the other day we had an amendment put on requiring an extra hour on the part of the employees of the Department of Agriculture, with the design, as the gentleman from Missouri [Mr. BORLAND] said, of putting that on all the departments. If he would take the trouble to inquire himself at the different departments he would find there are few people limited to seven hours. A great many of them are not. They are working nights and Sundays and holidays, and they get no extra allowance for it. They have not gotten any extra allowance for it from the time of the Spanish War up to the present time.

It was a mistake to put that provision in the bill. It created a feeling that never should have been created. That amendment ought to have been wiped out before the bill left this House, but very few people knew anything about it. When the conference report comes back I hope the Borland amendment will be stricken out. It ought to be.

The gentleman from South Carolina [Mr. RAGSDALE] is disturbed because I do not want the Confederate flag waved in the Capital. For heaven's sake, have we not lived long enough to know that the Confederate flag went down at Appomattox? Gen. Grant treated his antagonist better than anybody ever did. But the flag went down at Appomattox, and I hope it will never be waved in Washington again. If we can not fight the present war with them we will fight it without them. Soldiers are loyal to the flag. These men have protested their loyalty to the flag. I want them to live up to their protestations and not flaunt that flag here in the Capital.

When we had the woman suffrage question up here we had a flag flaunted in front of the White House. I resented it then, and I resent it now. It was disgraceful then, and it is disgraceful still, and I feel that it was an insult to the public and to the President of the United States, and discreditable to every woman who advocated that method of obtaining woman suffrage. They should have given up that method of warfare, but they did not, and it got so disgusting that a few of the more sensible advocates of suffrage said, "We will not approve of that; we will induce them to retire from this unwise procedure." But at the same time it was a menace and an insult and ought not to have been allowed. I hope we will live long enough to see just one flag, and that flag the flag of the United States. I am in favor of this bill. [Applause.]

Mr. ALEXANDER. Mr. Chairman, the gentleman from Ohio [Mr. FESS] asked awhile ago how many ships had been completed. Admiral Bowles, when before the Committee on Commerce of the Senate on the 21st of December, submitted a tabie in which he gave a summary of requisitioned vessels completed since the date of requisition as 43, of a total dead-weight tonnage of 253,235 tons.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. ALEXANDER. Yes.

Mr. MADDEN. How does the dead-weight tonnage compare with the live tonnage?

Mr. ALEXANDER. A ship of 5,000 gross tons would be rated at about 7,000 to 7,500 tons net.

Mr. MADDEN. So when you talk about a dead-weight ton, you would say a 5,000-ton ship was of 7,000 tons?

Mr. ALEXANDER. Five thousand tons gross would be equivalent to about 7,000 to 7,500 dead-weight capacity.

Mr. MADDEN. That is what I mean; so that, as a matter of fact, why do we not talk in the language that people understand when we talk about the tonnage of ships?

Mr. ALEXANDER. Admiral Bowles was asked that question by the Senate committee.

Mr. MADDEN. I will tell you why I ask that question. When we talk about dead-weight tons of ships, a great many people think that we are building so many million tons of shipping, when, as a matter of fact, we are building only about 60 per cent of that tonnage. It ought not to go out to the people in that form. Why do we not talk about the actual capacity of the ships that we are building instead of talking about something that people do not understand about?

Mr. ALEXANDER. That is what we are doing when we estimate it in dead-weight capacity, the actual carrying capacity of the ship. That question was asked of Admiral Bowles by the Senate committee, and he said it was a term which was common among shipping men, and which indicated the net carrying capacity of the ship.

Mr. MADDEN. They do not do it in any other country in the world except ours, and never in this country except when we are telling how many million tons of shipping we are going to build, and we have got the people to thinking we are going to build so many million tons when, as a matter of fact, we are only going to build about 60 per cent of that total.

Mr. ALEXANDER. No; we are estimating the tonnage in dead-weight capacity and not in gross tons. That is the only difference. Now, in the Senate hearings, beginning at page 125, is given a summary of the requisitioned vessels completed and retained by the Shipping Board, also those completed and reconveyed to former owners, and from page 127 to page 144 of the Senate hearings that information is given in detail, with a statement of the shipyards where these ships are being built. The total number of vessels with contract price is 364; dead-weight tonnage, 2,505,128 tons; total cost, $361,865,347; vessels constructed on cost-plus basis, 67; dead-weight tonnage, 550,880; total cost, $73,922,439; or a total of 431 vessels; dead-weight tonnage, 3,056,008 tons; total cost, $435,787,896.

These vessels are under construction in different shipyards in the country, and are in addition to those to be built at Sparrows Point, Hog Island, Bristol, and by the Submarine Boat Co. in New Jersey.

Mr. BUTLER. On what page of the Senate hearing is that summary?

Mr. ALEXANDER. The statement begins at page 127 and ends at page 142, part 1.

Mr. FARR. Will the gentleman repeat the total tonnage under contract?

Mr. ALEXANDER. That of the requisitioned ships, 431; total dead-weight tonnage, 3,056,008 tons; total cost, $435,787,896. Those are ships being built in private shipyards all over the country.

Mr. FARR. They are being pushed rapidly?

Mr. ALEXANDER. Yes.

Mr. MADDEN. Will the gentleman yield for one further question?

Mr. ALEXANDER. Yes.

Mr. MADDEN. I should like to ask the gentleman to tell, if he can, how many ships have actually been completed and are ready to sail, if any?

Mr. ALEXANDER. I just gave the gentleman a summary of the commandeered ships.

Mr. MADDEN. I am talking about ships that are being built.

Mr. ALEXANDER. They have been built.

Mr. MADDEN. Not by us.

Mr. ALEXANDER. They have been built or are being built in American shipyards for the Government.

Mr. MADDEN. Yes; but I want to know how many ships have been built under the direction of the Shipping Board.

Mr. ALEXANDER. These have been commandeered, taken over, and built under the direction of the Shipping Board.

Mr. MADDEN. I understand that; but they were private contracts let by private people. Now, can the gentleman tell us what success or progress has been made by the emergency shipping organization? Have they built a single ship and got it out on the sea?

Mr. BUTLER. Completed?

Mr. ALEXANDER. If the gentleman will look at page 228 of the hearings, Admiral Bowles submitted a chart showing——

Mr. MADDEN. I would like to have the gentleman answer my question. The chart will not go into the RECORD, but the gentleman's answer will go into the RECORD.

Mr. ALEXANDER. I would not be able to say offhand. It may be that the hearings contain that information. If so, I will give it later.

Mr. MADDEN. So that the gentleman in charge of the bill really can not tell the House and the country whether a single ship has been completed by the Shipping Board.

Mr. ALEXANDER. I think several ships have been completed and launched.

Mr. MADDEN. Not under the contracts let by the Shipping Board.

Mr. ALEXANDER. Yes; under contracts let by the Shipping Board.

Mr. MADDEN. Of course, I shall be glad if that turns out to be the case.

Mr. ALEXANDER. I think that is true.

Mr. MADDEN. I want to see the ships moving, and I am anxious to expedite their construction.

Mr. ALEXANDER. I think they are moving.

Now I yield 15 minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY. Mr. Chairman and gentlemen, this is a bill which was referred to our committee, and after hearing all the evidence offered by those in support of the bill and calling upon the department—that is, upon the representatives of the Shipping Board and Fleet Corporation—for a full presentation of the reasons for the bill the committee, without a dissenting vote, recommended its passage. It appeared to us from the hearings that this is the first great step taken by our Government toward housing the labor necessary to be employed in the production of the ships for the use of the Government. The Secretary of Labor came before us and suggested that it might be desirable to abandon this particular project and authorize a general housing program for all the labor in all the departments working for the Government. But the Shipbuilding Department of the Government had made a survey of its needs and necessities, had progressed toward some definite details as to what they needed, and to tear up their work and start again along broader lines seemed to us would require a reorganization, a reinvestigation, and a reexamination, and would have taken more time, and time was very much of the essence of our needs.

Mr. MADDEN. Would it interrupt the gentleman if I asked him a question at this point?

Mr. HARDY. No; I will yield to the gentleman.

Mr. MADDEN. I would like to ask the gentleman if he knows how many men it is intended to provide housing for under this bill?

Mr. HARDY. I can not say; I have a very poor memory for details. Judge ALEXANDER stated the number of yards where they are now attempting to build ships and those which are not running at the full capacity because they did not have housing facilities. In one yard, I think, there were 3,500 employees, and it had a capacity for 7,500 employees, but not the houses for them.

Mr. MADDEN. I can see the importance of providing housing facilities for men if we intend to expedite the building of ships, but what I want to know is whether the committee has ascertained how many men the Shipping Board expect to assemble in the shipyards for which housing provisions are made under this bill.

Mr. HARDY. If the gentleman undertakes to draw from me exact details, he will trip me up. I can not remember them; and, besides, the Government itself can not tell just exactly how many workmen they will have to build houses for. Admiral Bowles, in testifying before us, said that it might not take as much as $50,000,000 to house all the needed labor. He went on to say, furthermore, that the houses might be used sometimes interchangeably—for other purposes—as it might be convenient to use them for other branches of governmental industry, but at many shipyards they had a capacity for more men than they had houses for, and it was very essential, if we wished to speed up shipbuilding, to provide additional housing.

Mr. MADDEN. Will the gentleman let me interrupt him right there? The statement of Admiral Bowles would presuppose that the shipyards in which the ships are to be constructed are adjacent to other activities manufacturing supplies for the war?

Mr. HARDY. He illustrated by stating some of the uses of housing that had been made at Newport News. Some houses had been used for the Navy and some of the shipbuilding yards. This overlapping use of these houses may in a minor degree take place, but the essential thing contended for by Admiral Bowles was the need for a great many houses to be built for the purposes of the shipbuilding plant.

Mr. WELLING. How soon will these houses be available? How long did the department think it would take to construct them?

Mr. HARDY. I presume some will only take a short time and others will take longer. If they built temporary structures they could be put up in a night, perhaps. Some buildings are intended to be put on ground already owned by the shipyards and some on ground which is to be bought by a corporation organized by the Shipbuilding Co. This corporation will be practically organized without capital and officered by the members of the Shipbuilding Co. It will be administered without profit. They ask the Government assistance because when the work of building ships is over and the boom goes down there is sure to be a shrinkage in the value of some of the property, and the Government is expected to lose possibly 30 per cent of the investment. The shipbuilding companies are not willing to spend their own money for these temporary housings.

At the same time these corporations will be clothed with power to sell the houses, and if they are good houses for the community where they are and likely to be used permanently, many of them will be sold. The law department of the Emergency Fleet Corporation will see to drawing the contracts with the house building company in detail for the preservation of the lien of the Government, and the protection as far as possible of its interests generally.

Now, when this corporation that is organized for the building of houses has performed its functions and the shipbuilding yard is turned back to private purposes these houses will be on hand. Many of them will have been sold but many others perhaps unsold.

Mr. MADDEN. Will the gentleman permit another question?

Mr. HARDY. Yes.

Mr. MADDEN. Does the gentleman or any member of the committee know whether there is sufficient ground along any shipyards that have been established upon which to build these houses, or will the commission have to buy land or commandeer it?

Mr. HARDY. The gentleman will see from the phraseology of the bill, which was worded by the Shipping Board, that there may be occasion to buy land in order to put houses upon it. There may be houses located sufficiently convenient so that they can buy them. The Shipping Board is authorized to buy land, if necessary, in order to construct houses upon it, or to buy or requisition houses.

Mr. MADDEN. The reason I ask the question is that at Fort Sheridan for the accommodation of officers in the training camps they put up enough buildings in 10 days to accommodate 5,000 men. So if we had the ground I do not see why we should not be

able after the law is passed to put up buildings within two or three weeks.

Mr. HARDY. I think the gentleman is right on that. I see no reason to take a great while to build most of these houses.

Mr. EDMONDS. Will the gentleman yield?

Mr. HARDY. Yes.

Mr. EDMONDS. That is to be done at Sparrows Point and Camden both, where they have land in the vicinity that they can put houses on.

Mr. HARDY. I think that answers one of the questions of the gentleman from Illinois [Mr. MADDEN]. At those two yards—at Sparrows Point and at Camden—they have the ground ready to be built on.

Mr. FARR. Mr. Chairman, will the gentleman yield?

Mr. HARDY. Yes.

Mr. FARR. I understand that the Emergency Fleet Corporation will need about a quarter of a million more men to complete this work.

Mr. HARDY. Something like that; and, further answering the gentleman from Illinois [Mr. MADDEN], this bill in itself provides that if they need the land they can take it and adjust the payment for it later, so that no delay ought to be occasioned by that.

This is the first bill of this kind for housing laborers on Government work, and in the hearings before us it was stated time and again that England had long since resorted to the same method of taking care of the laborers employed in her war-making industries, and that she had expended up to now in housing her laborers engaged in war productions over $700,000,000. I hope there will be no occasion for us to go so largely into the expenditure of money for housing, because much of it must necessarily be lost when the war is ended. I hope most of our shipyards will be able to find in nearby towns, and through the increase of transportation facilities, housing enough to care for their labor, and so we looked somewhat into the question of improving transportation facilities. It is an essential necessity for the Government to provide housing facilities for the operatives to build these ships. Whether there is extravagance in building the ships or not, as some one said, we have got to have the ships, with or without extravagance.

Answering some of the remarks of my colleague, Mr. GREENE of Massachusetts, I want to digress far enough to say that this is not a question of Government ownership or private ownership. It would be the pot calling the kettle black for either private or Government ownership to try to get any credit out of the operation of the Hog Island plant. From all I can learn, the American International Corporation, that undertook the building of that plant, is a private corporation and they sublet to private corporations, and there must have been an orgy of extravagance at the expense of the Government all through the operations of the captains of finance and not through any Government-ownership processes. I only hope that in gradually settling down to the administration of the business affairs of this great department of the Government, that covers an expenditure hitherto unparalleled in the annals of Government history, it will come to be run with as little graft and as little extravagance as possible will be found, and that wherever it is found, the man guilty of it will be pilloried in the public estimation, whether he be Frank A. Vanderlip, chairman of the private organization that builds the Hog Island industry, or the most unknown Government employee that there is in the land. I want to see scandal banished from the contracts and conduct of the affairs of this war; and I do know that in private contracts that have been let for the building of ships, there can be no hurtful comparisons made with Government construction by those favoring private contracts, because ships that were being built for $40 and $50 per ton before this war began have been let to private contractors to-day, who say that it costs that much to build them, at from $160 to $200 per ton. I believe when the Government gets straightened out in the operation of these yards that it is supervising, it will demonstrate just what ships can be built for, and build them for that sum, and that that sum will be under the prices they are now paying private contractors.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HARDY. Yes.

Mr. MOORE of Pennsylvania. I agree with the gentleman from Illinois that we want ships, and we do not want these orgies of extravagance at shipyards to which the gentleman from Texas refers, but what does the gentleman think of the proposition to provide in this bill that the contracts shall be awarded in accordance with law?

Mr. HARDY. The only objection I have to that is no concrete objection. It has simply not been presented to our committee. I do not know what objections there might be to it offhand, or at first blush as the darkey would say. It seems to me that it would be a good proposition if some limitation of cost could be framed. I can not think of any limitation that will prevent dishonesty or graft. That perhaps can only be done by faithful and efficient Government inspection and supervision. These houses must be built as rapidly as possible, and that situation might not give time for the offering of contracts under public competition and award.

Mr. MOORE of Pennsylvania. Of course it would require advertisement and notice.

Mr. HARDY. And time. It seems to me that the Emergency Fleet Corporation or the Shipping Board ought to be trusted to the extent of expending $100,000 here and $100,000 there to build essential necessities, without taking up time for advertising, so that I would hesitate to say that I would support an amendment of the kind the gentleman refers to, not having gone into it to see what the objections might be on the part of Admiral Bowles, who seems to be trying hard to draw something out of the Hog Island situation and to expedite our shipbuilding generally.

Mr. MOORE of Pennsylvania. I think that is true.

Mr. HARDY. If he is an honest man, if he is a good administrator, he could perhaps have these houses, especially the temporary ones, built both expeditiously and economically. I do not know about that. Generally I would be in favor of a public award, to the lowest bidder, for all Government contracts.

Let me say just one word more in answer to my good friend from Massachusetts, Brother GREENE. Fifty years have gone since the North and the South in splendid battle array drew swords against each other, and 50 years have passed since the last gun of that war was fired and the last battle flag of the Confederacy was furled. It is true, as the gentleman says, old soldiers last June walked down Pennsylvania Avenue bearing the flags of the lost cause and of the triumphant Union side by side. Good men all over the land have come to-day to recognize the fact that loyal, true, and noble sons of both the South and of the North each fought for what in their judgment was right. The expressions of the gentleman from Massachusetts do not voice the sentiments of the old soldiers or the best citizens of his own State; to them the rancors of 1861–1865 are dead. The name of Lee to-day sounds as sweet and his memory is as dear to the best manhood of the North as the name of Grant is to the best manhood of the South. Fifty years have passed, and that era that once stirred to strife the sections of our common country is to be followed by an era in which the sections join together under one banner in a struggle which dwarfs the other struggle in its magnitude and vies with it in the extolled grandeur of its consecration, and we trust will surpass it in its glory. If there is nothing else of good in God's providence that comes out of this horrible war, there will be this—that the love of brotherhood will cement again the North and the South, and no longer will there be a criticism because some son of the South still loves the memory, yea, and the flag of his fathers. To-day, except for some rare and strange case here and there, all bitterness is gone and every man, North and South, will salute the flag with one devotion and determination to bear it to victory on the fields of France, and every patriot echoing in his heart the Psalmist's song, "Behold how good and how pleasant it is for brethren to dwell together in unity," rejoices that we are marching to-day to the battle fields—the North, the East, the West, the South—without one dividing line. [Applause.]

Mr. GREENE of Massachusetts. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ALEXANDER. I yield the gentleman one minute more.

Mr. GREENE of Massachusetts. I just want to say that I made no mention of Gen. Lee; I made no mention of the Confederate soldiers. I never questioned their loyalty to their flag. The gentleman says the war has been over for 50 years. That is true; but I say now—and I do not say it with any disrespect to the South—that we ought to get under one banner. That is where we ought to get, and never have in this Capital two banners.

Mr. HARDY. If the gentleman will permit me, I will say we are under one banner. [Applause.]

Mr. GREENE of Massachusetts. That is all.

Mr. HARDY. I will say further down in the Southland the Stars and Stripes wave over a happy and united people——

Mr. GREENE of Massachusetts. We never questioned that.

Mr. HARDY. And that does not diminish our love for the flag that once was borne by Robert E. Lee.

Mr. GREENE of Massachusetts. That is all right; I know all about that.

Mr. ROBBINS. Mr. Chairman, I would like to ask the gentleman a question in regard to the legal features of this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBBINS. I want to ask the gentleman one question.

Mr. ALEXANDER. I yield to the gentleman one minute for that purpose.

Mr. ROBBINS. I notice here this bill allows the condemnation of lands and houses. How are you going to condemn a house if it is in the possession of the owner and is used as a residence?

Mr. HARDY. Under the eminent-domain law I do not think there is any property that can not be condemned for the use of the Government.

Mr. ROBBINS. It says here in line 21, page 5, that you must have the State legislature's consent, and in Pennsylvania no land can be condemned that is in the possession of the owner.

Mr. HARDY. Oh, no. This law provides that we can take possession, without waiting the consent of the State, and adjust all that later.

Mr. ROBBINS. It applies to a house in the possession of the owner, used as a domicile.

Mr. HARDY. To meet that question we have a provision here put in the bill in line 20.

Mr. ROBBINS. There is a legal complication in Pennsylvania——

Mr. HARDY. We investigated that question, and found it would be thoroughly constitutional; or, at least, we believed so.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GREENE of Massachusetts. I yield three minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, I shall not have much to say about the merits of the bill, but I think the paramount question to-day is the question of transportation, and if we are going to win the war we have got to be able to move the men and the supplies, and if we can not build the ships without furnishing housing facilities our imperative duty is to furnish those facilities. The question of how the contracts shall be let for the houses we decide to build is one that will have to be taken up by the administrative officers of the Government. If we could stabilize the prices of materials that enter into the construction of these houses and also stabilize the price of labor, the way to build the houses would be by contract; but as they are uncertain I apprehend that we are not going to be able to let contracts for any houses we decide to build, and so we will be obliged to go on and build them at cost plus. That, of course, will make them cost more than they otherwise would cost, and I do not believe that we will be able to-day to get any man to take a contract to build those houses at a stipulated price, because he would not know in advance what the conditions would be under which he would be called upon to operate, and the one thing I think we ought to do, and do quickly, is to insist upon the Shipping Board assembling a sufficient force of people to build a sufficient number of ships to carry the supplies and men to the other side. We have men ordered to the other side from time to time who are obliged to wait in New York three or four weeks after they get there before they can get a ship. We have ships that have gone abroad that have had to bring back part of their cargoes. That shows there is bad management somewhere, and we ought to have a management so scientific and systematic, filled with vigor, vision, and imagination, that they can see the things that are necessary to be done. The American people want the war brought to a successful conclusion, and they will not be satisfied with anything else.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. May I have one more minute?

Mr. GREENE of Massachusetts. I yield to the gentleman another minute.

Mr. MADDEN. I realize it is not easy to assemble a great force like the Shipping Board and the other departments of the Government are obliged to assemble in an emergency like this and have everything run smoothly, but we have had opportunity enough now to be able, with the right men at the head, to make an organization that will run and function and get results. We have not had it so far. We want results, results, results, and that is what everybody else wants, and until we begin to get results and get them at a reasonably decent cost, the American people are going to continue to doubt whether we are doing all we can to win the war in which we are engaged. [Applause.]

Mr. GREENE of Massachusetts. I yield 10 minutes to the gentleman from Pennsylvania [Mr. EDMONDS].

Mr. EDMONDS. Mr. Chairman, ordinarily I am opposed to paternalism and, of course, this bill smacks of paternalism. But I do not see how it is possible for us to accomplish the building of these ships without something can be done comfortably to house and take care of the men who are working in the shipyards. After an investigation made by the committee I am convinced that the comfort of the employees and the care necessary to be taken of the labor is going to require us to pass a bill something like this, not only for shipyards but we probably will have to pass one for a great many of the munition plants. It is well known that necessity knows no law, so we have to sink all ideas or principles in a matter of this kind and take a position with reference to this matter where we can accomplish what we are trying to do quickly. There is no desire on the part of the housing commission of the Shipping Board to do any more than they absolutely have to do. I will say when they came first to Philadelphia they talked about building 7,500 houses. It has been reduced to 3,000 houses, not because they are going to build any less ships at this point, but because they plan that by opening up certain streets and advancing some money to increase railroad and street railway facilities they will be able to get along without as many houses as they at first contemplated they would need to have.

Foreign countries have recognized this condition. England has in one plant, the plant at Gretna, two villages, or two towns, you might call them, one at each end of the plant, and the plant, including the town, is over 12 miles long. Mr. Ackerman, who appeared before the committee, investigated this proposition and found that it was absolutely necessary, because it prevented the turnover in labor which was occurring at this plant before the houses were built.

It is said in some of our shipbuilding plants the turnover of labor is over 600 per cent, meaning that the average time a man spent at the plant was about 60 days. In Gretna, after building these houses, the turnover was less than 5 per cent. So you can see that building these homes is going to give the yards stable labor and going to make it contented with the conditions that exist there. In Gretna, England, they have schools and theaters, and everything has been built by the Government. Somebody asked a short time ago here whether the Government was selling these properties. I understand not. I understand the English Government is retaining these properties and intends to sell them at the close of the war, or they will possibly rent the plant as a whole, because their reconstruction committee is intending to utilize this plant for some manufacturing use after the war is over.

It was also noticed in Gretna that the increase in output was rather remarkable, and I would think that building these houses at our plants would increase our output. The work would be done by the Emergency Ship Corporation or by subsidiary companies. The contracts are to be drawn so that the Emergency Ship Corporation will control.

Now, they have two different plans in this bill, and that is one reason why we added section (d) to it. The first plan is that they propose to build on the ground owned by the ship corporation or a subsidiary company of the Emergency Ship Corporation. The corporation, or this subsidiary company of theirs, will own every particle of the property. Now, in the other case, the Emergency Ship Corporation proposes to make contracts with subsidiary companies, the companies composed of the officers of the different private shipbuilding yards, and these contracts will be so made that the Emergency Shipbuilding Corporation will control the handling of the money and also mortgage these properties up to the full extent so that they can get very nearly their money back.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. GREEN of Iowa. Can the gentleman inform us at how many different places the housing board expects to build these houses?

Mr. EDMONDS. At the present time they have in contemplation building at Newport News, Chester, Wilmington, Sparrows Point, Bristol, and Hog Island. Now, there are applications coming in from some other private concerns on the Pacific coast, I believe, and also from some up in New England. There is really no accurate idea as to how many places they will have to build houses. They do know if they want to take care of and prevent the turnover of labor they have got to do it at Bristol, at Sparrows Point, at Hog Island, and possibly at Newark. I forgot to mention Newark. They have the plans fairly well under way. They went over the plans with us, and it appears to us that they are trying to do everything they can to prevent as much loss as possible, because no man doubts that if we spend this money in this housing, eventually we will make a loss.

Now, in the case of the New York Shipbuilding Co., which was talked about before the committee, the attorney of the board spoke of a piece of ground that they owned upon which they wanted to build houses, and after they have given the ground

to the housing company, and the houses were erected under whatever plan they should agree upon, it was understood the Emergency Shipbuilding Corporation, or their subsidiary housing companies, should have a mortgage both on the houses and grounds. That ought to let us out fairly well in the deal. Undoubtedly the cost of building these houses is going to be 30 or 40 per cent more at the present time than in ordinary times. Whether we can get the money out of the houses eventually is simply a question as to whether they are built in advantageous locations or not.

Mr. GILLETT. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. GILLETT. How was it anticipated originally that these workmen could be provided with houses?

Mr. EDMONDS. It was thought originally, I believe, that facilities, railroad or trolley, could be made to bring them to these different points. I can call to mind that in the Hog Island plant they have two trolley roads going there and they also are running motor busses. And then we have two different railroads going into the plant. And yet they do not seem to be able to bring the men in time, and the delays in transprtation are so great that the men are discontented and do not stay long on the work.

Mr. STAFFORD. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. STAFFORD. From what distance is this corralled?

Mr. EDMONDS. From the city hall in Philadelphia to Hog Island is about 9 miles.

Mr. STAFFORD. Does the labor come from that radius of activity?

Mr. EDMONDS. I would say it does. The labor comes from all over Philadelphia. The houses in the Philadelphia project will be a mile or a mile and a half from the shipyards.

Mr. ALEXANDER. The gentleman might state what the city of Philadelphia is doing in cooperation with this work.

Mr. EDMONDS. The city of Philadelphia is doing whatever it can. They have advertised for a boulevard to run to Hog Island, on which there will be a two-track high-speed trolley, to enable the men to get to the works promptly, and they are prepared to perform all the necessary municipal work.

Mr. STAFFORD. In the progress of events in Philadelphia, how long does the gentleman think it will be before that boulevard, and trolley in particular, will be built?

Mr. EDMONDS. It was said by the members of the housing board that they thought it could be completed in about four months.

Now, to get back to the question of the gentleman from Pennsylvania [Mr. MOORE] in regard to dropping the cost-plus percentage on contracts, I would like to say this: Upon making an inquiry of Mr. Flannery, who is employed—not a dollar-a-year man—by the Shipping Board——

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield five minutes more to the gentleman.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes more.

Mr. EDMONDS. Mr. Flannery, as I say, is employed by the Shipping Board. He is not a dollar-a-year man. He is a manufacturer and has a factory in Pittsburgh. He is a business man. Mr. Flannery told me the other day—and the chairman of the committee was present—that it was his intention to use local talent to supply the labor for these houses, and the Government, through the Quartermaster's or some other department, would supply the material. He said that that was rendered necessary at this time because the Government in most places has commandeered all the sand and gravel and lumber. Therefore in order to get this material we would have to go to some of these departments and get it released, so that it could be supplied for the houses. He said his idea was, where he was going to build a couple of thousand houses, to divide it up among five or six contractors who were experienced in building houses.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Iowa?

Mr. EDMONDS. Certainly.

Mr. GREEN of Iowa. I would like to inquire whether the board has ever considered the matter of modifying these cost-plus contracts—say to allow 5 per cent, which was thought to be a reasonable amount, and then reducing the percentage as the cost advanced, so that there would be some object in reducing the cost?

Mr. EDMONDS. The contracts would not be given on the cost-plus plan. It would be so much to be paid to the man; whether he spent a million dollars or a hundred thousand dollars, he would get no more out of it than the agreed price. The idea was to employ the builder at such and such a price, and no more than that.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. STAFFORD. There have been in past times large building contractors in Philadelphia who have given themselves over to building large continuous rows of homes. Why does not private capital furnish homes at this island tributary to the navy yard?

Mr. EDMONDS. Because this location is not available at the present time. It will be in the course of three or four years, but it is not now. There is ground nearer the city where they would build in preference to building here.

Now, there are two classes of houses in prospect. First, they are going to build in a place where it is evident that these houses can not be sold afterwards. So far as I am concerned, I do not believe in the idea of the Government selling any of these houses until after the war. But that is a mooted question. Then they are going to build in a place where the houses can be sold afterwards, in a place nearer to permanent industry. They are to be five or six or seven room houses and are going to be built in attractive style, so that they would attract workmen. They believe when they build these houses they eventually will be able to sell them all off, because their venture stops with the war, of course.

Then they are going to build a type of frame house which will either be in a position to be torn down if they can not sell it, so the loss will not be so great. They also will build large clubhouses or hotels or boarding houses out of wood for single workmen. The other houses they are building are for married men, so that they can bring their families there. These clubhouses or lodging houses for single men will be of wood, so that if there is no use for them in the future at the plant they can be torn town and taken somewhere else, just as in the case of cantonments if we can not use them further.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. EDMONDS. I ask unanimous consent to extend my remarks.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend and revise his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GREENE of Massachusetts. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. ALEXANDER. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. HADLEY].

The CHAIRMAN. The gentleman from Washington is recognized for 10 minutes.

Mr. HADLEY. Mr. Chairman, the bill is essentially a war-emergency measure. It is intended to deal with facilities that are absolutely necessary, in the view of the committee, in connection with war production, and it is limited to the period of the war with Germany.

Of course, like many bills with which we are familiar which Congress from time to time has had to deal with, this bill deals with principles which would not be welcomed in time of peace or under ordinary conditions. But we have learned that we must treat emergencies as such, and deal with them as we face them according to the conditions.

Mr. WALSH. Mr. Chairman, will it trouble the gentleman if I ask him to yield?

Mr. HADLEY. Not at all.

Mr. WALSH. The gentleman states that this is a war-emergency measure. I desire to ask him what is going to be the situation if the Government is undertaking to construct, say, a thousand of these houses and they are partially completed and unfinished, and then peace should suddenly come? Where is that going to leave the matter? The authority, as I understand it, ends with the proclamation of the President. What will become of these structures and what would be the situation under the condition that I have indicated?

Mr. HADLEY. I understand the gentleman's question, I think. The purpose of the bill is to suspend the operation of the powers which are granted by its terms with the termination of the war. But all existing contractual relations or vested rights, as the case might be, would, under the authority of law, be perpetuated and effectuated and carried out. I do not conceive that there will be anything in this bill that would cut off a contractual or vested right when the war ceases, but the extension of the power which might be exercised now during the period of the war would be cut off at the conclusion of the war.

Mr. WALSH. Then the gentleman's view is that the powers and authority granted are war emergency measures, but the execution of the things undertaken to be done under those powers and authorities necessarily are not emergencies?

Mr. HADLEY. Necessarily the winding up of the investment, so far as the Government is concerned, between it and private parties which would arise under the execution of these powers would have to be effectuated in the ordinary transaction of business after the war closed.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. HADLEY. Yes.

Mr. ALEXANDER. The committee had that question under consideration, and we thought it unwise just at this time to say just how the business of this corporation should be wound up. We thought we would leave that to the Congress to determine after the war is over, when the conditions are met.

Mr. WALSH. I will not take up any more of the gentleman's time in asking for information.

Mr. HADLEY. The evidence before the committee disclosed, speaking generally, that the Council for National Defense had made a general survey of the housing situation throughout the country as applied to war industries generally, and that the Department of Labor had done the same, including the shipping situation; and it also disclosed the fact that the Emergency Fleet Corporation had devoted considerable time to the investigation of the situation as applied to its own activities. A coordination of all that testimony before the committee demonstrated that the necessity for labor in connection with war industries and the transportation of labor from one point to another had resulted in massing great numbers of workers at common points quickly and suddenly—points where there were no towns, no buildings—or, and in some instances where there were towns and cities, they had become so far overburdened as not to be able to meet the situation at all. The testimony also showed that the purpose of the Fleet Corporation is and has been to meet the situation first without housing, if possible, and that they had done that by means of transportation in many instances. Where they can relieve the condition by aiding in ferryboat service or in trolley-car service and other service in a supplemental way, the purpose of the corporation is to do that, and they resort to those means of relieving the local emergency in a given case only after having exhausted all the possibilities of local relief. It developed, as has been stated by a number of gentlemen who preceded me, that in many localities they were not able to give the necessary relief even through the medium of transportation. Where the center of activity is removed a considerable distance from a city of town, for instance, and transportation is not present, the housing demand is acute.

Secretary of Labor Wilson made a general statement before the committee, which it is interesting to note and from which I submit the following extract:

> Large numbers of those men that are being moved into the lines of industry for the production of war material are skilled men. They have been working heretofore under the conditions of living and under the standards of living that have obtained for skilled men. In bringing them into the communities, with the absence of housing facilities, it is difficult to get them to remain, the result of which is a tremendous turnover of labor. The turnover of labor is a matter, of course, of loss of efficiency. Not only is there a large turnover of labor, which causes a loss in efficiency, but there is also difficulty in getting men to accept employment in places where the housing facilities are insufficient.

And Admiral Bowles, in stating the reason for this legislation, made this statement:

> The reason that we have asked for the authority that is contained in this bill (S. 3389) is this: That we know that, in many cases, houses exist in the neighborhood of shipyards which, if we had the right to requisition—that is, the right to requisition the use of those premises—we would avoid the necessity for building houses to that extent, by using them for the homes of shipyard workers; and that power on our part will put the "fear of God" into the hearts of the real estate speculators who have bought up the property and are holding it at high prices in the neighborhood of all the shipyards in the United States.
>
> That would be a very valuable power to us; and I believe it would be exercised in many cases by the taking of the use of houses; not actually acquiring the title to them, but in acquiring the use of them, for which we would pay a fair rental, upon a basis that we could reasonably adopt, a basis of the value prior to any demand that had raised the prices in the immediate vicinity of the shipyards.

The legislation is necessary in order to vest in the Fleet Corporation the power to acquire title to real estate and other necessary property, a power that they do not have at this time. The only means by which the corporation has been meeting these extraordinary demands in the incidental way I have mentioned without this legislation is through the operation of some provision in the urgent deficiency bill of June 15, 1917. The attorney for the corporation who appeared before the committee expressed a doubt as to the authority to extend relief under that appropriation. I will not refer to the testimony, but he explained that it would be a strained interpretation of language to go further, if they had not already strained it, in fact, in going as far as they had gone.

Something has been said about the contract that is proposed to be made. The land may be taken by purchase, or by lease, or by condemnation. However the title is acquired, it may be that the Emergency Fleet Corporation will proceed to build the houses, or it may dispose of the land, and the laborers may build the houses through loans from the Fleet Corporation. A variety of conditions will arise according to the situation in the given locality. But the plan that they propose is for the shipyard company to create a holding company.

The CHAIRMAN (Mr. BANKHEAD). The time of the gentleman has expired.

Mr. HADLEY. May I have five minutes more?

Mr. GREENE of Massachusetts. How does the time stand?

The CHAIRMAN. The gentleman from Massachusetts has still remaining 36 minutes and the gentleman from Missouri 33 minutes.

Mr. GREENE of Massachusetts. I yield to the gentleman five minutes.

Mr. HADLEY. The stock in the holding company, of course, will be held by the shipyard company, and the plan of the Fleet Corporation is to deal directly with the holding company and to limit the transaction by provisions in the mortgage or by some side agreement. The plan contemplates security. I do not know that the bill specifically provides for the taking of security in connection with the proposed loans, but the plan that was contemplated before the committee, as the testimony showed, was that these loans should be secured upon the property of the holding corporation.

Mr. HARDY. That plan was stated by the attorney for the Shipping Board in very considerable detail.

Mr. HADLEY. Yes. I have it here.

Mr. HARDY. As to the kind of contracts he expected to draw.

Mr. HADLEY. Yes. The shipyard company would not desire to make a mortgage upon its own assets; but by limiting it to the assets of the holding company, of course when the transaction is complete there will be no liability outside of the assets of the holding company.

With the present conditions as to prices of labor and material and other contingencies surrounding the prosecution of business of this kind, the information of the Fleet Corporation was that the shipyard company would not take hold of this as a business proposition, but with the aid of the Government through the holding corporation, with its limited assets and the security upon the assets by the Government, which the Fleet Corporation intends to take, the result would be that the housing could be effected. I am satisfied from the testimony before the committee that the purpose of the Fleet Corporation in this respect is to expend only so much of the funds as are absolutely necessary to meet emergency demands, that they have a conservative plan in view for that purpose, and that it will be adequate to meet the situation if this legislation be enacted.

Now, whether it will take $50,000,000 or not is another question. I do not know how much of that sum will be required. There was some difference of opinion before the committee as to that. I will state frankly that the committee did not have any very definite specifications upon that subject. However, the request was made for that amount, and as you can see, looking the matter squarely in the face, there is ample reason for that.

With a 70 per cent increase of labor in the yards between October 1 and January 1 of this year it requires no stretch of the imagination to see that as the shipbuilding business evolves and develops during the present year and the labor of the country engaged in the industry is centered at these points the conditions in question will become more acute and no one can foresee how much money may be required to meet the situation.

Therefore I am in favor of adopting the request as made to the committee and the Congress through this bill and relying upon the checks which we have—this is only an authorization. It must be met by appropriation subsequently—there will be the judgment of the Fleet Corporation as a check upon it as well as that of the Committee on Appropriations and of the House when it deals with the subject of appropriations.

I am earnestly in favor of the passage of this bill because I deem it absolutely necessary to meet a demand which lies at the very foundation of our war program. All concede that the construction of ships is of the most vital importance at this time. We must have them as fast as men and money can supply them and multiply them as rapidly as possible. [Applause.]

Mr. GREENE of Massachusetts. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman from Massachusetts has 31 minutes remaining and the gentleman from Missouri 34 minutes.

Mr. ALEXANDER. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. PRICE].

Mr. PRICE. Mr. Chairman, it is hardly necessary to have had any debate, I think, on this bill, as it comes from the committee with a unanimous report. I believe it will meet the views of nearly all the Members of the House. There are 132 shipyards in this country building ships for the United States, employing on the 1st of January between 180,000 and 190,000 men.

The estimated capacity of these shipyards in labor can be brought up to five or six hundred thousand men if necessary by working on more than one shift. When the Shipping Board faced this problem they realized that it was necessary to greatly expand the labor, and in doing so found that it was impossible to get labor at some points where they were building ships because of the lack of houses. Many of these shipyards are now being constructed at points where the population is slim, where there are no housing facilities, and they have come to Congress for additional power, as they had not the power to build houses, specifically, and acquire land for this purpose.

I think no one will contend that the building of ships is not one of the fundamental things for winning this war. At the present time it is perhaps the most pressing necessity we have before us. The other day a noted Englishman, Sir Walter Roper Laurence, a distinguished commissioner of the late Lord Kitchener, was in this country, and gave out an interview in which he said that the three things he would impress on the American people was, first, ships. He put that at the head of the list. Second, he insisted on riveting attention in the minds of American soldiers in France to the fact that their country is behind them. It might be incidentally remarked that no more convincing argument that we are behind them could be made to our soldiers in France than that we are building ships for the purpose of sending them supplies. Third, that there can be no peace until the Prussian war machine is smashed. Again, the Prussian war machine can not be smashed until America gets into the war with all its power, and America can not get into the war with all its power unless we have ships, and have them quickly.

So that it becomes a paramount need, the need of this hour. This great Englishman says that if he had an American newspaper he would place at the head of its columns in great letters these three words: "Ships, ships, ships."

So that I think that not only Congress but the country realizes that our great need is ships. We all know that to build ships we must have men, and we know that if we employ labor they must live somewhere, and therefore we are undertaking in this bill to provide for that necessity.

At the present time we have about 180,000 men engaged in building ships. This very day we are starting a campaign all over the country to enlist men to build ships, and each State is asked to contribute a certain quota. My own State is asked to furnish 5,000 volunteers. It is found that at these shipyards we are not able to employ half of the men that are necessary, not more than half of the capacity of these yards. Take, for instance, Sparrows Point, in my own State of Maryland, which is one of the points where they contemplate the housing project, there is employed to-day 3,500 men. There can be employed at Sparrows Point 7,000 men; in other words, just double what we have if housing facilities can be provided.

Mr. FESS. Will the gentleman yield?

Mr. PRICE. Yes.

Mr. FESS. Does the shipbuilding industry require some special skilled labor which is difficult to get?

Mr. PRICE. I will say to the gentleman that it does require a great amount of skilled labor, but it developed before our committee that they had taken steps to drill men who are not skilled. To-day they have a school for that purpose where they take the unskilled mechanic and train him to take the place in the shipyard of a skilled workman as the building program develops.

Mr. FESS. I understood that the Vocational Education Board had been asked by the Emergency Building Corporation to assist them in this particular, but I did not know whether it was in action.

Mr. PRICE. It is in effect. Now, as I say, at Sparrows Point we could employ 7,000 men instead of 3,500 men, but there is no place for the men or their families to live, and the transportation facilities have been developed about to the point where they can be developed.

It is also stated in the testimony, in respect to this one particular case, that if these 3,500 other men can be employed at Sparrows Point it will mean an additional tonnage of 75,000 this year. In other words, by building these houses at this one shipyard we will be able to increase the tonnage for our transport service 75,000 a year. You gentlemen realize, as we all do, that that is important, and that the housing project is at the very foundation of our success in building ships, and unless we provide it we perhaps will fall very far short of what we should. The question has been raised here about contracts. I want to say to you, gentlemen, that this is a matter that requires haste, and we all know, as business men, that whenever we are called upon to perform a task in a hurry it costs more money; but do we stop? It is not a question of spending a few thousand dollars, more or less. That is not the question at issue to-day in America. The question at issue to-day in this country is to win this war, regardless of cost, and we should not stop to haggle about it or to amend this bill in any respect that will hamper us in carrying out the purposes for which it is intended.

It is contended and has been stated that the Secretary of War the other day made a very exaggerated statement which the facts did not justify—and his statements have been attacked in Congress—when he stated that we could transport a million men to France this year. The facts are developing and have developed that the Secretary of War knew what he was talking about. To-day we learn that we are adding to our transport service and find that we have acquired German ships interned in Peruvian ports, some 40,000 or 50,000 tons. It has also developed that the Secretary of War knew what he was talking about in that we are utilizing ships furnished by our allies, and it has been necessary that this statement be given out to the country in order that the people may realize that they are not being deceived. To-day the best talent in the country and in the countries of our allies is being utilized to round up the interned German ships all over the world.

We learn that France, one of our allies, has just completed negotiations by which 110,000 tons of German interned ships in Brazil have been added to the allied transport service.

We learn further that our ally, Japan, is relied upon to furnish a million tons additional for transport service in the Atlantic. There are in Chilean ports 165,000 and in Spanish ports 200,000 tons of interned German shipping, which no doubt will eventually be added to our merchant fleet. Besides, there are 500,000 tons of Dutch shipping which has been tied up in American ports which is to be released for our use.

These prospects, added to the two and one-half millions of tonnage now in the transport service, with the assurance by the Shipping Board of from three to five millions new tonnage this year, amply justified the Secretary of War in making the statement that we could place a million men in France in 1918.

It is time to stop faultfinding and expend our energies in winning the war, and we will win it. We must win it. We will win it with ships, and Germany will find that this great, resourceful Nation will put their submarines out of business in one way or another. If we can not eliminate them entirely, we will build or acquire more ships than she can sink. We shall not only transport our men, but we shall supply them and win this war for the freedom of mankind everywhere.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

By unanimous consent, Mr. PRICE was granted leave to extend his remarks in the RECORD.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. LEHLBACH].

Mr. LEHLBACH. Mr. Chairman, when the industrial expansion in certain directions necessary for the mobilization of our resources for the war activities was under way, it soon became apparent that the question of housing presented a serious problem and would necessarily engage the attention of the war-making machine. The first study on this subject was given by the committee on labor of the advisory Council of National Defense. That committee created a subcommittee on this subject, the chairman of which was Mr. Eidlitz. This subcommittee gathered information from all possible sources and also examined into the experience that England has had on the question of housing. Since the war has began it is a fact that England has actually expended up to the present time on housing for labor engaged in war industries $700,000,000, and at the present time there is under consideration a budget for that purpose amounting to $1,200,000,000, so that in a short time England

will have expended on housing the sum of about $2,000,000,000. No suggestion of housing on such a scale is made by anyone in this country, and I merely refer to it to show that the problem is a real one and is intimately associated with the successful development of our resources and the successful prosecution of the war. After the Eidlitz commission had gathered the material and made investigations and were ready to submit suggestions, it was determined that this subject might be handled by the Department of Labor, under the Secretary of Labor, and the War Labor Board which was created, of which Mr. John Lind is chairman, was given jurisdiction over the subject. They took the data that was gathered by the Eidlitz commission and proceeded to follow and supplement the investigations and the facts ascertained by that commission. In the meantime lack of housing in the shipbuilding activities, and specifically in several of the shipyards on the Atlantic coast, became pressing, and in the Emergency Fleet Corporation was created a department, of which Mr. J. Rogers Flannery was placed in charge, his title being director of housing, and that department in part using the information gathered by the Eidlitz commission and also the information supplementary to the Eidlitz activity gathered by the War Labor Board, after study of conditions in specific yards, came to the conclusion that immediate relief was necessary. They caused this bill to be drafted and introduced. The bill has been passed by the Senate and is now reported from the committee here. They contemplate solely to take care of the housing proposition as it relates to laborers in the shipyards constructing ships for the Government. They contemplate immediately to avail themselves of the powers granted by this bill at three yards—Sparrows Point, which has been spoken of, Hog Island, and Newport News.

Mr. WALSH. Did I understand the gentleman to include Hog Island in the three yards mentioned?

Mr. LEHLBACH. Yes.

Mr. WALSH. That is the yard in Philadelphia?

Mr. LEHLBACH. It is 9 miles below Philadelphia. That is the yard of the International Shipbuilding Corporation.

Mr. EDMONDS. That is in Delaware County, Pa., not in Philadelphia.

Mr. LEHLBACH. Yes; I said it was 9 miles below Philadelphia. In dealing with the question of housing generally it has occurred to me that where there are several governmental activities at the same point, including shipbuilding, the question of the necessity for and affording facilities for housing should not be dealt with by each department separately, but should be dealt with by the Government through cooperation of the various departments. In order to illustrate this general proposition, I would like to advert to the conditions in the city of Newark, which in part I have the honor to represent. They have there the Submarine Boat Corporation, which is constructing under contract fabricated ships. There are at present employed there about 2,500 men. When this plant is working to capacity Admiral Bowles states that he expects there will be employed about 15,000 men. Contiguous to the shipyard is a tract of land taken by the War Department, where there is being developed a quartermaster base for trans-Atlantic shipments. A good part of all the goods necessary for the support of the expeditionary forces in France is to be gathered there and shipped from there to Europe. When the warehouses and the necessary facilities are complete, it is estimated that possibly in the neighborhood of 30,000 men will be employed there, making in these two plants side by side in the neighborhood of 40,000 to 50,000 people employed directly on Government work. Now the city of Newark is absolutely without the facility to absorb the increase of labor to that extent. The housing question must be met, and necessarily must be met in a measure by the Government. The people of the city of Newark are willing to the extent of their ability to cooperate. This bill, of course, is simply for the Emergency Fleet Corporation and that corporation in the initial activities which it will be empowered to undertake intends only to take care of shipbuilders——

Mr. WALSH. Will the gentleman yield?

Mr. LEHLBACH. I will.

Mr. WALSH. How much is the city of Newark willing to contribute in dollars and cents toward this project by way of cooperation?

Mr. LEHLBACH. The people of the city of Newark?

Mr. WALSH. Yes.

Mr. LEHLBACH. I understand a suggestion has been made that there will be no trouble at all as a starter of raising a million and a half dollars in the city of Newark among the private individuals and business houses, and what we want and what ought to be done when a condition similar to this is met anywhere in this country is not for the Emergency Fleet Corporation to proceed independently and provide for housing under a plan of its own for its immediate employees, and to have the Army under the Quartermaster's Department take steps for the housing of 30,000 or whatever number it may be of those employed in its activities and to have the various concerns that are under the supervision of the Government on war contracts independently to take care of the housing of their employees, but a proposition like this in a community like this ought to be treated as an entirety, and there ought to be cooperation between the Army, the Emergency Fleet Corporation, the board of trade or other agency through which public-spirited men, manufacturers, and men of finance may act in dealing with the question.

Mr. MADDEN. Will the gentleman yield?

Mr. LEHLBACH. I will.

Mr. MADDEN. The gentleman's idea is that this bill should be so amended as to make it a general housing proposition, and then allow the various departments to go to the Committee on Appropriations and get such appropriations as may be authorized under this bill for the activities in cooperation one with the other?

Mr. LEHLBACH. No; I would not amend this bill at all. I think the bill in its terms is broad enough to allow the Emergency Fleet Corporation to cooperate with any other department of the Government, or any private agency in dealing with the housing problem, and I think the bill ought to be passed because it has passed the Senate and will speedily, if passed here, become a law, and operations under it where they are of an extreme emergency character can be begun. But I think housing activities ought not to cease with this bill. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEHLBACH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey? [After a pause.] The Chair hears none.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield 11 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, it is my present intention to offer an amendment to this bill when the proper time arrives, the effect of which amendment would be to limit the percentage paid to contractors or subcontractors to whom any part of the work may be awarded. The expenditure of $50,000,000 even in war times is no small matter, and great waste can follow the expenditure of so vast a sum. While we make an exception in the matter of limitations on expenditures in war times, we should not, in my judgment, permit contracts to be so made as to encourage profiteering. If there are times when men should be patriotic and work at a reasonable figure for their Government it is when the country is in the throes of war and when it needs the assistance of its patriotic citizens. Some reference has been made to Hog Island during this discussion, and I am rather glad it has been. There is no question but that the site called Hog Island is a good site for a shipyard. It is located conveniently below the city of Philadelphia, very close to Fort Mifflin, and has deep water to the sea on the Delaware River. It is within easy access of the great fuel fields of Pennsylvania and the labor and material markets. It is located where everything conduces to the business of the shipbuilder. The Delaware River with its independent shipyards, prior to the outbreak of the war and since their having been commandeered by the Government, provided the largest shipbuilding activities in the United States. Since the Government has introduced new operations along the Delaware River it has become not only the greatest shipbuilding center in the United States but probably in the world. I question whether the Clyde to-day stands on a par with the Delaware River, so far as future prospects in shipbuilding are concerned. With such a record, no patriotic citizen of Philadelphia or Pennsylvania or of the States of New Jersey or Delaware, bordering on the Delaware River, would hesitate for one moment to put his stamp of disapproval upon waste and extravagance of Government money along the Delaware River in war time, no matter by whose authority that waste and extravagance had occurred. Much has been said before this about the manner in which the men who are supposed to "know how" to speed up shipbuilding operations have performed their work on contracts coming from the Shipping Board or the Emergency Fleet Corporation. There have been grievous complaints about the manner in which the work has been done. What we wanted was ships, but they speeded up in the matter of congestion of men and material, and they seem to have speeded up in the matter of the expenditure of extravagant sums of the Government's money. We want a great shipyard at this point, and my judgment is that, properly conducted under Admiral Bowles or any other efficient, honest manager, it will

be what we predict for it—the greatest shipyard in the United States. I am hopeful that the Shipping Board, no matter what has happened heretofore, is now putting itself in position to bring order out of chaos and establish at this point a yard of which the Government will be proud.

I intend, as I say, to offer an amendment to this bill to limit, if possible, the impediments to speed in construction that seem to have halted our operations thus far. Indeed, I wish such an amendment might be offered to other bills for the construction of cantonments and other great Government works where, with all allowances for the haste we desire, some extravagance has undoubtedly occurred. Men are prone to excuse extravagance and waste, and even graft in war times, for the sake of obtaining speed, but it is not the business of the legislature to atone or apologize for any one of these offenses. The legislator ought to put himself in position to hold up the department and make the department hold up the operator, manager, or contractor under its direction, to do the right and the honest thing. We can not as Members of the great National Legislature afford to stand for dishonesty or graft, even in war. Now, one of the troubles at this particular point was this: That the "men who knew how," and who got their contract from the Shipping Board, which had confidence in them evidently, was that they packed up everything, men and material, at this point, so as to impede their own progress. They helped to disorganize industries throughout the city of Philadelphia by offering unheard-of wages to all sorts of men and mechanics, drawing them from the legitimate industries and embarrassing existing plants that were also working on war orders. The effect upon other shipyards was to delay their operations and postpone construction. Instead of having a stabilizing influence on industries generally, they upset their own calculations and those of other concerns expected to cooperate with them. That is one point. Another point was this: They piled up lumber and material about that yard to such an extent that before the great freeze came there were hundreds, if not thousands, of cars on the tracks waiting to unload that did not unload. I had many complaints as to this. One of them went to the Shipping Board so long ago as November 27 concerning shipments of lumber that could not get through to legitimate purchasers beyond Hog Island, in Philadelphia and elsewhere, because the cars blocked the tracks, or in other instances could not be had to carry that lumber. The result was that when the freeze did come, and the demand arose all over the country for coal and for cars to carry coal, many of them stood upon the tracks at this point laden with lumber. The contractors—these men who "knew how," these men who were supposed to be efficient and drawing large salaries—apparently did not want to unload them.

Why? One of my correspondents tells me that he brought it to the attention of the Shipping Board that the demurrage on these cars standing on the tracks idle for weeks, and some of them for months, was charged up into the general contract price and included in the 10 per cent plus paid. So there was a premium, if that was true, upon the culpability of the contractor. The more he spent the more he wasted; the more extravagent he was, the more the Government paid him for that kind of service. That is the evil of the contract plus system.

I do not stand for crooks, whether they come from my city or your city, from my State or your State. I do not stand enthusiastically for the patriotism of the profiteer who takes advantage of the stress of his Government. I do not believe that you do, or that the Shipping Board does, or that any department in Washington wants to do so. But it seems to me proper to call attention to some of these things and to say that we can locate a little of the trouble for the coal shortage at the homes where the people have been freezing through two or three months past. We can locate a little of this responsibility for this extravagance, and perhaps we can trace some of it back to the law that Congress itself passed when it gave a vast sum of money in a lump to the Shipping Board and through it to the Emergency Fleet Corporation, and through it to certain building corporations, who eventually could pay exactly what they pleased to material men, to landowners, to workmen, to managers, and to advertising agents, and others, in such a way that the largest amount of money might be spent to obtain the largest possible commission. We ought to regulate that now if we can.

Gentlemen, this unlimited-expenditure method is a thing that Congress ought not to stand for. Neither the Senate nor the House should permit a bill to go through that will admit of conditions like those described. If departments be blind, due to an excess of patriotism and ardor in time of war, Congress at least should be careful.

The amendment I shall offer at the proper time will seek to limit the commissions paid to contractors and subcontractors to, say, 5 per cent on the direct cost of the work they shall do. I am not wedded to any particular figure, however. Let them bid in any way the department sees fit to have them bid, but let them fix a price for their work and let their commission be fixed upon that price. Let us have something better and fairer than the present system which holds up cars, increases congestion, involves demurrage, checks speed, and disorganizes other factories. Let those who go into this housing proposition understand that they will be fairly treated but that the Government is amply protected. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. ALEXANDER. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, it would have done the hearts of the Members of this House good to have seen, in Baltimore, Saturday last, thousands of shipbuilders from one of our shipyards parading through the streets of our city. They were a splendid lot of men, thoroughly trained and efficient in their work. Many of them have been trained for this work only since the war began, and are among the best shipbuilders which we now have.

Baltimore is doing everything within its power to meet this great emergency. Shipyards have sprung up in various sections, and at Sparrows Point the Bethlehem Steel Co. is spending millions of dollars in order to meet the demands of the Government. The housing question has been extremely severe in my city. We must realize that in addition to the great shipyards long ago established there has sprung up many others. Then there is the great Camp Meade, within 17 miles of the city, which occasions many people coming to our town to enter into business, and to do business with the camp.

Then there is the great Ordnance Department which has been established in that section known as Curtis Creek. Some 900 acres of land have been secured there, and on this tract immense buildings of concrete are being erected, which will require a large amount of labor.

Then there is Aberdeen, the great proving ground, on the Susquehanna and Chesapeake Bay. On certain mornings I have seen as many as 2,000 men leaving the city of Baltimore to go to that camp at Aberdeen. Then in addition to that there are the great repair shops at Canton, on Colgate Creek, just outside of the city limits. They are expending large sums of money to construct those repair shops, which are to employ two or three thousand men, where automobiles are to be assembled and shipped abroad and where repairs to machines are to be made.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Maryland yield to the gentleman from Missouri?

Mr. LINTHICUM. Oh, let me finish these matters, and then I will be glad to answer questions. Then we have a depot for the Quartermaster General, where we gather the things to ship abroad to supply our troops. In addition to that we have Fort McHenry; and I want to say to this committee in reference to Fort McHenry, that that plant has been rapidly developed into a great hospital, and the identical buildings which this Congress was so good as to appropriate for are now completed, constituting a magnificent set of immigration buildings, and they are completed at the very time when we absolutely need them. They are now being converted into hospitals, and will accommodate some thousand beds when they are completed. They constitute a group of splendid buildings ready for occupancy at the very moment they are most needed. It seems almost as though we were looking into the future when we appropriated for those buildings.

Now, Mr. Chairman, I do not want to take up too much time on this subject, but——

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Maryland yield to the gentleman from Missouri?

Mr. LINTHICUM. I yield to the gentleman.

Mr. BORLAND. I am glad the gentleman has completed the enumeration of the activities centered at Baltimore. I want to ask him whether he does not think entirely too many of these activities have been centered in these eastern cities, causing this congestion of freight and labor and this shortage?

Mr. LINTHICUM. It is absolutely necessary to concentrate a large part of these things about the ports of the country. I have repeatedly tried to call attention to that and to the fact that the Atlantic ports furnish the gateways to the world.

Mr. BORLAND. Only about half of them are necessary at the seaboard.

Mr. LINTHICUM. That may be the gentleman's opinion. What we want is to get these things as near to the shipping point as possible, and the ports along the Atlantic seaboard are absolutely necessary for that purpose.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Certainly.

Mr. MADDEN. I was going to suggest to the gentleman that if the location of these factories had been distributed throughout the country the congestion would not have taken place and the assembled products could have been shipped to the ports for transportation to Europe just as easily as before.

Mr. LINTHICUM. I think that question has been abundantly answered by the experience of great business concerns of this country, that it is easier to ship parts, and that you can ship them more cheaply and better and more of them than by sending them to the point where you want them and there assembling the parts. The Ford industry is establishing assembling plants throughout this country. Does the gentleman think they would do that if they could do it cheaper otherwise?

Mr. MADDEN. They are not all assembled in Baltimore?

Mr. LINTHICUM. No; I assume they have established one for Chicago.

Mr. MADDEN. We would not then have to provide for housing. If they are distributed all over the country the cities could provide for the housing of the necessary workmen themselves.

Mr. LINTHICUM. You could not distribute the employees of the Bethlehem Steel Co.; that is the place where they need this housing. We could easily give work for 7,000 employees at those works alone. We are taking care of men there, but in order to do the work it is necessary to have the homes to bring these people to. I think we ought to provide at Sparrows Point just as substantial homes as practicable, homes that will last, because Sparrows Point is constantly growing, and has been growing for years. I have no doubt if the Government will put up the proper homes, economical and useful homes, at that point it can dispose of them, if need be, without the loss of much money, or with the loss of only very little money.

The reason why private building enterprise of consequence has not been going on in Baltimore is the fact that private builders can not get workmen and material. Private building has dropped off almost entirely on that account. The Government commandeers materials. It is on that account that private individuals did not build the necessary homes to house these workmen. Some people have attempted to build homes, and it has really almost worn them out to get the labor and material. When you go to the man who has contracted to furnish it he will say, "Yes; I had the lumber, but the Government came along and commandeered it, and you will have to wait." That is the case all along the line. Private builders can not get the workmen or the material, and the only thing that can be done is for the Government itself to take it up and do it.

Now, there is another point I want to take up. I notice that the press speaks of the fact that only 50 or 60 per cent of time is being secured from the workmen as a whole. That is partly because the laborers have not homes to live in. They are moved about from one point to another instead of being located at some particular plant. Some of it, I presume, is because some men are not working full time. Some men perhaps realize that they can live on three or four days' salary for a week, and such men do not put in full time. I think there ought to be a movement in this country which would impress upon the men who are not doing full work the folly of such conduct. They should understand that they are depriving the Government just as much by not giving it the proper amount of labor as the man who refuses to pay his portion of taxes for the support of the war; that a man who will not furnish the full amount of labor that he ought to furnish when the Government needs it so badly is injuring his country and injuring his neighbor just as much as the man who refuses to pay the full taxes. I think there are lots of people in this country who are not putting in full time, who are working perhaps only three or four days a week, who do not realize that they are doing wrong. They seem to think it affects only themselves. There ought to be some movement on foot to let every man know that this is a time when every hour of a workingman's day is needed and every full day's work is sorely needed, and that he ought to perform it in the discharge of his duty, not only to himself but to the country.

Many feel that when they have earned sufficient to live upon whether or not they work is a matter of their own concern and does not affect the Government. We should bring to the attention of all our people that the man who does not put forth every effort and give the proper week's work toward the production of this country is doing the same harm as the man who, having money, refuses to pay his taxes for the support of the Government enterprises.

Our people want to do the right thing. They want to give this Government every facility for the winning of this war, and I am sure that if we but bring it to their attention every effort will be put forth not only in the payment of taxes and in the production of food, but in giving full labor time, which are all essential elements to success.

The man who is physically and mentally capable of performing work is laying down on the job when he does not give a full week's work to whatever enterprise he is engaged in. The man who loafs is just as much a slacker as the man who does not perform his duty in the Army when called. He is just as much robbing the Government in this great crisis as the man who neglects or refuses to pay his proper proportion of taxes.

I want to see every man capable of doing good work, rich or poor, perform his part of the task of winning this war. The great artisans and laborers of our country, those who realize the responsibility resting upon them, are performing a full day's work and a full week's work, while some of our people, not realizing this situation and having sufficient upon which to live, are not performing their part. All must work and every man must be shown his duty in this great conflict.

Scripture tells us that "He who is not with us is against us" and "He who gathereth not with me scattereth." The man who is not performing his work when he is able to do it and is consuming the food of the country during his inactivity is not only not with us but he is against us in that he consumes that to which workers are entitled and which our allies so badly need.

Now, Mr. Chairman, in conclusion I want to say I sincerely hope this bill will pass. It ought to pass unanimously. I want to see these activities taken care of. But there are other governmental activities which also ought to be taken care of, and which certainly will have to come before us, because they have not the housing accommodations, and I am very sorry that this bill does not embrace all Government enterprises. I believe it ought to be done, and I am sure it eventually will be done.

Mr. FESS. Will the gentleman yield for one question?

Mr. LINTHICUM. Certainly.

Mr. FESS. Referring to the problem of labor, would it be at all feasible to employ conscription to secure labor in Government munition plants or in shipbuilding plants?

Mr. LINTHICUM. It might be; but I do not believe we ought to be compelled to resort to conscription for this purpose. I believe that when the laboring man is once brought to know that when he does not perform a full week's work he is depriving the Government of something it is entitled to just as much as the man who does not pay his proper taxes, he will perform the labor that he ought to perform. The whole trouble is that many men of this country do not realize it. It is a new doctrine. There are so many new doctrines and responsibilities continually arising that it is difficult to keep abreast with them.

Mr. ALEXANDER. I yield one minute to the gentleman from Washington [Mr. MILLER].

Mr. MILLER of Washington. Mr. Chairman and gentlemen of the House, the housing of men employed in the shipyards is a question that is not only very pressing in the East but it is also pressing in the West. It may be comforting to some of the Members of the House to know that the first ship completed for the Emergency Shipping Corporation was completed in the city of Seattle, in the far Northwest. We have in our city many, many thousands of men working in the shipyards, and we turned out a vessel for the United States Emergency Fleet Corporation in 5 months and 15 days from the time her keel was laid. I understand she is an 8,800-ton ship. I show to the members of the committee a photograph of the first ship turned out for the American Emergency Fleet Corporation, the steamer *City of Seattle*, which sailed on her initial liberty voyage on January 14, 1918. [Applause.]

Mr. ALEXANDER. I yield two minutes to the gentleman from Maine [Mr. WHITE].

Mr. WHITE of Maine. Mr. Chairman, I have a very keen appreciation that the discussion which has preceded has left very little of information to be imparted to the House on this question, and I take the floor chiefly to give further evidence of the unanimity with which this measure is supported by the members of the committee, and very briefly to summarize the considerations which lead me personally to approve of it. It seems to me that the justification, the compelling necessity, for this legislation is based upon two or three propositions. First is the need for ships. The call for tonnage to supply the men now across the water and for increasing tonnage for those who must go is persistent and insistent. Men, munitions, food, and clothes call in imperative tones for the exercise of American ingenuity and of every energy for the production of our ships. The duty is clear, and we must meet it as best we can.

The next proposition is that we must supplement the force of men now employed in our shipyards and increase the efficiency of that working force. There are some aspects of the situation which are disquieting. It appears that at the present time, or as of the 1st of January, we had approximately 180,000 men

employed in our shipyards, with the need for at least 300,000 men. It appears, too, that of the shipyards now at work 10 to 15 per cent are not working at their present capacity, and of more sinister significance is the fact that the present capacity of these yards is less than 50 per cent of their ultimate and contemplated production. We learn, too, that the turnover of labor is appalling, the average in the shipyards engaged in Government work reaching 600 per cent, a condition bespeaking industrial chaos and enormously impaired production, and for which lack of adequate housing and inviting surroundings is in no small degree responsible. It is this need of ships, a recognition of the unsatisfactory conditions in our shipyards, and the hope that this legislation will tend to stabilize, encourage, and inspire labor that lead me to give my cordial support to this measure and to express the hope of its speedy passage by the House.

Mr. ALEXANDER. I yield to the gentleman from Alabama [Mr. BANKHEAD] five minutes.

Mr. BANKHEAD. Mr. Chairman, in the early course of the debate the gentleman from Massachusetts [Mr. GILLETT] submitted an inquiry to the chairman of the committee [Mr. ALEXANDER] as to the necessity for this specific piece of legislation. He seemed to assume that if the amount of money required were appropriated under the provisions of existing law the Shipping Board would have authority of law to carry out the purpose vested by this bill.

The counsel for the Emergency Fleet Corporation, when he was before the committee, stated that one of the reasons why he was anxious to secure the enactment of this bill was to clear up that question of the specific authority. Another object in the passage of the bill is to suspend the existing law with reference to the requirement that in making appropriations of public money it shall not be expended until the written opinion of the Attorney General shall be had in favor of the validity of the title of land acquired. One of the provisions of this act suspends that feature. Another matter desired is to grant authority to requisition lands and houses, which is not conferred by existing law.

But, Mr. Chairman, the main purpose of my asking the courtesy of a few minutes was to read into the RECORD a part of the hearings before the committee, the statement of the counsel for the Shipping Board with reference to the minutiæ of the operations by which this money would actually be expended, because I think probably it will be instructive and illuminating to the committee. He stated:

If I may describe now, gentlemen, the transaction we propose to use. In these cases where we lend the money the shipbuilding company will form a separate small company, the stock of which will be owned entirely by the shipbuilding company, and it will acquire the title, free and clear, to certain land that is suitable. In some cases the shipbuilding companies now own the land. The reason for having a separate company is one of convenience in keeping accounts, and it also has to do with a refusal on the part of the companies to make a corporate mortgage which would obligate the company and all its assets for the repayment of the loan. They take the position that they would not build houses at this time because of the expensive cost, the high price of labor, and the difficulty of getting materials, so that they are insisting upon having these separate companies.

Of course, our first direction to them is that they shall not make any money out of this housing business, and we shall use all of our ingenuities to see that they do not make any money out of this housing business, because this is a war measure, and we are putting money in in an unusual way, and we want to provide houses for these employees and not for the profit of any land-development company. There will be no salaried officers nor directors; there will be no commissions allowed in any way. The shipbuilding company will be allowed to have a 6 per cent return on its actual investment at cost that they can show by an actual audit of their books to us, and that is all.

And then there are very interesting pay-off provisions of the mortgage that we will have. We propose to lend the money to these subsidiary companies at 4 per cent interest for 15 years, and, beginning with the fourth or fifth year, that they shall pay off 3 per cent on the principal. Now, bear in mind that it is a separate little company that is making this arrangement with us. We control the arrangement; we control the sale prices. We hope that all of these houses will be sold to the shipyard employees, and it is our intention to make the documents in such form as to facilitate sales. For instance, we mean to take a blanket mortgage for all of our advance, and that blanket mortgage will have a schedule of release values annexed to it, so as to each particular plot of land and house in that development there will be an ascribed value. We plan to replace that blanket mortgage if an employee comes along and wants to buy and to take a separate mortgage on that particular tract, so that that employee will get the benefit of a 4 per cent mortgage. He can not get it now at 6 or more per cent, and it will aid him to that extent in financing his own home. There will be practically a trivial amount of cash required for a man to acquire a house in any one of these developments, and we intend to see that they are sold off to employees just as fast as possible.

Mr. GREENE of Massachusetts. I yield 10 minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Chairman, in view of the disclosures that have recently appeared with reference to the contracts let by the Shipping Board at the Hog Island yard and some other shipping contracts I am sure that every Member of the House, including the members of the committee reporting this bill, feel reluctant to grant the power contained in this bill appropriating $50,000,000 for the purposes therein specified, practically without any restrictions. And yet we need ships. We need men to build them. We can not secure them unless we provide housing facilities for the men who are to build them. And I agree with the committee that it is not practical, probably, to provide any restrictions in this bill upon the expenditure of the money by the Shipping Board. But I believe, Mr. Chairman, that there ought to be some check not only upon the Shipping Board, but upon every other department of the Government, and I am hopeful that before we go on very much further we may have a general committee on expenditures to inquire into the expenditures that may be made under this bill and under other bills that we pass providing large appropriations.

With reference to the Hog Island yard, I have no hesitation in saying—and no man on either side of the aisle will deny—that if the committee on expenditures proposed last summer had been created millions of dollars would have been saved to the Government in the Hog Island yard. And not only would millions of dollars have been saved, but by this time keels for some ships would have been laid in the Hog Island yard where to-day there is not one.

I understand, as we all do, that the President objected to that committee because he thought it might be a reflection upon him. No one holds the President responsible for these almost criminal, or, if not criminal, reckless extravagances at Hog Island yard. The President of the United States can not be presumed to know all of these details. He is responsible for but one thing, and that is the appointment of the men who make these expenditures, and beyond that his responsibility can not go. It is no reflection upon the President that Congress is called upon to make appropriations to provide some means of investigation of how appropriations are expended by this board or by any other department of the Government.

The corporation having the contract for the Hog Island yard is to receive $6,000,000—for what? For furnishing, as they say, the "know how." In the testimony before the Senate investigating committee, the only "know how" that they have furnished the Government is knowing how to loot the Treasury, and they have been exceedingly successful in that.

Another phase of this matter which I wish to discuss is that housing facilities are necessary for shipyards, and not only for shipyards, but we will be called upon soon for housing facilities for many other plants of different kinds. This comes, in some part at least, by letting contracts—and I am not referring to shipyards, for I realize that they must be on the Atlantic and Pacific coasts and the Great Lakes—it is due to the fact that in letting the contracts no regard has been had in letting them as to the supply of labor in the vicinity of the plant where the contracts are to go. I hold in my hand a very interesting map, which gives the location of 2,381 firms that hold about 50,000 important war contracts. They are all congested in three or four States. [Exhibiting map.]

Is it any wonder, when you look at that map, that we have a congestion of transportation; that we have a congestion of labor and a failure of the coal supply? No contract involved the installation of any new plant, unless it be something in the nature of a shipyard, that must be on the coast, no new contract should be let in the future that would be located anywhere in this congested area. Everything in the way of a war contract that can be provided in the interior from this time on should be provided for in the interior. In that way we will solve in a large degree the question of transportation, we will solve in a large degree the question of labor. We have no shortage of labor in the interior. We have not labor enough in the States where congestion now exists, and the difficulty is going to increase day by day if the present policy is to be continued of centering war contracts in two or three States.

Mr. MADDEN. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. MADDEN. The map which the gentleman presents is very illuminating. Is it the intention of the gentleman to have the map published in the RECORD?

Mr. LENROOT. I should be glad to have it published if I could. It was prepared by the Department of Statistics for the Council of National Defense on the 17th day of last January.

Mr. MADDEN. Mr. Chairman, in view of the fact that the map tells the story as no speech can, a story that everybody ought to know, I ask unanimous consent that, in connection with the speech of the gentleman from Wisconsin, that the map be published in the RECORD.

Mr. GREEN of Iowa. I suggest that we have some rule in reference to the publication of such matters.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the map produced by the gentleman from Wisconsin may be published in the RECORD in connection with his speech. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, I did not hear the gentleman as to the area this map covers.

Mr. LENROOT. The whole United States.

Mr. MOORE of Pennsylvania. And it shows the congested area.

Mr. LENROOT. It shows the location of each firm having a war contract.

Mr. MOORE of Pennsylvania. With all due respect to the gentleman from Illinois and the gentleman from Wisconsin, I think it would be absurd to provide for the building of ships in the interior of the country.

Mr. LENROOT. I stated specifically that I did not make any such contention. I excepted shipbuilding.

Mr. MOORE of Pennsylvania. We have the water on the coast. Why should not we give the work to firms who can build the ships where they can get them out?

Mr. STAFFORD. And we have mud flats, too.

Mr. MOORE of Pennsylvania. Yes; and some gentlemen would like to build them on the Rocky Mountains.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois to print this map in the RECORD in connection with the speech of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. LENROOT. Mr. Chairman, I have only one thing to add, that in my opinion the letting of contracts in the future that involves the location of new plants, with the exception of ships, be placed in the interior, and if that is done it will help solve in part at least not only the question of transportation but the question of supply of labor as well.

Mr. COX. Will the gentleman yield?

Mr. LENROOT. Yes.

Mr. COX. The gentleman has hit the keynote of the whole situation. In central Indiana is the limestone belt of the United States. As the result of the failure to build buildings, the industry has practically gone to pieces. In one county in my district there are something like 7,000 skilled mechanics out of employment.

Machinery worth $20,000,000 is standing idle. The owners of these mills have come here and tried to get war contracts, but failed, although they offered to put in extra machinery. Men have their own houses and homes, there are splendid transportation facilities, but the men can not get a dollar's worth of these contracts.

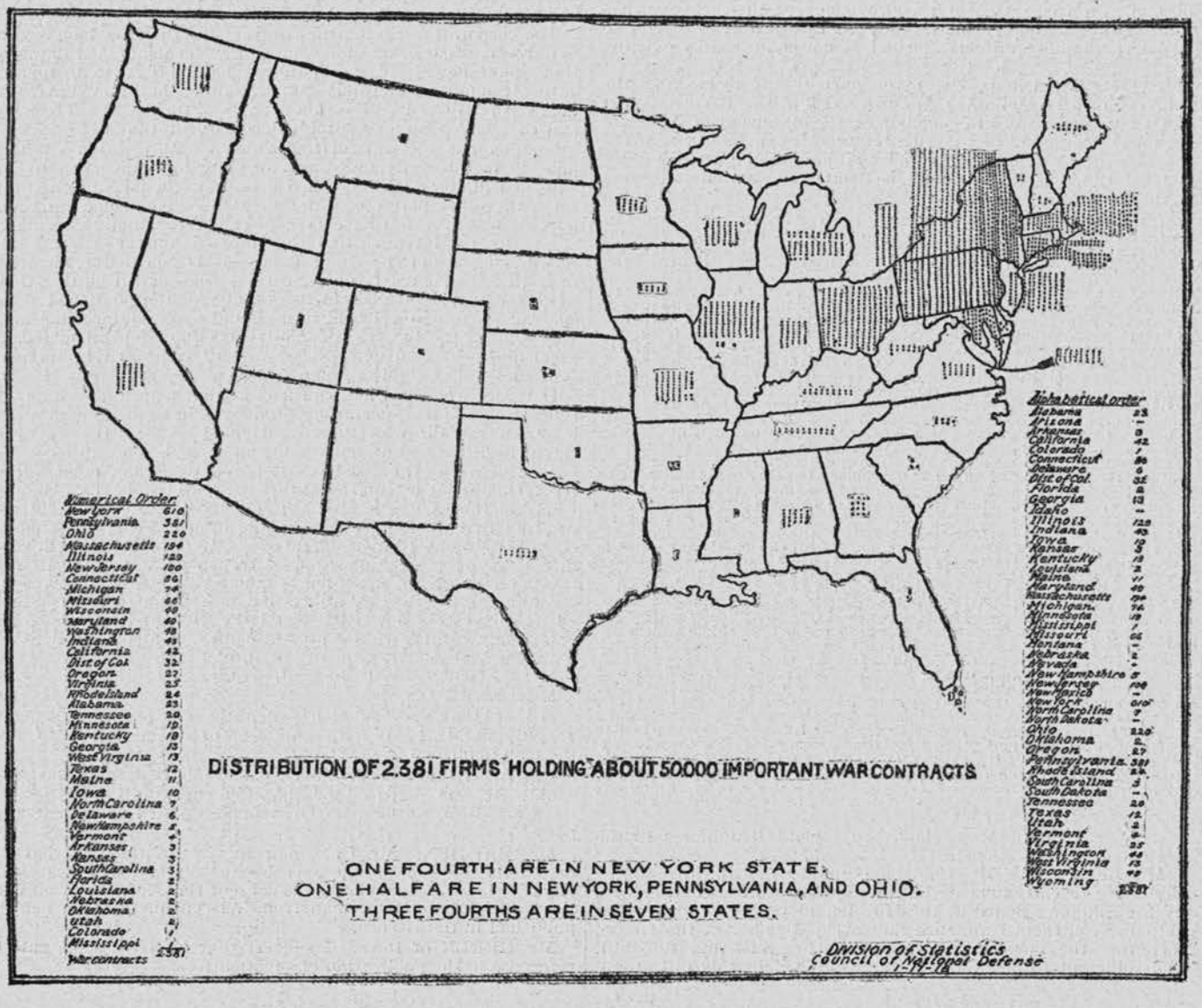
Mr. LENROOT. The gentleman has correctly stated the situation. I think that in the letting of war contracts, no matter by what department it was let, there has not been given any consideration whatever to the supply of labor in the vicinity where the proposed contracts were to be fulfilled.

Mr. EDMONDS. I would like to ask the gentleman from Indiana, through the gentleman from Wisconsin, whether they have tried the bankers in New York?

Mr. COX. No; I do not know whether they have or not.

Mr. LENROOT. I believe that so far as Hog Island is concerned, the Shipping Board is now taking hold of that situation and are proceeding to clean it up as it ought to be cleaned up. The very fact that such a situation has existed, it seems to me, creates the necessity for the House of Representatives or Congress having some committee that will be able to assist not only the Congress and the public but these departments themselves in ferreting reckless extravagance such as has been practiced. [Applause.]

The map referred to in Mr. LENROOT's remarks follows:



Mr. ALEXANDER. Mr. Chairman, I will occupy only a moment or two in concluding the general debate. I am very glad the gentleman from Wisconsin [Mr. LENROOT] and the gentleman from Illinois [Mr. MADDEN] have emphasized a condition existing at this time that might have been obviated by a wider survey of the resources of the country; but the criticism does not apply to the Emergency Fleet Corporation, because we can not build ships in the inland section of the country. They must be constructed on the seacoast or on the large rivers contiguous to the seacoast. The problem before us we all seem to realize. The turnover in labor at this time is so great that unless it is stopped we can not hope to carry out our shipbuilding program. If we can provide convenient and comfortable homes in which the workingmen may live, we will not only largely stop that turnover in labor, but the tendency will be to stabilize the labor cost of construction in shipyards. Now, one yard is competing with another by promise of increased pay and, in some instances, better housing facilities, and men are traveling from yard to yard, and the result is immense waste in time and cost of production. Then, too, the labor of the country ought to understand the nature of this problem and the importance of every man working six days in a week and being willing to make some sacrifice in order that we may provide ships, because ships are the prime factor in winning the war. Hence, if the contractors and laborers in cooperation will take a more patriotic viewpoint and be willing to make sacrifices, we may hope to have this program speeded up.

I mentioned the Hog Island shipyard as an example of the waste and extravagance at this time, and I felt it was due to the Shipping Board and the Emergency Fleet Corporation to say that in the first instance this contract was framed by Gen. Goethals when he was the manager of the Emergency Fleet Corporation. Later it came under the jurisdiction of and was revised by Rear Admiral Capps. Every effort was made to so frame that contract as to safeguard the interests of the Government, and when this great contract was let to the American International Corporation, composed as that corporation is of some of the most distinguished men in the country, great financiers, represented in every branch of industry, the board had reason to believe that the contract would be carried out in good faith and that there would be a minimum of waste and extravagance. But waste and extravagance have crept in, and it is not too late for Mr. Frank A. Vanderlip and his associates on the American International Corporation to correct the abuses and save to the country many millions of dollars of waste that seems to be inevitable unless the correction be made. Their patriotism and fidelity to a great cause are challenged by the country, and I hope they will look into conditions, and I also hope that Stone & Webster, one of the greatest contracting firms in the United States, now doing work for the Government in this country and in France, will feel it their duty to scrutinize this work at Philadelphia and, in cooperation with Admiral Bowles, undertake to correct the existing evil and restore to the Government the money that has been squandered by the subsidiary corporation under which these activities are being carried on.

Mr. GILLETT. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. GILLETT. The gentleman just spoke of Admiral Bowles. Is it true, as I have seen in the newspapers, that there has been a reorganization of the Shipping Board and that Admiral Bowles has been sent over to Philadelphia in charge of this particular work?

Mr. ALEXANDER. Yes; that is true. He has been placed in charge of that work, and he has taken up this pay roll at the Hog Island shipyard and undertaken to find out what men are necessary to the prosecution of that work and eliminate every unnecessary man.

Mr. EDMONDS. Admiral Bowles's headquarters are in Philadelphia, but he is going to take charge of all three Government yards—the one at Newark, the one at Bristol, and the one at Hog Island.

The CHAIRMAN. General debate is closed and under unanimous-consent agreement the House substitute for the Senate bill will be read by paragraphs for amendment under the five-minute rule as an original text. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the United States Shipping Board Emergency Fleet Corporation is hereby authorized and empowered within the limits of the amounts herein authorized—

Mr. BORLAND. Mr. Chairman, I move to strike out the last word. I was not able to secure a few minutes under the general debate to express an idea that I want to express about this bill. We may as well regard these $50,000,000 as a part of the investment in ships made necessary as a part of the cost of construction, although, of course, it is reasonable to suppose that there will be a large percentage of salvage from the sale of these houses either during the continuance of the war or afterwards. It really represents a construction camp very much as we had at Panama at the time of the building of the canal, when it was necessary to house about 37,000 men on the Zone to construct suitable quarters for them that were comfortable and clean and sanitary. That is practically the condition that we have confronting us here. This bill, of course, has received the unanimous report of the committee and will be passed with probably not a dissenting vote. It is true also that these ships must be constructed at the seaports or on the tidewater rivers, and the places where they are to be constructed are not subject to very much criticism. But if a general bill comes to this House providing for a general system of housing construction we will have a right to inquire why there is any congestion of labor or shortage of housing facilities at particular industrial centers. The whole Delaware River is lined with munition factories—a very good place, undoubtedly, from many standpoints.

But we must recollect when the officers of the Army were consulted as to the proposed location of Government munition plants and Government powder factories, it was their report that no such plant should be located except between the Alleghenies and the Rockies. They farmed off a zone adjacent to the seacoast which they call the danger zone in which they expressly recommended no munition plant should be placed. Now we find that most of the Government work of all kinds is being done east of the Alleghenies. Now, there has been not only a shortage of labor, there has been not only a shortage of housing, there has been a shortage of fuel, there has been a shortage of food, there has been a congestion of transportation. The element of all these shortages is due to the fact that transportation of fuel, raw material, and food must occur across the Allegheny Mountains. These plants must be supplied in many cases with fuel. They are drawing their labor, they are drawing their raw material, they are drawing their food supplies across the Allegheny Mountains. There is no occasion for that. I want to say that while this bill is absolutely necessary, and not only necessary but haste is imperative because we have already been at war nearly a year, we ought not and can not at this time take up the question of a general housing plan. When we take up the question of a general housing plan we ought to know that we are confronted with a condition of the temporary construction of camps. We are not confronted with that condition of congestion of labor in certain centers which could be and should be and can be avoided.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment is withdrawn.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to strike out the last word. Mr. Chairman, what the gentleman from Missouri [Mr. BORLAND] has said is in large part true, but the work contemplated to be done under this bill can not be considered as closely analogous to the Panama Canal construction. That construction was entered upon with full knowledge that there would not be much salvage from the enterprise. The main purpose of that enterprise was to build houses for temporary purposes, but this measure contemplates that in large measure the houses constructed will be permanently used by ship workers. These houses are to be built, or purchased with direct reference to the desires and tastes of the men who are to occupy them. Hence the construction contemplated will be permanent, in large measure, and not temporary, or makeshift. The bill makes every provision for the houses to be constructed in a style that will be acceptable to the men who will occupy them.

Mr. ROBBINS. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. Certainly.

Mr. ROBBINS. How could these buildings be permanent when this great emergency exists to build ships and find houses for the men? Is not the very thing we have to do is to build houses quickly for the men in order that they may construct ships speedily?

Mr. SAUNDERS of Virginia. It is certainly true that in many instances these buildings will be acquired for the purpose of temporarily housing the workmen, but the expenditure of the fund proposed is not confined to a scheme of hasty construction. That is not the contemplation of the bill at all, and while in some instances it may be necessary to put up buildings of a temporary character, in other instances buildings are contemplated which, as I said a moment ago, will be of substantial and permanent character. I was just on the point of saying that every provision is made in this bill, to enable the Fleet Corporation to secure the Government against loss, whether it sells, or leases buildings to the shipyard employees.

Mr. BORLAND. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. BORLAND. The gentleman will recall I expressly said there would be a large measure of salvage. But is it not perfectly apparent that if there were private dwellings in existence that could be used by the workmen, or if there were demands for them at all, that demand for private dwellings would be met by private capital and there would be no need for this bill?

Mr. SAUNDERS of Virginia. No——

Mr. BORLAND. The very fact of the existence of this bill shows there is no demand at that particular place for permanent buildings.

Mr. SAUNDERS of Virginia. The gentleman loses sight of some of the essential facts of the situation. This bill gives the Government the power to commandeer. The individual workman has, of course, no such power. He is often confronted with a situation in which the extravagant demands of real estate speculators make it impossible for him either to buy or build. But the Government is not hampered by any such limitation. If in the neighborhood of the shipyards, or of the plants related to the shipyards, in the course of ship construction there are any buildings needed by the Government, it can lay its hands upon them. This bill empowers it to do so. In that way the Government can meet this emergency in a fashion beyond the power of the individual worker. This is the essential difference between the Government, and the individual, in the situation that confronts us.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I take it that what is more necessary than anything else in order to have ships is to corral the men from the various industrial centers of the country where there is labor that can be obtained and bring them to the Atlantic or the Pacific or Lake ports where there are ships to be built. If housing facilities do not exist, then it is necessary to provide houses for them under these pressing conditions, so that they will remain at employment. If this were only a project to provide permanent homes, private capital of its own motion would invest, because there would be families to purchase them, but there is something more desired by this bill to meet the conditions, as I view it, from the testimony and the arguments presented here.

Not only is it proposed to advance money to these large corporations engaged in building ships, like the Bethlehem Steel Co., as I have heard stated it is proposed to advance $5,000,000 for the purpose of building houses tributary to some shipbuilding plant, but it is also necessary, if we are going to house these thousands of workmen, who are only too willing to go to any place in the country, that there should be some kind of quarters arranged similar to those at Panama, which will be sanitary, where they will find accommodations, so that they will not quit their employment after arrival and launching on their work.

Laborers throughout the country are willing to leave their homes, but they are not willing to leave their homes and live in a condition of serfdom. And one of the two purposes of the bill, as I view it, is to enable the Shipping Board, either directly or through subsidiary corporations, to build temporary quarters similar to those at the Canal. Even if those buildings were destroyed after the emergency has passed, it would be a good investment, because we must have ships, and in order to have ships we must have housing accommodations.

Hog Island is only 9 miles from the City Hall of Philadelphia. Why, if the labor in Philadelphia was plentiful and adapted to build ships it would not be necessary to equip buildings tributary to Hog Island. In Detroit, for instance, some employees working at the Ford Motor Co. travel 10 to 12 miles daily to the plant at Highland Park. Dodge Bros. to-day are erecting, 7 miles from the center of Detroit, a $50,000,000 plant to manufacture munitions. Immediately there will arise a community there calling for housing and the like, but notwithstanding that the labor will be drawn from all over the city. The problem is transportation, and that is the problem in Philadelphia, provided adequate labor was there. If we are going to make these yards efficient it is necessary to erect quarters that, in some instances, will be temporary and salvaged after the emergency has passed.

There are two purposes, as I view the bill. One is to advance large sums of money to the private ship-contracting company for the building of houses, just as the War Department is advancing it, as in the case of Dodge Bros. and other people, for the erection of plants. Some has been advanced in my own city on the condition that after the emergency is passed the plant will be appraised and the appraised value will be taken over by the private concern.

The other purpose is that if need be, to erect temporary quarters so that the labor that comes from the interior, where it can be obtained, will remain and do the work necessary to build these ships.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I rise to oppose the motion of the gentleman from Wisconsin.

It seems to me that gentlemen are quarreling with somebody a little higher up than anyone on this earth. Their quarrel is with the Almighty. It was the good Lord Himself who located the oceans and the rivers just as they are and who fixed the mountains in their proper places. He did not locate the Atlantic Ocean up along the boundary lines of Wisconsin. That is true. He put Wisconsin up against the Great Lakes, just as He put Illinois against the Great Lakes; and He also erected a few barriers between the Great Lakes and the Atlantic Ocean. He left it to human ingenuity and congressional appropriations to cut out a canal or two from the Great Lakes to the Atlantic Ocean, if ships are to be built so far inland as to be gotten out to the ocean to fight the battles of the United States upon the high seas.

Mr. LENROOT. If the gentleman stays here long enough, does he not think that we will get that canal?

Mr. MOORE of Pennsylvania. Yes. If the gentleman stays by me long enough, we will get a canal connecting Chicago with the Atlantic Ocean.

Mr. FOSS. I would like to ask the gentleman if the States were created before the Lakes? He said the Lord put the Great Lakes up against Wisconsin.

Mr. MOORE of Pennsylvania. The Lakes first, of course. If we would be wise, we would cut a waterway from Chicago to the ocean. Then we could build ships at Chicago.

Mr. MADDEN. Well, the only ship that has been built that has gone to sea, except the one referred to by the gentleman from Washington a few moments ago, was built in Chicago.

Mr. MOORE of Pennsylvania. What was the name of that ship?

Mr. MADDEN. She had a name given to her after she went to sea.

Mr. MOORE of Pennsylvania. What was the draft of the ship?

Mr. MADDEN. She was launched in October.

Mr. MOORE of Pennsylvania. I have asked for the name. I have asked for the draft, and I ask for the beam, but the gentleman does not know. I wish he would produce his witness.

Mr. MADDEN. Does the gentleman doubt my veracity? [Laughter.]

Mr. MOORE of Pennsylvania. Not at all. But I doubt if the gentleman is seamanlike enough to tell the length, the beam, and the draft of this ship.

Mr. MADDEN. I do not assume to be in the shipbuilding business. If I were, I would have to confess my ignorance.

Mr. MOORE of Pennsylvania. The gentleman's maritime information is not confined to the Hennepin Canal.

Mr. MADDEN. Or on account of the fog that is on the intercoastal canal.

Mr. LENROOT. I wish to say to the gentleman from Pennsylvania that we have sent three ships to the ocean, and one of them is the *War Chant*, which has a tonnage of 3,500.

Mr. MOORE of Pennsylvania. But you sent them through an English canal?

Mr. LENROOT. Yes.

Mr. MOORE of Pennsylvania. You sent them through the Welland Canal. You had no American canal, because appropriations have not been voted to create an American watercourse from the Great Lakes to the sea. I wish we had an American waterway. I want to get our ships out that way.

Gentlemen worry about the concentration of population in the East. There is the gentleman from Wisconsin [Mr. STAFFORD]. Like every other good thing, he began in the East. He settled there early. Every vestige of the gentleman's ancestry, to say nothing of his posterity, began in the East. He first saw the light of day there and then passed on west, finally locating in Wisconsin. The gentleman was educated in Philadelphia, along the gracefully sloping banks of the River Delaware. Why, then it was pristine territory, years and years and years ago; in fact, the memory of man runneth not to the contrary when the gentleman from Wisconsin was a resident of Philadelphia and studied law above the banks of the winding Schuylkill, which empties into the noble Delaware.

Mr. MADDEN. But he woke up and left. [Laughter.]

Mr. MOORE of Pennsylvania. Yes; he left, but he has been kicking ever since. The influence of the Delaware since then has grown; it has grown by leaps and bounds, due to the energy of the people living along its banks; it has grown until

Congress finally says, "This is our great commercial river; here shall we gather the men and the materials to build our ships, the ships that shall sustain us in war and the ships that shall carry our commerce in times of peace." That is a natural condition; you can not change it now. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

(b) To construct on such land houses and all other necessary or convenient facilities, upon such conditions and at such price as may be determined, and to sell, lease, or exchange such houses, land, and facilities upon such terms and conditions as it may determine.

Mr. LENROOT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. LENROOT: Page 4, line 6, after the word "land," insert the words "for the use of such employees."

Mr. LENROOT. Mr. Chairman, this paragraph that is now pending does not limit the construction of these houses to the use of the employees.

Mr. ALEXANDER. I have no objection to that amendment.

Mr. LENROOT. I was about to state why it is very necessary to make a limit. It is not at all certain, in my judgment, whether we have any right at all to acquire land for the purposes that are named in this bill. In other words, it is a question as to whether it is a public purpose to provide homes for employees of a private shipbuilding company over which the Government has not control, and in connection with which the Government has no relationship except a contractual relationship with the shipbuilding company. We certainly ought to remove any doubt from that question so far as it is possible to do so by making it clear throughout the bill that anything that is authorized in this bill is limited to the use of the employees, and then we shall have to take our chances on its final validity when it gets into the courts, if it ever does.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FESS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. FESS. Mr. Chairman, this delectable rivalry that we had awhile ago between the dwellers on the Great Lakes and those upon the seacoast led me to believe that there might be something in the bill that would forbid the construction of houses anywhere except on the Atlantic seacoast. I have not found that limitation here, and I have been wondering whether I overlooked it. I should think that a bill of this sort ought to permit the construction of the houses wherever the Emergency Fleet Corporation would decide the necessity of housing exists in the locality of a shipyard or where it proposes to build a shipyard.

Mr. SAUNDERS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. FESS. I will.

Mr. SAUNDERS of Virginia. Look on page 6 for the definition of the word "shipyard." The gentleman will find something there broad enough for his widest desires in the respect indicated; a definition of the word "shipyard."

Mr. ROBBINS. Page 6, line 6.

Mr. FESS. I do not find any limitation whatever there.

Mr. SAUNDERS of Virginia. On page 6 in the definition of the word "shipyard," you will find nothing there that limits the activities of the shipyard. It is as wide as your widest aspirations.

Mr. FESS. That is what I thought.

But it was not on that point that I wanted to offer an observation. However, I would say that it would seem to me very wise to build these ships wherever they can be built, whether it be on an inland body of water or on a navigable stream with an outlet to the sea, or whether it would be on the chief bodies of water, because I do not understand that the size of the ship is limited to either a maximum or a minimum. We should build as rapidly as possible. In case the size or capacity of the outlet to the sea will not admit of a great vessel, let a smaller one be built if doing so will expedite the tonnage needs.

What I wanted, however, to say to the committee was in reference to the queries asked and answered a little earlier in the debate on the matter of extravagance. I do not think it is wise to allow the question of extravagance to stand in the way of construction if by so doing we defeat our purpose. I do not believe it is wise either to quibble over the amount to be paid for the raw material that goes into the vessel or the labor necessary to insure shipbuilding. Some time ago, in what now has become a historic controversy, we heard a great deal of discussion over the question whether we were not paying too much for this or that material. One figure in the controversy urged his justification of delay on the ground he had saved money. I think the business of first importance is to build the ships and to stop the quibbling in order that we can build them. By that I do not mean that there should not be common sense exercised, and of course there will be; but the one thing that concerns me is whether these numerous instances of such wretched extravagance as some of us have seen, which are said to be inevitable, can not be rectified or remedied? I mention this because it is creating a very bad spirit in the communities where it is carried on. For example, when we were trying to conserve and were urging the planting of every foot of ground to gardening, and especially to raise wheat, acres upon acres of growing wheat that would ripen very soon were destroyed by order of the authorities because it seemed to be in the way of doing a certain amount of Government work. The wheat was cut with a common mower, raked into windrows, and fire set to it in order to get it of the way for this particular work, when it would have been only a little while until it could have been harvested.

Mr. BORLAND. Would the gentleman mind telling us where that was and what was the Government work?

The CHAIRMAN (Mr. CRISP in the chair). The time of the gentleman has expired.

Mr. GILLETT. I ask that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the time of the gentleman from Ohio be extended five minutes. Is there objection?

There was no objection.

Mr. FESS. It is not a secret matter and is not a case that stands alone. I refer specifically to the Wilber Wright Aviation Field in my district, 5 miles from my home, where every day for a good deal of the time I had opportunity to observe the work.

Mr. BORLAND. I will say to the gentleman that there are a great many places where aviation fields could be laid out where there is no wheat at all. There is no necessity for taking a wheat field for that purpose.

Mr. FESS. That does not answer the question at all. It does not explain what was done. The Wilbur Wright field is the finest in the country and no one can have any complaint of the field. Some may offer the explanation that it would not do to allow growing wheat to stand in the way of expeditious preparation for this aviation field, because aviation is so very important and time is so imperative that we must not lose a week or a day. We must go on with it even if it entails destruction of crops, and most of us sympathize with that proposition, and would not object if it was really necessary, but other items lead me to believe that sufficient caution against waste was never prudently exercised. I will refer to one item: The man who had charge of the agricultural products that they attempted to save there—and he was the mayor of the leading town near by, a high-minded and responsible man—told me, among many other things, that he had a large amount of straw baled, and he had it taken into the barns in order to keep it from destruction by exposure to the weather. One day he found a force of men at work loading up the straw in one of the barns and removing it to the outside. When he said, "I have given no orders for this," and wanted to know why it was done. He was told by one of the men that he had been ordered by the representative of the Government to do it. When he went to the representative of the Government, about all he could get in explanation was, "Well, we have these teams here and they must not be allowed to remain idle." I will let you draw your own conclusions. If it be necessary to keep the teams from being idle, to undo what before has been done and ought to have been done, there is something radically out of order, and the least one can believe is that it presents a very bad situation. This came from a very responsible man, who came over to me at my home and asked me if I would not lay the matter before the Secretary of War. This was but one item of many others mentioned by him in his evidence of needless wastefulness. Now, mark you, there can not be any politics in this, as is so frequently charged whenever anyone not of the President's party calls attention to these things, because my informant is the Democratic mayor of the town, and he wanted to stop that waste, and asked me, in the interest of the public good, if I would not lay it before the Secretary of War. See, he felt convinced that the Secretary did not know about it. I should, in fairness, say I asked him to make for me a memorandum that I might lay it in detail before the Secretary. That has not been done. What I have related is only one incident of what goes on in the way of extravagance in all the building work of the War Department. One of the evil results to follow is it produces such a very bad feeling among the people who witness it.

They demand to know why the Government permits a thing of this kind at the very moment when conservation against waste is our loudest war cry. On that field were hundreds of teams. Many of them could not be worked constantly and thereby prevent loss of labor. Men had finished a certain part of the aviation field—it was built in units, one group working as a group here and another there—and they were not needed longer. To keep them would be wasteful; to let them go would entail some derangement. The contractor generally would let them go. It was necessary for him to lay off men every day after a specific period, but at times was cautioned against it. He told me that he was told by a man in authority, "When you dismiss men hereafter I want you to consult me about it. I want this work to go on uninterrupted and the men should be kept here, so that when the work is done they can all be dismissed and the work turned over to the Government completed."

This naturally was and is the ambition of all responsible Government construction work. The trouble is apparent. These men want results, they want them quick, and the cost seems no element worth consideration. This is the crying danger of all government. It sees no need of economy. It rather chides him who cautions against extravagance. What does the expenditure of a few dollars amount to, anyway? This practice is general to-day and the exigencies of the war are offered as an excuse for it all.

In the case just cited the Government's representative wanted a completed work and the men should be retained until it was accomplished, notwithstanding, my friend said, that many of these people had done their work and there was nothing more for them to do.

Mr. COX. Was this work being performed on a 10 per cent basis?

Mr. FESS. Yes.

Mr. COX. Then that explains it—the more spent the more money for profit.

Mr. FESS. I ought to say that there was a limit in the contract of some of these Government contracts beyond and above which they could not go in the sum total.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. I ask unanimous consent for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FESS. My concern is not hypercritical nor to say mischievous things. My concern is to find out whether there will not be some way that we can stop this palpable waste in order to avoid a very serious spirit being developed among our own people as to the wastefulness of Government procedure.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. FESS. Yes.

Mr. GREEN of Iowa. I will state that at the close of the bill I propose to offer an amendment protecting the contractor through advanced cost and at the same time put a premium not on extra expenditure but on saving instead of waste.

Mr. FESS. I am going to say this in conclusion, that while I opposed most seriously the bill creating the ship-purchasing corporation I opposed it on principle. I did not then, nor do I now, believe in Government ownership and operation if it could be done otherwise. I opposed it on principle, and yet this is war time and ships are the one great need. It is an emergency and this bill ought to be passed at once. The Government is the only agency by which it can be effectively done, and I shall support the bill on that basis. However, the Government should not deter the private yards from their utmost to assist in the program. I am not calling attention to these things other than as suggestions. If what I have seen, and what all of us know can be seen, in Government activities are to be the rule of Government ownership and operation, may God save this country from Government ownership and operation. [Applause.]

Mr. SAUNDERS of Virginia. Mr. Chairman, with reference to the remarks of the gentleman from Ohio I wish to say that whenever you give discretion, or confide large powers to any group of men you always take the chances of faulty administration. It is of course possible that in the administration of the great fund contemplated by this bill, that there may be a measure of waste. Both in the general debate, and later under the five-minute rule, suggestions have been made that something ought to be done to guard against the possibility of extravagance in the expenditure of the housing fund. The committee is ready and waiting to receive any suggestion, or consider any plan that will surround the expenditure of the vast sum proposed, with adequate safeguards against extravagance. The committee however realizes and the Members should realize that it is difficult to clothe an agent with large powers of discretion, for the purposes of securing speedy action, without incurring great danger that the powers confided will be abused. Under such circumstances there is always a chance. to use an old and homely phrase, that some one will fall down on the job.

Mr. FESS. Is there any way that these contracts might be let and be effectual other than on the additional per cent basis?

Mr. SAUNDERS or Virginia. I suppose there is.

Mr. FESS. Would not that be the best and the better way?

Mr. SAUNDERS of Virginia. If the gentleman thinks that some other and different way, than the plan proposed, will be a better way, then let him submit it in concrete form, and we can thrash it out. If the gentleman has anything better than what is proposed in the bill, the committee has an open mind.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. GREEN of Iowa. I will say to the gentleman that I have an amendment for that purpose which I think belongs more properly at the conclusion of the bill, where certain restrictions are placed on the operations of the board. My amendment will be in substance to this effect, that whenever any contract is let on the basis of compensation for the contractor, the cost to him, the compensation shall not exceed 105 per cent of that cost, unless there is also a provision that as the cost increases the percentage of profit shall decrease.

That is not stating it as well as I hope it is in the amendment, but this would permit him to have a higher percentage the lower he kept the cost down, and as he increased the cost beyond a reasonable amount, to be agreed on in the first instance, his percentage would decrease.

Mr. SAUNDERS of Virginia. I will say that under conditions, in order to secure speedy action, it is inevitable that chances of wasteful, even at times, prodigal expenditure, must be taken. Speed of execution, is of the essence in the work at home, as it always is in the theater of active hostilities. Given more time, and greater economies can be effected, but in many instances the work to be done is a hurry order. It is for the committee to determine whether, in the interests of a more economical administration, we will surround the discretion of the board with the safeguards which may indeed secure economy, but secure it by deferring the results sought to be secured. Of course in theory we are all agreed in our desire to see the largest measure of results secured in the most economical fashion, in the shortest span of time. Now what is the plan by which all of these desirable ends may be most efficiently secured?

Mr. STAFFORD. Mr. Chairman, I move to strike out the last three words. I wish to direct an inquiry to the chairman of the committee as to the reason for the committee placing authority in the board to exchange these houses that are to be built in addition to the authority for selling and leasing them?

Mr. ALEXANDER. Mr. Chairman, in framing the bill the committee undertook to do so in a way that would give the Emergency Fleet Corporation the same power that an individual should have in order to successfully conduct any business, and it may be desirable at some of these plants to make these exchanges, either of land or of buildings. For that reason we framed the language broad enough to meet any possible condition that may arise. I have no case in mind, but they may arise.

Mr. STAFFORD. Is it the purpose to vest authority in the board to exchange buildings that are constructed by the board for outside property, flat buildings, or any character of property, improved or unimproved, under that authorization?

Mr. ALEXANDER. I do not know what the board will do, but I imagine they would have power to do that if it is desirable.

Mr. STAFFORD. I am only inquiring as to whether they should have that power.

Mr. ALEXANDER. I think they should.

Mr. STAFFORD. I do not wish to restrict them. I can see the need of delegating authority to sell and lease, but whether they should have the power to exchange is doubtful in my mind.

Mr. ALEXANDER. Here is a situation that occurred to me: Say they have built houses under the provisions of the bill, and they may have power to sell these houses to workmen with families. A workman has bought a house, we will say, and it may be that another house would suit him better. He may have a large family. It may be that the house that he occupies would suit another workman better. If we can fix it so that the exchange may be made and the workman satisfied, the corporation should have that power, I think.

Mr. GILLETT. Mr. Chairman, as to what the gentleman from Ohio [Mr. FESS] and the gentleman from Virginia [Mr. SAUNDERS] said, I wish to add a word. It seems to me that I can put my finger on one source of this extravagance which is complained of. It may be because I am rather a crank on the notion that Congress ought to keep its grip in some way on these expenditures, but my feeling is that one ground, and

one of the principal grounds for these expenses, is that the appropriations have been made in lump sums and not specifically, and so the board has absolute and uncontrolled authority to do as it pleases. In this bill, at the end, in the very last paragraph, there is an appropriation of $50,000,000 which goes to the Shipping Board. That, as I read it, is not an appropriation, but only an authorization, but it is an authorization to expend that money out of what they already have. They already have a lump sum of over a billion dollars, if I recollect rightly, at their absolute disposal; and that system, to my mind, inevitably leads to extravagance. The incident which the gentleman from Ohio cited in the aviation field was spent under the lump-sum appropriation of $640,000,000 which we gave for aviation. I appreciate that in war times we can not proceed upon the same lines as we can in time of peace. It may be necessary for us, and I presume it has been in some cases, to give lump-sum appropriations, but we ought always to keep some congressional superintendence over their expenditure; and if we must give lump-sum appropriations, why should we not have a committee of Congress that would have some scrutiny of the expenditure?

Why was not the other side willing to have a committee on expenditure; not a partisan committee, but a committee that would keep some watch over appropriations. To my mind that is one of the fundamental troubles. There is no committee on expenditures that has any power over the Shipping Board. If they did not already have this large lump-sum appropriation I suppose that this authorization which is made here of $50,000,000 would not give them the money, and they would have to come before the Committee on Appropriations, and that committee would demand from them some schedule, some facts, some statement upon which they plan to act. Of course, the theory is that we get speed by giving them an unlimited appropriation, but in this instance five months have elapsed since the contract was made with this shipbuilding company at Hog Island, and now after five months they are just waking up to what ought to have been apparent then as a fundamental and primary essential, namely, a place where the workmen may live. And yet they have gone along for five months and now they are just awakening to the fact that they can have shipyards but they can not get any product from them until they get an additional appropriation. And it seems to me an essential, which might have accelerated work and would, at least, check extravagance, that Congress by some committee should keep some guard and control over the expenditure.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

(c) To purchase, lease, requisition, or acquire by condemnation or otherwise any houses or other buildings, together with the land on which the same are erected, or any interest therein, and all necessary and proper fixtures and furnishings therefor; to manage, repair, sell, lease, or exchange such lands, houses, buildings, fixtures, and furnishings upon such terms and conditions as it may determine to carry out the purposes of this act.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I do this in order to answer the question of the gentleman from Virginia who I see has left the Chamber. He asked whether, Mr. Chairman, there was a better way to do this work than the method that is now adopted by the United States Government. Let me suggest that there are three well-known methods by which the large railroad corporations and large constructing corporations perform labor of the kind that is provided for in this bill; the first way is after due advertisement, giving the specifications of the work required—this method may not be applicable here where there is an emergency, although I think it can be used in most all of these contracts—and then to let the work by competitive bids to the lowest bidder who is equipped and experienced and capable of performing such work, and they pay him as the work proceeds, according to the amount of his bid, retaining 10 or 20 per cent as "retained percentage" until the contract is completed. That method has proven satisfactory in large contracts all over the world. The second method is what is known as the force method or "force account." There the railroad company or party desiring work done will pay to the contractor a certain amount or percentage on the wages of the employees, generally 5 per cent of the pay roll monthly. They will also pay in addition to such sum 10 or 15 per cent on the cost of equipment used in the work, which is the tools, shovels, horses, carts, steam shovels, engines, and whatever tools are used on the job, but the railroad company will keep on the job a timekeeper and checking clerk, or superintendent, and whenever a condition arises such as the gentleman from Ohio pointed out, as existed at the Wright Aviation Field out in the district that he represents, those men who finish their part of the work are immediately dismissed and there is no piling up of the pay roll by keeping idle men on the ground for the sake of increasing the percentage paid to the contractor. This is eliminated, safeguarded, and absolutely prevented. The third way in which great corporations and individuals also carry on their work, of course, is by their own employees under their own direction. Now, why does not the United States Government adopt one of those three methods which have worked so admirably with all the great railroads and all the great construction companies and large individual contractors in the United States? There is no reason why we do not do it, except the carelessness that has crept into our methods here, which has been criticized by the gentleman from Massachusetts, of appropriating lump sums and turning the money over to the contractor to be worked out in his own way and in his own time, without proper supervision upon the part of the United States Government. Let us adopt business methods about these things, and we will economize for the Government and bring about more efficient results. [Applause.]

Mr. LENROOT. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 12, after the word "buildings," insert "for the use of such employees."

Mr. LENROOT. That is the same amendment as in the previous paragraph, and I take it there is no objection to it.

Mr. ALEXANDER. I call attention to the fact that at the end of the paragraph in lines 17 and 18 we have language to carry out the purpose.

Mr. LENROOT. I understand it.

Mr. ALEXANDER. But I have no objection.

The question was taken and the amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I wish to ask the gentleman from Missouri if he does not think, in view of the fact that we have had a very strenuous day, and it is now 5 o'clock, and a great many of the Members who have been here all day have a lot of other work to do, it is not about time for the committee to rise.

Mr. ALEXANDER. Could we continue in session for 30 minutes longer?

Mr. MADDEN. Well, I do not think——

Mr. ALEXANDER. I am not sure but we might get through with this bill.

Mr. MADDEN. There is not one chance on earth of getting through it to-day, and I do not think we ought to try to get through.

Mr. ALEXANDER. If we continue in session for 30 minutes longer I will then move to rise.

Mr. MADDEN. There are a number of important amendments proposed to be introduced. The gentleman has the right of way to-morrow, and I wish to offer an amendment to-morrow, which I am not prepared to offer now. I suggest the lack of a quorum.

Mr. ALEXANDER. If there will be no objection to our meeting——

Mr. MADDEN. The gentleman ought to move to rise.

The CHAIRMAN (Mr. CRISP). The Chair will count. The point of no quoroum has been made.

Mr. ALEXANDER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes, and had come to no resolution thereon.

GARABED PATENT.

Mr. SAUNDERS of Virginia. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Virginia rise?

Mr. SAUNDERS of Virginia. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter from Mr. Giragossian to the Speaker of the House of Representatives. It is a letter that I think the Members of the House will find of interest. It is short.

Mr. GILLETT. What is the question?

Mr. SAUNDERS of Virginia. I ask unanimous consent to extend my remarks and as a part of the same to put in the RECORD a letter from Mr. Giragossian to the Speaker of the House. It is a short letter. I think the Members will find it of interest.

Mr. STAFFORD. Reserving the right to object——

Mr. WALSH. Reserving the right to object, I would like to ask the gentleman from Virginia [Mr. SAUNDERS] if it has to do with the proposed invention of Mr. Giragossian?

Mr. SAUNDERS of Virginia. It has relation to that.

Mr. STAFFORD. Reserving the right to object, what is the general nature of the letter?

Mr. SAUNDERS of Virginia. Why, it is a sort of résumé of the possibilities under it and Mr. Giragossian's rights in respect to the first original invention. It asks no action on the part of the House.

Mr. CAMPBELL of Kansas. The President has already signed the bill?

Mr. SAUNDERS of Virginia. The President has signed the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The letter referred to is as follows:

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

MY DEAR SIR: The passage of House joint resolution 174 by the United States Congress was, as it is, for me a most gratifying and obliging achievement. For that noble action, I am under the impression that it is my first and unneglectable duty to express the feeling of appreciation and gratitude which my heart fosters toward our Congress, although it is beyond my power to do so adequately. Happily, I am able to justify entirely the confidence reposed in me, and fulfill amply all expectations concerning my work.

I am impatiently anxious for the formation of the authorized commission of scientists who are to examine my invention; but, prior to that, it is indispensable that the question of the originality of my work must be distinctly defined, as it is prescribed in a clause of section 3, viz, * * * "that he is the first and original discoverer or inventor thereof." * * *

Some Members of the Congress gave me assurance that, after the passage of House joint resolution 174, the originality of my work can be legally settled to my satisfaction; therefore I did not persist in my objection to the amendment in the House which comprised the clause in question. Among other leading Congressmen, Hon. Judge H. C. CLAYPOOL, of Ohio, so advised; and I have followed their advice.

Of course we have to read and understand something beneficially different from the literal expression, as undoubtedly will be the purport of that clause. Otherwise it will be inconsistent with the aim and generous spirit of our Congress and contrary to the laws, practice, and conception of modern time.

It is said that the phonograph existed and was in use in China about 1,000 years ago. The turbine engine was used in Egypt centuries before the Christian era, and some discovered articles indicate plainly that the telephone was used in Egypt in ancient time. The above mentioned and many other things have been patented, and attempts have never been made to revoke any of them on account of some one else being the "first and original" discoverer of them.

In other words, if anyone can rediscover a means to temper copper or to preserve grain seeds for a hundred years or rediscover a process to render iron rustless, as it to-day exists in India, where an iron monument has for centuries remained rustless against the elements, or if anyone can put into practical use any such device, would he be prevented from patenting it, because all these things were known in Egypt or elsewhere?

According to the clause in question, the Government is not bound to protect my interest prior to the establishment of the originality of my work. Therefore it is essential to know how and when the commission has to decide or determine whether or not I am the original discoverer or inventor of the work in question.

Let us assume that after my successful demonstration, another person brought forward and submitted to the same commission an invention entirely identical with mine. How, then, have I to know that this identical invention is not stolen from me in some way, after my disclosure of my secret? It is plain that, in such a case, I would have either to renounce my right and surrender my invention or enter upon a lawsuit. No man can really predict the outcome of that legal contest.

In this connection it is rather significant that no sooner was a unanimously favorable decision reported upon the original resolution, on July 13, 1917, to the House of Representatives by its Committee on Patents than numerous persons came forward claiming that they have some invention which is the same or can do the same thing as I do claim that my work is capable of doing; and I have even been charged by some of them with stealing their inventions, etc.

Undoubtedly some of these claimants are sincere, but they are confused as to the issue, and others are "perpetual-motion" enthusiasts, who, by delusion, consider themselves on the brink of a great success. Therefore they struggle to gain time for the possible realization of their hopes.

And there exist also more numerous insincere claimants who are fond of publicity, and they claim or speak just in the manner of professional fortune tellers. They endeavor to connect to their claims or inventions anything known, as well as any possible fanciful idea, theory, or hypothesis. In doing so they strive to create a legal pretext or at least an opportunity to brag of their prior conception in the matter in the eventuality of my success.

In the face of such confusing circumstances it is well to reiterate once more, as I did before the House Committee on Patents, that I have made a discovery or invention by which unlimited energy can be produced without toil or without expense except for the usual wear and tear of machinery.

Or, in other words, one of my engines, placed on a railroad truck can drive the heaviest train that ever was moved by the most powerful double locomotives.

And my work can propel the most gigantic ship that ever floated on the sea faster than the same was ever driven by a series of powerful steam engines, while my work will operate without any fuel or expense for motive power.

It is hardly necessary to mention that my work can supply freely abundant motive power, heat, and light for every industry, farm, home, etc.

If there are any original discoverers or inventors whose works can produce energy, without equivalent labor or expense, as I do claim, let them come forward. If any man, or one of these claimants, really possesses such a thing, then, I should like to be the first to congratulate him. I would wish him to obtain every possible protection for his work. During the past 25 years my heartrending hardships and miseries for the achievement of my work have altogether destroyed my instinct of jealousy or envy against true inventors or discoverers. Therefore I will not only have no quarrel with them but even I can not stoop, for my own personal interests, to compete against any genuine inventor who has been or is in the service of suffering humanity.

Only my aim and struggle are to obtain a reliable safeguard against professional patent stealers, skilled and legal despoilers of inventors.

In addition to those professional despoilers of inventors, there is a vast and most powerful multitude of diverse composition and elements who are professed and relentless enemies of my work. The naturally merciless and unscrupulous characteristics of these intoxicated victims of envy and avarice make them prone to revenge themselves upon the author of any notable work by frustrating his consequent remuneration and depriving him of any moral credit.

To my deepest regret I am impelled to conclude that there are certain influential concerns or people who would exert every possible effort and despicable means for the prolongation of the war. Therefore they will resent any new factor that may substantially shorten the war, as my work can undoubtedly do. And it is admittedly certain also that many other special interests, as well as egotistic professors and scientists, will resent my work just the same in peace time.

While I am striving to get protection for my interests, the same clause, without necessary modification, surrenders me to the revengeful wrath and fury of those formidable enemies, and it gives a powerful weapon in the hands of their lawyers which they can twist in any manner that may suit their vicious objects.

As regards originality of inventions, it is generally well known and accepted that a person will be legally recognized as the first and original discoverer or inventor of a work if it may be patentable, viz, if the same is not already patented, or if it is not practically in public use.

If the patentee can not exercise his right by putting his work into actual utilization, then by the lapse of time another person may exploit it as his own work.

Thus any fruitless claim for an invention or discovery could not and should not have any legal merit, according to the precedents established in that respect. For example, wireless telegraphy was discovered by Dr. Loomis in this country, and, although it was patented, yet not being in public operation, Marconi had the right and privilege to put it, by some modification, into actual public use in his name and in behalf of his interest. This means that Mr. Marconi has been recognized legally as the first and original discoverer of wireless telegraphy.

On the contrary, there is no record in the past of any device which accomplished anything worth mentioning in the direction of my claim. From the highest scientists to the ordinary schoolboy, the occurrence of anything of this kind has never been known, and by a certain class of scientists also it is considered that the costless-energy problem will never be solved.

Before the House Committee on Appropriations, on January 25, 1918, in answer to a question concerning my work, Dr. S. W. Stratton said: "Yes; we have had great numbers of those things, but you can never get one to show the apparatus. The moment he does you can show him right away where he is violating some physical law. All we want to do is to see the apparatus, and I venture to say that any $1,400 laboratory assistant or any physicist in the Bureau of Standards can riddle that thing in a minute; that is, if he could only see it. There is simply nothing to it."

Some other members of the Bureau of Standards also tried hard to induce some Members of the Congress not to support the House joint resolution concerning my work. They pretended, or sincerely intended, to save them from unavoidable ridicule and disgrace which would follow from the inevitable failure of my work. They argued that any hope cherished for the success of producing energy without expense is positively foredoomed to disappointment, for the reason that they assume to know definitely that my claim is contrary to the law of nature.

Prof. W. F. Durand, too expressed more than once that he has the same conviction about my work. If my claim be realized, then he would say "nature reversed herself."

These well-known gentlemen, having occupied great positions in the service of the Government, would not, under any circumstances, express such an opinion of my work if there ever existed such a thing hitherto. Gentlemen in such positions and standing are well conversant and qualified to know of such a thing being in operation. Then, when I demonstrate practically my work and verify my claim beyond any possible cavil, I believe it will be the judgment of Congress, as well as of every intelligent man, that I am entitled to be at least legally recognized as the first and original discoverer or inventor thereof.

Furthermore, ever since last June the papers of the country have given wide publicity to this matter, yet not one of them came forward and reported the operation of such a thing. On the contrary, almost all of them behaved themselves very cautiously, and some of them openly ridiculed my claim, considering it a matter of impossibility.

At the same time I believe there is nothing in the records of the Patent Office of any patent issued to anyone which is practically performing the task that I claim my work is inherently destined to do. Therefore it is inconceivable that our Congress or Government will not in advance recognize my work as the only first and original discovery or invention, if it can fulfill the promised accomplishment.

Then, in the absence of real inventors in question, or if no man can fulfill the desire of our Government and the demand of the country, as well as of all the civilized world, for costless motive power, it is reasonable that I should be recognized in advance as the original inventor of my work, if I can successfully demonstrate it as authorized.

When any inventor applies for a patent, always and invariably the proper official of the Government in that line will search, as his duty, for evidence and decide whether that device is patentable or not. If the invention is patentable that means that the same kind of device is not already patented and is not in public operation or practical use. Then a patentee will be automatically and legally recognized as the first and original discoverer or inventor of the work in question. I sincerely expect that the same practice or rule will be applied to my work also in some different measure.

I wish that the Government and the public as well should be the judicial tribunal to conclude as to the originality of my work prior to the verification of my claim as designed. Thus I expect that the scientific commission's finding will include the originality of the work under the instructions of the Government given beforehand. Then nobody can, at least morally, challenge and charge the commission with partiality, favoritism, etc., in rendering their certificate and thus obscure my achievement.

I can not believe that the spirit of our Congress will tolerate or forgive that I should divulge the secret of my work to any person or commission so long as there exists a legal opportunity by which infringers can drag me into court in order to contest the originality of my work, or so long as there may be the faintest possibility that my work may be the prey of patent sharks, or that infringers may have a legal loophole to pounce upon me and to snatch the fruit of my lifelong struggle.

I am at the disposal of our Government at any time. If I may be commanded to select the authorized commission I am willing to do so when I am notified and given legal, unequivocal, and tangible assurance that I will be recognized as the original discoverer of my work as prescribed above. It is inconceivable that our Congress will tolerate the delay of the advent of this work on account of the fantastic claims or palmistic phraseology of willful obstructors and impostors.

Nor would I myself procrastinate for a single hour, because I realize and admit that the postponement or withholding of this matter from the public, or at least from our Government, is the most heinous offense against our most sacred interests. I realize also that it is unforgiveable to delay the advent of this matter and sacrifice it to formality, particularity, etc. Because it is qualified to be a decisive factor to shorten this war, it is undoubtedly a hideous crime against distressed warring nations to quibble on this matter and to become almost hysterically particular about the arrangement for its advent.

Undoubtedly the United States Congress and any personalities interested more or less in this matter will expect to hear at the earliest moment possible about the formation of the authorized commission, its procedure, and verdict. If any delay may happen in this respect it must not be attributed to the lack of my desire to act, but to my failure to receive the requisite assurance from the proper authorities of our Government.

I am going to write instantly in this respect to the Secretary of the Interior. It is my positive belief beyond any shadow of doubt that the Secretary of the Interior will do, as soon as practicable, all in his power for the fulfillment of the requisite legal assurance in question.

I beg, respectfully, that you would kindly submit this memorandum to the attention of our national Representatives, with the conveyance of my hearty appreciation and grateful thanks for their generous attitude concerning my work. I have the honor to remain,

Yours, very respectfully,

GARABED T. K. GIRAGOSSIAN.

FEBRUARY 11, 1918.

RELIEF OF MAIL CONTRACTOR.

Mr. BORLAND. Mr. Speaker, I rise to ask if the Chair will recognize me in the absence of the gentleman from Tennessee [Mr. MOON] to ask unanimous consent to take from the Speaker's table the bill S. 3689, and ask for the passage of the same.

The SPEAKER. The gentleman from Missouri [Mr. BORLAND] asks unanimous consent to take from the Speaker's table——

Mr. GREENE of Massachusetts. Reserving the right to object, I would like to know what the bill is.

Mr. BORLAND. It is a bill, Mr. Speaker, that was passed by the Senate to relieve a mail contractor who has been carrying the screen-wagon service at a loss on account of the fact of having taken the contract some time before the war. And this bill gives the Postmaster General the right to readjust the contract with him so that they can go ahead with the service.

Mr. MADDEN. Reserving the right to object, I wish to say there is a bill under consideration in the committee in which there is a provision authorizing the Postmaster General to inquire into cases similar to the one mentioned in this bill, and to adjust the differences that may appeal to him as worthy of adjustment. And since that bill is pending the result of the consideration by the committee, I object.

Mr. BORLAND. I ask that the gentleman withhold his objection a minute. This bill has passed the Senate, and the passage of it at this time will stop the trouble that will go on from day to day.

The SPEAKER. Does the gentleman from Illinois [Mr. MADDEN] withdraw his objection?

Mr. MADDEN. No, sir.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 12, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to authorize temporary increased rank and pay for certain officers of the United States Coast Guard while operating as a part of the Navy during the period of the present war (H. Doc. No. 928); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of Commerce, submitting a supplemental estimate of appropriation required by the Bureau of Standards for standardizing and designing sugar-testing apparatus, fiscal year 1918 (H. Doc. No. 929); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the resolution (H. J. Res. 228) to provide notification of illness of soldier, reported the same with amendment, accompanied by a report (No. 300), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PADGETT: A bill (H. R. 9747) to provide temporary increased rank for officers of the United States Coast Guard while operating as a part of the Navy during the period of the present war, and for other purpose; to the Committee on Naval Affairs.

By Mr. DARROW (by request): A bill (H. R. 9748) to regulate the mode of bringing the record and proceedings before the Supreme Court or other reviewing court of the United States in proceedings for obtaining the review of the orders, decrees, and judgments of Federal and State courts; to the Committee on the Judiciary.

By Mr. VAN DYKE: A bill (H. R. 9749) for the purpose of preserving life at sea, and for other purposes; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 9750) to amend sections 10 and 37 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. FERRIS: A bill (H. R. 9751) validating certain applications for and entries of public lands, and for other purposes; to the Committee on the Public Lands.

By Mr. DILLON: A bill (H. R. 9752) to provide for rediscounting of certain county bonds by Federal reserve banks; to the Committee on Banking and Currency.

By Mr. FLOOD: A bill (H. R. 9753) to provide for the maintenance of the United States section of the International High Commission; to the Committee on Foreign Affairs.

By Mr. SULZER: A bill (H. R. 9754) to authorize the incorporated town of Seward, Alaska, to issue bonds in any sum not exceeding $25,000 for the purpose of constructing dikes, flumes, and other protection to confine the waters of Lowell Creek within said town; to the Committee on the Territories.

Also, a bill (H. R. 9755) to grant title to the town of Petersburg, Alaska, of lands occupied for school purposes, and for other purposes; to the Committee on the Public Lands.

By Mr. PORTER: Resolution (H. Res. 247) for the investigation of the failure of the War Department to have identification tags on soldiers lost on the *Tuscania;* to the Committee on Military Affairs.

By Mr. DILLON: Joint resolution (H. J. Res. 241) to provide means for making certain Indians more competent in the administration of their affairs; to the Committee on Indian Affairs.

By Mr. KITCHIN: Concurrent resolution (H. Con. Res. 36) to print 500,000 copies of the war excess-profits tax regulations, No. 41; to the Committee on Printing.

Also, concurrent resolution (H. Con. Res. 37) to print 500,000 copies of the income-tax regulations, No. 33; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHANDLER of Oklahoma: A bill (H. R. 9756) granting an increase of pension to William M. Simms; to the Committee on Pensions.

Also, a bill (H. R. 9757) granting an increase of pension to Van Stuart; to the Committee on Invalid Pensions.

By Mr. CLASSON: A bill (H. R. 9758) for the placing of certain names upon the roll of the Menominee Tribe of Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. CONNELLY of Kansas: A bill (H. R. 9759) granting an increase of pension to Simeon D. Chelf; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 9760) granting a pension to William Leishing; to the Committee on Pensions.

By Mr. McCLINTIC: A bill (H. R. 9761) granting an increase of pension to William T. Leach; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 9762) granting an increase of pension to Leon P. Chesley; to the Committee on Invalid Pensions.

By Mr. McKEOWN: A bill (H. R. 9763) granting an increase of pension to John Megehee; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 9764) granting a pension to Eliza Fought; to the Committee on Pensions.

By Mr. MUDD: A bill (H. R. 9765) granting a pension to Fred Hutsler; to the Committee on Pensions.

By Mr. POLK: A bill (H. R. 9766) granting a pension to Mary Vogel; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 9767) granting an increase of pension to Pollard Appleby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9768) granting an increase of pension to Joseph A. Parrett; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 9769) granting a pension to Harriet J. Lawrence; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9770) granting a pension to Ruth R. Herrman; to the Committee on Pensions.

Also, a bill (H. R. 9771) granting an increase of pension to George Dempsey; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9772) granting an increase of pension to William E. Sartin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9773) granting an increase of pension to William D. Bunch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9774) granting a pension to Mary J. McGuire; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 9775) for the relief of the estate of John Stewart, deceased; to the Committee on Claims.

By Mr. SEARS: A bill (H. R. 9776) granting a pension to Ephriam P. Golden; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 9777) granting a pension to Minnie L. Cahill; to the Committee on Pensions.

Also, a bill (H. R. 9778) granting a pension to Ambrose C. Waldsmith; to the Committee on Pensions.

Also, a bill (H. R. 9779) granting an increase of pension to Joseph Wagoner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9780) granting an increase of pension to William F. Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9781) granting an increase of pension to William H. Thoms; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 9782) granting an increase of pension to William H. Mullen; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CLARK of Pennsylvania: Petition of Edward Heuer; M. E. Groat; Hon. M. Liebel, jr.; L. Ray Sedelmeyer; August Wittman; F. E. Pelow; and Bernard Cochran, praying for the passage of House bill 7995, for the preservation of the *Niagara*, Commodore Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. DALE of New York: Resolution of the Chamber of Commerce of the State of New York, favoring Senator Calder's amendment to House bill 7237; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Resolutions of the Association of Lithuanian Patriots, asserting the confidence in the administration and asking that the independence of Lithuania be recognized; to the Committee on Foreign Affairs.

Also, petition of Frank S. Becker, Philadelphia, Pa., urging the passage of the Keating bill, House bill 7356, and favoring the creation of a civil-service court of appeals; to the Committee on Appropriations.

Also, memorial of the Baraboo Commercial Association, Baraboo, Wis., favoring House bill 9414, increasing salaries of postal employees; to the Committee on the Post Office and Post Roads.

By Mr. GALLIVAN: Petition of Emmanual Barnes and 42 other citizens of Massachusetts, urging the passage of the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. HILLIARD: Papers in support of House bill 8657, for the relief of Richard A. Schwab; to the Committee on Claims.

Also, papers in support of House bill 8318, granting an increase of pension to James Gallagher; to the Committee on Invalid Pensions.

Also, resolutions adopted by Chamber of Commerce of Grand Junction, Colo., urging that the Colorado Midland and Denver & Rio Grande Railroads be made subject to Government control; to the Committee on Interstate and Foreign Commerce.

Also, resolutions adopted by the Longmont (Colo.) Farmers' Institute, urging that legislation be enacted that will enable the Food Administration to regulate the price paid to growers for sugar beets; to the Committee on Agriculture.

Also, resolutions adopted by the Colorado Springs (Colo.) Chamber of Commerce, indorsing the Walsh-Pittman leasing bill; to the Committee on the Public Lands.

Also, resolutions adopted by Silver State Lodge, No. 30, urging the Congress to refrain from action on legislation designed to place men engaged in transportation service under Federal workmen's compensation; to the Committee on Labor.

Also, letter from F. N. Crocker, of Denver, Colo., urging the passage of House bill 9414; to the Committee on the Post Office and Post Roads.

Also, resolutions adopted by the Pueblo Commerce Club, of Pueblo, Colo., urging the passage of House bills 1654 and 7356; to the Committee on the Post Office and Post Roads.

Also, letter from Leslie E. Hubbard, attorney general of the State of Colorado, indorsing Senate bill 18, providing for a department of education; to the Committee on Educaion.

Also, resolutions adopted by the Entre Nous Club, of Longmont, Colo., urging the repeal of that section of the war-revenue act providing for increased postage rates on periodicals; to the Committee on Ways and Means.

Also, petition of C. H. Arbenz, of Denver, Colo., urging the admittance of osteopathic physicians to the medical corps of the Army; to the Committee on Military Affairs.

Also, petition of Daughters of Veterans, Department of Colorado and Wyoming, urging that Government aid be extended to blind Veterans of the Civil War; to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: Resolution of the Jacksonville (Fla.) Chamber of Commerce, urging Government improvement of the Florida Coast Line Canal; to the Committee on Rivers and Harbors.

By Mr. RAKER: Memorial of Mrs. E. A. Fotheringham, secretary, urging the repeal of the zone system; to the Committee on Ways and Means.

Also, resolution of the Mineola Tribe, No. 244, Improved Order of Red Men, urging the elimination of banquets and suppers by fraternal societies of the United States as a means of food conservation; to the Committee on Agriculture.

By Mr. ROGERS: Resolutions of the United Irish Catholic Societies, of Lowell, Mass., pledging loyalty to the President, asking that Ireland may be made politically independent, and thanking Miss Rankin for her efforts in behalf of the Irish; to the Committee on Foreign Affairs.

SENATE.

TUESDAY, *February 12, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we know that our greatest issues are before Thy Court, and that nothing that we can settle in this world will be settled right or settled at all until they are brought into harmony with Thy will, until they express Thy purpose in human government and in human life. So we ask Thee to guide us in the discharge of our most sacred and terrible duties as we face the issues of this day and of the days that are to come. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. JAMES and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. ASHURST. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the merce.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Cummins	Gronna	Jones, N. Mex.
Bankhead	Curtis	Hardwick	Jones, Wash.
Beckham	Dillingham	Henderson	Kellogg
Borah	Fernald	James	Kenyon
Colt	France	Johnson, Cal.	King
Culberson	Gerry	Johnson, S. Dak.	Kirby

Lewis	Overman	Sherman	Thomas
McCumber	Page	Smith, Ariz.	Thompson
McKellar	Pittman	Smith, Md.	Tillman
McLean	Poindexter	Smith, Mich.	Trammell
McNary	Pomerene	Smith, S. C.	Underwood
Martin	Ransdell	Smoot	Watson
Nelson	Robinson	Sterling	Weeks
New	Saulsbury	Stone	Wolcott
Norris	Shafroth	Sutherland	
Nugent	Sheppard	Swanson	

Mr. CURTIS. I was requested to announce the absence of the senior Senator from Wisconsin [Mr. LA FOLLETTE] on account of illness in his family. I will let this announcement stand for the day.

Mr. SUTHERLAND. I desire to announce the absence from the Chamber of the senior Senator from Oregon [Mr. CHAMBERLAIN] on account of official business in the Committee on Military Affairs.

I desire also to announce the absence of my colleague [Mr. GOFF] on account of illness.

The PRESIDENT pro tempore. Sixty-two Senators have answered to their names. There is a quorum present.

AMERICA AND HER NATIONAL DEFENSE.

Mr. JAMES. Mr. President, I desire to give notice that on Thursday next, after the conclusion of the usual routine morning business, I hope to have the privilege of addressing the Senate upon America and her national defense.

WAR CABINET AND DIRECTOR OF MUNITIONS.

Mr. WEEKS. Mr. President, I should like to give notice that on Friday next, after the completion of the morning business, if other business does not prevent, I shall hope to address the Senate on the subject of the legislation proposed by the Committee on Military Affairs known as the war cabinet and the director of munitions bills.

LIST OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting a list of causes referred to the Court of Claims by the United States Senate and dismissed by the court December, 1917, on motion of defendants for nonprosecution, which was referred to the Committee on Claims.

PETITIONS AND MEMORIALS.

Mr. TILLMAN. I send to the desk a petition which I ask may be inserted in the RECORD without reading.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

CHARLESTON, S. C., *February 7, 1918.*

Hon. B. R. TILLMAN,
United States Senate, Washington, D. C.

DEAR SIR: The following resolutions were adopted at meeting held under the auspices of the First Congressional District Branch of the South Carolina Branch of the National Woman's Party.

Resolved, That this meeting call upon President Wilson and the Democratic administration to give effective support to the national suffrage amendment by making it an administration measure and securing its passage in this session of Congress: Be it also

Resolved, That this meeting call upon the Senate of the United States to pass at once the Federal amendment: Be it also

Resolved, That this resolution be sent to the President; Vice President; Senator THOMAS MARTIN, Democratic leader of the Senate; Senator JACOB H. GALLINGER, Republican leader of the Senate, and to our Senators.

Respectfully,
First Congressional District Branch of the South Carolina Branch National Woman's Party, Susan P. Frost, chairman; Rachel Whaley Hanckel, corresponding secretary.

Mr. POINDEXTER. I present a memorial from the Legisltive Federation of King County, Wash., and ask that it be printed in the RECORD.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

THE LEGISLATIVE FEDERATION OF KING COUNTY,
Seattle, Wash., February 5, 1918.

To the President and Congress of the United States:

The inclosed resolution was unanimously passed by the Legislative Federation of King County, at a regular meeting held February 4, 1918:

Resolved by the Legislative Federation of King County (representing some 15,000 women), In view of the existing war conditions, and as a matter of right and justice to all women, urges the unanimous passage of the Susan B. Anthony amendment, now before the Senate of the United States; be it further

Resolved, That copies of this resolution be sent to the President of the United States, to the Vice President, to the chairman of the Senate Suffrage Committee, and to the Senators from the Sate of Washington, who are requested to have the same read into the CONGRESSIONAL RECORD.

Signed, by order of Legislative Federation,
EMILY M. PETERS,
Chairman Federal Bills Committee.
ANNE B. STEWART.
L. ELLEN DAY.
ETTA BENSON.

Mr. PHELAN presented a petition of the State Rural Letter Carriers' Association, of Chula Vista, Cal., praying for an increase in the salaries of rural ietter carriers, which was referred to the Committee on Post Offices and Post Roads.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of South Dakota:

A bill (S. 3821) for the relief of Thomas E. Philips (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 3822) granting an increase of pension to William Mulloy (with accompanying papers); to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 3823) to provide temporary increased rank for officers of the United States Coast Guard while operating as a part of the Navy during the present war, and for other purposes; to the Committee on Naval Affairs.

By Mr. STERLING:

A bill (S. 3824) granting an increase of pension to Frederick Zimmerman (with accompanying papers); to the Committee on Pensions.

A joint resolution (S. J. Res. 131) authorizing the Secretary of the Interior to extend the time for the payment of annual installments on the purchase price for land in the Cheyenne River and Standing Rock Indian Reservations; to the Committee on Public Lands.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. McCUMBER submitted an amendment proposing to appropriate $676 to reimburse Benson County, N. Dak., for care of three insane Indians in the North Dakota State Insane Asylum, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

REGISTRATION FOR MILITARY SERVICE.

Mr. NEW submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 124) providing for the registration for military service of all male persons citizens of the United States or residing in the United States who have, since the 5th day of June, 1917, and on or before the day set for the registration by proclamation by the President, attained the age of 21 years, in accordance with such rules and regulations as the President may prescribe under the terms of the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," which was referred to the Committee on Military Affairs and ordered to be printed.

AGRICULTURE IN TIME OF WAR.

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the RECORD a series of resolutions adopted at a meeting in this city of representatives of 17 national farmers' organizations.

The PRESIDENT pro tempore. Is there objection?

Mr. SMITH of Arizona. I did not hear the request of the Senator from Oklahoma.

Mr. GORE. It is a request to print in the RECORD a series of resolutions adopted here in Washington last week by representatives of 17 national farmers' organizations.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

[Resolutions concerning a national policy for agriculture in time of war, adopted and presented to President Woodrow Wilson by the conference of farm organizations called for consideration of the farmers' relation to the national program for winning the war by the Federal Board of Farm Organizations and held in Washington, D. C., Feb. 6, 7, 8, and 9, 1918.]

WASHINGTON, D. C., *February 8, 1918.*

THE PRESIDENT:

Desiring earnestly to support and assist the Government of the United States in winning the war, we, representatives of the Federal Board of Farm Organizations and other farmers' organization, whose names will be found appended, including in all more than 3,000,000 organized farmers, have assembled in Washington to discuss ways and means for increasing the production of food at the coming harvest.

As set forth in the memorial of the Federal Board of Farm Organizations, submitted to you on January 22, 1918, a reduction in the amount of the coming crop is certain and unavoidable unless certain causes, all of them beyond the control of the farmers, are recognized and removed. We speak with all respect, but definitely, because we know the facts of our own knowledge, and because the time during which effective action can still be taken to increase the coming crop is short.

The chief obstacles which must be removed before the farmers of America can equal or surpass this year the crop of 1917 are:

1. Shortage of farm labor.
2. Shortage of seed, feed, fertilizers, farm implements, and other agricultural supplies.

3. Lack of reasonable credit.
4. Prices often below the cost of production.
5. The justified belief of the farmer that he is not regarded as a partner in the great enterprise of winning the war.

Farmers by themselves are powerless to remove these obstacles. Unless the Government grasps the vital seriousness of the situation and forthwith takes steps to help, a crop shortage is certain in spite of any and all things farmers can do to prevent it.

The Government, we understand, will spend some $4,000,000,000 to assist commercial enterprises to produce munitions of war. We approve of this action, recognizing that it is necessary. Assistance for food production in this crisis does not involve any such vast expenditure. But without such assistance, vigorously and promptly given, it will remain impossible for farmers to grow the crops required. The Government should not hesitate to assist in the production of one sort of supplies essential to win the war when it has already spent vast sums to assist in the production of others.

We deem it our duty to advise the Nation of these facts in order that the threatened danger may be minimized if not entirely prevented, and we respectfully suggest the following remedies:

1. As to labor, the parole of trained farm workers back to the farm, to remain there so long as their services are considered by the Government to be more useful in productive agriculture than in the Army. The last classification of registrants under the present selective draft, we are informed, is not being uniformly enforced, and in particular we understand that skilled farm workers, farm foremen, and bona fide farmers are being placed in class 1. We ask for such an interpretation of the rule as will make such cases impossible. We welcome the assistance of all organizations that are helping to furnish labor in the production of food, and we believe that their services should be employed as fully as possible.

We ask for such interpretation of the selective draft as will secure to the Nation the services of all of its citizenship where those services are of most value to the Nation, and for binding instructions to be issued to all boards to that effect. Especially do we ask that the definition of a skilled farm laborer be a man who is actually engaged in productive agriculture, and is supporting himself in it, without regard to college or university training

2. As to farm supplies, provision should be made for furnishing to producing farmers who need them such seeds, feeds, fertilizers, and farm machinery at cost as may be actually necessary to maintain their production or to increase it within practicable limits. We urge the transportation of farm products and supplies by the most economic routes and the prompt movement of perishable crops in their season.

We urge that in carrying out the measures to win the war farmers' cooperative societies be given the same consideration that is given to other commercial organizations.

3. As to credit, steps should be taken by the Government to promote aggressively and in all practicable ways short-time loans to farmers for the purpose of financing the production of crops.

4. As to prices, should the policy of price control prevail, then we ask that it shall be applied as much to what the farmer buys as to what he sells, to the end that consumer and producer be protected from exploitation.

5. As to representation, we recommend the immediate appointment of a farm commission, to consist preferably of nine farmers actually engaged in the business, to be selected by the President from men representative of and satisfactory to the great farm organizations of America, and to report directly to him on all questions that affect the increase of agricultural production and distribution. Such a commission should be authorized to secure information from all Government sources, and all departments of the Government should be instructed to cooperate with it. It should be in uninterrupted session at the city of Washington, and provision should be made for necessary quarters and expenses by Federal action. The commission should be required, as its first task, to report at once upon all matters necessary in the immediate execution of recommendations Nos. 1 to 4 above.

Such a commission is needed first of all to give to the farmers of America a sense of partnership in the conduct of the war to which they have a right. The occasional consultation with farmers called to Washington or the occasional appointment of a farmer to a subordinate place does not amount to fitting participation in the conduct of the war on the part of one-third of the population of the United States, and all the more when that third produces the one form of supplies which is the most essential.

This plan would be in harmony with the procedure already adopted by the Government in other essential industries. The creation of such a commission would convince all farmers that their viewpoint was fully represented in Washington and always accessible to the President, and would inspire and encourage them as nothing else could.

Immediate and vigorous action is imperative.

FARMERS' ORGANIZATIONS WHICH PARTICIPATED IN CONFERENCE HELD IN WASHINGTON, D. C., FEBRUARY 6, 7, 8, 9, 1918.

Dr. H. Q. Alexander, Matthews, N. C., State president North Carolina Farmers' Union.
J. T. Anthony, Chestertown, Md., chairman executive committee, Maryland State Grange.
S. C. Armstrong, 517 Arctic Building, Seattle, Wash., Washington Farmers' Union.
T. C. Atkinson, Buffalo, W. Va., secretary legislative committee, National Grange.
C. S. Barrett, Lake Como, Fla., Farmers' Union.
Elwood Bolduston, Colora, Md., secretary Cecil Farmers' Club.
C. W. Booth, route 1, Nezperce, Idaho, Tri-State Terminal Co.
R. F. Bower, Campbell, Va., director Farmers' Union.
George H. Bowles, Lynchburg, Va., secretary Farmers' Union.
Fred Brenckman, Weatherly, Pa., legislative agent Pennsylvania State Grange.
E. A. Calvin, Houston, Tex., Cotton Growing States Official Marketing Board.
W. A. Cochel, Manhattan, Kans., Kansas State Agricultural College, Kansas State Live Stock Association, Kansas Improved Live Stock Breeders' Association.
Edwin T. Coman, 1827 West Ninth Avenue, Spokane, Wash., Grange and Farmers' Union.
R. D. Cooper, 110 West Fortieth Street, New York City, vice president National Milk Producers' Federation, president Dairymen's League.
E. R. Danielson, Lincoln, Nebr., State Board of Agriculture.
R. E. Darling, Bridgeport, Wash., Farmers' Union.
Gabriel Davidson, 174 Second Avenue, New York City, manager Jewish Agricultural and Industrial Aid Society.
A. C. Davis, Gravette, Ark., national secretary Farmers' Union.
William B. Davis, Cecilton, Md., Cecilton Community Club.
R. M. Day, Washington, Pa., legislative committee, Pennsylvania State Grange.
C. H. Dildine, Orangeville, Pa., executive committee, Pennsylvania State Grange.
O. E. Dornblaser, Cleburne, Tex., National Board of Directors of Farmers' Union.
A. A. Elmore, Cœur Value Hotel, Spokane, Wash., president Farmers' Union.
Oscar Erf, dairy department Ohio State University, Columbus, Ohio; Ohio State Dairyman's Association; Ohio Jersey Cattle Club; Ohio Holstein Association; Ohio Guernsey Club; Ayrshire Cattle Association.
C. H. Everett, Racine, Wis., Wisconsin Agriculturist.
Andrew L. Felker, State House, Concord, N. H., State Department of Agriculture.
M. C. Gaulke, Thompson, N. Dak., secretary Farmers' Grain Dealers' Association.
Charles Graff, Bancroft, Nebr., president Nebraska Improved Live Stock Breeders' Association.
George P. Grout, Duluth, Minn., president Minnesota State Dairymen's Association, member Minnesota State Guernsey Association, Minnesota Live Stock Breeders' Association, National Guernsey Association.
Dwight B. Heard, Phoenix, Ariz., member market committee, American National Live Stock Association; chairman Arizona State Council of Defense.
Charles W. Holman, Madison, Wis., National Conference on Marketing and Farm Credits.
C. H. Hyde, Alva, Okla., chairman farm labor and agricultural committee, Oklahoma State Council of Defense.
H. W. Ingersoll, Elyria, Ohio, president Ohio Dairymen's Association, president Ohio Milk Producers' Association.
Robert Irwin, Telstad, Mont., State Executive Board Farmers' Union.
E. Nelson James, Rising Sun, Md., president Rising Sun Milk Producers' Protective Association, director Interstate Milk Producers' Association.
E. F. Kelly, El Reno, Okla., Oklahoma State Board of Agriculture, Farmers' Union.
J. H. Kimble, Port Deposit, Md., president Farmers' National Congress.
A. L. King, Omro, Wis., president Wisconsin State Grange.
J. S. Kiemgard, Pullman, Wash., Washington and Idaho State Grange.
C. Larsen, State College, Brookings, S. Dak., South Dakota State Dairymen's Association.
Ed. C. Lasater, Falfurias, Tex., Falfurias Dairymen's Association.
George C. Leach, Aberdeen, N. C., North Carolina Farmers' Union, managing editor Farmers' Union Bulletin.
Charles A. Lyman, 340 Washington Building, Madison, Wis., general organizer N. A. O. S.; Wisconsin State Union, American Society of Equity.
Maurice McAuliffe, Salina, Kans., president Kansas Farmers' Union.
George McKelvey, Columbus Junction, Iowa, State organizer Iowa Farmers' Union.
Allan E. McLean, Bridgeport, Wash., county vice president Farmers' Union.
Ed. W. McNamara, Winfield, N. Y., Farm Bureau and Dairymen's League.
John A. McSparran, Furniss, Pa., master Pennsylvania State Grange.
Allan D. Miller, Susquehanna, Pa., legislative committee, Pennsylvania State Grange.
John D. Miller, Susquehanna, Pa., director Dairymen's League; executive committee, National Milk Producers' Federation.
J. H. Minch, Chalmers, Ind., president Indiana Farmers' Grain Dealers' Association.
C. H. Morris, North East, Md., Cecil County Farmers' Club.
W. J. Mozley, Dickinson, N. Dak., Farmers' Union; member State Council of Defense.
M. D. Munn, St. Paul, Minn., president American Jersey Cattle Club, Twin City Milk Producers' Association.
C. W. Nelson, Arctic Building, Seattle, Wash., Tri-State Terminal Co.
J. F. Niccolls, Winfield, Iowa, chairman State Executive Board, Iowa Farmers' Union.
J. J. Owen, State Department of Agriculture, Richmond, Va., Farmers' Union.
Gifford Pinchot, Milford, Pa., president Pennsylvania Rural Progress Association.
Joseph W. Pincus, 174 Second Avenue, New York City, secretary Federation of Jewish Farmers of America.
C. C. Price, Warwick, Md., Cecilton Community Club.
John R. H. Price, Warwick, Md., Cecilton Community Club.
Max Reiberg, Cullman, Ala.
Harris A. Reynolds, 4 Joy Street, Boston, Mass., secretary Massachusetts Forestry Association.
C. D. Richardson, West Brookfield, Mass., executive committee State Grange.
S. W. Ricords, Farmer, S. Dak., president South Dakota Farmers' Union.
Fred A. Rogers, Meriden, N. H., master State Grange.
J. G. Sanders, State Capitol, Harrisburg, Pa., secretary National Horticultural Inspectors' Association.
R. J. Schaefer, Appleton, Wis., Grange No. 225 of Wisconsin, board of directors Wisconsin State Holstein Association.
G. C. Sevey, Springfield, Mass., Massachusetts Food Production Commission, editor New England Homestead.
J. L. Shepard, Greensboro, Fla., president Florida Farmers' Union.
Mabel Shepard, Greensboro, Fla., secretary-treasurer Florida Farmers' Union.
J. W. Shorthill, York, Nebr., secretary National Council of Farmers' Cooperative Associations.
John A. Simpson, Weatherford, Okla., president Oklahoma Farmers' Union, president State Presidents' Association of Farmers' Union.
Leslie R. Smith, Hadley, Mass., master Massachusetts State Grange.
A. M. Spotts, Rising Sun, Md., Cecil County Farmers' Club.
R. J. Stephens, 1011 Rankin Building, Spokane, Wash., Farmers' Union and Grange of Washington, Oregon, and Idaho.
S. L. Stewart, Newburg, N. Y., executive committee Certified Milk Producers' Association of America.
H. E. Stockbridge, Atlanta, Ga., Farmers' National Congress.
E. M. Sweitzer, Shippenville, Pa., Farmers' Society of Equity.
A. V. Swift, Baker, Oreg., national vice president Farmers' Union.
L. J. Taber, Barnesville, Ohio, master Ohio State Grange.
J. M. Templeton, Cary, N. C., vice president North Carolina Farmers' Union.
T. W. Tomlinson, 515 Cooper Building, Denver, Colo., secretary American Live Stock Association.
E. J. Tuttle, Wellsboro, Pa., legislative committee, Pennsylvania State Grange.

Harvey Walker, Wilmington, Del., executive committee, Delaware State Grange.
James D. Weaver, Dawson, Ga., vice president Georgia Farmers' Union.
M. H. Welling, Tremonton, Utah, Farmers' Cash Union, Farmers' Society of Equity.
Wilfrid Wheeler, 136 State House, Boston, Mass., secretary State Board of Agriculture.
Frank B. White, 76 West Monroe Street, Chicago, Ill., Agricultural Publishers' Association.
Charles McCarthy, Madison, Wis., director National Agricultural Organization Society.

CABLEGRAMS BETWEEN MEXICO CITY AND BERLIN.

Mr. SHERMAN. Mr. President, I have prepared a statement which I ask may be printed in the RECORD, together with a copy of certain cablegrams between Carranza and the Kaiser.

Mr. SMITH of Michigan. I should like to have it read.

Mr. SHERMAN. I have no objection. I ask unanimous consent, then, that it be read by the Secretary.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

"Señor Carranza, by grace of the United States Government titular head of a more or less de facto Government of Mexico, by press reports recently congratulated the Kaiser on his birthday. The President of Mexico expressed his best wishes for the personal happiness of the Kaiser, whose savagery on land and sea have made his name and nation as execrated as the Turk. Emperor William by cable acknowledged the gracious message from our neighbor and took occasion again to refer to his direct and personal responsibility to the Deity, including submarines and practices in Belgium. He referred feelingly to the intimate relationship between Señor Carranza and his own helmeted self. Just how intimate this relationship may be arouses more than idle curiosity if we remember that the allies bought 60,000,000 barrels of oil from Mexico last year, part of which came to the United States.

"More than mere languid comment is provoked by reading the newspapers of Mexico City the morning of the publication of Carranza's message. They give on the front page in display-type headings the auspicious event with a picture of H. von Eckhardt conspicuously near the exchange of congratulations between the Kaiser and Carranza. The proximity of the picture and Carranza's message is unfortunate, because President Carranza expresses his best wishes for the prosperity of the Kaiser's great friendly nation. How his prosperity may be promoted by our winning the war is a pertinent inquiry, especially when the Kaiser fervently asks that the intimate relationship between them shall be so deepened and strengthened that it may result in a victorious peace. Such a peace is full of sinister menace for this country. I am moved to wish to do more than practice watchful waiting in view of the felicitations so recently exchanged between those two distinguished worthies. I subjoin the messages and ask that they be printed in full:"

"WARM BIRTHDAY MESSAGE REVEALS FEELINGS OF MEXICO'S CHIEF.

"LONDON, *Feburary 6.*

"Venustiano Carranza, President of Mexico, sent a fulsome birthday message to Emperor William of Germany recently, according to Reuter's (Ltd.). President Carranza in this message said:

"'To your majesty, who celebrates his anniversary to-day with just cause for rejoicing, I have the honor to send my most cordial congratulations, and am pleased to express to you my best wishes for your personal happiness and that of your august family, as well as for the prosperity of your great friendly nation.'

"GREETINGS FROM PRUSSIAN DIET.

"AMSTERDAM, *February 6.*

"Replying to the birthday greetings sent him by the President of the upper house of the Prussian Diet, Emperor William sent the following by telegraph:

"'The intimate union of the Crown and the people, which I received as a sacred heritage from my fathers, dates from the hard times by which Prussia was trained for its world historic mission.

"'May these hard years of strenuousness, which I feel more deeply in consequence of the responsibility placed upon me by God, strengthen and deepen this intimate relationship, so that it may stand the test in the battles which still lie before us and in the great tasks which, after a victorious peace, we shall have to fulfill in an altered world.'"

Mr. BORAH. Mr. President, I do not understand just the object of having it read to the Senate.

Mr. SHERMAN. The object is to show that the policy of watchful waiting on the titular head of Mexico probably might not be applicable now. There were 60,000,000 barrels of oil taken out of Mexico by our allies last year, and, with these friendly congratulations on the birthday of the head of the German Government, I was disposed to think that the attention of the Senate as well as of the public ought to be called to these congratulatory messages.

Mr. SMITH of Michigan. It discloses a friendly feeling on the part of the Mexican Government toward the United States in our international difficulties! It shows the true feeling of Carranza in the present crisis and warns us to beware of his disposition to aid the archenemy of mankind in its effort to subjugate free people to its autocratic rule.

Mr. BORAH. I am not going to object; it has already been read. I only want to say that what these gentlemen say to one another is of no concern whatever to the Senate at this time.

Mr. SHERMAN. I think it is.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on February 11, 1918, approved and signed the following acts:

S. 3081. An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri; and

S. 3006. An act to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes.

The PRESIDENT pro tempore. If there be no further routine business, the morning business is closed.

ANNIVERSARY OF BIRTHDAY OF ABRAHAM LINCOLN—OBSERVATIONS ON THE DEMOCRACY OF ABRAHAM LINCOLN AND THE EXTENSION OF IT BY WOODROW WILSON TO THE WORLD—AMERICA'S INFLUENCE ON THE GOVERNMENTS OF EARTH—THE DEFINING OF THE PARTICULAR FORM OF DEMOCRACY AMERICA IS FIGHTING TO ESTABLISH.

Mr. LEWIS. Mr. President, pursuant to a notice I gave yesterday, I find it agreeable to avail myself of the day, under the arrangement of the Senate, to present something that might be termed a treatise upon the course of democracy and its advance in the world as influenced by America. I do this, sir, under ægis of the birthday of Abraham Lincoln, an occasion which we dwell upon with delight and memorialize with pride. Mr. President, I am just informed that I will be followed this morning by the eminent senior Senator from Minnesota [Mr. NELSON], who, I understand, expects to address himself to the personal life of the distinguished dead patriot. I will omit much of the subject of biography, knowing it will be dealt with in all the delicacy and finish that such phase of the subject could demand. For myself, Mr. President, I take the liberty, I may say, to impose somewhat upon the generosity of this body to present some thoughts that partake rather of the philosophy of government than obituary of the hero.

Mr. President, but for the circumstances surrounding us at this time I would not impose upon the hour to the extent I feel the present occasion justifies.

With the Senate's consent I submit on the natal day of Abraham Lincoln some views on the things for which he stood and for which America with Woodrow Wilson fights.

The faithful Judean on the festal day of his prophets turns his face to Jerusalem and dreams upon Jehovah.

The oriental, salaaming to the sun, cries out through the muezzin his Allah be praised.

America, worshiping the God of her fathers, turns upon each national memorial day to the memory of God's noblest offerings to man—America's blessed patriots.

Among the calendar days set aside for reverence by America's children is this, the 12th of February—the birthday of Abraham Lincoln—Illinois's greatest gift to civilization. Here in this Senate we offer up our tribute of memory and worship of virtue in commemorating Abraham Lincoln, the apostle of the liberty of man and the standard bearer of democracy to the world.

Sir, here for a moment we pause to reflect on the meaning of the word democracy as the world now knows it. Bacon, in Novum Organum, refers to the confusion made by not giving accurate import to words and to their understood meaning. Says the philosopher—

Men imagine that reason governs words, when in fact words react on the understanding. * * *

The solemn disputes of learned men about words and meaning have rendered philosophy inactive. It were better, says Bacon—

to proceed advisedly in the first instances and bring such disputes to a regular issue by a definition wholly expressed and clearly understandable.

The democracy implanted by Lincoln and advanced by Wilson is but the defining of nature's purpose to endow her mankind with equality of opportunity in all objects of life, to assure freedom of man in all pursuits of human existence, and to make sure full liberty to govern one's self by one's own will and to establish through the voice or vote of the people of any locality any form of government fitting to the needs of such people. This is the democracy heralded by Jefferson, established by Lincoln, and now forwarded by Wilson.

Mr. President, from the day when Thomas Jefferson inscribed in America's declaration of freedom that "All men are created equal" to the hour when Wilson cried out "Make the world safe for democracy," Liberty, the daughter of Democracy, has moved over the earth as an angel, lighting the housetops, shaking open the mountains, separating the hills, that all men may come forth from oppressed places to the valley of restoration and to the land of promise. Democracy is to-day justified of her children and Liberty is now vindicated by the progress of her sons.

It is in the United States of America that democracy has its hope for all future and republican government exhibits its success to inspire mankind. George Washington commanded his followers to the fight for freedom of man and liberty of nations. It was not opposition to England as a country or to kings as rulers that was the inspiration of the sacrifices of our Revolutionary heroes. It was against the system of persecution of man and oppression of country under the rule of kings that these sacred fathers pledged their lives, their property, and their sacred honor. In that contest America was triumphant and in her station as victor in the right and destroyer of the wrong she has become to be the envy of nations and the marvel of civilization. These United States stood sworn in presence of Heaven to keep this Republic the ideal of free governments and the model of triumphant democracy. Its object was to assure liberty to man, to provide justice to nations, and establish a refuge to oppressed mankind. This Nation has lived to fulfill the mission to which she was dedicated by her founders and to which she is pledged to her children. She is the first and to be the greatest free Republic of the earth. Full high against Heaven's outposts she tosses her banner as she trumpets her tribute to—

Flag of the free heart's hope and home
By angel hands to valor given,
Thy stars have lit the welkin dome,
And all thy hues were born in Heaven.

Forever float that standard sheet
Where stands the foe but falls before us,
With liberty's soil beneath our feet,
And freedom's banner waving o'er us.

Senators, no democracy was ever founded in any government of earth that did not have to fight to continue its existence or maintain its ideals. Hear Goethe proclaim to Prussia, "Those who have liberty must fight to keep it." The test of every free land that tries out its worthiness or unworthiness to exist as a government of freedom has been its willingness or refusal to fight and die for its faith. No government that has not exhibited a capacity to sacrifice all it has for the theory for which it was founded, and to prove its ability to protect and perpetuate the institutions it has created, has ever yet existed for a length of time sufficient to be recorded in history as having fostered liberty or transmitted democracy to men. No government has yet been accorded by civilization a place among the nations of the earth until it had first demonstrated its worthiness to administer justice by doing justice to itself, and then to prove its power in conflict to overcome its natural enemies, whether from within or without. Says Hegel:

The history of the world is not the theater of happiness—it is the arena of conflict as against a part of itself or to prove the worth of the whole of itself.

The first assault that is made on the establishment of liberty is from within. It comes from the conflict of ideals of government or from rivalry of aspiration of leaders for personal honors. With this storm weathered—this tide of internal sea beaten back or wooed by diplomacy and gentleness to silence—the next assault is of foes arising from without. This is the attack of those who from envy of success and achievement, or from fear of competition, seek to destroy the rising power to avoid the influence of its example, or to prevent the dethronement of autocracy through the privileges of liberty.

The Judean governments broke in sections upon form and ceremony of religious sacrifice, and turned to rend each other. Thus they were left as the prey to the assault from without. It came from Egypt, and the Jewish people wandered 40 years in bondage. Then, though restored, repeated their folly and were overcome by Rome, and Judea is a Province obeying Tiberius—

Greece for a season met her internal wars and repelled every uprising within and against ambition of leaders or conflict of ideals preserved her government as the Greece of Phidias and Pericles and the home of art and beauty sublime. But, enervated with ease, beguiled by riches, and decadent in morals, Greece became too selfish of her comforts to oppose the advance of the Macedonian Philip in his assault from without. The cry of Demosthenes, "On against Philip," the warnings of statesmen and patriots awakened no response. Greece, in the confidence which prosperity too often infuses, forgot patriotism and yielded to personal aggrandizement and fell before the advance of the foreign enemy and became a victim to world conquest.

In modern nations we need behold but two instances presenting examples opposing each other, but which serve as our lesson.

There was England. She bore and survived the revolution from within of Cromwell against the king, then in later days met the attack of Napoleon's legions from without. These she hurled back in defeat at Waterloo, and returned to her islands to enjoy what she hoped would be a peaceful growth of prosperity and democracy.

France gathered herself from the shattered places and defiled temples that had shuddered and fallen in the revolution against the Louis. But glorious as was the survival over herself, this France, confiding again to the allurement of royalty, became languid in her security and corrupted through internal conspiracies, and was no longer the France that rose above her revolutions. France, refusing to be awakened to her dangers, declined to be alert to the vigilance necessary to the preservation of liberty; France was assailed from without by those who were watching the hour when the indifference of France or her decadence could invite the conflict. The assault came from Imperial Prussia, and France endured the humiliation of crowning a German King in Versailles, the palace of French sovereigns. From this defeat France, though rising to a sublime height and restored once again to liberty, equality, and fraternity, is now embattered with every weapon of assault that brutality of war can devise, and this from without, and this again from the once successful Imperial Prussia—encouraged by one victory and its profits Prussia tries for another and its glory.

The United States—our land of promise to man—after overcoming every attack which tribulation could visit upon struggling freedom, sat herself down in peace and in happiness to enjoy the house of her fathers—when lo, she, too, must march the course of nations and endure the trials decreed upon liberty. She was beset from within, and from the conflict of ideas upon State's rights and national sovereignty, she was torn between the ambition of leaders, and was brought to the sacrifice by the spirit of secession—by the misguided zealots of one side and a disloyal selfishness of the other—would have prospered upon the Nation's divisions. Against these the faithful Union sons and the loyal southern patriots fought and endured, and despite every suffering and opposed by every secret conspiracy put afoot against her patriot President, who was tortured by every criticism, the sons of the Union persevered, and through the fidelity and sacrifice of her children—under the guidance of Heaven—the Union was preserved and this land transmitted to its people as the Republic of United States, invincible and immortal.

Yet she, too, our United States, must pass under the rod! For it is written in the sacred warning to nations, spoken through the Book of Luke, "For the days shall come upon thee that thine enemies shall cast a trench about thee and compass thee around and would keep thee in on every side." From without was destined the shock against us—from envy of our situation, from jealousy of our prowess, hatred was aroused in the heart of others and vengeance sworn upon an altar of swords. America's institutions of freedom, inspiring mankind to her example, and awakening oppressed lands to follow her course if they would know liberty, inflamed the souls of the royal rulers of Prussia with fear and fired them to war of destruction upon all that America stood for and was living for. This to Prussia was necessary that it might avoid American influence upon the hearts of the liberty-loving German people. It was to intercept this country in her march of progress and to defeat her purpose to overthrow governments of sword and scepter and establish in their stead as a rule of government the will of man, imperial Prussia struck us from without with a blow that has killed our children, murdered our sons, and imperiled this Nation.

This assault from without now puts us to the test before the world that every nation that has aspired to freedom has had to meet from despots who live by the belief of a divine right of kings, and which have ever assailed liberty since the light of freedom broke upon nations. The drowning of our commerce, the shattering of our ships, the killing of our women and children, and the murdering of our sons were but the stroke of the destined sword held in the hand of fate for America. It was the coming sure event ordered to test us that we may be proven if we are true, that we shall be tried if we are worthy to be free. It was to hold up to the world whether the heart of selfishness or the soul of patriotism controlled our course and directed our destiny. The question is put before the world, to be answered only by our conduct, asking if we are a people who to avoid personal inconvenience and commercial loss would deliver our sons to death under the blow of kings and surrender our land to the oppression of tyranny. All civilization watches from its towers. All humanity hangs in suspense upon our resolve. Freedom herself is to live or

die by the hour which America chooses. Time itself is asking of Creation: Shall America's resolve be democracy or death, or surrender and shame?—

Hark, freemen, what say ye to tyrant's taunt?

Well, here in this place we reply. We hear the blood-bespattered war lords of Prussia call to America to yield; to give her money, her property, and her honor to the demand of Germany for indemnities. We hear the Prussian military masters call upon America to fall to her knees in submission and surrender her holy birthright of liberty to the tyrant's demand and lie in dishonor at the foot of the conqueror. In response, in reply, in answer, we remind the blood-maddened Kaiser that even while yet young and weak, as against the attack of another kingly German—George of England—this people, then poor in possession yet rich in righteousness, defied this King and brought him to his surrender at Yorktown and established young America, free from kings and victorious against the assault of oppressors. In that hour America reaped the glory of immortality.

We will tell him of the days when with but a Navy of birch bark we met the force of imperious Napoleon, the war colossus of his time, and beat back the assault upon the freedom of our seas and established for our mankind the right to traverse and enjoy the oceans of God for all time. More, here and now we will remind the Kaiser and his legions of helmeted princes that when in sectional delirium our children turned upon their own families and would have consumed each other in internecine strife, leaving the Republic a severed skeleton of its once glorious self—Heaven, true to its guardianship of our people, after the point where valor and sacrifice had been wholly proven, stepped between and with celestial decree commanded the children to stack their arms of war and clasp each other in the arms of love. Yea, even as against our own will, this God of nations saved us for ourselves, that the judgment of time should be fulfilled—one united America, loyal to itself, faithful to God, to be the hope of oppressed nations and the salvation of a war-shattered world. It is these, where North, South, East, and West, in one phalanx, present arms to its Commander in Chief, the President of the United States salutes the flag of its Nation, and beholding the return of all its sons to their father's house, exclaims after the order of Philip to King John:

Now that her princes are come home again, come the three corners of the earth in arms, and we shall shock them. * * * For this America never did and never will lie at the proud foot of a conqueror.

We will tell the Kaiser—yea, and to all the despots of earth proclaim, that this united and blessed land is America—the one land of all earth, that in all its time, under the custody of God never knew defeat. It is this land that is yet to be saluted by kings and emperors as the invincible and triumphant United States of America!

Mr. President, here in our land our people stand horrified at the perfidy of the German war rulers, in their deceit and betrayal of mankind through the pretense of cry for peace. Our Nation beholds that Germany while advancing to the United States with the speech of a truce—and in effect bearing a flag of peace—and while the propositions of peace advanced by the President of the United States are suspended in the balance by the reply terms and counter offers of Germany, and while both are being weighed in the hearts of our people, and confidence in German professions of peace and good will to man is being extended by America, Germany, with the stealth of a hidden assassin, and with brutality of a savage, steals upon the ships carrying the boys of American mothers to a French port and shoots them to death, drowning them in the frozen seas, and leaving them helpless to perish in their agonies as they sank in the ocean reddened with their blood. And this while the assassin was appealing to the world for consideration and crying to America for a friendship that should suspend attack while terms of peace were under deliberation. Let the world now know that this treachery of assassins, this murder under the cover of Christian advance, this stroke in the dark that killed the sons of this Republic while the people were yielding to the prayer of Germany for consideration, for all time ended any confidence that may have been given any Prussian promises or Prussian pretenses of peace and honor. Whatever prospect there was held out for peace in the German offer is now shown to have been a deception and ruse to murder, and ends forever the hope of a peace until Germany is beaten to where she obeys the instincts of humanity through fear and yields peace and gives justice through being crushed to where she is powerless for treachery and forced by helplessness to seek the mercy of mankind. If there is an American who now can do else than sacrifice every possession and every life to vindicate his Nation, and give victory her cause, may his tongue that would speak against her cleave to the roof of his mouth and his hand that would be lifted for his country's enemies wither at his side.

The hour calls to America, "Forward, Americans, avenge the cowardly murder of your sons!"

Thus we will demonstrate that we can live through the second stage that is inevitable to all nations in its struggle for freedom and the fight for justice. That we can meet the assault from without and overcome it as we have that from within, and come forth stronger and nobler, tried and truer, sublime in fidelity and victory—the pride of civilization and the wonder of the world. We will show to the earth where the name of commonwealth is past and gone over three fractions of the groaning globe, that

Still one great clime—of freedom
Which their fathers fought for and
Bequeathed—a heritage of heart and hand
And proud distinction from each other land—
Still *one great clime*—in full and free defense
Yet rears her crest, unconquered and sublime.

Senators, let us review for the joy the contemplation affords those nations of the earth which from darkness were awakened to the light of hope by the star of our Republic. Let us refresh ourselves in the joyous memory of those people who have come to enjoy liberty by the guidance of the United States and who now know justice for humanity from the inspiration and the aid of this first, true Republic of all time:

There is South America. Each and all of her lands and divisions this day free from oppression and her people, once bowed under the yoke of kings and emperors, now free to govern themselves by their own voice, their own will, and fulfilling the destiny that America had decreed for the peoples of the world through her example and her assistance—liberty of man and justice of nations. The islands of the sea, from Cuba to the Philippines, rescued from the hands of the despot, where they once bled in agony and drenched their doorways with the streaming tears of their wailing people. They to-day shout the pæans of liberty, their people walk with heads erect, no longer slaves but free men, while prosperity and liberty blesses them with its every endowment, and they stand before the earth equal to all men in all the present and equal to those who shall be hereafter the heirs of all the future.

Yea, China, after her soggy sleep of centuries, floundering in slavish submission, at last heard the call of America, and educated by the endowment of the United States in her gratuity and gift to China, as she returned the indemnity levied upon that confused country, that the money should go to the enlightenment of her people through public education, China, as a reward to America for this magnanimity, modeled her existence after the order of this young western mother, and in the form of a republic and in the spirit of a free government China struggles to obtain the stature of a free land with free men after the example and form of her inspiring friend, the Republic of the United States.

Russia, long in bondage of emperors and mortgaged to ignorance, her people yoked to serfdom through centuries of suffering and ages of oppression, turned and looked upon us and from the bosom of our magnanimity drew hope that it might live in freedom with justice. Russia, as one touched by the Divinity, broke its cerements of civil death, threw off its shackling coil, and as the children of Jove, sprung full-born in the arena of republics and reared itself to the height of American ideals, and Russia moved out to the command of liberty shouting "Death to tyrants." Surely all America will behold all these offsprings of her birthright throughout the world and say in this generation, "It was good to be here."

Mr. President, whatever riches America has amassed from her industry, whatever wealth gathered from her commerce, what harvests garnered from her fields—are all as but the least of offering compared to that which she brings to civilization in the growth of liberty, the perfection of justice, and the expansion of freedom which she has been able by her example and her power, through her religion and her generosities, to endow mankind. Other nations have risen in triumph of power and lived for a while in the glory of arms, but by the selfish achievement—conquest of country through the slash of swords—they have fallen. As these wrenched victory by strength and success by power, they but showed the way to the rival wherein to multiply and by these same standards prevail. That which was victor yesterday was the conquered of to-day, and thus one after the other the powerful nations of the world, resting only upon the achievement of riches, the multiplication of wealth, and the power of the sword, have broken and melted away, leaving nothing enduring to which mankind appeals as example to follow or the children of men turn to as gods to be worshiped or praised.

Hear Ruskin echoing this truth:

Riches of Tyre, Thebes, and Carthage; yea, I say also the once Rome and great Persia are left for our beholding in the periods of their decline. They are ghosts upon the sands of the sea. Theirs was power, riches, grandeur; much for a country—nothing for man. They rose; they shined, yea glowed, laughed, persecuted, and oppressed, and

then they died, and man asks not, where are they? nor cares that they live not among nations. As among men, there is to nations a justice of God and the vengeance of time.

Mr. President, refined civilization as it increases in its purpose of equality among men and justice to all peoples scorns the suggestion of accepting these dead nations of the past as models of national education or guides of personal conduct. The people of the modern world shun them and hold as their boast before earth how they disdain to pattern after them, and turning the face of all those that are new and hopeful to the one standard, approach the United States of America, and bowing in admiration, ask but to follow her past growth, hold her guiding hand, and walk beside her in the light of approving heaven.

Then who are they who misrepresent the purpose of democracy under Wilson that they may defeat all democracy to all men? These charge that America, under Wilson, would continue war to force Governments and people of foreign lands to take our form of government. Let the world know that as George Washington fought for democracy as a right to America and Thomas Jefferson proclaimed it as a necessity to mankind, while Lincoln made it his creed of emancipation for all color and all clime—so, too, Wilson fights for democracy as a right of the whole world. The promise of Wilson to "make the world safe for democracy" is no threat to make the world take democracy. It is but the assurance of the effort to give to the world its chance to take democracy. This war of America is the announcement that we, by our entrance into the conflict, will prevent any despot depriving any people from exercising their free will in rejecting despotism and choosing democracy. The United States does not fight to force any Government to adopt the theory of our Government, nor does the United States fight to force any foreign people to take our form of government against any form of government they may choose for themselves. But America does fight to prevent any foreign Government thwarting any land from enjoying democracy if it so wills by the voice of its own people. And this United States fights now and will ever fight to the expenditure of its last dollar and the sacrifice of every son, rather than submit to any monarch wresting our democracy from us, to the death of our liberty, and the end of our Republic.

How old, how sacred in years and teaching, is this noble creed.

Hear Cicero proclaiming to Rome to go out and aid the peoples foreign to her dominion to enjoy democracy and happiness, saying:

> It is more consonant to nature to undertake the greatest labors and to undergo the severest trouble for the preservation and advantage of all nations, if such a thing could be accomplished, than to live in solitary repose surrounded with the allurements of pleasure and wealth. There are those who admit that regard for justice and liberty to the citizen for the benefit of his commonwealth, but deny that this regard ought to be extended in favor of foreigners. Such persons would destroy the society of the human race.

It was this theme which Edmund Burke took as the hope and succor of Britain when in her great hour of tribulation—when emperors of combined Europe threatened her hope of democracy—he, addressing the Lords and Commons, said:

> My Lords, it has pleased Providence to place us in such a state that we appear every moment to be on the verge of some great mutation. There is one thing and one thing only that defies mutation—that which existed before the world itself—I mean justice—that justice which emanating from divinity has a place in the breast of every one of us—given us for our guide with regard for ourselves, and with regard to others and will stand after this globe is burned to ashes—our advocate or our accuser before the Great Judge, when He comes to call upon us for the tenor of a well-spent life.

Mr. President, surely this young Nation has proven worthy of the faith of her fathers and as being justified of her children. For this, in this hour of the Nation's peril, she presents herself as entitled to the union of support of all her citizens and to be given the love and comfort of every daughter, the sacrifice and life of every son. Let us believe that, as the Heavenly Father, viewing His celestial Son approaching the sacred water with which He was to be baptized, that he might present His example of cleanly righteousness to all earth, proclaimed: "This is My beloved Son, in whom I am well pleased." He, too, views our land, seeing it in all that it has lived through, beholding it for all that it stands for, and knowing its sacrifices and achievements that man may live in liberty, trumpets to earth His praise, exclaiming: "This is My beloved daughter, in whom I am well pleased."

Senators, as the worshipers make their pilgrimage to the sacred shrine of their gods for the revival of their faith and the refreshment of their souls, so here we assemble to pledge our devotion to free government and free men; to swear anew our allegiance to America and vow our eternal sacrifice of life, property, and sacred honor that liberty shall live and democracy survive. And so, rising over our foes, we rejoice to behold ourselves as the world acknowledges us, a just people, freed from every impulse of selfish gain, a Nation clean of every ignoble design, and a Republic offering all in sacrifice for justice to man and liberty to nations. Here we stand, as stand we shall, as the fulfilled promise of time and the realized hope of earth—America justified in the praise of men and glorified in the blessings of God.

Mr. President, at a later hour I shall make the appropriate motion for an adjournment. At this time I pause and yield to those who will follow me, expressing my very grateful thanks for the appreciation of the Senate. [Applause by Senators.]

LIFE AND CHARACTER OF ABRAHAM LINCOLN.

Mr. NELSON. Mr. President, inasmuch as this is the birthday of Abraham Lincoln, I will ask the indulgence of the Senate to make a few remarks in reference to his life and character.

The institution of slavery had made a cleavage among the white people of the South and given them a peasant class such as was not found among the people of the North. This peasantry, though poor, uncultured, and unlettered, was nevertheless in the essential make-up far superior in vigor and spirit to its counterpart in the Old World. It was patient, courageous, intensely democratic, and in many instances charged with a suppressed intellectual vigor that on great occasions, even under adverse circumstances, would assert itself and be in the ascendant. From the very loins of this class and as a crystallization of all the virile force and vigor that was in it came Abraham Lincoln—born the American peasant, died the American king. His parentage, home, and surroundings were of the humblest kind—scarce was there ever a humbler. His moral and intellectual environment was of the most primitive order—as primitive as the undeveloped region in which his early lot was cast. But the embryo of a great soul and a brave heart was in him; and so under inspiration from on high he grew untrammeled in the midst of the barrenness whence he sprang, as the straight and lofty pine grows in the stony cleft of the hoary and craggy mountain—slowly, surely, irresistibly, and heavenward.

His development from childhood to manhood, from a backwoodsman to a statesman, was a saga, simple in its unity, sad and somber in its texture, but inspiring and heroic in its outcome and results. From Nolin Creek to the banks of the Sangamon the path was winding and rough. A mother's love was given and found in a stepmother—the guiding star on a long and dreary journey. And that love, with which a man loves but once in his life, was buried in the grave of Anne Rutledge. From that moment love claimed and was given less and duty more, and from that moment he seemed dedicated and in training for the great task and mission that was to be his. Feeble minds assuage grief such as was his in the frivolous vanities of the world; but strong minds and heroic souls, though tried and chastened, seek relief and find rest in the surging, real, and relentless battle of life where the turmoil is the fiercest and the strife rages the hottest.

Lincoln was the true exponent and the living embodiment of this class, and at that time there was no moral or intellectual battle ground so interesting, grand, and inviting as the field of political controversy and evolution in the far West. Gifted and highly equipped by nature, trained and tempered in the scant school and the rude ways of the frontiersman, and chastened by the shadows and sorrows that had come upon him, he entered the arena a trained gladiator, qualified to do battle with giants, and there was no lack of real and aggressive giants to contend with in those days. But for want of a vital issue the struggle was for a time a mere skirmish at the outposts, a mere reconnoissance, the remote prelude to the great tragedy of the century. From the gloomy shadows and dark clouds, whence sprang our hero, came also in battle array the great anti-Christ slavery, defiant and eager for battle and conquest. Slavery, in her zeal and quest for vantage, protruded her advance guard into Kansas, and on its virgin soil was fought a veritable "Inkerman"—a battle of fierce, stubborn, and isolated skirmishes. And soon along the entire line from Kansas to the Ohio, and thence to the Potomac, there was a marshaling of forces, a skirmish fire, and a reconnoissance in force, that betokened a momentous and prolonged struggle. In these preliminary conflicts there were many able leaders; and Lincoln, though one of them, was not at first regarded as the foremost. But on the eve of the great battle none disputed his chieftainship of the mighty hosts of the North. He was the heart and soul of all our people, imbued with faith in them, in himself, in the cause, and in God.

Sad and serious were those day to all of us, but most of all to him, and it made him more serious and sad than ever. But from that great task and duty, entailed upon him by man and God, he shrank not; no, not one iota nor tittle; not even in

those darkest of all days, when bolder and more aggressive men than he doubted and quailed. He was more hopeful and more confident than the most of us, because his faith was loftier and more boundless. And he ennobled the struggle and hallowed the cause of the Union by severing the last shackles of the bondsmen. He looms up to us over the vista of the passing years as the great spirit of that mighty whirlwind. God gave him to us to work out a great problem in the moral world. His task was Godlike. His life, his mission, and his death were those of a martyr. And he sanctified the Union to us and to our posterity for all time to come.

When can his glory fade?
Oh, the brave charge he made—
All the world wondered.

Mr. LEWIS. Mr. President, unless there are some other Senators who desire to address the Chair on this day, I move, in commemoration of the day and as a mark of tribute to the memory of Abraham Lincoln, that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 1 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 13, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 12, 1918.*

The House met at 12 o'clock noon.

Rev. William Couden, of Washington, D. C., offered the following prayer:

Almighty God, Ruler of the universe, Father of all souls, we give thanks for this broad, fair land that contains our homes, our country, conceived in liberty and dedicated to the proposition that all men are created equal. We are grateful for every gain that has been made tending toward a fuller realization of human freedom, equality, and fraternity; for the line of men and women who from immemorial times have led onward, step by step, noble souls of high degree, irrespective of their origin, whether of the favored classes or of the common ranks, devoted to the good, the beautiful, the true, living or dying that the world might have life and have it more abundantly.

To-day we remember our Abraham Lincoln with praise in our minds and with surging thrills in our hearts. For his purity and simplicity, his ruggedness and gentleness, his firmness and kindness, his intellectual vigor and consecrated energy, his sorrowing winsomeness and lofty nationalism, his trust in God, and his love for humanity, we humbly thank Thee. May we be worthy of his life, his death, his memory. And because of his spirit, we thank Thee also, that to-day all sectional lines are fading—busy North and valiant South, the golden West and the storied East stand in the storm and pressure of world conflict as one, at the world's service, for the eternal right, Thy America. Make us all faithful to the best in our history and to the duties and sacrifices of the hour. Bless the living men who have followed Lincoln in the presidential office. We need the judicial mind of Taft. Deliver, we pray Thee, from his illness to further service Theodore Roosevelt. And God save our President Woodrow Wilson, statesman, spokesman, Chief in our own share of the huge world-task before us.

For our Nation as a whole, in memory of our saint and martyr Lincoln and in the spirit of Christians, we offer the prayer of the Hindu, Tagore, for his land:

"Let the earth and the water, the air and the fruits of my country be sweet, my God.

"Let the homes and marts, the forests and fields of my country be full, my God.

"Let the promises and hopes, the deeds and words of my country be true, my God.

"Let the lives and the hearts of the sons and daughters of my country be one, my God."

Thus "with malice toward none; with charity for all; with firmness in the right as God gives us to see the right," may we continue in domestic and inner peace and obtain blessedness from Thee. In the name of Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Young, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3299. An act authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on February 11, 1918, approved and signed bills of the following titles:

H. R. 3135. An act to amend section 4 of the act entitled "An act to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona";

S. 3081. An act to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri; and

S. 3006. An act to authorize and empower officers and enlisted men of the Navy and Marine Corps to serve under the Government of the Dominican Republic, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3648. An act for the retirement of public-school teachers in the District of Columbia; to the Committee on the District of Columbia.

S. 3689. An act authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. H. Hogan, at Kansas City, Mo.; to the Committee on the Post Office and Post Roads.

S. 3083. An act granting to the Lincoln Highway Association, incorporated under the laws of the State of Michigan, a right of way through certain public lands of the United States; to the Committee on the Public Lands.

S. 3299. An act authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army; to the Committee on Military Affairs.

THE TUSCANIA.

Mr. HICKS rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. HICKS. I ask unanimous consent, Mr. Speaker, for two minutes to read a Canadian comment on the sinking of the *Tuscania.*

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. HICKS. I read:

[From the Toronto Globe.]

THE TORPEDOED TUSCANIA.

Canada grips the hand of her big neighbor ally in profound sympathy and understanding. The United States, even before its gallant Army had opportunity to win distinction and honor on the field of battle, has been called upon to pay a serious war toll in brave lives. The torpedoeing of the transport *Tuscania*—the first success of underseas German barbarism against trans-Atlantic troopships—brings home to the great American Republic the grim realities of the struggle upon which its people have righteously and resolutely embarked. It is part of the price to be paid by nations noble enough to consecrate their best to the cause of civilization, counting not the cost.

This Dominion drinks deep of the draught of sacrifice in the same struggle. It extends the sympathy of understanding. It shares the sorrow that comes to stricken homes. It feels the same profound pride in the heroism of its sons. Canadians respond to the spirit of their stalwart cousin. They glory that in his grief his eye is clear, his mouth firm, and his jaw set. They know that Teuton terrorism has once more gone wrong in its cruel choice of would-be victims. They realize that this "fresh challenge to civilization" will tighten the determination of a strong and resolute people to carry on until the Thing is crushed and conquered.

[Applause.]

ORDER OF BUSINESS.

Mr. SIMS rose.

The SPEAKER. For what purpose does the gentleman from Tennessee rise?

Mr. SIMS. Mr. Speaker, I rise for the purpose of seeing if we can make a unanimous-consent agreement as to taking up the railroad-control bill, and I submit the following request: That the bill be taken up on Thursday, that general debate be limited to the subject matter of the bill and not to extend beyond Friday, and that upon the expiration of the general debate the bill be taken up under the five-minute rule and concluded if possible by Saturday night.

The SPEAKER. The gentleman had better leave off that last end of it.

Mr. JOHNSON of Kentucky. I shall be compelled, Mr. Speaker, to object to that, for the reason that already I have secured unanimous consent for the consideration of the anti-profiteering rent bill on the day next following the conclusion of the bill now under consideration, Calendar Wednesday excepted, and that brings us up to Thursday.

The SPEAKER. The Chair would like to ask the gentleman from Kentucky how long it will probably take on that bill?

Mr. JOHNSON of Kentucky. The detailed consideration of the bill can not be had until the general debate is over, and unless the general debate is limited I do not know how long it will take. I would be very glad to see general debate on it limited to two or three hours.

The SPEAKER. The gentleman from Tennessee had better make his request in the light of what the gentleman from Kentucky has just said.

Mr. SIMS. I will modify my request to that extent, Mr. Speaker, and that the House meet at 11 o'clock on Thursday.

Mr. GILLETT. I shall have to object to that.

The SPEAKER. The gentleman from Massachusetts objects.

Mr. GILLETT. I am willing that we shall meet at any time for general debate, but not for the regular business of the House.

Mr. SIMS. I suppose if the bill that the gentleman from Kentucky refers to is completed on Thursday he would not object.

Mr. JOHNSON of Kentucky. We can not go to the anti-profiteering rent bill to-day except by unanimous consent.

Mr. GILLETT. I think the housing bill will take not less than to-day. I do not think you can calculate on less than to-day for that.

Mr. JOHNSON of Kentucky. I am willing that we should use a part of to-day and part of Thursday.

Mr. GILLETT. First, there come to-day the Lincoln speeches, and then other business. That will finish to-day.

Mr. JOHNSON of Kentucky. I think we could have general debate begin when the Lincoln speeches are finished.

Mr. KITCHIN. The Committee on the Merchant Marine and Fisheries will resume the consideration of the housing bill after the Lincoln speeches to-day.

Mr. GILLETT. Mr. Speaker, I am perfectly willing to facilitate business, but I do not see any hope of taking up any legislation before Friday, except what is already provided for.

The SPEAKER. Why not have this railroad bill follow the bill of the gentleman from Kentucky, if the Chair may submit a suggestion?

Mr. SIMS. I am perfectly willing to do that.

Mr. KITCHIN. The gentleman from Kentucky may have something to say on that.

Mr. SIMS. I ask unanimous consent, Mr. Speaker, that the railroad-control bill be taken up for consideration immediately following the bill for which the gentleman from Kentucky already has unanimous consent, and that the House continue consideration of said railroad-control bill until it is finished.

Mr. SHERLEY. Mr. Speaker, reserving the right to object, I want to be accommodating, but the Committee on Appropriations is ready, whenever the House is ready to receive it, to present a deficiency bill, amounting to nearly a billion of dollars. It involves items that affect every department of this Government. There is no bill that can be more important, and therefore no order ought to be made that will seriously interfere with its consideration. If I can have assurance that on Monday, no matter what happens, this deficiency bill shall be taken up and continued until completed, I shall not object to any of these other arrangements; but I think we make very grave mistakes in tying up the House by special orders without proper vision touching what is coming afterwards, and from this time on I hope we will have very few special orders.

Mr. GILLETT. Mr. Speaker, I object to the request.

Mr. KITCHIN. One minute. We all want to facilitate the business of the House. Could we make this arrangement, to let consideration of the railroad bill begin on Thursday?

Mr. GILLETT. The District bill comes on Thursday.

Mr. KITCHIN. I mean on Friday, and on Friday, Saturday, and Monday, and then let the deficiency bill follow on Tuesday morning?

Mr. GILLETT. Why not take up the deficiency bill on Friday and finish that first?

Mr. KITCHIN. I will ask the gentleman from Kentucky [Mr. SHERLEY], the chairman of the Committee on Appropriations, how long he thinks it will take to pass the deficiency bill?

Mr. SHERLEY. I hope to put it through in two days. The bill will contain about 60 or 70 pages, and, as I say, it is a bill that carries about a billion dollars.

Mr. KITCHIN. It is one of those deficiencies the necessity of which we all recognize, of course, but it will not take any long debate.

Mr. GILLETT. The debate on it will be a good deal shorter than that on the railroad bill.

Mr. NORTON. Reserving the right to object, I wish to ask the chairman of the Committee on Appropriations relative to an item in the urgent deficiency bill for the support of Indian schools. There are a number of Indian schools which will be closed unless that bill is passed within a very few days. I expected the bill would be taken up and passed before this time. The Commissioner of Indian Affairs spoke to me about it several days ago. I hope it can be taken up and passed at the earliest possible time.

Mr. SHERLEY. I trust so, too; but if we could get some information from the Indian Department, it would expedite the consideration of these items more than anything I know of.

Mr. STAFFORD. Mr. Speaker, do I understand that the gentleman from Kentucky, chairman of the Committee on Appropriations, will have the urgent deficiency bill ready to take up in the House on Friday?

Mr. SHERLEY. The urgent deficiency bill has gone to the printer now. It can be presented to the full committee to-morrow, and can be put on the floor by Friday.

Mr. STAFFORD. May I make this suggestion to the leader of the majority, that unanimous consent be asked by the gentleman from Tennessee [Mr. SIMS] to take up the railroad bill immediately following the consideration of the urgent deficiency bill?

Mr. MADDEN. No; let us not make any agreement on that.

Mr. KITCHIN. Why not?

Mr. MADDEN. There may be something else in the way.

Mr. KITCHIN. What else of more importance could be taken up?

Mr. SIMS. The railroad-control bill itself carries an appropriation of $500,000,000, and it provides for the most important legislation that has been before this House since I have been a Member of it. After the committee has put in five weeks of hard work to get that bill ready, it does seem to me it should not be set aside by every bill that may come up, even though important. Of course, the deficiency bill is an important bill, but it is not as important as this one. Now, I submit a request for unanimous consent that we begin the consideration of the railroad-control bill on Monday next and continue it until finished.

Mr. GILLETT. The gentleman means, of course, after the completion of the urgent deficiency bill, does he not?

Mr. SIMS. Then I will submit the request amended in this way, that the railroad-control bill be taken up for consideration upon the completion of the urgent deficiency appropriation bill, whether that be Saturday or Monday, or any other day.

Mr. GILLETT. I have no objection to that.

The SPEAKER. The Chair calls the attention of all parties to the fact that next Monday is suspension day and Unanimous Consent Calendar day.

Mr. KITCHIN. This unanimous consent would displace that, if entered into.

Mr. GILLETT. The gentleman does not mean to displace Calendar Wednesday, of course?

Mr. KITCHIN. No.

Mr. SIMS. Do you mean to-morrow?

Mr. GILLETT. No; next week.

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] asks unanimous consent that his railroad bill shall follow immediately after the conclusion of the deficiency bill, of course not to interfere with conference reports or privileged matters or anything of that sort.

Mr. SIMS. Or Calendar Wednesday.

Mr. MADDEN. Or any other calendar day, unless set aside.

The SPEAKER. Or the Monday calendar.

Mr. SIMS. I hope that will not be insisted upon.

Mr. MADDEN. Well, it will be.

Mr. SIMS. On unanimous-consent day you can dispose of every bill by objecting. Now, which is the more important, a few unanimous-consent bills or action on this great railroad-control bill? We can agree to substitute some other day for unanimous consent.

Mr. MADDEN. Get your unanimous consent to consider the bill first.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MAPES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MAPES. Under the rule, of course, the House was entitled to Monday for District day. Under the unanimous-consent request of the gentleman from Kentucky [Mr. JOHNSON] the House agreed to give the District Committee the day following the completion of this pending bill. If that bill is completed during the middle of the afternoon, and the District bill is taken up, will that constitute the day for the District Committee?

The SPEAKER. Oh, the Chair thinks not. The order says the day following. Now, if Judge ALEXANDER gets through with his grist to-day, why, then the gentleman from Kentucky [Mr. SHERLEY] comes in with his appropriation bill the day after to-morrow.

Mr. MAPES. The bill will not then be taken up to-day.

Mr. KITCHIN. It can not be taken up to-day.

The SPEAKER. By unanimous consent the House can take up the Johnson bill immediately after this bill, but under the order it has made it could not take it up to-day, and to-morrow does not count, being Calendar Wednesday.

RELIEF OF MAIL CONTRACTOR.

Mr. MOON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate bill 3689, authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. H. Hogan, at Kansas City, Mo., and consider the same in the House.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table Senate bill 3689 and consider it in the House. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I think the bill should first be reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That should the Postmaster General find as a fact that the screen-wagon contract of H. H. Hogan, of Kansas City, Mo., was entered into prior to the entrance of the United States into the war with Germany, and that the prices agreed to be paid in said contract are at the present time inequitable and unjust by reason of the increase in the cost of materials and labor employed in the performance of such contract, the Postmaster General is authorized, in his discretion, with the consent of the said H. H. Hogan and his bondsmen, to cancel the same or to readjust the terms of said contract in such manner as to relieve the contractor from the hardships being by him suffered on account of such increased costs and expenses.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to ask the gentleman whether the House Committee on the Post Office and Post Roads has given any consideration to a bill of similar purport.

Mr. MOON. The House committee has reported to the House a bill which contains a section that would cover this very question, but this particular contractor, by reason of the low rate at which he contracted for the service, is in very great distress and is losing a large amount of money every day. I am advised that before we can get the bill, to which the gentleman refers, passed he will have lost all he has unless some adjustment can be made.

Mr. STAFFORD. Has the Postmaster General reported to the committee on this bill?

Mr. MOON. This bill was reported to the Senate, and the Senate passed the bill unanimously.

Mr. STAFFORD. That does not answer my question as to whether the Postmaster General has reported upon it.

Mr. MOON. The Postmaster General made no report; we have made no inquiry of the Postmaster General about it. This bill provides that the Postmaster General may, in his discretion, adjust the contract if the facts are such that, in his judgment, it is proper to adjust it.

Mr. STAFFORD. Another question: Whether the Postmaster General recommended the provision that is incorporated in section 4 in the omnibus Post Office bill authorizing him to readjust contracts on the star routes and for screen-wagon service.

Mr. MOON. Yes; the Postmaster General has all along suggested that for the relief of people that are in trouble. As a matter of fact, there is a law now in existence which gives him limited power to make adjustments of star routes.

Mr. STAFFORD. On yesterday a letter from the Postmaster General was submitted to me, in connection with this private bill, in which he states that this bill is not subject to as much criticism, as I recall the letter, as is the section that has been incorporated in the Post Office omnibus bill. I assumed from that letter that was written to Senator REED that he was opposed to this provision in the omnibus Post Office bill.

Mr. MOON. I did not know that the Postmaster General had ever been consulted—he has not by me—in regard to the provision in the omnibus bill. But I know as a matter of fact that the Postmaster General has favored all along the giving of discretion to the department to adjust the equities of parties in distress on account of conditions that could not be foreseen.

Mr. STAFFORD. It occurred to me that in giving special consideration to a private bill which has never been passed upon by the House committee that if we allow this bill to be considered under these circumstances we will be plagued by any number of similar bills that will be presented to us from day to day.

Mr. MOON. I do not think the apprehensions of the gentleman from Wisconsin are well founded, because there are not a great many instances where distress exists as in this case. This is a sort of an emergency proposition. We do not want to break the man.

Mr. STAFFORD. If I could have the assurance of the chairman of the committee that he will not present any further private bills of similar tenor until the general legislation is enacted, I would withdraw the reservation of the point of order.

Mr. MOORE of Pennsylvania. Mr. Speaker, is this a request for unanimous consent?

The SPEAKER. It is.

Mr. MOORE of Pennsylvania. Then I object.

Mr. MOON. Will the gentleman from Pennsylvania withhold his point for a moment?

Mr. MOORE of Pennsylvania. I will.

Mr. MOON. This contractor lives in the district of the gentleman from Missouri [Mr. BORLAND], and he knows the facts, and I would like for him to present them to the House.

Mr. MONDELL. Will the gentleman from Tennessee yield for an inquiry?

Mr. MOON. Yes.

Mr. MONDELL. I presume that this contractor is entitled to readjustment of his contract; but the gentleman from Tennessee is aware of the fact that there are hundreds of contracts which were entered into prior to the beginning of the war where the contractor is suffering great loss and hardship owing to the increased cost of everything. What is there in this particular case that so differentiates it from all other cases that it is necessary to take it up now and give relief in this one particular case?

Mr. MOON. I fully agree with the gentleman from Wyoming that if there are a number of these cases they ought to be adjusted. The Government of the United States, under the peculiar conditions that have arisen since the war began, I take it, does not want to press too hardly upon any of these people. We want to relieve your folks and anybody else. It is the desire of the committee to do that; and in answer to the gentleman from Wisconsin [Mr. STAFFORD], I do not think there will be any other legislation that is special; at least, I shall not favor any, because I want to press through the general measure at once. I understand from the gentleman from Missouri [Mr. BORLAND], in whose district this man lives, that there are peculiar equities in his behalf, and I feel that it is a matter of justice that this measure, which has passed the Senate, should be considered now. If this man is losing money by delay, we do not want the delay to occur. I will yield to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Speaker, we want this man to go ahead with his contract while he is still solvent. If this lasts much longer the man will become insolvent, and while he is still solvent the fair thing to do is to readjust the contract and let him go on with it. It is an important thing to Kansas City.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. MOORE of Pennsylvania. Is it not a fact that the pneumatic-tube service which was introduced for the relief of post offices like this in Kansas City was put out of business by the screen-wagon service because it was supposed to be cheaper than the pneumatic-tube service?

Mr. BORLAND. I could not say about that. We have never had the pneumatic-tube service in Kansas City.

Mr. MOORE of Pennsylvania. Is it not a fact that the screen-wagon contractors have now got the pneumatic-tube service people down and that their property is practically confiscated; and if so, does it not come with bad grace to ask for relief from contracts which they can not perform?

Mr. BORLAND. I think there is no conflict there. We never have had the pneumatic-tube service in Kansas City.

Mr. MOORE of Pennsylvania. The screen-wagon man has put the pneumatic-tube man out, and now, finding he can not keep his contract, asks relief.

Mr. BORLAND. This man never put anybody out.

Mr. LITTLE. Mr. Speaker, reserving the right to object, I shall have to object unless the chairman of the committee can assure me that this whole business is confined to Kansas City, Mo., and does not enter Kansas City, Kans. Does this contract reach into Kansas City, Kans., or is it confined to Missouri?

Mr. MOON. It is confined to the contractor there, who is suffering under peculiar conditions.

Mr. LITTLE. The gentleman does not get me. The gentleman from Missouri [Mr. BORLAND] is from Kansas City, Mo., and he is not able to give me the positive information. There are two towns side by side there—Kansas City, Kans., and Kansas City, Mo. If this contract is only for Kansas City, Mo., it is not my purpose to object. I may not object, anyway, but I want to know more about it if it concerns Kansas City, Kans.

Mr. MOON. My information is that that is so, but I could not be positive.

Mr. LITTLE. I should have to object until I know whether it applies to the city that I represent or I learn more about it.

Mr. BORLAND. If it affects the gentleman's district, it would affect it favorably.

The SPEAKER. The Chair would like to make a parliamentary inquiry. [Laughter.] How did the gentleman from Missouri get the floor?

Mr. LITTLE. I am asking a question.

The SPEAKER. Or anyone else? [Laughter.]

Mr. BORLAND. I would be glad to yield, but I do not want to prolong the discussion.

Mr. GOOD. Mr. Speaker, will the gentleman from Missouri yield for a question?

Mr. BORLAND. Yes.

Mr. GOOD. The Government, through the Post Office Department, every four years enters into a contract for the supply of envelopes. About two years ago, when envelopes were comparatively cheap, it entered into a contract, running into hundreds of thousands of dollars, for all the envelopes of the United States. I am told that these envelopes sold to the Government to-day under that contract cost the contractor over $100,000 a year of actual loss. Does the gentleman intend to bring in bills to relieve people from actual loss in cases like that?

Mr. MOON. We hope to be able to do so, and I think the bill now pending, while it does not cover that exact question, can and ought to be amended so as to cover it.

Mr. GOOD. Does not the gentleman think we ought to bring in a general bill to include all of these items? If he is going to release one concern from a contract he ought to release all.

Mr. BROWNING. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, I object.

The SPEAKER. The gentleman from Pennsylvania objects.

Mr. MOON. Then, Mr. Speaker, I request that this bill be sent to the Committee on the Post Office and Post Roads.

COLVILLE INDIAN RESERVATION.

Mr. DILL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 92, to defer first payments upon homestead entries for lands in the Colville Indian Reservation, Wash., and consider the same.

The SPEAKER. The gentleman from Washington asks unanimous consent to take from the Speaker's table and consider Senate joint resolution 92, which the Clerk will report.

The Clerk read as follows:

Senate joint resolution 92.

Resolved, etc., That all first payments upon homestead entries heretofore made for lands within the boundaries of the south half of the Colville Indian Reservation in the State of Washington be, and they are hereby, deferred for the period of one year from the date upon which such payments become due.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I ask the gentleman to kindly withdraw that for the present.

Mr. DILL. Very well, I will withdraw it for the present.

PRESENTATION OF SERVICE FLAG TO THE SPEAKER.

Mr. EMERSON rose.

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. EMERSON. Mr. Speaker and gentlemen of the House, this beautiful silk service flag which I hold in my hand was sent to me by some admirers of the Speaker of this House, in Cleveland, Ohio, with the request that I present it to him. His only son is in the service of the United States, and I assure you that it affords me very great pleasure to present this flag to the Speaker of this House. [Prolonged applause.]

The SPEAKER. Gentlemen of the House, I am deeply grateful to the gentleman from Ohio and the people of his city for presenting me with this flag. It is dear to the hearts of all of us, and the prayer of 110,000,000 free people is that it will never be lowered or trailed in the dust. [Applause.]

A large part of this day is set aside for memorializing Abraham Lincoln. He was born in the district of the Hon. BEN JOHNSON, of Kentucky, who so ably represents that old district, and the Chair will ask him to preside during these ceremonies. [Applause.]

Mr. ESCH. Mr. Speaker, I ask unanimous consent that I may have until Friday to present the minority views on the railroad bill.

The SPEAKER. The gentleman from Wisconsin [Mr. ESCH] asks unanimous consent that he shall have three days in which to present the minority views of the committee on the railroad bill. Is there objection? [After a pause.] The Chair hears none.

Mr. FULLER of Illinois. Mr. Speaker, on this birthday of Abraham Lincoln I think we ought to have a full attendance of the House, and I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and fifty-five Members are present, not a quorum.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Almon	Godwin, N. C.	Kiess, Pa.	Sanders, N. Y.
Austin	Goodall	LaGuardia	Scott, Pa.
Beakes	Gould	Lea, Cal.	Scully
Britten	Graham, Pa.	Lesher	Sherley
Caldwell	Gray, Ala.	McClintic	Sisson
Capstick	Gray, N. J.	McCormick	Sloan
Carter, Mass.	Gregg	McFadden	Smith, T. F.
Cary	Griest	Magee	Snyder
Chandler, N. Y.	Hamill	Maher	Sterling, Ill.
Chandler, Okla.	Hamilton, N. Y.	Mann	Sterling, Pa.
Crago	Haskell	Mason	Strong
Crosser	Hastings	Meeker	Sullivan
Curry, Cal.	Heaton	Miller, Minn.	Swift
Davidson	Heintz	Montague	Templeton
Dewalt	Helvering	Moores, Ind.	Tilson
Dooling	Hollingsworth	Nicholls, S. C.	Tinkham
Doremus	Hood	Nichols, Mich.	Treadway
Drukker	Humphreys	Olney	Vare
Dyer	Husted	Platt	Ward
Eagle	Hutchinson	Polk	Watson, Pa.
Estopinal	James	Powers	Weaver
Fairchild, B. L.	Johnson, S. Dak.	Ragsdale	Webb
Fairchild, G. W.	Jones, Tex.	Riordan	White, Ohio
Flynn	Kahn	Rodenberg	Wilson, La.
Focht	Kelley, Mich.	Rose	Young, N. Dak.
Gallagher	Kennedy, R. I.	Rowland	
Glass	Key, Ohio	Sanders, La.	

The SPEAKER. On this roll call 322 Members, a quorum, answered to their names.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

LEAVE OF ABSENCE.

By unanimous consent, Mr. ASHBROOK was granted leave of absence for three days, on account of attendance of Assay Commission at Philadelphia.

RESIGNATION FROM A COMMITTEE.

The Clerk read as follows:

FEBRUARY 12, 1918.

Hon. CHAMP CLARK,
Speaker House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on War Claims.

Very respectfully,
W. B. WALTON.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

LINCOLN'S GETTYSBURG ADDRESS.

The SPEAKER. The gentleman from Missouri [Mr. RUSSELL] is recognized to read Lincoln's Gettysburg address. [Applause.]

Mr. RUSSELL (reading)—

Fourscore and seven years ago our fathers brought forth on this continent a new Nation, conceived in liberty and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that Nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle field of that war. We have come to dedicate

a portion of that field as a final resting place for those who here gave their lives that that Nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we can not dedicate, we can not consecrate, we can not hallow this ground. The brave men, living and dead, who struggled here have consecrated it far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this Nation under God shall have a new birth of freedom; and that government of the people, by the people, for the people shall not perish from the earth.

[Applause.]

The SPEAKER pro tempore (Mr. JOHNSON of Kentucky). The Chair recognizes the gentleman from Illinois [Mr. GRAHAM]. [Applause.]

ABRAHAM LINCOLN.

Mr. GRAHAM of Illinois. Mr. Speaker and Members of the House, 109 years ago to-day one of the world's greatest characters was born. A little shanty in the backwoods of Kentucky was his birthplace. Want was his godmother. Obscurity was his by inheritance. No pride and ceremony attended his humble birth. The lonely voices of the wilderness sang his only lullaby. The little family and the great outdoors and the mystic heart of nature, and that was all—and so was born Abraham Lincoln. Back toward antiquity stretches the path that mankind has followed. Here and there along the course stand mileposts to mark the way. Such an one was Abraham Lincoln. No other man of our race has so left his impress upon the world as he. No other man of our people has been so much of an inspiration to fairness and justice and national morality. Universal reverence attends his memory, an affectionate reverence shared, I may say, by many who remember with heartfelt pride and affection their fathers who fought against him in the conflict. [Applause.] He came of a stalwart race. He was descended from one of those stiff-necked English breeds that fled to the American wilds because they would not submit to an odious and hateful Government. The blood that was in him was the blood of the pioneer and the freethinker. His humble surroundings, the poverty and meagerness of his childhood days, his struggles with adversity, were the contributing causes that led to a firm and resolute character. The mighty forests, as yet unaltered by the woodman's ax, the untracked wilderness of the prairies, the sweeping currents of mighty rivers as they flowed through the virgin country to the sea, bred constancy and devotion and humanity and good common sense.

The times were ripe for a character of heroic mold. For 40 years this people had been trying to avoid the issue. Compromise and artifice and subterfuge had delayed the coming of the decision. Every statesman of the period had exercised his talent and wisdom to contrive some way the trial by fire might not be necessary. Washington and Jefferson dimly saw the crisis ahead of them. Jackson sensed it. Henry Clay saw its ominous shadow and by his talents avoided it for the time. Daniel Webster foresaw it. Stephen A. Douglas attempted again to postpone it. But it was coming, as every moral issue will come to a people in its time. A postponement. a palliation, simply brings in the end a greater weight of misery and catastrophe. Abraham Lincoln grew up in this atmosphere. The blood that was in him, the training of his early life, had inclined him to follow not the beaten paths of thought, but, with logic and directness, to press forward directly to the object to be attained. Thus out of the welter and maze of political thought and the shifting scenes of the times suddenly he stepped out as the champion of a strong, indissoluble Federal union, a nationalist, and became at once, as has been so aptly said of him by Henry Watterson, "the incarnation of the brain and soul of the Union." In a driving storm of political controversies, with the columns of the temple already toppling about him, he was chosen by the people as their Chief Magistrate.

The labors that confronted Abraham Lincoln were Herculean. The problems that had to be solved were problems that had never before been propounded nor had solution. He must create an army and navy out of nothing; he must rehabilitate the credit of the country and finance a war while the Treasury was empty and the people divided.

We of the present generation are engaged in the greatest war in history. Back through the dusty chronicles of the human race we read of the death and desolation of a thousand wars. Painfully and slowly, through blood and treasure and tears, has our race ascended from savagery. But in all the annals of man, there never before has been a contest when all the world was whelmed in the conflict. We have taken our stand in this struggle. We stand for right and justice and human liberty. As one man we take up our weapons and bare our breasts for the struggle that we would forbear, if we could, and yet, in the sight of God, and for the rights of free peoples, we dare not. We speak as one man. We have no divided counsels among us. The giant is girding on his armor; at the ruddy forge he shapes his sword. Woe to tyrants when he strikes! [Applause.]

But how different was the position of Abraham Lincoln. Solitary and alone he stood; the confederation of our fathers, the Union of States, was about to dissolve into its constituent elements. There was a great sentiment in the country favorable to his ideas, but he must consolidate and crystallize it and make of it a concrete force. He was denounced and upbraided in the House of Representatives. He was besieged by hordes of office-seekers, caring not so much for the preservation of the Union as for political perquisites. He was made the butt of every cartoonist. He was maligned and slandered by a thousand papers, not alone in the South but in the North as well. Horace Greeley, in the New York Tribune, thundered, "On to Richmond! On to Richmond!" and forced the catastrophe of Bull Run. "Let the erring sisters depart in peace," cried Greeley in every home in the North. "Save our boys; let us have peace, peace at any price," came from all sides. A storm of criticism descended upon him at every failure, at every check, and at every new sacrifice. Viewing the matter from the perspective of over half a century, we know how unjust such criticism is. Criticism should never be offered in time of war, unless it be constructive criticism, and such as may aid in the contest with the common enemy. By all this, the great, gentle spirit of Lincoln was troubled, but not shaken. He had but one goal ahead of him, and that the preservation of the Union. With unremitting zeal and serene confidence he went forward with his eyes upon this goal.

There were many who assailed his acts as unconstitutional. The calls for volunteers, the suspension of the writ of habeas corpus, the draft, and almost every other Executive act were denounced as violations of the fundamental law of the land. A profound believer in the maintenance of constitutional forms, he yet had ever before his eyes a higher object—the maintenance of the Union. If the Union were in danger, the constitutional forms must yield to the higher necessity. And so it should ever be. Constitutions are but the machinery men create to preserve established government, and if by human error the Constitution will not provide safety for a free people in extremity, then surely the safety of the people must be first provided for, and the people may be trusted to correct the constitutional error when the storm is passed and the State secure. Abraham Lincoln no doubt thought, when this storm of criticism broke about him—and I commend this thought to those critics to-day who continually decry the unconstitutionality of the measures we are taking for the Nation's safety—that it is better to have a country without a Constitution than to have a Constitution without a country. [Applause.]

When Abraham Lincoln took his seat he was confronted by chaos. The Treasury was bankrupt. On four occasions between Lincoln's election and his inauguration President Buchanan negotiated loans to pay the running expenses of the Government. The Regular Army consisted only of about 18,000 men, poorly equipped, scattered over the country. There were few munitions and supplies for an army in the country. The Southern States were in arms, led by resolute and talented leaders. A considerable element in the North was openly hostile to him. France and England were unfriendly. Of temporal power he had none. There was but one thing he could do, and he did it. With simple confidence in the cause he espoused, with serene faith and unfaltering trust he cried out to his people, "Come and help me, the Union must be preserved." [Applause.] And then they came, from the farm, from the forge, from the pulpit, and from the plow, the mighty Volunteer Army of 1860 to 1865. And just across the line the martial drum was calling, calling to the men of the Southland. And out of the North and up from the South came the flower of youth and chivalry and strength. There were the waving of bright flags, and the show of brave men, and the pomp and panoply of war; and then four cruel, bloody, desolate years; back and forth across the continent struggled the lines of blue and the lines of gray. Four sad and bitter years. But at the end there came a day when the roll of drums was dead and the clash of arms and tumult died as a storm that fades in the far-off sky. Then a breeze came from the sea, and it shook out the folds of one flag and it waved over all the land, a symbol of the Union of a mighty people, which, please God, shall endure. [Applause.]

This contest called for the best blood of our land. Each State gave the best it had. I know I may be pardoned if I allude, with

just pride, to the illustrious sons of my beloved Illinois—Palmer, and Logan, and Ulysses S. Grant. And some States gave to both. Virginia, the mother of Presidents, gave to the lost cause Robert E. Lee, the plumed knight of the Confederacy, and Jackson, he that stood like a stone wall; and to the Union she gave Scott and Samuel Phillips Lee, he who led the line with his ship, when Farragut roared from the rigging, "Never mind the torpedoes, go ahead," and Thomas, the Rock of Chickamauga. To-day, as with high emprise we strike for democracy and the right to live and be free, God grant that among our men under the Nation's flag, over there across the seas, there is another Grant, another Lee, another Thomas, another Stonewall Jackson. [Applause.] In this day of days, O Ruler of the destinies of nations, give us great leaders, for our cause is just, and must prevail! [Applause.]

In these latter days we are apt to forget our experiences and our necessities caused by the Civil War. President Lincoln freely asked and freely received great powers from Congress. He was authorized to use the Army and Navy as he thought fit; ample sums were voted to him to expend at his pleasure. He was authorized to take possession of and operate all the railroad and telegraph lines of the country, to impress their employees into the military service, to fix the compensation of the owners through a commission appointed by himself, and retain them as long as necessary. Under this act he did take possession of and operate 2,105 miles of railroad, located in 11 States, and built 641 miles of new road. He was authorized to call from the States all men between the ages of 18 and 45 as militia when he chose and to suspend the writ of habeas corpus whenever and wherever he desired. A draft act was passed giving broader powers than our present selective-draft act does. Thirteen loans were authorized by Congress at his suggestion, totaling approximately $2,500,000,000.

To me the most remarkable phase of Abraham Lincoln's life was the constructive side. He was a builder. Even in times of greatest stress, when the continuance of our institutions was being tried before the supreme court of the people, he was building for the future. In the very beginning of his administration he called to his side the strongest men and best counselors he might obtain in the land, irrespective of political complexion. To illustrate this, Edwin M. Stanton was in Washington criticizing the conduct of the war with fury and scorn and condemning the President as an "imbecile" when he was called to the Cabinet as Secretary of War. This was the same man who stood with bowed head and tear-wet face as the great spirit went out, and said in his anguish, "Now he is with the ages." The great war President called these men around him for constructive purposes, that, while destructive forces for the time held sway, they might not be permitted to disturb the foundations of national prosperity, greatness, and strength after that struggle was concluded. War is a degenerating process, and that nation is doubly wise that looks ahead to the period when the war shall end and shields and protects and defends its economic strength for that day. Abraham Lincoln did this thing. He had vision. He could see, through rifts in the clouds of war, the sun of prosperity shining and an era of economical and moral greatness dawning for the reunited Nation. A casual inspection of the legislation enacted during the Civil War illustrates this. A system of high and protective import tariffs was devised, a system that produced great revenues and developed the industrial resources of the country; the building of railroads across the country was induced by favorable land grants; the great homestead laws were enacted that developed the West and made an empire west of the Mississippi; national banks and banking were inaugurated. These and many other constructive measures were enacted and put into operation. While the war had been an immense drain upon the resources of the country, the constructive statesmanship of Abraham Lincoln and his Cabinet had so conducted the affairs of the Nation that at the close of the struggle this Nation stood on the firmest and most secure economic and financial foundation that it had occupied since the formation of the Government.

A war that teaches a people efficiency and economy and nationalism may not be an unmixed evil, but a war that destroys industry and tears down the foundations of economic greatness is a disaster. If anything is to be concluded from the history of the legislation I have briefly detailed, it is that while it is axiomatic that in times of peace we should prepare for war, it is doubly true that in times of war we should prepare for peace. [Applause.]

The war of the States passed, like an ugly dream. Then the Nation turned to bind up its wounds and prepare for the hopeful future. To those who pressed him for vengeance and punishment Abraham Lincoln turned smilingly and said in his homely phrase: "Let them come home." Had he lived, there would have been no reconstruction days, no Ku-Klux Klans. [Applause.] When the hand of a crazed and misguided fanatic struck him down, there died at once the savior of the Union and one of the best friends the South ever had. [Applause.]

A sorrowing people bore him home and buried him in the great prairies of his own Illinois, to rest there until the trump shall sound and time shall end. And his very ashes, so lying there, are a constant inspiration to every son of Illinois, aye, to every son of America, as the years go by, to stand for truth and justice and humanity. A thousand years may come and go; the snows of a thousand winters may fall upon his lowly resting place; the summer sun may awaken into smiling gladness the flowers that spring by his grave as the centuries pass; the stately granite above him may crumble and decay, but while men live and go their way Abraham Lincoln lives; his great, kindly, sympathetic heart finds answering throbs in the breasts of his beloved people. [Applause.]

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. BARKLEY] is recognized.

Mr. BARKLEY. Mr. Speaker, the nineteenth century is widely and properly known as the wonderful century. In all the sweep of human experience within the entire compass of the world's achievement no other century witnessed so great an advance in the diffusion of knowledge, the accumulation of wealth, the multiplication of mechanical inventions and scientific discoveries, the refinements of literature, or the expansion and acceptance of the principles of human liberty among the political governments of the world.

In that century of marvelous things and marvelous men no single year gave birth to so distinguished a list of men of genius and renown as did the year 1809. It may well be doubted whether any single year in history can record so impressive a group. In that year were born Chopin, the delicate, subtle, perfect artist, and Mendelssohn, whose melodies have soothed and inspired the hearts of men and women for three-quarters of a century.

Among this notable galaxy is Edgar Allan Poe, the unfortunate, gloomy poet whose verse is so free from the touch of commercialism and the vulgar worship of material success; and Oliver Wendell Holmes, whose refreshing wit and kindly philosophy never drained life of its faith in itself. In this year Lord Tennyson was born, destined to be freely acknowledged as the true Victorian poet of English literature.

In this celebrated company belongs also the name of Charles Darwin, the fearless and undaunted seeker after truth, whose intellectual searchlight, whatever our opinions of what it claimed to reveal, penetrated far into the hitherto unexplored recesses of scientific research.

In the realm of public life in the nineteenth century two great names stand out before the English-speaking world as stars of the first magnitude, both of whom were born in this same year 1809. One was William E. Gladstone, of England; the other, Abraham Lincoln, of America. Rich as it was in statesmanship, England produced no personality of greater gift or purity than Gladstone; and in America no man appeared above the political horizon more masterful in knowledge of his countrymen or more sagacious in the direction of great movements of the people than Mr. Lincoln.

It would be difficult to imagine a greater contrast in circumstance or human environment than that which gave form and vigor to the careers of these two marvelous men. Gladstone was born in the most fortunate and advantageous circumstances, in an old and cultivated society, with ample means of personal enrichment, and amid avenues of culture and refinement to which he had easy access. He was a student at Oxford at a time when great teachers deeply moved its staid conservatism. He entered public life on the eve of great national expansion. He was called again and again to the leadership of profound movements for the liberation of humanity. Bitterly assailed, fiercely opposed and denounced, he was nevertheless recognized as a great and unique personality, eager, enthusiastic, impetuous, and ardent alike in the pursuit of knowledge and the advancement of the welfare of his fellow man.

The life and work of Lincoln are commemorated in all parts of this continent with such sincere emotions of admiration and sympathy that I need not do more than recall by contrast the bleak surroundings of his childhood, the cramped and narrow circumstances of his youth, the absence of educational advantages or other conditions making success easy, his almost marvelous self-education, and the mysterious transformation of the self-taught circuit rider of the old frontier into one of the heroes of humanity.

On January 27, 1837, when only 28 years of age, Lincoln delivered an address upon the subject of "Ambition," in the course of which he used the following passage:

Towering genius disdains a beaten path. It seeks regions hitherto unexplored. It sees no distinction in adding story to story upon the monuments of fame erected to the memory of others. It denies that it is glory enough to serve under any chief. It scorns to tread in the footsteps of any predecessor, however illustrious.

Among the able and distinguished group of men whom I have named, none came so close to the fulfillment of this description of the force and power of genius as did Mr. Lincoln himself.

No man, Mr. Speaker, can trace the pedigree of genius. It will not submit to analysis. It is as mysterious and illusive as the hidden forces of nature. Its light seems now and then to fade and disappear, only to reappear again after the lapse of generations, to illuminate the visions of groping and bewildered men. It was thus with Lincoln. No man need stop to explain the alchemy which transformed this backwoods, frontier boy into a cherished historical figure. It belongs to the phenomena of human experience.

And yet, much as has been said and written concerning his lowly origin, we must not therefore conclude that in his veins there was no heritage of heroic blood. We must not forget that through him and Daniel Boone, the frontier hero of the Kentucky wilderness, the same blood coursed from equally stout and dauntless hearts, for they were cousins. Lincoln was born of the stuff of which are made men of fiber and originality. For generations in his family there had been close contact with the soil as well as with the privations and dangers of pioneer life in Virginia, Kentucky, Indiana, and Illinois. His own life was spent upon the skirmish line of advancing civilization. He dwelt amidst the rustic philosophy of a new land and a new day, and from its inexhaustible storehouse he gathered around himself a homely wisdom which served alike to guide his neighbors and his country.

It is not strange that around his career there clusters so much of romance. It is not strange that young men and old, rich and poor, wise and ignorant, have sought to recover the broken threads of tradition out of which to weave the story of his life. It is not strange that books without number have attempted to trace and fathom the depth and meaning of his eventful life and the source of its inspiration. It is not strange that with increasing years we still hang upon the recital of each new story and the repetition of those that are old.

We know that he was an orator. We know that he moved hearts, and intellects he persuaded by the force of his own integrity. But where did he obtain his clear, facile speech? Where did he acquire that power of orderly and logical expression which made his speeches models of pure diction? Surely not from an extensive reading of many books. Not in the intellectual atmosphere of colleges or universities. We are told that he had rarely attended school, and that his early reading consisted mainly of the Bible, Æsop's Fables, Robinson Crusoe, Pilgrim's Progress, and Parson Weems's Life of Washington, which, however, had made a lasting impression upon his youthful mind. We are informed by one of his biographers that in his home he had practically no library, except a few books placed upon the center table, perhaps by Mrs. Lincoln herself, for ornamental purposes. But his passion for knowledge had driven him to invade every library within his reach, and with the accumulation of knowledge gathered from every book he mastered he combined also the power of expression. His speech was wonderfully clear, simple, and forceful, abounding in epigram, maxims, figures of speech, and telling illustration. To his earlier reading he added an intimate knowledge of Burns and Shakespeare, many of whose passage he knew from memory.

While he was himself an orator, he appreciated oratory in others and was frequently touched by the tenderness and pathos of other speeches. On February 2, 1848, Alexander H. Stephens, of Georgia, delivered a speech in the House of Representatives on the War with Mexico. After listening to this speech, Mr. Lincoln, who was likewise a Member of the House, wrote as follows to his partner, William H. Herndon:

Mr. Stephens, of Georgia, a little, slim, pale-faced, consumptive man, with a voice like Logan's, has just concluded the very best speech of an hour's length I ever heard. My old, withered, dry eyes are full of tears yet. If he writes it out anything like he delivered it, our people shall see a good many copies of it.

He likewise read the great speeches made by others and the thoughts they expressed were frequently so caught up by the force of his genius that he redressed them in his own simpler language, and the people heard more readily and understood.

From what source also did he derive his great sympathy for and his unfailing knowledge of the people? Not from books. Not from an assumed superiority, though he was not unaware of his own great gifts. Not from the seclusive company of the intellectual aristocrats of his day. Not from all of these, but rather from his closeness to the heart of the world. He could not persuade himself to forget nor appear to overlook the humble and honest pioneers who were the companions of his youth. This noble spirit stands out in clear relief in his loyalty and sympathy in the defense of "Duff" Armstrong, whose father had been Lincoln's wrestling companion in the old days at New Salem. He was a distinguished exception to that sometimes erroneous maxim that "familiarity breeds contempt." He believed in the people, and from them he drew strength and courage because, with them, he kept his feet upon the earth.

So, Mr. Speaker, scanning the record of the majestic sweep of this prodigy of the wilderness from Nolins Creek to the Presidency of the greatest of the world's Republics, we pay tribute to the honesty, the courage, and the vision of Abraham Lincoln. We pay tribute to him in his childhood, so full of sadness and hard privation; in his youth, so buoyant and cheerful, so expressive of the ambitions and seemingly unattainable longings of a boy's heart; in his manhood, which grew out of the experience of circumstances so grim and unpromising. We pay tribute to his loyal friendship and to his public and private magnanimity of heart.

Men may differ, now as heretofore, over the degree of his greatness as a lawyer, but few there are who can not acknowledge his devotion to his matured conceptions of justice, for even sometimes in his pursuit of the jealous mistress of the law he "disdained the beaten path and sought regions hitherto unexplored" in his intensity of effort to bring into play the fundamentals of justice in the affairs of men.

It is easy to accommodate those who have flattered us and inflated our opinions of ourselves. It is expected that we shall repay in some measure the compliments and generosities of our friends; but it is hard for men in their weakness, jealousy, and egotism to forgive or favor those who deliberately injure or insult them through a presumption of superior social or intellectual attainments. To possess the quality of magnanimity is one of the sublime attributes of mind and heart.

The pages of history are filled largely with the records of selfishness, prejudice, ambition, cruelty, bigotry, intolerance, hatred, despotism, and tyranny which too often have marred the activities of men of great ability and responsibility. But we may search in vain the written page to find a sublimer example of magnanimity than that which characterized many of Lincoln's dealings with friend and foe. Some of these manifestations of broadness and lack of the spirit of revenge are so unusual as to have set him apart from among the commonplaces of his generation.

There is a story which has been told many times, but which will bear repetition here, which typifies his true spirit of magnanimity. It occurred in connection with his activities as a lawyer. There had been a famous lawsuit brought in the United States circuit court at Chicago, being the famous case of McCormick against Manny, for the infringement of a patent right. The case had been transferred for trial at Cincinnati as being more convenient for the judge who was expected to preside. The plaintiff, McCormick, was represented by the famous Baltimore lawyer, Reverdy Johnson, and E. N. Dickerson. The defendant had employed as his counsel George Harding, of Philadelphia, Edwin M. Stanton, and Abraham Lincoln. While Lincoln had acquired a State-wide reputation in Illinois as a lawyer, he had never seen either Harding or Stanton. He had undergone great preparation for the trial of this case, because not only the importance of the case, but distinguished counsel on both sides he regarded as worthy of his best efforts. Stanton and Harding were both in Cincinnati when Lincoln arrived and had taken rooms at the Burnett House, then a leading hotel in that city. When Lincoln arrived at the hotel Stanton and Harding were out and Lincoln awaited their return. He stationed himself at the entrance of the hotel where Stanton and Harding soon approached, greeted Lincoln with indifference, and passed on to their room. Upon reaching the room Stanton insisted that it would never do to let a man of Lincoln's type make an argument in the case. Mr. Harding described Lincoln as awkward and ungainly in appearance, his clothing entirely devoid of the tailor's art and in no particular suitable to his long, angular frame. He wore heavy boots and his appearance was very much like that of the average western farmer of that period.

Having determined that Lincoln should not be allowed to make a speech in the case, Stanton and Harding sought a method to break the news to Mr. Lincoln. Lincoln was finally sent for and informed that as there were only two lawyers on the other side of the case, they had determined that there could only be two speeches on their side, and that those two would be made by

Harding and Stanton. Mr. Lincoln replied, "Very well, gentlemen; I have here some suggestions which I had intended to use in my argument, which you are at liberty to use if you see fit," taking, as he spoke, a manuscript from his pocket and handing it to Harding. Mr. Lincoln soon left the room, and as soon as he was out Harding threw the manuscript into the waste basket unopened. Stanton referred to him as "A long, lank creature from Illinois, wearing a dirty linen ulster for a coat, on the back of which the perspiration had splotched wide stains that resembled a map of the continent." It is beyond doubt that this contemptuous treatment stung Lincoln. But he made no complaint, and notwithstanding he could not have forgotten it, he had the unparalleled magnanimity, soon after he became President, to make this man his Secretary of War. If any man can find a parallel to this in the history of any other great man in this or any other country, he will have made a discovery that is beyond my knowledge. It should be said to his credit that Stanton became the true, loyal, and devoted friend of Lincoln, was at his side when he crossed the river which separated him from the Great Beyond and gave utterance to the historic sentence, "Now he belongs to the ages."

These, Mr. Speaker, are the qualities which make his memory sacred to the Nation. These are the qualities which receive full praise from friend and foe alike. These are the qualities which illuminate his pathway through the stirring times in which he dwelt, and these are the qualities which, if he had lived, would have aided him in binding up the Nation's wounds and saved it from the orgy of corruption and outrage which it suffered at the hands of less skillful and less scrupulous men.

In reading the history of that period I have been many times unable to conceive the possibility of such patience as Lincoln exhibited in the face of clamor, jealousy, contempt, scorn, ridicule, and venality which were thrown into his face by those who were disconsolate over any management but their own. Vituperation, slander, vulgar invective, and the ingenuity of corrupt politics all connived at his downfall and sought to destroy the confidence of the people in his sincerity of purpose and in his ability to execute his purposes. He was referred to by widely known public men as "The baboon in the White House," and "The idiot at the other end of the Avenue." He was accused of treason and disloyalty, of incompetence, and lack of vision. With some he was too weak, with others too strong. He was even accused of having "ceased to function." The politicians became impatient and flaunted their distemper to seek a cheap notoriety. Senator Grimes wrote to Fessenden, "We are going to destruction as fast as imbecility, corruption, and the wheels of time can carry us." Even Stanton had written of "The painful imbecility of Lincoln." Then, as now, there were too many ununiformed majors and field marshals in Congress. Then, as now, there were too many self-seeking, ambitious men disgruntled because they were not in charge of the Government. Then, as now, there were too many smokeless military heroes who bemoaned, in characteristic fashion, the desolate fate of a Nation so benighted as not to recognize them as divinely anointed deliverers. Then, as will happen now, these marplots were confounded and the firm hand and patient spirit into whose keeping God had placed the destiny of a Nation stepped out into the full illumination of a world figure. [Applause.]

Three and fifty years have passed since the assassin's bullet prevented him from doing more than look, like Moses, into the peaceful realms of the "Promised Land." I have often tried to speculate upon the course of our history if this unhappy event had never happened. But speculation is as dangerous as prophecy, and I shall venture neither, except to voice the belief that the same patience and lofty conceptions of justice which guided his course in relation to other great problems would have determined his course in the process of binding up the Nation's wounds, of which he spoke in the second inaugural address.

Twice since the close of the Civil War our Nation has unfurled its flag and unsheathed its sword in behalf of human liberty. Twice a reunited Nation, rebaptized in the spirit of the fathers, has advanced in the pathway of the hordes of oppression, and as we look to-day upon our own fair land and other fair lands, threatened by spoliation, outrage, and slavery, we realize that our problems differ only in degree from those which confronted the founders and preservers of our national life and institutions. They kindled the light of liberty. It was theirs to fan and strengthen its flickering blaze until it could burn of its own force. Ours is the duty to prevent its being blown out entirely by the storms of organized rapacity and military despotism now seeking to overwhelm it. Not only is it our duty to see that what our forefathers fought and died to establish and preserve shall not be swallowed up in the gloom of eternal night on the shores of America, but as a part of the social and political fabric of the world, recognizing and ready to perform our share of the service and sacrifice, we must offer a ready and effective arm to those who are fighting for the things which we hold dear, some of whom helped us establish the liberty for which we now propose to fight.

It is fortunate that since the healing of the wounds and the elimination of the misunderstandings of the Civil War, one of whose central figures we recall to-day, we have been able to accumulate the forces necessary for the conflict. It is fortunate that in wealth we have outstripped other nations; that in morality and religion we have been leaders of modern thought and activity; that in education we have recognized the duty of the citizen and the State in their mutual relations; that we have coined our brain into the instruments of peace; and, since the conflict has come, that we have the ingenuity which will coin that brain into the agencies by which organized militarism and brutal autocracy shall be unhorsed and the great institutions of the world set again upon their feet.

It is therefore under circumstances like these that we pause for a while to-day, not in jollification, not in light-hearted festivity, but rather in a spirit of solemn consecration for the duties that press upon us and for the successful accomplishment of the things to which we all have set our hands. We had hoped that we might be permitted to run our course unhindered and unthreatened by the ambitions of European monarchs. We had hoped that we would not be compelled to draw the sword in defense of principles dear to the heart of all free people. But it could not be. Seeing our institutions and the inalienable rights of humanity threatened with annihilation, seeing the political structure which our forefathers had through bloodshed and hardship erected for us threatened with violation, we entered the conflict upon the only side where we could have felt at home, namely, the side of democracy and the rights of mankind; upon the side where Washington and Franklin and Jefferson and Jackson, Lafayette and Kosciusko would be; where Lincoln and Davis would be found if they were here to guide and counsel us. Yea, if I might recount the heroes and martyrs to human freedom throughout all the past, I would not fear to assert that our alignment in behalf of the preservation of human rights against the unscrupulous edicts and methods of a barbarism worthy of the Middle Ages would receive their approval and benediction.

It is in such a cause that we are to become the servants of humanity, the soldiers of liberty. As such we stand by Washington's side, partake of the glories of Old Hickory Jackson, and our faces shall brighten with the spirit of Lincoln, Grant, Davis, and Lee. As such may we resolve that the banner which Dewey left at Manila shall bring peace and hope to the bleeding hearts of humanity everywhere, and God grant that this banner may return to our shores as the unstained and unconquered emblem of a free and happy people.

But, Mr. Speaker, let us who are charged in these solemn days with the performance of high public duty remember that patriotism is something more than mere admiration for the beauties of the flag. Patriotism sinks into the soul and stirs it with a celestial emotion. It looks beyond the folds and colors and sees the hardship and heroic sacrifices which gave them birth and meaning. Patriotism is patient with the cries of the oppressed, but intolerant of the oppressor. Patriotism does not end where the lips begin, but yields up freely the devotions of the heart. For it countless millions have offered themselves upon the altar of their country, and it would not call in vain for the manhood of our times nor die for lack of true response.

If it be true that the spirits of the departed take note of the movements and emotions of living men, may we not believe that the great souls of Lincoln and Davis rejoice together in Paradise because the children of those who followed them now stand arm in arm and shoulder to shoulder under the sacred banner of a single allegiance, forgetting the misconceptions of past years, rejoicing alike in a common ancestry and in a common determination to make sure that the land which their children shall inherit shall be as courageous and as free as that which from their fathers came to them; and as we recall with swelling hearts their imperishable glory upon the battle ground of freedom, so shall those who follow us recount by the fireside's cheerful glow the unselfish devotion of the men of this day who keep burning and fan into brighter blaze the fires of human liberty.

Then let us put aside our littleness, our prejudice, our selfish ambitions, our lack of faith in the ultimate triumph of God's righteous purposes, remembering that impartial history will deal justly with those who serve and those who hinder. Let us upon whom has been bestowed the faith and confidence of

the people expand our souls and absorb the spirit of Abraham Lincoln when, in his second inaugural address, he said:

With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle, and for his widow and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.

In conclusion, may I paraphrase and apply to him the eulogy which he so beautifully and so fittingly accorded to Washington:

To add brightness to the sun or glory to the name of Lincoln is alike impossible. Let none attempt it. In solemn awe pronounce the name, and in its naked, deathless splendor leave it shining on.

[Applause.]

The SPEAKER pro tempore. The gentleman from New York [Mr. LONDON] is recognized.

Mr. LONDON. Mr. Speaker, I intend to speak on Lincoln as a world force.

This Republic is very little understood by other countries, notwithstanding the fact that the most scholarly and the most authoritative works on American political institutions have been written by foreigners, such as De Tocqueville's Democracy in America; Goldwin Smith's The United States, an Outline of Political History; Bryce's American Commonwealth; Von Holst's Constitutional History of the United States; Ostrogorski's Democracy and the Party System in the United States, and similar works.

In European works on America emphasis is always laid on its great industrial development, on its factories, skyscrapers, and railroads. Statistical tables are presented, as if the greatness of America consisted in its bigness only. They fail to speak of the grandeur of America's soul, of America's inextinguishable love of liberty. They fail to speak of the great men to whom American life has given birth. They fail to see the America of the ideal, America the glorious, America the inspiring, America that has given martyrs and heroes to the world. And because the American people have always been in a fight against some wrong, and are in a fight to-day against the powers of evil outside of the country and inside of the country, men who do not know assume that the forces of evil have undisputed sway over the land.

I intend to present to you a short document which has been overlooked by many biographers of Lincoln, an address sent to Abraham Lincoln by the International Workingmen's Association. This was an association organized in England in 1863. It was the first serious effort to unite the working class of the various countries of the world. The moving spirit of the association was Karl Marx. As we read this declaration of the newly born international body we see that the American struggle for the emancipation of the slave found a response among all the liberty-loving elements of Europe. The address reads as follows. It must have been translated from some other language, because the English bears the evidence of translation. It is dated November 29, 1864:

To ABRAHAM LINCOLN,
President of the United States of America.

SIR: We congratulate the American people upon your reelection by a large majority. If resistance to the slave power was the watchword of your first election, the triumphal war cry of your reelection is death to slavery.

From the commencement of the titanic American strife the workingmen of Europe felt instinctively that the Star-Spangled Banner carried the destiny of their class. The contest for the Territories which opened the dire epopee, was it not to decide whether the virgin soil of immense tracts should be wedded to the labor of the immigrant or be prostituted by the tramp of the slave driver?

When an oligarchy of 300,000 slaveholders dared to inscribe for the first time in the annals of the world "Slavery" on the banner of armed revolt, when on the very spots where hardly a century ago the idea of one great democratic Republic had first sprung up, whence the first declaration of the rights of man was issued and the first impulse given to the European revolution of the eighteenth century, when on those very spots counter-revolution, with systematic thoroughness, gloried in rescinding the "ideas entertained at the time of the formation of the old Constitution" and maintained "slavery to be a beneficial institution," indeed, the only solution of the great problem of the "relation of capital to labor," and cynically proclaimed property in man "the cornerstone of the new edifice," then the working classes of Europe understood at once, even before the fanatic partisanship of the upper classes, for the Confederate gentry had given its dismal warning that the slaveholders' rebellion was to sound the tocsin for a general holy war of property against labor, and that for the men of labor, with their hopes for the future, even their past conquests were at stake in that tremendous conflict on the other side of the Atlantic. Everywhere they bore therefore patiently the hardships imposed upon them by the cotton crisis, opposed enthusiastically the proslavery intervention—importunities of their letters—and from most parts of Europe contributed their quota of blood to the good of the cause.

While the workingmen, the true political power of the North, allowed slavery to defile their own Republic, while before the negro, mastered and sold without his concurrence, they boasted it the highest prerogative of the white-skinned laborer to sell himself and choose his own master, they were unable to attain the true freedom of labor or to support their European brethren in their struggle for emancipation; but this barrier to progress has been swept off by the red sea of civil war.

The workingmen of Europe felt sure that, as the American war for independence initiated a new era of ascendancy for the middle class, so the American antislavery war will do for the working classes. They consider it an earnest sign of the epoch to come that it fell to the lot of Abraham Lincoln, the single-minded son of the working class, to lead his country through the matchless struggle for the rescue of the enchained race and the reconstruction of a social world.

Signed on behalf of the International Workingmen's Association, the Central Council:

Longmaid, Worley, Whitlock, Blackmore, Hartwell, Pidgeon, Lucraft, Weston, Dell, Nicars, Shaw, Lake, Buckley, Osborne, Howell, Carter, Wheeler, Starnsby, Morgan, Grossmith, Dick, Denoual, Jourdain, Morissot, Lerou, Bordage, Bosquet, Talandier, Dupont, L. Wolf, Aldrovandi, Lama, Solustri, Nuspert, Eccarius, Wolf, Lessner, Pfander, Lochner, Taub, Balliter, Rypcrynski, Hansen, Schanzenbeck, Smales, Cornelius, Peterson, Otto, Bagnagatti, Setocri; George Odgers, president of the council; P. V. Lubez, corresponding secretary for France; Karl Marx, corresponding secretary for Germany; C. P. Fontana, corresponding secretary for Italy; J. E. Holtrop, corresponding secretary for Poland; H. F. Jung, corresponding secretary for Switzerland; William Cremer, honorable general secretary, 18 Greek Street, Soho, London W.

In this message the representatives of the working class of the various European countries congratulate Lincoln upon his reelection, declare him to be the true representative of the working class, and express their confidence that with the abolition of chattel slavery there would be no hindrance to the genuine progress of labor.

They denounce the slaveholders, rejoice in the saving of the Republic, and point with pride to the fact that they had cheerfully accepted all the hardships caused by the cotton crisis, while some of the ruling interests of their own countries were suggesting intervention in favor of the slaveholders. They express the hope that with the elimination of chattel slavery the working class would be able to attain "the true freedom of labor."

I am not a hero worshiper. The heroes that history records represent an accumulation. They represent the efforts of the thousands and tens of thousands who preceded them. Lincoln would have been impossible without a Wendell Phillips, without a William Lloyd Garrison, without a Henry Ward Beecher, without a John Brown. In estimating the past it is hard to judge how much credit for the progress of mankind belongs to the fanatic, to the man with a single idea, and how much shall be apportioned to the credit of the statesman moderator, and how much of progress is due to the reactionary who by rejecting the very law of growth and by refusing to listen to a fresh voice stimulates the forward-looking man to renewed effort. It is impossible to determine, to separate, to conceive the parts that men play in the making of the world and in shaping its destiny. And when I present to my own mind the name and the form of Lincoln it is not so much because of the individual, because of the man who showed himself to be so tender, so loving, so free from prejudice. It is Lincoln, the embodiment of the ideals of a people, that means so much to me. And what a brilliant orator he was. His speeches are free from those long, interminable periods. He never used a polysyllable where a monosyllable will do. Genuine oratory is the telling of the truth in the simplest possible words, so that there shall be no veil of phrases between the speaker and the listener; and that was the oratory of Lincoln.

The oppressive conditions under which he grew up made it impossible for him to unfold into a great literary genius. The part he played in the history of the world will never be forgotten as long as men love liberty. Every people has the heroes it deserves. By idealizing our great men we but give expression to what we would like to be.

If one wants to understand the soul of the American people, let him study the heroes of America. And it is because of this that I join in paying tribute to one whose name will be associated forever with the struggle for liberty, with the struggle for the preservation of the Republic. Just imagine the state of affairs if we had two republics and two flags. Divided by a geographical line, each side with its own patriotism, each with its own prejudices against the other, each claiming that it was the better and it was the best, each fearing the other and arming against the other.

It was the saving of the Union, the emancipation of the chattel slave, that stirred all liberty-loving minds throughout the world into new action for liberty, and that struggle will go on forever. Mankind will never reach an ideal state, but shall ever strive for it. There is no finality in human effort, except perhaps in the grave. That is the only place where there is finality, and many believe that even there new life begins. To strive is to live. To live is to strive. Let us hold dear the name of Lincoln, for he represents the ideal of a great people. [Applause.]

Mr. Speaker, I ask leave to extend and revise my remarks.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

EXTENSION OF REMARKS—POSTAL CLERKS IN FRANCE.

Mr. COX. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter from the Second Assistant Postmaster General correcting a statement I made the other day on the floor of the House as to the number of postal clerks we have in France.

The SPEAKER. The gentleman from Indiana asks unanimous consent to insert in the RECORD a letter to correct his own speech. [Laughter.] Is there objection?

There was no objection.

HOUSING FOR EMPLOYEES OF SHIPYARDS.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union for the further consideration of the Alexander bill, and the gentleman from Virginia [Mr. SAUNDERS] will take the Chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3389. The Clerk will read.

The Clerk read as follows:

(d) To make loans to persons, firms, or corporations in such manner and upon such terms as it may determine from time to time to provide houses for the employees of such shipyards.

Mr. ROWE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. ROWE. Mr. Chairman, in the discussion which we had yesterday the bill which is before the House was very thoroughly explained. But there are just a few thoughts which I want to present to the committee in connection with shipping.

In the first place, at the beginning of the war in Europe in 1914 the world had in all kinds of shipping about 49,000,000 tons. In 1917, according to the last report we had from Lloyds, made in June, 1917, the world had about 45,000,000 tons of all kinds of shipping. In other words, in the two and one-half years the world had lost 4,000,000 tons, or about 8 per cent, of its shipping.

Now, prior to the starting of the war in Europe, in 1914, the world had been increasing its tonnage at the rate of about 5 per cent per annum, covering a period of 10 or 15 years. If that rate had continued, we would have 8,000,000 more tons of shipping added to what we had at the beginning of the war, so that there would have been about 57,000,000 tons of shipping in the world. That 8,000,000 tons, added to the 4,000,000 tons of actual loss, means a loss to the world at the present time of over 12,000,000 tons.

Now, prior to this war, to carry a given amount of freight between Europe and America, where the load was almost equally balanced, a certain amount of tonnage was required. In other words, the ship that left the United States or South America loaded for Europe returned from Europe to this country or to some South American port with an equal load. It required but a certain amount of tonnage to do that work.

Now, gentlemen, we have another situation. The freight is going but one way now. In other words, the ships leave the United States and South America loaded; they come back empty or almost empty. It takes twice as much tonnage to do the work with a one-way load.

Last year the shipping under the United States flag was about 6,000,000 tons and under the flag of England about 21,000,000 tons. In other words, our two nations had about two-thirds of the tonnage of the world.

The Shipping Board has let some contracts. Under the Denman administration contracts for about 252 wooden ships were let, and for 58 composite ships—partly wood and partly steel—and 70 ships of steel; and since Mr. Hurley became chairman of the Shipping Board they have let contracts for about 155 steel vessels. This total tonnage of ships in course of construction under the Shipping Board is about 3,123,000. It may possibly be 100,000 more at this present moment. The ships are in course of construction. Some will be finished this year, some will be finished next year.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Illinois?

Mr. ROWE. Certainly.

Mr. MADDEN. Does the gentleman wish to convey to the House the information that the 3,000,000 tons of ships for which contracts have been let will be only partially finished this year and that part of them will have to go over until next year without being finished?

Mr. ROWE. I do.

Mr. MADDEN. So that instead of building 6,000,000 tons of ships, as the Shipping Board has announced to the American people, we will build, as I assume from the gentleman's statement, only about 1,500,000 tons this year?

Mr. ROWE. I think it will be something more than that.

Mr. MADDEN. How much more than that?

Mr. ROWE. I should say we are going to build three or four million tons of ships.

Mr. MADDEN. When?

Mr. ROWE. This coming year.

Mr. MADDEN. You mean this year?

Mr. ROWE. Yes.

Mr. MADDEN. I understood the gentleman to say a moment ago that part of the 3,000,000 tons of ships which are under contract would not be completed until 1919.

Mr. ROWE. That is correct. That is true, because many of these contracts are let 20 or more to one company, and only half or a third of that number is now in course of construction. We are apt to think, when we hear that a contract is let, that the construction of the ships is going on. It does not necessarily mean that.

Mr. MADDEN. Yes; I know that. I was rather surprised to hear the gentleman make two statements as to what we are going to do; one to the effect that we have let contracts for 3,000,000 tons, part of which will not be completed until 1919, and another statement that we would be able to build close on to 4,000,000 tons in 1918. I wish the gentleman would explain that.

Mr. ROWE. Not all the ships now contracted for will be completed during 1918, but others I hope will be contracted for that will be completed during 1918.

Mr. WINGO. Does the gentleman intend to cover the probable amount of shipping that will be built by England?

Mr. ROWE. No; I do not.

Mr. WINGO. Does the gentleman have any data on the amount of shipbuilding being done in England?

Mr. ROWE. The English people have speeded up very much in the construction of merchant vessels. When the war broke out between England and Germany in 1914 they turned nearly all their attention to naval vessels, and kept that up for a time, but during the past year they have made a desperate effort toward the construction of a merchant marine.

Mr. WINGO. Has the gentleman information showing the amount of new shipping constructed by England this year and that which is in process of construction that will be finished this year?

Mr. ROWE. No; I have no data here. It will be under 3,000,000 tons, and will probably not much more than take care of the losses which they will incur during the coming year.

Mr. WINGO. Does the gentleman believe they will make good their losses?

Mr. ROWE. I hope they will make good their losses.

Mr. LONGWORTH. When the gentleman says "build a ship," does he mean actual completion?

Mr. ROWE. I mean the completion, ready for service.

Mr. FESS. Will the gentleman yield for one further question?

Mr. ROWE. Certainly.

Mr. FESS. In reference to the amount of tonnage lost, I understood the gentleman to say about 4,000,000 tons.

Mr. ROWE. Yes; the net loss between 1914 and June, 1917, was about 4,000,000 tons. The actual loss was much greater than that. There were destroyed something like 6,000,000 or 7,000,000 tons, but there was constructed tonnage enough so that the actual shortage was about 4,000,000 tons.

Mr. FESS. Do the gentleman's figures give the amount of loss since the ruthless submarine campaign started about a year ago?

Mr. ROWE. No; I have not the figures here.

Mr. FESS. I wish to get at just what progress Germany's submarine campaign is making. They claimed they would sink a million tons a month, which would be 12,000,000 tons in a year. They have fallen away below that, and this loss of 4,000,000 tons, as I understand, takes in all since the war began.

Mr. ROWE. That is about what the net loss has been.

Mr. FESS. In the opinion of the gentleman, is the submarine still a serious danger that we are confronting?

Mr. ROWE. The submarine will not stop commerce, but submarine warfare is a serious danger. The submarines will probably destroy as much tonnage as England can construct in the coming year.

I would like to go just a little further with what I was saying about the tonnage that is in course of construction and that has been taken over by our own country. We have requisitioned in the neighborhood of 458 vessels. Practically all of these were in course of construction for England. They amounted in tonnage to 2,871,000 tons. This does not add one ton to the shipping of the world. Had England remained the owner of these vessels, they would have gone into the commerce of the world as much as they will in the possession of the United States. We have commandeered about 400 vessels, about half of which were in the course of construction, and that tonnage amounts to 2,500,000 tons. We have taken possession of 117 German and Austrian vessels, amounting to about 700,000 tons. So that we have now taken possession of completed vessels or have vessels in the course of construction amounting to about 9,000,000 tons of shipping.

Mr. MADDEN. Will the gentleman yield there for a question?

Mr. ROWE. Certainly.

Mr. MADDEN. What proportion of the 9,000,000 tons is in actual service and what proportion is in course of construction? That has some bearing on the question involved in this bill, I should think. At any rate it has some bearing on the attitude of the American people.

Mr. ALEXANDER. Will the gentleman yield?

Mr. ROWE. Let me answer this question first. I can not answer it absolutely, but it is in the neighborhood of about 3,000,000 tons.

Mr. ALEXANDER. We have now under the American flag in the over-seas trade between 3,750,000 and 4,000,000 tons of shipping.

Mr. ROWE. But that is not all under the Shipping Board.

Mr. ALEXANDER. It is under the American flag, doing service for ourselves and our allies.

Mr. ROWE. We have about three and one-half million tons all told in the over-seas trade.

Mr. MADDEN. So that of the 9,000,000 tons to which the gentleman refers there are 5,000,000 tons to be accounted for?

Mr. ROWE. Yes.

Mr. MADDEN. That are not able to go to sea yet?

Mr. ROWE. Yes. The Shipping Board recently said they hoped to produce 6,000,000 tons this year. According to Admiral Bowles, we have or did have 180,000 men on the 1st of January working upon shipping. Possibly we may have now 190,000 or 200,000 men. No one can tell how much shipping 200,000 men will produce. In the old time they frequently spoke of a man producing a ton a month of shipping. Conditions have very much changed, especially in steel construction, and now it would be much higher than that if the men were capable men.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HICKS. I ask unanimous consent that my colleague may have five minutes additional time.

The CHAIRMAN. The gentleman from New York asks unanimous consent that his colleague's time be extended five minutes. Is there objection?

There was no objection.

Mr. MADDEN. I have information from expert shipbuilders which leads me to the conclusion that to build 6,000,000 tons of ships in a year would require 480,000 men.

Mr. ROWE. That is about the proportion.

Mr. MADDEN. So if we have only 180,000 men, it can be readily seen that we are not going to come anywhere near 6,000,000 tons.

Mr. HICKS. Will my colleague yield?

Mr. ROWE. Certainly.

Mr. HICKS. Is the gentleman prepared to state how many seamen are in training to man the ships launched in 1918?

Mr. ROWE. I am not prepared to state. I know we have schools in some parts of the country, but not near enough, I think, to provide the proper number of seamen.

Mr. HICKS. Does the gentleman care to say whether the crews should be naval crews or civilian crews?

Mr. ROWE. No; I am not quite prepared to take that position yet.

Mr. FARR. Will the gentleman yield?

Mr. ROWE. I will.

Mr. FARR. They are mobilizing an army of 250,000 men now in addition to those already in employment.

Mr. ROWE. That brings me to the thought that it is very easy to sit here in the House and talk about mobilizing shipbuilders. There are only a limited number of men that you can call shipbuilders. It is not like England and Scotland, where every man working on a ship is born and bred to the business; his father, grandfather, and great grandfather were shipbuilders, and there are an army of men in Great Britain who have served five years learning the trade and are ready to go to the work at any moment.

Mr. FESS. Will the gentleman yield?

Mr. ROWE. I will.

Mr. FESS. I want to ask the gentleman whether he wants to go into this particular phase of the matter. Recently we had a statement in one of the papers at Washington, purporting to be a comment by an officer in charge over in foreign waters, that so many of our sailors were of German extraction and German sympathy, and made some startling statements about how the appearance of a submarine was greeted, and so on. Does the gentleman have any desire to go into that thing? I would like to ask the question of somebody who is willing to make a statement.

Mr. ROWE. I should very much prefer not to go into that now, as it would take up all of my time. I should say that the chairman of this committee, the gentleman from Missouri [Mr. ALEXANDER], could answer that question.

Now, as I said, 180,000 men, or suppose there are now 200,000 men at this time, can not possibly produce more than 2,400,000 tons of ships. If we want more, if the men of this House and people of the Nation want more, we must go out and get these men. There are people in this country who say that they can not be had, but you must remember that shipping conditions have changed in this country. We have a body of men that are just fitted to build fabricated steel vessels. They are the structural steel workers of this country. They are the bridge builders of our Nation, and in that line, gentlemen, we have the men. I have seen a statement, on good authority, that the United States had a body of steel and iron structural workers equal to all of the rest of the structural iron workers of the world.

Mr. HARDY. Will the gentleman yield?

Mr. ROWE. I will.

Mr. HARDY. Is it not a fact that the shipbuilding, under this idea of fabricated vessels—that is, parts being assembled elsewhere—is rapidly undergoing a revolution, and that with the use of structural steel builders and this new method of building ships the production of ships may be greatly expedited?

Mr. ROWE. I hope the gentleman is correct. Not only have we the men who can do this work if we call them to it but we should stop building elevated railroads, subways, and bridges where not absolutely necessary to carry on the war.

Mr. FARR. What does the gentleman think of concrete ships and their possibilities?

Mr. ROWE. That has not been tried to any great extent, and do not let us make any change. We have made a change in the machine guns in this country with a great loss in time. We know what we can do with steel vessels; we know that we can construct them, and we have the mechanics to do the work. It is no time for experimenting

Mr. FARR. I meant concrete ships in addition to steel.

Mr. ROWE. Well, we must construct all we can. I want to call attention to the fact that while it is possible that we can get the men it will take time to get proper men.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. MADDEN. I ask unanimous consent, Mr. Chairman, that the gentleman have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROWE. Admiral Bowles when asked the question said:

I should say we ought to get along with in the neighborhood of 300,000 men, but, of course, a good deal depends on the individual efficiency of the men, and if that continues the way it is going now—if that continues the way it is going along now—I do not know how many we will need.

The fact is, gentlemen, we have attempted to build ships rapidly, and we have rushed men to the yards. Some of them are good men, many of them are very inferior, and some of no use. They must be sorted. We want only the best men. If in a yard where we have a thousand men four or five hundred of those men are inefficient you will not get the work you could get out of half the number of thoroughly competent men.

Mr. MADDEN. In other words, the standard of efficiency will be based on the efficiency of the man of least ability?

Mr. ROWE. That is true. Now, I am in favor of the bill that is before the House. I am a conservative. I never dreamed, prior to going into this war, that I could favor a measure of this kind, purely paternal, but we need the homes for the men and we should build them at once.

Mr. KREIDER. Mr. Chairman, will the gentleman yield?

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. ROWE. I yield first to the gentleman from Pennsylvania.

Mr. KREIDER. Mr. Chairman, I assume the gentleman is more or less familiar with the actual facts as they relate to shipbuilding, and I desire to preface the question that I wish to ask by saying this: Some time ago, in the course of conversation, a shipbuilder stated to me that in his opinion quite a number of vessels were delayed because, first, the Government contracted for ships at a set price and later contracted for ships on a cost-plus basis, with the result that a number of ships that were contracted for on a set or fixed-price basis are partially completed but can not be fully completed because the contractors are unable to secure the materials to complete them, due to the fact that the cost-plus contractor has come in and is paying as much as $20 and $30 a ton more for the steel, and from $20 to $30 a thousand more for the lumber, and from $1 to $5 a day more for the labor. The result is that the contractor on a fixed-price basis is practically helpless, because the man having the lumber is going to ship it to the one who pays from $20 to $30 per thousand more for it, and the man having the steel will ship it to him also because he gets from $20 to $40 per ton more. The result is a number of partially completed ships, a tying up of shipbuilding facilities. Does the gentleman know whether this is a fact?

Mr. ALEXANDER. Will the gentleman verify his own statement, and put it up to the Shipping Board? That would be the common sense way to get at it.

Mr. KREIDER. I think I can, but I wanted to know whether the gentleman from New York knows anything about it.

Mr. ROWE. I am not familiar enough with conditions to answer that question.

Mr. PARKER of New Jersey. Mr. Chairman, this question of housing and the question of labor go along together. We want 500,000 skilled laborers, and, with skilled laborers and machinists required in every kind of work, it is going to be very hard to get them—harder, even, to train them. I desire to relate to the House some personal experience that I have just had in that regard when I visited the shipbuilding yards on the Clyde, near Glasgow, where I found that at least half of the workers were women. They were so short of machinery in this skilled iron trade that very many of the machines came from my own home town—from Gould & Eberhardt and other machine toolmakers—and many from other parts of the United States; but in those yards, where they are making iron ships, they have trained women to manage the lathe, to manage the plane, to manage the punch, to manage the big cranes that move the material from one end of the yard to the other, and women were doing all except the actual heavy man work of putting material together after it was made.

Mr. SANFORD. Were they doing it well?

Mr. PARKER of New Jersey. They were doing it well; and I will say, for the benefit of those who talk about unskilled labor bringing down the amount done, that the work in those yards was all done by piecework. The old rule had been day labor, but in the stress of war the laborers of Scotland had patriotically agreed that they would do the fighting and that the older men would do the work, and that the old rules of the union should give way to the introduction of women into the work. It is a nation at war, and this is only one of the signs of its existence. They tell me that there are 2,000,000 more women in profitable employment in England now than there were before the war. I have not verified those figures. I have seen the cordite works at another place, 12 miles long, with three different factories, manufacturing that high explosive in its various stages, beginning with the manufacture of sulphuric and nitric acid as well as guncotton, from the raw materials, from cotton from Chilian niter and from sulphur that is burned in the furnaces—I shall not go into the details—bringing out at the other end cordite in little strings that look like brown vermicelli. This was by day labor. The work is too dangerous to allow haste. Thirteen thousand of the 20,000 people employed were women. That brings us to the problem in this bill. If we are going to put the Nation into the war in that way, whole families in certain cases will have to be housed in family apartments.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. PARKER of New Jersey. In a moment. Thousands and thousands of young girls have to be taken care of. It was a treat to find that that factory had been organized not by the old-fashioned military and naval authorities, but by mining engineers who had experience in America, in Chile, in Hindustan, in Australia, and South Africa, who had come there and seen the problem before them, as mining engineers do, who devised new means, and that, with respect to the girls, was this: There was established in front on the street a house of one story——

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PARKER of New Jersey. In the front was the matron's room. The next room was the kitchen and the next room behind was the meeting and dining room. Back of that house and reached by short, covered walks extended three one-story dormitories, we will say, about 25 by 100 feet. I do not know the exact size, but they were large enough to give room on each side for 16 small cubicles or half shut-off rooms, 6 by 8, or so, where the girl had her bed and what little furniture she needed, and had decorated it as her own. There under this matron those 96 girls were taken care of. They were under strict discipline, though it was a smiling discipline, because they could not stay unless they obeyed orders. There was in that town a theater, a moving-picture place, and a hall and all that. There was a central kitchen that furnished 20,000 full meals a day, and 5,000 others, and supplied raw food to the whole host of those that did their own cooking, and the food was sent them on a small narrow-gauge railroad. This plant was a perfect *Great Eastern* in itself, except that it cared for 20,000, all under one control. If we get to this sort of work where we have to employ the unskilled and train them in that way in our shipyard towns and factories, or wherever it may be, we will have to employ the same talent to get the same results and have the same special sort of houses. Therefore I am in favor of this bill. I now yield to the gentleman from Indiana.

Mr. COX. I want to ask the gentleman this question. In reading the hearings on this bill from Admiral Bowles, it seems he opposes the idea of working treble shifts, at least he is opposed to the idea of working at night. What were they doing over in England when the gentleman was there? Were they working in several shifts or working after night in the shipyards?

Mr. PARKER of New Jersey. I am not quite able to answer that question, for I was not there after nightfall, but I am inclined to think that in some parts they were, but I am not sure. I am only saying that is the mass of workers that they were getting, and if you have enough room there you can employ all during the daytime and do not need work but one shift. However, I do not know.

Mr. COX. I want to ask the gentleman—it strikes me that we should do something with this labor problem. I see by this morning's press dispatches that they are on strike in the city of New York again, demanding an increase from $4.60, I think, a day to something like $6 a day. Does not the gentleman think something ought to be done somewhere at some place along the line of stabilizing the price of this labor?

Mr. PARKER of New Jersey. I am only telling what I have seen. I have no opinion to give, except to say that I know from the newspapers only what was published, that there are strikes in some parts of England. But I know also that in those places which had the organizations I have seen there was not only no strike, but the workmen, men and women, were willing to do their work by the piece. Gentlemen, I thank you.

Mr. FESS. Will the gentleman yield for one question?

Mr. PARKER of New Jersey. Certainly.

Mr. FESS. Are we to understand from the facts the gentleman has given that we would espouse the plan of working the women of the country in these shipyards?

Mr. PARKER of New Jersey. I have no desire that any such thing should be done at all. I am only speaking of the hard necessities of war. When your men have gone to war and you need workmen for your trades you must take them from the patriotism of this country wherever you can find it. I hope that necessity will not fall upon us; if it does, I hope and know that America will respond. [Applause.]

Mr. ALEXANDER. Mr. Chairman, I understand there are to be some amendments offered to these paragraphs, and I ask the Clerk to read the next paragraph, so we can get on.

Mr. ROBBINS. Mr. Chairman, I have an amendment to this paragraph pending.

Mr. SHACKLEFORD. Let us vote on it.

Mr. ALEXANDER. Let it be read. I would like to make some progress with the bill.

Mr. ROBBINS. I asked for recognition before, but could not get it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 21, after the word "houses," insert the words "or furnish or aid in furnishing transportation facilities."

Mr. SABATH. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Mr. ROBBINS. Mr. Chairman, this bill in the first subdivision (a) proposes to authorize the purchase or lease or acquisition of land improved and unimproved. In (b) it proposes to authorize the construction of houses on the land, and in paragraph (c) it proposes to authorize the acquisition or lease of houses or buildings, and in this paragraph it proposes to make loans to firms or corporations wishing to construct these houses. Now, last summer I made a journey from Philadelphia to Essington, where the Navy has established a hydroplane station; that is some 10 miles down the Delaware River, and I saw that the whole of the land along the river is taken up with buildings or factories of one sort and another. There are three lines of communication between this section and the city of Philadelphia—the Pennsylvania Railroad, the Baltimore & Ohio Railroad, and the street car line, and there is another, the Delaware River. I found these workmen employed in these manufactories journeying up and down to this point by these means——

Mr. EDMONDS. I would like to say the Reading Railroad, also.

Mr. ROBBINS. The Philadelphia & Reading Railroad had a branch; I did not know it carried passengers. Now, here is a proposition contained in this bill which is to erect houses to accommodate these workmen who are to be employed at Government shipbuilding plants and at the private plants located at Chester, Bristol, and Hog Island, which are owned by private companies. Now, it is going to cost the Government a lot of money to build these houses, and it is known all over the world that the city of Philadelphia is a city of homes, where the mechanics, working people, trades people, and people engaged in the great industries own their own homes. The laws of Pennsylvania have fostered and encouraged the building and loan associations so that it has been made possible for those people to acquire their homes upon monthly payments. Now, they live in the city of Philadelphia. They are attached to their schools, their churches, and neighborhoods, and what I propose by this amendment is to authorize this emergency corporation, to whom we are giving these large powers, to have one additional power—that is, to help the street railroads and the railroads and the river navigation, if necessary, by double-tracking those roads and increasing their facilities of the transportation of people down there to work in these industries, in which case I see no necessity for building these houses, because most of these men now own their own homes.

Mr. MADDEN. Will the gentleman yield?

Mr. ROBBINS. In just a moment. Because if we build these houses, it is going to take all summer, and we have learned in this debate that if there is any scarcity greater than another it is the scarcity of building material. Therefore the proposition I propose in this amendment is not to spend money on houses and incur the great delay incident thereto, but to improve the existing transportation facilities and take the men from the houses they already have in Philadelphia, from that great reservoir of skilled labor, the greatest in the world, and carry them down to these shipyards.

Mr. MADDEN. The gentleman, in a sense, proposes to commandeer the transportation facilities, does he not?

Mr. ROBBINS. No; I do not propose to commandeer them. I propose to allow the Government to double track that little street railway that I went down on, that gave service every 20 minutes on that hot July afternoon, and put on there a service every minute in the morning and evening, with trailers, so the workmen can go down there to work. Take the railroads that are running a few trains per day now and aid and improve their tracks to carry part of these men down there by railroad, and the Government would have not only security for every dollar it invests by liens on this railroad but would not waste money on houses of a temporary character.

Mr. MADDEN. Does the gentleman make any provision in his amendment for the return of the money advanced for the improvement of transportation facilities?

Mr. ROBBINS. No; I do not; because that is a business proposition. The money is to be a loan to these companies only. This Emergency Fleet Corporation has power in this bill to sell houses, to exchange, lease, and condemn, and it certainly would have the right to improve the tracks of these railroads or to put a boat on the river.

Mr. MADDEN. Would it still have the right to sell the tracks after it built them?

Mr. ROBBINS. It has the right to sell the real estate.

Mr. MADDEN. I do not think so.

Mr. ROBBINS. Yes. In the paragraph last above it has the right to purchase, exchange, sell, and lease land, fixtures, buildings, or furnishings. What broader power can any company have than that?

Mr. LENROOT. That refers to houses only.

Mr. ROBBINS. That is true.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania have five minutes more. Is there objection?

There was no objection.

Mr. LEHLBACH. Will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. LEHLBACH. Your amendment authorizes the shipbuilding corporation to lend money to trolley companies or other transportation companies?

Mr. ROBBINS. Aid them in furnishing transportation, yes.

Mr. LEHLBACH. Now, the Emergency Fleet Corporation, as a matter of fact, is negotiating in various parts where they have yards for improved transportation facilities. Now, I ask the gentleman this question: What prospect would the Emergency Fleet Corporation have to induce a transportation corporation to improve is facilities if the corporation knows that the Shipping Board is authorized to lend it the money to do it? Would there be any development on the part of the corporation itself, or would they sit still and say, "You give us the money"?

Mr. ROBBINS. No. I am speaking about a situation with which I am personally familiar. I am told there are 22 new corporations along the Delaware River below Philadelphia that have gone into various activities largely devoted to material for this war. There is the great Westinghouse plant, right near Essington, and there are these three shipyards, the Baldwin plant, and many others.

Now, in answer to the question of the gentleman from New Jersey [Mr. LEHLBACH], with that great population gathered there, while it is true it is devoted to war now, these people will always live there, and the Government investing money in these transportation systems will be investing money in aid of enterprises every dollar of which it is sure to get back into the Treasury of the United States. And in the debate all through this bill and in the report of the committee on this bill, I appeal to you as a business proposition, it is asserted and stated that the money that will be put in these temporary houses will be wasted, because after the war is over there will not be any value to them, or they will be of such a temporary nature that in a few years they will be gone, inasmuch as they may be built of stucco or of lumber, like these cantonments. The proposition here is to aid the Shipbuilding Board in the very thing it wants to do, namely, putting the workmen down at these shipbuilding plants quickly and accomplish the construction of the ships.

Mr. LINTHICUM. If the gentleman will permit, I think that the great difficulty would be in getting the cars to put on these railways. You may establish a schedule, but you will have to have the cars to carry the people. The Washington, Baltimore & Annapolis Railroad, on which they established Camp Meade, is willing to pay any price for cars, but they can not purchase them.

Mr. ROBBINS. If you can not get a few railroad cars, how can you build houses?

Mr. LINTHICUM. You can get a house quicker than you can get a railway car—a whole heap quicker.

Mr. STAFFORD. Has the gentleman from Pennsylvania made any inquiry as to whether the present interurban railway, operating to the south of Philadelphia along the Delaware River, has any difficulty in acquiring additional funds to increase its rolling stock and trackage?

Mr. ROBBINS. I have made no inquiry about that. I traveled over the road, and can say this, that the facilities were exceedingly meager.

Mr. STAFFORD. Has the gentleman further advice in regard to the territory south of Philadelphia, as to whether the interurban company at different points is at present making permanent improvements with the purpose of widening the roadway

so as to give better accommodations to that rapidly growing section?

Mr. ROBBINS. At the time I was there the service was both irregular and at long intervals.

Mr. STAFFORD. I will say to the gentleman that I have traveled on occasions between Philadelphia and Washington, and I have noticed the improvements going on in the way of concrete bridges and the like between Wilmington and Philadelphia, for the purpose of widening the trackage and giving, I assume, additional conveniences in interurban communication.

Mr. BUTLER. Where did the gentleman see this? From the car windows?

Mr. STAFFORD. I did.

Mr. BUTLER. I can measure the ground for you. That is where I live.

Mr. ROBBINS. I got on this car in the subway at the Broad Street Station and traveled down to Essington. I did not notice any such improvements.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ALEXANDER. Mr. Chairman, a point of order has been reserved on this amendment, and I think unquestionably the point of order is good. If the gentleman from Wisconsin intends to insist upon it——

Mr. STAFFORD. I do so intend.

Mr. LINTHICUM. Mr. Chairman, I would like to have five minutes on it.

Mr. ALEXANDER. I will say this to the gentleman from Maryland, that the Committee on the Merchant Marine and Fisheries had this whole question under consideration, and we concluded that if it is desirable to give the board the power to purchase cars or otherwise to improve the transportation facilities it ought to be done in the proper and comprehensive way; and after considering the question the committee concluded it ought to be considered in a separate bill. For that reason the provision was not incorporated here.

Mr. BUTLER. Is it being treated separately?

Mr. ALEXANDER. I will say to the gentleman that there is a bill pending on the Senate Calendar now on that very question, and it may come to us at any day.

Mr. BUTLER. It is coming to the gentleman's committee?

Mr. ALEXANDER. I do not know.

Mr. BUTLER. I know it will have careful attention if it comes to the gentleman's committee.

Mr. ALEXANDER. If it comes to the Committee on the Merchant Marine and Fisheries it will receive proper care and attention.

Mr. BUTLER. Mr. Chairman, will the gentleman from Wisconsin withhold for a moment?

Mr. STAFFORD. Yes; I will withhold the point of order for a moment.

Mr. ALEXANDER. I may add that Admiral Bowles, in a telegram to me on Saturday, emphasized the necessity for legislation giving the Emergency Fleet Corporation power to commandeer these transportation facilities where they could not secure proper arrangements with the lines, and also to supply additional transportation facilities. When I received that telegram I took the matter up with Senator FLETCHER, chairman of the Committee on Commerce in the Senate, and urged him to have that bill passed through the Senate as speedily as possible. Since then I have received advices from Admiral Bowles stating that he had also wired Senator FLETCHER, urging the passage of the bill.

Mr. BUTLER. Mr. Chairman, of course, I know this country quite well; it is where I live. And, if my word is worth anything at all, I state it here that some better accommodations will have to be furnished to workmen in this vicinity. I do hope the measure will come before the committee of which the gentleman from Missouri [Mr. ALEXANDER] is the chairman. Unless some help will come from some source as big and strong as the Government, we will not be able to move our people there or away from there. Soon there will be no shelter for them. It is impossible now, with the small facilities we have, to move the workmen back and forth.

Mr. COX. What will be required, in the gentleman's opinion?

Mr. BUTLER. More railroads—more steam roads, more electric roads.

Mr. COX. Which would be the better?

Mr. BUTLER. I can not tell you that. But it is impossible to move the people without better facilities.

Mr. COX. How far is it?

Mr. BUTLER. Why, gentlemen, it is one continuous plant from Philadelphia 12 or 15 miles down the river. The steam railroads can not furnish the necessary facilities. I believe that most of the accommodations will have to come from electric roads. Assistance will have to come from some direction, and that very soon.

Mr. ALEXANDER. I hold in my hand a provision which, if enacted into law, would give the desired relief.

Mr. COX. If they had better transportation facilities, such as the gentleman from Pennsylvania has outlined here—better railroads—would that obviate the necessity of building these homes?

Mr. BUTLER. No. We should have them both. You can hardly conceive of the transformation, you might say, on the face of that part of the country. Some one spoke of the enormous factories that have been established there recently. There are 14,000 men employed in one concern alone, and that is the Remington Arms Co.; and alongside of it the Baldwin Locomotive Works is employing 20,000 men. I recall five years ago, when there was no place provided where workmen could live. I think of this busy community working in a factory nearly 20 miles in length fighting to reach their work and struggling to reach their homes in the evening.

Mr. COX. Where do they live now?

Mr. BUTLER. In my direction—up and down the river. There is the Westinghouse plant, about to employ 15,000 or 20,000 men. We do not know where the workmen are to live and how they are to reach the place or even bring with them the commodities of life. But I must not ask the time of this committee to describe the development of this part of our country. We all know of it. Nowhere on the earth's surface has there gathered so many industrial giants. The force and activities of a hundred thousand men will soon be employed here.

The chairman of the Committee on the Merchant Marine and Fisheries has made his promise, and I believe that promise will be made good and that the facilities will be supplied, and that this section of our country will have the attention of the Government.

Mr. STAFFORD. Mr. Chairman, we all recognize the need of transportation facilities everywhere, and particularly in that great industrial belt to the south of Philadelphia, down as far as Wilmington. I am not acquainted with what is being done by the Pennsylvania Railroad to relieve those conditions, but we know that the Pennsylvania Railroad has equipped electrically some of its lines leading out to the suburbs west and northwest of Philadelphia, but whether it has made provision for such interurban traffic to the south I am not advised. I am not particularly advised as to whether river accommodations by means of the Wilson Boat Line, plying between Philadelphia and Wilmington, with their 22-knot steamers, will meet the difficulty in the solution of this question, but I am convinced that this is too important a subject to be thrown into this bill without the deliberate consideration of the committee, and therefore I make a point of order against the amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman reserve his point of order for a moment?

Mr. STAFFORD. Yes; I will reserve it for a moment.

Mr. MOORE of Pennsylvania. In support of what the gentleman from Wisconsin has said, and this is also supporting the gentleman from Missouri [Mr. ALEXANDER] as well, I desire to say that the Emergency Fleet Corporation does have plans covering the question of transportation. I have a letter from Mr. Piez, the general manager, on that point. He says:

It is our intention to materially improve the transportation facilities.

One reason why he does not go into the plans is that legislation is necessary to enable them to fully announce their plans. They do not care to give out, in advance of legislation and congressional authority, these particular details. But the gentleman from Pennsylvania [Mr. EDMONDS], my colleague, in his statement yesterday, said what is the fact that the city of Philadelphia is cooperating in this matter and large amounts of money will be given in behalf of the city to develop these improvements. They will include water supply, sewerage, and municipal improvements of other kinds.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the amendment is not germane to the purpose of this bill.

Mr. LINTHICUM. I ask the gentleman to withhold his point of order.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. ROBBINS] desire to discuss the point of order?

Mr. ROBBINS. Mr. Chairman, I think it is quite germane to the purposes of this bill. That is the point the gentleman raises; that it is not germane to the purposes of this bill?

Mr. STAFFORD. That is the only point that can be raised.

Mr. BUTLER. Read the title of the bill.

Mr. ROBBINS. That would be all right in Pennsylvania, but the title of the bill is no criterion to what a bill here in Congress contains.

The amendment that is offered is to enable this Emergency Fleet Corporation to assist in furnishing transportation for these workmen. In the bill it is provided that this corporation is authorized and empowered to do as follows:

(a) To purchase, lease, requisition, or acquire, by condemnation or otherwise, any improved or unimproved land or any interest therein suitable for the construction thereon of houses for the use of employees of shipyards in which ships are being constructed for the United States.

(b) To construct on such land houses and all other necessary or convenient facilities, upon such conditions and at such price as may be determined, and to sell, lease, or exchange such houses, land, and facilities upon such terms and conditions as it may determine.

(c) To purchase, lease, requisition, or acquire, by condemnation or otherwise, any houses or other buildings, together with the land on which the same are erected, or any interest therein, and all necessary and proper fixtures and furnishings therefor; to manage, repair, sell, lease, or exchange such lands, houses, buildings, fixtures, and furnishings upon such terms and conditions as it may determine to carry out the purposes of this act.

(d) To make loans to persons, firms, or corporations in such manner and upon such terms as it may determine, from time to time, to provide houses for the employees of such shipyards.

Now, it is true that these various provisions seem to refer to houses and lands and the acquisition of houses and lands; but the purpose of this bill is to aid in the acquisition of these houses and lands by purchase, requisition, or condemnation, we have heard all through this debate; that is, for the purpose of furnishing housing for the men who work in the shipyards. That is the ultimate purpose of the bill. We must take a broad view of it and look at what it is to accomplish. It is not a criminal statute that must be construed strictly. We are to construe it within the meaning and spirit of the law and the evil that is to be remedied, viz, lack of workmen. Now, one of the things we want, and the purpose is, to get men for these shipyards. If the transporting of these men will get them there as well as the housing of the men at the plants, then any means of taking them there would be as pertinent to the purpose of this bill as the building of a house at the plant. That is the purpose of this amendment; it is to authorize this Shipping Board either to house the men there or to bring them there by the aid of transportation lines.

The CHAIRMAN (Mr. SAUNDERS of Virginia). This bill is a housing bill. First: It authorizes the Emergency Fleet Corporation to acquire land by purchase, condemnation or otherwise. It contemplates the acquisition of land and the erection of structures on the land so acquired, whether by purchase, or condemnation: Second: It authorizes the disposition by the Fleet Corporation to lease, or sell on agreed terms to the shipwrights, or workers in the yards, the property that this act authorizes the corporation to acquire. It seems to me it must be manifest that an amendment which contemplates aid to, or the possible construction of railroads, is not germane to the manifest purposes of this bill, which are confined to affording certain definite housing facilities to the men who are to work in the shipyards. The Chair thinks the amendment is clearly out of order, and the point of order is sustained.

Mr. LENROOT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LENROOT: Page 4, line 19, after the word "loan," insert "upon adequate security."

Mr. ALEXANDER. I have no objection to that amendment, Mr. Chairman.

Mr. LENROOT. I do not care to debate it if it can be accepted.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Wisconsin [Mr. LENROOT].

The amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I can realize very well how in order to be able to construct ships which we need for the work we have to do we must construct the vessels where it is possible to move them to the sea; but I can conceive of a condition that might easily be worked out by those in administrative authority, so far as the letting of contracts for other purposes is concerned, so that all the congestion that we hear about might be avoided and no additional transportation facilities become necessary and no additional housing facilities be needed. It seems to me if the men who sit up the Avenue and have the power to determine to whom contracts shall be let would make a survey of the country, and as a result of that survey obtain information which would lead them to let contracts throughout the country, instead of two or three States of this country, all the difficulty that we are called upon to overcome would be met and vast sums of money would be saved to the Treasury. In addition to that we would have an efficiency 50 per cent greater than we have to-day. Our output could be largely increased in all lines. Contracts could be let for less money. The employment of men would be distributed all over the United States. Factories would not be depleted of the men they have now employed because of the necessity of bringing them to a central point somewhere. The industrial activities of the country would be conserved. Men would be enabled to work where they have been accustomed to work in all the great industrial centers of the country. As it is to-day contracts are let to only a few men in a few places. I do not suppose anything I say will have any weight with those who are charged with the responsibility of letting contracts. I wish I might be able to do something that would have weight with them. I think they ought to use their brains in the study of the question, rather than use their influence to favor friends, more of which I fear is being done than ought to be done for the good of the country. We are supposed to be fighting a war in which every American is engaged, but it is only a few of those Americans to whom favors are being granted. There ought not to be any favors granted to anybody. The burden ought to rest upon all alike, and the Treasury of the United States should be given some consideration by these men who are sitting in executive places with power to let contracts. We have a number of States in which it is possible to manufacture everything that is needed for the war. Many of these States have not been given any contracts at all, yet they are all called upon to pay the taxes. While the contracts are being let to a few people in a small area the people in other sections of the country are looking for employment. It is not right; it is not just to the war; it is not just to America; it is not just to the men who have volunteered to fight at the battle front. There ought not to be any discrimination anywhere. The attitude of the administration, or of those who speak for the administration in every activity, ought to be such as to be beyond criticism.

Mr. WHITE of Maine. Mr. Chairman, a newspaper article has just come to my hand that is so pertinent to the subject matter under discussion that I want to read into the RECORD a few paragraphs from it. It is from the pen of L. C. Bateman, one of the veteran newspaper men of Maine. It appeared in the Lewiston Evening Journal of my home city and deals with the shipbuilding conditions in the city of Bath. Here are located the yards of Kelly & Spear, Percy & Small, the Texas Steamship Co., the Bath Iron Works, and other plants, all working to their present capacity, all capable of greatly increased productivity, all needing men and further housing facilities. I read as follows:

If "ships, more ships" is the cry from England and France it is reechoed in this little city by the sea.

And to this is added the cry of "homes, more homes."

What to do with the people now working in her yards has become a burning issue in Bath. And more and more men are wanted, but where, O where, can they be housed? Already every house in the city for rent is taken and the cry is for more. The Texas Co. has already built nearly 60 houses for their workmen and will soon build many more. These are taken as quick as they can be finished, but apparently the demand is not lessened. It is an evergrowing problem for which, as yet, there is no complete solution.

Nobly the citizens of Bath are rising to the occasion. Homes of the rich are being opened to the common laborer and in this way the owners are doing their bit for the country.

Bath itself is the center of an area rich in ship lore and tradition. Only a few miles from this city was launched the first vessel built in an American yard to cross the Atlantic. A few miles eastward is the village of Damariscotta, the home of the *Flying Scud*, a sailing vessel maintaining for 24 hours a speed of more than 19 knots an hour, holding to-day, and in my judgment for all time, the blue ribbon of the sea. In Bath in 1762 was built the *Earl of Jute*, the first vessel of her class launched in the United States. Here in this same city there took the water the first American vessel sent to her grave by the wanton hand of Germany. For a century and a half the skill of her builders, the courage and the resourcefulness of her sailors and her skippers have carried the name and the fame of this little city by the sea to the four corners of the earth.

Her past, and her busy present, make a call to me for the enactment of this legislation, which I could not fail to hear even if I would. [Applause.]

Mr. GOOD. Mr. Chairman, a few days ago there appeared in the papers of Washington an interview with one of the officials of the Shipping Board criticizing the labor situation. I will not read all the criticism, but ask to insert it in the RECORD:

SHIPBUILDING SUCCESS DEPENDS ON UNITED STATES WORKERS, PIEZ ASSERTS IN APPEAL.

Responsibility for the success or failure of the Government's shipbuilding program was put on labor to-day by Charles Piez, vice president and general manager of the Emergency Fleet Corporation, in an appeal for shipyard workers.

"The Shipping Board has the necessary yards, the materials, and the money," he said. "All that is lacking is a spirit in the Nation that will send a quarter of a million American mechanics into the yards to give the best and most efficient work."

The fact that shipyards are working only one shift six days a week was characterized by Mr. Piez as "monstrous."

"If we are to keep ahead of the submarine campaign," said he, "we must run three shifts a day 52 weeks in the year." Mr. Piez's statement follows:

"Within 60 days huge Government yards will be completed, and soon thereafter more than 60,000 workmen will be required to furnish for them the three eight-hour shifts necessary if these yards are to turn out their ships according to schedule.

HAS 716 SHIPWAYS.

"The Shipping Board now has 716 shipways, 302 are for wooden ships and 414 are for steel construction.

"The yards in which they are established are working only one eight-hour shift per day, six days a week. This is monstrous. If we are to keep ahead of the submarine, we must run three shifts per day 52 weeks in the year.

"Our program calls for the construction in 1918 of eight times the tonnage delivered in 1916, at a cost of more than a billion dollars. The Shipping Board has the necessary yards, the materials, and the money. All that is lacking is a spirit in the Nation that will send a quarter of a million American mechanics into the yards to give their best and most efficient work.

"I am sorry to say at the present time the native-born American workman is not the mainstay of the shipyard, for he is there only to the extent of 35 per cent of the men employed, and to the extent of 65 per cent we are forced to depend on foreign-born labor.

"We all honor the men in uniform and the same honor must be given to the men who go to work in the yards. Just as the Navy is the first line of the British Empire, and just as Germany depends upon her submarines, so must America depend for victory upon the shipbuilders in the American yards. To the women of America I say: 'Send your men to the shipyard, for they will be doing there no less a service than in the Army or the Navy, and they will be returned to you safe and well paid, after having performed a duty that is a primal necessity of this war.'"

The interview, it will be observed, concludes with a statement that cast a reflection on the patriotism of the workingmen of America. Mr. Piez has only recently become a member of the board. I do not believe he knew the facts, for if he did he would not have made that statement. He is too big and too fair for that. Last summer when the building of some of the cantonments was completed, and one to which I have reference at Camp Dodge in Des Moines was finished, there were a great many carpenters thrown out of employment. I received, as did other Members of the House from my State, a great many requests from such laborers for work in shipyards, because newspapers had carried notices that the Shipping Board required a great many ship carpenters. On making inquiry I was referred to the Bureau of Labor, and the Bureau of Labor referred me to its office at St. Louis. I wrote the director there, and I have a letter written by the acting director at St. Louis, written to a man for whom I made some inquiry, in which he says, "You are informed that Mr. A. Pelsang, Miami, Fla., wants two ship carpenters at 50 cents an hour; the Miami Yacht & Machine Works, same place, wants six ship carpenters at 62½ cents per hour; George J. Pilkington, same place, wants six ship carpenters at 62½ cents an hour. You should first correspond with these gentlemen before proceeding to the work."

Now, it is monstrous that this board has but one shift per day in February, when on the 20th day of November from the bureau of the Government intrusted to find these men it only knew of 14 places in the United States where ship carpenters were wanted.

That is not all; I tried to follow the thing up a little further and secure work for these carpenters, and I wrote to Mr. King, who is in charge of the Department of Labor Employment Bureau. He wrote under the date of November 20. His letter is very illuminating and a part is as follows:

ST. LOUIS, MO., *November 20, 1917.*

Hon. JAMES W. GOOD, M. C.,
Cedar Rapids, Iowa.

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant, in which, speaking of the matter of employment in the Government shipyards for ship carpenters, you state:

"Carpenters in this part of the country will be glad to accept employment if some reliable information can be furnished. I must confess that the information that has come from your office is not of the character that would warrant a laboring man to accept employment through your agency."

I must say that I, too, am not at all satisfied with the very meager information I have been able to obtain with regard to employment for ship carpenters. Almost daily I see notices or items in the newspapers to the effect that the building of ships is being greatly hampered by the scarcity of labor of one kind or another, and this office is using its best endeavor to get some definite information in the premises. To that end several weeks ago I addressed the following circular letter to the officers in charge of the United States Employment Service at every point in the United States where I understood shipbuilding to be in progress or is supposed to be in progress:

"From time to time the newspapers contain items to the effect that the building of wooden ships is being badly hampered by reason of the shortage of ship and other carpenters. Now, this office has a list of 52 ship carpenters and another of more than 1,400 house and general carpenters. If such are needed in your zone, and you will give me information as to the cities where needed, the approximate number of men required, the persons or firms to whom application for employment should be made, wages offered, price of board and lodging, whether or not transportation will be refunded, probable length of the job, and any other information that you think may be of interest to prospective applicants, I will undertake to pass the information to these carpenters. Information of a general character that is not specific, and especially that which does not indicate the wages to be paid, will be of but little value, as men can not afford to leave jobs that pay fairly well without knowing that they will get something that will justify the change."

In response to the above, we are just now getting a little information which is of a more definite character, as noted below:

Our office at Jacksonville, Fla., reports that for various reasons only a few ship carpenters can be used in that district at this time, specifying the builders to whom applications may be made, the number each can use, with pay per hour.

The office at Mobile, Ala., reports that it is awaiting information from the various shipyards in the district as to just what labor they will need, and as soon as the information is obtained, which will be within the next 10 days or 2 weeks, the matter will be taken up again and we will be advised just how far we can assist in furnishing the help required.

The office at Baltimore, Md., reports that only a very small number of ship carpenters can be placed at this time in Baltimore and vicinity, that transportation will not be advanced, and that it would not recommend any men coming to that point now, but adds there are two concerns which will need a large number of men in the course of the next 90 days, just as soon as their yards are completed, at which time the St. Louis office will be advised.

The Philadelphia office reports having all the ship or other carpenters needed in that district at the present time.

The Galveston office reports that a number of men of various trades are coming into that district from the different cantonments which have been completed, and that, while there is some demand for ship carpenters, carpenters, calkers, riggers, etc., labor troubles are anticipated, so that it will not be well to direct men to that district for a while.

The San Francisco office reports opportunities for less than 100 ship carpenters and some 200 boat builders, but say it is difficult to secure accommodations in the shipbuilding district, especially for men with families; also that advance authority should be secured before men proceed to that point for work.

The reports we have from other offices are of a similar character, all tending to show that there is not just at this time nearly so great a scarcity of labor as is indicated by the newspaper items. It is the experience of this office that in every case where reasonably good wages are offered, conditions being normal, there is no trouble whatever in getting a sufficient number of men to fill the plants.

Mr. King concludes from his investigation that the Shipping Board does not need any ship carpenters. The trouble is there was no teamwork between the Shipping Board, that wanted men, and the Department of Labor, that was intrusted to secure these men.

And now to show that there was no coordination at all between the Department of Labor and the United States Shipping Board I have but to read from the letter of Chairman Hurley, addressed to me under the date of November 20, in which he says:

There is now being developed a special shipyard employment service in connection with the Department of Labor and the Shipping Board. * * * There is a very great need for skilled mechanics—

and I am referred to another governmental agency by the chairman of the Shipping Board.

Why, think of it. Here is an officer of this organization now claiming that they have only enough men for one shift of eight hours a day and need enough for three shifts, and that it is monstrous because they can not get the labor. During all this time the Shipping Board had intrusted to the Department of Labor, for which we make large appropriations, the matter of securing labor for them. The Labor Department as late as the 20th day of November last had not received from the Shipping Board any request for ship carpenters at all. The situation is this: The Shipping Board greatly needs a large number of ship carpenters. The Department of Labor is given the task of getting the men. The Department of Labor says there is no demand for ship carpenters. The Shipping Board says ship carpenters are greatly needed and that it is monstrous that they do not respond.

Now, I have no sympathy at all for these men who are organizing to strike at this time under prices paid in these yards. Neither have I any sympathy for that department of the Government, or for an organization in the Government that seems to have been asleep for eight months and that has not attempted to secure its employees through the agency that it selected—has not attempted to secure the men which it claims to need, and now comes in after eight months and lays all the blame of its own dereliction upon the carpenters of the United States. I say it is unfair, and it ill becomes the Shipping Board to make these charges in the public press when the real dereliction is found in the Shipping Board itself.

Mr. ALEXANDER. Mr. Chairman, I think the gentleman from Iowa has gone far afield to criticize the Shipping Board. As I read that interview the other day the only fact in it that impressed me was the claim on the part of the person interviewed that we did not have enough men in the shipyards to work three shifts a day. Admiral Bowles, when he appeared before the committee, said it is not practicable to work three shifts a day in building ships. You can work three shifts in a factory where the engines are built and you may work three shifts where fabricated parts are made, but in the construction of the ship itself—the riveting of the plates, and so forth—he

says that the work is too hazardous to be done in the nighttime, no matter how good the artificial light may be. He gave it as his opinion that it would not be practicable to work men three shifts a day in that department of ship construction. This criticism has been made as applied to labor: On account of a large increase in the price paid for labor, the increase in the wage, there is a disinclination on the part of the men to work six days in the week, and there is a disposition not to work as hard as they might during the hours of labor. In other words, there is a disposition to get more men on the job and do less work, and they—contractors or builders—are not able to develop that high degree of efficiency that is desirable if we are going to speed up our shipbuilding program and turn out as many ships as we might if every man on the job does his best. How far that is true, I would not undertake to say; but the attitude of labor in this country, speaking of labor as a whole, has been patriotic, and I think as time goes on the workmen in these different plants, whether shipbuilding or munitions or other plants, will realize the necessity for intense individual efforts to speed up and to develop the highest degree of efficiency, and they can not express their patriotism in a more wholesome or practical way than by every man doing everything in his power during the hours of labor, for the wage he is getting, to give the Government the best possible service and do his part to turn out as many tons of ships as is possible. Now, answering the criticism of the gentleman from Iowa [Mr. Good], I may say comparatively few carpenters are used in constructing steel ships. The labor situation on the Pacific coast and in the South, where large numbers of wooden ships are being constructed, is not so acute as in the steel-ship industry, if I understand the facts right. I am glad to know it, if it is a fact, that there are enough carpenters for all purposes in the building of steel ships and the building of wooden ships, but I do not see where we are going to get by this carping criticism of every activity of the Government.

That certainly will not help us along. I do not think the Shipping Board is subject to this criticism. I am sure that Chairman Hurley is doing everything in his power possible to speed up this shipbuilding program, and Members of Congress can do much to help him if they will go to Mr. Hurley and state to him the facts within their knowledge, and if there are abuses, if there are defects in administration, if there is waste, I think you will find him ready in every possible way to correct the abuses, remedy the faults in administration, and to correct the waste. [Applause.]

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. TOWNER. I would like to ask the gentleman if he would state to the committee what particular plans have been formulated for securing the labor of the fabricated steel workers in the United States? That is the branch of the labor most needed, and I would like to have the gentleman state, if he can give us the information, what steps are being taken to secure that labor.

Mr. ALEXANDER. If the gentleman has read the papers in the last few days, I think he will have noticed that in different centers employment agencies are at work engaging volunteers for this work. But we have not the facilities yet, the housing facilities, and we can not care for the labor. The Emergency Fleet Corporation is trying to locate it. The men can not be called into the governmental employ now, but the labor is being located with a view to calling it into the service of the Government just as soon as we can take care of the men by providing adequate housing. The house-building industry throughout the country is not active now, especially steel construction.

Mr. TOWNER. Yes; and therefore it ought to be comparatively easy to secure these men if we can locate them.

Mr. ALEXANDER. That is true.

Mr. TOWNER. Has there been some sort of investigation carried on by the Emergency Corporation for the purpose of locating these structural steel workers?

Mr. ALEXANDER. Yes; and they are being enrolled all over the country, according to my information.

Mr. TOWNER. Is that being systematically done by the corporation?

Mr. ALEXANDER. I hope so.

Mr. TOWNER. It seems to me that that is absolutely essential.

Mr. GOOD. Mr. Chairman, I would state to my colleague that the letter of Chairman Hurley addressed to me under date of November 20 last states:

> There is now being developed a special shipyard employment service in connection with the Department of Labor.

Mr. DEMPSEY. Mr. Chairman, it is conceded throughout this debate that there is a shortage of labor in the United States. It is equally plain that we are not going to obtain until 1919 the shipping which we figured on having in 1918. There is to be a labor shortage here much greater and much more disastrous than any to which the preceding speakers have referred. The spring is just opening. The commencement of farming is at hand. When I was home a few days ago and saw the men coming in from the farms, every man said to me that, in the county of Niagara, in the State of New York, one of the richest counties in the United States, where land is high priced, where the products are numerous and valuable, where the farmers have great incomes, there will be farm after farm in the richest towns which will go unplanted, and with this shortage of ships we will have the farmers looking into the camps and seeing about 1,200,000 men carried from 1918 to 1919, or, rather, from 1917 to 1919, in an unnecessarily prolonged period of training, with the farms unplanted, and later as the crops come on we will see them uncultivated, and later and most disastrous of all, when the rich fruitage of the farms which are planted comes in the fall we will see the harvest go to waste for want of men to gather it. Is there no remedy? Can anything be done to better this situation? It seems to me that there can be.

We are not going to be able to transport these 1,200,000 men across the sea this year and maintain them there with ammunition and guns, with supplies of all the various kinds which they would need. What can we do? The time of planting comes at various times in the United States. We can give these men short furloughs, beginning now for the extreme South and running along from time to time, as the season opens in the sections farther north, and we can send them for the planting times throughout the United States. We do not need to denude the camps at any time. There will always be one-half or one-third of the men there, enough to employ the officers who are in command, and then as the planting time ceases throughout the United States the camps will resume their full activities, and continue full and active until the harvest season comes.

And then again from the South and the North we can grant short furloughs to send these men in the full vigor of life, when one man can do the work of two, back to the harvest to help garner these rich crops to feed us and our allies.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. DEMPSEY. I will yield.

Mr. BANKHEAD. I want to ask the gentleman if he thinks, although I am very much in sympathy with his idea, that the soldier on furlough, occupying the new status that he does, with the halo of romance around him, would go back home and volunteer to make a profitable laborer on the farm for a short vacation?

Mr. DEMPSEY. I believe the soldier on furlough would be of twice the value of the ordinary man. I went to a military boarding school when I was 11 years of age. I went back to the farm in the summer for the seven years I was in the school. I was always ready, during the vacation, to do my part upon the farm. I believe that a man who returns from a camp will return revivified and strengthened by his military training, it will be like a vacation to him, and he will be ready, it seems to me, to do not only the work that he used to do but a great deal more work than he was doing before he left for military service.

Mr. BLACK. Will the gentleman yield for a question?

Mr. DEMPSEY. I will.

Mr. BLACK. Does not the gentleman think the important thing to do is for the men who are in civil life to go and put every bit of energy they have got into that endeavor and not expect us to call back our Army to do the work that ought to be done at home?

Mr. DEMPSEY. I do not believe the labor shortage will be settled for a year yet. I believe there will be a shortage in all branches. I believe in a year we will call in enough help from the women of the land, enough from the younger people of the land, so that we will do as they have done abroad not alone what we did before the war began, but I believe we will do it more efficiently, we will do more and we will do it better in every way. That is the experience in England and that is the experience in France. Labor there to-day is more efficient, happier, and more contented than it has ever been in the history of those countries, and we are going to find that here. I am suggesting simply that during the period when we are unable to send these soldiers abroad, when they remain in camp for a longer period than is necessary for their complete efficiency and training, when they can be spared for a few weeks during the planting season, and again for another few weeks during the harvest season, that they be permitted to be furloughed to return to this natural and useful avocation, which will be, next to fighting at the front, the most that any man can do to win this great world's war in which we are now engaged. [Applause.]

Mr. FESS. Will the gentleman yield?

Mr. DEMPSEY. I do.

Mr. FESS. I think there has been a general sentiment throughout the country that that may be done, that the furlough system will be used, and I have many letters on the subject, that they are expecting their own sons to be furloughed to be brought back to the farm. In case we can do that it would be especially effective on the farm, but that probably can not be done.

Mr. DEMPSEY. That could be done in cases where men have been sent, as it seems to me in all cases they should have been sent, to the camp which is the natural camp to which to send them, that which is relatively nearer the home as compared with other camps.

Mr. FESS. However, if the soldier had gone on to France he could not be furloughed?

Mr. DEMPSEY. No; we can not furlough a man abroad, and we do not want to furlough him.

Mr. FESS. This is likely to produce dissatisfaction on the part of the farmer who thinks his own son is coming back.

Mr. DEMPSEY. You will have some dissatisfaction with any course of conduct.

Mr. FESS. I agree that the gentleman's position is good.

Mr. DEMPSEY. But we have to do the best that can be done to obtain the greatest percentage of good and the smallest percentage of evil.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman, I move to strike out the last word.

Mr. SAUNDERS of Virginia. Mr. Chairman, I ask that the gentleman having the floor may have five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SAUNDERS of Virginia. The views that the gentleman has just expressed, while they do not seem to be particularly relative to the bill under consideration, meet my very hearty approbation. I have done a good deal of thinking along that line myself, but has the gentleman ever tried to get the military authorities to agree on such a proposition?

Mr. FESS. I have.

Mr. SAUNDERS of Virginia. Did he generally meet with great success?

Mr. FESS. No; I had a letter to-day refusing.

Mr. SAUNDERS of Virginia. Perhaps the gentleman from New York has worked out these ideas he has expressed in relation to furloughing these men.

Mr. DEMPSEY. I will tell the gentleman what occurred to me, if the gentleman will pardon me, as I have thought about this subject, as I have seen the Shipping Board lose a great deal of valuable time—and I am not saying that in a spirit of criticism, because I do not want to criticize—but I have seen, at any rate, that the expectation of the country that we would have enough shipping to send this one and a half million men across the water was going to be disappointed, and as I looked forward to the future and saw men at these camps serving a totally unnecessary time in preparation there——

Mr. SAUNDERS of Virginia. That is what I think.

Mr. DEMPSEY. Then I said there will grow throughout the country a sentiment which will demand that which I now advocate, and all I say now is that we accelerate that sentiment and bring it to bear upon those who have authority to grant the furloughs.

Mr. SAUNDERS of Virginia. Now I want to get at that. How does the gentleman propose to accelerate that sentiment? I have tried to accelerate a little of that sentiment with the military people and had a very small success along that line.

Mr. DEMPSEY. I should suppose, for instance, that gentlemen of this Congress would be able to influence the public press of their vicinity to advocate this idea in such a way that it would create a public sentiment in advance of the planting season, which would be so strong and so overwhelming that those who are in supreme command will feel constrained to order the furloughs to be granted.

Mr. SAUNDERS of Virginia. The very moment you start anything of that sort you will be met with the charge that you are interfering with a military system that you know nothing about or that you are disloyal. The military people would not do anything of that kind. I have in mind a young man from my district who is a shipwright and was in the service. How are you going to get him to be utilized for the purpose of shipbuilding? You apply to the military authority to get him out and see what will happen to him.

Mr. BUTLER. If the Shipping Board will ask for him, the Army will release him, for I have had that experience.

Mr. SAUNDERS of Virginia. Then I will come and confer with the gentleman.

Mr. DEMPSEY. In the first place, I do not believe we should indulge in undue criticism. I believe that we should take an optimistic view of conditions; that we should hope, not criticize. I do not believe the time has come in this country when free speech, when free expression of opinion, when it is meant to be constructive, when it is meant to be helpful, should not be indulged in. I do not believe that time has come, and I do not believe it will ever come.

Mr. SAUNDERS of Virginia. I have this case—and every Member has hundreds of them who has an agricultural district—of a farmer that has three sons. He owns a little farm. The farmer has an old wife, and they are 65 or 70 years old. All three of those sons are in one camp, and the farmer wants one of them to come home. But you make application to the department with an excuse of that sort and see what will happen. I want to know what the gentleman would do.

Mr. DEMPSEY. The individual case is a very different case from the collective one. The individual example is a totally different thing from trying to release soldiers for a specific duty which the whole country can see is necessary not alone for ourselves but for our allies. I believe that all that is necessary is the creation of a proper public sentiment. That will secure the result we all wish for from the generals who command our armies.

Mr. SAUNDERS of Virginia. I wish you would do that. I would like to take advantage of it.

Mr. DEMPSEY. I have found them very considerate and willing to do all they properly could do.

Mr. SAUNDERS of Virginia. They are very agreeable, but they never do anything.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman——

Mr. ALEXANDER. Mr. Chairman, it is now 4 o'clock and we ought to finish the consideration of this bill to-day. We all agree it is an emergency measure of the greatest importance, and while it is very instructive to discuss these other questions that are entirely foreign, yet I must insist that hereafter the discussion be confined to the subject matter of the bill.

Mr. STAFFORD. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

Mr. ALEXANDER. There are several other amendments to be considered. After we get through considering the bill and the amendments that may be offered, I have no objection to discussing everything under the sun. I suggest that we proceed to the discussion of this bill and amendments now.

Mr. STAFFORD. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 4, line 19, after the word "corporation" insert: "But for no longer term than five years."

Mr. STAFFORD. Mr. Chairman, this paragraph vests this great authority in the Shipping Board to loan all or part of this $50,000,000 to any person, firm, or corporation without any limit whatsoever as to the length of term in which it is to be repaid. The framers of the bill admit that this is a very absolute power to be vested at any time, even in war time. I am in full sympathy with the policy of the committee that this money may be loaned to subsidiary corporations, but I am placing myself in the attitude of a director of one of these subsidiary corporations which is in need of money for the building of homes and can not get that money from private banks and wishes to have these buildings erected. They should be willing, as I view it, to accept the money for this purpose on the understanding that it should be repaid within five years. The argument may be made that they would wish to loan this money for a longer term so as to permit the workmen to pay it out during longer periods; but any corporation that really wishes to improve the facilities of its plant by having these houses erected, knowing that they can obtain this loan for five years, can arrange at the end of five years to obtain loans from private sources whereby the money can be returned to the Treasury.

There is this danger in all this legislation, that in these war times we will load down the Government with burdens that will haunt us for years and years to come. There should be some good ground advanced why the terms should be lengthened away beyond the period when the war is at an end. We should endeavor in every way possible to bring these paternalistic schemes to a close at a certain time after the conclusion of the war. The amendment does not limit it too drastically by making it a short period. I merely say five years, and certainly any corporation or any partnership which obtains the money for a five-year term can look forward to the time when that period comes to an end and make other arrangements to take up that loan—

that is all it is, in substance—rather than allowing the Shipping Board full freedom to make a loan for 15 or 20 or any other number of years. Some limit should be placed on this power in the Shipping Board to make these loans.

Mr. ALEXANDER. Mr. Chairman, I call attention to the testimony of Mr. Cuthell at the hearings outlining the plan the Emergency Fleet Corporation has under consideration. It is not simply the question of loaning money to a corporation. The Emergency Fleet Corporation may lend to a corporation or a firm or an individual. But at the same time we want to get that money back. We want to loan it in such form as will save the Government possible loss.

Mr. Cuthell said:

Of course our first direction to them is that they shall not make any money out of this housing business, and we shall use all of our ingenuities to see that they do not make any money out of this housing business, because this is a war measure, and we are putting money in in an unusual way, and we want to provide houses for these employees and not for the profit of any land development company. There will be no salaried officers nor directors; there will be no commissions allowed in any way. The shipbuilding company will be allowed to have a 6 per cent return on its actual investment at cost that they can show by an actual audit of their books to us, and that is all.

And then there are very interesting pay-off provisions of the mortgage that we will have.

I wish to call your attention to this further statement of Mr. Cuthell's:

We propose to lend the money to these subsidiary companies at 4 per cent interest for 15 years, and beginning with the fourth or fifth year that they shall pay off 3 per cent on the principal. Now, bear in mind that it is a separate little company that is making this arrangement with us. We control the arrangement; we control the sale prices. We hope that all of these houses will be sold to the shipyard employees, and it is our intention to make the documents in such form as to facilitate sales. For instance, we mean to take a blanket mortgage for all our advance, and that blanket mortgage will have a schedule of release values annexed to it, so as to each particular plat of land and house in that development there will be an ascribed value. We plan to replace that blanket mortgage if an employee comes along and wants to buy and to take a separate mortgage on that particular tract, so that the employee will get the benefit of a 4 per cent mortgage. He can not get it now at 6 or more per cent, and it will aid him to that extent in financing his own home. There will be practically a trivial amount of cash required for a man to acquire a house in any one of these developments, and we intend to see that they are sold off to employees just as fast as possible.

Now, speaking further about it, Mr. Cuthell figures that to build at this time will cost from 30 to 40 or 45 per cent more than it would cost in peace times, and hence to require an employee to buy, or to expect him to buy, a house on the present basis of cost, and not give him the time in which to pay his debt at the lowest rate of interest, would not only be unjust to the employee but would defeat the very purpose, which is to sell these houses to the employees on long time, on some amortization plan, in the hope that ultimately they will pay for them and provide themselves homes.

Hence the suggestion is made by Mr. Cuthell that this money should be loaned for 15 years. To loan it for five years would defeat its purpose and would make it impracticable, in the view of the attorney, Mr. Cuthell, and Mr. Flannery, the director of housing, to dispose of these houses to the employees at the different shipping plants.

Mr. HAYES. Mr. Chairman, will the gentleman yield there for a question?

Mr. ALEXANDER. Yes.

Mr. HAYES. I want to ask the gentleman if he does not expect that these houses that are proposed to be built will be only for temporary use? It is not to be supposed that all this shipbuilding activity is to continue after the war. That is not the intention.

Mr. ALEXANDER. It is not intended to build houses only of temporary kind. That would depend on the locality. In some of the communities it is not the intention to build houses of a temporary character.

Mr. HAYES. To what use are the houses to be put after the war?

Mr. ALEXANDER. Take, for instance, the yard at Hog Island, there are many other industries in the neighborhood, and the demand for these houses will continue after the war.

Mr. BUTLER. Yes; of course.

Mr. ALEXANDER. In a community like that it would not be wise for the Emergency Fleet Corporation to build temporary structures, because in that event they would be a total loss.

Mr. HAYES. Are all these places situated similarly to Hog Island?

Mr. ALEXANDER. They are not. In some instances they must be of a temporary kind, and after the war is over they may not have any value.

Mr. HAYES. That is what I supposed.

Mr. ALEXANDER. Hence, the reason for not placing any limitation upon the Emergency Fleet Corporation or the director of housing, so that they can meet the conditions in the several communities in a reasonable way, with a view not only to providing for housing but to protect the Government and to ultimately save as much as possible from loss we give them great latitude.

Mr. HAYES. But does not the gentleman think that after the Government has carried it for five years and it has been sold—one house to one workingman—there are plenty of building associations and other organizations where such a workman can get in and have his investment taken care of, without involving the United States for 15 years? Does not the gentleman think so?

Mr. ALEXANDER. Well, the Government has its money in the property.

Mr. HAYES. Surely.

Mr. ALEXANDER. The point is how to get the money out, and if that condition exists at the end of five years, I presume the Government will be glad to get its money out as quickly as it can. But for us to place a limitation in the law such as proposed may defeat the very purpose we have in view, and the result will be a large loss if the Government is forced to call in the loans at the end of five years.

Mr. BUTLER. Mr. Chairman, will the gentleman yield for a question?

Mr. ALEXANDER. Yes.

Mr. BUTLER. Does the gentleman care to give the committee his idea whether the Government will entirely abandon that great big shipping plant there after the termination of this war?

Mr. ALEXANDER. I sincerely hope not. I hope we will build up a great American merchant marine.

Mr. BUTLER. I am afraid by the gentleman's answer to the question of the gentleman from California he might be misunderstood.

Mr. ALEXANDER. I hope the industry will continue.

Mr. HAYES. I would like to see an American merchant marine built up as much as anybody. I live on the Pacific coast. We are busy there now. But it is hardly to be expected that we will continue to manufacture ships after the war as rapidly as now. We can not do it. Therefore many of these houses must be of a temporary character.

Mr. ALEXANDER. That is true; but there are communities where the shipbuilding plants will be permanent in character, and the activities will go on after the war. Take the case of Hog Island. The shipbuilding industry is not the only industry in that immediate locality, and hence the Fleet Corporation may well consider that fact and provide for improvements permanent in their nature.

Mr. STAFFORD. What would prevent the individual owner from going to private sources and getting money at the end of five years? Those are subsidiary corporations, capitalized to-day for millions of dollars, and you are proposing to load down the Government for 15 years, not to be paid at any time before that.

Mr. ALEXANDER. I do not think so.

Mr. STAFFORD. There is no limit on the authority.

Mr. ALEXANDER. No; the gentleman's amendment is an unwise one, in my judgment.

Mr. STAFFORD. Business men on this side think it is eminently fair. My limit is five years.

Mr. ALEXANDER. I think if we want to save the Government money, and in view of the plan outlined by Mr. Flannery, the director of buildings, and Mr. Cuthell it will be unwise for us to place any limitation in the law. The Committee on the Merchant Marine, just like the committee here, were anxious to know just what the plans are, how they proposed to carry them out, and how they were going to undertake to protect the interests of the Government with the view to making the losses as small as possible, and we did not think it wise to hamper them too much. We all realize that there will be losses.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. STAFFORD. The gentleman, I believe, from his statement, realizes the need of some limitation. Would he have any objection to an amendment, say, fixing the time at 10 years? I believe 5 years is ample for the purposes of all who wish to borrow this money; but say 10 years.

Mr. ALEXANDER. Make it 15.

Mr. MADDEN. I think 10 years is more than it ought to be, but it certainly ought not to be over 10 years.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to modify my amendment and make it 10 years. I ask for a vote.

The CHAIRMAN (Mr. PRICE). The Clerk will read the modified amendment.

The Clerk read as follows:

Modified amendment offered by Mr. STAFFORD: Page 4, line 19, after the word "corporation," insert "but for no longer a term than 10 years."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by the Chairman) there were—ayes 24, noes 22.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Whenever said United States Shipping Board Emergency Fleet Corporation shall acquire by requisition or condemnation such property, or any interest therein, it shall determine and make just compensation therefor, and if the amount so determined is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined, and shall be entitled to sue the United States to recover such further sum as added to such 75 per cent will make such an amount as will be just compensation for the property so taken, in the manner provided by section 24, paragraph 20, and section 145 of the Judicial Code.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 5, line 7, after the word "property," insert "or interest therein."

Mr. ALEXANDER. We accept that amendment.

Mr. STAFFORD. That is merely to make it a little clearer.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was agreed to.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. I do not understand the provisions of this section of the bill. I want the chairman of the committee to explain why it is drawn in this way. It provides in the body of it here that when this property is taken 75 per cent of the compensation, as determined by the Emergency Fleet Corporation, shall be paid to the owner of the property and the remainder shall be recovered by a suit brought under section 24, paragraph 20, of the Judicial Code.

By referring to section 24 of paragraph 20 of the Judicial Code, as I find it on page 19 of the code, it provides this—and if the chairman of the committee is interested in this I would like to have him listen to this, because I think it is very important to get the bill right. I am in entire good faith, for I am in favor of this bill.

Mr. ALEXANDER. If the gentleman is addressing his attention to me, I will say that this provision has been enacted by this Congress in several bills relating to the condemnation of property for public use.

Mr. ROBBINS. I think probably you could improve this section. Section 24 of paragraph 20 of the Judicial Code provides that the Court of Claims shall have concurrent jurisdiction in all claims not exceeding $10,000. There may be many claims that will exceed $10,000, and in such cases this act will not apply. It says, and I read:

founded upon the Constitution of the United States or any law of Congress, or upon any regulation of an executive department, or upon any contract, express or implied, with the Government of the United States, or for damages, liquidated or unliquidated, in cases not sounding in tort, in respect to which claims the party would be entitled to redress against the United States, either in a court of law, equity, or admiralty.

Evidently that law is dealing with the Court of Claims. Then, here follows this provision, that, I think, makes this section absolutely unconstitutional. It does in Pennsylvania, and we have three shipyards that I hope will enjoy the benefits of this act, if it is passed, so I want it to be in such shape that it will work in Pennsylvania. This act provides at the close—

All suits brought and tried under the provisions of this paragraph shall be tried by the court without a jury.

Now, you are setting up a new method of adjudicating questions of damages. You are depriving the litigant of the right of trial by jury. You can not do that in the Commonwealth of Pennsylvania, and you can not do it generally in the other States of the Union.

Now, let us turn to the other provision. Why it should refer to two provisions of the Judicial Code, if one is good enough, I do not understand. But after referring to section 24, paragraph 20, it says, "and section 145 of the Judicial Code." We find that section on page 86 of the code, and that starts out as follows:

The Court of Claims shall have jurisdiction to hear and determine the following matters:

First. All claims (except for pensions) founded upon the Constitution of the United States or any law of Congress, upon any regulation of an executive department, upon any contract, expressed or implied, with the Government of the United States, or for damages, liquidated or unliquidated, in cases not sounding in tort, in respect of which claims the party would be entitled to redress against the United States either in a court of law, equity, or admiralty if the United States were suable.

How are you going to apply that statute in this case? This relates to the Court of Claims, and as a practical proposition, as the jurisdiction is given in this section of the judicial code, you have got to come to Washington to try the cases in the Court of Claims, and this means to drag men out of their home jurisdiction, in Pennsylvania, or Virginia at the Norfolk Navy Yard, or at the navy yard up in Boston, Mass., or wherever these houses are to be built. The owners of the property will have to come here to Washington to try their cases in the Court of Claims. Now, that is contrary to all legal procedure, and burdensome and expensive, and there is no necessity for it.

Mr. GOOD. Will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. GOOD. Is it not true that without this provision the claimant would have no place where he could bring a suit against the Government of the United States?

Mr. ROBBINS. I say the whole theory of this method of obtaining damages is wrong.

Mr. GOOD. It may be wrong, but what I want to direct the attention of the gentleman to is that it would not be unconstitutional, because at the present time the litigant would have no right to go into any court.

Mr. ROBBINS. He would have a right to go into the United States district court in the place where he lived. If he was a Hog Island man he could go to the district court in the city of Philadelphia, or if he was a Norfolk man he could go to the district court at Norfolk, Va., and try his case, and have a jury, and have the question of damages determined as it ought to be determined. That is the only way it can be determined.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BUTLER. I ask unanimous consent that my colleague may have five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks that his colleague have five minutes additional. Is there objection?

There was no objection.

Mr. ROBBINS. I think this is a good objection to this bill.

Mr. BUTLER. Will the gentleman allow me?

Mr. ROBBINS. Certainly.

Mr. BUTLER. In the last Congress we dealt very largely with this question, occupying nearly one-half day of this House, and they finally determined that this was the method by which damages should be recovered when property was taken from an individual without his consent. In the case of the armor-plate factory it was discussed.

Mr. ROBBINS. If you want to try a case relating to Hog Island or Bristol, why should you not be allowed to do so in the United States district court at Philadelphia, near by.

Mr. BUTLER. I contended then, as the gentleman does here, that the method we should adopt was the one that we have in Pennsylvania; but this House, by a large majority, decided otherwise and adopted this provision.

Mr. ROBBINS. Just let me finish this. There is a general act of Congress providing for the condemnation of real estate, the act of February 9, 1887. Therein it is provided—

that in every case in which the Secretary of the Treasury or any other officer of the Government has been, or hereafter shall be, authorized to procure real estate for the erection of a public building or for other public uses, he shall be, and is hereby, authorized to acquire the same for the United States by condemnation under judicial process whenever in his opinion it is necessary or advantageous to the Government to do so, and the United States circuit or district court of the district wherein such real estate is located shall have jurisdiction of proceedings for condemnation.

There is clearly a defined general statute providing for cases of this kind, and why go back and put it under two sections referring to the Court of Claims, one of which deprives the litigant of the right of trial by jury?

I want to call attention of the gentleman from Pennsylvania on this committee to this matter. You say you are going to provide housing facilities for the workmen employed at the navy yards located at Bristol, Chester, and Hog Island, all in Pennsylvania. If there is an owner of land located on the territory you are going to acquire by condemnation, you can not do it, because the constitution of Pennsylvania protects the right of such landowner. This is the constitution of my State:

SEC. 8. Municipal and other corporations and individuals invested with the privilege of taking private property for public use shall make just compensation for property taken, injured, or destroyed by the construction or enlargement of their work, highways, or improvements, which compensation shall be paid or secured before such taking, injury, or destruction. The general assembly is hereby prohibited from depriving any person of an appeal from any preliminary assessment of

damages against any such corporation or individual made by brewers or otherwise. And the amount of such damages in all cases of appeal shall, on the demand of either party, be determined by jury according to the courts of the common law.

Now, if it is your purpose to prevent the three shipyards in Pennsylvania from getting any improvement under this act, you have handsomely provided for it in this bill, because the only clause in the bill under which you can proceed in a local court is one which says that you must determine it without the aid of a jury. The constitution of Pennsylvania steps in and says that you can not deprive a man of his property without the intervention of a jury.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. SAUNDERS of Virginia. Does the gentleman maintain that under the Constitution of the United States it is necessary to have a jury in respect to the ascertainment of damages in land condemnation?

Mr. ROBBINS. Yes; I do. I say you can not take land away from a man without a jury trial if he demands it.

Mr. SAUNDERS of Virginia. Will the gentleman refer us to the section that supports that contention?

Mr. ROBBINS. In the Constitution of the United States is the general provision—article 5 of the amendments adopted when the Constitution was adopted:

No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces or in the militia when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life and limb; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation.

Mr. SAUNDERS of Virginia. We are all agreed on that.

Mr. ROBBINS. And under that there must be a trial by jury.

Mr. SAUNDERS of Virginia. Can you cite me to the law providing that an ascertainment of land damages by the court in proceedings in condemnation is not due process of law?

Mr. ROBBINS. That is the adjudication in the cases under this section of the Constitution.

Mr. SAUNDERS of Virginia. My friend can not maintain that proposition.

Mr. HAYES. Will the gentleman yield? Does the gentleman from Virginia maintain that due process of law would not include a trial by jury?

Mr. SAUNDERS of Virginia. Not at all. But there may be due process of law without trial by jury.

Mr. HAYES. Not where there is a demand for a jury trial.

Mr. SAUNDERS of Virginia. Oh, yes; in every case where the Constitution or statute or common law does not give the right to a jury.

Mr. HAYES. I would like to know where.

Mr. SAUNDERS of Virginia. In Virginia, for instance, and in many other States.

Mr. ROBBINS. Mr. Chairman, I would like permission to revise and extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ROBBINS. I would like to ask the chairman of the committee why he did not adopt language that would put these condemnation proceedings under the act of the 9th of February, 1887, instead of this one in the bill?

Mr. ALEXANDER. The provisions cited here do not relate to condemnation proceedings alone. The provisions of section 24, paragraph 20, and section 145 of the Judicial Code, refer to the court or courts in which the suit may be brought for damages. Section 24, paragraph 20, provides that the United States district courts and the Court of Claims may have concurrent jurisdiction of claims of $10,000 or less. If the amount is in excess of $10,000 the suit must be brought in the Court of Claims. That is all that is involved in the statute referred to. First, the owner of the land and the agents of the Government undertake to agree on the value of the land. If they agree the total amount of the purchase price or the damage is paid direct. If they do not agree, then it is made the duty of the Government to pay to the owner 75 per cent of the sum and remit him to the courts to sue for the excess. The argument made by the gentleman from Pennsylvania [Mr. ROBBINS] it seems to me has no force or relevancy to the situation we are undertaking to deal with in this bill. We are not proceeding under the laws of the State of Pennsylvania; we are proceeding or will proceed under an act of Congress, if this bill becomes a law, and that too with due respect to the provisions of the Constitution of the United States that private property may not be taken for a public use without just compensation. This act provides a method by which that compensation may be ascertained, first, if possible, by agreement, and failing on agreement, then the Government may tender to the owner 75 per cent of the amount regarded by the agent of the Government as just compensation. The party then is remitted to his remedy in the district court of the United States if the amount be $10,000 or less, and if it be in excess of $10,000 he is remitted to his remedy in the Court of Claims. It will not do to say that his property has been taken without due process of law. Every step is provided for. His rights are safeguarded. The ascertainment of the damages, the method by which they may be ascertained may be different in the Federal court under this statute from the method in the State courts, but it will nevertheless be due process of law. A similar provision was written into the naval appropriation bill of 1915, under which the Government was authorized to commandeer great steel plants or munition plants and other great industries in this country in the event the Navy Department or the officers of these different industries were not able to agree upon what would be a reasonable price for their output, and I am told by the gentleman from Pennsylvania [Mr. BUTLER], who is a member of the Committee on Naval Affairs, that the provision in the naval appropriation bill was framed by the Department of Justice, presumably by the Attorney General.

Mr. BUTLER. Yes; by the Attorney General.

The Clerk read as follows:

That whenever the said United States Shipping Board Emergency Fleet Corporation shall requisition any property or rights, or upon the filing of a petition for condemnation hereunder, immediate possession may be taken by it of such land, houses, or other property, rights, and facilities, to the extent of the interests to be acquired therein, and the same may be immediately occupied and used, and the provisions of section 355 of the Revised Statutes, providing that no public money shall be expended upon such land until the written opinion of the Attorney General shall be had in favor of the validity of the title nor until the consent of the legislature of the State in which the land is located has been given, shall be, and the same are hereby, suspended as to all land acquired hereunder.

Mr. ROBBINS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 5, line 16, after the word "used," insert the following:
"*Provided*, That said corporation shall have authority to institute and conduct proceedings under the power of eminent domain in any State to acquire title to real estate located in such State, whenever necessary."

Mr. ALEXANDER. Mr. Chairman, on that I reserve a point of order. It is certainly not germane to this section.

Mr. ROBBINS. Mr. Chairman, the purpose of this bill is to acquire, by condemnation, lands that are located near shipyards, among others, which yards are not owned by the National Government, and the clause of the Constitution of the United States that confers the right of eminent domain seems to me to limit it to public buildings, works, and forts over which the United States has jurisdiction. This right to condemn that is vested by this act seems to extend it to other propery not owned by the National Government, and I think that in such case, in order to give this act strength, we should make it optional with the corporation to proceed in Pennsylvania—if the land involved be in Pennsylvania—or Virginia or Maryland in connection with the improvement that is to be erected. I do not think the Government under this bill as it is here worded has the right of eminent domain to condemn property that is not located in connection with shipyards owned by the National Government. It is a well-known principle that this right of eminent domain is one that rests upon statute. For instance, this is the fundamental principle which underlies that right:

One of the most firmly established principles of the law of eminent domain is that the burden is on the party seeking to exercise such power to show an express warrant from the legislature. The power of eminent domain will never pass by implication, and even when the power has been expressly granted the grant will be construed strictly against the grantee, and he will not be allowed to take the lands of another unless he acts clearly and unmistakably within the limits of his authority.

I cite this from Nichols on Eminent Domain. Where is there any authority in the Constitution of the United States to condemn, as is proposed in this act, lands for housing dissociated and disconnected with any other improvement that the National Government owns? I concede, and I believe the National Government would have, the right to condemn houses in connection with a shipyard that it owns, to extend and take ground to provide for that shipyard, but that is not this proposition.

That is not the kind of taking we are dealing with. We are dealing with a statute to which is applied the strictest construction known to the law, on the civil side of the court at least.

Mr. HARDY. The gentleman conceives that the Government of the United States would have no right to exercise the power of eminent domain to condemn property and build houses for cantonments for the temporary use or permanent use of its soldiers, having no other property in the neighborhood?

Mr. ROBBINS. That would be a complete unit, a unit in itself, for the military power, and that would be under the case of ex parte Milligan an exercise of the war power.

Mr. HARDY. Is it not simply condemning property for the use of the Government?

Mr. ROBBINS. Oh, no. There is the property as a whole that the United States would take under the war-making power which would be to complete a part of the armament and equipment for the national defense. Such are its cantonments. We propose here to do a different thing. You propose here to build houses alongside privately owned shipyards. Where is the power to do it? You have got to put your finger upon the statute, and you have not got the power. There is no implication of the right to condemn here.

Mr. ALEXANDER. When we enact this law——

Mr. SAUNDERS of Virginia. Does the gentleman think that the necessary power has not already been given to the Emergency Fleet Corporation?

Mr. ROBBINS. Well, you must show in the Constitution the right upon which you can found this act of Congress, because we are acting under delegated powers conferred on us by the States. We derive our power entirely from the Constitution.

Mr. SAUNDERS of Virginia. All that the gentleman's amendment will do will be to give this corporation authority to institute condemnation proceedings, is it not?

Mr. ROBBINS. In the State courts where the land is located. There is no question about it.

Mr. SAUNDERS of Virginia. Why should the corporation not proceed in the Federal courts? That is the appropriate and customery tribunal for proceedings by or against the Government.

Mr. ROBBINS. Because we have not got the right to do it, as I am trying to explain. It is a power which is outside and beyond the limit of the Federal Constitution.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARDY. Mr. Chairman, I ask that the gentleman's time be extended to answer a question.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HARDY. Under this amendment which the gentleman proposes, whereby the corporation would have to proceed in the State courts with methodical and long-drawn-out litigation for the condemnation of this property, it seems to me the gentleman brings about this situation: First, that we could not take immediate possession at all——

Mr. ROBBINS. Let me correct the gentleman right there.

Mr. HARDY. And therefore the immediate purposes of the act would be defeated. Second, the Constitution does not allow the condemnation unless it is to be used in connection with some property already owned by the Government, and therefore we could not condemn. So the State of Pennsylvania, according to the gentleman's contention, would have to do without any of these improvements.

Mr. ROBBINS. I beg the gentleman's pardon. Under condemnation proceedings in the State courts, as soon as notice is given to the owner of the land within five days thereafter the petitioner can file a bond which when approved by the court passes the title at once and vests it in the corporation taking the property, and possession is taken at once. The litigation afterwards relates entirely to damages to be recovered on the bond. Therefore the quick and speedy way to acquire this title is to institute condemnation proceedings in the State court by the corporation or petitioner desiring to acquire the title to the land.

Mr. SAUNDERS of Virginia. If the gentleman will permit, I would like to ask him this question, because we want to make an issue, and this we can not do unless we find out what we respectively stand for. Does the gentleman contend that in spite of this statute should it become a law, and in spite of our powers under the war power, that in the State of Pennsylvania the Fleet Corporation will not have the right to proceed by way of condemnation in the district courts of Pennsylvania to acquire the property desired? Is that the gentleman's contention?

Mr. ROBBINS. Yes. They are up against private property owned by the people. It is not a complete unit. You are condemning houses there to be used by private corporations. The right of eminent domain does not give any such power as that.

Mr. SAUNDERS of Virginia. What does the gentleman refer to as a private corporation, the Fleet Corporation?

Mr. ROBBINS. No; to the shipyards. The shipyards at Bristol, Hog Island, Chester, are owned by private parties.

Mr. SAUNDERS of Virginia. We are not giving a private corporation the right of condemnation. The right of condemnation is afforded only to the Fleet Corporation.

Mr. ROBBINS. The gentleman misunderstands me. But there are private shipyards alongside of which you propose to condemn ground and erect houses by the General Government.

Mr. SAUNDERS of Virginia. Yes.

Mr. ROBBINS. Well, that is what I say.

Mr. SAUNDERS of Virginia. You understand, do you not, that it is proposed by this bill, to give the Fleet Corporation the power to condemn for war purposes, property related to the buildings that you have in mind?

Mr. ROBBINS. Yes.

Mr. SAUNDERS of Virginia. But your contention is we can not do it unless we authorize them to proceed in the courts of your State?

Mr. ROBBINS. Yes; proceed in the courts of the State. And there they would have a right to do it.

Mr. SAUNDERS of Virginia. How can we give any greater right by authorizing the Fleet Corporation to proceed in the courts of your State, afford a greater right than we can give it the right to proceed in the Federal courts that are created by virtue of the Constitution and are part of the Federal system? Is it your idea that we will derive our powers from the State constitution?

Mr. ROBBINS. No.

Mr. SAUNDERS of Virginia. That seems to be your contention.

Mr. ROBBINS. I suggest that the State court is the proper place in which to carry on the condemnation proceedings.

Mr. ALEXANDER. Mr. Chairman, I am opposed to the amendment offered by the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. MONDELL. I am opposed to the amendment offered by the gentleman, but I do not intend to discuss it.

Mr. ALEXANDER. But I do, and I think it is my duty to discuss it.

Mr. MONDELL. I shall want to follow.

Mr. ALEXANDER. I would like to discuss it now, so that the two arguments may be together.

Mr. MONDELL. That is fairly satisfactory to me.

Mr. ALEXANDER. Now, the gentleman from Pennsylvania [Mr. ROBBINS] labors under the impression that there is no other way to condemn property for a public use except as provided by the laws of Pennsylvania. The constitution of every State in the Union prescribes that property may not be taken for a public use without just compensation, and the method by which property may be condemned for a public use is different in practically every State in the Union. We are undertaking to condemn property for the use of the Federal Government and as a war measure. It is just as important, in providing for the national defense, to provide ships and the facilities to build them as to provide armies and equip them. The Constitution of the United States says that property may not be taken for Federal use except upon just compensation. We have undertaken, having respect to that provision of the Constitution, to provide a method by which that property may be condemned, a Federal statute under which the property may be condemned for Federal use. Now, it would be unfortunate, indeed, if in every instance where it is necessary to condemn property for a Federal use we would be remitted to the remedy or process provided in the State. But this paragraph of the bill that the gentleman seeks to amend refers to the section of the Federal statute the provisions or requirements of which we seek to suspend in order to facilitate the work by taking immediate possession of the property, whether purchased or condemned, and not wait for the opinion of the Attorney General as to the title.

Now, section 355, to which reference is made in the paragraph, and the provisions of which it is sought to suspend, is as follows:

No public money shall be expended upon any site or land purchased by the United States for the purposes of erecting thereon any armory, arsenal, fort, fortification, navy yard, customhouse, lighthouse, or other public building of any kind whatever until the written opinion of the Attorney General shall be had in favor of the validity of the title, nor until the consent of the legislature of the State in which the land or site may be to such purchase has been given. The district attorneys of the United States, upon the application of the Attorney General, shall furnish any assistance or information in their power in relation to the titles of the public property lying within their respective districts. And the Secretaries of the departments, upon the application of the Attorney General, shall procure any additional evidence of title which he may deem necessary, and which may not be in possession of

the officers of the Government, and the expense of procuring it shall be paid out of the appropriations made for the contingencies of the departments, respectively.

Mr. STAFFORD. I know the gentleman has given a great study to this question. Can he state to the House the provisions of the statute which provides authorization to the National Government to condemn private property for the purposes of the Government?

Mr. ALEXANDER. We have never had a general statute—I state that simply on information—under which the Government may condemn private property for public use. The Congress at all times has undertaken to reserve that power and confer it only when it was to be exercised with reference to a specific case, as we are undertaking to do here. I think you will find——

Mr. STAFFORD. Then under what procedure will the Government go ahead and take this private property for public purposes?

Mr. ALEXANDER. Under the provisions of this bill when enacted, which authorizes the condemnation of property and provides how it may be done in the event the parties can not agree on the price——

Mr. STAFFORD. Oh, yes; but where is the procedure? It does not say in what court they shall proceed. The bill provides that in case the individual declines to take the award you offer, then the procedure follows; but there is no procedure fixed in the statute or any procedure authorized in this bill to go ahead under condemnation proceedings.

Mr. ALEXANDER. The gentleman is mistaken. The bill does authorize and fix the procedure. If the amount involved is less than $10,000, the United States district court and the Court of Claims have concurrent jurisdiction.

Mr. STAFFORD. As to claims?

Mr. ALEXANDER. As to damages. If the gentleman ever tried a condemnation suit in his life he would know that the issue is one of damages.

Mr. STAFFORD. I grant that.

Mr. ALEXANDER. Of course, if a railroad undertakes to condemn property for railroad purposes, they take the property first, and afterwards the amount of damages is ascertained.

Mr. STAFFORD. But there is a certain procedure laid down in that case. There is no procedure laid down here in the bill or under our statutes.

Mr. ALEXANDER. It is just the same. I refer you to the paragraph following paragraph 5.

Mr. ROBBINS. Mr. Chairman, may I ask the gentleman from Missouri a question?

Mr. ALEXANDER. All right.

Mr. ROBBINS. Is it not provided frequently in the statutes that the damages under condemnation proceedings shall be ascertained according to the laws of the State in which the condemnation proceedings were had? The gentleman from Virginia [Mr. SAUNDERS] says that would be an anomaly. But I want to cite the case of United States against Jones, One hundred and ninth United States Reports.

Mr. SAUNDERS of Virginia. If the gentleman from Pennsylvania will pardon me in that connection, that is not precisely what I said. I said it would be an anomaly for the Government to proceed in condemnation proceedings in a State court. The procedure in the Federal courts sitting in a State follows, as a rule, the procedure in that State, but the procedure of the State courts would not be paramount over procedure prescribed by Federal authority for the Federal courts.

Mr. ROBBINS. This case, the case of United States against Jones, arose in regard to taking a post-office site in the State of Alabama. That is in line with the amendment I suggested as being the provision which should be put into this bill. I quote from the opinion of the Supreme Court, on page 520:

Whenever it became necessary to take private property, "the price to be paid shall be determined, and the title and jurisdiction procured, in the manner prescribed by the laws of the State of Alabama."

Mr. SAUNDERS of Virginia. You do not understand that that would require the Federal Government to proceed in the courts of Alabama?

Mr. ROBBINS. It makes it optional, and for this purpose. I have this decision before me. In the report of the committee which has been filed here, on pages 23 and 24, it is stated, when the chairman was asked whether he would use this power, that it is only to be resorted to as a power to prevent undue prices being put up by land speculators against the Government.

I want to make this bill clear as to their right to resort to condemnation proceedings in the State where the land is situated, or in the Federal court, so that this work will not be delayed, and it is in line with this decision of the Supreme Court of the United States that I have just cited.

Mr SAUNDERS of Virginia. Mr. Chairman, I wish to say just a word or two with respect to the legal questions that have been raised, and to restate a little more precisely the position that I hold, and which I think is held by the committee.

Speaking for myself, I am not acquainted with any case in which the Federal Government proceeded to condemn property for its own purposes in the courts of the State where the property sought to be condemned was located. So far as I am acquainted with such matters, the proceedings are taken in a Federal court.

With respect to our power to do what is proposed to be done under this bill, I wish to say that the Congress is certainly clothed with the power to enact legislation for the common defense. Congress has the right to declare war, to provide a Navy, to provide for the common defense, and to make all the laws necessary and proper to carry these powers into execution, and all other powers vested in it by the Constitution. This is a measure for the common defense. We propose to do certain things immediately relating to agencies that are being operated in the interests of national defense, and it seems to me that the position can not be successfully maintained that, when we are so legislating and proceeding under the general war power at a time when we are actually in war, we lack the power to prescribe precisely, not only for the condemnation of property by the United States to make effectual the common defense, but the procedure as well by which that property is to be acquired. The rights of all parties concerned are provided for in this bill.

It is not proposed to strip anybody of any substantial rights, or to take something for nothing. We propose to pay for every square foot of property acquired by the procedure contemplated. In order to expedite action—and certainly this is a time when expedited action is of the essence—it is provided that when proceedings in condemnation are once instituted, possession may be taken at once of the property desired in order that there may be no delay which would hinder the successful prosecution of the war aims of the Government. But we have not taken from any man the right to recover the fair value of his property. We give him the right to sue the Government in a court of compensation for whatever balance he claims may be due him in excess of the 75 per cent which has been appropriately ascertained. We pay over to him 75 per cent, and give him the right to sue for any balance that he may claim. Not only have we given the right to the landowner to do this, but we have amply provided for the protection of the rights of every citizen of the United States who may be affected by this legislation.

Mr. ALEXANDER. I will withdraw the point of order and let the committee decide it.

The CHAIRMAN. The question is on the amendment.

The amendment was rejected.

The Clerk read as follows:

That for the purpose of carrying out the provisions of this act the expenditure of $50,000,000 is hereby authorized, and in executing the authority granted by this act the said United States Shipping Board Emergency Fleet Corporation shall not expend or obligate the United States to expend more than the said sum.

Mr. GREEN of Iowa. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. GREEN of Iowa offers the following amendment:

Page 6, line 17, after the word "sum," strike out the period, insert a comma, and add the following: "nor shall any part of said sum be paid upon any contract for construction which provides that the compensation of the contractor shall be the cost of construction plus a percentage thereof for profit, unless such contract shall also fix the reasonable cost of such construction as determined by the United States Shipping Board Emergency Fleet Corporation and provide that upon any increase in cost above the reasonable cost so fixed by such board the percentage of profit shall decrease as the cost increases, in accordance with a rate to be fixed by said board and expressed in the contract: *Provided, however,* That nothing herein contained shall be construed to prevent said board from contracting for the payment of premiums or bonuses for the speedy completion of the work contracted for."

Mr. GREEN of Iowa. Mr. Chairman, I had hoped that this bill would contain some limitation upon the powers of this board with reference to contracts. Our experience has been so unfortunate, to say the least, when we have granted indefinite powers to boards and commissions to pay any sum that they wanted to pay, and to make any kind of contracts that they desired, that it is time some limitation was put upon their powers in this respect. I am unable to agree entirely with the gentleman from Massachusetts [Mr. GILLETT], who said yesterday that the evils from which we were suffering grew out of the fact that we had appropriated lump sums. I believe that under circumstances like those we have now in hand it is necessary to make lump-sum appropriations, but I believe that if the boards and commissions themselves will not put some restrictions upon these contracts which will in some way limit the

profits that may be derived under them it is time that this Congress did so. I agree entirely with the gentleman from Wisconsin [Mr. LENROOT] who said yesterday that if we had a committee upon expenditures, as was proposed in the last session—and I might say in this connection proposed by myself—a number of these contracts of which so much complaint has been made never would have been thought of; but we have not got such a committee, and it is time that something was done to restrict these profiteers. Gentlemen yesterday related the waste and extravagance that had occurred in building our cantonments, and waste and extravagance have simply run riot in connection with the Hog Island project. The ground of that shipyard cost two or three times what it ought to have cost, two or three times what it could have been purchased for a short time before the contract for purchase was made. Men have been employed in connection with this Hog Island project at salaries two, three, four, and sometimes five times what they were receiving before. Publicity agents were employed at a total something like $20,000, as I remember, to exploit the great virtues of the splendid management under which these ships were to be built at this project. I am glad to say that my understanding is that Mr. Hurley has since dispensed with some of these publicity agents, with relation to whom I might say also at this time that some of them had no opportunity whatever to attend to publicity or anything else except their own business in which they were already fully employed.

Mr. COX. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. COX. Has the gentleman read this evening's Star?

Mr. GREEN of Iowa. No; I have not got that far. I suppose there is an addition to this story.

Mr. COX. There is, and it is very interesting. A colonel by the name of Black, a former graduate of West Point at the public expense, I presume, its seems, got hold of 500 acres of land where one of these shipyards is located and only got $2.000 an acre for it. It was land that had only been appraised and assessed at $100 an acre. Other land in that vicinity had been sold for $500 an acre, and yet this patriotic Col. Black, of New York, somehow got $2,000 an acre for 500 acres of land, amounting to $1,000,000. That is patriotism.

Mr. GREEN of Iowa. There are a large number of patriots mixed up in this Hog Island project. The great object seems to have been to hog everything in sight.

Mr. COX. This colonel has hogged his share of it. [Laughter.]

Mr. MOORE of Pennsylvania. We have reached the point where we favor a change of name.

Mr. GREEN of Iowa. I do not think the name ought to be changed. It is altogether appropriate. I will say this, that so many of these cost-plus contracts have been let that it simply put a premium on graft and waste and encouraged extravagance.

Mr. BLACK. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BLACK. Would it not be wise in the amendment to empower the Emergency Fleet Corporation to fix the limit of cost and not allow the contractor any compensation when the figures go beyond that limit of cost?

Mr. GREEN of Iowa. The difficulty with that, as I understand the board, is that the cost is daily advancing, so that at the time of the contract it would be impossible to fix a price as the work proceeded.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN of Iowa. Now, Mr. Chairman, this amendment which I have offered, instead of providing an inducement for graft, for waste, and for extravagance, offers an inducement to perform these contracts as cheaply as possible. It provides, in the first instance, that a reasonable cost be fixed and determined at the time of the contract by the Shipping Board.

Mr. MADDEN. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. MADDEN. As I read the amendment, I am inclined to think that under the language the Shipping Board would be obliged to let the work in competitive bidding.

Mr. GREEN of Iowa. Under my amendment? No.

Mr. MADDEN. That is the way it reads to me.

Mr. GREEN of Iowa. The amendment provides that in any contract if let on a basis of compensation plus cost——

Mr. MADDEN. How does the gentleman construe this language?—

Nor shall any part of said sum be paid upon any contract for construction which provides that the compensation of the contractor shall be the cost of construction plus a percentage thereof for profit.

That language would seem to prevent the Shipping Board from doing this work on a basis of cost plus.

Mr. GREEN of Iowa. "Unless," as the provision goes on to say——

Mr. MADDEN. Unless such contract shall fix a reasonable cost of such construction as determined by the United States Shipping Board Fleet Corporation.

Now, if the board could fix a reasonable cost in advance, they could only do that by stabilizing the cost of material and stabilizing the price of labor, and of course if they could do those two things then they could let the contract by competitive bids, but if they can not do either or both of the things it would be absolutely impossible to fix the price in advance. I am trying to get before the gentleman my view of the thing, so that he may explain it for the understanding of Members here.

Mr. GREEN of Iowa. The fixing of a reasonable price is in the option or in the discretion of the board. They can fix it at any sum, and it would be assumed that they would fix it at a reasonable price at the time the contract was made. It does not mean that they are to control prices, and would not have that meaning as a matter of law.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. MOORE of Pennsylvania. Since the gentleman has obtained recognition and offered his amendment, I will not offer the 5 per cent amendment I had in mind. I would like to ask the gentleman whether the effect of his amendment would be to limit the discretion which seems to have existed heretofore to pay bonuses and increases of cost after work was commenced?

Mr. GREEN of Iowa. The amendment that I have offered would not eliminate that, but it would decrease the percentage of profit as the cost was raised, so there would be no inducement to increase the cost, but rather an inducement to decrease it, and it provides for fixing the reasonable cost at the time the contract is entered into.

Upon that a certain percentage could be paid under the provisions of my amendment. That is, that would be an absolute sum that the contractor would get in any event. If he exceeded that, his percentage would decrease in proportion to the increase of the cost.

Mr. MOORE of Pennsylvania. The amendment cuts out the cost-plus percentage, as we now understand it, does it not?

Mr. GREEN of Iowa. It does not absolutely forbid such contracts; but my amendment is drawn upon the theory that such contracts may be found to be necessary at times, and it proposes to so modify them that instead of offering a temptation to waste and extravagance which is offered in the ordinary form of these cost-plus contracts, there will be an inducement to economy.

Mr. MOORE of Pennsylvania. In other words, the amendment proposes to pay a premium to those who reduce the cost?

Mr. GREEN of Iowa. Yes. It limits the profit; and under it a contract could be so drawn that if extravagance and waste were permitted it would be at the expense of the contractor. For example, the contract could provide that if the estimated price was exceeded by 5 per cent the contractor would receive 5 per cent on that extra cost; if it was exceeded 10 per cent, 1 per cent of the excess; if exceeded 15 per cent, one-half per cent, and so on. The higher the cost mounted the less the contractor would get; but it would not stop the making of contracts, because the contractor would get his per cent on the estimated reasonable cost in any event.

Mr. MONDELL. Mr. Chairman, I rise to support the amendment offered by the gentleman from Iowa [Mr. GREEN]. I had in mind offering an amendment which absolutely forbid cost-plus contracts. I believe that such an amendment, if adopted, would not unduly hamper the Shipping Board in this construction, and I am of opinion that cost-plus contracts, if justified at any time, under any circumstances, are not necessary in connection with this work. But there seems to be some difference of opinion in regard to that, so I shall not at this time offer the amendment, but will support the amendment offered by the gentleman from Iowa. The amendment of the gentleman from Iowa provides that the Shipping Board shall make an estimate of cost as they do now in all these cases. Under that amendment they could enter into a cost-plus contract, but when the expenditure reached the estimated cost the percentage of profit would begin to decrease in such manner as might be provided for in the contract, taking away at least some of the temptations to increase the cost in order to secure added profits. I believe it would be a great improvement upon present methods.

We have had a very sad and unhappy experience under these cost-plus contracts. I think the first time they were suggested in the House in connection with an appropriation bill I expressed the opinion that we would have very great scandal under that kind of contract. I argued that it encouraged waste and extravagance and would lead to graft, and that it was very unwise to pursue such a policy. The outcome in the building of cantonments and particularly at the Hog Island shipbuilding plant, has certainly justified the fears I expressed when the matter was first considered in the House. Hog Island! What a prophetic soul was he who named it! Hog Island—a shipbuilding plant that was to cost $21,000,000 has cost $29,000,000 up to date and will cost $45,000,000, and not a keel laid, not a ship under way! Hog Island—where, according to the record so far, no one person has been able to get on the pay roll more than seven times or draw more than seven salaries! How many patriots have drawn more than seven salaries we do not know. We know that at least one man there has been so patriotic in his support of his Government that he has drawn seven salaries for his patriotic endeavors. Whether he did any work the record does not disclose—probably not, as it must have taken all his time to draw his seven salaries.

Mr. COX. What was the aggregate of the seven salaries?

Mr. MONDELL. I do not know, but as even a water boy who drew less than $5 or $6 a day seems to have been considered a piker, it must have been a fairly good sum. Hog Island! When all the land lay under a fearful condition of freight congestion, and from all parts of the country there was a cry for empties, for cars to carry coal, when in this city 5,000 homes, according to official statements, were cold and cheerless, without fuel in zero weather, when all over the land there were countless families, women and children, suffering for want of coal, then, and under these conditions, Hog Island had an average of 1,300 loaded cars standing on sidetracks, on each of which your Uncle Samuel paid $5 per day demurrage—$6,500 per day paid at Hog Island out of the Federal Treasury for demurrage on cars that could have been unloaded any day! And as the patriotic, high-minded corporation that had the contract was, I understand, getting 10 per cent on all costs, it was on that basis drawing into its pocket from the National Treasury every day $650 as its rake-off on the $6,500 per day that the Government was paying on demurrage. It was testified at the hearing that at one time there were over 3,500 loaded cars, all paying demurrage, I presume, and adding to the graft. According to the sworn testimony before the Senate committee, while these cars were lying on sidetracks with their loads, a third of the men under pay were not working because the material was not unloaded. Hog Island! Where one piece of work, estimated to cost $50,000, cost $600,000. Hog Island! Where every device criminal ingenuity could invent was practiced to increase costs to the Government and profits to grafters. Hog Island! What a libel the Saturnalia of graft that flourishes there is on honest swine. Men have been shot for less traitorous doings in times of war. Is it any wonder that we seek to prevent such unbridled graft in the future?

Mr. ALEXANDER. Mr. Chairman, yesterday under leave to extend my remarks in the RECORD I inserted a statement from Moody's Manual, edition of 1917, giving the names of the officers and directors of the American International Corporation, the agency selected by the United States Shipping Board Emergency Fleet Corporation to construct the shipbuilding plant at Hog Island and to build ships therein. They are men of national reputation in the financial world, and we might reasonably have expected under the present emergency, inspired by patriotism, they would have faithfully discharged their trust and protected the interests of the Government. I want to be just and say that I do not believe that Mr. Frank A. Vanderlip, who is president of the board of officers of the American International Corporation, had personal knowledge of these conditions, and I am optimistic enough to believe that as soon as he and the other high officers of the corporation have their attention called to conditions at Hog Island they will cooperate with Admiral Bowles in cleaning out the Augean stables and giving the Government a square deal.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. ALEXANDER. Yes.

Mr. COOPER of Wisconsin. What is the reason that the president of that corporation, who lives in New York City, only 90 miles away from the shipyards, could not have been acquainted with conditions there and could not have gotten there in three hours?

Mr. ALEXANDER. As the gentleman knows, he is president of the National City Bank also.

Mr. COOPER of Wisconsin. He has been traveling all over the country in a private car. Why could not he have taken three hours to travel to that shipyard?

Mr. ALEXANDER. Well, he certainly has notice of the conditions at Hog Island now, and the duty devolves upon him and the other officers of the corporation to look into conditions and remedy them, and restore to the Government at least a part of this money which has been wastefully expended, and stop the graft that has become a scandal and a stench in the nostrils of honest men.

Now, I am in entire sympathy with the purpose of the gentleman from Iowa [Mr. GREEN], who offered the pending amendment. I would be reluctant to do anything or oppose any amendment the purpose of which would be to protect the Treasury against such waste as has been going on at Hog Island and the waste that has gone on in connection with building of cantonments.

Mr. BLACK. Will the gentleman yield for a question on that point?

Mr. ALEXANDER. I will.

Mr. BLACK. Does the gentleman think any man ought to accept as responsible a position as the president of a great concern like that and not devote some personal attention to the management of the corporation and have some personal knowledge of what is going on?

Mr. ALEXANDER. Mr. Vanderlip, I imagine, is connected with so many corporations in a responsible capacity that it would be impossible for him to give his personal attention to the details of all of them, and I assume he thought the responsible agents of the corporation would give the Government a square deal.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. COOPER of Wisconsin. I am not acquainted with the president, and, of course, do not wish to attack him any more than the gentleman from Missouri, but does the gentleman from Missouri think it is part of his duty as chairman of this great committee to excuse in advance the officers of a corporation like that, who live within a few miles of it, practically all of them, and lay the blame upon their subordinates?

Mr. ALEXANDER. I do not want to excuse them.

Mr. COOPER of Wisconsin. The gentleman did excuse them.

Mr. ALEXANDER. Well, I did not intend to.

Mr. COOPER of Wisconsin. There has been in this country, if the gentleman will permit the suggestion, back for a generation or more, to my certain knowledge, too much of these excuses of men who are big and prominent, at the head of great corporations, and putting the blame on their subordinates. It is time the men who are in charge of corporations—the officers—should be held responsible for such outrageous doings as are going on at Hog Island.

Mr. ALEXANDER. I can understand why Mr. Vanderlip did not have knowledge of conditions up to this time, but I can not understand why he may not have knowledge of conditions now, and I am not disposed to excuse him unless he does his utmost to remedy them. And I do not say Mr. Vanderlip alone, but every officer and director of the American International Corporation as well.

Mr. MOORE of Pennsylvania. Mr. Chairman, in order to get the facts straight, is it not true that Mr. Vanderlip, who was president of the National City Bank, a very powerful New York corporation, recently resigned the presidency of that institution to enter the service of the Government at a dollar a year to sell war-savings stamps on behalf of the Secretary of the Treasury?

Mr. ALEXANDER. I did not understand he had resigned as president of the bank, but I do understand he has given a large part of his time, if not all of his time, to the purpose mentioned by the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. I recall having read recently that Mr. Vanderlip did resign as president of the National City Bank, and that he did so, stating that he had put all financial interests behind him; that he proposed to dedicate his services to the Government of the United States; that he felt that the sale of the war-savings stamps was a patriotic duty and that he desired to "do his bit" in that way. His services were accepted, as I understand it, by the Secretary of the Treasury, with whom he has been cooperating from that time to this.

Mr. ALEXANDER. Now, with reference to this amendment, it provides:

Nor shall any part of said sum be paid upon any contract for construction which provides that the compensation of the contractor shall be the cost of construction plus a percentage thereof for profit, unless such contract shall also fix a reasonable cost of such construction as determined by the United States Shipping Board Emergency Fleet Corporation.

Now, as pointed out by the gentleman from Illinois [Mr. MADDEN], who is unquestionably one of the best business men in this House, how is the board to ascertain the cost of construction? The great difficulty is to ascertain such cost. I do not suppose there is a man in any department of the Government that does not realize the vice in the cost-plus plan, but can you determine what the cost of the material will be? Can you determine the cost of labor when the labor cost is shifting and increasing from day to day? How are you going to ascertain what it will cost to build a house? Will any reasonable contractor, having regard to his own welfare, agree to build a house for $2,500 without reference to the probable increased cost of material or the increase in the cost of labor, without undertaking to protect himself against those contingencies? I wish it were so. I wish these costs were stabilized. It might be done in peace times, but under existing conditions when costs are increasing from day to day that is the problem confronting the Government.

Mr. MONDELL. The gentleman knows, of course, the Emergency Fleet Corporation now and the War Board now make an estimate of the cost of all of these contracts. They do that, and that estimate, if it is not a part of the contract, is presented with the contract. It is supposed to be a guide. Twenty-one million dollars was the esimated cost of Hog Island. Now, why is it not entirely feasible to enter into a contract with the provision that when that estimated cost is reached the profit shall decrease as the cost increases further? Does not that give the very leverage that is needed to discourage increasing the cost?

Mr. ALEXANDER. Now, let me call the gentleman's attention to this fact: Suppose the Emergency Fleet Corporation does estimate the cost. They must get a contractor. He may say, "That is not a reasonable cost; you can not figure on what will be a reasonable cost to-morrow; you can not figure on the cost of material to-morrow; you can not figure on the cost of labor to-morrow. Hence, I am not going to take that contract with the provision in it that my profit shall be 5 per cent in excess of your estimate, because the increased cost of labor and material to-morrow may entirely wipe out that 5 per cent, and there will be no inducement for me to take the contract. I can not afford to take the chances." Of course, the Emergency Fleet Corporation may say, "We will pay you 25 per cent and make the margin wide enough." He may say, "I will take it on a cost-plus basis, based on your estimate, but I want the per cent large enough to cover any possible increase in the cost." And under this amendment they make it 5 per cent, 10 per cent, 15 per cent, 20 per cent, or 25 per cent, to meet that condition. Hence, while the purpose of this amendment, it does not solve the difficulty.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. ALEXANDER. Then the remedy would fail. Yes; I yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. So far as the steel is concerned, used in that Hog Island yard, the Government of the United States fixed the price absolutely and arbitrarily at $65 a ton. I heard a witness testify to that not more than half an hour ago, and he was one of the contractors.

Mr. MADDEN. There will not be any steel used in these houses.

Mr. ALEXANDER. There will be some hardware in the houses, of course, but the houses will not be of steel construction.

I am in entire sympathy with the purpose of this amendment, but I do not believe that if written in the bill it would militate against carrying out the housing scheme, if it unduly hampers the Emergency Fleet Corporation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent that he may have one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COX. The gentleman seems to think he is in sympathy with this amendment; at least, that it will work out. Does not the gentleman believe that it ought to go to conference, of which he will be a member, and be worked out there?

Mr. ALEXANDER. I am in sympathy with the principle of the amendment, but I do not believe this amendment is drawn along the proper lines to meet the conditions.

Mr. COX. That may be; but we have all the confidence in the world in the gentleman, because he will be a member of that conference committee, and we think it ought to go there and let it be worked out. We will not be deceived in you at all.

Mr. HARDY rose.

The CHAIRMAN. Does the gentleman from Texas desire recognition?

Mr. HARDY. Yes. I wish to make just a few observations.

The CHAIRMAN. The gentleman can move to strike out the last word.

Mr. HARDY. I do that. I believe that if any provision of this kind should be adopted, it should simply be a straight, unequivocal provision that there should be no cost-plus contracts. If that were done the corporations expected to be organized by the shipyards to carry out, at least in part, the purposes of this act would simply have to employ good superintendents who would go out into the market and hire labor and buy materials to construct these houses. The superintendent acting for the corporation which got the money from the Government would be paid a reasonable salary, and the only profit to anyone would be the salary of that superintendent. That, I think, would be the way I would build a house for myself at this time, since no contractor would perhaps make a bid to build for me without a wide and safe and more than safe margin to cover any fluctuation in prices of labor or material. Now, if any amendment is going to be adopted, I believe one ought to be adopted that would prohibit the cost-plus contracts.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. HARDY. Yes.

Mr. HELM. We notice here in Washington blocks of houses that seem to be standardized to a type. Would it be possible for the persons connected with this board to agree upon a certain type of house?

Mr. HARDY. Unquestionably that is contemplated. They will have one type for this location and another for that location, suitable for the climatic conditions and the other conditions.

Mr. HELM. Then they could let a contract for a certain number of houses of a certain distinct type?

Mr. HARDY. Yes; that is true. Mr. Chairman, I agree with what the chairman of the committee said a moment ago. No contractor will feel himself safe to contract for 50 houses, or whatever number it may be, at any given price per house, because he does not know what the rate of wages will be to-morrow, and he does not know what the price of lumber will be to-morrow, or the price of any other material. The fluctuation in the prices of everything that enters into the cost of construction is so great that you are either bound to rely on the honesty of your manager to give you fair measure for all you spend in construction or else you have got to pay a fixed sum for the completed job you want done, far in excess in all probability of its actual cost. If you had a good superintendent who could go out into the labor market and into the material market and honestly secure labor and materials as cheaply as he can get them, you would have to pay him a good salary, but that would result in the cheapest construction you could get. The cost-plus policy has demonstrated itself to be full of scandal and rottenness. [Applause and cries of "Vote!" "Vote!"]

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last two words.

Mr. MOORE of Pennsylvania. Mr. Chairman, all of us desire, of course, that some system shall be devised by which we can stop the waste and extravagance that have been referred to. Those coming from the vicinity of Hog Island, I think, feel that way; but so much has been said about that place and its proximity to the city of Philadelphia, particularly by the gentleman from Wyoming [Mr. MONDELL], that I feel a word or two should be said concerning the desire of the people there to have this work properly done.

We want ships. The people of Philadelphia and of Pennsylvania are intensely patriotic. They are shipbuilders. They have built ships systematically for more than a hundred years. They know how to build ships. The difficulty here was that people came in who had the reputation of "knowing how," but who up to the present time have succeeded largely in spending money. They have not built the ships. Now, we want the ships built.

That is the general feeling around about that vicinity. There is no disposition to keep up this continual scandal, due to waste and extravagance. There is every disposition to have that chapter closed, even if the Government has lost money through its contracts, whether made foolishly or otherwise. We want results that will be creditable to the Government as well as to the locality.

Of course there has been difficulty in getting labor to the point called Hog Island. It takes some time for a mechanic to go from Philadelphia 8 miles down to Hog Island or 8 miles up from Chester. It takes time for him to get over from Billingsport or Camden and get down to Hog Island and then get back home. That causes great loss of time and en-

ergy. To a certain extent it accounts for some of the confusion in the labor problem there. But the Shipping Board has taken notice of the complaints of citizens and of the critics of the present system, and it has taken the bit in its teeth recently. The exposures being made on the other side of the Capitol and the things said in this House may be doing good, but the Shipping Board has taken the bit in its teeth, as I have said, and promises better things. It has sent a competent, up-to-date shipbuilder to Hog Island to see that this wretched business is straightened out.

I am happy to say that Admiral Bowles is upon the ground now, and that one of the first things he has done—and he is proceeding up to date, without any flourish of trumpets—has been to dispense with the services of $10,000 a year advertising men who have aided, probably, in keeping facts from the public. I do not believe in press agencies that suppress the facts. The public ought to know what is going on, and Admiral Bowles has indicated that it shall know. He is dispensing with the services of those who have tended to muddy the waters. [Applause.] Now he talks about getting down to business. He says he is going to produce ships. Mr. Hurley, of the Shipping Board, and Mr. Vice President Piez, of the Emergency Fleet Corporation, say they mean business now and propose to stand by Admiral Bowles. That is the situation at this moment, and because of it we will hope for better things.

In order that some of the details may be better understood I desire to have printed in the RECORD a letter from the vice president of the Emergency Fleet Corporation, sent to me the other day in answer to some inquiries; one with respect to the change of name, one with respect to the matter of local improvements for the convenience of the workmen who are to locate in this vicinity, and another with respect to the various forms of amusement, entertainment, educational facilities, and so forth, that ought to be provided for so large a community. I ask unanimous consent to print this letter as a part of my remarks.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks as indicated. Is there objection?

There was no objection.

The letter is as follows:

UNITED STATES SHIPPING BOARD,
EMERGENCY FLEET CORPORATION,
Washington, February 7, 1918.

Hon. J. HAMPTON MOORE,
House of Representatives, Washington, D. C.

DEAR MR. MOORE: Replying to your letter of January 27 to Mr. Hurley, which has been referred to me for reply, permit me to say that Admiral F. T. Bowles has recently been put in charge of the Government plants, with headquarters at Philadelphia. I am certain that he joins me in favoring a change in the name of the yard, "Hog Island" hardly being a proper appellation for the largest shipyard in existence. I am certain that if your constituents in Philadelphia desire the change, the officers of the Fleet Corporation will be very willing to lend their aid. Please bear in mind that the name now refers to the location of the yard and that it is the province of either the State or Federal authorities to make the change. Owing to its brevity "Hog Island" is likely to stick, particularly as the name of our agents, the American International Corporation, is too long to serve as a proper alternative.

Replying to your second paragraph, we are still awaiting the passage of the act authorizing an expenditure for housing and transportation of workers, and may be unable to finally close contracts until that act is passed. We have, however, definitely settled on a location in Philadelphia, the city having agreed to provide the necessary street, water, and sewerage improvements.

In regard to the third paragraph of your letter, it is our own feeling, and that of several of the members of the Senate committee now investigating the Emergency Fleet Corporation's affairs, that in all cases where the communities are large enough school facilities should be provided by the community and that amusement and social features should be left to private initiative.

The reports of housing plans at Hog Island have been rather exaggerated, because it is our intention to materially improve the transportation facilities and to reduce the number of houses to about two thousand. We have been rather chary of making this information public because, owing to lack of legislative authority, we were unable to promptly complete our plans and were unwilling on that account to make a general announcement of them. We hope, in the course of a few days, to have proper congressional authorization, and we shall be glad thereupon to furnish you any additional information that may be of use and value to your community.

Very truly, yours,
CHARLES PIEZ,
Vice President and General Manager.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for one minute.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. GREEN of Iowa. I would not ask even for this additional minute if this were not such an important matter; but I wish to call the attention of the committee to the fact that my amendment does not unduly restrict the Shipping Board. There is no difference in their powers to make the necessary contracts. If there is any fault whatever with this amendment, it is that it does not restrict the Shipping Board sufficiently. It follows what I have understood to be the general plan that has been used in some instances by Mr. Secretary Daniels in making contracts for the Navy. It is a process which results in a decrease of the profits, cutting down the unreasonable profits and preventing this outrageous profiteering which has been going on in cases like that at Hog Island.

The CHAIRMAN. The question is on the amendment of the gentleman from Iowa [Mr. GREEN].

The question being taken, on a division (demanded by Mr. GREEN of Iowa), there were—ayes 21, noes 26.

Mr. GREEN of Iowa. Tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Iowa demands tellers. All in favor of ordering tellers will rise and stand until they are counted. [After counting.] Sixteen Members, not a sufficient number.

Mr. GREEN of Iowa. The other side, Mr. Chairman.

Mr. BUTLER. The rule requires 20.

The CHAIRMAN. The Chair has not requested the other side to rise. One-fifth of a quorum of the Committee of the Whole is required. The amendment is lost.

Mr. ALEXANDER. I move that the committee do now rise and report the bill with the amendments, with the recommendation that the amendments be agreed to——

Mr. MOORE of Pennsylvania. I desire to offer an amendment. I hope the gentleman will withhold his motion.

Mr. ALEXANDER. I will withhold the motion.

Mr. MOORE of Pennsylvania. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. MOORE of Pennsylvania: Page 6, line 17, after the word "sum," strike out the period, insert a semicolon, and add the following:

"*Provided*, That the United States Emergency Fleet Corporation shall report to Congress on the 1st days of July and January of each year the names of all persons or corporations with whom it has made contracts, and of such subcontractors as may be employed in furtherance of this act, including a statement of the purposes and amounts thereof, together with a detailed statement of all expenditures by contract or otherwise, for land, buildings, materials, labor, salaries, commissions, demurrage, or other charges in excess of $10,000."

Mr. MOORE of Pennsylvania. Mr. Chairman, this amendment speaks for itself. It has been added to certain other bills when lump-sum appropriations were made, and in view of the criticism of this board it seems to me it ought to welcome a provision of law like this. It can readily make its return, stating to whom these contracts have been awarded, giving the names of the subcontractors, stating the purpose of the contract, the amount thereof, and giving in detail such expenditures as have been made in the way of commissions, salaries, and so forth, in excess of the sum of $10,000. It seems to me an amendment like this ought to be welcome to clarify the situation.

Mr. ALEXANDER. I have no objection to the amendment, unless it is covered by the existing law. The shipping act, section 12, in the last paragraph, provides——

Mr. MOORE of Pennsylvania. That pertains to the Shipping Board, and my amendment pertains to the Emergency Fleet Corporation.

Mr. ALEXANDER. I will not oppose the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. MONDELL. Mr. Chairman, I offer the following amendment at the end of the paragraph.

The Clerk read as follows:

Insert at the end of the paragraph, line 17, page 6, the following: "That no portion of this sum shall be expended to make payment on so-called cost-plus contracts.

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. ALEXANDER) there were—ayes 18, noes 24.

So the amendment was rejected.

Mr. ALEXANDER. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 3389) to authorize and empower the United States

Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes, and had directed him to report the same back with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. ALEXANDER. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

There was no demand for a separate vote.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was read a third time.

Mr. GREEN of Iowa. Mr. Speaker, I offer the following motion to recommit.

The Clerk read as follows:

Mr. GREEN of Iowa moves to recommit the bill with instructions to forthwith report it back with the following amendment:

Page 6, line 17 after the word "sum," strike out the period, insert a comma, and add the following: "nor shall any part of said sum be paid upon any contract for construction which provides that the compensation of the contractor shall be the cost of construction plus a percentage thereof for profit, unless such contract shall also fix the reasonable cost of such construction as determined by the United States Shipping Board Emergency Fleet Corporation and provide that upon any increase in cost above the reasonable cost so fixed by such board, the percentage of profit shall decrease as the cost increases in accordance with a rate to be fixed by said board and expressed in the contract: *Provided, however*, That nothing herein contained shall be construed to prevent said board from contracting for the payment of premiums or bonuses for the speedy completion of the work contracted for."

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. GREEN of Iowa) there were 25 ayes and 25 noes.

The SPEAKER. The Chair votes in the negative.

So the motion to recommit was lost.

Mr. GREEN of Iowa. Mr. Speaker, I make the point of no quorum.

Mr. ALEXANDER. Mr. Speaker, if the gentleman is going to issist on his point, the result of which would be to throw the passage of this bill over until Thursday, I prefer to accept the amendment. We can not with good grace criticize the Shipping Board for not speeding up its program.

The SPEAKER. The motion to recommit is rejected by the vote of the Speaker.

Mr. ALEXANDER. I ask unanimous consent to vacate the proceedings on the motion to recommit and take a new vote upon it.

The SPEAKER. The gentleman from Missouri asks unanimous consent to vacate the proceedings on the vote on the motion to recommit. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the motion to recommit was agreed to.

Mr. ALEXANDER. Mr. Speaker, by direction of the committee I report back the bill with the amendment, with the recommendation that it be agreed to.

The SPEAKER. The question is on agreeing to the Green amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended to read as follows: "As act to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire, and to sell or otherwise dispose of improved or unimproved land, houses, buildings, and for other purposes."

On motion by Mr. ALEXANDER, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT.

Mr. SAUNDERS of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 13, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting supplemental estimates of appropriation required by the Engineer Department for the fiscal year 1918 (H. Doc. No. 930); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 7998) granting the consent of Congress to the village of East Dundee and the village of West Dundee to construct a bridge across the Fox River, reported the same without amendment, accompanied by a report (No. 391), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SMITH of Michigan: A bill (H. R. 9783) to prevent and punish the desecration, defamation, mutilation, or improper use of the flag of the United States of America; to the Committee on the Judiciary.

By Mr. WHEELER: A bill (H. R. 9784) incorporating the patrol drivers into the Metropolitan police department of the District of Columbia; to the Committee on the District of Columbia.

By Mr. HOWARD: A bill (H. R. 9785) to amend section 3173 of the Revised Statutes of the United States; to the Committee on Ways and Means.

By Mr. DARROW: A bill (H. R. 9786) allowing reduced rate of transportation for men in the military and naval service of the United States; to the Committee on Military Affairs.

By Mr. HARDY: A bill (H. R. 9787) to provide further for the national security and defense by making provision for the purchase of iron ore, coking coal, limestone, and other material, essential for the manufacture of iron and steel, and constructing, equipping, maintaining, and operating blast furnaces and steel plants and mills by the Government of the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. MADDEN: Resolution (H. Res. 248) providing for the consideration of House bill 9414, entitled "A bill granting increased compensation to certain officials, employees, and laborers in the Post Office Department and Postal Service, and for other purposes"; to the Committee on Rules.

By Mr. BACHARACH: Resolution (H. Res. 249) directing the Committee on Military Affairs to make an investigation of the leasing of the hotel Cape May for hospital purposes; to the Committee on Rules.

By Mr. LUNN: Joint resolution (H. J. Res. 243) calling the attention of the American public to the patriotic opportunity of using thrift stamps for valentines on Valentine Day, Thursday, February 14, 1918; to the Committee on Ways and Means.

By Mr. SIMS: Joint resolution (H. J. Res. 244) authorizing the granting of insurance under the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917, on application by a person other than the person to be insured; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 9788) granting an increase of pension to Nelson Watkins; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 9789) granting a pension to Phedora J. Black; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 9790) granting an increase of pension to John H. Ellett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9791) granting a pension to Thomas B. Perkins; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 9792) granting a pension to Henry N. Wilks; to the Committee on Pensions.

By Mr. CRAMTON: A bill (H. R. 9793) granting an increase of pension to John G. Clark; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 9794) granting an increase of pension to William F. Thornberry; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 9795) granting a pension to John F. Joyce; to the Committee on Pensions.

By Mr. ELSTON: A bill (H. R. 9796) granting an increase of pension to Henry Clay Henry; to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 9797) granting an increase of pension to Oscar P. Quiggle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9798) granting an increase of pension to Seth N. Byers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9799) granting a pension to Mathew N. Brown; to the Committee on Invalid Pensions.

By Mr. JONES of Texas: A bill (H. R. 9800) granting an increase of pension to John Benson; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 9801) for the relief of Mrs. Susie A. Van Kirk; to the Committee on Naval Affairs.

By Mr. MOORES of Indiana: A bill (H. R. 9802) granting a pension to Cinderella Jackson; to the Committee on Inavlid Pensions.

By Mr. NEELY: A bill (H. R. 9803) granting a pension to Stanley W. Lemley; to the Committee on Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 9804) granting a pension to David A. Gage; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9805) granting a pension to Emma Chase; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9806) granting an increase of pension to Frederick Althaus; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 9807) granting an increase of pension to Byron R. Russell; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 9808) granting a pension to Emri Sites; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9809) granting a pension to Seth J. Huron, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9810) granting a pension to Louisa F. Lucas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9811) granting a pension to David Phillips, alias Charles Gray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9812) granting a pension to Joseph W. Camp; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 9813) granting an increase of pension to George W. Downing; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 9814) granting an increase of pension to Francis M. Truax; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 9815) granting a pension to Ann E. Davis; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 9816) granting an increase of pension to John C. Mitts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9817) granting a pension to George Starrh; to the Committee on Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 9818) granting a pension to Eliza C. Spears; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9819) granting a pension to Isaac Holley, alias Hawley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9820) making appropriation for payment of balances due by readjustment of salaries of postmasters under existing law; to the Committee on the Post Office and Post Roads.

By Mr. STEENERSON: A bill (H. R. 9821) granting an increase of pension to Darius N. Shaw; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 9822) granting an increase of pension to Mattie L. Wade; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9823) granting a pension to Louis T. Lutzio; to the Committee on Pensions.

By Mr. WELTY: A bill (H. R. 9824) for the relief of George R. Gary; to the Committee on Military Affairs.

By Mr. WILLIAMS: A bill (H. R. 9825) granting an increase of pension to Joseph Wilson King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9826) granting a pension to William A. Phillips; to the Committee on Pensions.

By Mr. WOODYARD: A bill (H. R. 9827) granting an increase of pension to Martha Wilson; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 9828) granting an increase of pension to Lawson Ellsworth; to the Committee on Pensions.

By Mr. EMERSON: Joint resolution (H. J. Res. 242) to pay to Silas McElroy, of Cleveland, Ohio, the sum of $10,000 for injuries received while in the service of the Government; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Union No. 121, Long Island City, Brotherhood of Painters, Decorators, and Paperhangers of America, asking that the United States bring about an armistice to bring about peace on basis suggested by revolutionary Russian Government; to the Committee on Foreign Affairs.

Also (by request), a resolution of the United Irish Catholic Societies of Lowell, Mass., asking that the political independence of Ireland be assured; to the Committee on Foreign Affairs.

Also (by request), resolution of the National Security League, urging that all espionage activities be placed in charge of one person appointed by and responsible to the President; to the Committee on the Judiciary.

Also (by request), resolution of the Noonday Luncheon Club of Joplin, Mo., against repeal of periodical postage rates amendment to war revenue act; to the Committee on Ways and Means.

Also (by request), memorial of the National Federation of Federal Employees, protesting against the Borland amendment; to the Committee on Agriculture.

Also (by request), petition of D. Clyde Snyder, Hagerstown, Md., urging increased salaries to post-office printers; to the Committee on the Post Office and Post Roads.

By Mr. BLAND: Evidence to accompany a bill granting a pension to James B. Perkins; also, evidence to accompany a bill granting a pension to John H. Ellett; to the Committee on Invalid Pensions.

By Mr. CARY: Resolution of the Merchants, Manufacturers, and Employers' Association, protesting against the periodical amendment to the war revenue act; to the Committee on Ways and Means.

Also, resolution of the National Security League, urging that all espionage activities be placed under one person, who shall be appointed by and responsible to the President; to the Committee on the Judiciary.

By Mr. DALE of New York: Resolutions of the Maryland State Federation of Women's Clubs, the Fortnightly Club, Sharon, Mass., the Entre Nous Club, Longmont, Colo., and the Community Association of Crawfordsville, Ind., protesting against the zonal system for periodical postage; to the Committee on Ways and Means.

Also, memorial of the Boston & Maine Minority Stockholders' Protective Association, submitting an amendment to S. 3385; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of Edwin B. Frost, director of the Yerkes Observatory, for the daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Waukegan (Ill.) Chamber of Commerce for requiring second-class mail to pay the full cost of the service; to the Committee on the Post Office and Post Roads.

Also, petition of the Women's Club of Lake Placid, N. Y., for repeal of the increased rates of postage on periodicals; to the Committee on Ways and Means.

Also, petition of the Riverside Woman's Club, Riverside, Ill., against allowing grazing in the national parks and shooting in the national bird reservations; to the Committee on the Public Lands.

Also, memorial of the Illinois Commercial Association for the Chamberlain bill for universal military training; also, a memorial of the Merchants' Association of New York, for a board of war control and a director of munitions; to the Committee on Military Affairs.

By Mr. HAMLIN: Papers to accompany H. R. 9537, a bill to pension Sarah Haggard; to the Committee on Invalid Pensions.

By Mr. HILLIARD: Letter from Amanda N. Hamilton, of Greeley, Colo., urging the admittance of osteopathic physicians to the Medical Corps of the Army; to the Committee on Military Affairs.

Also, petition of Mile High Lodge, No. 680, Brotherhood of Railroad Trainmen, urging the Congress to refrain from action on legislation designed to place men engaged in transportation service under Federal workmen's compensation; to the Committee on Labor.

Also, petition of O. E. Johnston, of Leadville, Colo., urging the passage of H. R. 1654, providing for increase of pay for post-office clerks and letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. NOLAN: Petition of United Brotherhood of Carpenters and Joiners of America, Local Union No. 22, of San Francisco, Cal., and 12 citizens of San Francisco, Cal., favoring the Madden bill, H. R. 1654; to the Committee on the Post Office and Post Roads.

Also, petition of John Nyglicek, secretary Pacific coast division Bohemian National Alliance, San Francisco, Cal., favoring independence of small nations; to the Committee on Foreign Affairs.

By Mr. SMITH of Idaho: Papers to accompany H. R. 9740, to pension Nels Christensen; to the Committee on Pensions.

By Mr. SULZER: Petition of Igloo No. 16, Pioneers of Alaska, Ketchikan, Alaska, relating to suspension of eight-hour law in connection with fisheries industry; to the Committee on the Territories.

By Mr. TAGUE: Petition of the Woman's Club, Beaver Dam, Wis., on increased postal rates; to the Committee on the Post Office and Post Roads.

Also, petition of the Fortnightly Club, Sharon, Mass., on increase in postal rates; to the Committee on the Post Office and Post Roads.

Also, petition of Joint Committee on National Representation for the District of Columbia on H. J. Res. 73 and S. J. Res. 64; to the Committee on the District of Columbia.

SENATE.

WEDNESDAY, *February 13, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in Thy divine providence we have been called in this place of the Nation's highest council, in the midst of times that are tense, that are tragic; times where words are carried by the winds to the uttermost parts of the earth, where records are written in blood. O do Thou give to us divine inspiration and wisdom for the duties that day by day present themselves to us, that we may perform our duties with an eye single to Thy glory, knowing that the welfare, happiness, and peace of the world must come at last into conformity to the will of God and as an expression of Thy purpose among men. Hear us in this our prayer, and lead us in the discharge of every duty. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

NOBEL PEACE PRIZE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting, at the request of the secretary of the Nobel Committee of the Norwegian Parliament, a copy of the circular issued by the Nobel Committee, furnishing information as to the distribution of the Nobel peace prize for the year 1918, which, with the accompanying papers, was referred to the Committee on the Library.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also transmitted to the Senate resolutions on the life and public services of the Hon. ELLSWORTH R. BATHRICK, late a Representative from the State of Ohio.

PETITIONS AND MEMORIALS.

Mr. McLEAN. I present brief resolutions adopted at a meeting of Hartford citizens held under the auspices of the Connecticut Woman Suffrage Association. I ask that they be printed in the RECORD without reading.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

To Senator GEORGE P. MCLEAN:

Resolutions adopted at a meeting of Hartford citizens, held under the auspices of the Connecticut Woman Suffrage Association on Friday, February 8, 1918.

Resolved, That this meeting call upon the Senate of the United States to pass the Federal woman suffrage amendment, thus insuring to our own country that democracy for which our men are fighting abroad. Be it also

Resolved, That this resolution be sent to Senator GEORGE P. MCLEAN, and that he be requested to see that it is read into the CONGRESSIONAL RECORD.

Mr. McLEAN presented petitions of Local Branch No. 65, First Slovak Catholic Union, of Bridgeport; of Local Branch No. 508, First Slovak Catholic Union, of Bridgeport; of Local Assembly No. 9, Slovak Workers' Society, of Torrington; of Local Branch No. 452, National Slovak Society, of Torrington; of the Catholic Gymnastic Union Slovak Sokal, of Bridgeport; and of Local Branch No. 131, Slovak League, of Danbury, all in the State of Connecticut, praying for the liberation and unification of the Czecho-Slovaks of Austria-Hungary into one independent Czecho-Slovak State, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Connecticut Division of the woman's committee of the Council of National Defense, praying for the enactment of legislation to insure the planting of the tobacco lands of the country in foodstuffs as fast as may be done without injustice to the producer or disaster to a business heretofore recognized as legitimate, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Mansfield Center; of the Equal Franchise League of West Haven; and of the Trades Council of New Haven, all in the State of Connecticut, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. PHELAN presented a petition of the Calaveras and Alpine Stock Association, of San Andreas, Cal., praying that a portion of the Yosemite National Park be thrown open for the use and relief of the stockmen of California, which was referred to the Committee on Public Lands.

Mr. THOMAS presented a memorial of sundry citizens of Miltonvale, Kans., remonstrating against the enactment of legislation to make it unlawful to deposit in the mails of the United States advertisements of alleged exposures of the secret work of fraternal orders, etc., which was referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of South Carolina presented resolutions adopted by the First Congressional District Branch of the South Carolina Branch of the National Woman's Party, favoring the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. TOWNSEND presented a resolution adopted by the New Century Club, of Detroit, Mich., favoring the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

He also presented a petition of sundry employees of the John Deere Plow Co., of Lansing, Mich., praying for the adoption of certain amendments to the espionage act, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Detroit, Mich., remonstrating against the enactment of legislation authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government, which was ordered to lie on the table.

REGISTRATION FOR MILITARY SERVICE.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 124) providing for the registration for military service of all male persons citizens of the United States or residing in the United States who have, since the 5th day of June, 1917, and on or before the day set for the registration by proclamation by the President, attained the age of 21 years, in accordance with such rules and regulations as the President may prescribe under the terms of the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," reported it with an amendment and submitted a report (No. 269) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 3825) to amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917; to the Committee on Agriculture and Forestry.

By Mr. NEW:

A bill (S. 3826) for the restoration of the rate of pension formerly paid to Joseph O. Swigert (with accompanying papers); and

A bill (S. 3827) granting a pension to Clarence A. Murphy; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 3828) to authorize credits for enlistment in the naval service of the United States in the operation of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917; to the Committee on Military Affairs.

By Mr. PHELAN:

A bill (S. 3829) granting an increase of pension to Isaiah Hutchison (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 3830) granting an increase of pension to John L. Daries (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 3831) granting an increase of pension to George A. Gardner (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 3832) granting a pension to John M. Honeywell (with accompanying papers); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 3833) to authorize Cole and Osage Counties, Mo., to construct a bridge across the Osage River; to the Committee on Commerce.

Mr. STONE. I introduce a bill to amend the act to provide revenue to defray war expenses approved October 3, 1917. It concerns particularly a part of the clause which deals with mines, oil, and gas wells. I am aware that bills raising revenue originate in the House of Representatives, but I desire, nevertheless, to introduce this bill and have it referred to the Committee on Finance, with a view of having it sent to the Treasury Department for the opinion of that department as to the merits of the bill.

The bill (S. 3834) to amend an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, was read twice by its title and referred to the Committee on Finance.

By Mr. SMITH of Maryland:

A bill (S. 3835) to amend an act entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District"; to the Committee on the District of Columbia.

By Mr. STONE:

A bill (S. 3836) granting an increase of pension to Joseph Vincent (with accompanying papers); and

A bill (S. 3837) granting an increase of pension to James H. King (with accompanying papers); to the Committee on Pensions.

By Mr. GORE:

A joint resolution (S. J. Res. 132) to amend section 14 of the food-control act by increasing the guaranteed minimum price of wheat for the crop of 1918 from $2 to $2.50 per bushel; to the Committee on Agriculture and Forestry.

PURCHASE OF OFFICERS' UNIFORMS.

Mr. JONES of Washington. Mr. President, day before yesterday there was reported from the Committee on Military Affairs the bill (S. 3433) requiring the Government to furnish uniforms to officers of the Army, and for other purposes. I wanted to call up the bill yesterday, but did not have an opportunity. It is a very short measure, and I do not think it will lead to any discussion. I ask unanimous consent for its present consideration.

Mr. SMOOT. Let the bill be read first, Mr. President.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That all uniforms, accouterments, and equipment required for any officer of the military forces of the United States shall be furnished and issued to such officers by the Government at cost price, under regulations to be prescribed by the Secretary of War, and the same shall be similar in quality and price for all officers of the same rank.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

Mr. CHAMBERLAIN. There are one or two amendments that I desire to offer to the bill. They are indicated on the copy I send to the desk, and I ask that the Secretary may read them. The only purpose is to make it apply to the Navy as well as to the Army.

The PRESIDENT pro tempore. The amendments will be stated.

The SECRETARY. In line 4, after the word "military" and before the word "forces," insert the words "or naval," so as to read "any officer of the military or naval forces of the United States."

The amendment was agreed to.

The SECRETARY. After the words "Secretary of War," in line 7, insert the words "and the Secretary of the Navy."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill requiring the Government to furnish uniforms to officers of the Army or Navy, and for other purposes."

WATERS OF THE COLUMBIA RIVER.

Mr. CHAMBERLAIN. Mr. President, I desire to ask unanimous consent to make a motion to reconsider the vote whereby, on September 11, 1917, at the first session of this Congress, the Senate indefinitely postponed the bill (S. 1484) ratifying the compact and agreement between the States of Oregon and Washington regarding concurrent jurisdiction over the waters of the Columbia River and its tributaries in connection with regulating, protecting, and preserving fish, and that the bill may be restored to its former place on the calendar.

I asked the other day for unanimous consent to have the bill reinstated to the calendar, but I am sure that my position was wrong. I now ask unanimous consent for permission to file a motion to reconsider the vote indefinitely postponing the bill.

Mr. SMOOT. I think the proper course for the Senator to pursue would be to ask unanimous consent that the vote by which the bill was indefinitely postponed be reconsidered. I think under the rule of the Senate that is the way to proceed.

Mr. CHAMBERLAIN. I thought, in view of the fact that there was some objection to it the other day, some one might want to discuss the proposition. If it will hasten the matter, I make the request as the Senator from Utah suggests, and I hope it will be granted.

Mr. LODGE. That would restore it to the calendar, and I see no reason why it should not be done.

Mr. SMOOT. That would restore it to the calendar.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oregon? The Chair hears none. The vote is reconsidered unanimously, and, upon the request of the Senator from Oregon, the bill goes to the calendar.

HOUSING OF SHIPYARD EMPLOYEES.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes.

Mr. RANSDELL. I move that the Senate disagree to the amendments of the House and request a conference on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. RANSDELL, Mr. MARTIN, and Mr. NELSON conferees on the part of the Senate.

RAILROAD CONTROL.

Mr. JOHNSON of South Dakota submitted an amendment intended to be proposed by him to the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes, which was ordered to lie on the table and be printed.

The PRESIDENT pro tempore. Morning business is closed.

Mr. SMITH of South Carolina. I move that the Senate proceed to the consideration of the unfinished business, Senate bill 3752, the railroad bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes.

Mr. KELLOGG obtained the floor.

Mr. JOHNSON of California. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Cummins	Gallinger	Henderson
Chamberlain	Curtis	Gerry	Hitchcock
Colt	Dillingham	Gore	Johnson, Cal.
Culberson	France	Hardwick	Johnson, S. Dak.

Jones, N. Mex.	Nelson	Sheppard	Swanson
Jones, Wash.	New	Sherman	Thomas
Kellogg	Norris	Simmons	Thompson
Kenyon	Nugent	Smith, Ariz.	Tillman
Kirby	Overman	Smith, Ga.	Trammell
Lodge	Page	Smith, Md.	Vardaman
McCumber	Phelan	Smith, Mich.	Watson
McKellar	Pittman	Smith, S. C.	Weeks
McLean	Pomerene	Smoot	Williams
McNary	Robinson	Sterling	Wolcott
Martin	Saulsbury	Stone	
Myers	Shafroth	Sutherland	

Mr. KIRBY. I desire to announce that the Senator from Florida [Mr. FLETCHER] is detained by illness.

Mr. GERRY. I wish to announce that the senior Senator from Kentucky [Mr. JAMES], the junior Senator from Kentucky [Mr. BECKHAM], and the Senator from Illinois [Mr. LEWIS] are detained on official business.

Mr. JONES of Washington. I desire to announce the necessary absence of the Senator from Wisconsin [Mr. LA FOLLETTE] on account of illness in his family.

Mr. MYERS. My colleague [Mr. WALSH] is still detained from the Senate on account of the state of his health.

Mr. SUTHERLAND. I desire to announce the absence of my colleague, the Senator from West Virginia [Mr. GOFF] on account of illness.

Mr. McKELLAR. I desire to announce that my colleague [Mr. SHIELDS] is detained from the Chamber on business.

The PRESIDENT pro tempore. Sixty-two Senators have answered to their names. There is a quorum present.

Mr. KELLOGG. Mr. President, this bill involves the most far-reaching and momentous economic transition that has ever taken place in so short a time. What effect it will have upon our industrial and political structure no one, of course, can accurately tell, but judging from other nations and from the political experience in our own country, it can not be anticipated that it will meet with success. But the railroads have been taken over under the war power conferred upon the President and we are confronted with the necessity of making payment for the use of the property thus taken and rendering as effective as possible the operation under Government control. It may be said that as the roads have been taken over the advisability of so doing is no longer in issue. I think, however, as bearing upon the question of the continuance of the operation beyond the war, it is worth while for us to be fully informed as to the condition of the railroads, their accomplishment during the last year, and the necessity, if any existed, of taking them over to Government operation.

It is generally claimed that the railroads had broken down, were unable to handle the traffic of the country, and that it was necessary for the Government to take over the operation during the war.

I should like for a few moments to call the attention of the Senate to the actual condition of the railroads of this country and the reasons why they have not been able to handle all of the traffic, and what their accomplishments have actually been. I am not here to claim that our transportation system is perfect; that it can not be improved; or that the laws governing the railroads are all they should be. But when the public hopes, by the medium of Government operation, to cure all the evils resulting from transportation congestion, we are likely to be disappointed, and we should look the facts squarely and candidly in the face.

We have in this country, all in all, the best system of railroads in the world, the cheapest constructed, the lowest capitalization per mile—to be sure there are some exceptions to this statement, but I am speaking generally—the cheapest freight rates, and the best service, considering the varied conditions of climate, industry, and development, and the necessity for vast increase in transportation facilities to meet the rapid growth of the country.

Let us for a moment consider the reasons why the railroads, as is commonly said, have broken down and have been in the last few months unable to handle all traffic in the country expeditiously:

From 1907 to 1916 were years of depression in railroad business. Then came the tremendous stimulus, owing to the increase of our exports on account of the European war—an increase whereby our foreign commerce has increased from $4,258,504,805 in 1914 to over $8,953,335,185 in 1917. The increase in railroad traffic from 1915 to 1917 was nearly 50 per cent, or, stated in another form, was 135,164,000,000 ton-miles—that is, tons hauled 1 mile. According to the latest statistics available, this was equal to the entire railway transportation of the railroads of Canada, Germany, Great Britain, Russia, France, and Austria (excluding Hungary), which was substantially 137,928,000,000 ton-miles. In addition to this, the railroads have moved to cantonments and mobilization points, points on the Mexican border, and Atlantic and Gulf ports 2,052,418 troops in 36,735 passenger cars and 10,640 freight cars, assembled in 3,603 special trains. The passenger traffic has increased about 23 per cent in October this year over last, the mail about 6 per cent, the parcel post about 14 per cent, and express about 20 per cent for the year ended June 30, 1917, over the year ended June 30, 1916.

In speaking of the accomplishments of the railroads Secretary Baker said:

> I am happy, therefore, to join the Quartermaster General in pointing out the extraordinary service rendered by the transportation agencies of the country, and I concur also in his statement that "of those who are now serving the Nation in this time of stress there are none who are doing so more whole-heartedly, unselfishly, and efficiently than the railroad officials who are engaged in this patriotic work."

Again, commenting on troop movements, the Secretary said:

> This strikingly illustrates the patriotic cooperation of American railroads with the Government and also the tremendous capacity of American railways.

It is not denied, however, that there has been tremendous congestion in certain sections of this country. This congestion is principally, if not entirely, in the district east of Chicago and north of the Ohio River and principally east of Pittsburgh, very largely on the lines of the Baltimore & Ohio, Pennsylvania, and other lines in their immediate territory. The reason is that in this great manufacturing and coal-producing country east of Chicago came the enormous increase in coal shipments—amounting, I believe, to about 50,000,000 tons this year over last year—iron and steel, and all manufactured products for use in the war. This congestion was further accentuated by the fact that the great body of shipping went through the ports between New York and Norfolk, and very largely through New York City, because the allied nations and the United States would not, and I have no doubt could not, send their vessels to some distant southern port, and by the further fact that there was an inadequate amount of shipping to take the traffic away when delivered at these ports. Furthermore, by the impressment of steamships engaged in the Atlantic coast traffic of the Southern Pacific Co., Ocean Steamship Co., and Mallory and Clyde Lines, the railroads have been called upon to transport 962,000 tons of freight in the last half of the calendar year which heretofore has been transported by water. The substantial closing up of the Panama Canal required the railroads to handle over 2,000,000 tons of freight between the Atlantic and Pacific which would otherwise have gone by water. To move this tonnage would require the monthly use of 46,200 freight cars and 619 locomotives.

There was undoubtedly a shortage of motive power and cars. The Interstate Commerce Commissioners not only testified but as a body reported (p. 20 of record) that from 1907 to 1916 the number of cars in the country exceeded the demand. Then came the increase of business in the latter part of 1916 and the tremendous increase in 1917, and cars and locomotives could not be purchased, principally for the reason that the Government compelled the locomotive manufacturers to divert engines for use in Russia and France and that steel could not be obtained for the construction of cars on account of the Government priority (p. 267 of record). Of course at that time this seemed to be necessary, and I have no doubt that the information the War Department then had warranted this action.

Another fact which has very much injured the service of the railroads is the loss of men through the selective draft and attractive offers by munition and Government plants. In some cases they have lost as high as 12½ per cent of their men, and the loss of efficiency is greater than this, because the best mechanics and the best men in the railway service have been taken.

One of the principal causes for the congestion is the Government priority orders. This appears by the testimony of the Interstate Commerce Commission, of the railroad executives, and the fact is well known to everybody in Government service. It is a most glaring example of abuse of governmental power, through separate branches of the service, in no way coordinated.

Senators will remember that on the 10th day of August, 1917, Congress passed a law to regulate commerce, providing as follows:

> That during the continuance of the war in which the United States is now engaged the President is authorized, if he finds it necessary for the national defense and security, to direct that such traffic or such shipments of commodities as, in his judgment, may be essential to the national defense and security shall have preference or priority in transportation by any common carrier by railroad, water, or otherwise. He may give these directions at and for such times as he may determine, and may modify, change, suspend, or annul them, and for any such purpose he is hereby authorized to issue orders direct or through such person or persons as he may designate—

And so forth.

It was the understanding of Congress that after this time there would be but one power directing the preference and priority in transportation. As a matter of fact, instead of all of

the priorities going through Judge Lovett the War Department, the Navy Department, the Food Administration, and Fuel Administration were all issuing priority orders, not only through the heads of the departments, but commissary clerks and employees scattered all over the country were furnished with blue cards to place upon cars to denote a priority or preference shipment. But, beyond this, these employees gave the cards to manufacturers, and manufacturers making a Government preference of shipment not only used the cards for the Government but for themselves. I quote the statement of Commissioner Hall, on pages 54 and 55 of the record:

Senator KELLOGG. To what extent have the priority orders which have been issued by the various departments of the Government interfered with or congested transportation? I notice by the report of Mr. McChord, a member of the commission, or, rather, his separate report, that there are several Federal agencies authorized by law to issue orders or directions with respect to transportation, and that they are executing that power. Has that tended to congest traffic?

Commissioner HALL. I think so; yes, sir.

Senator KELLOGG. You mean that priority orders have been given by different departments of the Government which conflict or were unnecessary?

Commissioner HALL. I do not mean any priority orders issued by the transportation priority director, by Judge Lovett; I do not mean that. I mean that in the War Department there are at least five bureaus or boards—I think Gen. Baker said 12 a few days ago—each undertaking to direct the kind of munition or supply that it is interested in which shall receive preference movement. Then there is the Shipping Board seeking preference movement for what it is interested in; and there is the Navy; and those things frequently conflict. More than that, there is a system in vogue of placing in the hands of a manufacturer who has a contract for furnishing supplies so-called envelopes that can be used to obtain preference, and those have been sometimes quite carelessly used, probably under officers who are looking after particular plants, with the result that the volume of movement under preference direction has grown to be very great.

Now, I do not know it as a fact—if you will pardon hearsay, but it comes from a very good source—I understand that quite recently something like 75 per cent of what was moving on the Pennsylvania Railroad was moving under preference directions of some sort. Is that so, Mr. Patterson?

Mr. PATTERSON Yes, sir; east of Pittsburgh.

Commissioner HALL. If you get 100 per cent preference, then it can all move right along; but where you get 85 per cent preference to be separated from the remaining 15 per cent it tends to produce congestion.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Massachusetts?

Mr. KELLOGG. I yield.

Mr. LODGE. If it will not disturb the Senator, I understood him to say that the right to issue priority orders was exercised by the Fuel Administration, the Food Administration, and by the Shipping Board.

Mr. KELLOGG. Yes; and by the War Department and the Navy Department.

Mr. LODGE. I know about it as to the War and Navy Departments.

Mr. KELLOGG. That is what Commissioners Hall and McChord said.

Mr. LODGE. It is correct, then, according to the testimony before the committee, that the Food and Fuel Administrations and the Shipping Board were all equally entitled to issue priority orders?

Mr. KELLOGG. According to the testimony of Commissioners Hall and McChord they did do it, and there is other testimony to the same effect.

I send to the desk, and ask to have incorporated in my remarks at the end, as an appendix, the testimony of Mr. Kruttschnitt, from which I will read one sentence:

You can imagine the state of mind of a yardmaster at a terminal, say, like Pittsburgh, when he was confronted with the freight covered by all of these blue envelopes, and covered by other orders giving priority of transportation to different commodities; he would be a fit subject for an insane asylum; he would not know how to get around his work.

The PRESIDENT pro tempore. Without objection, the matter referred to will be printed in the RECORD without reading.

Mr. KELLOGG. Mr. Kruttschnitt, a member of the railway executive war board, testified that the principal cause of the congestion was the cross hauling of coal—because under the act of Congress the shipper had a right to designate not only where the freight should go, but the route—and the priority and preference orders given by the Government. He testified that when the flood of preference envelopes threatened to overwhelm the railroads they appealed to Judge Lovett, the priority commissioner, for relief, but without avail. Many of these priority orders were absolutely unnecessary, each department of the Government struggling to get its own material shipped ahead of some other department. The result was that thousands of freight cars were rushed to a point and tied up because materials were shipped in advance of necessity.

Mr. POMERENE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. KELLOGG. I do.

Mr. POMERENE. I simply want to add, if I may, to what the Senator has already said, that one of the witnesses—I think it was Mr. Kruttschnitt—suggested that these tags were often given to manufacturers, and the manufacturers would place these tags on private shipments as well as on Government shipments.

Mr. KELLOGG. Yes; that is true. I have among my papers a report from an agent of transportation—I have forgotten what he is called—submitting copies of these envelopes that were reprinted and used, and notice was given that by telephoning to certain departments they could get all the envelopes they wished. For instance, 700 cars of material for construction of Government buildings in Washington stood upon the tracks for weeks because they could not be unloaded; anchors were shipped under priority orders for ships not yet built, and 1,000 cars were tied up carrying shipyard material—I believe it was for Hog Island——

Mr. GORE. Thirteen hundred.

Mr. KELLOGG. Thirteen hundred cars, I understand; which could not be unloaded and used faster than about 15 cars a day. It shows that a transportation system run by Executive orders, through noncoordinated departments, is an absolute impossibility. Now, as a matter of fact, in spite of the Sherman law and nonpooling law and the laws authorizing the shipper to designate the route, and in spite of priority orders unwisely issued, railroads did accomplish a great deal during the first six months of the war.

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Oklahoma?

Mr. KELLOGG. I yield.

Mr. GORE. I wish to ask the Senator, before passing from the subject of priority orders, if it is his intention to state the English system with regard to priority orders?

Mr. KELLOGG. No; it was not my intention. The whole history of the English operations is available, and I think the Senate is pretty familiar with the subject.

Mr. GORE. If the Senator will permit me, I think it ought to go in at this point.

Mr. KELLOGG. I have no objection to the Senator stating it.

Mr. GORE. The English method, Mr. President, is this: They have selected a committee on priority of shipments, made up of representatives of the navy and army and other departments and organizations, including the industries of the country. It requires a unanimous vote on the part of this priority committee to grant a preferential order for shipment of any commodity; but in case of a deadlock the minister of munitions stands over and above the priority committee, with the power to unlock the situation and grant mandatory orders.

Mr. KELLOGG. I thank the Senator for the information.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Nebraska?

Mr. KELLOGG. I yield.

Mr. NORRIS. I came in after the Senator had started, but the suggestion made by the Senator from Oklahoma reminds me that it might be well to inquire at this point whether the law did not place all this power in the hands of the President?

Mr. KELLOGG. Yes.

Mr. NORRIS. So that it would not be necessary to have a committee. The President had power at any time, had he not, under the law to change the system in any way that he saw fit, by order, or to put some one person in charge and give him absolute control of it all?

Mr. KELLOGG. The President undoubtedly had authority under the act of August 10, 1917, to create a single priority agent. Now, I apprehend that the way this system developed was through action taken under authority of laws providing preference and priority for Government shipments. Apparently there was already in existence when the law was passed this system of obtaining preferences and priorities, and instead of abolishing the system in vogue and placing the power in the hands of one man or one board it was allowed to continue, and the enterprise of each one of these departments in obtaining priority and preference orders for their shipments was the result of the tremendous overburdening and congestion of the railroads.

It appears, as requested by the Council of National Defense, that they organized an executive committee of railway heads, to represent all the roads and to constantly sit in Washington, the expense of which was paid by the railroads. That with practically no increase of equipment and with a decrease of men they succeeded, by coordination, in handling 20.3 per cent more freight traffic in the first six months of the war—April to Sep-

tember, 1917—than the corresponding six months of 1916, and 50 per cent over the monthly average of 1915. They greatly increased the car loading, car mileage per day, and train load—the resultant effect of which was that it increased the ton-miles handled per locomotive per month 16 per cent for the six months ending September 30, 1917, over the corresponding period of 1916.

Through the acquiescence of the public, and by the consent of the State commissions, 28,656,983 unnecessary passenger train miles were eliminated, resulting in the saving of 1,800,000 tons of coal per annum, a release of 570 locomotives, and 2,800 train and engine men for freight service.

This railway committee undoubtedly coordinated the facilities of various roads and enormously increased the amount of transportation. My own opinion is that it was unnecessary to take over the railroads for Government operation, and that transportation, in order to be most effective, must proceed in its usual and natural channels, without too much arbitrary interference. That all that was necessary for Congress to do was to authorize the President to appoint a director or agent of the Government, who should have authority to see that the railroads were operated as a unit, in order to facilitate, so far as possible, the transportation of those articles absolutely necessary to the life of the people and the prosecution of the war, and that if the transportation of any class of products or articles, such as luxuries, pianos, automobiles, and so forth, became inadvisable, this transportation could be stopped and preference given to necessaries for the Army and the public. That this could have been done without material injury to any of the railroads, but if they were injured by any such action a tribunal might have been created to assess the damage to be paid by the Government. As a general proposition, private management is far more successful and efficient than management through Government agencies. The railroads were undoubtedly hampered by certain laws and restrictions which should have been abolished. They should have been supported by Government authority to operate as a unit, to route freight over lines least congested, and to transport the largest amount of materials necessary for the maintenance of the public and of the Army. Bearing in mind that this congestion was simply in the eastern and northeastern territory, I am constrained to believe that as great service could have been obtained through the Government's cooperation as by taking over the entire railroad system of the United States and operating it as a Government institution. By allowing the railroads to operate their own property we would have maintained the personal interest and preserved the enterprise that goes with great organizations of this kind. One of the most valuable features of a railroad, as in all other private enterprises, is the organization and the personal interest that each employee feels, where there is an opportunity for promotion, and the highest position is within his grasp. By doing this I believe the Government would have obviated a guarantee to the railroads of an income by way of compensation for the use of the properties thus taken over. But the President and his advisers thought otherwise, and I bow to that decision, and I am going to do, as is my duty, everything I can to strengthen and facilitate the Government operation and to insure justice to the people and the railroads and the vast army of security holders vitally interested in this great measure.

There are three principal provisions of this bill to which I wish to invite the attention of the Senate, and in doing so I shall try to state with impartiality the facts and arguments pro and con which should appeal to individual Senators.

This bill was reported, after four weeks of testimony, argument, and careful consideration by the committee. It is not perfect, but under the circumstances it reflects the best judgment of the administration and the committee. There are three controlling propositions which I desire to discuss. First, the compensation to be paid the railroads; second, the manner of fixing and regulating rates; and, third, the duration of Government operation.

COMPENSATION TO THE RAILROADS.

With the varied conditions surrounding the earning capacity, capitalization, and financial strength of the railroads, a most difficult proposition is presented in prescribing a general rule or basis for compensation. The Army appropriation act of August 29, 1916, provides as follows:

> The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation or any part thereof, and to utilize the same to the exclusion as far as may be necessary of all other traffic thereon for the transfer or transportation of troops, war material, and equipment, or for such other purposes connected with emergency as may be needful or desirable.

I have cited this act in order that the attention of the Senate may be called to the fact that no compensation is there provided.

This act undoubtedly constitutes a valid exercise of the war power in the President, and the rules of law governing our action and the necessity of providing compensation for the use of properties during such Government operation are clearly defined by the Constitution and the decisions of the highest court of the land.

The act failing to provide the means and methods for determining compensation, the Constitution imposes an obligation to pay just compensation for the use. Unless such compensation is implied, the law would be unconstitutional. Congress has no power to provide what that compensation shall be. Now, remember this: We can not fix the compensation. Congress is powerless to do it. We can, however, prescribe a rule, the means, or the machinery by which a tribunal shall fix the compensation. As to each individual railway corporation or system of transportation owned and operated as one railroad, the question of what is reasonable compensation is a judicial one which may be determined first by an administrative officer or commission, with a right of appeal to the courts for final determination. It is, therefore, not only a legal necessity for Congress to provide the means for determining and paying a just compensation, but it is of the highest importance to the country that this should be speedily determined.

The property taken over represents a value of somewhere between fifteen and seventeen billions of dollars. It represents securities, stocks, and bonds in the hands of the public of substantially $16,500,000,000. The exact amount is difficult to determine by reason of what is known as intercorporate holdings. In making these figures the Interstate Commerce Commission has eliminated stocks of one road held by another, and has only given the amount of securities in the hands of the public.

Mr. THOMPSON. Mr. President, will the Senator permit a question?

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Kansas?

Mr. KELLOGG. I yield.

Mr. THOMPSON. Does that estimate include the short-line railroads?

Mr. KELLOGG. I believe it includes all railroads.

Mr. THOMPSON. All the railroads of the country?

Mr. KELLOGG. All railroads. As thus determined, the railroads represent a stock and bond issue of $16,710,000,000, as of June 30, 1916, and a book investment of $17,380,000,000, as of December 31, 1917. These figures have been furnished by the statistician for the Interstate Commerce Commission. The interest and dividends upon these securities come due at various periods during each year and must be paid in order to maintain the stability of this vast investment.

The President and the Secretary of the Treasury, and everybody who appeared before the committee, realized, and many of them urged with great force, the necessity (at this time of great strain on our financial institutions) of maintaining the security of this railroad investment. It is not a question of the Government maintaining the securities of any industry. The Government owes no obligation to maintain securities. It is a question, however, of the Government taking the property and using it for Government purposes, and the obligation to pay for the use and the duty of maintaining the stability of securities are coexistent. These securities in various forms are in the hands of millions of our citizens. There is scarcely a bank, trust company, savings bank, or insurance company in this country which has not a large investment, either as owner or pledgee of railway securities. It is estimated that 32½ per cent of the assets of the Connecticut savings banks consist of railroad securities, and undoubtedly a very large percentage of all the savings banks and insurance companies are in the same position. In 1915 it was estimated that $818,000,000 of railroad securities were held by mutual savings banks alone. A further decline in these securities (which ought to be the best investment in the country) would threaten a public disaster.

The committee was therefore faced with two propositions—either to create a tribunal to take up each railway separately and, upon a hearing, to determine the value of the use during Government operation, or to authorize the President to speedily agree with the railroads on some fair basis which would not involve long litigation, with a provision that if no agreement could be made with any railroad company the compensation should be determined by a tribunal to be appointed by the Interstate Commerce Commission, with a right of appeal to the Court of Claims.

You will readily see that if we had adopted the first proposition it would have been years before any tribunal could have thus determined the value of the use of each and every system of railroads and have arrived at a fair and reasonable rental value. The Government operation would have been ended long before

this could have been accomplished. In order to expedite this determination, the latter proposition was adopted by the committee, and the committee was unanimous in desiring some speedy determination of this question. It was, of course, impossible for the committee, as it is impossible for Congress, to take each road separately, hear testimony as to the value of its use, and fix a compensation. Nor could this be done legally.

The most we could do was to prescribe a plan with a maximum above which the President could not go.

Section 1 of the bill, in substance, authorizes the President to agree with the carriers and to guarantee to each an income, called the "standard return," not exceeding the average of the net operating income for the three years of 1915, 1916, and 1917, with an allowance of a percentum, to be fixed by the President, covering the cost of additions and betterments, less retirements and road extensions made during the six months between June 30 and December 31, 1917. (That is the three years ending June 30, and the President was authorized to allow a percentage upon the net betterments and additions made between June 30 last and December 31.) The Government to have all income above this guaranteed compensation and to maintain the properties in their present condition.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I yield.

Mr. CUMMINS. In order to discern clearly the point the Senator from Minnesota has just stated, that the Government is entitled to all the income above the amount named—that is, the guaranteed net operating income—did the Senator mean just that, or did he mean that the Government was entitled to all the operating income above?

Mr. KELLOGG. The net operating income, I should have said to be accurate. I thank the Senator. This basis was recommended by the President and his advisers, by the Secretary of the Treasury, and by the Interstate Commerce Commission. The President undoubtedly had the advice of the commission and other technical experts upon this question. The Interstate Commerce Commission has for years been dealing with the question of rates, gross and net income of railways, maintenance, betterments, and capitalization. No body of men in this country whose opinion could be taken is so well equipped to recommend an equitable basis for compensation as is the commission.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield?

Mr. KELLOGG. I yield.

Mr. CUMMINS. I was present at nearly every hearing of the committee on this subject, and I do not remember any recommendations of the Interstate Commerce Commission as such in behalf of the standard which was proposed by the President. One of the Interstate Commerce Commissioners had very much to do with the formation of the bill and undoubtedly recommended that standard, and I have no doubt that there are some other members of the commission who concurred with him, but I do not think that the commission has recommended any such proposition.

Mr. KELLOGG. Mr. President, I understand the Interstate Commerce Commission first made recommendations to Congress. During the session of the committee the chairman of the committee asked the Interstate Commerce Commission as a body to take the bill proposed by Mr. Anderson, one of the members, and to make criticisms and suggest any changes which they thought should be made. The commission did so as a body, and as I read their letter, which the Senate is entitled to read—I have not time to read it now—I take it to be a recommendation of this bill with the amendments they suggested, except as to one or two points upon which they declined to pass any opinion, one of them involving the question as to what body should regulate the rates. I have not time now to read that letter, and I shall ask to have the Senators themselves read it.

Mr. CUMMINS. I hope the letter will be read by Senators. I do not construe it in the way just stated by the Senator from Minnesota. I remember very distinctly that Mr. Anderson told the committee, it is my memory, that the question of compensation had not been considered by the commission as a commission, whatever might be the views of some of its individual members.

Mr. KELLOGG. That is true. When Mr. Anderson appeared before the committee and testified, he stated that he was not speaking for the commission. At that time the commission had not considered the question of compensation or the other provisions of the bill, but subsequently the chairman of the committee asked the commission to submit their recommendations in respect of the bill and this was done. Their report can be submitted to the Senate and will, no doubt, be so submitted by the chairman.

Mr. WATSON. That was after Commissioner Anderson had testified.

Mr. KELLOGG. It was after Commissioner Anderson had testified.

Mr. ROBINSON. I wish the Senator would follow that statement a little further. The Senator, of course, has read the letter. The commission did recommend the so-called standard return as a fair basis of compensation.

Mr. KELLOGG. They did not make any suggestion about that section at all. Now, under the interstate commerce act, the duty is imposed upon the Interstate Commerce Commission to recommend appropriate legislation to Congress from time to time, and the commission had previous to that time recommended that the railroads of the country be either taken over under Government operation or that Congress should change the law with respect to coordinating the railroads.

Mr. SMITH of South Carolina. If the Senator will allow me, the question as to the attitude of the Interstate Commerce Commission came up on the very point he is now making. A member of the commission acting in another capacity than as commissioner was instrumental in the draft of the bill as it came to us as an administration bill. The committee was anxious to know what was the opinion of the commission as to the bill, knowing that they perhaps were the best posted as to the matter in hand and were more competent perhaps than any other body to advise in respect of the proposed legislation, and in sending my request to them I asked that they make the report as an official body in reference to the bill. I, like the Senator who is now addressing the Senate on this subject, was of the opinion that where they did not recommend any change it was to be inferred that they acquiesced in the proposition as now contained in the bill, because, had they objected or had they reason to think that it was not the proper basis, it was manifestly their duty, as an official body asked for an opinion, to have stated what their objection might be.

Mr. CUMMINS. I will deal with the communication of the Interstate Commerce Commission later. I only want to make my own position clear now. I do not believe the letter contains any recommendation either expressly or inferentially upon the matter of compensation, and I know that one member of the commission has told me since that it was not the purpose—not his purpose anyhow—to make a recommendation with regard to compensation.

Mr. KELLOGG. The commission considered the whole bill and specifically excepted the provisions they did not wish to recommend, and I think from the reading of their letter the Senate will conclude that the fair inference is that it is a recommendation of the whole bill with the amendments suggested. The Senate, however, is entitled to the opinion of the commission.

Mr. President, I think it may be useful in determining whether the basis adopted by the committee was a fair one to consider the various bases suggested by different men who appeared before the committee and made recommendations. The committee heard representatives of commercial organizations, certain experts, members of the Interstate Commerce Commission, the Secretary of the Treasury, and anyone who desired to be heard.

BASIS OF VALUE OF STOCK.

Many bases were suggested to the committee and discussed by it, but while all have some good points, none seemed, on the whole, to be so reasonable and practical as the one adopted. I say "seemed," for it was the opinion of the majority of the committee.

A basis suggested and discussed to some extent was that the market value of the stocks and bonds of all the railways be taken, allowing a percentage of income on this value. The objections to this plan were principally that the stocks fluctuate in the market and frequently do not represent the real value of the property, to say nothing about the value of the use. Stocks often reflect in the market the amount of the dividends, so that if a property was skinned to pay dividends the market price would be high and the real value and earning capacity much less.

Then also stocks depend often upon speculative values, a bull or bear market, and many other considerations not here necessary to mention. To illustrate: It appeared by an investigation by the commission that in 1912 the value of all the railroad stocks, as near as the commission could estimate it, was 110.08 per cent of par; in 1915, 94.6 per cent; and in 1917, 79.03 per cent, although the roads' gross and net earnings

continued to increase and were greater in 1916 and 1917 than in 1915.

I should remark here, of course, that the commission simply made this computation by taking the market value of those stocks quoted on the New York exchange, and of course it is not absolutely accurate. No computation could be made that would be absolutely accurate, but this is a fair indication of the value of the stocks.

Mr. CUMMINS. But if the Senator will permit me, there is another fact to be taken into consideration there, namely, that these market quotations, taking the high point and the low point in a year, did not include all the railroads' stock of the country, only those which were dealt in upon the New York Stock Exchange.

Mr. KELLOGG. That is true. I so stated.

Mr. CUMMINS. There are a great many of the poorer stocks that are not dealt in upon the exchange at all.

Mr. ROBINSON. It is also true that as to particular roads, it appeared in the hearings that when their earning capacity was greater their stocks were comparatively the lowest.

Mr. KELLOGG. Yes; because those roads being conservatively managed would pay a small dividend and would invest a large amount of their surplus in property. The stocks of such a road would be comparatively low, but as to a road that put all of its income into dividends, Wall Street estimated the value of the stock according to the amount of dividends. My recollection is, and I am speaking now from memory, that the commission's statement was based upon the par value of the railroad stocks listed on the New York Stock Exchange, and this was made up on the basis of about 75 per cent of all railroad stocks. It is a fair illustration, however, that as the earnings increased the value of the stock declined.

Then, again, no basis for payment of interest upon the value of the stocks could be determined by Congress, because many roads pay no dividends and others pay large dividends. The Congress could not determine the rate of dividend which would be a fair rental value of the property.

Some roads pay a moderate dividend and use the balance of their surplus for improvement of their property, and there is no uniform basis for such investments. If this basis was adopted, it would have to be determined by some official or body of officials pursuant to inquiry into each case.

BASIS OF ACTUAL VALUE OF PROPERTY.

Another basis considered was that the actual value of each railroad property be taken, fixing the rate of income on this value. This determination was impossible. As the Senate well knows, in 1913 Congress passed an act authorizing and directing the Interstate Commerce Commission to determine the physical valuation of property of common carriers, involving the cost of reproduction and the present value of each railroad. The commission has been working upon this for four years, but reported to our committee that it would be about three years before it could be finished, and that no property had yet been valued, so the commission could give us no real information as to the present actual value of railroad properties.

BASIS OF ORIGINAL CASH INVESTMENT.

Another basis suggested was that the amount of cash which had been invested in the railroads under the charters of each company be determined, paying a reasonable rate of interest fixed by Congress upon this cash investment. I think everyone knows that this is an impossible task. Many railroads were built in the early days by contracting companies, which companies received a lump sum in stocks and bonds of the railroad for the construction, and no one can determine the actual cost of such property. Again, many of these properties paid no interest or dividend to investors for many years. Some of them were foreclosed, went through receiverships several times, capitalization was reduced and additional money invested, and there is no way of determining the cost of property except from the books of the companies.

If the taking over of the property by the Government had been permanent, the problem would be much simpler, for a tribunal could be established to find the present value of all the property of each company, and the Government would pay the sum thus determined. But the taking over is only temporary. It is simply a taking over and use of the property during the war and for a reasonable period thereafter, and the problem is to determine the value of the use, and determine it as speedily as possible, because it will not do to allow this determination to be suspended by years of litigation.

There were many other suggestions, but the foregoing will illustrate the difficulties confronting the committee.

PLAN FINALLY ADOPTED.

Let us come now to a consideration of the plan finally adopted. There is reason in the proposition that property devoted to a public service is worth simply what it will earn. It may be earning too much, in which case the power of public supervision may rightfully and justly be invoked to reduce its earnings or to provide such rates for its service as will accomplish this end. But, after all, it can only be worth what it will earn to its owners, because it can not be disconnected from such use, for a railroad can not be scrapped and its material sold. It can not voluntarily cease to perform its public functions, whether it pays or not, and therefore the only way to use the property is to make it earn a net income.

There is also force in the argument that as all the rates are now being fixed by public authority, the earnings of the properties are the best evidence of the value of their use. I may say, in passing, that the Interstate Commerce Commission, in a report made within a year or two, stated that as the power to fix rates had been in the commission for something like 10 years they thought it was a fair conclusion to say that the rates now in force as a whole were fair and reasonable, and would be so considered by the commission. I am not saying that some of them are not too high. That would be the inevitable result in a vast rate structure such as we have in this country. I do not say that this is a conclusive rule, because undoubtedly some properties are earning more than a just compensation, taking into consideration alone the cost or value of the investment, while others are earning less. Some railroads are fortunately situated as to location, cost of construction, density of population, and other advantages which give them a large earning capacity, while other competing lines, less fortunately situated, do not earn a reasonable income on the investment. This is inevitable under our system of individual ownership and competition between railway lines. It grows out of a system and is a part of those great competitive activities which have made the development of this country the marvel of the age.

Another factor which must be taken into consideration is that the taking over is only temporary. A guaranty by the Government of a permanent income on an investment would be reasonable at a very much lower rate, like a Government bond. In such a case the Government not only agrees to pay the interest on the bonds, but to pay the principal also. In this case the Government simply agrees to pay a certain income during the indefinite period of Government control. The guaranty is only for the period of the war and a short time thereafter, and, therefore, it should, as near as possible, represent the earning capacity of the roads over a reasonable term of years. The President is authorized to agree with the railroads upon a guaranty of a maximum of the average net earnings of the years 1915, 1916, and 1917, ending July 1. This was as follows:

[Railroads of class 1 include all the railroads having a gross earning capacity of over $1,000,000.]

Net railway operating income for class 1 roads:

1915	$683,104,833
1916	984,872,959
1917	1,020,800,000
Average	896,259,264

The commission took railroads of classes 2 and 3, which involved a good deal of work, and made an estimate of one year, applying the same percentage of increase for 1916 and 1917 for the other years. The commission reported to us that the maximum guaranty which the President was authorized to make to all of the railroads in the United States was $935,000,000, which is about $100,000,000 less than their best year, namely, 1917.

Extending the above basis for arriving at the average net railway operating income so as to include classes 2 and 3, the average $896,259,264 becomes approximately $935,000,000 for all carriers.

To this should be added the income on investments in the property made from June 30, to December 31, 1917, estimated at $130,403,315, on which the President is authorized to allow interest. If 5 per cent is allowed, it would amount to about $6,500,000; total, $941,500,000.

Of course, out of this the railroads must pay their war excess-profits tax, which was estimated by the commission to be somewhere between fifty and ninety million dollars. Of course, this tax is borne by the stockholders. The railroads should be taxed exactly in the same manner as are all other corporations engaged in business in this country, and the war tax, of course, should be assessed against the stockholders, to be deducted from this net guaranty; and it is so provided in the bill. So the figures which I shall submit showing the per cent this guaranty represents upon the railway capital of the country and upon the book value of the railway assets of the country will include taxes before deduction. The gross figure of $941,000,000 is taken and applied to all the railroads in the country.

Mr. LODGE. Does that include the fixed charges?

Mr. KELLOGG. That is the net after taking out all charges.

Mr. LODGE. After deducting all fixed charges?

Mr. KELLOGG. That is the net operating income of the railroads—the average net operating income for the last three years after paying fixed charges.

Mr. LODGE. And paying interest?

Mr. KELLOGG. No; not after paying interest, but only after paying operating expenses. Out of this $941,000,000 the railroads must pay, first, their excess-profits tax; second, their interest; and third, whatever dividends they have averaged for the last three years. Then they must use whatever balance they have for the betterment or improvement of their property, and they can only pay the average dividends declared for the last three years.

Mr. GORE. What is the amount of the interest?

Mr. KELLOGG. The interest on their bonds is about $450,000,000.

Mr. SHERMAN. Are the local taxes, which amount to something like one hundred and thirty-five or one hundred and forty million dollars a year, deducted?

Mr. KELLOGG. The local taxes are part of their operating expenses, which are first deducted, but the Federal excess-profits taxes, of course, are not deducted, being paid by the stockholders.

Mr. STONE. Mr. President, did I understand correctly the answer of the Senator from Minnesota [Mr. KELLOGG] to the interpolation of the Senator from Oklahoma [Mr. GORE] to be that out of the nine hundred and odd million dollars of earnings payments of the interest on obligations of these railroads must be met?

Mr. KELLOGG. Yes; my recollection is—and I will correct it if I find that I am not speaking accurately—that the interest charges of the railroads are about $450,000,000, which comes out of this guaranty. The balance, after paying taxes, may be applied to dividends, betterments, and improvements, which I shall discuss later. The railroads annually have paid dividends from two hundred and fifty to three hundred and seventy-five million dollars. They have paid less in the last two or three years than they paid at an earlier period.

It is claimed by the railroads that the three years selected are not fair to them, because 1915 was an extremely poor year, and it is claimed by some members of the committee that they are more than fair, because 1916 and 1917 were very good years. It is true that in the year 1915 the earnings—with perhaps one exception, to wit, 1914—were the lowest since 1900, based on the net operating income to property investment or total capital obligations.

I am inclined to think, after consultation with the members of the Interstate Commerce Commission, especially with the expert statistician, that 1915 was the lowest year since the year 1900. I send to the desk, and ask to have incorporated in my remarks, a statement formulated by the Interstate Commerce Commission showing the relation of net operating income to property investment for the years 1900 to 1917. In 1915 it seems to have been 4.09 per cent; in 1914 it was 4.19 per cent; and the figures range all the way from that up to 6½ per cent in 1917. The percentage for 1917, however, is an estimate, because the reports of the railroads for the calendar year 1917 have not all been received.

I ask at this point that the table referred to may be placed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The table referred to is as follows:

RETURN ON PROPERTY INVESTMENT.

The annual report of Interstate Commerce Commission dated December 1, 1917 (pp. 36, 37), shows relation of operating income (not net operating income) to property investment as follows:

Years ended June 30—	Per cent.	Years ended June 30—	Per cent.
1900	4.52	1909	5.34
1901	4.69	1910	5.73
1902	5.02	1911	4.87
1903	5.19	1912	4.62
1904	4.83	1913	5.12
1905	5.10	1914	4.19
1906	5.58	1915	[1]4.09
1907	5.61	1916	5.80
1908	4.78	1917 [2]	6.50

[1] Lowest in period. [2] Estimated.

Mr. KELLOGG. I also ask that there be incorporated in my remarks a memorandum showing the gross dividends paid by all the railroads of the country for the years 1912 to 1916, inclusive.

The PRESIDENT pro tempore. Without objection, the matter will be printed in the RECORD.

The matter referred to is as follows:

ITEM III.

Information called for: Table showing aggregate dividends paid by all railroads in each of the said years and average for the period, stating each separately.

Modification: Can not be given for 1917. Would suggest that the aggregate only for all class 1 roads be given for each year 1912 to 1916, ending June 30, and the detail by roads for one year. Dividends declared, not actual payments, have been used as the only measure of the effect in the year's income account.

NOTE.—See note under Item I.

Aggregate dividends declared—Class 1 roads.

Year ended—	Amount.
Dec. 31, 1916 [1]	$306,070,530
June 30, 1916	281,936,371
June 30, 1915	259,809,520
June 30, 1914	376,098,785
June 30, 1913	322,300,406
June 30, 1912	339,964,855

[1] See accompanying statement, which includes similar information, by roads, for the year ended Dec. 31, 1916.

Mr. KELLOGG. It appears that in 1912 in round figures the railroads paid $339,000,000 in dividends; in 1914, which was a poor year, they paid $376,000,000, but of course the earnings which paid the dividends in 1914 were mostly made the year before; that in 1915 dividend payments went down to $259,000,000; in 1916 they amounted to $281,000,000, and for the calendar year 1916, $306,000,000. While the railroads were making more money in 1916 and 1917, they were manifestly putting more money into their property and paying less in dividends. To be sure, a great many of the railroads, standard lines, paid the same dividend year after year, like the New York Central, the Great Northern, the Northern Pacific, and the Pennsylvania. The latter paid 6 per cent, the Northern Pacific and Great Northern 7 per cent each, and the New York Central 5 per cent. Those were regular dividend-paying lines, but some roads did not pay dividends after the poor years of 1913, 1914, and 1915.

Mr. POMERENE. Mr. President, if I may be permitted a suggestion in that connection, in order that we may be able to give proper effect to any statement of net profits or of moneys that shall be passed to surplus, we must bear in mind that the purchasing power of the dollar or of that surplus to-day is only about 60 per cent of what it was a year or two ago. That was developed in the course of the hearings. There was some information given showing the relative cost of freight cars, of passenger cars, of locomotives, and it was demonstrated that the price of equipment of this kind is nearly twice what it was two years ago.

Mr. KELLOGG. That is correct. The $941,000,000 of net operating revenue to be used for the payment of interest and dividends and to provide betterments and improvements, of course, does not mean what it did a few years ago. So far as interest upon securities is concerned, it means the same thing, because the loser is the man who collects the interest; but, so far as dividends are concerned, of course the stockholder does not get actually as much as he used to get, and so far as betterments and improvements are concerned, it takes twice as much money to buy the material to improve the railroad to-day as it took five years ago. So we must consider that as a very important factor in this question. I do not think we should guarantee a greater income on that account, because everyone must bear his loss because of the depreciation of currency, and the committee did not take that into consideration in authorizing the guaranty; but the consideration suggested by the Senator from Ohio, however, is a very important factor.

Inability to get ships for the transportation of our products, and the effect of the war, greatly depressed railroad earnings. This is particularly true in Southern States, where the cotton crop could not be marketed and the railroads suffered very greatly on that account.

Another thing must be also considered in connection with this subject. The guaranty which this bill authorizes the President to make to the railroads as a maximum is the average of the net earnings for those three years.

We are not guaranteeing to each of the railroads the income that this maximum provides; we are simply providing a maximum, as I shall show later, beyond which the President can not go. He can go below that as far as he pleases, or as far as the railroads will accept it; and if any one railroad is receiving too much (as some very fortunately situated lines undoubtedly are, as I shall show you), the President is not required by this bill to guarantee the maximum amount; in fact, Congress could not provide for any maximum or minimum amount that should

be guaranteed to the railroads; we could simply provide that he should not make an agreement going above that amount. The railroads may or may not accept it, as they see fit. This would be fair to the railroads if the capital invested in 1915, 1916, and 1917 was the same as the capital investment during the time of the Government operation. But there was invested by the railroads between 1914 and 1916, $795,043,061. In other words, the capital which earned the income of 1916 was $795,000,000 more than the capital which earned the income of 1915; but it is the amount in dollars which we take, and we do not increase it to make up the extra capital which was invested in the lines. It is a fact also that between June 30, 1914, and June 30, 1917, the railroads invested in their properties $1,172,669,161. Considering the fact that 1915 was an extremely low year in net earnings and, further, that there had been an investment in the property of these large sums between 1914 and 1916, I am inclined to think that it is a fair offset to the very prosperous years of 1916 and 1917. A longer period than three years was suggested by some who appeared before the committee. There are objections to taking a long period, because, from year to year, there is an average investment in the railroads from $300,000,000 to $500,000,000, and unless the earnings of the earlier years were increased in proportion to the added capital, it would not be a fair basis for the value of the use during Government operation. The entire standard return, allowing nothing for betterments and improvements, is equal to 5.19 per cent on the property investment, as shown on the books of the railroads, amounting to $17,380,000,000, and it is 5.63 per cent on the total capitalization of all the railroads—that is, stocks and bonds—amounting to $16,710,650,327. As the average interest on the bonds of railroads is not quite as large as the 5.19 per cent or 5.63 per cent mentioned, if the interest was first deducted and all the balance applied on total stocks of railways, it would be more than this. Assuming the value of the property to be either the investment value shown on the books or the face of the stocks and bonds, of course, this return would be small, because it would allow no surplus for investment in betterments and improvements. It is said, however, that the investment in property, as shown on the books of the railroads, is entirely unreliable, and, to a great extent, this is undoubtedly true. It is a fact, however, that for the last 10 years the Interstate Commerce Commission has regulated the accounts of railroads so as to accurately show the amount invested in betterments, improvements, extensions, and new railway properties, and during that time $4,500,000,000, or a little over 25 per cent, of the entire book value of the railways, has been invested. It is a fact, more in early days than in late years, in the construction of railroads in the country, the book value, as shown by the accounts, was generally the face of the stock and bonds issued and that in many instances these stocks and bonds did not represent actual cash invested.

For instance, a construction company would be organized which would agree to build road A for so many bonds and so much stock; and everybody knows that in the early days usually the stock was a bonus for building the road. Much of the inflation introduced in railway accounts in this way has been eliminated through receiverships, foreclosures, reorganizations, and by additional money put into the properties. There are undoubtedly some railroads which are excessively overcapitalized, like the Chicago & Alton, Kansas City Southern, and other lines. No one denies that. There are many that are undercapitalized, and whether the most accurate investigation which can be made will show that the total value of railroad properties exceeds or is under total capitalization no one can tell. I might say that it is my own judgment that it will be found, if the railroads of this country are revalued, that their value is a figure not far from their present capitalization. As I say, there are many railroads—and I will mention a few of them—which are very much undercapitalized. There are those who advocate that railroads should be allowed 5 per cent or 6 per cent on the actual money invested, and that the Government should ascertain the exact or approximate investment. However, the public will never buy railroad stocks, subject to the fluctuations and hazards of such securities, when they realize more for their money by loaning it out on good security at an equal rate of income.

The railroad systems of this country, which were built before the country was settled and industries developed, would never have been built under such conditions. We must remember that European railroads were built after the country was fully settled and industry largely developed. With us the railroad was the pioneer, pushing its way into the wilderness before the country was settled and industries developed. I went to Minnesota 53 years ago by railway, steamship, stagecoach, and ox team. At that time there was not a mile of railroad west of the Missouri River. Yet in this short space of time, in the life of nations, that country has been developed, peopled with millions of progressive, virile men and women, traversed by lines of railroad, and filled with great centers of industry. Who believes this could have been done if the only reward the investors received would be 5 per cent or 6 per cent on the money invested, if the railroads should be fortunate enough to earn it, and nothing, if they were not? I am, and have been for many years, earnestly in favor of the Federal Government establishing a uniform system to regulate the issue of railway stocks and bonds. It would prevent such abuses as in the Chicago & Alton case, and others, and render such securities a better investment. But no one is going back to examine the accounts of railroads to determine how much of the stocks and bonds is represented by actual cash.

One of the serious problems encountered in this bill is that this standard return is not divided equally between all railroads so as to be a uniform payment on investment or capitalization. The net earnings of the roads vary, some pay no dividends and the dividend-paying roads vary a great deal; and it has been said before the committee that this guaranty would give some of the roads a very large income while others would receive a small one. As I have said before, this is the inevitable result of our competitive system of separate corporations and ownerships. Some, like the Burlington, the Pennsylvania, and other roads, have short lines, advantageously located, cheaply constructed through densely populated communities, yielding heavy traffic, while others are less fortunately situated, and rates which would yield one an exceedingly small income would pay the other a large one.

But, as I said before, we must not forget that this authorization to the President is merely of a maximum. He is not obliged to allow, and I suppose he will not allow, a railroad a guaranty which will give it an excessive income.

But if we are to concede that the earning capacity is not a reasonable basis for the value of the use of the properties, I know of no way to arrive at an accurate rental value without years of investigation and litigation. It is said that the standard return, after paying interest on the bonds of all the railroads in the country and after deducting an estimated $70,000,000 excess-profits tax, would pay about 7.15 per cent on the net capital stock; I mean net capital stock outstanding in the hands of the public. Before deduction of this excess-profits tax it would amount to about 8.26 per cent. But this, of course, would allow nothing for betterments and improvements, which represents one of the most important questions in railroad management. Every year the railroads in this country must spend millions of dollars in betterments and improvements in order to properly serve the public. Many of these betterments and improvements are such that they will not pay a return on the investment, such as new stations, elevation of tracks, safety appliances, elevated or depressed crossings, and very many other improvements. Take the Pennsylvania Railroad as an illustration. It appeared in the hearing that it has in the last 10 years invested about $350,000,000 out of surplus in betterments and improvements and about $150,000,000 out of new capital. Of these improvements the Hudson River tunnel and the New York Station, as well as the track elevations which that company has made to a very great extent, have undoubtedly cost more than $200,000,000; and yet these improvements would yield little, if any, revenue.

Now, that is true all over this country. The public is constantly demanding and is entitled to better stations, elevated tracks in cities, and so forth; yet those stations and those tracks do not yield any revenue at all to the company, and they should be paid for out of a reasonable surplus over and above a fair income to the stockholders.

Mr. SHERMAN. Mr. President, I assume that it will not break in on the course of the Senator's remarks if I make a suggestion at this point.

Mr. KELLOGG. Not at all.

Mr. SHERMAN. The Union Station at St. Louis is not permitted by the proprietary lines to pay anything more than maintenance. Dividends can not be paid on the vast expenditures in connection with that station. That has been decided, as no doubt the Senator is aware, in adjudicated cases, and the practice is followed very scrupulously by the proprietary lines.

Mr. KELLOGG. Why, Mr. President, in Chicago to-day they are preparing to erect a station, which is badly needed, at a cost of millions of dollars. It will not add a dollar of revenue to the railroads' earnings, and if we are going to maintain the great railroad systems of this country properly to serve the public they must be allowed something more than dividends upon their stock. One of the weaknesses of the English system has been that the English railroads have to a much greater extent than in this country paid out their entire income to

their stockholders. I do not say they have paid it all out, but they have paid out a very much greater per cent, and they have capitalized improvements and betterments until the English railways to-day are capitalized away beyond what is reasonable, and the stocks of English railways in the last 10 years have reflected in their downward course that bad practice of capitalizing improvements and property investments which will not earn any interest upon the cost.

Mr. WATSON. Mr. President, if it will not interrupt the Senator——

Mr. KELLOGG. Not at all.

Mr. WATSON. My recollection is that the English railroads are capitalized at $275,000 a mile and the American railroads at a shade under $70,000 per mile.

Mr. KELLOGG. I think the American railroads are capitalized at about $62,000 per mile.

Mr. WATSON. Yes.

Mr. KELLOGG. But I am not sure of those figures. I have, however, examined the railroad statistics of the world very carefully, and, generally speaking, our railroads are capitalized at less per mile than most of the railroads of the world.

Mr. SHERMAN. Mr. President, before the Senator leaves that item I should like to make this further suggestion: Referring to the cost of $274,000 per mile in England, text-writers and reports from Parliament say that the original cost was largely caused by getting authority from Parliament to build the roads. I should like to add that comparison and put it alongside the railroad conditions in our own country, showing that it is not as bad as it might appear to be.

Mr. ROBINSON. Mr. President——

Mr. KELLOGG. I yield to the Senator from Arkansas.

Mr. ROBINSON. The further statement ought to be made in that connection that most of the English roads, or practically all of them, are double-track or multiple-track, so that the comparison does not mean all that it would seem to mean upon the simple statement.

Mr. KELLOGG. No; it does not; but making an actual comparison per mile of track, of course our railroads cost very much less.

Mr. ROBINSON. Yes.

Mr. KELLOGG. These improvements and betterments which do not yield revenue can not or ought not to be capitalized, and a railroad must retain a surplus amount of income over and above a reasonable dividend to make such improvements. It is my opinion that it is much better railway economics that some surplus be allowed over and above reasonable dividends to make improvements and betterments, and not to allow those improvements to be capitalized.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I do.

Mr. CUMMINS. Will the Senator from Minnesota state exactly what he means by "capitalizing"?

Mr. KELLOGG. I think that if Congress would take the whole railway situation of the country, determine that the capitalization now is fair, or determine what is fair, and provide a system for controlling future capitalization, it should not permit those improvements made out of surplus and beyond reasonable dividends to be capitalized or used as the basis for increasing rates. That is what I mean, exactly.

Mr. CUMMINS. In connection with the point just stated it must be borne in mind that in Great Britain they permit stock to be issued for these betterments and improvements. In this country some roads issue stock for betterments and improvements made out of the earnings—some do not—but they all insist that the public shall pay rates that will return interest upon these added values. So the result is capitalization, no matter whether capital stock be issued for the values or not. So far as the public is concerned it is asked to pay for the added value, and I am very glad to hear the Senator from Minnesota say that he thinks the money that is contributed toward capital by those to whom service is rendered and out of which betterments and extensions are made should not be the basis for additional returns.

Mr. KELLOGG. I thank the Senator from Iowa. Of course we can not stop in this bill to work out any elaborate scheme of control of capitalization and rate regulation, and we have not attempted it. The bill does contain a clause, however, which I may ask the indulgence of the Senate at some later time to discuss briefly, that betterments and improvements made out of surplus during the continuance of the war or Government control shall not be used to increase the guaranteed rate of income. That is a question, however, I shall wish to discuss separately.

It is sufficient to say here that under this bill any part of the guaranteed income which the President may give to any railroad, over and above the rate of dividends invested in the property, can not be used during the Government control to increase the income of the railroad thus guaranteed.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I do.

Mr. CUMMINS. I shall not interrupt the Senator much further, but I think it would lead to a better understanding of the matter if I would point out that the part of the bill to which he refers, and which meets with my entire concurrence, is imperfect in that it saves the public from the additional imposition during the period of Federal control, but when the roads pass back to their owners then they are permitted to use these very betterments and extensions made out of the surplus as a basis for the increase of rates, and that is my objection to it.

Mr. ROBINSON. It may or it may not be. That is yet to be determined by Congress. That is for future determination.

Mr. CUMMINS. I suppose Congress will be of the same mind then that it is now, and that it will allow the railroads to have the surplus.

Mr. KELLOGG. It is sufficient to say we have tried to make this bill a bill to regulate the railroads during the period of Government control, leaving Congress to settle those important questions hereafter, and that is the way this provision was left. If Congress desires now and in this bill to determine a permanent policy I have no objection, but I wish to suggest that we had better keep out of the bill as much as possible our various theories of railroad operation and control, because I am quite aware that most of us believe that we can do it a good deal better than it has been done, or better than the railroad men themselves can do it.

Mr. President, there has been submitted a minority report by the senior Senator from Iowa [Mr. CUMMINS], and there appears in it a statement of how much this guaranteed return will give to certain railroads upon their stock. This is an important question which the Senate should fully understand. Those figures are made up in this way: The guaranteed return, assuming the President gives each road the maximum, and you then take from that road the interest on its bonds and apply all the balance on stock as a dividend—which no company has done in the past—would show in some cases a very large income. As to all the railroads in the United States it would show, as I said before, about 7.15 per cent after deduction of excess-profits tax, but many roads pay no dividend, and all of them apply a large sum, greater or less in each case, for betterments and improvements of their property.

I wish to call the attention of the Senate for a few moments to a statement in the minority report of the senior Senator from Iowa, which graphically illustrates how dangerous it is to rely on a statement, though accurate, made up from books without knowing all the circumstances surrounding it. While I shall not discuss each one of these railroads, I would like to call the attention of the Senate to a statement on page 9 of that report, which I beg the indulgence of the Senate to read. Reading from the minority report:

> I have referred to the larger systems, but, to emphasize both the excessiveness of the standard and the disparity it introduces, it may be well to suggest that the following will have for their stockholders—

Now, note that it is made up by taking all the net earnings and applying them on the stock after paying interest on the bonds—

	Per cent.
Bessemer & Lake Erie Railroad Co	647.22
The Chicago & Erie Railroad Co	70.45
New York, Philadelphia & Norfolk Railroad Co	35.74
The Cumberland Valley Railroad Co	24.01
The Lehigh & Hudson River Railway Co	27.98
Charleston & Western Carolina Railway Co	21.67
Duluth, Missabe & Northern Railway Co	114.12
Duluth & Iron Range Railroad Co	38.27
Panhandle & Santa Fe Railroad Co	64.37
St. Louis, Brownsville & Mexico Railway Co	52.71
Colorado & Wyoming Railway Co	162.64

The report continues:

> These are astounding facts which the majority of the committee seems to have either overlooked or ignored. It can not be possible that Congress will tax the people of the country, either through rates for transportation or through other impositions, to pay these returns upon capital stock, the most of which was issued in defiance of both law and morals.

I am sure the senior Senator from Iowa did not wish to charge the committee with being careless or callous to the wishes of the people of this country or to their interests. I wish to say that the members of the committee were familiar with these facts.

Now, Mr. President, I wish to read a letter, which I shall ask to have incorporated in my remarks without reading the whole

of it, calling attention to the actual capitalization and the real facts as to some of these roads. The letter is from M. O. Lorenz, statistician for the Interstate Commerce Commission, to whom I submitted the minority report. It is dated February 11, 1918. I will only read a part of it and ask that all of it be inserted in the RECORD:

In reference to certain roads showing a high return on capital stock, the following data from reports to the Interstate Commerce Commission are submitted.

The Bessemer & Lake Erie is said to earn 647.22 per cent. Here is what the statistician says:

This road owns but 8.81 miles of road, but it operates 205 miles. It operates the property of its two subsidiaries. The property of the three roads is reported as follows for the year ending June 30, 1916:

Bessemer & Lake Erie	$17,583,494
Pittsburgh, Bessemer & Lake Erie	27,329,801
Meadville, C. L. & L	445,761
Total	45,359,056

The $4,745,332 proposed standard return for these three roads combined is a little more than 10 per cent of the above total property. It is obvious that the $500,000 of capital stock gives no indication of the value of the property.

The report this year shows the total bond and stock obligations of the subcompanies which this company operates under a lease to be about $38,000,000 and a book value of $51,000,000; and the Interstate Commerce Commission report for 1917 shows that they earned 9.45 per cent upon the property investment as it appears upon the books.

Mr. POMERENE. Has the Senator any reason to believe that the book valuation in that particular instance is an overstatement of the valuation?

Mr. KELLOGG. No; I have no reason to believe it, because the whole question of the rates on iron ore from Lake Erie ports to Pittsburgh was considered by the commission in three or four cases within the last two years, and the rates under which these earnings were made were fixed by the commission with a full knowledge of the capitalization and value of the property of this particular road and the other competing roads running from Lake Erie to Pittsburgh, where this road runs. This road does have an enormous earning capacity, and I am not saying that its earnings are not too large. I am inclined to think that they are very large, and I am inclined to think that the President will not make a guarantee equal to the amount of those earnings. He is not obliged to do that under this proposed law.

Mr. SMITH of South Carolina. What was the total outstanding stock of the Bessemer & Lake Erie?

Mr. KELLOGG. Twelve million four hundred and ninety-eight thousand eight hundred and fifty dollars ($12,498,850) in stock and $25,630,000 in bonds; but all those companies are in a holding company, and for some reason or other the men who control it thought it was only necessary to have a nominal stock of $500,000. That is the real fact, but I do not say it is not earning too much.

Now, the Chicago & Erie—

is a subsidiary of the Erie Railroad—

Quoting from letter—

With only $100,000 capital stock it reports a property investment for the 250 miles of road which it owns of $29,954,145 for June 30, 1916. Its proposed standard return of $228,186 is less than 1 per cent of this investment. This road owes the Erie on open account of nearly $10,000,000, and on this debt it pays no interest.

I will omit the New York, Philadelphia & Norfolk, the Cumberland Valley Railroad, and the Lehigh & Hudson River Railway Co., all of which are explained in the same manner. I will not tax the patience of the Senate to read them.

Mr. POINDEXTER. What were their earnings?

Mr. KELLOGG. The New York, Philadelphia & Norfolk earned 9 per cent on its investment, the Cumberland Valley Railroad earned 12 per cent, and the Lehigh & Hudson River Railroad earned 8.4 per cent. The Charleston & Western Carolina earned 5.8 per cent on its book value.

Mr. POMERENE. Before the Senator goes to that, may I ask him this question: Does the letter from which the Senator is reading cover all the railroads referred to in the minority report?

Mr. KELLOGG. No; it covers all of those classed as exorbitant in their earnings. On page 9 there is another list of railroads. I will mention a few of them when I finish. I am not going through the whole list, because the task is beyond my time and strength.

Take the Duluth, Missabe & Northern and the Duluth & Iron Range. I have been familiar with those roads since the first preliminary line was run through the wilderness. The Duluth, Missabe & Northern is a road which is said to earn 114.12 per cent on its capital. This is what the statistician of the Interstate Commerce Commission says:

The Duluth, Missabe & Northern shows a property investment on June 30, 1916, of $36,048,455. The proposed standard return is $5,377,214.

Dependent on iron ore traffic.

I wish to go further with that. Three years ago the Interstate Commerce Commission entered into an inquiry as to all iron-ore rates in Minnesota. The Senate probably knows that the greatest iron belt developed in the world lies from 60 to 100 miles north of Duluth and Two Harbors. The density of traffic on those roads is probably beyond anything ever known in this country. I have seen ore trains follow one another every five minutes upon those lines of railroad.

After an elaborate investigation lasting for more than a year the commission found the Duluth, Missabe & Northern to have a capital stock of $4,112,500 and bonds in the amount of $16,298,000, making a total of $20,410,500, and at the same time found the actual value of its property to be $28,464,955, at least $8,000,000 more than its total bond and stock liability, and I think anyone who will read the report of the commission will learn that the finding was exceedingly conservative.

Again, as to the Duluth & Iron Range Railroad, which is said to earn 38.27 per cent, it showed a property investment, on June 30, 1916, of $27,354,603. The proposed standard return is $2,398,945.

In this case the commission found that the Duluth & Iron Range had a capital stock of $3,000,000 and bonds in the amount of $12,651,000, making a total of $15,651,000. The commission found that the actual value of the property was $22,130,635, about $7,000,000 more than its total stock and bond liability.

Mr. SMITH of Michigan. When the Senator says the commission found the values, he refers to the physical valuation?

Mr. KELLOGG. Yes. It appears, as I understand it, that the State of Minnesota made a physical valuation of all its railroads, under the charge of a man whom the State authorities employed, which took several years. This physical valuation was in evidence before the commission and there was a vast amount of other testimony, and the commission found that for the purposes of this case the physical value of the roads was as stated. It is over $8,000,000 in one case and over $7,000,000 in the other more than the total stocks and bonds of the road.

Mr. SMITH of Michigan. One more question, if the Senator will permit me. Was that examination for the purpose of fixing a basis of taxation?

Mr. KELLOGG. A basis of rates for carrying iron ore.

Mr. SMITH of Michigan. Which were to be prescribed by the State?

Mr. KELLOGG. To be prescribed by the Interstate Commerce Commission, and the Interstate Commerce Commission fixed the rates. I do not say that the Duluth, Missabe & Northern, the Bessemer & Lake Erie, the Chicago & Erie, and the roads named in this list are not earning too much. I am not defending their earnings. They are so situated in relation to an enormous single kind of traffic that almost any rate which would yield an income over operating expenses would earn a big dividend on their stock, because the stock in nearly every case is merely nominal. But the answer to all that is this: It was impossible for the committee, and it is impossible for Congress, if it had the legal power to do it, to investigate each case and fix a guaranteed rental value of the property. It can not be done legally, nor is it within the compass of the time of Congress. So the committee was obliged to fix a maximum, beyond which the President should not go in making a guaranty. It was wise to give somebody the authority to make an agreement with all the great railroad systems in this country, because to appoint a commission or a court to try each case separately would take years, as everybody knows. We are in a great conflict. We must maintain the integrity of the railroads and insure earnings which will pay interest upon their vast securities, but we must at the same time see that the people of this country are not overtaxed and that the roads are not overpaid. So the power was vested in the President to make an agreement, simply providing a maximum. It may be said that it would be wiser to confer that power upon some board to inquire into each case. Some one must be trusted to determine the facts and make an agreement with the railroads, or litigation will result which will last for years, and it therefore seemed to the committee that it was wise to confer this power upon the President.

Now, then, if any of these lines of roads by reason of their fortunate situation are earning too much money on the rates prescribed by the commission, the President is not obliged to guarantee them this maximum, and I assume that he will not do it. They do not need a guaranty, but many of them have

competitors not earning an excessive income. Take the Pennsylvania Road: In 1916 it paid 6 per cent and earned 5 per cent more. In 1915 it paid 6 per cent and only earned six-tenths of 1 per cent more.

Take the New York Central: It pays 5 per cent on its stock. Some years it earns 5 per cent more, which it invests in property; and it is compelled to invest a large sum in its property from year to year—in nonrevenue-paying improvements to meet the demands of this great and growing country. If the President finds that these amounts are excessive, I assume he will not make the maximum guaranty.

Now, take the St. Louis, Brownsville & Mexico. I never heard of it until I saw it in the minority report. The statistician of the Interstate Commerce Commission reports as follows:

This road is reported as in hands of receiver in 1916. The high return on capital stock is explained by the fact that the capital stock was reported at $500,000, while the property investment appears as more than $15,000,000.

I ask that the letter entire may appear in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

INTERSTATE COMMERCE COMMISSION,
Washington, February 11, 1918.

Hon. FRANK B. KELLOGG,
Senate Office Building.

MY DEAR SENATOR KELLOGG: In reference to certain roads showing a high return on capital stock the following data from reports to the Interstate Commerce Commission are submitted:

BESSEMER & LAKE ERIE.

This road owns but 8.81 miles of road, but it operates 205 miles. It operates the property of its two subsidiaries. The property of the three roads is reported as follows for the year ending June 30, 1916:

Bessemer & Lake Erie	$17,583,494
Pittsburgh, Bessemer & Lake Erie	27,329,801
Meadville, Conneaut Lake & Linesville	445,761
Total	45,359,056

The $4,745,332 proposed standard return for these three roads combined is a little more than 10 per cent of the above total property. It is obvious that the $500,000 of capital stock gives no indication of the value of the property.

CHICAGO & ERIE.

This is a subsidiary of the Erie Railroad. With only $100,000 capital stock, it reports a property investment for the 250 miles of road which it owns of $29,954,145 for June 30, 1916. Its proposed standard return of $228,186 is less than 1 per cent of this investment. This road owes the Erie on open account nearly $10,000,000, and on this debt it pays no interest.

NEW YORK, PHILADELPHIA & NORFOLK.

This road is controlled by the Pennsylvania Railroad, but its accounts are distinct. It owns all the road which it operates. Its property investment is nearly $11,000,000, on which the proposed standard return is a little over 9 per cent.

CUMBERLAND VALLEY RAILROAD CO.

This is also controlled by the Pennsylvania Railroad. With its two subsidiaries which it leases, a combined property investment for June 30, 1916, was reported amounting to $10,308,715. The proposed standard return is about 12 per cent of this amount.

THE LEHIGH & HUDSON RIVER RAILWAY CO.

This is a subsidiary of various coal roads. It reports a property investment of $6,247,586 for the year June 30, 1916. The proposed standard return is $525,315, or 8.4 per cent.

CHARLESTON & WESTERN CAROLINA.

This is a subsidiary of the Atlantic Coast Line. On June 30, 1916, it reported an investment in road and equipment of $8,275,090. The proposed standard return of $478,916 is 5.8 per cent of this amount.

DULUTH, MISSABE & NORTHERN.

Shows a property investment on June 30, 1916, of $36,048,455. The proposed standard return is $5,377,214.
Dependent on iron-ore traffic.

DULUTH & IRON RANGE.

Shows a property investment on June 30, 1916, of $27,354,603. The proposed standard return is $2,398,945.
Dependent on iron-ore traffic.

PANHANDLE & SANTA FE RAILWAY CO.

Controlled by Atchison, Topeka & Santa Fe. It operates most of its road under lease. The following is the property statement of the Panhandle & Santa Fe and its subsidiaries as reported for June 30, 1916:

Panhandle & Santa Fe	$5,039,771
Pecos & Northern Texas	14,725,881
Pecos River	1,399,588
Total	21,165,240

The proposed standard return is $1,341,385, or 6.3 per cent.

ST. LOUIS, BROWNSVILLE & MEXICO.

This road is reported as in hands of receiver in 1916. The high return on capital stock is explained by the fact that the capital stock was reported at $500,000, while the property investment appears as more than $15,000,000.

COLORADO & WYOMING.

This is an independent operating road. With only $100,000 capital stock, it claims a property investment of $4,705,021 on December 31, 1916. The standard return of $333,053 yields a little over 7 per cent on this investment. The preceding, while independent of other roads, was incorporated in the interest of the Colorado Fuel & Iron Co., and the bonded debt is probably not in the hands of the public.

The high ratio of net income to capital stock shown for the preceding roads is correct according to the reports, but where the capital stock is nominal in relation to the total property operated or where the property is closely associated with a parent or controlling company, such a ratio is not indicative of the degree of the prosperity of the road.

Yours, respectfully,

M. O. LORENZ, *Statistician.*

Mr. THOMAS. I should like to know if the letter gives any information regarding the last of the roads on the list—the Colorado & Wyoming Railway Co.—which, according to the minority report, would receive under the arrangement of this bill 162 per cent. My inquiry is as to whether or not this letter contains any information with regard to that road.

Mr. KELLOGG. I shall read what the statistician says in regard to the Colorado & Wyoming road. I know nothing about it whatever beyond the information contained in this statement. It is an independent operating road, and it belongs to the Colorado Fuel & Iron Co., so Senator THOMAS says.

This is an independent operating road. With only $100,000 capital stock, it claims a property investment of $4,705,021 on December 31, 1916. The standard return of $333,053 yields a little over 7 per cent on this investment. The preceding, while independent of other roads, was incorporated in the interest of the Colorado Fuel & Iron Co., and the bonded debt is probably not in the hands of the public.

I have no knowledge of the road whatever, but, as I said before, if the earnings are too great, the President will not make the guaranty. We were obliged to adopt some plan to permit an agreement. In doing so it was thought wise to make a maximum above which Congress would not authorize the President to go. On the other hand, as to roads very unfortunately situated, there is an exception made, that the President may make a greater guaranty than the standard return. So with this maximum, and what we might call the power of declaring a minimum guaranty which we give the President, it is hoped that he may be able to work out, with his experts, an agreement with the great body of the railroads of the country, avoid litigation, maintain the integrity of their securities during the war, and maintain the railroads, so that when they are turned back to their owners they will be in as good condition as at the present time. There are many other roads named here, though I have not the time to consider them. The Burlington seems to be a conspicuous example, and it was mentioned many times before the committee. The Chicago, Burlington & Quincy is undoubtedly an advantageously situated road, running through a very rich country in the Central West and the great Mississippi Valley. Its capitalization is admittedly low. Its average earnings for the three years 1915, 1916, and 1917, on average book value or investment of $484,507,951, was 7.02 per cent. To be sure, I have no doubt, if you deduct interest on its bonded debt and apply all the balance of the Burlington income to a dividend on this $115,000,000 of stock, it will show undoubtedly the figures given by the senior Senator from Iowa [Mr. CUMMINS]. I have no reason to question those figures; I have not examined them; but I presume they are correct. The Burlington Road, however, pays 8 per cent, and has done so for many years. The balance is used and invested in its property, and I think wisely so, because it is one of the best systems of railroad in the country. The answer, however, to the proposition is that right alongside of it are other lines of road, running through the same territory, which compete with it under the same rates, and the earnings and guaranteed returns of those roads are not excessive.

Mr. SHERMAN. There is the Rock Island, for instance.

Mr. KELLOGG. Yes; there is the Rock Island. I presume the Rock Island has been badly managed and is not entitled to any sympathy. I do not deny that there are many roads in the country like the Rock Island and the Alton that have been badly managed. That is true in every line of business. I hope Congress will pass a law which I have advocated for many years and have asked the Interstate Commerce Commission to recommend to Congress, regulating the issue of stocks and bonds of railroads in one central authority of the Federal Government. Such action would make railroad securities a better investment for the public. It would also be better for the railroads. We can not, however, stop here to determine what in each case is a fair return to guarantee the railroads. I have the figures for all of the roads, and many of them are published in the hearings before the committee.

I know Senators will give this very important question most careful consideration. If the plan provided in the bill is not fair, of course the Senate will not adopt it. I wish to submit the facts as I understand them.

Another phase of this guaranty question is—and it should not be overlooked—that this is not a permanent taking whereby the Government guarantees a perpetual income on the securi-

ties of the railroad. What would be reasonable under such circumstances would bear little relation to what would be reasonable as a temporary taking. The Government is taking property out of the hands of the railroads during the war, and the railroads are taking the chances of traffic being diverted to water lines or from one railroad to another, of the personnel of their organizations being changed, and of their whole system of business being revolutionized. For any of the incidental damages that may accrue the Government is not liable.

It was stated by Mr. Anderson before the committee that the President might, in controlling the railroads, divert the traffic from one line to another; that he might establish water lines in competition, and thus injure some of the railroads; and that there ought to be compensation provided in that event. For that injury, however, we can not provide compensation. We pay the railroads a guaranteed income during the period of Government operation, and it must and will cover all injury, direct and incidental. If, when the roads go back, any of them have been thus injured, that is one of the risks of Government operation which they must assume.

My own judgment is that it is not a serious risk. My opinion is that if the roads had been left in the hands of their owners, with authority vested in the President to appoint a director who should regulate their operation during the war, with power to divert traffic to lines least congested and to coordinate all their facilities and equipment the injury any road would suffer would be small and would occur in only a few instances; we would thereby have avoided consideration of this very complicated question of guaranty. As I have previously said, however, the President and his advisers thought otherwise, and I bow to that decision. It is our duty to determine as best we can a fair and reasonable basis of guaranty.

The railroads have no claim against the Government for anything beyond the guaranteed earnings, if they accept this, or, failing to reach an agreement, what the court should finally determine is a fair and just rental charge.

I am taking very much more time than I should, and more than I had intended to take, but if the Senate will bear with me I should like to discuss briefly two more questions.

First, as to the rate-making power. This bill proposes to vest the ultimate decision as to the reasonableness of rates, both relatively and otherwise, in the Interstate Commerce Commission, a body provided by law which has long been in existence and charged with all railroad-rate regulation in interstate commerce matters.

There is no subject more vital to the industrial interests of this country than that of transportation. The time was when each city and village was supplied with nearly all of its products from the surrounding country and in turn the cities and villages furnished the country with the principal manufactured articles. That time has passed. The specialization of industry, the inventive genius of mankind, the introduction of rapid transit, the building of great manufactories, which absorbed the small industries of the villages and towns, have made all parts of the country and Nation, to a greater or lesser degree, interdependent. Transportation, therefore, is a subject vital to every individual and every business in the country, and while, of course, the amount of rates is important the most important thing is the relative reasonableness of such transportation charges. The great rate structure of this country has grown up under competitive influences. I do not mean so much competitive influences between railroads, although this has been an important factor, but competitive influences between communities, States, and different sections of the country. The merchants and manufacturers of Chicago compete with the merchants and manufacturers of New Orleans, St. Louis, Kansas City, Omaha, St. Paul, and Minneapolis. The cities of the Atlantic and Pacific seaboard compete with one another for the inland trade. A difference of 1 mill per ton per mile will make or break the railroad systems of this country, and a small increase or decrease in competitive rates, unless just and equitable, may ruin the merchants and business men of one city and build up those of another. And while I do not claim that the rate structure of this country is in all respects perfectly just and reasonable, it is an approximation which has come into existence through years of experience of railroad men, State and Federal railway commissions, and competitive influences, so that the farmers of the Mississippi Valley may place their products on the markets in competition with those in other sections of the country. To build this great structure has required the best ability of an army of traffic managers, rate experts, and of the Interstate Commerce Commission and its employees. It is appalling to say that because we are at war this entire rate structure, and the absolute power to change a rate, affecting the billions of dollars of railroad property and hundreds of millions of dollars of commerce shall be placed in the hands of one man, without right of appeal, be he ever so great and though he possess the wisdom of Solomon. It is not the business of an executive. The making of rates is a legislative and administrative function.

The legislature must lay down the rules for making rates; for instance, that they shall be just and reasonable and nondiscriminatory as between communities and individuals; and the legislature may then delegate to a board or an officer the power to inquire as to whether the rates comply with the legislative fiat, whether they are reasonable, just, and equitable, and if the board or person finds such to be the case, to establish the rate. Of course, this is axiomatic, and I am merely making the statement in order that I may base further argument upon it. Nothing is further from the business of a purely executive office. In no nation of the world is the making of rates in the hands of a single executive officer of the Government. There is no more reason for this power being delegated to one official, without the right of appeal, in times of war than there is in times of peace. The making of rates does not affect the operation of the roads. It is simply a question of compensation. The great majority of traffic is not Government troops and materials, but is private; and no country in the world, even as to Government railways, has ever delegated the power to fix rates to a single official. In Canada it is vested in a Canadian railway commission; in Great Britain, in the railway and canal commission; and in France a most elaborate system has been adopted. A rate may be originated by a company, but before taking effect it must be approved by the minister of public works. It is submitted to the prefects of the departments or the arrondissements and to the chambers of commerce of the districts affected. It must be passed on by a consultative committee consisting of a body of men created to investigate rates, composed of 150 members, including officials of States, representatives of agriculture, commerce, and industry, and a representation of senators and deputies. In Prussia there is a general advisory council and nine district councils, and in Austria-Hungary and Italy they have established similar bodies.

In every country the making of rates is considered of such great importance to commercial life that it is surrounded by the greatest safeguards; and yet it has been proposed, simply because we are at war, that we not only turn over the operation of all the railroads to the President but allow the President to delegate to some official the extraordinary power of making all rates. I have seen in the newspapers within the past few days a statement that the Director General intends to increase the passenger rates in a certain part of the country to deter traveling. I hope it is to Washington. He might accordingly advance freight rates to deter shipments, and without knowledge and consideration of the far-reaching effect might ruin thousands of business institutions. Everyone knows that the President himself can not give time and consideration to the matter of fixing rates. The proclamation in this case, in substance, provides that until further order the State and Federal commissions are to continue their functions. I think it is the duty of Congress to provide the tribunal which shall have charge of this question, necessarily quasi judicial in its nature. It might be remarked here that the Interstate Commerce Commission is an arm of the Federal Government.

It is especially important that this power be vested in a body which has for years been gathering information, which has an intimate knowledge of the vast and complicated rate structure, and is conversant with business conditions and needs throughout the country. I do not claim that the system now in vogue is not capable of improvement. I speak, however, from an intimate knowledge of the operation of the present system extending over a period of 25 years, and it is my opinion that the Interstate Commerce Commission has performed a function of inestimable value to the business interests of this country. I know of no shipper or railroad who would return to the system which existed before the establishment of the Interstate Commerce Commission. We can all remember when the system of rebates was the rule rather than the exception; when the small shippers, who were without influence, alone paid the rates, and when industries and towns were built up by reason of partiality and others destroyed for the same reason. It was the natural outgrowth and logical result of excessive competition and unlimited power vested in railroad managers. That condition, however, is now one of the past.

The Interstate Commerce Commission has performed a great public service in investigating commercial and industrial conditions; in compiling statistics with regard to practically every phase of railroad operation and management, in enforcing the laws affecting commerce, and in coordinating the rate systems throughout the country.

It is argued that the President is responsible for the operation of the roads, and therefore should be vested with the power to establish rates. As Executive head of the Nation, he is responsible for many of the activities of the country, especially during the present emergency, but it is also true that, under the law, he is not charged with the execution of all the various war powers, and I know of no problem which can be more properly submitted to a tribunal familiar with rate structure than that involving the establishment of and change in rates.

It is provided in this bill that in the event the President fails to reach an agreement with the railroads with regard to compensation the determination of that question shall be submitted to a board or boards of referees appointed by the Interstate Commerce Commission.

I am as desirous as any Senator in this Chamber to vest in the President all the power necessary for the successful prosecution of the war, and I have voted accordingly since becoming a Member of this body. Moreover, in the event there is any doubt of the necessity for so doing, I shall resolve that doubt in favor of the President; but I can not believe that the President will ever desire to exercise the power of fixing rates or that such power should be delegated to a single individual.

DURATION OF GOVERNMENT OPERATION.

I am very strongly of the opinion that this bill shall provide a definite time after the termination of the war when Government operation shall cease and that it should not be left to the uncertain result of future congressional action.

Under the extraordinary war power the President, by proclamation, took possession and assumed control under the law which authorized this to be done during the period of the war. Having thus acquired possession of the railroads, under a statute which only authorized the taking of possession during the war, the Director General of Railroads now comes before our committee and asks that this possession continue until Congress shall otherwise provide. I have no doubt that under the war power Congress may keep the railroads for a reasonable time after the termination of the war. But to keep them an indefinite time and pay rent therefor is obtaining property under false pretenses, so far as the American people are concerned.

There are many reasons which convince me that this is unwise. I am quite aware that it will receive the approval of those who believe in Government ownership and operation. They see, without squarely meeting the issue, an opportunity to get permanent possession of the railways and carry out their ideas, or to experiment with the railroads with this in view.

I must admit that I have had to revise my ideas a good many times since the beginning of this war, and it is our duty as Senators to meet these startling changes with the most liberal spirit. *Though I did not believe it was wise or necessary to take over the railroads, I am prepared to go to the full limit to make Government operation as successful as possible and to grant all the powers necessary to that end.* But I am not yet prepared to take a step that will vest such powers in Government-ownership advocates and force Government operation of railroads upon the people of this country. That question should be met by the American people squarely and fairly, unhampered by any other issue, and should the time come when the people of this country deem it wise to take over the railroads their mandate is final. I may support it myself, but I am not yet ready to do so. Why are the railroads taken for war-emergency purposes to be kept by the Government indefinitely, while campaign after campaign is waged over the question of Government ownership, where the President can, by vetoing a measure turning them back to their owners, require a two-thirds vote of Congress to return the property thus taken?

But as there are undoubtedly men who believe that any means of Government ownership and operation justify the end, I may be pardoned for considering for a moment the result of experience in Government ownership and operation. I believe there is no question that the result of experience has shown that Government operation of railways is more expensive, less efficient, and less beneficial to the people generally than private operation. We have a splendid system of railroads, with cost of construction and capitalization the lowest, in comparison, of the leading countries in the world, with the best equipment, the cheapest service, and, in most respects, the best service.

I do not say that it is all it should be, for I do not think it is. I remember very well a remark made by the late James J. Hill, who built the Great Northern Railroad through the wilderness to the coast. Only a few years ago he said "the railroads of this country ought to spend a billion dollars a year for the next 10 years," and I have no doubt that it is true.

The freight rates are very much lower in this country than in any other country except Japan. In some countries the passenger rates for all passengers carried are lower than in this country, but this is largely due to the fact that there they have third and fourth classes, which, on the Continent of Europe, constitute the greater part of the traveling. In Prussia, for instance, third and fourth classes constitute 95 per cent of the travel, and this, to a great extent, is true all over Europe, while in this country the extraordinary passenger service is equaled nowhere in the world.

It is true that in one respect our service is not as good as that of Great Britain, Prussia, and France, and that is in the number of accidents to employees and passengers. But this is principally due to the training of the employees. In those countries, under the law, there are severe penalties accruing in the event of errors and mistakes by employees, which are enforced. In Prussia, especially, the trains are in charge very largely of soldiers, trained to obey orders, whereas our people are reckless and careless and there is no reason to believe that there will be fewer accidents under Government operation than under private. It is impossible for me, in the time at my command, to go through all the statistics and comparisons between Government and private ownership operating side by side. But experience has undoubtedly shown in Canada, France, England, Austria-Hungary, Italy, Australia, and New Zealand that Government operation is less effective, less efficient, and more expensive and subject to all kinds of political interference. This is especially true in the countries where the railroad management is responsible to parliaments and congresses.

I should like to call the attention of the Senate to the report of Pierre Leroy Beaulieu, a French deputy, upon the experience of France in respect of Government operated railways and privately operated railways, and I ask that this article, commencing on page 21 and ending on page 25, be incorporated in the RECORD at the end of my remarks.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Without objection, permission is granted.

Mr. KELLOGG. I shall not stop to read it all, but I invite the attention of the Senate to a few sentences.

Mr. THOMAS. What is the date of it?

Mr. KELLOGG. This report was published in 1912. Quoting:

> A main argument used in Parliament in favor of transfer from the company to the State was that the company never did, and never could, earn its guaranteed dividend in full, still less the extra dividend which it would be entitled to if earned; that the company was accordingly a mere caretaker and not interested in financial results, and did not operate, and could not be expected to operate, with economy. The State, on the other hand, would have a direct interest in operating economically. That was the argument. Here are the facts: During the last 10 years of company management the State had to pay an average of $2,894,280 a year to meet its liability under the guarantee to make up the deficiency in net operating income.

In France all the private railroads receive a guaranteed income on their stock.

> During the first three years after the transfer, the sums it had to find under the same head were $6,753,320, $8,875,792, and $14,934,484, respectively. For the year 1913 the figure was $14,752,237.
>
> Nor do these deplorable financial results tell the whole story. The service to the public was absolutely demoralized. * * * In the first place it is the abuse of formalism and red tape, with all the delays which follow and which are directly in conflict with commercial needs. In the second place, it is the lack of stability. The director and all the chiefs of the service change at the will of the ministers, whilst in the private companies the higher personnel is maintained a long time, fulfilling the same functions. It is next the political influence which enters into the choice and advancement of the personnel. It is, lastly, the lack of discipline which also results from the political influence at work. From the electoral point of view, the lower staff, being much more numerous, will always have much more power than the superior staff.
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> From all points of view, the experience of State railways in France is unfavorable, as was foreseen by all those who had reflected upon the bad results given by the other industrial undertakings of the State, such as the telephone, matches, and many others. The State, above all, an elective administration, can not be a good commercial manager.

Mr. SHERMAN. Mr. President——

Mr. KELLOGG. I yield to the Senator from Illinois.

Mr. SHERMAN. Before the Senator lays aside the part referring to French railways, does the report or article from which he quoted show that the State-owned railways of France kill more of their passengers, compared with the mileage, than the privately owned roads?

Mr. KELLOGG. I do not know.

Mr. SHERMAN. I have a number of tabulations for several years that indicate that such was the case.

They not only kill more passengers but they kill more of their employees, although a lower per cent of them.

Mr. CUMMINS. Mr. President, I want the Senator from Minnesota to know that I am not going to draw him into an argument with regard to Government ownership, or participate in an argument on that subject; but I want to ask him if it is not

true with regard to the Western Railroad of France, which is the one he has just been speaking about, that under private ownership and operation the road had been permitted to fall into such decadence and dilapidation that when the Government of France took possession of it it was necessary almost to rebuild it and reequip it, and that these facts furnish the reason for the increased cost to the State for the few years after the Government took possession?

Mr. KELLOGG. No; the facts were the contrary. The road was in worse condition afterwards than it was before, and its operating expenses immediately increased. The Senator I think, will find that he is entirely mistaken about that proposition.

Mr. CUMMINS. The operating expenses did increase—I know that—but if the Senator will examine a document that was presented to the joint committee of the two Houses investigating the matter of railway legislation and control I think he will find that the extraordinary expenses for the few years after Government possession were due to what we call, in railway parlance, deferred maintenance; that is, private management had allowed the property to run down.

One other question, and then I will not ask further questions. The Senator stated that freight rates in the United States were lower than in any other country in the world except Japan. Will the Senator state what the rate upon a haul of 50 miles is in the United States as compared with the haul of the same commodity for 50 miles in Germany or in any other country?

Mr. KELLOGG. I can not give the exact rate, but I have compared the rates, together with the distance hauled, not only between this country and Germany, but between this country and Great Britain, France, Italy, and other countries. I have examined the statistics and the opinions of experts on this question, and so far as I have been able to discover they uniformly agree that, taking distances and all the conditions into account, the rates are very much lower in this country than in any other country, I believe, except Japan. There may be some minor exceptions.

Of course you have to take many things into consideration. In Great Britain the railroad rates cover the collection and delivery of shipments. That is one reason why Great Britain's freight rates are high; but when you disregard that feature all the experts, in my opinion, will agree that the freight rates in this country are lower than in any of the other leading countries in the world, excepting Japan.

Mr. CUMMINS. That is not my understanding of the facts, although I do not want to disparage our own railway system; but I venture to say that when reduced to a comparable basis—that is, when the length of haul is considered—our rates are as high as, if not higher than, those of any other country in the world.

Mr. KELLOGG. The Senator is entirely mistaken, and I will refer him to any number of experts who have examined and written upon the subject.

Over and over again has it been shown where railroads are nationalized operating expenses immediately advance, the number of employees is increased, and the efficiency is decreased. Political influence is exercised over construction, betterments, and extensions to meet the demands of the people, and, with the exception of Prussia and Japan, there is not a Government system in the world that pays its operating expenses and a fair rate of interest on the cost, and in many cases there are very large deficits. It is true that even the German States outside of Prussia do not make their railways pay, and the result in Austria has been exceedingly disappointing and disastrous. It may be asked, Why do so many European countries own their own railways? There are various reasons, some of them military, others because the Government had guaranteed the indebtedness and was compelled to take over the railroads or lose the investment, and, again, because the cost of construction was too great and income too uncertain for private enterprise. In Germany it was very largely military consideration. Bismarck was desirous of constructing and maintaining Prussian railroads in a system most advantageous for the handling of troops and Government materials in case of war, and vast sums have been spent to construct railway tracks for strategic military purposes. This is more or less true in other countries. In France some railroads were taken over, especially the western roads, because the Government had guaranteed the income and took the roads over to save its investment. This is true also in Italy, to a very great extent, and in some other countries. It may be well here to remark in passing that the Government guarantees dividends of from 7 to 13 per cent on all of the private railroads in France and reserves a division of profits over and above from 10 to 22 per cent. The following is a table which gives the information as of 1910, the last date available:

	Par value of stock (francs).	Rate of dividends guaranteed.	Revenue reserved to stockholders before division of profits.	Dividends paid.	Market price Nov. 25, 1910, per 100 francs.
		Per cent.	Per cent.	Per cent.	Per cent.
Nord	400	13.525	22.125	18.0	407
Est	500	7.10	10.10	7.1	175
Ouest	500	7.50	10	7.7	186
Orleans	500	11.20	14.40	11.8	266
P. L. M	500	11	13.50	11.2	241
Midi	500	10	12	10	225

But one of the most serious objections to Government ownership and operation is the political influence and pressure brought to bear. One of the difficulties with railroads of this country has been that in many instances they have been too valuable as a political asset. But this is nothing to what it will be if the Government takes over all the railroad properties, valued at more than $17,000,000,000, and makes Government employees of over 1,700,000 men.

One of the scandals of our Government occurs in connection with its appropriations for internal improvements, such as rivers and harbors, post-office buildings, drainage projects, and so forth, where Congressmen and Senators deem it perfectly legitimate to obtain any kind of an appropriation for the benefit of the people of their districts in utter disregard of whether it is necessary for the national welfare or not. If all railroads of the country were placed in the same category, improvements, extensions, and betterments to meet the demands of the people of the various communities would be obtained through political influence; the running of trains, freight and passenger, furnishing facilities, would be constantly subject to political pressure through Congressmen, Senators, and public men generally. It has already commenced and the people in this country are demanding that they have a right to have their Congressmen and Senators intercede with the Director General of Railroads in behalf of their particular section of the country. Their Senators and Representatives can not do otherwise than present these matters, and will not do otherwise.

I do not say that this is objectionable other than as to the system involved. The building of railroads to meet the great commercial conditions of a growing country ought not to be constantly the subject of political pressure.

But there is another serious objection. In turning the railroads over to Government operation the employees and officers will be divested of the incentive and enterprise essential to any great undertaking. To-day the highest positions with the railroads of the country are within the reach of the humblest boy in the service. I know most of the railroad presidents to-day controlling the destinies of this vast property, and they advanced from very humble positions, and the value of the organization of the railroad company is derived largely from motives of self-interest and individual enterprise which opportunity offers to every man in railroad employ.

Hope of preferment and opportunity are the guiding stars which have made this country foremost in the industrial and commercial fields of the world. Nationalizing the railways makes all of the men mere Government employees. There is no hope that they can reach the position of president of the railway and enjoy the power and influence which goes with that position. They are mere clerks. They lose interest and ambition. Men with capacity, ability, and authority to employ their own men could run the departments in Washington for very much less money and very much more efficiently. It is, of course, one of the things that go with a democracy. I do not wish to see it changed, except to see it bettered. I am not in favor of turning over the vast railways of this country merely to reduce men to the dependent influences of Government operation.

Mr. President, there is a rising tide of socialism to-day which threatens the foundations of representative democracy the world over. There are well-meaning men in its ranks. They believe that the millennium is coming and the Government can exercise the function of all private enterprise and all fields of human endeavor can be equalized.

Sir, it is an old, old dream, which the world has discarded again and again since the dawn of civilization. The best guaranty to the people of this country for their security of our institutions are those principles embodied in the Bill of Rights, which have been tried by the experience of ages and are firmly fixed in the Constitution of this land.

In times of stress and storm, when nations are struggling for their existence, when all the resources and forces of society must be marshaled for the supreme test, it is unwise, under the guise of necessity, to forsake the fundamental principles of government and of economics which lie at the foundation of all progress and organized society. Business and industry should flow, as far as possible, through its natural channels. Always remembering, however, that the lives and fortunes of the people are pledged for the liberty and welfare of the Nation.

APPENDIX A.

Mr. KRUTTSCHNITT. Well, this crosshauling, particularly of coal, was one of if not the controlling influence that has brought about this congestion on the eastern roads. There is absolutely no control of crosshaul. The War Board six or eight weeks ago—I think in the latter part of November—had a conference with the Fuel Administrator and called his attention to the waste of transportation by crosshauling of coal and recommended that he issue orders that would stop it, and he asked us if we would not work up a plan and submit it to him. We did so and submitted that plan, I think, early in December. It was very carefully worked up, after the fashion of the English plan, which you have no doubt seen, by which the routing of coal from one producing district to a consuming district is marked out; and the principle on which the maps were drawn was that any consuming district should get its coal, regardless of its wishes as to quality of coal, from the nearest coal-producing district. That, of course, cut off the crosshaul, but nothing has ever been done about it. We urged action on it, but no action has been taken.

Senator WATSON. You had no power to enforce action?

Mr. KRUTTSCHNITT. Oh, absolutely none.

The CHAIRMAN. To what extent did that prevail in other shipments? Have you mentioned coal as the principal one?

Mr. KRUTTSCHNITT. Well, coal was the principal one, because its tonnage is so great. No doubt the crosshaul existed as to other commodities, but the crosshauling was not as potent an influence in bringing about this congestion as the crosshauling of coal.

The CHAIRMAN. I thought perhaps you might have some figures to show or some data to give the committee in reference to munitions and supplies to be exported abroad.

Mr. KRUTTSCHNITT. I was going to come to that, but I will answer that question now, that the next most potent influence in bringing about this congestion was the indiscriminate use of a preference envelope by shipping agents of the War Department. At the beginning of the war, in conference with the Quartermaster Department of the United States Army, the railroads printed what they called a blue envelope, and freight on any waybill or bill of lading inclosed in the blue envelope, which was clearly marked "United States Government service," was given preference, it being understood by the Quartermaster Department of the Army that whenever that envelope was used there would be no question about the preference. If it was marked "Government service," it would be rushed. Now, the Army, because of the vast tonnage which it was shipping and the great number of officers charged with shipping freight, got to using those envelopes for a great deal of freight that did not require preference movement. In other words, it was used for everything that the Government bought and abuses crept in thus: We will say a manufacturer who was turning out 10,000 tons might have been turning out a thousand for the Government and 9,000 for the general public, yet he would get preference envelopes to use for the Government shipments and he would use these preference envelopes for his whole output.

Senator ROBINSON. That same system has prevailed in the shipments to a large number of cantonments throughout the country.

Mr. KRUTTSCHNITT. Of course the railroad was helpless. We can not go behind the blue envelope and investigate when the freight is tendered, covered by these bills of lading, asking, "Is this really Government freight? Is it vouched for by so and so?" You have got to trust the men to whom these preference envelopes are given, and if they will let them slip out so that Tom, Dick, and Harry can use them, the result is just what you have seen. One of the trunk lines estimated that 85 per cent of the total tonnage they were handling, including coal, was covered by these blue envelopes. You can imagine the state of mind of a yardmaster at a terminal, say, like Pittsburgh, when he was confronted with the freight covered by all of these blue envelopes and covered by other orders giving priority of transportation to different commodities, he would be a fit subject for an insane asylum; he would not know how to get around his work.

Senator ROBINSON. Everything that came in had a priority?

Mr. KRUTTSCHNITT. Pretty much everything; and it resulted in this, that if everything had preference, nothing had preference; it simply congested the roads.

Now, those two influences were the principal ones that have brought about the congestion on the roads east of Chicago and north of the Ohio and Potomac Rivers.

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Senator KELLOGG. On that question of priority orders, prior to the act of August 10, 1917, the interstate-commerce law provided "that in time of war or threatened war preference and precedent shall, upon the demand of the President of the United States, be given over all other traffic for the transportation of materials of war, and carriers shall adopt every means within their control to facilitate and expedite the military traffic; and in times of peace shipments consigned to agents of the United States for its use shall be delivered by the carriers as promptly as possible and without regard to any embargo that may have been declared, and no such embargo shall apply to shipments so consigned."

That was the law in existence as to the shipment of materials of war. Now, on August 10, 1917, the Congress passed a bill providing "that during the continuance of the war in which the United States is now engaged the President is authorized, if he finds it necessary for the national defense and security, to direct that such traffic or such shipment of commodities as in his judgment may be essential to the national defense and security shall have preference or priority in transportation by any common carrier, by railroad, water, or otherwise."

I am sure it was the intention of Congress to place in one hand the power to direct preference or priority of shipments, but, as I understand you, notwithstanding that the War Department and the Navy Department, the Food Administration and the Coal Administration gave indiscriminate preference orders.

Mr. KRUTTSCHNITT. The understanding of the War Board, Senator, was substantially your own; that is to say, we supposed that when that priority act was passed that the man charged by the President with administering his duties under the authority of the act would determine priority for everything. Prior to that we had been acting under the clause you read from the interstate-commerce act; that is, we simply took it for granted that officers of the War Department and the Navy Department, all of whom were under the President as Commander in Chief, were under his orders, and anything that those departments wanted shipped we ought to give preference to, according to that law, and even after the passage of that priority bill we continued doing that.

Now, when this flood of preference envelopes threatened to swamp us we had a meeting with Mr. Lovett, who was priority commissioner, and we told him of our troubles with the departments, particularly the War Department, because there were more men shipping and more goods shipped, and they were using these preference envelopes in such numbers that they were getting beyond our control. We asked him if he would not take charge and straighten that matter out, and he said that he did not understand that it came under him. We had quite an argument about it. We wanted him to help us to that extent, and he said he could not; that it did not come within his purview, and also, if I understood him correctly, that his duty was simply to establish priority of movements as between different commodities, and he could not undertake to say that some things should be shipped and some should not. However, he was so impressed with our difficulties that he said he would take the matter up with the Secretary of War, and he told us a few days after that that the Secretary of War recognized the difficulties under which we were laboring and would have the matter straightened out, but nothing was ever done until Mr. McAdoo took charge. When we explained the troubles with these preference orders he at once appointed Mr. Chambers to coordinate all shipping facilities of the Government, and Mr. Chambers is now performing those duties.

APPENDIX B.

EXPERIENCE OF STATE OPERATION IN FRANCE.

Here in broad outline is the story of the result of the transfer. In the five years, 1904–1908, before the transfer the gross receipts rose steadily from $37,084,000 to $42,145,000. In the five subsequent years, 1909–1913 (the war upset entirely the figures for 1914), the gross receipts rose from $42,333,000 to $48,701,000, a slightly greater rate of increase. In the five years before the transfer, the operating expenses rose from $20,796,000 to $28,388,000, this last figure being unduly inflated by the fact that, from the date the Chamber voted the acquisition of the railway, the staff became entirely demoralized. The first year after the acquisition the operating expenses were $30,304,000. The next year they were $34,921,000, and the year after, $39,454,000. In 1912 they had reached $41,800,000, and for 1913 they fell back to $41,478,000. In other words, to earn a net revenue increased by 31 per cent, the operating expenses increased by 100 per cent. The net revenue was never below $13,757,000 in the worst year of company rule. It fell to $5,352,000 after the Government had been in possession four years. The operating ratio, which had risen from 56.4 to 67.8 under the company, was for the next five years as follows: 72.7, 79.9, 87, 89.4, and 85.2. It is fair here to make a qualification. The operating ratio had gone up on all the French railways between the two periods. It averaged 50.3 for the other five great companies for the years 1905 and 1906, and 58.4 for the two years, 1912 and 1913. But a rise from 50.3 to 58.4 is one thing; a rise from 56.4 to 89.4 is quite another.

A main argument used in Parliament in favor of transfer from the company to the State was that the company never did, and never could, earn its guaranteed dividend in full, still less the extra dividend which it would be entitled to if earned; that the company was accordingly a mere caretaker and not interested in financial results, and did not operate, and could not be expected to operate, with economy. The State on the other hand would have a direct interest in operating economically. That was the argument. Here are the facts. During the last 10 years of company management the State had to pay an average of $2,894,280 a year to meet its liability under the guarantee to make up the deficiency in net operating income. During the first three years after the transfer, the sums it had to find under the same head were $6,753,320, $8,875,792, and $14,934,484, respectively. For the year 1913 the figure was $14,752,237.

Nor do these deplorable financial results tell the whole story. The service to the public was absolutely demoralized. There were several very serious and numerous smaller accidents, and the staff and the public got so frightened that the express trains on the main line, already the slowest in France, were decelerated down to a timing that had been abandoned as inadequate in 1896. In addition, a number of trains were suppressed altogether. Punctuality went to the winds. Commuters on the system in the suburbs of Paris were compelled by their employers to live elsewhere because of the unpunctuality of their arrival at their work. As for the service in general, one figure will suffice. Compensation for accidents, loss and damage, averaged some $400,000 or $500,000 a year in the last days of the company. In 1911 the figure was $2,045,291. The minister of public works himself publicly criticized the State administration as a "frightful fraud." And the Senate passed unanimously a resolution beginning, "The deplorable situation of the State system, the insecurity and irregularity of its workings."

M. Leroy-Beaulieu gives the reasons for the "deplorable situation" as follows: "In the first place, it is the abuse of formalism and red tape, with all the delays which follow and which are directly in conflict with commercial needs. In the second place, it is the lack of stability. The director and all the chiefs of the service change at the will of the ministers, whilst in the private companies the higher personnel is maintained a long time, fulfilling the same functions. It is, next, the political influence which enters into the choice and advancement of the personnel. It is, lastly, the lack of discipline which also results from the political influence at work. From the electoral point of view, the lower staff, being much more numerous, will always have much more power than the superior staff. It is always on the side of the former that many deputies will be systematically ranged. Above all, it is impossible to be at once controller and controlled. If one of the great French companies under private management renders poor service, the public opinion is not slow to move the public power, and as this has the means to bring pressure indirectly but in many ways upon the companies, they are led to reform. On the contrary, when complaints are made against the State itself, the administration, irresponsible, does not listen. Rather, it seems indignant that particular individuals or even large associations should dare to find that all is not perfect. 'I have not

seen without a certain astonishment,' said the minister of public works in the Chamber, 'the chambers of commerce criticize the actions of the State in its (their) reports upon the railways.' The same minister has dismissed an employee from his office who was at the head of a section of a passenger line which emitted protestations against the delays on the western state service in the Paris suburbs. When the minister was reproached in the Senate, he declared himself ready to do the same again. One may see how dangerous to the liberty of citizens the extension of the industrial régime of the State would be where the number of functionaries would be indefinitely multiplied and where they would no longer have the right to complain.

"From all points of view, the experience of State railways in France is unfavorable, as was foreseen by all those who had reflected upon the bad results given by the other industrial undertakings of the State, such as the telephones, matches, and many others. The State, above all an elective administration, can not be a good commercial manager. It works expensively, and is powerless before its employees. The experience which we have recently gained has had at least one result. It has provoked a very lively movement, not only against the repurchase of the railways, but against all extension of State industry. This result seems to me fortunate. I hope this opinion will be maintained, and that not only we but our neighbors may profit by the lesson of these facts."

M. Leroy-Beaulieu gives examples of what has happened under the various heads. "As for formalism and red tape," on the eve of the handing over of the railway to the State, there were 1,526 employees in the central office. Within three years the number had increased to 2,587. "The single service of the accountant general was increased by 70 persons directly after the repurchase." And this was due partly to political pressure and partly to excessive red tape. For example, in the Caen division, the preparation of the pay sheets, which under the company took 9 persons 3 days, or 27 days, under the State administration took 12 persons 6 days, or 72 days. "According to official documents, there are not less than 96 persons receiving a salary of more than $1,929.52 in the State system" as against 33 on the system of a neighboring company of much the same mileage but with much higher receipts. In the five years from 1908 to 1912, the total expenditure increased $10,573,770, of which $8,412,707 were for salaries and wages. In 1908, out of every $19.30 of receipts the company paid $7.24 in salaries and wages. In 1912 this figure was $9.70. The comparative figure for the five great companies is only $5.70. In 1910 per $192,952 of receipts the State railways employed 235 persons, the private companies 174.

Again, as the result of the great strike of October, 1910, the Chamber of Deputies voted a large all-round increase in the wages of the staff. Naturally, the staff thought there were shorter cuts to increases of wages than hard work. As a sample of want of ordinary business management on the financial side, the budget commission of the Chamber reported that it could not draw up a proper estimate for 1912 from lack of the necessary accounts. "The statements addressed to the budget commission by the administration were manifestly inaccurate. * * * The great part of the statements of receipts and expenditures were found to lack any sufficient justification. Thus as regards the expenditure upon personnel, the tables accompanying the statement only stated the numbers of workmen and staff and the amount of their salaries in round figures. * * * We wrote for further statements, more particularly the numbers of the personnel. * * * The minister replied (three years after the railway had been taken over) that the enumeration of employees had not yet been made. * * * This example suffices to show the trust that may be placed in the other parts of the budget estimate." This is not the opinion of an outside and unfavorable critic. It is the report of a committee of the Chamber of the same political complexion as its predecessor which voted for the purchase, based upon a draft drawn up by a deputy well known as an advocate of State ownership.

One story given by M. Leroy-Beaulieu is so striking as a sample of the highest quality of red tape that it deserves to be given at length. It is from a letter of a station master read in the Chamber of Deputies: "In the time of the western company, we station masters had orders to use the rolling stock as quickly as possible, and to send to a given station all that we did not ourselves require. Under the State all is changed. Every station master is forbidden to load any wagon without the orders of the distribution bureau of the district. This bureau is, as is well known, a new creation specially designed for the purpose of finding situations for so many more bureaucrats. Recently, having received two wagons loaded with horses, accompanied by an order to send these wagons to Caen after they were unloaded, I thought to do well by loading in these two wagons 200 sacks of grain which had been waiting in the sheds for several days to go to Caen. But alas, I did not know the bureaus of distribution. The next day I saw my two wagons return, and I received at the same time an order to unload them. I was reproved into the bargain for excess of zeal. I had to obey the order. That evening I sent the wagons empty to Caen. Next day I received two others, also empty, in which to load the grain."

Mr. McLEAN. Mr. President, the issue raised by the minority report offered by the Senator from Washington [Mr. POINDEXTER] is one of overshadowing importance, and it is an issue that will be paramount at the ballot box in the near future. As a member of the Committee on Interstate Commerce I feel it to be my duty to let my constituents know precisely where I stand upon the question of Government operation of the railroads of the country.

The only possible justification for the bill reported by the committee is the fact that it is a war measure. We are facing the probable necessity of sending millions of men to France, there to contend against the largest and most brutal and best-equipped army in history. We know that unless the fighting strength of our Army and the armies of our allies is sustained to the highest possible point of efficiency the result may be disaster in which the history of self-government will be written in failure and disgrace.

Regular and sufficient transportation is the great and prime necessity in the business of waging war, a necessity which can not be met without unity of action and perfect cooperation, and this, in turn, can not be had unless the power to secure it is placed beyond interference by private interests. As a war measure, therefore, I am willing to confer upon the President all the power and latitude of action necessary to enable him to make fair and reasonable agreements with the carriers for the use of their properties during the war emergency and for a period thereafter long enough to permit the carriers to readjust themselves to peace conditions.

To extend the operation of this act until Congress shall "otherwise order" would be to give to this law all the permanency and length of life that it is possible for Congress to give to any law, and considering the ease with which attempts to repeal this law could be delayed and ultimately defeated, I can not escape the conclusion that those who vote against fixing a time within which this act shall cease to operate vote for the permanent Government ownership of the railway systems of the country. Certainly those who favor Government ownership would have every advantage, and beginning from the day of the enactment of this law they would endeavor to convince the people of the country that Government regulation had failed and that the only possible solution of the problem must be found in Government ownership.

It is possible that the New York & New Haven Road and other roads in New England will prefer a permanent Government guaranty of their fixed charges and maintenance to a return to the old system of regulation by Congress and the Interstate Commerce Commission, but as far as the stockholders and the public are concerned they will be the losers in the long run, in my opinion. New England must import her raw materials from great distances, and the cost of transportation is a serious burden. Private initiative and ingenuity will reduce this cost, if it is given a breathing chance, much faster than will be possible if the roads are managed by Government employees selected because of their value to party managers on election day. It is my guess that a large percentage of the carriers of the country, smarting under the injustices inflicted by the system in vogue prior to the 28th of December, 1917, will join forces with the Government-ownership advocates of every name and nature, including Socialists and Bolsheviki, and those of us who disagree with them and want cheap, regular, and safe transportation would best begin to drill for the coming onslaught.

There is no economic distinction in the public service rendered by a common carrier and the public service rendered by the producer of other things which are necessary to meet public needs.

The producers of transportation render a great public service, but not as great as the producers of food or clothing. Justification for Government interference with the seller of transportation arises only when he secures a monopoly of his product and is in a position to exact extortionate prices, and precisely that same situation will arise whenever the producers of food and clothing and shelter find it possible to create a monopoly in their products. The fact that the railroad must first secure a charter, charged with certain duties to the public, and the further fact that this charter may be revoked or altered at any time has no significance.

The railroad is a prime necessity to the people. The Government, in order to meet this necessity, has given to the railroad companies the right to take land and construct its lines, demanding in return nondiscriminating rates and accommodations.

There are instances of large public grants to railroads, and there are instances of large public grants to other private enterprises. Millions of acres have been practically given away, and properly so, to the farmers who have settled the great West. In the East the railroads have had to pay two prices for the land they have purchased. The claim that railroad property, though private, is charged with obligations to the public from which other private enterprises are free is untenable, and it is just this fallacy that will bring consternation to those who later on may desire to stop before they cross the dead line of socialism.

All private property is charged with its obligations to the public, and those obligations are measured by the economic necessities of the body politic, whether they be imposed by taxes or by restrictive and punitive statutes.

In the present emergency the Government has not yet taken possession of the farms and mines, but it has fixed the prices of coal and wheat and steel; and let me remark in passing that this price fixing will end in lamentable failure unless it be liberal enough to insure constantly increasing production. You can not compel men to do business at a loss.

The war necessity may demand many sacrifices in life and property, but when you destroy the sources of income you insure the loss of the war.

England and France early saw the need of increasing production, and they did it in the one sure way. They made prices a secondary matter. England raised passenger rates 50 per

cent on the outbreak of the war, and she also realized that enough wheat at $3 a bushel would be much cheaper than no wheat at $2 a bushel. I do not care how patriotic the producers are, they can not produce at a loss for any length of time. If wages are high, the products of labor will be high. As we are all consumers and nearly all of us are producers, high prices can be endured if they are relative. If the Government fixes the price of a product so low that it will hazard the margin of profit, it will very soon be compelled to lower the price of the labor which goes into that product or the industry will collapse, and it has been the failure of Congress and the Interstate Commerce Commission to understand this elemental principle that has caused the alleged breaking down of the railroads.

President Hadley, of Yale, acting as chairman of the Railroad Securities Commission, added to his reputation as a prophet, honored both at home and abroad, in his report published in December, 1911. Let me quote one or two of his conclusions as to what would happen if the railroads were denied reasonable compensation for the service rendered:

A reasonable return is one which, under honest accounting and responsible management, will attract the amount of investors' money needed for the development of our railroad facilities. If rates are going to be reduced whenever dividends exceed current rates of interest, investors will seek other fields where the hazard is less or the opportunity greater.

Neither the rate of return actually received on the par value of American railroad bonds and stock to-day nor the security which can be offered for additional railroad investments in the future will make it easy to raise the needed amount of capital. The rates of interest and dividends to outstanding bonds and stocks of American railroads is not quite 4½ per cent in each case.

The necessary development of railroad facilities is now endangered by the reluctance of investors to purchase new issues of railroad securities in the amounts required. This reluctance is likely to continue until the American public understands the essential community of interest between shipper and investor and the folly of attempting to protect the one by taking away the rewards of good management from the other.

We must not forget that the record of the railroads prior to their regulation by Congress and the States is a remarkable one. For years the building of railroads furnished a field of speculative adventure unequaled in history. For years the railroad was considered the chief material need of growing America. Railroad building became almost a mania. Great financial risks were taken. Millions were lost as well as made. It has been stated that the total investment in railroads has returned a dividend of less than 2½ per cent. With the completion of the Union Pacific and the great trunk lines of the East came the consolidation era. As the possibilities and the advantages of combination and cooperation in transportation became apparent extravagant prices were paid for the stock of competing and contributing lines. In the East trolley lines and terminals and hotels were bought and built at extravagant cost. Ambitious managers lost their heads in their eagerness to secure vertical and horizontal monopolies of everything that promised a profit. Discrimination in rates was the order of the day. To get a low rate one must "play poker with the local manager and let him win."

Naturally, the public did not take to this idea. The tide of popular sentiment turned against the carriers. The States created commissions whose sole duty it was to watch and regulate transportation by rail. The free passes that had been proudly exhibited by molders of public opinion as a mark of distinction were either returned or kept in an inside pocket. State legislators that had been the tools of the carriers found safety in a complete change of front. Finally, Congress took a hand and in due time the other extreme was reached. Rates were fixed and rate pooling was prohibited. Competition was made mandatory and combinations forbidden. The Interstate Commerce Commission has repeatedly recommended a repeal of the antipooling law, but Congress has never had the courage to do it. The Interstate Commerce Commission has conceded the justice of higher rates, which it has not had the courage to grant.

Putting aside for a moment the wicked things that managers of the railroads have done in the past, or would have done but for the interposition of the Government, what has the capital that has been put into the railroads done for the country, and what do the railroads themselves stand for to-day as a national asset? The 400,000 miles of track in the United States have been put down for less than half the average cost per mile in other countries. Transportation in the United States costs less than half the average cost in other countries. The wages paid are more than double the average wage in other countries. The average tonnage per car and the total tonnage per mile is greatly in excess of that in other countries. The regularity, safety, and comfort of the service provided by the American roads is far better than that of the roads in other countries. For every dollar that the railroads have taken from the public more than a dollar has been returned. Is it not time to quit visiting upon the railroads the sins of the nineteenth century and do to them as we would be done by?

If we want to get a fairly definite idea of the value of the railroads to the American people, suppose we try to imagine what would be the effect of their removal.

Our total wealth is estimated at $240,000,000,000. Of that total, the railroad investment is said to be about $20,000,000,000, or about 9 per cent. Is there anyone bold enough to believe that the United States would be worth half what it is to-day if the railroads were removed? Moreover, the railroads are owned by somebody. There are 43,000 women who own stock in the New Haven Road alone. Thirty-three per cent of the assets of the savings banks in Connecticut are invested in railroad bonds and stocks, and probably more than 10 per cent of the assets of the insurance companies.

There are more than a million men and women who own stock in the railroads of the country, and the railroads employ directly nearly 2,000,000 men and women. Assuming that the stockholders and employees are heads of families, we have at least 15,000,000 of people directly interested in the prosperity of the railroads, to say nothing about the 13,000,000 of people who have deposits in our savings banks, and the 40,000,000 life insurance policies in the country, in the safety and security of which railroad stocks and bonds are a very important item.

Why should the transportation companies be denied fair treatment under honest management? The average dividend paid by the railroads in the last 20 years is less than half the average dividend paid by the other great enterprises of the country, including banking institutions, manufacturing concerns, and mines.

In 1909 the average net return from railroad operations was 4.07 per cent, and the net income from manufacturing industries was 13.06 per cent.

Railway supplies and equipment—new cars, engines, and nearly everything that is required to sustain the roads and meet the increased demands upon their carrying capacity—costs nearly three times to-day what it did three years ago. Congress and the Interstate Commerce Commission have stubbornly refused to authorize or permit the railroads to charge self-sustaining rates, or to unify and consolidate control in the interests of economy. No business on earth could survive such treatment. The farmer who, for want of hay, put green goggles on his horse and fed him shavings was a magician in the solution of transportation problems compared with the American Congress.

And, after all, has it been the fault of Congress or the fault of a distorted public opinion which has sustained Congress in its efforts to teach the railroads to live without eating? If the American people will demand an intelligent regulation of railway rates when peace is restored, the carriers will meet every need at constantly decreasing comparative cost.

Why should the Government assume this colossal burden, a burden that will constantly increase in weight and finally result in constantly increasing cost of transportation?

Combination is an economic necessity, but we must remember that the success of all combination requires the fiercest internal competition.

The necessities of the war require the gathering together of millions of men in one great unit, but that unit would be a dead and contemptible thing if the individuals which compose it did not constantly seek to rival and excel each other in deeds of valor and loyalty. The units of the great Steel Corporation must constantly vie with each other in their efforts to reduce cost of production. Combination and competition are inseparable to the economic growth of any business. Competition within industrial units and the combination of those units will be mandatory if we are to successfully stand against the competition that will be forced upon us by the combinations of other countries, and the cost of transportation may be the controlling factor in that great struggle. Cheaper and yet cheaper transportation may be the only weapon that will win for America the commercial wars that are bound to come in years of peace. The clear outstanding fact that American roads, with all their handicaps, have reduced the cost of transportation to the American people to less than half that imposed in those countries where the carriers are owned or managed by public officials is a fact that can not be wisely disregarded.

The American railroad, belonging to class 1—that is, roads that handle a gross revenue of $1,000,000 or more, as classified by the Interstate Commerce Commission—carried in the year 1917, 409,000,000,000 ton-miles of freight, which is an increase of 135,000,000,000 tons over the year 1915, and this increase in itself was as great as the entire freight traffic handled by the railroads of Canada, Germany, Great Britain, Russia,

France, and Austria in 1917, and these countries have a population more than three times that of the United States.

In the first six months after the beginning of the war the American roads carried more freight than they did in the entire year 1906. A freight-train load in 1906 was 344 tons, and in 1917, 655 tons. Notwithstanding this astounding increase in tonnage, the rates were such as to prohibit an increase in net revenues.

Yet the roads did not neglect their duty to the public. From 1906 to 1916 the roads ordered an average of 2,846 locomotives per year and an average of 147,000 cars.

In the year 1917 the average gross earnings per ton-mile in the United Kingdom was 2¼ cents. Using this as a basis figure of 100 for comparative purposes, in Germany it was 1.37 cents; in France, 1.3 cents; Switzerland, 2.5 cents; and in the United States it was 0.71 cent, or 31 per cent of the British rate.

One of the reasons why the American roads have been able to live, notwithstanding the low rate at which they have been compelled to serve the public, is due to the fact that the roads are capitalized at much less per mile than the roads of other countries. The average per mile capitalization in the United Kingdom is $274,222; Germany, $120,874; France, $150,322; Switzerland, $133,255; United States, $66,447.

The minority report submitted by Senator POINDEXTER cites the New Haven road as a shining example of the folly of attempting Federal regulation under private ownership. It does not follow that because a good and much-needed bank is badly managed for a time that all the banks should be owned and run by the Government. The way the New Haven road has served the public, in spite of its misfortunes, is little short of miraculous, and the Senator who says that the present coal shortage in New England is the fault of the New England railroads is badly misinformed. The New York, New Haven & Hartford, the Boston & Albany, and the Boston & Maine roads, the three roads serving New England, transported 2,817,000 tons more of anthracite and bituminous coal into New England in 1917 than they did in 1916. The scarcity of coal and its grave consequences is largely due to the fact that the Government impressed the tugs which had customarily towed coal barges plying between New York, Philadelphia, Baltimore, and Hampton Roads to New England ports.

The wonder is that in view of the startling increase in labor cost and cost of equipment the great trunk lines of the country are not all in the hands of receivers.

Ties have increased in price 225 per cent since 1897; steel rails, 213 per cent; bar iron, 301 per cent; car brasses, 261 per cent; bridge timbers and stringers, 157 per cent. Freight cars that cost a thousand and eleven hundred dollars each in August, 1914, have doubled in price. Freight engines that cost from $28,000 to $32,000 each prior to August 1, 1914, now cost from $60,000 to $65,000, and this notwithstanding the Government has greatly reduced the price of steel.

The average freight rates per ton-mile, which in 1897 was 1.126 cents, was, in 1910, 0.977 cent.

The Government seems to have traveled upon the theory that the way for the railroads to survive the strain is to keep on increasing the total of an unprofitable business. If the shippers of the country had paid in 1910 the same average rate that was paid in 1870, they would have paid $3,000,000,000 more than they were compelled to pay.

Compensation for passenger service is still less satisfactory. Mr. Elliott, in his book on The Truth About Railroads, states that the passenger trains of the United States earned, on an average, for the year ending June 30, 1908, $1.27 per train-mile, while the average cost per train-mile, not allowing for taxes, was $1.47. A very large percentage of the passenger trains on the New Haven road are run at a loss.

In 1901 the Government received $100 for every $34.18 it paid the New Haven road for transporting the mails, and by 1911 the Government reduced this sum to $21.26.

I desire now to quote from the report of the Interstate Commerce Commission the following statement of the cause of the breakdown of the Boston & Maine:

> The financial strength of the Boston & Maine, which has been made manifest for more than half a century, was converted into a financial weakness in half a decade after passing into the control of men who had the reputation of being eminent financiers.
>
> There is reason for belief that this railroad in the hands of its former management wou'd have continued to pay dividends and serve its constituency of passengers and shippers with reasonable rates and adequate facilities.

It is hard to account for such unfair and wholly unfounded statements. Every informed person knows that for many years before it was taken over by the New Haven the Boston & Maine paid dividends that were not earned. The New Haven road put tens of millions of dollars into the Boston & Maine, and so saved it from bankruptcy, and enabled it to serve the public much better than before it took possession. The stockholders have suffered the losses due to mismanagement, and they should have the sympathy of every fair-minded man. But the railroads have struggled on with marvelous courage and skill, and under decent treatment would soon rehabilitate themselves financially.

We are risking all now to make the world safe for democracy. Yet history tells us that there is no tyranny so hard to bear as the tyranny of the majority when it ceases to act intelligently. The torch of democracy can scorch as well as illumine. It can light the way with equal certainty to slavery or liberty. Majorities of men, like individuals, are prone to take the easier, if not the easiest, way. To avoid the agonies consequent upon a serious injury the young man takes his first morphine tablet. The doctor orders it and the result is miraculous. As the young man slowly recovers he finds it easier to continue to take morphine than to stop, and in a few years the very thing that saved his life kills him. Shall we, in this hour of great suffering and in order to relieve that suffering, encourage the formation of a habit that will destroy us later on? We have already contracted a habit that will lead to disaster if we are not very careful, and that is the taxing habit. Income and inheritance taxes constitute a double-barreled gun with which Congress can compel the rich and poor to stand and deliver into the Public Treasury every dollar they possess. If this habit is indulged in to an extent that will discourage the accumulation of wealth, if the taxing power results in reducing production, there will soon be nothing to tax, but if it consistently leaves to the individual a margin of gain sufficient to enable him to continue his business at a profit to himself—a possible reward large enough to stimulate him to risk his capital and his health in new and renewed endeavors to make three blades of grass grow where but one grew before, then the American people will be able to meet the colossal obligations incurred by the war and to insure an ever-increasing share to be expended for the benefit of the public.

But to return to the railroads. Why should we expect results very different from those which have inevitably inflicted Government ownership in other countries? In the Utopia of Government-owned railroads policies will be dictated by politicians. Employment will depend upon the favor of the Director General and his subordinates. Qualifications for service will depend on ability to get votes rather than ability to avoid accidents or secure regular and sufficient transportation. New lines of road will be paid for out of the annual congressional pork barrel. Rolling stock will soon compare favorably with the sorry rigs which the rural free-delivery carriers use to deliver mails. An utter lack of incentive and initiative will exist in every department. Incompetency and "red tape" and a rapidly increasing number of employees will inevitably result. The people will not only be taxed to pay the interest on the original cost of $20,000,000,000 but the annual deficits will constantly increase. In Italy, where the chief railways were nationalized in 1905, the number of employees increased within three years from 97,000 to 137,000, and the systems do not earn enough to pay one-quarter of the interest on the investment in them.

Canada has been in the railroad business since 1867. It has owned the Prince Edward Island road since 1873, and it has never earned operating expenses. The Intercolonial road cost the Government $237,000 a mile.

A committee appointed to investigate the construction of the National Transcontinental Railway, extending from Quebec to Winnipeg, 1,334 miles, reported that $40,000,000 had already been wasted and that the original estimate of $61,000,000 for the total cost would fall $170,000,000 short of the actual cost.

Mr. James Bryce, whose insight into such matters is unsurpassed by any living man, entertains the following opinion of the wisdom of putting the enormous railway systems of this country into the hands of the Government. He says:

> The railroads can hardly be taken over and worked by the National Government as are the railways of Switzerland and many roads of Germany and Austria-Hungary. Only the most sanguine State Socialist would propose to impose so terrible a strain on the virtue of American politicians, not to speak of the effect upon the constitutional balance between the States and the Federal authority.

As I intimated at the opening of my remarks, it is quite probable that the managers of the great transportation lines, circumscribed and crippled as their organizations will be at the close of the war, will beg the Government to buy their roads and end their sufferings. I put this question to the president of one of the leading roads of the country, and his reply was: "As an American citizen I am very certain that a time limit should be fixed, but as a railway manager I would welcome permanent Government possession and operation with a fair guaranty on the investment." I am already receiving postal cards from rail-

way stockholders, all printed and exactly alike in terms, urging me to oppose a time limit on the operation of the carriers by the Government.

Again, it is even urged by those supporting the minority report that competing lines which do not pay should be helped out by those which do pay. The self-sustaining roads and the capital which went into them are to be compelled to stand and deliver to the roads that were built for the express purpose of compelling a prosperous competitor to buy them out. The advocates of this plan insist that the nonpaying roads are just as necessary to those who use them as are the self-sustaining roads to their patrons. Their idea seems to be that farmer A, who has a farm 100 or 1,000 miles from farmer B, or mechanic A, who lives 100 or 1,000 miles from mechanic B, should contribute toward the payment of B's railroad fare.

There are many instances where competing lines may combine advantageously, as was frequently done until the Government forbade it, but to compel the stockholders of a legitimate industry, first in the field, organized and constructed to meet a legitimate demand, to support a rival industry subsequently organized that can not get legitimate business enough to support itself, is to inaugurate a variety of statecraft approved by highwaymen only.

If the Government should confiscate and pay just compensation for all the roads, and own them as well as operate them, the upkeep and support of the weak roads would still fall heavily upon sections of the country which have no use for them whatever. We might satisfy the Constitution in this way, but the injustice would remain as declarative as ever.

It is claimed that, because the system in vogue prior to the 28th of December last was a failure, Government ownership is the only alternative. If it is true that the system which failed was clearly unintelligent and unjust, it would seem to be clear that an intelligent regulation of the railroads of the country, under private control, should be given a trial before we adopt a system which both experience and reason tell us will result in unsafe, irregular, insufficient service, to say nothing of the opportunities for political chicane and graft.

The present plan of Government possession under private management is a half-slave, half-free policy that can be justified only at a time when the life of the Nation itself is at stake. It has all the defects of Government ownership and none of the benefits of private management under private ownership.

It may be necessary to submit to this in order to win the war, and I shall vote for the bill as reported by the committee, but it will be neither justifiable nor necessary at the close of the war.

We are already experiencing some of the blessings of Government management of the means of transportation and production. As time goes on other delights will probably follow. If the samples which have been supplied by the heads of the executive departments are fairly representative of the remaining stock in trade, those of us who will need food and fuel to sustain life would best start for the banana belt early next fall.

I have tried to set forth some of the reasons which compel me to oppose Government possession and control of the railways "until Congress shall otherwise order." I hope the Senate will insist upon fixing a time limit. I hope the American people will give this subject the attention it deserves before it becomes a national issue at the polls.

Mr. TOWNSEND. Mr. President, I propose an amendment to the bill and ask that it be printed. I shall offer it later, not particularly with the idea of securing its adoption as a substitute for the bill, but because the measure was prepared outside of the Committee on Interstate Commerce; it contains several prominent features to which the committee gave particular attention, and after having read and reread it I am satisfied, as every Senator will be satisfied who reads it, that it does not convey in the best manner possible even the ideas which we have attempted to adopt. For the purpose of calling attention to that fact I offer an amendment which I shall propose later on.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). The amendment will lie on the table and be printed.

Mr. SMITH of South Carolina. Mr. President, there being no other Senator who can go on this afternoon, as the chairman of the Committee on Agriculture and Forestry desires to run over some of the amendments in the Agricultural appropriation bill that will not be objected to, I ask unanimous consent that the pending bill be temporarily laid aside for that purpose.

Mr. SMOOT. Do I understand that the Senator from Oklahoma desires to have action taken on the amendments to the Agricultural appropriation bill?

Mr. GORE. I wish to take up the Agricultural appropriation bill and merely dispose of the unobjected amendments. Of course, if any amendment is objected to by any Senator it will be passed over.

Mr. SMOOT. We shall have to have a quorum here, because otherwise we could not know what amendments would be objected to. It seems to me that it is so late in the day now that the Senator had better call up the bill at some other time.

Mr. GORE. I think there are about as many Senators present as we generally have for the consideration of appropriation bills. I will say that if any amendment is agreed to and any Senator not present desires to have it considered open later, of course there will be no objection to going back to it.

Mr. SMOOT. If the Senator desires to have the bill taken up and read without action upon any amendments, I have no objection to that course.

Mr. GORE. I shall ask to have the formal reading of the bill dispensed with, of course.

Mr. SMOOT. I do not think there will be any objection to that; but it seems to me it would be quite unfair to Senators who have not had any intimation that the bill was to be taken up to-day to take it up at this hour and act upon the amendments.

Mr. GORE. I will say to the Senator that there are very few amendments which will arouse any opposition whatever, and there is no reason why we should not spend an hour or an hour and a half to-day in considering unobjected amendments. Of course, if the Senator desires to have a quorum present, that recourse is open to any Senator who chooses to make the suggestion.

Mr. SMITH of South Carolina. I request unanimous consent that the pending bill, the unfinished business, be temporarily laid aside.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the unfinished business is temporarily laid aside.

AGRICULTURAL APPROPRIATIONS.

Mr. GORE. I ask unanimous consent that the Senate proceed to the consideration of House bill 9054, the Agricultural appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. GORE. I ask that the formal reading of the bill be dispensed with.

The PRESIDING OFFICER. The Senator from Oklahoma asks unanimous consent that the formal reading of the bill be dispensed with. Does he desire to have the bill read for amendment?

Mr. GORE. Mr. President, has the request that the formal reading of the bill be dispensed with been acceded to?

The PRESIDING OFFICER. It has not been. Is there objection to dispensing with the formal reading of the bill? The Chair hears none, and it is so ordered.

Mr. GORE. That request being acceded to, I now ask that the consideration of the bill be proceeded with, and that unobjected amendments of the committee be first considered.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. Mr. President, I do not know what amendments are objected to, I will say to the Senator from Oklahoma. Does the Senator now ask that the bill be read for committee amendments?

Mr. GORE. I have asked, and I understand the request was acceded to, that the formal reading of the bill be dispensed with—I mean the reading of the bill from beginning to end, word for word. That has been dispensed with. I now ask to proceed with the consideration of committee amendments. If any Senator objects to the consideration of any amendment it will, of course, be passed over.

The PRESIDING OFFICER. The Senator, then, means that the bill shall be read for committee amendments?

Mr. GORE. Yes, sir. I understand that important amendments ought not to be disposed of in the absence of so many Senators.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the bill.

The Secretary proceeded to read the bill.

Mr. GORE. I merely wanted the committee amendments stated.

Mr. THOMAS. I think the bill should be read for amendment. Of course the formal reading of the bill has been waived, but not the reading of the bill for amendment.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the bill.

The Secretary resumed the reading of the bill.

Mr. GORE. Mr. President, it seems to me that the Senate has caught the meaning of the bill by the reading which has been had. I hope that we may now proceed with the consideration of committee amendments.

The PRESIDING OFFICER (Mr. KING in the chair). The Chair thinks that the Secretary is proceeding with the reading of the bill in an orderly and expeditious way and in conformity to the rule. Nine pages of the bill have already been read.

The reading of the bill was resumed.

The first amendment of the Committee on Agriculture and Forestry was, under the subhead "Bureau of Animal Industry," on page 13, line 19, after the word "authorities," to strike out "$250,000" and insert "$500,000: *Provided*, That hereafter the act approved May 29, 1884 (23 Stat. L., p. 31), be, and the same is hereby, amended to permit cattle which have reacted to the tuberculin test to be shipped, transported, or moved from one State, Territory, or the District of Columbia, to any other State, Territory, or the District of Columbia for immediate slaughter, in accordance with rules and regulations prescribed by the Secretary of Agriculture"; so as to make the clause read:

For investigating the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, State or county authorities, $500,000: *Provided*, That hereafter the act approved May 29, 1884 (23 Stat. L., p. 31), be, and the same is hereby, amended to permit cattle which have reacted to the tuberculin test to be shipped, transported, or moved from one State, Territory, or the District of Columbia, to any other State, Territory, or the District of Columbia for immediate slaughter, in accordance with rules and regulations prescribed by the Secretary of Agriculture.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. THOMAS. Mr. President, I notice that this amendment doubles the amount of the appropriation made by the bill as it came from the House, making the total $500,000. This sum is to be devoted to the investigation of "the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread," and so forth.

It is a remarkable fact in connection with legislation of this kind that the more money we appropriate for these researches and investigations, the more there seems to be needed with the recurrence of every year; in other words, the investigation and the research work carried on under previous appropriations does not seem to have accomplished anything. If it has, then certainly it is unnecessary to appropriate more money for the same purpose. If it has not, then it would indicate that the investigations and the researches have proven abortive up to this time, and further attempts in that direction will be equally so.

The sum of $250,000 is a small amount in these days of millions and billions, but still it is an item for which the Treasury must respond. I do not think we should now, unless it is absolutely necessary, increase the ordinary expenses of the Government in any direction; I think it wrong. We are spending more money than any nation engaged at war, and many times more money than we have ever been called upon to expend before. Certainly there should be some restriction upon the ordinary, every-day appropriations which affect our permanent expenditures and for which we would be obliged to legislate even in times of peace. I think this is as good a place as any to begin, and if $250,000 is not enough for this particular purpose, at least to attempt to put up with it and make it go as far as possible, so that if it should appear that some additional amount is necessary we can cover it in some deficiency bill.

Mr. CHAMBERLAIN. May I interrupt the Senator from Colorado?

Mr. THOMAS. I yield.

Mr. CHAMBERLAIN. In that connection, while we are increasing the appropriation for this purpose, does the Senator understand that in line 22 we are throwing down the bars for interstate shipment of cattle that have tuberculosis?

Mr. THOMAS. No; I do not think that is designed. Of course, my objection goes to the amount of the appropriation rather than to the proviso which follows it.

Mr. CHAMBERLAIN. But if it is necessary to increase the appropriation are we not running the risk of increasing the spread of the disease? I am not sure that I understand it.

Mr. THOMAS. That depends upon what is meant by the expression "to permit cattle which have reacted to the tuberculin test to be shipped."

Mr. SMITH of South Carolina. Mr. President, if the Senator from Colorado will permit me, I desire to say that, if he will read on, he will see that this interstate shipment is restricted to cattle which are to be slaughtered; that they are carried to the slaughter pen and are not allowed to be carried into another State, to be mingled with other cattle for dairy purposes.

Mr. THOMAS. The Senator from South Carolina will understand that my objection goes to the increased appropriation. With the effect of the proposed proviso I am not immediately concerned, although I think that the inquiry of the Senator from Oregon [Mr. CHAMBERLAIN] is most appropriate in connection with it.

Mr. CHAMBERLAIN. It seems to me, if the Senator please, that while we are increasing the appropriation to prevent the disease we are opening the bars to the spread of the disease by permitting the interstate shipment.

Mr. THOMAS. Of course, if that is so, then under all the circumstances the entire amendment should be rejected.

Mr. SMITH of South Carolina. If the Senator from Colorado will permit an interruption, let me call his attention to the fact that the Senator from New York [Mr. WADSWORTH], who seems to have been familiar with this disease and the conditions of its spreading, informed the committee that it was only when cows were confined in their stalls a larger part of the day on the ordinary dairy farm that this disease was found to be prevalent or to any appreciable extent contagious; that in the open country, where cattle graze all day practically, it has been discovered that the disease does not exist; but when they are condemned for the purpose of eradicating the disease they are taken to slaughter. The pure-food people claim that the little nodules formed by tuberculosis do not render the meat unfit for consumption, and that the cattle so infected may be shipped with impunity to the slaughter pen without any danger of spreading the contagion. The committee therefore thought that where a farmer had a herd which was condemned for milk purposes he should not be prohibited from getting the market value of the beef under the pure-food inspection; that if there was no danger of spreading the contagion by shipment he should be allowed to ship such cattle, specifically restricting such shipments for slaughtering purposes.

Mr. THOMAS. Mr. President, the experience of the Senator from New York upon that subject is quite considerable, and I should be disposed to accept his assurances in the absence of challenge on the part of some one who was equally well informed. I do not pretend to know anything about the matter. I cordially agree, however, with the Senator from Oregon [Mr. CHAMBERLAIN] that, if it should result in increasing the opportunity for the spread of the disease to be eradicated, the amendment ought to go out.

What I am concerned with is this constant tendency, in times of war as well as in times of peace, to increase our ordinary expenses. We ought to stop it.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. GORE. I wish to say that I agree entirely with the Senator from Colorado as to the general proposition he has just laid down. I think that we ought not to increase our ordinary expenditures, except where the necessity is urgent or overpowering.

The losses resulting in the United States annually from tuberculosis among cattle aggregate about $25,000,000. There is an undoubted requisition upon the food supplies of this country, and it was hoped that by increasing this appropriation we might arrest the progress of this disease and might in great measure conserve the cattle of the country against the ravages of tuberculosis. That is the justification which caused the committee to report this amendment. Of course, it is for the Senate to determine whether or not that reason is sufficient; but the necessity for increased food undoubtedly exists, and we entertained the hope that this might augment the available food supply of the country.

Now, with respect to the objection raised by the Senator from Oregon [Mr. CHAMBERLAIN], I may say that this amendment does not change the law as to the availability for slaughter of cattle reactors to the tuberculin test. It only changes the law as to interstate shipments. I have here a letter from the department recommending this amendment, which I will ask to have read to the Senate in a moment. In support of such a change in the law this case is cited in particular: Iowa cattle are generally shipped for slaughter either to Omaha, St. Joe, or Kansas City. Cattle in Iowa, within sight of Omaha, which have been infected with tuberculosis can not be shipped across the river to Omaha for slaughter, but must be shipped to some point in Iowa. There certainly is no sufficient reason why that should be done. This amendment undertakes to accommodate that situation. I will ask to have the letter from the department on this subject read to the Senate.

Mr. THOMAS. I yielded the floor, I thought, for the purpose of a statement only.

Mr. GORE. I did not so understand.

Mr. THOMAS. I am perfectly willing, however, that the letter should be read now.

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

The act of May 29, 1884, prohibits the interstate movement of diseased animals for any purpose. Animals which have been tested for tuberculosis and have reacted can not, under the law as it now stands, be shipped in interstate commerce to an official establishment for slaughter under Federal inspection. This situation very often works a hardship. For instance, the principal markets for Iowa cattle are Omaha, Nebr., or St. Joseph and Kansas City, Mo., but it is impossible to ship those which are affected with tuberculosis, even under appropriate regulations, across the border. Other instances could be cited where, because of State boundary lines, the tuberculin reactors can not legally be shipped to the nearest slaughtering point, which, in many cases, is only a few miles away. In order to avoid crossing the State line, and thus violating the act of 1884, they must be transported longer distances to slaughterhouses within the same State.

The department has received copies of resolutions recently adopted by the American Shorthorn Breeders' Association asking that the act of 1884 be amended so as to permit the return interstate of pure-bred animals which have reacted to the tuberculin test at destination. A number of State veterinarians, including those of Iowa and Kansas, also have recommended that the law be changed so as to authorize the interstate shipment to official establishments for slaughter of cattle which have reacted to the tuberculin test. At a conference of live-stock officials held in Chicago on December 3, 1917, it was the consensus of opinion that the law should be amended in these particulars.

The department knows of no good reason why the change suggested should not be made and hopes that the Senate Committee will give it favorable consideration. On the contrary, the officials of the Bureau of Animal Industry believe that the proposed amendment will be of definite assistance in the campaign against tuberculosis which has been inaugurated by the department. The movement of reactors would be permitted only in accordance with rules and regulations to be prescribed by the department, and every precaution would be taken, of course, to safeguard the live-stock industry.

It will be noted that a separate paragraph has been included in the present bill to cover the activities of the department relating to tuberculosis. This action was taken by the House committee in view of the growing importance of the work. Under the items "Inspection and quarantine" and "Diseases of animals" the department is now expending $132,618 in efforts to control or eradicate tuberculosis. As indicated in the report of the House committee, the department believes that it can effectively use $250,000, the amount included in the House bill, during the next fiscal year in the prosecution of the work.

Mr. THOMAS. Now, Mr. President, it will be observed that my objection goes to the increase of the appropriation for the purposes recited in the preceding lines. I do not understand that the proposed increase in the appropriation really affects the proviso that was inserted in the bill in connection with it and which might have been inserted in any other part of the bill with equal propriety.

Mr. GORE. There is no connection between the two.

Mr. THOMAS. There is no connection between the two. Now, if I thought that the doubling of this appropriation would result in a material increase in our meat food supply and that without it there would be no such increase, I would not oppose it for a moment; but when we consider that an appropriation for this specific purpose has been made year in and year out for an indefinite period of time and that the researches which were to be made concerning the disease to be eradicated have not resulted in any very material change in the situation, why should we at this time, when the Treasury is so hard put to it to meet the enormous expenditures of the Government, double the appropriation? I do not think we ought to do it.

Mr. WARREN. Mr. President——

Mr. THOMAS. I will yield to the Senator in a moment. I may say, in that connection, that there are other amendments which follow this which seem to me to be equally inexpedient at this time. I now yield to the Senator from Wyoming.

Mr. WARREN. Mr. President, the amount is already too small at $500,000. In the committee I offered an amendment to add $750,000 to the $250,000 appropriated by the House, making the total $1,000,000 instead of the $500,000 which the amendment proposes to appropriate.

Mr. THOMAS. Perhaps my objection will result in an increase of the appropriation; I do not know. [Laughter.]

Mr. WARREN. It is a very important matter, and while the expenditure may not increase the number of cattle of the country, it will preserve and save a great many, and therefore increase the meat product.

The language added is that of the officials of the department. They evidently see the justice of it and ask us to change the law in regard to shipping across State lines of cattle which have reacted to the tuberculin test. I think the Senator from Colorado understands that, and I presume he needs no information from me; but now if there is the slightest indication of the presence of the germ cattle can not be shipped across a State line to a slaughtering establishment.

Mr. THOMAS. I did not raise any objection to that portion of the amendment; that objection was suggested by the Senator from Oregon [Mr. CHAMBERLAIN].

Mr. WARREN. The disease, like the foot-and-mouth disease, is exceedingly destructive to cattle, and when its ravages reach the extreme, as has been the case sometimes in the past, there have been millions of cattle lost. It had been supposed that the disease was pretty nearly stamped out, but it has reappeared in a most virulent form. I therefore hope that neither the Senator from Colorado nor any other Senator will make any objection to the amount or to the language of the proviso, which has been added by way of amendment.

Mr. NORRIS. Mr. President——

Mr. THOMAS. Mr. President, I always like to agree with my friend from Wyoming, but I shall insist upon the appropriation made by the House. Of course, I know that tuberculosis of cattle is one of the diseases that are common to that class of live stock; I know that its eradication is very greatly to be desired; but I also know that up to this time there seems to be just as much apparent need for large appropriations for that purpose as there was 10 or 15 years ago. I am unable to perceive, therefore, the necessity for increasing it at this time, because I do not believe that by so doing the disease is going to be eradicated. I now yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, this particular amendment was added to the bill in the committee on my motion. I had no idea that the bill was going to be taken up to-day, because the railroad bill was before the Senate, and I am not prepared just at this moment to go into a full discussion of it.

Mr. GORE. I will say to the Senator from Nebraska that, if he so desires, the amendment can be passed over.

Mr. NORRIS. If there is going to be any serious objection to it, I should not like to have it acted on to-day. My own idea is that it is a very important amendment. As the Senator from Wyoming [Mr. WARREN] has suggested, this disease is reappearing, and cattlemen are anxious about it. The provision in the bill does not mean that the whole amount to be appropriated will necessarily be expended, but it is desirable to have the funds, so as to be ready for any emergency that may arise. In my judgment, at this time more than at any other, we ought to guard against anything that would interfere with the production of the meat supply of the country.

I have great sympathy for the Senator from Colorado in his opposition to large appropriations, and as a rule I fully agree with him. Of course, he is moved by the purest motives now in opposing this amendment; but, to my mind, there is no one other item of the bill of more importance, for the meat production of the country ought to be guarded jealously, and it will be guarded in one respect, at least, by this amendment.

The Senator from Wyoming said that he favored a much larger increase than was recommended by the committee in this particular amendment. I am satisfied from my conversation——

Mr. WARREN. Mr. President——

Mr. NORRIS. Just a moment. I am satisfied from my conversation with some of the cattle and meat producers of the country and from a large amount of correspondence I have had that there is a great deal of fear that unless we do make at least as liberal an appropriation as the committee has suggested we may later on, when it is too late, find that great damage has been done and the carrying on of the war has been really interfered with, because meat is one of the things of which there is a scarcity now.

Mr. THOMAS. Mr. President, before the Senator takes his seat will he inform me how many years we have appropriated money "for researches concerning the cause of the disease, its modes of spread, and methods of treatment"?

Mr. NORRIS. No; I can not answer the question directly. I suppose such appropriation has been made for a good many years and probably will continue to be made; but one of the difficulties in this case is that this disease, for instance, may break out in the East among the dairy herds, and as it is contagious it may then shift across the country and whole herds become infected with it. I assume that the department will exercise proper care and judiciously handle the money and not use it unless it is needed. It may be that it will not be needed; but I should like to have it where it can be used to meet whatever contingency may arise during the coming fiscal year.

Mr. THOMAS. Has the Senator any doubt that if this appropriation is made the department will exhaust it all?

Mr. NORRIS. Yes.

Mr. THOMAS. And that we will also be required to meet a deficiency caused by an inadequate appropriation?

Mr. NORRIS. Oh, I do not look for that. I do not think the Senator has any reason to believe that that will occur.

Mr. GORE. Mr. President, I will say that the appropriation bill for the current fiscal year carries a million dolars for the foot-and-mouth disease. The pending bill carries a million dollars for the foot-and-mouth disease. My understanding is that none of that will be used during the current year. Of course it is the hope of all of us that none will be used for the next fiscal year.

Mr. THOMAS. Why appropriate it, then, unless you are going to use it on two-legged animals instead of four-legged animals?

Mr. GORE. It is a sort of insurance fund.

Mr. NORRIS. I think so.

Mr. GORE. When the disease breaks out it is so virulent and violent that it must be met at once, and has to be stamped out at once, else the losses are out of all proportion to the amount that would have been required to stop it in its incipiency. I do not think it is a thing that we ought to dally with, particularly in times of this sort.

This is only 1 per cent of the estimated annual loss—$25,000,000. This increase is $250,000. If we save half a million dollars' worth of cattle by this increased appropriation of $250,000 we are still gainers by 200 per cent. If we should save the loss of several millions, of course the gain would be proportionate; and it seems to me that in times of this sort it is erring at least on the side of safety and conservation to have a provision of this sort in the bill.

Mr. THOMAS. Mr. President, it is quite evident that my objection may receive one vote. I doubt very much, from the trend of this discussion, that it will be very greatly augmented.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. THOMAS. I do.

Mr. KENYON. I want to suggest to the Senator from Colorado, in a kindly spirit and in the interest of economy, that he had better not stir up this matter, because the committee voted at one time to make the appropriation $750,000.

Mr. THOMAS. I have just stated that my objection probably would result in an increase of the appropriation.

Mr. KENYON. I think the Senator had better be careful. It might.

Mr. THOMAS. Well, it will not be the first time.

Mr. KENYON. It was only because of the protest that members of the committee made, saying that they would fight the matter on the floor, that the amount was put at $500,000.

Mr. THOMAS. Mr. President, in the last five or six years I have made a number of specific objections to items of increase in appropriations; and it is somewhat peculiar that in each instance almost every Senator who has interrupted me or spoken upon the matter has agreed with me upon the general proposition that we should economize, but they have always insisted that that was not the proper point to begin. Now, where are we going to begin unless we begin somewhere?

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wyoming?

Mr. THOMAS. I do.

Mr. WARREN. Mr. President, the Senator from Colorado is always diligent in the line of economy, but of course he recognizes and must recognize that matters do change from time to time. We must recognize that some things that perhaps he may have opposed, that others have opposed, and that I have opposed along military lines it was not well to oppose at that time. We should have been better prepared.

The matter before the Senate at this time is largely a matter of preparation. We have here, on page 88, concerning the eradication of foot-and-mouth disease, in case of an emergency arising, and so forth, an appropriation of $1,000,000. There have been appropriations of from $1,000,000 to $2,500,000 annually for that purpose; and while one year there had to be a large deficiency appropriation after the first appropriation, in other years the appropriation has not been used in any large proportion, but it is there as an insurance.

Next to the foot-and-mouth disease, and almost as destructive, comes this matter of tuberculosis. I have no idea that the $500,000 would be expended, unless the disease develops a strong and virulent increase, and I did not have any idea when I asked that it might go to a million dollars that it would be expended unless we should receive an unexpected call to stamp out something that got so great a start that, unless immediately checked, even a million dollars would be but a moiety toward relief. I believe this is a direct matter of insurance, and, in view of the dangers that are surrounding us, it is not too much. I hope the Senate will take that view of it—that it is a matter of insurance—and will stand by the entire amount.

Mr. THOMAS. Mr. President, I am inclined to believe, from the discussion, that the Senator's hope will be realized. The Senator says that my experience ought to teach me, and it certainly does, that there is a change in many things as time goes by.

Mr. WARREN. The Senator must not apply that to-himself alone, but to all of us.

Mr. THOMAS. I understand; but I notice that there is one thing that does not change, and that is the tendency always to increase House appropriations when bills come over to the Senate. That is one of the rules which, like time and tide, goes on forever.

Mr. WARREN. Has the Senator noticed how few changes we have made this time?

Mr. THOMAS. Yes; and I think the committee are entitled to considerable credit for not making as many as they generally do.

Mr. WARREN. In an experience of more than 20 years I have never known an Agricultural bill to come to the Senate with so few changes and so few additions as are made in this one.

Mr. THOMAS. Yes; I want to give the committee credit for that, and now I want to help them, I want to encourage them, by making some more reductions. As I have said, we should consider the prevailing state of the Public Treasury, the enormity of our public expenditures, and the vast increase of taxation. Senators, after a while you are going to hear from the poor devil who pays the taxes, and when he does speak he is going to speak in tones that will reverberate across the entire continent. He is a very patient animal, but there is a limit even to his patience; and as far as I can I want to demonstrate to him that we have saved him money wherever it is possible, especially in the matter of our ordinary expenditure.

While I am on my feet, Mr. President—for I am not going to stand here alone and make objections specifically to all these items—I want to call attention to an amendment here, on page 81:

> To enable the Secretary of Agriculture to install an experimental flour mill, baking and other apparatus, in order to investigate the milling and baking qualities of wheat and other grains, including the payment of rent in the city of Washington, $50,000.

Why, Mr. President, civilized people at least, and perhaps some who are uncivilized, have been experimenting with flour mills, with baking, and with apparatus for baking ever since the days when Abraham lived on the plains of Mesopotamia. If there is anything connected with the preparation of wheat flour as an edible substance by way of cookery or baking that has not been discovered by private enterprise and experiment, in God's name how are we going to find it out by building a mill here in the city of Washington and paying some other landlord $50,000 rent? To my mind, it would be so extraordinary in times of peace as to require comment; but now, when we have plenty of money, evidently, we seriously propose to expend $50,000 for experimenting in something that has been the subject of experiment for centuries. That, too, I suppose, will offer an instance where, while economy is good, we ought not to begin there.

If this is going to pass, let me suggest that an exeception should be made of the operation of this mill on "wheatless days," because otherwise you may get into trouble with the Food Administration.

Mr. GORE. Mr. President, I appreciate both the good sense and the humor of the Senator from Colorado.

Mr. THOMAS. I do not think the Senator will vote with him.

Mr. GORE. I merely want to waive the discussion of this flour mill at this time. I do not want the Senator to conjure up too many——

Mr. THOMAS. I mention it now because I do not want to take the floor again if I can avoid it. I want to say now what I would say to-morrow, or later on to-day, when that amendment comes up.

Mr. GORE. Mr. President, when the amendment just referred to, touching a flour mill, comes up I think there will be argument at least tending to justify its presence in the bill.

Mr. THOMAS. Oh, I have not a particle of doubt of that.

Mr. GORE. I will merely make one observation at this time. The present method of grading wheat is based upon other points and other facts and factors than the flour-producing quality of the grain. It is the belief of the farmers of this country that the grades of grain ought to be based on the actual flour-producing capacity of the grain. It is their belief that it would save millions of dollars annually to the farmers of this country which they now lose merely on points of taste and fancy under the more or less artificial system of grain grading; and it is in the belief that that might be true that this appropriation is

incorporated in the bill. It is in the interest of the farmer and in the interest of the agricultural classes of this country. But, as I say, I do not wish to thrash out that subject at this time. It was recommended by the department, and adopted upon the very urgent recommendation of the department.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. THOMAS. I have yielded to the Senator from Oklahoma. If he has finished, I of course yield to the Senator from North Dakota.

Mr. GORE. I have finished.

Mr. GRONNA. I do not want to interrupt the Senator. I thought the Senator was through.

Mr. THOMAS. Oh, I am perfectly willing to be interrupted.

Mr. GRONNA. I simply want to say for the information of the Senator from Colorado that only to-day I was asked by a delegation from three States—North and South Dakota and Minnesota—to go with them to the Secretary of Agriculture in the hope of remedying an evil which, instead of having been remedied, has been growing worse, namely, what the chairman of the committee has just stated, the grading of grain. If I had known that the Agricultural bill would be up this afternoon I should have had my samples of grain here, and I could have demonstrated to the Senator from Colorado that this is not a foolish thing.

I have in my office, Mr. President, a sample of grain grown on my own farm. The wheat is conceded to be a No. 1 hard wheat, but it contains 4.3 per cent of rye; and the Senator from Colorado will be surprised to learn that on account of that 4.3 per cent of rye it is graded No. 5 and it reduces the price 24 cents a bushel.

Mr. THOMAS. I assume the Senator knows that to be so?

Mr. GRONNA. Why, certainly I know it to be so.

Mr. THOMAS. Yes. It was not necessary, in order for the Senator to ascertain the truth of that fact, to build a mill here in Washington, at an expense of $50,000, for baking and other apparatus.

Mr. GRONNA. I was just coming to that. This delegation, which consists of the railroad commissioners of these three States, together with the appeal board of the State of Minnesota, deems it important enough to come here regarding it, and the Secretary of Agriculture said to this delegation to-day that he knew of no other way of making a just and honest standard than by a milling test. The Senator knows, of course, that providing this mill does not require the erection of buildings. The appropriation is simply for the purchase of machinery, which may be installed in a very small room. We have such a mill in the State of North Dakota in our agricultural department; but, of course, it can not be expected that the Secretary of Agriculture will take the word of the faculty of the Agricultural College of North Dakota.

Mr. THOMAS. He might go farther and fare worse.

Mr. GRONNA. The only way in which Mr. Brand, who is now fixing these standards, can have the information will be to have the machinery bought for grinding this wheat and the machinery for baking the flour, so that the producer as well as the consumer can get an honest deal. It is for the purpose of aiding the Agricultural Department in standardizing the grain.

I will say to the Senator that we raise in my State from 100,000,000 to 150,000,000 bushels of wheat annually. Taking the sample which I showed to the Agricultural Committee on last Saturday, and which I showed to the Secretary of Agriculture to-day, we have lost from 24 to 25 cents a bushel. That is a greater loss than the farmers of my part of the country are willing to stand.

Mr. THOMAS. If the Senator will pardon an interruption, I had labored under the impression that the improper grading was due to the manipulations of certain chambers of commerce and elevator men in other sections of the country.

Mr. GRONNA. That is true.

Mr. THOMAS. Not to the fact that the farmers and the Agricultural Department were not aware of the nutritious qualities embodied in the grain itself, a test of which must be made before a proper grading can be established.

Mr. GRONNA. That is true. That has been maintained, and it is true; but, if the Senator will permit me, under the standardization act which was passed here a year ago it is possible, if he will say 3 per cent of durum wheat is mixed with the best quality of hard wheat that it will reduce the grade of that wheat not one grade but three grades. There is not a miller in the United States who will not testify that the product of that wheat, although it may be mixed either with this durum wheat or with winter wheat is absolutely as good as if it were not mixed; and yet the farmer has to sell his grain for that reduced price.

The Senator will remember that when we passed the standardization act I objected to the words "foreign matter" going in. Those words, "foreign matter," apply not to what we call dockage, such as weed seeds, but to other grains. If there is rye in the wheat, the rye is foreign matter. If there is barley in the wheat, the barley will be foreign matter to the wheat, of course; and the farmer is not only docked for that foreign matter, and gets nothing whatever for it, but it reduces the price of his product.

Mr. THOMAS. I think there is no doubt about that, but I do not perceive how the proposed amendment either helps or hurts that situation. I think the Senator's objection to the insertion of the word "foreign" in the section of the law to which he refers should have been sustained, and that would have done away with the evil of which he now complains.

Mr. GRONNA. I want to assure the Senator in all seriousness that among these men who appeared before the Secretary of Agriculture to-day, and who are to appear before the President of the United States at 5.30 to-day on this very question, there is not one but that approved of this very provision in the bill. They are men who do know something about wheat, and they do know something about how the farmers of the Northwest have been robbed under the system which we have had.

Mr. THOMAS. I think there is no doubt about the fact that they have been robbed. I have sympathized with the fight which they have made, and I think that the legislation which we adopted tended—perhaps not as extensively as it should, but nevertheless tended—to cure that evil; and I am ready to vote for any additional legislation which will cure it. But, with all due regard to the distinguished gentlemen who have come here and who favor this measure, I do not see how the establishment of a bakery here is going to interfere with or affect, beneficially or otherwise, the things which they wish to accomplish. I would as soon expect this amendment to provide for a corps of officeholders to eat the bread and test its efficiency as it is baked. It would be as much a necessary part of the proposed remedy as the things which the bill does contain.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me, if the object that the Senator thinks has been attained had in fact been attained, I do not think for a minute we would have voted to put in this amendment; but, as I understand, the object here was this, and if I am not correct the Senator from North Dakota will correct me.

Grain is now classified under certain standards. The price is fixed according to those standards. His contention and the view of the committee, as I understood it, was that the wheat that brings the lesser price on account of certain physical appearances has as great No. 1 flour-producing qualities as, and perhaps better than, some that are classified in the markets as higher grades.

Mr. THOMAS. I have not a particle of doubt about it.

Mr. SMITH of South Carolina. Now, the Government has standardized these grades of grain under the bill that we previously passed. The farmer's wheat is bought and sold upon its physical appearance. The farmers now ask that $50,000 be appropriated to enable the Government, in the interest of fair dealing, to grind and test under its own supervision samples of wheat of these standards taken from the great grain country or wherever you see fit to take them from, so that the Government may know of its own knowledge, by actual experiment here, where it has fixed the standards, whether or not the contention of the farmer is true that this wheat that is graded No. 2 is just as good as No. 1, to all intents and purposes, in bread-making qualities.

Mr. THOMAS. And the appropriation bill of 1919, Mr. President, will provide perhaps $100,000 for this identical purpose, and that of the next succeeding year will probably provide $250,000, and the next will provide for these baking establishments in all the agricultural schools of the States of the West, and we will have baking and milling establishments for corn and for barley and for rye and for all the other grains that are nutritious. This is simply the intrusion of the camel's head into the tent once more. It is going to pass, however. There is no question about that.

Mr. GRONNA. Mr. President, may I interrupt the Senator?

Mr. THOMAS. Certainly.

Mr. GRONNA. I want to assure the Senator that there will be no demand for any increase or for any extra appropriation. This is simply to provide a flour mill for scientific purposes, to be established in a little room which the Agricultural Department already has. It may not cost $50,000, but the Secretary thought he ought to have $50,000; and he said to-day to this committee: "I do not know of any other way in which to really ascertain the value and fix the standards than to adopt the amendment which I sent to the Agricultural Committee on last Friday or Saturday."

Mr. THOMAS. Oh, I know the Senator thinks that, and I do not think there will be any increase of appropriation or any continued appropriation, as far as he is concerned, but we must judge of these things by the history of similar innovations in our legislation in the past.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I do.

Mr. SMOOT. I want to ask the Senator if the object of the mill is to change the grade of the wheat? Is that the object?

Mr. GRONNA. It is to enable those who fixed the standards to establish honest standards. That is the object.

Mr. SMITH of South Carolina. That is it.

Mr. GORE and Mr. PAGE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Oklahoma?

Mr. THOMAS. As was stated by a Senator here to-day, the Senator from Minnesota [Mr. KELLOGG], I am perfectly willing to yield to one Senator, but I can not yield to three. I yield to the Senator from Oklahoma.

Mr. GORE. Mr. President, I merely wanted to say that, as I understand it, the contention of the farmer is that we might just as well classify gold ore by its exterior appearance and by extraneous circumstances, and without reference to its gold content, as to classify grain by its exterior appearance or extraneous circumstances rather than by its flour-producing qualities.

Mr. THOMAS. I think that is true, but we classify gold by sampling it in private. We do not call upon the Government of the United States, in its Agricultural or other appropriation bills, to sample our gold ore.

Mr. GORE. I thought we had assay offices all over the country.

Mr. THOMAS. You have assay offices, but they do not sample ore. They purchase ore.

Mr. GORE. I thought they also tested it.

Mr. GRONNA. Mr President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. THOMAS. I do.

Mr. GRONNA. May I say to the Senator from Colorado that the Government of the United States now fixes the price upon the grain of the farmers by its standardization?

Mr. THOMAS. I understand that is true. My impression is that corn is now worth more than wheat, in some parts of the country, because of that fact. That is, they standardize wheat, but they do not standardize corn.

Mr. GORE. Relatively it is worth more everywhere, and absolutely in some places.

Mr. PAGE. Mr. President——

Mr. THOMAS. I will yield to the Senator from Vermont in a moment. Of course, this bill is going to require the employment of some more officeholders; and there never was an officeholder on earth, and never will be, including Senators of the United States, who will not do all he can while in office to make himself indispensable, and therefore secure of a life job. That of itself is going to result in repeated appropriations for this identical purpose, and for the other grains, as I have stated heretofore.

I now yield to the Senator from Vermont.

Mr. PAGE. Mr. President, I simply wanted to ask if the statement made by the Senator from North Dakota did not indicate that there was a wrong being done somewhere when wheat was classified at a grade which brings 24 or 25 cents a bushel less than standard No. 1 wheat when the real difference, perhaps, was not more than 4 or 5 cents a bushel?

Mr. THOMAS. There is no question but that the farmers of the Senator's State and other States have been robbed for the last quarter of a century through false standardization of their grain. There is no doubt about that.

Mr. PAGE. Is there not some way to remedy that wrong?

Mr. THOMAS. We have tried to do it by legislation, and I think we have fairly well succeeded. If our legislation is defective, let us remedy it. I am willing to vote for any system of standardization that the Senators from the wheat States of the Union desire.

Mr. GRONNA. Mr. President, if the Senator will pardon me, the consumer pays the highest price for the finished product—the flour. We know that.

Mr. THOMAS. There is no doubt about that.

Mr. GRONNA. If this difference in price were saved to the consumer, we would not complain; but we know absolutely that while this reduction is being made to the producer the consumer pays a price based upon the highest value of the grain.

Mr. THOMAS. Unquestionably.

Mr. PAGE. Is it not possible for the Senator from North Dakota to suggest some remedy for that?

Mr. GRONNA. This is a suggestion that will remedy it.

Mr. THOMAS. If I could believe that, Mr. President, I would not make any objection to it; but I am unable to perceive how it is going to affect it a particle. Of course that may be due to my ignorance and obtuseness. Probably it is.

Mr. GORE. Mr. President——

Mr. THOMAS. I yield to the Senator from Oklahoma.

Mr. GORE. Without meaning to interrupt the Senator, I merely want to say that I think the Senate has got to milling on this matter a little too soon, and I hope we will hark back to the item with regard to tuberculosis.

Mr. THOMAS. I think perhaps it is better to change from baking wheat to consumption.

The PRESIDING OFFICER. The question is upon the committee amendment, on pages 13 and 14, which increases the appropriation from $250,000 to $500,000, with a proviso.

Mr. THOMAS. Mr. President, I do not know that I am proceeding in parliamentary fashion; but if it is in order I wish to strike out the sum of $500,000 provided by the amendment, and I make a motion to that effect.

Mr. SMOOT. That object can be attained by simply disagreeing to the amendment.

Mr. MARTIN. I suggest that the Senator simply ask to have the amendment rejected.

Mr. NORRIS. Yes; just vote "no" on the amendment.

Mr. THOMAS. I accept the suggestion that we disagree to the amendment, by which I mean the figures "$500,000." I do not object to the remaining part of the proviso. It does not carry an appropriation this year, but it will next year.

The PRESIDING OFFICER. Does the Senator desire the committee amendment divided?

Mr. THOMAS. I do not want to suggest the absence of a quorum, so I would suggest that this matter go over until to-morrow.

Mr. GORE. Very well, Mr. President. If the Senator desires, I am willing to have that course taken.

Mr. THOMAS. I have reference, of course, to the part of the amendment which precedes the colon. There are really two amendments.

RAILROAD CONTROL.

Mr. SMITH of South Carolina. I ask that the unfinished business, Senate bill 3752, be laid before the Senate.

The PRESIDING OFFICER. The Chair lays the unfinished business before the Senate.

The SECRETARY. A bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes.

EXECUTIVE SESSION.

Mr. MARTIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 14, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 13, 1918.

TARIFF COMMISSION.

Thomas W. Page, of Virginia, to be a member of the United States Tariff Commission, vice Daniel C. Roper, resigned.

COAST AND GEODETIC SURVEY.

Leo C. Wilder, of Vermont, to be junior hydrographic and geodetic engineer (by promotion from aid), vice W. H. Kearns, promoted, and

Aaron G. Katz, of New York, to be aid (by promotion from deck officer), vice G. H. Durgin, promoted, in the United States Coast and Geodetic Survey, Department of Commerce.

JUSTICES OF THE SUPREME COURT, TERRITORY OF HAWAII.

James L. Coke, of Honolulu, Hawaii, to be chief justice of the Supreme Court, Territory of Hawaii, vice A. G. M. Robertson, resigned. (Mr. Coke is now serving as associate justice of that court.)

Samuel B. Kemp, of Honolulu, Hawaii, to be associate justice of the Supreme Court, Territory of Hawaii, vice James L. Coke, nominated to be chief justice of that court. (Mr. Kemp is now serving as second judge of the Circuit Court, First Circuit, Territory of Hawaii.)

JUDGES OF THE CIRCUIT COURT, TERRITORY OF HAWAII.

William S. Edings, of Honolulu, Hawaii, to be second judge of the Circuit Court, First Circuit, Territory of Hawaii, vice Samuel B. Kemp, nominated to be associate justice of the Supreme Court, Territory of Hawaii. (Mr. Edings is now serving as judge of the Circuit Court, Second Circuit, Territory of Hawaii, at Wailuku, Maui.)

L. L. Burr, of Honolulu, Hawaii, to be judge of the Circuit Court, of the Second Circuit, Territory of Hawaii, vice William S. Edings, nominated to be second judge of the Circuit Court, First Circuit, Territory of Hawaii.

APPOINTMENTS IN THE ARMY.

MEDICAL CORPS.

To be first lieutenants.

First Lieut. William Charles Munly, Medical Reserve Corps, with rank from January 25, 1918.

First Lieut. Albert Elwood Pagan, Medical Reserve Corps, with rank from January 26, 1918.

First Lieut. Forrest Pitt Baker, Medical Reserve Corps, with rank from January 27, 1918.

First Lieut. Cole Blease Gibson, Medical Reserve Corps, with rank from January 28, 1918.

First Lieut. George William Rice, Medical Reserve Corps, with rank from January 29, 1918.

Capt. Royal Kendall Stacey, Medical Reserve Corps, with rank from January 30, 1918.

First Lieut. William Campbell Colbert, Medical Reserve Corps, with rank from January 31, 1918.

First Lieut. Ernest Leroy Wilson, Medical Reserve Corps, with rank from February 1, 1918.

First Lieut. William Stephen Culpepper, Medical Reserve Corps, with rank from February 2, 1918.

First Lieut. Charles Roland Glenn, Medical Reserve Corps, with rank from February 3, 1918.

First Lieut. Gordon Adams Clapp, Medical Reserve Corps, with rank from February 4, 1918.

First Lieut. Clive Paul Mueller, Medical Reserve Corps, with rank from February 5, 1918.

FIELD ARTILLERY ARM.

To be second lieutenant with rank from date of appointment.

Second Lieut. Ansel G. Wineman, Philippine Scouts.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

To be first lieutenants with rank from August 30, 1917.

Second Lieut. Dean I. Piper, Coast Artillery Corps, vice First Lieut. Homer A. Bagg, promoted.

Second Lieut. Otto M. Jank, Coast Artillery Corps, vice First Lieut. Cherubusco Newton, jr., promoted.

Second Lieut. Herman U. Wagner, Coast Artillery Corps, vice First Lieut. Walter Smith, promoted.

Second Lieut. Philip S. Day, Coast Artillery Corps, vice First Lieut. Hugh J. Knerr, promoted.

Second Lieut. George W. Hirsch, Coast Artillery Corps, vice First Lieut. George F. Humbert, promoted.

Second Lieut. Forrest C. Shaffer, Coast Artillery Corps, vice First Lieut. Reuben N. Perley, promoted.

Second Lieut. William R. Deeble, jr., Coast Artillery Corps, vice First Lieut. John H. Birdsall, promoted.

Second Lieut. Frank F. Reed, Coast Artillery Corps, vice First Lieut. Levin H. Campbell, jr., promoted.

Second Lieut. John W. Coffey, Coast Artillery Corps, vice First Lieut. Harold De F. Burdick, promoted.

Second Lieut. Frank C. Meade, Coast Artillery Corps, vice First Lieut. Philip G. Blackmore, promoted.

Second Lieut. Lawrence Dwight, Coast Artillery Corps, vice First Lieut. George I. Thatcher, promoted.

Second Lieut. Everett T. Brown, Coast Artillery Corps, vice First Lieut. Edwin F. Silkman, promoted.

Second Lieut. Clyde H. Morganthaler, Coast Artillery Corps, vice First Lieut. Cedric M. S. Skene, promoted.

Second Lieut. Willard M. Hall, Coast Artillery Corps, vice First Lieut. Edward Montgomery, promoted.

Second Lieut. Tracy C. Dickson, jr., Coast Artillery Corps, vice First Lieut. Stewart W. Stanley, promoted.

Second Lieut. Robert W. Hasbrouck, Coast Artillery Corps, vice First Lieut. Roy S. Atwood, promoted.

Second Lieut. Howard P. Faust, Coast Artillery Corps, vice First Lieut. Samuel F. Hawkins, promoted.

Second Lieut. John T. de Camp, Coast Artillery Corps, vice First Lieut. Charles Thomas-Stahle, promoted.

Second Lieut. Wallace D. Collins, Coast Artillery Corps, vice First Lieut. Edwin J. O'Harra, promoted.

Second Lieut. Sargent P. Huff, Coast Artillery Corps, vice First Lieut. Alexander C. Sullivan, promoted.

Second Lieut. William H. Donaldson, jr., Coast Artillery Corps, vice First Lieut. Harold B. Sampson, promoted.

Second Lieut. Henry M. Black, Coast Artillery Corps, vice First Lieut. Clarence L. Gilbert, promoted.

Second Lieut. Willard D. Murphy, Coast Artillery Corps, vice First Lieut. Arthur E. Rowland, promoted.

Second Lieut. Council B. Palmer, Coast Artillery Corps, vice First Lieut. Lee R. Watrous, jr., promoted.

Second Lieut. John C. Hawkins, Coast Artillery Corps, vice First Lieut. Charles A. French, promoted.

TEMPORARY PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

To be lieutenant colonel with rank from July 9, 1917.

Maj. Lewis H. Rand, Corps of Engineers, vice Lieut. Col. Edgar Jadwin, appointed colonel in the National Army.

To be lieutenant colonels with rank from July 13, 1917.

Maj. Edward M. Markham, Corps of Engineers, vice Lieut. Col. Herbert Deakyne, appointed colonel in the National Army.

Maj. Thomas H. Jackson, Corps of Engineers, vice Lieut. Col. William P. Wooten, appointed colonel in the National Army.

To be lieutenant colonel with rank from July 14, 1917.

Maj. George B. Pillsbury, Corps of Engineers, vice Lieut. Col. Harry Burgess, appointed colonel in the National Army.

To be lieutenant colonel with rank from July 18, 1917.

Maj. Gustave R. Lukesh, Corps of Engineers, vice Lieut. Col. James B. Cavanaugh, appointed colonel in the National Army.

To be lieutenant colonels with rank from August 5, 1917.

Maj. John R. Slattery, Corps of Engineers, vice Lieut. Col. William Kelly, appointed colonel in the National Army.

Maj. Albert E. Waldron, Corps of Engineers, vice Lieut. Col. Edward H. Schulz, appointed colonel in the National Army.

Maj. Francis A. Pope, Corps of Engineers, vice Lieut. Col. John C. Oakes, appointed colonel in the National Army.

Maj. Gilbert A. Youngberg, Corps of Engineers, vice Lieut. Col. Sherwood A. Cheney, appointed colonel in the National Army.

Maj. Edward N. Johnston, Corps of Engineers, vice Lieut. Col. Frank C. Boggs, appointed colonel in the National Army.

Maj. Clarence O. Sherrill, Corps of Engineers, vice Lieut. Col. George B. Pillsbury, appointed colonel in the National Army.

Maj. Ernest D. Peek, Corps of Engineers, vice Lieut. Col. Lytle Brown, appointed colonel in the National Army.

Maj. George R. Spalding, Corps of Engineers, vice Lieut. Col. Harley B. Ferguson, appointed colonel in the National Army.

Maj. Elliott J. Dent, Corps of Engineers, vice Lieut. Col. James A. Woodruff, appointed colonel in the National Army.

Maj. William P. Stokey, Corps of Engineers, vice Lieut. Col. John R. Slattery, appointed colonel in the National Army.

Maj. Wildurr Willing, Corps of Engineers, vice Lieut. Col. Clarence O. Sherrill, appointed colonel in the National Army.

Maj. William A. Mitchell, Corps of Engineers, vice Lieut. Col. George R. Spalding, appointed colonel in the National Army.

Maj. Mark Brooke, Corps of Engineers, vice Lieut. Col. William J. Barden, appointed colonel in the National Army.

Maj. Laurence V. Frazier, Corps of Engineers, vice Lieut. Col. Edward M. Markham, appointed colonel in the National Army.

Maj. Harold C. Fiske, Corps of Engineers, vice Lieut. Col. Francis A. Pope, appointed colonel in the National Army.

Maj. Max C. Tyler, Corps of Engineers, vice Lieut. Col. Robert R. Raymond, appointed colonel in the National Army.

Maj. Ulysses S. Grant, 3d, Corps of Engineers (General Staff Corps), vice Lieut. Col. Earl I. Brown, appointed colonel in the National Army.

Maj. William H. Rose, Corps of Engineers, vice Lieut. Col. Ulysses S. Grant, 3d, retained in the General Staff Corps.

Maj. Lewis M. Adams, Corps of Engineers, vice Lieut. Col. James P. Jervey, appointed colonel in the National Army.

Maj. William D'A. Anderson, Corps of Engineers, vice Lieut. Col. Charles Keller, promoted.

Maj. Joseph H. Earle, Corps of Engineers, vice Lieut. Col. Meriwether L. Walker, appointed colonel in the National Army.

Maj. Thomas M. Robins, Corps of Engineers, vice Lieut. Col. William B. Ladue, appointed colonel in the National Army.

Maj. Roger D. Black, Corps of Engineers, vice Lieut. Col. Clarke S. Smith, appointed colonel in the National Army.

Maj. Theodore H. Dillon, Corps of Engineers, vice Lieut. Col. Spencer Cosby, promoted.

Maj. De Witt C. Jones, Corps of Engineers, vice Lieut. Col. William D. Connor, appointed colonel in the National Army.

Maj. Ernest Graves, Corps of Engineers, vice Lieut. Col. George M. Hoffman, appointed colonel in the National Army.

Maj. Francis B. Wilby, Corps of Engineers, vice Lieut. Col. James F. McIndoe, promoted.

Maj. Clarence S. Ridley, Corps of Engineers, vice Lieut. Col. Jay J. Morrow, promoted.

Maj. Alvin B. Barber, Corps of Engineers, vice Lieut. Col. George P. Howell, promoted.

Maj. Roger G. Powell, Corps of Engineers, vice Lieut. Col. Frederick W. Altstaetter, promoted.

Maj. John N. Hodges, Corps of Engineers, vice Lieut. Col. Lewis H. Rand, promoted.

Maj. James J. Loving, Corps of Engineers, vice Lieut. Col. Ernest D. Peek, appointed colonel in the National Army.

Maj. Edward D. Ardery, Corps of Engineers, vice Lieut. Col. Elliott J. Dent, appointed colonel in the National Army.

Maj. James G. Steese, Corps of Engineers, vice Lieut. Col. Wildurr Willing, appointed colonel in the National Army.

Maj. Roger G. Alexander, Corps of Engineers, vice Lieut. Col. William A. Mitchell, appointed colonel in the National Army.

Maj. James A. O'Connor, Corps of Engineers, vice Lieut. Col. Edward N. Johnston, appointed colonel in the National Army.

Maj. Lewis H. Watkins, Corps of Engineers, vice Lieut. Col. Amos W. Fries, appointed colonel in the National Army.

Maj. Gilbert E. Humphrey, Corps of Engineers, vice Lieut. Col. Charles W. Kutz, appointed colonel in the National Army.

Maj. Richard Park, Corps of Engineers, vice Lieut. Col. Albert E. Waldron, appointed colonel in the National Army.

Maj. Daniel I. Sultan, Corps of Engineers, vice Lieut. Col. Thomas H. Jackson, promoted.

Maj. Glen E. Edgerton, Corps of Engineers, vice Lieut. Col. Gustave R. Lukesh, promoted.

To be major with rank from July 9, 1917.

Capt. Clarence L. Sturdevant, Corps of Engineers, vice Maj. Lewis H. Rand, promoted.

To be majors with rank from July 13, 1917.

Capt. Earl J. Atkisson, Corps of Engineers, vice Maj. Edward M. Markham, promoted.

Capt. Richard T. Coiner, Corps of Engineers, vice Maj. Thomas H. Jackson, promoted.

To be major with rank from July 14, 1917.

Capt. Robert S. A. Dougherty, Corps of Engineers, vice Maj. George B. Pillsbury, promoted.

To be major with rank from July 18, 1917.

Capt. Stuart C. Godfrey, Corps of Engineers, vice Maj. Gustave R. Lukesh, promoted.

To be majors with rank from August 5, 1917.

Capt. Francis C. Harrington, Corps of Engineers, vice Maj. John R. Slattery, promoted.

Capt. Cleveland C. Gee, Corps of Engineers, vice Maj. Albert E. Waldron, promoted.

Capt. John M. Wright, Corps of Engineers, vice Maj. Francis A. Pope, promoted.

Capt. John R. D. Matheson, Corps of Engineers, vice Maj. Gilbert A. Youngberg, promoted.

Capt. William H. Sage, jr., Corps of Engineers, vice Maj. Edward N. Johnston, promoted.

Capt. Charles J. Taylor, Corps of Engineers, vice Maj. Clarence O. Sherrill, promoted.

Capt. Edwin H. Marks, Corps of Engineers, vice Maj. Michael J. McDonough, appointed colonel in the National Army.

Capt. Earl North, Corps of Engineers, vice Maj. Curtis W. Otwell, appointed colonel in the National Army.

Capt. Albert H. Acher, Corps of Engineers, vice Maj. Ernest D. Peek, promoted.

Capt. Gilbert Van B. Wilkes, Corps of Engineers, vice Maj. George R. Spalding, promoted.

Capt. John C. H. Lee, Corps of Engineers, vice Maj. Paul S. Bond, appointed colonel in the National Army.

Capt. Frank S. Besson, Corps of Engineers, vice Maj. Elliott J. Dent, promoted.

Capt. Lindsay C. Herkness, Corps of Engineers, vice Maj. William L. Guthrie, appointed colonel in the National Army.

Capt. Albert K. B. Lyman, Corps of Engineers, vice Maj. William P. Stokey, promoted.

Capt. Frederick S. Strong, jr., Corps of Engineers, vice Maj. Wildurr Willing, promoted.

Capt. Daniel D. Pullen, Corps of Engineers, vice Maj. William A. Mitchell, promoted.

Capt. Carey H. Brown, Corps of Engineers, vice Maj. Mark Brooke, promoted.

Capt. Oscar N. Solbert, Corps of Engineers, vice Maj. Laurence V. Frazier, promoted.

Capt. Beverly C. Dunn, Corps of Engineers, vice Maj. Harold C. Fiske, promoted.

Capt. Donald H. Connolly, Corps of Engineers, vice Maj. Warren T. Hannum, appointed colonel in the National Army.

Capt. Raymond F. Fowler, Corps of Engineers, vice Maj. Robert R. Ralston, appointed colonel in the National Army.

Capt. David McCoach, jr., Corps of Engineers (General Staff Corps), vice Maj. Max C. Tyler, promoted.

Capt. James G. B. Lampert, Corps of Engineers, vice Maj. David McCoach, jr., retained in the General Staff Corps.

Capt. Philip B. Fleming, Corps of Engineers, vice Maj. William H. Rose, promoted.

Capt. John W. Stewart, Corps of Engineers, vice Maj. Lewis M. Adams, promoted.

Capt. Joseph C. Mehaffey, Corps of Engineers, vice Maj. William D'A. Anderson, promoted.

Capt. Paul S. Reinecke, Corps of Engineers, vice Maj. Joseph H. Earle, promoted.

Capt. Raymond A. Wheeler, Corps of Engineers, vice Maj. Thomas M. Robins, promoted.

Capt. W. Morris Chubb, Corps of Engineers, vice Maj. Roger D. Black, promoted.

Capt. Howard S. Bennion, Corps of Engineers, vice Maj. W. Goff Caples, appointed colonel in the National Army.

Capt. William C. Sherman, Corps of Engineers, vice Maj. Theodore H. Dillon, promoted.

Capt. Rudolph C. Kuldell, Corps of Engineers, vice Maj. De Witt C. Jones, promoted.

Capt. Roscoe C. Crawford, Corps of Engineers, vice Maj. Henry C. Jewett, appointed colonel in the National Army.

Capt. Earl G. Paules, Corps of Engineers, vice Maj. Ernest Graves, promoted.

Capt. Bradford G. Chynoweth, Corps of Engineers, vice Maj. Arthur R. Ehrnbeck, appointed lieutenant colonel in the National Army.

Capt. Milo P. Fox, Corps of Engineers, vice Maj. Francis B. Wilby, promoted.

Capt. John C. Gotwals, Corps of Engineers, vice Maj. Clarence S. Ridley, promoted.

Capt. Francis K. Newcomer, Corps of Engineers, vice Maj. Alvin B. Barber, promoted.

Capt. Charles F. Williams, Corps of Engineers, vice Maj. Roger G. Powell, promoted.

Capt. Gordon R. Young, Corps of Engineers, vice Maj. John N. Hodges, promoted.

Capt. Richard U. Nicholas, Corps of Engineers, vice Maj. James J. Loving, promoted.

Capt. James A. Dorst, Corps of Engineers, vice Maj. Edward D. Ardery, promoted.

Capt. Rufus W. Putnam, Corps of Engineers, vice Maj. James G. Steese, promoted.

Capt. Lunsford E. Oliver, Corps of Engineers, vice Maj. Roger G. Alexander, promoted.

Capt. William H. Holcombe, Corps of Engineers, vice Maj. James A. O'Connor, promoted.

Capt. James B. Cress, Corps of Engineers, vice Maj. Lewis H. Watkins, promoted.

Capt. Charles P. Gross, Corps of Engineers, vice Maj. Gilbert E. Humphrey, promoted.

Capt. Bernard A. Miller, Corps of Engineers, vice Maj. Richard C. Moore, appointed lieutenant colonel in the National Army.

Capt. Peter C. Bullard, Corps of Engineers, vice Maj. Ralph T. Ward, appointed lieutenant colonel in the National Army.

Capt. Brehon B. Somervell, Corps of Engineers, vice Maj. Thomas H. Emerson, appointed lieutenant colonel in the National Army.

Capt. Xenophon H. Price, Corps of Engineers, vice Maj. Robert P. Howell, appointed lieutenant colonel in the National Army.

Capt. Robert W. Crawford, Corps of Engineers, vice Maj. Robert S. Thomas, appointed lieutenant colonel in the National Army.

Capt. Frederick S. Skinner, Corps of Engineers, vice Maj. Harold S. Hetrick, appointed lieutenant colonel in the National Army.

Capt. Dabney O. Elliott, Corps of Engineers, vice Maj. Jarvis J. Bain, appointed lieutenant colonel in the National Army.

Capt. Allen P. Cowgill, Corps of Engineers, vice Maj. William A. Johnson, appointed lieutenant colonel in the National Army.

Capt. George F. Lewis, Corps of Engineers, vice Maj. Charles R. Pettis, appointed lieutenant colonel in the National Army.

Capt. Harrison Brand, jr., Corps of Engineers, vice Maj. Frederick B. Downing, appointed lieutenant colonel in the National Army.

Capt. Frederick W. Herman, Corps of Engineers, vice Maj. Julian L. Schley, appointed lieutenant colonel in the National Army.

Capt. John H. Carruth, Corps of Engineers, vice Maj. Edmund L. Daley, appointed lieutenant colonel in the National Army.

Capt. Oscar O. Kuentz, Corps of Engineers, vice Maj. Henry A. Finch, appointed lieutenant colonel in the National Army.

Capt. William E. R. Covell, Corps of Engineers, vice Maj. James F. Bell, appointed lieutenant colonel in the National Army.

Capt. Edwin R. Kimble, Corps of Engineers, vice Maj. Richard Park, promoted.

Capt. Joseph D. Arthur, jr., Corps of Engineers, vice Maj. Daniel I. Sultan, promoted.

Capt. Ernest F. Miller, Corps of Engineers, vice Maj. Glen E. Edgerton, promoted.

COAST ARTILLERY CORPS.

To be lieutenant colonels with rank from August 5, 1917.

Maj. Malcolm Young, Coast Artillery Corps, vice Lieut. Col. Lawrence S. Miller, appointed colonel in the National Army.

Maj. Laurence C. Brown, Coast Artillery Corps (Signal Corps), vice Lieut. Col. Earle D'A. Pearce, appointed colonel in the National Army.

Maj. Harry L. Steele, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. Laurence C. Brown, retained in the Signal Corps.

Maj. Thomas F. Dwyer, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. Harry L. Steele, retained in the Quartermaster Corps.

Maj. James B. Mitchell, Coast Artillery Corps (Inspector General's Department), vice Lieut. Col. Thomas F. Dwyer, retained in the Quartermaster Corps.

Maj. Alfred S. Morgan, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. James B. Mitchell, retained in the Inspector General's Department.

Maj. Charles H. Hilton, Coast Artillery Corps (General Staff Corps), vice Lieut. Col. Alfred S. Morgan, retained in The Adjutant General's Department.

Maj. Edward L. Glasgow, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. Charles H. Hilton, retained in the General Staff Corps.

Maj. Percy Willis, Coast Artillery Corps, vice Lieut. Col. Edward L. Glasgow, retained in the Quartermaster Corps.

Maj. William F. Stewart, jr., Coast Artillery Corps, vice Lieut. Col. Sam F. Bottoms, appointed colonel in the National Army.

Maj. Joseph B. Douglas, Coast Artillery Corps (Signal Corps), vice Lieut. Col. Edwin O. Sarratt, appointed colonel in the National Army.

Maj. Hudson T. Patten, Coast Artillery Corps, vice Lieut. Col. Joseph B. Douglas, retained in the Signal Corps.

Maj. Edward Kimmel, Coast Artillery Corps, vice Lieut. Col. Frederick E. Johnston, appointed colonel in the National Army.

Maj. John R. Procter, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. Arthur S. Conklin, appointed colonel in the National Army.

Maj. John B. Christian, Coast Artillery Corps (Signal Corps), vice Lieut. Col. John R. Procter, retained in The Adjutant General's Department.

Maj. Frederick W. Phisterer, Coast Artillery Corps, vice Lieut. Col. John B. Christian, retained in the Signal Corps.

Maj. Robert H. C. Kelton, Coast Artillery Corps, vice Lieut. Col. James F. Brady, appointed lieutenant colonel in the National Army.

Maj. Percy P. Bishop, Coast Artillery Corps (General Staff Corps), vice Lieut. Col. Thomas Q. Ashburn, appointed colonel in the National Army.

Maj. Henry J. Hatch, Coast Artillery Corps, vice Lieut. Col. Robert S. Abernethy, appointed colonel in the National Army.

Maj. Elmer J. Wallace, Coast Artillery Corps, vice Lieut. Col. Harold E. Cloke, appointed colonel in the National Army.

Maj. William F. Hase, Coast Artillery Corps, vice Lieut. Col. Philip R. Ward, appointed colonel in the National Army.

Maj. William R. Doores, Coast Artillery Corps, vice Lieut. Col. Samuel A. Kephart, promoted.

Maj. James F. Howell, Coast Artillery Corps, vice Lieut. Col. William Forse, promoted.

Maj. Jesse C. Nicholls, Coast Artillery Corps (Ordnance Department), vice Lieut. Col. Louis A. Burgess, promoted.

Maj. Henry W. Schull, Coast Artillery Corps (Ordnance Department), vice Lieut. Col. Jesse C. Nicholls, retained in the Ordnance Department.

Maj. Clifton C. Carter, Coast Artillery Corps, vice Lieut. Col. Henry W. Schull, retained in the Ordnance Department.

Maj. Stanley D. Embick, Coast Artillery Corps (General Staff Corps), vice Lieut. Col. James A. Shipton, promoted.

Maj. William H. Monroe, Coast Artillery Corps (Ammunition Train), vice Lieut. Col. Stanley D. Embick, retained in the General Staff Corps.

Maj. Leonard D. Waldron, Coast Artillery Corps, vice Lieut. Col. William H. Monroe, retained in Ammunition Train.

Maj. Ernest A. Greenough, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. William Chamberlaine, promoted.

Maj. Alexander Greig, jr., Coast Artillery Corps, vice Lieut. Col. Ernest A. Greenough, retained in the Quartermaster Corps.

Maj. James A. Ruggles, Coast Artillery Corps, vice Lieut. Col. Gordon G. Heiner, appointed brigadier general in the National Army.

Maj. Terence E. Murphy, Coast Artillery Corps, vice Lieut. Col. George H. McManus, promoted.

Maj. Harry W. Newton, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. James W. Williams, promoted.

Maj. Allen D. Raymond, Coast Artillery Corps, vice Lieut. Col. Harry W. Newton, retained in the Quartermaster Corps.

Maj. James R. Pourie, Coast Artillery Corps, vice Lieut. Col. Alston Hamilton, promoted.

Maj. John L. Hughes, Coast Artillery Corps, vice Lieut. Col. John C. Gilmore, promoted.

Maj. John W. C. Abbott, Coast Artillery Corps, vice Lieut. Col. Mervyn C. Buckey, appointed colonel in the National Army.

Maj. Harry T. Matthews, Coast Artillery Corps (Inspector General's Department), vice Lieut. Col. Joseph Wheeler, jr., promoted.

Maj. Harry C. Barnes, Coast Artillery Corps, vice Lieut. Col. Harry T. Matthews, retained in the Inspector General's Department.

Maj. Stephen H. Mould, Coast Artillery Corps, vice Lieut. Col. Johnson Hagood, promoted.

Maj. Louis S. Chappelear, Coast Artillery Corps (Adjutant General's Department), vice Lieut. George T. Patterson, promoted.

Maj. Granville Sevier, Coast Artillery Corps, vice Lieut. Col. Louis S. Chappelear, retained in The Adjutant General's Department.

Maj. Robert F. Woods, Coast Artillery Corps, vice Lieut. Col. Percy M. Kessler, promoted.

Maj. Albert C. Thompson, Coast Artillery Corps, vice Lieut. Col. Frank K. Fergusson, promoted.

Maj. Ellison L. Gilmer, Coast Artillery Corps, vice Lieut. Col. Malcolm Young, promoted.

Maj. John McBride, jr., Coast Artillery Corps, vice Lieut. Col. Clifton C. Carter, appointed professor, United States Military Academy.

Maj. Richard K. Cravens, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. Stanley D. Embick, appointed colonel in the Signal Corps.

Maj. George O. Hubbard, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. Richard K. Cravens, retained in The Adjutant General's Department.

Maj. James M. Wheeler, Coast Artillery Corps, vice Lieut. Col. George O. Hubbard, retained in the Quartermaster Corps.

Maj. Harrison S. Kerrick, Coast Artillery Corps, vice Lieut. Col. Marcellus G. Spinks, detailed in the Inspector General's Department.

Maj. Frank J. Miller, Coast Artillery Corps, vice Lieut. Col. Percy Willis, promoted.

Maj. Philip S. Golderman, Coast Artillery Corps, vice Lieut. Col. Percy P. Bishop, detailed in the General Staff Corps.

Maj. Charles L. Lanham, Coast Artillery Corps, vice Lieut. Col. William E. Cole, appointed colonel in the National Army.

To be lieutenant colonel with rank from December 26, 1917.

Maj. George F. Connolly, Coast Artillery Corps, vice Lieut. Col. William F. Stewart, appointed colonel in the National Army.

To be lieutenant colonels with rank from December 29, 1917.

Maj. John S. Johnston, Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. Frederick W. Phisterer, promoted.

Maj. Joseph S. Hardin, Coast Artillery Corps (Quartermaster Corps), vice Lieut. Col. John S. Johnston, retained in The Adjutant General's Department.

Maj. Louis E. Bennett, Coast Artillery Corps, vice Lieut. Col. Joseph S. Hardin, retained in the Quartermaster Corps.

To be lieutenant colonels with rank from January 4, 1918.

Maj. George L. Hicks, jr., Coast Artillery Corps (Adjutant General's Department), vice Lieut. Col. Elmer J. Wallace, appointed colonel in the National Army.

Maj. Lynn S. Edwards, Coast Artillery Corps, vice Lieut. Col. George L. Hicks, jr., retained in The Adjutant General's Department.

INFANTRY ARM.

To be colonels with rank from December 8, 1917.

Lieut. Col. Paul Giddings, Infantry (Adjutant General's Department), vice Col. William H. Morrow, detailed in Ammunition Train.

Lieut. Col. Edward S. Walton, Infantry (Quartermaster Corps), vice Col. Paul Giddings, retained in The Adjutant General's Department.

Lieut. Col. Alfred T. Smith, Infantry, vice Col. Edward S. Walton, retained in the Quartermaster Corps.

To be colonels with rank from January 9, 1918.

Lieut. Col. Fred L. Munson, Infantry (Quartermaster Corps), vice Col. Henry J. Hunt, detailed in Ammunition Train.

Lieut. Col. Thomas M. Anderson, jr., Infantry, vice Col. Fred L. Munson, retained in the Quartermaster Corps.

Lieut. Col. John E. Hunt, Infantry, vice Col. William K. Jones, detailed in Ammunition Train.

To be colonels with rank from January 22, 1918.

Lieut. Col. Claude H. Miller, Infantry (Inspector General's Department), vice Col. Edward Sigerfoos, resigned commission as temporary colonel.

Lieut. Col. Harold B. Fiske, Infantry, vice Col. Claude H. Miller, retained in the Inspector General's Department.

To be colonel with rank from December 8, 1917.

Lieut. Col. Ira L. Reeves, Infantry, additional officer, on the date he would have been promoted to fill an original vacancy had he not been retired from active service.

To be lieutenant colonel with rank from January 9, 1918.

Maj. Edwin J. Nowlen, Infantry, additional officer, on the date he would have been promoted to fill an original vacancy had he not been retired from active service.

To be lieutenant colonel with rank from August 5, 1917.

Maj. Raymond Sheldon, Infantry, vice Lieut. Col. Alfred T. Smith, promoted.

To be lieutenant colonel with rank from December 21, 1917.

Maj. Edwin J. Bracken, Infantry, vice Lieut. Col. Thomas M. Anderson, jr., promoted.

To be lieutenant colonel with rank from January 8, 1918.

Maj. George W. England, Infantry, vice Lieut. Col. George M. Holley, detailed in The Adjutant General's Department.

To be lieutenant colonels with rank from January 9, 1918.

Maj. Clyde B. Parker, Infantry, vice Lieut. Col. John E. Hunt, promoted.

Maj. Alvin C. Voris, Infantry (Signal Corps), vice Lieut. Col. Austin A. Parker, detailed in The Adjutant General's Department.

Maj. Frank R. Curtis, Infantry (Signal Corps), vice Lieut. Col. Alvin C. Voris, retained in the Signal Corps.

Maj. Fred L. Davison, Infantry, vice Lieut. Col. Frank R. Curtis, retained in the Signal Corps.

Maj. George E. Kumpe, Infantry, vice Lieut. Col. Jennings B. Wilson, detailed in The Adjutant General's Department.

To be lieutenant colonel with rank from January 10, 1918.

Maj. Milo C. Corey, Infantry, vice Lieut. Col. Harry E. Comstock, detailed in Ammunition Train.

To be lieutenant colonels with rank from January 22, 1918.

Maj. Arthur M. Ferguson, Infantry (Adjutant General's Department), vice Lieut. Col. Harold B. Fiske, promoted.

Maj. De Witt W. Chamberlin, Infantry (Inspector General's Department), vice Lieut. Col. Arthur M. Ferguson, retained in The Adjutant General's Department.

Maj. Walter H. Johnson, Infantry (General Staff), vice Lieut. Col. De Witt W. Chamberlin, retained in the Inspector General's Department.

Maj. Robert G. Rutherford, jr., Infantry, vice Lieut. Col. Walter H. Johnson, retained in the General Staff.

Maj. Robert E. Grinstead, Infantry (Quartermaster Corps), vice Lieut. Col. Lochlin W. Caffey, resigned commission as temporary lieutenant colonel.

Maj. Albert S. Williams, Infantry (Adjutant General's Department), vice Lieut. Col. Robert E. Grinstead, retained in the Quartermaster Corps.

Maj. William B. Graham, Infantry (General Staff), vice Lieut. Col. Albert S. Williams, retained in The Adjutant General's Department.

Maj. Charles J. Nelson, Infantry (Quartermaster Corps), vice Lieut. Col. William B. Graham, retained in the General Staff.

Maj. E. Alexis Jeunet, Infantry, vice Lieut. Col. Charles J. Nelson, retained in the Quartermaster Corps.

Maj. Charles H. Danforth, Infantry, vice Lieut. Col. William S. Faulkner, resigned commission as temporary lieutenant colonel.

To be lieutenant colonels with rank from January 23, 1918.

Maj. Gideon H. Williams, Infantry, vice Lieut. Col. J. De Camp Hall, resigned commission as temporary lieutenant colonel.

Maj. Leonard T. Baker, Infantry, vice Lieut. Col. James M. Loud, resigned commission as temporary lieutenant colonel.

Maj. Charles S. Frank, Infantry (Quartermaster Corps), vice Lieut. Col. Davis C. Anderson, resigned commission as temporary lieutenant colonel.

Maj. Franklin S. Leisenring, Infantry (Quartermaster Corps), vice Lieut. Col. Charles S. Frank, retained in the Quartermaster Corps.

Maj. Charles F. Andrews, Infantry, vice Lieut. Col. Franklin S. Leisenring, retained in the Quartermaster Corps.

Maj. Allan L. Briggs, Infantry, vice Lieut. Col. Philip Powers, resigned commission as temporary lieutenant colonel.

Maj. James M. Petty, Infantry, vice Lieut. Col. Douglas Potts, resigned commission as temporary lieutenant colonel.

Maj. John B. Shuman, Infantry (Adjutant General's Department), vice Lieut. Col. Edward B. Mitchell, resigned commission as temporary lieutenant colonel.

Maj. Charles G. Lawrence, Infantry (Quartermaster Corps), vice Lieut. Col. John B. Shuman, retained in The Adjutant General's Department.

Maj. Frederic G. Kellond, Infantry (General Staff), vice Lieut. Col. Charles G. Lawrence, retained in the Quartermaster Corps.

Maj. William P. Kitts, Infantry (Inspector General's Department), vice Lieut. Col. Frederic G. Kellond, retained in the General Staff.

Maj. Walter Harvey, Infantry, vice Lieut. Col. William P. Kitts, retained in the Inspector General's Department.

Maj. Frank B. Davis, Infantry, vice Lieut. Col. Allen J. Greer, resigned commission as temporary lieutenant colonel.

Maj. Harry D. Mitchell, Infantry, vice Lieut. Col. Wilbur A. McDaniel, resigned commission as temporary lieutenant colonel.

To be lieutenant colonels with rank from January 24, 1918.

Maj. Ode C. Nichols, Infantry, vice Lieut. Col. William G. Fleischhauer, resigned commission as temporary lieutenant colonel.

Maj. Kirwin T. Smith, Infantry, vice Lieut. Col. Harol D. Coburn, resigned commission as temporary lieutenant colonel.

To be majors with rank from November 12, 1917.

Capt. Joseph E. Barzynski, Infantry (Quartermaster Corps), vice Maj. Anton C. Cron, resigned commission as temporary major.

Capt. Ben W. Feild, Infantry, vice Maj. Joseph E. Barzynski, retained in the Quartermaster Corps.

To be major with rank from November 13, 1917.

Capt. Bloxham Ward, Infantry, Detached Officers' list, vice Maj. Thomas C. Musgrave, detailed in the Signal Corps.

To be majors with rank from November 15, 1917.

Capt. Paul H. Clark, Infantry (Quartermaster Corps), vice Maj. Benjamin B. McCroskey, resigned commission as temporary major.

Capt. Thomas H. Lowe, Infantry, vice Maj. Paul H. Clark, retained in the Quartermaster Corps.

Te be majors with rank from November 16, 1917.

Capt. James W. H. Reisinger, jr., Infantry, vice Maj. Thomas J. Rogers, promoted lieutenant colonel.

Capt. Rupert A. Dunford, Infantry, vice Maj. Charles A. Dravo, detailed in the Signal Corps.

To be majors with rank from November 17, 1917.

Capt. Charles C. Bankhead, Infantry, vice Maj. John M. True, resigned commission as temporary major.

Capt. John P. Adams, Infantry, detached officers' list, vice Maj. Charles L. Sampson, resigned commission as temporary major.

To be majors with rank from November 18, 1917.

Capt. Ira Longanecker, Infantry, detached officers' list, vice Maj. Thomas N. Gimperling, resigned commission as temporary major.

Capt. William C. Whitener, Infantry, vice Maj. John C. French, resigned commission as temporary major.

Capt. Frederick J. Ostermann, Infantry (Signal Corps), vice Maj. Rutherford S. Hartz, detailed in the Signal Corps.

Capt. William J. Connolly, Infantry (Quartermaster Corps), vice Maj. Frederick J. Ostermann, retained in the Signal Corps.

Capt. Everett D. Barlow, jr., Infantry, vice Maj. William J. Connolly, retained in the Quartermaster Corps.

Capt. Lawrence E. Hohl, Infantry, vice Maj. William W. Harris, jr., resigned commission as temporary major.

To be majors with rank from November 19, 1917.

Capt. James G. Boswell, Infantry, vice Maj. Harry Bissell, resigned commission as temporary major.

Col. Arthur D. Minick, Infantry (Ordnance Department), vice Maj. Fitzhugh L. Minnigerode, resigned commission as temporary major.

Capt. Paul R. Manchester, Infantry, vice Maj. Arthur D. Minick, retained in Ordnance Department.

Capt. Byard Sneed, Infantry, vice Maj. Bruce R. Campbell, resigned commission as temporary major.

To be majors with rank from November 20, 1917.

Capt. Oscar Westover, Infantry (Signal Corps), vice Maj. Sherburne Whipple, resigned commission as temporary major.

Capt. Martyn H. Shute, Infantry (Signal Corps), vice Maj. Oscar Westover, retained in the Signal Corps.

Capt. Fred A. Cook, Infantry, vice Maj. Martyn H. Shute, retained in the Signal Corps.

To be major with rank from November 21, 1917.

Capt. George G. Bartlett, Infantry, vice Maj. James B. Woolnough, resigned commission as temporary major.

To be majors with rank from November 22, 1917.

Capt. Henry B. Clagett, Infantry (Signal Corps), vice Maj. Allan R. Williams, resigned commission as temporary major.

Capt. Richard H. Jacob, Infantry, vice Maj. Henry B. Clagett, retained in the Signal Corps.

To be majors with rank from November 23, 1917.

Capt. Ralph A. Jones, Infantry, detached officers' list, vice Maj. William R. Scott, resigned commission as temporary major.

Capt. Hugo D. Schultz, Infantry, vice Maj. Charles W. Mason, resigned commission as temporary major.

Capt. Jacob E. Fickel, Infantry (Signal Corps), vice Maj. John B. Corbly, resigned commission as temporary major.

Capt. Jesse W. Boyd, Infantry (Quartermaster Corps), vice Maj. Jacob E. Fickel, retained in the Signal Corps.

Capt. Ebenezer G. Beuret, Infantry, vice Maj. Jesse W. Boyd, retained in the Quartermaster Corps.

Capt. Rush B. Lincoln, Infantry (Signal Corps), vice Maj. John B. Richardson, resigned commission as temporary major.

Capt. Walter F. L. Hartigan, Infantry, vice Maj. Rush B. Lincoln, retained in the Signal Corps.

To be majors with rank from November 28, 1917.

Capt. Bruce Magruder, Infantry, vice Maj. William E. Gillmore, detailed in the Signal Corps.

Capt. George H. Huddleson, Infantry, detached officers' list, vice Maj. Ira Longanecker, detailed in the Signal Corps.

To be major with rank from November 29, 1917.

Capt. George C. Keleher, Infantry, vice Maj. George E. Goodrich, detailed in the Signal Corps.

To be major with rank from November 30, 1917.

Capt. Harry H. Pritchett, Infantry, vice Maj. James W. H. Reisinger, detailed in the Quartermaster Corps.

To be majors with rank from December 1, 1917.

Capt. Edgar L. Field, Infantry, vice Maj. Charles B. Elliott, resigned commission as temporary major.

Capt. Earl C. Buck, Infantry, vice Maj. Edmund C. Waddill, resigned commission as temporary major.

Capt. Jere Baxter, Infantry, detached officers' list, vice Maj. Arthur M. Ferguson, detailed in The Adjutant General's Department.

Capt. A. Ellicott Brown, Infantry, vice Maj. Harry Hawley, resigned commission as temporary major.

To be majors with rank from December 4, 1917.

Capt. James M. Lockett, Infantry, vice Maj. Jacob W. S. Wuest, detailed in the Signal Corps.

Capt. Eugene Robinson, Infantry, vice Maj. William W. Bessell, detailed in The Adjutant General's Department.

To be major with rank from December 8, 1917.

Capt. Jesse C. Drain, Infantry, detached officers' list, vice Maj. Raymond Sheldon, promoted.

To be major with rank from December 10, 1917.

Capt. Alexander W. Chilton, Infantry, detached officers' list, vice Maj. Joseph F. Ware, detailed in the Signal Corps.

To be major with rank from December 15, 1917.

Capt. William E. Morrison, Infantry, detached officers' list, vice Maj. Alfred W. Bjornstad, promoted.

To be majors with rank from December 19, 1917.

Capt. Donald J. MacLachlan, Infantry, vice Maj. Resolve P. Palmer, detailed in the Signal Corps.

Capt. Charles H. Rice, Infantry, vice Maj. James G. Boswell, detailed in the Signal Corps.

To be majors with rank from December 21, 1917.

Capt. Irving J. Palmer, Infantry (Quartermaster Corps), vice Maj. Edwin J. Bracken, promoted.

Capt. Melvin G. Faris, Infantry, vice Maj. Irving J. Palmer, retained in the Quartermaster Corps.

To be majors with rank from January 8, 1918.

Capt. Alexander W. Maish, Infantry (Ordnance Department), vice Maj. George W. England, promoted.

Capt. William J. McCaughey, Infantry, vice Maj. Alexander W. Maish, retained in the Ordnance Department.

To be majors with rank from January 9, 1918.

Capt. Eugene R. Householder, Infantry, vice Maj. Clyde B. Parker, promoted.

Capt. Eugene Santschi, jr., Infantry, vice Maj. Fred L. Davidson, promoted.

Capt. William A. Ganoe, Infantry, vice Maj. George E. Kumpe, promoted.

To be major with rank from January 10, 1918.

Capt. Elmer F. Rice, Infantry, vice Maj. Milo C. Corey, promoted.

To be majors with rank from January 22, 1918.

Capt. Benjamin F. Castle, Infantry, vice Maj. Robert G. Rutherford, jr., promoted.

Capt. John W. Lang, Infantry, vice Maj. E. Alexis Jeunet, promoted.

Capt. George T. Everett, Infantry (Quartermaster Corps), vice Maj. Charles H. Danforth, promoted.

Capt. Henry H. Arnold, Infantry (Signal Corps), vice Maj. George T. Everett, retained in the Quartermaster Corps.

Capt. Walter R. Wheeler, Infantry, vice Maj. Henry H. Arnold, retained in the Signal Corps.

Capt. Barton K. Yount, Infantry, vice Maj. Clifford C. Early, resigned commission as temporary major.

To be majors with rank from January 23, 1918.

Capt. Denham B. Crafton, Infantry, vice Maj. Gideon H. Williams, promoted.

Capt. William E. Selbie, Infantry, vice Maj. Leonard T. Baker, promoted.

Capt. John L. Jenkins, Infantry, vice Maj. Charles F. Andrews, promoted.

Capt. Charles H. White, Infantry, vice Maj. Allan L. Briggs, promoted.

Capt. Alvin G. Gutensohn, Infantry (Signal Corps), vice Maj. James M. Petty, promoted.

Capt. Stanley L. James, Infantry, vice Maj. Alvin G. Gutensohn, retained in the Signal Corps.

Capt. John S. Sullivan, Infantry, vice Maj. Walter Harvey, promoted.

Capt. Bruce B. Buttler, Infantry, vice Maj. Frank B. Davis, promoted.

Capt. Evan E. Lewis, Infantry, vice Maj. Harry D. Mitchell, promoted.

Capt. Paul A. Larned, Infantry (Quartermaster Corps), vice Maj. Otis R. Cole, resigned commission as temporary major.

Capt. James H. Laubach, Infantry (Quartermaster Corps), vice Maj. Paul A. Larned, retained in the Quartermaster Corps.

Capt. George R. Harrison, Infantry, vice Maj. James H. Laubach, retained in the Quartermaster Corps.

Capt. Ralph W. Dusenbury, Infantry, vice Maj. James G. Taylor, resigned commission as temporary major.

To be majors with rank from January 24, 1918.

Capt. Thomas C. Spencer, Infantry, vice Maj. Ode C. Nichols, promoted.

Capt. Fauntley M. Miller, Infantry, vice Maj. Kirwin T. Smith, promoted.

Capt. Ray C. Hill, Infantry, vice Maj. Hiram M. Cooper, resigned commission as temporary major.

Capt. Patrick J. Morrissey, Infantry, vice Maj. Charles F. Caffery, resigned commission as temporary major.

Capt. Thomas M. R. Herron, Infantry, vice Maj. Frederick F. Black, resigned commission as temporary major.

To be major with rank from January 26, 1918.

Capt. John D. Reardan, Infantry, vice Maj. Walter S. Fulton, resigned commission as temporary major.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

COAST ARTILLERY CORPS.

To be first lieutenant with rank from September 18, 1917.

Second Lieut. David C. Kelly, Coast Artillery Corps, vice First Lieut. John A. Hoag, promoted.

To be first lieutenants with rank from October 24, 1917.

Second Lieut. Edward F. Chase, Coast Artillery Corps, vice First Lieut. Cris M. Burlingame, promoted.

Second Lieut. Robert A. Wheeler, Coast Artillery Corps, vice First Lieut. James Kirk, promoted.

Second Lieut. Catesby ap L. Jones, Coast Artillery Corps, vice First Lieut. James H. Johnson, promoted.

Second Lieut. William W. Savage, Coast Artillery Corps, vice First Lieut. John H. Lindt, promoted.

Second Lieut. Charles J. Schaefer, jr., Coast Artillery Corps, vice First Lieut. Bird S. DuBois, promoted.

Second Lieut. LeRoy A. Whittaker, Coast Artillery Corps, vice First Lieut. Stiles M. Decker, promoted.

Second Lieut. Harold W. Kramer, Coast Artillery Corps, vice First Lieut. Raymond G. Payne, promoted.

To be first lieutenants with rank from October 25, 1917.

Second Lieut. Harold P. Detwiler, Coast Artillery Corps, vice First Lieut. Archie S. Buyers, promoted.

Second Lieut. Clarence F. Hofstetter, Coast Artillery Corps, vice First Lieut. William A. Borden, promoted.

Second Lieut. John J. Vandenburgh, Coast Artillery Corps, vice First Lieut. Edwin B. Spiller, promoted.

Second Lieut. Paul S. Roper, Coast Artillery Corps, vice First Lieut. Alfred B. Quinton, jr., promoted.

Second Lieut. John S. Beck, Coast Artillery Corps, vice First Lieut. Francis J. Toohey, placed on the detached officers' list.

Second Lieut. Clarence G. DeSwarte, Coast Artillery Corps, vice First Lieut. Charles L. Kilburn, placed on the detached officers' list.

Second Lieut. Bradley B. Brown, Coast Artillery Corps, vice First Lieut. Harold A. Strauss, promoted.

Second Lieut. Mahlon A. Combs, Coast Artillery Corps, vice First Lieut. Cyril A. W. Dawson, promoted.

Second Lieut. Leslie A. Kibbe, Coast Artillery Corps, vice First Lieut. Hubert R. Harmon, detailed in the Aviation Section.

Second Lieut. Lawrence L. Clayton, Coast Artillery Corps, vice First Lieut. Robert H. Van Volkenburgh, promoted.

Second Lieut. Sanford D. Ashford, Coast Artillery Corps, vice First Lieut. John H. Jouett, detailed in the Aviation Section.

Second Lieut. William Mayer, Coast Artillery Corps, vice First Lieut. Charles M. Steese, detailed in the Ordnance Department.

Second Lieut. James L. Craig, Coast Artillery Corps, vice First Lieut. Frederick G. Dillman, promoted.

Second Lieut. Glenn H. Stough, Coast Artillery Corps, vice First Lieut. Manning M. Kimmel, jr., promoted.

Second Lieut. Charles E. Loucks, Coast Artillery Corps, vice First Lieut. Robert M. Perkins, promoted.

Second Lieut. Edmund B. Tazewell, Coast Artillery Corps, vice First Lieut. Lawrence B. Weeks, promoted.

Second Lieut. Hugh M. Cochran, 3d, Coast Artillery Corps, vice First Lieut. Stewart S. Giffin, promoted.

Second Lieut. Bruce W. Thayer, Coast Artillery Corps, vice First Lieut. Ward E. Duvall, promoted.

Second Lieut. Arthur C. Cox, Coast Artillery Corps, vice First Lieut. James B. Gillespie, promoted.

Second Lieut. Paul J. Hunt, Coast Artillery Corps, vice First Lieut. Belton O'N. Kennedy, transferred to the Field Artillery.

Second Lieut. Chauncey K. Smullen, Coast Artillery Corps, vice First Lieut. Francis H. Miles, jr., transferred to Field Artillery.

Second Lieut. Moses W. Pettigrew, Coast Artillery Corps, vice First Lieut. Herbert A. Dargue, transferred to Field Artillery.

Second Lieut. Harold H. Hilton, Coast Artillery Corps, vice First Lieut. Avery J. French, transferred to Field Artillery.

Second Lieut. Walter F. Kraus, Coast Artillery Corps, vice First Lieut. Frederick J. Williams, transferred to Field Artillery.

Second Lieut. Milton M. Levy, Coast Artillery Corps, vice First Lieut. William C. Harrison, transferred to Field Artillery.

Second Lieut. D. Marshall Taylor, Coast Artillery Corps, vice First Lieut. Walter H. Hess, jr., transferred to Field Artillery.

Second Lieut. Samson H. Rosenblatt, Coast Artillery Corps, vice First Lieut. Paul V. Kane, transferred to Field Artillery.

Second Lieut. Hugh N. Mavor, Coast Artillery Corps, vice First Lieut. Weir Riche, transferred to Field Artillery.

Second Lieut. George A. Woody, Coast Artillery Corps, vice First Lieut. Thomas J. Brady, transferred to Field Artillery.

Second Lieut. Maurice R. Gowing, Coast Artillery Corps, vice First Lieut. John S. Mac Taggart, transferred to Field Artillery.

Second Lieut. Geoffrey M. O'Connell, Coast Artillery Corps, vice First Lieut. James A. Pickering, transferred to Field Artillery.

Second Lieut. Lloyd W. Goeppert, Coast Artillery Corps, vice First Lieut. Joseph D. Coughlan, transferred to Field Artillery.

Second Lieut. Frank R. Rawson, Coast Artillery Corps, vice First Lieut. Robert N. Bodine, transferred to Field Artillery.

Second Lieut. Francis Bell, jr., Coast Artillery Corps, vice First Lieut. William C. Byrd, dropped.

Second Lieut. Harrison G. Overend, Coast Artillery Corps, vice First Lieut. Martin J. O'Brien, promoted.

Second Lieut. Arthur W. Gower, Coast Artillery Corps, vice First Lieut. Joseph C. Haw, promoted.

Second Lieut. Guy C. Smith, Coast Artillery Corps, vice First Lieut. Iverson B. Summers, jr., promoted.

Second Lieut. Otis C. Moore, Coast Artillery Corps, vice First Lieut. Clifford R. Jones, promoted.

Second Lieut. George C. Tinsley, Coast Artillery Corps, vice First Lieut. John B. Wogan, promoted.

Second Lieut. Arthur F. Gilmore, Coast Artillery Corps, vice First Lieut. Clesen H. Tenney, promoted.

Second Lieut. Thomas B. Hobson, Coast Artillery Corps, vice First Lieut. Frank E. Emery, jr., promoted.

Second Lieut. John T. Lewis, Coast Artillery Corps, vice First Lieut. Edward C. Wallington, promoted.

Second Lieut. Walter A. Upham, Coast Artillery Corps, vice First Lieut. Carl E. Hocker, promoted.

Second Lieut. Julian D. Conover, Coast Artillery Corps, vice First Lieut. Richmond T. Gibson, promoted.

Second Lieut. Ralph A. Grant, Coast Artillery Corps, vice First Lieut. Edward B. Hyde, jr., promoted.

Second Lieut. Alvah P. R. Conklin, Coast Artillery Corps, vice First Lieut. Herbert R. Corbin, promoted.

Second Lieut. William Q. Jeffords, jr., Coast Artillery Corps, vice First Lieut. Charles H. Chapin, promoted.

Second Lieut. Frederick W. Gilchrist, Coast Artillery Corps, vice First Lieut. William P. Cherrington, promoted.

Second Lieut. Samuel L. McCroskey, Coast Artillery Corps, vice First Lieut. Charles R. Finley, promoted.

Second Lieut. George A. Patrick, Coast Artillery Corps, vice First Lieut. Albert W. Draves, promoted.

Second Lieut. Horace H. Powers, Coast Artillery Corps, vice First Lieut. Benjamin S. Beverley, promoted.

Second Lieut. Walter C. Thee, Coast Artillery Corps, vice First Lieut. Carl L. Marriott, promoted.

Second Lieut. Gwynne G. McCaustland, Coast Artillery Corps, vice First Lieut. Hugh A. Ramsey, promoted.

Second Lieut. Wayne E. Davis, Coast Artillery Corps, vice First Lieut. Willis McD. Chapin, promoted.

Second Lieut. Oliver B. Bucher, Coast Artillery Corps, vice First Lieut. Carl S. Doney, promoted.

Second Lieut. Edgar W. King, Coast Artillery Corps, vice First Lieut. James de B. Walbach, promoted.

Second Lieut. John W. Dillard, Coast Artillery Corps, vice First Lieut. Richard M. Levy, promoted.

Second Lieut. Jesse K. Mattox, Coast Artillery Corps, vice First Lieut. Ellicott H. Freeland, promoted.

Second Lieut. Wallace E. Armstrong, Coast Artillery Corps, vice First Lieut. James C. Ruddell, promoted.

Second Lieut. Riley E. McGarraugh, Coast Artillery Corps, vice First Lieut. Joseph J. O'Hare, promoted.

Second Lieut. Fletcher H. Etheridge, Coast Artillery Corps, vice First Lieut. William G. Patterson, promoted.

Second Lieut. David Beale, Coast Artillery Corps, vice First Lieut. Frank C. Scofield, promoted.

Second Lieut. Charles T. Trickey, Coast Artillery Corps, vice First Lieut. Ferdinand F. Gallagher, promoted.

Second Lieut. Allan P. Bruner, Coast Artillery Corps, vice First Lieut. Barrington L. Flanigen, promoted.

Second Lieut. Edwin M. McGinnis, Coast Artillery Corps, vice First Lieut. Frederick W. Smith, promoted.

Second Lieut. Francis S. Swett, Coast Artillery Corps, vice First Lieut. Robert S. Barr, promoted.

Second Lieut. Arch C. Huston, Coast Artillery Corps, vice First Lieut. Charles J. Herzer, promoted.

To be first lieutenants with rank from October 26, 1917.

Second Lieut. Ulric J. Mengert, Coast Artillery Corps, vice First Lieut. William M. Cravens, promoted.

Second Lieut. Hugo Dalsheimer, Coast Artillery Corps, vice First Lieut. John B. Martin, promoted.

Second Lieut. Richard W. Coward, Coast Artillery Corps, vice First Lieut. Edwin C. Mead, promoted.

Second Lieut. Edward T. Browne, Coast Artillery Corps, vice First Lieut. William T. Roberts, promoted.

Second Lieut. John O. Merrill, Coast Artillery Corps, vice First Lieut. Carl J. Smith, promoted.

Second Lieut. Horace C. Levinson, Coast Artillery Corps, vice First Lieut. Dugald Mac A. Barr, promoted.

Second Lieut. Percival S. Howe, jr., Coast Artillery Corps, vice First Lieut. James D. MacMullen, promoted.

Second Lieut. Miles W. Kresge, Coast Artillery Corps, vice First Lieut. Charles W. Bundy, promoted.

Second Lieut. Edwin S. Roscoe, Coast Artillery Corps, vice First Lieut. Charles D. Y. Ostrom, promoted.

Second Lieut. George W. Ricker, Coast Artillery Corps, vice First Lieut. Donald M. Cole, promoted.

Second Lieut. Edward S. Fraser, Coast Artillery Corps, vice First Lieut. James C. Hutson, promoted.

Second Lieut. Milton W. Pollock, Coast Artillery Corps, vice First Lieut. Francis A. Hause, promoted.

Second Lieut. Sumner T. Pike, Coast Artillery Corps, vice First Lieut. Edward E. MacMorland, promoted.

Second Lieut. Sealand W. Landon, jr., Coast Artillery Corps, vice First Lieut. Martin J. O'Brien, placed on the detached officers' list.

Second Lieut. Harold Connett, Coast Artillery Corps, vice First Lieut. Iverson B. Summers, jr., placed on the detached officers' list.

Second Lieut. Leslie Clyde, Coast Artillery Corps, vice First Lieut. John B. Wogan, placed on the detached officers' list.

Second Lieut. John M. Silkman, Coast Artillery Corps, vice First Lieut. Clesen H. Tenney, placed on the detached officers' list.

Second Lieut. John S. Jenkins, jr., Coast Artillery Corps, vice First Lieut. Frank E. Emery, jr., placed on the detached officers' list.

Second Lieut. Stanley R. Mickelsen, Coast Artillery Corps, vice First Lieut. Edward C. Wallington, placed on the detached officers' list.

Second Lieut. William LeRoy Hart, Coast Artillery Corps, vice First Lieut. Charles R. Finley, placed on the detached officers' list.

Second Lieut. Lawrence B. Morse, Coast Artillery Corps, vice First Lieut. Albert W. Draves, placed on the detached officers' list.

Second Lieut. George P. Lee, Coast Artillery Corps, vice First Lieut. Benjamin S. Beverley, placed on the detached officers' list.

Second Lieut. Ralph E. Glasheen, Coast Artillery Corps, vice First Lieut. Willis M. Chapin, placed on the detached officers' list.

Second Lieut. Earnest J. Oglesby, Coast Artillery Corps, vice First Lieut. James de B. Walbach, placed on the detached officers' list.

Second Lieut. Eugene M. Vigneron, Coast Artillery Corps, vice First Lieut. Richard M. Levy, placed on the detached officers' list.

Second Lieut. Carroll G. Riggs, Coast Artillery Corps, vice First Lieut. Joseph J. O'Hare, placed on the detached officers' list.

Second Lieut. Henry C. Meredith, Coast Artillery Corps, vice First Lieut. William G. Patterson, placed on the detached officers' list.

Second Lieut. Dana L. Barbour, Coast Artillery Corps, vice First Lieut. Frank C. Scofield, placed on the detached officers' list.

Second Lieut. Ralph Beatley, Coast Artillery Corps, vice First Lieut. Ferdinand F. Gallagher, placed on the detached officers' list.

Second Lieut. Max W. Thornburg, Coast Artillery Corps, vice First Lieut. Barrington L. Flanigen, placed on the detached officers' list.

Second Lieut. George W. Farnham, Coast Artillery Corps, vice First Lieut. Robert S. Barr, placed on the detached officers' list.

Second Lieut. Richard M. Kimball, Coast Artillery Corps, vice First Lieut. Charles J. Herzer, placed on the detached officers' list.

Second Lieut. Edwin F. Barry, Coast Artillery Corps, vice First Lieut. John B. Martin, placed on the detached officers' list.

Second Lieut. Eugene S. Taliaferro, Coast Artillery Corps, vice First Lieut. Oliver C. Stevens, placed on the detached officers' list.

Second Lieut. Robert A. Clyde, Coast Artillery Corps, vice First Lieut. Edwin C. Mead, placed on the detached officers' list.

Second Lieut. Andrew F. Patterson, Coast Artillery Corps, vice First Lieut. Carl J. Smith, placed on the detached officers' list.

Second Lieut. Forrest G. Tucker, Coast Artillery Corps, vice First Lieut. Dugald McA. Barr, placed on the detached officers' list.

Second Lieut. Howard T. Evans, Coast Artillery Corps, vice First Lieut. Charles D. Y. Ostrom, placed on the detached officers' list.

Second Lieut. Spessard L. Holland, Coast Artillery Corps, vice First Lieut. James C. Hutson, placed on the detached officers' list.

Second Lieut. William P. E. Ainsworth, Coast Artillery Corps, vice First Lieut. Francis A. Hause, placed on the detached officers' list.

Second Lieut. Herbert F. E. Bultman, Coast Artillery Corps, vice First Lieut. Edward E. MacMorland, placed on the detached officers' list.

Second Lieut. Donald F. McClure, Coast Artillery Corps, vice First Lieut. Leslie V. Jefferis, placed on the detached officers' list.

Second Lieut. Wilton B. Persons, Coast Artillery Corps, vice First Lieut. Stuart A. Hamilton, placed on the detached officers' list.

Second Lieut. Homer Case, Coast Artillery Corps, vice First Lieut. Howard F. Gill, placed on the detached officers' list.

Second Lieut. Edward P. Sykes, Coast Artillery Corps, vice First Lieut. Gerald R. Butz, placed on the detached officers' list.

Second Lieut. John V. Ray, Coast Artillery Corps, vice First Lieut. Joseph W. Barker, placed on the detached officers' list.

Second Lieut. Burleigh A. Lum, Coast Artillery Corps, vice First Lieut. Shuey E. Wolfe, placed on the detached officers' list.

Second Lieut. Wilbur S. Vaughan, Coast Artillery Corps, vice First Lieut. Carl C. Terry, placed on the detached officers' list.

Second Lieut. Reginald S. Fleet, Coast Artillery Corps, vice First Lieut. Edward A. Murphy, placed on the detached officers' list.

Second Lieut. Roland D. Hawkins, Coast Artillery Corps, vice First Lieut. Jep C. Hardigg, placed on the detached officers' list.

Second Lieut. Melzar M. Whittlesley, Coast Artillery Corps, vice First Lieut. George D. Davidson, placed on the detached officers' list.

Second Lieut. Roscoe P. De Witt, Coast Artillery Corps, vice First Lieut. Richard B. Webb, placed on the detached officers' list.

Second Lieut. John G. Murphy, Coast Artillery Corps, vice First Lieut. Jules E. Piccard, placed on the detached officers' list.

Second Lieut. Walter J. Collet, Coast Artillery Corps, vice First Lieut. Robert E. Phillips, placed on the detached officers' list.

Second Lieut. Joe J. Miller, Coast Artillery Corps, vice First Lieut. Edgar Nash, jr., placed on the detached officers' list.

Second Lieut. John Van A. Mackenzie, Coast Artillery Corps, vice First Lieut. Vincent B. Dixon, placed on the detached officers' list.

Second Lieut. Frank J. McSherry, Coast Artillery Corps, vice First Lieut. Wilmer S. Phillips, placed on the detached officers' list.

Second Lieut. George F. A. Mulcahy, Coast Artillery Corps, vice First Lieut. Otis A. Wallace, placed on the detached officers' list.

Second Lieut. Charles S. Hammond, Coast Artillery Corps, vice First Lieut. Edgar H. Underwood, placed on the detached officers' list.

Second Lieut. William B. Jones, Coast Artillery Corps, vice First Lieut. Horace L. Whittaker, placed on the detached officers' list.

Second Lieut. Cornelius S. Whittelsey, Coast Artillery Corps, vice First Lieut. James Q. Rood, placed on the detached officers' list.

Second Lieut. Carleton E. Saecker, Coast Artillery Corps, vice First Lieut. Evan C. Seaman, placed on the detached officers' list.

Second Lieut. Robert B. Adams, Coast Artillery Corps, vice First Lieut. Clarence E. Cotter, placed on the detached officers' list.

Second Lieut. Clarence C. Harshman, Coast Artillery Corps, vice First Lieut. James M. Evans, placed on the detached officers' list.

Second Lieut. Lewis J. Taylor, Coast Artillery Corps, vice First Lieut. Henry R. Behrens, placed on the detached officers' list.

Second Lieut. Pennock H. Orr, Coast Artillery Corps, vice First Lieut. Edison A. Lynn, placed on the detached officers' list.

Second Lieut. John K. Christmas, Coast Artillery Corps, vice First Lieut. Guy H. Drewry, placed on the detached officers' list.

Second Lieut. James M. Harris, Coast Artillery Corps, vice First Lieut. Alva F. Englehart, placed on the detached officers' list.

Second Lieut. Walter B. Littlefield, Coast Artillery Corps, vice First Lieut. Harold R. Jackson, placed on the detached officers' list.

Second Lieut. Philip H. Middleditch, Coast Artillery Corps, vice First Lieut. Walter F. Vander Hyden, placed on the detached officers' list.

Second Lieut. Wilfrid W. Montagne, Coast Artillery Corps, vice First Lieut. Elbert L. Ford, jr., placed on the detached officers' list.

Second Lieut. Donald B. Webster, Coast Artillery Corps, vice First Lieut. James L. Hayden, placed on the detached officers' list.

Second Lieut. George B. Roberts, Coast Artillery Corps, vice First Lieut. George S. Beurket, placed on the detached officers' list.

Second Lieut. Frank E. O'Neill, Coast Artillery Corps, vice First Lieut. Joel G. Holmes, placed on the detached officers' list.

Second Lieut. Banks G. Moreland, Coast Artillery Corps, vice First Lieut. William Sackville, placed on the detached officers' list.

Second Lieut. Monroe Warren, Coast Artillery Corps, vice First Lieut. Leroy H. Lohman, placed on the detached officers' list.

Second Lieut. James M. Ralston, Coast Artillery Corps, vice First Lieut. Christian G. Foltz, placed on the detached officers' list.

Second Lieut. Ransom D. Spann, Coast Artillery Corps, vice First Lieut. William W. Cowgill, placed on the detached officers' list.

Second Lieut. Donald G. Crowell, Coast Artillery Corps, vice First Lieut. Harry R. Pierce, placed on the detached officers' list.

Second Lieut. Arthur C. Hawkins, Coast Artillery Corps, vice First Lieut. Lawrence C. Mitchell, placed on the detached officers' list.

Second Lieut. Otto de Lorenzi, Coast Artillery Corps, vice First Lieut. James L. Keane, placed on the detached officers' list.

Second Lieut. Richard M. Kew, Coast Artillery Corps, vice First Lieut. John A. Messerschmidt, placed on the detached officers' list.

Second Lieut. Alexander G. Campbell, Coast Artillery Corps, vice First Lieut. Henry Linsert, placed on the detached officers' list.

Second Lieut. Ernest R. Campbell, Coast Artillery Corps, vice First Lieut. Donald L. Dutton, placed on the detached officers' list.

Second Lieut. Joseph G. Pringle, Coast Artillery Corps, vice First Lieut. Leland A. Miller, placed on the detached officers' list.

Second Lieut. John W. Card, Coast Artillery Corps, vice First Lieut. John B. Day, placed on the detached officers' list.

Second Lieut. Jack Phinizy, Coast Artillery Corps, vice First Lieut. Carl R. Adams, placed on the detached officers' list.

Second Lieut. Manly B. Gibson, Coast Artillery Corps, vice First Lieut. Byron T. Ipock, placed on the detached officers' list.

Second Lieut. Charles H. Hagelstein, Coast Artillery Corps, vice First Lieut. Raymond H. Schutte, placed on the detached officers' list.

Second Lieut. Huntington R. Hardwick, Coast Artillery Corps, vice First Lieut. Claude G. Benham, placed on the detached officers' list.

Second Lieut. Robert C. Jordon, jr., Coast Artillery Corps, vice First Lieut. Willard W. Irvine, placed on the detached officers' list.

Second Lieut. Malcolm S. Cone, Coast Artillery Corps, vice First Lieut. Charles S. Erswell, placed on the detached officers' list.

Second Lieut. Alvah E. Moody, Coast Artillery Corps, vice First Lieut. Lewis Merriam, jr., placed on the detached officers' list.

To be first lieutenant with rank from November 7, 1917.

Second Lieut. Robert K. Gooch, Coast Artillery Corps, vice First Lieut. Stuart W. Griffin, appointment terminated November 6, 1917.

To be first lieutenant with rank from December 5, 1917.

Second Lieut. Oliver N. Hollis, Coast Artillery Corps, vice First Lieut. Henry B. Holmes, jr., promoted.

To be first lieutenant with rank from December 10, 1917.

Second Lieut. Cranston B. Rader, Coast Artillery Corps, vice First Lieut. Arvid M. Pendleton, promoted.

To be first lieutenant with rank from December 25, 1917.

Second Lieut. Cedric E. Scheerer, Coast Artillery Corps, vice First Lieut. John R. Haviland, appointment terminated December 24, 1917.

To be first lieutenant with rank from December 28, 1917.

Second Lieut. Geoffrey Marshall, Coast Artillery Corps, vice First Lieut. Oliver C. Stevens, appointment terminated December 27, 1917.

INFANTRY ARM.

To be captains.

First Lieut. Sigurd J. Simonsen, Infantry, to be captain from December 1, 1917, vice Capt. Arthur M. Ferguson, detailed in The Adjutant General's Department.

First Lieut. Thomas G. Bond, Infantry, to be captain from December 2, 1917, vice Capt. James A. O'Brien, transferred to the detached officers' list.

First Lieut. John E. Haywood, Infantry, to be captain from December 4, 1917, vice Capt. William W. Bessell, detailed in The Adjutant General's Department.

First Lieut. Willis H. Hale, Infantry, to be captain from December 19, 1917, vice Capt. Otis K. Sadtler, detailed in the Signal Corps.

First Lieut. Noe C. Killian, Infantry, to be captain from December 19, 1917, vice Capt. Resolve P. Palmer, detailed in the Signal Corps.

First Lieut. Lindsay P. Johns, Infantry, to be captain from December 19, 1917, vice Capt. James G. Boswell, detailed in the Signal Corps.

First Lieut. Walter R. Mann, Infantry, to be captain from December 29, 1917, vice Capt. Howard Donnelly, detailed in Ammunition Train.

First Lieut. Henry W. Lee, Infantry, to be captain from December 29, 1917, vice Capt. George C. Bowen, detailed in Ammunition Train.

First. Lieut. Charles A. Shamotulski, Infantry, to be captain from December 29, 1917, vice Capt. Lathrop B. Clapham, detailed in Ammunition Train.

First Lieut. Sidney F. Mashbir, Infantry, to be captain from December 29, 1917, vice Capt. Henry C. Long, jr., detailed in Ammunition Train.

First Lieut. William P. Scobey, Infantry, to be captain from December 29, 1917, vice Capt. Metcalfe Reed, detailed in Ammunition Train.

First Lieut. William C. Moore, Infantry, to be captain from December 29, 1917, vice Capt. Otto A. B. Hooper, detailed in Ammunition Train.

First Lieut. Albion Smith, Infantry, to be captain from December 29, 1917, vice Capt. John C. Fairfax, detailed in Ammunition Train.

First Lieut. Le Roy Lutes, Infantry, to be captain from December 29, 1917, vice Capt. Bohun D. Kinloch, detailed in Ammunition Train.

First Lieut. Edwin D. Patrick, Infantry, to be captain from December 29, 1917, vice Capt. Paul W. Mapes, detailed in Ammunition Train.

First Lieut. Herman F. Kramer, Infantry, to be captain from December 31, 1917, vice Capt. Auswell E. Deitsch, detailed in Ammunition Train.

First Lieut. Clarence P. Evers, Infantry, to be captain from December 31, 1917, vice Capt. Thomas M. Hunter, detailed in Ammunition Train.

First Lieut. William H. Coacher, Infantry, to be captain from January 8, 1918, vice Capt. George M. Holley, detailed in The Adjutant General's Department.

First Lieut. Edward S. Johnston, Infantry, to be captain from January 8, 1918, vice Capt. Austin Allen Parker, detailed in The Adjutant General's Department.

First Lieut. John T. Henderson, Infantry, to be captain from January 9, 1918, vice Capt. Jennings B. Wilson, detailed in The Adjutant General's Department.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July, 1917:

William R. Sayles, jr., and

Charles R. Train.

Lieut. Edgar G. Oberlin to be a lieutenant commander in the Navy from the 28th day of February, 1917.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 29th day of August, 1916:

Karl F. Smith,
Willis A. Lee, jr., and
Edwin Guthrie.

Medical Inspector Charles P. Kindleberger to be a medical director in the Navy with the rank of captain from the 15th day of October, 1917.

The following-named medical inspectors to be medical directors in the Navy with the rank of captain from the 1st day of January, 1918:

Arthur W. Dunbar and
Theodore W. Richards.

Surg. Joseph C. Thompson to be a medical inspector in the Navy with the rank of commander from the 23d day of May, 1917.

Surg. Karl Ohnesorg to be a medical inspector in the Navy with the rank of commander from the 15th day of October, 1917.

Surg. Frederick W. S. Dean to be a medical inspector in the Navy with the rank of commander from the 1st day of January, 1918.

The following-named passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant commander from the 15th day of October, 1917:

William H. Short,
Herbert L. Kelley, and
Julian T. Miller.

The following-named surgeons to be medical inspectors in the Navy with the rank of commander, for temporary service, from the 1st day of January, 1918:

Clarence F. Ely,
Albert J. Geiger,
Perceval S. Rossiter,
Charles C. Grieve, and
John D. Manchester.

The following-named officers to be lieutenant commanders in the Navy, for temporary service, from the 1st day of January, 1918:

Howard H. Crosby,
George E. Brandt,
William C. Owen,
Francis T. Chew,
Francis Cogswell,
James McC. Irish,
John B. Staley,
Charles H. Davis, jr.,
Paul E. Speicher,
Arthur S. Carpender,
John L. Kauffman,
Robert A. Burg,
William D. Brereton, jr.,
Harrison E. Knauss,
William R. Munroe,
Schamyl Cochran,
Albert M. Penn,
William F. Gresham,
Robert O. Baush,
Paul H. Bastedo,
John C. Hilliard,
Philip Seymour,
Frank R. Berg,
Andrew D. Denney,
Charles M. Yates,
Stuart O. Greig,
James C. Van de Carr,
John C. Cunningham,
Jabez S. Lowell,
John F. Shafroth, jr.,
Karl F. Smith,
Ernest W. McKee,
Dallas C. Laizure,
Jules James,
John F. McClain,
John R Beardall,
Achibald H. Douglas,
Rufus King,
Timothy J. Keleher,
Howard B. Mecleary, and
Willis A. Lee, jr.

The following-named officers to be lieutenants in the Navy, for temporary service, from the 1st day of January, 1918:

Leon S. Fiske,
Earl M. Major,
William F. Loventhal,
Paul R. Glutting,
Harold M. Horne,
Walter E. Borden, jr.,
Arthur T. Emerson,
Arthur C. Geisenhoff,
Grover C. Klein,
William F. Boyer,
Bartley G. Furey,
Willard A. Kitts, 3d,
Bertram J. Rodgers,
Carroll W. Hamill,
Clinton H. Havill,
Lew W. Bagby,
Byron S. Dague,
Lyman K. Swenson,
Frank E. Beatty, jr.,
Gail Morgan,
Woodbury E. Mackay,
Gilbert F. Bunnell,
Thorwald A. Solberg,
Clifford H. Roper,
Edward P. Sauer,
Augustus J. Selman,
John H. Carson,
Milton O. Carlson,
Robert B. Carney,
Arthur W. Radford,
George F. Martin,
John A. Vincent,
Bernard F. Jenkins,
Boyd R. Alexander,
Edward L. Ericsson,
Frederick B. Craven,
Richard R. Claghorn,
Edwin S. Earnhardt,
John M. Bloom,
John E. Williams,
Jesse L. Kenworthy, jr.,
Webster M. Thompson,
Albert E. Schrader,
Louis R. Vail,
William R. Casey,
Paul S. Goen,
Archibald E. Fraser,
Harry V. Baugh,
Dennis L. Ryan,
Andrew DeG. Mayer,
Arnold H. Bateman,
Charles G. Halpine,
Charles T. Joy,
John S. Watters, jr.,
Alva J. Moore.
Walter W. Webb,
Nelson N. Gates,
Henry L. Phelps,
Benjamin R. Holcombe,
Archer W. Webb.
Charles G. Berwind,
John E. Reinburg,
William L. Keady,
John A. Terhune,
Charles J. Wheeler,
Theodore T. Patterson,
John A. Sternberg,
George P. Brewster,
Samuel P. Ginder,
Henry B. Broadfoot,
Van H. Ragsdale,
John Wilkes,
Robert J. Walker,
Robert B. Twining,
Homer L. Grosskopf,
William P. Bacon,
Henry N. Fallon,
Wilbur W. Feineman,
Maxwell Cole,
Bruce P. Flood,
Henry J. White,
Oscar W. Erickson,
Gilbert W. Sumners,
Henry C. Merwin,
Fred D. Kirtland,
James M. Steele,
Arthur D. Burhans,

Casper K. Blackburn,
Amos B. Root.
Thomas D. Warner,
Paul W. Rutledge,
T. De Witt Carr,
Albert M. Rhudy, and
Charles P. Cecil.

The following-named officers to be lieutenants (junior grade) in the Navy, for temporary service, from the 1st day of January, 1918:

Michael Higgins,
George Crofton,
William J. Creelman,
Herbert E. Fish,
Walter S. Falk,
Barnett B. Bowie,
James J. Cullen,
John P. Richter,
John R. Burkhart,
John R. Likens,
Charles Franz,
Frank O. Wells,
Thomas W. Smith,
Bernhard Christensen,
Raymond L. Drake,
Henry Lobitz,
John Danner,
James F. Hopkins,
Charles Schonborg,
Walter J. Wortman,
Alexander Stuart,
William Derrington,
Frank D. Blakely,
James F. McCarthy,
Frederick T. Montgomery,
Harry Adams,
Henry Rieck,
John Sperle, jr.,
Constantine Clay,
Roderick M. O'Connor,
William Herzberg,
Jarrard E. Jones,
Zenas A. Sherwin,
Paul R. Fox,
Otto Boldt,
John B. Martin,
Arthur H. Hawley,
David W. Harry,
Charles S. Wolf,
George R. C. Thompson,
Olav Johnson,
Ole P. Oraker,
Byron C. Howard,
William S. White,
Francis G. Randall,
Franz J. M. Parduhn,
Henry I. Edwards,
Christopher Murray,
John P. Judge,
John C. Lindberg,
Birney O. Halliwill,
Albert Seeckts,
William C. Bean,
James A. Martin,
William H. Dayton,
Edward W. Furey,
Arthur W. Bird,
Willis Dixon,
Charles Allen,
Adolph Peterson,
William E. O'Connell,
Harry T. Johnson,
Harry N. Huxford,
Thomas James,
William Fremgen,
Daniel W. Nelson,
Joseph H. Aigner,
Clarence D. Holland,
Frederick T. Lense,
Axel V. Kettels,
John W. Merget,
Albert A. Hooper,
Harry Champeno,
George R. Veed,
Niels A. Johnsen,
Isidor Nordstrom,
Charles H. Foster,
James H. Bell,
John J. Clausey,
Charles H. Anderson,
Edward S. Tucker,
Charles Dunne,
George J. Lovett,
Walter Collins,
Frederick W. Teepe,
Edwin W. Abel,
Albert C. Byrne,
George L. Russell,
Orrin R. Hewitt,
Otto T. Purcell,
William R. Gardner,
Joseph R. Bradshaw,
George W. Fairfield,
William M. Miller,
Joseph C. Stein,
Louis F. Miller,
Robert M. Huggard,
Paul B. Cozine,
Earl F. Holmes,
John Atley,
Gregory Cullen,
Bertram David,
George Knott,
Thomas Macklin,
Richard O. Williams,
Michael Macdonald,
Charles S. Schepke,
George D. Samonski,
William O. King,
James E. Orton,
William Cronan,
Charles L. Bridges,
Arthure Langfield,
Albert Klingler,
John Ronan,
William Seach,
William T. McNiff,
Meade H. Eldridge,
Ernest R. Piercey,
William R. Buechner,
Bernhard Schumacher, and
Benjamin F. Singles.

Lieut. Maurice R. Pierce to be a lieutenant commander in the Navy, for temporary service, from the 18th day of January, 1918.

Lieut. Charles L. Best to be a lieutenant commander in the Navy, for temporary service, from the 23d day of January, 1918.

Lieut. (Junior Grade) Calvin T. Durgin to be a lieutenant in the Navy, for temporary service, from the 18th day of January, 1918.

Lieut. (Junior Grade) Humbert W. Ziroli to be a lieutenant in the Navy, for temporary service, from the 23d day of January, 1918.

Ensign Charles B. Babson to be a lieutenant (junior grade) in the Navy, for temporary service, from the 15th day of October, 1917.

The following-named chief warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of July, 1917:

Charles B. Babson,
Thomas W. Smith,
William Derrington, and
Henry McEvoy.

Machinist Claude S. Padgett to be an ensign in the Navy, for temporary service, from the 15th day of August, 1917.

Boatswain Walter B. Buchanan to be an ensign in the Navy, for temporary service, from the 10th day of October, 1917.

The following-named officers to be ensigns in the Navy, for temporary service, from the 31st day of January, 1918:

William M. Fester,
Clarence E. Miller,
Homer E. Curlee,
Stuart L. Johnson,
Joe B. Cadenbach,
John L. Kershaw,
Patrick H. Foley, and
Harold D. Kent.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 31st day of January, 1918:

William J. Lowe,
Thomas F. Eagan,
Carl H. Forth,

William W. Funk,
Ivan E. Pitman,
Henry C. Vogt,
Vern W. McGrew,
Frank A. Jahn,
Gustave O. Kolle,
Robert N. Lockart,
Conrad L. Bayer,
Edward J. Sherry,
Richard E. Miegel,
William T. Crone,
Albert F. Holst,
Gilbert R. Whitworth,
Conrad E. Nordhus,
Arthur E. Redding,
Richard Higgins,
David R. Knape, and
Marcus L. Kurtz.

The following-named officers of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 31st day of January, 1918:

John F. W. Gray,
Gysbert V. S. Harvey,
James L. Lohrke,
Fred P. Ritchie,
John G. Kenlon,
Hancock Banning, jr., and
Enoch S. Farson, jr.

Ensign Michael Spring, of the National Naval Volunteers, to be an ensign in the Navy, for temporary service, from the 31st day of January, 1918.

The following-named officers to be rear admirals in the Navy, for temporary service, from the 1st day of February, 1918:

Joseph Strauss,
Edward W. Eberle, and
Robert E. Coontz.

The following-named officers to be captains in the Navy, for temporary service, from the 1st day of February, 1918:

Leigh C. Palmer,
Albert W. Marshall,
Thomas A. Kearney,
Dudley W. Knox,
Edward McCauley, jr.,
William L. Littlefield,
Earl P. Jessop,
Arthur Crenshaw,
Amon Bronson, jr.,
Harry E. Yarnell,
Arthur MacArthur,
David E. Theleen,
Arthur J. Hepburn,
Thomas C. Hart,
Cyrus R. Miller,
Orin G. Murfin, and
Luther M. Overstreet.

The following-named officers to be commanders in the Navy, for temporary service, from the 1st day of February, 1918:

David McD. LeBreton,
Andrew C. Pickens,
Nathaniel H. Wright (additional number),
Prentiss P. Bassett,
Husband E. Kimmel,
Robert A. Dawes,
Paul E. Dampman,
Clyde S. McDowell (additional number),
Paul P. Blackburn,
Charles C. Soule, jr.,
Charles H. Bullock,
Lawrence P. Treadwell,
Halsey Powell,
Forde A. Todd,
Cleon W. Mauldin,
Chester L. Hand,
Aubery K. Shoup,
Abram Claude,
Nathan W. Post,
William F. Halsey, jr.,
Roscoe F. Dillen,
Allen B. Reed,
Christopher R. P. Rodgers,
David W. Bagley,
Walter A. Smead,
Arthur C. Kail,
Clarence E. Wood,
Max M. Frucht,
Charles S. Joyce,
Ormond L. Cox (additional number),
Royal E. Ingersoll,
Herbert F. Leary,
Chester W. Nimitz,
Reuben B. Coffey,
Joseph V. Ogan,
Albert T. Church (additional number),
Logan Cresap,
John N. Ferguson,
Louis C. Farley,
Arthur C. Stott,
William C. McClintic,
Byron McCandless,
Roscoe C. MacFall,
Robert L. Irvine,
Bruce L. Canaga, and
Walter B. Woodson.

Pvt. Robert A. Barnet, jr., Marine Corps Reserve, to be a second lieutenant in the Marine Corps, for temporary service, from the first day of February, 1918.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 13, 1918.

To Be Assistant Treasurer.

Willard B. Vandiver to be Assistant Treasurer of the United States at St. Louis, Mo.

To Be Solicitor of the Department of Labor.

John W. Abercrombie to be Solicitor of the Department of Labor.

Appointment in the Army.

Rev. James Thomas Moore to be chaplain.

Provisional Appointments in the Army.

Infantry Arm.

To be second lieutenants.

Harry A. Seymour,
Edward J. Oliver,
Ralph K. Fletcher,
Thomas R. McCarron,
LeRoy Warring Wilson,
Oscar Peace Hilburn,
Ray Archie Martin,
Thomas Franklin Troxell,
Thomas Entrekin Hibben,
Vance Lawton Richmond,
Earle Trask Loucks,
Alfred Dorrance Cameron,
Herbert Sutherland Havens,
Joseph Eldridge Pierce,
John Goldthwait Davis,
William Euart Gladstone Cooper,
George Hunter Passmore,
Wayne Marshall,
George Orenthus Allen Daughtry, jr.,
Eugene Joseph Minarelli Fitz-Gerald,
Frank Brevard Hayne, jr.,
Newton Gale Bush,
Paolo Hoffoss Sperati,
Alan Lindsay Hart,
Worden Henry Cowen,
Russell Lincoln Bonnell,
Harold Louis Morian,
LeRoy Welling Nichols,
Francis Dundas Ross,
Keith Francis Driscoll,
Harvey J. Silvestone,
Charles Martin Chamberlain, jr.,
Harry Barnes Sepulveda,
Sherman Lawrence Hougen,
Melvin Pratt Spalding,
Bernard Meredith,
Harold G. Johnstone,
Manoah Newton Swetnam,
William Fenton Newton,
Andrew Frederick Hassel,
Edward Reynolds Schauffler,
Louis Arthur Kuerzi,
Orlando Cobden Brown,
Frank Henry Hollingsworth,
Keelah Bouve,
Thomas Aloysius O'Brien,

Edward Andrew O'Malley, jr.,
Francis M. Fuller,
Sidney Abdill Sands,
Christian Allen Schwarzwaelder,
Allan Benjamin Clayton,
Howard Nichols Merrill,
George Stanley Victor Little,
Gordon F. Stephens,
William Mac Gregor Hall,
William Oscar Nelson,
Pierce Butler, jr.,
Albert Carder Ames,
Charles Lawrence Bolte,
William A. Moss,
Eugene Crehan Callahan,
William Howell Duncan,
John Bliss Brainerd, jr.,
Theodore F. Wessels,
Edward Law,
Sherman K. Burke,
Arthur J. McChrystal,
Reynier Jacob Wortendyke, jr.,
Malcolm Fraser Lindsey,
Willard Smith,
Jean Elsworth Nelson,
Kirkwood Duval Scott,
Horace Oscar Cushman,
William Maine Hutson,
Thomas Maury Galbreath, jr.,
Carter Glass, jr.,
Lambert Alexander Wood,
Thomas Phillips,
David Henry Finley,
Robert Sayre Fitz Randolph,
Eli A. Barnes,
Richard Francis Bailey,
Myron Morris Andrews,
Richard Stillings Hevenor,
Albert Edward Purchas, jr.,
Bryan Grimes Dancy,
Vinton Lee James, jr.,
William F. Campbell,
Louis Tulane Bass,
Charles J. Carey,
Stuart Cutler,
Elbert Gary Spencer,
John Reuben Boatwright,
Graeme K. Howard,
Lester Nelson Allyn,
Henry Lester Barrett,
Howard W. Sears,
Raphael Semmes,
Robert Edward McDonald,
Elmer R. Ames,
Thomas Samuel Morrison, jr.,
Raymond R. Tourtillott,
George Albert Hadd,
Leo Augustine Dunbar,
James S. Candee,
Joseph Purnell Cromwell,
Harry Mash Mayo, jr.,
Bernard P. Hoey,
Arleigh Lyle Willis,
Eustace Peabody Strout,
Wallace William Parker,
Ray Maxey Hare,
Walter Francis Mullins,
Henry Lord Page King,
Craig Parsons Cochrane,
Harry W. Koster,
Alfred James McMullin,
Eugene Elliot Pratt,
Julien Hequembourg Needler,
Frank Joseph Knell,
Gerald Leonard Marsh,
William A. Wieland,
John Conrad Cattus,
Edmond Sheppard Donoho,
Donald Newman Swain,
John Frank Mead,
Charles McFarland Petty,
Harold A. Black,
Robert Joseph McElroy,
George Phillip Seneff,
Harry C. Boehme,
Russell G. Ayres,
William A. Wappenstein,
Charles H. Owens,
Carter Collins,
Clarence Earle Lovejoy,
William Ayres Gray, jr.,
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Clyde Alexander Fowler,
Laurence Jerome Potter,
Claude Alfred White,
Brayton Wilbur,
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Kirby Green,
Myron Joseph Conway,
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Hollis Benjamin Hoyt,
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Russell Leamer McKown,
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Roscoe Irwin Mac Millan,
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Elmer John Croft,
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Selden Spencer Smith,
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Truman Morris Martin,
Herman Livingston Rogers,
Veno Earl Sacre,
Warner Bernie Van Aken,
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Maurice Thompson Moore,
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Lawrence Leonard William Meinzen,

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Marshall Hood McCarthy,
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Charlton Mayer Theus,
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Thomas Harry Frost,
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Losco Lafayette McDaniel,
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Cornelius Edward Ryan,
Raymond William Miller,
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John Edwin Hull,
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James Franklin Corn,
Barkley Edward Lax,
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Raymond Godfrey Lehman,
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Hilliard Vincent MacGowan,
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Roswell Herbert Bill,
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Druid Emmet Wheeler,
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Franklin Knight Kennedy, jr.,
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Stewart Alexander McHie,
Robb Steere MacKie,
Derrill de Saussure Trenholm,
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Walter Raymon Gartin,
Michael Edmond Halloran,
Idwal Hubert Edwards,
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Tarlton Fleming Parsons,
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Boniface Campbell,
Cyril Kelly Richards,
Archibald Andrew Fall,
Vernon William Aikins,
Frank Romaine Schucker,
George Stewart Warren,
John Weeks Cunningham,
Roland Sylvester Dingley,
John Leo Davey,
Sam Berto Hearn,
William Goode Wilson,
Harry Walker Farmer,
James Martin Belwood,
James Patrick O'Reilly,
Henry Oscar Swindler,
Delos Grosvenor Smith,
Alfred Leslie Haig,
Haskell Allison,
Fred Othello Mills,
Herman P. Quentin,
George Downes Parnell,
Bruce Glenn Kirk,
William Dacre Hamilton,
Davis Jones,
Russell Skinner,
John Hager Randolph,
Bernard Amander Bingham,
Burwell Alexander Atkinson,
John Ashby Jones,
Norris Adron Wimberley,
Herbert Ralph Kerbow,
Lloyd Leander Boughton,
Stephen Edward Hurley,
Marquis George Eaton,
Gerald William Norman,
Robert Leonard Hooven,
Walton Alfred Elliott,
John Alexander Klein,
Arthur Harold Luse,
Clayton Seraska Whitehead,
William Arthur Swift,
John Edwin Grose,
Robert Creighton Wright,
Kilburn Roby Brown,
Carl Bullitt Rauterberg,
Everett Latimer Rice,
Lawrence A. Kurtz,
Leland Thompson,
Martin Stevenson Chester,
Francis Marion Dudley,
Marcel Henry Mial,
Clarence Allen Ludlum, jr.,
William Connor Samford,
Harry Reichelderfer,
Joseph Samuel Snyder,
Rufus Harold Milne,
Samuel Francis Cohn,
Alexander Russell Bolling,
Duncan Thomas Boisseau,
John Thomas Lucey, jr.,
James Leonard Garza,
Evan Jervis Morris,
Walter Brighton Davis,
Robert Francis Campbell,
John Dunbar Chambliss,
Lewis Charles Beebe,
John Augustus Rodgers,
Sam Murray,
Joseph Kilgore,
Lewis Church Chamberlin,
Horace Deming Wilce,
Thomas Newton Stark, and
Edward Hanson Connor, jr.

PORTO RICO REGIMENT OF INFANTRY.

To be second lieutenants.

Edgardo Vazquez, jr.,
Virgil Norberto Cordero,
Mario Cordero,
Timoteo Sapia,
Juan Luis Oliver,
Edwardo Andino Romanach,
Guillermo Geddes Latimer, and
Rafael Pirazzi.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

INFANTRY ARM.

To be captains.

First Lieut. Joseph P. Vachon,
First Lieut. Harry O. Davis,
First Lieut. Floyd Hatfield,
First Lieut. Earl Landreth,
First Lieut. Richard T. McDonnell,
First Lieut. Harold P. Kayser,
First Lieut. Basil D. Spalding,
First Lieut. Henry J. C. Humphrey,
First Lieut. Gordon W. Ellis,

First Lieut. George L. Febiger,
First Lieut. Theodore W. Sidman,
First Lieut. Claud E. Stadtman,
First Lieut. Mitchell Hilt,
First Lieut. John B. Warfield,
First Lieut. Clarence R. Huebner,
First Lieut. Harold G. Lewis,
First Lieut. Frederick McCabe,
First Lieut. Morton L. Landreth,
First Lieut. Irving H. Engleman,
First Lieut. Clarence W. Emerson,
First Lieut. Frederick J. von Rohan,
First Lieut. Frederick Schoenfeld,
First Lieut. Earl J. Dodge,
First Lieut. Paul J. McDonnell,
First Lieut. Eustis L. Poland,
First Lieut. Curtis T. Huff,
First Lieut. Paul Hathaway,
First Lieut. Clarence F. Jobson,
First Lieut. Alfred R. Hamel,
First Lieut. Hardin C. Sweeney,
First Lieut. Eugene M. Landrum,
First Lieut. Arthur J. O'Keefe,
First Lieut. James A. Anderson,
First Lieut. Adelbert B. Stewart,
First Lieut. William F. Lee,
First Lieut. Donavin Miller,
First Lieut. George W. Teachout,
First Lieut. Clarence R. Oliver,
First Lieut. Frederick W. Huntington,
First Lieut. Howard J. Houghland,
First Lieut. Thomas J. Griffin,
First Lieut. Chester A. Davis,
First Lieut. Conrad L. Dennis,
First Lieut. Roland R. Long,
First Lieut. Arthur Van Dine,
First Lieut. Corday W. Cutchin,
First Lieut. Charles B. Oldfield,
First Lieut. Charles J. Allen,
First Lieut. John L. Dunn,
First Lieut. Raymond Wortley,
First Lieut. William B. Wynn,
First Lieut. Louis A. Welch,
First Lieut. Schiller Scroggs,
First Lieut. Charles A. McGarrigle,
First Lieut. Alexander P. Withers,
First Lieut. Orville E. Lewis,
First Lieut. Lonnie H. Nixon,
First Lieut. William F. Freehoff,
First Lieut. Shelby Ledford,
First Lieut. Austin A. Adamson,
First Lieut. Charles M. Crooks,
First Lieut. William G. Livesay,
First Lieut. Carl J. Lambeth,
First Lieut. Robert L. Christian,
First Lieut. William H. Crom,
First Lieut. George R. F. Cornish,
First Lieut. Delphin E. Thebaud,
First Lieut. George S. Clarke,
First Lieut. William F. Donnelly,
First Lieut. Adolph C. Weidenbach,
First Lieut. Fred McI. Logan,
First Lieut. Truman Smith,
First Lieut. Joseph W. G. Stephens,
First Lieut. Adolph Unger,
First Lieut. Richard K. Sutherland,
First Lieut. Shelby M. Tuttle,
First Lieut. Robert G. Moss,
First Lieut. Emil W. Leard,
First Lieut. Walter F. Adams,
First Lieut. Joseph N. Greene,
First Lieut. Sereno E. Brett,
First Lieut. Harry L. Reeder,
First Lieut. Jay E. Gillfillan,
First Lieut. Lester T. Gayle, jr.,
First Lieut. Turner M. Chambliss,
First Lieut. James N. C. Richards,
First Lieut. John F. Ehlert,
First Lieut. Theron G. Methven,
First Lieut. Francis M. Van Natter,
First Lieut. Paul L. Ransom,
First Lieut. Rice M. Youell,
First Lieut. James H. Holmes, jr.,
First Lieut. Manton S. Eddy,
First Lieut. Charles E. Moore,
First Lieut. Gabriel T. Mackenzie,
First Lieut. Erskine S. Dollarhide,
First Lieut. Barnwell R. Legge,
First Lieut. Alexander W. Dillard,
First Lieut. Edward M. Almond,
First Lieut. Charles P. Stivers,
First Lieut. Robert C. Van Vliet, jr.,
First Lieut. Charles L. Chaffee,
First Lieut. Bohun B. Kinloch,
First Lieut. Richard K. Smith,
First Lieut. Percy W. Clarkson,
First Lieut. Leo S. Gerow,
First Lieut. Stuart G. Wilder,
First Lieut. Harry I. T. Creswell,
First Lieut. Charles E. Purviance,
First Lieut. Lloyd H. Cook,
First Lieut. John T. Bossi,
First Lieut. Charles T. Senay,
First Lieut. Egmont F. Koenig,
First Lieut. Arthur H. Goddard,
First Lieut. Peter K. Kelly,
First Lieut. James A. Edgarton,
First Lieut. Lawrence J. I. Barrett,
First Lieut. Wendell H. Woolworth,
First Lieut. John R. Brooke, jr.,
First Lieut. Frank L. Culin, jr.,
First Lieut. Daniel S. Appleton,
First Lieut. Ralph E. McLain,
First Lieut. Ralph C. Smith,
First Lieut. Thomas S. Arms,
First Lieut. Raymond D. Bell,
First Lieut. Archelaus L. Hamblen,
First Lieut. William H. Humphreys,
First Lieut. Paul W. Mapes,
First Lieut. Robert C. Macon,
First Lieut. Frederic C. Dosé,
First Lieut. Stephen P. Jocelyn, jr.,
First Lieut. John D. Townsend,
First Lieut. Henry H. Worthington,
First Lieut. George L. Kraft,
First Lieut. John S. Switzer, jr.,
First Lieut. James C. Cook,
First Lieut. Allen F. Kingman,
First Lieut. Abraham Tabachnik,
First Lieut. William A. Rawls, jr.,
First Lieut. Hamilton K. Foster,
First Lieut. Constant L. Irwin,
First Lieut. Willis E. Comfort,
First Lieut. Leven C. Allen,
First Lieut. Joseph Quesenberry,
First Lieut. Robert O. Jones,
First Lieut. Oliver A. Hess,
First Lieut. Edward A. Allen,
First Lieut. Carroll M. DeWitt,
First Lieut. George L. Pepin,
First Lieut. Clarence B. Carver,
First Lieut. Jedediah H. Hills,
First Lieut. Edwin E. Schwien,
First Lieut. Dan D. Howe,
First Lieut. John E. Copeland,
First Lieut. Lloyd N. Keesling,
First Lieut. John H. Humbert,
First Lieut. Joseph L. Lancaster,
First Lieut. David R. Kerr,
First Lieut. Everett G. Smith,
First Lieut. Lyman S. Frasier,
First Lieut. Howard E. Hawkinson,
First Lieut. Julius A. Mood, jr.,
First Lieut. Sidney S. Eberle,
First Lieut. Joseph N. Dalton,
First Lieut. Charles N. Stevens,
First Lieut. James S. Bailey,
First Lieut. Henry C. Long, jr.,
First Lieut. William E. Lucas, jr.,
First Lieut. Victor Parks,
First Lieut. Walter A. Pashkoski,
First Lieut. Roscius H. Back,
First Lieut. Oscar F. Carlson,
First Lieut. Richard G. Tindall,
First Lieut. Roy L. Taylor,
First Lieut. Leander R. Hathaway,
First Lieut. German W. Lester,
First Lieut. Karl Engeldinger,
First Lieut. Francis A. Byrne,
First Lieut. Harry J. Selby,

First Lieut. Farragut F. Hall,
First Lieut. Orville M. Moore,
First Lieut. Walter R. McClure,
First Lieut. Charles E. Speer,
First Lieut. Baldwin Williams-Foote,
First Lieut. Edmund Wilhelm,
First Lieut. George H. Butler,
First Lieut. Frank C. Foley,
First Lieut. Leonard R. Boyd,
First Lieut. Withers A. Burress,
First Lieut. Arthur J. Hoffmann,
First Lieut. Harry L. Bennett, jr.,
First Lieut. Joseph J. McConville,
First Lieut. John C. Platt, jr.,
First Lieut. Thomas H. Ward,
First Lieut. Edward H. Nichols,
First Lieut. Lawrence B. Glasgow,
First Lieut. Alfred D. Hayden,
First Lieut. Melville W. F. Wallace,
First Lieut. Paul M. Ellis,
First Lieut. Kirk A. Metzerott,
First Lieut. Thomas E. Mount,
First Lieut. John P. Pryor,
First Lieut. Jewett C. Baker,
First Lieut. Robert B. Moore,
First Lieut. Charles W. Jones,
First Lieut. Edward H. Cotcher,
First Lieut. Robert S. Miller,
First Lieut. Paul N. Starlings,
First Lieut. Charles Porterfield, jr.,
First Lieut. Sevier R. Tupper,
First Lieut. Frank E. Royse,
First Lieut. Lawrence F. Stone,
First Lieut. Aaron J. Becker,
First Lieut. Wilson M. Spann,
First Lieut. James V. Ware,
First Lieut. Robert W. Brown,
First Lieut. James R. Manning,
First Lieut. Charles L. Steel,
First Lieut. Stuart R. Carswell,
First Lieut. Gilbert S. Harter,
First Lieut. John W. Cotton,
First Lieut. Ralph E. Wallace,
First Lieut. Lawrence W. Fagg,
First Lieut. Maury Mann,
First Lieut. Rupert L. Purdon,
First Lieut. Richard S. Jones,
First Lieut. William C. Hanna,
First Lieut. Leon G. Harer,
First Lieut. Edwin M. Scott,
First Lieut. Paul J. Dowling,
First Lieut. John H. Jones,
First Lieut. Rufus E. Wicker,
First Lieut. Charles L. Briscoe,
First Lieut. Hermann C. Dempewolf,
First Lieut. Frank E. Hinton,
First Lieut. Frank P. Tuohy,
First Lieut. John R. Hermann,
First Lieut. Louis T. Roberts,
First Lieut. James M. Palmer,
First Lieut. Ralph A. W. Pearson,
First Lieut. Alfred Millard,
First Lieut. Harry A. Ambs,
First Lieut. William H. Bittenbender,
First Lieut. Raymond H. Bishop,
First Lieut. James A. Summersett, jr.
First Lieut. Hugh C. Gilchrist, and
First Lieut. Allen T. Veatch.

To be first lieutenants.

Second Lieut. Charles A. Drake,
Second Lieut. James L. Ballard,
Second Lieut. Earl E. Major,
Second Lieut. Lloyd C. Parsons,
Second Lieut. Claudius M. Easley,
Second Lieut. Claude G. Hammond,
Second Lieut. Henry V. Dexter,
Second Lieut. Ted H. Cawthorne,
Second Lieut. Edward Harrah,
Second Lieut. Nelson Hill,
Second Lieut. Robert W. Corrigan,
Second Lieut. Richard H. Elliott,
Second Lieut. Robert H. Lord,
Second Lieut. Mose K. Pigman,
Second Lieut. Otto J. Endres,
Second Lieut. John J. Hannigan,
Second Lieut. Ruthford L. Herr,
Second Lieut. Herbert G. Esden,
Second Lieut. Norman Spencer,
Second Lieut. Hunter L. Girault,
Second Lieut. Rex W. Minckler,
Second Lieut. George A. Jackson,
Second Lieut. Roy F. Lynd,
Second Lieut. Hugo J. Endres,
Second Lieut. Wade H. Johnson,
Second Lieut. Robert C. Patterson,
Second Lieut. Francis W. Kernan,
Second Lieut. John N. McNaughton,
Second Lieut. Samuel I. Speevack,
Second Lieut. Maximilian Clay,
Second Lieut. Frederick S. Schmitt,
Second Lieut. Calvert H. Arnold,
Second Lieut. Clarence L. Morton,
Second Lieut. George S. Prugh,
Second Lieut. Homer F. Tate,
Second Lieut. Harold Montague,
Second Lieut. Kenyon H. Clark,
Second Lieut. Cyril M. Stillson,
Second Lieut. Richard H. Johnston,
Second Lieut. John B. Cockburn,
Second Lieut. George T. Fleet,
Second Lieut. Clifton M. Brown,
Second Lieut. Arthur Bloch,
Second Lieut. Edward J. Rasch,
Second Lieut. Walter B. Flynn,
Second Lieut. Otto W. Neidert,
Second Lieut. Edwin S. Beall,
Second Lieut. Ralph E. Bower,
Second Lieut. Charles W. Ogden,
Second Lieut. Peter W. Ebbert,
Second Lieut. George L. Eberle,
Second Lieut. Marcus B. Bell,
Second Lieut. Henry Pascale,
Second Lieut. Frank R. Marston,
Second Lieut. George W. Swift,
Second Lieut. Lorraine D. Fields,
Second Lieut. Remington Orsinger,
Second Lieut. William S. Morris,
Second Lieut. Joseph W. Bollenbeck,
Second Lieut. Kenneth C. Bell,
Second Lieut. Arnold Michelson,
Second Lieut. Thomas F. Keasler,
Second Lieut. Monroe M. Friedman,
Second Lieut. Lee C. Lewis,
Second Lieut. Cyrus J. Rounds,
Second Lieut. John D. Forsythe,
Second Lieut. Samuel L. Alexander,
Second Lieut. Albert D. Johnson,
Second Lieut. Roger W. Morse,
Second Lieut. Leslie T. Lathrop,
Second Lieut. Andrew A. Cook,
Second Lieut. Lewis A. Maury,
Second Lieut. Dan W. Flickinger,
Second Lieut. Robert D. Porter,
Second Lieut. Ralph E. Richards,
Second Lieut. Chester G. Hadden,
Second Lieut. Ralph H. Wooten,
Second Lieut. Kenneth B. Bush,
Second Lieut. Donald C. Williams,
Second Lieut. Russell D. Barnes,
Second Lieut. Victor Patterson,
Second Lieut. Thorgny C. Carlson,
Second Lieut. Lyman C. Ward,
Second Lieut. James D. Brown,
Second Lieut. Harold C. McClelland,
Second Lieut. Robert C. Brunson,
Second Lieut. Walter E. Wynne,
Second Lieut. Norman L. Baldwin,
Second Lieut. Roger Howell,
Second Lieut. Kenneth McIntosh,
Second Lieut. Fred R. Wolff,
Second Lieut. Arthur C. Carlton,
Second Lieut. Robert V. Finney,
Second Lieut. Peter F. Connor,
Second Lieut. Philip D. Wessen,
Second Lieut. Clement D. Johnston,
Second Lieut. Edward J. Hardin,
Second Lieut. Harman P. Agnew,

Second Lieut. Floyd Lyle,
Second Lieut. Francis W. Stone, jr.,
Second Lieut. Don C. Faith,
Second Lieut. Charles B. Herrick,
Second Lieut. Raymond Orr,
Second Lieut. Thomas H. Austin,
Second Lieut. James W. Anderson,
Second Lieut. Edgar T. Fell,
Second Lieut. Archibald R. MacKechnie,
Second Lieut. Joseph B. Kilbride,
Second Lieut. Francis H. Wilson,
Second Lieut. Walter A. Mack,
Second Lieut. Arthur F. Williams,
Second Lieut. William H. Pender,
Second Lieut. John C. Kernan,
Second Lieut. Maxton H. Flint,
Second Lieut. Edward M. Bates,
Second Lieut. Edward J. Gorman,
Second Lieut. Charles S. Pettee,
Second Lieut. Elmer E. Hagler, jr.,
Second Lieut. Sidney H. Negrotto,
Second Lieut. Gustav J. Braun,
Second Lieut. Frederick V. Burgess,
Second Lieut. Everett L. Upson,
Second Lieut. Walter R. Curfman,
Second Lieut. Don F. Pratt,
Second Lieut. Ralph E. Mooney,
Second Lieut. Willard A. Reddish,
Second Lieut. Ernest R. Percy,
Second Lieut. Marcellus L. Countryman, jr.,
Second Lieut. John C. Shaw,
Second Lieut. Harry L. Stoner,
Second Lieut. James M. Arthur,
Second Lieut. Donald Van P. Yewell,
Second Lieut. Asa F. Coleman,
Second Lieut. Charles J. McIntyre,
Second Lieut. Phillip M. Oviatt,
Second Lieut. Edwin H. Randle,
Second Lieut. Francis M. Rich,
Second Lieut. Edwin G. Watson,
Second Lieut. Leon F. Sullivan,
Second Lieut. Walter C. Armstrong,
Second Lieut. William B. Townsend,
Second Lieut. Hunter McGuire,
Second Lieut. Andrew L. Tucker,
Second Lieut. Steven V. Wilson,
Second Lieut. Edwin R. Rinker,
Second Lieut. John H. Gibson,
Second Lieut. George W. Gering,
Second Lieut. Cecil M. Neal,
Second Lieut. Jay W. Sechler,
Second Lieut. Walter E. Ditmars,
Second Lieut. Paul H. Darrington,
Second Lieut. John W. Spaulding,
Second Lieut. Sidney B. Scott,
Second Lieut. Ralph H. Countryman,
Second Lieut. Edwin E. Aldridge,
Second Lieut. Edwin B. Crabill,
Second Lieut. Reade M. Ireland,
Second Lieut. Edmund W. Hill,
Second Lieut. Alfred M. Shearer,
Second Lieut. James R. Campbell, jr.,
Second Lieut. Edward A. Mullen,
Second Lieut. James O. Tarbox,
Second Lieut. Harry F. Rusch,
Second Lieut. Raymond F. Edwards,
Second Lieut. Oren A. Mulkey,
Second Lieut. Charles C. Bond,
Second Lieut. Byron C. Brown,
Second Lieut. Forrest M. Harmon,
Second Lieut. Ralph C. Flewelling,
Second Lieut. Frank H. Terrell,
Second Lieut. Harold R. Priest,
Second Lieut. Jabez G. Gholston,
Second Lieut. Robert A. McClure,
Second Lieut. Frederick N. Vinson,
Second Lieut. Francis B. McCollom,
Second Lieut. Reginald D. Pappe,
Second Lieut. Joseph B. Wirt,
Second Lieut. Graham R. Schweickert,
Second Lieut. Norman P. Williams,
Second Lieut. Charles H. Riggin,
Second Lieut. Winfield W. Smith,
Second Lieut. Milton R. Barclay,
Second Lieut. Harold C. Wasgatt,
Second Lieut. Wannie L. Bartley,
Second Lieut. Norman J. McMahon,
Second Lieut. Donald M. Bartow,
Second Lieut. Hilbert A. C. Jensen,
Second Lieut. Frank A. Pattillo,
Second Lieut. Paul L. Singer,
Second Lieut. Joseph L. Ready,
Second Lieut. James B. Scarr,
Second Lieut. Lloyd R. Rogers,
Second Lieut. Charles C. Ritcor,
Second Lieut. Earl C. Flegel,
Second Lieut. Abner W. Goree,
Second Lieut. Herbert B. Wheeler,
Second Lieut. Charles C. Nathan,
Second Lieut. Crittenden A. C. Tolman,
Second Lieut. William E. Tidwell,
Second Lieut. James K. Cubbison,
Second Lieut. Howard F. Ross,
Second Lieut. Arthur J. Lacouture,
Second Lieut. Clifford M. Olivetti,
Second Lieut. Josiah B. Mudge, jr.,
Second Lieut. Hugh S. Lee,
Second Lieut. Wilbur S. Elliott,
Second Lieut. Kirk E. B. Lawton,
Second Lieut. Neil S. Edmond,
Second Lieut Harold Haney,
Second Lieut. Tully C. Garner,
Second Lieut. Wilmer Brinton, jr.,
Second Lieut. Forrest M. Record,
Second Lieut. Luther W. Dear,
Second Lieut. Frederick C. Shantz,
Second Lieut. Martin D. McAllister,
Second Lieut. George W. Booth,
Second Lieut. William R. Colbern,
Second Lieut. Marcel A. Gillis,
Second Lieut. John W. Carroll, and
Second Lieut. Joshua S. Bowen.

CAVALRY ARM.

To be captains.

First Lieut. Harley C. Dagley,
First Lieut. Charles L. Clifford,
First Lieut. Gaston L. Holmes,
First Lieut. George W. Wersebe,
First Lieut. Milton R. Fisher,
First Lieut. John S. Jadwin,
First Lieut. Arthur P. Thayer,
First Lieut. Edward R. Scheitlin,
First Lieut. Edwin A. Martin,
First Lieut. Jay D. B. Lattin,
First Lieut. Frank G. Ringland,
First Lieut. John B. Harper,
First Lieut. Winchell I. Rasor,
First Lieut. Oliver I. Holman,
First Lieut. John J. Bohn,
First Lieut. Harry B. Flounders,
First Lieut Grover R. Carl,
First Lieut. Hugh D. Blanchard,
First Lieut. James G. Monihan,
First Lieut. Anthony J. Kirst,
First Lieut. William G. Simons,
First Lieut. Rexford E. Willoughby,
First Lieut. John D. Austin,
First Lieut. John P. Kaye,
First Lieut. Cleo D. Mayhugh,
First Lieut. James W. Barnett,
First Lieut. John C. Mullenix,
First Lieut. Ross McCoy,
First Lieut. Howard C. Tobin,
First Lieut. John A. Weeks,
First Lieut. Walter E. Buchly,
First Lieut. Harold C. Mandell,
First Lieut. Lester A. Sprinkle,
First Lieut. Robert W. Grow,
First Lieut. Terrill E. Price,
First Lieut. William H. Kasten,
First Lieut. Edwin Rollmann,
First Lieut. Leon E. Ryder,
First Lieut. Richard L. Creed,
First Lieut. William M. Husson,
First Lieut. Harry L. Putnam,
First Lieut. Roderick R. Allen, and
First Lieut. Adolphus W. Roffe.

To be first lieutenants.

Second Lieut. Marion Cox,
Second Lieut. Hugh J. FitzGerald,
Second Lieut. David P. Minard,
Second Lieut. Paul J. Matte,
Second Lieut. Hugo P. Wise,
Second Lieut. Norman R. Hamilton,
Second Lieut. Robert R. Hawes, jr.,
Second Lieut. Joseph S. Robinson,
Second Lieut. Murray H. Ellis,
Second Lieut. Wolcott P. Hay,
Second Lieut. Joseph I. Lambert,
Second Lieut. Ralph W. Rogers,
Second Lieut. William P. Mellar,
Second Lieut. Lawrence A. Shafer,
Second Lieut. Thurlby M. Rundel,
Second Lieut. Charles B. B. Bubb,
Second Lieut. Paul E. McDermott,
Second Lieut. Gustav B. Guenther,
Second Lieut. William H. Skinner,
Second Lieut. Leslie F. Laurence,
Second Lieut. Horace W. Forster,
Second Lieut. Franklin C. Ketler,
Second Lieut. Charles Pope,
Second Lieut. Waldemar A. Falck,
Second Lieut. Carl J. Rohsenberger,
Second Lieut. Crawford M. Kellogg,
Second Lieut. James V. McDowell,
Second Lieut. Harry L. Hart,
Second Lieut. James H. B. Bogman,
Second Lieut. Robert H. Gallier,
Second Lieut. Percy S. Haydon,
Second Lieut. David J. Chaille,
Second Lieut. Albert E. McIntosh,
Second Lieut. Jefferson Kinney, jr.,
Second Lieut. Halbert H. Neilson,
Second Lieut. Leland C. McAuley,
Second Lieut. Carl R. Johnston,
Second Lieut. Dean R. DeMerritt,
Second Lieut. Charles B. Sweatt,
Second Lieut. John M. Sanderson,
Second Lieut. Charles W. Walton,
Second Lieut. James V. McConville, and
Second Lieut. Ralston D. Livingston.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Erwin C. W. Davis,
First Lieut. Emile G. DeCoen,
First Lieut. Arthur N. White,
First Lieut. Patrick L. Lynch,
First Lieut. Ivan N. Bradley,
First Lieut. John J. McCollister,
First Lieut. Frank A. Roberts,
First Lieut. William D. Alexander,
First Lieut. Herbert L. Lee,
First Lieut. Richard J. Marshall,
First Lieut. Ralph T. Heard,
First Lieut. Harcourt Hervey,
First Lieut. Francis W. Sheppard,
First Lieut. Robert W. Daniels,
First Lieut. John S. Winslow, and
First Lieut. George N. Ruhberg.

To be first lieutenants.

Second Lieut. Leon A. Des Pland, jr.,
Second Lieut. Charles W. McCleary,
Second Lieut. John L. Gammell,
Second Lieut. James W. Emerson, jr.,
Second Lieut. Ward H. Maris,
Second Lieut. Roderick S. Patch,
Second Lieut. Joseph W. Del Alamo,
Second Lieut. Richard W. Hocker,
Second Lieut. William McK. Dunn,
Second Lieut. Willard S. Simpkins,
Second Lieut. Rene J. LeGardeur, jr.,
Second Lieut. Corydon H. Sutton, jr.,
Second Lieut. Henry M. Ladd, jr.,
Second Lieut. Gustav E. Moe,
Second Lieut. Philip Ramer,
Second Lieut. Ozro F. Rideout,
Second Lieut. Floyd C. Marshall,
Second Lieut. Harris M. Findlay,
Second Lieut. Thomas F. Furness,
Second Lieut. Joseph L. Corcoran,
Second Lieut. Dana M. Hubbard,
Second Lieut. Clyde W. White,
Second Lieut. Preston S. Hoyt,
Second Lieut. Clifford A. Laflin,
Second Lieut. Willis W. Hubbard,
Second Lieut. Fairfax S. Landstreet,
Second Lieut. Floyd W. Stewart,
Second Lieut. Fairfax D. Downey,
Second Lieut. Bernard C. Law,
Second Lieut. George F. Downey, jr.,
Second Lieut. Andrew Carrigan, jr.,
Second Lieut. Harley Latson,
Second Lieut. John V. Thompson,
Second Lieut. Carl Z. Draves,
Second Lieut. Archibald D. Fisken,
Second Lieut. Samuel C. Holliday,
Second Lieut. Emory M. Hoover,
Second Lieut. William M. Garrison,
Second Lieut. Leon J. Paddock,
Second Lieut. Bryan C. Curtis,
Second Lieut. Henry L. Nicholls,
Second Lieut. Arthur N. Selby,
Second Lieut. Thomas H. McKoy, jr.,
Second Lieut. Walter A. Phillips,
Second Lieut. Stuart M. Canby,
Second Lieut. Harry Y. Stebbins,
Second Lieut. Edmond D. Margrave,
Second Lieut. Harry Darby, jr.,
Second Lieut. Samuel P. Griffitts,
Second Lieut. Joseph W. Loef,
Second Lieut. Charles B. Bonner,
Second Lieut. Arthur L. Warren,
Second Lieut. Thomas K. Vincent,
Second Lieut. Merritt H. Greene,
Second Lieut. William B. Weakley,
Second Lieut. William B. Tucker,
Second Lieut. Philip D. Tryon,
Second Lieut. Ary C. Berry,
Second Lieut. George Davidson, jr.,
Second Lieut. David L. Ruffner,
Second Lieut. Mark M. Serum,
Second Lieut. Louis H. Penney,
Second Lieut. Ross B. Warren,
Second Lieut. Addison H. Douglass,
Second Lieut. Arthur E. Fox, and
Second Lieut. Lewis A. Bond.

COAST ARTILLERY CORPS.

To be captains.

First Lieut. Frederick W. Smith,
First Lieut. Robert S. Barr,
First Lieut. Charles J. Herzer,
First Lieut. William M. Cravens,
First Lieut. John B. Martin,
First Lieut. Edwin C. Mead,
First Lieut. William T. Roberts,
First Lieut. Carl J. Smith,
First Lieut. Dugald Mac A. Barr,
First Lieut. James D. Mac Mullen,
First Lieut. Charles W. Bundy,
First Lieut. Charles D. Y. Ostrom,
First Lieut. Donald M. Cole,
First Lieut. James C. Hutson,
First Lieut. Francis A. Hause,
First Lieut. Edward E. Mac Morland,
First Lieut. Henry B. Holmes, jr., and
First Lieut. Arvid M. Pendleton.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

Second Lieut. Keith F. Driscoll, Infantry, to be second lieutenant of Cavalry.

Second Lieut. Joseph A. Nichols, Cavalry, to be second lieutenant of Infantry.

Second Lieut. Earle L. Hazard, Infantry, to be second lieutenant of Cavalry.

Second Lieut. James J. Roach, Cavalry, to be second lieutenant of Infantry.

Second Lieut. Leonard Lucado Mintgomery, Cavalry, to be second lieutenant of Infantry.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

Second Lieut. Charles W. Harris to the grade of captain in the Infantry Arm.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

To be captains.

First Lieut. William E. Shipp,
First Lieut. Calvin De Witt, jr.,
First Lieut. James M. Crane,
First Lieut. Lucien S. S. Berry,
First Lieut. Victor W. B. Wales,
First Lieut. Joseph M. Tully,
First Lieut. Pettus H. Hemphill,
First Lieut. Hugh Mitchell,
First Lieut. Robert LeG. Walsh,
First Lieut. Clarence S. Maulsby,
First Lieut. George S. Andrew,
First Lieut. Spencer A. Townsend,
First Lieut. Arthur M. Jones,
First Lieut. Thomas G. Peyton,
First Lieut. Junius H. Houghton,
First Lieut. Douglas J. Page,
First Lieut. James N. Caperton,
First Lieut. Charles C. Smith,
First Lieut. Harrison Herman,
First Lieut. William W. Dempsey,
First Lieut. Robert R. D. McCullough,
First Lieut. Chapman Grant,
First Lieut. Duncan G. Richart, and
First Lieut. Daniel A. Conner.

To be first lieutenants.

Second Lieut. Grayson C. Woodbury,
Second Lieut. Duncan G. McGregor,
Second Lieut. Thomas J. Heavey,
Second Lieut. Wallace F. Safford,
Second Lieut. Joshua A. Stansell,
Second Lieut. Raymond E. S. Williamson,
Second Lieut. David C. G. Schlenker,
Second Lieut. Harry T. Wood,
Second Lieut. Earl F. Knoob,
Second Lieut. Robert E. Symmonds,
Second Lieut. John R. W. Diehl,
Second Lieut. Rudolph D. Delehanty,
Second Lieut. William H. W. Reinburg,
Second Lieut. Elmer H. Almquist,
Second Lieut. Frank L. Carr,
Second Lieut. Frank E. Bertholet,
Second Lieut. Marion Carson,
Second Lieut. Rossiter H. Garity,
Second Lieut. Frank C. Jedlicka,
Second Lieut. Leo B. Conner,
Second Lieut. John B. Saunders,
Second Lieut. Arthur B. Custis,
Second Lieut. Desmond O'Keefe,
Second Lieut. Hal M. Rose,
Second Lieut. Frederick J. Durrschmidt,
Second Lieut. Milton W. Davis, and
Second Lieut. John B. Bellinger, jr.

FIELD ARTILLERY.

To be first lieutenants.

Second Lieut. Thurston E. Wood,
Second Lieut. John M. Johnson,
Second Lieut. William O. Reeder,
Second Lieut. William K. Kolb,
Second Lieut. William R. Gerhardt,
Second Lieut. Theodore E. Buechler,
Second Lieut. Frederick E. Tibbetts, jr.,
Second Lieut. Samuel D. Ringsdorf,
Second Lieut. Redmond F. Kernan, jr.,
Second Lieut. Theodore L. Futch,
Second Lieut. Russell L. Meredith,
Second Lieut. William I. Wilson,
Second Lieut. Harold A. Cooney,
Second Lieut. John T. Knight, jr.,
Second Lieut. Miles A. Cowles,
Second Lieut. Lawrence McC. Jones,
Second Lieut. Gordon G. Heiner, jr., and
Second Lieut. Edward J. Wolff, jr.

COAST ARTILLERY CORPS.

To be captains.

First Lieut. Martin J. O'Brien,
First Lieut. Joseph C. Haw,
First Lieut. Iverson B. Summers, jr.,
First Lieut. Clifford R. Jones,
First Lieut John B. Wogan,
First Lieut. Clesen H. Tenney,
First Lieut. Frank E. Emery, jr.,
First Lieut. Edward C. Wallington,
First Lieut. Carl E. Hocker,
First Lieut. Richmond T. Gibson,
First Lieut. Edward B Hyde, jr.,
First Lieut. Herbert R. Corbin,
First Lieut. Charles H. Chapin,
First Lieut. William P. Cherrington,
First Lieut. Charles R. Finley,
First Lieut. Albert W. Draves,
First Lieut. Benjamin S. Beverley,
First Lieut. Carl L. Marriott,
First Lieut. Hugh A. Ramsey,
First Lieut. Willis McD. Chapin,
First Lieut. Carl S. Doney,
First Lieut. James de B. Walbach,
First Lieut. Richard M. Levy,
First Lieut. Ellicott H. Freeland,
First Lieut. James C. Ruddell,
First Lieut. Joseph J. O'Hare,
First Lieut. William G. Patterson,
First Lieut. Frank C. Scofield,
First Lieut. Ferdinand F. Gallagher, and
First Lieut. Barrington L. Flanigen.

MEDICAL CORPS.

Maj. William R. Davis to be lieutenant colonel.

TEMPORARY PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Lieut. Col. Hugh D. Wise to be colonel.
Maj. Hugh D. Wise to be lieutenant colonel.
Maj. Alfred W. Bjornstad to be lieutenant colonel.

To be majors,

Capt. Edwin J. Nowlen,
Capt. Sylvester C. Loring,
Capt. Jacob Schick,
Capt. Roy W. Ashbrook, and
Capt. Sam P. Herren.

CAVALRY ARM.

To be colonels.

Lieut. Col. James N. Munro,
Lieut. Col. William S. Valentine,
Lieut. Col. Henry C. Smither,
Lieut. Col. Roy B. Harper, and
Lieut. Col. Thomas A. Roberts.

To be lieutenant colonels.

Maj. Leonard L. Deitrick, and
Maj. Richard B. Going.

To be majors.

Capt. Chauncey StC. McNeill,
Capt. Frank K. Ross,
Capt. Herman Kobbe,
Capt. John A. Warden,
Capt. John B. Johnson,
Capt. Harold L. Gardiner, and
Capt. Claude DeB. Hunt.

To be captains.

First Lieut. Charles C. Smith,
First Lieut. Harrison Herman,
First Lieut. William W. Dempsey,
First Lieut. Robert R. D. McCullough,
First Lieut. Chapman Grant,
First Lieut. Duncan G. Richart,
First Lieut. Daniel A. Connor,
First Lieut. Harley C. Dagley,
First Lieut. Charles L. Clifford,
First Lieut. Gaston L. Holmes,
First Lieut. George W. Wersebe,
First Lieut. Milton R. Fisher,
First Lieut. John S. Jadwin,
First Lieut. Arthur P. Thayer,
First Lieut. Edward R. Scheitlin,
First Lieut. Edwin A. Martin,
First Lieut. Jay D. B. Lattin,
First Lieut. Frank G. Ringland,
First Lieut. John B. Harper,
First Lieut. Winchell I. Rasor,
First Lieut. Oliver I. Holman,
First Lieut. John J. Bohn,
First Lieut. Harry B. Flounders,
First Lieut. John C. Garrett,

First Lieut. Grover R. Carl,
First Lieut. Hugh D. Blanchard,
First Lieut. James G. Monihan,
First Lieut. Anthony J. Kirst,
First Lieut. William G. Simmons,
First Lieut. Rexford E. Willoughby,
First Lieut. John D. Austin,
First Lieut. John P. Kaye,
First Lieut. Cleo D Mayhugh,
First Lieut. James W. Barnett,
First Lieut. John C. Mullenix,
First Lieut. Ross McCoy,
First Lieut. Howard C. Tobin,
First Lieut. John A. Weeks,
First Lieut. Walter E. Buchly,
First Lieut. Harold C. Mandell,
First Lieut. Lester A. Sprinkle,
First Lieut. Robert W. Grow,
First Lieut. Terrill E. Price,
First Lieut. William H. Kasten,
First Lieut. Edwin Roliman,
First Lieut. Leon E. Ryder,
First Lieut. Richard L. Creed,
First Lieut. William M. Husson,
First Lieut. Harry L. Putnam,
First Lieut. Roderick R. Allen,
First Lieut. Adolphus W. Roffe,
First Lieut. Ion C. Holm,
First Lieut. Robert C. Candee,
First Lieut. Joseph L. Philips,
First Lieut. Kenneth McCatty,
First Lieut. Joseph W. Geer,
First Lieut. Edwin D. Morgan, jr.,
First Lieut. Leslie B. C. Jones,
First Lieut. Kramer Thomas,
First Lieut. James R. Finley,
First Lieut. Willard S. Wadelton,
First Lieut. Hale S. Cook,
First Lieut. John M. Jenkins, jr.,
First Lieut. Beverly H. Coiner,
First Lieut. Albert D. Chipman,
First Lieut. Arthur H. Truxes,
First Lieut. Gordon J. F. Heron,
First Lieut. Carl C. Krueger,
First Lieut. Hugh M. Gregory,
First Lieut. Oron A. Palmer,
First Lieut. Stanley Bacon,
First Lieut. Samuel V. Constant,
First Lieut. William C. Chase,
First Lieut. Norman E. Fiske,
First Lieut. Donald O. Miller,
First Lieut. Richard D. Gile,
First Lieut. Wilson T. Bals,
First Lieut. Cyrus J. Wilder,
First Lieut. Harold C. Fellows,
First Lieut. John T. Pierce, jr.,
First Lieut. Henry H. Anderson,
First Lieut. George M. Herringshaw,
First Lieut. Thomas F. Limbocker,
First Lieut. Cornelius M. Daly,
First Lieut. Richard B. Trimble,
First Lieut. Arthur S. Harrington,
First Lieut. Frank L. Whittaker,
First Lieut. Philip H. Sherwood,
First Lieut. Robert S. La Motte,
First Lieut. George M. Gillet, jr.,
First Lieut. Arthur E. Pickard,
First Lieut. James F. Dewhurst,
First Lieut. Donald S. Perry,
First Lieut. Thomas S. Poole,
First Lieut. Frederick G. Rosenberg,
First Lieut. Frederick R. Lafferty,
First Lieut. Carl H. Strong,
First Lieut. Robert L. Beall,
First Lieut. Meade Frierson, jr.,
First Lieut. Arthur T. Lacey,
First Lieut. David W. Craig,
First Lieut. Edmund M. Barnum,
First Lieut. Thomas A. Dobyns, jr.,
First Lieut. John T. Minton,
First Lieut. William T. Haldeman,
First Lieut. Edward S. Bassett,
First Lieut. Edward F. Shaifer,
First Lieut. George M. Peabody, jr.,
First Lieut. Athael B. Ellis,
First Lieut. Harrie K. Dalbey,
First Lieut. John W. McDonald,
First Lieut. Victor Kerney,
First Lieut. David H. Blakelock,
First Lieut. Rinaldo L. Coe,
First Lieut. Harold J. Duffey,
First Lieut. Jay K. Colwell,
First Lieut. Amory C. Cotchett,
First Lieut. Otis Porter,
First Lieut. Arthur C. D. Anderson,
First Lieut. Emory M. Mace,
First Lieut. Harry H. Dunn,
First Lieut. George L. Morrison,
First Lieut. Renn Lawrence,
First Lieut. Joseph A. Covington,
First Lieut. John L. Rice,
First Lieut. Nelson M. Imboden,
First Lieut. Randolph Dickins,
First Lieut. John N. Steele,
First Lieut. Eugene M. Dwyer,
First Lieut. Wharton G. Ingram,
First Lieut. Edward S. Moale,
First Lieut. Adrian St. John,
First Lieut. Frederick J. Holzbaur,
First Lieut. George H. Carruth,
First Lieut. Robert M. Carswell,
First Lieut. Walter C. Merkel,
First Lieut. Joseph M. Hurt, jr.,
First Lieut. George I. Speer,
First Lieut. Charles B. Duncan,
First Lieut. Ferris M. Angevine,
First Lieut. Julian W. Cunningham,
First Lieut. Sam G. Fuller,
First Lieut. Clinton A. Pierce,
First Lieut. Thomas M. Cockrill,
First Lieut. Delmore S. Wood,
First Lieut. Arthur Vollmer,
First Lieut. Otto B. Trigg,
First Lieut. George W. L. Prettyman,
First Lieut. Thomas M. Turner,
First Lieut. Horace L. Hudson,
First Lieut. Lawrence C. Frizzell,
First Lieut. Jean F. Sabin,
First Lieut. Robert F. White,
First Lieut. Henry D. Jay,
First Lieut. Ray L. Burnell,
First Lieut. Arthur W. Hartman,
First Lieut. John W. Berry,
First Lieut. Joseph N. Marx,
First Lieut. George Sawtelle,
First Lieut. Ray Harrison,
First Lieut. William F. Daugherty,
First Lieut. John T. Cole,
First Lieut. Stephen H. Sherrill,
First Lieut. Charles H. Gerhardt,
First Lieut. Walter H. Schulze,
First Lieut. Herbert C. Holdridge,
First Lieut. Albert C. Smith,
First Lieut. Nicholas W. L'sle,
First Lieut. Percy G. Black,
First Lieut. Albert C. Stanford,
First Lieut. Laurence B. Meacham,
First Lieut. Louis Le R. Martin,
First Lieut. William K. Harrison, jr.,
First Lieut. Josiah F. Morford,
First Lieut. Ernest N. Harmon,
First Lieut. Joseph S. Tate,
First Lieut. Arthur M. Harper,
First Lieut. John W. Confer, jr.,
First Lieut. Herbert N. Schwarzkopf,
First Lieut. Robert N. Kunz,
First Lieut. Charles S. Kilbourn,
First Lieut. Charles R. Johnson, jr.,
First Lieut. Bertrand Morrow,
First Lieut. Coalter B. Compton,
First Lieut. Folsome R. Parker,
First Lieut. Guy H. Dosher,
First Lieut. Cecil R. Neal,
First Lieut. Myer S. Silven,
First Lieut. William H. Symington,
First Lieut. Philip B. Fryer,
First Lieut. Donald C. Hawley,
First Lieut. Vernon L. Padgett,
First Lieut. Jay W. MacKelvie,
First Lieut. Francis T. Bonsteel,

First Lieut. William E. Barott,
First Lieut. Wallace F. Hamilton,
First Lieut. Frank Nelson,
First Lieut. William E. McMinn,
First Lieut. Edmund M. Crump,
First Lieut. Herman F. Rathjen,
First Lieut. Daniel J. Keane,
First Lieut. Milo J. Warner,
First Lieut. Le Roy Davis,
First Lieut. Anthony J. Tittinger,
First Lieut. Max D. Holmes,
First Lieut. Charles A. Ellis,
First Lieut. Demas L. Sears,
First Lieut. Bankston E. Mattox, jr.,
First Lieut. Frank H. Barnhart,
First Lieut. John A. Moschner,
First Lieut. George E. Harrison,
First Lieut. Wesley J. White,
First Lieut. Alton W. Howard,
First Lieut. Nolan Ferguson,
First Lieut. Richard W. Carter,
First Lieut. Kenneth Rowntree,
First Lieut. George A. King,
First Lieut. James B. Lockwood,
First Lieut. Lionel L. Meyer,
First Lieut. Frederick H. L. Ryder,
First Lieut. John W. Weeks,
First Lieut. Theodore B. Apgar,
First Lieut. Jefferson B. Osborn,
First Lieut. Mortimer H. Christian,
First Lieut. Marcus R. Monsarratt,
First Lieut. Fabius B. Shipp,
First Lieut. James J. Cecil,
First Lieut. George A. Moore,
First Lieut. James M. Shelton,
First Lieut. Albert R. Kuschke,
First Lieut. George W. Gay,
First Lieut. Forsyth Bacon,
First Lieut. Ralph L. Joyner,
First Lieut. Roscoe S. Parker,
First Lieut. Heywood S. Dodd,
First Lieut. Kent C. Lambert,
First Lieut. George E. Huthsteiner,
First Lieut. Richard B. Lloyd,
First Lieut. Maurice Morgan,
First Lieut. Gilbert E. Bixby,
First Lieut. Eugene Burnet,
First Lieut. Charles F. Houghton,
First Lieut. Harry A. Buckley,
First Lieut. James E. Slack,
First Lieut. Culver S. Mitcham,
First Lieut. William O. Johnson,
First Lieut. Harold B. Gibson,
First Lieut. John D. Hood,
First Lieut. Charles S. Lawrence,
First Lieut. Melvin S. Williamson,
First Lieut. Evarts W. Opie,
First Lieut. Frank P. Stretton,
First Lieut. Paul Hurlburt,
First Lieut. Aaron Y. Hardy,
First Lieut. Earl B. Wilson,
First Lieut. Edmund J. Engel,
First Lieut. John E. Grant,
First Lieut. Jack M. Reardon,
First Lieut. Lewis Mesherry,
First Lieut. Lewis A. Weiss,
First Lieut. Francis E. Cheney,
First Lieut. Robert P. Mortimer,
First Lieut. Lee T. Victor,
First Lieut. Henry C. Caron,
First Lieut. William W. Powell,
First Lieut. Robert F. Merkel,
First Lieut. Carroll A. Powell,
First Lieut. Frank C. De Langton,
First Lieut. Ivan N. Waldron,
First Lieut. Carter R. McLennan,
First Lieut. Frederick Gearing,
First Lieut. Geoffrey Galwey,
First Lieut. Louis G. Gibney,
First Lieut. William D. Adkins,
First Lieut. John B. Hartman,
First Lieut. Harry C. Jones,
First Lieut. James E. Simpson,
First Lieut. Charles J. Booth,
First Lieut. William T. Hamilton,
First Lieut. Richard C. Boyan,
First Lieut. Edward K. Jones,
First Lieut. Harry P. Shaw,
First Lieut. Frederick F. Duggan,
First Lieut. Harry H. Baird,
First Lieut. Francis H. Waters,
First Lieut. William T. Bauskett, jr.,
First Lieut. Carlisle B. Cox,
First Lieut. Walter L. Bishop,
First Lieut. Donald R. McComas,
First Lieut. Liburn B. Chambers,
First Lieut. John W. Burke,
First Lieut. Charles W. Jacobson,
First Lieut. Edgar R. Garlick,
First Lieut. Henry P. Ames,
First Lieut. Richard F. Leahy,
First Lieut. Howard C. Okie,
First Lieut. William L. Gibson,
First Lieut. James L. Franciscus,
First Lieut. Eddie J. Lee,
First Lieut. Elmer P. Gosnell,
First Lieut. Raymond D. Adolph,
First Lieut. Donald A. Stroh,
First Lieut. Russell T. George,
First Lieut. Thomas C. McCormick,
First Lieut. Erskine A. Franklin,
First Lieut. Wallace H. Gillett,
First Lieut. Robert D. Thompson, jr.,
First Lieut. John E. Maher,
First Lieut. John E. Selby,
First Lieut. Arthur L. Marek,
First Lieut. Herbert E. Watkins,
First Lieut. Raymond L. Newton,
First Lieut. William R. Irvin,
First Lieut. Alfred L. Baylies,
First Lieut. Lathan H. Collins,
First Lieut. Ralph B. Skinner,
First Lieut. Candler A. Wilkinson,
First Lieut. Milton A. Lowenberg,
First Lieut. John A. Hettinger,
First Lieut. George A. Goodyear,
First Lieut. Paul H. Morris,
First Lieut. Francis E. S. Turner,
First Lieut. Guy D. Thompson,
First Lieut. George A. Parsons,
First Lieut. David W. Barton,
First Lieut. Martin R. Rice,
First Lieut. Philip C. Clayton,
First Lieut. Hans E. Kloepfer,
First Lieut. Edward A. Everett, jr.,
First Lieut. Herbert A. Myers,
First Lieut. Norman N. Rogers,
First Lieut. Temple E. Ridgely, and
First Lieut. Harry W. Maas.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Erwin C. W. Davis,
First Lieut. Emile G. De Coen,
First Lieut. Arthur N. White,
First Lieut. Patrick L. Lynch,
First Lieut. Ivan N. Bradley,
First Lieut. John J. McCollister,
First Lieut. Frank A. Roberts,
First Lieut. William D. Alexander,
First Lieut. Herbert L. Lee,
First Lieut. Richard J. Marshall,
First Lieut. Ralph T. Heard,
First Lieut. Harcourt Hervey,
First Lieut. Francis W. Sheppard,
First Lieut. Robert W. Daniels,
First Lieut. John S. Winslow,
First Lieut. George N. Ruhberg,
First Lieut. Armand Durant,
First Lieut. Thomas T. Handy,
First Lieut. Frank B. Tipton, jr.,
First Lieut. Stanley F. Bryan,
First Lieut. Oliver L. Haines,
First Lieut. Oscar I. Gates,
First Lieut. Gerald E. Brower,
First Lieut. William J. Jones,
First Lieut. Yarrow D. Velsey,
First Lieut. William B. Dunwoody,
First Lieut. Charles B. Thomas,
First Lieut. Oliver J. Bond, jr.,

First Lieut. Robert H. Ennis,
First Lieut. Benjamin E. Carter,
First Lieut. Henry B. Parker,
First Lieut. Francis Fielding-Reid,
First Lieut. Harold R. Ristine,
First Lieut. Edmund B. Edwards,
First Lieut. Oscar L. Gruhn,
First Lieut. Theodore W. Wrenn,
First Lieut. Harold W. Rehm,
First Lieut. John B. Pitney,
First Lieut. Clifford H. Tate,
First Lieut. Ottomar O'Donnell,
First Lieut. Oliver P. Echols,
First Lieut. Clement Ripley,
First Lieut. Edward M. Smith,
First Lieut. John O. Hoskins,
First Lieut. William Clarke,
First Lieut. Albert R. Ives,
First Lieut. Arthur Brigham, jr.,
First Lieut. William M. Jackson,
First Lieut. Joseph A. Sheridan,
First Lieut. Hugh C. Minton,
First Lieut. Charles W. Gallaher,
First Lieut. Laurence V. Houston,
First Lieut. Stacy Knopf,
First Lieut. James M. Garrett,
First Lieut. David M. Pope,
First Lieut. Eugene H. Willenbucher,
First Lieut. Louis C. Arthur, jr.,
First Lieut. John F. Hubbard,
First Lieut. Franklin M. Davison,
First Lieut. William E. Shepherd, jr.,
First Lieut. Robert M. Bathurst,
First Lieut. William H. Saunders,
First Lieut. Charles E. Hurdis,
First Lieut. Henry J. Schroeder,
First Lieut. James K. Tully,
First Lieut. John M. Devine,
First Lieut. Harold A. Nisely,
First Lieut. James L. Guion,
First Lieut. George D. Wahl,
First Lieut. Basil H. Perry,
First Lieut. Ray H. Lewis,
First Lieut. Solomon F. Clark,
First Lieut. Augustus M. Gurney,
First Lieut. Oliver B. Cardwell,
First Lieut. William O. Butler,
First Lieut. Rex W. Beasley,
First Lieut. Frank Langham,
First Lieut. William F. Maher,
First Lieut. Walter F. Wright,
First Lieut. Sidney F. Dunn,
First Lieut. Louis W. Hasslock,
First Lieut. Breckinridge A. Day,
First Lieut. Paul C. Harper,
First Lieut. Joseph Kennedy,
First Lieut. George D. Shea,
First Lieut. John V. D. Hume,
First Lieut. Woodrow W. Woodbridge,
First Lieut. Gervas S. Taylor,
First Lieut. John G. Pennypacker,
First Lieut. Richard H. Schubert,
First Lieut. Edward J. F. Marx,
First Lieut. Wilbur C. Carlan,
First Lieut. George R. Rede,
First Lieut. Gilbert P. Kearns,
First Lieut. Van Rensselaer Vestal,
First Lieut. John H. Carriker,
First Lieut. Peter P. Michalek,
First Lieut. William G. Gough,
First Lieut. Joseph A. Mulherrin,
First Lieut. Azel W. McNeal,
First Lieut. William B. Wright, jr.,
First Lieut. Victor H. Bridgman, jr.,
First Lieut. Wendell L. Bevan,
First Lieut. Henry J. Macpeake,
First Lieut. Frank W. Lykes,
First Lieut. Richard T. Guthrie,
First Lieut. Ittai A. Luke,
First Lieut. Roger Griswold,
First Lieut. Henry Lockwood, jr.,
First Lieut. Alan L. Campbell,
First Lieut. Oscar B. Ralls, jr.,
First Lieut. John R. Larkin,
First Lieut. Douglas R. Coleman,
First Lieut. George P. Winton,
First Lieut. George J. Downing,
First Lieut. Wallace W. Crawford,
First Lieut. Christiancy Pickett,
First Lieut. Rush H. Rogers,
First Lieut. John C. Adams,
First Lieut. Arthur C. Waters,
First Lieut. Ernest T. Barco,
First Lieut. Lester A. Daugherty,
First Lieut. Walter G. Witt,
First. Lieut. Joseph E. Takken,
First Lieut. Raymond J. Watrous,
First Lieut. Jerome J. Waters, jr., and
First Lieut. Thomas G. Hanson, jr.

COAST ARTILLERY CORPS.

To be majors.

Capt. Richard H. Williams,
Capt. Alfred M. Mason,
Capt. Kenneth C. Masteller,
Capt. Joseph Matson,
Capt. Francis H. Lincoln,
Capt. William H. Wilson,
Capt. Edward D. Powers,
Capt. Charles E. N. Howard,
Capt. Claudius M. Seaman,
Capt. Hugh J. B. McElgin,
Capt. Arthur L. Fuller,
Capt. Henry R. Casey,
Capt. David Y. Beckham,
Capt. Richard C. Marshall, jr.,
Capt. John O. Steger,
Capt. Rex Van Den Corput,
Capt. James A. Thomas,
Capt. James D. Watson,
Capt. Frank T. Hines,
Capt. James Totten,
Capt. Wesley W. K. Hamilton,
Capt. Benjamin H. Kerfoot,
Capt. Edward Canfield, jr.,
Capt. Arthur H. Bryant,
Capt. Edward M. Shinkle,
Capt. William R. Bettison,
Capt. Gordon Robinson,
Capt. Claude E. Brigham,
Capt. James Prentice,
Capt. Howard S. Miller,
Capt. William H. Menges,
Capt. Francis J. Behr,
Capt. John R. Musgrave,
Capt. Albert L. Rhoades,
Capt. William E. Murray,
Capt. Graham Parker,
Capt. Norris Stayton,
Capt. Richard Furnival,
Capt. Ralph D. Herring,
Capt. William E. De Sombre,
Capt. Glen F. Jenks,
Capt. Clarence B. Ross,
Capt. Richard H. Jordan,
Capt. James B. Taylor,
Capt. Brainerd Taylor,
Capt. Frank Geere,
Capt. Charles E. Wheatley,
Capt. Adam F. Casad,
Capt. John E. Munroe,
Capt. Walter K. Wilson,
Capt. Offnere Hope,
Capt. John O'Neil,
Capt. Owen G. Collins,
Capt. Frederic H. Smith,
Capt. Charles H. Patterson,
Capt. Lewis Turtle,
Capt. Clifford Jones,
Capt. Louis C. Brinton, jr.,
Capt. Paul D. Bunker,
Capt. Louis R. Dice,
Capt. William M. Colvin,
Capt. Henry W. Bunn,
Capt. Harry L. Morse,
Capt. Mark L. Ireland,
Capt. Charles R. Alley,
Capt. Lucian B. Moody,
Capt. Fulton Q. C. Gardner,
Capt. John W. McKie,

Capt. James B. Dillard,
Capt. Carr Waller,
Capt. David McC. McKell,
Capt. Matthew A. Cross,
Capt. Henning F. Colley,
Capt. Albert H. Barkley,
Capt. Walter Singles,
Capt. Rollo F. Anderson,
Capt. Edward E. Farnsworth,
Capt. William T. Carpenter,
Capt. Frank H. Phipps,
Capt. Thomas Duncan,
Capt. Thomas M. Spaulding,
Capt. Benjamin H. L. Williams,
Capt. Halsey Dunwoody,
Capt. Le Roy Bartlett,
Capt. Robert C. Eddy,
Capt. Julius C. Peterson,
Capt. James F. Walker,
Capt. Ellery W. Niles,
Capt. Adelno Gibson,
Capt. John L. Holcombe,
Capt. James S. Dusenbury,
Capt. Lloyd B. Magruder,
Capt. Sidney H. Guthrie,
Capt. Nathan Horowitz,
Capt. Lloyd P. Horsfall,
Capt. Charles G Mettler,
Capt. Charles B. Gatewood,
Capt. Joseph H. Pelot,
Capt. Morgan L. Brett,
Capt. Forrest E. Williford,
Capt. Earl McFarland,
Capt. Joseph A. Green,
Capt. Alexander G. Pendleton, and
Capt. John C. Henderson.

To be captains.

First Lieut. Martin J. O'Brien,
First Lieut. Joseph C. Haw,
First Lieut. Iverson B. Summers, jr.,
First Lieut. Clifford R. Jones,
First Lieut. John B. Wogan,
First Lieut. Clesen H. Tenney,
First Lieut. Frank E. Emery, jr.,
First Lieut. Edward C. Wallington,
First Lieut. Carl E. Hocker,
First Lieut. Richmond T. Gibson,
First Lieut. Edward B. Hyde, jr.,
First Lieut. Herbert R. Corbin,
First Lieut. Charles H. Chapin,
First Lieut. William P. Cherrington,
First Lieut. Charles R. Finley,
First Lieut. Albert W. Draves,
First Lieut. Benjamin S. Beverley,
First Lieut. Carl L. Marriott,
First Lieut. Hugh A. Ramsey,
First Lieut. Willis McD. Chapin,
First Lieut. Carl S. Doney,
First Lieut. James de B. Walbach,
First Lieut. Richard M. Levy,
First Lieut. Ellicott H. Freeland,
First Lieut. James C. Ruddell,
First Lieut. Joseph J. O'Hare,
First Lieut. William G. Patterson,
First Lieut. Frank C. Scofield,
First Lieut. Ferdinand F. Gallagher,
First Lieut. Barrington L. Flanigen,
First Lieut. Frederick W. Smith,
First Lieut. Robert S. Barr,
First Lieut. Charles J. Herzer,
First Lieut. William M. Cravens,
First Lieut. John B. Martin,
First Lieut. Edwin C. Mead,
First Lieut. William T. Roberts,
First Lieut. Carl J. Smith,
First Lieut. Dugald Mac A. Barr,
First Lieut. James D. Mac Mullen,
First Lieut. Charles W. Bundy,
First Lieut. Charles D. Y. Ostrom,
First Lieut. Donald M. Cole,
First Lieut. James C. Hutson,
First Lieut. Francis A. Hause,
First Lieut. Edward E. MacMorland,
First Lieut. Henry B. Holmes, jr.,
First Lieut. Arvid M. Pendleton,
First Lieut. Leslie V. Jefferis,
First Lieut. Stuart A. Hamilton,
First Lieut. Howard F. Gill,
First Lieut. Gerald R. Butz,
First Lieut. Joseph W. Barker,
First Lieut. Shuey E. Wolfe,
First Lieut. Frank J. Atwood,
First Lieut. Carl C. Terry,
First Lieut. Fred G. French,
First Lieut. Edward A. Murphy,
First Lieut. Jep C. Hardigg,
First Lieut. Dale D. Hinman,
First Lieut. George D. Davidson,
First Lieut. Robert E. Turley, jr.,
First Lieut. Richard B. Webb,
First Lieut. Moses Goodman,
First Lieut. Kenneth S. Purdie,
First Lieut. Jules E. Piccard,
First Lieut. Robert E. Phillips,
First Lieut. William R. Stewart,
First Lieut. Edgar Nash, jr.,
First Lieut. Vincent B. Dixon,
First Lieut. Wilmer S. Phillips,
First Lieut. Otis A. Wallace,
First Lieut. Edgar H. Underwood,
First Lieut. Howard S. Thomas,
First Lieut. Paul H. French,
First Lieut. Horace L. Whittaker,
First Lieut. Gordon de L. Carrington,
First Lieut. James Q. Rood,
First Lieut. James L. Hatcher,
First Lieut. Ira B. Hill,
First Lieut. Berthold Vogel,
First Lieut. Odes T. Pogue,
First Lieut. William Chason,
First Lieut. Evan C. Seaman,
First Lieut. Clarence E. Cotter,
First Lieut. Gordon B. Welch,
First Lieut. James M. Evans,
First Lieut. Cedric F. Maguire,
First Lieut. Edward E. Murphy,
First Lieut. Marshall M. Williams, jr.,
First Lieut. Henry R. Behrens,
First Lieut. Edward C. Seeds,
First Lieut. Edison A. Lynn,
First Lieut. Milton P. Morrill,
First Lieut. Guy H. Drewry,
First Lieut. Raphael S. Chavin,
First Lieut. John L. Scott,
First Lieut. Alva F. Englehart,
First Lieut. Harold R. Jackson,
First Lieut. Morris K. Barroll, jr.,
First Lieut. Walter W. Warner,
First Lieut. Walter F. Vander Hyden,
First Lieut. Ira A. Crump,
First Lieut. Elbert L. Ford, jr.,
First Lieut. Samuel H. Bradbury, jr.,
First Lieut. James L. Hayden,
First Lieut. Scott B. Ritchie,
First Lieut. George S. Beurket,
First Lieut. Burnett R. Olmsted,
First Lieut. Joel G. Holmes,
First Lieut. James A. Code, jr.,
First Lieut. William Sackville,
First Lieut. Leroy H. Lohmann,
First Lieut. Christian G. Foltz,
First Lieut. Aaron Bradshaw, jr.,
First Lieut. William W. Cowgill,
First Lieut. Harry R. Pierce,
First Lieut. Lawrence C. Mitchell,
First Lieut. Alexander H. Campbell,
First Lieut. Marvil G. Armstrong,
First Lieut. John R. Nygaard,
First Lieut. James L. Keane,
First Lieut. John A. Messerschmidt,
First Lieut. Benjamin Bowering,
First Lieut. Henry F. Grimm, jr.,
First Lieut. Henry Linsert,
First Lieut. Donald L. Dutton,
First Lieut. Leland A. Miller,
First Lieut. Arthur N. Harrigan,
First Lieut. Percy C. Hamilton,
First Lieut. Robert A. Laird,

First Lieut. Porter P. Lowry,
First Lieut. Joseph W. Hazell,
First Lieut. John B. Day,
First Lieut. Nelson Dingley, 3d,
First Lieut. Carl R. Adams,
First Lieut. Edward C. Lohr,
First Lieut. Byron T. Ipock,
First Lieut. George W. Hovey,
First Lieut. Ernest L. Bigham,
First Lieut. Raymond H. Schutte,
First Lieut. Carl R. Crosby,
First Lieut. Charles T. Halbert,
First Lieut. Claude G. Benham,
First Lieut. Roy D. Burdick,
First Lieut. Franklin A. Green,
First Lieut. Harrie J. Rechtsteiner,
First Lieut. Willard W. Irvine,
First Lieut. William D. Evans,
First Lieut. Clarence N. Winston,
First Lieut. Albert M. Jackson,
First Lieut. Lyle B. Chapman,
First Lieut. Joseph P. Kohn,
First Lieut. Robert J. Van Buskirk,
First Lieut. Frederick L. Topping,
First Lieut. Thomas R. Phillips,
First Lieut. Charles S. Erswell, jr.,
First Lieut. Lewis Merriam, jr.,
First Lieut. Fenton G. Epling,
First Lieut. Ross G. Hoyt,
First Lieut. William Mayer,
First Lieut. Hubert A. McMorrow,
First Lieut. Douglas G. Clark,
First Lieut. Vernon G. Cox,
First Lieut. Ralph G. Lockett,
First Lieut. John H. La Fitte,
First Lieut. Leon C. Dennis,
First Lieut. Clarence L. Stevens,
First Lieut. Caruthers A. Coleman, and
First Lieut. William F. Lafrenz.

WITHDRAWALS.

Executive nominations withdrawn from the Senate February 13, 1918.

CAVALRY ARM.

To be captains.

First Lieut. Ion C. Holm, Cavalry, from October 12, 1917, vice Capt. John A. Pearson, placed on the detached officers' list.

First Lieut. Robert C. Candee, Cavalry, from October 12, 1917, vice Capt. Olan C. Aleshire, placed on the detached officers' list.

First Lieut. Joseph L. Philips, Cavalry, from October 12, 1917, vice Capt. Kinzie B. Edmunds, placed on the detached officers' list.

First Lieut. Kenneth McCatty, Cavalry, from October 23, 1917, vice Capt. Stewart O. Elting, detailed in the Quartermaster Corps.

First Lieut. Joseph W. Geer, Cavalry, from October 23, 1917, vice Capt. Ben Lear, jr., detailed in the General Staff.

First Lieut. Edwin D. Morgan, jr., Cavalry, subject to examination required by law, from October 23, 1917, vice Capt. Morton C. Mumma, detailed in the General Staff.

First Lieut. Leslie B. C. Jones, Cavalry, subject to examination required by law, from October 23, 1917, vice Capt. William H. Cowles, detailed in the Inspector General's Department.

First Lieut. Kramer Thomas, Cavalry, from October 31, 1917, vice Capt. John Kennard, detailed in the Quartermaster Corps.

First Lieut. James R. Finley, Cavalry, from November 5, 1917, vice Capt. Orlando C. Troxel, died November 4, 1917.

First Lieut. Willard S. Wadelton, Cavalry, from November 5, 1917, vice Capt. Joseph M. Tully, placed on the detached officers' list.

First Lieut. Hale S. Cook, Cavalry, from November 5, 1917, vice Capt. John A. Berry, placed on the detached officers' list.

First Lieut. John M. Jenkins, jr., Cavalry, from November 5, 1917, vice Capt. Verne R. Bell, placed on the detached officers' list.

First Lieut. Beverly H. Coiner, Cavalry, from November 5, 1917, vice Capt. Mack Garr, placed on the detached officers' list.

First Lieut. Albert D. Chipman, Cavalry, from November 5, 1917, vice Capt. William C. Christy, detailed in the Quartermaster Corps.

First Lieut. Arthur H. Truxes, Cavalry, from November 5, 1917, vice Capt. Henry D. F. Munnikhuysen, detailed in the Quartermaster Corps.

First Lieut. Gordon J. F. Heron, Cavalry, from November 5, 1917, vice Capt. Leon M. Logan, detailed in the Quartermaster Corps.

First Lieut. Carl C. Krueger, Cavalry, subject to examination required by law, from November 5, 1917, vice Capt. James S. Mooney, detailed in the Quartermaster Corps.

First Lieut. Hugh M. Gregory, Cavalry, from November 5, 1917, vice Capt. Lindsley D. Beach, detailed in the Quartermaster Corps.

First Lieut. Oron A. Palmer, Cavalry, from November 6, 1917, vice Capt. Pearson Menoher, placed on the detached officers' list.

First Lieut. Stanley Bacon, Cavalry, from December 11, 1917, vice Capt. George B. Comly, detailed in The Adjutant General's Department.

First Lieut. Samuel V. Constant, Cavalry, subject to examination required by law, from December 19, 1917, vice Capt. Abbott Boone, detailed in the Signal Corps.

First Lieut. William C. Chase, Cavalry, from December 22, 1917, vice Capt. George A. Purington, detailed in Ammunition Train.

First Lieut. Norman E. Fiske, Cavalry, from December 29, 1917, vice Capt. John C. Montgomery, detailed in Ammunition Train.

First Lieut. Donald O. Miller, Cavalry, from December 29, 1917, vice Capt. Ralph I. Sasse, detailed in Ammunition Train.

To be first lieutenants.

Second Lieut. Vance W. Batchelor, Cavalry, with rank from October 12, 1917, vice First Lieut. Ion C. Holm, promoted.

Second Lieut. Truman E. Boudinot, Cavalry, with rank from October 12, 1917, vice First Lieut. Robert C. Candee, promoted.

Second Lieut. James R. Wood, Cavalry, with rank from October 12, 1917, vice First Lieut. Harrison Herman, placed on the detached officers' list.

Second Lieut. William J. Gallagher, Cavalry, with rank from October 12, 1917, vice First Lieut. Chapman Grant, placed on the detached officers' list.

Second Lieut. Charles Rudd, Cavalry, with rank from October 12, 1917, vice First Lieut. Daniel A. Conner, placed on the detached officers' list.

Second Lieut. James G. Strobridge, Cavalry, with rank from October 12, 1917, vice First Lieut. Harley C. Dagley, placed on the detached officers' list.

Second Lieut. Stephen Boon, jr., Cavalry, with rank from October 12, 1917, vice First Lieut. George W. Wersebe, placed on the detached officers' list.

Second Lieut. Harold G. Holt, Cavalry, with rank from October 12, 1917, vice First Lieut. Milton R. Fisher, placed on the detached officers' list.

Second Lieut. Walter Gunther, Cavalry, with rank from October 12, 1917, vice First Lieut. John S. Jadwin, placed on the detached officers' list.

Second Lieut. Roy V. Morledge, Cavalry, with rank from October 12, 1917, vice First Lieut. Arthur P. Thayer, placed on the detached officers' list.

Second Lieut. John W. Noble, Cavalry, with rank from October 12, 1917, vice First Lieut. Edward R. Scheitlin, placed on the detached officers' list.

Second Lieut. Herman R. Crile, Cavalry, with rank from October 12, 1917, vice First Lieut. Edwin A. Martin, placed on the detached officers' list.

Second Lieut. Joseph E. Torrence, Cavalry, with rank from October 12, 1917, vice First Lieut. John B. Harper, placed on the detached officers' list.

Second Lieut. Charles G. Hutchinson, Cavalry, with rank from October 12, 1917, vice First Lieut. James G. Monihan, placed on the detached officers' list

Second Lieut. Chester P. Dorland, Cavalry (Signal Corps), with rank from October 12, 1917, vice First Lieut. Anthony J. Kirst, placed on the detached officers' list.

Second Lieut. Ernest D. McQueen, Cavalry, with rank from October 12, 1917, vice First Lieut. Rexford E. Willoughby, placed on the detached officers' list.

Second Lieut. Archie E. Groff, Cavalry, with rank from October 12, 1917, vice First Lieut. John D. Austin, placed on the detached officers' list.

Second Lieut. George D. Wiltshire, Cavalry, with rank from October 12, 1917, vice First Lieut. John P. Kaye, placed on the detached officers' list.

Second Lieut. Alfonso F. Zerbee, Cavalry, with rank from October 12, 1917, vice First Lieut. James W. Barnett, placed on the detached officers' list.

Second Lieut. Jackson B. Wood, Cavalry, with rank from October 12, 1917, vice First Lieut. Howard C. Tobin, placed on the detached officers' list.

Second Lieut. Arthur J. Wehr, Cavalry, with rank from October 12, 1917, vice First Lieut. John A. Weeks, placed on the detached officers' list.

Second Lieut. Robert C. Scott, Cavalry, with rank from October 12, 1917, vice First Lieut. Lester A. Sprinkle, placed on the detached officers' list.

Second Lieut. Ernest F. Apeldorn, jr., Cavalry, with rank from October 12, 1917, vice First Lieut. Terrill E. Price, placed on the detached officers' list.

Second Lieut. John R. Evans, jr., Cavalry, with rank from October 12, 1917, vice First Lieut. Arthur C. D. Anderson, placed on the detached officers' list.

Second Lieut. De Lancey Bentley, Cavalry, with rank from October 24, 1917, vice First Lieut. Nelson M. Imboden, placed on the detached officers' list.

Second Lieut. William P. Rauch, Cavalry, with rank from October 24, 1917, vice First Lieut. Randolph Dickins, placed on the detached officers' list.

Second Lieut. John A. Garvin, Cavalry, with rank from October 24, 1917, vice First Lieut. Wharton G. Ingram, placed on the detached officers' list.

Second Lieut. Daniel D. Streeter, Cavalry, with rank from October 24, 1917, vice First Lieut. Edward T. Moale, placed on the detached officers' list.

Second Lieut. Randolph Russell, Cavalry, with rank from October 24, 1917, vice First Lieut. Frederick J. Holzbaur, placed on the detached officers' list.

Second Lieut. Brock Putnam, Cavalry, with rank from October 24, 1917, vice First Lieut. Joseph M. Hurt, jr., placed on the detached officers' list.

Second Lieut. Leland L. Miller, Cavalry, with rank from October 24, 1917, vice First Lieut. Charles B. Duncan, placed on the detached officers' list.

Second Lieut. Edwin M. Sumner, Cavalry, with rank from October 24, 1917, vice First Lieut. Ferris M. Angevine, placed on the detached officers' list.

Second Lieut. William J. McChesney, jr., Cavalry, with rank from October 24, 1917, vice First Lieut. Sam G. Fuller, placed on the detached officers' list.

Second Lieut. Joseph Sheehan, Cavalry, with rank from October 24, 1917, vice First Lieut. Delmore S. Wood, placed on the detached officers' list.

Second Lieut. James M. Currin, Cavalry, with rank from October 24, 1917, vice First Lieut. Laurence C. Frizzell, placed on the detached officers' list.

Second Lieut. Thomas H. Green, Cavalry, with rank from October 24, 1917, vice First Lieut. Henry D. Jay, placed on the detached officers' list.

Second Lieut. William H. C. Grimes, Cavalry, with rank from October 24, 1917, vice First Lieut. George Sawtelle, placed on the detached officers' list.

Second Lieut. Russell C. Winchester, Cavalry, with rank from October 24, 1917, vice First Lieut. Ray Harrison, placed on the detached officers' list.

Second Lieut. James S. Rodwell, Cavalry, with rank from October 24, 1917, vice First Lieut. Charles H. Gerhardt, placed on the detached officers' list.

Second Lieut. Charles F. Choate, 3d, Cavalry, with rank from October 24, 1917, vice First Lieut. Walter H. Schulze, placed on the detached officers' list.

Second Lieut. Charles D. Ryan, Cavalry, with rank from October 24, 1917, vice First Lieut. Herbert C. Holdridge, placed on the detached officers' list.

Second Lieut. Nathaniel Holmes, Cavalry, with rank from October 24, 1917, vice First Lieut. Nicholas W. Lisle, placed on the detached officers' list.

Second Lieut. Kirk Broaddus, Cavalry, with rank from October 24, 1917, vice First Lieut. William K. Harrison, jr., placed on the detached officers' list.

Second Lieut. Paul Blackmer, Cavalry, with rank from October 24, 1917, vice First Lieut. Josiah F. Morford, placed on the detached officers' list.

Second Lieut. Herbert A. Suman, Cavalry, with rank from October 24, 1917, vice First Lieut. Ernest N. Harmon, placed on the detached officers' list.

Second Lieut. Harold de B. Bruck, Cavalry, with rank from October 24, 1917, vice First Lieut. Herbert N. Schwarzkopf, placed on the detached officers' list.

Second Lieut. Donald A. Young, Cavalry, with rank from October 24, 1917, vice First Lieut. Robert N. Kunz, placed on the detached officers' list.

Second Lieut. Hans C. Minuth, Cavalry, with rank from October 24, 1917, vice First Lieut. Charles S. Kilburn, placed on the detached officers' list.

Second Lieut. Edwin C. Gere, Cavalry, with rank from October 24, 1917, vice First Lieut. Charles R. Johnson, jr., placed on the detached officers' list.

Second Lieut. John M. Sweeney, jr., Cavalry, with rank from October 24, 1917, vice First Lieut. Mortimer H. Christian, placed on the detached officers' list.

Second Lieut. George G. Ball, Cavalry, with rank from October 24, 1917, vice First Lieut. Heywood S. Dodd, placed on the detached officers' list.

Second Lieut. Samuel C. Skemp, Cavalry, with rank from October 24, 1917, vice First Lieut. Maurice Morgan, placed on the detached officers' list.

Second Lieut. Jacob M. Carter, jr., Cavalry, with rank from October 25, 1917, vice First Lieut. Carter R. McLennan, placed on the detached officers' list.

Second Lieut. Thomas P. Hazard, Cavalry, with rank from October 25, 1917, vice First Lieut. James L. Franciscus, placed on the detached officers' list.

Second Lieut. Francis C. Dossert, Cavalry, with rank from October 25, 1917, vice First Lieut. Erskine A. Franklin, placed on the detached officers' list.

Second Lieut. George W. Ewing, jr., Cavalry, with rank from October 25, 1917, vice First Lieut. Herbert E. Watkins, placed on the detached officers' list.

Second Lieut. Crawford C. Madeira, Cavalry, with rank from October 25, 1917, vice First Lieut. Lathan A. Collins, placed on the detached officers' list.

Second Lieut. Charles P. Davis, Cavalry, with rank from October 25, 1917, vice First Lieut. John A. Hettinger, placed on the detached officers' list.

Second Lieut. Harry R. Kilbourne, Cavalry, with rank from October 25, 1917, vice First Lieut. Lloyd W. Biggs, placed on the detached officers' list.

Second Lieut. Elmer E. Finck, Cavalry, with rank from October 25, 1917, vice First Lieut. William D. Savage, placed on the detached officers' list.

Second Lieut. Harry H. Semmes, Cavalry, with rank from October 25, 1917, vice First Lieut. Kenneth McCatty, promoted.

Second Lieut. Clifford A. Eastwood, Cavalry, with rank from October 25, 1917, vice First Lieut. Joseph W. Geer, promoted.

Second Lieut. Guy A. Russell, Cavalry, with rank from October 25, 1917, vice First Lieut. Leslie B. C. Jones, promoted.

Second Lieut. Fenton S. Jacobs, Cavalry, with rank from November 5, 1917, vice First Lieut. Beverly H. Coiner, promoted.

Second Lieut. Catesby ap C. Jones, Cavalry, with rank from November 5, 1917, vice First Lieut. Albert D. Chipman, promoted.

Second Lieut. Charles Wharton, Cavalry, with rank from November 5, 1917, vice First Lieut. Arthur H. Truxes, promoted.

Second Lieut. W. Dirk Van Ingen, Cavalry, with rank from November 5, 1917, vice First Lieut. Carl C. Krueger, promoted.

Second Lieut. Herbert V. Scanlan, Cavalry, with rank from November 5, 1917, vice First Lieut. Hugh M. Gregory, promoted.

Second Lieut. Sigurd von Christierson, Cavalry, with rank from November 5, 1917, vice First Lieut. Frank H. Barnhardt, placed on the detached officers' list.

Second Lieut. Kenneth O. Spinning, Cavalry, with rank from November 10, 1917, vice First Lieut. Louis Cansler, detailed in the Signal Corps.

Second Lieut. Curt E. Hansen, Cavalry, with rank from December 1, 1917, vice First Lieut. Richard N. Mather, dismissed.

Second Lieut. Vincent P. Ryan, Cavalry, with rank from December 2, 1917, vice First Lieut. Horace K. Havlicek, died December 1, 1917.

Second Lieut. Raymond C. Blatt, Cavalry, with rank from December 11, 1917, vice First Lieut. Stanley Bacon, promoted.

Second Lieut. Clinton de Witt, Cavalry, with rank from December 22, 1917, vice First Lieut. William C. Chase, promoted.

Second Lieut. Harold J. Adams, Cavalry, with rank from December 29, 1917, vice First Lieut. Norman E. Fiske, promoted.

Second Lieut. William B. Van Auken, Cavalry, with rank from December 29, 1917, vice First Lieut. Donald O. Miller, promoted.

Second Lieut. Harold Kitson, Cavalry, with rank from January 8, 1918, vice First Lieut. Merl J. Flatt, appointment terminated.

Second Lieut. John Boies, Cavalry, with rank from January 9, 1918, vice First Lieut. Alan B. Edson, appointment terminated.

INFANTRY ARM.

To be major with rank from November 29, 1917.

Capt. Harry H. Pritchett, Infantry, vice Maj. George E. Goodrich, detailed in the Signal Corps.

To be major with rank from November 30, 1917.

Capt. Edward L. Field, Infantry, vice Maj. James W. H. Reisinger, detailed in the Quartermaster Corps.

To be majors with rank from December 1, 1917.

Capt. Earl C. Buck, Infantry, vice Maj. Charles B. Elliott, resigned commission as temporary major.

Capt. Jere Baxter, Infantry, detached officers' list, vice Maj. Edmund C. Waddill, resigned commission as temporary major.

Capt. A. Ellicott Brown, Infantry, vice Maj. Arthur M. Ferguson, detailed in The Adjutant General's Department.

Capt. James M. Lockett, Infantry, vice Maj. Harry Hawley, resigned commission as temporary major.

To be majors with rank from December 4, 1917.

Capt. Eugene Robinson, Infantry, vice Maj. Jacob W. S. Wuest, detailed in the Signal Corps.

Capt. Jesse C. Drain, Infantry, detached officers' list, vice Maj. William W. Bessell, detailed in The Adjutant General's Department.

To be major with rank from December 10, 1917.

Capt. Alexander W. Chilton, Infantry, detached officers' list, vice Maj. Joseph F. Ware, detailed in the Signal Corps.

To be major with rank from December 14, 1917.

Capt. William E. Morrison, Infantry, detached officers' list, vice Maj. Alfred W. Bjornstad, promoted lieutenant colonel.

To be majors with rank from December 19, 1917.

Capt. Donald J. MacLachlan, Infantry, vice Maj. Resolve P. Palmer, detailed in the Signal Corps.

Capt. Charles H. Rice, Infantry, vice Maj. James G. Boswell, detailed in the Signal Corps.

To be captains.

First Lieut. Sigurd J. Simonsen, Infantry, to be captain from December 2, 1917, subject to examination, vice Capt. James A. O'Brien, transferred to the detached officers' list.

First Lieut. Thomas G. Bond, Infantry, to be captain from December 19, 1917, subject to examination, vice Capt. Otis K. Sadtler, detailed in the Signal Corps.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 13, 1918.*

The House met at 12 o'clock noon.

The Rev. William Couden, of Washington, D. C., offered the following prayer:

O God, Father Almighty, from wicked intrigue and unholy sedition defend our country. Let our growth as a Nation be not merely an accruing of worldly wealth and potency, but in equal measure at least edify us in the things not seen but eternal.

We beseech Thee to give success to our fighting forces on sea, on land, and in the air; and to be with every individual man of them in office and in the ranks, and with every doctor, nurse, Red Cross worker, and laborer for moral health among our forces.

For ourselves personally, we beg Thee, let not our desires outrun conscience. Bar us from insidious fallacies of act as well as of thought. Steer a right course for us between our wistfulness and our power. And keep us in correct relationship to self, to our neighbor, and to Thee; that for us the dear Savior may not have lived and died in vain. Amen.

The Journal of the proceedings of yesterday was read and approved.

CHANGE OF REFERENCE.

Mr. CLARK of Florida. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Florida rise?

Mr. CLARK of Florida. Mr. Speaker, I rise to make a motion to change the reference of a bill. I move that the bill H. R. 9642, referred to the Committee on Labor, be rereferred to the Committee on Public Buildings and Grounds.

The SPEAKER. Has the gentleman authority to make that request from the committee?

Mr. CLARK of Florida. Yes; by direction of the committee I make the motion, and pending that I ask——

The SPEAKER. The Clerk will report the bill.

Mr. CLARK of Florida. Then I will not make the unanimous-consent request. I simply wanted the House to understand what it was.

The SPEAKER. The gentleman from Florida, by authority of the Committee on Public Buildings and Grounds, moves that the bill which the Clerk is about to report be taken from the Committee on Labor and rereferred to the Committee on Public Buildings and Grounds. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9642) to authorize the Secretary of Labor to provide housing for war needs.

Be it enacted, etc., That the Secretary of Labor, for the purposes of providing housing, transportation, and other community facilities for employees of the Government and for industrial workers engaged in industries connected with the national defense and security, and their families, is hereby authorized and empowered within the limits of the amounts herein authorized—

(a) To purchase, lease, construct, requisition, or acquire by condemnation or otherwise such houses, buildings, furnishings, improvements, facilities, and parts thereof as he may determine.

(b) To purchase, lease, requisition, or acquire by condemnation or otherwise any improved or unimproved land or any right, title, or interest therein, on which such houses, buildings, improvements, facilities, and parts thereof have been or may be constructed.

(c) To equip, manage, maintain, alter, sell, lease, exchange, or otherwise dispose of such lands or right, title, or interest therein, houses, buildings, improvements, facilities, parts thereof, and equipment, upon such terms and conditions as he may determine.

(d) To aid in providing, equipping, managing, and maintaining houses, buildings, improvements, and facilities by loan or otherwise to such person or persons and upon such terms and conditions as he may determine.

The Secretary of Labor may exercise any power and discretion herein granted, and may enter into any arrangement or contract incidental thereto, through such agency or agencies as he may create or designate.

SEC. 2. That whenever the Secretary of Labor shall purchase, lease, requisition, or acquire by condemnation or otherwise such land or right, title, or interest therein, or such houses, buildings, furnishings, improvements, facilities, and parts thereof, he shall make just compensation therefor, to be determined by him, and if the amount thereof so determined is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined and shall be entitled to sue the United States to recover such further sum as, added to such 75 per cent, will make up such amount as will be just compensation therefor in the manner provided for by section 24, paragraph 20 and section 145 of the Judicial Code.

SEC. 3. That upon the requisition of or the filing of a petition for the condemnation hereunder of such land, or any right, title, or interest therein, or such houses, buildings, furnishings, improvements, facilities, and parts thereof, immediate possession thereof may be taken to the extent of the interest to be acquired, and the same may be occupied and used, and the provisions of section 355 of the Revised Statutes, providing that no public money shall be expended upon such land until the written opinion of the Attorney General shall be had in favor of the validity of the title, nor until the consent of the legislature of the State in which the land is located has been given, shall be, and the same are hereby, suspended as to all real estate acquired hereunder.

SEC. 4. That the word "person" used herein shall include any person, trustee, firm, or corporation.

SEC. 5. That the power and authority granted in paragraphs (a), (b), and (d) hereof shall cease with the termination of the present war with Germany.

SEC. 6. That for carrying out the provisions of this act, and for the administration thereof, the sum of $50,000,000 is hereby appropriated out of any funds in the Treasury not otherwise appropriated.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONDON. Is this motion debatable?

The SPEAKER. It is not.

Mr. LONDON. Reserving the right to object——

The SPEAKER. The gentleman can not object.

Mr. LONDON. I ask unanimous consent to make a statement for one minute.

Mr. FLOOD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Virginia makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred gentlemen are present, not a quorum.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] moves a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

Mr. CLARK of Florida. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Florida. On this call is the vote on the motion?

The SPEAKER. No; the vote is simply "present."

The roll was called, and the following Members failed to answer to their names:

Almon	Dyer	Knutson	Scully
Anderson	Edmonds	LaGuardia	Sisson
Ashbrook	Ellsworth	McCormick	Smith, Charles B.
Austin	Fairchild, Geo. W.	Magee	Snyder
Britten	Flynn	Maher	Steenerson
Brumbaugh	Godwin, N. C.	Miller, Minn.	Sterling, Pa.
Capstick	Goodall	Montague	Strong
Carlin	Gray, Ala.	Nicholls, S. C.	Sullivan
Chandler, N. Y.	Gray, N. J.	Olney	Temple
Classon	Hamilton, N. Y.	Padgett	Tilson
Coady	Haskell	Platt	Vare
Crosser	Hastings	Pratt	Venable
Curry, Cal.	Heintz	Ragsdale	Volstead
Davidson	Holland	Riordan	Ward
Davis	Hollingsworth	Rodenberg	Watson, Pa.
Dewalt	Hood	Rowland	White, Ohio
Dillon	Humphreys	Sanders, La.	Wilson, La.
Drukker	Johnson, S. Dak.	Sanders, N. Y.	Young, N. Dak.
Dunn	Kettner	Scott, Pa.	

The SPEAKER. On this vote 353 Members, a quorum, have answered to their names.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

The question is on the motion made by the gentleman from Florida [Mr. CLARK].

Mr. NOLAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. NOLAN. I rise to make a point of order on the motion of the gentleman from Florida [Mr. CLARK] that his motion is not in order at this time. It is contrary to the practice of the House to interfere with a committee that has held hearings on the bill, and we have held extensive hearings on this labor-housing bill.

Mr. CLARK of Florida. Mr. Speaker, I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Florida. Does not the gentleman's objection come too late? The matter has already been considered and submitted.

The SPEAKER. The matter has not been considered and is not debatable. If the conditions as stated by the gentleman from California [Mr. NOLAN] are correct, this motion is not in order.

Mr. CLARK of Florida. Mr. Speaker, I want to be heard on that.

The SPEAKER. Does the gentleman dispute the fact? If so, the Chair will hear the gentleman.

Mr. CLARK of Florida. Mr. Speaker——

The SPEAKER. The Chair wants to find out before this argument starts whether or not it is conceded that the Committee on Labor has had hearings on this bill?

Mr. CLARK of Florida. I understand they have.

The SPEAKER. Then the point of order is well taken.

Mr. CRISP. Mr. Speaker, I want to be heard on that proposition.

Mr. CLARK of Florida. I would like to be heard.

The SPEAKER. If the gentleman will proceed, the Chair will hear him.

Mr. CLARK of Florida. Under the third paragraph of Rule XXIV, provision is made for the making of this motion immediately after the reading of the Journal upon any day. I will show the Speaker in the rulings, in the fourth volume of Hinds' Precedents, that Mr. Speaker Crisp, Mr. Speaker Reed, and Mr. Speaker CANNON have each one of them concurred in the opinion that this motion can be made until the bill is actually reported to the House.

The SPEAKER. Well, the gentleman will please read the authority.

Mr. CLARK of Florida. The question has been raised in a number of cases, and in section No. 4365, in the fourth volume of Hinds' Precedents, it says:

According to the later practice of the House the erroneous reference of a public bill, if it remain uncorrected, in effect gives jurisdiction to the committee receiving it.

On October 19, 1893, Mr. Joseph Wheeler, of Alabama, on behalf of the Committee on the Territories, presented for consideration the bill (H. R. 3606) to require railroad companies operating railroads in the Territories over a right of way granted by the Government to establish stations and depots at all town sites on the lines of said roads established by the Interior Department.

Mr. W. A. Stone, of Pennsylvania, made the point of order that the bill, not being within the jurisdiction of the Committee on the Territories, had been erroneously reported and was improperly on the calendar.

Mr. KITCHIN. Reported?

Mr. CLARK of Florida. Yes; and was improperly on the calendar.

The Speaker overruled the point, holding as follows—

And the Speaker was Mr. Crisp, of Georgia—

The reference of a public bill, as described by the rules, is different from that prescribed in regard to private bills. An erroneous reference of a public bill may be corrected any morning immediately after the reading of the Journal, either by unanimous consent or on motion of a Member representing the committee to which the bill has been erroneously referred or on motion of the committee claiming jurisdiction. And where a public bill has been suffered, even erroneously, to be considered by a committee and that committee has reported it back to the House, there is no way of raising the question of jurisdiction if the bill is a public bill.

On January 12, 1897, is another case, as follows:

During the call of committees, in the morning hour, Mr. Charles S. Hartman, of Montana, called up, when the Committee on Mines and Mining was called, the bill (H. R. 6780) to amend section 2335 of the Revised Statutes.

Mr. John F. Lacey, of Iowa, reserved the point of order that the bill should have been referred to the Committee on Public Lands and not to the Committee on Mines and Mining.

The Speaker, Mr. Reed, said:

The rules prescribe that if by any error or misunderstanding a bill has been sent to the wrong committee, it is the duty of the committee who desire jurisdiction to present the matter to the House for a change; and no question having been raised, and the committee having reported, the Chair thinks it is too late to raise the question.

And then again, in section 4370 of Hinds:

On January 15, 1900, the bill (H. R. 5042) to provide for improvements in the tax departments of the District of Columbia, which had been reported from the Committee on the District of Columbia, was called up for consideration, when Mr. William W. Grout, of Vermont, raised the question that the bill should have been referred to the Committee on Appropriations, as it carried an appropriation.

After debate the Speaker, Mr. Henderson, of Iowa, said:

The point of order made by the gentleman from Vermont, as the Chair understands, is that this committee—the Committee on the District of Columbia—has no jurisdiction over this bill because it contains an appropriation. It has been said by Speaker Crisp, Speaker Reed, and others that an erroneous reference of a public bill, remaining uncorrected, in effect gives jurisdiction to the committee. The House has had its day in court to have the erroneous reference corrected and has failed to do so. The Chair is of the opinion, therefore, that this matter is properly within the control of this committee, and that it is within the power of the House in considering the bill to determine whether to leave the appropriation in the bill or to strike the appropriation out of the bill and leave only the matters of general legislation.

That was after the bill was reported and was in the House and being considered. And I assert, Mr. Speaker, that there is not a single precedent in these books to show where any Speaker has ever held that a motion to change a reference was not in order up to the very moment that the bill was reported by the committee having charge of it and it was on the calendar. Even if it had been reported and had not been placed on the calendar the motion can be made, and it is in order to make it. I do not think, Mr. Speaker, that there is anything further to say on the point of order.

Besides that it has been suggested to me, Mr. Speaker, that if that were not the rule a Member, if he saw fit to do so, could introduce a bill, have it all understood, have a meeting of his committee, and conduct hearings, and thus deprive any committee of this House of jurisdiction simply by getting it to the committee and having a hearing started.

Mr. NOLAN. Mr. Speaker, the precedents cited by the gentleman from Florida are decisions rendered by previous Speakers of this House on an erroneous reference. Our contention is that there is no such thing here as an erroneous reference of this bill.

Mr. CLARK of Florida. Mr. Speaker, a point of order. The gentleman can not discuss the merits of the question, whether it is erroneous or not. It is not debatable.

Mr. NOLAN. I was calling attention to the fact that the precedents cited by the gentleman refer to an erroneous reference.

The SPEAKER. What does the gentleman say about these authorities that have been cited?

Mr. NOLAN. I will say this about it: If they are allowed to stand in this instance, there is no reason in the world why the Committee on Public Buildings and Grounds can not come in here and take away from the Committee on Military Affairs, or the Committee on Naval Affairs, or from every other appropriating committee of the House, its authority to appropriate for buildings for war purposes, and there is hardly a bill that comes into this House, or that has come into this House since we declared war, that has not contained some appropriation for building purposes in connection with war activities.

Now, this bill gives the Secretary of Labor the right to erect housing facilities, building activities in reference to war industries; and if the gentleman's suggestion is sound, there is not a committee of this House that is safe in the future, so far as making appropriations and provisions for building purposes are concerned. In other words, the Committee on Public Buildings and Grounds becomes supreme over the Committee on Appropriations, over the Committee on Military Affairs, and over the Committee on Naval Affairs, and every other appropriating committee of the House.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. NOLAN. Yes; I yield.

Mr. CANNON. It takes a majority of the House to take the bill from the Committee on Labor and refer it to the Committee on Public Buildings and Grounds. The only question I see is the question whether the motion is in order, the bill not having been reported to the House under the rules.

Mr. NOLAN. In support of the gentleman's motion, and against the point of order, he is citing certain precedents and rulings established by former Speakers of the House. My contention is that if that is good, sound logic, there is not a committee of the House that has the right to appropriate, or the right to authorize appropriations, that is safe during the period of the war, or at any other time, from a motion to rerefer after

hearings have been held; and my point is that the Committee on Labor has given consideration to this measure, it is about ready to report the bill, and would undoubtedly have reported it this morning but for the fact that the Secretary of Labor himself has been out of town and could not get before the committee.

The SPEAKER. The Chair is ready to rule. The House, of course, is the highest parliamentary authority, higher than any Speaker or than all the Speakers, and it takes a majority of this House present to make the transfer and the House has the absolute right to refer any bill to any committee. The authorities cited by the gentleman from Florida [Mr. CLARK] convince the Speaker that the point of order of the gentleman from California [Mr. NOLAN] ought to be overruled.

Mr. SHERLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SHERLEY. Is it in order to amend the motion of the gentleman from Florida by moving that the bill be referred to the Committee on Appropriations, where under the rules it belongs?

The SPEAKER. Yes.

Mr. SHERLEY. Then I make that motion.

The SPEAKER. The gentleman from Kentucky offers to amend the motion of the gentleman from Florida by referring this bill to the Committee on Appropriations.

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. Is the gentleman from Kentucky authorized by the Committee on Appropriations to make that motion?

The SPEAKER. Was the gentleman authorized by his committee?

Mr. SHERLEY. No. I did not make the request in that form, Mr. Speaker. I asked if it was in order, the motion having been made, to amend.

Mr. SAUNDERS of Virginia. I make specifically the point of order, Mr. Speaker, against that, that in order to be qualified to move this amendment he must come within the rule and be vested by the committee with the power to make it, just as much as to make an original motion.

The SPEAKER. The Chair thinks the gentleman from Virginia is right.

Mr. LENROOT. Mr. Speaker, may I be heard?

The SPEAKER. Heard about what?

Mr. LENROOT. About the question that the gentleman from Kentucky has raised.

The SPEAKER. Yes. The Chair will hear the gentleman.

Mr. LENROOT. I would like to call the attention of the Chair to the rule under which this motion is in order at all, and I submit to the Chair that the motion being then in order under the rule, it is within the province of the House to refer this bill to any committee that it sees fit.

The rule says, "Correction in case of error of reference may be made by the House, without debate, in accordance with Rule XI." Now, the House is not confined, if it sees fit to correct a reference, to the committee that makes the motion or asks for the correction. It is open to the House in the case of an erroneous reference to refer the bill to any committee that the House thinks it ought to be referred to under the general rules of the House, and therefore I submit that the amendment of the gentleman from Kentucky is in order.

Mr. SAUNDERS of Virginia. Mr. Speaker, I call attention to the fact that any Member can make this motion only when the proceeding is by unanimous consent. The rule provides that "correction in case of error of reference of a general bill may be made by the House without debate, in accordance with Rule XI, on any day immediately following the reading of the Journal, by unanimous consent, or on motion of a committee claiming jurisdiction." Hence the contention of the gentleman from Wisconsin can not be maintained with respect to the present situation, which is a motion for correction by direction of a committee claiming jurisdiction. No question of unanimous consent is presented.

If some other committee claims jurisdiction of this bill, and desires to assert its claim by an amendment to the pending motion, then the amendment should be offered by direction of, and under authority from, that committee. This amendment is nothing but another claim of jurisdiction, seeking to supersede the claim of the Committee on Public Buildings and Grounds. Of necessity it must stand precisely on the footing of the original motion, and the Member making it, is not in order, unless he speaks by authority and direction of his committee. Otherwise it is not the motion of a committee claiming jurisdiction.

Mr. SHERLEY. Mr. Speaker, I can not concede the proposition just made by the gentleman from Virginia [Mr. SAUNDERS]. It is perfectly manifest that there is a difference between a situation that arises after a matter gets before the House and what might be the situation when some one is endeavoring to get it before the House. Manifestly I would have no right to move a change of reference as an original proposition, except by instruction of my committee; but when the matter has been moved, why, then, I submit, as the gentleman from Wisconsin says, the motion before the House is subject to any proper amendment.

But I do not want to complicate this situation. The Committee on Appropriations is going to appropriate the money to deal with the situation, irrespective of where these bills go. I withdraw my motion.

The SPEAKER. The question is on the motion of the gentleman from Florida to take this bill away from the Labor Committee and refer it to the Committee on Public Buildings and Grounds.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. NOLAN. Division!

The House divided; and there were—ayes 173, noes 59.

Mr. NOLAN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from California asks for the yeas and nays. All those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting.] Thirty-eight Members rising, not a sufficient number.

Mr. LONDON. Mr. Speaker, I ask for the other side.

The SPEAKER. The gentleman from New York demands the other side. Those opposed to taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] Two hundred Members in the negative. Thirty-eight are not a sufficient number. The yeas and nays are refused, and the motion of the gentleman from Florida is agreed to.

LEAVE TO FILE VIEWS OF MINORITY.

Mr. TINKHAM. Mr. Speaker, I desire unanimous consent to file the views of the minority on H. R. 9248, which is to be considered to-morrow.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to file the views of the minority on the bill he names. Is there objection?

There was no objection.

CALENDAR WEDNESDAY—DEPORTATION OF CERTAIN ALIENS.

The SPEAKER. This is Calendar Wednesday. The unfinished business is the bill (H. R. 5667) to provide for the deportation of certain aliens, and for other purposes, and the House automatically resolves itself into the Committee of the Whole House on the state of the Union, with the gentleman from Missouri [Mr. RUSSELL] in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the further consideration of House bill 5667, to provide for the deportation of certain aliens, and for other purposes.

Mr. BURNETT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Chair will say to the gentleman that there is an amendment pending not disposed of.

Mr. BURNETT. What is the amendment?

Mr. PARKER of New Jersey. My amendment.

The CHAIRMAN. The amendment offered by the gentleman from New Jersey [Mr. PARKER], which was pending when the House adjourned last Wednesday.

Mr. BURNETT. Mr. Chairman, I believe the gentleman from New Jersey had spoken on that amendment.

The CHAIRMAN. All debate on the amendment was exhausted.

Mr. RAKER. I move to strike out the last two words.

Mr. PARKER of New Jersey. I ask unanimous consent that the paragraph in which the amendment occurs may be read, so that the House may see the result of the amendment.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent that the paragraph of the bill affected by the amendment be read for the information of the House. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. PARKER of New Jersey: Page 1, line 3, after the words "that any alien," strike out the words "eligible by existing law to become a naturalized citizen"; also all of lines 4, 5, 6, 7, 8, and 9; and also the word "said," in line 11, after the words "exemption from"; also, on page 2, line 3, strike out "and shall as soon as practicable be deported"; also strike out all of line 4 and the words "and deportation" in line 11, so that as amended the paragraph will read:

"That any alien who by himself or by anyone else has heretofore claimed, or shall hereafter claim, exemption from selective draft on account of being an alien, shall forever be denied the right of becoming a citizen of the United States or of any of its possessions.

"Any alien who may have been exempted from said selective draft on account of his alienage prior to the passage of this act may, within 60 days after the passage of this act, withdraw such exemption and

submit himself to the operation of said selective draft, and in that event shall not be held to be within the operations of this section as to the forfeiture of citizenship. *Provided*, That the President is hereby authorized to make such rules and regulations as may be necessary to enforce the provisions of this section."

Mr. RAKER. Mr. Chairman, a parliamentary inquiry. Is not this amendment divisible?

The CHAIRMAN. Does the gentleman desire to be heard on the question?

Mr. RAKER. It seems so plain that it ought not to require any presentation, and I simply want the ruling of the Chair that it is divisible.

Mr. PARKER of New Jersey. I desire to speak on that point of order for a moment when the gentleman has yielded the floor.

The CHAIRMAN. Does the gentleman from California yield the floor?

Mr. RAKER. On the point of order; yes.

Mr. PARKER of New Jersey. I claim it is not divisible.

The CHAIRMAN. Does the gentleman from New Jersey desire to be heard?

Mr. PARKER of New Jersey. Only on the point of order. I say it is not divisible. I want to get rid of deportation, which is obviously applicable to only one class of aliens, those who are subject to military duty abroad against the Germans; this will leave only the bar to naturalization which is applicable to all aliens. The matter can not be fairly considered separately, because what I wish to do is to make this bill a complete bill as to barring all these aliens from naturalization. That does not come within any treaty, and if you include all the aliens that are here it does not conflict with the provision in many treaties called the most favored nation clause. We make a simple statement by this provision, that no man who is here who claims exemption from draft because he is a foreigner can hereafter become an American citizen. I have given notice that if my amendment carries I shall move an amendment at the end of the word "possessions" that he shall be barred from hereafter acquiring any interest in lands in the United States.

Mr. RAKER. Mr. Chairman, the very statement which the gentleman from New Jersey makes as to what he desires to accomplish shows that this amendment is divisible. He could move to strike out and insert an amendment to cover what he desires, but unquestionably the Chair will not hold that a man can not move to strike out all through the section a paragraph here, a sentence there, and a word here, and not have the amendment divisible.

Mr. SAUNDERS of Virginia. Mr. Chairman, why is not the motion divisible? The Chair is not concerned with what the gentleman from New Jersey seeks to accomplish, but with the rights of the House under parliamentary law with respect to his motion. He says that he has a certain definite object to be accomplished by his amendment, and if it is held to be divisible so that certain portions may be stricken out by a vote and in the results, are stricken out, then he will not attain that object. But the gentleman's object is not a parliamentary proposition. The parliamentary proposition with which the House is concerned is the right to fashion this bill according to its notion, conformably to parliamentary law. The gentleman has moved to strike out various sentences in a paragraph, embodying respectively different propositions. The House might be willing to strike out some of the sentences to which the gentleman's motion relates, and unwilling to strike out others. Why should the House be denied the right to do this? The House might not be willing to strike out all that the motion proposes to strike out, but might be perfectly willing to go part of the way and strike out some of the language proposed to be eliminated. Upon what principle of parliamentary practice or procedure can it be held that the right to a division of this motion should be denied? Any motion including more than one proposition may be divided, and the several propositions voted on seriatim.

Mr. PARKER of New Jersey. Did the gentleman ever have a motion to strike out that was divisible?

Mr. SAUNDERS of Virginia. I do not recollect that personally I ever had, but that does not affect the parliamentary right of a Member to demand a division. The question is one of parliamentary law, of fundamental principle in parliamentary procedure, not of my personal experience.

Mr. PARKER of New Jersey. The first paragraph is in one sentence, and you could not make any sense of it if you divide up the amendment. It is to strike out certain words in that paragraph, and that motion is not divisible. The motion as to the other paragraph would follow as a matter of course to strike out the words "and deportation," but the first paragraph is one sentence and you can not divide it.

Mr. SAUNDERS of Virginia. Mr. Chairman, when I make a motion to strike out certain words, is it not competent for any Member to move to amend by striking out certain language contained in my motion? This would be an amendment to an amendment, nothing more nor less.

Mr. WALSH. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. Yes.

Mr. WALSH. Does the gentleman contend that this motion can be divided so as to permit a separate vote on each word to be stricken out?

Mr. SAUNDERS of Virginia. Oh no, not at all. The principle of divisibility applies only when the amendment, or other matter proposed to be divided for the purpose of voting, contains more than one distinct proposition.

The CHAIRMAN. The Chair is ready to rule. The Chair has looked into this in the limited time that he has had, and he is satisfied that the amendment is divisible. It strikes out language in four different places. One might be agreed to by the House and another defeated and still not interfere with the sense of the section. I see no reason why it should be held to be indivisible when it is to strike out language in four places.

Mr. RAKER. Mr. Chairman, I raise the point of order to the first amendment on the ground that the committee has already passed on that amendment. There was a motion made to strike it out and the House defeated the motion. That is the first amendment offered by the gentleman from New Jersey.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the gentleman's point of order comes too late. If the ruling of the Chair is to be followed, then it comes too late now for the gentleman from California to make the point of order that the original motion of the gentleman from New Jersey is not in order because the amendment has been debated. In last Wednesday's proceedings we debated this question for 15 minutes or half an hour. A point of order was reserved on the paragraph and it was overruled on that occasion. As soon as the Chair rules on the point of order I wish to make a parliamentary inquiry.

Mr. RAKER. Mr. Chairman, I made the point of order and the Chair overruled the point of order, and I came back here to-day with authorities to show that the Chair had misconstrued the law. He now holds that the motion to amend is divisible, and, therefore, my point of order against the amendment must lie. Therefore the first portion of the amendment can not be considered.

The CHAIRMAN. The Chair is ready to rule. The Chair is of opinion that the point of order made by the gentleman from Wisconsin [Mr. STAFFORD] must be sustained. This amendment was debated on Wednesday last, for 15 or 20 minutes, and the point of order of the gentleman from California [Mr. RAKER] comes too late.

Mr. STAFFORD. Mr. Chairman, I desire to submit a parliamentary inquiry. I would like to inquire of the Chair what are the four substantive propositions involved into which this amendment to strike out is divisible?

The CHAIRMAN. The Chair understands that the authorities have held that the grammatical construction and not the legislative intent controls. The first portion of the amendment is on the first page, beginning with the word "eligible," in line 3, and runs to the word "act," in line 9. The Chair understands the motion is to strike out that part of the section. That is the first substantive proposition.

Mr. BURNETT. Mr. Chairman, I move that all debate upon this amendment close in five minutes.

Mr. PARKER of New Jersey. Mr. Chairman, I thought my amendment had already been debated and that debate had been closed upon it.

The CHAIRMAN. Debate has been closed on the amendment. That was done when we adjourned on Wednesday last.

Mr. PARKER of New Jersey. Mr. Chairman, I ask for a vote on the various parts of my amendment.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent to have the amendment again reported.

The CHAIRMAN. If there is no objection, the Clerk will report the first substantive portion of the amendment.

There was no objection, and the Clerk read as follows:

Page 1, line 3, after the word "alien," strike out the words "eligible by existing law to become a natural," and also all of the matter on lines 4, 5, 6, 7, 8, and 9.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. PARKER of New Jersey) there were—ayes 11, noes 38.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the next portion of the amendment.

The Clerk read as follows:

Page 1, line 11, strike out the word "said."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will report the next part of the amendment.

The Clerk read as follows:

Page 2, lines 3 and 4, after the word "possessions," in line 3, strike out the words "and shall as soon as practicable be deported to the country of which he is a subject or citizen."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will report the remaining portion of the amendment.

The Clerk read as follows:

Page 2, line 11, after the word "citizenship," strike out the words "and deportation."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. PARKER of New Jersey. Mr. Chairman, may I ask the gentleman from Alabama [Mr. BURNETT] if he has any objection to the following amendment being offered: To insert on page 2, line 3, after the words "of its possessions," the words "and shall forever be denied the right of acquiring any interest or estate, legal or equitable, in any lands within the United States or any of its possessions." That strengthens the gentleman's bill, and I would like to offer that amendment if it is agreeable.

Mr. BURNETT. Mr. Chairman, I could not agree to that. I now call for the reading of my amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Page 1, line 3, after the word "alien," insert the words "whose status is such that he may become."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GRAHAM of Illinois. Mr. Chairman, I desire to offer a substitute for that amendment.

Mr. BURNETT. Let the substitute be reported.

The CHAIRMAN. The Clerk will report the amendment in the nature of a substitute offered by the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Mr. Chairman, before that amendment is read, may we not have the amendment of the gentleman from Alabama again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Alabama.

There was no objection, and the Clerk again reported the amendment.

The CHAIRMAN. The Clerk will report the substitute offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Strike out in the third line, page 1, the words "that any alien eligible by existing law to become" and insert in lieu thereof the words "that any alien a resident of the United States who under existing law could become eligible to become."

The CHAIRMAN. The question is on agreeing to the substitute.

Mr. BURNETT. Mr. Chairman, does the gentleman from Pennsylvania desire to be heard on his substitute?

Mr. GRAHAM of Pennsylvania. Yes.

Mr. BURNETT. I desire to be heard in reply to the gentleman.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, on Wednesday last I presented for the consideration of my colleagues a criticism upon the use of the words "eligible to become a citizen," and it is in furtherance of those views that I have now offered this substitute for the amendment which the gentleman from Alabama has offered.

My reasons are the same as those which were urged at that time. I do not think that his amendment cures the difficulty. The gentleman has intimated to me that the interpretation of the word "eligible" as explained at that time is correct. "Eligible" means qualified to become citizens, they must have the requisites necessary for citizenship, and he has simply substituted the words "status to become." Now, "status to become" does not change the effect a particle, because the status covers and includes a qualification of eligibility. Mine covered the ground of the objection and in addition inserts the words "and resident." I understand the State Department is very solicitous about people who are here from other countries attending our schools or colleges, and surely we do not want to pass an amendment that would make one who through accident was caught in the country a subject of the draft and inflict upon him the pains and penalties of the deprivation of becoming a citizen. The language which has been suggested by the substitute makes both points perfectly clear. First, it applies to a resident. It takes away the vicious effect of the language that is now in the bill, for under that language this bill could not apply to anyone until he was eligible to citizenship. The substitute language will protect every interest, and I offer it for the purpose of making the bill more perfect, so that I may be able to vote for it. The language of the amendment offered by the gentleman from Alabama does not cure the evil, and I respectfully call his attention to that fact. I wish to get the exact words, and will ask that the amendment be sent to me. The language of the amendment offered by the gentleman from Alabama is this, "whose status is such that he may become." What? A naturalized citizen. Well, now, is his status when he lands in this country such that he is qualified to be a naturalized citizen? His status means when he can come into court with his petition after having resided here for five years and then get his naturalization papers. The substitute covers this defect, for in it, if you adopt it, you will have provided that the act shall cover any alien, a resident of the United States, who under existing law could become eligible to be naturalized, thus clearing away all the doubt and all the difficulty connected with the question.

Mr. McKENZIE. Will the gentleman yield for a question?

Mr. GRAHAM of Pennsylvania. Yes.

Mr. McKENZIE. I am asking for information. Under the gentleman's amendment, of course, the matter of the definition of the word "resident" would be involved.

Mr. GRAHAM of Pennsylvania. Yes.

Mr. McKENZIE. Now, the question I have in mind is this: Suppose a man living in Canada desiring to avoid military service in Canada comes over to the United States, and in most of the States the matter of residence is limited to six months or one year, and so on. Now, suppose he stays five months in one place and moves to another place and stays there six months and then to some other place and stays five or six months, could not that alien absolutely avoid the law we are trying to pass?

Mr. GRAHAM of Pennsylvania. No. He could not, because he would become a resident. Resident will not, in its definition, cover a student who is here or a wayfarer who is sojourning in the country and caught by the exigencies of war conditions. But it would cover a man who comes and resides five months in one place or six months in another place, no matter how he might intend to evade the law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LENROOT. Mr. Chairman, I will ask that the gentleman be granted five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. GRAHAM of Pennsylvania. I have no desire to do anything more than to call the attention of my colleagues to the effect of these two amendments.

Mr. BURNETT. Mr. Chairman, the gentleman on last Wednesday—has the gentleman concluded?

Mr. LENROOT. I want to ask the gentleman from Pennsylvania a question.

Mr. GRAHAM of Pennsylvania. If there is no objection, I will be glad to answer any question.

Mr. LENROOT. I am interested in the gentleman's definition or interpretation of the word "resident," and I want to ask the gentleman whether residence is not a matter of intention?

Mr. GRAHAM of Pennsylvania. It may.

Mr. LENROOT. If the word "resident" is included, might not any alien say that it was never his intention to become a resident of the United States and the reason he had not made declaration was because he intended to return to his native land and therefore is he not entirely excluded from the operation of the bill?

Mr. GRAHAM of Pennsylvania. No; the gentleman is in error. Resident is not solely a question of intention. Residence is a question of fact, and if you could prove that a man has taken up his residence here by extraneous evidence he would come under the provisions of this bill.

Mr. LENROOT. Let me ask the gentleman this question: We have clerks employed here in the District of Columbia who may have been here several years. In the legal sense, does the gentleman think that because they may have been domiciled here for years that they are residents of the District of Columbia?

Mr. GRAHAM of Pennsylvania. Residents, yes; but not citizens. And if it were a State they could not become citizens without——

Mr. WALSH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. I desire to inquire if the debate upon this section was not closed by the committee on last Wednesday.

The CHAIRMAN. This is a different amendment.

Mr. WALSH. Was not debate closed upon this section?

The CHAIRMAN. The Chair thinks not, but upon the amendment offered by the gentleman from New Jersey.

Mr. BURNETT. Mr. Chairman, after listening to the discussion of this matter by the very able gentleman from Pennsylvania [Mr. GRAHAM] last Wednesday I was of the opinion there was much force in his suggestion.

I therefore asked the opinion of the Department of Labor, that has to construe these questions as to immigration, and submitted that very phase of it to them, and the suggestion that I have offered in my amendment is their suggestion, namely, "whose status is such that he may become a citizen by naturalization." The objection, and the only objection I have, to the amendment of the gentleman from Pennsylvania [Mr. GRAHAM] is the use of the word "resident."

Mr. GRAHAM of Pennsylvania. Will the gentleman allow me a suggestion?

Mr. BURNETT. Certainly.

Mr. GRAHAM of Pennsylvania. I am going to ask unanimous consent to strike out the words "resident of the" from the substitute and insert in lieu thereof "domiciled in the United States," accepting the suggestion of the gentleman.

The CHAIRMAN. Does the gentleman ask unanimous consent to make the change in his amendment?

Mr. BURNETT. Mr. Chairman, I have no objection to the unanimous consent, but I desire to oppose it in that form, because even the difference between domicile and residence is very shadowy in construction frequently, and it would be a dangerous thing. And the danger of it is that these fellows that are coming over are the very men we are wanting to send back or to make fight. They are the slackers. The objection I had to the Chamberlain bill as it was passed in the Senate was that if a man had not resided here for a year you could not conscript him.

Now, a part of the purpose of this bill is to get at these very fellows, and the Department of Labor, that will construe these matters of immigration and deportation, have recommended the words "whose status is such that he may become eligible," and it seems to me that it meets the whole trouble. And I am afraid when we inject this question of domicile and residence and draw those shadowy lines of definition that later on in its interpretation many questions will arise that will enable the very men that we are wanting to leave the country or force to fight to escape through that kind of loophole. And for that reason, Mr. Chairman, I object to that amendment and ask a vote on my own amendment.

The CHAIRMAN. Is there objection to the unanimous-consent request of the gentleman from Pennsylvania to modify his amendment? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Chairman——

The CHAIRMAN. The Chair will state that the debate on this amendment is now exhausted.

Mr. RAKER. I move to strike out the last word.

I desire to discuss the question presented by the gentleman from Pennsylvania [Mr. GRAHAM], viz, the meaning of the words "eligible by existing law to become a naturalized citizen of the United States." After hearing his discussion upon that phrase last Thursday, I went to the law library and gave as much investigation as I could to the subject, and the only place I find wherein the question is discussed is in relation to eligibility to office, to be elected to office, or to hold office. Now, there are two lines of decision. One is that a man eligible to office must be qualified at the time he takes the office and assumes the duties thereof. Another line of decision holds that he must be qualified at the time of nomination. The authorities are clear upon the question that a man eligible to become an officer may have a dozen disqualifications before the day he takes the oath of office and qualifies. For instance, in one of the Southern States a man could not be appointed judge if he held a county office. He held the district attorney's office. He filed his resignation as district attorney and in two minutes afterwards was appointed to the office of judge, and the supreme court of the State held that at the time of the taking office he was qualified, although but five minutes before was disqualified, though eligible to become judge, and when he resigned as district attorney he had removed the existing impediment and became fully qualified to hold the office of judge.

Now, I want to call the attention of the committee to this fact.

Mr. GRAHAM of Pennsylvania. Will the gentleman yield?

Mr. RAKER. I yield for a question.

Mr. GRAHAM of Pennsylvania. All the interpretations of the word "eligible" sustain the view I have expressed, do they not?

Mr. RAKER. I think not; in particular as the word is used in this bill.

Mr. GRAHAM of Pennsylvania. Is it not true that the dictionary meaning of the word, as found in the dictionaries, sustains my view?

Mr. RAKER. No; I think not. "Eligible" does not stand alone. It is "eligible to become naturalized," and so forth.

Mr. GRAHAM of Pennsylvania. And is it not true that Bouvier's Law Dictionary gives the same meaning, namely, that when you are eligible to an office you must have all the qualifications that fit you for that office?

Mr. RAKER. Of course you can overcome it at the time you enter into office. But you may have a dozen qualifications, and if you are eligible at the time you are elected or appointed to the office that is what the word "eligible" means, as long as the statute provides as in this case. If it was "any alien eligible for final naturalization," then my friend from Pennsylvania [Mr. GRAHAM] would be correct, and there would be no doubt about it. But the language of this bill is "eligible under existing law to become." Now, a man when he comes to this country may have a dozen disqualifications. He may not have lived here long enough; he may not have been able to read and write——

Mr. McKENZIE. Will the gentleman yield right there for a question?

Mr. RAKER. I will.

Mr. McKENZIE. Is it not a fact that these words refer rather to the person or character of the man when he lands on our shores than to the conditions and qualifications thrown about him?

Mr. RAKER. Sure.

Mr. McKENZIE. The naturalization of the subject. You know and I know, without mentioning it, that there are certain peoples in this world who under our law are not eligible to citizenship.

Mr. RAKER. The gentleman is clearly correct in his statement.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. For a question.

Mr. WALSH. Will not this whole confusion and controversy be avoided by inserting language to make that first line read as follows?—

That any alien who has not become a naturalized citizen.

Mr. RAKER. No. I think not.

Mr. WALSH. Why not?

Mr. RAKER. I want to call the committee's attention to this fact, and there is no need of passing it over. You can not conceive language that will make this plainer if you consider in this connection the statutes in regard to the naturalization, namely, that a man who believes in assassination of public officials, and so forth, can not become eligible at the time he makes his application. A man who has committed a crime and is an alien, and applies for naturalization, can not become eligible for citizenship in the United States.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, will the gentleman yield for a question?

Mr. RAKER. I yield to the gentleman for a question.

Mr. GRAHAM of Pennsylvania. Suppose an alien has filed his application to become a citizen and he comes up before the court. Inquiry is made as to whether or not he has been for five years a resident of the United States and for one year a resident of the State in which he makes his application, and it turns out that he has not been either. Will not the court say to him, "Sir, you are not eligible to become a naturalized citizen"?

Mr. RAKER. No. It is just the reverse. If he belong to the class that the law permits to be naturalized, if he has not been convicted of a crime, if he is of the proper age and comes under the other conditions, and comes to this country and lives here five years and has taken out his first papers and made the necessary showing upon his final hearing, the court would grant him his papers. But if he applies and has only been here two years, he is nevertheless eligible to become naturalized when he has lived here three years longer, when he can read and write, and when he is able to show that he is not in favor of assassinating public officials and complies with all the other

conditions. A man can never be eligible to become a naturalized citizen of the United States who believes in sabotage under the laws as they exist here to-day; and, no matter how long he has been here, he is not eligible to become a citizen of the United States if he believes in assassinating public officials. Therefore it means fundamentally the person himself, that has none of the disqualifications, may at some time in the future, when he complies with the law, be admitted to citizenship; and that is all the purpose and object and intent of this statute. I trust the committee will not mix it up by inserting other language that will make it hazy and uncertain, when it is just as plain now as the English language can make it that whenever a man is able to show the things that he can show he is then at that time eligible to become naturalized and become a citizen. But if there are any restrictions against him that he can not overcome, he never can be in a position to become eligible for naturalization and be finally naturalized.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. HAYES. Mr. Chairman, all this learned disquisition is very interesting, but it is not applicable to the present case. The confusion in gentlemen's minds arises from the fact that they do not understand the word "naturalization" as used in the naturalization law. The word "naturalization" does not mean just the granting of the certificate of citizenship by the court. Naturalization begins when a man declares his intention to become a citizen, just as a suit at law in my State, and I presume in the States of you all, does not consist merely in the appearance of the parties before the court and the adjudication of the issues and entry of judgment, but begins with the issuance of the summons. That is the beginning of the suit. So the beginning of naturalization is the declaration of the intention of the alien, and the whole proceeding is laid out in the naturalization law, which provides exactly what that declaration shall state—every step is provided, and it takes it all to make a naturalized citizen of the United States.

Mr. FLOOD. May I ask the gentleman a question?

Mr. HAYES. Yes.

Mr. FLOOD. What would be the objection, in the gentleman's opinion, to striking out, after the word "alien," the words "eligible by existing law to become a naturalized citizen of the United States," and let the section read: "Any alien who is a native or subject of a country that is engaged in war with Germany"?

Mr. HAYES. That includes students and everybody else.

Mr. FLOOD. Will the gentleman answer that question?

Mr. HAYES. I think that would cover more ground than we desire to cover in this case.

Mr. FLOOD. As at present drawn, it takes in students. You can exempt students. This would take in Japanese and Chinese who desire to become members of our Army.

Mr. HAYES. There is now no objection to their joining the Army. This does not prevent them. They do not have to claim their exemption if they do not want to.

The gentleman from Pennsylvania [Mr. GRAHAM] is usually—in fact, is always—very clear in his statements and very clear in his thought, and his confusion arises in this case because he has in mind the naturalization law that existed prior to the law of 1906, when a man had to live in this country for two years before he could declare his intention.

To-day he can declare his intention the minute he puts his foot on the soil of the United States, and then naturalization can begin; and therefore if he is eligible to naturalization at all, the moment he lands on our soil he is eligible to naturalization. When he makes his declaration the process of naturalization begins.

Now, if a man is a Chinaman, no matter how long he stays here, he is not eligible to naturalization, and can not make a declaration of his intention to become a citizen. And all this seeming confusion is caused because gentlemen do not understand what naturalization means. It means the whole process from the declaration of intention to the issuance of the certificate of citizenship.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Yes.

Mr. WALSH. If the contention of the gentleman from Pennsylvania [Mr. GRAHAM] is correct, before an American-born citizen could become President of the United States it would be necessary for him to be elected to that office?

Mr. HAYES. Rather. [Laughter.]

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Yes.

Mr. LENROOT. I would like to ask the gentleman this question: If the amendment of the gentleman from Alabama [Mr. BURNETT] were further amended by adding to it the words "comply with the naturalization laws and thereafter become," so that it would read "any alien whose status is such that he can comply with the naturalization laws and thereafter become a naturalized citizen of the United States," would not that clear it up?

Mr. HAYES. It does not need any clearing up. The words "eligible to naturalization" have a perfectly well understood meaning under the law, and they include the whole process of naturalization, and not merely the signing and delivery to the alien of a certificate of citizenship.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. HAYES. Yes.

Mr. GORDON. Is a person 24 years old eligible to be elected to the House of Representatives.

Mr. HAYES. Certainly not.

Mr. GORDON. Then I do not know how an alien who has been here less than the statutory time could be eligible to citizenship.

Mr. HAYES. He is eligible to become a naturalized citizen, if he is eligible at all, the moment he lands.

The CHAIRMAN. The time of the gentleman from California has expired. The debate on this substitute is exhausted.

Mr. McKENZIE. Mr. Chairman, I ask unanimous consent to proceed for one minute.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. McKENZIE. Mr. Chairman, as I understand this proposition, these words should not be stricken from the bill, and the bill should stand exactly as it is now drawn. My understanding—and I think it is that of every man who has given this matter any consideration—is that in this war we have as our allies against the German Empire two classes of nations or people. One class are eligible under our law to become citizens of this country. The subjects of two of the other countries who are our allies in this war are not permitted under our law to become citizens of this country. Therefore they should be excluded from the provisions of this law, and the word "eligible" in the bill as it now stands protects those people and makes the law clear. Therefore I hope no amendment to this section will be adopted.

Mr. FLOOD. May I ask the gentleman a question?

Mr. McKENZIE. Yes.

Mr. FLOOD. Why should these people be excluded?

Mr. McKENZIE. As a man who believes in conscription, I do not believe in conscripting a man who has not the right to have something to say about this Government of ours.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURNETT. I ask for a vote.

The question being taken, the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. BURNETT].

The amendment was agreed to.

Mr. EMERSON. I have an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. EMERSON: Page 2, line 14, insert a new paragraph as follows:

"That any alien who enlists or is drafted into the military or naval service of the United States and waives his exemptions, serves his time of enlistment, and is honorably discharged, and is at least 21 years of age at the time of his discharge, shall, because of such service, become a citizen of the United States without complying with any of the naturalization laws, and may vote on his discharge papers."

Mr. BURNETT. I make a point of order against that amendment.

Mr. EMERSON. I should like to be heard on the point of order.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard on the point of order?

Mr. BURNETT. I do not. It is not germane, and I want to say to the gentleman that that is the law now.

The CHAIRMAN. The Chair will hear the gentleman from Ohio.

Mr. EMERSON. Mr. Chairman and gentlemen of the House, I want to talk on the point of order. I understand that this bill punishes the alien who refuses to comply with our laws when he is drafted into the military service of the United States. Now, if you can punish a man for refusing to enter the military service of the United States, why can you not reward him when he waives his exemption and enters the military service of the United States? I can not see anything inconsistent about it. We say to the alien, "If you are drafted and you refuse to respond, you have got to leave the country and you can not become a citizen, and you can not do this and many other things."

Now, if we can do that in this bill, why can we not reward him when he does comply? I think we should. If any man ought to be rewarded it is the alien who has come here, who enlists in the service of the United States, or waives his exemption and enters the military or naval service, fights loyally through the war and is honorably discharged. He is entitled to all the advantages of citizenship and should have it.

Mr. GORDON. Will the gentleman yield?

Mr. EMERSON. Yes.

Mr. GORDON. Why is he entitled to a reward? Is it because he is not liable to render military service? Is that why you want to reward him?

Mr. EMERSON. No; I did not say that.

Mr. GORDON. Why do you want to conscript him, if he is not liable?

Mr. EMERSON. I say an alien who is willing to fight for this country, who enlists voluntarily, who waives his exemption, shoulders his musket, and goes to the front and offers his life for this country, is as good as any citizen of this country. I am willing to take that position, and I am a natural-born citizen; my father was, and my ancestors were for hundreds of years; but I am willing to accept the man who will shoulder his musket as an alien and go to the front and fight for this country.

If we are going to punish men for not enlisting we should reward aliens who do enlist or waive their exemptions. I believe the alien should do his part in the winning of this war, but I believe that the alien who volunteers his services or who waives his exemptions when drafted and enters the military or naval service of the United States, serves out his time and is honorably discharged, is entitled to citizenship. An alien who will fight for this country and is willing to die for this country, if need be, is entitled to the honor of being an American citizen. I know of no greater pledge of loyalty we could ask of an alien than to be willing to fight and die for this Republic, in this the hour of its greatest crisis, and the alien who is willing to do it should be crowned with citizenship. I would set aside all obstacles for an alien who would do this and admit him into the great brotherhood of American citizens. In my city a great many aliens have enlisted or waived their exemptions. I know of Jews, Italians, Bohemians, and many other nationalities in Cleveland who have enlisted in the military or naval service of the United States, and they deserve great credit for doing it.

The CHAIRMAN. The Chair is ready to rule. The point of order is made against this amendment, and after some investigation by the Chair he finds that the section provides for denying citizenship and for deportation, while this amendment provide for creating citizens and giving them the right to vote, exactly at cross-purposes with the section that it seeks to amend. The Chair thinks the point of order should be sustained. The amendment is out of order.

Mr. McCULLOCH. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McCULLOCH: Page 2, line 11, after the word "deported." insert

"*Provided*, That the local draft board shall call for service of such aliens liable to military service in the order of their original liability under the selective draft, and all such shall be called in the same order as they would have been called if no claim had been filed for exemption on account of alienage."

Mr. McCULLOCH. Mr. Chairman, thousands of aliens have already been exempted under the selective-draft law who were physically and otherwise qualified because they were aliens. I believe if this bill passes these aliens who have been exempted should be required to serve in the order that they would have been called if they had not filed their original claim for exemption under the alienage provisions of the law. This amendment will accomplish that result. It is somewhat different in its language from the amendment I offered on last Wednesday, and I believe if this amendment is adopted it will accomplish the result I have stated. We should see to it that the intention of Congress is made clear and that aliens are called in the order of their original liability. While the provision in the section giving the President the power to make rules and regulations may take care of the question in regard to their being called, or the order of their being called, yet I believe this amendment will make the intention of Congress clear and that it should be adopted. I have talked the matter over with the chairman of the committee, and I trust that he will see fit to express the views of his committee and himself before this vote is taken.

Mr. BURNETT. Mr. Chairman, the draft law as it now stands confers upon the President and the draft officials the right to make its rules and regulations. If we get this bill through in time, which I have been trying to do—if it gets in before the next call is made—I think the power is already vested in the Provost Marshal, under the authority of the President, to make this kind of a call. If the call is made, if this bill is passed in time, I hope there will be something of that kind. There is merit in the proposition of the gentleman from Ohio, but if we undertake to prescribe rules and regulations by which it shall be done I think there is danger of getting into confusion.

Mr. McCULLOCH. Will the gentleman yield?

Mr. BURNETT. Yes.

Mr. McCULLOCH. Does the gentleman mean to say that he does not expect aliens exempted in the first draft to be called?

Mr. BURNETT. They are in the fifth class now, under the ruling of the boards, where they claim exemption, but that does not divest the boards of the authority to change and put them in the first class. Under the provision "that the President is hereby authorized to make such rules and regulations as may be necessary to enforce the provisions of this section," I think all of that power is included. I think it ought to be left to the Provost Marshal to make the rules and regulations by which that shall be done.

Mr. McCULLOCH. Will the gentleman yield for another question?

Mr. BURNETT. Yes.

Mr. McCULLOCH. Does the gentleman say that the board has the power not to call those who have been exempted who have not been called?

Mr. BURNETT. It is an automatic power. I sympathize with the gentleman's purpose. I voted against conscription, Mr. Chairman, but, as it was passed, I believe it is unfair that our boys and the naturalized boys of this country should have to go off and fight and leave these fellows here to take their positions. The speech of the gentleman from Ohio the other day along the same line was a good one, as that to-day, and, instead of being criticized, as was done by one gentleman, I compliment my friend on the able manner in which he presented his views. [Applause.] Did I not believe that this matter is better provided for in the bill already, I should consent to the amendment which has been submitted by my friend from Ohio.

Mr. McCULLOCH. Will the gentleman yield further?

Mr. BURNETT. Yes.

Mr. McCULLOCH. Will the gentleman say that the bill as it now is will require all aliens to serve, regardless of whether or not they were exempted in the first draft?

Mr. BURNETT. It will require them to waive exemption or be deported.

Mr. McCULLOCH. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. PARKER of New Jersey. Mr. Chairman, I offer the following amendment.

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Washington makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and three Members present, a quorum, and the Clerk will report the amendment offered by the gentleman from New Jersey.

The Clerk read as follows:

Page 2, line 3, after the word "possessions," insert "and shall forever be denied the right of acquiring any interest or estate, legal or equitable, in any lands within the United States or any of its possessions."

Mr. BURNETT. I make a point of order against that.

Mr. PARKER of New Jersey. Will the gentleman reserve his point of order?

Mr. BURNETT. No; I will not. If it has come to a filibuster I want to get this bill through.

Mr. PARKER of New Jersey. I am not delaying the bill. This is not subject to a point of order, it is simply adding another penalty to the one we already have, and I think it is in order.

The CHAIRMAN. The Chair is of the impression that the amendment is in order, but the Chair will hear the gentleman from Alabama.

Mr. BURNETT. Mr. Chairman, there are two reasons why I think it is objectionable and subject to a point of order. In the first place it goes outside of the scope of the bill, which relates simply to naturalization and deportation. Another

thing, it invades the principle of State rights. The States alone can control the question of ownership of land, as many of the States have done. It seems to me that it is out of order in any bill, and is not germane or legitimate for Congress to enact such legislation. Certainly in that view of it it would be out of order.

The CHAIRMAN. On second thought the Chair believes that the amendment is out of order. Here is an authority in the Manual:

One individual proposition may not be amended by another individual proposition, even though the two belong to the same class.

This is adding another penalty to the same class, and the Chair holds it out of order.

Mr. BORLAND. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 1, line 9, after the word "act" insert "and physically qualified therefor."

Mr. BORLAND. Mr. Chairman, I have always believed and still believe that this is not the way in which to get soldiers into the Army, by asking the aliens to enlist or else be deported. It has very much the appearance to me of an attempt to further accentuate the labor shortage in this country by deporting a lot of available labor, a thing which I believe is inimical to the best interests of the country at this time when we are facing a shortage in every branch of industry. This bill says to aliens, "If you do not enlist you will be deported." I realize that gentlemen say that it is going to scare the aliens into the service. They have provided that any man who is liable or subject to the selective draft and does not withdraw his exemption shall be deported.

Mr. WALSH. Will the gentleman yield?

Mr. BORLAND. In a minute. I want to open up my thought first. It says that any man who is subject to the selective-draft law, defining it, who does not withdraw the exemption shall be deported. As a matter of fact thousands of men may be subject to the draft law who would not be accepted if they were examined for service. We are put in the position of deporting possibly thousands of available laborers who never would be accepted for service in the Army, no matter whether they withdrew their exemptions or not.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. It simply accentuates the proposition that we are driving labor out of this country at the instance of some interest that is anxious to cut down the available supply of labor and enhance the price of labor during the present emergency. I yield to the gentleman from Massachusetts.

Mr. WALSH. Mr. Chairman, I desire to ask the gentleman if he contends that a citizen or alien with only one arm or one leg would be subject to the selective-draft law?

Mr. BORLAND. I understand that every man within the qualified ages is subject to the selective-draft law, but whether he be accepted for service depends upon the exemption board. I do not think there is any doubt about that proposition.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. LENROOT. Has the gentleman observed in the bill that the only exemption that the alien is required to withdraw is the exemption that he claims on account of being an alien?

Mr. BORLAND. That is all.

Mr. LENROOT. And that he has every other exemption that a citizen has?

Mr. BORLAND. He would have all the other exemptions under that; but if he does not withdraw the exemption of alienage, the remedy is that he shall be deported, regardless of his other exemptions.

Mr. DOWELL. Mr. Chairman, if he withdraws his exemption, he then stands precisely as an American who has not that same right for exemption?

Mr. BORLAND. Yes; he stands exactly as an American would who had submitted himself to the draft board; but suppose he does not withdraw his exemption. This law, if it operates as it says on its face, will deport him. I realize that the proponents of the law insist that they do not mean what the law says; they do not mean to deport any labor or drive any labor out of the country, or to accentuate the labor shortage on farms or in the mines, but I contend that is a necessary operation of their law, and the direct operation is not to get soldiers. The direct operation of the law is to accentuate the shortage of labor.

Mr. RAKER. The gentleman will concede that if a man withdraws his exemption that he is an alien, and he turns out to have one eye or one arm——

Mr. BORLAND. Oh, I think I have already answered that question.

Mr. RAKER. He would not be subject to be deported.

Mr. BORLAND. If an alien withdraws his exemption and submits himself to the draft board, and is afterwards rejected for other causes, of course he remains here; but suppose he does not withdraw his exemption and submits to being deported, how have we gained anything by losing that amount of labor? I want to ask that question of the gentleman from California. How are we gaining anything by driving laborers out of this country when we need them in every line of industry?

Mr. SABATH. How did the gentleman vote on the immigration law?

Mr. BORLAND. I voted against overriding the President's veto. I voted against any labor shortage. The gentleman and I, I think, were right about that. We ought never to have driven labor out of the country.

Mr. BURNETT. Mr. Chairman, I do not deem it worth while to reply to a speech that is in the interest of letting the alien laborers stay here and having the American laborer sent to fight. Therefore I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 2. That after the expiration of 60 days from the passage of this act the President of the United States is authorized and empowered, under such rules and regulations as he may prescribe, to draft any alien in the United States to perform such mental or physical labor on the farms, in the manufacturing establishments, or other enterprises in the United States as he may deem necessary or proper: *Provided*, That the President may exempt from the draft authorized by this section such individuals or classes of aliens as he may believe for the best interests of the United States: *Provided further*, That the expenses of carrying out the provisions of this section shall be paid out of the Treasury of the United States.

Mr. BURNETT. Mr. Chairman, I move to strike out section 2.

The CHAIRMAN. The question is on the motion of the gentleman from Alabama, to strike out section 2.

The question was taken, and the motion was agreed to.

Mr. BURNETT. Mr. Chairman, I ask unanimous consent that section 3 be renumbered section 2.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DENT. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that its consideration be postponed until February 27.

Mr. LENROOT. Mr. Chairman, I make the point of order that that motion is not in order at his time.

Mr. FLOOD. Mr. Chairman, this is a preferential motion.

The CHAIRMAN. The Chair thinks this is a preferential motion. The question is on the motion that the committee do now rise.

Mr. FLOOD. Mr. Chairman, I would like to say a word on this motion, in favor of it.

Mr. WALSH. Mr. Chairman, I make the point of order that the motion is not debatable.

The CHAIRMAN. The Chair thinks it is debatable.

Mr. SLAYDEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SLAYDEN. Is it ever in order for the Committee of the Whole House to instruct the House what to do?

Mr. DENT. This is a mere recommendation.

The CHAIRMAN. It is in order for the committee to rise and make a recommendation to the House.

Mr. DENT. And that is all there is to this motion.

Mr. WHEELER. Mr. Chairman, if this motion prevails, then it is up to the House whether it will consider the recommendation?

The CHAIRMAN. The Chair so understands.

Mr. WALSH. Mr. Chairman, I make the further point of order——

The CHAIRMAN. What is the point of order?

Mr. WALSH. I make the further point of order that this motion has previously been made in the committee and defeated, and it is not in order to renew a motion that has already been acted upon by the committee.

Mr. DENT. In reply to that, Mr. Chairman, it has not been made to-day. The rule provides that it can not be made on the same day. This motion was made last Wednesday, but it has not been made to-day.

Mr. WALSH. Mr. Chairman, in reply to the suggestion I would say that this motion was made upon a Calendar Wednesday, and that this is a continuation of that Calendar Wednesday that was started last week——

Mr. FLOOD. No; it is not. It is two Calendar Wednesdays.

Mr. WALSH. And that it is not a separate Calendar Wednesday.

Mr. FLOOD. The Chair has ruled, as I understand it.

Mr. HARRISON of Mississippi. I was going to cite the Chair to the ruling to which attention has been called, where it says:

And no motion to postpone to a day certain, to recur, or to postpone indefinitely, being decided, shall be again allowed on the same day at the same stage of the question.

This is not the same day or the same stage of the question.

The CHAIRMAN. The Chair understands that. The Chair understands, too, that a different rule has been applied upon rather a similar question, that is the question of consideration on Calendar Wednesday, and that two motions of that sort may be made to that question. The Chair is of the impression that this point of order should be overruled.

Mr. BURNETT. Mr. Chairman, I make the point of order that no debate is in order on this motion.

Mr. FLOOD. The Chair has ruled on that.

The CHAIRMAN. Decisions under the rule provide that this motion may be debated to a limited extent, but the debate must be confined to the advisability of postponing only. The merits of the bill can not be discussed.

Mr. BURNETT. Mr. Chairman, I move that all debate on this motion now close.

Mr. HARRISON of Mississippi. Mr. Chairman, I make the point of order that the Chair has recognized the gentleman from Virginia.

Mr. BURNETT. No; he has not.

The CHAIRMAN. The gentleman from Virginia has the floor. When he surrenders the floor the Chair will recognize the gentleman from Alabama to make that motion, but the gentleman from Virginia now has the floor.

Mr. FLOOD. Mr. Chairman, I want to argue this motion. I think it should prevail, and in support of it I desire to read a letter addressed this morning by the Secretary of State to the gentleman from Alabama [Mr. BURNETT], which I read with the consent of the gentleman from Alabama:

FEBRUARY 13, 1918.

Hon. JOHN L. BURNETT,
House of Representatives.

MY DEAR MR. BURNETT: Referring to House bill H. R. 5667, providing for refusal of citizenship in the United States or compulsory deportation of subjects of our co-belligerents who do not submit to compulsory military service in this country, I wish to state to you formally what I have said to you orally on previous occasions that the passage of this bill or its consideration at the present time by either House of Congress will interfer seriously with the progress of negotiations looking to the conclusion of conscription conventions with the entente powers. We are on the point of signing such conventions with Great Britain and Canada, and negotiations with Italy and France and other countries are proceeding rapidly. As the proposed conventions will attain by agreement with the powers the object of this bill without violation of treaties now in force and without subjecting their subjects to treatment which they can not but regard as harsh and unbecoming a country aligned with them in the present war, I would regard it as unfortunate if the negotiations were suspended or nullified by the passage of the bill mentioned.

I have, therefore, no other course open to me, as you know, but to ask you as chairman of the committee in charge of the bill to request suspension of consideration of this measure by the House for a short time in order that the outcome of the present negotiations with the entente powers may be determined. As we both have the same object in view, I am sure you will feel disposed to cooperate with me and with the Government in accomplishing it, if possible, in the manner which the President and the Senate have agreed upon as appropriate.

Mr. Chairman, it does seem to me that in the important international situation presented by this letter when the Secretary of State, who is negotiating at this minute treaties with our cobelligerents which cover the purposes of this bill, tells the House that the passage of this bill to-day would interfere with, if not nullify, these negotiations there should not be any hesitancy on the part of the House to vote for this motion. Now, those of us who have talked to the Secretary of State—and the gentleman from Alabama [Mr. BURNETT] is one of them—know how earnestly he feels about this matter and know how the entire State Department feel about it and how the representative of the War Department, who was in conference with us this morning, feels.

What the Secretary of State asked was a delay of two weeks, within which time negotiations could be concluded or put in such process of conclusion that the Members of the House would be satisfied that satisfactory conventions would be arranged with our cobelligerents. What we propose to do here if we pass this bill to-day is to deny the request of an executive department of this Government that is handling this delicate and important question, nullify the power of this department to accomplish the purposes of this bill in an orderly and friendly way, and deny a request for only two weeks' delay. No Member can justify his action in voting against this motion.

Mr. DENT. Will the gentleman yield for a suggestion?

Mr. FLOOD. Yes.

Mr. DENT. May I state to the gentleman from Virginia and to the committee that there is no notion on the part of the War Department to call the next draft within the next two weeks; that the draft that has been called is simply those men who were in the first draft, and the second draft would certainly not be called for some time hence; and it can not possibly do any harm to postpone.

Mr. FLOOD. Possibly it will not be called before May or June and there will be ample time, if these negotiations fail, for this House to take up this bill two weeks from now and pass it.

Mr. WALSH. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. WALSH. Is not the gentleman aware that under the rules of the House if this postponement prevails we can not consider this matter on Calendar Wednesday two weeks from to-day?

Mr. FLOOD. The suggestion was made to the gentleman from Alabama that unanimous consent be asked for that, and, failing in that, we can get a rule. This House is master of its proceedings, and no rule can make it do wrong when it wishes to do right.

Mr. WALSH. This has nothing to do with the question of postponement. Under the rules of the House, as the gentleman is aware, if postponement prevails, it could not be considered two weeks from to-day.

Mr. FLOOD. There would be no trouble in the world in getting unanimous consent of this House if this reasonable request of the State Department is granted——

Mr. WALSH. That has nothing to do with the question of postponement.

Mr. FLOOD. I said there would be no trouble in getting unanimous consent to take it up two weeks from now.

Mr. HARRISON of Mississippi. That would be the action of the House to postpone it to a day certain for consideration——

Mr. LENROOT. We have no power to do it in committee——

Mr. HARRISON of Mississippi. If the House accepts the action of the committee——

Mr. WALSH. But we can not, as far as the rules of the House apply.

Mr. FLOOD. We can suspend the rules by a two-thirds vote, or we can get a rule. Do not becloud an international question with parliamentary objection.

Mr. WALSH. This is not a motion to suspend the rules.

Mr. FLOOD. There will be no difficulty in getting unanimous consent of this House or a two-thirds vote of this House to take up this proposition two weeks from now, and if there is we can get a rule. This reasonable request of the State Department should be granted.

Mr. McCULLOCH. Will the gentleman yield?

Mr. FLOOD. No; I can not yield.

Here we are asked to pass a bill to-day that the legal advisors of the State Department and the Secretary of State tell us is in violation of the treaties with two of our cobelligerents. We are asked to do it without very much consideration, because this bill is not a well-considered measure. The second section of it has just been stricken out on a motion of its patron, the gentleman from Alabama [Mr. BURNETT], and it was only discussed here a few minutes on last Wednesday. Now, we are asked to violate treaties; we are asked to violate the principles of international law, that great body of laws which have grown up among civilized nations through the centuries, and for the upholding of which we are engaged in this great war; we are asked to violate the usages that have always existed between friendly nations in regard to the conscription of their respective nationals—all that Members may not postpone for two weeks an opportunity to cast a popular vote.

Mr. RUCKER. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. RUCKER. Can the gentleman inform the committee, if it is proper to do so, if the Secretary of State believes that these negotiations will be completed within two weeks?

Mr. FLOOD. The Secretary of State said this—and if I am not correct I will ask the gentlemen who were at the State Department with me to correct me—that the basis of these treaties was the British treaty. The Canadian treaty has absolutely been concluded, and in the British treaty there were a few words they had to adjust, and which they understood from a communication they had last night would be adjusted. The new British ambassador is here, and they are satisfied the British treaty will be concluded in a day or two. That will be the basis of all the treaties. The Secretary of State said he did not anticipate any trouble with Italy; that Italy and France were willing to enter into these conventions. He wanted to conclude this British treaty so as to make it constitute the basis

of the others; and while he did not say that he could get it through in two weeks, he did say that the negotiations had proceeded so far that he thought he could satisfy the gentlemen in that length of time; that they would be successfully concluded.

Mr. BUTLER. I would like to ask a question.

Mr. FLOOD. I yield to the gentleman from Pennsylvania.

Mr. BUTLER. Can the gentleman inform us if the purpose of the proposed treaty will be to enable us to draft these men?

Mr. FLOOD. Oh, yes.

Mr. BUTLER. In other words, we will by this treaty obtain permission from the other countries to draft their subjects?

Mr. FLOOD. Their nationals, within the ages of their draft law, and not between the ages of our draft law, will be drafted into our Army by their consent, and there will be no friction between the enemies of Germany. The draft laws of our allies run to 40 and 45 years of age.

Mr. WALSH. Mr. Chairman, a point of order. The Chair has already ruled that the discussion of this motion to postpone is confined to narrow limits, and that it is not in order to discuss treaties and date of the next draft but to oppose this legislation on its merits. It should be confined to postponement.

Mr. FLOOD. I will observe the rule.

The CHAIRMAN. The gentleman from Virginia will confine himself to the narrow limits of postponement.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. FLOOD. Yes.

Mr. MADDEN. If we postpone action on the bill that is pending before the House, and the Secretary of State is able to conclude the negotiations that are now pending between other countries and this country, will these negotiations when completed cover the conditions that are sought to be arrived at through this legislation?

Mr. FLOOD. Oh, absolutely. There is no question in the world about that.

Mr. MADDEN. Then there ought not to be any question about the postponement.

Mr. FLOOD. I do not think so.

Mr. McCULLOCH. The gentleman has confidently said that there will be no trouble about receiving unanimous consent for the consideration of this bill later. Is the gentleman aware that there are many men on this floor who are absolutely opposed to the drafting of aliens?

Mr. FLOOD. I do not think they will object.

Mr. JOHNSON of Washington. Is not the object to give the State Department an opportunity to conclude these treaties without being knocked down by one branch of the Congress?

Mr. FLOOD. The Secretary of State says it will be interfered with in its negotiations. And how can Congress justify itself when an executive department of the Government says to you that the passage of this bill to-day may nullify the negotiations that are being carried on, and which within a few weeks will be concluded, by which these aliens may be drafted into the Army? And you propose to-day to nullify negotiations and pass this law, which, if you do pass, a representative of the War Department stated to us, could not be effective because it was not workable.

Mr. RUCKER. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. RUCKER. In the ordinary course, how long does the gentleman think it would take to decide it?

Mr. FLOOD. The statement is made in this letter here that if either House of Congress passes this bill——

Mr. RUCKER. Would the proponents of this bill gain anything in point of time by passing it to-day?

Mr. FLOOD. I do not think so. I do not believe the Senate would pass it in that time. I hope it would not pass it at all. I believe it would stand by our treaties.

Mr. RUCKER. It seems to me that our duty is very clear.

Mr. FLOOD. I think so, too.

Mr. WALSH. I would like to inquire if these negotiations were commenced before this bill was drafted and had come before the House?

Mr. FLOOD. I am not prepared to answer that, but I suppose so. I know they were begun last fall, whether before this bill——

Mr. NOLAN. Mr. Chairman, a parliamentary inquiry.

Mr. WALSH. It was before this bill was up here?

Mr. FLOOD. Oh, yes.

Mr. NOLAN. Mr. Chairman, is the gentleman from Virginia [Mr. FLOOD] discussing this motion under the five-minute rule?

The CHAIRMAN. No. The gentleman from Virginia has the floor.

Mr. MOORE of Pennsylvania. Mr. Chairman, if I vote for postponement, will I be voting to sustain the administration or will I be opposing it?

Mr. FLOOD. You will be voting to sustain the administration.

Mr. MOORE of Pennsylvania. Then I will vote to sustain the administration.

Mr. WALSH. Mr. Chairman, I rise to a point of order that this is not in order.

Mr. HEFLIN. Mr. Chairman, I did not get to hear all this letter read. Does the letter state that if either House takes action on this matter now it will embarrass and hamper the administration in the treaty negotiations that are now pending?

Mr. FLOOD. It says it will probably nullify its efforts; it will not only embarrass the administration but nullify its efforts if either House takes action. [Cries of "Vote!" "Vote!"]

Mr. BURNETT and Mr. WALSH rose.

The CHAIRMAN. Does the gentleman from Virginia yield the floor?

Mr. FLOOD. No.

Mr. BURNETT. I want to know how long the gentleman is going to speak. I want to reply to him.

Mr. FLOOD. I was going to answer any questions that might be asked of me.

Now, gentlemen, this is a simple request. This motion does not kill this bill. Postponement is asked——

Mr. FARR. For how long?

Mr. FLOOD. For two weeks, in which we might conclude negotiations begun months ago with our cobelligerents.

Mr. BURNETT. If they do not do it, will the gentleman then withdraw his objection to this bill?

Mr. FLOOD. I will, at the end of two weeks, withdraw my objection.

Mr. BURNETT. If they do not conclude negotiations with whom?

Mr. FLOOD. Here within two weeks, if the gentleman from Alabama desires to bring this bill up again, I do not care with whom they have concluded negotiations and with whom they have not concluded negotiations, I will raise no objection to the consideration of the bill.

Mr. BUTLER. Mr. Chairman, will the gentleman permit a question?

Mr. FLOOD. Yes.

Mr. BUTLER. Will the gentleman agree to it with the Rogers amendment on it?

Mr. FLOOD. Two weeks from now?

Mr. BUTLER. Yes.

Mr. FLOOD. I will not vote for the bill without the Rogers amendment. I will not vote for a bill that violates a treaty, but beyond voting against it I will not oppose the bill.

Mr. BURNETT. How does the gentleman know that this is not putting this bill out of court? What assurance can he give that on this date two weeks hence—our day expires to-day—what assurance can he give to this House that two weeks from to-day the point of order will not be made that we are not in order?

Mr. FLOOD. I see before me gentlemen who are opposed to this bill from every standpoint, some opposed to it on principle. I will say here, facing these gentlemen, that I do not think there will be objection to unanimous consent; and if there is, a rule can be brought in two weeks from now making this bill in order.

Mr. SAUNDERS of Virginia. If we withdraw this bill now and go into the House, consent to a unanimous request can be given. We can try it out in the House.

Mr. BURNETT. Will the gentleman agree to so amend his motion that it will specify that on that day it shall be considered?

Mr. SAUNDERS of Virginia. That would not do any good at all. You could not by any action in the committee give to the committee on Calendar Wednesday any right that the rules say they can not enjoy, but we can try it out in the House.

Mr. FLOOD. We can come back into the Committee of the Whole.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Illinois?

Mr. FLOOD. Yes; I yield to the gentleman from Illinois.

Mr. McKENZIE. Mr. Chairman, I just simply wish to suggest as my thought to the gentleman from Virginia and the chairman of the committee [Mr. BURNETT] that it would be wise, in order to get a settlement of this question and to protect those of us who favor this bill, to move that the committee do now rise and go into the House and make this agreement, and then we will understand that if it is an agreement it will be binding.

Mr. FLOOD. It is practically the same thing.

Mr. McKENZIE. Otherwise an agreement in this committee will have no effect when we get into the House. I suggest that

that be done for the protection of those of us who would like to see this bill enacted into law.

Mr. SAUNDERS of Virginia. There can be no agreement in committee.

Mr. FLOOD. I will make this suggestion: That the gentleman from Alabama [Mr. DENT] withdraw his motion, with the understanding that when we come back into Committee of the Whole his suggestion will be carried out.

Mr. KITCHIN. If they can come to an agreement.

Mr. FLOOD. I suggest that the gentleman from Alabama [Mr. BURNETT] move that the committee rise now.

Mr. WALSH. I will not agree to it.

Mr. FLOOD. I suggest that the gentleman move that the committee rise now, and that we reach an agreement that the matter shall be taken up two weeks from now. Let us make the agreement in the House.

Mr. BURNETT. Mr. Chairman, I move that the committee do now rise.

Mr. WALSH. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Massachusetts rise?

Mr. WALSH. I desire to submit a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. Has the motion to postpone been withdrawn?

The CHAIRMAN. It has been proposed to be withdrawn. There has been no objection to its being withdrawn.

Mr. WALSH. I desire to submit a preferential motion.

Mr. DENT. Mr. Chairman, I will ask unanimous consent temporarily to withdrawn my motion in view of the motion that my colleague from Alabama [Mr. BURNETT] will make. I ask for that now.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] asks unanimous consent to withdraw his motion. Is there objection?

There was no objection.

The CHAIRMAN. The motion is withdrawn.

Mr. BURNETT. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. WALSH and Mr. DOWELL demanded a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 91, noes 26.

So the motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the Chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 5667) to provide for the deportation of certain aliens, and for other purposes, and had come to no resolution thereon.

Mr. BURNETT. Mr. Speaker, under the statements made a few moments ago it was thought by a majority of the House that this matter should be postponed, without losing its preferential position, for two weeks. I therefore ask unanimous consent that this bill be made a special order for to-day two weeks hence, superseding Calendar Wednesday and all business on that day.

The SPEAKER. The gentleman from Alabama asks unanimous consent that this bill be postponed until two weeks from to-day, and that it be made a special order for that day, to take precedence of the regular Calendar Wednesday business. The Chair will state that if they get through with this bill on that day we will go on with the calendar.

Mr. MADDEN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Alabama a question. Before I ask it I want to state that I have no objection to the consideration of the bill on the date that he sets, or upon any other day when it may be properly reached; but I would like to ask the gentleman from Alabama if he would not be willing to consent to postpone the bill until two weeks from to-day, and then, in case the Secretary of State finds himself unable to complete the negotiations that are now pending, and he is willing to assure the House that one additional week will enable him to complete these negotiations, whether the gentleman would not be willing to postpone it another week?

SEVERAL MEMBERS. No!

Mr. BURNETT. Mr. Speaker, I could not agree to that. The chairman of the Committee on Foreign Affairs is so certain that something will be done at once that he has stated to the House that he will withdraw his objection to the consideration of the bill at that time unless something is done. Now, if there was probably going to be another postponement I would not agree to this one. The gentleman from Virginia [Mr. FLOOD] stated two weeks ago that there would be no unnecessary delay; that the agreements had been concluded with Great Britain and with Canada, and that they should be concluded with France and Italy within a short time. Yet we find to-day that they have not been concluded with Great Britain and Canada——

Mr. FLOOD. They have been concluded.

Mr. BURNETT. They have not been signed, and I will not agree to anything except to a postponement until Wednesday two weeks.

Mr. MASON. I rise to make a parliamentary inquiry, and beg leave to make a suggestion to the gentleman asking unanimous consent. I think the Chair intimated that if two weeks from to-day the bill is not concluded it will then be indefinitely postponed.

The SPEAKER. No; the gentleman did not understand what the Chair said. The Chair said that if this request of the gentleman from Alabama prevails, and two weeks from to-day we get through with this bill before the adjournment of the House, we will proceed with the regular Calendar Wednesday business.

Mr. DUPRÉ. May I make a suggestion to the gentleman from Alabama that may help to clarify the situation?

Mr. BURNETT. Certainly.

Mr. DUPRÉ. My suggestion is that the gentleman amend his request so as to get unanimous consent that this matter go over until Thursday, February 28, which would be only one day longer, and thereby eliminate the violation of the privileges of Calendar Wednesday. It seems to me that should help the situation.

The SPEAKER. Does the gentleman from Alabama accept that suggestion?

Mr. BURNETT. I do not, Mr. Speaker.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] asks unanimous consent that this bill be postponed until two weeks from to-day, that it be made the special order for that day, shutting out the business of Calendar Wednesday, as far as it goes.

Mr. WALSH. Reserving the right to object, I should like to ask the gentleman from Alabama [Mr. BURNETT], the chairman of the Committee on Immigration and Naturalization, to state what new reasons were given him, in addition to those given when the motion was made to postpone this before, which impel him to ask now for a postponement.

Mr. FLOOD. Regular order!

Mr. BURNETT. Mr. Speaker, I have very serious doubts about the State Department being any further along two weeks from to-day than they are now, but it seems to me after the receipt of that letter read by the chairman of the Committee on Foreign Affairs [Mr. FLOOD], and the expressions that I get now from the House, to be the opinion of a majority of the House that this last chance ought to be given. They have been promising for six months, it is true. Now, we are giving them a last clear chance; and as to getting through on Wednesday, I think if gentlemen will stay here and vote, we will get through with it, because we will start in fresh and we will have that whole day, and I hope Members will agree to that. I have no pride of authorship in this bill, but I do not want to see the time come, next May or at any other time, when our boys will be called and these fellows sitting back here taking their jobs and refusing to fight with them. [Applause.] If the State Department can accomplish the same purpose, then I have no objection to their doing it, and I would rather they would.

The SPEAKER. Is there objection.

Mr. WALSH. Reserving the right to object, I should like to ask the chairman of the Committee on Immigration and Naturalization if he has received any assurances, personally or directly, from the Secretary of State in addition to the information contained in the letter read by the gentleman from Virginia [Mr. FLOOD]?

Mr. BURNETT. I was at the office of the Secretary of State this morning, and I want to say that no additional assurances were given me except those contained in that letter, as I recollect.

Mr. GOODWIN of Arkansas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GOODWIN of Arkansas. What would be the status of the bill if it should not be concluded and passed two weeks from to-day? Would the bill come up for consideration on the following day, Thursday?

The SPEAKER. According to the terms of this request, it would not.

Mr. KINCHELOE. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KINCHELOE. I understand that if this goes over for two weeks, and is not concluded on Calendar Wednesday, that will be the end of it. The inquiry which I desire to propound is

this: If the gentleman from Alabama should amend his request for unanimous consent by asking that it go over until Thursday, two weeks, the 28th, and if it is not finished on that day what will be the status of it on the day following?

The SPEAKER. It would be up in the air.

Mr. KINCHELOE. In what way?

The SPEAKER. Because if the bill was not finished on Thursday, unless made a continuing order, then whoever had business on Friday morning would get that business considered.

Mr. KINCHELOE. In order to make it a continuing order would it take a request at that time?

The SPEAKER. Of course it would, or you can make it now if you want to make it a continuing order.

Mr. BURNETT. I modify the request by asking that it be made a continuing order until finished. My request is that it be postponed until two weeks from to-day, and that it then be made the continuing order until disposed of.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] asks unanimous consent that this bill be postponed until two weeks from to-day—Calendar Wednesday, February 27—and made the special order for that day, to the exclusion of the regular business upon that Wednesday call as far as it goes; that if it is not finished on Wednesday it be the continuing order until disposed of, and that if it is finished on Wednesday, then that the House take up the regular Calendar Wednesday business for the remainder of that day.

Mr. BURNETT. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BURNETT. As I understand, the bill will be taken up at the point where we leave off to-day?

The SPEAKER. Yes. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none. The Clerk will call the committees.

When the Committee on the Library was called,

Mr. SLAYDEN. Mr. Speaker, I call up House joint resolution No. 70, "authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States."

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Resolved, etc., That the Chief of Engineers, United States Army, be, and he is hereby, authorized and directed to grant permission to the trustees designated in the will of Mrs. Harriet Lane Johnston for the erection of a memorial to James Buchanan, a former President of the United States, on public grounds of the United States in the city of Washington, D. C., in the southern portion of Meridian Hill Park, between Fifteenth, Sixteenth, W, and Euclid Streets NW.: *Provided*, That the design and location of said memorial and the plan for the treatment of the grounds connected with its site shall be approved by the Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of said memorial.

Mr. WALSH. Mr. Speaker, I raise the question of consideration.

The SPEAKER. The gentleman from Massachusetts raises the question of consideration. The question is, Will the House vote to consider the bill?

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 48, noes 42.

Mr. WALSH. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point that no quorum is present, and evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

Mr. SLAYDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SLAYDEN. The vote is on the question of consideration?

The SPEAKER. Yes; those in favor of considering the House joint resolution will, when their names are called, answer "aye," and those opposed will answer "no." The Clerk will call the roll.

The question was taken; and there were—yeas 213, nays 127, not voting 88, as follows:

YEAS—213.

Alexander	Brodbeck	Chandler, Okla.	Dewalt
Aswell	Browning	Clark, Pa.	Dickinson
Ayres	Buchanan	Claypool	Dies
Bacharach	Burnett	Coady	Dill
Bankhead	Butler	Collier	Dixon
Barkley	Byrnes, S. C.	Connally, Tex.	Dominick
Barnhart	Byrns, Tenn.	Connelly, Kans.	Dooling
Beakes	Campbell, Pa.	Costello	Doremus
Bell	Candler, Miss.	Cox	Doughton
Beshlin	Cannon	Crago	Drane
Black	Cantrill	Crisp	Dupré
Blanton	Caraway	Darrow	Eagan
Booher	Carew	Decker	Eagle
Borland	Carlin	Dent	Elston
Brand	Carter, Okla.	Denton	Evans
Farr	Igoe	Morgan	Small
Ferris	Ireland	Morin	Smith, C. B.
Fields	Jacoway	Mudd	Smith, T. F.
Fisher	Johnson, Ky.	Neely	Snook
Flood	Jones, Tex.	Nicholls, S. C.	Steagall
Foster	Jones, Va.	Nolan	Steele
Gallagher	Kehoe	Oldfield	Stephens, Nebr.
Gallivan	Kennedy, R. I.	Oliver, Ala.	Stevenson
Gandy	Kettner	Oliver, N. Y.	Sumners
Gard	Key, Ohio	Osborne	Swift
Garland	Kiess, Pa.	Overmyer	Tague
Garner	Kincheloe	Overstreet	Talbott
Garrett, Tenn.	Kitchin	Padgett	Taylor, Ark.
Garrett, Tex.	Knutson	Park	Taylor, Colo.
Glass	Kreider	Parker, N. J.	Thomas
Glynn	Langley	Phelan	Tillman
Goodwin, Ark.	Larsen	Polk	Treadway
Gordon	Lazaro	Porter	Van Dyke
Gould	Lee, Ga.	Pou	Venable
Gregg	Lesher	Quin	Vinson
Griest	Lever	Raker	Walker
Hamill	Linthicum	Rayburn	Walton
Hamilton, Mich.	Littlepage	Reed	Watkins
Hamlin	Lobeck	Robbins	Watson, Va.
Hardy	London	Romjue	Weaver
Harrison, Miss.	Lonergan	Rose	Webb
Harrison, Va.	Lunn	Rouse	Welling
Hayden	McAndrews	Rowe	Welty
Hayes	McClintic	Rowland	Williams
Heaton	McKeown	Rubey	Wilson, La.
Heflin	McKinley	Russell	Wilson, Tex.
Helm	McLaughlin, Pa.	Sears	Wingo
Hensley	McLemore	Sells	Wise
Hicks	Mansfield	Sherwood	Wright
Hilliard	Martin	Shouse	Young, Tex.
Holland	Mason	Sims	Zihlman
Houston	Mays	Sisson	
Hull, Tenn.	Miller, Wash.	Slayden	
Humphreys	Moon	Slemp	

NAYS—127.

Anderson	French	Lufkin	Scott, Mich.
Baer	Fuller, Ill.	Lundeen	Shackleford
Bland	Fuller, Mass.	McArthur	Shallenberger
Bowers	Gillett	McCulloch	Siegel
Browne	Good	McFadden	Sinnott
Burroughs	Graham, Ill.	McKenzie	Sloan
Campbell, Kans.	Graham, Pa.	McLaughlin, Mich	Smith, Idaho
Cary	Green, Iowa	Madden	Sneil
Classon	Greene, Mass.	Mapes	Stafford
Cooper, Ohio	Greene, Vt.	Meeker	Steenerson
Cooper, W. Va.	Hadley	Merritt	Stiness
Cooper, Wis.	Haugen	Mondell	Sweet
Currie, Mich.	Hawley	Moores, Ind.	Switzer
Dale, Vt.	Hersey	Mott	Temple
Dallinger	Huddleston	Nelson	Templeton
Davis	Hull, Iowa	Nichols, Mich.	Thompson
Denison	Husted	Norton	Timberlake
Dillon	Hutchinson	Paige	Tinkham
Doolittle	James	Parker, N. Y.	Towner
Dowell	Johnson, Wash.	Peters	Vestal
Dunn	Juul	Powers	Volstead
Elliott	Kearns	Purnell	Waldow
Ellsworth	Keating	Ramsey	Walsh
Emerson	Kelly, Pa.	Ramseyer	Wason
Esch	Kennedy, Iowa	Rankin	Wheeler
Fairchild, B. L.	Kinkaid	Reavis	White, Me.
Fairfield	Kraus	Roberts	Wilson, Ill.
Fordney	La Follette	Rogers	Wood, Ind.
Foss	Lehlbach	Sanders, Ind.	Woods, Iowa
Francis	Lenroot	Sanford	Woodyard
Frear	Little	Schall	Young, N. Dak.
Freeman	Longworth	Scott, Iowa	

NOT VOTING—88.

Almon	Edmonds	LaGuardia	Sanders, La.
Anthony	Estopinal	Lea, Cal.	Sanders, N. Y.
Ashbrook	Fairchild, G. W.	McCormick	Saunders, Va.
Austin	Fess	Magee	Scott, Pa.
Blackmon	Flynn	Maher	Scully
Britten	Focht	Mann	Sherley
Brumbaugh	Godwin, N. C.	Miller, Minn.	Smith, Mich.
Caldwell	Goodall	Montague	Snyder
Capstick	Gray, Ala.	Moore, Pa.	Stedman
Carter, Mass.	Gray, N. J.	Olney	Stephens, Miss.
Chandler, N. Y.	Hamilton, N. Y.	O'Shaunessy	Sterling, Ill.
Church	Haskell	Platt	Sterling, Pa.
Clark, Fla.	Hastings	Pratt	Strong
Copley	Heintz	Price	Sullivan
Cramton	Helvering	Ragsdale	Tilson
Crosser	Hollingsworth	Rainey	Vare
Curry, Cal.	Hood	Randall	Voigt
Dale, N. Y.	Howard	Riordan	Ward
Davidson	Johnson, S. Dak.	Robinson	Watson, Pa.
Dempsey	Kahn	Rodenberg	Whaley
Drukker	Kelley, Mich.	Rucker	White, Ohio
Dyer	King	Sabath	Winslow

So the House voted to consider the resolution.

The following pairs were announced:

Until further notice:

Mr. SANDERS of Louisiana with Mr. MAGEE.

Mr. ALMON with Mr. STRONG.

Mr. RIORDAN with Mr. AUSTIN.

Mr. RAGSDALE with Mr. MCCORMICK.

Mr. SCULLY with Mr. HOLLINGSWORTH.

Mr. STEDMAN with Mr. LAGUARDIA.

Mr. WILSON of Louisiana with Mr. GEORGE W. FAIRCHILD.

Mr. FLYNN with Mr. HEINTZ.

Mr. MONTAGUE with Mr. RODENBERG.

Mr. ASHBROOK with Mr. CARTER of Massachusetts.
Mr BLACKMON with Mr. CHANDLER of New York.
Mr. BRUMBAUGH with Mr. DAVIDSON.
Mr. CALDWELL with Mr. CRAMTON.
Mr. CHURCH with Mr. DEMPSEY.
Mr. DALE of New York with Mr. CURRY of California.
Mr. CLARK of Florida with Mr. DYER.
Mr. CROSSER with Mr. EDMONDS.
Mr. ESTOPINAL with Mr. ANTHONY.
Mr. GODWIN of North Carolina with Mr. FESS.
Mr. GRAY of Alabama with Mr. BRITTEN.
Mr. HASTINGS with Mr. FOCHT.
Mr. HELVERING with Mr. COPLEY.
Mr. HOOD with Mr. GOODALL.
Mr. LEA of California with Mr. GRAY of New Jersey.
Mr. MAHER with Mr. KAHN.
Mr. OLNEY with Mr. KELLEY of Michigan.
Mr. O'SHAUNESSY with Mr. MILLER of Minnesota.
Mr. PRICE with Mr. MOORE of Pennsylvania.
Mr. HOWARD with Mr. HAMILTON of New York.
Mr. RAINEY with Mr. KING.
Mr. RANDALL with Mr. PLATT.
Mr. ROBINSON with Mr. PRATT.
Mr. RUCKER with Mr. SANDERS of New York.
Mr. SABATH with Mr. HASKELL.
Mr. SAUNDERS of Virginia with Mr. SMITH of Michigan.
Mr. SHERLEY with Mr. SNYDER.
Mr. STEPHENS of Mississippi with Mr. STERLING of Illinois.
Mr. STERLING of Pennsylvania with Mr. TILSON.
Mr. SULLIVAN with Mr. WARD.
Mr. WHALEY with Mr. WATSON of Pennsylvania.
Mr. WHITE of Ohio with Mr. WINSLOW.

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The House will automatically resolve itself into Committee of the Whole House on the state of the Union.

Mr. STAFFORD. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. I would like to submit that this bill is erroneously on the Union Calendar. It involves no charge whatsoever on the Treasury. It is merely an authorization to confer upon the Chief of Engineers the right to accept a statue that is to be donated by trustees under the will of one Mrs. Harriet Lane Johnson.

The SPEAKER. The point of order is overruled. The gentleman from Kentucky [Mr. JOHNSON] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 70) authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States.

Resolved, etc., That the Chief of Engineers, United States Army, be, and he is hereby, authorized and directed to grant permission to the trustees designated in the will of Mrs. Harriet Lane Johnston for the erection of a memorial to James Buchanan, a former President of the United States, on public grounds of the United States in the city of Washington, D. C., in the southern portion of Meridian Hill Park, between Fifteenth, Sixteenth, W, and Euclid Streets NW.: *Provided* That the design and location of said memorial and the plan for the treatment of the grounds connected with its site shall be approved by the Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of said memorial.

Mr. SLAYDEN. Mr. Chairman, this resolution proposes to permit the erection in the city of Washington of a stutue to the memory of James Buchanan, who was the fifteenth President of the United States. For that purpose his niece, Harriet Lane Johnston, provided in her will the sum of $100,000. Mrs. Johnston was President Buchanan's housekeeper while he was in the White House, and, I am told, made a very gracious lady of the White House and dispensed its hospitalities in a charming way. That sum of $100,000 has accumulated until now it is about $130,000 or $135,000. The Government of the United States is to be at no expense. The design of the monument must be acceptable to the Commission of Fine Arts, and the monument will be located in the city of Washington. Those are the terms of the resolution. I personally think it would be an ungracious thing for us to reject this offer on the part of this lady. I have talked to the members of the Commission of Fine Arts about it, and the designs submitted already indicate a high degree of artistic excellence. I would like to have the House agree to this unanimously as an act of grace. It costs us nothing. Some gentlemen in the House have informed me that they voted against its considerartion because they thought it was costing the taxpayers of the country $100,000, and that this was not an opportune moment for indulgence in expenditures of that kind. Their reasoning is perfectly sound. If that had been the case, I would have been with them and would have voted against its consideration, but that is not true. It does not cost us a cent.

It is guarded in every possible way to secure a work of art, and I hope that the House will by a practically unanimous vote permit the erection of this statue under the conditions laid down.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. WALSH. The gentleman states that this does not cost the Government a cent. It is true, however, that the Government allots a location on public grounds for the erection of a statue to former President Buchanan, which plot of ground might be occupied by a statue of some more distinguished citizen, some one who had rendered distinguished services to the country.

Mr. SLAYDEN. Mr. Chairman, I am not willing to discuss the politics of the period before 1860 with the gentleman. I think the effort to make politics out of this is an unfortunate thing. I think it would be an ungracious thing to refuse to accept this monument because Mr. Buchanan happened to be a Democratic President in trying times in the history of the country. It does not cost the Government anything, and if it is a work of art it will help to decorate the grounds and make them more pleasant to the eye of the residents and visitors to the Capital.

Mr. WALSH. Mr. Chairman, will the gentleman yield further?

Mr. SLAYDEN. Certainly.

Mr. WALSH. The gentleman speaks of an act of grace. He, I assume, means an act of grace to the heirs or descendants of the former President?

Mr. SLAYDEN. Perhaps I chose my words unfortunately. I think it is due to the memory of the gracious lady who presided over the White House, and I think it is due to the fact that the politics of that period have gone into the past forever, I hope, that at this time when Democrats as well as Republicans are doing their duty in the trenches in this great war, and I dare say there is no question of politics or previous political affiliations considered by the men who command them or by the men themselves. Within the last 10 days more than 25 young men from my district have been aboard a ship of war and in serious peril of their lives, and more than a dozen of them have lost their lives in going abroad to fight the battles of this country. Every one of them was a Democrat, and would you vote to refuse to recognize that service because of the fact that they are Democrats?

Mr. WALSH. Does the gentleman upon that argument and the statement that he is making wish to put this in the class of war measures?

Mr. SLAYDEN. Oh, no.

Mr. WALSH. Will the gentleman, without touching upon the politics of the situation in any way, briefly inform the committee what distinguished service this former President of the United States rendered to his country?

Mr. SLAYDEN. I do not intend to occupy the time of the House by doing any such thing as that, but I shall refer the gentleman to the works of Jeremiah Black, one of the greatest and most eminent lawyers in the country, one of the greatest and most eminent patriots the country has ever had, and I dare say the gentleman will find a vast amount of information in them. I yield the balance of my time to the gentleman from Maryland [Mr. LINTHICUM].

Mr. ROBBINS. Mr. Chairman, before the gentleman does that I desire to ask him a question. I am the head of a commission to build a monument in my district. In taking the matter up and investigating it we were informed that it was an inopportune time to erect structures of that kind, that labor that would be employed in getting out the stone and transporting material ought to be used in war activities, and we were discouraged. I want to ask the gentleman if he has made any investigation to find whether it would be practicable to do this thing at this time? I ask for information.

Mr. SLAYDEN. As a matter of fact, I think it will not be done right now. I doubt if it is ever done during the period of the war. I think it will be delayed if there is any competition found in the labor market. I am sure it will be.

Mr. ROBBINS. I was anxious to know whether the gentleman had investigated in reference to that, because we meet that situation.

Mr. SLAYDEN. I yield to the gentleman from Maryland, whose bill it is.

The CHAIRMAN. How much time?

Mr. SLAYDEN. Whatever time at my disposal he desires.

The CHAIRMAN. The gentleman from Texas has used five minutes. The Chair recognizes the gentleman from Maryland.

Mr. LINTHICUM. For how long?

The CHAIRMAN. Fifty-five minutes.

Mr. LINTHICUM. Mr. Chairman and gentlemen of the committee, there is very little I can add to what the distinguished gentleman from Texas [Mr. SLAYDEN] has said. This is a resolution to provide in the city of Washington a site for the erection of a monument to James Buchanan, a former President of the United States. The money has been provided by the will of Harriet Lane Johnston, his niece, the lady of the White House during his administration, who presided with great distinction and with the love and admiration of all. This money was provided first to erect a stone at the birthplace of Mr. Buchanan in Stony Batter, near Mercersburg, Pa. That has been done out of the income from the money.

There is now in hand sufficient to erect a monument to cost $100,000, the sum mentioned in her will. It is left to the Fine Arts Commission to select the design of the monument and approve the work. That commission says that they have already inspected the design which is in contemplation and have practically given it their approval. They have not yet settled upon a site, though it is their intention or their idea to place it in Meridian Park, and I understand there is to be a large basin in front of the monument to the memory of some other person. The control of the entire matter is absolutely left in the hands of the Commission of Fine Arts, and nothing can be done without their consent. The money is to come out of the Harriet Lane Johnston estate, and the Government is put to no expense whatever, unless you construe the site as such, as maintained by the gentleman from Massachusetts [Mr. WALSH]. Meridian Hill Park, as we know, will be an ideal location, and if that is selected it will be a splendid place for this monument. There is not much I can say, and if I should attempt to tell this body of distinguished gentlemen of the works of James Buchanan, of what he accomplished, it seems to me it would be like carrying coals to Newcastle.

Mr. Chairman. I appreciate, however, that there is to-day among the public a widely accepted opinion hostile to the memory of President Buchanan. I also appreciate that the task of correcting that opinion is a formidable one, yet I would feel recreant to my duty and to truth itself if I did not now raise my voice in protest against a grave wrong done an honorable gentleman.

The history of the period preceding the Civil War, as it now stands written, is all too highly colored by the passions and prejudices of that period. It is not to be compared with the history of the great conflict itself, for the history of the latter has been made just by a more critical study and by the appreciation of warriors who meet foemen worthy of their steel. Little is said now of James Buchanan prior to his turbulent term in the White House.

Mr. Buchanan had a long and distinguished career from the time he entered the Legislature of Pennsylvania in 1814 to the time of his retirement from the Presidency in 1860.

In 1821 he took his seat in this honorable body, making his first speech in support of President Monroe and of John C. Calhoun, his Secretary of War. For 10 years he labored here during Monroe's second term, the term of John Quincy Adams, and two years of Andrew Jackson's, of whom he was a strong supporter and personal friend. He was sent by President Jackson to Russia in 1833, and at St. Petersburg negotiated a commercial treaty with that great country.

In 1834 he was elected to the United States Senate and served for three terms. He was conspicuous in his support of President Jackson's financial policy, and likewise of Van Buren during his administration. Under Van Buren he declined the Attorney Generalship of the country, and in 1843 was elected for a third term to the United States Senate, his name being mentioned as Democratic candidate for the presidential nomination, at which time he refused.

He became Secretary of State under James K. Polk and decided many important questions; for instance, the establishment of the boundary between Oregon Territory and the British possessions, and the annexation of Texas, which resulted in the Mexican War.

When Mr. Taylor became President Mr. Buchanan retired to private life, but in 1852 he was the unsuccessful candidate for the Democratic nomination. He was appointed minister to England by President Pierce in 1853, and was recalled at his own request in 1855, being nominated for President by the Democratic national convention at Cincinnati, Ohio, June 4, 1856. After a fiercely contested election he was, when 66 years of age, elected President of the United States by 174 electoral votes as against 114 for John C. Fremont and 8 for Millard Fillmore.

If you behold a man standing on some mountain peak you know he did not light there, but he gained that dizzy height by ability, energy, perseverance, and strength. So it is in public life. If you behold a man President of the greatest Republic which the world has ever known, it is positive proof that he would not have gained that eminence without great ability and the love and confidence of his people. [Applause.]

Few men here to-day, few men in our history have longer stood the acid test of public service than James Buchanan. No weakling made that record; no coward nor incompetent could have kept the public favor for so many years.

Mr. Buchanan represented that element in our Government who fully believed in the sovereign rights of States, and who implicitly believed in the absolute property right in slaves. Let not the present-day moralist look askance at his beliefs. Remember rather that those beliefs were the beliefs of the founders of our Government. Those beliefs came down by birth and breeding to James Buchanan. If Buchanan was wrong in upholding them then the fathers were wrong in originating them. Remember that the doctrine of the sovereign rights of States came to him from the great Jefferson, and that it was Jefferson who wrote the Kentucky resolutions of 1798, which laid down the doctrine: "This Commonwealth is determined, as it doubts not its co-States are, to submit to undelegated and consequently unlimited powers in no man or body of men on earth." Remember as well that the Kentucky resolutions were followed by those of Virginia, drawn by Madison, which put forth a doctrine equally strong as those of Kentucky. Remember also that the Democratic platform of 1856, on which Buchanan was elected, reaffirmed the belief in and loyalty to the Kentucky and Virginia resolutions of 1798 and pledged the faith of its candidate to the upholding of the principle therein laid down. So with Buchanan's belief in the institution of slavery. His belief was based on the organic law of the land. He could look back and see the great founders of this country, many of them surrounded by their slaves. By every tenet he was born to, and by the plighted word of his party he was bound to, uphold the institution of slavery and the sovereign rights of States.

That in brief was the situation confronting President Buchanan in 1860. When the great party conventions met in that year the Democratic Party split on the slavery issue, and that party passed from the position of power it had so long held and became merely a protesting minority. It has well been said that "The wages of discord is defeat." For half a century the Democratic Party paid the penalty for discord, just as its successor in power is now and will continue to pay that penalty. When the Democratic split of 1860 opened the way for the success of the Republican Party, then for the first time was seriously considered the forming of a southern republic, then for the first time was the cry of secession raised with purpose deep to the point of menace. Up to that time no criticism had been made, nor can be made, of the administration of President Buchanan. It is on what he did or failed to do from the national election in November, 1860, to March 4, 1861, that he has been, as I firmly believe, most unjustly and most ungenerously condemned.

The first move of the Southern States was the South Carolina State convention, which on December 20, 1860, passed the ordinance of secession. What was President Buchanan's position and belief on secession? I quote from his last message to Congress in December, 1860:

> In order to justify secession as a constitutional remedy it must be on the principle that the Federal Government is a mere voluntary association of States, to be dissolved at pleasure by any one of the contracting parties. If this be so, the Confederacy is a rope of sand, to be penetrated and dissolved by the first adverse wave of public opinion in any of the States.
>
> In this manner our 33 States may resolve themselves into as many petty, jarring, and hostile republics, each one retiring from the Union without responsibility whenever any sudden excitement might impel them to such a course. By this process a Union might be entirely broken into fragments in a few weeks which cost our forefathers many years of toil, privation, and blood to establish. Such a principle is wholly inconsistent with the history as well as the character of the Federal Constitution. After it was framed with the greatest deliberation and care it was submitted to conventions of the people of the several States for ratification. Its provisions were discussed at length in these bodies composed of the first men of the country. Its opponents contended it conferred powers upon the Federal Government dangerous to the rights of the States, whilst its advocates maintained that under a fair construction of the instrument there was no foundation for such apprehensions. In that mighty struggle between the first intellects of this or any other country it never occurred to any individual, either among its opponents or advocates, to assert or even to intimate that their efforts were all vain labor, because the moment that any State felt herself aggrieved she might secede from the Union. What a crushing argument this would have proved against those who

dreaded that the rights of the States would be endangered by the Constitution. The truth is that it was not until many years after the origin of the Federal Government that such a proposition was first advanced. It was then met and refuted by the conclusive arguments of Gen. Jackson, who in his message of the 16th of January, 1833, transmitting the nullifying ordinance of South Carolina to Congress, employs the following language:

"The right of the people of a single State to absolve themselves at will and without the consent of the other States from their most solemn obligations and hazard the liberty and happiness of the millions composing this Union can not be acknowledged."

It (the Union) was intended to be perpetual and not to be annulled at the pleasure of any one of the contracting parties.

Mr. Chairman, that is not the doctrine of a weak man. No one has ever spoken more clearly his devotion to the Federal Union. But while President Buchanan believed and strongly urged the preservation of the Union he was elected on a platform and pledged to the doctrine that no sovereign State should ever be coerced by force.

By honor he was bound and by belief he was restrained from attempting to coerce South Carolina to recede from her position and to return to the Union. Had he employed force to this end he would have been false to his trust, as he construed it, false to his party, false to the convictions and belief of a lifetime, and he then would have been worthy of censure without stint. President Buchanan sought to preserve the Union without the use of force. That is a true statement, but more clearly proved than this statement. President Lincoln sought to preserve the Union without the use of force. President Lincoln did not take the steps which opened hostilities. He waited, hoping to effect a reconciliation. Buchanan waited for the same high purpose. Buchanan failed in this as also did Lincoln, for war was inevitable. Buchanan's reasons for not using force were threefold.

First. His belief that force should not be used to coerce a sovereign State;

Second. The absolute impossibility of his gaining from Congress the right to use such force; and

Third. His conclusion as to the effect of the use of force on the perpetuity of the Union, which he expressed in these words:

But, if we possessed this power, would it be wise to exercise it under existing circumstances? The object would doubtless be to preserve the Union. War would not only present the most effectual means of destroying it, but would banish all hope of a peaceful reconstruction. Besides, in the fraternal conflict a vast amount of blood and treasure would be expended, rendering future reconciliation between the States impossible. The fact is that our Union rests on public opinion, and can never be cemented by the blood of its citizens shed in civil war.

Does any man here say that was not a reasonable conclusion in the light of those days? Could any man at that time, any sane man, predict that the battle field at Gettysburg could witness the terrible slaughter of Pickett's charge in 1863 and in 1913 see the remnants of that gray army march again up that slope to grasp in brotherly welcome the hands of the boys in blue, their deadly foes of a half century gone? That, sir, is a miracle, and in Buchanan's time was unimagined. Shall we condemn the man for failing to prophesy that miracle? So Buchanan withheld his hand from the task. Just so did Lincoln until he saw the futility of it. Buchanan was at the end of his term, pledged to one course of action. Lincoln was coming in pledged to another course of action. Would any Member of this House seriously contend that an outgoing President is in duty bound to inaugurate the policies of an incoming President? It has never been done and would render the doer ridiculous. Yet had Buchanan even sought to do the things Lincoln was elected to do, yet even then the use of force without provocation against the seceding States could not have been his policy for Lincoln was not elected on any such program or platform.

There is, sir, no basis in reason for censuring President Buchanan. The only basis is in lack of knowledge of events and in bad temper. Buchanan was the end of the old order. It was destined to pass. He was its last exponent. Lincoln was the first of the new order. That came to stay. Buchanan is censured not so much for what he did or failed to do as for the fact that he was the last of his line of Presidents who upheld slavery and State rights.

The culmination of that great question of abolition which had been forming for half a century had been reached. The mooted question of the right of secession was once and for all decided in the negative by the court of last resort and we became an indissoluble Union of indestructible States, and as such are able to meet the task resting upon us to-day in the prosecution of this great war without a jar or disturbance to our machinery of Government. As I have said, Mr. Buchanan served in many capacities. His administration forms a part in the historical evolution of a country from a mere confederacy to a Union of strength and power unequaled in the world's history. It is but right that we should erect a monument to a man who came from the great industrial State of Pennsylvania.

Mr. KREIDER. Will the gentleman yield?

Mr. LINTHICUM. In just a moment. I think we ought at least to honor him in allowing the erection of this monument in the city of Washington when we have placed it under every safeguard in the hands of the Commission of Fine Arts. I now yield to the gentleman.

Mr. KREIDER. Does the gentleman know whether or not there is in the city of Washington at the present time a monument to James Buchanan?

Mr. LINTHICUM. I think not.

Mr. KREIDER. Do you know how many Presidents, from Washington down, have monuments erected in their honor in the city of Washington?

Mr. LINTHICUM. I do not think there are many of them. They are very few. But because we have been wrong in that it does not make this wrong. We ought to have more monuments to the great Presidents of this Republic. I wish we had more monuments to our great Presidents rather than some of these monuments around Washington of people who have never done anything for this country.

Mr. MILLER of Washington. As I understand, there was to be a bowlder in front of the monument, dedicated by some other person?

Mr. LINTHICUM. No; I said that in her will Mrs. Johnston provided for the erection of a monument at his birthplace, at Stony Batter, Pa., and my understanding is that it has already been erected at that place, near Mercersburg, Pa., and out of the income derived from the money the executor told me that the monument at his birthplace had been put there in accordance with Mrs. Johnston's instruction.

In conclusion, Mr. Chairman, let me say that Mr. Buchanan entertained the same views as all the South, much of the North, and even some New England parts agreed with his views on secession and nearly attempted it.

He was an honorable gentleman, an able and a faithful public servant. He served his country long and honorably. He but followed the beaten path of his predecessors back even to the great Washington himself, for his beliefs were the beliefs of the founders.

To deny to his memory now this offered tribute is to show a lack of knowledge of events and a spirit small and mean. If republics are ungenerous, let us for once lay aside this fault and be generous to this man who amid the most trying times worked and spoke to save the Union he loved. [Applause.]

Mr. LINTHICUM. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania, Mr. DEWALT.

Mr. LONERGAN. Will the gentleman yield to a question?

Mr. LINTHICUM. I will.

Mr. DOWELL. Mr. Chairman——

Mr. LONERGAN. If the gentleman will pardon me, I was recognized.

Mr. DOWELL. I desire to raise a question of order. The gentleman has no right to yield the time. The floor was yielded to him for the 55 minutes. He has no right under the rule to yield the time.

Mr. DEWALT. Mr. Chairman, I ask unanimous consent to address the committee for five minutes.

Mr. GARRETT of Tennessee. He was yielded the balance of the time by the gentleman from Texas [Mr. SLAYDEN].

Mr. DOWELL. The gentleman was yielded the time, and he has no right to yield it to the chairman any more than anyone else.

Mr. LINTHICUM. I have not yielded the floor yet. I have the right to yield the balance of my time to the gentleman from Texas [Mr. SLAYDEN].

Mr. DOWELL. That is the question I am raising, that he has no right to yield the time.

Mr. LINTHICUM. We need not have any controversy over the matter.

Mr. SLAYDEN. Mr. Chairman——

Mr. DOWELL. The question is, when time is yielded to a Member to occupy the floor, the gentleman who has the time yielded to him has no right under the rule to yield it to some one else. He must either occupy the floor or yield the floor.

The CHAIRMAN. The Chair will say that it has been the prevailing custom here to yield back the time to the chairman of the committee.

Mr. LINTHICUM. Mr. Chairman——

The CHAIRMAN. The gentleman will wait one minute. The Chair is ready to read the rule on the subject.

Mr. DOWELL. Mr. Chairman, the gentleman who had the floor, the chairman of the committee, had one hour. He could have yielded five minutes or any length of time to any Member, and then could have yielded during the hour and reserved the time and kept within the rule, but under the rules of the House he yielded the time to the gentleman who occupied the floor dur-

ing the balance of his hour, and he has no more to yield. The gentleman who occupied the floor has no right under the rule to surrender it to some other Member.

The CHAIRMAN. The Chair will say that the gentleman from Texas [Mr. SLAYDEN], the chairman of the committee, was recognized for one hour, and the Chair so stated. When the gentleman from Texas had used five minutes of that time he yielded to the gentleman from Maryland [Mr. LINTHICUM] such time as he might want. The Chair of his own motion stated that the gentleman from Maryland was recognized for 55 minutes, and so he was, and he could have used the 55 minutes if he had chosen so to do. The Chair holds that the gentleman from Maryland can yield back the remainder of his time to the gentleman from Texas, who is chairman of the committee.

Mr. LONERGAN. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Connecticut?

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CRAGY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved land, houses, buildings, and for other purposes, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. RANSDELL, Mr. MARTIN, and Mr. NELSON as the conferees on the part of the Senate.

STATUE OF JAMES BUCHANAN.

The committee resumed its session.

Mr. SLAYDEN. I yield to the gentleman from Pennsylvania [Mr. DEWALT] 10 minutes.

Mr. DEWALT. Mr. Chairman and gentlemen of the committee, I would not for a moment take either the time or attention of this body were it not for the fact that James Buchanan came from the great State of Pennsylvania, in which I have the honor of living. I therefore deem it not only my privilege but, in part, my duty to advocate the passage of this measure, not as a political question but as a matter of honor and grace and dignity to the great State of Pennsylvania.

Why should there be any opposition to this? Why are there 128 votes cast in the negative? Is it because there is a political reason therefor? Has the time come now in this crisis confronting us, when men sitting on the right-hand side of this Hall shall be severed from those on the left by a political question, not dating now but dating back to the days of 1861? Let me say to those gentlemen that James Buchanan, honored son of Pennsylvania, was a Senator of the United States from that great State, that he was ambassador to Russia, ambassador to Great Britain, was the chairman of the Judiciary Committee of this House, and had an enviable and worthy record not only in the Senate but in the House of Representatives as well and in the foreign courts at which he was our minister. Why, then, this cavil? It certainly can not be a question of economy. It costs the Government nothing except the donation of the site. If there were an expenditure here of $100,000, or, if you please, of $150,000, I still would say it would be justified, because it would honor the memory of a man who served his country well.

We had a man in the State of Pennsylvania, Hensel by name, who was one of the greatest lawyers in the Commonwealth, a former attorney general of our State, who wrote a history of James Buchanan, and in that he gives this cogent sentence:

> I state it from the records and after examination thereof, and my opinion is concurred in by Judge Brown, of the Supreme Court, that if Abraham Lincoln had lived as President under the same circumstances and in the same trying times he would have done before the war what James Buchanan did, and that if James Buchanan had lived and been President when Lincoln was he would have followed the path of the illustrious Abraham Lincoln.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. DEWALT. Certainly, sir.

Mr. COOPER of Wisconsin. Did I understand the gentleman to say that some man whom he characterized as distinguished from the State of Pennsylvania had said that if Abraham Lincoln had lived before the war he would have done what James Buchanan did under the same circumstances?

Mr. DEWALT. No. Evidently the gentleman has mistaken my sentence, because I recognize the fact, if the gentleman did not, that Abraham Lincoln did live quite a long time before the war.

Mr. COOPER of Wisconsin. But they both lived at the time of the Kansas-Nebraska controversy and the controversy over the Lecompton constitution and other controversies of that day. One was for circumscribing of the limits within which slavery could exist in this country and the other took the opposite view.

Mr. DEWALT. I am not discussing the question of the limitation of slavery or the extension of slavery. I am discussing the broad proposition that in the unhappy circumstances that existed at that time Abraham Lincoln was trying to avert the war as much as he could, and James Buchanan was trying to do the same thing. Neither of them wanted to plunge this country into war; and Abraham Lincoln, the man whose birthday we celebrated yesterday, said, "I must save the Union. If I must free all the slaves, I will save the Union by freeing them all. If I must free some of the slaves, I must save the Union by freeing some. If I can save the Union by freeing none of the slaves, I would still save the Union." [Applause.]

That was the record of that statesman on the slavery question. I do not appeal for the passage of this resolution because I am a Democrat. I do not appeal for the passage of it because James Buchanan was a Democrat, but I appeal for it in this light: That great man, Abraham Lincoln, who, in my judgment, was the greatest President the country ever knew [applause], not excepting George Washington, had this immortal sentence, too, in his mouth, "With charity for all, with malice toward none, let us bind up the cruel wounds of this war." [Applause.]

Now, my friends, this is no time, in my humble judgment, to tear open again the wounds of the war of 1860 to 1865. In my humble judgment, gentlemen, as a Representative from Pennsylvania from the State whence this great statesman came, this is the time to make close the bonds of patriotism and to forget that there were Democrats and that there are Democrats, that there were Republicans and that there are Republicans, but to remember once and for all time that there are none but American citizens. [Applause.]

Mr. SWITZER. Mr. Chairman, will the gentleman yield?

Mr. DEWALT. Yes.

Mr. SWITZER. Do I understand the gentleman to say that if Abraham Lincoln had been President at the time James Buchanan was President, he would have followed the same course and would have done the same things?

Mr. DEWALT. I said, and I repeat it again, that Judge Brown, who is now the chief justice of the Supreme Court of Pennsylvania, who lives in the county of Lancaster, from which President Buchanan came, and that William Uhler Hensel, who was attorney general of the State of Pennsylvania, both gave the history of James Buchanan particular attention, and they assert in printed pamphlets, one of them being a Republican and the other a Democrat, that James Buchanan, in their judgment, pursued the same course that Abraham Lincoln would have taken under the same circumstances.

Mr. SWITZER. Regardless of their judgment, I do not believe it.

Mr. DEWALT. That may be, and your judgment may be more profound than theirs, although one of them is chief justice of the Supreme Court of Pennsylvania. [Applause.] Mr. Chairman, I yield back the balance of my time.

Mr. LONERGAN. Mr. Chairman, will the gentleman yield?

Mr. DEWALT. Yes.

Mr. LONERGAN. Will the gentleman please state to the committee what memorial, if any, erected on public land of the city of Washington, was paid for out of private funds?

Mr. DEWALT. My dear sir, I wish I could give you the information. I would if I had it, but I do not have it, or I would give it to you.

Mr. CARY. I may answer as to one. The Polish monument to Kosciusko was paid for by the National Polish Association.

Mr. GILLETT. I could mention another—that of Daniel Webster.

Mr. SLAYDEN. Mr. Chairman, I would like to ask the gentleman leading the opposition to this measure to use some of his time now or all of it.

The CHAIRMAN. The Chair will recognize some Member in opposition.

Mr. WALSH. Mr. Chairman, if no other Member desires to oppose this measure, I desire to oppose it and control the time of the opposition.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts for one hour.

Mr. WALSH. I yield 10 minutes to the gentleman from Indiana [Mr. WOOD].

The CHAIRMAN. The gentleman from Indiana is recognized for 10 minutes.

Mr. WOOD of Indiana. Mr. Chairman, I think it most unfortunate that this proposal is laid before this House at this

time. As has been suggested by the gentleman from Pennsylvania [Mr. DEWALT], who just preceded me, that this is a time when all citizens of the United States should stand together, and when there should be nothing brought to the floor of this House that will have any tendency to strain that relation.

There is a fitness in all things and a time for all things. This is not a fit place to raise a monument to the memory of James Buchanan. It is not a fit time to suggest that a monument be built in the Capital of the Nation to James Buchanan. I am opposing this measure not because James Buchanan was from the State of Pennsylvania or because he was a Democrat.

I wish that this was a proposition to raise a monument to a really great citizen of the State of Pennsylvania and a great Democrat, and I would gladly support it; I wish that a proposal were had to raise a monument to Edwin M. Stanton [applause], who stood for the things that we desired, and which all Americans now stand for. I am opposing this not because James Buchanan was a Democrat and I am a Republican. But I wish it was a proposal to erect a monument to one of the greatest citizens this country has ever had, and one of the best Presidents it ever had, and when the future history is written of the greatness of Presidents he will stand high among them—Grover Cleveland.

The question has been asked, "What did James Buchanan do as President of the United States that warrants this distinguished honor?" I ask gentlemen who stand sponsor for this measure to answer that question. Were that question propounded with reference to Grover Cleveland, there are two things that he did, if no others, that would warrant the building of a monument to his memory as high as the Washington Monument now stands, for the service he rendered was most signal. He stood between law and order and disloyalty and disorder when he said to one governor in the United States, "You shall not longer conduct dishonorably the affairs of your State and interfere with the business of the Nation," and he sent the Army to Chicago to show a man who was trying to tear down this Government that the Nation was bigger than any State and that law should be preserved there.

Again he stood like a stone wall against those who would disgrace the Nation and reduce its finances to a scandal and a shame, and in favor of sound money that would save the country from dishonor.

So there is no politics actuating those who see fit to oppose this proposition. But, as I say, before any man's monument is placed in the city of Washington there should be a condition precedent that he should have rendered some signal service that would warrant the building of that monument. Any time before the disgraceful conduct of Benedict Arnold at West Point had the War of the Revolution closed, the name of Benedict Arnold would have stood high upon the record of fame for having done most signal service for the Colonies. He destroyed it all in a single moment. If James Buchanan had never been President of the United States, and if, by reason of the record that he made as minister to England and as minister to France, or the signal service that he rendered in the State Department as Secretary of State, a monument had been erected to him, then it might have been justified. But when this country was in its peril, when there were those without and within trying to undermine it and destroy it, what signal service did he then render? Again we ask the proponents of the measure to answer.

But it has been said that Abraham Lincoln would have preserved slavery if necessary in order to preserve the Union. That is true, so great was his love for the Union; but back of it all there was in the heart of Abraham Lincoln the lesson inculcated there when he went down the Mississippi River and saw a slave girl being sold from the auction block. He afterwards declared that he then took an oath before God that if he ever had the power he would strike that institution, and strike it damned hard. The time came, and he did strike it hard; he killed it. When Abraham Lincoln became President of the United States, if the continuance of slavery had been essential to the preservation of the Union he would have agreed to the continuance of slavery; but never at any time did Abraham Lincoln, for the purpose of averting that war, permit the arsenals of this country to be seized by the enemy, nor did he permit the vessels that we owned to be taken into far-away ports so that they could render no service whatever.

I say to you that it is most unfortunate that we are asked now to build this monument in these times of peril, when we are appealing to the youth of this country, when we are appealing to the young men of this country that they shall give their all upon the altar of their country if need be for the preservation of this great Government of ours and the world's democracy. This is the time, if you please, when we should point to monuments of men who by reason of their heroism have earned a place in fame or who are entitled to some recognition of this character. Every time we go up and down the avenue and look at the statue of that superb general of the War of the Rebellion, Gen. Hancock, a great Democrat, there is an inspiration in the breast of every young man, an inspiration, if you please, to dare and do for this country of ours. Had there been anything in the conduct of James Buchanan, had he shown any spine at the time when I say it did take courage for men to act, then might there be some reason for coming before us at this time with this project. But when he was called upon to exercise manhood, when it took courage, when it took great decision of purpose, and when it took daring, if you please, James Buchanan was found woefully wanting in the balance. So, I say it is an unfitting time. If this were a proposition to raise this monument to the memory of the woman who graciously discharged her duties as mistress of the White House during the four years that Mr. Buchanan was President of the United States, I would gladly support it, for it would be a gracious tribute to a noble woman and a tribute, if you please, to the gracious womanhood of the United States. [Applause.] But that is not the proposition. It is not to do honor to a man to whom honor is due. It is to do honor to a man who degraded and disgraced his place in the time of peril and in the time of his country's great stress. [Applause.] So, in the name of all those who stood for the Union when he was permitting it to be rent asunder and in the name of the soldiers living and dead who fought to preserve that Union, I protest against this measure.

Mr. WALSH. I yield 15 minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Chairman, I did not intend to speak upon this bill at all. I did intend to content myself with voting against it, upon the general proposition that I do not believe that Congress should ever give permission to anyone, even at their own expense, to erect a monument in the city of Washington unless the subject of that monument was a person who had rendered distinguished service to his country. But, in view of the statements that have been made as to the motives of those who will vote against this bill, I do believe that something ought to be said, and I do resent the insinuation made by the gentleman from Texas [Mr. SLAYDEN] that men who vote against this bill will vote against it because Mr. Buchanan was a Democrat. The gentleman ought to know better than that. He ought to know there is no Republican upon this side of the aisle who is not willing to honor any man deserving of honor, and to grant the same consideration to any man who has rendered distinguished service to the country, whether he be Democrat or whether he be Republican; and it is a slander of the Republican side to make any such intimation as the gentleman has made. Then he says, Why bring up these old issues? Well, I ought to ask in return, Why bring them up? Why have you brought this bill before this House? When a bill is brought before this House proposing to erect a statue to any man, have we not the right to ask what distinguished service that man has rendered that warrants the erection of a statue to him? You proponents of the bill have no right to answer that question by saying, "Oh, you must not ask that question, because he was a Democrat." We may honor Robert E. Lee for the splendid patriotism that he exercised from his standpoint when he, with his State, seceded from the Union. We may honor other distinguished men of the South who did likewise; but I want to say to you that it is a different proposition when you ask us to honor a man who came very near being a traitor to his country while in the presidential chair. [Applause.] Inasmuch as the proponents of this bill have chosen to place its consideration upon the ground that they have, it ought to be discussed upon its merits.

Mr. LINTHICUM. I want to say to the gentleman that this is my bill, and I placed it upon no such grounds. I think there are many Republicans here who are just as much interested in its passage as I am.

Mr. LENROOT. I am very glad to hear the gentleman say that; and yet, if I am not mistaken, the gentleman himself referred——

Mr. LINTHICUM. I beg the gentleman's pardon. I made no such statement.

Mr. LENROOT. The gentleman from Pennsylvania and the gentleman from Texas then did. Now, what were the distinguished services that Mr. Buchanan rendered for which he is entitled to a monument in the city of Washington. The gentleman from Pennsylvania [Mr. DEWALT], if I understood him correctly, stated that in his judgment if Lincoln had been President preceding the war, at the time Mr. Buchanan was President, the action of Mr. Lincoln would have been similar to that of Mr. Buchanan.

Mr. REAVIS. Will the gentleman from Wisconsin yield? I think the gentleman from Pennsylvania made that statement on the authority of some one else.

Mr. LENROOT. In making the statement I think he wished us to understand that that was his view of it.

Mr. REAVIS. I do not think that he made the statement in that way.

Mr. LENROOT. Well, I accept that correction.

Mr. GOODWIN of Arkansas. I do not think the gentleman from Pennsylvania made that statement for himself, but merely quoted the authority of a chief justice of his State, an eminent lawyer, who knew Mr. Buchanan.

Mr. LENROOT. That may be. Now, Mr. Chairman, I hold in my hand a copy of the International Encyclopedia, and in the article on James Buchanan, it is doubtless fair to him, and indeed anyone who reads the article would conclude that it is apologetic and defends him in so far as he can be defended, and I want to read one paragraph:

In the Executive chair he was apparently subservient to southern politicians and allowed their threats of secession to influence his actions. After Lincoln's election Buchanan was more than ever anxious to stifle the slavery discussion, and in his last message to Congress pointedly charged the North with having brought about the existing crisis in national affairs by a discussion which had "produced its malign influence on the slaves and inspired them with a vague idea of freedom." While holding that the States had no right to secede, he added that the Nation had no power to prevent it; he said it could not employ force, except upon the demand of the lawful authorities of the State, and in South Carolina no such authority then existed.

Let me ask if Mr. Buchanan had continued to be President during the years that Abraham Lincoln served, would he have had one Union to-day?

Mr. LINTHICUM. May I ask the gentleman a question?

Mr. LENROOT. Yes.

Mr. LINTHICUM. I do not want to inject any politics into this.

Mr. LENROOT. There is no politics.

Mr. LINTHICUM. In the gentleman's opinion, what would Lincoln have done if he had been in Buchanan's position at that time? He would not have been in control of Congress, he could not declare war; what would he have done?

Mr. LENROOT. If Mr. Lincoln had been President of the United States during the time that Buchanan was President——

Mr. LINTHICUM. No; I am speaking about the last few months when the great controversy came up.

Mr. LENROOT. If the gentleman wants to know, if you read the history of the crisis that was brought on, it was largely because of the position that Mr. Buchanan took that this Nation had no right to prevent the Southern States from seceding by the use of force. What stronger argument could there have been, what stronger invitation could have been extended to the Southern States to secede than the position taken by Mr. Buchanan?

While we all have forgotten these issues that were then raised, while to-day there is no North and no South and there will not be in the future, you who like myself want to have these old issues forgotten ought not to pass this bill to erect a statue in Meridian Park recalling the almost treacherous conduct of a President of the United States during these times, a President that perhaps did more than any other single influence to bring about that civil war because of the position he took which cost hundreds of thousands of lives on both sides. The best thing we can do for the memory of James Buchanan is for the American people, North and South, to forget him as soon as possible. [Applause.]

Mr. SLAYDEN. Mr. Chairman, I would like to have the gentleman from Massachusetts use some of his time, for I understand that some gentlemen on that side of the House have an engagement——

Mr. STAFFORD. Let me say that some gentlemen on this side have an appointment at the White House at 5.30, a delegation numbering 15 will be obliged to leave at 5 o'clock in order to keep the appointment. I was wondering whether we could not rise at that hour if we had not completed the bill.

Mr. LONGWORTH. The statement of the gentleman from Wisconsin excites my curiosity somewhat. Will he be more specific? [Laughter.]

Mr. STAFFORD. They occupy a different attitude than does the gentleman from Ohio, they are grangers.

Mr. NEELY. Mr. Chairman, I would like to make a suggestion that the gentleman from Wisconsin undertake to go on the gentleman from Ohio's bond for good behavior at the White House.

Mr. STAFFORD. Permit me to say that I am not honored by being invited or having business at the White House.

Mr. WALSH. Mr. Chairman, I am not fortunate enough to have spent hours and weeks delving in musty volumes for the purpose of glorifying the great Commonwealth of Pennsylvania nor for the purpose of doing a gracious act to a former mistress of the White House. And I can not speak with the authority and learning of the distinguished and, no doubt, wise judge of Pennsylvania, who is quoted here by the gentleman from Pennsylvania [Mr. DEWALT] as an authority in the House of Representatives upon the day following that which we set apart to do honor and reverence to the memory of our martyred President, the great Lincoln.

And so I lack the authority from having read deeply or delved wisely into written lore. But, sir, no matter who the man may be or what the authority is, to hold out here to us, representing the people of this Union, the idea that the great Lincoln, had he been President during the time that James Buchanan was President, would have followed a similar course borders on blasphemy. And apart from which side of Mason and Dixon's line we may come, we have a right to resent the expression of such sentiments. It has been said that this former President, as a Senator and Member of the Congress, as one of our ambassadors to foreign nations, rendered signal service to his country. I grant that that may be true, but this statue is to be erected to the memory of the President Buchanan, and who is there that will claim that he rendered distinguished service to the United States of America when he held that high office?

I recall having read somewhere that during his public career—and I believe while he was a Member of the coordinate branch of this Government, the great Senate of the United States—he gave expression to the view that 10 cents per day was sufficient for a laboring man. Yet here, in the midst of the world's greatest conflict, we are asked to stop in our deliberations, to pause in our legislation pertaining to this war, to give way for these few hours when more important measures are pending, in order that by our action we may authorize the setting apart of a tract of the public domain a most conspicuous site in the city of Washington to do a gracious act to a former mistress of the White House and to honor the great Commonwealth of Pennsylvania, but beyond and above all that to glorify one who for a term occupied the great office of President of these United States and whose career in that high office is dimmed and dulled by the patriotic courage and devotion displayed by his successor, the great emancipator, Lincoln.

Mr. Chairman, I desire to read a few words that were written upon another matter in December, 1859, during the term of this honorable public servant. In the play of Julius Cæsar I believe it is Anthony who says that Brutus was an honorable man, and so in the same way we might say that Mr. Buchanan as President rendered distinguished services. You will recall the John Brown incident. I wish to read to you words written in 1859, which are truly prophetic, written by one who is still in public life, and although he is of a different party than that to which I belong, I trust he may continue to remain in public life and render distinguished and honorable service in every sense of the word to the Government and people of the United States. The expression of views was contained in a communication reading as follows:

To-morrow John Brown dies upon the gallows, the death of a traitor. Not a traitor to his country, his God, or liberty, but a traitor to a local regulation, recognized in this country as law. He dies, in a land where murderers go unhung, without even a murderer's sympathy. He dies a martyr to his heart convictions of right embedded by bitter experiences and made strong by the same power which hurries him into eternity. He dies; yet there will come a time in the future history of this country when the simple name of John Brown will receive more reverence from the Americans than that of Senator Douglas or President Buchanan or Gov. Wise. The one executed for the highest crime known to the law, the others favored recipients of the highest offices within the gift of a free people—the one the embodiment of nobility and guided by enthusiasm, the others traitors to the revolutionary idea of liberty, fawning sycophants, and timeservers. The only crime proved against John Brown was that of inducing slaves to leave their masters. He did not invade Virginia for rapine and murder, but to strike the shackles from the bondman and let the oppressed go free. Yet Virginia, noble, chivalric Virginia, thirsteth for his blood. The governor of this great State, a would-be President of this Republic, thirsteth for his blood.

It will be noted that reference is made in this communication to this man who rendered such signal and distinguished services as President of the United States. Mr. Chairman, those are words written to the Williams County Gazette, December 1, 1859, when but a youth of 24 years, by our gallant colleague, whose patriotism was shown on many a battle field during the great struggle, the distinguished, in every true sense of the word, gentleman from Ohio, Gen. SHERWOOD. [Applause.]

And I submit here that he was a true prophet, and that it ill becomes us in these serious times to take any action here whereby we shall put the seal of approval upon the official acts of that President, or whereby we shall elevate him to the same plane as that occupied by the immortal Lincoln, and to give

occasion to a revival of discussion of the course pursued by Buchanan and his unfortunate utterances and indecision. And yet they cry "politics"! I say, Mr. Chairman, that this question is broader than a political question. It is sought to dignify and glorify him whose course was such as to deserve then, and as time goes on to still deserve only the censure of silence. Oh, you may say that there is a great bequest pending here, and that unless some action is taken before the 1st of March that bequest will lapse. If that be so, then I say it is better for the Nation to get the benefit of the inheritance tax upon that bequest rather than that we should authorize the setting apart of this tract of land for the erection of this statue, and immortalize not only the individual as President but attempt to cloak with respectability and approbation his official career and what he stood for. Let there be no misunderstanding, let there be no chance for future historians and eminent judges from Pennsylvania, seeking to glorify a statesman or a near statesman, who may have happened to be born within the boundaries of that State—let there be no opportunity for them to say that the American Congress in order to be gracious and courtly to a former mistress of the White House, during the midst of the world's greatest war, in spite of the facts written indelibly in the pages of history during his term of service as a President of this Union, was lax in its efforts to further the great struggle in which we are engaged, and that we put the stamp of disapproval upon impartial historians and political writers; that we put our judgment above and beyond that of the judgment of the men who lived in those times; and that we say that the gentleman from Ohio, Gen. SHERWOOD, did not know of what he wrote, and that he proved to be a false prophet.

I contend, sir, we are warranted in concluding from the facts, the cruel, cold facts of history, that President Buchanan during his term of office skated near the edge of treason and indisputably he was a timeserver. And I ask, sir, that when this measure comes up for final action that this House will not stultify itself by authorizing the erection of this statue in this most conspicuous place at this time. [Applause.]

Mr. Chairman, I reserve the remainder of my time.

Mr. SLAYDEN. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 35 minutes remaining.

Mr. SLAYDEN. How much has the gentleman from Massachusetts?

The CHAIRMAN. Twenty-eight minutes.

Mr. SLAYDEN. May I ask the gentleman from Massachusetts how many more speeches does he expect to have on his side?

Mr. WALSH. I expect one.

Mr. SLAYDEN. Only one more?

Mr. WALSH. Yes.

Mr. SLAYDEN. Well, Mr. Chairman, we have two more speeches. The gentleman from Pennsylvania [Mr. STEELE] wants a few minutes, and then I will let the gentleman from Massachusetts consume the balance of his time, and I have another colleague in the House who wants to speak on this subject; so now, if it is agreeable, I will yield 10 minutes to the gentleman from Pennsylvania [Mr. STEELE]. [Applause.]

Mr. STEELE. Mr. Chairman, I had not intended to take any part in this discussion, but several matters have arisen concerning the fair fame of one of Pennsylvania's distinguished citizens, and I feel it my duty to say something in defense of his memory. I am one of those who have no personal recollection whatever of the Civil War. I have none of the prejudices growing out of the Civil War. Two of my immediate relatives were officers in the Battle of Gettysburg. They were all what were then known as Douglas Democrats, and upon the slavery question in Pennsylvania sentiment was practically unanimous in opposition to slavery, so I think I can approach this question without any partisan feeling or prejudice or bias growing out of that era in the history of our country. James Buchanan was not the kind of man that he is attempted to be painted on the floor to-day. James Buchanan was a man of sterling character, of high moral principles, and he conscientiously served his country in all the positions he served at that time. He was born in Pennsylvania and descended from the old Scotch Presbyterian stock. He soon fought his way to the front as one of the prominent members of that distinguished bar. He served in the Pennsylvania Legislature for a number of years, and was soon elected a Member of the House of Representatives of the United States. As a Member of this body he soon distinguished himself and after a time became chairman of the Judiciary Committee of this House and served in that position for a considerable time. As a member of the Judiciary Committee of this House he rendered distinguished service to this House and to the country upon the memorable contest to strike out the celebrated twenty-fifth section of the judiciary act and fought that out to a conclusion.

Afterwards he became the representative of Pennsylvania in the United States Senate, and served there for a great length of time. He was then appointed minister abroad, was minister to the Court of St. James, was appointed minister to Russia, and afterwards became Secretary of State under President Polk. In all these positions no question was ever raised as to his ability, no question was ever raised as to his loyalty to the country, and it was only when the trying times came preceding the Civil War that, owing to the passions of that period, he was charged with many things by persons for which there was no real foundation. It had been a growing question for many years, from 1820 down to the outbreak of the rebellion. Was it a crime for Webster and Clay to vote for the compromise in 1850? Nobody has ever charged them with that, and one of them is honored with a monument here to-day in Washington, although he voted for the compromise at that time. You remember the tirade of abuse that arose at that time against Daniel Webster because he voted for the compromise. That same tirade of abuse followed when anyone took that position upon the slavery question about the time of the Civil War, and it is well known that early in the history of James Buchanan h personally asserted in a public speech that he delivered in the city of Lancaster his opposition to slavery. That was his personal principle, and he adhered to that as a political principle down to the time of his death.

Now, James Buchanan was a man of a kindly and peaceful disposition, not possessed of the strong character of Andrew Jackson in the Calhoun controversy or fitted to act in the severe way that a partisan agitator would act. His disposition naturally was to compromise differences and save the country from a period of bloodshed. Was it wrong for him to attempt to do that? In 1898 when the differences arose between ourselves and Spain did not President McKinley assume precisely the same attitude when he opposed the declaration of war as long as he could, and only when the sentiment was overwhelming on that subject accede to it? Was it disloyal at that time for Thomas B. Reed, the celebrated Speaker of this House, to oppose the declaration of war that was then made? I do not think anyone would accuse him of that. So when it comes down to the discussion of Mr. Buchanan whatever differences of opinion may arise as to the course he took at that time there is one thing that all unprejudiced historians who have examined into that question will agree upon at this time, and that is that his loyalty was beyond question. [Applause.]

Now, what objection, therefore, can be made to the erection of this monument at this time? Charges have been made here that would make it look as if Mr. Buchanan had been guilty of some act of disloyalty and of treason to the country. That, it seems to me, is the narrowest kind of partisan objection, and one which there is no real foundation in history to support. I maintain that whatever differences of opinion may exist as to the action of Mr. Buchanan, as to whether he ought to have taken this course or that course, there could be no question that he was entirely loyal to the Union and to the Government at that period of time. And, if that be true—and I do not think it can be questioned as a matter of history—then the objection that this money ought to be used in some other way at this time, or that the ground upon which the monument is proposed to be erected could be used for some other purpose, falls to the ground as the merest captious objection.

The monument does not cost this Government a single dollar. It is paid for entirely out of the estate of his niece, Harriet Lane Johnston, and while Members object to the erection of a monument to Mr. Buchanan and seem to be willing to erect one to the then mistress of the White House, I do not see how the two can be separated at all. For myself, it seems to me that it ought to be an act of grace on the part of this House, and we should be sufficiently broad minded, seeing that this is not going to cost the Government a penny, to do the proper thing under the circumstances.

Mr. GOOD. Will the gentleman yield?

Mr. STEELE. Yes, sir.

Mr. GOOD. Aside from the charges that have been made of the political consideration, the gentleman from Wisconsin [Mr. LENROOT] made one observation that seemed to me ought to have some weight with the House, and that is this, namely: Can we afford to permit persons to erect monuments in the city of Washington on public grounds to be paid for by private persons at all; and if we do follow that principle, is it not likely to happen that the person whose relatives have the most money will have the most magnificent monuments to their memory, irrespective of what service they might have rendered.

Mr. STEELE. As a matter of principle, as long as Congress retains control over the matter, I can see no objection to it.

Mr. FERRIS. Does the gentleman from Iowa think it very hard to distinguish between the ex-Presidents of the United States and ordinary citizens who might have money with which to build monuments?

Mr. GOOD. It had not been brought to my mind until the gentleman from Wisconsin [Mr. LENROOT] referred to that fact, but it did seem to me that the practice of permitting wealthy people to leave large sums for the erection of monuments, even though the monument might be erected to an ex-President, was not a wise provision, and we could better afford to pay for those monuments out of the Treasury of the United States and, therefore, have control over them. I was just asking the gentleman.

Mr. FERRIS. I was impressed with the gentleman's suggestion, as a rule, but I am also impressed with what the gentleman from Pennsylvania [Mr. STEELE] is saying, that this House need not throw itself into a frenzy about building a monument to any ex-President of the United States; I do not care whether he be Democrat or Republican.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SLAYDEN. Mr. Chairman, I extend the gentleman's time three minutes. And with the gentleman's permission, I would like to interrupt him long enough to make a statement.

Of course I do not know the entire history of the Capital as to the erection of monuments. There have been monuments erected here by contributions from the outside. The Kosciusko Monument was so erected and the Columbus Monument was erected very largely at the expense of private citizens, as was also the Daniel Webster Monument and others.

Mr. GARRETT of Tennessee. Will the gentleman permit a suggestion. The monument to ex-President Garfield was erected by the contributions of organizations outside. The erection of the monument to the founder of the Grand Army of the Republic, which stands at Seventh Street and Pennsylvania Avenue, was erected by contributions of organizations outside.

Mr. SLAYDEN. I will say that it is not the practice, and there has been no custom of the sort as apprehended by my friend from Iowa, and so far as my influence goes there will be none, although at this time there are pending on the calendar two bills authorizing monuments to be erected on ground to be selected by the Commission of Fine Arts, where the cost is to be provided by outside sources. One of these is at the instance of the great Methodist Church and the other at the instance of the Catholic Church. And I am inclined to believe that when those two measures come before this House the suggestion of the committee will be accepted without much controversy.

Mr. GOOD. The incidents that the gentleman referred to, as I understood him, were incidents where there was a sentiment throughout some portions of the country, at least, and the contributions were in response to that sentiment.

Mr. SLAYDEN. The point is that they were erected by private contributions.

Mr. GOOD. But were there any cases where the persons in their wills left provision to erect monuments?

Mr. SLAYDEN. No; no other was proposed except in the case of James Buchanan. That is unique.

Mr. STEELE. Mr. Chairman, I was about to reply to the gentleman when I was interrupted. My personal opinion is that so long as Congress retains control over the whole situation I can see no objection to it. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. SLAYDEN. Mr. Chairman, I will yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I would rather love my fellow man than hate him. [Applause.] I would rather honor him than traduce him. [Applause.] I would rather forget his failings than remember them after his death. [Applause.]

I do not believe the Congress of the United States is made up of men who propose to put the stamp of opprobrium upon a former President of the United States. [Applause.] I do not believe it is wise to do so during the progress of an international war. [Applause.] I would not believe it proper for the sake of American patriotism to do it at any time. [Applause.]

George Washington was criticized in his day and ill was said of him. Yet, the man who would traduce him now would find it difficult to maintain the title of "patriot" in the United States.

Mr. GOODWIN of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GOODWIN of Arkansas. Was any man ever traduced more than the great Lincoln by his own people in his own time?

Mr. MOORE of Pennsylvania. I think no public man was ever traduced as Abraham Lincoln was traduced, as much abroad as he was at home; and yet I would like to see the American to-day, at home or abroad, who would question the right of Congress or of citizens to erect a memorial to Abraham Lincoln. [Applause.]

Mr. DEWALT. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. DEWALT. Yet, after all that traducing, when history is written as it is written now, is there any man in the country who is more bepraised and beloved than Abraham Lincoln? [Applause.]

Mr. MOORE of Pennsylvania. Absolutely none, as well by the people of the South as by the people of the North. [Applause.] The time has come for us to forget these differences of 100 years ago or of 50 years ago. [Applause.]

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes; I yield to my friend from Michigan.

Mr. McLAUGHLIN of Michigan. He is beloved now because what he stood for has been approved and justified. But is it not true that every complaint and criticism of James Buchanan has been magnified up to this very hour?

Mr. MOORE of Pennsylvania. Every criticism has been magnified?

Mr. McLAUGHLIN of Michigan. Every fault pointed to in his character and his record has been magnified, and the criticism of it has not been justified up to this hour?

Mr. MOORE of Pennsylvania. The fault has been magnified—yes—and for that reason I would be fair, as I would be patriotic, in dealing with this question. [Applause.] Read the sketches of James Buchanan and you read of no ordinary man. You read of one who was patriotic in the beginning and who lived his long public career with honor until criticism came. He closed that distinguished career—the first man of all the people of the United States—without a recorded blemish, except as to his judgment or as individuals had their opinions of him and the acts he performed. If this is to be the standard by which we are to judge our public men 50 years after their death, it would apply with distressing force to many of our illustrious forefathers, from George Washington down to the present time. We can pick flaws in the character and in the conduct of everyone of them, but it has been against public policy to do so; it has been against patriotic policy to traduce our public men, and I shall not be one to join now with others, whether I believed with James Buchanan in his time or not, to uphold to the scorn of the world one who had been dignified and honored as President of the United States. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SWITZER. Does the gentleman say that our school histories traduce Mr. Buchanan?

Mr. MOORE of Pennsylvania. My time has expired; but I would say that, so far as I have observed, they do not.

Mr. SLAYDEN. Mr. Chairman, is the gentleman from Massachusetts [Mr. WALSH] going to conclude in one speech?

Mr. WALSH. I have more than one speech.

Mr. SLAYDEN. How much time has the gentleman left?

The CHAIRMAN. The gentleman from Massachusetts has 28 minutes left.

Mr. WALSH. I will yield eight minutes to the gentleman from Nebraska [Mr. REAVIS].

Mr. SLAYDEN. Mr. Chairman, how much time have we left?

The CHAIRMAN. Seven minutes.

Mr. SLAYDEN. It is my purpose to conclude in one speech. I will ask the gentleman from Massachusetts to use some of his time now.

Mr. WALSH. I yield eight minutes to the gentleman from Nebraska [Mr. REAVIS].

The CHAIRMAN. The gentleman from Nebraska is recognized for eight minutes.

Mr. REAVIS. Mr. Chairman and gentlemen, I am somewhat reluctant to speak upon this subject, because I have no desire to fan the embers of ashes that should be dead. I am speaking only because I happen to represent in part a State that, together with the State of Kansas, was the storm center of the period during which Mr. Buchanan served as President. We are not asked to grant permission for the erection of a monument to James Buchanan in any capacity excepting as President of the United States. Whatever service he may have performed pre-

vious to his induction into that office is lost sight of in the measure that is now presented to the House of Representatives.

Personally, I think the erection of monuments in the National Capital should be a matter of very careful concern to the Congress. I do not believe monuments should be erected here as a matter of grace to the lady who happened to be the mistress of the White House during his incumbency. I do not believe that permission should be granted to erect this monument because of the mere fact that he happened to be President of the United States. I believe that before a monument is erected in the Capital of this Nation the one to whom the monument is erected should have been responsible for distinguished service which would justify the action on the part of the Congress.

I can give you in a word the idea I have in mind by the relation of an incident that occurred to me in this city a number of years ago. I came here on some business before the Interior Department, and brought with me a red-headed, freckled-faced little lad who was very much interested in the monuments and statues that he saw in this beautiful city. He talked to me about them repeatedly. One day when I was called to the Department of the Interior I asked him if he could get along without me during the course of the day. With all the confidence of youth he replied that he could get along a good deal better without me than he could with me. I said, "Well, son, you have been very much interested in the statues that you have seen in the city. Now, while I am busy in the department I want you to find the statue in Washington that is erected to the man who made the most money, and when I come back to the hotel for dinner this evening I want you to tell me about it."

As we sat at the dinner table that evening I asked him, "What about the statue?" He said, "Father, I could not find it;" and I replied, "It is not here. It is not anywhere in this gray old world of ours, because the man whose memory is perpetuated in marble is the man who gave most to the world and not the man who took most from it."

I have listened during this debate for some man to tell me or to tell this body of some contribution that James Buchanan as President of the United States made to the United States that would justify us in erecting a statue to him in this city. I have heard that we should erect it as a matter of grace to the lady who left the money. I have heard that we should erect it because it will not cost the Government anything. I have heard that we should erect it because he was at one time President of the United States, but I have yet to hear any man detail a single item or a single circumstance in his life as President of this great Republic that would justify this action in erecting a statue to him at this time. The gentleman from Pennsylvania [Mr. MOORE] spoke in favor of this bill. The day of miracles is not over, because during all of his address he was applauded from the other side of the aisle, and I never saw it happen before during my incumbency in this House. [Laughter.] The gentleman from Pennsylvania grows very charitable, and says that Abraham Lincoln was traduced. He was, in the hour of his activity, but he is not traduced to-day; and the reason that the civilized world has made of Abraham Lincoln a patron saint is that he gave his life in trying to destroy the very thing that Jim Buchanan tried to foster. [Applause.] Gentlemen of the House, I doubt exceedingly the advisability of passing this measure. I doubt exceedingly the advisability of the House of Representatives granting its permission to erect in the Capital of this Nation a statue to one who as President sought to destroy the Nation. I do not believe that this permission should be granted.

I am reluctant to say what I have said, and I have said it only because I come from the State that was the storm center of the activity, the State that was cursed by appointees during Buchanan's presidency, who came there spreading the propaganda that had to be destroyed by the Union at the end of a four-year war. I do not believe we should erect a statue to a man merely because he happened to hold a great office. A statue should be erected to the personality of the individual, and not to the office, and the test should be what contribution did that individual make to the welfare of America or the world. Up to this time I have listened in vain for a single statement as to the contribution of President Buchanan either to the welfare of the Nation or to the race. I am opposed to this bill. [Applause.]

Mr. WALSH. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Chairman, I had not intended to take part in the debate on this measure until the gentleman from Pennsylvania [Mr. DEWALT] made what seemed to me an astounding statement. I refer to that utterance of his in which he asserted that Abraham Lincoln and James Buchanan held the same views of the Constitution—this, in effect, is what he said—and that under the same circumstances either of these men would have done what the other did in discharging the duties of the great office of President of the United States.

Now, nothing in my judgment—and I say this with all respect to my friend from Pennsylvania—nothing could be more wide of the truth than was that statement. That it is wholly unwarranted is shown by the unchallenged facts of history.

I respect a brave man; I respect Lee and Stonewall Jackson and the hosts of the Confederate Army, the great leaders and the rank and file who, believing that their first duty was to their respective States, went to the front offering their lives, if need be, in defense of what they thought was the right. I observe here a nod of approval from my friend, a brave Confederate veteran, the gentleman from Maryland, Mr. TALBOTT. But I do not admire, nor will I ever by my vote help to honor in the Capital of the Nation, the President who, after Abraham Lincoln had been elected to succeed him, wrote in his message to Congress in December, 1860, the words that I am about to read—words written as he saw approaching the storm that threatened to wreck the Republic, words which shocked and grieved lovers of liberty everywhere throughout the world. Said Mr. Buchanan:

> "Without descending to particulars, it may be safely asserted that the power to make war against a State is at variance with the whole spirit and intent of the Constitution. Suppose such a war should result in the conquest of a State; how are we to govern it afterwards? Shall we hold it as a province and govern it by despotic power? In the nature of things, we could not by physical force control the will of the people and compel them to elect Senators and Representatives to Congress and to perform all the other duties depending upon their own volition and required from the free citizens of a free State as a constituent member of the confederacy."

He declared this Nation to be a confederacy, although the Constitution adopted in 1787 superseded the articles of federation which had made the colonies a confederacy.

He continued:

> "But if we possessed this power, would it be wise to exercise it under existing circumstances? The object would doubtless be to preserve the Union. War would not only present the most effectual means of destroying it, but would banish all hope of its peaceful reconstruction. Besides, in the fraternal conflict a vast amount of blood and treasure would be expended, rendering future reconciliation between the States impossible."

And then he sat in his chair here in Washington and permitted one of his Secretaries to send the Navy to the South and another Secretary to send the Army and the munitions of war from the Government arsenals in the North to the South and to create a situation which when Abraham Lincoln, freedom's apostle, reached Washington seemed to many to be without hope.

But in this tremendous crisis, what did Lincoln say?

> "My countrymen, one and all, think calmly and well upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to hurry any of you in hot haste to a step which you would never take deliberately, that object will be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied still have the old Constitution unimpaired, and, on the sensitive point, the laws of your own framing under it, while the new administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied hold the right side in the dispute, there still is no single good reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land are still competent to adjust in the best way all our present difficulty."

This far he had been pleading. Listen, now, to his noble, kindly words of warning:

> "In your hands, my dissatisfied fellow countrymen, and not in mine, is the momentous issue of civil war. The Government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the Government, while I shall have the most solemn one to 'preserve, protect, and defend it.'"

Lincoln did not quail. But when they seceded and attacked the Government he called for volunteers to preserve, protect, and defend the Constitution and save the Nation. Buchanan, had he then been in the presidential chair, would have said again

what he said in his message of December, 1860, before Lincoln came here, and nothing would have been done to coerce the seceding States. They would have gone, and this great Nation, dedicated by our fathers to the cause of human liberty, would have been rent in twain and one-half given over to the blackest despotism that ever cursed the earth. To this Republic, saved through those four awful years, the world has ever since looked, and looks to-day, for the influence and example which are sending liberty and the spirit of democracy around the world. But had Buchanan and not Lincoln then been in the White House our example would have been lost and lost forever. Buchanan's own words testify to the truth of my assertion. And they demonstrate how utterly mistaken was the gentleman from Pennsylvania [Mr. DEWALT] when he declared that under the same circumstances Buchanan would have done what Lincoln did. [Applause.]

Mr. SLAYDEN. Mr. Chairman, I would like to have the attention of the gentleman from Massachusetts [Mr. WALSH]. I understand that the gentleman has concluded his side with the speech of the gentleman from Wisconsin [Mr. COOPER]?

Mr. WALSH. I have no further speeches that I know of at present.

Mr. SLAYDEN. I thought we had an agreement as to that a few moments ago. I told the gentleman that I would have one more speech, and I understood the gentleman to agree to that—that we would conclude with these speeches.

Mr. WALSH. What does the gentleman propose to do at the conclusion of this speech?

Mr. SLAYDEN. To close general debate.

Mr. MADDEN. Mr. Chairman, is it the gentleman's intention to proceed to the consideration of this resolution under the five-minute rule after the general debate is closed?

Mr. SLAYDEN. I will say to the gentleman that I do not see any reason why we should not have a vote upon this to-night, or if we can bring it up to a vote and agree when the vote will be taken it will be satisfactory to me. I do not want to inconvenience the gentleman.

Mr. MADDEN. The gentleman certainly does not want to cut off the opportunity to offer amendments?

Mr. SLAYDEN. I probably would not be able to do that if I wanted to.

Mr. MADDEN. I suggest the wisdom to the gentleman of moving to rise after the close of general debate and taking this bill up under the five-minute rule on next Wednesday.

Mr. SLAYDEN. There are two or three other bills on the calendar.

Mr. GILLETT. It is so late I think that that could be done. We will want to have a roll call on this bill.

Mr. SLAYDEN. Very well. I shall consent to that. I now yield the remainder of my time to the gentleman from Illinois, the Nestor of the House [Mr. CANNON].

The CHAIRMAN. The gentleman from Illinois is recognized for 17 minutes.

Mr. CANNON. Mr. Chairman and gentlemen of the House, I have not heard all of this debate. I had no intention of saying a word touching this resolution; and yet as I have listened, first to one and then another, I felt that as I shall vote for the bill I ought to say a few words. I do not do it in temper; I do not do it to open up old sores. I do it because, as I understand the resolution, this statue is to be erected by virtue of the will of Harriet Lane Johnson, the niece of President Buchanan, somewhere on Sixteenth Street. I have lived for almost 82 years, and I have seen many things happen. I have read many platforms. I have heard many political speeches. I have seen great contests on the floor of this House. I have seen a great Civil War. I knew Lincoln personally, though I was not an intimate acquaintance of his; but I knew him, and I did not know President Buchanan and had no acquaintance with him; but just let me call your attention to the history of our country.

This Government has been in the course of evolution. We achieved our independence by a Revolution, then the Confederacy, then the Constitution, then John Marshall, the Chief Justice of the Supreme Court. Oh, we had a war then with England. We had a war with France; and the truth is we had a war with France and England both at the same time. It was not declared, but it was a war. We had embargoes; we had hot fights between the North and the South. While I was not living at the time, yet I can recollect the hurrah that was given, within my recollection, where it would bring on fights when people were called Blue Light Federalists. If I recollect and have read history properly—I think I am not mistaken—New England wanted to secede. I think it was in 1812 that the Hartford convention met, and way before that the doctrine of secession was talked of and approved.

I believe before that time Kentucky passed her resolution declaring the right of a State to secede, and from that time down to 1856, when James Buchanan was nominated as the candidate for President, there never was a national Democratic platform but what it contained a resolution indorsing the Kentucky and Virginia resolutions which spoke for the right for a State to secede. [Applause.] Buchanan was elected upon that kind of a platform. Thank God, Lincoln was elected, and, oh, thank God, thank God, you men who are Democrats on that side of the House, thank God that Lincoln was elected, and that you and your forbears failed. [Applause.] But yesterday in Virginia the legislature, held in the same hall as I read the news where the secession ordinance was passed, adjourned out of respect for Lincoln. Now, Stanton has been spoken of. He was in Lincoln's Cabinet. He was a Jackson Democrat, and a good Democrat, indorsing his policies. Stanton was also a member of Buchanan's Cabinet and was such member when Buchanan's term expired; he supported Buchanan in 1856 upon a platform that indorsed the Kentucky and Virginia resolutions. It is true he became a Union supporter of Lincoln and afterwards went into Mr. Lincoln's Cabinet, if I recollect aright, in 1862, succeeding Cameron. Since that time we have had reconstruction; since that time we have had war with Spain; since that time this great war is upon us. In the year 1812 New England and largely New York were not orthodox touching secession, and later on, my Democratic friends, you were not orthodox. Now Lincoln wanted to preserve the Union. We had a hard time in that great contest. The battle was on along the borderland, evenly divided. Kentucky and Missouri had full quotas in both armies. West Virginia had many men in both armies. In 1862 there was a decided revolution in Illinois, Indiana, and Ohio. In 1864 the northern Democracy met in Chicago, if I recollect aright, and adopted that platform, one plank of which declared the war a failure and demanding an armistice and a compromise. Lincoln was reelected. Say, did you ever go over to Arlington?

Oh, there is where the Nation's patriotic dead lie—generals, privates, fighting for the flag, who have crossed over—there is where they are buried. You know I rode with a man in the Navy some little time ago, and he said, "CANNON, there is where I am going to lie." I believe Westminister Abbey is where they bury their distinguished dead in England. They have had any amount of rebellions in that country. There the dust of patriotic and great men lie. The Westminister Abbey of this country, if it is found anywhere, is to be found over at Arlington, near Washington. Union generals and privates who fought and died, and who have died since, and generals and privates of the Confederate Army following their convictions are there buried upon Uncle Sam's land that Uncle Sam paid for, and paid for after the Civil War was over.

James Buchanan, as I read history, was a great man. He was ambassador to England. He was a Senator of the United States. I recollect very well the campaign of 1856. He was a great man, but he indorsed the Kentucky resolution and the Virginia resolution. He did not believe that he had that power to coerce a sovereign State. He did not want to see a State go, but he said that there was no power to coerce it. He was true to the platform of the Democratic Party upon which he was elected.

Mistaken? Yes. But, after all is said and done, he was President of the United States. Oh, I have sat here in the Chamber of the House of Representatives with hundreds of men who fought to the end for the success of the Confederacy.

There were some good things that came out of the war with Spain as well as some bad things. Sometimes some of us think that one of the bad things was the possession of the Philippines, but I will not discuss that matter. But that war did cement the North and the South. [Applause.] And while I disagree with my Democratic brethren upon this floor touching economic questions, and sometimes disagree with some or all on my own side of the House touching other questions, I am answerable to my constituency, and there is no man in this House or in the Senate but that has the same right as a Representative that I have. And I honor you, Republicans, and I honor you, Democrats.

Now, what is this proposition? As I understand it, Harriet Lane Johnston gives by her will $100,000 with which to erect this statue on Sixteenth Street, in Washington. I am not here to open up the wounds of the Civil War. I thank God for Lincoln. I abused the policy that Buchanan stood for with all the power that was in me during that great struggle. I can understand how Gen. SHERWOOD, whose letter was read here, could in 1859 have properly written it. And he afterwards made good

by his magnificent services. [Applause.] But he now sits on that side of the House——

Mr. SHERWOOD. Yes; and I am going to vote for the bill. [Applause.]

Mr. CANNON. My friend says he is going to vote for the bill. I can quite understand why gentlemen, without perhaps fully weighing the matter, might conclude that this would indorse the principles that James Buchanan stood for touching secession. I think now, as it is all behind us, and in view of all our magnificent history and great progress, it is not a very good policy to assume at this time; and it would not bear fruit even if you did not erect the statue there. When you criticize James Buchanan for his action and for his nonaction, and for his messages, you criticize one-third of the Northland that was cotemporary with him; and there were at least one-third of them that agreed with the South. And you criticize the Southland, too, that was substantially solid against Lincoln and the Union, but now for the Union and the flag.

Let the dead past bury its dead, and let us at this time stand shoulder to shoulder for success in our great world's war for free seas and against autocracy. [Long and continued applause.]

Mr. SLAYDEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House joint resolution No. 70, authorizing the erection on the public grounds of the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. DENTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Maryland asks unanimous consent to revise and extend his remarks in the RECORD.

Mr. GILLETT. On what subject?

Mr. LINTHICUM. On the Buchanan monument.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech made by my colleague, Mr. LAGUARDIA, at Milan, Italy.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, what is the speech that the gentleman wishes to insert in the RECORD?

The SPEAKER. A speech made by Mr. LAGUARDIA somewhere in Italy. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the alien-slacker bill.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD on the alien-slacker bill. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. SLAYDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p. m.) the House adjourned until to-morrow, Thursday, February 14, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of communication from the Superintendent of the State, War, and Navy Department Building submitting supplemental estimates of appropriation required for the operation of the War and Navy office buildings in Henry Park for the fiscal year 1919 (H. Doc. No. 931); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of communication from the Commissioners of the District of Columbia submitting revised estimates of appropriation required by the Militia of the District of Columbia for the fiscal year 1919 (H. Doc. No. 932); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting estimates of appropriation for the purchase of the site and the fireproof building being erected thereon for the use of the Treasury Department, together with an extension thereto, not yet commenced, known as the Arlington property (H. Doc. No. 933); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. PADGETT, from the Committee on Naval Affairs, to which was referred the bill (S. 3402) to fix the age limits for candidates for admission to the United States Naval Academy, reported the same without amendment, accompanied by a report (No. 303), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3129) to provide for the disposition of the effects of deceased persons in the naval service, reported the same without amendment, accompanied by a report (No. 304), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3401) to authorize the President to reduce temporarily the course of instruction at the United States Naval Academy, reported the same with amendment, accompanied by a report (No. 305), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3406) to authorize the Secretary of the Navy to determine where and when there are no public quarters available for officers of the Navy and Marine Corps, reported the same without amendment, accompanied by a report (No. 306), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 3445) to authorize the payment of gun pointers and gun captains while temporarily absent from their regular stations, and for other purposes, reported the same without amendment, accompanied by a report (No. 307), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 6982) to authorize and empower the Secretary of the Navy to enter into and contract for the construction of a line of railway from a point in the District of Columbia to Indianhead, Md., reported the same with amendment, accompanied by a report (No. 308), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 3404) to authorize the President to drop from the rolls any naval or Marine Corps officer absent without leave for three months, or who has been convicted of any offense by the civil authorities, and prohibiting such officer's reappointment, reported the same with amendment, accompanied by a report (No. 309), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3130) to amend section 1570 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 310), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 3400) to regulate the pay of retired chief warrant officers on active duty, reported the same with amendment, accompanied by a report (No. 311), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WALTON, from the Committee on the Public Lands, to which was referred the bill (H. R. 4240) for the relief of Alma Harris, reported the same without amendment, accompanied by a report (No. 302), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. EVANS: A bill (H. R. 9829) to authorize the sale of certain lands to School District No. 28, of Missoula County, Mont.; to the Committee on the Public Lands.

By Mr. RAINEY: A bill (H. R. 9830) providing for the disposition of opium, its salts and derivatives, coca leaves, their salts and derivatives, and any other drugs seized by the United States Government in the enforcement of the provisions of the act of October 1, 1890, as amended by the acts of March 3, 1897, February 9, 1909, and January 17, 1914, or the act of December 17, 1914; to the Committee on Ways and Means.

By Mr. NORTON: A bill (H. R. 9831) to stimulate and encourage an increased production of wheat during the crop season of 1918 by amending section 14 of the food-control act, approved August 10, 1917, by fixing the guaranteed price of wheat for the crop of the year 1918 at $3 a bushel instead of $2 a bushel; to the Committee on Agriculture.

By Mr. SULZER: A bill (H. R. 9832) to authorize the incorporated town of Seward, Alaska, to issue bonds in any sum not exceeding $25,000 for the purpose of constructing dikes, flumes, and other works to confine the waters of Lowell Creek for the protection of said town; to the Committee on the Territories.

By Mr. EVANS: A bill (H. R. 9833) to authorize the President of the United States to grant furloughs to enlisted men of the Army of the United States; to the Committee on Military Affairs.

By Mr. RAKER: Joint resolution (H. J. Res. 245) extending the privileges of the act of Congress, approved December 20, 1917, to homestead settlers and entrymen employed in shipyards, coal mines, transportation, munition plants, etc.; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAMPBELL of Kansas: A bill (H. R. 9834) granting an increase of pension to James G. Johnson; to the Committee on Invalid Pensions.

By Mr. CARAWAY: A bill (H. R. 9835) granting an increase of pension to John M. Thorn; to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 9836) granting a pension to Joseph E. Rogers; to the Committee on Pensions.

Also, a bill (H. R. 9837) granting an increase of pension to Walter W. Bell; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 9838) granting a pension to Sarah Morrill; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: A bill (H. R. 9839) granting a pension to Ellen M. Davenport; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 9840) granting an increase of pension to James McNeal; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 9841) granting a pension to Charles B. Carlson; to the Committee on Pensions.

By Mr. HULL of Iowa: A bill (H. R. 9842) for the relief of George A. Cummings; to the Committee on Claims.

By Mr. HULL of Tennessee: A bill (H. R. 9843) granting a pension to J. M. Stewart; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 9844) for the relief of Welton W. Pratt; to the Committee on Military Affairs.

Also, a bill (H. R. 9845) for the relief of Elijah C. Putman; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 9846) granting a pension to John E. McCoy; to the Committee on Pensions.

By Mr. KRAUS: A bill (H. R. 9847) granting an increase of pension to Nelson B. Pilcher; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 9848) granting an increase of pension to Mary Leahy; to the Committee on Pensions.

By Mr. POLK: A bill (H. R. 9849) granting an increase of pension to William G. Fearing; to the Committee on Invalid Pensions.

By Mr. ROSE: A bill (H. R. 9850) granting an increase of pension to John C. Kauffman; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 9851) granting an increase of pension to Henry Crooks; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 9852) for the relief of T. J. Skellett; to the Committee on the Post Office and Post Roads.

By Mr. SELLS: A bill (H. R. 9853) granting a pension to Hess Elliott; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 9854) for the relief of Ellen Agnes Monogue; to the Committee on Claims.

By Mr. SWITZER: A bill (H. R. 9855) granting an increase of pension to Silas Litten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9856) granting an increase of pension to James N. Tewksbury; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 9857) granting an increase of pension to James T. Rollf; to the Committee on Invalid Pensions.

By Mr. TEMPLETON: A bill (H. R. 9858) granting a pension to Mame Cooley; to the Committee on Pensions.

By Mr. WELTY: A bill (H. R. 9859) granting an increase of pension to Nelson White; to the Committee on Invalid Pensions.

By Mr. EMERSON: Joint resolution (H. J. Res. 246) to give a medal of honor to Capt. Horatio P. Kile; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AUSTIN: Memorial of the Abraham Lincoln Patriotic and Educational League, asking Congress to indorse these principles of the league: (1) To better the social conditions of the people; (2) to teach the life of Abraham Lincoln in the public schools; and (3) to make his birthday a national holiday; to the Committee on Education.

By Mr. CAREW: Memorial of Chamber of Commerce of the State of New York, relative to the survey of the Delaware & Hudson Canal; to the Committee on Rivers and Harbors.

Also, memorial of Chamber of Commerce of the State of New York, asking for uniform postal rates in the city of New York; to the Committee on the Post Office and Post Roads.

Also, memorial of the Association for an Equitable Income Tax, asking that the income-tax law be amended so that the burdens of the war shall be shared equitably; to the Committee on Ways and Means.

By Mr. CARY: Resolutions of the New Century Club, Wichita Falls, Tex.; the Fortnightly Club, Sharon, Mass.; the Lakeside Club, Manistee, Mich.; and the Woman's Club, Racine, Wis., asking for the repeal of the periodical postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. CLARK of Pennsylvania: Petition of Joanna A. Royer, Mary Nash, Helen Golden, Edna Serr, Helen Burks, and 36 others, praying for the passage of House bill 7995, for the preservation of the *Niagara*, Commodore Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. DALE of New York: Petition of James A. McKean, of the Brotherhood of Railroad Trainmen, opposing House bill 8172 and Senate bill 3385; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Woman's Club, Beaver Dam, Wis.; Woman's Club, Racine, Wis.; Merchants, Manufacturers, and Employers' Association, Stockton, Cal.; the Thursday Club, Bowie, Tex.; and the New Century Club, Wichita Falls, Tex., asking that the periodical-postage amendment to the war-revenue act be repealed; to the Committee on Ways and Means.

By Mr. DALE of Vermont: Petition of L. B. Jones and other employees of the customs service of Island Pond, Vt., favoring the passage of the so-called Keating bill, increasing the compensation of Federal employees; to the Committee on Appropriations.

By Mr. ELSTON: Resolution of the Woman's Christian Temperance Union of Berkeley, Cal., indorsing legislation to safeguard the morals of American soldiers in France; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Memorial of the National Security League, for coordination of the departments of Government in the matter of espionage; to the Committee on the Judiciary.

Also, petition of the National Federation of Federal Employees, opposing the Borland amendment for an eight-hour day; to the Committee on Agriculture.

Also, memorial of the Merchants, Manufacturers, and Employers' Association of Stockton, Cal., against the increased postage rates on periodicals; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: Petition of citizens of Pennsylvania, favoring increased compensation of rural carriers and postal employees; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Protest of Rhode Island Mulespinners' Association No. 3, of Pawtucket, R. I., against any interference with plans of Secretary of War concerning Army movements; to the Committee on Military Affairs.

By Mr. LINTHICUM: Memorial of the Marine Engineers' Beneficial Association No. 5, Baltimore, Md., favoring House bill 7913; to the Committee on Interstate and Foreign Commerce.

Also, petition of Edward C. Wilson, Baltimore, Md., favoring the Pyote legislation on behalf of the Indians; to the Committee on Indian Affairs.

Also, petition of Fred H. Taft, Baltimore, Md., opposing daylight saving and the Borland amendment; to the Committee on Agriculture.

Also, petition of George F. Prechtel, president of the Carriage & Toy Co., Baltimore, Md., favoring House bill 9414; to the Committee on the Post Office and Post Roads.

Also, petition of Dr. John Rurrah, Baltimore, Md., and a memorial of the National Citizens' Creed Contest, urging the repeal of the periodical postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. OSBORNE: Petition of the Pacific Coast Division of the Bohemian National Alliance of America asking that the oppressed people of Bohemia be given their freedom when the new map of Europe is made at the close of the present war; to the Committee on Foreign Affairs.

By Mr. RAINEY: Petition of Capt. H. W. Leyhe and other steamboat officials of St. Louis, Mo., favoring larger compensation for steamboat inspection officials; to the Committee on the Merchant Marine and Fisheries.

Also, petition of A. C. Poole and other train dispatchers at Roodhouse, Ill., favoring larger compensation for train dispatchers; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES B. SMITH: Resolution of the New York Board of Trade, protesting against section 13 of the Sims bill and suggesting an amendment stating a definite time when Federal control shall cease; to the Committee on Interstate and Foreign Commerce.

By Mr. SNOOK: Resolutions of the Farmers' Institute at Convoy, Ohio, favoring effective prosecution of the war; to the Committee on Military Affairs.

Also, petition of David K. Stedman and 16 other comrades of Pioneer, Ohio, favoring an increase in the rate of pension to Civil War veterans; also a resolution of Bishop Post No. 22, Grand Army of the Republic, Defiance, Ohio, favoring the passage of the Smoot pension bill; to the Committee on Invalid Pensions.

By Mr. TEMPLE: Papers to accompany H. R. 9607; to the Committee on Invalid Pensions.

By Mr. VARE: Memorial of the Lumbermen's Exchange, Philadelphia, Pa., relative to the establishment of a board of war control; to the Committee on Military Affairs.

SENATE.

THURSDAY, *February 14, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray that the light of Thy divine truth may shine clear and strong upon every question that presents itself to our minds this day and that our hearts may be very responsive to the divine impression; that we may do all things according to the will of God. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. ASHURST and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. ASHURST. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Henderson	McCumber	Ransdell
Beckham	Hitchcock	McKellar	Robinson
Chamberlain	James	McNary	Saulsbury
Colt	Johnson, Cal.	Martin	Shafroth
Culberson	Jones, N. Mex.	Nelson	Sheppard
Cummins	Jones, Wash.	New	Shields
Curtis	Kellogg	Nugent	Smith, Ga.
Dillingham	Kirby	Overman	Smith, Md.
France	Knox	Page	Smith, Mich.
Gerry	Lewis	Pittman	Smith, S. C.
Hale	Lodge	Pomerene	Smoot
Sterling	Thomas	Trammell	Wolcott
Stone	Thompson	Vardaman	
Sutherland	Tillman	Watson	
Swanson	Townsend	Williams	

Mr. CURTIS. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness in his family.

I wish also to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness.

I will let this announcement stand for the day.

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. HENDERSON. I present brief resolutions adopted by the Women's Civic League, of Reno, Nev., which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

NEVADA WOMEN'S CIVIC LEAGUE,
Reno, Nev., January 29, 1918.

Hon. CHARLES HENDERSON,
Washington, D. C.

DEAR SIR: The following resolutions were adopted at a meeting of Women's Civic League at Reno, Nev., on January 20, 1918:

Resolved, That the members of the Civic League call upon President Wilson and the Democratic administration to give suppport to the national suffrage amendment by making it an administration measure, and securing its passage in the present session of Congress, at the time when the Government is calling for the indispensable service of the women in bearing the burden of war: Be it also

Resolved, That the members call upon the Senate of the United States to pass at once the Federal suffrage amendment, establishing at home that democracy for which the men of this country have been called to fight abroad; that this resolution be read into the CONGRESSIONAL RECORD as evidence of the activities of our leaders: Be it also

Resolved, That this resolution be sent to the President; Vice President; Senator THOMAS MARTIN, Democratic leader of the Senate; Senator JACOB H. GALLINGER, Republican leader of the Senate; to Senator JONES, chairman of the Woman Suffrage Committee; and to our Senators.

Yours, respectfully, MINNIE FLANIGAN, *President.*
Mrs. MILES KENNEDY, *Secretary.*

Mr. ROBINSON. I present resolutions adopted at a meeting of citizens of Fayetteville, Ark. I ask that they may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Resolutions adopted by citizens of Fayetteville, Ark., in patriotic assembly, February 1, 1918.

Whereas we recognize, in a measure, the magnitude of the work of organizing and equipping the fighting forces of our country and the multitude of new and intricate problems; and

Whereas we realize the limitations of human skill and human wisdom and human knowledge, and something of the terrible responsibility heaped upon our President and his Cabinet; and

Whereas we are aware, through the medium of the public press, of the actions, criticisms, and investigations by certain individuals in and out of Congress of the work, purposes, and plans of the United States Government with reference to the prosecution of the war, which have tended to disturb confidence in our leaders and to divulge important military secrets, to the aid and comfort of the enemy: Therefore be it

Resolved, That we, as citizens of Fayetteville, Ark., in mass meeting assembled, while recognizing the value of helpful, wholesome, constructive criticism, deplore the injection of anything in the nature of partisan strife into the discussion of our war measures or our plans for prosecuting the war, and that we express in the strongest terms our disapproval of any actions, accusations, and investigations which have a tendency to break down the confidence of the public in the wisdom, honesty, or patriotism of the men on whom rests the responsibility for the prosecution of the present war or which be the means of furnishing any information that might be of benefit or comfort to our enemy.

Resolved, That we express the highest degree of confidence in President Wilson, Secretaries Baker and Daniels, and pledge them our utmost loyalty, and urge that our Representatives and Senators be urged to cooperate with them to the end that their war plans may bring to speedy success this struggle for the safety of the democracies of the world.

Resolved, That copies of these resolutions be sent to President Wilson, Secretaries Baker and Daniels, and to Senators ROBINSON and KIRBY, and Congressman TILLMAN.

Approved in mass meeting. W. S. CAMPBELL, *Chairman.*
THOMAS SHELTON, *Secretary.*

Mr. ROBINSON. I also present a telegram from the Business Men's League of Helena, Ark., which I ask to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

HELENA, ARK., *February 7, 1918.*

Hon. JOSEPH T. ROBINSON,
Senate Office Building, Washington, D. C.:

The disaster to American troops reported to-day impels this community to vigorously protest against continuation of public investigations disclosing secret plans of War Department and furnishing information to enemy agents that may lead to the murder of thousands more of our soldiers. German agents and partisan politicians are in same class. Our sons offering their lives and our citizens contributing

their money to help win the war demand that Congress support the personal bill of President Wilson and aid in prosecution of war instead of blocking it.

BUSINESS MEN'S LEAGUE OF HELENA, ARK.,
By E. M. ALLEN, *President.*

Mr. SMITH of Michigan. I have a telegram addressed to my colleague and myself which I should like to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

JACKSON, MICH., *January 22, 1918.*

Hons. WILLIAM ALDEN SMITH and CHARLES E. TOWNSEND,
United States Senate, Washington, D. C.:

Domestic building and loan associations are entitled to exemption in the proposed bill to govern the issue of stocks, as the business is purely local and the money is used for the purpose of buying, building, and improving homes.

MICHIGAN BUILDING AND LOAN ASSOCIATION LEAGUE,
WILLIAM H. PECK, *President, Kalamazoo.*
IRVING B. RICH, *Secretary, Jackson.*

Mr. SHEPPARD presented a petition of the Fort Smith, Pauls Valley & Wichita Falls Highway Association and of the Pauls Valley Chamber of Commerce and Community League, of the States of Oklahoma, Arkansas, and Texas, praying for a system of national highways, which was referred to the Committee on Agriculture and Forestry.

Mr. McLEAN presented petitions of Local Branch No. 154, United National Association of Post Office Clerks, of Meriden, Conn., and Local Branch, National Association of Letter Carriers, of Bridgeport, Conn., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of the Catholic Gimnostic Sokal, of Meriden Branch of the Slovak League, and of the Catholic Slovak Union, all of Meriden, in the State of Connecticut, praying for the liberation and unification of the Czecho-Slovaks of Austria-Hungary into one independent Czecho-Slovak State, which were referred to the Committee on Foreign Relations.

He also presented petitions of Milford Branch of the National Woman's Party and of sundry citizens of Milford, Conn., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. CURTIS presented a petition of Civil War veterans of Garden City, Kans., praying for an increase of pensions of veterans of the Civil War, which was referred to the Committee on Pensions.

He also presented a memorial of sundry citizens of McPherson, Kans., remonstrating against the enactment of legislation making it a crime to deposit in the mails literature having for its purpose the exposure of oaths, rituals, and ceremonies of any or all secret or fraternal orders, which was referred to the Committee on Post Offices and Post Roads.

Mr. COLT presented memorials signed by 830 members of the congregations of Methodist Episcopal Churches of Rhode Island, remonstrating against the enactment of legislation authorizing the construction of railroad tracks directly opposite the Lucy Webb Hayes National Training School and the Sibley Memorial Hospital, in the city of Washington, D. C., which were referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Rhode Island, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. TOWNSEND presented a memorial of the congregation of the Bates Street Christian Reformed Church, of Grand Rapids, Mich., remonstrating against the enactment of legislation granting certain help and protection to secret societies, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Slovak League of America, No. 117, of Muskegon Heights, Mich., praying for the liberation and unification of their race into one independent Czecho-Slovak State, which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Branch No. 1, National Association of Letter Carriers, of Detroit, Mich., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by the Grand Rapids Retail Grocers and Meat Dealers' Protective Association, of Grand Rapids, Mich., remonstrating against the repeal of rates on second-class postage, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the congregation of the Central Methodist Episcopal Church, of Lansing, Mich., remonstrating against the passage of the so-called daylight-saving bill, which was referred to the Committee on Interstate Commerce.

WOMAN SUFFRAGE IN GREAT BRITAIN.

Mr. SHAFROTH. Mr. President, I present a letter and ask that it be read.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

NATIONAL AMERICAN WOMAN SUFFRAGE ASSOCIATION,
Washington, D. C., February 9, 1918.

Senator JOHN F. SHAFROTH,
Columbia Road and Twentieth Street, Washington, D. C.

MY DEAR SIR: Lest the press dispatch may not have come to your notice, I write to inform you that woman suffrage as a part of the representation of the people act became a law in Great Britain on Thursday, February 6. It applies to the women of England, Scotland, Ireland, and Wales. This is not a referendum, but a definite grant of the vote.

This action challenges the United States to make good her claim that she "fights for democracy."

The doubts, fears, and objections in regard to woman suffrage in Great Britain have been as bitter and obstinate as those in the United States, yet Great Britain, with vision clarified by her war sacrifices, has overcome them and done justice to her women. Shall the United States be less generous? Shall the States not be given the opportunity to act?

I also call your attention to the fact that the State Legislatures of New York and North Dakota have just passed resolutions asking the Senate to pass the suffrage amendment.

The world crisis demands that women shall have a voice in the problems so vital to the welfare of the human race. The Federal amendment is the only method by which the Nation can take action.

Yours, truly,

CARRIE CHAPMAN CATT, *President.*

Mr. SHAFROTH. Mr. President, I am gratified to receive the good news. I want to indorse every statement contained in that letter, and to express the hope that the Government, which in its Declaration of Independence first announced the principle that the just powers of government are derived from the consent of the governed, will soon pass the constitutional amendment granting equal suffrage to women.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POMERENE:

A bill (S. 3838) granting a pension to Emma J. Naylor; to the Committee on Pensions.

By Mr. KIRBY (for Mr. HOLLIS):

A bill (S. 3839) granting a pension to Katherine I. McGrath (with accompanying papers); to the Committee on Pensions.

A bill (S. 3840) for the relief of George A. Turbex; to the Committee on Military Affairs.

By Mr. THOMPSON:

A bill (S. 3841) granting a pension to Johanna McGee; to the Committee on Pensions.

By Mr. JONES of New Mexico:

A bill (S. 3842) fixing the term of service of Welton W. Pratt during the Civil War; and

A bill (S. 3843) fixing the term of service of Elijah C. Putman during the Civil War; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 3844) granting an increase of pension to Israel Wood (with accompanying papers); and

A bill (S. 3845) granting an increase of pension to Jacob W. Kinsey (with accompanying papers); to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 3846) granting an increase of pension to Sarah Whittle (with accompanying papers);

A bill (S. 3847) granting a pension to Alice Hereh (with accompanying papers); and

A bill (S. 3848) granting an increase of pension to George F. Behymer (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 3849) granting an increase of pension to John C. Mercer (with accompanying papers);

A bill (S. 3850) granting a pension to Nancy J. Bower (with accompanying papers);

A bill (S. 3851) granting a pension to Tom Pogue (with accompanying papers);

A bill (S. 3852) granting an increase of pension to Nathan L. Fritts (with accompanying papers);

A bill (S. 3853) granting an increase of pension to Edward G. Moore (with accompanying papers);

A bill (S. 3854) granting an increase of pension to William H. Henkle (with accompanying papers);

A bill (S. 3855) granting an increase of pension to Camm T. Sanders (with accompanying papers);

A bill (S. 3856) granting an increase of pension to John G. Fulton (with accompanying papers);

A bill (S. 3857) granting an increase of pension to Harvey Potter (with accompanying papers);

A bill (S. 3858) granting an increase of pension to Austin L. Myers (with accompanying papers);

A bill (S. 3859) granting an increase of pension to John Clopine (with accompanying papers);

A bill (S. 3860) granting an increase of pension to W. W. Lamb (with accompanying papers); and

A bill (S. 3861) granting an increase of pension to John W. Magann (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 3862) granting an increase of pension to Frederick E. Sprague (with accompanying papers); to the Committee on Pensions.

By Mr. SIMMONS:

A joint resolution (S. J. Res. 133) authorizing the granting of insurance under the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917, on application by a person other than the person to be insured; to the Committee on Finance.

AMENDMENT TO RAILROAD-CONTROL BILL.

Mr. ROBINSON. I desire to offer an amendment to the pending bill, the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes. I ask that it be printed and lie upon the table. I call the attention of the chairman of the committee to the amendment. I will state that it is designed to reform and make clear certain language in the bill.

The VICE PRESIDENT. The amendment will be printed and lie on the table.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. LEWIS submitted an amendment providing that hereafter when emergencies or the needs of the service require letter carriers in the City Delivery Service and clerks and special clerks in first and second class post offices to work in excess of eight hours a day such additional services shall be paid for at a rate of 50 per centum higher than their salaries as fixed by law, intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

WITHDRAWAL OF PAPERS—DANIEL A. WILLIAMS.

On motion of Mr. BORAH, it was

Ordered, That the papers accompanying Senate bill 275, Sixty-fifth Congress, first session, granting a pension to Daniel A. Williams, be withdrawn from the files of the Senate, no adverse report being made thereon.

THE COMMITTEE ON FINANCE.

Mr. SIMMONS submitted the following resolution (S. Res. 205), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Finance, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fifth Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

WAR CABINET.

Mr. KIRBY. Mr. President, I desire to give notice that I shall address the Senate briefly to-morrow morning after the Senator from Massachusetts [Mr. WEEKS] has concluded, relative to the war-cabinet bill.

The VICE PRESIDENT. The morning business is closed.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 12th instant, approved and signed the following joint resolution:

S. J. Res. 128. Joint resolution granting to certain persons in the active war service an extension of time within which application for insurance may be made under section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917.

AMERICA AND HER NATIONAL DEFENSE.

Mr. JAMES. Mr. President, in a time of war those who hold positions of high station should be exceedingly careful as to their utterances. No matter how good the intention, some utterances made, not properly weighed, not properly measured, may be of far-reaching and disastrous effect.

SENATOR CHAMBERLAIN'S SPEECH.

I am going to call to the attention of the Senate and the country a speech made in New York by the chairman of the Military Affairs Committee of the United States Senate. It was a great gathering of citizens addressed by him. He was speaking not alone to those gathered there, but he was speaking to the people of America and to the world. In the course of a speech of some length he used these words:

Now, in conclusion—and I have only touched a few of the high spots—let me say that the Military Establishment of America has fallen down. There is no use to be optimistic about a thing that does not exist. It has almost stopped functioning, my friends. Why?

He is going to give you the reason now why the Military Establishment of America has fallen down.

Because of inefficiency in every bureau and in every department of the Government of the United States. [Applause.] We are trying to work it out. I speak not as a Democrat, but as an American citizen.

The Senator seems to make some strange and weird distinction between a Democrat and an American citizen. For myself, I have always believed that to be a good Democrat is to be a good American, and if I did not believe that I would sever at once my association and allegiance from that body.

In the course of this remarkable speech, concluded with this more remarkable utterance, the Senator diverted long enough to pay high tribute to the former President of the United States, Col. Roosevelt. He paid high tribute to former Senator Root. But throughout that speech not one word of tribute did he pay, indeed he did not mention, the name of that man whose name is upon the lips of all the people of the world, the Commander in Chief of the Army and Navy of the United States, Woodrow Wilson. Of course, I recognize the surrounding and attendant circumstances. There was the "King of the Jungle," the hero of San Juan Hill, the discoverer of the River of Doubt, and I imagine, though the distinguished Senator told us in the course of a speech upon this floor that he is not afraid of God, man, or devil, that he at least was given an aphasia by Col. Roosevelt and was unable to think of the name of the President of the United States.

But let us examine into the facts. Let us investigate and see whether there was any warrant for this unhappy and unusual utterance. There sat to his left Elihu Root, a distinguished lawyer, a great American. Perhaps the Senator had in mind the thought that Russia had fallen down and he had unconsciously substituted the name of the United States for Russia. The President sent Senator Root to Russia at the head of the mission from this country. He did all that a human being could do, but Russia failed, Russia fell down. Root was not to blame; he did, as I say, all that he could; but suppose, upon the other hand, that instead of sending Mr. Root as our representative abroad the President had selected Mr. Bryan; how this Chamber would have reverberated with criticism and anathema! They would have declared that he had sent abroad an orator and not a nation builder; but he sent a member and leader of the great Republican Party to Russia. After he failed, having done all he could, not from my lips shall fall one word of criticism of him.

THE MILITARY ESTABLISHMENT HAS NOT FALLEN DOWN.

But has the Military Establishment of the United States fallen down? Mr. President, we must look abroad, as I said in the beginning, to measure the effect of that speech. At the time it was uttered the fires of revolution had just begun to blaze in Austria; 500,000 hungry, war-torn workingmen were marching the streets of Germany crying for "peace without annexations, peace without indemnities."

Who can measure the mighty force of this utterance in the hands of the Kaiser—red lined upon every newspaper in the Empire, posted upon every billboard? "What is it, Kaiser?" "America, giant of the West; America, hope of the allies; America, hope of the world, has collapsed." "Who said it?" The chairman of the Military Affairs Committee of the United States Senate—no utterance of some irresponsible; no word that has filtered through the lines by a spy, but it is the deliberate utterance made by this man in this mighty station, that America has failed in this great war. Who can say, and who can measure, and who can weigh the mighty influence that these utterances had in quieting that revolution and in stopping the strike and sending those men back to work? I can hear the Kaiser say: "Trust me a little longer, just a while longer, and Germany will triumph over the world."

Of course I know that my good friend the Senator from Oregon [Mr. CHAMBERLAIN] did not intend that this speech should have that effect; but I am pointing out the danger of such utterances as this. Mr. President, the truth is that they

are not justified by the facts. Let us see if I can not demonstrate that. In the first place, my good friend the Senator from Oregon assumes the rôle of the efficient man, of the man who makes no mistakes, of the man who wants to correct the mistakes of the War Department; and yet in this short speech of 20 minutes he was forced to withdraw 90 per cent of his charges and subject the remaining 10 per cent to the terrific battle of dispute—90 per cent inefficient himself in a speech of 20 minutes does not proclaim him as the man without liability to make mistakes.

Of course America has made mistakes. We want to go back and live in the atmosphere a while before the war. This country was without an army. We all know that. When war was declared our Army did not number in both officers and men what the Army to-day numbers in officers alone. What did we have to do? In the first place we had to have an Army. How should we get it? We had to secure the Army partly by volunteers and that part was negligible and in the greater degree by the selective-draft system.

England for two years was without the draft; Canada only until recently was without it; Australia has twice refused it; and yet America, a great democracy as it is, did in the short space of 30 days what these old, staid, and tried Governments were unable to do in two years' time. We heard gloomy forebodings, we heard gloomy prophecy, we heard it said that America would not submit to the draft; and yet, when the time came and these brave men were called to the colors, 10,000,000 of them marched up and registered, willing to make the great sacrifice, that of their lives—all they had—for the country. It was done as quietly as we hold an uncontested election in America. Has a Military Establishment and a country fallen down that can do that?

But that is not all. Then came the sorting-out process; then came the exemption board appointments. Mr. President, I would be the last man in the world to inject politics into this war; God knows that, while I am a Democrat, I am also an American. I pay just tribute to the brave, patriotic men upon the other side of this Chamber who have stood by the country in its hour of peril, and who, I believe, will continue to stand by it. They are also in the other House; they are throughout America. What boots it for a party to win a political victory and to lose our liberty? What boots it for a political party to gain a victory with nothing to rule? So, Mr. President, when the President came to make the appointments of these various boards that should pass upon the exemptions claimed by men, it was submitted to the various governors in the States—Republican governors as well as Democratic governors. They appointed the various exemption boards, and those men walked up and made their claim for exemption. Think of it, Mr. President! The millionaire and the pauper, the prince and the peasant, the butcher and the merchant, the farmer and the lawyer were all called alike to the same service.

SELECTION OF CAMPS AND CONSTRUCTION OF CANTONMENTS.

Then, what happened? We have our Army on the way; we have to have cantonments for them; we have to have camps for them. Where are we going to get them? We had to do what? First, we had to select the sites. Of course, that was a contested matter; various ambitious cities wanted to be selected. Then after the sites were selected, the cantonments had to be built quickly, immediately, for the necessity was great, the war was on, and soldiers were wanted at the front. We let out the contracts—not according to the old system; it could not be done; we did not have time—to the various firms, according to a percentage basis, and, under the management of Col. Littell, the cantonments were erected, 16 of them in number. It took almost a billion feet of lumber to build them; it took almost a hundred thousand carloads of material to supply them; it took more than a hundred thousand men working and toiling to erect these cantonments. Roads had to be built, hundreds and thousands of miles of roads had to be built. These cantonments sprang up as if overnight.

Then came the Army to the camps. One million five hundred thousand men came to these cantonments, were transported over the railroads of the country, and not a life was lost. That does not look to me like the Government had ceased to function and had broken down.

Then what happened? The men had to be trained. We had to have physicians. We could not get them within the draft age. Thousands of fine country and city doctors laid down their lucrative practices, walked willingly to the standard of their country, and tendered their efficiency and their talents in the service in these cantonments.

Who can point me to any scandal connected with the exemption of men who were unworthy to be exempted? I have not heard of any. Probably there are some cases; I doubt not that is so; it would be impossible in the handling of 10,000,000 of these cases not to have something of that sort, but upon the whole it has been singularly and remarkably free of any scandal caused by influence or corruption.

Mr. President, of course, probably you might find one soldier, or two soldiers, or a dozen soldiers, or more, who perhaps were neglected in the camps; but who is it, pray tell me, who can guarantee the honesty and the humaneness of fifteen hundred thousand men? When Christ was upon earth he tried His hand upon 12, and we know the result. I want to stand here to-day, Mr. President, to defend the thousands of American doctors who have given up the comforts of home, who have given up a lucrative and growing practice back home, and have come to a greater service, for which the pay is hardly anything to be considered at all. Actuated by fine patriotism, these men deserve the highest praise, and I want to defend them from any intimation that they are not rising to the highest standard and the best traditions of their profession, both as men of science and patriotism.

GOOD CARE AND HUMANE TREATMENT OF SOLDIERS IN THE CANTONMENTS.

The Senator from Oregon read us a letter from a distracted and heart-broken parent. God knows my heart goes out to him; but, Mr. President, I want to say in all kindness that I do not believe that was the way to handle a question like that at a time like this. The soldier's name was not given to the Secretary of War; the Secretary of War, so far as I know, has never been able to secure the name of the soldier who was thus mistreated; but, Mr. President, the reading of that letter upon the floor of the Senate, creating the impression throughout America that that was the rule in these cantonments rather than the exception, did a great injury to the cause of our country. It distressed many a mother at home; it dampened the enthusiastic ardor and patriotic fervor of many a father back home, causing the inquiry to spring into their minds, "Has my country to which I am willing to render the great service been guilty of the mistreatment of my boys in the hour of their illness?"

I received a letter myself, Mr. President, only a short time ago in regard to the treatment of a soldier in the cantonment in my State, Camp Zachary Taylor. I want to say here and now that in that camp, having between 30,000 and sometimes 40,000 and probably 45,000 soldiers within its keeping, I probably know personally as many of the soldiers there as any other man in civil life, and I had never received one single complaint up to that time. The letter to which I have referred did not come from a soldier; it did not come from any of his kinsmen; it came from a personal friend of mine, telling me that it was reported that this boy had been neglected, telling me the county from which he came in Kentucky, and stating that by reason of the neglect he died. I did not read the letter upon the floor of the United States Senate that it might go out into the homes of Kentucky. I did not know the facts; my informant did not know the facts. I went down to the Secretary of War, and I said to him: "I want this case immediately investigated; I demand a court-martial, because a man who mistreats an American soldier mistreats me, and you, and every other American citizen." That case will be thoroughly and completely investigated. I also said to the Secretary that I wanted the severest punishment, if guilt existed, visited upon those who had neglected this soldier.

But, Mr. President, I know—we all know—that Mary Roberts Rinehart told the truth when she said that the soldiers in these cantonments were the best-cared-for soldiers in the world. I believe that to be absolutely true.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator for just a moment?

Mr. JAMES. Certainly.

Mr. CHAMBERLAIN. I simply want to say that the names of those parties were given to the Secretary of War.

Mr. JAMES. Yes; but, if the Senator will pardon me, only after the Secretary of War wrote and pleaded with the Senator to give them. I am making no criticism. I am pointing out the facts. They were given finally. I do not know that both of them were given.

Mr. CHAMBERLAIN. Both of them.

Mr. JAMES. I accept the Senator's statement. Both of them were given, but it was after the Secretary of War wrote the Senator a letter asking for the letters, and after the Senator had made his speech upon the floor of the United States Senate, reading both of the letters.

OUR SOLDIERS IN FRANCE THE BEST-CARED-FOR SOLDIERS IN THE WORLD.

I picked up this home paper, published in the little town where I live. I find this letter in it, and I want to read it, because I want the mothers of America—for they are those

who bring the first true and lasting teaching of genuine patriotism to the infant mind—to know that their country is not neglecting their boys. I read from the Crittenden Record-Press of January 31, 1918:

Former City Marshal George E. Boston—

I know him well—

received the following letter from the George Wood Anderson Evangelistic Campaign, of Huntington, W. Va., in regard to his son, Wilbur, who is an American soldier, now somewhere in France:

HUNTINGTON, W. VA., *January 15, 1918.*

Mr. GEORGE E. BOSTON,
Marion, Ky.

MY DEAR MR. BOSTON: While in France I had the pleasure of meeting and talking with your son, Wilbur Boston, who gave me your address that I might be able to send you this short message.

He was nicely located and in fine health and spirits. He, with other soldier boys, has plenty to wear and to eat and is safely sheltered. Our Government is doing everything possible to safeguard the health and morals of our boys in France, and they are the best-cared-for soldiers in the world. I shall return to them the 1st of March.

The inclosed message written by him I trust may bring joy to your heart.

Cordially, yours,

GEORGE WOOD ANDERSON.

Permanent address, Bellefontaine, Ohio.

There the minister of God, the good man who is working among these boys, brings from France the news to a Kentucky father that his boy is with the soldiers of America there, and that they are the best-cared-for soldiers in the world. No; America's Military Establishment has not fallen down, nor have the departments ceased functioning.

UNIFORMS OF AMERICAN SOLDIERS 100 PER CENT VIRGIN WOOL.

But what else, Mr. President?

Why, when the Senator from Oregon was speaking I got the impression that the virgin wool that was in the uniform of the soldier had been cut down, and it distressed me greatly. I thought there must be some reason for it. But what are the facts? When we come to investigate it, we find that the uniform of the American soldier before this war was 75 per cent virgin wool and 25 per cent cotton. To-day it is 100 per cent virgin wool.

"Oh," they say, "there were some overcoats missing." Senators, take into consideration the mighty problem that confronted our country—drafting the Army, transporting soldiers, building the cantonments, securing hospital corps, and then, in addition to that, they had to have all of this material manufactured. They needed millions of overcoats, millions of uniforms, millions of shoes, hats, shirts, underwear, beds, wagons, trucks, vast tentage, artillery of all sorts, ammunition, and a thousand things were needed at once. Our manufacturing establishments were overwhelmed. We can easily see the great task facing America. That we met it as quickly and efficiently as we did is fairly the marvel of the world.

Every manufacturing establishment in the United States was already running overtime and crowded to the very limit, supplying our allies abroad. We could not go and take those contracts away from them. We could not go to them and say, "You must cease your manufacturing for those men that are already in the trenches, fighting a battle that is ours." In many cases the War Department had to go out and they had to secure various business associations to engage in the manufacturing of the necessary articles of equipment for these soldiers. We must also bear in mind that this shortage was in the Southern States, and, in addition, that this has been the most rigorous winter in the history of this Nation for 50 years. In many Southern States overcoats were not worn until January, at which time every soldier had an overcoat. You would think, from some of the statements, that all of the boys went to the cantonments without any overcoats at all; that they never had an overcoat before, and that they had to rely upon the Government to give them an overcoat; but at the very time the Senator himself was speaking every soldier in the American Army had an overcoat furnished by the Government of the United States.

HEALTH CONDITION OF ARMY THE BEST IN THE WORLD.

The honest truth is that the health condition of the American Army, notwithstanding they have gone through the most severe winter of a half century, is by far the best of that of any other army in the world.

The death rate from disease per annum of the American troops is 8 soldiers out of a thousand.

In the Spanish-American War the death rate per annum of the American Army from disease was 25 soldiers out of a thousand.

In the China-Japanese War the death rate per annum from disease was 15 soldiers out of a thousand.

In the Russo-Japanese War the death rate per annum from disease was 20 out of a thousand.

SUCCESSFUL WORK OF SENDING OUR SOLDIERS ABROAD.

Then we had to proceed to get these soldiers abroad. How must we do that? It is a mighty task. We did not have the ships. My friend from Nebraska [Mr. HITCHCOCK] was complaining of that. He is right. We have not as many ships as we ought to have and as we would have if the ship-purchase bill of 1915 had been written into law. Our shipyards would have been blossoming forth. They would have been organized. The ships would have been turned out daily. But then there were men who said they knew more than the President did; but the President was right then, as he is right to-day.

We have started transporting these soldiers. I was present at a dinner given in this city to Marshal Joffre. I betray no confidence, because it has been frequently told—I do not know whether my friend from Oregon [Mr. CHAMBERLAIN] was present or not; I do not now recall—but at that dinner, in conversation with Marshal Joffre, up almost to the hour of 1 o'clock, I heard him say that the most soldiers they needed in France at that time were 30,000. He would divide those into two divisions. He gave his reasons for it. Back at the time when Joffre came here the uppermost thought in his mind, as one of the high representatives of France, was that all they needed and wanted from America was enough soldiers to inspirit the French Army and to show the Germans that we were upon the side of democracy and of liberty.

What are the results? We started this work of sending these soldiers abroad. The Senator from Mississippi [Mr. WILLIAMS] calls my attention, and he is right, to the fact that Marshal Joffre also pointed out that the soldiers they wanted were the Regulars. He told us that this war had revolutionized all warfare that had ever existed before. He said it was kaleidoscopic in its changes; that what was efficient to-day was thrown into the scrap heap to-morrow; that as the battle raged the change in artillery, the change in the machine-guns and in various modes of attack and defense had to be made overnight; and he said in addition that he wanted the Regulars, because they were trained to marching orders, and that after they had the Regulars there they would have to put them in camps in France and train them for three months before they would be able to go into the trenches upon the fighting line. They would have to teach them how to use the gas masks; they would have to teach them how to throw these hand grenades; they would have to show them the various modes of warfare; and it would take three months of intensive training to prepare these soldiers in France before they could go upon the fighting line.

What are the facts? We have sent abroad, not 30,000, but many, many times, 30,000; not 100,000, but many times 100,000. Has a Military Establishment fallen down that can do a work like that?

But let us see a little further if it has fallen down. I want to read a letter that I have received from the Shipping Board:

UNITED STATES SHIPPING BOARD,
Washington, February 7, 1918.

Hon. OLLIE M. JAMES,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In accordance with your telephone request, I beg to advise you that upon the outbreak of war with Germany there were interned in United States ports and possessions 113 German and Austrian vessels, divided as follows: One hundred German and thirteen Austrian. Upon the seizure of these ships by the Federal Government it was discovered that practically all of them had been damaged to a greater or less extent in the machinery department. The damage in most cases consisting of willful destruction of the valve chest between the high pressure and intermediate cylinders, the intention being, apparently, to necessitate the making of new patterns and castings, which it was apparently expected must come from Germany. It was found, however, that repairs could be made by cutting out the damaged pieces and fitting neat graving pieces in the cylinders, properly secured and bolted, in which repairs electric welding was also found to be of great assistance. Repairs were thus effected contrary to the expectation of the Germans. The day following the declaration of war, a board of survey and consulting engineers, made up of experts in the ship survey and repair line, was appointed by myself in New York City, at the request of the Secretary of the Treasury. Within a month after the declaration of war one of the German ships so damaged was placed at the service of one of our allies for the purpose of carrying munitions and supplies, and from that date onward the ships were repaired as rapidly as possible up until July and August, at which time those on the Atlantic coast were all practically ready for service. Some of those on the Pacific coast were later in completing repairs.

On the Atlantic and Gulf coasts these ships were interned at various ports from Boston to Galveston. German ships were also interned at Pacific coast ports, in the Hawaiian, Samoa, and the Philippine Islands. Four German vessels were interned in the Canal Zone, which were only slightly damaged and were almost immediately put into service by the War Department. Two German vessels were interned in Porto Rico. Some of the vessels interned in the more out of the way places had to be towed to other ports to effect repairs. Five of those interned in the Hawaiian Islands were towed to the Pacific coast of the United States for repairs, and some of the Philippine ships were towed to Hongkong for the same purpose.

Shortly after these vessels were seized by the Federal Government nine cargo ships interned in South Atlantic ports were turned over to the Navy for repair at navy yards and for use by the Navy Department as supply ships. In July, by order of the President, 16 of the

high-speed passenger steamers were turned over to the Navy after repairs had been inaugurated under the supervision of the Shipping Board for completion of repairs by the Navy to complete repairs and be fitted out for transport purposes. The two ships interned at San Juan, Porto Rico, were seized by the Navy as prizes of war, as well as two of the ships in the Hawaiian Islands. Another ship which had been willfully sunk and abandoned at Charleston, S. C., was seized by the naval authorities as a wreck and repaired by them.

The total cost of repairs made on these ships to date by the Shipping Board are:

German	$5,257,223.61
Seven Austrians obtained by purchase	874,008.02
Total	6,131,231.63

Four German ships interned in Cuban ports were placed in the hands of the Shipping Board by that Government for operation, and repairs to these have been effected by the Shipping Board at New Orleans at a cost of $120,445.86.

From the accompanying lists it will be noted that 68 of the ex-German ships are now being operated by the Shipping Board, together with 7 ex-Austrian ships, which were obtained by purchase prior to the declaration of war against Austria. These have a total dead-weight tonnage of 448,565; total gross tonnage, 333,907; and total net tonnage, 213,603. In addition, it will be noted, as per the inclosed list, that there are 32 ex-German steamers being operated by the Navy having a total dead-weight tonnage of 280,462; total gross tonnage, 347,559; and total net tonnage, 297,614. It therefore appears that inclusive of the seven Austrian ships obtained by purchase the United States has gained by reason of the interned vessels 729,027 dead-weight tons, 681,466 gross tons, and 511,217 net tons.

Six of the interned Austrian steamers were purchased by private interests prior to the declaration of war against Austria, and one has been seized by the Navy Department for transport purposes.

Trusting that this furnishes you with the information desired, believe me to be,

Very truly, yours,

JOHN A. DONALD,
Commissioner.

MEMORANDUM FOR COMMISSIONER DONALD.

FEBRUARY 7, 1918.

In response to telephone inquiry by Mr. Morrill, I desire to submit the following figures in connection with German and Austrian vessels:

	To date.
Repairs to German vessels	$5,257,223.61
Repairs to Austrian vessels	874,008.02
Repairs to Cuban vessels	120,445.86
Purchase of Austrian vessels	7,831,026.70
	14,082,704.19

Very truly, yours,

WM. L. SOLEAU,
Disbursing Officer.

I also desire to have published the list of the various ships to which this letter refers.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

Former German and Austrian ships owned by United States Shipping Board Feb. 1, 1918.

Name.	Dead weight.	Gross tons.	Net.	Speed.	Trade.	Service.
Adelheid	4,200	2,870	2,057	.....	Italian	Italian Government.
Amphion, formerly Koln	8,970	7,409	4,665	13.5	Army	Army.
Andalusia	7,475	5,423	3,371	.....	Pacific to Atlantic	Food.
Anna[1]	2,360	1,598	933	8	Porto Rico	A. H. Bull Co.
Araphoe, formerly Steinbeck (ship)	3,680	4,145	3,205	13	Pacific coast	Western Fuel.
Appeles, formerly Elsass	11,220	8,298	5,210	12.5	Army	Army.
Arcadia	6,400	5,453	3,412	9.5	....do	Do.
Armenia	7,600	5,463	3,386	10	French	French Government.
Artemis, formerly Bohemia	11,173	8,413	5,247	13	Army	Army.
Ascutney, formerly Pisa	6,800	4,966	3,147	12	Italian	Italian Government.
Bavaria	5,900	3,888	2,466	.....	Army	Army.
Black Hawk, formerly Rhætia	7,490	6,599	4,141	12.5	Italian	Italian Government.
Casco, formerly Elmshorn	7,900	6,022	3,761	11	Army	Army.
Chattahoochee, formerly Sachsen	12,320	8,232	6,307	.....	French	Food Administration.
Chillicothe (ship), formerly Arnoldus Vinnen	2,200	1,860	1,782	.....	Australian	Commonwealth of Australia.
Clara[1]	6,125	3,931	2,540	9	French	French Government.
Constantia	4,500	3,026	1,889	.....	Repairing	Unassigned.
Coosa, formerly Loongmon	2,625	1,969	1,218	12	Cuban	Munson.
Dora[1]	10,575	7,037	4,536	13	Russian	Russian Government.
Erny[1]	8,450	6,515	4,170	13	Army	Army.
Gen. O. H. Ernst, formerly Sachsenwald	5,380	3,564	2,259	11.5	Panama	Panama Railroad.
Gen. G. W. Goethals, formerly Grunwald	5,437	4,833	2,878	13	.....do	Do.
Gen. W. C. Gorgas, formerly Prinz Sigismund	5,520	4,564	2,826	11	.....do	Do.
Gen. H. F. Hodges, formerly Savoia	4,055	2,732	1,667	10	.....do	Do.
Hercules, formerly Bulgaria	13,040	11,440	7,218	11.5	Army	Army.
Ida[1]	7,200	4,730	3,093	12	French	French Government.
Isonomia, formerly Nassovia	6,020	3,901	2,474	10	New England coal	Fuel Administration.
Iosco, formerly Johanne	1,800	1,531	952	.....	Philippine	Philippine Government.
Iroquois, formerly Wittekind	6,800	5,640	3,606	12	Army	Army.
Itasca, formerly Setos	8,150	6,126	4,550	10	...do	Do.
Lucia[1]	8,600	6,755	4,386	10	...do	Do.
Midget, formerly Wiegand	600	400	202	.....	Philippine	Philippine Government.
Minnow, formerly Neptune	300	197	131	.....	Army	Army.
Moccasin, formerly Prinz Joachim	4,760	4,760	2,981	13	...do	Do.
Monongahela, formerly Red Jacket, formerly Dalbek (bark)	4,150	2,723	2,544	.....	Hawaiian	
Monticello	9,000	7,582	4,731	10	Army	Do.
Montauk, formerly Matador (bark)	2,214	1,463	1,355	.....	Australian	U. S. & Ass. Co.
Montpelier, formerly Bochuml	10,000	6,128	3,721	11	Army	Army.
Mochulu, formerly Dreadnaught, formerly Kurt (bark)	4,950	3,109	2,875	.....	Australian	McNear.
Muscoota, formerly Flying Cloud, formerly Ottawa (bark)	4,950	2,659	2,542	.....	...do	Do.
Nansemond, formerly Pennsylvania	15,002	13,332	8,526	13.5	Army	Army.
Neuse, formerly Magdeburg	6,800	4,496	2,876	10	Italian	Italian Government.
Nipsic, formerly Borneo	2,500	2,163	1,344	.....	Philippine	Philippine Government.
Nyanza, formerly Esslingen	7,750	6,213	2,866	10	Army	Army.
Oconee, formerly Maia	4,286	2,554	1,634	8.5	Russian	Russian Government.
Orion, formerly Prinz Oskar	4,286	6,026	2,777	13	Italian	Italian Government.
Osage, formerly Serapis	7,424	4,756	2,953	10	French	French Government.
Olivant	5,800	4,014	2,928	.....	.....do	Do.
Otsego, formerly Prinz Eitel Frederick	5,200	4,650	2,920	12.5	Italian	Italian Government.
Pawnee, formerly Harburg	6,850	4,471	2,837	12.5	Russian	Russian Government.
Pequot, formerly Ockenfels	8,900	5,621	3,541	10	Army	Army.
Princess Matoika, formerly Princess Alice	10,500	10,981	6,829	15	Trans-Pacific	Pacific Mail.
Quantico, formerly Lyemoon	2,900	2,676	1,887	11	Trans-Pacific	Dollar.
Quinnebaug, formerly Pongtong	2,000	1,631	997	.....	Philippine	Philippine Government.
Rajah	3,250	2,329	1,378	9	Chrome	Lavino.
Rappahannock, formerly Pommern	12,674	6,478	4,021	12	Army	Army.
Raritan, formerly Carl Diederichsen	1,600	1,243	774	.....	Philippine	Philippine Government.
Sachem, formerly Coblenz	3,800	3,130	1,869	11	Repairing	Hawaiian.
Suwanee, formerly Mark	11,496	6,493	3,998	12	Army	Army.
Tacony, formerly Verdun, formerly Staatssekretar Kraetke	2,620	1,962	1,133	.....	Cuban	New York and Cuba.
Teresa[1]	5,700	3,769	2,380	8	Army	Army.
Tioga, formerly Clara Jebsen	2,500	1,735	1,103	.....	Philippine	Philippine Government.
Ticonderoga, formerly Camilla Rickmers	7,500	5,130	3,163	.....	Army	Army.
Tippecanoe, formerly Holsatia	9,000	6,187	3,769	10.5	French	Food Administration.
Tonawanda, formerly Indra (bark)	2,700	1,746	1,613	.....	Manganese	Bethlehem.
Tunica, formerly Sambia	7,000	4,765	3,011	10.5	Pacific to Atlantic	Food Administration.
Wabash, formerly Seneca, formerly Tubingen	8,000	5,672	3,312	10	.....do	United States Shipping Board.
Wachuse t, formerly Suevia	6,160	4,336	2,601	10	Army	Army.
Waconta, formerly Prinz Waldemar	3,400	3,135	1,831	12	Cuban	New York and Cuba.
Watauga, formerly Governor Jaeschke	2,200	1,738	1,045	11	Porto Rico	New York and Porto Rico.
Wyandotte, formerly Willehad	5,900	4,761	3,011	11	Army	Army.
Yadkin, formerly Clara Mennig	2,512	1,685	1,004	8	Italian	Italian Government.
Yazoo, formerly Marudo	2,200	1,514	902	.....	Philippine	Philippine Government.
Yucca, formerly Portonia	4,256	2,777	1,244	7.5	Russian	Russian Government.
Yuma, formerly Tsintau	2,400	1,685	1,002	.....	Pacific to Atlantic	United States Shipping Board.

[1] Austrian steamers.

Formerly German steamers owned and operated by United States Navy.

	Dead weight.	Gross.	Net.
Leviathan, formerly Vaterland	15,000	54,281	23,548
George Washington	13,300	25,569	15,379
America, formerly Amerika	20,765	22,621	13,637
Agamemnon, formerly Kaiser Wilhelm II	8,700	19,360	6,353
Mount Vernon, formerly Kronprinzessin Cecilie	8,300	19,503	6,584
President Lincoln	19,810	18,167	11,171
President Grant	19,810	18,072	11,112
Covington, formerly Cincinnati	11,717	9,733	16,339
Von Steuben, formerly Kronprinz Wilhelm	6,900	14,908	5,162
Aeolus, formerly Grosser Kurfurst	12,350	13,102	7,881
Mercury, formerly Barbarossa	10,350	10,983	6,453
Pocahontas, formerly Princess Irene	10,550	10,892	6,443
Huron, formerly Frederick der Grosse	11,080	10,771	6,585
Powhatan, formerly Hamburg	9,510	10,531	6,420
Susquehanna, formerly Rheims	11,650	10,058	6,398
Artigone, formerly Neckar	11,000	9,835	6,200
Madawaska, formerly Konig Wilhelm II	6,850	9,469	5,764
Dekalb, formerly Prinz Eitel Friedrich	8,200	8,797	4,812
Bridgeport, formerly Breslau	.....	7,524	4,808
Ticonderoga, formerly Carmilia Rickmers	7,500	5,130	3,163
Houston, formerly Liebenfels	4,800	4,525	2,800
Camden, formerly Kiel	9,761	4,494	2,872
Savannah, formerly Saxonia	6,930	4,424	2,782
Pensacola, formerly Nicaria	6,040	3,974	2,298
Quincy, formerly Vogesen	5,100	3,716	2,357
Newport News, formerly Odenwald	5,270	3,537	2,098
Long Beach, formerly Hohenfelde	1,967	2,974	1,887
Astoria, formerly Frieda Leonhardt	4,650	2,789	1,731
Bath, formerly Andromeda	3,978	2,554	1,546
Kittery, formerly President	1,690	1,849	924
Beaufort, formerly Rudolf Blumberg	2,600	1,769	1,077
Gulfport, formerly Lochsun	4,334	1,657	1,020

Mr. JAMES. Has a country fallen down that can do a thing like that? But let us examine a little further into that question.

REPAIR OF SHIPS THE GERMANS THOUGHT COULD NOT BE REPAIRED.

One of the greatest things that has been done by the Navy since the outbreak of the war was the repairing of the machinery of the big German liners that were interned at Boston, New York, and Norfolk, which are now in service transporting our troops to France. Without them we should be seriously embarrassed in getting our soldiers and supplies across the Atlantic. German ingenuity had been given the widest scope in an endeavor to so wreck the machinery of these ships as to defy repairs. The methods adopted and systematically carried out bore the stamp of a central direction, and so well was the work believed to have been done that opposite each item of the list found on one of the ships were the words, "Can not be repaired." German mechanism, German skill, and German deviltry made a list and put opposite each one of them, "Can not be repaired." Let us see what this "fallen-down administration" and Government did.

But here the Hun reckoned in true Teutonic fashion. He little thought that the same brain and the same brawn that will carry our arms to victory in Europe would put these ships in serviceable condition, and that the greater the difficulties the more determined are Americans to solve them. The result of the Navy's work in this matter challenges criticism.

Cylinders, valves, and other massive pressure parts of the engines of these ships were so badly smashed as at first to lead to the conclusion that nothing short of renewal would make them fit for service.

It looked like the German notation that they could not be repaired was probably true. It looked as if we would have to send to Germany to get the parts of machinery they thought they had so destroyed.

In fact, such a course of action had been decided upon; but shortly after this decision had been reached the ships were turned over to the Navy, and instead of renewing cylinders, which would have delayed their completion and render impossible the transport of our troops to France, the services of American engineers familiar with electric welding were enlisted and in a comparatively short time what appeared to be insuperable difficulties were quickly solved and every one of these commodious ships made ready for service.

As one writer has remarked:

Under ordinary conditions, by methods dictated by the traditions of the ship-repairing fraternity, at least 18 months would have been required to place the looted vessels again in commission. * * * Fortunately, traditional methods were jettisoned. In their stead ideas new to the marine world were brought into play, and as a result by Thanksgiving Day all of the 109 German ships that fell into our hands in April were operating on the Atlantic under the American flag.

To what extent the devilish ingenuity of the Germans went may be inferred when I tell you that in some cases fire extinguishers were emptied and refilled with gasoline. They thought that when the ships went out to sea loaded with our brave soldiers, and the cry of fire went up, and they seized the fire extinguishers to hurl this fluid into the flames to put it out instead they would have gasoline that would add fury to the flames. German kultur! German mechanism! German ingenuity! Pipes apparently in good order were plugged, ground glass was put in the shaft bearings, and boiler stays sawed partly in two. Everything that Teutonic efficiency could suggest was done to prevent our use of these ships; but the officers intrusted with the important work of ferreting out the vandalism and correcting it were told that they must take nothing for granted, that the lives of our brave soldiers were at stake, and that no part was to be considered so unimportant as to be neglected. So well was the work of the Navy done that there has not been a single "comeback," and the ships are probably in better condition to-day than they were in 1914. To make sure that everything was thoroughly reliable before risking the lives of our troops in them each ship, after the customary dock trial, was sent to sea for a 48-hour trial in order to test the effectiveness of the repairs that had been made; and be it said to the credit of the skilled engineers who were concerned in the work that every repair has stood the test of strenuous winter service in the North Atlantic, and that in no case has there been the slightest evidence of weakness.

In the case of the giant *Vaterland*, the pride of the German fleet, the injury to her engines and boilers was thought to be such as to make her a hopeless wreck, and it is related that when her chief engineer left her to go to the internment camp on Ellis Island it was with the satisfied remark, "If they can make her go, I'll take off my hat to them." And they did make her go, and as we made the German commander take off his hat to the American mechanics so we are going to make the Kaiser hand his sword to Woodrow Wilson and to the allies in this coming struggle. We have not fallen down, my friends. And they did make her go, and so well did she go that on her shaking-down cruise over a distance of about 3,000 miles, with an untrained crew, this magnificent ship, happily renamed *Leviathan*, which had not been docked for more than three years, did so much better than she had ever done in German hands as to leave no doubt of her success as an American transport.

And so in this case, as in all others in which the Navy has participated, has the good name and fame of this great country been right worthily maintained.

Mr. President, I shall have something further to say of the Navy in a moment. I bring that to the attention of America to show that those in charge of this great war are working night and day. They have met and overcome German ingenuity, these masters of the sea, these gentlemen who thought no power could repair what they had wrecked.

I want to send word to the brave boys "somewhere in France," if they have been discouraged by the speech of my friend CHAMBERLAIN that America has fallen down. I want them to hear all America say, "No; we have not fallen down. Hold the fort, for we are coming, more than ten hundred thousand strong." I place these facts before the country because the country is entitled to know them.

GREAT ACCOMPLISHMENT BY THE NAVY.

But let us see what the Navy itself has done. Of course, in a great war like this, with probably hundreds of thousands of details in contracts and various things to be done, anybody can pick out a mistake. That is easy to do. Anybody can criticize. But let us not lose sight of the elephant while looking for a chip under his foot. Let us give credit where credit is due. Let us not dishearten Americans. Let us tell them the truth.

Just as our Army, which was not more than 200,000 when war was declared, is to-day 1,500,000, so the Navy, including reserves and marines, now constitutes a force of 330,000, more than three times as large as when war was declared. The enlisted strength of the regular Navy has increased from 64,680 to 189,000; the reserve force from about 10,000 to 72,000; the Marine Corps from 13,266 to 37,000. There are 15,500 National Naval Volunteers and 4,600 members of the Coast Guard in the naval service, and the Hospital Corps has grown from 1,600 to 8,000.

There are nearly four times as many vessels in service as there were a year ago. Between 700 and 800 have been taken over and converted into transports, supply and patrol vessels, submarine chasers, mine sweepers, and the various other types needed. A large number of submarine chasers have been built, many already in service. A number of vessels that were under construction have been completed and commissioned.

The 109 interned German ships have been repaired and all are in service, an addition of more than 700,000 tons, some of them being operated by the Navy and others by the Shipping Board. The repair of these vessels, whose machinery had been so badly damaged by the German officers and crews that they did not believe it could be repaired, was a triumph of American ingenuity and engineering skill and a credit to the Navy's

Bureau of Steam Engineering, under whose direction it was accomplished. The former *Vaterland*, now the *Leviathan*, the largest vessel afloat, and a number of the other German vessels of large tonnage are in use as transports. When the President last March issued his orders for the arming of American merchantmen for protection against attack by submarines the Navy immediately undertook the task of furnishing guns and crews of expert gunners to man them, and in a short time every American merchant ship that applied for it was armed. The battles of these armed guards with submarines, their work in the protection of American ships, forms one of the brightest chapters in this war.

The Bureau of Ordnance has armed more than 1,100 vessels, this including numerous vessels added to the Navy as well as merchantmen. Some idea of the work done by this bureau can be given when it is stated that the annual expenditures have increased from $3,000,000 to $560,000,000. Immense amounts of munitions and large numbers of guns have been furnished, new sources of manufacture being opened up to supply the demand. In addition, much new material has been developed, including depth charges, new submarine bombs, nonricochet shells, bomb-dropping sights, howitzers, guns for throwing depth charges, smoke-screen apparatus, heavier ordnance for aircraft and many other important designs which can not be disclosed at this time.

To man the large number of vessels added to the Navy and the merchantmen armed thousands of gunners were required. Every ship has been utilized as a school in gunnery and engineering and thousands of men have been trained as expert gunners and engineers. Especially gratifying progress has been made in marksmanship with guns of the smaller caliber used in fighting submarines, with a periscope as the target.

Immediately after the declaration of war steps were taken to organize and equip a flotilla of destroyers for foreign service. The first of these sailed in April, arriving at a British port May 4, since which time our destroyers have taken an active part in the antisubmarine warfare in the war zone. The force has been constantly augmented, and, in cooperation with the navies of our allies, has done effective service in convoying merchantmen and transports and combating the German U boats. The record made by our destroyers has won the warmest commendation of both the British and French Admiralties.

Before war was declared Admiral Sims was sent abroad, and since we entered the war he has been, as commander of our forces operating in European waters, in close cooperation with the officials of the navies of our allies. The visit of Admiral Henry T. Mayo, commander in chief of the battle fleet, to England and France, and the participation of Admiral William S. Benson, Chief of Naval Operations, in the war council which met in Paris, were of great value. The formation of the allied naval council, in which this country is now represented by Vice Admiral Sims, has proved an important step in bringing about closer cooperation among the naval forces of the allies.

The Navy organized and has operated the large transport service which is carrying our troops and supplies overseas for European service and has furnished the convoys which protect these vessels. How successfully this hazardous and difficult task has been carried out is shown by the very small losses in comparison with the large number transported among our troops taken across the Atlantic.

We all remember that before war was declared Germany sneeringly said, "You can not take your troops abroad; we will sink them." But not more than 100 out of all the thousands and thousands we have there have they been able to sink, and they have taken the lives of a very few of our soldiers.

The regrettable sinking of the British ship *Tuscania*, with the loss of more than a hundred American soldiers, was the first instance in which a ship carrying American troops to Europe has been sunk. Previously not a single American transport has been torpedoed going to Europe and only one, the *Antilles*, sunk returning. One other returning transport, the *Finland*, was torpedoed, but reached port under her own steam.

NAVAL TRAINING CAMPS AND NAVAL BASES.

To provide for the vast increase in the personnel of the Navy and Marine Corps, some 20 camps have been erected. Old training stations have been greatly enlarged and new ones created. The Great Lakes Training Station, at Chicago, which formerly provided for 2,200 men, now has accommodations for over 20,000. That is an example of how these stations have grown.

The Navy now has 95,000 men in training, the Marine Corps more than 10,000. In addition to the stations, many special schools have been created, like the radio school at Harvard, which now has more than 3,000 students. The training facilities have increased from provision for about 6,000 men to provision for more than 13,000.

America has not fallen down so far as this showing goes.

The acquisition of the Jamestown Exposition and Pine Beach properties at Hampton Roads, Va., provided for the creation of the Navy's first fleet-operating base, which is destined to be one of the greatest of its kind in the world. A camp for 10,000 men has already been erected and is in use. The base will include an aviation station, submarine base, large warehouses for fleet supplies and fuel, docks and piers, and every accommodation needed for the fleet.

ENLARGEMENT OF NAVY YARDS AND CONSTRUCTION OF DRY DOCKS.

Our navy yards are vast workshops, building, repairing, and converting ships, and they have been greatly enlarged; warehouses, foundries, and machine shops being erected, and all the facilities increased. Dry docks are in course of construction that will accommodate the largest vessels. New shipways are being added that will largely increase shipbuilding facilities and enable the Navy to build all types of war vessels in its own yards. The entire shore construction program being carried out under the direction of the Bureau of Yards and Docks, comprises a total cost of about $110,000,000. The number of civilian employees in navy yards has increased from 35,000 to more than 65,000.

The large projectile plant under construction at Charleston, W. Va., will be completed in a few months, and will be operated in connection with the armor-plate factory which is to be built at that point later.

NAVAL FLYING CORPS.

The Navy has erected its own aircraft factory at the Philadelphia Navy Yard, the keel of the first flying boat being laid 90 days after ground was broken for the erection of the factory. A very satisfactory type of flying boat has been developed; a new dirigible balloon designed and built, and a number of other improvements made in seaplanes and other aircraft. The Navy's Flying Corps has been largely increased in both personnel and material, and is doing effective service on the European coast as well as in this country. The first of the United States armed forces to land in France were the 100 naval aviators who arrived there on June 8.

RADIO STATIONS.

The United States now has the largest radio service in existence, this being operated under the Naval Communication Service. At the beginning of the war all the commercial radio stations in this country were taken over by the Navy. The new stations at Pearl Harbor, Hawaii, and Cavite, Philippine Islands, the most powerful in the world, have been completed. Direct radio service was recently instituted between this country and Rome, so that our radio service now covers the Atlantic and the Pacific, messages being transmitted quickly to both Europe and Asia. We also conduct a radio service to Alaska, and soon all the possessions of the United States will be connected by wireless.

This unprecedented increase in the Navy has been accomplished, these difficult and varied tasks performed without necessitating any change in its organization, which expanded easily and rapidly to meet every condition and demand.

EXPANSION OF THE NAVY.

The ability of the Navy, without friction or hurrying, to bring to bear its force rapidly and to increase it threefold in a short time [the increase is now practically fourfold]—

Said Secretary Daniels in his annual report for 1917—

is due to the system that had been built up in peace times and to the securing before the war of a larger building program, extending over a term of years, as well as to the authorization of an increased personnel. Internally the efficient organization working together for years as a trained team made the Navy Department's rapid expansion easy, though it taxed the strength and energy of every head of a department and the entire personnel on shore and in the fleets. The spirit among the officers, among the enlisted men, among the skilled mechanics, among the trained civilians, was so united and their service so willing and their capacity so extraordinary that the Navy Department has marched abreast, all seeking to make the Navy's deeds worthy of its traditions. The years of drilling and practice, of close cooperation in planning and thinking, were evidenced in the readiness and quickness with which the Navy moved when the command rang out. Ships were manned without an hour's delay. Those in reserve were fully commissioned. Expert gunners lost not a moment when ordered as armed guards on merchant ships. Every man was zealous to find his place and prove the stuff he was made of, and most of them asked the place of danger.

Nor is it alone to the purely military side of the Navy that we feel we may point with justifiable pride. This war, more than any other war, has been an affair of business as well as of fighting. Supplies, equipment, transportation, all have called for the highest degree of efficiency and intelligence in order that the fighting arm might be sustained. The Navy is fortunate in having during the past four years so improved its business methods and its purchasing system as to be able to meet the tremendous and sudden demands of war time with-

out having found it necessary to alter its existing machinery in anything save an increase in personnel sufficient to handle the vast volume of business which now constitutes a day's work.

Such, Mr. President, is the showing of the Navy of the United States. What American is not proud of it? But the same warfare that is being waged to-day upon Secretary of War Baker was waged until recently upon Secretary of the Navy Daniels. Let me call to your attention the fact that on the 24th day of July, 1917, the Navy was attacked upon this floor. I undertook to defend it. In the course of a colloquy the senior Senator from Pennsylvania [Mr. PENROSE] made this startling and remarkable statement, which I read from the CONGRESSIONAL RECORD:

Mr. PENROSE—

Speaking to me—

Will the Senator permit an interruption? For the last time I want to deny that I am attacking the American Navy or anybody else. I am introducing a resolution of inquiry.

Mr. JAMES. You just admitted that you were attacking the Secretary of the Navy.

Mr. PENROSE. No; I said I have a right to attack him if I choose. I want to state here to the Senator and to the country that, in my opinion, the administration of the Navy Department and the War Department is marked by an indecision and inefficiency which will rapidly become a national scandal and which I intend to have investigated in some way at an early opportunity.

In July last, the leader of the other side—but, thank God, not a spokesman for that side—said he was going to have the Navy of America investigated; that it had become a national scandal! Let me read you what another distinguished Republican Member of the other side said:

Mr. KENYON—

Who was abroad and saw with his own eyes, who was in the trenches and who knows what service our force is performing abroad, when he came back, in an interview with the New York World, said this:

In this era of criticism no criticism has been made of our Navy—

He evidently considered that the statement which I have just read from the remarks of the senior Senator from Pennsylvania was not a criticism—

In this era of criticism no criticism has been made of our Navy. Lloyd George a few days ago congratulated America on the splendid efficiency of her Navy. Let no one say that we have done nothing in this war. We have helped to destroy the submarine. Our Navy is doing some of the most essential work of the war. All honor to the boys of the American Navy, to the work of Admiral Sims, and to the splendid efficient Secretary of the Navy, Josephus Daniels.

I put that wonderful record of splendid, triumphant achievement of the Navy, unrivaled by any country in the world, against the unsustained criticism of the Senator from Pennsylvania.

Mr. SMITH of Michigan. Mr. President, will the Senator from Kentucky permit an interruption?

Mr. JAMES. Certainly.

Mr. SMITH of Michigan. The compliment paid to the American Navy was, of course, a timely and well-deserved one; but it may not be inappropriate for us to pay a compliment to the British Navy, which since the war began has transported 13,000,000 men across the seas and has lost but 2,700.

Mr. JAMES. Mr. President, I would not say one word to detract from the glory that is due England; no word of invidious comparison or criticism will escape my lips. She has done heroic and wonderful service, and I hope that no member of Parliament has sought to plant the seed of distrust in the heart of her people by saying that she had not done this or that she had not done that, or that she had not rendered efficient service.

FRANCE NOT "BLED WHITE" AND NOT IMPOSED UPON BY AMERICA.

But, Mr. President, the Senator from Oregon in the course of his speech—and, to my mind, the most unfortunate part of it—talked about France being "bled white." In order that I may do him no injustice I will read just what he said:

Mr. President, the Secretary of War, in his general statement to the country—which was carefully written and prepared—tells us that $3,200,000,000 have been appropriated for the Ordnance Department and contracts have been let for $1,677,000,000; all of which is true. But the Secretary fails to tell us, Mr. President, in his statement to the country, and it only comes out in the course of a cross-examination, that America stands to-day unprepared, so far as ordnance is concerned. I challenge anybody to read the testimony and come to any other conclusion. Poor, bleeding France, my friends—bled white, not only for her own life and for the liberty of her own citizens but for America as well—is to-day furnishing our troops as they arrive in France the necessary heavy ordnance and machine guns for aircraft and for ground service. Why, Mr. President, if we relied upon the Ordnance Department in this emergency to furnish our troops with the heavy ordnance—and this is largely a war of artillery to-day—the war would be over before we ever got to the front.

Why, there is testimony, if I correctly remember it, before the Military Affairs Committee that along some of these fronts the cannon—and heavy cannon, if you please—are located 5 yards apart for a distance of 6 miles; and yet America, this great and magnificent country, is dependent upon poor France to deliver the ordnance! Did France agree to deliver it in order to win over reluctant America? Did she agree to furnish it in order to encourage and hearten America?

Mr. President, I can imagine no more unfortunate or unjustified utterance than that. France "bled white!" America imposing upon her! Mr. President, for more than 125 years in every school in this land we have taught our little children to love dear old France. There is not an inch of her soil or a drop of her blood that is not held in the deepest affection by America. France "bled white!" That is a German expression. She is not bled white; she holds 560 miles of that bloody western front at this hour, and the reddest blood that courses through any veins in the world runs through the veins of the French people—not white, but red, blood-red.

But what is the charge? You would think from the Senator's speech that we trafficked with France as to whether we would go into this war and that the condition upon which we went into it was that France would furnish us with ordnance, light and heavy artillery. America went into this war for the highest ideals known among nations and among men. She went into the war not only to make the world safe for liberty, but to make America safe for citizens of the United States. America went into this war for the old, dearly loved, and historic right of the freedom of the seas. Germany had ruthlessly murdered our citizens, she had fired upon and sunk our unarmed merchant vessels, she had sent to their death brave American seamen and citizens without an opportunity given them either to surrender or to fight. She had planted bombs in our factories, she sought to dismember the Nation by throwing us into war with Mexico and Japan, promising as spoils a part of this great Republic. I resent the insinuation that my country entered into the war trafficking with France as to whether she would go into it upon the condition that France would furnish us ordnance, when the records show—and I will produce them—that the agreement which France made with us to supply ordnance was made months after we had gone into the war. I know my dear, amiable friend CHAMBERLAIN did not see the danger of that sort of an utterance. A man ought never to speak when he is angry; his vision is not clear; he does not measure and weigh the importance of his statements. I have the contract here:

Washington, 14th of July, 1917—

Now, here is how we happened to get artillery from France. It is perfectly clear, absolutely plain, and it was the only sensible thing to do. France by reason of putting into her army so many millions of men had to erect great manufacturing establishments to supply the army with artillery. France came to us; we did not go begging France; we did not go trafficking with France; we did not make a condition with France upon our entry into the war, but the high commissioner of France came over here and this is what happened:

In the early part of last summer I concluded an arrangement with the French commissioner in Washington, Mr. André Tardieu, following an invitation from the commission—

That is, the French commission—

to place orders for artillery and artillery munitions in France, for the manufacture of a considerable supply of 75 millimeter field guns and 155 millimeter howitzers for the American forces in France. The supply ordered was more than sufficient to equip our troops with these pieces as rapidly as they would arrive in Europe, and the amount of ammunition for them was in accordance with the French practice as developed by the war. The feeling of the French authorities in regard to this transaction is best expressed by the following notice for the French press, prepared by the high commission in Washington and handed me by Mr. Tardieu.

The statement I have just read was made by Gen. Crozier, Chief of Ordnance of the United States, before the Senate Military Affairs Committee on December 31, 1917.

Now, here is the agreement. This statement was given out for the French press and prepared by Mr. Tardieu, the French high commissioner in the United States:

[Translation.]

WASHINGTON, *July 14, 1917.*

An important agreement has been concluded between the United States Government and the French high commissioner, Monsieur André Tardieu.

According to said agreement the American Government adopts the two principal pieces of matériel of French artillery, the 75-millimeter field gun and 155-millimeter rapid-fire howitzer.

The Expeditionary Corps of Gen. Pershing has received from the French authorities, on arrival, its field artillery, its rapid-fire heavy artillery, and its French artillery, which of course will accelerate its taking its place in the line.

At the same time the artillery production in France and in America has been organized so that the American Army of 1,000,000 men which is about to be recruited will receive without delay, as the units are formed, the necessary heavy and light guns.

The negotiations, taken up for the first time at the end of May, between Monsieurs André Tardieu, high French commissioner; Monsieur Ganne, chief of war munitions of the high commission; and Brig. Gen. Crozier, Chief of Ordnance, were characterized by two ideas.

On one hand, the American Government wished to adopt the quickest solution, in order to realize in the shortest time the complete armament of its forces.

Hurrying to the front, not delaying the war—

On the other hand, with great foresight they attached particular importance to realizing, for the American and the French Armies, called to fight on the same battle field, uniformity of munitions, of such capital importance from a tactical point of view.

In view of these two desired aims, the French high commissioner was able, thanks to the development since 1916 of the machine equipment of our war munitions factories, to furnish Gen. Crozier with a detailed plan of industrial collaboration, which, by the united efforts of French and American industries, will assure the complete realization of the American program.

The double certainty of rapid production and uniformity of munitions decided the United States Government, despite the incontestable value of its own matériel, especially that of the 3-inch field gun, of which the superior qualities are universally recognized, to adopt our 75 and our short 155.

The negotiations on these lines were rapidly completed. At the end of somewhat over one month they were concluded this week by a complete understanding fixing the quantity and the price of the matériel to be furnished.

This understanding, susceptible of important further developments, is a precious proof of the esteem in which the most powerful industrial country of the world holds our engineers and our mechanical constructors. It has also a practical bearing of great value.

From the military point of view, it is evident that uniformity of type of guns and munitions for armies fighting on the same battle fields is an appreciable guaranty of safety and efficiency. The supply and the volume of fire are thereby equally facilitated. Unity results spontaneously from identity of weapons. Finally, all tactical results obtained by the experience of three years of war are without previous adaptation assimilated by the American Army.

I shall not read all of that statement, but I will incorporate it in the RECORD, showing that this contract was made between the United States and France because France had a surplus supply of ordnance, of light and heavy artillery, and could give it to our soldiers at once and put them into the fighting line much more quickly.

The remainder of the statement of M. Tardieu, the French high commissioner in the United States, is as follows:

From the industrial viewpoint, the unity of effort created between the manufacturing plants of the two countries will produce happy results without precedent, not only during the war but also subsequently. Common action provides the best means of mutual acquaintance and for preparation of the close cooperation which it is desired to organize for the future.

From the financial standpoint it is possible to hope that the purchase by the United States of French artillery matériel will create an improvement in exchange, which, under the existing relations of America and of her European allies, is as much to be desired by the United States as by France.

It is also likely that the adoption of the metric system, which has been officially requested by the American Bureau of Standards, and which is much to be desired from the point of view of future French-American interests, may be thereby facilitated.

These are, briefly stated, some of the results, certain or probable, of the agreement between the French high commissioner and the American Government.

The dominant note of the agreement lies in the proof it gives of the unshakable resolution of the American Government to achieve in the shortest time the maximum of military strength, and, on the other hand, it proves the intimate and active cooperation existing between the United States and France.

Mr. Baker, Secretary of War and Gen. Crozier, Chief of Ordnance, of the American Government, have given proof in this case of the broadest spirit of comprehension and decision and have succeeded in a few weeks in securing for the American troops artillery of the first order.

Our high commissioner at Washington speaks in unbounded praise of their cooperation with him.

We may add that the first French guns arrived last week in the United States, and that the Artillery School of Saumur has been placed at the disposal of the American Army for training purposes.

And, as the Senator from Ohio [Mr. POMERENE] says, of course, that will save transportation.

I can imagine with what fine satire some of our friends who are prone to criticism would have attacked us if we had refused to accept this. Suppose we had said, "No; we are going to manufacture them ourselves. We are going to ship them abroad." I can imagine some of our friends rising and saying, "How foolish. Instead of taking guns across, you could take to them meat and bread and supplies that they sorely need. They have got the guns already there. They can supply you with them. You can get them cheaper from them than you can make them here. You are loaning France hundreds and hundreds of millions and up into the billions of dollars. She can pay back some of her loans by supplying you with this ordnance, and she was willing to do it, and you would not accept it. She offered to do it, and you refused it." Because America did the sensible thing—and every fair-minded man is bound to admit it—we are attacked here upon the floor and asked, "Did France do that to invite us into the war?"

Let us see a little further upon this question of the Military Establishment of America breaking down.

MR. TARDIEU'S COMPLIMENT ON OUR MILITARY PREPARATION.

I have here a speech made on February 7, 1918, after the unfortunate utterance of the senior Senator from Oregon [Mr. CHAMBERLAIN]. It was made by the French high commissioner. Let us see what he says:

Mr. Tardieu described America's military effort as "wonderful and splendid," and asserted it had been "a surprise to the enemy."

Alluding to the raising of the National Army, Mr. Tardieu declared that "no event of wider import has ever taken place since the beginning of the war." He continued:

"Thus your Government, with a clear and courageous view, has given you the strength of numbers, the first condition of military power. In April, 1917, you had 9,524 officers and 202,810 men. You have now 110,000 officers and 1,500,000 men, and the number of your men in France at the present moment is notably in excess of the establishment of your Army nine months ago."

Against the unprepared utterance—as the Senator tells us his speech there was—which the Senator made, which he can not sustain, and was forced to withdraw 90 per cent of it, and undertook to defend part of it, I place the statement of this man, representing the heroic Government of France, who has been here, who has carte blanche in all of the departments of this Government. He says America has done wonders.

France, he said, has taken "every necessary measure" so that America can complete in France the training begun here. Regarding aviation, American development had been "beyond all expectations," he declared.

Warriors of the sky! America has exceeded all expectations in her aviation preparations, not fallen down—

He outlined how America had helped the entente also financially and with shipping, food, and fuel—aid which he described as "immense and conclusive."

"Wherever on special points," he added, alluding to his association with officials at Washington, "I believe that mistakes have been made, I say it frankly; the heads of the Cabinet or the heads of your departments know it from their own experience."

"I have the optimism of the satisfied," Mr. Tardieu said, discussing the situation generally, "and as long as I shall be here as the representative of my country I will ask from you every day a still greater effort. After 43 months of war our needs are huge indeed, and in order to supply them enormous sacrifices are required of you"—

So said High Commissioner Tardieu in speaking of the military preparation of America. The Senator from Oregon says there is no use in being optimistic about something that does not exist. This high commissioner is satisfied, and he has the satisfaction that optimism gives.

"Some people in Europe, as well as here," he said, "have been wondering why you should not, in that respect, have done everything by yourselves. This criticism shows that those people ignore, firstly, what time means in war—

That is, not manufacturing our own guns, taking the surplus over there—

and, secondly, how infinitely complicated is the industrial war organization, which, from the very start, is required by the extensive production of ordnance and aviation. * * *

"I have drawn roughly the results of the military effort of the United States for a period of less than 10 months—

Listen to this statement—

"I do not believe that impartial man would say that this effort is now completed but I declare that any impartial man must admit its wonderful extension and splendid achievements."

LORD NORTHCLIFFE'S VIEW OF AMERICA'S MIGHTY WAR MACHINE.

That is not all. I have other witnesses that I shall call. America has not ceased to function. According to this high authority, the Military Establishment has not fallen down; and if there are any disheartened people in America let them take courage. These critics exist now as they did in the days of long ago. They are no newcomers.

But let us go a little further.

I hold in my hand an article written for the newspapers of this country and copyrighted by the Public Ledger Co., of Philadelphia. They are articles by Lord Northcliffe, the representative here of Great Britain. I shall not read the first article; it is too long. I shall print it in the RECORD immediately following the conclusion of my speech; but I will read the headlines:

PHILADELPHIA, *September 16.*

The Public Ledger to-morrow will print the following article written by Lord Northcliffe. The second and concluding article will appear Tuesday. They are printed simultaneously in the London Times, the London Daily Mail, and the Washington Post.

Here are the headlines:

Swift, unexpected action characterizes United States in war, declares Lord Northcliffe. British high commissioner reviews growth of war machines in America, expressing surprise at the quick results obtained through Nation's system of deliberating carefully and striking suddenly.

The other article is headed:

Intensity of America Shows in its Mighty War Machine, Declares Lord Northcliffe. Vast Accomplishment in Air Service Campaign Praised by British Commissioner, who Describes Wonderful Progress Made by the Government in Enacting War Measures. Believes United States System will Defeat Prussians.

I shall only read the concluding paragraph of this last letter and include the balance immediately at the conclusion of my speech. Here it is:

It is easy to say that many of these things might have been done a couple of years ago, but democracies do not work in that way. Even after the war had begun we in England spent almost two years in discussing whether we should have equality of sacrifice in regard to military service, and Canada was still debating the question until a few days ago. Each nation has to make its war preparations after its own fashion.

No nation seems to learn much from any other. The American war machine is being built in the American way. Maybe it will have its faults, but for all that it is the mighty sledge hammer that will pulverize Prussianism. The Americans are getting to war with all the virility and intensity of a very forceful people.

That is the utterance of Lord Northcliffe.

TRIBUTE TO PRESIDENT WILSON.

But, Mr. President, our friend, the Senator from Oregon [Mr. CHAMBERLAIN], after telling us that the Military Establishment had fallen down and had ceased to function, after paying, as I have said, great compliments to the other guests, at last, at another dinner in the same city, thought of the President of the United States, and here was what he said. This is copied from the New York Times:

Senator CHAMBERLAIN paid tribute to President Wilson when he called him the premier of all the statesmen of the world, leading others in thought as no other one man.

And yet, just a short time before that, the Government over which he presided had ceased to function, and there was a falling down of the Military Establishment, and in addition to that there was inefficiency in every department!

Why, of course the Senator could not have meant that, for he beholds the United States Treasury under its Federal Reserve System standing as unshakable and secure as the Rocky Mountains do. Under the old system a Wall Street rumor could throw the Nation into panic. Under this new system a world's war does not shake it. I submit to these gentlemen who are such willing critics of the President of the United States that they had better read the history of the country, and they will find out that America has never yet deserted, and never will desert, the Commander in Chief of the Army and Navy of the United States.

SAVING OF MILLIONS IN PURCHASE OF SUPPLIES.

I have here a statement, which I shall not take the time to read, which was supplied to me. I shall incorporate part of it in my speech. It shows that under the system of the War Department millions and millions of dollars have been saved to the people of the United States of America in the purchasing of supplies.

A ROMAN VIEW OF IMPEDIMENTS IN WAR.

Mr. President, when I listened to these critics I was struck with this, which was sent to me by a Member of Congress:

A WAR 2,000 YEARS AGO.

Lucius Æmilius Paulus, a Roman consul, who had been selected to conduct the war with the Macedonians, B. C. 168, went out from the senate house into the assembly of the people and addressed them as follows:

"In every circle, and truly, at every table, there are people who lead armies into Macedonia; who know where the camp ought to be placed; what posts ought to be occupied by troops; when and through what pass Macedonia should be entered; where magazines should be formed; and when it is proper to engage the enemy, when to lie quiet. And they not only determine what is best to be done but if anything is done in any other manner than what they have pointed out, they arraign the consul, as if he were on his trial. These are the great impediments to those who have the management of affairs, for everyone can not encounter injurious reports with the same constancy and firmness of mind as Fabius did, who chose to let his own authority to be diminished through the folly of the people, rather than mismanage the public business with a high reputation. I am not one of those who think that commanders ought never receive advice; on the contrary, I should deem that man more proud than wise, who did everything of his own single judgment. What, then, is my opinion? That commanders should be counseled chiefly by persons of known talent; by those especially who are skilled in the art of war, and who have been taught by experience; and next, by those who are present at the scene of action, who see the country, who see the enemy, who see the advantages that occasions offer, and who embarked, as it were, in the same ship, are the sharers of the danger.

"If, therefore, anyone thinks himself qualified to give advice respecting the war which I am to conduct, which may prove advantageous to the public, let him not refuse his assistance to the state, but let him come with me to Macedonia. He shall be furnished by me with a ship, a horse, a tent, and even with his traveling charges. But if he thinks this too much trouble and prefers the repose of a city life to the toils of war, let him not, on land, assume the office of a pilot." (Livy, Book XLIV, ch. 22.)

And so it is and ought to be in America. Let those who criticize come to Macedonia, and they will be supplied with a ship and a horse, and a gun, and they can have an opportunity to see at first hand, and display under daring conditions and circumstances their real knowledge of warfare.

THERE SHOULD BE NO POLITICS IN THE WAR.

But a speech was made by the Senator from New York [Mr. WADSWORTH]. I regretted to see this. I am sincere in this statement. I have a sympathetic feeling for the Senator from New York. He made a speech here advocating the passage of certain bills to take control of the war machinery of the country, which, as is well known by the public, are opposed vigorously by the President of the United States. The Washington Post on February 9, 1918, had this article:

HOUSE VACANCIES GIVE G. O. P. HOPE—REPUBLICANS LAY PLANS TO WIN DISTRICTS IN NEW YORK.

The Republican congressional committee at a conference held in the minority caucus room last night decided to make a vigorous campaign to win in the special election in New York March 5 to fill four vacancies from the greater city.

Acting on the recommendation of the subcommittee in charge of the campaign the general committee decided to have the speech of Senator WADSWORTH, delivered on the reorganization of the Army, distributed in these districts as a campaign document. This subcommittee is composed of NORMAN J. GOULD, chairman; Representatives WINSLOW, of Massachusetts, and GEORGE S. GRAHAM, of Pennsylvania. Mr. GOULD left at midnight for New York, where he will hold a second conference with local leaders to-day to complete organization for the campaign.

Should the Republicans win two of the districts in the special election, they will retain a plurality of 4 votes over the Democrats. The House now stands Democrats, 209; Republicans, 212; scattering 8; vacancies, 6.

I regretted to see that, Mr. President. I will tell you why. In a time like this we need a united American people back of the Commander in Chief of the Army and of the Navy of this land; and, of course, whoever attacks the Commander in Chief of the Army and the Navy of America will have the whole-hearted support of every pro-German, of every spy, of every pacifist, of every enemy of America, who will rally behind him because they want to break down the great directing force of this war.

I have read his speech. This article says there are four candidates who are going to stand on it as a platform. Mr. President, I do not believe it will hold them up.

Mr. President, so far as this war is concerned to me it has no politics. I have served hundreds of Republican soldiers in Kentucky as willingly, enthusiastically, and efficiently as I have served Democrats. I will continue to do this. They are fine Americans and no party spirit shall be shown in any way by me in service to these men. They are entitled to the best that I can give, and they shall have it.

ABRAHAM LINCOLN AND WOODROW WILSON.

During the Civil War, when the fate of a Nation was trembling in the balance, there appeared at the White House one day some gentlemen from the West. They were much excited and troubled about the commissions or omissions of the administration. President Lincoln heard them patiently, and then replied: "Gentlemen, suppose all of the property you were worth was in gold and you had put it in the hands of Blondin to carry across the Niagara River on a rope"—Blondin was a great tight-rope walker of his day—"would you shake the cable or keep shouting out to him, 'Blondin, stand up a little straighter; Blondin, stoop a little more; go a little faster; lean a little more to the south?' No! You would hold your breath as well as your tongue, and keep your hands off until he was safe over. The Government," said Abraham Lincoln, "is carrying an immense weight. Untold treasures are in their hands. They are doing the best they can. Don't badger them. Keep silence and we'll get you safe across."

President Wilson walks the tight rope, it stretches across the sea with its wreck and dead. He holds in his hands the richest treasure ever lodged in the keeping of one man since God said let there be light. The treasure is our very life, our liberty, our institutions, our homes, our firesides, our all. Gentlemen, let me plead with you—plead with all Americans—do not shake the rope. Do not badger him. Do not heckle him. Do not annoy him. He will make the journey safely over this ocean of blood and peril. Keep silence! Hold your tongues!

There were men in Washington's day who said they knew and he did not know; and in the distress of Valley Forge they tried to displace him as Commander in Chief of the Armies of the land. But the soldiers, with their bloody feet upon the frozen earth—those brave men, God bless them, with their flintlock rifles and coonskin caps—stood by Washington and American liberty blossomed into being, and Washington waved in triumph the conquered sword of Cornwallis.

The critic was in existence in Lincoln's day—patient, strong, great Lincoln. They thought they knew more about running the war than he did. They heckled him; they annoyed him; they shook the rope; but the flowers had not withered upon his new-made grave when the triumphant American Army marched down this Avenue.

So gentlemen, take courage, you critics. I can stand you upon each other's shoulders, and President Wilson will tower above you all like Washington's Monument towers above the foundation in which its granite base is laid.

The day will come in the Providence of God when our victorious Army, with America solidly back of them, will come back home in triumph and march down this same great Avenue, panoplied with the flowers and love and tears and pride of all America, in review before Woodrow Wilson, the man whom not only America trusts, but the civilized world trusts. Liberty will be safe and Americanism will be secure. [Applause in the galleries.]

The PRESIDING OFFICER. The Chair will make the usual but useless admonition, that the occupants of the galleries must be silent.

APPENDIX.

SWIFT, UNEXPECTED ACTION CHARACTERIZES UNITED STATES IN WAR, DECLARES LORD NORTHCLIFFE—BRITISH HIGH COMMISSIONER REVIEWS GROWTH OF WAR MACHINES IN AMERICA, EXPRESSING SURPRISE AT THE QUICK RESULTS OBTAINED THROUGH NATION'S SYSTEM OF DELIBERATING CAREFULLY AND STRIKING SUDDENLY.

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PHILADELPHIA, *September 16.*

The Public Ledger to-morrow will print the following article written by Lord Northcliffe. The second and concluding article will appear Tuesday. They are printed simultaneously in the London Times, the London Daily Mail, and the Washington Post.

By Lord Northcliffe.

This September, 1917, sees the beginning of the growth of a war machine unequaled in the world's history. The machine is being built in the American way. As I watch the process I am reminded continually of the method by which Americans build their skyscrapers, whose roots are deep down in the rock that forms the island on which New York stands.

In watching the building of a skyscraper the uninformed observer feels that the thing will never begin. For some time there is a blasting of rock, crowds of men appear with strange machines, and nothing much seems to happen. Then gradually but surely a great steel skeleton arises. The progress does not seem to be as rapid as it might be until suddenly the passer-by finds to his astonishment that the exterior walls of the seventeenth or thirtieth story are finished, the lower stories being yet in skeleton form. There is another delay, and lo! the skyscraper suddenly finished and housing ten or fifteen thousand busy workers. The American war machine is being built in the same way.

GIANT GIRDS ON HIS ARMOR.

From the staid British point of view the process is sometimes bewildering. There are delays, tolerances, repetitions of European war blunders, criticisms, arguments, extravagant optimism, and grave underestimations. Sometimes at the end of a long day one looks back on the morning and can see no progress. But at the conclusion of every six days there is not only an advance but sometimes a leap. The great giant of the West slumbered more or less uneasily for the first two and a half years of the war. He eventually woke with some unwillingness. To-day he is up and about and doing. He is girding on his armor and fashioning the club that should end the rule of despotism in Europe.

STREETS FILLED WITH KHAKI.

Lookers-on and critics here in the United States were astonished to find that, almost without public notice, conscription came into being. Having arrived, it works as smoothly as though it had been in use since the Declaration of Independence. Again the giant pauses a while and people begin to wonder what he is doing, but meanwhile the streets become filled with khaki. The stern-looking business men and professional beauties of photographers' shops are replaced by clean-visaged officers and nurses. The parks are busy from dawn to dark with men in shirt sleeves at drill. Those trying to make business appointments by telephone find that so and so has gone to France or to the officers' training camp at Plattsburg or elsewhere. The war hourly becomes more and more a part of the visible public life.

My American home is some miles out of New York City. When I took up my residence there in June last there were no signs of war about me. I went to Washington and returned after the space of a few days. A vast camp, as big as ours at Witley in Surrey, appeared at my doors as though it had grown by magic. This camp is not on the map, so to speak; it is not one of the great cantonments that are being built with lightning speed. Of these soldier cities there are now 16 finished, or nearly so. They are no mere camps. There is a permanence about them which makes it difficult to realize that they are built in two score of days. A number of them are being erected wisely in the sunny and comparatively stormless South, where the soldiers, more especially the flying men, will be in full training during the whole winter.

CAMP CITIES PROVE EFFICIENCY.

Let me describe one of these cities in the words of an English eyewitness, one of the 16 cities which will accommodate the first installment (687,000 men) gathered by conscription. These cities are tangible proof of the efficiency of American methods of organization applied to war making. We asked and obtained permission to see one of the most rapidly finished. It happened to be 2,000 miles from New York City. It did not seem to concern those who extended the very cordial invitation to us that the journey was a long one; it is regarded here as we in England look upon the journey from London to Newcastle or London to Glasgow. We were particularly interested in the construction, because it is the result of the activities of a great firm not unknown in England, Stone & Webster, whose ramifications extend not only through the United States but to most parts of the world in the form of the international corporation.

TEN THOUSAND WORKMEN GET BUSY.

Early in July there lay 3 miles outside San Antonio, Tex., a stretch of ground covered with a difficult kind of scrub or brush. On the 6th of July there appeared an army of between nine and ten thousand workmen of every known nationality, directed by young Americans of the Harvard and Yale type. The 10,000 arrived in every kind of conveyance, in mule carts, farm wagons, horse cabs, motors, and huge motor vans. At the end of the day's work, when the whistle had blown, the scene resembled that of some eccentric, elaborately staged cinematograph film. Together with the army of 10,000 men came many kinds of semiautomatic machinery. The hard concrete roads of the United States are now made by machinery with a thoroughness and permanence which should attract attention in Europe. In this new town outside San Antonio 12 miles of rail, 25 miles of road, 31 miles of water pipes, 30 miles of sewer were accomplished in 45 days.

FROM 1,200 TO 1,300 BUILDINGS.

The scale of wages is as surprising to Europeans as the energy expended. The average wage for all and sundry exceeded $25 a week, carpenters getting $6.50 daily. Nearly all material had to be brought from what appear to us vast distances. As often as not the thermometer stood at 100°, yet the daily photographs taken by the contractors show that progress was continuous, until on August 25 a considerable part of the city was ready for occupation. The strongly and comfortably built huts are all provided with heating arrangements for the winter, and baths, hot and cold, are attached to each building; there are vast stores and office blocks, several post offices, a huge bakery, laundry, stables for 1,300 horses and mules, hospitals, schools; in all, between 1,200 and 1,300 buildings.

And what has been done in Texas was being done simultaneously in 15 other parts of the country.

PROMPTLY CLOSES SALOONS.

Although Long Island is so close to New York and is one of the most fashionable country-house districts in the United States, the site chosen for Yaphank, the great camp on Long Island, gave as much trouble as any other. A forest had to be cut down and the roots blasted out of the soil. Furthermore, the work was hampered by mosquitoes to a degree that will be understood by those who have disturbed virgin soil in new places. They have a prompt, unexpected way of doing things in this country, which is pleasingly refreshing. One morning I read that all saloons within 5 miles of Yaphank had been closed. Nothing more said about it; no discussion preceded the matter; there were no abstruse calculations as to compensation. The United States is at war; saloons are not good for war; close them. That's all there was to it.

POLICE ORDER ENDS PACIFISM.

These are a good-natured but a drastic people. One of their great war accomplishments is the stamping out of sedition. When I first arrived here it was common to see knots of rather bored-looking persons at street corners round a wildly gesticulating man standing on what I believe is known as a soap box. I noticed the number of these orators grew. I stopped one evening to listen to one of them in the negro quarter; he was talking a lot of excitable rubbish. In one part of his discourse he evinced unexpected sympathy for the down-trodden Irish farmer, who is notably, by the way, among the most prosperous of farmers. The American giant paused one day in his war preparations, issued some kind of police order, and there was an end to pacifism. Armed men in special motor cars ended it.

A shrewd British friend of mine who has lived here many years remarked the other day that it took a long time to get Uncle Sam into war, but it may take a much longer time to get him out. Already, after barely five months of preparation, the United States has close upon 1,500,000 soldiers undergoing intensive training for their task. The Regular Army was brought up to its full strength, 300,000, by voluntary enlistment. The National Guard, a State militia, was filled up by the same means until it numbered 500,000. Then came the ballot for conscripts under the conscription act; this gave between 600,000 and 700,000 more.

For the training and upkeep of this force, and for the provision of all that it will require in the field, sums of money have been voted which make one's brain reel. For airplane construction, $640,000,000 has been appropriated. Upon merchant shipbuilding, $1,134,500,000 is to be spent. A naval appropriation of $350,000,000 for the building of destroyers has been commenced. One armor plate and projectile plant at South Charlestown will soak up $22,000,000. In all, the war expenditure of the United States already amounts to well more than $8,000,000 a day and loans to allies account for another $12,000,000 every 24 hours. The war machine gathers momentum as it travels. Its ramifications are bewildering. Scarcely a day passes without some fresh and startling proof of its force.

ACTION LIKE SMASHING BLOW.

The American characteristics in war seem to me to be two: Firstly, what looks like undue deliberation, and, then, before you are ready for it, like a bolt from the blue, a smashing blow. We know so little of the United States in Europe that probably not one reader in a score will understand that the Democrats (radicals) are in office and the Republicans (conservatives) are in opposition. The system so far is rather like our own, but the head of the Nation is a President whose character appears to me to be a mixture of Scottish caution and tenacity, with American unexpectedness.

BANGS DOWN EMBARGO.

Witness the reply to the Pope. Cables from Europe contained mealy-mouthed meanderings from continental newspapers, outlining all kinds of suggested temporizing replies to his holiness. Suddenly came an altogether unexpected bang from the White House at Washington; the whole miasma of pacifism and all the rantings from soap boxes were at an end. My Republican friends, naturally critical of persons and things Democratic, shared the Nation-wide joy in the President's reply.

As with the well-meant papal peace offerings, so with the embargo. Well-meaning European statesmen have too long provided the German armies with materials for making shot and powder and with food through greedy and gain-loving neutrals. The American mind wondered why. I went one day to have a look at an American transport sailing for Europe, in which the soldier boys clustered like bees in swarming time. Incidentally, my guide showed me a great number of neutral ships loading up with grain for Germany. There came another bang from the big gun at Washington. The ships are still here.

I should not be surprised if they eventually helped to carry food to the American Armies in France and to Belgium. I am very certain they will not carry one grain of wheat to Germany. The right of neutrals to prolong the war is not conceded by the United States. The American mothers who are sending their boys to face submarines in the Atlantic and high explosives in the trenches have no sloppy sentiment for Sweden or Spain. They are sorry for Holland, but the motto "America first," though not, perhaps, always suited to an alliance, is undoubtedly a formidable war weapon when put into operation with the drastic suddenness characteristic of American mentality in war time.

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INTENSITY OF AMERICA SHOWS IN ITS MIGHTY WAR MACHINE, DECLARES LORD NORTHCLIFFE—VAST ACCOMPLISHMENT IN AIR-SERVICE CAMPAIGN PRAISED BY BRITISH COMMISSIONER, WHO DESCRIBES WONDERFUL PROGRESS MADE BY THE GOVERNMENT IN ENACTING WAR MEASURES—BELIEVES UNITED STATES SYSTEM WILL DEFEAT PRUSSIANS.

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PHILADELPHIA, *September 17.*

The second and concluding article by Lord Northcliffe on "The Americans at war," which will appear to-morrow in the Public Ledger, the London Times, and the London Daily Mail, follows:

By Lord Northcliffe.

The Americans, who are becoming almost as critical of themselves as we English have always been of ourselves, often ask whether there is not observable a lack of enthusiasm in the public demeanor toward troops parading or departing. The same criticism has been made continuously in Great Britain in regard to our people and our army. It is quite true that an ordinary baseball game, or an association foot-

ball match at home, is more provocative of cheering and other forms of applause than the parading of troops. Pictures of soldiers departing in the old wars make us believe that they were surrounded by enthusiastic crowds. That does not appear to be the case now in any one of the belligerent countries in which I have been since August, 1914. Even the more excitable Italians go to this war with gravity and sobriety. The only really vociferous acclamation to troops that has come under my notice was in a neutral country whose callous pro-Germanism has made it a byword among nations. A cynical American who watched with me a squadron of cavalry passing at the trot and being vigorously applauded by that neutral crowd remarked, "The last thing these people mean to do is fight."

THOROUGHLY IN EARNEST.

American troops, whose physique is at present much the best in the war, are regarded by their onlookers with interest, affection, and pride. Their mission is far too serious a one for wild hurrahing, such as was heard during our South African and their Spanish War. Summed up in one word, the attitude of the American people and their soldiers seems to me to be earnestness. If any other word be necessary, thoroughness might be added. I have only to mention the wonderful Red Cross fund and the great organization which is behind it to illustrate my thought.

The world has heard in the last few days of the evolution of what is known as U. S. A. or liberty air engine. The story of the development of this practical and now tested motor sums up many of the most marked traits in the American war character. It is the product of enthusiasm put to the right purpose.

BUYS MOTOR CAR FOR $1,000.

There is probably no more highly organized industry in the world than the manufacture of American motor cars. The keen competition that has enabled Americans, rich and poor alike, to have automobiles has been backed by cooperation and standardization among the rival producers, which has intensified simplicity and eliminated waste. It is because of this that I am able to purchase for my own use here an excellent four-seated landaulette for £200 ($1,000), with electric lighting installation and self-starter. I have the choice of a number of types at that price, and even less.

The methods of the motor-car industry, which have given such marvelous results, are being adopted in regard to the air engine. Early in July I was invited to the Bureau of Standards in Washington to see the engine just after it had arrived from Detroit. In a room adjoining the bench on which the motor rested was a machine for reproducing mechanical drawings, or blue prints, by a highly ingenious form of rapid rotary printing. These drawings are being sent in thousands to makers of automobiles and parts of automobiles all over the United States.

ENGINEERS UNITE EFFORTS.

The young men who had accomplished the construction of the engine were the leading designers and engineers of the great competing motor-car and motor-van makers. All trade rivalry had been set apart and they had thrown their united efforts into a magnificent piece of teamwork which will enable the United States to turn out air engines almost as rapidly as Mr. Ford multiplies his wonderful little cars.

It is not pretended that these air engines are of the same quality as the best English or French war models. It was wisely foreseen here that the construction of motors so delicate would demand the training of thousands of skilled hand workers. Time is a vital factor in the situation; therefore it was resolved to produce an engine that can be manufactured in part in a thousand workshops and assembled at certain given points, as is done in Germany with her submarines. It is an engine designed for a certain specific air program, the nature of which the Germans will learn in due course.

Together with the manufacture of the air motor, which has now been tested in long flights at various altitudes, goes on the training in flight of a large number of eager and capable young men. Almost every steamship arriving from Europe brings more and more skilled air teachers from the war zone—French, American, and English. Flying grounds in the United States are being extended continuously. They range now from Camp Borden, in Canada, where young British officers are training American and Canadian fliers, to San Antonio, in Texas. Instruction in flying can continue without ceasing, owing to the choice of so many suitable, because almost windless, climates for the camp installations.

The enthusiastic outpourings of air amateurs and their cries of "100,000 airplanes" have made a good many persons skeptical as to American participation in the air fighting. But behind all that talk is already a vast accomplishment. The solid foundation has been laid of an air service backed by virtually illimitable man power and machine power. Its fruits will be shown as suddenly as came conscription. Movement is going on as rapidly as possible, in view of the thoroughness with which everything is being done. There has been a complete liaison with the air services of France and England. The models of the latest French and English machine are here. While no time has been lost, most careful consideration has been given to a definite plan of campaign.

I wish I could say as much with regard to the speed of American shipbuilding. I have already expressed my opinion, which is shared by many persons here, that so long as the allied Governments hide the truth as to the real nature of the submarine danger the burning enthusiasm which Americans are putting into their air service will be lacking in the American shipyards.

This, however, is the only direction, so far as I have been able to judge, in which more might be done than is being done at present. I arrived in the United States during the second week of June. I have kept a diary of war happenings. Those who take the trouble to read it will find that the pace has been accelerating every week until during the last seven days we have been made acquainted with a series of war measures which would seem to be almost beyond the national power of digestion. Here are the events I have noted down since I landed:

DIARY OF WAR HAPPENINGS.

June 12: Senate approves bill giving the President the power to embargo exports to neutral countries which might find their way to Germany (power which the President has now vigorously used).

June 20: The Federal Trade Commission proposes to the President that the coal problem be solved by the creation of a Government agency to control production and transportation. (Coal controller appointed since.)

June 22: The President signs an Executive order creating an exports council, to direct exports so that they will go first where most needed.

June 26: Coal operators, representing both anthracite and bituminous industries, meet with Government officials at Washington and agree to establish a fixed lower price.

July 7: The Senate passes an amendment to the food bill prohibiting the manufacture and importation of whisky during the war.

July 9: President Wilson issues a proclamation placing the export of specific commodities (coal and fuel oils, flour and meal, meats and fats, iron and steel, arms and ammunition, etc.) under Government control.

July 11: President Wilson issues a proclamation setting forth the guiding principles in price regulation; he especially condemns shipowners for exacting exorbitant freight rates.

July 14: The House passes the bill appropriating $640,000,000 for the construction and operation of a vast fleet of airplanes.

July 24: The Senate Committee on Finance is informed by Secretary of the Treasury McAdoo that $5,000,000,000, in addition to previous estimates, will be required to carry the war to June 30, 1918.

FOOD-CONTROL BILL SIGNED.

August 10: The President signs the food-control bill and appoints Herbert Hoover as Food Administrator.

August 12: Food Administrator Hoover makes public his plans for stabilizing the price of wheat. A fair price for the 1917 harvest to be determined by a committee headed by Harry A. Garfield, president of Williams College.

August 19: New regulations by the Bureau of War-Risk Insurance require merchant ships sailing across the Atlantic to be armed, painted to reduce visibility, provided with smokeless fuel, and equipped with appliances for producing smoke clouds to escape torpedo attack.

August 24: Congress asked to vote $1,134,500,000 for the construction of 1,270 merchant vessels.

August 28: Naval appropriation of $350,000,000 announced for the building of destroyers.

August 29: Decided to develop the internal waterway traffic of the country to relieve the railways and to create huge fleet of lake and river ships.

WHEAT PRICE FIXED.

August 30: The President fixes the price of wheat.

August 31: Two million persons in New York witness the parade of National Guard regiments about to go into training camp.

September 1: Announced that the embargo on food exports will be rigidly enforced and that no neutral country need expect any autumn shipments of wheat.

September 2: Letter of President Wilson published declaring intention "to oppose the organized and dangerous efforts of those who hide disloyalty behind a screen of specious phrases."

September 4: President Wilson marches at the head of the young men of Washington chosen by ballot for the National Army.

FIRST QUOTA GOES TO CAMP.

September 5: First quota of conscription men called up and sent into camps all over the country.

September 6: Congress passed the $11,538,945,000 bond-issue bill.

September 8: Prosecution announced against Socialist leaders on charges of plotting against the country and offending under the espionage act.

September 9: Anticonscription meeting broken up by the police in New York.

September 10: Senate passes war-revenue bill carrying an aggregate tax of $2,406,670,000.

September 11: National supervision of the money market announced in order to make country "panic proof" Arrest reported of the staff of a German-language paper at Philadelphia on charges of treason.

September 12: Mr McAdoo explains to the Senate defense committee the necessities for the $11,000,000,000 war-credit bill.

September 13: Final successful test of "Liberty air engine" announced.

WILL PULVERIZE PRUSSIANISM.

It is easy to say that many of these things might have been done a couple of years ago, but democracies do not work in that way. Even after the war had begun we in England spent almost two years in discussing whether we should have equality of sacrifice in regard to military service, and Canada was still debating the question until a few days ago. Each nation has to make its war preparations after its own fashion. No nation seems to learn much from any other. The American war machine is being built in the American way. Maybe it will have its faults, but for all that it is the mighty sledge hammer that will pulverize Prussianism. The Americans are getting to war with all the virility and intensity of a very forceful people.

During the delivery of Mr. JAMES'S speech,

The PRESIDING OFFICER (Mr. THOMAS in the chair). The Senator from Kentucky will suspend for a moment. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The SECRETARY. A bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes.

After the conclusion of Mr. JAMES'S speech,

RAILROAD CONTROL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3752) to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes.

Mr. SMOOT. Mr. President, I understand there are a number of Senators who desire to be present when the Senator from Iowa [Mr. CUMMINS] will take the floor and speak on the pending bill. For that reason I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Fernald	Henderson	King
Borah	France	James	Knox
Chamberlain	Gallinger	Johnson, Cal.	Lewis
Cummins	Gronna	Jones, N. Mex.	Lodge
Curtis	Hale	Jones, Wash.	McCumber
Dillingham	Hardwick	Kellogg	McKellar

McNary	Pittman	Smith, Ga.	Tillman
Myers	Poindexter	Smith, Mich.	Trammell
Nelson	Pomerene	Smith, S. C.	Vardaman
New	Ransdell	Smoot	Watson
Norris	Robinson	Sutherland	Williams
Nugent	Shafroth	Swanson	Wolcott
Overman	Sheppard	Thomas	
Page	Simmons	Thompson	

The PRESIDING OFFICER (Mr. MYERS in the chair). Fifty-four Senators have answered to their names. A quorum of the Senate is present.

Mr. CUMMINS addressed the Senate. After having spoken, with interruptions, for about two hours,

Mr. TOWNSEND. Mr. President——

Mr. CUMMINS. I desire to say a word in response to the Senator from South Carolina [Mr. SMITH].

Mr. TOWNSEND. I was just going to suggest that I take it the Senator from Iowa is not going to finish his speech to-night, and as he has been talking a long while, and evidently is somewhat weary, we might take an adjournment now. It is approaching the hour of 5.

Mr. STONE. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. I do.

Mr. STONE. It is, of course, a matter subject to the pleasure of the Senator from Iowa, but if he is about to close for the day I should like to have an executive session instead of an adjournment. Will that be agreeable to the Senator from Iowa at this point?

Mr. CUMMINS. Oh, yes.

WAR TRADE BOARD (H. DOC. NO. 934).

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Commerce and ordered to be printed.

To the Senate and House of Representatives:

As required by the provisions of section 6 of the "Trading with the Enemy Act," approved October 6, 1917, I transmit herewith reports of the Bureaus of Enemy Trade and of Imports, showing the proceedings had by the War Trade Board during the year ending December 31, 1917.

WOODROW WILSON.

THE WHITE HOUSE, *14 February, 1918.*

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 15, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive communications received by the Senate February 14, 1918.

CALIFORNIA DÉBRIS COMMISSION.

Col. Charles L. Potter, Corps of Engineers, for appointment as a member of the California Débris Commission provided for by the act of Congress approved March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California," vice Lieut. Col. Richard Park, Engineers, National Army.

REGISTERS OF THE LAND OFFICE.

Christopher C. Davidson, of Springfield, Mo., to be register of the land office at Springfield, Mo., vice John H. Bowen, term expired and resigned.

Clarence R. Bierly, of Minot, N. Dak., to be register of the land office at Minot, N. Dak., vice Fremont F. Fritz, term expired.

RECEIVER OF PUBLIC MONEYS.

Gratton D. Little, of California, to be receiver of public moneys at Eureka, Cal., his term having expired. (Reappointment.)

APPOINTMENT IN THE ARMY.

QUARTERMASTER CORPS.

Brig. Gen. Isaac W. Littell, Quartermaster Corps, National Army, to be brigadier general, Regular Army, from February 12, 1918, vice Brig. Gen. Abiel L. Smith, retired from active service January 3, 1918.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

To be first lieutenants with rank from August 30, 1917.

Second Lieut. Joseph I. Cohen.
Second Lieut. Henry A. Barber, jr.
Second Lieut. Robert A. Willard.
Second Lieut. John M. Erwin.
Second Lieut. William B. Carswell, jr.
Second Lieut. Wilson G. Bingham.
Second Lieut. Charles C. Bartley.
Second Lieut. Robert MacD. Graham.
Second Lieut. Rudolph F. Whitelegg.
Second Lieut. Loyd Van H. Durfee.
Second Lieut. John H. Norton.
Second Lieut. William W. Paca.
Second Lieut. John T. B. Bissell.
Second Lieut. Charles A. Mahoney.
Second Lieut. George S. Eyster.
Second Lieut. Henry R. Anderson.
Second Lieut. William McC. Chapman.
Second Lieut. Kenneth P. Murray.
Second Lieut. Roger W. Stembridge.
Second Lieut. Norman McNeill.
Second Lieut. Glen H. Anderson.
Second Lieut. Bryant E. Moore.
Second Lieut. Leo V. Warner.
Second Lieut. Howard A. Deas.
Second Lieut. Henry W. Bobrink.
Second Lieut. Onslow S. Rolfe.
Second Lieut. Louis A. Freeman.
Second Lieut. Henry P. Gantt.
Second Lieut. Jesse B. Matlack.
Second Lieut. Julius E. Schaefer.
Second Lieut. Theodore D. Schmidt.
Second Lieut. Parry W. Lewis.
Second Lieut. Edward W. Timberlake.
Second Lieut. Vincent N. Taylor.
Second Lieut. William W. Jenna.
Second Lieut. William R. Fleming.
Second Lieut. Paul W. Cole.
Second Lieut. Francis P. Simpson.
Second Lieut. Harry C. Barnes, jr.
Second Lieut. Robert J. Hoffman.
Second Lieut. Clare W. Woodward.
Second Lieut. John S. Mallory.
Second Lieut. Frederick D. Sharp.
Second Lieut. William S. Barrett.
Second Lieut. Paul R. Goode.
Second Lieut. Harry N. Rising.
Second Lieut. Josephus B. Wilson.
Second Lieut. Henry C. Demuth.
Second Lieut. Lowell M. Riley.
Second Lieut. Edwin C. Maling.
Second Lieut. George D. Watts.
Second Lieut. Emil Krause.
Second Lieut. Robert L. Bacon.
Second Lieut. Walker G. White.
Second Lieut. Earle E. Sarcka.
Second Lieut. Edwin J. House.
Second Lieut. Arthur C. Purvis.
Second Lieut. James J. Hea.
Second Lieut. Edgar B. Moomau.
Second Lieut. Frank S. Long.
Second Lieut. Carlisle B. Wilson.
Second Lieut. William E. Whittington.
Second Lieut. Harold L. Milan.
Second Lieut. Robert A. Bringham.
Second Lieut. Horace Harding.
Second Lieut. Earle A. Billings.
Second Lieut. Royal H. Place.

TEMPORARY PROMOTIONS IN THE ARMY.

FIELD ARTILLERY ARM.

To be colonel with rank from January 24, 1918.

Lieut. Col. Clarence N. Jones, Field Artillery, vice Col. Lewis S. Ryan, resigned.

To be colonel with rank from January 25, 1918.

Lieut. Col. Frederick B. Hennessy, Field Artillery, vice Col. Howard L. Landers, resigned.

To be colonel with rank from February 6, 1918.

Lieut. Col. Laurin L. Lawson, Field Artillery, vice Col. Edward A. Millar, appointed brigadier general in the National Army.

To be colonel with rank from February 7, 1918.

Lieut. Col. John W. Kilbreth, jr., Field Artillery, vice Col. Tiemann N. Horn, appointed brigadier general in the National Army.

To be lieutenant colonels with rank from January 24, 1918.

Maj. Walter S. Sturgill, Field Artillery, vice Lieut. Col. Harold W. Huntley, resigned.

Maj. Sherman Miles, Field Artillery (General Staff Corps), vice Lieut. Col. Clarence N. Jones, promoted.

Maj. Cortlandt Parker, Field Artillery, vice Lieut. Col. Sherman Miles, retained in the General Staff Corps.

To be lieutenant colonel with rank from January 25, 1918.

Maj. Richard C. Burleson, Field Artillery, vice Lieut. Col. Frederick B. Hennessy, promoted.

To be lieutenant colonel with rank from February 6, 1918.

Maj. Joseph R. Davis, Field Artillery, vice Lieut. Col. Laurin L. Lawson, promoted.

To be lieutenant colonel with rank from February 7, 1918.

Maj. John R. Starkey, Field Artillery, vice Lieut. Col. John W. Kilbreth, jr., promoted.

To be major with rank from January 8, 1918.

Capt. Horace H. Fuller, Field Artillery, vice Maj. Maxwell Murray, appointed lieutenant colonel in the National Army.

To be major with rank from January 21, 1918.

Capt. John M. McDowell, Field Artillery, vice Maj. Webster A. Capron, appointed lieutenant colonel in the National Army.

To be majors with rank from January 24, 1918.

Capt. Raymond E. Lee, Field Artillery, vice Maj. Walter S. Sturgill, promoted.

Capt. Jason McV. Austin, Field Artillery, vice Maj. Cortlandt Parker, promoted.

To be major with rank from January 25, 1918.

Capt. Belton O'N. Kennedy, Field Artillery, vice Maj. Richard C. Burleson, promoted.

To be majors with rank from February 6, 1918.

Capt. Burton O. Lewis, Field Artillery (Ordnance Department), vice Maj. Joseph R. Davis, promoted.

Capt. Herbert R. Odell, Field Artillery, vice Maj. Burton O. Lewis, retained in the Ordnance Department.

To be major with rank from February 7, 1918.

Capt. Clyde A. Selleck, Field Artillery, vice Maj. John R. Starkey, promoted.

To be captain with rank from January 8, 1918.

First Lieut. Bertram N. Rock, Field Artillery, vice Capt. Horace H. Fuller, promoted.

To be captain with rank from January 21, 1918.

First Lieut. Alexander S. Quintard, Field Artillery, vice Capt. John M. McDowell, promoted.

To be captains with rank from January 24, 1918.

First Lieut. Marcus A. S. Ming, Field Artillery, vice Capt. Raymond E. Lee, promoted.

First Lieut. Lewis E. Goodrich, Field Artillery, vice Capt. Jason McV. Austin, promoted.

To be captain with rank from January 25, 1918.

First Lieut. Victor R. Woodruff, Field Artillery, vice Capt. Belton O'N. Kennedy, promoted.

To be captain with rank from February 6, 1918.

First Lieut. Robert W. Yates, Field Artillery, vice Capt. Herbert R. Odell, promoted.

To be captain with rank from February 7, 1918.

First Lieut. Dan C. Schmahl, Field Artillery, vice Capt. Clyde A. Selleck, promoted.

PROVISIONAL APPOINTMENTS BY PROMOTION.

INFANTRY ARM.

To be first lieutenant with rank from September 11, 1917.

Second Lieut. William F. Johnson.

To be first lieutenants with rank from October 4, 1917.

Second Lieut. Earle T. Decker.
Second Lieut. Uel Stephens.

To be first lieutenants with rank from October 9, 1917.

Second Lieut. Jack A. Nichols.
Second Lieut. George E. Kraul.
Second Lieut. Peter A. Ryan.
Second Lieut. Archie D. Cameron.
Second Lieut. Ray W. Miner.

To be first lieutenants with rank from October 24, 1917.

Second Lieut. Harry A. Seymour.
Second Lieut. Edward J. Oliver.
Second Lieut. Ralph K. Fletcher.
Second Lieut. Thomas R. McCarron.
Second Lieut. Le Roy W. Wilson.
Second Lieut. Oscar P. Hilburn.
Second Lieut. Ray A. Martin.
Second Lieut. Thomas F. Troxell.
Second Lieut. Thomas E. Hibben.
Second Lieut. Edward R. Schauffler.
Second Lieut. Louis A. Kuerzi.
Second Lieut. Vance L. Richmond.
Second Lieut. Orlando C. Brown.
Second Lieut. Frank H. Hollingsworth.
Second Lieut. Earle T. Loucks.
Second Lieut. Alfred D. Cameron.
Second Lieut. Keelah Bouve.
Second Lieut. Herbert S. Havens.
Second Lieut. Joseph E. Pierce.
Second Lieut. John G. Davis.
Second Lieut. William E. G. Cooper.
Second Lieut. Thomas A. O'Brien.
Second Lieut. George H. Passmore.
Second Lieut. Wayne Marshall.
Second Lieut. George O. A. Daughtry, jr.
Second Lieut. Edward A. O'Malley, jr.
Second Lieut. Eugene J. M. Fitz-Gerald.
Second Lieut. Francis M. Fuller.
Second Lieut. Frank B. Hayne, jr.
Second Lieut. Newton G. Bush.
Second Lieut. Paolo H. Sperati.
Second Lieut. Alan L. Hart.
Second Lieut. Worden H. Cowen.
Second Lieut. Russell L. Bonnell.
Second Lieut. Harold L. Morian.
Second Lieut. Le Roy W. Nichols.
Second Lieut. Francis D. Ross.
Second Lieut. Keith F. Driscoll.
Second Lieut. Sidney A. Sands.
Second Lieut. Harvey J. Silvestone.
Second Lieut. Christian A. Schwarzwaelder.
Second Lieut. Charles M. Chamberlain, jr.
Second Lieut. Allan B. Clayton.
Second Lieut. Harry B. Sepulveda.
Second Lieut. Howard N. Merrill.
Second Lieut. Sherman L. Hougen.
Second Lieut. Melvin P. Spalding.
Second Lieut. Bernard Meredith.
Second Lieut. Harold G. Johnstone.
Second Lieut. Manoah N. Swetnam.
Second Lieut. William F. Newton.
Second Lieut. Andrew F. Hassel.

To be first lieutenants with rank from October 25, 1917.

Second Lieut. George S. V. Little.
Second Lieut. Gordon F. Stephens.
Second Lieut. William MacG. Hall.
Second Lieut. William O. Nelson.
Second Lieut. Pierce Butler, jr.
Second Lieut. Albert C. Ames.
Second Lieut. Charles L. Bolte.
Second Lieut. William A. Moss.
Second Lieut. Eugene C. Callahan.
Second Lieut. William H. Duncan.
Second Lieut. John B. Brainerd, jr.
Second Lieut. Theodore F. Wessels.
Second Lieut. Edward Law.
Second Lieut. Sherman K. Burke.
Second Lieut. Arthur J. McChrystal.
Second Lieut. Reynier J. Wortendyke, jr.
Second Lieut. Malcolm F. Lindsey.
Second Lieut. Willard Smith.
Second Lieut. Jean E. Nelson.
Second Lieut. Kirkwood D. Scott.
Second Lieut. Horace O. Cushman.
Second Lieut. William M. Hutson.
Second Lieut. Thomas M. Galbreath, jr.
Second Lieut. Carter Glass, jr.
Second Lieut. Lambert A. Wood.
Second Lieut. Thomas Phillips.
Second Lieut. David H. Finley.
Second Lieut. Robert S. F. Randolph.
Second Lieut. Eli A. Barnes.

Second Lieut. Richard F. Bailey.
Second Lieut. Myron M. Andrews.
Second Lieut. Richard S. Hevenor.
Second Lieut. Albert E. Purchas, jr.
Second Lieut. Bryan G. Dancy.
Second Lieut. Vinton L. James, jr.
Second Lieut. William F. Campbell.
Second Lieut. Louis T. Bass.
Second Lieut. Charles J. Carey.
Second Lieut. Stuart Cutler.
Second Lieut. Elbert G. Spencer.
Second Lieut. John R. Boatwright.
Second Lieut. Graeme K. Howard.
Second Lieut. Lester N. Allyn.
Second Lieut. Henry L. Barrett.
Second Lieut. Howard W. Sears.
Second Lieut. Raphael Semmes.
Second Lieut. Robert E. McDonald.
Second Lieut. Elmer R. Ames.
Second Lieut. Thomas S. Morrison, jr.
Second Lieut. Raymond R. Tourtillott.
Second Lieut. George A. Hadd.
Second Lieut. Leo A. Dunbar.
Second Lieut. James S. Candee.
Second Lieut. Joseph P. Cromwell.
Second Lieut. Harry M. Mayo, jr.
Second Lieut. Bernard P. Hoey.
Second Lieut. Arleigh L. Willis.
Second Lieut. Eustace P. Strout.
Second Lieut. Wallace W. Parker.
Second Lieut. Ray M. Hare.
Second Lieut. Walter Francis Mullins.
Second Lieut. Henry L. P. King.
Second Lieut. Craig P. Cochrane.
Second Lieut. Harry W. Koster.
Second Lieut. Alfred J. McMullin.
Second Lieut. Eugene E. Pratt.
Second Lieut. Julien H. Needler.
Second Lieut. Frank J. Knell.
Second Lieut. Gerald L. Marsh.
Second Lieut. William A. Wieland.
Second Lieut. John Conrad Cattus.
Second Lieut. Edmond S. Donoho.
Second Lieut. Donald N. Swain.
Second Lieut. John F. Mead.
Second Lieut. Charles McF. Petty.
Second Lieut. Harold A. Black.
Second Lieut. Robert J. McElroy.
Second Lieut. George P. Seneff.
Second Lieut. Harry C. Boehme.
Second Lieut. Russell G. Ayers.
Second Lieut. William A. Wappenstein.
Second Lieut. Charles H. Owens.
Second Lieut. Carter Collins.
Second Lieut. Clarence E. Lovejoy.
Second Lieut. William A. Gray, jr.
Second Lieut. Hays Matson.
Second Lieut. George E. Abrams.
Second Lieut. Clifton R. Breckinridge, jr.
Second Lieut. Charles McKnight, jr.
Second Lieut. Richard L. Tayloe.
Second Lieut. Albert D. Foster.
Second Lieut. Ralph Eberlin.
Second Lieut. Edward T. Harrison.
Second Lieut. Donald P. Spalding.
Second Lieut. Ercil D. Porter.
Second Lieut. Warner Harwood.
Second Lieut. Clyde A. Fowler.
Second Lieut. Laurence J. Potter.
Second Lieut. Claude A. White.
Second Lieut. Brayton Wilbur.
Second Lieut. John F. Farnsworth.
Second Lieut. Chester B. Blakeman.
Second Lieut. Henry N. Bakken.
Second Lieut. Archer L. Lerch.
Second Lieut. Rodney S. Sprigg.
Second Lieut. Milton W. Emmett.
Second Lieut. John A. Pierce.
Second Lieut. Wendell L. Clemenson.
Second Lieut. Jonathan W. Edwards.
Second Lieut. William H. Thomas.
Second Lieut. Charles J. Deahl, jr.
Second Lieut. Frank M. Ogden.
Second Lieut. Bruce F. Higginbotham.
Second Lieut William O. Owen.
Second Lieut. Arcadi Gluckman.
Second Lieut. Reginald D. Grout.
Second Lieut. Dale M. Hoagland.
Second Lieut. Charles A. Campbell, jr.
Second Lieut. Maurice W. Ocheltree.
Second Lieut. Roy T. Rouse.
Second Lieut. Ivan B. Snell.
Second Lieut. Wendell Westover.
Second Lieut. James W. Rice.
Second Lieut. William Edgar.
Second Lieut. Gustav H. Lamm.
Second Lieut. James P. Gammon.
Second Lieut. James A. Giacominl.
Second Lieut. Henry K. White.
Second Lieut. Alva W. Snyder.
Second Lieut. Ralph P. Van Zile.
Second Lieut. Talbott B. Fowler.
Second Lieut. Matthew F. Garvey.
Second Lieut. Samuel L. Metcalfe.
Second Lieut. Frank W. Halsey.
Second Lieut. Kirby Green.
Second Lieut. Myron J. Conway.
Second Lieut. Harold C. Reed.
Second Lieut. Samuel H. Ladensohn.
Second Lieut. Clyde A. Ames.
Second Lieut. Irwin L. Lummis.
Second Lieut. Joseph G. Babb.
Second Lieut. Hollis B. Hoyt.
Second Lieut. Clarence M. Collord.
Second Lieut. Russell L. McKown.
Second Lieut. Frederick W. Hackett.
Second Lieut. Roy G. Rom.
Second Lieut. Fred H. Reynolds.
Second Lieut. Van C. Walton.
Second Lieut. Matthew W. Steele.
Second Lieut. Lawrence W. Marshall.
Second Lieut. John A. Otto.
Second Lieut. Joseph B. Sweet.
Second Lieut. Walter D. Luplow.
Second Lieut. John H. Helmer.
Second Lieut. Sidney P. Howell.
Second Lieut. Henrick Antell.
Second Lieut. John L. Weeks.
Second Lieut. Arthur G. Levy.
Second Lieut. Lewis R. Byington.
Second Lieut. Cecil W. Borton.
Second Lieut. Donald Timerman.
Second Lieut. Harper A. Holt.
Second Lieut. Leon L. Kotzbue.
Second Lieut. Leander I. Shelley.
Second Lieut. Arvid P. Croonquist.
Second Lieut. James E. Cole, jr.
Second Lieut. Roger Morton.
Second Lieut. Gunther Orsinger.
Second Lieut. Gregory A. Harrison.
Second Lieut. Paul McC. Boston.
Second Lieut. Elmer L. Mott.
Second Lieut. Thomas R. Holmes.
Second Lieut. Harold W. Batchelder.
Second Lieut. Jay H. Cushman.
Second Lieut. John P. Redwood.
Second Lieut. Robert H. Engle.
Second Lieut. Samuel Y. Dinkins.
Second Lieut. Roscoe I. MacMillan.
Second Lieut. Nicholas D. Woodward.
Second Lieut. Henry R. Horak.
Second Lieut. James F. Burke.
Second Lieut. Henry C. Switzer.
Second Lieut. William K. Dickson.
Second Lieut. Clarence A. Martin.
Second Lieut. Elmer J. Croft.
Second Lieut. Mark G. Brislawn.
Second Lieut. Edgar L. Noel.
Second Lieut. Henning Linden.
Second Lieut. Gerold E. Luebben.

To be first lieutenants with rank from October 26, 1917.

Second Lieut. Thomas W. Proctor.
Second Lieut. Robert F. Kelley
Second Lieut. George J. Leftwich, jr.
Second Lieut. Neely Powers.
Second Lieut. Harrison G. Reynolds.
Second Lieut. Trevor W. Swett.
Second Lieut. George Read, jr.
Second Lieut. James C. Clements.

Second Lieut. Charles H. Jacobs.
Second Lieut. Hanford MacNider.
Second Lieut. Alexander D. Wilson.
Second Lieut. Edward N. Wigton.
Second Lieut. Eric F. Pihlgard.
Second Lieut. Leslie N. Ross.
Second Lieut. Arthur W. Mudge, jr.
Second Lieut. Thomas H. Nicholl.
Second Lieut. James L. Hubbell.
Second Lieut. Benjamin H. Decker.
Second Lieut. Walter A. Dumas.
Second Lieut. Edwin E. Keatley.
Second Lieut. W. R. Barksdale Stevens.
Second Lieut. Earle L. Hazzard.
Second Lieut. Moses Taylor, jr.
Second Lieut. George H. McKee.
Second Lieut. Lett W. Bissell.
Second Lieut. William B. White.
Second Lieut. George C. Parkhurst.
Second Lieut. Luther W. Turner.
Second Lieut. William H. Deyo.
Second Lieut. Francis W. Dunn.
Second Lieut. Don M. Scott.
Second Lieut. Allen W. Cook.
Second Lieut. Robert E. Wysor, jr.
Second Lieut. Robert Dechert.
Second Lieut. James E. Wharton.
Second Lieut. William O. Wyckoff.
Second Lieut. Carleton Smith.
Second Lieut. Paul C. Gripper.
Second Lieut. Martin D. Barndollar, jr.
Second Lieut. Raymond C. Alley.
Second Lieut. Francis C. Lewis.
Second Lieut. Lewis Simons.
Second Lieut. James H. Day.
Second Lieut. James M. Austin.
Second Lieut. Albert W. Vinal.
Second Lieut. Paul G. Corker.
Second Lieut. Hiram Russell Ide.
Second Lieut. James A. Rogers.
Second Lieut. Randolph R. Brown.
Second Lieut. Leon R. Mead.
Second Lieut. Harold C. Conick.
Second Lieut. Loren A. Wetherby.
Second Lieut. James J. Coghlan.
Second Lieut. Samuel H. Cross.
Second Lieut. Carl U. Luers.
Second Lieut. Bernard B. McMahon.
Second Lieut. Carlton Banigan.
Second Lieut. Winchester Kelso, jr.
Second Lieut. George E. Fingarson.
Second Lieut. Leaver Richardson.
Second Lieut. Lawrence M. York.
Second Lieut. James F. Lilley.
Second Lieut. Elwood M. S Steward.
Second Lieut. Herbert L. Scales.
Second Lieut. Ernest Albert Rudelius.
Second Lieut. Joseph W. Emery, jr.
Second Lieut. William L. Blanton.
Second Lieut. Harold E. Sturcken.
Second Lieut. Milton Petersen.
Second Lieut. Gillette Hill.
Second Lieut. Stuart M. Firth.
Second Lieut. Porter P. Wiggins.
Second Lieut. Eugene W. Markey.
Second Lieut. Barnard Pierce.
Second Lieut. Robert A. Cochran.
Second Lieut. Proctor Calvin Gilson.
Second Lieut. Paul B. Matlock.
Second Lieut. Charles W. Nevin, 2d.
Second Lieut. William L. Kleitz.
Second Lieut. Orville W. Harris.
Second Lieut. Stanley Raymond Putnam.
Second Lieut. Harold D. Comey.
Second Lieut. John T. Zellars.
Second Lieut. Alexander C. Dick.
Second Lieut. Richard A. McClure.
Second Lieut. Robert K. Massie, jr.
Second Lieut. Twomey M. Clifford.
Second Lieut. Harry A. Welsch, jr.
Second Lieut. Tranny L. Gaddy.
Second Lieut. Dennis J. O'Toole.
Second Lieut. Melvin H. Leonard.
Second Lieut. Ben C. Marable.
Second Lieut. Arthur A. Weiskopf.
Second Lieut. Francis O. Noble.
Second Lieut. John A. Ballard.
Second Lieut. Harry H. Martin.
Second Lieut. Herbert T. Perrin.
Second Lieut. Arthur W. Pope, jr.
Second Lieut. Joseph B. Conmy.
Second Lieut. Emons B. Whisner.
Second Lieut. George W. Griner, jr.
Second Lieut. Hugh T. Mayberry.
Second Lieut. Charles D. Pearce, jr.
Second Lieut. Edward D. McDougal, jr.
Second Lieut. Philip W. Lowry.
Second Lieut. Charles P. Winsor.
Second Lieut. John Doble.
Second Lieut. Moses McK. Darst.
Second Lieut. Robert R. Smith.
Second Lieut. Evan C. Dresser.
Second Lieut. James G. Carr.
Second Lieut. Daniel E. Farr.
Second Lieut. Chester McN. Woolworth.

PROVISIONAL APPOINTMENTS IN THE ARMY.

INFANTRY ARM.

To be second lieutenants with rank from October 9, 1917.

Sergt. George E. Kraul, Company L, Fifteenth Infantry.
Sergt. Peter A. Ryan, Quartermaster Corps.
Corpl. Archie D. Cameron, Company A, Fifteenth Infantry.
Pvt. (First Class) Ray W. Miner, Medical Department.
Pvt. (First Class) Jack A. Nichols, Quartermaster Corps.

APPOINTMENTS IN THE NAVY.

Medical Director William C. Braisted to be Surgeon General and Chief of the Bureau of Medicine and Surgery in the Department of the Navy, with the rank of rear admiral, for a term of four years, from the 11th day of February, 1918.

Brig. Gen. George Barnett to be major general commandant of the Marine Corps for a period of four years from the 25th day of February, 1918.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 14, 1918.

ASSISTANT SECRETARY OF WAR.

Benedict Crowell to be Assistant Secretary of War.

AUDITOR INTERIOR DEPARTMENT.

David C. Reay to be Auditor for the Interior Department.

AIRCRAFT BOARD.

Howard E. Coffin to be chairman of the Aircraft Board.
Richard Howe to be a member of the Aircraft Board.

PUBLIC HEALTH SERVICE.

Asst. Surg. Walter Matthew Jones to be passed assistant surgeon.

Asst. Surg. William Howard Slaughter to be passed assistant surgeon.

Asst. Surg. James Gayley Townsend to be passed assistant surgeon.

POSTMASTERS.

ILLINOIS.

Frederic A. Perkins, Canton.

KENTUCKY.

J. B. Cray, Millersburg.
Cora Singleton, Waynesburg.

NEBRASKA.

Anton J. Ruyicka, Belgrade.
Charles P. Davis, Bladen.
D. A. Berkey, Davenport.
C. G. Fritz, Hooper.
J. E. Scott, Osmond.
Charles H. Mohr, Plainview.

NEW YORK.

Ira Baker, Amagansett.

RHODE ISLAND.

S. Martin Rose, Block Island.
Charles J. Baron, Centerdale.
George W. Jenckes, Slatersville.
Reuben A. Gibbs, West Barrington.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 14, 1918.*

The House met at 12 o'clock noon.

Rev. William Couden, of Washington, D. C., offered the following prayer:

Lord God Almighty, with all reverence we pray; down with autocracy and all special class privilege—all the world's Hohenzollerns and junkers; and long live our American Republic and all other democracies and the growing power of the people's will throughout the world. Save us from mere futile theorizing; but under the sense of Thy universal Fatherhood may we approximate and finally realize the universal brotherhood of man.

To this end cooperate with us in our public work to-day. In the name of Jesus of Nazareth, amen.

The Journal of the proceedings of yesterday was read and approved.

TAXES ON CERTAIN INCOMES, DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering a bill (H. R. 9248) the title of which is "A bill to prevent extortion, to impose taxes on certain incomes in the District of Columbia, and for other purposes"; and pending that motion I would like to come to some agreement with the gentleman from Massachusetts [Mr. TINKHAM] as to some reasonable limit on general debate.

The SPEAKER. The gentleman from Massachusetts is recognized.

Mr. TINKHAM. Mr. Speaker, I would like to ask the honorable Representative from Kentucky what he thinks a reasonable time would be?

Mr. JOHNSON of Kentucky. I would like about an hour and a half on this side.

Mr. TINKHAM. I should think two hours here would be sufficient.

Mr. JOHNSON of Kentucky. The gentleman, I think, ought to be willing for an hour and a half on a side.

Mr. GILLETT. Do you expect to divide the time with the men on this side who are favorable to the bill?

Mr. JOHNSON of Kentucky. Yes; I expect to. I expect to spend a portion of the time myself in explaining the bill, and after I have done that and answered such questions as I am able to answer I will yield to anybody, and especially to gentlemen on that side who are in favor of the bill.

Mr. GILLETT. One gentleman on this side, I understand, is in a judicial attitude, partly for and partly against the bill, and he would like to have 30 minutes.

Mr. JOHNSON of Kentucky. That is the gentleman from Michigan [Mr. MAPES]?

Mr. GILLETT. Yes.

Mr. JOHNSON of Kentucky. I would suggest that I have an hour and a half, and the gentleman from Massachusetts [Mr. TINKHAM] an hour and a half, and the gentleman from Michigan [Mr. MAPES] half an hour.

Mr. MAPES. Mr. Speaker, reserving the right to object, as the gentleman from Kentucky and the gentleman from Massachusetts will recall, this bill was discussed very little in committee, on the theory that we would have a chance to discuss and debate the bill on the floor of the House. It is one of the most important bills, so far as the District of Columbia is concerned, that has been presented to the House in many moons. I know of several Members who have expressed a desire to discuss it. It does not seem to me that that is going to give any time commensurate with the importance of the measure.

Mr. JOHNSON of Kentucky. The general debate would lead us up to nearly 4 o'clock under the proposed arrangement.

Mr. GILLETT. The time to which it will lead, it seems to me, ought not to determine the reasonable amount of debate on it. I think we ought to debate it reasonably.

Mr. JOHNSON of Kentucky. I am quite sure of that.

Mr. GILLETT. We do not want to waste time, of course.

Mr. JOHNSON of Kentucky. In determining the time for general debate, we must recognize the fact that we have only to-day.

Mr. GILLETT. Does the agreement give us only to-day?

Mr. JOHNSON of Kentucky. That is my understanding of it, that we have only to-day.

Mr. STAFFORD. Of course, if the bill is not finished to-day the gentleman will have the privilege of bringing it up on next District day.

Mr. JOHNSON of Kentucky. Yes; I will have the privilege of bringing it up on the next District day.

The SPEAKER. What is the gentleman's proposition?

Mr. JOHNSON of Kentucky. I propose that I have an hour and a half and that the gentleman from Massachusetts [Mr. TINKHAM] may have an hour and a half, and the gentleman from Michigan [Mr. MAPES] half an hour.

Mr. GILLETT. The gentleman from Massachusetts says he would rather have two hours, and then he will accommodate the gentleman from Michigan. He would rather have it that way.

The SPEAKER. The gentleman from Kentucky, pending the motion that the House resolve itself into Committee of the Whole House on the state of the Union, asks unanimous consent that the debate be limited to three hours and a half.

Mr. JOHNSON of Kentucky. I will ask the gentleman from Michigan that if he himself does not use the 30 minutes provided for him he would let me have part of it instead of letting the gentleman from Massachusetts have it all.

Mr. MAPES. So far as I am concerned, I would be very glad to.

The SPEAKER. Now, what is the gentleman's request?

Mr. JOHNSON of Kentucky. That I have control of one hour and a half of the time, and that the gentleman from Massachusetts control two hours of the time, but that he give the gentleman from Michigan [Mr. MAPES] half an hour, and if the gentleman from Michigan does not use that entire half hour he divide it equally between the gentleman from Massachusetts and myself.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the debate be limited to three hours and a half; that he shall control one hour and a half and the gentleman from Massachusetts two hours, and out of that two hours the gentleman from Massachusetts will yield 30 minutes to the gentleman from Michigan [Mr. MAPES], who will have the right to parcel it out to suit himself, and if he does not use it all up he will divide the remnant equally between the gentleman from Massachusetts and the gentleman from Kentucky. Is there objection?

Mr. RUCKER. Mr. Speaker, reserving the right to object—and I do not want to object—I would like to prefer a unanimous-consent request.

The SPEAKER. On this subject?

Mr. RUCKER. No; to put in the RECORD a resolution of a bank in my district declaring that from this time to the end of the war it will pay interest on deposits on monthly balance to the Red Cross, and pay all dividends accruing to the bank to the Red Cross without declaring to the stockholders anything of the proceeds.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER. The question is on agreeing to the motion to go into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

The SPEAKER. The gentleman from Missouri [Mr. RUCKER] will take the chair.

Mr. MASON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. MASON. I rise on the question of a lack of a quorum. I make the point of no quorum.

The SPEAKER. The gentleman from Illinois makes the point of no quorum. The House has already gone into Committee of the Whole.

Mr. MASON. It has not gone yet.

Mr. GARRETT of Tennessee. The Speaker had called the Chairman to the chair.

The SPEAKER. That is what the Chair was deciding. The gentleman from Illinois can raise the point of no quorum in the committee. Of course there is a difference in the number required to make a quorum, but the Chair can not help that.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9248) to prevent extortion, to impose taxes upon certain incomes in the District of Columbia, and for other purposes, with Mr. RUCKER in the chair.

Mr. MASON. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. JOHNSON of Kentucky. Mr. Chairman, pending that, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Illinois makes the point of no quorum present. The Chair will count. [After counting.] Eighty-nine Members present—not a quorum.

Mr. HAMLIN. Mr. Chairman, I call for tellers on that.

Mr. WALSH. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. What is the gentleman's point of order?

Mr. WALSH. That the Chair has decided that there is not a quorum present and can not use tellers to ascertain that fact.

Mr. HAMLIN. We can have tellers to determine whether there is a quorum present.

The CHAIRMAN. There is not a quorum present. The Clerk will call the roll. The Doorkeeper will lock the doors. The Sergeant at Arms will notify absentees.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Ashbrook	Francis	LaGuardia	Platt
Austin	Gandy	Lesher	Porter
Barnhart	Garland	Lever	Riordan
Beakes	Glass	Lundeen	Rodenberg
Bell	Godwin, N. C.	Lunn	Rowland
Cantrill	Goodall	McCormick	Sanders, Ind.
Capstick	Gray, Ala.	McLaughlin, Mich.	Sanders, La.
Connally, Tex.	Gray, N. J.	McLaughlin, Pa.	Scott, Pa.
Crosser	Harrison, Miss.	Maher	Scully
Curry, Cal.	Hastings	Miller, Minn.	Shouse
Davidson	Heintz	Montague	Snyder
Dent	Hollingsworth	Mudd	Sterling, Ill.
Drukker	Hood	Neely	Sullivan
Dunn	Humphreys	Nicholls, S. C.	Taylor, Colo.
Dyer	Hutchinson	Nichols, Mich.	Vare
Edmonds	Johnson, S. Dak.	Olney	Ward
Fairchild, G. W.	Kahn	Osborne	Wilson, La.
Flynn	Kehoe	Padgett	Winslow
Foss	Key, Ohio	Phelan	Zihlman

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RUCKER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the bill H. R. 9248 found itself without a quorum; whereupon he caused the roll to be called, when 350 Members answered to their names, and he reported the names of the absentees, to be printed in the Journal.

The committee resumed its session.

The CHAIRMAN. The gentleman from Kentucky [Mr. JOHNSON] asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I believe this bill has been so recently reported, and so few Members have had an opportunity of knowing its provisions, it would be better to have the bill read.

Mr. JOHNSON of Kentucky. I suggest that every gentleman will have a chance to read the bill while I am talking.

Mr. STAFFORD. They all want to pay attention to the gentleman when he speaks.

The CHAIRMAN. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the term "real estate" as herein used shall be construed to include lands, buildings, parts of buildings, houses, dwellings, apartments, rooms, suites of rooms and every other improvement or structure whatsoever on land situated and being in the District of Columbia.

The word "person" when used in this act shall be construed to include individuals, partnerships, joint-stock companies, associations, corporations, societies or bodies corporate.

Any word in this act importing the masculine gender shall be construed to extend and be applicable to females or artificial persons or bodies.

The terms "income from real estate" as herein used shall be construed to include all amounts received for the daily, weekly, monthly, or yearly use or occupancy of real estate or for any part of any of such periods of time.

SEC. 2. That, in addition to other taxes imposed by law, there is hereby levied and shall be assessed, collected, and paid to the District of Columbia an annual tax of 100 per cent upon so much of the income from real estate of every person, whether resident or nonresident of said District, received from and after December 31, 1916, as exceeds the deductions herein allowed. For the purpose of ascertaining the amount of income subject to said tax, there shall be deducted from the gross income reported as herein provided so much thereof as equals the average amount charged for the use and occupancy of the same property for the same or a corresponding number of days, weeks, months, year or 18 months, or for any part of any of such periods of time, in, of, or during the 18 months immediately preceding September 30, 1916, plus 10 per cent thereof additional, except in cases where the property was rented or leased "furnished" during the period before September 30, 1916, entering into the computation, and is rented "unfurnished" during the taxable period, in which cases the said additional deduction shall not be allowed.

If no such income was charged or received during said period of 18 months, then the deduction from such gross income shall be an amount equal to 10 per cent of the value of the property producing the income including furniture, if any, as determined by the assessor of the District of Columbia.

In cases where the property was rented "unfurnished" for the period before September 30, 1916, used in the said computation, and is rented "furnished" during the taxable period, then the additional deduction from such gross income shall be increased to 15 per cent.

If the real estate producing the income has been materially improved since September 30, 1916, there shall be an additional deduction from such gross income of an amount equal to 10 per cent of the actual cost of such improvements: *Provided*, That no such deduction shall be allowed for the cost of repairs made necessary or desirable by the ordinary wear and tear of rented or leased property.

No other exemption or deduction from such gross income shall be allowed. It is the intent and purpose of this act to tax at the rate herein fixed so much of every income from real estate as exceeds the deductions specifically authorized by this section.

SEC. 3. That, on or before the 10th of July, 1918, a true and accurate return under oath shall be made by each "person" subject to said tax, or his authorized agent, to the assessor of the District of Columbia, setting forth specifically the gross amount of such income from all separate sources accrued during the period from December 31, 1916, to June 30, 1918, and the deductions to which he may be entitled under this act; and the said taxes thereon, computed as provided in section 2, shall become due and collectible on or before September 1, 1918. And on or before the 10th of August, 1918, and of each and every month thereafter a true and accurate return under oath shall be made by each "person" subject to said tax, or by "his" authorized agent, to the said assessor, setting forth specifically the gross amount of such income from all separate sources accrued during the next preceding month, together with a statement of such deductions. If any person subject to said tax fails to make any such return at the time herein fixed, or makes, willfully or otherwise, a false or fraudulent return the assessor of the District of Columbia shall make the return from his own knowledge or from such information as he can obtain through testimony or by any other means; and the return so made shall be sufficient for all purposes of this act. To the amount of the tax due upon all returns so made by the assessor there shall be added a penalty of 50 per cent of the tax; but when it shall appear that the failure to file the return or the making of a false return was due to an unavoidable or excusable cause the said penalty may be abated by the Commissioners of the District of Columbia. It shall be the duty of said commissioners to prepare and furnish to each taxpayer making application therefor printed forms on which such returns shall be made. The said tax and all penalties thereon shall constitute a superior lien on the "real estate" from which the income has been derived, and shall be assessed and collected by the same officers, at the same time, except as herein otherwise provided, and by similar proceedings as other taxes on real and personal property in said District.

SEC. 4. That if any person or agent subject to said tax fails to file his return as and when herein required, or offers to file a return which, in the opinion of said assessor, is erroneous, false, or fraudulent, the said assessor shall be empowered to examine the books, papers, and accounts of such person and to summon him or any other person having possession, custody or care of books, papers, and accounts relating to the business or income of such person, or the lessee, or any other person, to appear before him and produce such books, papers, and accounts at a time and place named in the summons, and to give testimony and to answer interrogatories under oath respecting any subject relating to the said income or the return thereof.

SEC. 5. That all leases, contracts, and agreements, expressed or implied, providing for the payment of any larger amount of money, or at a higher rate, than that fixed by the deductions herein allowed, for the use or occupancy of any "real estate," are hereby declared to be contrary to public policy and unenforcible; and any person who shall hereafter pay for the use or occupancy of any "real estate" any amount of money, or at a rate exceeding that fixed by such deductions, may sue therefor in the municipal court or in the Supreme Court of the District of Columbia, without regard to the amount in controversy, and in such action shall be entitled to recover of the person receiving such excess, or his agent in the transaction, double the amount thereof and the costs of suit, including a reasonable attorney's fee of not less than $50; but no such action shall be instituted more than five years after the termination of the lease or other agreement under which such payments were made.

SEC. 6. That the provisions of this act shall not apply to any income from real estate, the amount of which was fixed by lease, contract, or agreement made before October 1, 1916, and which was not subsequently increased except as stipulated in such lease, contract, or agreement.

SEC. 7. That the Commissioners of the District of Columbia are hereby authorized and directed to make all reasonable and needed rules and regulations for the enforcement of this act.

SEC. 8. That this act shall remain in force until one year after a treaty of peace between the Imperial German Government and the Government of the United States of America shall have been concluded.

The CHAIRMAN. The gentleman from Kentucky [Mr. JOHNSON] has one hour and a half.

Mr. JOHNSON of Kentucky. Mr. Chairman, I believe that this is one of the many very important bills before Congress. Here, at the Capital of the Nation, a condition exists which, I believe, does not exist anywhere else in all the civilized world. I do not believe, however, that it will be necessary for me upon this occasion to be compelled to show to the House that extortion in its most infamous form is being practiced to an extent never practiced anywhere before, because I believe that the membership know of this condition without my telling them of it. However, I will devote at least a small portion of the time allotted to me for the purpose of inviting attention to some particular instances of extortion. I have in my hand a letter dated February 11, 1918, from an Army officer at present located in the District. Before I read the letter, however, it might be best for me to say that opposition to the passage of this bill to stop rent profiteering comes from three sources:

First, from some gentlemen upon the floor of this House who, I am sorry to say, seem willing that it should continue.

Another source of opposition is the real estate men of the city. I can understand their opposition, particularly when I know that they and their clients are the profiteers.

Another source of opposition is the Evening Star, which since I have been in Congress has been the apologist for many things that are absolutely wrong. In former instances where the interests of the Government clerks were at stake, this paper has

defended the Government clerks. For that I praise it. But in this instance the Washington Star is confronted by a double question—the Government clerks upon one side, to whom it wishes to sell its papers, and the real estate men upon the other side, from whom it receives hundreds of thousands of dollars every year in the way of pay for advertisements.

In taking its choice between the Government clerks whose pennies it takes for subscriptions and the real estate people who contribute thousands to the maintenance of the paper, they forget the Government clerks and go to that side of the question which furnishes the largest revenue. This paper, as every one of you knows, during the last few days has taken the position, indirectly at least, that this profiteering should not be interfered with; and when it takes that position it means that the profiteering must come from the Government clerks and those who pay their pennies to support the paper; and that those who furnish it hundreds of thousands of dollars in the way of advertisements shall go untouched.

Now I will read a letter, as I said, from an Army officer. It is addressed to the editor of the Evening Star, and says:

DEAR SIR: There has been a great deal of editorial comment in your paper lately concerning the pending House bill to punish extortion in the District—very little news or comment on the bill itself. If the Star is a newspaper, why not give as much publicity to the bill as you do to attacks on it, or on the Government's prosecution of the war?

There is one gem of humor in your editorial of Friday evening, February 8, which deserves a place among the classics with Josh Billings's and Joe Miller's best; it is: "Wealthy newcomers are competing with one another in the tender of tempting rental offers," etc.

Poor Washingtonians, tempted beyond their power of resistance; but how about the newcomers who are not wealthy, who are poorer by 50 to 80 per cent than we were before we came to help, who have walked the streets in vain for weeks to find a few small rooms for less than $100 a month?

Look at the tempting (?) offers made by the new landlords in your own paper, then find out the original rent, and push down this veil of hypocrisy and try to help cure a very real evil which anyone who has eyes can see.

The Government asks for new landlords, as it asks for new soldiers, to make a sacrifice, not a fortune.

Yours, truly, ——— ———.

Mr. ALEXANDER. Did the Evening Star publish that letter?

Mr. JOHNSON of Kentucky. I looked in the Star and did not find it.

Mr. Chairman, last night I took a Washington Star of yesterday and looked over a few of the rent advertisements. Under the head of "Furnished rooms for rent" I found 107 advertisements. Out of these 107 advertisements only 17 gave the price at which the room was to be rented. What does that mean? That means that they were ashamed or afraid in the face of this Congress to publish the exorbitant rates that they intend to demand of those who have come here to help win the war.

Under the head of "Rooms wanted" there were 28. Why do these 28 people who have come to Washington to do their bit have to advertise for rooms when 107 rooms are right here before their faces advertised for rent? The answer is, that the prices are too high; that they are not able to pay them, and consequently they themselves put advertisements in the same paper, seeking quarters within the reach of their poor purses.

In yesterday's Star, under the head of "Furnished rooms," 14 apartments were advertised, and out of those only 5 have the audacity to state the prices. But that is not all. In the same paper 16 people advertised for rooms or apartments right by the side of these 14 apartments which were advertised for rent. Is it not reasonable to suppose that these people who are advertising for apartments have gone to see the advertised apartments, but could not get them because the price was beyond their reach? We have a concrete case where the secretary of the gentleman from Ohio [Mr. GORDON] tried to get a room, and one of the principal real estate agencies in town would not let him go and look at a room until he deposited $35. When he went and looked at it he found that he could not live in it, and this scoundrel refused to give him back the $35 or any part of it. If rumors be true, and I hope they are, as a result of a grand jury investigation, the United States marshal in a few days will wait upon this particular gentleman. [Applause.]

Rents in Washington are well known to all. I see in the Star here that there is a good chance for a Government clerk on a $900 salary to get three rooms in Massachusetts Avenue at $300 a month. I see another place where he can get two rooms—a small room and a kitchenette, for $80 a month. Here is another place on Connecticut Avenue where he can get two rooms for $200 a month. Here is another place, an apartment of two or three bedrooms, from February 20 to June 15, at $300 a month.

Mr. SMITH of Idaho. Has the gentleman any information what these apartments rented for a year ago?

Mr. JOHNSON of Kentucky. I have not. I did not see these advertisements until last night. Here is another apartment, furnished, for $125 a month; another at $160; another at $250; another at $300; another at $250; another at $250; another at $250; another at $150; and a very modest apartment, within the reach of every Government clerk, at $2,000.

Mr. WINGO. What is the gentleman reading from?

Mr. JOHNSON of Kentucky. From the Washington Evening Star.

Mr. TAYLOR of Arkansas. Do these prices include board?

Mr. JOHNSON of Kentucky. No; simply the rent of the rooms or apartments. I have in my hand a clipping handed me by the secretary of the gentleman from Ohio, Mr. GORDON, in which rooms are advertised for rent in the city of Cleveland, a city of 800,000 inhabitants.

Here is a furnished flat for $40 a month. Here is one at Forestdale, three rooms and a bath, first floor, furnished, $25 a month; another, five rooms and bath, completely furnished, with a piano, $35 a month. These are houses, not rooms. Here is another house of five rooms and a bath for $25. Another place, six rooms and a bath, furnished, $30 a month.

Mr. MOORE of Pennsylvania. In what city are these lower rents?

Mr. JOHNSON of Kentucky. Cleveland, Ohio.

Mr. MOORE of Pennsylvania. Does not the gentleman think it is worth the difference to live in Washington? [Laughter.]

Mr. JOHNSON of Kentucky. If the gentleman had said Philadelphia instead of Washington, I might have agreed with him.

Mr. SMITH of Michigan. Rockefeller lives in Cleveland, does he not?

Mr. JOHNSON of Kentucky. I believe it is difficult to determine just where Mr. Rockefeller does live. Here is another house, of seven rooms, at $40; another adjacent to Edgewater Park, eight rooms, two baths, large porch, and sun porch, $85. Another six-room house, with a furnace and garage and garden, $18 a month. Here is another of eight rooms, well furnished, for $45 a month. Here is another, an apartment, for $20 per month. That illustrates, in short order at least, the difference in rent between this city and the city of Cleveland.

Mr. TINKHAM. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. TINKHAM. I desire to ask the honorable Representative from Kentucky if he does not believe there are places, apartments, and rooms that can be obtained in Washington of a different sort than the advertisements in the Star show, of the same kind that the advertisements or the newspaper articles show can be had in Cleveland, and for the same price?

Mr. JOHNSON of Kentucky. I do not.

SEVERAL MEMBERS. No! No! No!

Mr. TINKHAM. Does he not think there are apartments and rooms that can be had for $45 a month in Washington?

Mr. JOHNSON of Kentucky. I have seen some advertisements recently in the Washington newspapers to that effect, and I have talked with people who have gone to see them, and without exception every one of them has told me that when he got to the place where the room was advertised he found that the price had been raised. I have a letter here with me, which I do not find for the moment, which tells of this instance. Two Government clerks in Washington were renting a house at $75 a month. Others came on, and three others, making five all told, saw an advertisement of a house for $250 a month, furnished. They concluded they would rather go to this house at $250 a month and all five families go into it—whether they had families or not I do not know—but all five of these clerks at least, and divide the rent. When they went to see the house which was advertised in the newspaper at $250 per month, what did the woman tell them? She told them that she had raised her price from $250 a month to $1,000 a month, or $8,000 for eight months. I have that statement in writing with me, signed.

Mr. BENJAMIN L. FAIRCHILD. Possibly she did not like their appearance.

Mr. JOHNSON of Kentucky. It was their pocketbooks that she did not like, else she would have closed the deal with them at $250 a month. This letter further states that the combined salaries of the five men did not amount to $1,000 a month.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. SMITH of Michigan. Can the gentleman tell how many vacant houses there are in the city of Washington that are for rent?

Mr. JOHNSON of Kentucky. No; I can not; but I believe from what I have gathered that most of those that are for rent are beyond the reach of the pocket of the man who is brought here to do his bit in this war.

Mr. SMITH of Michigan. Every paper carries a list, does it not?

Mr. JOHNSON of Kentucky. I just read a long list.

Mr. MOORE of Pennsylvania. It is patent that a clerk who earns $1,200 a year or thereabouts can not pay $1,000 a month rent for an apartment.

Mr. JOHNSON of Kentucky. But these people would have him pay it.

Mr. MOORE of Pennsylvania. To whom does the gentleman think these apartments are rented at these large figures?

Mr. JOHNSON of Kentucky. I can tell of one instance where a man found himself in a $75 a month house, with a sick wife and a sick child. He was getting $2,400 a year. The rent was raised on him from $75 a month, if my memory serves me correctly, to $250 a month. He could not go out with a sick wife and child into the snow and the storm, and he went beyond his salary and into his savings and paid it, and for this month the same man is asked $350 for the same premises.

Mr. MOORE of Pennsylvania. That is unfortunate and reprehensible.

Mr. JOHNSON of Kentucky. And by this bill I am after the reprehensible part of it.

Mr. MOORE of Pennsylvania. Is it not a fact that a great many men have been invited to come to Washington, men of wealth, some of them, to work for a very little compensation, who can afford to pay these large rents for apartments and houses, and is it not due to the fact that they are ready to pay these prices that the people of Washington that have property to rent have gotten on to the fact that they can get them?

Mr. JOHNSON of Kentucky. Something of that is true. I heard of an instance—in fact, a real estate broker told me—where a man here had a house worth about $35,000, and a man offered him $16,000 a year rent if he would get out and surrender it to him. I have no more sympathy for the one than I have for the other.

Mr. MOORE of Pennsylvania. I wonder whether the man who owns the property can be held under the gentleman's bill for asking any price he sees fit for his property.

Mr. JOHNSON of Kentucky. I do not care what he asks, but if this bill passes it will stop the practice of profiteering in the District of Columbia. [Applause.]

Mr. MOORE of Pennsylvania. The question with me is whether some responsibility does not rest with the man who is willing to pay these exorbitant prices, and who thus contributes to the general increase in rates all over the District.

Mr. JOHNSON of Kentucky. I think he is culpable, also.

Mr. FOCHT. Mr. Chairman, will the gentleman yield?

I would like to ask this in connection with the articles read from the newspaper, whether the responsibility rests with the owner of the property or with a speculator who is readvertising these places for rent?

Mr. JOHNSON of Kentucky. I shall come to that presently.

Mr. FOCHT. I wish the gentleman would. I know of instances where apartments have rented for $30 and sublet for $125. I think we should get at the right person.

Mr. JOHNSON of Kentucky. I shall come to that later on. Among the many letters that I have received is one from a gentleman complaining of an extortionate raise in his rent. He is in the life insurance business here in Washington, and he hails from the city of the gentleman from Massachusetts, Boston.

Here is a complaint which has reached me, of Mrs. M. E. Parkins, who lives on Euclid Street. She has a landlord by the name of Saunders, and she has been paying $50 a month rent, and he has raised her rent to $100 a month and has been to see her and urged her to sublet the property at $200 a month, saying that he was doing some of that sort of renting. Here is an extravagant, outrageous thing. In looking over the letter hastily, without reading it all, I find a complaint from Massachusetts Avenue, that the landlady has 93 people, some girls sleeping three in a room, and charges $37.50 each, and the letter says:

> I think somewhere there are only one or two in a room.
> The $37.50 includes board, and that is high, including the number of people who are forced into one room. This same woman has the Kaiser's picture in her bedroom, and that is going some.

I have here another communication, where the writer says that his rent has been increased 450 per cent. Here is another, whose rent has been increased from $35 to $40. Here is another, where the rent has been raised from $15 to $40. And here is a letter from a man who says that he has four sons who have gone to the front, and his rent has been raised about 100 per cent. He says in his letter that he and his family, to the fullest extent that they can do so, have been buying the smaller denominations of liberty bonds and the war stamps, and that he prefers to give whatever money he has to spare to that good cause rather than to the profiteering landlords of the District of Columbia. [Applause.] Here is an instance where more rent is paid for one room in a house than the landlord pays for the whole house. Here is another instance of an increase of 100 per cent, and here is one where the rent has been increased from $50.50 to $75. Right there, why the 50 cents? I have asked that question, and they tell me it is to cover water rent. And I see they raised one poor widow's rent from $51.33 a month to $100.

I asked her what the $1.33 a month was for, and she said: "That is to pay the water rent." I said: "What does your water rent amount to?" She said she did not know. I then wrote a letter to the Commissioners of the District of Columbia and asked them what the water rent was for premises 1207 First Street NE., or NW., I am not sure which, and they wrote me that the basis of the water rent was $4.50 a year, but that excess water had been used and for one year they had charged these premises $9 and something a year and another year $7 and something, and for another year $7 and something. I asked for the next preceding three years, and found that poor woman had been compelled to pay $16 a year water rent, when her landlord was paying only $7 and $9 for that service. That much money was being stolen from this woman, and I would be glad to see a grand jury get hold of that case and somebody punished. [Applause.]

Here is a communication which says Mr. Gill was paying $43.50 per month, and they put the 50 cents on; the lease expires October 1, 1918, and he was not allowed to sublet his apartment; his wife died and he surrendered the lease to the real estate agents, Shannon & Luchs. Mrs. Peters called on the real estate agent and was told the rental would be $150 a month.

Here is a communication from a man who complains of his rent having been raised on his storehouse something like 50 per cent, and he asks the very pertinent question why it is that Congress permits his landlord to increase the rent upon him when the law forbids him increasing the price of the foodstuffs which he must sell from this storehouse. [Applause.]

Here is a communication from another whose rent has been raised three times in the last nine months; and from another who has been raised 100 per cent; and here is another, and I have indorsed on the back of the envelope that while his sons are in the service the rent has been extortionately increased. Here is another case of a raise of 150 per cent.

Mr. SLOAN. Will the gentleman yield at that point?

Mr. JOHNSON of Kentucky. I will.

Mr. SLOAN. I am very much interested in what the gentleman is saying, and I would like to ask him, Is it not a fact that the owners of these properties contribute to the District of Columbia only one-half of taxation for the support and protection of their property. Is not that the rule?

Mr. JOHNSON of Kentucky. The people of the gentleman's State and mine, and of every other Member of this body, bear their own tax, and then, in addition, pay half of the expenses of the District government.

Mr. SLOAN. One other question. Has the gentleman any figures—I think they would be very interesting—to compare the valuation fixed by the taxing authorities on these various properties with these rental amounts? I think the gentleman will find that the rentals now being charged on a good deal of this property for a year or so are more than the valuation on these properties fixed for assessment purposes. Is not that the fact?

Mr. JOHNSON of Kentucky. I have not gone over those figures, but I fear the gentleman is correct.

Mr. SLOAN. I would like for the gentleman to look into that.

Mr. MEEKER. Will the gentleman yield for a question before he goes beyond the point brought out by the gentleman from Nebraska calling attention to the fact that property owners pay half the taxes and the Government the other half—that is considered a fair deal——

Mr. JOHNSON of Kentucky. I do not think so.

Mr. MEEKER. The Government certainly occupies enough territory here at the present time that it should bear the burden.

Mr. JOHNSON of Kentucky. We are getting into a question now that is entirely foreign to the subject under discussion; but I do not believe the gentleman is at all familiar with the extent to which the Government owns property in the District of Columbia.

Mr. BURNETT. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.

Mr. BURNETT. Does the bill of the gentleman provide for the extortionate increases by hotel people?

Mr. JOHNSON of Kentucky. It does, and I will come to that later.

Mr. BURNETT. And may I ask the gentleman, does the bill provide for a case of this kind, where a hotel man permits an elevator to remain out of commission for a week or 10 days and

guests have to walk up and down the stairway for that length of time?

Mr. JOHNSON of Kentucky. No; it does not.

Mr. BURNETT. I call the gentleman's attention to the fact that I have a "feeling" knowledge of a case of that kind. [Laughter.]

Mr. GREENE of Vermont. If the gentleman will permit, I would like to call his attention to the fact that a great many hundreds of Army officers have been ordered by the War Department to come to this city for duty. They do not come here from choice. And finding that there are no quarters such as are usually provided by the Government for such officers, they have been obliged to pay these rents; and so they, too, have been imposed on outrageously when they come here to serve their country in time of war.

Mr. JOHNSON of Kentucky. In answer to that I will say to the gentleman that only a few days ago the Comptroller of the Currency called me up and said that he had knowledge, coming to him only the day before, of where the War Department, I believe it was, had called a man here from Norfolk, Va., an official, to be consulted relative either to the war or naval conditions down around the Chesapeake Bay. That man, I say, living at Norfolk, was a public official. As such, under the law he was allowed $5 a day for travel and sustenance. When he arrived in Washington at 11 o'clock at night and went to the Raleigh Hotel to sleep from then until 7 o'clock the next morning they demanded of him $10 for a room—more than $1 an hour for a bed. He then went to the Harrington Hotel, and there they did let him sleep until morning for $6, a dollar more than the Government allowed both for his eating and sleeping.

Mr. GREENE of Vermont. May I also suggest to the gentleman that there are a good many young second lieutenants who are ordered to this city for duty, and that they are allowed under the law for commutation of quarters $12 a month for a room; and one has only to compare the prices which are charged by these highbinder landlords to see where they come out with their salary.

Mr. JOHNSON of Kentucky. Now, Mr. Chairman, I come to the minority report signed by three gentlemen of the committee.

Mr. FESS. Will the gentleman yield to just one observation? Referring to what the gentleman from Vermont [Mr. GREENE] said, I would like to make a statement concerning a high-salaried gentleman who was brought here from New York City. I speak of it because he happens to be a personal friend of mine. He was brought from New York City, from a salary of $5,000 a year in a very responsible position, and took, on his own choice, a first lieutenancy—and the gentleman will understand the salary. He was loaned from New York to the War Department here. He rented quarters at $55 a month and brought his family to Washington. He has been notified that his rent at the end of a certain period will be raised to $75, and also there has been a suggestion of a raise to $90 to follow. And under a peculiar arrangement that was not anticipated in New York the loaning has ceased, and instead of his salary being made up, as was promised originally, it will not be made up. But here is a gentleman who is serving the country, a high-minded, splendidly educated, well-trained man, at $2,000 a year, who will have to go off into some place where he can get living quarters that will enable him to live within his salary. I think that is one of the most outrageous things that I know of, leaving out the rest of us who suffer likewise.

Mr. DOWELL. Has the committee made any effort to ascertain whether it would be impossible to compel landlords to clean some of the snow and ice from the sidewalks of the city of Washington?

Mr. JOHNSON of Kentucky. No. The committee has not gone into that subject yet.

As I was saying when I yielded to the gentleman from Ohio, I wish to discuss the minority report signed by three members of the Committee on the District of Columbia.

Mr. DECKER. The gentleman said he would refer to the question of sublessees.

Mr. JOHNSON of Kentucky. I will later.

Mr. LINTHICUM. I thought the gentleman was going to take up the hotel question.

Mr. JOHNSON of Kentucky. I will take that up later.

The minority report, signed, as I said, by three gentlemen of the committee, was written, I am quite sure, by the gentleman from Massachusetts [Mr. TINKHAM]. In that minority report he says:

> The undersigned believe that most of the alleged improper increases of rentals sought to be eliminated by the bill will not be prevented by it.

If the gentleman's surmise is correct, then I am quite sure he would be willing to withdraw his objection to this bill. I know beyond surmise that the real estate people here would withdraw their objection to it and let the bill go to final passage if it does not stop profiteering.

Mr. BARKLEY. Will my colleague yield?

Mr. JOHNSON of Kentucky. I will.

Mr. BARKLEY. Does this bill provide for cases where property has not heretofore been rented, private homes?

Mr. JOHNSON of Kentucky. It does; and I will come to all that if I can be given the opportunity.

Mr. BARKLEY. I want to call the gentleman's attention to one instance where an employee of the War Department a few days ago was brought to Washington, and he heard of two rooms and a bath that were for rent. He went out to the private home and asked what they wanted for them, and the lady told him she did not have to rent them, that she did not need the money, but she wanted to help the Government out; that she understood the Government was in a tight place for rooms, and she was willing to take $275 a month for these two rooms and bath.

Mr. GORDON. A month?

Mr. BARKLEY. Yes; a month.

Mr. GORDON. She was "doing her bit." [Laughter.]

Mr. JOHNSON of Kentucky. That is a fair sample of local patriotism.

The minority report further says:

> The enforcement of the provisions of the bill, if passed, would lead to grave injustices and greater abuses than now maintain, and, finally, that the present policy of the Government of the United States to obtain greater housing facilities for both business and residential purposes in the District of Columbia would be retarded, if not defeated.

He says further:

> The other novel principles of law contained in the bill, if passed, are unsound and without precedent—

And so forth. Yes; the provisions of this bill are without precedent, and they have to be, in order to meet an extortionate condition which has never had a precedent since the beginning of time. [Applause.]

In the report written by the gentleman from Masscahusetts he says:

> The bill will affect about $200,000,000 worth of real estate and about $15,000,000 worth of personal property in the nature of furnishings and fixtures in the District of Columbia.

Now, in one part of this report the gentleman from Massachusetts says that the property owners themselves are not guilty of this extortion, but that their tenants are, and that if their tenants should not pay the income tax of 100 per cent that is provided for in this bill, and that payment should be made a lien upon the real estate, then the owners of the property would suffer and the tenants who sublet it would not. But does not the gentleman say that the bill involves $15,000,000 worth of furnishings? And God knows that with $15,000,000 worth of furniture the owners are amply indemnified.

Further along in the minority report it is stated that the bill is ambiguous in some respects. It may be. I do not claim to be a Daniel Webster or from Boston. It is not only possible, but probable, that something has been overlooked in this bill. If so, I welcome amendments in the way of correction. But God knows I do not want the money lenders to write the usury laws of the land; neither do I want the rent profiteers to write the laws concerning the rental of property in this District. [Applause.]

Mr. CRISP. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Kentucky. Certainly.

Mr. CRISP. My colleague was just calling attention to the provision in the minority report that this would be an injustice to the landlords if their tenants sublet the premises. Is it not true and is it not the regular form, of all leases within the District——

Mr. JOHNSON of Kentucky. I am coming to that——

Mr. CRISP. That the landlord must consent to the subleasing?

Mr. JOHNSON of Kentucky. Yes; but I am coming to that.

I am taking the minority report section by section as I go along, and in that it is stated that the value of these properties must be taken according to their "assessed" value. The gentleman from Massachusetts will see upon careful reading of the bill that in that he is mistaken; that the assessor, under certain conditions, fixes values, but he fixes them for the purposes of this bill, and not for taxation. In order that that may be perfectly clear, since it does not seem to be clear to the mind of the gentleman from Massachusetts, I will offer an amendment to clarify it when we reach that place in the bill.

The gentleman also says in his minority report:

> The bill plainly proposes not only to take from the owner of real estate all of the rentals in excess of these amounts from the date of the passage of the bill, but all the rentals in excess of these amounts which have been paid to the owner from the 31st day of December, 1916, to the date of the passage of the bill.

It seems that that part of the bill is not ambiguous at all. The gentleman understands it. That is exactly what I propose to do by the terms of this bill.

Again he says:

The device by which any greater rentals than those allowed by the bill are to be prevented is by the provisions in section 2, that any charge or payment made in excess of these rates and percentages shall be taxed at the rate of 100 per cent and paid to the District of Columbia.

The gentleman understands that aright. I propose by this bill to tax all extortion to the extent of 100 per cent of it.

Further along he says:

It is freely admitted by the proponents of this bill that neither in America nor in foreign countries is there any precedent for it, so far as is known. It is also admitted that the tax of 100 per cent is without any precedent in any American statute or that of any foreign land, so far as is known.

The objections to the bill as drawn are most profound.

I suspect that the gentleman did not understand quite clearly those to whom he refers, and he did not do so if he referred particularly to me. Take the case of whisky. It costs 40 cents a gallon to make, and you have got a tax on it now of about 800 per cent. There are other things that are taxed accordingly. The present income tax of the United States taxes some parts of great fortunes to the extent of 66⅔ per cent. Under this bill the landlord is permitted to go 10 per cent above the prices of 1916, and after that all is taken in the way of taxation. I am not quite sure that I am exactly right in drafting the bill to permit them to have that 10 per cent.

Mr. LONDON. Mr. Chairman, will the gentleman yield there?

Mr. JOHNSON of Kentucky. I do.

Mr. LONDON. On the subject of the experience of other countries, I understand that New South Wales has passed a similar law, except that they have established a special court which has the power to determine the amount of rent which is to be paid, and that England and France have been tackling this very problem.

Mr. JOHNSON of Kentucky. The gentleman from Massachusetts in his report says that the terms of the bill do not apply to hotels and boarding houses. But I say they do, provided the hotel is run upon the European plan. But the bill does not reach the hotel or the boarding house that is run on the American plan. That is where the room and the board are furnished under one price. But I have prepared an amendment to the bill, which I will offer at the proper time to make a distribution of the price paid between the room and board.

There is one part of the minority report to which I wish to invite particular attention, and that is where the gentleman from Massachusetts says:

The rates of taxation upon real estate of the same kind, or used for the same general purposes, are unequal, which is a violation of the first principle of every measure of sound taxation. Under the terms of the bill, if a piece of property were occupied previous to September 30, 1916, the rate then charged plus 10 per cent fixes the income, which in turn fixes the amount of the tax, or if the property were unoccupied or not built at that time, then the assessed value fixes the income, which in turn fixes the amount of the tax; and if, by chance, the property were a boarding house or hotel where room and board were charged in gross amount, that property under the bill would escape taxation, as no provision of the bill covers property so used; so that in one block there well might be three owners of real estate; one with his income and, consequently, his tax fixed on the basis of what he was charging for rental the 30th day of September, 1916, and 10 per cent more; another with his income and, consequently, his tax fixed on the basis of 10 per cent of the assessed valuation; and a third, providing room and board in gross amount, not coming within the terms of the bill. This plainly would be unconstitutional, as taxation of the same kind of property must be equal and at the same rate, and not discriminatory.

Now, this is not a tax upon real estate. The three houses in the same square of which the gentleman speaks are not taxed at all, but the income from those three houses is uniformly taxed. Bear in mind that it is the "income" that is taxed and not the "real estate."

Mr. LONGWORTH. Will the gentleman yield for a question for information?

Mr. JOHNSON of Kentucky. I yield to the gentleman from Ohio.

Mr. LONGWORTH. How would the amount to be charged be determined for rooms in a hotel which has been recently built and has not been rented?

Mr. JOHNSON of Kentucky. I provide for that in the bill.

Mr. LONGWORTH. The gentleman simply provides that an amount of rent equivalent to 10 per cent of the assessed value may be charged, but that would not provide for the particular charge against certain rooms.

Mr. JOHNSON of Kentucky. Oh, yes; each room is to be taken separately.

Mr. LONGWORTH. How could the gentleman determine that? His bill provides only that where no rent has ever been charged for a building a rent equivalent to not more than 10 per cent of the assessed value of the property may be charged.

Mr. JOHNSON of Kentucky. No; I did not say "assessed" value.

Mr. LONGWORTH. Of the value to be determined——

Mr. JOHNSON of Kentucky. By the assessor.

Mr. LONGWORTH. That might be workable in the case of one single building; that is to say where there was only one rent charged for the whole building.

Mr. JOHNSON of Kentucky. At the end of each month the books of the hotel can be gone over to see what they collected for the rooms during the whole month and apply that to the cost.

Mr. SNOOK. Mr. Chairman, do I understand the gentleman to say that this provision on page 2, in lines 11 and 12, covers the question of subletting?

Mr. JOHNSON of Kentucky. Read it, please.

Mr. SNOOK. It is—

That, in addition to other taxes imposed by law, there is hereby levied and shall be assessed, collected, and paid to the District of Columbia an annual tax of 100 per cent upon so much of the income from real estate of every person, whether resident or nonresident of said District, received from and after December 31, 1916, as exceeds the deductions herein allowed.

Mr. JOHNSON of Kentucky. It is an income tax, no matter by whom it is received.

Mr. SNOOK. Do I understand the gentleman to say that it covers the question of subletting?

Mr. JOHNSON of Kentucky. Certainly. If the one who sublets gets a revenue from it, that revenue is the income which is taxed.

Mr. SNOOK. Yes; but let me point out to the gentleman that the case of subletting is a rental for mixed property, for the use of the room and the personal property in the room.

Mr. JOHNSON of Kentucky. The bill takes care of that.

Mr. SNOOK. Where is that?

Mr. JOHNSON of Kentucky. My time is running now. If the gentleman will read the bill he will find it. If not, I will find it for him.

Mr. KEARNS. Will the gentleman yield for this question? I do not believe the gentleman understood the question of the gentleman from Ohio [Mr. LONGWORTH]. For instance, here is a hotel which cost half a million dollars to build. We will say it has 200 rooms in it. Some of those rooms are renting for $1.50 a night.

Mr. JOHNSON of Kentucky. I never heard of such here.

Mr. KEARNS. We will say for illustration some are renting for $5.

Mr. JOHNSON of Kentucky. That is not up to the price they are charging.

Mr. KEARNS. Five dollars a night?

Mr. JOHNSON of Kentucky. I just recited an instance where a gentleman could not get a room at the Raleigh for less than $10 from 11 o'clock at night until next morning.

Mr. KEARNS. Suppose they rent one room for $15. That is a good room. They have a more expensive room for $25 per night. I never heard of any such prices as that and I can not deal with those figures, but I am using that for an illustration. How are you to know that a room that rented for $15 per month is renting for 10 per cent of the cost of construction and furnishing of that one identical room?

Mr. JOHNSON of Kentucky. Oh, that is dead easy. There is not a house in Washington, there is not a house in any city of consequence that is not erected on the cubic-foot plan.

Mr. KEARNS. That is the way you arrive at it, do you not?

Mr. JOHNSON of Kentucky. I do not know how the assessor would arrive at it, but that would be the first step I would take.

Mr. LINTHICUM. May I ask the gentleman a question for information?

Mr. JOHNSON of Kentucky. My time is running.

Mr. LINTHICUM. We want to get all the information we can on the subject, and I think the gentleman ought to give it to us.

Mr. JOHNSON of Kentucky. My time is so short I can not answer every question.

Mr. LINTHICUM. We will have to get it from some one. Is the provision on page 3, line 5, the one which covers hotels that have not been in operation heretofore?

Mr. JOHNSON of Kentucky. I will ask the gentleman to read it.

Mr. LINTHICUM. Do I understand that such a hotel would only be entitled to receive 10 per cent upon the valuation placed upon the property?

Mr. JOHNSON of Kentucky. New hotels.

Mr. LINTHICUM. How about the service that they render?

Mr. JOHNSON of Kentucky. They get paid for that forty times over in the restaurant.

Mr. LINTHICUM. No; I mean the service they give to the rooms—bell boys, chambermaids, and so forth.

Mr. JOHNSON of Kentucky. The profit allowed for that is quite ample, except from the standpoint of the millionaire.

Mr. LINTHICUM. Ten per cent upon the valuation placed upon the property?

Mr. JOHNSON of Kentucky. Yes.

Mr. LINTHICUM. In my town we expect to receive 10 per cent upon real estate, to provide for taxes, repairs, and so on.

Mr. JOHNSON of Kentucky. That will pay it and more.

Mr. LINTHICUM. And that is for the house itself—not for any service whatever.

Mr. KEARNS. I am intensely interested in this, and I am going to vote for the gentleman's bill whether it will cure this evil or not, because I am in sympathy with any attempt to stop these highbinders of Washington. I would like to see some provision put in this bill that would require putting into each hotel room a statement of what the lessee of that room ought to pay per night for that room.

Mr. JOHNSON of Kentucky. I have seen that in a number of hotels, and I believe it ought to be done here.

Mr. KEARNS. Could you put that in this bill?

Mr. JOHNSON of Kentucky. I believe it ought to be done.

Mr. KEARNS. I would not know, if I was going to rent a room, and neither would the gentleman, whether I was being charged an exorbitant price for that room.

Mr. JOHNSON of Kentucky. I always inquire before I take a room.

Mr. KEARNS. Then if they should tell you, "This room is worth $3" or "this room is worth $5" you would know.

Mr. JOHNSON of Kentucky. I believe the suggestion made by the gentleman is a good one.

Now, the gentleman from Massachusetts [Mr. TINKHAM] says this bill is unconstitutional. I ask the attention of the House to the question of constitutionality. The Constitution of the United States says:

SEC. 10. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

Until quite a few years ago it was a novel proposition to me that a State could not pass a law impairing the obligation of contracts, while the Congress of the United States could. Now, I lay down the broad principle that while a State, under the Constitution of the United States, can not enact a law impairing the obligation of contracts, the Congress of the United States can do so. And it has done so in many instances.

I have before me a number of decisions relative to the limitation of the power of the State, and I find this language used:

This clause is a limitation on the legislative power of the State, whatever form it may assume.

And then:

The United States are not included within the constitutional prohibition which prevents a State from passing laws impairing the obligation of contracts.

There are a large number of opinions cited to sustain that. Then I have a case decided by Mr. Justice Brewer, where in the opinion this language is used——

Mr. LITTLE. Will the gentleman please give the volume and page?

Mr. JOHNSON of Kentucky. It is in the Federal Reporter, volume 105, page 297:

We deem it wholly unnecessary to indulge in any extended discussion of the question which has been raised whether the act of Congress aforesaid impairs the obligation of contracts and is for that reason void. First, because the inhibition against the exercise of such a power which is contained in section 10, Article I, of the Federal Constitution, is not addressed to the National Legislature but to the legislatures of the several States.

Mr. MADDEN. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. MADDEN. I heard the gentleman's suggestion a few moments ago that owners of buildings that have not been occupied would not be permitted to collect rent to the extent of more than 10 per cent of the cost of the building. Has the gentleman thought about the fact that there is 5 per cent depreciation on buildings every year?

Mr. JOHNSON of Kentucky. Yes; but I do not believe it.

Mr. MADDEN. That is true.

Mr. JOHNSON of Kentucky. I live in a house that has been built nearly 100 years, and it is about as good now as it ever was.

Mr. MADDEN. But there has been a lot of money expended for repairs.

Mr. JOHNSON of Kentucky. A new roof put on now and then.

Mr. MADDEN. It probably averaged 5 per cent of the value or cost.

Mr. JOHNSON of Kentucky. Seventeen years ago I built a building on a piece of property in my town for business purposes, and the repairs on it have not been one-half of 1 per cent.

Mr. MADDEN. That may be true in that instance, but the average depreciation runs about 5 per cent.

Mr. JOHNSON of Kentucky. I know that people who want big rents claim that, but I do not believe it. No house is all gone in 20 years.

Now, another objection in the minority report is the claim that the landlords are not guilty of extortion; that their tenants alone are guilty of it. I have read you instances in the paper where the landlords are the guilty ones. Now, let me invite your attention to this fact: I do not know a landlord in this city who has ever leased a piece of property to anybody that did not include in that lease a clause that the property should not be sublet without the written consent of the landlord. Therefore I say the landlord is particeps criminis when he permits his tenant to sublet at an extortionate rate.

Mr. BENJAMIN L. FAIRCHILD. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. BENJAMIN L. FAIRCHILD. Does the gentleman want the House to understand that in case of a house leased by a tenant for the purpose of keeping a boarding house that the lease prevents him from letting rooms without the consent of the landlord?

Mr. JOHNSON of Kentucky. That is what the lease says, and I will tell the gentleman why they are more particular about it now than they were before. It is on account of the Kenyon anti-red-light district law, which provides that under certain circumstances the furnishings with the property is forfeited if prostitution is permitted to go on there; and the landlords are extremely particular to see who goes into their houses as tenants. I say that if this bill becomes a law these selfsame landlords will see who their subtenants are in order that extortion shall not be practiced.

Mr. BENJAMIN L. FAIRCHILD. Does not the gentleman know that hundreds of houses in the city of Washington are originally leased by tenants for the purpose of running them as rooming and boarding houses, that they lease them for that purpose, and that it is a part of the lease that they are permitted to use them for that purpose?

Mr. JOHNSON of Kentucky. I beg the gentleman's pardon, but my time is running rapidly.

Mr. BENJAMIN L. FAIRCHILD. The gentleman stated that all the leases in the District of Columbia had that clause against subleasing, but the gentleman is mistaken. The common sense of any Member of the House will show that no man who rented a house for the purpose of renting rooms in the house would consent to that.

Mr. JOHNSON of Kentucky. There are some gentlemen who lack common sense, but that does not reach the question. If this bill is passed it will stop profiteering.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Briefly.

Mr. COOPER of Wisconsin. The gentleman from New York who interrupted the gentleman from Kentucky was not very clear in his statement. The lease specified was a lease from the landlord to a tenant for the purpose of a rooming house. That tenant could not sublet it to another tenant for the purpose of a rooming house without the consent of the landlord.

Mr. BENJAMIN L. FAIRCHILD. But he could rent rooms in the house without consulting the landlord.

Mr. COOPER of Wisconsin. Exactly, and that is the gentleman's mistake. The landlord picks out a good man for a tenant who will see that the character of the house is kept up. He could not sublet it to another tenant without the consent of the landlord.

Mr. BENJAMIN L. FAIRCHILD. No.

Mr. JOHNSON of Kentucky. Mr. Chairman, so much of my time has been taken by questions and arguments of other gentlemen who can get in later under the five-minute rule, that I feel that I must decline to yield for further questions or for statements by other gentlemen.

Mr. LINTHICUM. I want to ask the gentleman one question for information.

Mr. JOHNSON of Kentucky. No; I can not yield.

Mr. LINTHICUM. But the gentleman has all of the information and is unwilling to give it.

Mr. JOHNSON of Kentucky. That is an unwarranted statement, in the face of my having just stated that I do not have time. Anyway, I could not give the gentleman a high-school education in five minutes.

Mr. LINTHICUM. I will ask that the gentleman's time be extended.

Mr. JOHNSON of Kentucky. But that can not be done. I decline to yield. I had hoped to be able to take up this minority report and go through it item by item, but I find I shall not be able to do that in my time, and I shall jump now over to the fourth objection urged by the minority report, which is as follows:

Fourth. No distinction is made in the bill between real estate which is let or leased bare of service and heat and those which are let and leased with service and heat; yet the same rate of increase, namely, 10 per cent, is only allowed for each; nevertheless, since September 30, 1916, maintenance and supplies have increased 50 per cent or more in the District of Columbia, coal over 100 per cent, with a great decrease in quality, and the cost of services also has greatly increased. To fix an arbitrary figure the same for both classes of property is unfair and discriminatory. The cost of all maintenance, supplies, and services are advancing and undoubtedly will advance during the continuance of the war; yet the bill fixes, irrespective of these increases, past, present, and future, a rigid limitation on the income until a year after the war has come to an end.

I do not know of any coal that has been increased 100 per cent in price. I have been buying coal right along in small quantities, and I have not heard of any such advance. Along in 1916 and 1917 I paid about $8 a ton for coal, and I have not paid higher than $9.25 for coal this winter, and I have bought it in the public market and from whomsoever I could get it. But the gentleman says there is no distinction made between real estate which is let or leased bare of service and that let or leased with service—that the 10 per cent applies to both. I am perfectly willing the gentleman shall offer an amendment to limit the increase in the rent to 7½ per cent for houses where no service is rendered, and let the 10 per cent apply to those where the service is rendered.

Mr. TINKHAM. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. TINKHAM. At this time I desire to ask the honorable Representative from Kentucky whether he would accept as a substitute for this bill a bill of general application against profiteering in the United States, limited to soldiers, sailors, and all employees of the Government?

Mr. JOHNSON of Kentucky. I would suggest to the gentleman that we better take a bird that is in hand and then go later to those in the bush. When he introduces a bill of that character I shall help him pass it.

Mr. TINKHAM. Then, I offer——

Mr. JOHNSON of Kentucky. Oh, no; the gentleman can not offer a substitute now and have it read in my time.

Mr. TINKHAM. As I understand it, I have the promise of the honorable Representative from Kentucky to support such a bill.

Mr. JOHNSON of Kentucky. You have my promise to support a bill prohibiting profiteering anywhere on God's green earth. [Applause.]

But while we have this question up, applying to the District of Columbia, the gentleman should not put himself in the predicament of saying that unless we can get it for all the rest of the United States we should permit this gouging to be done right here in the Nation's Capital.

Mr. Chairman, in a short explanation of the bill, I desire to say that there are three kinds of years in the District of Columbia. There is the calendar year, the fiscal year, and the rental year. The rental year in the District of Columbia commences on the 1st of October and ends on the last day of the next succeeding September, making one year. The rental year of 1916, which was a normal year, has been taken as a basis for rent. This bill allows a 10 per cent increase in rentals on the basis of the rentals of 1916. Three different kinds of propositions are covered in the bill, one for premises that were renting unfurnished in 1916; another for those that were rented furnished; and one for buildings that were vacant in 1916. Then another proposition undertakes to deal with houses rented since September 30, 1916. I expect when the time comes to offer an amendment to cover the objection raised by the gentleman from Massachusetts [Mr. TINKHAM] that apartments or houses in which service is rendered should have more increase than houses in which no service is rendered. I shall offer an amendment at the proper time to take care of that.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Kentucky. I shall have to decline to yield, as my time has nearly expired.

In this matter great minds have turned out to run in the same financial channel. The mind of the author of the minority report, the mind of the real estate dealer, and the mind of the editor of the Washington Star all are in keeping, and each runs in accord with the other. There is almost no difference between the minority report, the statements which the Real Estate Brokers' Association has furnished, and the newspaper articles in the Star. There is practically no difference among the three.

Mr. TINKHAM. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. TINKHAM. Does the gentleman know whether the minority report was written first?

Mr. JOHNSON of Kentucky. I do not.

Mr. TINKHAM. Or in what order the articles were written, the minority views, the report of the Real Estate Exchange, and the newspaper articles?

Mr. JOHNSON of Kentucky. I have not the remotest idea as to which was written first. Neither have I any opinion at all as to whether there was any conference among those who wrote the different opinions.

Mr. TINKHAM. Might it not be that the minority, having written their report, the report being so sound and so intelligent, that it was approved by the board and also by this independent newspaper?

Mr. JOHNSON of Kentucky. That not only is possible, but highly probable, because when the gentleman announced that he was going to write a minority report he said he was going to do it in a Boston-like way.

In other words, he meant that that report would come from the intellectual metropolis of the universe.

I regret more than I can tell to be compelled to realize that the gentleman from Massachusetts [Mr. TINKHAM] is not with me in this fight for justice, mercy, and our country's flag.

He and I have served in former Congresses and upon the same committee.

If I recall correctly, in all committee matters, save one, practically we have been of one mind.

When I returned to Washington in December, after several weeks of arduous committee work at East St. Louis, I learned that the gentleman, out of a spirit of patriotic adventure, had gone to the battle front in Italy. I was disappointed in not finding him here. I missed the grasp of his hand and also his cheerful smile and radiant face, but I took abundant consolation out of the fact that my personal friend was making history. In my wakeful dreams of pleasant things I was soothed with the thought that when I went back to Kentucky I might gather my children's children about my knees and tell them to tell their children's children that the close, intimate friend of their ancestor had gone to Italy during the bloodiest war known to man, and there had fired the first American gun against Prussianism and for the liberty of the world.

Yet, when day after day, week after week, I saw this profiteering monster grow into frightful proportions and rear its defiant head over the Capital City of our Nation, in our Nation's hour of need; when I saw this hideous thing plunge a thousand hands into the pockets of those who here are toiling to feed, to clothe, to arm, and to succor our gallant boys over there; when I heard its shameless voice drive their mothers and sisters from the shelter into pitiless storm; when I saw this beast of avarice and extortion prey upon the thousands who came here, each to do his bit in the patriotic cause; when I saw these men and women, boys and girls, turned away and sent back to their homes in the States that this ravenous thing might feed even upon the bones of our heroic dead, I even prayed that the gentleman from Massachusetts [Mr. TINKHAM] might hasten back, if not himself to fire the first gun, at least to give aid to my feeble efforts to strike down the gluttonous rent profiteer.

At last the welcome message was flashed through space that this all but modern Horatio had saved the day—had laid down his sword made bloody in freedom's cause at the bridge—and was returning to his native land to join the chorus, "My country 'tis of thee, sweet land of liberty."

As he sailed, from each of the seven hills of historic Rome there came a thousand voices chanting the first words of Virgil's Æneid:

Arma virumque cano, etc.
(I sing of arms and a hero who, first, exiled by fate, came from the coast of Troy to Italy and the Lavinian shore, etc.)

Gibraltar passed the joyous tidings westward. At the Azores binoculars swarmed to the shores, and some youthful Joaquin Miller megaphoned out: "Sail on! sail on! brave Congressman; sail on, and on!"

As the voyage proceeded the world was bulletined that hundreds of German U-boats had ducked to the bottom of McGinty's Sea under his menacing and glaring periscopical gaze.

At last American shores were reached. He hied himself to the intellectual metropolis of the universe and then took up his triumphal march to the Capital City. Imagine my surprise and disappointment when I found that, apparently, at least, something of his patriotism had been lost in a storm at sea, and that

the local profiteers called him "Friend," notwithstanding the fact that his country, following somewhat the thought of Miller, the poet, was saying:

The profiteers grow mutinous day by day;
The clerks grow ghastly wan and weak.
The paild clerk with bowed head gray
In faltering accents tried to speak.
What shall we say, brave Tinkham, say,
If the profiteers in armies drawn,
Await us at the break of day?
Why say, Charge on! Charge on! Charge on! and on!

Mr. Chairman, I reserve the remainder of my time, and I ask the Chair how much time have I remaining?

The CHAIRMAN. The gentleman has six minutes. Does the gentleman reserve the remainder of his time—the six minutes?

Mr. JOHNSON of Kentucky. I do.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. SAUNDERS of Virginia having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, was received.

TAXES ON CERTAIN INCOMES IN THE DISTRICT OF COLUMBIA.

The committee resumed its session.

The CHAIRMAN. The gentleman from Massachusetts [Mr. TINKHAM] is recognized for two hours.

Mr. TINKHAM. Mr. Chairman, when I was at the front the principle which was most discussed, the policy which the soldiers were carefully taught to adopt, was when you shoot hit the mark, and I say to the honorable Representative from Kentucky that the trouble with his bill is that it does not hit the mark. He shoots, but he does not hit what he aims at. Who is there in the United States, except the beneficiaries, who are not opposed to unfair profiteering, and even they in their secret hearts are ashamed of it. I am as much opposed to unfair profiteering in war times as the honorable Representative from Kentucky, and I will ardently support any reasonable, sane, practical bill which prevents unfair profiteering in rents or in food or in any other human necessity, and I shall offer at the appropriate time a bill which is very much simpler, very much more practical, and which will be of general application in the United States, to prevent the very kind of unfair profiteering which the honorable Representative from Kentucky attempts by this bill to prevent, but does not. The bill which I shall offer will be one of general application, and if no one interposes the point of order that it can not be substituted upon a local bill it will then be adopted by this House and go to the Senate.

The bill reads as follows:

A bill prohibiting any person, lessor, or sublessor from making a larger charge for rooms, apartments, houses, hotel rooms, etc., than the rate charged for such rooms, houses, or dwellings on the 1st day of December, 1917.

Be it enacted, etc., That no person, lessor, or sublessor of a dwelling house, hotel, room, apartment, boarding or lodging house shall charge for the use and occupation of the same by soldiers or sailors of the United States, or any employee, officer, or official connected with the naval, military, or civil service, or any person engaged as laborer, employee, or otherwise in manufacturing or other industry producing ships, food, fuel, munitions, equipment, clothing, supplies, or any other article or thing used by the Government in any capacity during the existence and continuance of the present war with Germany, a larger charge for rental than the rate which was charged for similar rooms, houses, or dwellings on the 1st day of December, 1917. Any person violating this act shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding $500.

Instead of trying to reach by the very effeminate method of taxation the evil of unfair profiteering, as proposed by the honorable Representative from Kentucky, I, coming from virile Massachusetts, will propose a virile remedy for unfair profiteering, making it a crime not only in the District of Columbia but throughout the United States. [Applause.] Now, Mr. Chairman, before I begin the discussion of the bill now before the committee I want to say one word——

Mr. MOORE of Pennsylvania. Before the gentleman goes on——

The CHAIRMAN. Does the gentleman yield?

Mr. TINKHAM. I do.

Mr. MOORE of Pennsylvania. Does the bill the gentleman suggests propose to penalize those who charge rents in excess of those charged in preceding years?

Mr. TINKHAM. There is no penalizing except by way of a tax upon anything in excess of 10 per cent of what the rents were on the 30th of September, 1916, in the bill now before the committee.

Mr. MOORE of Pennsylvania. That is a date prior to our entry into the war?

Mr. TINKHAM. Yes; that is prior to our entry into the war.

Mr. MOORE of Pennsylvania. What does the gentleman think of the idea of averaging those rates for three years prior to the war?

Mr. TINKHAM. Well, it would come nearer to working equity, but I should prefer that a substitute bill be drawn for this——

Mr. MOORE of Pennsylvania. I submit that making a comparison for a series of years would perhaps be more equitable than fixing an arbitrary date.

Mr. TINKHAM. It would be more equitable.

Mr. REED. May I ask what the arbitrary date was, 1916 or 1917?

Mr. TINKHAM. September 30, 1916.

Mr. REED. I understood the gentleman to say 1917.

Mr. MOORE of Pennsylvania. I was referring, since attention was called to it, to the substitute offered by the gentleman from Massachusetts, and I understood the gentleman's bill proposed to compare the high rate now charged with the rates which were charged on a given date preceding the war.

Mr. TINKHAM. That is true. I thought you referred to the bill now before the committee.

Mr. MOORE of Pennsylvania. I was referring to the bill the gentleman said he had introduced.

Mr. TINKHAM. I said I proposed to introduce a substitute to this bill.

Mr. MOORE of Pennsylvania. I asked the gentleman whether he had considered the advisability of making his comparison with the three years preceding the war the average rate paid for three years preceding the war instead of fixing an arbitrary date as he has in the draft of the bill?

Mr. TINKHAM. I had not considered it.

Mr. MOORE of Pennsylvania. That is the method that is followed abroad, as I understand it, and it is a method that has been adopted by the Ways and Means Committee in the revenue bill. That is to say, a prewar period has been fixed. The gentleman could ascertain, if he cared to do that, a fair rental charge by averaging the three years' charge preceding the war.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. TINKHAM. I will.

Mr. GARRETT of Tennessee. The bill that the gentleman proposes to offer as a substitute he concedes is subject to a point of order?

Mr. TINKHAM. I concede it is subject to a point of order.

Mr. GARRETT of Tennessee. Why does not the gentleman draw a substitute that would apply to the District and not be subject to the point of order?

Mr. TINKHAM. Mr. Chairman, I have a second substitute bill here, applying alone to the District of Columbia, if a point of order is raised against my first substitute bill of general application, but it seems to me that a technical rule of parliamentary law should not be invoked if it is possible for us to pass a law here of general application in the United States to unfair profiteering. I am firmly of the belief, as long as this matter of great importance is before us, we should pass a law of general application rather than limited application to the few feet of land here in the District of Columbia.

Mr. LONGWORTH. Will the gentleman yield?

Mr. TINKHAM. I will.

Mr. LONGWORTH. I presume the committee had extensive hearings on this important bill, did it not?

Mr. TINKHAM. Mr. Chairman, there were no hearings on the bill. It was discussed for perhaps an hour and a half in full committee. No amendments were made to the bill as originally introduced, except two textual amendments, and it is, in that condition and after that history, sent here to be considered by us.

Mr. JOHNSON of Kentucky. Will the gentleman yield for a question?

Mr. TINKHAM. Yes.

Mr. JOHNSON of Kentucky. In answer to the question just asked by the gentleman from Ohio [Mr. LONGWORTH], I will say that the Real Estate Brokers' Association, through a special committee, came to me, as chairman of the committee, and said they did not want public hearings. At the time a reporter from one of the local newspapers was in the room, and they even asked him to go out while they discussed the matter with me. They said on both of their visits to me that they wished to discuss it with me instead of with the whole committee. Now, I do not know what the reasons were, but I apprehend they did not want a discussion of it because those here in the city who had been extortioned upon would also come and be heard on the other side of the question.

Mr. KELLEY of Michigan. Will the gentleman from Massachusetts yield?

Mr. TINKHAM. I will.

Mr. KELLEY of Michigan. I understand that the gentleman's bill—the one that he proposes to offer as a substitute—applying to the District of Columbia——

Mr. TINKHAM. The one I proposed applies to the United States.

Mr. KELLEY of Michigan. In the event that objection is made to that he proposes to offer a similar one applying to the District of Columbia?

Mr. TINKHAM. Yes.

Mr. KELLEY of Michigan. Has the gentleman thought what authority Congress might have to fix rentals directly in the District of Columbia or anywhere else?

Mr. TINKHAM. That is, applying his question to the bill now before us, but not my bill——

Mr. KELLEY of Michigan. The bill that you propose to offer is a bill to fix the rentals directly. This is a bill to regulate by taxation, which everybody might concede at once Congress would have full authority to pass, but the bill which you propose is a bill to fix rentals in the District of Columbia; and what constitutional warrant would Congress have to do that?

Mr. TINKHAM. Well, of course, I think some of the laws which we have passed since the war began would have been unconstitutional before the war, but to-day are not unconstitutional. I think some of the laws that we pass to-day are undoubtedly, and may be declared, unconstitutional. On the other hand, I believe wherever possible war-time legislation is going to be sustained by the Supreme Court, and if we can fix the price of food, and that is constitutional; if we can fix the price of other commodities, and that also is constitutional, I do not see why we can not fix the price at which real estate can be leased or let. However, I do not say that any of this legislation is constitutional.

Mr. MASON. Mr. Chairman, will my colleague yield for a moment?

Mr. TINKHAM. I will.

Mr. MASON. I think it is due to the chairman of our committee to call his attention to the fact, which was called out in answer to this question of the gentleman from Ohio [Mr. LONGWORTH], that the board did ask for a hearing before the committee, and there was a misunderstanding as to the date. The Committee on the District of Columbia met in order to hear them yesterday morning, as I remember it, or the day before, and it seems from a letter which I have received, and I have no doubt the chairman has received, that there was a misunderstanding as to when the hearing was to be had, and the committee, with the chairman, waited patiently half an hour for them, certainly 20 minutes, and they did not appear, and so we adjourned. Since that, and as a member of the committee, I have received a letter asking for a hearing and I have sent that to the chairman. I thought that was due to the members of this association who wished to be heard.

Mr. JOHNSON of Kentucky. If the gentleman from Massachusetts will permit, I will say that long prior to the occasion to which the gentleman from Illinois [Mr. MASON] has just referred the committee of the Real Estate Brokers' Association came to see me twice and not only argued the matter with me orally but submitted a lengthy typewritten communication. I do not know at all, but I suppose that other members of the committee and other Members of the House were furnished with that. But concerning that I have no knowledge. But they did say most plainly that they did not want open hearing; and then on yesterday morning, when there was a misunderstanding as to the time for the hearing, they indicated that the subcommittee of the real estate brokers only were to come.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. KEARNS. It is not very usual that the robber wants an open hearing, anyhow, is it?

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. Yes.

Mr. LONGWORTH. Mr. Chairman, I will say that my question was propounded not with any intention to embarrass the committee I know nothing about the real estate brokers. I am in sympathy with the object sought to be accomplished by the bill, but it seems to me, on a very brief review of the bill, that there are a number of unworkable features in it, and I asked the question only to bring out the fact whether or not the bill had been carefully considered and the sections gone over with care. It was only for that purpose that I asked the question. It would seem that the bill was rather hastily considered. The bill is of the most vital importance.

Mr. JOHNSON of Kentucky. Yes; the bill is of the most vital importance, and I will say to the gentleman that I spent two or three weeks in writing and rewriting it, and I believe if the time were at hand so that the features of it could be explained the gentleman would not find a single place in it where it is not workable.

Mr. FOCHT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Pennsylvania?

Mr. TINKHAM. I do.

Mr. FOCHT. Mr. Chairman, in justice to the gentlemen who are interested in connection with the Real Estate Brokers' Association, I happen to know, by reason of the fact that he was a former resident of my district, the president of this association, and he asked me, as a member of the District Committee, several days ago, if I would attend the hearings to be held by the committee yesterday morning. I told him if I was well enough I would, and I went to the meeting and found that he and his friends of the Real Estate Brokers' Association did not appear. Then I received this letter. In justice to him and others I would like to have the letter read so that the House will understand that at least he, over his signature, as well as others, did desire a hearing.

The CHAIRMAN. Does the gentleman from Massachusetts yield for that purpose?

Mr. TINKHAM. I do.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

REAL ESTATE BROKERS' ASSOCIATION,
Washington City, D. C., February 18, 1918.

Hon. B. K. FOCHT,
House Office Building, City.

DEAR MR. FOCHT: The writer evidently misunderstood the chairman of the House District Committee as to the day the special committee of this association was to be heard.

All arrangements were made by us to appear Thursday, this week, at 11 o'clock. We exceedingly regret the error and sincerely trust you were not greatly inconvenienced thereby.

We have asked Hon. BEN JOHNSON to arrange the hearing for a later date, and hope that the bill will not pass this week so that we may be afforded an opportunity.

This is a serious proposition.

Thousands of residents and nonresidents own Washington real estate who will be considerably damaged if the present bill, H. R. 9248, becomes a law.

Yours, very truly, CHARLES W. FAIRFAX,
President.

Mr. FOCHT. Mr. Chairman, will the gentleman yield me a moment, please?

Mr. TINKHAM. Yes.

Mr. FOCHT. As expressive of the fact that I am in accord with the view that we have just had from the gentleman from Ohio [Mr. LONGWORTH] I wish to say that I think we are all seeking to attain but one desirable object, and that is to dispose of the profiteer, and I expect to vote for a measure that will do justice to the people who come here to rent houses and remain here. Yet in a measure as important as this is, with so many untold millions involved, with so many questions as to the constitutionality of it involved, it seems to me it would be only a matter of fairness and justice, from my viewpoint, inasmuch as the business men here have asked for a hearing, that we grant such hearing or hearings. And so I hope, Mr. Chairman, that this bill will be recommitted and that these men in the Real Estate Brokers' Association who desire to be heard may be given a hearing. I hope the gentleman from Kentucky will not object to this proposal, since it involves no more than justice and fair play.

Mr. JOHNSON of Kentucky. Mr. Chairman, if the gentleman from Massachusetts will permit——

Mr. TINKHAM. Yes.

Mr. JOHNSON of Kentucky. Speaking for those from whom extortion has been demanded and taken, and not for the real estate owners and profiteers, I ask the gentleman from Pennsylvania [Mr. FOCHT] to recall my statement to the effect that the committee of the Real Estate Brokers' Association, of which his correspondent, Mr. Fairfax, is president, came to the Committee room and told me that they wished to present their arguments to me alone, and not to the committee——

Mr. FOCHT. Of course, that is in contradiction to the letter. That is up to somebody else to decide——

Mr. JOHNSON of Kentucky. And handed me the argument in typewritten form which they wanted to present.

Mr. FOCHT. Then they changed their minds as to the form.

Mr. JOHNSON of Kentucky. They changed their minds as to the extent of the delay sought in the interest of profiteering.

Mr. FOCHT. If you do not expect to pass this bill to-morrow, do you not think it would be fair to grant their request?

Mr. JOHNSON of Kentucky. I hope we may pass this bill to-day. [Applause.]

Mr. RAGSDALE. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. Yes.

Mr. RAGSDALE. I think it would be but fair that I should state here a little incident of which I have personal knowledge. I have some personal acquaintance with Mr. Fairfax, which is very slight, but I am quite sure he is a gentleman of the highest character. I was in his office on Tuesday to discuss a little matter with him, and he told me that his committee expected to come before the House Committee on the District of Columbia on Thursday, and asked me to be present. He told me they had made an engagement, expecting to come before our committee on Thursday, and I called his attention to the fact that that was the very day on which the bill would be taken up here for consideration.

Mr. JOHNSON of Kentucky. If the gentleman will permit, I will say in that immediate connection that I, too, told Mr. Fairfax over the telephone that the bill would come up for consideration on Thursday, and that the meeting of the committee on that morning would interfere with my getting my papers together for the purpose of arguing the matter on the floor of the House. I suggested that they come over Wednesday morning, and I sent out notices to all the members of the committee to be there on Wednesday morning, and I thought Mr. Fairfax understood that the meeting was to be on Wednesday morning and not on a morning that would postpone the consideration of the bill.

Mr. RAGSDALE. I am quite sure Mr. Fairfax expected the meeting to be held on Thursday, because he so informed me; and I told him that the bill was coming up on the floor of the House on Thursday; and I remember his saying, "Then you will come fresh from your hearing there to the floor of the House to consider it."

Mr. JOHNSON of Kentucky. If the gentleman will permit me, I will say that I believe Mr. Fairfax was honestly mistaken about it.

Mr. BENJAMIN L. FAIRCHILD. That is the point. There was a misunderstanding between the committee and Mr. Fairfax as to the date of the hearing.

Mr. JOHNSON of Kentucky. There is no doubt about that.

Mr. BENJAMIN L. FAIRCHILD. And as a result there has been no hearing.

Mr. JOHNSON of Kentucky. There has been no hearing beyond the hearing that they said they wanted. They asked for two different hearings before me. They said they did not want any hearing before the committee; that they wanted to discuss the matter with me alone.

Mr. BENJAMIN L. FAIRCHILD. As a member of the committee, I regret that I have not been able to join in the majority report, because there is an evil here in the District that ought to be corrected. Now, I ask the chairman of the committee, in all fairness, whether it is not due to the purpose we have in mind to accomplish, due to the interests here in the District of Columbia, and also due to the other members of the District of Columbia Committee, that this bill be referred back to the committee in order that we can bring in, after due investigation and consideration, a bill that will accomplish the purpose without injustice to anybody except the profiteers?

Mr. JOHNSON of Kentucky. In answer to the gentleman I will say that unless this bill did really stop profiteering, the Real Estate Brokers' Association and the property owners here would not be objecting to it in the least. In addition to that, I am opposed to one day's delay while these robbing methods continue. [Applause.]

Mr. BENJAMIN L. FAIRCHILD. We want to accomplish the results, and I believe the chairman of the committee realizes that although there may be some people in Washington who are subject to the criticisms he makes about the profiteers, there are Members of this House and members of his own committee who are just as desirous as he is to have this evil corrected, and because they want it corrected would like to have a proper consideration of the proposition. [Applause.]

Mr. JOHNSON of Kentucky. Does not the gentleman think he is getting consideration of it now?

Mr. BENJAMIN L. FAIRCHILD. No.

Mr. JOHNSON of Kentucky. The gentleman has ample opportunity to consider it right now.

Mr. MOORE of Pennsylvania. Will the gentleman from Massachusetts yield?

Mr. TINKHAM. I will.

Mr. MOORE of Pennsylvania. I have in my hand the bill which the gentleman from Massachusetts [Mr. TINKHAM] proposes to offer as a substitute, and I call his attention to the fact that the date he fixes when the penalty shall go on for excess charges is the 1st of December, 1917. My recollection is, and I think the facts bear it out, that rents were at their very highest point December 1, 1917. I rather like the gentleman's draft but think the date he has fixed is wrong.

Mr. TINKHAM. I think it is a little irrelevant to discuss anything in relation to a bill which not only has not been offered but which the action of the House may prevent from being offered or discussed.

Mr. MOORE of Pennsylvania. I thought it was the gentleman's intention to offer it.

Mr. TINKHAM. I said at some subsequent time, if it were possible.

Now, Mr. Chairman, before I discuss what I believe are the demerits of the bill before the committee, I want to say just one word in relation to a number of statements made by the honorable gentleman from Kentucky [Mr. JOHNSON]. He stated that there were three classes of people who were opposed to his bill, and one of the classes he denominated as men who are willing to have unfair profiteering continue. I think if I offer my bill it will show that I am as fully opposed, if not more so, to unfair profiteering in the District and the United States than he is, if my sincerity of purpose is questioned, which is something to which I am utterly unused. I have only opposed this bill because I believe, as I have explained previously in my remarks, that it does not hit the mark, that it does not accomplish its purpose, because it is futile to pass legislation which either will not effect its purpose or will be declared unconstitutional.

The gentleman said in his remarks that The Evening Star, which I consider the most influential newspaper in Washington, was not opposed to profiteering. I do not believe any American newspaper can be defended properly and as well defended by a Member of Congress or a member of any other public body as it can defend itself, and I am sure I am not audacious and bold enough to come forward as the champion of the Star in its defense; although I do think it is fair to bring to the attention of the House the article published in the Star on February 8, on the front page, in which it says in large headlines:

No war extortion by profiteering, whether in rentals, food, or fuel, here or anywhere else in the United States.

Mr. JOHNSON of Kentucky. Will the gentleman yield right there?

Mr. TINKHAM. In a moment I will; not now. In the same article, in large type, down the column, is the statement, in discussing the bill now before the committee:

Of course the aim of the legislation is not to collect any kind of tax, but to punish and prevent profiteering in rentals. This purpose is sound, wholesome, and in the public interest.

And there is not a Member of this Congress, and there is not a decent newspaper in the United States, or a citizen of the United States, who is not against unfair profiteering in time of war. All the minority of the District Committee wants is a bill which will effect the purpose of preventing unfair profiteering, and it does not believe that the measure reported by the committee will prevent it. I think I will be able in a few moments this afternoon to demonstrate the reasons.

Mr. JOHNSON of Kentucky. If the gentleman will yield just there.

Mr. TINKHAM. I will yield now.

Mr. JOHNSON of Kentucky. I will say that I too clipped from the Star the same article that the gentleman has just read. I did not have the time to get to it, but I wished then and I wish now to invite attention to that article, and that it opens by declaring that there has been no profiteering, but agrees that there ought to be some remedy if it is done.

Read it as you did a moment ago, the three top lines.

Mr. TINKHAM (reading)—

No war extortion by profiteering, whether in rentals, food, or fuel, here or elsewhere in the United States.

Mr. JOHNSON of Kentucky. There is the broad statement that there is none going on. [Laughter.]

Mr. TINKHAM. I suppose an article must be taken in whole as well as in part, and surely it should be examined aside from the headlines. Now, it says below what I read before:

Washington will welcome equitable legislation which prevents landlords from extorting excessive rentals from District tenants.

And then it suggests equitable amendments that might be made to the bill. I do not think that the interpretation put upon the headlines by the honorable Representative from Kentucky is fair. I do not think that the Evening Star meant that there was no unfair profiteering going on now in Washington, but it meant that there should not be extortion here by profiteering, and a reading of the article will convince anyone that that is so.

Now, Mr. Chairman, let us take up the provisions of this bill. This is what is before us, and not the question whether there were hearings or were not hearings, or whether there are low rentals in Cleveland or high rentals in the District of Columbia.

The question is whether the bill we are discussing would prevent unfair profiteering in rentals in the District of Columbia, and whether it should be passed.

The minority says that—

most of the alleged improper increases of rentals sought to be eliminated by the bill will not be prevented by it; that the utter novel principles of law contained in the bill, if passed, are unsound and without precedent; that the enforcement of the provisions of the bill, if passed, would lead to grave injustices and greater abuses than now maintain; and, finally, that the present policy of the Government of the United States to obtain greater housing facilities for both business and residential purposes in the District of Columbia would be retarded if not defeated.

The bill will affect about $200,000,000 worth of real estate and about $15,000,000 worth of personal property in the nature of furnishings and fixtures in the District of Columbia.

The bill, reduced to its simplest terms, proposes to fix all rentals for real estate of every kind and nature or used for whatsoever purposes in the District of Columbia at the same rentals paid for it on the 30th day of September, 1916, and to allow only an increase above these rentals of 10 per cent.

The law as proposed is to be retroactive to September 30, 1916, and to continue in effect until a year after the ending of the war.

That means that a man who has received a rental which was fair and just, so far as the law is concerned, at the time, and has spent the money, will have to return that amount to the District treasury. It does not seem to me that that is quite the fair thing, to allow by law certain charges to be made, and then, 15 or 20 months afterwards, declare it unlawful and deprive him of that which he has received as lawful income. Such legislation is intolerable in a land which proclaims itself the model for justice and fairness.

Mr. JOHNSON of Kentucky. Will the gentleman yield?

Mr. TINKHAM. Yes.

Mr. JOHNSON of Kentucky. I will say that it is not my construction of the bill that any contract is made void—it is possible for it to be made voidable—but in this way the courts do not have to decide the question whether it is against public policy, for the bill makes extortionate rents against public policy.

Mr. HUSTED. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. HUSTED. As I understand the bill, it fixes taxation on all rentals paid since September 30, 1916, which are in excess of the amount fixed by the bill.

Mr. TINKHAM. That is true.

Mr. HUSTED. Assuming that a lessee receives an excess rental, his lease has expired, and he has left the District. The owner of the property was unable to recover that excess rental from him. Does the bill provide that the owner of the property will have to pay the excess rental, and if he does not, will a lien be imposed on his property? That is the way I read the bill.

Mr. TINKHAM. I think that construction can not only be read into it, but it is a plain provision of it.

Mr. ROGERS. Will the gentleman yield?

Mr. TINKHAM. Yes.

Mr. ROGERS. There is a provision in the bill that 10 per cent may be added to the amount of the rentals which had been charged prior to September 30, 1916.

Mr. TINKHAM. That is correct.

Mr. ROGERS. Would the landlord be permitted to exact 10 per cent from his tenant for the period between September 30, 1916, and the date of the passage of this act, as well as for the future?

Mr. TINKHAM. There is no such provision in the bill.

Mr. MADDEN. Will the gentleman yield?

Mr. TINKHAM. I will.

Mr. MADDEN. There is a provision in the bill which says not to exceed 10 per cent of the cost of the building may be charged for rental. In fixing that percentage of rentals which is to be allowed, has the committee taken into consideration the depreciation of the building during the period for which it is to be rented, and have they taken into consideration the likelihood of the building being vacant for any given part of the period, and have they taken into consideration the amount of taxes that are to be paid; and if they have not, how much of the 10 per cent would come to the owner of the building, assuming that he was not able to charge more than 10 per cent on the cost?

Mr. TINKHAM. Mr. Chairman, as I stated before, the consideration of the bill was limited to about an hour and a half. There were no public hearings; there was very little discussion of anything but pure details and technicalities, and it was reported out with the two amendments that you see in the report, which are purely textual changes. In other words, the committee did not consider any other question in relation to this bill, and it could not do so on a bill as complicated as this in an hour or two.

Mr. LONGWORTH. Will the gentleman yield?

Mr. TINKHAM. I will.

Mr. LONGWORTH. I do not know whether the gentleman was present this morning when I asked the gentleman from Kentucky a question for information. Under the provisions referred to by the gentleman from Illinois a number of new hotels are being built here and are not completed. After the date of completion, who is going to determine what the various rooms in those hotels shall be rented for, and how can it be determined?

Mr. TINKHAM. Mr. Chairman, the honorable Representative from Ohio [Mr. LONGWORTH] has suggested one of the many difficulties in relation to the application of the bill to produce the results desired by its author. In relation to such a problem as he has raised, the facts and arguments are these: This bill provides that if an apartment house has been constructed since the date prescribed in the bill—the 30th of September, 1916—there can be a gross charge only of 10 per cent—10 per cent on whatever its assessed value may be. The question arises immediately, How is the assessed value of these apartments—and I understand that that is the gist of the question—to be assessed or levied or divided in relation to the total assessment of the property? The only answer that has ever come from the author of the bill is that you can divide any piece of property up into cubic feet, and by the number of cubic feet you can fix what the value or rental proportionately should be. Then you would run into this difficulty immediately: On each floor, wherever situated in the building, the same number of cubic feet would be held to be of the same value. That, as we all know, is impossible. There are rooms of the same number of cubic feet which have a number of windows, others which have a southern exposure, others on floors that are more desirable, and you could not divide up your house fairly and properly on a cubic-foot basis and then say what you could charge in fairness for each piece in relation to the entire amount of the assessment in order to reach your 10 per cent gross upon your assessment. That is one of the very profound defects, it seems to me, in the workability of the bill.

Mr. LONGWORTH. I assume that under this provision a hotel, for instance, that was worth $1,000,000 would be allowed $100,000 a year—that is, to charge a number of rents which, added together, would produce $100,000 a year.

Mr. TINKHAM. Yes.

Mr. LONGWORTH. Does the gentleman think that any hotel could run on that basis, when you consider the cost of upkeep, of service, and so forth?

Mr. TINKHAM. I no more think that would be possible than I believe this is a practicable bill or that it will stop unfair profiteering.

Mr. ROGERS. Mr. Chairman, will the gentleman yield again?

Mr. TINKHAM. Yes.

Mr. ROGERS. Is it not possible that a hotel could reach the result which it would desire by charging the lodger for the night a price which should include a basis breakfast in the morning? Would not the hotel then be enabled to free itself of the provisions of this bill?

Mr. TINKHAM. Mr. Chairman, that is another difficulty with the bill; and it is pointed out in the minority report that there is absolutely no provision for covering by this tax or this law a hotel or boarding house, or even an apartment house, which sells food besides its space. They are not even included; they are excluded by the very terms of the bill. That is another reason why the minority felt it should oppose the bill, in order either that the bill might be referred back to the committee or rectified from its foundation up, or some substitute which would be more effective passed by the House.

Mr. SANFORD. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I do.

Mr. SANFORD. The gentleman recognizes one apparently good thing about the bill, does he not, that it undoubtedly gives to every Member of Congress who has become a tenant this year a cause of action by which he could get some of his money back to enable him to pay his income tax? [Laughter.]

Mr. TINKHAM. I hope no one will be influenced by that fact.

Mr. SANFORD. I assure the gentleman I would not; but I wanted to ask him if that is not a fact.

Mr. TINKHAM. I think that might be possible.

Mr. HUSTED. Adverting to the retroactive feature of this bill, am I correct in assuming that the owner who receives the excess rental over and above the amount allowed by the bill, and who pays it through the income-tax provisions of the bill, is also liable to pay twice the amount again to the persons from

whom he received the rental, plus $50 attorney's fee in each case and the cost of the suit? In other words, is it possible under this bill for a landlord who has received this excess rental to be compelled to pay not only the full amount of the excess to the Government, but also to pay back twice the amount of the excess to the persons from whom he received it, plus an attorney fee of $50 in each case and the cost of the action in each particular case?

Mr. JOHNSON of Kentucky. Mr. Chairman, I will say to the gentleman that that is the deliberate intention of the draftsman of the bill. I purposely wrote that into the bill so that that very thing might be done.

Mr. TINKHAM. May I ask the honorable Representative from Kentucky if he means that if after September 30, 1916, an amount in excess of the 10 per cent had been charged, this bill requires, according to his interpretation, that money could not only be turned over into the treasury of the District of Columbia, but also allows the man who received it, who has received it before we have legislated, before it has been declared to be illegal, to be penalized by twice the amount that he received?

Mr. JOHNSON of Kentucky. I will say to the gentleman in answer to that that in drafting the bill I had two ideas in view. One was to treat this along the lines of the present income-tax law of the United States—that is, to make them pay these heavy penalties in the way of income tax—and then, next, to follow the laws relative to national banks concerning usury; that is, to make them pay back double the extortion they have taken, and also to allow an attorney's fee. I am extremely anxious that both should be done. I want to collect everything back that the extortioner has taken from these unfortunate people.

Mr. TINKHAM. I would like to ask this question: Does the gentleman know of any law passed by any State or by the United States in relation to usury or extortion which provides that any person who has taken a larger rate than was allowed by the law before the new law was passed should be penalized by the provisions of the new law—punished for something which was legal under the law and the Constitution at the time the transaction occurred?

Mr. JOHNSON of Kentucky. That might not be constitutional if the law were made by a State, but I do insist that it would be constitutional if made by the National Legislature.

Mr. TINKHAM. I did not ask concerning its constitutionality, but whether there was any precedent. It is unthinkable that there should be or that such a provision should be contained in any law. I did not know that the bill went as far as that. It makes it all the more objectionable.

Mr. JOHNSON of Kentucky. That is exactly what I tried to write, and then I put in in addition a minimum attorney's fee of $50 to be taxed as costs in order to protect the poor people, so that they could find a lawyer who will go after these robbers and get this money back from them.

Mr. STEVENSON. Will the gentleman yield?

Mr. TINKHAM. I will.

Mr. STEVENSON. I certainly did not understand the gentleman from Kentucky. I agree with the gentleman from Massachusetts, that I did not understand the gentleman from Kentucky as I understand the bill. The bill says:

> And any person who shall hereafter pay for the use or occupancy of any real estate, etc.

You do not propose to go back and collect that back which they paid last year, as I understood it from the gentleman's statement?

Mr. JOHNSON of Kentucky. I wish to say, since my memory has been refreshed, that at first I wrote the bill in the way I have just explained, and I had forgotten that subsequent to that I made a change, so we will have to rely upon the bill to speak for itself in that respect. But I would be very glad, indeed, to see done that which I thought had been done.

Mr. STEVENSON. Then I also desire to ask, because I am bothered about that question, how the committee proposes to validate the imposition of an income tax on incomes from real estate which is in the District of Columbia and not the incomes of real estate elsewhere. How do we get around the equality clause of the Constitution, and also, how they propose to get around the fact that they tax incomes from real estate alone and do not tax it from anything else. Those are questions I want to hear something about before I vote.

Mr. TINKHAM. Mr. Chairman, those are some of the questions I would like to have answered.

Mr. STEVENSON. I thought possibly the gentleman was prepared to answer.

Mr. TINKHAM. I am not prepared to answer those questions, because I am strongly opposed to the bill as being unsound and not effecting its purpose. I asked the honorable Representative from Kentucky in committee how he was going to get the bill under the income-tax clause of the United States Constitution, which is a clause of general application to the United States, and then limit the application of the power to the incomes of the people of the District of Columbia. He said that that was easily done by the bill, and he thought it was constitutional. Perhaps it is, I do not know, but the deeper you go into the bill, I think, the more you can raise questions to show that it is unsound. Now, this question of the constitutionality of the taxation is raised in the first objection of the minority report, which says:

> The objections to the bill as drawn are most profound.
>
> First. The rates of taxation upon real estate of the same kind, or used for the same general purposes, are unequal, which is a violation of the first principle of every measure of sound taxation. Under the terms of the bill, if a piece of property were occupied previous to September 30, 1916, the rate then charged plus 10 per cent fixes the income, which in turn fixes the amount of the tax, or if the property were unoccupied or not built at that time, then the assessed value fixes the income, which in turn fixes the amount of the tax, and if by chance the property were a boarding house or hotel where room and board were charged in gross amount, that property under the bill would escape taxation, as no provision of the bill covers property so used; so that in one block there well might be three owners of real estate; one, with his income and consequently his tax fixed on the basis of what he was charging for rental the 30th day of September, 1916, and 10 per cent more; another, with his income and consequently his tax fixed on the basis of 10 per cent of the assessed valuation; and a third, providing room and board in gross amount, not coming within the terms of the bill. This plainly would be unconstitutional, as taxation of the same kind of property must be equal and at the same rate, and not discriminatory.
>
> Second. Section 2 establishes and levies a tax upon all excess above the fixed percentage of rentals in the bill; yet section 5, lines 11–13, declares any contracts or agreements made whereby the tax could be collected "are hereby declared contrary to public policy and unenforceable." In other words, section 2 establishes a tax by the Congress of the United States and in the same law the contracts from which the tax grows and out of which the tax can be levied are declared to be "contrary to public policy and unenforceable."

I do not know, Mr. Chairman, quite how to denominate a situation of that kind. I do not believe there is any bill that has ever been presented to the Congress which established a tax and then makes the tax illegal. It surely is quite anomalous and can not be sound legislation.

Mr. HOWARD. Will the gentleman yield for a question?

Mr. TINKHAM. I will.

Mr. HOWARD. Suppose this tax was uniform within the District of Columbia. The gentleman would not then contend it was unconstitutional, because Congress has exclusive and peculiar jurisdiction over the District of Columbia that it has not in other parts of the country.

Mr. TINKHAM. My answer to that question——

Mr. HOWARD. If it were uniform, that is the point.

Mr. TINKHAM. I have just criticized the bill as not giving uniform taxation to the District, and the question a few moments ago was raised as to the constitutionality of applying the income tax under the income-tax provision of the Constitution and applying it only to the District of Columbia, and I have the query whether perhaps there is not an element of unconstitutionality in that phase of the bill.

Mr. HOWARD. As the bill is written, I do not think the gentleman will contend that anything but incomes from realty is taxed and the imposition of taxes is put upon incomes under the provisions of the bill as written is uniform.

Mr. TINKHAM. In the District, but not throughout the United States, and that is the question whether you can impose——

Mr. HOWARD. The gentleman would not contend that it was necessary to make this bill constitutional?

Mr. TINKHAM. I say there is a query about it.

Mr. HOWARD. Does not the State of Massachusetts impose an income tax and also the Government of the United States?

Mr. TINKHAM. Yes.

Mr. HOWARD. And it imposes it uniformly within the confines of the State of Massachusetts?

Mr. TINKHAM. It imposes its taxes in Massachusetts under its own constitution.

Mr. HOWARD. Yes.

Mr. TINKHAM. The only way the tax is imposed in the District of Columbia on incomes, as I understand it, is under the general income-tax clause of the Constitution, which must apply to the entire United States.

Mr. HOWARD. Will the gentleman contend that this Congress would not have the right, if it saw fit, as a tax measure, to provide for an additional tax to the present income tax uniformly throughout the United States and the District of Columbia?

Mr. TINKHAM. I think it might; yes.

Mr. HOWARD. Then it has the right to impose this tax if it is applied uniformly.

Mr. MEEKER. Will the gentleman yield?

Mr. TINKHAM. I will yield in a moment. I did not raise the question of the constitutionality of the tax on that ground.

Mr. HOWARD. If the gentleman will permit, the gentleman from South Carolina [Mr. STEVENSON] did raise that very point, and the gentleman concurred in his reasoning.

Mr. TINKHAM. I said it might be so.

Mr. STEVENSON. Will the gentleman yield one minute, inasmuch as I have been brought into this?

Mr. TINKHAM. I will.

Mr. STEVENSON. I raised the question because I wanted to get a little light, and I did also raise the question on this taxing of incomes derived in the District of Columbia from only one species of property and not taxing all of them equally and excluding income derived from all other. I ask now if such is not a discriminatory tax?

Mr. HOWARD. If the gentleman from Massachusetts will yield, I would like to answer the question of the gentleman from South Carolina. Will the gentleman yield?

Mr. TINKHAM. I will not. I yield to the gentleman from Missouri [Mr. MEEKER].

Mr. MEEKER. I would like to ask to what extent, inasmuch as the gentleman from Georgia is referring to the State of Massachusetts as an illustration, the State of Massachusetts under its constitution would think of putting such a special tax on the citizens of Boston alone and letting the others go free? Would that be considered constitutional?

Mr. HOWARD. I will answer the question, if the gentleman from Massachusetts will permit. Boston could impose any tax it saw fit as a revenue measure if it was given the right under the constitution to do it, but the State could not tax one city in the State of Massachusetts one way and another city in another way.

Mr. TINKHAM. I think it is conceded that you can not fairly and constitutionally omit certain classes of real estate and include other classes of real estate in a tax measure and those that were included be fixed at different rates.

Now, the third objection found by the minority is as follows:

> Section 3, page 5, lines 14–16, provide that "the said tax and all penalties thereon shall constitute a superior lien on the 'real estate' from which the income has been derived." Section 1 defines the words "real estate" "to include lands, buildings, parts of buildings, houses, dwellings, apartments, rooms, suites of rooms." This would allow a tenant or lessee against the will or wish of the owner to charge the owner's property with a lien, which is utterly indefensible. If the lien can be imposed upon the property by the lessee or tenant, he can put the excess money subject to the tax in his pocket and let the owner pay the tax, which does not stop the evil, because the greatest of the alleged abuses of increased rentals have come through contracts made by lessees with their subtenants. If the bill, when it became law, were construed to apply only to owners of property because no property should be subjected to a lien except by act of the owner, then the greatest of the alleged abuses as indicated would not be reached. If the bill, when it is passed, were construed to allow the lessee or tenant to create a lien upon the property of the owner, no responsible landlord would let a house or building to people who let rooms, as he would not want to run the risk which the bill would impose upon him and his property, which in turn would reduce rooming facilities in Washington when they are most needed.
>
> The bill only provides for the collection of the tax in the way indicated.

Mr. PAIGE. Will the gentleman yield?

Mr. TINKHAM. I will.

Mr. PAIGE. I have been very much interested in this discussion, and I would like to ask my colleague which he thinks will be the easiest, to carry out the provisions of this law or to win the war?

Mr. TINKHAM. I shall have to be frank and say, Mr. Chairman, that I do not know.

Now, the answer by the majority of the committee to the third objection of the minority and in the debate which has just occurred was that all leases in the District of Columbia contain a clause saying that the consent of the landlord must be obtained, and therefore if the consent of the landlord must be obtained he was charged with knowledge, and if his tenant practiced extortion he should be held. But nearly all small property and nearly all lodging houses, as distinguished from apartment houses, are not let by landlords upon formal leases. That is true in the District of Columbia and it is true in all of the large cities of the United States. Large buildings, apartment houses that are of large value, are let, it is true, on leases, and very often it is the custom to require that the tenant—that is, the lessee—must obtain the consent of the landlord to sublet. But there are thousands of houses, tens of thousands of houses, perhaps, worth no more than from $6,000 to $10,000, or $12,000, or $15,000, where there are no leases, and that is true in the District of Columbia. Now, where there are no leases, so far as this bill provides, a tenant against the will and without notice to his landlord, can charge the property with a lien. So the third contention of the minority, it seems to me, is properly sustained.

Mr. SNOOK. Will the gentleman yield?

Mr. GOULD. Mr. Chairman——

Mr. TINKHAM. I will.

Mr. SNOOK. The chairman of the committee, the gentleman from Kentucky [Mr. JOHNSON], stated——

The CHAIRMAN. To whom does the gentleman from Massachusetts [Mr. TINKHAM] yield?

Mr. GOULD. Mr. Chairman, I make the point of no quorum.

Mr. SNOOK. The gentleman from Kentucky stated that the income tax——

Mr. GOULD. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from New York makes the point of no quorum. The Chair will count.

Mr. GARRETT of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. A point of order, Mr. Chairman. I rise to a point of order. The gentleman can not state a parliamentary inquiry during the ascertainment of a quorum.

The CHAIRMAN. The point of order is well taken. The Chair has counted 59 Members present, and the Clerk will call the roll.

Mr. GARRETT of Texas. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. GARRETT of Texas. I make the point of order that the gentleman is out of order, because he can not take another Member off his feet in the midst of his speech.

The CHAIRMAN. The Chair may be inaccurate in his ruling, but it has been held that he can. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Alexander	Estopinal	LaGuardia	Rubey
Anthony	Fairchild, G. W.	Lea, Cal.	Sabath
Ashbrook	Fields	Lenroot	Sanders, Ind.
Austin	Flynn	Lever	Sanders, La.
Beakes	Francis	Littlepage	Schall
Bell	Freeman	Lunn	Scott, Pa.
Brodbeck	Gandy	McArthur	Scully
Butler	Gard	McCormick	Sears
Byrnes, S. C.	Garland	McLaughlin, Mich.	Shackleford
Capstick	Godwin, N. C.	McLaughlin, Pa.	Shallenberger
Chandler, N.Y.	Goodall	Magee	Siegel
Collier	Gordon	Maher	Slemp
Copley	Graham, Pa.	Mann	Small
Costello	Gray, Ala.	Miller, Minn.	Smith, C. B.
Crago	Gray, N. J.	Mondell	Snyder
Crisp	Greene, Vt.	Montague	Stedman
Curry, Cal.	Hastings	Morin	Steenerson
Dale, N. Y.	Hayden	Mudd	Sterling, Ill.
Davidson	Hayes	Neely	Sterling, Pa.
Davis	Heflin	Nicholls, S. C.	Strong
Dent	Heintz	Olney	Sullivan
Dill	Hollingsworth	Peters	Tillman
Dooling	Hood	Platt	Vare
Dowell	Houston	Pou	Ward
Drane	Hull, Iowa	Price	Watson, Va.
Drukker	Humphreys	Rainey	Webb
Dunn	Johnson, S. Dak.	Rankin	Welling
Dupré	Johnson, Wash.	Riordan	Wilson, La.
Dyer	Jones, Va.	Robinson	Wood, Ind.
Edmonds	Kahn	Rodenberg	Woodyard
Esch	Kincheloe	Rowland	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. RUCKER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 9248) to prevent extortion, to impose taxes upon certain incomes in the District of Columbia, and for other purposes, and finding itself without a quorum, he had caused the roll to be called under the rule, and 305 Members had responded, and he furnished a list of absentees to the Clerk for printing in the RECORD.

The SPEAKER. The committee will resume its sitting.

The committee resumed its sitting.

The CHAIRMAN. The gentleman from Massachusetts [Mr. TINKHAM] is recognized.

Mr. SNOOK. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. I yield to the honorable Representative from Ohio.

Mr. SNOOK. When I was interrupted by the roll call I was endeavoring to ask the gentleman a question. The distinguished chairman of the committee [Mr. JOHNSON of Kentucky], as I understood him, in his argument said that the provisions of this bill applied to cases of subleasing. For illustration, let

me put a concrete case. If a person leased an apartment and then furnished it with furniture completely and leased it for the years 1916 and 1917 for $100 a year and then increased the rent to $200 a year for the present year, where is there any provision in this bill that applies this income tax to a rental of that kind?

Mr. JOHNSON of Kentucky. Mr. Chairman, will the gentleman let me answer in one word?

Mr. TINKHAM. I do not object to the honorable Representative from Kentucky answering it.

Mr. JOHNSON of Kentucky. The answer is that all incomes derived from unfurnished real estate in excess of 10 per cent are taxed.

Mr. SNOOK. I will point out that this income is not entirely received from real estate. It is income from mixed property, from real estate and personal property combined, and the definition of "real estate," as set out in the first paragraph of the bill, does not cover it.

Mr. JOHNSON of Kentucky. But the gentleman will see there is a clause in the bill that takes care of furnished apartments. There the owner is allowed 15 per cent, whereas the owner is allowed only 10 per cent advance for unfurnished apartments.

Mr. SNOOK. Is that in cases where they have not rented them before?

Mr. JOHNSON of Kentucky. I think it applies to the whole situation.

Mr. TINKHAM. Now, Mr. Chairman, the fourth objection of the minority is as follows:

> No distinction is made in the bill between real estate which is let or leased bare of service and heat and those which are let and leased with service and heat; yet the same rate of increase, namely, 10 per cent, is only allowed for each; nevertheless, since September 30, 1916, maintenance and supplies have increased 50 per cent or more in the District of Columbia, coal over 100 per cent, with a great decrease in quality, and the cost of services also has greatly increased.

Criticism was made during the debate that the price charged for coal in the District had not increased 100 per cent. Perhaps it has not. My information was—the best I could obtain—that it had; but for the sake of the argument I am willing to correct the statement there made and admit it is wrong, if it is, and say that there has been an increase in the price by 50 per cent. It will not affect the validity of the objection against the bill now being made by me.

Further:

> To fix an arbitrary figure the same for both classes of property is unfair and discriminatory. The cost of all maintenance, supplies, and services are advancing and undoubtedly will advance during the continuance of the war; yet the bill fixes, irrespective of these increases, past, present, and future, a rigid limitation on the income until a year after the war has come to an end.

It seems to me, Mr. Chairman, the statement in the report is clear enough. It does not discriminate between property which supplies no services, heat, and so forth, and property which supplies much services, heat, and so forth, and yet the limitation of return is the same, which means that the person who owns property and does not render services, heat, and so forth, will receive more of an income under the bill, if it is passed, than the person who has the same character and kind of property who is supplying services, heat, and so forth, and who has had to pay and will have to pay an increasing amount for these things.

Mr. JOHNSON of Kentucky. The gentleman understood me there that I was going to offer an amendment as to that.

Mr. TINKHAM. Now, the fifth reason why the bill, according to the minority report, should not be passed in its present form is that——

> Under the terms of the bill no distinction is made between residential and business property. The Government has made contracts with owners of business property which this bill would make void. Legislation which makes void contracts and agreements entered into in good faith and voluntarily before the passage of the bill is a vicious exercise of legislative authority, if it is constitutional.

Now, I do not say that it is unconstitutional. I rather think contracts, under the Constitution, can be made void that have been entered into in good faith, so far as the United States laws are concerned, so that I lay no emphasis on that element in the objections to this bill. But we contend further in the minority report that—

> The effect of the bill, if passed, must be to prevent the renting of property of this class, whereas the policy of the Government has been to promote the leasing of such property for the use of its own departments and that of its contractors, who are coming to the District of Columbia in increasing numbers. Many of the owners of such property, if their leases were automatically canceled by this law, might demand their property back, not being satisfied with the return allowed under the bill and the conditions imposed by it.

The sixth objection to the bill is as follows:

> There is always a serious and profound objection to making legislation retroactive. In relation to this particular measure, it can be said that this is unusually true. Many people in the District of Columbia, who, since September 30, 1916, leased their residential property at advances in excess of those allowed by the bill and with the assurance of the increased income, and have made new arrangements for themselves and families by agreements and leases, with the understanding of what their income would be, would have their arrangements seriously affected, although their agreements and leases, both with their tenant on the one hand, and their landlord on the other, were made in good faith and would be most unfair to them.

Mr. Chairman, the seventh objection to this bill found by the minority is as follows:

> Section 5 does not plainly state that the landlord as well as the tenant can avoid the lease if made in excess of the stipulated rates, even although such a lease is declared against public policy and unenforceable. If the tenant or lessee has the right to avoid his lease made since September 30, 1916, the landlord should plainly have the same right, in which case many landlords, if compelled to take lower rentals, might take back their property.

This would include Government property—that is, property leased to the Government—of which there is much in the District of Columbia leased since September 30, 1916.

Now, the eighth objection is that—

> In section 3, page 4, lines 16 and 17, a return must be made to the assessors every month. This feature is not only vexatious but would cause a large increase in the cost of maintenance of the assessor's office.

I would like to ask the honorable Representative from Kentucky if he knows of any other law under which a monthly return is made? If so, I should be pleased to be informed of it.

Mr. JOHNSON of Kentucky. No; I do not; and I provided for monthly returns instead of annual returns so as to give these profiteers just as much trouble as possible. [Laughter and applause.]

Mr. TINKHAM. The ninth objection of the minority is that—

> The rentals for the District of Columbia on the basis of 1916 as a standard as taken in the bill are distinctly unfair, as 1916 rentals were very low. There were 8,000 to 10,000 vacant houses during that year, owing to the attraction of many of the population to munition factories and to other employment outside of the District. In many of the poorer sections of the District of Columbia rents have not been increased over the 1916 standard, but if this bill is passed it might well be a suggestion and incentive to the owners of this class of property to increase their rentals over those now in vogue by 10 per cent.

The tenth objection is that—

> An extensive campaign is being made among the residents of the District of Columbia to house new Government employees who are coming here to the District in large numbers. With such a law in effect as proposed many residents would undoubtedly refuse their facilities, as they would not desire to run the risk of becoming involved with such a law as is proposed in this bill.

Now, Mr. Chairman, only one word in closing, and that is this, that the minority of the Committee on the District of Columbia are as sincerely desirous of stopping unfair profiteering in the District of Columbia, or in any other part of the United States, as the majority, or the honorable Representative from Kentucky, Mr. JOHNSON; but they do not want to pass a bill which they believe is not only unconstitutional, in at least one of its phases, but unworkable, and which will not produce the results which are believed by both sides to be desirable. I therefore believe that one of three courses should be followed in relation to this bill: As no hearings were given and only an hour and a half given to the consideration by the committee, it should be referred back to the committee for reformation, or——

Mr. JOHNSON of Kentucky. Will the gentleman yield just there?

Mr. TINKHAM. I will.

Mr. JOHNSON of Kentucky. Would the gentleman advocate giving burglars and thieves a hearing in preparing laws to stop them from their practices?

Mr. TINKHAM. Mr. Chairman, I do not know how to reply to that question, I am frank to say. I am going to let it remain in the RECORD exactly as it was spoken, without any reply.

Mr. SMITH of Idaho. Mr. Chairman, I understand the people interested in this bill had an opportunity to be heard and declined to appear before the committee.

Mr. TINKHAM. That is not so.

Mr. SMITH of Idaho. Did not the chairman so state?

Mr. JOHNSON of Kentucky. I say most emphatically that Mr. Fairfax and the other gentlemen who came to me with their written objections to this bill said that they wanted to come to me alone with them, and not before the committee, and they came twice.

Mr. FOCHT. All right, Mr. Chairman. We have just had read into the RECORD a letter from Mr. Fairfax, in which he said they did want a hearing.

Mr. JOHNSON of Kentucky. I thoroughly agree with the gentleman as to that feature of it. They wanted a hearing to-day.

Mr. FOCHT. They want a hearing, and this House ought to do them the justice to let them be heard.

Mr. JOHNSON of Kentucky. They want all the hearings that will make delay, and they do not want any more hearings.

Mr. FOCHT. As far as Mr. Fairfax is concerned, I resent the impeachment that he is other than a reputable gentleman, and asks only fairness.

Mr. BENJAMIN L. FAIRCHILD. In all fairness to Mr. Fairfax, the chairman of the committee will agree that subsequent to the date when the chairman had that conversation with Mr. Fairfax about a conference with the chairman alone, there was an endeavor between the chairman and Mr. Fairfax to fix a date for a hearing.

Mr. JOHNSON of Kentucky. Either yesterday or to-day.

Mr. BENJAMIN L. FAIRCHILD. And they supposed it was for this morning, and there was a misunderstanding between the two, and as a result there was no hearing.

Mr. JOHNSON of Kentucky. I have not intentionally said anything reflecting on Mr. Fairfax, and I agree with everything you say about him.

Mr. BENJAMIN L. FAIRCHILD. There has been no hearing, because of a misunderstanding about the date.

Mr. JOHNSON of Kentucky. There was no hearing yesterday, because of a misunderstanding between Mr. Fairfax and myself; but Mr. Fairfax was before me with a number of other gentlemen upon two previous occasions, when we sat for hours at a time discussing the bill.

Mr. FOCHT. But there was no hearing before the committee.

Mr. JOHNSON of Kentucky. It was not my fault, because they came and asked to see me alone, and I saw them, according to their request.

Mr. TOWNER. Will the gentleman yield to me?

Mr. JOHNSON of Kentucky. I will.

Mr. TOWNER. I would like to ask the chairman of the committee a question. It seems to me that perhaps a matter vastly more important than the desire of the persons who may be interested in this legislation is the question as to whether or not it is constitutional and right. The gentleman knows well—better than almost anybody else on the floor of the House—that the limitations on the powers of Congress with regard to taxation in the District of Columbia are exceedingly ill-defined. Congress is the legislative body of the District of Columbia, and yet constitutionally there are no statements affecting the powers of Congress to tax the people of the District of Columbia. Now, whether the ordinary constitutional limitations apply, or whether common-law limitations, which are still greater and more strict, will apply in a case of this kind, I confess that I have not had time or opportunity to examine. This is such a novel piece of legislation, does not the gentleman from Kentucky think that it would be advisable that at least final action on it should go over until Members of Congress have an opportunity to give the matter more consideration?

Mr. JOHNSON of Kentucky. I will say, if I may be permitted, in answer to the gentleman from Iowa, that only a few years ago a bill was before Congress which some of the ablest minds in both branches of Congress pronounced to be unconstitutional. The President of the United States, in my judgment one of the greatest lawyers in the country—President Taft—vetoed the bill because he thought it was unconstitutional, but since then the Supreme Court of the United States has decided that it was constitutional. I think these people ought not to be permitted to rob the citizens of this District one day while the discussion goes on as to whether it is constitutional or not.

Mr. TOWNER. The gentleman's statement in regard to the matter only emphasizes the fact that I stated a moment ago as to the uncertainty of the constitutional powers of Congress as to taxation in the District of Columbia. I agree with the gentleman that no one should be allowed to rob anyone else in the District of Columbia for a single day longer, but the gentleman is too good a lawyer to desire, I am sure, questionable legislation to be passed when it may result in not accomplishing what he and we all desire, the prevention of extortion, because it may be unconstitutional.

The CHAIRMAN. The gentleman from Massachusetts has three minutes remaining.

Mr. TINKHAM. Mr. Chairman, if this bill is not recommitted to the committee, the next course which should be pursued is to substitute a bill which I will propose at the proper time for this measure, which I think will correct the evil and accomplish much better than the bill that is before the committee in its present form what the honorable Representative from Kentucky desires to have accomplished. I think the bill as it is now presented to us is vicious and should be defeated. [Applause.] Mr. Chairman, I reserve two minutes of my time.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. RUCKER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3433. An act requiring the Government to furnish uniforms to officers of the Army, and for other purposes.

TAXES ON INCOMES, DISTRICT OF COLUMBIA.

The committee resumed its session.

Mr. JOHNSON of Kentucky. Mr. Chairman, how much time has the gentleman from Massachusetts used?

The CHAIRMAN. The gentleman from Massachusetts has 32 minutes remaining.

Mr. TINKHAM. Mr. Chairman, I yield 30 minutes to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Mr. Chairman, there has been some discussion about the question of hearings on this bill before the committee. There were no hearings on it. The bill was introduced January 25, as will be seen by reference to the date on the bill. The Committee on the District of Columbia voted to report it out on February 1, at the first meeting of the committee after it was introduced. After the committee had voted to report the bill out, a motion was made and carried to have hearings on it, but no hearings have been had.

I am in favor of the purpose sought to be accomplished by the bill, as stated in the report of the committee, namely, to stop the practice of extortion and profiteering in rents in the District of Columbia. As far as I am concerned, I am not at all alarmed about its not being a proper function of the Government to do so; but as to the constitutionality or unconstitutionality of this particular bill, I shall leave that for others to discuss and shall confine myself to a discussion of it upon its merits, regardless of the constitutional question.

Everyone knows of the crowded condition of the city and the difficulties involved in securing proper housing facilities within the District on reasonable terms, or, as a matter of fact, on any terms at all, for the greatly increased number of Government employees coming to Washington since the declaration of war; and no doubt everyone here has heard of instances where the rent for houses and apartments has advanced to an enormous and outrageous extent, although it is only fair to say that disinterested people of responsibility who have investigated the conditions declare that such increases are by no means universal.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. MAPES. I yield to my colleague from Michigan.

Mr. SMITH of Michigan. I have heard it reported that before the 1st day of the coming August the number of clerks in the different departments on account of the war activities will be increased by 20,000.

Mr. MAPES. I have seen substantially that same statement. The committee held no hearings and has no official information to present to the House. Congress should, however, do all that it can and take whatever action is necessary to prevent the possibility of extortion or profiteering in rents in any case.

The pending bill, however, in order to be made workable and in order that it may not aggravate the housing difficulties in the District, which it, of course, proposes to relieve, ought to be amended in some important particulars.

All price-fixing legislation of whatever nature is important and deserves careful consideration. As a member of the Committee on the District of Columbia, I regret that that committee did not see fit to give legislation of so great importance more consideration and perfect this bill or report one which represented the consensus of opinion of at least a majority of the members of the committee after mature and careful deliberation.

There has been something said about the time this bill was considered in the committee. It so happened that I looked at my watch on the morning that the committee met as I stepped into the committee room. It was 20 minutes of 11 at the time, and the committee had not then been called to order. I looked at my watch after it had adjourned, and it was not quite 20 minutes of 12; so that the committee was in session a little less than one hour. During that time the chairman had read the bill, there had been several aye-and-no roll calls of the committee, and whatever consideration was given to the bill and

its different provisions was given within that time, a trifle less than one hour.

Mr. BENJAMIN F. FAIRCHILD. Had the bill been considered by any subcommittee?

Mr. MAPES. It had only been introduced about a week before, and the committee had not considered it at all.

Mr. BENJAMIN F. FAIRCHILD. Neither the committee or a subcommittee?

Mr. MAPES. Neither the committee nor any subcommittee. The bill was voted out of the committee at one session of less than one hour's duration without any adequate opportunity being given for amendment or discussion 10 days before it could possibly be considered under the rules in the House. One of the apologies for this action was that the bill could be considered, discussed, and amended in the House, although that, of course, is the duty of a committee and might more appropriately have been done for several days by the committee in this instance without losing any time or without delaying the passage of the bill a single hour. In fact, it would in all probability have expedited its final passage through the House. At any rate it would not then have been necessary to convert the House into a standing committee.

The matter of rent is so intimately connected with the shortage of houses, apartments, and rooms to house the people constantly coming to Washington, and apparently in increasing numbers as the war continues, that the two can not be separated in any proper consideration of the subject.

Tuesday the House passed a bill reported by the Committee on the Merchant Marine and Fisheries, which had already passed the Senate, authorizing an appropriation of $50,000,000 to enable the Government, through the Shipping Board, to buy and build houses for the employees of the shipyards.

The chairman of the Committee on Labor of the House has introduced a bill prepared and recommended by the Department of Labor authorizing an appropriation of another $50,000,000 for the purpose of enabling the Government, through the Secretary of Labor, to buy or build houses for employees of the Government generally and for industrial workers engaged in industries connected with the national defense and security and for their families during the war.

Mr. Whitaker, one of the experts who testified at the hearing before the Committee on the Merchant Marine and Fisheries during the consideration of the bill reported by that committee at the instance of the Shipping Board, testified that his "study of this question of housing dates back over 20 years, and so far as this immediate project is concerned"—that is, the proposition of housing the employees of the shipyards—"it dates back," he continues, "to when I was asked by the War Department to draft a program on account of some serious difficulties in the production of munitions. * * *

"Since that time this project has passed through a great many stages. The Council of National Defense have had two separate committees at work; they have held a great many hearings and taken a great mass of testimony."

And yet the Committee on the District of Columbia, without, I dare say, a member who has ever given the subject any special consideration, solves the problem for the District of Columbia in less than one hour's time. Why should these other agencies of the Government be permitted to waste their time and ability in such a manner when the District Committee could solve their difficulties for them so promptly?

The conclusion reached by the Shipping Board and the Secretary of Labor after consideration of the subject is that the Government should build houses and keep down the rents by increasing the supply and fixing a reasonable rent for the Government houses.

The pending bill may provide an effective method of keeping down the rents within the District, but there are other questions of equal importance involved which ought to be considered if the great influx of Government employees on account of the war is going to be properly housed. The man who is out looking for a place to sleep these cold winter nights is as much concerned over finding a place to stay as he is over the price he has to pay after he finds it, and it is fair to assume that the owners of real estate will find little in this bill to encourage them to increase their housing facilities to relieve an already overcrowded condition.

Personally I believe that in addition to any bill limiting the charges for rent some action will have to be taken by the Government to build accommodations for the people within the District of Columbia similar to that proposed by the Shipping Board and the Secretary of Labor. The housing facilities are already greatly inadequate and it is estimated that upward of 20,000 additional Government employees will come to Washington during the current year, as my colleague from Michigan [Mr. SMITH] states.

In this connection it seems to me that people who are not Government employees or who have no business with the Government ought to keep away from Washington at the present time. The housing facilities are too limited and the number of people who are actually obliged to be here is so great that the city ought not to be made a resort for the retired and pleasure seeking part of society during the war. Before coming here they may well ask themselves whether they have the moral right to come and preempt the already grossly inadequate supply of housing and hotel accommodations, thereby depriving the necessary Government employees of them. In my opinion they have had more to do in causing the greatly increased rent and other living expenses within the District than anything else. With more money than discretion they come to Washington and are willing to pay temporarily almost any price for furnished houses or hotel accommodations.

The pending bill proposes to take a sort of prewar period of 18 months prior to September 30, 1916, to determine the normal or fair income from rents on property within the District and then to levy a tax, to be paid to the District of Columbia, of 100 per cent on all above 10 per cent that the gross income from rent since December 31, 1916, exceeds the gross income from rent for an equal period of time during the prewar period, that is, the 18 months prior to September 30, 1916. In other words, if the income from rent since December 31, 1916, or any part of such time is more than 10 per cent greater than it was for an equal period of time during the 18 months prior to September 30, 1916, this bill proposes to tax and collect all of such excess from and after December 31, 1916, until one year after the signing of the treaty of peace between the Imperial German Government and the Government of the United States.

All leases and agreements to pay more than the 10 per cent paid during the prewar period are declared to be against public policy and unenforcible, and in addition to the tax of 100 per cent the bill authorizes any person who shall pay more than the 10 per cent received during the prewar period after the passage of the act to sue and recover double the amount thereof and the costs of suit, including a reasonable attorney's fee of not less than $50.

It is safe to conclude that if this bill is enacted into law no one will accept for the rent of his property within the District more than 10 per cent over what he received during this prewar period. If he does he will be required to pay back to the District government and his tenant three times the amount—100 per cent to the District government and 200 per cent to the tenant—in addition to costs of suit and an attorney's fee of not less than $50.

Mr. HILLIARD. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. HILLIARD. What effect would that have on the real estate men?

Mr. MAPES. I think it would stop the increase of rentals in the District, as I have stated.

Mr. HILLIARD. That is the present purpose of the legislation, is it not?

Mr. MAPES. I have so stated in my remarks.

The bill provides that the 100 per cent tax to the District government shall date back to December 31, 1916. There was some criticism about the retroactive features of the income-tax provisions proposed in the war-revenue bill of last year. They were finally stricken from that bill, but they did not compare with the retroactive features of this bill. In addition to this 100 per cent tax provided for in this bill, the owners of real estate within the District have paid or must pay under the general law the same income tax for last year as anyone.

Allowing the prewar period to remain as the 18 months prior to September 30, 1916, for the purpose of arriving at the proper rent, the 100 per cent tax ought not in good conscience to apply to any income received prior to December 31, 1917, and the bill should be amended in that respect. With that amendment this provision would still date back to the first of this year and would reduce rents at once to the normal level of the prewar period plus the 10 per cent allowed by the bill, and would accomplish what the bill aims to accomplish, namely, the reduction of rents.

One of the principal abuses as far as this rent question is concerned is the rerenting of leased apartments by tenants. They lease an unfurnished apartment, put a little furniture in it, and rerent it at a greatly advanced price, in some cases several times the amount received by the owner or the original lessor. It seems to me there is more or less uncertainty as to whether the

bill covers lessees and sublessees and that it should be amended so as to clearly include them.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. MAPES. Yes.

Mr. CAMPBELL of Kansas. Did the committee ascertain the amount of subletting that is now being done in the District?

Mr. MAPES. It did not. The committee held no hearings, as I said before.

Mr. CAMPBELL of Kansas. Held no hearings on the bill?

Mr. MAPES. Held no hearings on the bill.

Mr. CAMPBELL of Kansas. I do not know, but I think it would be interesting for the House to know the amount of subletting that has been done at enormously increased rents. I have been told that the owner who makes a lease has had very little to do with the enormous rents that are being charged up to the tenants who are occupying the property, and that the vice is in the subletting. A few hundred dollars' worth of furniture is put into an unfurnished apartment and that is leased for sometimes three times the amount of the original rent.

Mr. MAPES. I think every Member of the House has heard of a great many instances of that kind. How general it is I have no way of telling.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MAPES. Yes.

Mr. KELLEY of Michigan. In the case which my colleague cites, of a subtenant furnishing an apartment and leasing, this bill presumes to make the excess tax a lien against the real estate. What does my colleague think of that as a legal proposition?

Mr. MAPES. I am just about to discuss that.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. MAPES. For a brief question. My time is limited.

Mr. JUUL. In the matter of the retroactive features of the bill as discussed by the gentleman, does the gentleman want that the people who have safely deposited the result of their extortion in the banks should get away with it, and that what we have suffered, if we have suffered, to date should be forgiven and forgotten?

Mr. MAPES. I doubt whether there was very much of this excessive charging for rent prior to a very few months ago, and my suggestion is that the retroactive provision date back to December 31, 1917.

Mr. JUUL. I can give the gentleman a case where people remaining in a place were boosted 60 per cent in the rent from one month to the next.

Mr. MAPES. And I dare say that that was only a short time ago, perhaps since December 31, 1917. It is of course indefensible. If the bill should pass it would immediately reduce the rent to the prewar rent, which is the purpose of the bill.

The owners of real estate complain that the tax is made a lien upon the property, even though the lessee and not the owner is the profiteer, but the interests of the owner can probably be safeguarded in this respect, for the future at least, by the clause usually inserted in leases against subletting without the consent of the owner.

It is impossible, however, to justify or reconcile the retroactive feature of the tax in so far as this practice of subletting at greatly advanced rates is concerned, assuming that it covers it with the provision of the bill which makes the tax a lien on the property. The owner must pay the tax to protect his property, even though he received no benefit from the excessive rent, and no matter how much he may have regretted the action of his tenant in rerenting at the advanced rate, and even though the original lessee, the only profiteer in the case, may be wholly irresponsible and now out of the jurisdiction of the District. The constitutionality of this feature of the bill may well be questioned. Can one man's property be taken to redress the wrong of another? But this provision goes still further—it levies a retroactive tax on the income of one man not subject to taxation at the time or during the period for which it is levied and makes that tax a lien on the property of another.

Those who have been making a disinterested study of the housing conditions in the District say that one of the real problems is to prevail upon the residents of the District who have not heretofore done so to open their homes and to rent one, two, or three rooms to the employees of the Government. It seems to me that the provisions of the bill are unworkable, as far as the renting of an individual room in a home is concerned, and would tend to keep people from doing this very desirable and much-needed thing rather than to encourage them to do it. No legislation should be passed which would have that effect or tendency, and the bill should be amended so as to exempt private families who are willing to thus open their homes.

The bill provides that in case no income was received from property during the prewar period of 18 months prior to September 30, 1916, the owner shall be allowed a gross income equal to 10 per cent of the value of the property producing the income, including furniture, if any, "as determined by the assessor of the District of Columbia," before the operation of the 100 per cent tax. That provision would be unworkable as far as the renting of an individual room in a private family is concerned. It would not be practicable to secure a separate valuation of the separate rooms throughout the District, and a roomer in a private home ought not to be required to pay 10 per cent of the value of the entire place for a single room.

The value of the property as determined by the assessor of the District of Columbia is made the basis of calculation, but the bill does not state whether by that is meant the present assessed valuation or whether the assessor is to make a special valuation in order to carry out the provisions of the act. If it means the present assessed valuation, then it must be remembered that real estate within the District is now assessed at two-thirds of its actual value, not its full value. Two-thirds of 10 per cent is 6⅔ per cent, so that the bill actually allows the owner of real estate who wishes to rent property now that was not rented during the prewar period to receive a gross income of 6⅔ per cent only on the actual value thereof. Of course the net income would be less than that, how much less depending upon the nature of the property and the uses to which it is put.

Mr. JOHNSON of Kentucky. Mr. Chairman, will the gentleman yield for a statement there?

Mr. MAPES. Yes.

Mr. JOHNSON of Kentucky. I have already said that it was not the purpose of the bill to base this 10 per cent or 15 per cent upon the appraised value, and inasmuch as several gentlemen have read the bill in that way, I have already said that I have an amendment prepared to take care of that situation; but even if that were the case the assessed valuation is three-thirds, and then only two-thirds of it are taken for taxing purposes.

Mr. MAPES. I congratulate the chairman on having changed his attitude from what he assumed in the Committee on the District. I am glad to see that he is now proposing certain amendments to the bill which I think will improve it.

Mr. JOHNSON of Kentucky. If the gentleman had heard all of my remarks, he would have heard of another amendment that I proposed to offer.

Mr. MAPES. I heard those statements. I only regret that the gentleman did not see fit to have the committee consider them and put those and other amendments in the bill.

Mr. JOHNSON of Kentucky. I did not want all the teeth taken out of it.

Mr. MAPES. There might have been some teeth put in, as far as some provisions are concerned.

Mr. MADDEN. Mr. Chairman, will the gentleman yield there?

Mr. MAPES. Yes.

Mr. MADDEN. The net income from the property would be this much less. Under the revenue law 4 per cent depreciation is allowed on all property, but the average depreciation per annum on building property is 5 per cent. That is the average experience. The taxes in the District of Columbia are 1½ per cent. That makes 6½ per cent. The average vacant period for a building is 2½ per cent. That makes 9 per cent. So that in the best circumstances all the owner of the property would get would be 1 per cent.

Mr. MAPES. All of those matters have to be taken into consideration.

Mr. JOHNSON of Kentucky. Will the gentleman permit me to interject a remark right there?

Mr. MAPES. I am sorry, but I have only a few minutes left.

Mr. JOHNSON of Kentucky. Just one second. That depreciation of 5 per cent a year would make the house absolutely valueless after it was 20 years old.

Mr. MADDEN. Almost every house has to be reconstructed at the end of 20 years.

Mr. JOHNSON of Kentucky. It has not in our section of the country.

Mr. MAPES. If this provision should go into effect unchanged, there will be little inducement for private enterprise to build additional housing accommodations within the District with the practical certainty of a material reduction in the income to be derived therefrom as soon as the war stops, and limited to a gross income of 6⅔ per cent on the capital invested for the period of the war, uncertain and indefinite as that period is.

Another clause in the bill states that in case the property was rented unfurnished during the prewar period and is rented furnished during the taxable period, the owner is allowed an

increase of 15 per cent before the application of the tax of 100 per cent.

It should be borne in mind that the law exempts from assessment and tax furniture within the District to the value of $1,000. If the value of furniture is $1,000 or less, there is no record of it at all in the assessor's office. That being the case, if the present assessment system is to prevail, it is safe to say that no new furnished apartments will be rented within the District unless the furniture in them exceeds in value $1,000, because no allowance in computing the income could be made for such furniture.

What is to be done with the large apartment houses containing a great number of suites of rooms, a part only of which may have been rented during the prewar period? Are the owners to be limited to the 10 per cent over the income which they received during the prewar period on a part only of their buildings, or are they to be allowed a gross income of 10 per cent of the value of the property as determined by the assessor of the District of Columbia, as in the case of property not rented during the prewar period, or are they to receive an increase of 10 per cent over the prewar period for the rooms rented during that time and 10 per cent of the value of the property as determined by the assessor for those not rented during the prewar period? Will it not be an interminable, if not an impossible, job for the assessor to determine the value of the individual rooms or suites of rooms in the houses and apartments throughout the District?

If the clause "the valuation of the property as determined by the assessor" means the present valuation, then the bill is unworkable, because there is now no separate valuation of individual rooms or suites of rooms or of furniture unless the value thereof exceeds $1,000. If it means that the assessor is hereafter to determine the value of these individual rooms and suites of rooms for the purposes of the act, then the bill creates positions for a great many deserving Democrats in the assessor's office.

These are some of the practical difficulties that will be met in the operation of the provisions of the bill if it is enacted into law as it now reads. Others will readily suggest themselves to anyone who studies the bill.

Congress has created since this war started several agencies to fix the price of different commodities. The President, through the Fuel Administration, is authorized to operate mines, distribute coal, and fix its price. Through the Food Administrator he is authorized to regulate the distribution and fix the price of a great many food products. One way of solving the rent problem would be to have a board appointed to fix the rent of property within the District of Columbia. If the bill goes into effect, there should be created a board of some kind to put it into practical operation.

Mr. RAGSDALE. Will the gentleman yield?

Mr. MAPES. I have very little time left.

Mr. RAGSDALE. For only one question. On these various boards that would be created, would not there be some Democratic appointments and enjoy the objection made by the gentleman to the other created?

Mr. MAPES. I am not making any objection to the bill on that ground. I am only calling attention to the fact.

Mr. RAGSDALE. Oh, yes.

Mr. MAPES. It does not make sufficient provision for the changed conditions now prevailing within the District over those of normal times. People are occupying a great deal less space than formerly. There are more people in an apartment. Where one person formerly had a room, two or three are now occupying it. I have heard of an instance where there were as many as five now in a room formerly occupied by one, and of another case where a father and mother and two grown children were occupying an apartment in one of the leading apartment houses of the city composed of only one room and a bath. If the owners in such cases are obliged to rent their places for the same income as they received during the prewar period, it is safe to say that many of these people will be obliged to move out into the street. The owners can get the prewar price without any trouble by accommodating only the same number of people that they did in the prewar period. After we pass this bill we may have to supplement it with additional legislation compelling the owners to open their places for rent and telling them how many they may or must put into a given place.

Limiting the charge for rent to 10 per cent over that received during the prewar period in all cases where the property is used for practically the same purposes as it was during the prewar period will not work a hardship upon anyone, but some allowance ought to be made for those cases where the property is put to a different use or where conditions have materially changed.

An amendment to the bill should be adopted providing for the creation of a rent administrator or board with authority to change the rates provided for in the bill under changed conditions where the facts justify it, but requiring the rates fixed in the bill to remain until and except they should be changed by said rent administrator. I shall introduce an amendment of that kind, and I believe its adoption would do away with many of the objectionable features of the bill.

Mr. RAGSDALE. Will the gentleman yield for another question?

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Massachusetts has two minutes remaining.

Mr. TINKHAM. Mr. Chairman, I rise to offer a preferential motion.

Mr. CAMPBELL of Kansas. Mr. Chairman, while the time was fixed, can not we have the time extended so that the gentleman may finish his remarks?

Mr. JOHNSON of Kentucky. I am perfectly willing for the gentleman from Michigan to conclude his remarks. He has two minutes now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TINKHAM. Mr. Chairman, I have two minutes, and I yield them to the honorable Representative from Michigan.

The CHAIRMAN. The gentleman is recognized for two minutes more.

Mr. MAPES. I thank the gentleman.

The fact remains that a great many people eligible for Government work and who have been recommended for appointment in the different branches of the service are restrained from accepting appointments on account of the excessive rents now being charged in the District. Others who come here in good faith to accept Government positions return to their homes because they are unable to obtain places to live within their means, and a great many Army men with limited incomes are assigned to duty within the District. These men are obliged to live here.

Something must be done to relieve the situation. The interests of the Government require it. I do not believe that anyone should be allowed to take advantage of the necessities of the Government and the conditions brought about on account of the war to profiteer in rents within the District. I am in favor of limiting the charge that can be made and of stopping any excessive rents, and I believe that to do so is a proper function of the Government. I hope this bill will be amended so as to be made more workable in its practical operation. There is more to the rent and housing question than the bald provision that you can charge so much and no more for rent, but as this is the only bill now before the House for consideration I shall give it my vote, but before being called upon to do so I hope it will be amended in several important particulars.

Mr. SMITH of Michigan. Will the gentleman yield for a question?

Mr. MAPES. I yield.

Mr. SMITH of Michigan. I would like to inquire whether or not there could not be a rent administrator just as well as a Food Administrator or some other? Did the committee consider such a thing as that?

Mr. MAPES. The committee had no time to consider it, as I have said.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Kentucky. Mr. Chairman, I believe I have six minutes remaining.

The CHAIRMAN. The gentleman has six minutes.

Mr. JOHNSON of Kentucky. Mr. Chairman, the gentleman from Ohio [Mr. LONGWORTH] and several others have inquired about the revenue of a hotel building which may have been built since the time fixed by this bill for commencing the tax.

These sums were based upon the idea in the construction of the bill that the limit was 10 per cent on them. There are two limits as to a furnished building, one of 10 per cent and one of 5 per cent, aggregating 15 per cent. The 15 per cent would apply to the furnished apartments or rooms of a hotel.

Mr. LONGWORTH. If the gentleman will pardon me, no allowance is made by this bill as to any different class of buildings. There might be one class of building in which the cost of upkeep is slight, and there would be no question as to servants, laborers, and so forth.

Mr. JOHNSON of Kentucky. I was seeking uniformity in drafting the bill.

Mr. LONGWORTH. Does the gentleman believe that in a hotel as it is run nowadays that a 15 per cent margin on the

cost of the investment would be sufficient to allow the hotel to run?

Mr. JOHNSON of Kentucky. I believe it is far more equitable than what they are charging. The gentleman from Michigan [Mr. MAPES] a few moments ago referred to the possibility of somebody having to go into a room in each and every house and determine its rental value. We know what rooms in a particular house rented for prior to September 30, 1916, and we know what rooms in the same locality and of practically the same description should bring. They should bring what the other rooms brought in 1916.

I regret that the gentleman from Michigan suggested politics in the assessor's office as coming from the District of Columbia Committee.

This is the eighth year of my chairmanship of that committee, and I do not believe politics has ever yet entered the committee, and I do not believe the gentleman can recall a single instance where it has.

Mr. MAPES. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. MAPES. I think the gentleman from Kentucky has misconstrued my reference to that. I did not say there was any politics in the committee, but inevitably, if this bill is enacted into law, there must be a greatly increased force in the assessor's office in order to take care of the assessments that the bill provides.

Mr. JOHNSON of Kentucky. I take the position that there will not have to be a single increase, because the minute this bill passes this extortion is going to stop, and the force, therefore, will not have to be enlarged.

And, besides that, during Wilson's administration, shortly after the beginning of which Democratic commissioners went into office, there has not been a single removal of anybody in the assessor's office, except one man, who was guilty of fraudulent and corrupt practices.

Mr. MAPES. Will the gentleman yield a little further?

Mr. JOHNSON of Kentucky. I will.

Mr. MAPES. The bill provides for statements and affidavits to be filed with the assessor's office monthly during the operation of the act until one year after the war closes, and they must be filed upon the basis of the assessed valuation of the property.

Mr. JOHNSON of Kentucky. I do not think so at all. I do not think the gentleman has read the bill correctly.

Mr. MAPES. And it will necessarily take a lot more of employees.

The CHAIRMAN. The time has expired. The Clerk will read.

Mr. TINKHAM. Mr. Chairman, I rise to offer a preferential motion.

The CHAIRMAN. There is no more motion pending. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the term "real estate" as herein used shall be construed to include lands, buildings, parts of buildings, houses, dwellings, apartments, rooms, suites of rooms and every other improvement or structure whatsoever on land situated and being in the District of Columbia.

Mr. TINKHAM. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. TINKHAM. To offer a preferential motion. Under the rules I can offer a preferential motion at any time, as I understand it.

Mr. JOHNSON of Kentucky. Mr. Chairman, without knowing what the motion is, I reserve a point of order on it.

The CHAIRMAN. The Clerk will report the motion offered by the gentleman from Massachusetts.

The Clerk read as follows:

Mr. TINKHAM moves that the committee do now rise and report the bill to the House with the recommendation that further consideration be postponed until February 25, 1918.

Mr. JOHNSON of Kentucky. I make a point of order against that.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Kentucky. The Chair will rule on the point of order.

Mr. RAGSDALE. Mr. Chairman, I move to lay that motion on the table.

Mr. JOHNSON of Kentucky. Mr. Chairman, I withdraw the point of order and ask for a vote.

The CHAIRMAN. The gentleman from Massachusetts [Mr. TINKHAM] moves that the committee rise and report the bill back to the House with the recommendation that further consideration of the bill be postponed until February 25.

The question was taken, and the Chair announced that the Chair was in doubt.

Mr. TINKHAM. Division, Mr. Chairman.

The committee divided; and there were—ayes 25, noes 36.

Mr. TINKHAM. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Massachusetts makes the point of order that there is no quorum present. The Chair will count. [After counting.] Seventy-five gentlemen are present, not a quorum. The Clerk will call the roll.

Mr. HAYES. Mr. Chairman, I make the point of order the roll can not be called in the Committee of the Whole.

Mr. WALSH. Mr. Chairman, I ask for the regular order. The Chair directed the roll should be called, and the Clerk should proceed.

The CHAIRMAN. The Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Anderson	Gallivan	McCormick	Sanders, N. Y.
Anthony	Goodall	McKenzie	Schall
Ashbrook	Goodwin, Ark.	McKinley	Scott, Pa.
Austin	Gould	McLaughlin, Mich.	Scully
Beakes	Graham, Pa.	McLaughlin, Pa.	Sims
Borland	Gray, Ala.	Maher	Small
Brodbeck	Gray, N. J.	Mann	Smith, C. B.
Caldwell	Gregg	Miller, Minn.	Snell
Capstick	Hamill	Mondell	Snyder
Caraway	Hamilton, Mich.	Montague	Stedman
Carter, Mass.	Hamilton, N. Y.	Mott	Stephens, Nebr.
Chandler, N. Y.	Harrison, Miss.	Mudd	Sterling, Ill.
Clark, Fla.	Hastings	Neely	Sterling, Pa.
Collier	Heintz	Nelson	Strong
Copley	Hollingsworth	Nicholls, S. C.	Sullivan
Costello	Hood	Nolan	Talbott
Curry, Cal.	Howard	Olney	Towner
Davidson	Humphreys	Parker, N. Y.	Vare
Denison	Johnson, S. Dak.	Platt	Voigt
Dooling	Johnson, Wash.	Porter	Walton
Drukker	Kahn	Pou	Ward
Dunn	Kennedy, R. I.	Powers	Wason
Dyer	Key, Ohio	Price	Waston, Va.
Edmonds	King	Ramsey	Webb
Estopinal	La Follette	Randall	Welling
Fairchild, G. W.	LaGuardia	Robinson	White, Ohio
Fess	Lea, Cal.	Rodenberg	Wilson, Ill.
Flood	Lee, Ga.	Rowland	Wilson, La.
Flynn	Lever	Russell	Winslow
Fordney	Littlepage	Sabath	Woodyard
Francis	Lundeen	Sanders, Ind.	
Freeman	Lunn	Sanders, La.	

Thereupon the committee rose; and the Speaker having resumed the Chair, Mr. RUCKER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the bill (H. R. 9248) to prevent extortion, impose taxes upon certain incomes in the District of Columbia, and for other purposes, and finding itself without a quorum, he had caused the roll to be called, whereupon 304 Members had responded to their names, and he submitted a list of absentees for printing in the RECORD.

The SPEAKER. The committee will resume its sitting.

The committee resumed its sitting.

Mr. JOHNSON of Kentucky. Mr. Chairman, I desire to make a statement to the committee, consuming about one minute.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. JOHNSON of Kentucky. A large number of Members of the House now present were not present when this roll call commenced. The gentleman from Massachusetts [Mr. TINKHAM] made a motion to postpone the consideration of the bill. A vote was taken on the motion, and the motion was lost, but less than a quorum voted. Whereupon the gentleman from Massachusetts made a point of no quorum. It is my desire now to have a vote taken on the motion made by the gentleman from Massachusetts, and when that vote has been taken I will make a motion that the committee rise.

The CHAIRMAN. The question now is on the motion of the gentleman from Massachusetts [Mr. TINKHAM], which the Clerk will report.

The Clerk read as follows:

Mr. TINKHAM moves that the committee do now rise and report the bill to the House, with the recommendation that the further consideration of the bill be postponed until February 25, 1918.

The CHAIRMAN. The question is on agreeing to the motion.

The question was taken, and the chairman announced that the "noes" seemed to have it.

Mr. JOHNSON of Kentucky. I ask for a division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 7, noes 102.

So the motion was rejected.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RUCKER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 9248) to prevent extortion, to impose taxes upon certain incomes in the District of Columbia, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GRAY of Alabama, for 10 days, on account of important business.

To Mr. KEHOE, for the day, on account of illness.

To Mr. SANDERS of Indiana, for two days, on account of important business, at the request of Mr. PURNELL.

URGENT DEFICIENCY BILL (H. REPT. NO. 315).

Mr. SHERLEY, by direction of the Committee on Appropriations, reported for printing, under the rule, the bill (H. R. 9867) making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and prior fiscal years, on account of war expenses, and for other purposes, which was referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. GILLETT. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Massachusetts reserves all points of order on the bill.

REPORTS OF WAR TRADE BOARD FOR 1917 (H. DOC. NO. 934).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Senate and House of Representatives:

As required by the provisions of section 6 of the "Trading with the enemy act," approved October 6, 1917, I transmit herewith reports of the Bureaus of Enemy Trade and of Imports, showing the proceedings had by the War Trade Board during the year ending December 31, 1917.

WOODROW WILSON.

THE WHITE HOUSE, *February 14, 1918.*

HOUSING OF SHIPYARD EMPLOYEES.

Mr. ALEXANDER. Mr. Speaker, I desire to call from the Speaker's table the housing bill (S. 3389), with House amendments, to insist on the amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Missouri asks that Senate bill 3389, with House amendments, be taken from the Speaker's table, and that the House agree to the conference asked by the Senate. The Clerk will report the bill by title.

The Clerk read the title of the bill (S. 3389) to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire improved or unimproved lands, houses, buildings, and for other purposes.

The SPEAKER. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. ALEXANDER, Mr. HARDY, Mr. SAUNDERS of Virginia, Mr. GREENE of Massachusetts, and Mr. EDMONDS.

PERSONAL EXPLANATION.

Mr. ALMON. Mr. Speaker, being called away by the serious illness of my son at Camp Wadsworth, I asked a friend to secure leave of absence for me for the 12th and 13th of this month. He neglected to do so, and I desire to make this statement in explanation of my absence on the 12th and 13th.

LEAVE TO EXTEND REMARKS.

Mr. GREENE of Vermont. I ask unanimous consent to extend my remarks in the RECORD by printing an article from the Army and Navy Register, written by Admiral Clark, of the Navy.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 33 minutes p. m.) the house adjourned until to-morrow, Friday, February 15, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. YOUNG of Texas, from the Committee on Agriculture, to which was referred the joint resolution (H. J. Res. 231) authorizing the Secretary of Agriculture to certify to the Secretary of the Treasury for payment, and the Secretary of the Treasury to pay, the appropriation for the Georgia Experiment Station, of the State of Georgia, under act of March 4, 1917, for the fiscal year ending June 30, 1918, to the board of trustees of the Agricultural and Mechanical College, of the State of Georgia, and for other purposes, reported the same with amendment, accompanied by a report (No. 312), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHALLENBERGER, from the Committee on Military Affairs, to which was referred the bill (S. 2917) to amend section 15 of the act approved June 3, 1916, entitled "An act for making further and more effectual provision for the national defense, and for other purposes," as amended by the act approved May 12, 1917, etc., reported the same without amendment, accompanied by a report (No. 313), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MOON, from the Committee on the Post Office and Post Roads, to which was referred the bill (S. 3689) authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. H. Hogan, at Kansas City, Mo., reported the same without amendment, accompanied by a report (No. 314), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 9275) granting a pension to Edwin D. Goodell, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BLANTON: A bill (H. R. 9860) to provide for the common defense and general welfare by conserving and increasing the production of food, leather, and clothing, through furnishing immediate needed relief to drought-stricken portions of the States of Texas, Colorado, and New Mexico, Kansas, Nebraska, North Dakota, and South Dakota, preventing by the immediate advancement for necessary feed the impending starvation of several million head of cattle and other valuable live stock; and by advancing needed means for supplies, feed for teams, and seeds for planting, thus making provisions for the cultivation of thousands of productive farms, which otherwise would be uncultivated and nonproductive in 1918; and appropriating therefor money hereafter reimbursable; to the Committee on Agriculture.

By Mr. KELLEY of Michigan: A bill (H. R. 9861) to prohibit the importation of goods, wares, merchandise, and materials from the German Empire under certain conditions; to the Committee on Ways and Means.

By Mr. SHERWOOD: A bill (H. R. 9862) increasing rates of pensions of soldiers and sailors of the Civil War; to the Committee on Invalid Pensions.

By Mr. HILLIARD: A bill (H. R. 9863) to amend section 224 of the Revised Statutes of the United States, relating to certificates of discharge; to the Committee on Military Affairs.

By Mr. GLASS: A bill (H. R. 9864) to amend section 3 of the Judicial Code in respect to the western district of Virginia; to the Committee on the Judiciary.

By Mr. EVANS: A bill (H. R. 9865) to authorize the sale of certain lands to school district No. 28 of Missoula County, Mont.; to the Committee on Indian Affairs.

By Mr. OSBORNE: A bill (H. R. 9866) authorizing and directing the Secretary of the Interior to grant to the Los Angeles County flood-control district the use of certain public lands in California, and granting rights in, over, and through the Angeles and Santa Barbara Forest Reserves to the Los Angeles County flood-control district; to the Committee on the Public Lands.

By Mr. SHERLEY: A bill (H. R. 9867) making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes; committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 9868) granting a pension to Anna Baird; to the Committee on Invalid Pensions.

By Mr. BROWNE: A bill (H. R. 9869) granting a pension to Carrie C. Fry; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 9870) granting a pension to Albert N. Oakleaf; to the Committee on Pensions.

By Mr. CARY: A bill (H. R. 9871) granting a pension to Albert Beiro; to the Committee on Pensions.

By Mr. COADY: A bill (H. R. 9872) for the relief of sundry building and loan associations; to the Committee on Claims.

By Mr. COPLEY: A bill (H. R. 9873) changing the naval record of Clarence A. Richards, for the administration of the pension laws; to the Committee on Naval Affairs.

By Mr. CRAGO: A bill (H. R. 9874) granting a pension to Harry W. Conn; to the Committee on Pensions.

By Mr. DENTON: A bill (H. R. 9875) granting a pension to America F. Roberts; to the Committee on Invalid Pensions.

By Mr. DEWALT: A bill (H. R. 9876) granting an increase of pension to Henry A. Kline; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9877) granting an increase of pension to William Haines; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 9878) granting an increase of pension to Michael Ingram; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 9879) granting an increase of pension to Joseph Brown; to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 9880) granting a pension to Helen M. Warren; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 9881) for the relief of Capt. Fred S. Johnston; to the Committee on Claims.

By Mr. HAWLEY: A bill (H. R. 9882) granting an increase of pension to James H. Layne, jr.; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 9883) granting an increase of pension to Daniel W. Butt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9884) granting an increase of pension to Oliver M. Mahan; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 9885) granting an increase of pension to Charles H. Dalrymple; to the Committee on Invalid Pensions.

By Mr. LEA of California: A bill (H. R. 9886) granting an increase of pension to Mervell J. Hibbard; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 9887) granting an increase of pension to De Lafayette S. Wynn; to the Committee on Invalid Pensions.

By Mr. OVERMYER: A bill (H. R. 9888) granting an increase of pension to Charles Fortescue; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9889) granting a pension to Sarah C. Francis; to the Committee on Invalid Pensions.

By Mr. ROSE: A bill (H. R. 9890) granting a pension to Frances J. Dixon; to the Committee on Invalid Pensions.

By Mr. TEMPLE: A bill (H. R. 9891) granting an increase of pension to James C. Stevenson; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 9892) granting a pension to Charles A. Swander; to the Committee on Pensions.

Also, a bill (H. R. 9893) granting a pension to Lulu M. Lehman; to the Committee on Pensions.

Also, a bill (H. R. 9894) granting a pension to Fred G. Pettigrew; to the Committee on Pensions.

Also, a bill (H. R. 9895) granting a pension to Charles C. Studley; to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 9896) granting an increase of pension to Lewis M. Cales; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the Association of American Medical Colleges, favoring the Owen amendment to Senate bill 1786; to the Committee on Military Affairs.

Also (by request), petition of members of the Friends of Irish Freedom, urging favorable action by Congress on the Rankin resolution for Irish independence; to the Committee on Foreign Affairs.

Also (by request), resolutions of the Lakeside Club, Manistee, Mich.; the Community Association of Crawfordsville, Ind.; the Romeo Monday Club, Romeo, Mich.; the Sorosis Club, St. Peter, Minn.; the Woman's Club, Racine, Wis.; and the Woman's Missionary Society of the United Presbyterian Church, urging the repeal of the second-class postage rates of the war-revenue act; to the Committee on Ways and Means.

Also (by request), memorial of Public Ownership League of America, favoring Government ownership, as well as operation, of the railroads; also a memorial of Columbia Lodge, No. 174, International Association of Machinists, favoring permanent Government control of transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. ANTHONY: Petition forwarded by Dr. Clyde Gray, of Horton, Kans., and signed by A. J. Thompson and other members of Company B, One hundred and thirty-seventh Infantry, Camp Doniphan, Okla., favoring the passage of House bill 5407; to the Committee on Military Affairs.

By Mr. CAREW: Resolution of the security holders of the Boston & Maine Railroad, relative to the effect of Federal control of that road; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: Resolutions of the Woman's Missionary Society of the United Presbyterian Church, Fort Morgan, Colo., and of the Maryland State Federation of Women's Clubs, favoring the repeal of the periodical postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. CLARK of Pennsylvania: Petition of Martin L. Schauble, Axil Ekslund, William A. Shurrager, H. H. Jarvis, and 18 others, praying for the passage of House bill 7995, for the preservation of the *Niagara*, Commodore Perry's flagship in the Battle of Lake Erie; to the Committee on Naval Affairs.

By Mr. DALE of New York: Resolution of the New York Antivivisection Society, protesting against compulsory inoculation of soldiers; to the Committee on Military Affairs.

By Mr. ELSTON: Petition of several hundred citizens of Alameda County, Cal., urging the passage of House bill 7356, known as the Keating bill; to the Committee on Appropriations.

By Mr. FULLER of Illinois: Petition of A. H. Karn and other citizens of Peru, Ill., favoring legislation for universal military training; to the Committee on Military Affairs.

Also, memorial of the Maryland State Federation of Women's Clubs, opposing increased rates of postage on periodicals; to the Committee on Ways and Means.

By Mr. GALLIVAN: Resolution of the Massachusetts State Board of Trade, favoring the loading or unloading of ships of high explosives at such distance from our shores as to minimize the hazard; to the Committee on Naval Affairs.

By Mr. HILLIARD: Resolutions adopted by the Community Association of Crawfordsville, Ind.; College Hall Library Club, of Sherman, Tex.; the Woman's Club of Beaver Dam, Wis.; and the Fortnightly Club of Sharon, Mass., protesting against the increased postage rates on periodicals; to the Committee on Ways and Means.

Also, petition of Mrs. Edmond E. Eckels, of Greeley, Colo., urging the admittance of osteopathic physicians to the Army; to the Committee on Military Affairs.

Also, petition of W. R. Callicotte, of Denver, Colo., urging the passage of measures designed to increase salaries of postal employees; to the Committee on the Post Office and Post Roads.

By Mr. KEATING: Petition of citizens of Colorado, asking for amendment of the rural-credits law; to the Committee on Banking and Currency.

By Mr. KENNEDY of Rhode Island: Petitions of Methodist Episcopal Churches of Providence, R. I., protesting against passage of Senate bill 3476, providing for a railroad track crossing

First Street into square No. 673 in Washington, D. C.; to the Committee on the District of Columbia.

By Mr. LUFKIN: Telegram from Hon. Leslie K. Morse, mayor, of Haverhill, Mass., urging opening up of old canals to assist in relieving the coal situation; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGEE: Petition by many residents of Route 2, La Fayette, Onondaga County, N. Y., favoring passage of national emergency war prohibition bill; to the Committee on the Judiciary.

By Mr. MOORE of Pennsylvania: Resolutions of the Lumberman's Exchange of Philadelphia, favoring the creation of a board of war control and a director of munitions; to the Committee on Military Affairs.

Also, memorial of Central Labor Union of Philadelphia, favoring legislation increasing the pay of postal clerks and carriers; also resolutions of the same organization opposing the Postmaster General's attitude toward labor organizations; to the Committee on the Post Office and Post Roads.

Also, resolution of the Vero Commercial Club, urging Government control of the Florida Coast Line Canal; to the Committee on Rivers and Harbors.

By Mr. O'SHAUNESSY: Petition of George Thornto, Pawtucket, R. I., protesting against interference with the efforts of Secretary Baker; to the Committee on Military Affairs.

By Mr. SANFORD: Papers to accompany House bill 9138, granting increase of pension to Daniel Lawlor; to the Committee on Pensions.